



#12

# COMPLETED 04/11/08 SH DRB CASE ACTION LOG (FINAL PLAT)

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-70159	Project # 1006200
Project Name: REPLAT OF TRACTS 1&2, MESA DEL SOL INNOVATION PARK	
Agent: BOHANNAN HUSTON INC.	Phone No.: 823-1000

Your request was approved on 4/9/08 by the DRB with delegation of signature(s) to the following departments.

### OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: 30' radius at University and Chik SE.

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

PLANNING (Last to sign): record.

AGIS dxf approval. a/g

\_\_\_\_\_

\_\_\_\_\_

- 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:

*Vacation requires Utilities and Real Property to sign off*



**DEVELOPMENT REVIEW BOARD  
ACTION SHEET**

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

**April 9, 2008 9:00AM**

**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**

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**CASES WHICH REQUIRE PUBLIC NOTIFICATION**

**MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS** . . . . .

- 1. **Project# 1006516**  
07DRB-70030 BULK LAND VARIANCE  
07DRB-70031 MAJOR - PRELIMINARY  
PLAT APPROVAL  
07DRB-70032 MINOR - TEMP DEFR  
SWDK CONST  
07DRB-70033 SIDEWALK WAIVER  
07DRB-70034 VACATION OF PUBLIC  
EASEMENT  
07DRB-70085 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(s) PORTION OF TRACT 4A, **MESA DEL SOL**, zoned SU-2/PC, located on UNIVERSITY BLVD. SE BETWEEN SOLAR MESA AVE. SE AND BOBBY FOSTER SE containing approximately 114.7792 acre(s). (R15, R16, S15, AND S16) [*Deferred from 6/27/07, 7/25/07, 7/22/07, 8/22/07 & 9/26/07, 1/30/08, & 3/5/08*] **DEFERRED TO 5/14/08 AT THE AGENT'S REQUEST.**

- 2. **Project # 1005546**  
07DRB-00589 MAJOR-VACATION OF  
PUBLIC RIGHT-OF-WAY

SURV TEK INC agent(s) for BLACK FARMS LLC request(s) the above action(s) for **BLACK FARMS ESTATE, UNIT 2**, zoned RA-1 located on IRVING BLVD NW between VALLEY VIEW DR NW and RIVERFRONTE DR NW. (C-13) [*Deferred from 6/6/07, 9/5/07, 11/7/07 & 1/9/08*] **DEFERRED TO 6/11/08 AT THE AGENT'S REQUEST.**

3. **Project# 1006833**  
08DRB-70108 VACATION OF PUBLIC EASEMENT  
08DRB-70111 VACATION OF PRIVATE EASEMENT  
08DRB-70112 MAJOR - PRELIMINARY PLAT APPROVAL

07DRB-70254 MAJOR - SDP FOR SUBDIVISION  
07DRB-70255 MAJOR - SDP FOR BUILDING PERMIT

4. **Project# 1003916**  
08DRB-70123 VACATION OF PUBLIC EASEMENT  
08DRB-70124 SIDEWALK WAIVER  
08DRB-70125 MINOR - TEMP DEFR SWDK CONST  
08DRB-70126 MAJOR - PRELIMINARY PLAT APPROVAL

08DRB-70152 EPC APPROVED SDP FOR SUBDIVISION

SURV-TEK INC agent(s) for TABET LUMBER CO request(s) the above/ referenced action(s) for all or a portion of Tracts S-1A and S-2A-2, **ATRISCO BUSINESS PARK, UNIT 2** (TBK as Tract(s) A & B, MERIDIAN BUSINESS PARK II) together with Tract S-2A-1, **ATRISCO BUSINESS PARK, UNIT 2** (TBK as UNSER TOWNE CROSSING) zoned IP, located on the east side of UNSER BLVD NW BETWEEN LOS VOLCANES RD NW AND INTERSTATE ROUTE 40 containing approximately 70.3629 acre(s). (J-9, J-10) [Deferred from 3/26/08] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

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, 11/14/07, 12/12/07, 1/30/08, 2/27/08, 3/26/08] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

ISAACSON AND ARFMAN PA agent(s) for DEL REY INVESTMENTS LLC request(s) the above action(s) for all or a portion of Block(s) 18 & 19, Tract A, Unit A, **NORTH ALBUQUERQUE ACRES** (TBK MONTERRA DEL REAY, UNITS 1-3), zoned SU-1/ PDA, located between SAN PEDRO DR NE and LOUISIANA BLVD NE, AND BETWEEN DERICKSON AVE NE and SANTA MONICA AVE NE containing approximately 63.3836 acre(s). (D-18) [Deferred from 4/2/08] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

DEKKER PERICH SABATINI agent(s) for DEL RAY INVESTMENTS LLC request(s) the above action(s) for all or a portion of Block(s) 18 & 19, Tract(s) A, **NORTH ALBUQUERQUE ACRES Unit(s) A**, zoned SU-1 FOR MOBILE HOME PARK, located on DERICKSON BETWEEN SAN PEDRO AND LOUISIANA containing approximately 58.52 acre(s). (D-18) [Deferred from 4/2/08] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

5. **Project# 1004354**  
08DRB-70048 SITE DEVELOPMENT  
PLAN FOR BUILDING PERMIT

TIERRA WEST LLC agent(s) for MCDONALD'S CORPORATION request(s) the above action(s) for all or a portion of Lot 2, **KRANIA ADDITION**, zoned SU-2 PCA, located on the SE corner of 98TH ST NW AND VOLCANO RD NW containing approximately 1.1172 acre(s). (K-9) [*Deferred from 2/20/08, 3/5/08, 3/12/08, 3/19/08, 3/26/08 & 4/2/08 .*] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

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

6. **Project# 1002270**  
08DRB-70151 EPC APPROVED SDP  
FOR BUILD PERMIT

TOM LUCERO ARCHITECT agent(s) for MANNY AKA request(s) the above action(s) for all or a portion of Lot(s) 2-4, Block(s) 52, **TERRANCE ADDITION** zoned SU-2 FOR CMU, located on CENTRAL AVE SE BETWEEN ASH SE AND MAPLE SE containing approximately 0.49 acre(s). (L-15) [*Deferred from 4/2/08*] **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR CORRECTIONS ON THE SITE PLAN AND TO PLANNING FOR LANDSCAPING – 10' LANDSCAPE BUFFER ALONG CENTRAL AND THREE COPIES.**

7. **Project# 1004677**  
08DRB-70101 EPC APPROVED SDP  
FOR SUBDIVISION

C DAVID DAY, MOULE & POLYZOIDES ARCHITECTS agent(s) for JAY REMBE AND/OR HIS ASSIGNS request(s) the above action(s) for all or a portion of Tract(s) 129A, 131, 133A1, 133A2, 133B, 134, AND 135A, **ALBUQUERQUE LITTLE THEATER, CALVIN HORN, AND LAGUNA SUBDIVISION**, zoned SU-1/SU-1/ ALBUQUERQUE LITTLE THEATER & SU-2/SU-1 CLD, located on CENTRAL AVE SW BETWEEN LAGUNA BLVD SW AND SAN PASQUALE SW containing approximately 3.86 acre(s). (J-13) [*Deferred from 3/5/08, 3/19/08 & 4/2/08*] **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR 3 COPIES OF SITE PLAN.**

08DRB-70143 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

ISAACSON AND ARFMAN PA agent(s) for COUNTRY CLUB PARTNERS LLC request(s) the above action(s) for all or a portion of Tract(s) B-2-A, 131, 132, 133-A-1, 133-A-2, 133-B, 134 & 135-A , 134 & 135-a, **LANDS OF ALBUQUERQUE LITTLE THEATER TBK COUNTRY CLUB PLAZA** zoned SU-2/SU-1 FOR MIXED USE, located on CENTRAL AVE SW BETWEEN SAN PASQUALE AVE SW AND LAGUNA BLVD SW containing approximately 4.7322 acre(s). (J-13)[*Deferred from 4/2/08*] **WITH THE SIGNING OF THE INFRA-STRUCTURE LIST DATED 4/9/08, THE PRELIMINARY PLAT WAS APPROVED. FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA. CONDITION OF FINAL PLAT PER TRANSPORTATION:NEGOTIATION WITH UNDERLYING PROPERTY OWNERS FOR RELOCATED 28FT ACCESS EASEMENT.**

8. **Project# 1006973**  
08DRB-70119 EPC APPROVED SDP  
FOR BUILD PERMIT  
08DRB-70120 EPC APPROVED SDP  
FOR SUBDIVISION

08DRB-70058 MINOR -  
PRELIMINARY/FINAL PLAT  
APPROVAL

CONSENSUS PLANNING agent(s) for MIDWEST PHILLIPS EDISON AND COMPANY request(s) the above action(s) for all or a portion of Lot(s) 19 A-1, **PARADISE NORTH** zoned SU-1 FOR C-1 USES, located on UNSER BLVD NW BETWEEN MCMAHON BLVD NW AND SUMMER REDGE NW containing approximately 3.6 acre(s). (A-11) [Deferred from 3/12/08 & 3/26/08] **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

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) **DEFERRED TO 4/16/08 AT THE AGENT'S REQUEST.**

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

9. **Project# 1004720**  
08DRB-70153 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

TERRA LAND SURVEYS agent(s) for RALPH GREEN request(s) the above action(s) for all or a portion of Lot(s) EAST 10 FT OF 2 , NORTH 97 FT OF 3, 3-A & 4, Block(s) K, **HIGHLAND ADDITION SOUTH** zoned SU-2 FOR NCR, located on BROADWAY BLVD SE BETWEEN HAZELDINE AVE SE AND SANTA FE AVE SE containing approximately 0.3882 acre(s). (K-14) **INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

10. **Project# 1004820**  
08DRB-70157 VACATION OF PRIVATE  
EASEMENT  
08DRB-70158 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for ACI MANAGMENT LLC request(s) the above action(s) for all or a portion of Tract(s) D-1-B-2, **ADOBE WELLS SUBDIVISION** zoned C-2, located on EAGLE RANCH RD NW BETWEEN IRVING BLVD NW AND COORS BYPASS NW containing approximately 3.45 acre(s). (B-13) **WITHDRAWN AT THE AGENT'S REQUEST.**

11. **Project# 1005474**  
08DRB-70163 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

CATHERINE HELLER request(s) the above action(s) for all or a portion of Lot(s) 7 & 8, **ROSEMONT PARK ADDITION** zoned S-R, located on 11TH ST NW BETWEEN 10TH ST NW AND MOUNTAIN RD NW containing approximately 0.1608 acre(s). (J-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO ADD MAINTENANCE AND BENEFICIARY NOTE FOR 15FT ACCESS EASEMENT, AND THE CONDITION THAT THE VARIANCE FOR LOT SIZE BE APPROVED THROUGH THE ZONING HEARING EXAMINER.**

12. **Project# 1006001**  
08DRB-70161 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(s) 22-A, 22-B, 22-C, **REPLAT OF TRACT 22, MESA DEL SOL INNOVATION PARK** zoned PC, located on UNIVERSITY BLVD SE BETWEEN EASTMAN AVE SE AND STRYKER SE containing approximately 15.82 acre(s). (R-16) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING TO RECORD.**

13. ~~**Project# 1006200**~~  
08DRB-70159 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(s) 1 & 2, **REPLAT OF TRACTS 1&2, MESA DEL SOL INNOVATION PARK** zoned PC, located on CRICK AVE SE BETWEEN UNIVERSITY SE AND WATSON DR SE containing approximately 41.2085 acre(s). (Q-15, Q-16) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR 30FT RADIUS AT UNIVERSITY AND CRIK SE, AND TO PLANNING FOR AGIS DXF AND TO RECORD.**

14. **Project# 1007200**  
08DRB-70160 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

ALPHA PROFESSIONAL SURVEYING INC agent(s) for NAOMI CASTRO request(s) the above action(s) for all or a portion of Lot(s) 14, Block(s) G, **THE PALISADES** zoned R-T, located on ALALMOGORDO DR NW BETWEEN OURAY RD NW AND WESTERN BREEZE CT NW containing approximately 0.2436 acre(s). (H-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR CROSS LOT DRAINAGE EASEMENT AND 3 FT BUILDING MAINTENANCE EASEMENT, AND TO PLANNING FOR CERTIFICATION FROM BUILDING AND SAFETY.**

15. **Project# 1007201**  
08DRB-70162 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL

PRECISION SURVEYS INC agent(s) for MILDRED SKENDER request(s) the above action(s) for all or a portion of Lot(s) 8, **LOS HERMANOS ADDITION** zoned R-1, located on CARLTON ST NW BETWEEN GREGOS RD NW & BELLROSE ST NW containing approximately 0.375 acre(s). (G-15)**THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH NO DELEGATION.**

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

16. **Project# 1006767**  
08DRB-70164 SKETCH PLAT REVIEW  
AND COMMENT

MULLEN HELLER ARCHITECTURE agent(s) for CUARPARRAL ELECTRIC request(s) the above action(s) for all or a portion of Lot(s) 1-A (LOT-B, LOT 1 & LOT 2), Block(s) 2, **HILL'S ACRES SUBDIVISION** zoned S-M1, located on 6TH ST NW BETWEEN MCNIGHT AVE NW AND BEZEMEK AVE NW containing approximately 0.63 acre(s). (H-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. Approval of the Development Review Board Minutes for February 13, 2008.

Other Matters: None

ADJOURNED: 10:45



**CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT**

**April 9, 2008  
DRB Comments**

**ITEM # 13**

**PROJECT # 1006200**

**APPLICATION # 08-70159**

**RE: Tracts 1 & 2, Mesa del Sol Innovation Park**

Maintenance of proposed Tracts OS-5 and OS-6 must be addressed per the Subdivision Ordinance prior to final sign-off.

For future reference, please do not identify the property's zoning (Note 3) on the plat.



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Jack Cloud AICP, DRB Chairman

505-24-3880/ jcloud@cabq.gov

# CITY OF ALBUQUERQUE



## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006200

AGENDA ITEM NO: 13

SUBJECT:

Final Plat

ACTION REQUESTED:

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

PO Box 1293

ENGINEERING COMMENTS:

No adverse comments.

Albuquerque

NM 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)

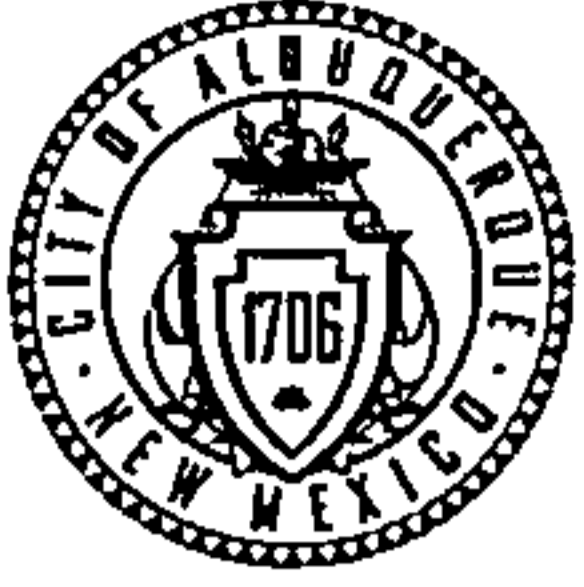
DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP)

TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR: \_\_\_\_\_

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

DATE: April 9, 2008



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 27, 2008

- 1. 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)

At the February 27, 2008 Development Review Board Meeting, 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.

A)(1) The public easement vacation and the public right-of-way vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the public easement and the public right-of-way easment.

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

### CONDITIONS:

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

With the signing of the infrastructure list dated February 27, 2008, the preliminary plat was approved. The final plat was deferred for the SIA.

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

The date the determination in question is issued is not included in the 15-day period for filing an appeal.

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

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

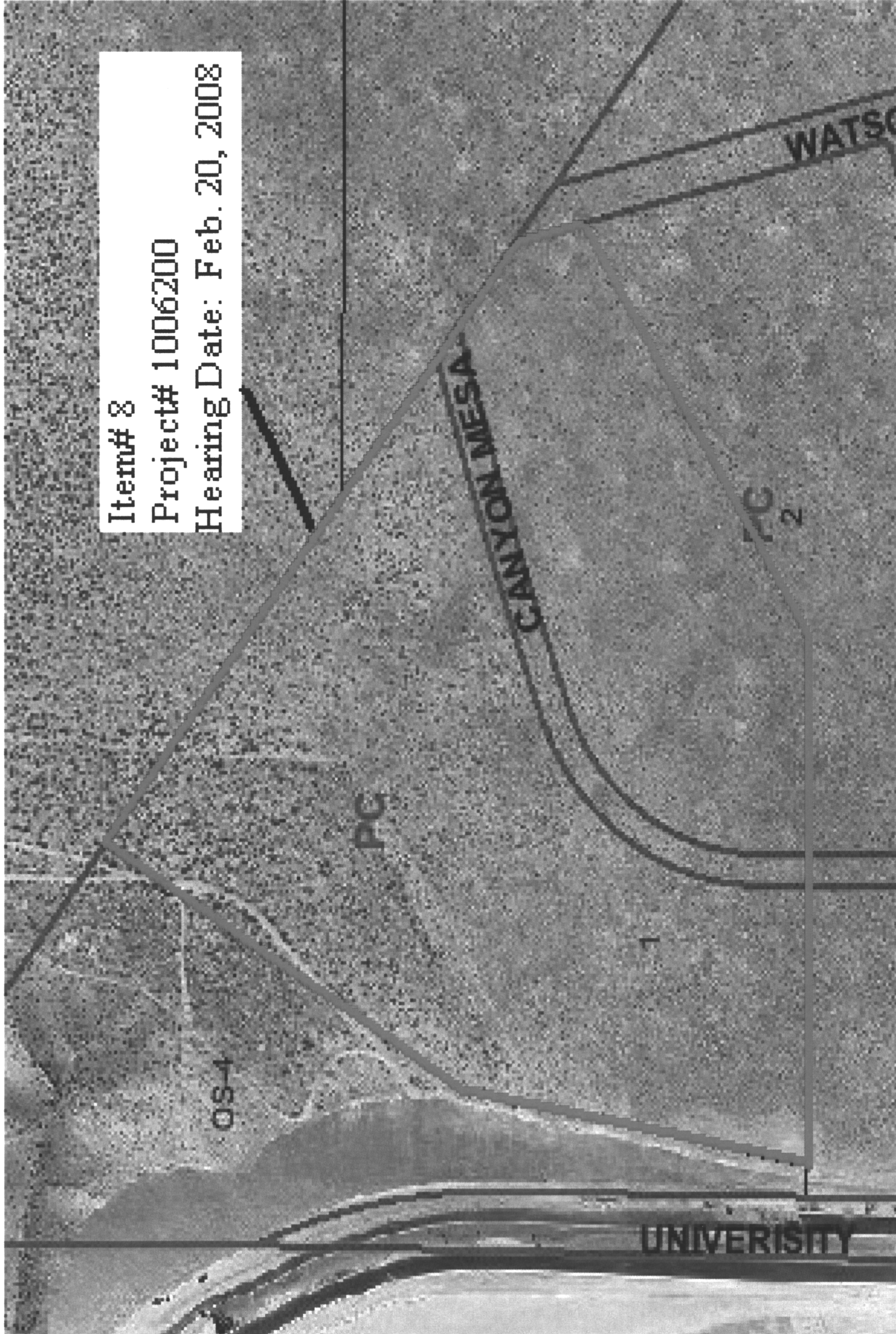
Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article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



Jack Cloud, AICP, DRB Chair

Cc: Bohannon Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109  
Cc: Mesa Del Sol, LLC – 801 University Blvd SE Ste 200 – Albuquerque, NM  
87106

Item# 8  
Project# 1006200  
Hearing Date: Feb. 20, 2008



# DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1006200 AGENDA# 2 DATE: 2/27/08

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



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 2, 2008

**Project# 1006200**

08DRB-70060 VACATION OF PUBLIC EASEMENTS

08DRB-70061 VACATION OF PUBLIC RIGHT-OF-WAY

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)

<b>AMAFCA</b> No comment.
<b>COG</b> MRCOG staff have no comment on this particular project.
<b>TRANSIT</b> No comments received.
<b>ZONING ENFORCEMENT</b> No comments received.
<b>NEIGHBORHOOD COORDINATION</b> Letters sent to: <b>Mountain View NA (R)</b>
<b>APS</b> <b>Mesa Del Sol Innovation Park</b> , Tracts 1 and 2, is located on the north side of Crick SE between University Blvd SE and Watson Dr SE. The owner of the above property requests a vacation of public and private easements for a property zoned PC. This request will have no adverse impacts to the APS district.
<b>POLICE DEPARTMENT</b> None
<b>FIRE DEPARTMENT</b> No comments received.
<b>PNM ELECTRIC &amp; GAS</b> VACATION OF PUBLIC EASEMENTS.: <b>APPROVED</b> VACATION OF PUBLIC RIGHT OF WAY: <b>APPROVED</b>
<b>COMCAST</b> No comments received.
<b>QWEST</b> No comments received.
<b>ENVIRONMENTAL HEALTH</b> No comments received.

<b>M.R.G.C.D</b> No Adverse Comments.
<b>OPEN SPACE DIVISION</b> Open Space has no adverse comments
<b>CITY ENGINEER</b> The Hydrology section has no objection to the vacation request on condition that appropriate alternative drainage easements are provided on the subsequent platting action. 1-17-08
<b>TRANSPORTATION DEVELOPMENT</b> No adverse comments.
<b>PARKS AND RECREATION</b> Defer to affected utilities.
<b>ABCWUA</b> No objection to Vacation requests.
<b>PLANNING DEPARTMENT</b> Planning has no objection to vacation of street right-of-way. Refer to comments from affected utilities regarding proposed easement vacation(s)
<b>IMPACT FEE ADMINISTRATOR</b>

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

Cc: Bohannan Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109  
Cc: Mesa Del Sol, LLC – 801 University Blvd SE Ste 200 – Albuquerque, NM 87106



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

[www.bhinc.com](http://www.bhinc.com)

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

SENT VIA FAX

April 1, 2008

Jack Cloud, DRB Chair  
Development Review Board  
City of Albuquerque  
P O Box 1293  
Albuquerque, NM 87103

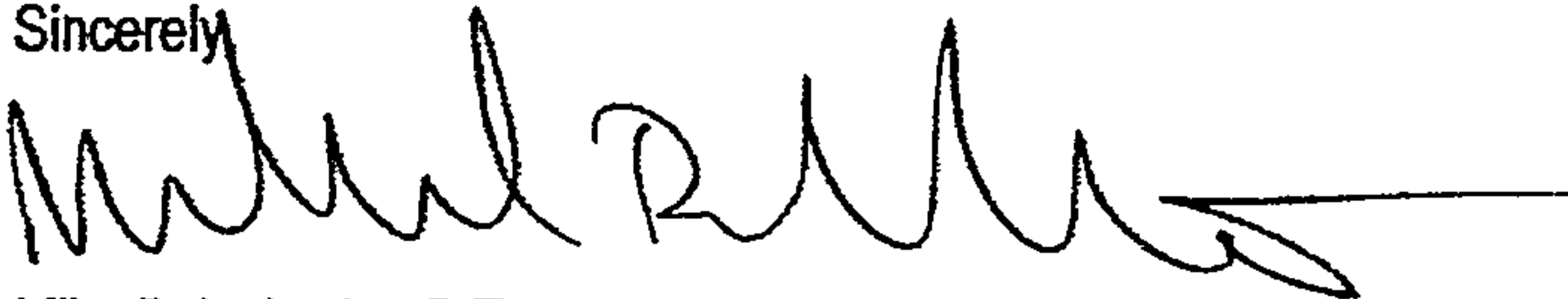
Re: DRB # 1006200 - Mesa del Sol Innovation Park Replat of Tracts 1&2  
Minor Subdivision Final Plat Approval

Dear Jack:

On February 27<sup>th</sup> Bohannon Huston, Inc. received Preliminary Plat approval at DRB for the replat of Tracts 1 & 2 within Mesa del Sol Innovation Park and was indefinitely differed pending a recorded SIA. We have obtained the recorded SIA and BHI requests that we are placed on the agenda for the April 9<sup>th</sup>, 2008 hearing.

If you have any questions or require further information, please call me at 823-1000.

Sincerely



Mike Balaskovits, P.E.  
Project Engineer  
Community Development and Planning Group

MB/am

ENGINEERING ▲

SPATIAL DATA ▲

ADVANCED TECHNOLOGIES ▲

# CITY OF ALBUQUERQUE



## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

**DRB CASE NO/PROJECT NO: 1006200**

**AGENDA ITEM NO: 2**

**SUBJECT:**

Vacation  
Final Plat  
Preliminary Plat

**ACTION REQUESTED:**

P.O. Box 1293

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

Albuquerque

**ENGINEERING COMMENTS:**

New Mexico 87103

The Hydrology Section has no objection to the vacation request.  
An approved drainage plan dated 1-17-08 is on file for Preliminary Plat approval.  
An executed Subdivision Improvements Agreement with financial guarantees is required for Final Plat sign-off.  
Comments on infrastructure list.

www.cabq.gov

**RESOLUTION:**

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) <sup>IL</sup> 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

# CITY OF ALBUQUERQUE



## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006200

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

Vacation is to be heard 2-27-08 and this plat cannot be approved until that vacation is approved.

New Mexico 87103

RESOLUTION:

www.cabq.gov

APPROVED \_\_\_\_; DENIED \_\_\_\_; DEFERRED 2-27-08 X; 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: February 20, 2008

**6200**

### DXF Electronic Approval Form

DRB Project Case #: 1006200

Subdivision Name: MESA DEL SOL INNOVATION PARK TRACTS 1A 1B 2A 2B OS5 & OS6

Surveyor: ROBERT GROMATZKY

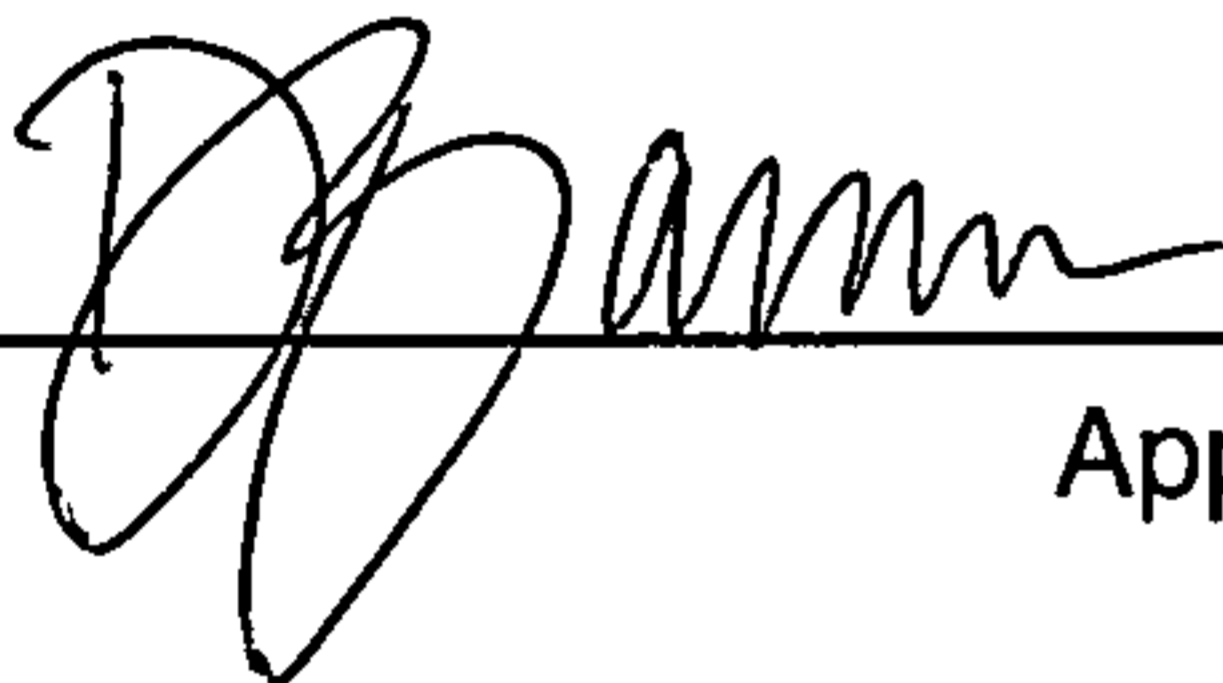
Contact Person: MARY COLE

Contact Information: 198-7826

DXF Received: 4/9/2008

Hard Copy Received: 4/9/2008

Coordinate System: Ground rotated to NMSP Grid

  
Approved

04.09.2008  
Date

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

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#### AGIS Use Only

Copied fc 6200 to agiscov on 4/9/2008 Contact person notified on 4/9/2008

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

**Meeting Date:** February 27, 2008  
**Zone Atlas Page:** Q-16  
**Notification Radius:** 100 Ft.

**Project#** 1006200  
**App#**08DRB-70060  
08DRB-70061

**Cross Reference and Location:** CRICK AVE SE BETWEEN UNIVERSITY BLVD  
SE AND WATSON DR SE

**Applicant:** MESA DEL SOL, LLC  
801 UNIVERSITY BLVD SE STE 200  
ALBUQUERQUE, NM 87106

**Agent:** BOHANNAN HUSTON, INC  
7500 JEFFERSON NE  
ALBUQUERQUE, NM 87109

**Special Instructions:**

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

**Date Mailed:** FEBRUARY 8, 2008  
**Signature:** ERIN TREMLIN

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Bohannon Huston, Inc PHONE: 823-1000

ADDRESS: 7500 Jefferson NE FAX: \_\_\_\_\_

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_

APPLICANT: Mesa del Sol, LLC PHONE: 400-3021

ADDRESS: 801 University BLVD SE, STE 200 FAX: 242-2978

CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: \_\_\_\_\_

Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Vacation of public and private easements

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. Tracts 1 and 2 Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Bulk Land Plat for Mesa del Sol Innovation Park

Existing Zoning: PC Proposed zoning: N/A MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): Q-16 UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): \_\_\_\_\_

**CASE INFORMATION:**

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

No. of existing lots: 2 No. of proposed lots: N/A Total area of site (acres): 39.42

LOCATION OF PROPERTY BY STREETS: On or Near: Crick Ave SE

Between: University BLVD SE and Watson Dr SE

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

SIGNATURE [Signature] DATE 2/1/08

(Print) Mike Balaskovits Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Form revised 4/07

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

Application case numbers  
08DEB - 70060  
08PRB - 70061

Action	S.F.	Fees
<u>VPE</u>	<u>✓</u>	<u>\$ 160.00</u>
<u>VRM</u>	<u>✓</u>	<u>\$ 300.00</u>
<u>ADY</u>	<u>---</u>	<u>\$ 75.00</u>
<u>CHF</u>	<u>---</u>	<u>\$ 20.00</u>
		<u>\$ _____</u>
		<u>\$ _____</u>
		<u>Total</u>
		<u>\$ 575.00</u>

Hearing date 02/27/08

Sandy Handley 02/01/08  
 Planner signature / date

Project # 1006200

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)  
 \_\_\_ Application for Minor Plat on FORM S-3, including those submittal requirements. 24 copies  
 \_\_\_ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.  
 \_\_\_ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)  
 \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
 \_\_\_ Sign Posting Agreement  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27)**  
 **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**  
 The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies.  
 (Not required for City owned public right-of-way.)  
 Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") 24 copies  
 Zone Atlas map with the entire property(ies) clearly outlined  
 Letter briefly describing, explaining, and justifying the request  
 Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
 \_\_\_ Sign Posting Agreement  
 Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- SIDEWALK VARIANCE (DRB20)**  
 **SIDEWALK WAIVER (DRB21)**  
 \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") 6 copies  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**  
 \_\_\_ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") 24 copies  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the variance  
 \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
 \_\_\_ Sign Posting Agreement  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**  
 **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**  
 \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") 6 copies  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**  
 **VACATION OF RECORDED PLAT (DRB29)**  
 \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") 6 copies  
 \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") 6 copies  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation 6 copies  
 \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

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

MICHAEL BALASIOVITS  
 Applicant name (print)  
 Michael Balasiovits 2/1/08  
 Applicant signature / date



Form revised 4/07

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

Application case numbers  
 C&DRB - 10060  
 O&DRB - 10061

Sandy Hand 02/01/08  
 Planner signature / date  
 Project # 1006200

R e c	UPC CODE	OWNER	OWNER ADDRES S	OWN ER CITY	OWN ER STA TE	OWN ER ZIP CODE	PR OP ER TY CL AS S	TA X DI ST RI CT	LEGAL
1	101605 228121 040150	STATE OF NEW MEXICO STATE L AND OFFICE	PO BOX 1 148	SAN TA F E	N M	875 04 114 8	C	A1 A	S1/2 N1/2 & SW & N1/2 SE & SW SE OF SEC 15 T9N R3 E CONT 440.0 AC M/L
2	101705 206606 630105	STATE OF NEW MEXICO	PO BOX 1 148	SAN TA F E	N M	875 04	C	A1 A	SEC 14 T9N R3E TR IN SW1/4 OF SW1/4 CONT 40 ACR ES
3	101705 206619 630110	WRIGHT DARLA DEE TRUSTEE W RIGHT FMT ETAL	PO BOX 5 04	SAN TA R OSA	N M	884 35 050 4	V	A1 A	STATE OF NMEX NW1/4 OF SW1/4 CONT 40*00AC
4	101505 226024 040190	HORNE- STEWART LLC	9630 N 2 5TH AVE SUITE 45 0	PHO ENIX	A Z	850 21	V	X1 A	SEC 16 T9N R3E EXCL NORTH PORTS & THOSE POR TS OUT TO RW FOR U.S.R.R. SPUR & LOS PICAROS RD & UNIVERSITY BLVD EXTENSION CONT 294.8603 AC
5	101605 127127 110138	STATE OF NEW MEXICO STATE L AND OFFICE	PO BOX 1 148	SAN TA F E	N M	875 04 114 8	V	A1 A	ALL OF SEC 22 T9N R3E CONT 640.00 AC
6	101605 246306 640165	RIORDAN GUY & FRANCES & OVIS CHARLES & NAN CY	9514 KA NDACE D R NW	ALB UQU ERQ UE	N M	871 14	V	A1 A	SEC15 9N3E SE1/4 SE1/4 40.0 AC
7	101705 226426 410142	STATE OF NEW MEXICO	PO BOX 1 149	SAN TA F E	N M	875 04 114 9	V	A1 A	ALL OF SEC 14 EXC E1/2 OF SW1/4 & EXC POR OUT T O U S GOVT CO NT 552.43 AC
8	101605 226346 210150	CITY OF ALBUQU ERQUE REAL ES TATE OFFICE	PO BOX 1 293	ALB UQU ERQ UE	N M	871 03 129 3	C	A1 A	N1/2 N1/2 SEC15 T9N R3E 160.00AC
9	101505 242040 010101	HORNE- STEWART LLC	9630 N 2 5TH AVE SUITE 45 0	PHO ENIX	A Z	850 21	V	X1 A	SEC 16 T9N R3E EXCL S'LY & NW PORTS & THOSE P ORTS OUT TO RW FOR U.S.R.R. SPUR & LOS PICAR OS RD & UNIVERSITY BLVD EXTENSION CONT 111.2 274 AC
10	101505 126126 010144 L1	STATE OF NEW MEXICO STATE L AND OFFICE	PO BOX 1 148	SAN TA F E	N M	875 04 114 8	V	A1 A	LAND ONLY IN SECTION T9N R3E SECTION 21 AKA M ESA DEL SOL CENTRE FOR PERFORMING ARTS CO NT 634.3200 AC



OR CURRENT RESIDENT  
101505226024040190  
HORNE-STEWART LLC  
9630 N 25TH AVE SUITE 450  
PHOENIX, AZ 85021

OR CURRENT RESIDENT  
101705206619630110  
WRIGHT DARLA DEE TRUSTEE  
WRIGHT FMT ETAL  
PO BOX 504  
SANTA ROSA, NM 88435 0504

Project# 1006200  
PATTY GRICE  
Mountain View NA  
206 FENTIMAN PL SE  
ALBUQUERQUE, NM 87105

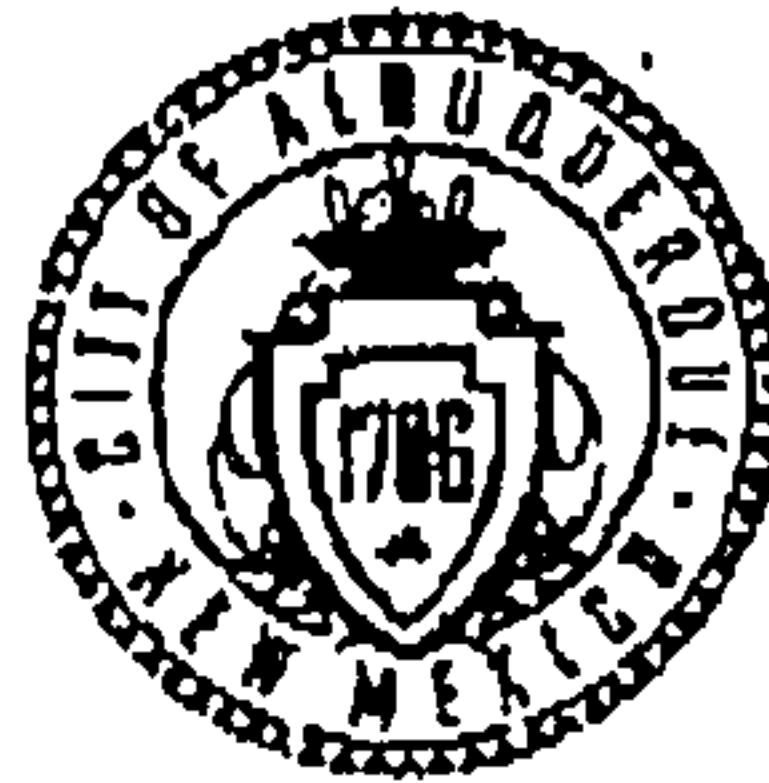
OR CURRENT RESIDENT  
101605246306640165  
RIORDAN GUY & FRANCES & OVIS  
CHARLES & NANCY  
9514 KANDACE DR NW  
ALBUQUERQUE, NM 87114

Project# 1006200  
BOHANNAN HUSTON INC  
7500 JEFFERSON NE  
ALBUQUERQUE, NM 87109

Project# 1006200  
MARLA PAINTER  
Mountain View NA  
506 VALLEY HIGH ST SE  
ALBUQUERQUE, NM 87106

OR CURRENT RESIDENT  
101705206606630105  
STATE OF NEW MEXICO  
PO BOX 1148  
SANTA FE, NM 87504

Project# 1006200  
MESA DEL SOL LLC  
801 UNIVERSITY BLVD SE STE 200  
ALBUQUERQUE, NM 87106



# City of Albuquerque

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

Date: JANUARY 28, 2008

TO CONTACT NAME: Mike Balaskovits  
 COMPANY/AGENCY: Bohannon Huston, Inc.  
 ADDRESS/ZIP: 7500 Jefferson St. NE 87109-4335  
 PHONE/FAX #: 823-1000 / 798-7988

Thank you for your inquiry of JANUARY 28, 2008 (date) requesting the names of **ALL Affected Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at Mesa Del Sol, Innovation Park, Tract 1 and 2 located on Crick Ave SE between University Blvd and Watson Dr. zone map page(s) 9-16.

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

Mountain View N.A.  
 Neighborhood or Homeowner Association  
 Contacts: Patty Grice  
206 Fentiman Pl. SE 87105  
452-9159 (A)  
Marla Painter  
506 Valley High St. SE 87106  
220-3969 (C)

Neighborhood or Homeowner Association  
 Contacts: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**Information:**

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

Sincerely,

OFFICE OF NEIGHBORHOOD COORDINATION

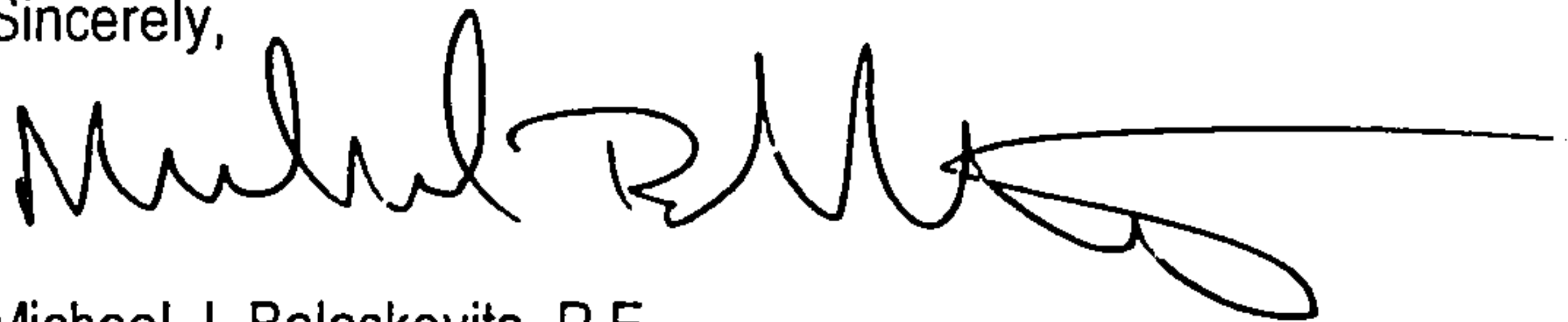
.....  
**ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.**  
 .....

Mr. Jack Cloud  
City of Albuquerque  
February 1, 2008  
Page 2

These public easements and 50' right-of-way to be vacated are in preparation for a future replat of Tracts 1 and 2. This replat will grant an additional public drainage and pedestrian easement to take the place of the two being vacated with this submittal.

Please place this item on the DRB Agenda for hearing on February 27, 2008. If you have any questions or require further information, please contact me.

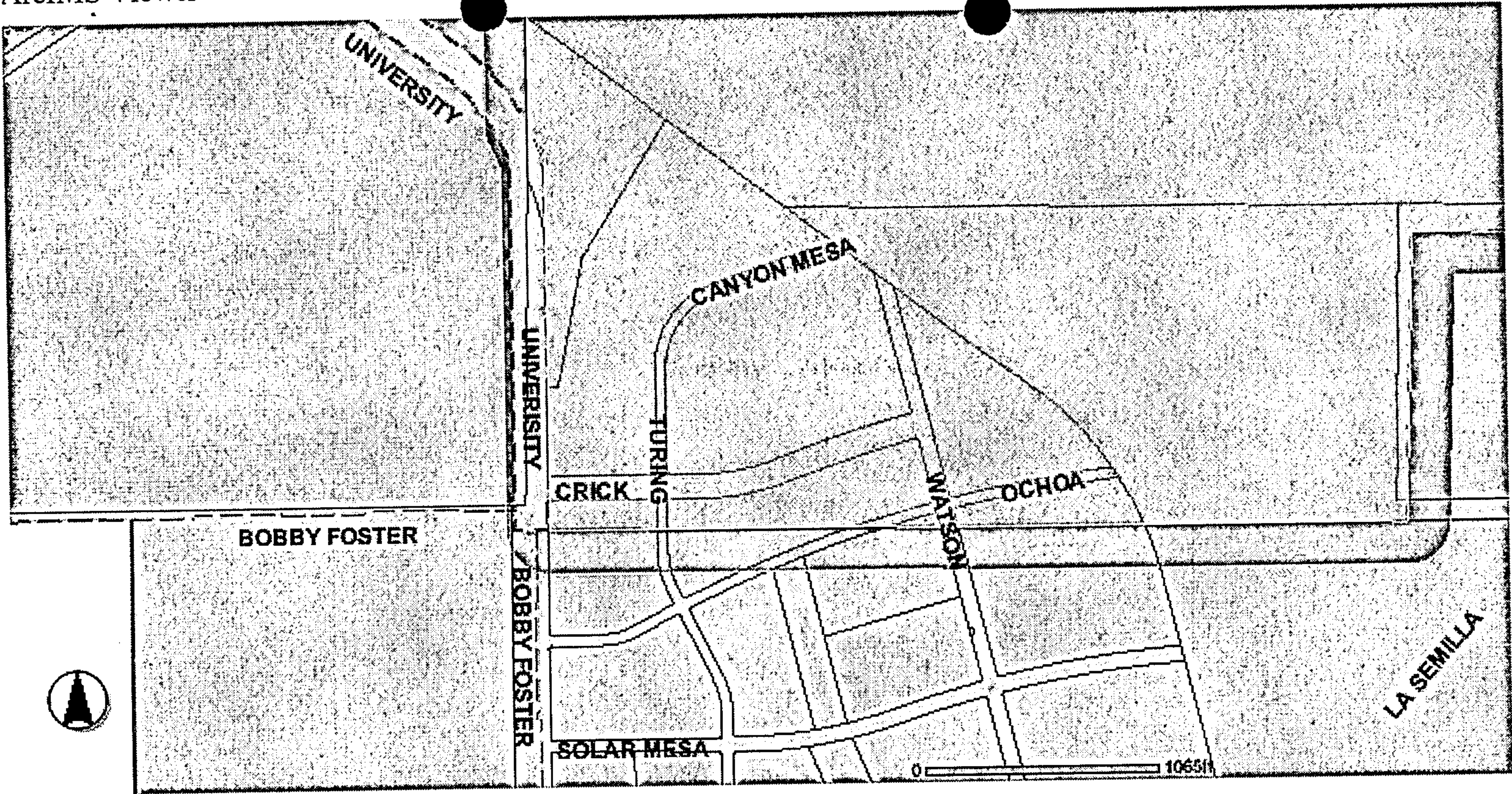
Sincerely,

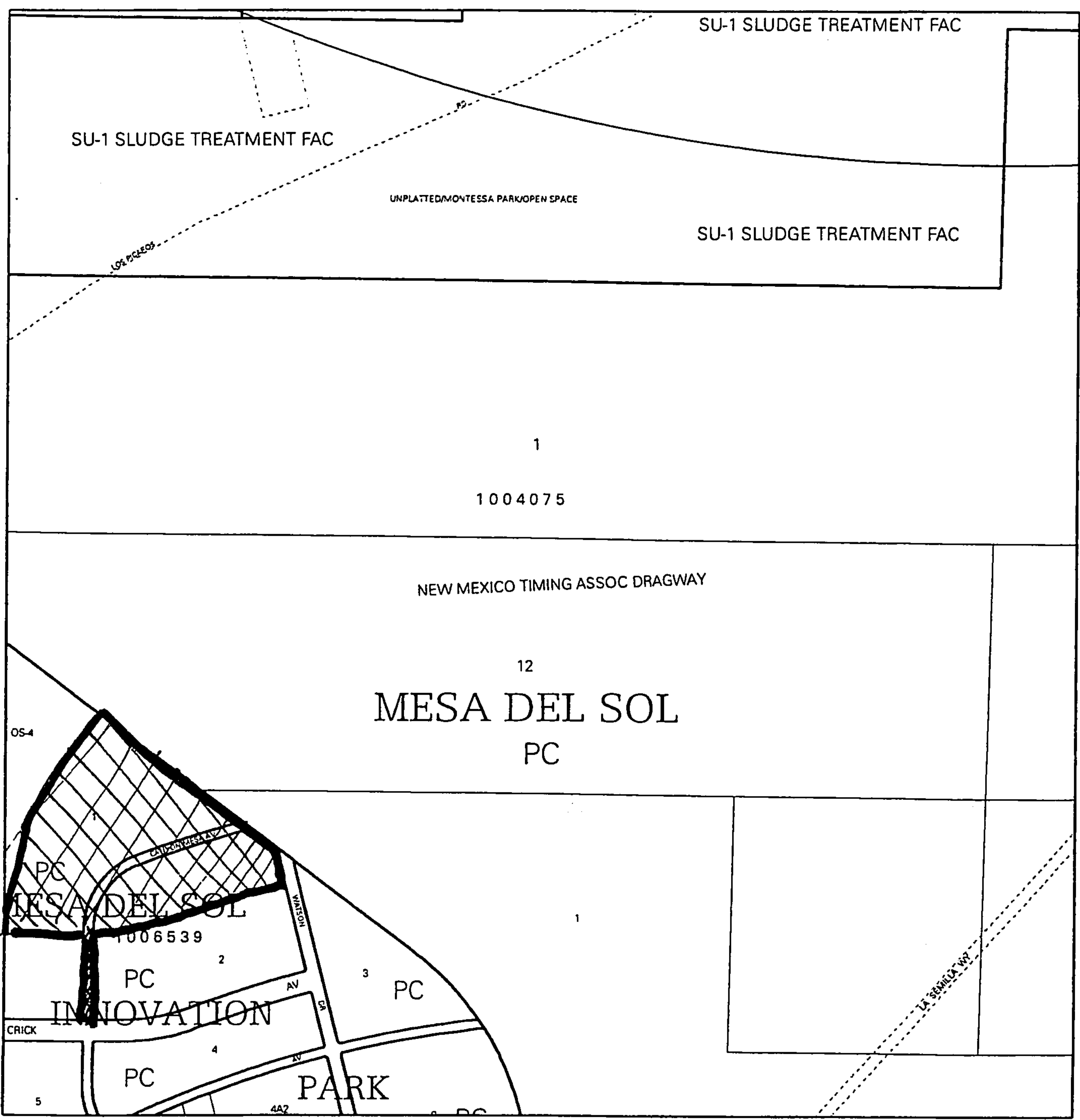


Michael J. Balaskovits, P.E.  
Engineer  
Community Development and Planning Group

MJB/am  
Enclosures

cc: John Myers, Myers, Oliver, & Price (w/encl.)  
Lawrence Kline, Denish Kline & Associates (w/encl.)  
Harry Relkin, Mesa Del Sol (w/encl.)  
Jeffery Mulbery, Bohannon Huston Inc. (wo/encl.)  
James Topmiller, Bohannon Huston Inc. (wo/encl.)





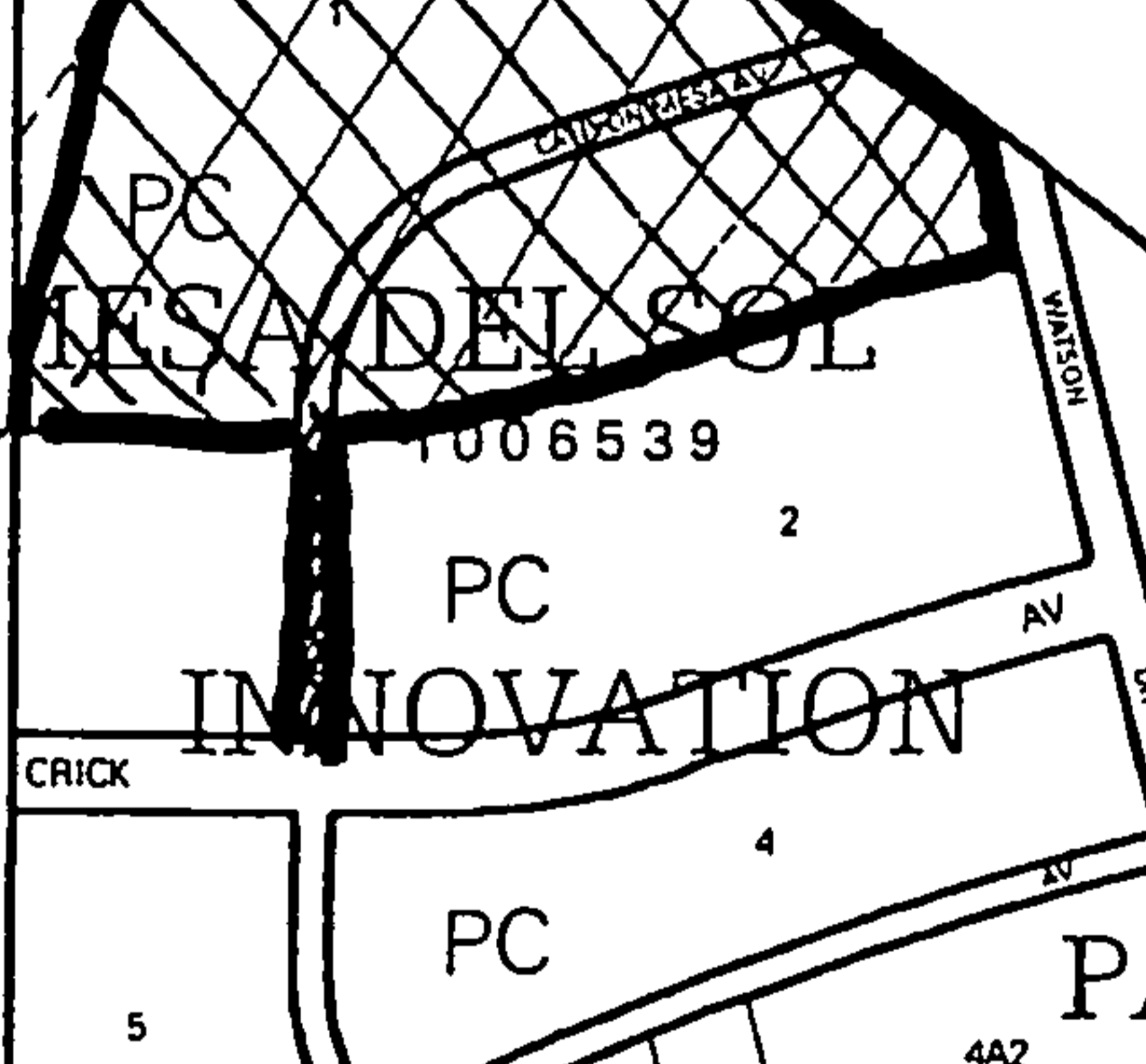
1  
1004075

NEW MEXICO TIMING ASSOC DRAGWAY

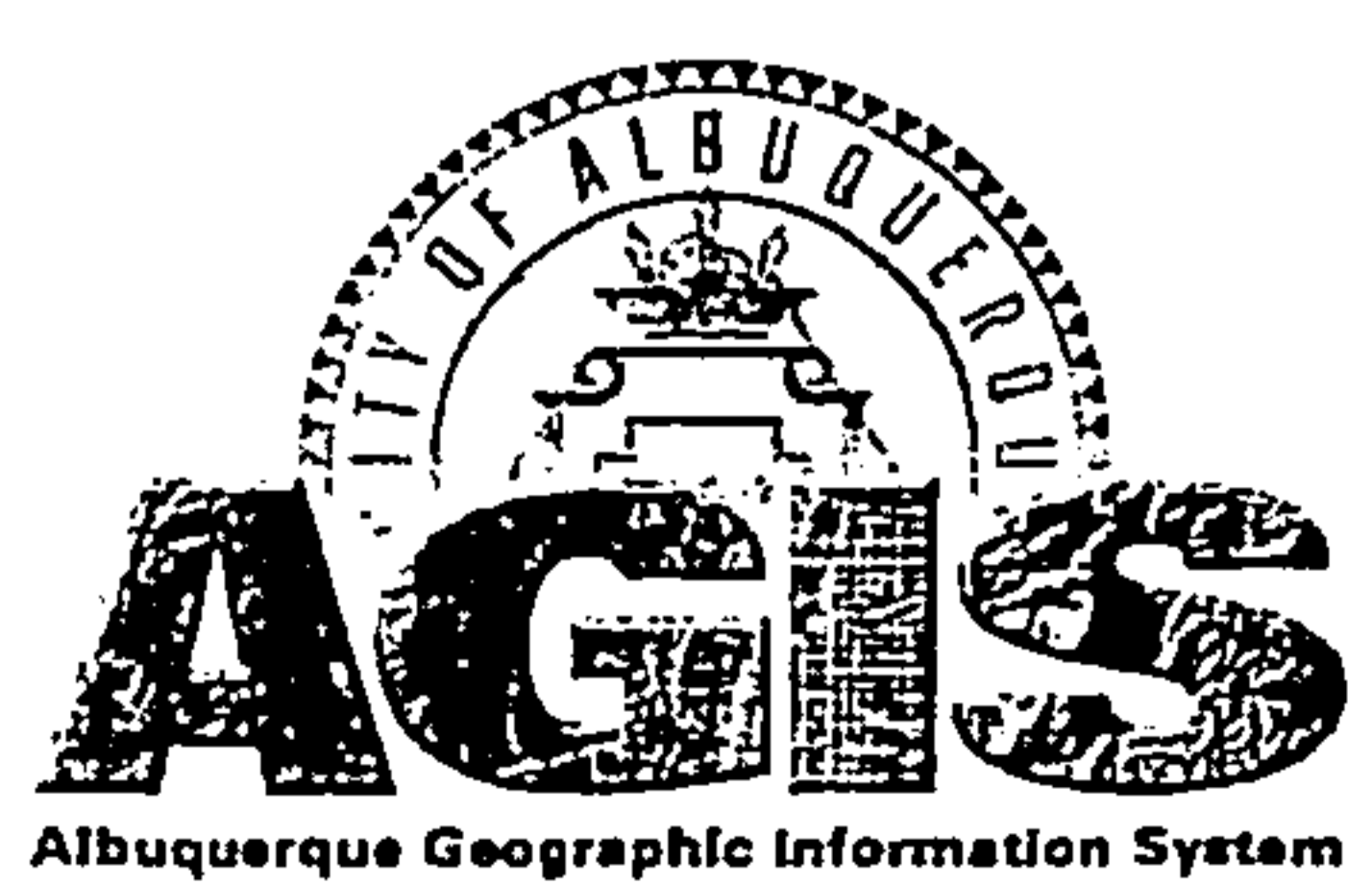
12

MESA DEL SOL  
PC

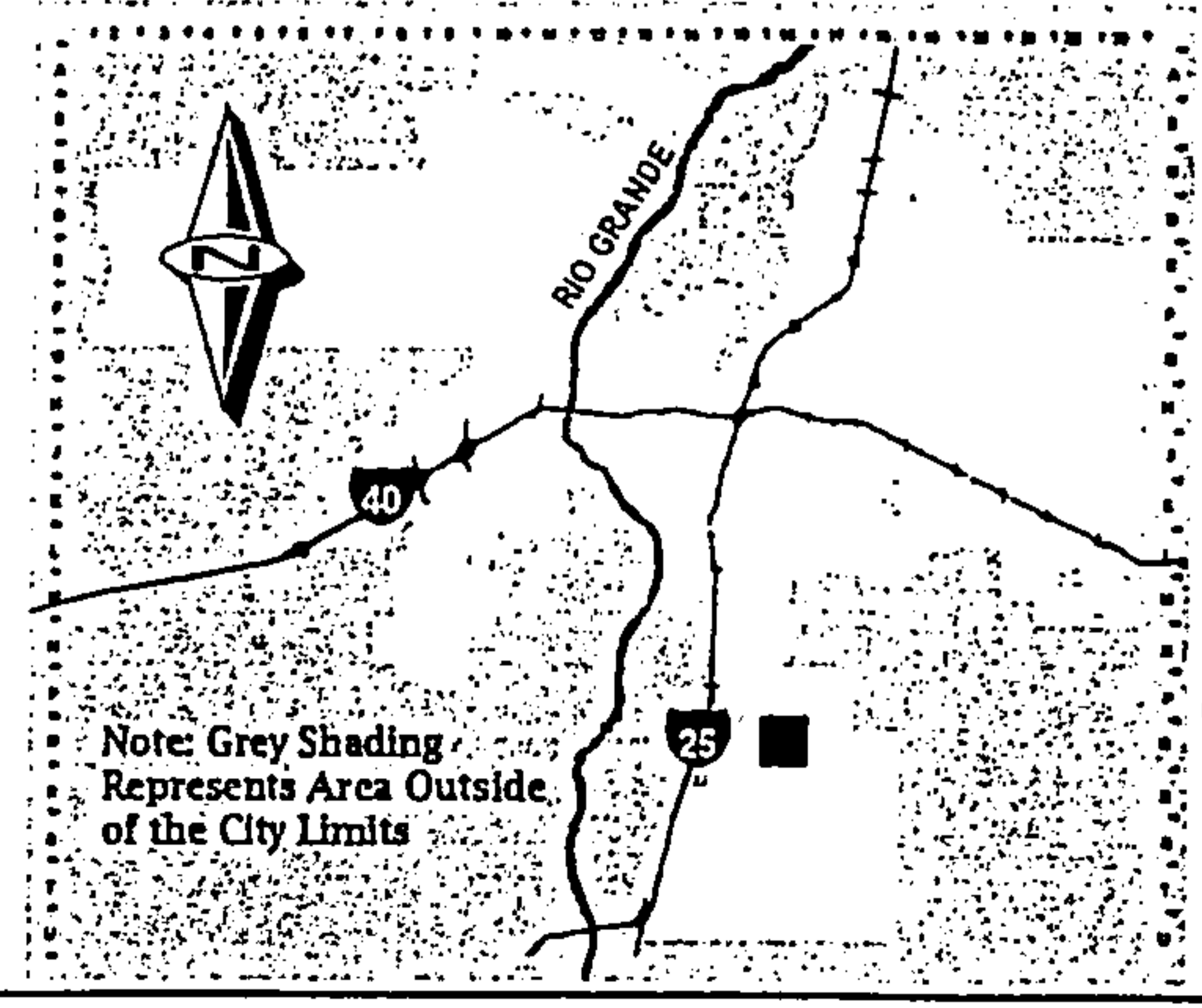
OS-4



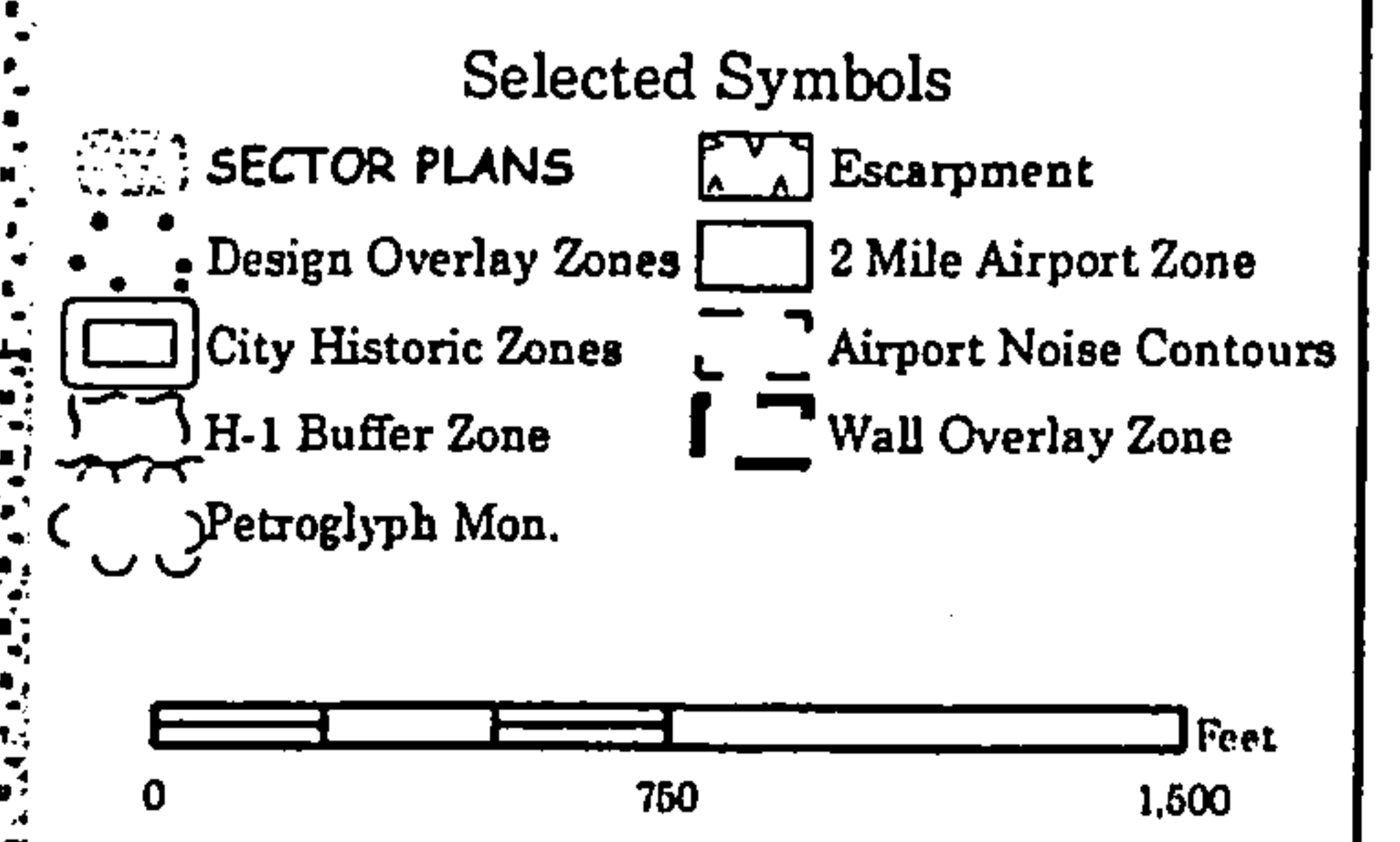
For more current information and more details visit: <http://www.cabq.gov/gis>



Map amended through: 1/4/2008



Zone Atlas Page:  
**Q-16-Z**



February 1, 2008

Mr. Jack Cloud, Acting Chair  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, New Mexico 87103Re: Vacation of Public Easements & 50' wide Public Right-of-Way  
Tracts 1 and 2, Mesa Del Sol Innovation Park

Dear Jack:

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

- Development Review Application
- Twenty-four (24) copies of the Vacation exhibit (Exhibit "A")
- Twenty-Four (24) copies of the documents which created the 4 public easements and 50' wide Right-of-Way
- Letter from the Office of Neighborhood Coordination and neighborhood notification
- Zone Atlas Map showing the location of the property
- Fee in the amount of \$575.00

There are 4 public easements and one 50' wide stretch of public right-of-way being vacated with this submittal:

Public right-of-way granted to City of Albuquerque from Mesa Del Sol, LLC:

1. 50' public right-of-way granted to City of Albuquerque as part of the Mesa del Sol Innovation Park Bulk Land Plat (approx. 1.79Acres)

Public utility easements granted to City of Albuquerque from Mesa Del Sol, LLC:

2. Existing 10' public utility easement outside northwest side of right-of-way (w/in Tract 1).
3. Existing 10' public utility easement outside southeast side of right-of-way (w/in Tract 2).

Public drainage easement and public pedestrian easement:

4. Existing public drainage and public access easement for drainage management and public access (w/in Tract 1 between University Blvd and existing Canyon Mesa ROW).
5. Existing public drainage and public access easement for drainage management and public access (w/in Tract 2 between existing Canyon Mesa ROW and Watson Dr).

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

02/12/2008 Issued By: PLNSDH

**Permit Number:** 2008 070 070

**Category Code 910**

**Application Number:** 08DRB-70070, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** CRICK AVE SE BETWEEN UNIVERSITY BLVD SE AND WATSON DR SE

**Project Number:** 1008200

**Applicant**

Mesa Del Sol Llc

801 University Blvd Se Suite 200  
Albuquerque NM 87106  
400-6021

**Agent / Contact**

Bohannon Huston Inc

Kevin Patton

7500 Jefferson Ne  
Albuquerque NM 87109

kpatton@bhinc.com

**Application Fees**

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$565.00
<b>TOTAL:</b>		<b>\$585.00</b>

City Of Albuquerque  
Treasury Division

2/12/2008 10:23AM LUC: ANX  
WS# 007 TRANS# 0016  
RECEIPT# 00094023-00094023  
PERMIT# 2008070070 TRSMSP  
Trans Amt \$585.00  
Conflict Manag. Fee \$20.00  
DRB Actions \$565.00  
01 \$585.00  
CHANGE \$0.00

Thank You

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

02/01/2008 Issued By: PLNSDH

**Permit Number: 2008 070 060**

**Category Code 910**

**Application Number: 08DRB-70060, Vacation Of Public Easement**

**Address:**

**Location Description: CRICK AVE SE BETWEEN UNIVERSITY BLVD SW AND WATSON DR SE**

**Project Number: 1006200**

**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	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$180.00

**TOTAL: \$275.00**

City of Albuquerque  
Treasury Division

2/1/2008 12:23PM LOC: ALIX  
WBH\_003 TRANCY 0007  
RECEIPT# 00087145-00087146  
PERMIT# 2008070060 TREASURY  
Trans Amt \$275.00  
APR Fee \$75.00  
Conflict Mgmt. Fee \$20.00  
DRB Actions \$180.00  
UI \$75.00  
CHANGE \$0.00

Thank You



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

02/01/2008 Issued By: PLNSDH

**Permit Number: 2008 070 061**

**Category Code 910**

**Application Number: 08DRB-70061, Vacation Of Public Right-Of-Way**

**Address:**

**Location Description: CRICK AVE SE BETWEEN UNIVERSITY BLVD SW AND WATSON DR SE**

**Project Number: 1008200**

**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 Actions	\$300.00

**TOTAL: \$300.00**

City of Albuquerque  
Treasury Division

2/1/2008 12:22PM LOC: ANNA  
081008 TRANSN 0007  
RECEIVED 00087145 00087145  
PERMIT# 2008070061 TRSLE  
Trans Act 3575.00  
DRB Actions 2300.00

Thank You

# A City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

### Supplemental form

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

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

#### APPLICATION INFORMATION:

Professional/Agent (if any): Bohannon Huston, Inc. PHONE: (505) 823-1000  
 ADDRESS: 7500 Jefferson NE FAX (505) 898-7988  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_

APPLICANT: Mesa Del Sol, LLC PHONE: 505-400-3021  
 ADDRESS: 801 University Blvd., SE STE 200 FAX: 505-242-2978  
 CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: 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 1 & 2 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: REPLAT OF TRACTS 1 & 2, MESA DEL SOL INNOVATION PARK  
 Existing Zoning: PC Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): Q-15 & Q-16 UPC Code: 101600228121040150

#### CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): \_\_\_\_\_  
1006200, 08DRB-70070, 08DRB-70060, 08DRB-70061

#### CASE INFORMATION:

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 2 No. of proposed lots: 6 Total area of site (acres): 41.2085

LOCATION PROPERTY BY STREETS: On or Near: Crick Avenue SE  
 Between: University Blvd. SE and Watson Drive SE

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

SIGNATURE Michael Balaskovits DATE 04/01/2008  
 (Print) Michael Balaskovits, P.E. Applicant  Agent

#### FOR OFFICIAL USE ONLY

Form revised 9/01, 3/03, 7/03, 10/03, 04/04

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>08DRB - 70161</u>	<u>P&amp;F</u>		<u>\$ 565.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #s are listed				\$
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$
	Hearing date <u>April 9 2008</u>			Total <u>\$ 585.00</u>

Michael Balaskovits 4/1/08  
 Planner signature / date

Project # 1006200

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

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

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

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

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

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

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

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

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

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

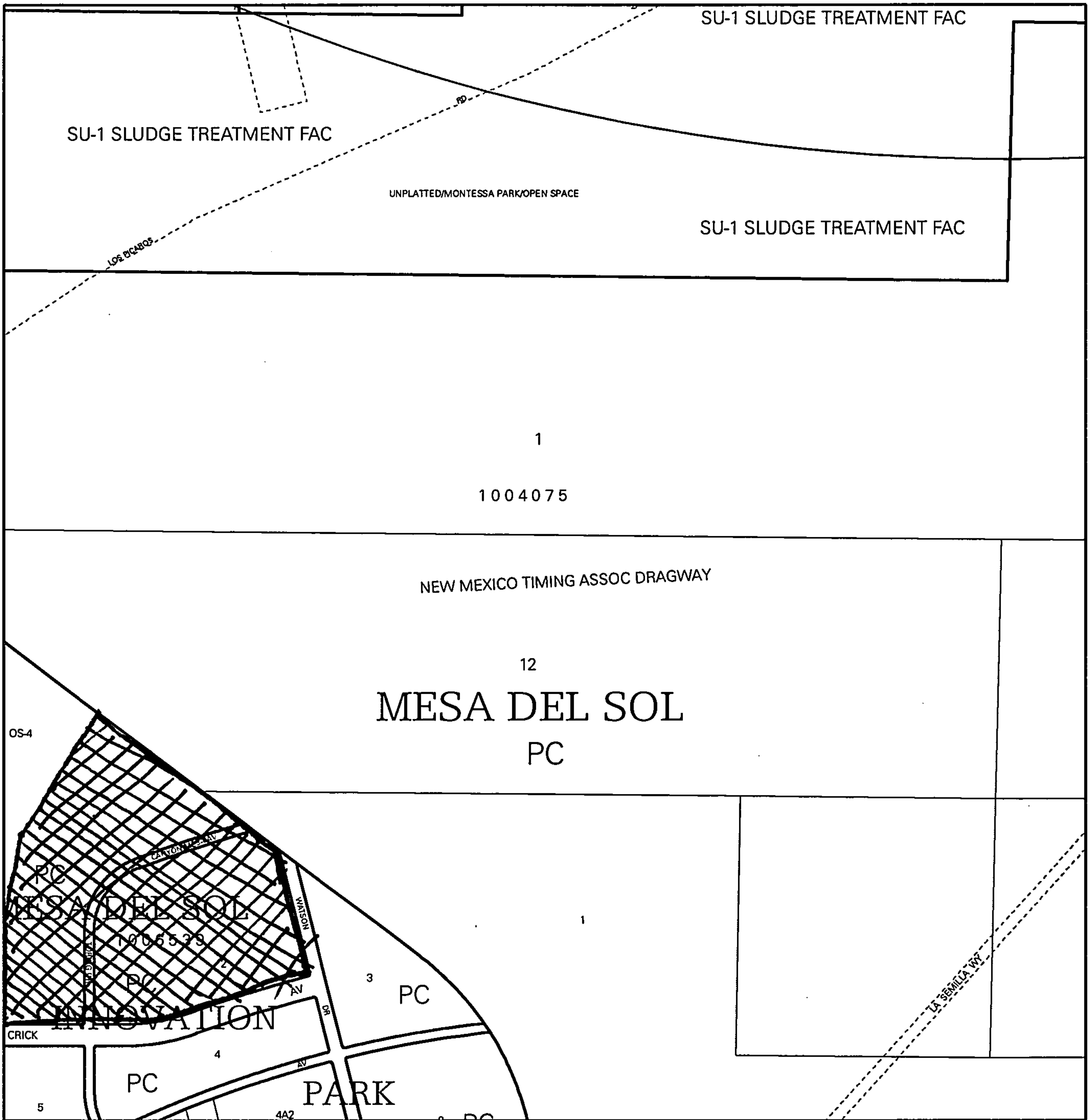
MICHAEL BALASKOVITS  
Applicant name (print)  
[Signature] 4/1/08  
Applicant signature / date



Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
08DRB - 7961

[Signature] 4/1/08  
Planner signature / date  
Project # 1006200



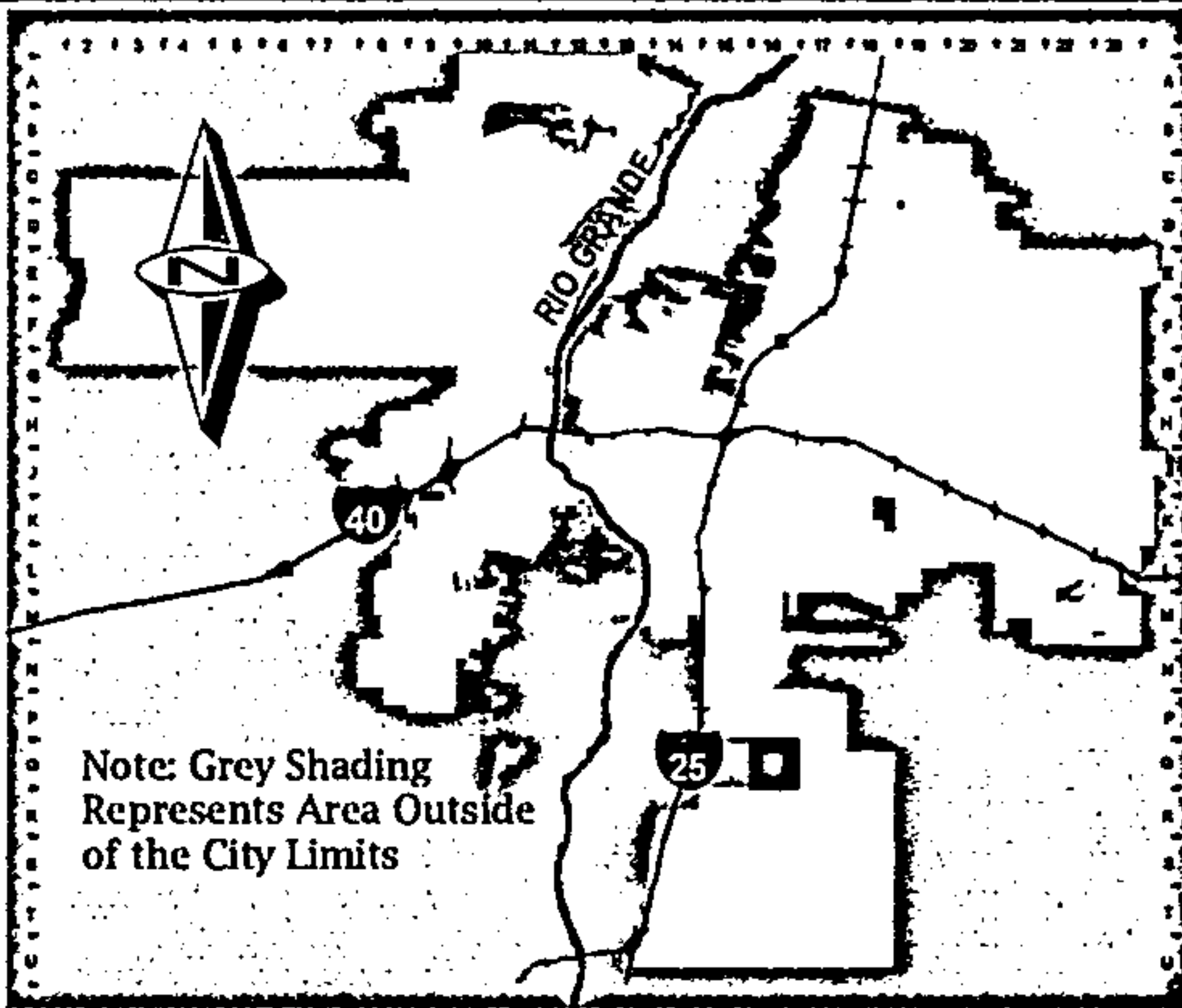
1  
1004075

12  
MESA DEL SOL  
PC

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



Map amended through: 1/4/2008



Zone Atlas Page:  
**Q-16-Z**

Selected Symbols

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



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

[www.bhinc.com](http://www.bhinc.com)

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

April 1, 2008

Jack Cloud, DRB Chair  
Development Review Board  
City of Albuquerque  
600 Second Street NW  
Albuquerque, NM 87102

Re: Final Plat Approval  
A Replat of Tracts 1 and 2, Mesa Del Sol Innovation Park

Dear Mr. Cloud:

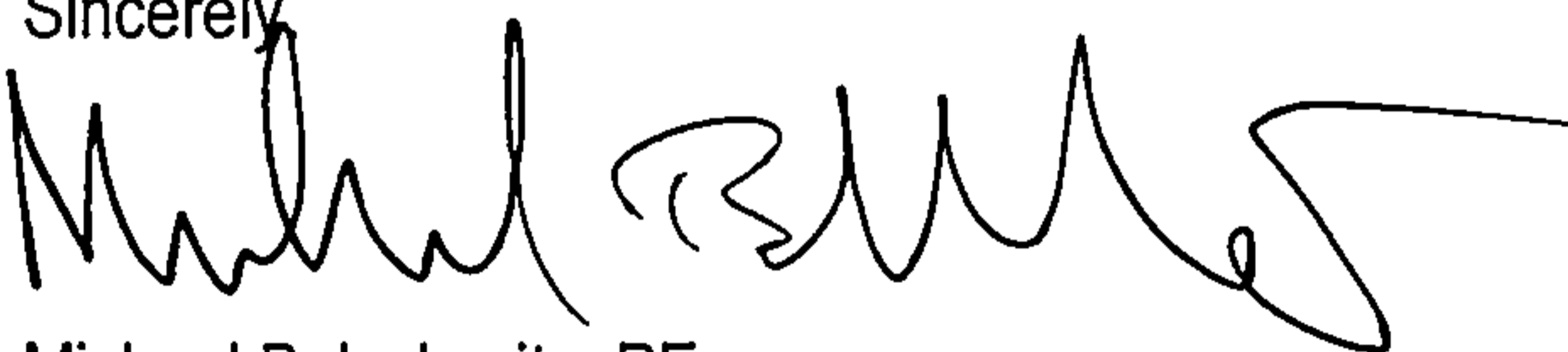
Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:

- Development Review Applications
- Six (6) copies of the Final Plat
- Zone Atlas Maps Q-15 and Q-16
- DRB Fee
- Letter justifying and describing the request
- Figure 12 SUBD Improvements Agreement (Proc B)

The site is located on Crick Avenue, SE between University Blvd., SE and Watson Drive, SE. This request is to replat two (2) existing tracts into six (6) for the purpose of conveying proposed Tracts 1-A, 1-B, 2-A, 2-B, OS-5, and OS-6.

Please place this item on the DRB Agenda to be heard on April 9, 2008. If you have any questions or require additional information, please contact me.

Sincerely,



Michael Balaskovits, PE  
Project Engineer  
Community Development and Planning

MB/ssc  
Enclosures

**ENGINEERING** ▲

**SPATIAL DATA** ▲

**ADVANCED TECHNOLOGIES** ▲

23

Fidelity

**FIGURE 12**  
**SUBDIVISION IMPROVEMENTS**  
**AGREEMENT- PUBLIC AND/OR PRIVATE**  
**(Procedure B)**

No. of Lots:  
 Nearest Major Streets

AGREEMENT TO CONSTRUCT  
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 28<sup>th</sup> day of March, 2008, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **MESA DEL SOL, LLC** ("Subdivider"), [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.], a **New Mexico limited liability company**, whose address is 801 University, SE, 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.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tracts 1 and 2, Mesa del Sol Innovation Park, recorded on September 13, 2007, in the records of the Bernalillo County Clerk at Book 2007-C, pages 259 through \_\_\_\_\_ (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] Mesa del Sol, LLC, a New Mexico limited liability company ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tracts 1-A, 1-B, 2-A, 2-B, OS-5 & OS-6, Mesa del Sol Innovation Park, Project No. 775489 describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 40K, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private Improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or

Doc# 2008035359

03/28/2008 02:22 PM Page: 1 of 8  
 AGRE R:\$23.00 M. Toulouse, Bernalillo County



before the 21<sup>st</sup> day of March, 2010 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 775489.

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

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

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

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

(Note: The Subdivider must pay the City all City fees and price adjustments for asphalt and concrete paving, if applicable, which have been incurred during construction before the City will accept the public Improvements.)

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

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Bohannon & Huston, Inc., and construction

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

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Bohannon & Huston, Inc., and inspection of the private Improvements shall be performed by Bohannon & Huston, Inc. both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for any inspections performed by the City.

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

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

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



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

Type of Financial Guaranty: Subdivision Bond: 08886526

Amount: \$1,637,996.75

Name of Financial Institution or Surety providing Guaranty:

Fidelity and Deposit Company of Maryland

Date City first able to call Guaranty: March 21, 2010

[Construction Completion Deadline]: March 21, 2010

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

\_\_\_\_\_, 20 \_\_\_\_\_

Additional information: \_\_\_\_\_  
\_\_\_\_\_

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six (6) days after the notice is mailed if there is no actual evidence of receipt.

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

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

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

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

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

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

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


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 Member

By:   
Harry Relkin  
Vice President  
Date: 3/10/08

CITY OF ALBUQUERQUE

By:   
Director, Public Works

Approved by:

  
City Engineer  
Date: 3-28-08

*Use 3/27/08*

*3-26-08*

SUBDIVIDER'S NOTARY

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me on ~~day~~ of March 10, 2008 by Harry Relkin, Vice President of Forest City Commercial Group, Inc., an Ohio corporation, Member of Forest City NM, LLC, a New Mexico limited liability company, Member of FC Covington Manager, LLC, as Member of Mesa del Sol, LLC, a New Mexico limited liability company,

Karen Lee Anzman  
Notary Public

My Commission Expires:  
11-18-2009

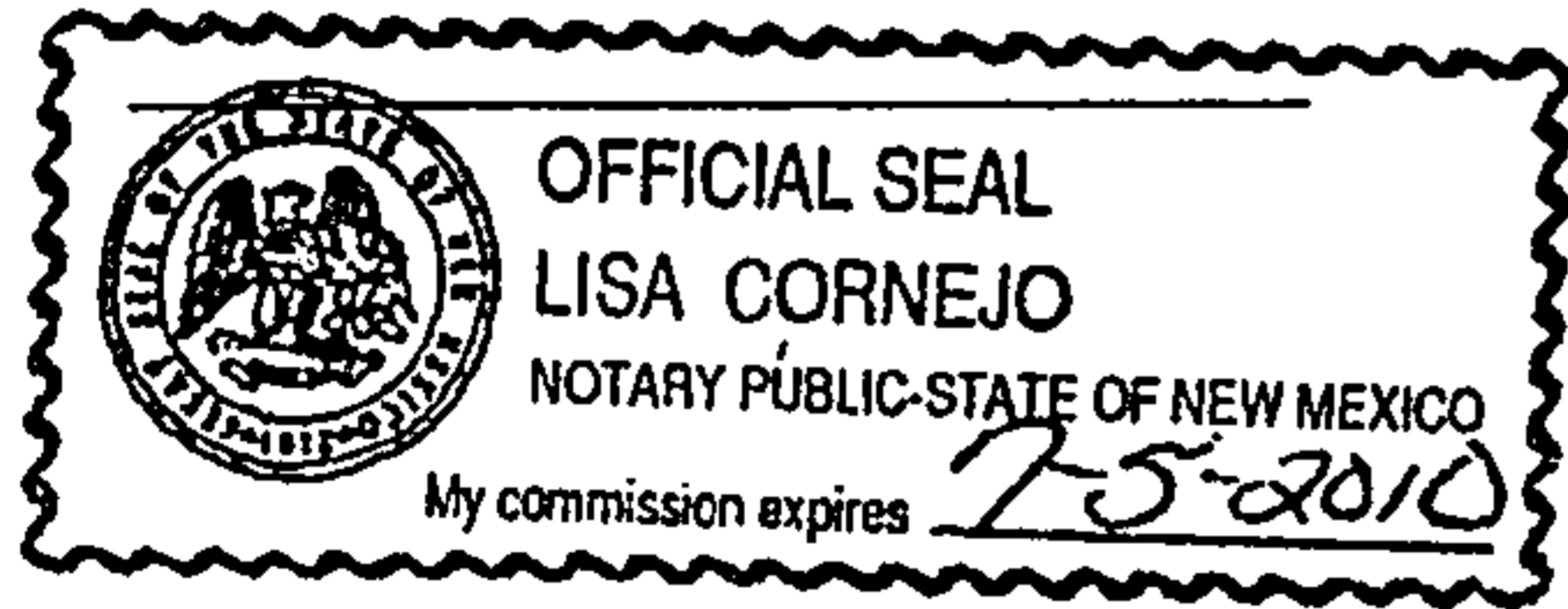
CITY'S NOTARY

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

*City Engineer* This instrument was acknowledged before me on March 28 20 08 by Richard Davelle, ~~Director, Public Works Department~~, of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Lisa Cornejo  
Notary Public

My Commission Expires:



Current Date: 08/28/2005  
 Project No: 08/28/2005

Figure 12  
 INFRASTRUCTURE LIST

EXHIBIT 'A'  
 TO SUBMISSION IMPROVEMENTS AGREEMENT  
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST  
 Tracts 1-A, 1-B, 2-A, 2-B, OS-5 & OS-5  
 (Mesa del Sol, Innovation Park)

Date Submitted: FEBRUARY 22, 2005  
 Date Site Plan for Bldg. Permit App: 2-27-05  
 Date Site Plan for Site Approved: 2-27-05  
 Date Preliminary Plan Approved: 2-27-05  
 Date Preliminary Plan Expires: 2-27-05

D.R.B. Project No: 1006200

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 applicant items have not been included in the infrastructure listing, the DRC Chair may include those items at the listing and related financial guarantee. Likewise, if the DRC Chair determines that applicant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department, and applicant. If such approvals are obtained, those revisions to the listing will be incorporated administratively. In addition, any unapproved items which arise during construction which 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.

Sequence #	SIA	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
------------	-----	-------------------	------	---------------------	----------	------	----	-------------------	----------------	--------------------


**PUBLIC ROADWAY IMPROVEMENTS**

35' FC/PC PLUS HALF OF MEDIAN (60FT)  
 PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (1/2 STREET IMPROVEMENT - 1800 LF APPROX., 90' FT OF AT FULL BUILD CUT)

24' FC/PC PAVED ROADWAY, STRIPING, CURB AND GUTTER, STREET LIGHTS (APPROX 630 LF)

CRICK AVE, NORTH SIDE OF ROW  
 UNIVERSITY BLVD  
 WATSON DR

WATSON DR  
 CRICK AVE  
 LEVEL B BOUNDARY



**PUBLIC SANITARY SEWER IMPROVEMENTS**

12" DIA SANITARY SEWER LINE, AS REQD (APPROX 1800 LF)

12" DIA SANITARY SEWER LINE, AS REQD (APPROX 630 LF)

CRICK AVE  
 UNIVERSITY BLVD  
 WATSON DR

WATSON DR  
 CRICK AVE  
 LEVEL B BOUNDARY



**PUBLIC WATERLINE IMPROVEMENTS**

12" DIA WATERLINE W/ REC VALVES, FHS, MFS & RJS (APPROX 1300 LF)

12" DIA WATERLINE W/ REC VALVES, FHS, MFS & RJS, STUB CUTS TO PROPOSED SITE (APPROX 1300 LF)

12" DIA WATERLINE W/ REC VALVES, FHS, MFS & RJS, STUB CUTS (APPROX 300 LF)

TURING DR  
 SOLAR MESA AVE  
 CRICK AVE

CRICK AVE  
 TURING DR  
 WATSON

WATSON DR  
 CRICK AVE  
 LEVEL B BOUNDARY


SIA  
Sequence #

COA DRC  
Project #

Size

Type of Improvement

Location

From

To

Private  
Inspector

City  
Inspector

City Chair  
Engineer


**PUBLIC/PRIVATE STORM DRAIN IMPROVEMENTS**

24" DIA-SD INLETS	RCP W/ REC. MANS. CATERPILERS & INLETS	STAMP IN CHICK AVE	SUMP	TRACT OS-6
18" DIA-SD INLETS	RCP W/ REC. MANS. LATERALS & INLETS	SUMP IN WATSON DR	SUMP	TRACT OS-3

PRIVATE IMPROVEMENTS NOT TO BE FINANCIALLY GUARANTEED

RETENTION POND FOR SITE ROAD AND OFFSITE CUTFALL - APPROX 0.3 AC FT WITHIN TRACTS OS-5 & OS-6 AND COVENANT (PRIVATELY OWNED AND MAINTAINED)



AGENT/OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

MICHAEL J. BALASKOVITS  
PREPARED BY: PRINT NAME

2/28/2008  
DATE

2/27/08  
DATE

*Christina Sanderson*  
PARKS & GENERAL SERVICES  
DATE 2/27/08

BOHANNAN HUSTON INC.  
FIRSE

*Michael PMA*  
SIGNATURE

*[Signature]*  
DRB CHAIR

2/27/08  
DATE

AM/FCA  
CITY ENGINEER

DATE

MAKING TIME ALLOWED TO CONSTRUCT  
IMPROVEMENTS WITHIN A DRB EXTENSION

*[Signature]*  
TRANSPORTATION DEVELOPMENT  
UTILITY DEVELOPMENT

2/27/08  
DATE

*[Signature]*  
CITY ENGINEER

2-27-08  
DATE

DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRG CHAIR	USER DEPARTMENT	AGENT/OWNER

# FINANCIAL GUARANTY AMOUNT

03/10/2008

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

Project Description:

Project ID #: 775489, Mesa del Sol Innvtn Prk Trcts 1&2 Infrs, Phase/Uni

Requested By: Mike Balaskovits

Approved estimate amount:		\$1,026,371.00
Contingency Amount:	10.00%	\$102,637.10
Subtotal:		\$1,129,008.10
NMGRT	6.875%	\$77,619.31
Subtotal:		\$1,206,627.41
Engineering Fee	6.60%	\$79,637.41
Testing Fee	2.00%	\$24,132.55
Subtotal:		\$1,310,397.40
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$0.00
<b>TOTAL FINANCIAL GUARANTY REQUIRED</b>		<b><u>\$1,637,996.75</u></b>

APPROVAL:

DATE:

*L Woodall*

3-10-08

Notes: 10% contingency, plans and final eng est have not been approved, does not include private road, pond & offsite outfall.



FIGURE 16

CIRCLE ONE:  
SUBDIVISION BOND FOR:  
SIA, SW'S, SPCL.AGRMT.

BOND NO. (SURETYS NO. :) 08886526  
CONTACT PERSON'S NAME: Brian O'Leary

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL MEN BY THESE PRESENTS: That we Mesa del Sol, LLC ("SUBDIVIDER") a [state type of business entity, for instance, "New Mexico corporation," "general partnership", "joint venture", "individual", etc.:] New Mexico limited liability company as "Principal", and FIDELITY AND DEPOSIT COMPANY OF MARYLAND NAME OF SURETY", a corporation organized and existing under and by virtue of the laws of the State of MD, and authorized to do business in the State of New Mexico, as "Surety," whose address is 3910 Keswick Road, Baltimore, MD 21203, and whose telephone number is 847-240-8109, are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of One Million Six Hundred Thirty-Seven Thousand Nine Hundred Ninety-Six and 75/100 Dollars (WRITTEN AMOUNT) Dollars, \$1,637,996.75 (AMOUNT OF FIGURES), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner and/or is interest in or is developing land and premises known as Mesa del Sol Innovation Park, Tracts 1 and 2, City Project No. 775489 ("Name of Subdivision and City Project No); and

WHEREAS, said Subdivision is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:] public roadway improvements, public sanitary sewer improvements, public waterline improvements, public/private storm drain improvements ("IMPROVEMENTS")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between Mesa del Sol, LLC ("NAME OF SUBDIVIDER") and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book Misc. (leave blank) \_\_\_\_\_, pages \_\_\_\_\_ through \_\_\_\_\_, as amended by change orders or amendments to the Agreement.

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilitates and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended; March 21, 2010 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.



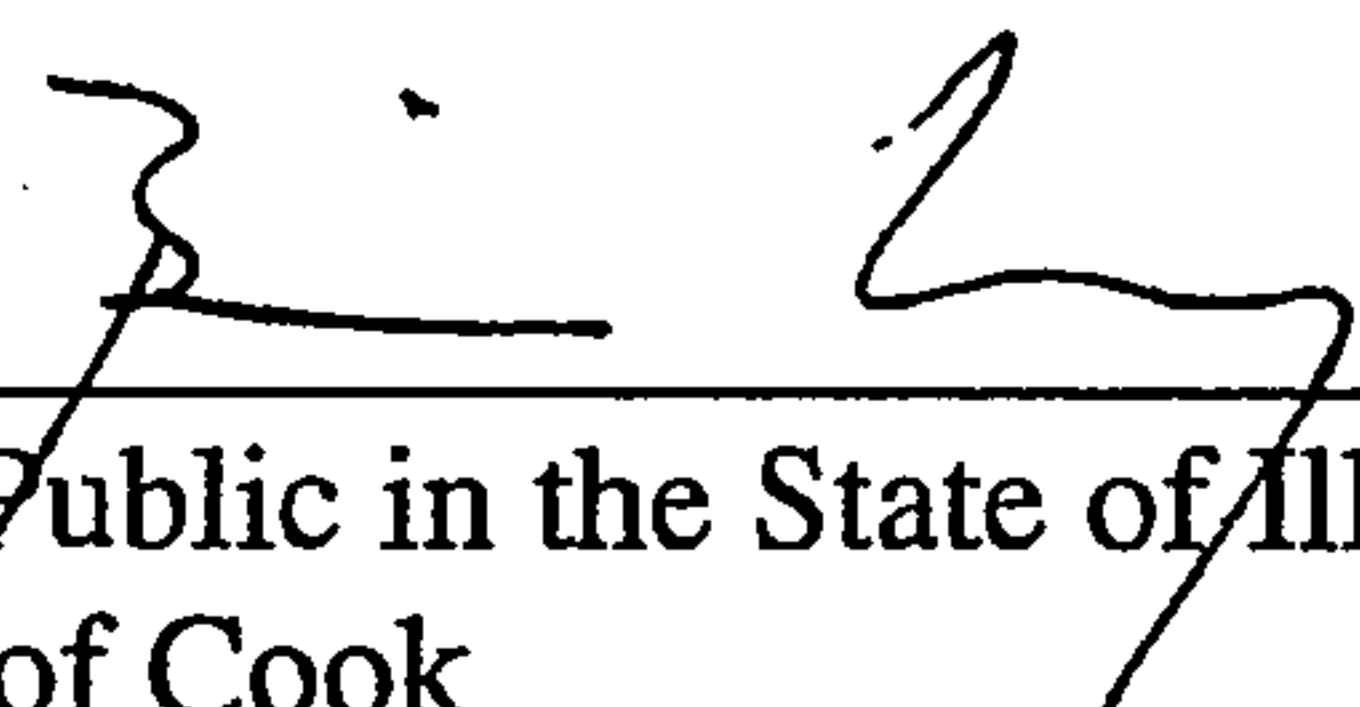


ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS  
COUNTY OF COOK

On this 12<sup>th</sup> day of March, 2008, before me, Brian O'Leary, a Notary Public, within and for said County and State, personally appeared Linda Iser to me personally known to be the Attorney-in-Fact of and for Fidelity and Deposit Company of Maryland 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  
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

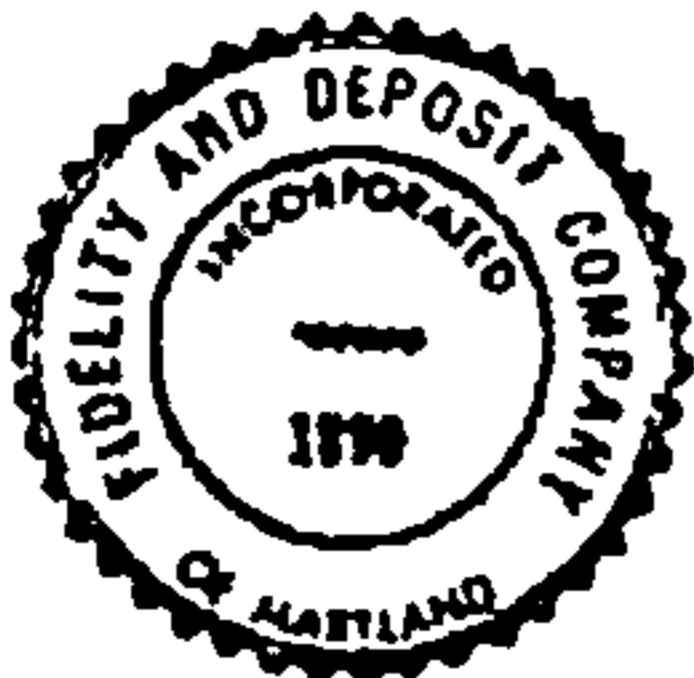
KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WILLIAM J. MILLS, Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Sandra MARTINEZ, Linda ISER, Kathleen J. MAILES, Karen DANIEL, Susan J. PREIKSA, Susan A. WELSH, Robert E. DUNCAN, Joellen M. MENDOZA, James A. CUTHBERTSON and Geoffrey E. HEEKIN, all of Chicago, Illinois, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: ~~any and all bonds and undertakings~~, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Sandra MARTINEZ, Linda ISER, Kathleen J. MAILES, Karen DANIEL, Susan J. PREIKSA, Susan A. WELSH, Robert E. DUNCAN, Joellen M. MENDOZA, James A. CUTHBERTSON, Geoffrey E. HEEKIN, dated April 17, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 24th day of November, A.D. 2004.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Eric D. Barnes*

Eric D. Barnes

Assistant Secretary

By:

*William J. Mills*

William J. Mills

Vice President

State of Maryland }  
City of Baltimore } ss:

On this 24th day of November, A.D. 2004, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Dennis R. Hayden*

Dennis R. Hayden

Notary Public

My Commission Expires: February 1, 2009



# FIDELITY AND DEPOSIT COMPANY

OF MARYLAND  
3910 KESWICK ROAD, BALTIMORE, MD 21203

Statement of Financial Condition  
As Of December 31, 2006

### ASSETS

Bonds .....	\$ 150,563,710
Stocks .....	39,367,826
Cash and Short Term Investments .....	38,939,878
Reinsurance Recoverable .....	8,609,769
Other Accounts Receivable .....	25,762,452
<b>TOTAL ADMITTED ASSETS .....</b>	<b>\$ 263,243,635</b>

### LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses .....	\$ 625,582
Ceded Reinsurance Premiums Payable .....	32,539,586
Securities Lending Collateral Liability .....	35,322,207
<b>TOTAL LIABILITIES .....</b>	<b>\$ 68,487,375</b>
Capital Stock, Paid Up .....	\$ 5,000,000
Surplus .....	189,756,260
Surplus as regards Policyholders .....	194,756,260
<b>TOTAL .....</b>	<b>\$ 263,243,635</b>

Securities carried at \$33,209,464 in the above statement are deposited as required by law.

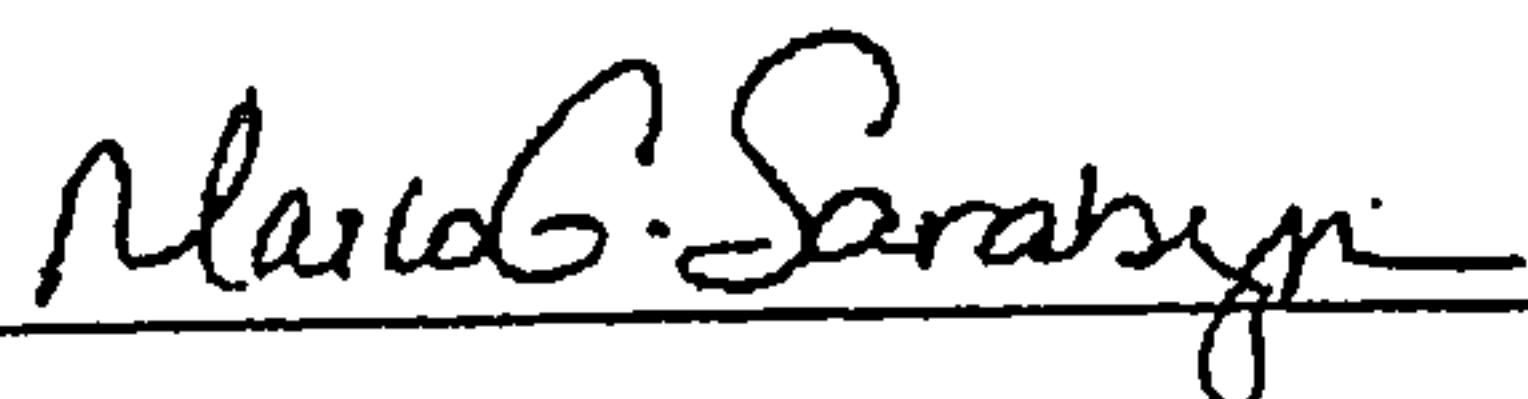
Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2006 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$261,193,375 and surplus as regards policyholders \$192,706,000.

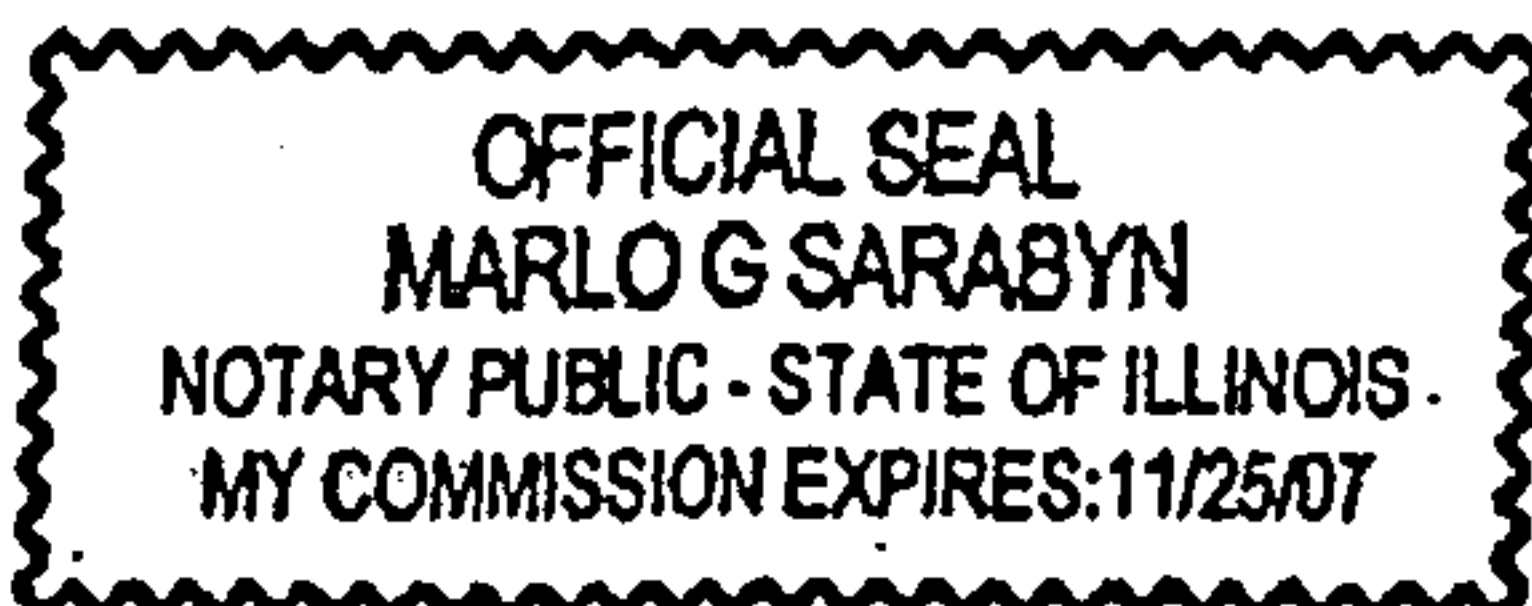
I, DAVID A. BOWERS, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2006.

  
\_\_\_\_\_  
Corporate Secretary

State of Illinois }  
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 20th day of March, 2007.

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



#2



# 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-70070	Project # 1006200
Project Name: 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:

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Behannan Huston Inc. PHONE: 823-1000  
 ADDRESS: 7500 Jefferson NE FAX: 798-7988  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: \_\_\_\_\_

APPLICANT: Mesa Del Sol, LLC PHONE: 400-3021  
 ADDRESS: 801 University Blvd SE STE 200 FAX: 242-2928  
 CITY: Albuquerque STATE NM ZIP 87106 E-MAIL: \_\_\_\_\_

Proprietary interest in site: owner List all owners: \_\_\_\_\_

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 EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.**

Lot or Tract No. Tracts 1 & 2, Mesa Del Sol Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Mesa Del Sol Innovation Park  
 Existing Zoning: PC Proposed zoning: N/A MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): Q-16 UPC Code: 101605228121040150

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): 1006200

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 2 No. of proposed lots: 6 Total area of site (acres): 41.2085 Acres  
 LOCATION OF PROPERTY BY STREETS: On or Near: Crick Ave SE  
 Between: University Blvd SE and Watson Dr. SE

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

SIGNATURE Jeffrey Mulberry DATE 2-12-08  
 (Print) Jeffrey Mulberry Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Form revised 4/07

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>28DRB - 70070</u>	<u>P&amp;F</u>	_____	<u>\$565.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total
				<u>\$ 585.00</u>

Hearing date February 20, 2008

[Signature] 2/12/08  
 Planner signature / date

Project # 1006200



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

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

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** Your attendance is required.
- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - List any original and/or related file numbers on the cover application

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

JEFFERY MULBERY  
Applicant name (print)

*Jeffery Mulbery* 2/12/08  
Applicant signature / date

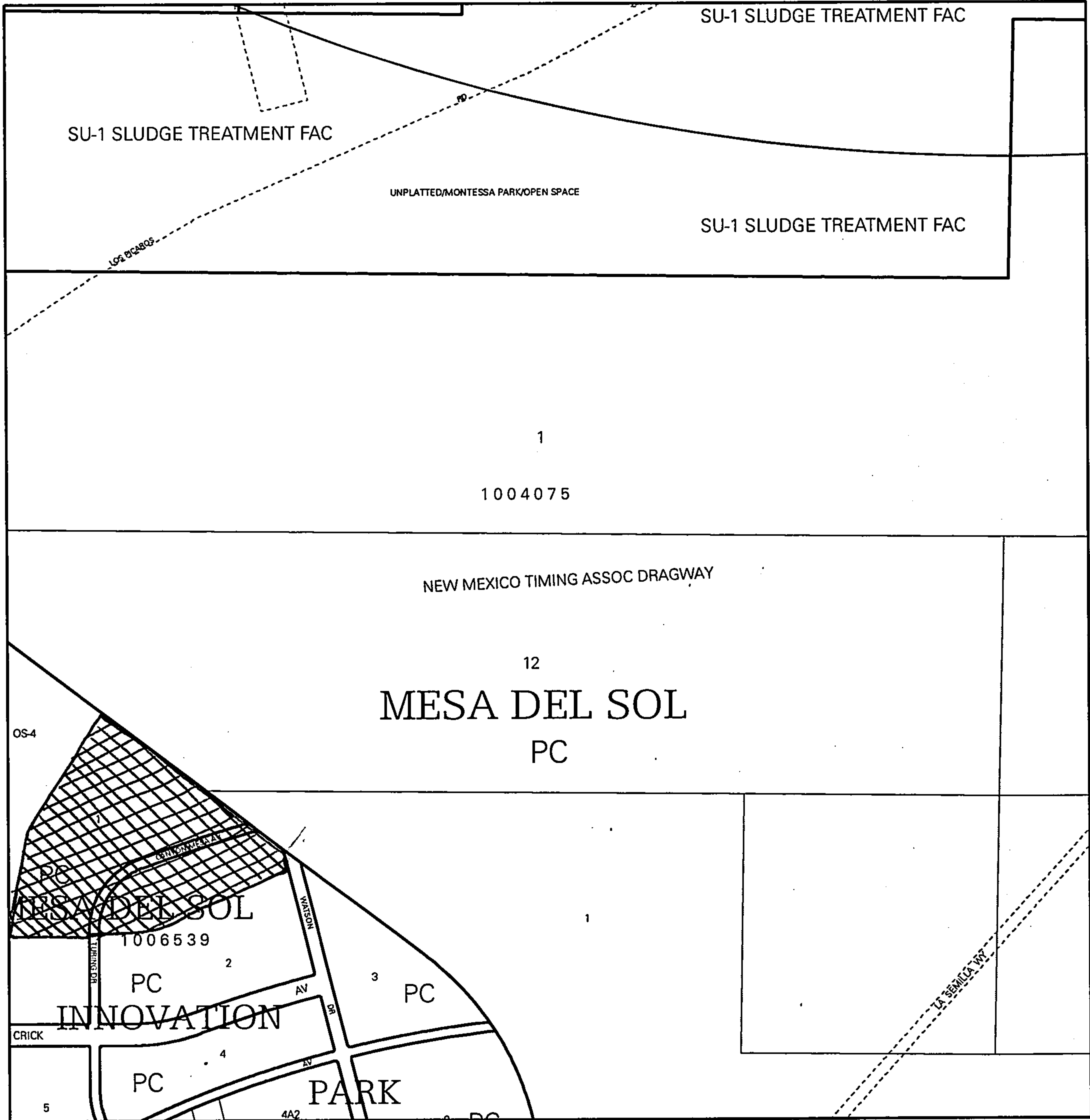


Form revised October 2007

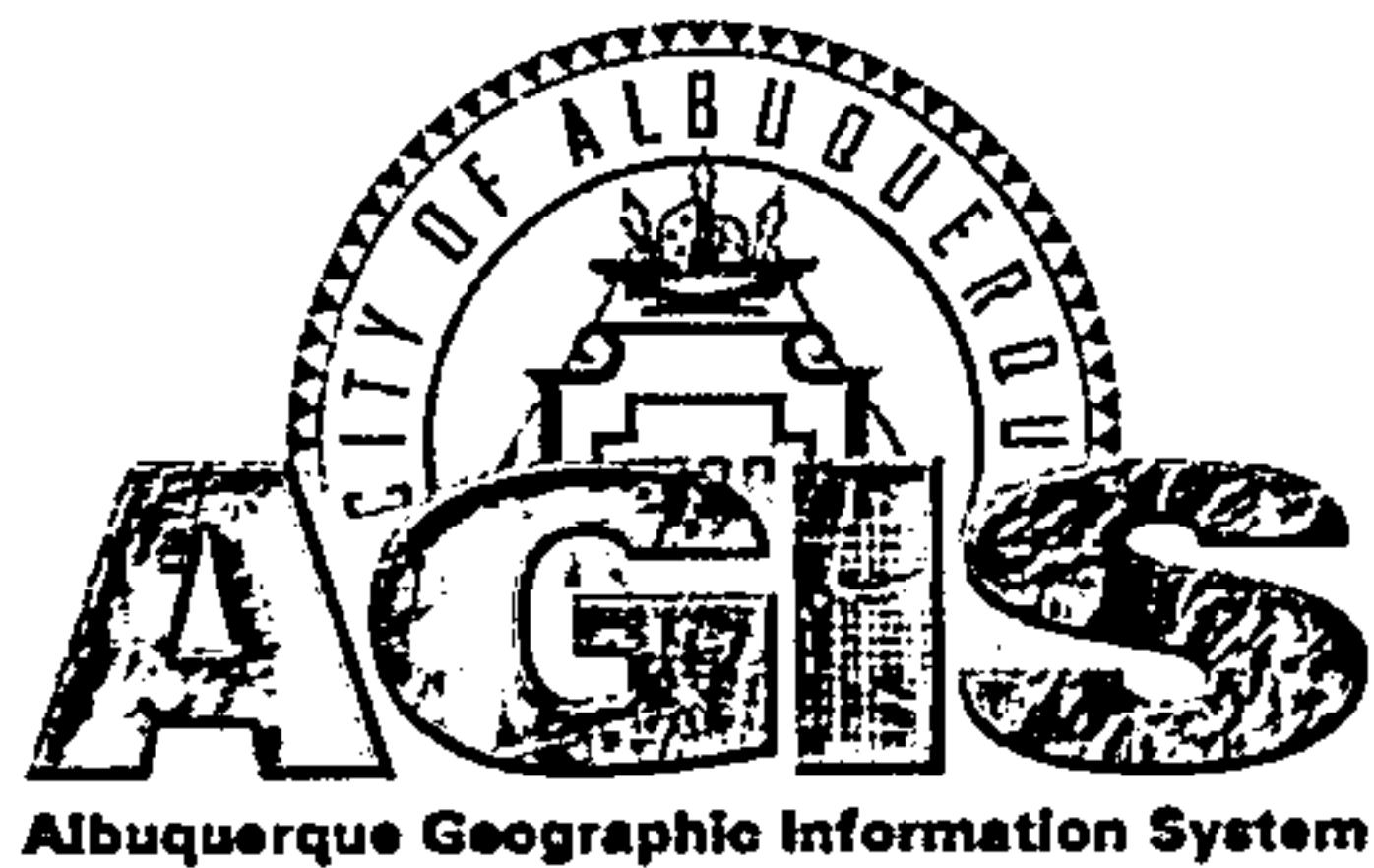
- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
D&DRB - 70070  
 \_\_\_\_\_  
 \_\_\_\_\_

*Vaughan* 2/12/08  
Planner signature / date

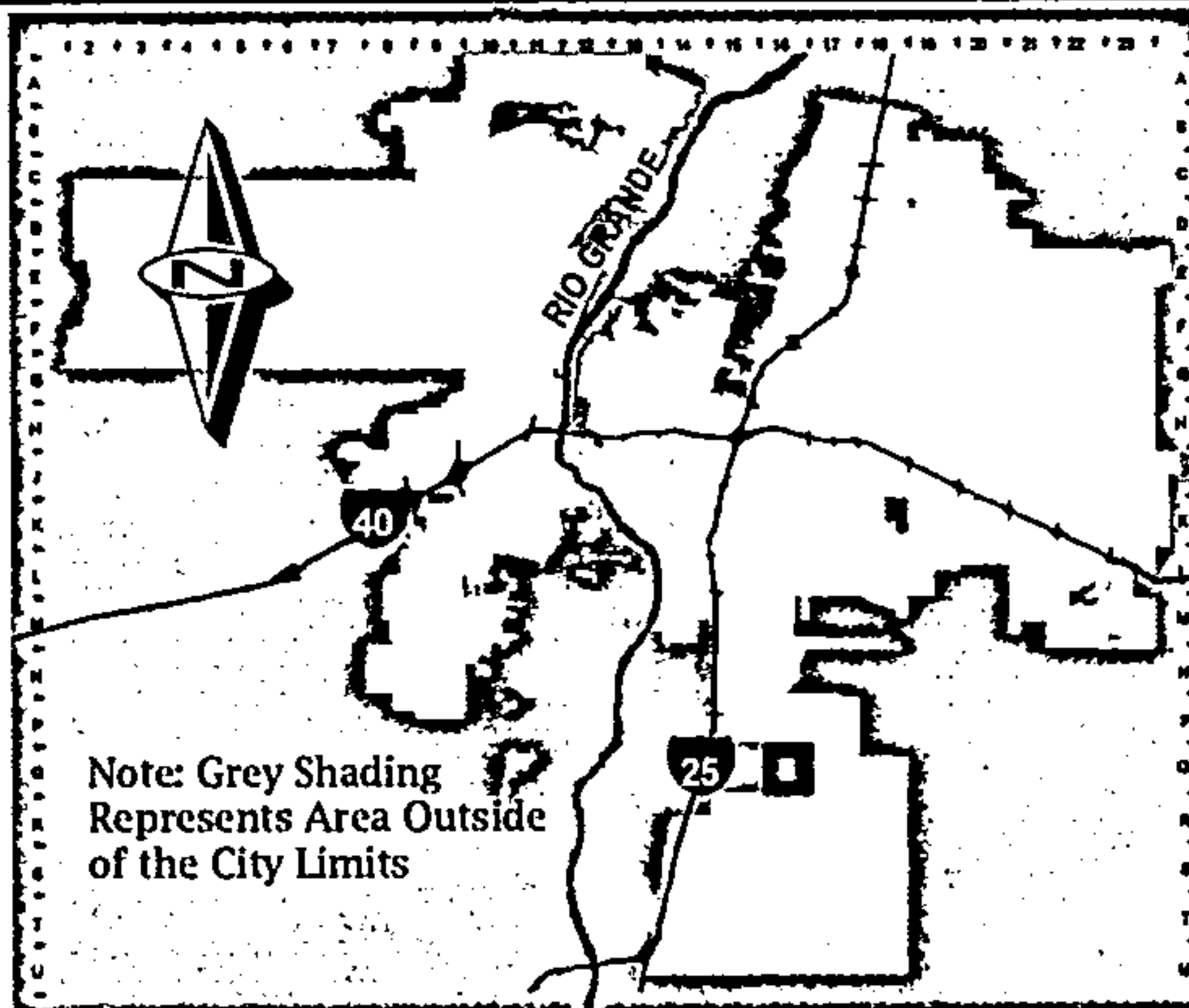
Project # 1006200



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



Map amended through: 1/4/2008

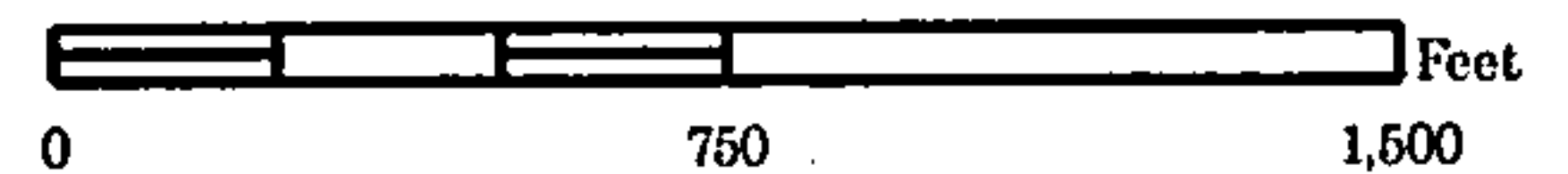


Zone Atlas Page:

**Q-16-Z**

Selected Symbols

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



Courtyard I  
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87109-4335

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toll free: 800.877.5332

February 12, 2008

Mr. Jack Cloud, DRB Chair  
Development Review Board  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

Re: Preliminary / Final Plat Approval  
A Replat of Tracts 1 & 2, Mesa Del Sol Innovation Park

Dear Mr. Cloud:

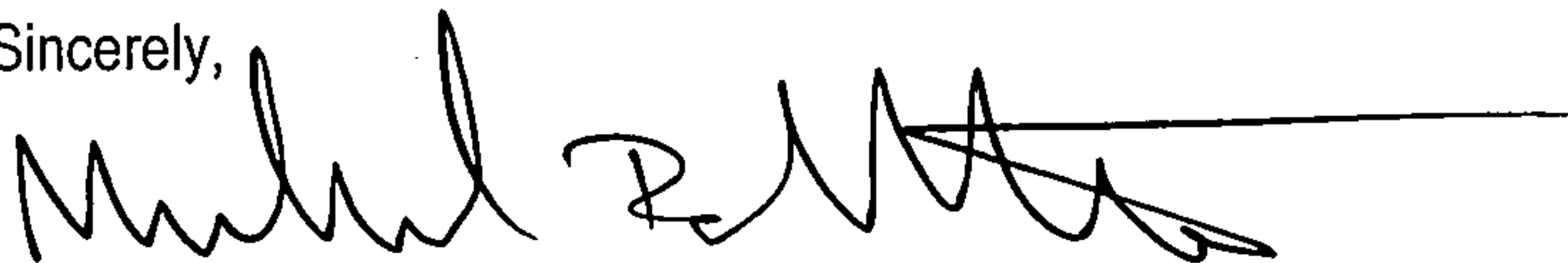
Enclosed for review and approval by the Development Review Board (DRB) are copies of the following information:

- Development Review Application
- Six (6) copies of the Preliminary/Final Plat
- Zone Atlas Map showing the location of the property
- Fee in the amount of \$\_\_\_\_\_.
- Correspondence concerning Archaeological study
- Letter justifying and describing request.

The site is located on the east side of University Blvd SE between Level B boundary and Crick Ave SE. This request is to replat 2 existing tracts into 6 for the purpose of conveying proposed Tracts 1-A, 1-B, 2-A, 2-B, OS-5, OS-6 and to vacate public easements and right-of-way.

Please place this item on the DRB Agenda to be heard on February 20, 2008. If you have any questions or require additional information, please contact me.

Sincerely,



Michael Balaskovits, PE  
Project Engineer  
Community Development and Planning Group

MB/am  
Enclosures

**ENGINEERING ▲**

**SPATIAL DATA ▲**

**ADVANCED TECHNOLOGIES ▲**

**Michael Balaskovits**

---

**From:** Will Gleason [WillG@dpsdesign.org]  
**Sent:** Wednesday, January 23, 2008 9:13 AM  
**To:** Schmader, Matthew F.; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown; tim@marroninc.com; Jeff Mulbery; Michael Balaskovits; Scott Leonard  
**Subject:** RE: Pinnacle -  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Matt, I just got off a conference call with Ken Brown and Manny Barrera from Forest City. Here's what Ken is recommending on LA158331:

- 75' buffer around the site
- Fencing consisting of metal T-posts and orange construction fencing along buffer on Tract I
- Field monitoring by Marron staff if any blading is done in vicinity of buffer

Can you confirm this as an acceptable action plan so we can move forward? Thanks!

And on LA154315, Ken said that he would call Michelle at SHPO to determine if there was a letter of concurrence.

Will

---

**From:** Schmader, Matthew F. [mailto:MSchmader@cabq.gov]  
**Sent:** Friday, January 18, 2008 4:11 PM  
**To:** Will Gleason; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown; tim@marroninc.com; Jeff Mulbery; Michael Balaskovits; Scott Leonard  
**Subject:** RE: Pinnacle -

I'll write them a quick note-- I suspect there never was a formal DoE (determination of eligibility). Is the project able to proceed pretty much on schedule, that's my goal.

---

**From:** Will Gleason [mailto:WillG@dpsdesign.org]  
**Sent:** Friday, January 18, 2008 4:04 PM  
**To:** Schmader, Matthew F.; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown; tim@marroninc.com; 'Jeff Mulbery'; Michael Balaskovits; Scott Leonard  
**Subject:** RE: Pinnacle -

That's good news, Matt. With the guidance of Marron, we will generate a letter that commits to avoiding the site and will get a note put on the plat.

On the other site, Tract I, we are trying to track down if SHPO had any prior consultation on LA 154315. So far, we have found no response from them. Did you hear anything from them?

thanks, Will

---

**From:** Schmader, Matthew F. [mailto:MSchmader@cabq.gov]  
**Sent:** Friday, January 18, 2008 3:28 PM

2/8/2008

**To:** Will Gleason; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown; tim@marroninc.com  
**Subject:** RE: Pinnacle -

Thanks, Will--

If the site can be fully avoided, then the testing is not needed unless the owners would prefer to clear the whole project area.

A working buffer, flagged out to prevent equipment damage, is all that is needed at the time of grading. Commitment to avoid the site should be set out in a letter or some document to the file, including a note on the plat.

Let's not forget about the other site, though.  
 It sounds like you are able to submit to DRB?

**From:** Will Gleason [mailto:WillG@dpsdesign.org]  
**Sent:** Friday, January 18, 2008 3:22 PM  
**To:** Schmader, Matthew F.; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown; tim@marroninc.com  
**Subject:** RE: Pinnacle -

My understanding is that the site CAN be preserved in-place. Do you need Marron to propose a working buffer? I am copying Tim from Marron since Ken is out-of-town.

**From:** Schmader, Matthew F. [mailto:MSchmader@cabq.gov]  
**Sent:** Friday, January 18, 2008 3:19 PM  
**To:** Will Gleason; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown  
**Subject:** RE: Pinnacle -

I concur with Marron that the second option is the best.

But first, I want to ensure that submittals are able to proceed without any project delay. I am suggesting a working buffer to be avoided by any grading in order to keep the project moving and protect the site during the time it takes to get the testing plan approved.

Also, I am assuming that the site can't be left as preserved in-place. And I am wondering if the testing needs to also apply to LA 154315 since it was of undetermined age?

// Ed-- Does the ordinance enable the City to now act in lieu of HPD in the review capacity since we are a CLG? //

**From:** Will Gleason [mailto:WillG@dpsdesign.org]  
**Sent:** Friday, January 18, 2008 2:29 PM  
**To:** Schmader, Matthew F.; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown  
**Subject:** RE: Pinnacle -

Matt, based on your direction, we are confident that we can avoid LA158331. Since the site lies mostly within land that is designated as open space, do we need to come up with a treatment plan or can the treatment plan consist of avoiding the site, establishing a prudent boundary, and fencing it off?

Marrons' initial recommendations follow. Please advise which course of action we should follow.

Ken Brown asked us to let you know about three options for addressing the size and nature of archaeological site LA 158331 on the Tract 1 northwest boundary.

- Immediate testing of up to 0.05 of 1% of the site area, as allowed under our survey permit. At LA 158331, this area would be equivalent to one 60 by 60 cm (about 2 ft by 2 ft) square. This would

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be two shovel test holes, or 36 auger test holes.

- Under current New Mexico legislation, up to 5 percent of the site area can be tested under a formal testing plan. This would allow test excavation of the equivalent of 6 square meters (about 20 ft by 20 ft). This is the equivalent of six 1-by-1-m test units, or 12 50-by-100-cm units, or 24 50-by-50-cm units, or some combination of these. Marron needs about two days to produce a testing plan. SHPO review of testing plans generally takes about 10 days.
- The third option is full-scale data recovery, with or without mechanical equipment. Data recovery excavations generally take place after National Register eligibility has been confirmed. SHPO review and CPRC review are required. The CPRC meets every two months.

Marron thinks the second option, testing of up to 5 percent of the site, provides the best coverage and the best likelihood of determining National Register eligibility.

If you have questions about the options or our recommendation, or want to discuss this further, please feel call (898-8848). Ken will be back on Monday, and Tim and Mary will be in the office all day Thursday the 17<sup>th</sup> and until 2:30 on Friday the 18<sup>th</sup>.

Thanks,

Mary Quirolo and Tim McEnany

**From:** Schmader, Matthew F. [mailto:MSchmader@cabq.gov]  
**Sent:** Wednesday, January 16, 2008 10:18 AM  
**To:** Will Gleason; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown  
**Subject:** RE: Pinnacle and Sony Cultural Resource Survey - Summary

Thanks, Will--

In place avoidance is always preferable, especially if there is a time crunch and the design is flexible. Do we know where LA 153415 sits on the plans, and what prior consultation may have occurred with the State as to potential national register eligibility?

I'm hoping to resolve as much as we can via e-mail because schedules are hard to mesh and this project needs to move along. One thing I did with regard to project schedule is recommend, outside of the ordinance, that the grading plan could proceed prior to acceptance of a treatment plan-- usually it would be the other way around.

**From:** Will Gleason [mailto:WillG@dpsdesign.org]  
**Sent:** Wednesday, January 16, 2008 10:06 AM  
**To:** Schmader, Matthew F.; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Cc:** Ken Brown  
**Subject:** RE: Pinnacle and Sony Cultural Resource Survey - Summary

Matt, here is LA158331 overlaid on the proposed site plan for Project Pinnacle. This is on Tract I in the north end

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of the Mesa del Sol Employment Center (Innovation Park). As you can see, the site can be avoided and should not be impacted by construction. It is located within a buffer area, more than 100' from the proposed building and 30' from a proposed trail (the actual alignment of this trail is flexible).

We will establish whatever Marron recommends for a buffer around the site to protect the site from disturbance and follow recommendations for preservation.

Do you have time for a meeting or conference call today so that we clear about what we need to do? We'll work around your schedule.

---

**From:** Schmader, Matthew F. [mailto:MSchmader@cabq.gov]  
**Sent:** Tuesday, January 15, 2008 11:49 AM  
**To:** Will Gleason; mbarrera@fcmds.com; canderson@fcmds.com; Dourte, Richard H.; Boles, Ed  
**Subject:** RE: Pinnacle and Sony Cultural Resource Survey - Summary

Thank you, Will--

As this survey identified two sites, we will need to move to the next stage of project evaluation and have the consultant devise site treatment plans. Effectively, these are measures that ensure avoidance of the sites or retrieval of sufficient information to allow development to remove some or all of the site area.

If the project has enough flexibility in design, then sites can be preserved in-place and avoided.

If the project requires all of the land, then usually the sites have to be at least tested and/or documented to a degree that they can be graded.

We can move forward in the DRB process if you can show that the site areas will be avoided pending the treatment plans, and that site areas are protected from the grading of the balance of the parcel. You will need the grading plan submittal to DRB to reflect that. If you can do that then I would be able to issue some sort of provisional approval to allow DRB and grading permitting to continue.

Concurrently, I will need from Marron:

1. A proposed treatment plan for sites LA 153415 and LA 158331 (including methods for in-place preservation, testing, historic documentation, and consultation with Isleta Pueblo), and
2. Record of prior consultation with the State on eligibility status for LA 153415.

Hope this helps,  
 Matt S.

---

**From:** Will Gleason [mailto:WillG@dpsdesign.org]  
**Sent:** Monday, January 14, 2008 3:09 PM  
**To:** mbarrera@fcmds.com; canderson@fcmds.com  
**Cc:** Schmader, Matthew F.  
**Subject:** Pinnacle and Sony Cultural Resource Survey - Summary

Manny and Chris, here's the scanned summary of the report. I am copying Matt to give him a head-start on reviewing the report.

Matt, please advise on the new protocol - we need your review this week so that we can proceed with submittals to the City and anticipated grading permit next week. We will get you a full copy of the report tomorrow.

**Will Gleason, AICP LEED AP**  
 Associate  
 @dpsdesign.org  
 Dekker/Perich/Sabatini

2/8/2008

7601 Jefferson NE, Suite 100  
Albuquerque, NM 87109  
505.761.9700 tel  
505.761.4222 fax

With offices located in New Mexico, Nevada and Texas, Dekker/Perich/Sabatini provides architecture, interior design, landscape, planning and engineering services to public and private clients. Please visit our new website at [www.dpsdesign.org](http://www.dpsdesign.org).



**NMCRIS No. 108740**

***Cultural Resource Survey***

**A Class I and Class III Cultural Resource Survey of  
Tract 1 and Tract 22 Totaling 17 Hectares (42.1 Acres) on  
Mesa del Sol, Albuquerque,  
Bernalillo County, New Mexico**

By  
**Timothy G. McEnany, Kenneth L. Brown, and Marie E. Brown**

Edited By  
**Kenneth L. Brown**

Under  
**New Mexico State Survey Permit No. NM-07-160-S**

Prepared by  
**Marron and Associates, Inc.  
7511 Fourth Street NW  
Albuquerque, New Mexico 87107  
(505) 898-8848  
Fax: (505) 897-7847**

Prepared for  
**Dekker, Perich, and Sabatini, Inc.  
6801 Jefferson NE, Suite 100  
Albuquerque, New Mexico 87109  
(505) 761-9700  
Fax: (505) 761-4222**

**Cultural Resource Report No. 0290**

**Marron Project 07076.09**

**January 11, 2008**

## NMCRIS INVESTIGATION ABSTRACT FORM (NIAF)

<b>1. NMCRIS Activity No.:</b> 108740	<b>2a. Lead (Sponsoring) Agency:</b> City of Albuquerque, Bernalillo County	<b>2b. Other Permitting Agency(ies):</b>	<b>3. Lead Agency Report No.:</b>									
<b>4. Title of Report:</b> A Class I and Class II Cultural Resource Survey of Tract 1 and Tract 22 Totaling 17 Hectares (42.1 Acres) on Mesa del Sol, Albuquerque, Bernalillo County, New Mexico <b>Author(s)</b> Timothy G. McEnany, Kenneth L. Brown, and Marie E. Brown			<b>5. Type of Report</b> <input type="checkbox"/> Negative <input checked="" type="checkbox"/> Positive									
<b>6. Investigation Type</b> <input type="checkbox"/> Research Design <input checked="" type="checkbox"/> Survey/Inventory <input type="checkbox"/> Test Excavation <input type="checkbox"/> Excavation <input type="checkbox"/> Collections/Non-Field Study <input checked="" type="checkbox"/> Overview/Lit Review <input type="checkbox"/> Monitoring <input type="checkbox"/> Ethnographic study <input type="checkbox"/> Site specific visit <input type="checkbox"/> Other												
<b>7. Description of Undertaking (what does the project entail?):</b> This report presents the results of a Class I (records search) and Class III (100 percent) cultural resource survey by Marron and Associates, Inc. (Marron) for the proposed development of Tract 1 and Tract 22 on Mesa del Sol, Bernalillo County, New Mexico. Marron conducted the cultural resource survey at the request of Mr. Will Gleason of Dekker, Perich and Sabatini, Inc. on December 26 and December 28, 2007 under New Mexico State Survey Permit No. NM-07-160-S. The project areas consist entirely of private lane owned Forest City Covington of Albuquerque. Forest City Covington is funding the project.  The Tract 1 project Area of Potential Effect (APE) consists of a 10.6-ha (26.3-ac) parcel east of University Blvd and north of Advent Solar. The parcel is triangular in shape except for slight bends in its west and south sides. The Tract 22 project APE is a 6.4-ha (15.8-ac) parcel east of University Blvd and south of the Advent Solar facility. The parcel is rectangular in shape except for a slight bend in the east boundary. Tracts 1 and 22 combined represent a total of 17 ha (42.1 ac) consisting entirely of private land. Tract 22 is bordered by paved streets and a portion of Tract 21. Tract 21 had been surveyed previously for the Albuquerque Studios, a recently built motion picture film production facility. The eastern boundary of Tract 22 overlaps the film studio survey area. The south boundary is adjacent to the film studio area. The built environment APE includes buildings with construction dates prior to 1963 that are within 30 m (100 ft) of the project APE. No buildings occur on or near the project parcels.		<b>8. Dates of Investigation:</b> (from: December 26 to 28, 2007)  <b>9. Report Date:</b> January 11, 2008										
<b>10. Performing Agency/Consultant:</b> Marron and Associates, Inc. <b>Principal Investigator:</b> Kenneth L. Brown <b>Field Supervisor:</b> Timothy McEnany <b>Field Personnel Names:</b> Hansene Gustafson		<b>11. Performing Agency/Consultant Report No.:</b> Marron Report No. 0290  <b>12. Applicable Cultural Resource Permit No(s):</b> New Mexico State Survey No. NM-07-160-S										
<b>13. Client/Customer (project proponent):</b> Forest City Covington <b>Contact:</b> Chris Anderson <b>Address:</b> 801 University Blvd SE, Albuquerque, New Mexico 87106 <b>Phone:</b> (505) 452-2600		<b>14. Client/Customer Project No.:</b>										
<b>15. Land Ownership Status (<i>Must be indicated on project map</i>):</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Land Owner</th> <th style="text-align: center;">Acres Surveyed</th> <th style="text-align: center;">Acres in APE</th> </tr> </thead> <tbody> <tr> <td>City of Albuquerque, Bernalillo County</td> <td style="text-align: center;">42.1</td> <td style="text-align: center;">42.1</td> </tr> <tr> <td style="text-align: right;"><b>TOTALS</b></td> <td style="text-align: center;">42.1</td> <td style="text-align: center;">42.1</td> </tr> </tbody> </table>				Land Owner	Acres Surveyed	Acres in APE	City of Albuquerque, Bernalillo County	42.1	42.1	<b>TOTALS</b>	42.1	42.1
Land Owner	Acres Surveyed	Acres in APE										
City of Albuquerque, Bernalillo County	42.1	42.1										
<b>TOTALS</b>	42.1	42.1										

16 Records Search(es):

Date(s) of ARMS File Review December 21, 2007	Name of Reviewer(s) T. McEnany	
Date(s) of NR/SR File Review December 21, 2007	Name of Reviewer(s) T. McEnany	
Date(s) of Other Agency File Review	Name of Reviewer(s)	Agency

LA Number Name	Affiliation	NMCRIS No.	Reference
69519	Unknown-Artifact scatter (9500 BC to AD 1550)	25187 65751 72196	Doleman 1989 Goar and Acklen 1999 Goar 2000
112793	Unknown-Artifact scatter (9500 BC to AD 1800)	51993 66898	Brown 1997 AEM 2000
112794	Anasazi-Artifact scatter (AD 900 to 1300)	51993 79007 95220 102672	Brown 1997 Marshall 2002 Brown 2005b Brown et al. 2006
112795	Anasazi-Artifact scatter (AD 700 to 1300)	51993	Brown 1997
112796	Anasazi-Artifact scatter (AD 700 to 1300)	51993 66898	Brown 1997 Ecosystem Management 2000
112797	Anasazi-Artifact scatter (AD 700 to 1300)	51993 66898	Brown 1997 Ecosystem Management 2000
112798	Unknown-Artifact scatter (9500 BC to AD 1800)	51993 66898	Brown 1997 Ecosystem Management 2000
112799	Unknown-Artifact scatter (9500 BC to AD 1800)	51993	Brown 1997
129145	Unknown-Artifact scatter (9500 BC to AD 1550)	65751 72196	Goar and Acklen 1999 Goar 2000
153415	Euroamerican-Road/Trail (AD 1864-present)	100115 100120 101166	Estes et al. 2006a Estes et al. 2006b Quirolo et al. 2006

NMCRIS No.	Reference	NMCRIS No.	Reference
39571	Gossett 1989	63762	Goar et al. 1999
91947	Brown 2005a	102959	Parker et al. 2007
96048	Estes 2005		

17. Survey Data:

- a. Source Graphics  NAD 27  NAD 83  
 USGS 7.5' (1:24,000) topo map  Other topo map, Scale:  
 GPS Unit Accuracy  <1.0m  1-10m  10-100m  >100m

b. USGS 7.5' Topographic Map Name	USGS Quad Code
Albuquerque East	35106-A5
Hubbell Spring	34106-H5

c. County(ies): Bernalillo

17. Survey Data (continued):

d. Nearest City or Town: Albuquerque

e. Legal Description:

Township 9 North, Range 3 East			
Tract 1 – Section 15		Tract 22 – Section 22	
NW ¼ SW ¼ SW ¼	SW ¼ NW ¼ SW ¼	NE ¼ NW ¼ SW ¼	NW ¼ NE ¼ SW ¼
SW ¼ SW ¼ SW ¼	SE ¼ NW ¼ SW ¼	SE ¼ NW ¼ SW ¼	SW ¼ NE ¼ SW ¼
NE ¼ SW ¼ SW ¼	NW ¼ SE ¼ SW ¼	NW ¼ SE ¼ SW ¼	SE ¼ NE ¼ SW ¼
SE ¼ SW ¼ SW ¼	SW ¼ SE ¼ SW ¼	NE ¼ SE ¼ SW ¼	

Projected legal description? Yes , No  Unplatted

f. Other Description (e.g. well pad footages, mile markers, plats, land grant name, etc.): UTM (Zone 13) coordinate table

Project Landmark	UTM Coordinates	
	Easting	Northing
Tract 1 – northwest corner	352245	3874608
Tract 1 – southwest corner	352094	3874236
Tract 1 – southeast corner	352610	3874304
Tract 22 – northwest corner	352273	3873159
Tract 22 – southwest corner	352607	3872794
Tract 22 – northeast corner	352383	3873248
Tract 22 – southeast corner	352703	3872879

18. Survey Field Methods:

Intensity:  100% coverage  <100% coverage

Configuration:  block survey units  linear survey units (l x w):  other survey units (specify):

Scope:  non-selective (all sites recorded)  selective/thematic (selected sites recorded)

Coverage Method:  systematic pedestrian coverage  other method (describe)

Survey Interval (m): 15 Crew Size: 2 Fieldwork Dates: December 26 and December 28, 2007

Survey Person Hours: 20 Recording Person Hours: 8 Total Hours: 28

**Additional Narrative:** A two-person crew from Marron conducted a Class III (100 percent) cultural resource survey of the project APE on December 26 and 28, 2007. The built environment APE includes buildings with construction dates prior to 1963 that are within 30 m (100 ft) of the project APE. The boundaries (corners and/or bends in the boundaries) of Tract 1 and Tract 22 were generally marked with lathe and flagging prior to the survey. Otherwise, the project boundaries were located using maps provided by the project engineer. An aerial photo showing the project areas was also examined prior to the survey. Transects spaced no greater than 15 m (50 ft) apart were walked within each tract.

One new archaeological site—LA 158331—was recorded in Tract 1. In addition, eight isolated occurrences (IOs) were recorded in Tract 1. One previously recorded historic site—LA 153415—was revisited in Tract 22. The following criteria were used to identify an archaeological site: (1) 10 or more artifacts of two or more artifact classes or types within a 20-by-20-m (66-by-66-ft) area; or (2) the presence of a structure, feature, or midden. Resources not meeting these criteria were recorded as IOs—single artifacts, small clusters of less than 10 artifacts, and *descansos*. No buildings with construction dates prior to 1963 are in Tract 1 and Tract 22 or within 30 m (100 ft) of them.

Cultural resources were documented using standard procedures and field forms. No artifacts were collected and no subsurface testing of any kind was done. A datum, consisting of a rebar with an aluminum cap stamped “Marron—Do Not Disturb” and a field number (“1”), was placed in LA 158331. A datum established on LA 153415 about 500 m (1640 ft) west of the Tract 22 project area during a previous cultural resource survey (Estes et al. 2006a) served as the datum for the present survey. Location information was obtained with a Trimble GeoXm GPS unit using the Western U.S., 1927 North American Datum (NAD). Post-field differential correction of the data used the CORS Sandia base station and yielded an error of less than 2 m (6.6 ft). The GPS unit was also used to map the sites. The project area and archaeological sites were photographed with an Olympus Stylus 300 digital camera with 3.2 megapixels and a 3X zoom lens.

Climatic conditions during the survey were cold, but generally sunny. Ground disturbances in Tract 1 include a dirt road along the west boundary of the survey area. The road is one of many in the area used for off-road vehicle recreation. In addition to the road, a wood post and wire fence line traverses the north portion of the tract. Tract 22 has been impacted to a greater degree by recent developments including construction of the film studio. The University Blvd. extension is a paved road with curbs and adjacent bladed embankments on both sides. In areas with vegetation, ground visibility in both tracts averaged 50 percent. A few birds and

an occasional jackrabbit were the only wildlife observed during the project.	
19. Environmental Setting (NRCS soil designation; vegetative community; elevation; etc.): see attachment	
20.a. Percent Ground Visibility: 50 percent b. Condition of Survey Area (grazed, bladed, undisturbed, etc.): Ground disturbances in the Tract 1 project APE include a dirt road which occurs along the west boundary of the survey area. The road is one of many in the area used for off-road vehicle recreation. In addition to the road, a wood post and wire fence line traverses the north portion of the tract. Tract 22 has been impacted to a greater degree by recent developments including construction of the film studio. The University Blvd. extension is a paved road with curbs and adjacent bladed embankments on both sides. In areas with vegetation, ground visibility in both survey areas averaged 50 percent.	
21. CULTURAL RESOURCE FINDINGS <input checked="" type="checkbox"/> Yes, See Page 3 <input type="checkbox"/> No, Discuss Why:	
22. Required Attachments (check all appropriate boxes): <input checked="" type="checkbox"/> USGS 7.5 Topographic Map with sites, isolates, and survey area clearly drawn <input checked="" type="checkbox"/> Copy of NMCRIS Mapserver Map Check <input checked="" type="checkbox"/> LA Site Forms - new sites ( <i>with sketch map &amp; topographic map</i> ) <input checked="" type="checkbox"/> LA Site Forms (update) - previously recorded & un-relocated sites ( <i>first 2 pages minimum</i> ) <input type="checkbox"/> Historic Cultural Property Inventory Forms <input checked="" type="checkbox"/> List and Description of Isolates, if applicable <input type="checkbox"/> List and Description of Collections, if applicable	23. Other Attachments: <input type="checkbox"/> Photographs and Log <input type="checkbox"/> Other Attachments <i>(Describe):</i>
24. I certify the information provided above is correct and accurate and meets all applicable agency standards.	
Principal Investigator/Responsible Archaeologist:	
Signature <i>Keith L. Beam</i>	Date <i>1-10-08</i> Title (if not PI):
25. Reviewing Agency: Reviewer's Name/Date  Accepted ( ) Rejected ( )  Tribal Consultation (if applicable): <input type="checkbox"/> Yes <input type="checkbox"/> No	26. SHPO Reviewer's Name/Date:  HPD Log #: SHPO File Location: Date sent to ARMS:

### CULTURAL RESOURCE FINDINGS

*[fill in appropriate section(s)]*

1. NMCRIS Activity No.: 108740	2. Lead (Sponsoring) Agency: City of Albuquerque, Bernalillo County	3. Lead Agency Report No.:
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**SURVEY RESULTS:**

Sites discovered and registered: 1  
 Sites discovered and NOT registered: 0  
 Previously recorded sites revisited (*site update form required*): 1  
 Previously recorded sites not relocated (*site update form required*): 0  
**TOTAL SITES VISITED: 2**  
 Total isolates recorded: 8      Non-selective Isolate recording?   
 Total structures recorded (*new and previously recorded, including acequias*): 0

**MANAGEMENT SUMMARY:** This report presents the results of a Class I (records search) and Class III (100 percent) cultural resource survey by Marron for the proposed development of Tract 1 and Tract 22 on Mesa del Sol, Bernalillo County, New Mexico. Marron conducted the cultural resource survey at the request of Mr. Will Gleason of Dekker, Perich and Sabatini, Inc. on December 26 and December 28, 2007 under New Mexico State Survey Permit No. NM-07-160-S. The project areas consist entirely of private land owned Forest City Covington of Albuquerque. Forest City Covington is funding the project.

Tract 1 consists of a 10.6-ha (26.3-ac) parcel east of University Blvd. and north of Advent Solar. The parcel is triangular except for slight bends in the west and south sides. Tract 22 is a 6.4-ha (15.8-ac) parcel east of University Blvd. and south of the Advent Solar facility. The parcel is rectangular except for a slight bend in the eastern boundary. Tracts 1 and 22 combined represent a total of 17 ha (42.1 ac), consisting entirely of private land. Tract 22 is bordered by paved streets and a portion of the Tract 21 parcel. Tract 21 had been surveyed previously for the Albuquerque Studios, a recently built motion picture film production facility. The eastern boundary of Tract 22 overlaps the film studio survey area. The south boundary is adjacent to the film studio area. The built environment APE includes buildings with construction dates prior to 1963 that are within 30 m (100 ft) of the project APE.

One previously recorded site—LA 153415—and one newly discovered archaeological site—LA 158331—and eight isolated occurrences (IOs) were recorded. The IOs have been recorded and are not likely to yield important information beyond what has been documented. None is eligible for the NRHP and no additional investigations are recommended concerning the IOs. No buildings with construction dates prior to 1963 are in Tracts 1 and 22 or within 30 m (100 ft) of them.

LA 153415 is a historic road that connects Atrisco to the Hell's Canyon Road. The road originates on the south terrace of Tijeras Arroyo and continues southeast for 6 km (3.7 miles) to the McCormick Ranch. From there, the road continues southeast for 6.2 km (3.9 mi) to Hubbell Spring and then south for 2.4 km (1.5 mi) to Hell's Canyon Road, which went to the salt flats east of the Manzano Mountains. LA 153415 has appeared on published maps since 1864 and has been used more recently as a ranch road. A portion of the road crosses through the northern part of Tract 22 as well as areas previously surveyed for the film studio (Estes et al. 2006a) and an access road (Estes et al. 2006b). The road has become a southward extension of University Blvd. from the Journal Pavilion parking area to the west entrance of Albuquerque Studios.

LA 153415 was initially recorded during a cultural resource survey by Marron for the proposed University Blvd. temporary access road (Estes et al. 2006a). Additional segments of the historic road were present within boundaries of the film studio survey area (Estes et al. 2006b) as well as in previously surveyed transects inventoried in connection with other proposed residential and commercial development on Mesa del Sol (Quirolo et al. 2006). In each case, LA 153415 was recommended eligible for NRHP under Criterion A.

LA 158331 is a prehistoric artifact scatter dating to the Pueblo I (early Developmental period) (AD 600 to 900). Although relatively few artifacts are visible on the ground surface, the site is in an area covered by a fairly thick deposit of windblown (aeolian) sand. Additional cultural materials may be present. In addition, the presence of two pieces of fire-cracked rock suggests the presence of a possible datable feature. No ash stains were discerned. LA 158331 is recommended to be of undetermined eligibility. LA 158331 is partially in Tract 1, but most of the site is adjacent to the northwestern boundary of Tract 1. Marron recommends that LA 158331 be avoided during any development of Tract 1. If LA 158331 cannot be avoided, subsurface testing is recommended in order to determine the extent of subsurface cultural remains and NRHP eligibility.

Cultural resource management summary.

Cultural Resource	Description	Recommended NRHP Eligibility	Project Impact/ Recommendation
LA 153415	nineteenth century road	Criterion A	adverse effect/ none
LA 158331	Pueblo I/early Developmental Puebloan (AD 600-900)	undetermined	adverse effect/ test
IO-1	Obsidian flake medial fragment	no	none
IO-2	Corrugated gray jar rim fragment	no	none
IO-3	Plain jar fragment, polished interior	no	none
IO-4	Obsidian cortical flake, complete	no	none
IO-5	Unidentified plain jar fragment	no	none

IO-6	Chalcedony noncortical flake, complete	no	none
IO-7	Chalcedony noncortical flake, complete	no	none
IO-8	Milk bottle, complete, Wakefield Dairy, Washington D.C.	no	none

Although the proposed development of Tract 22 will not alter the characteristics of the majority of LA 153415 that qualify it for the NRHP, the project will alter the nature and use of an additional 250-m (820-ft) segment of the road. Portions of the previously recorded segments of LA 153415 along the University Blvd. extension and in the film studio area have been removed by construction. No associated artifacts or features were observed within Tract 22. No associated features were identified along the segments recorded previously (Estes et al. 2006a, 2006b; Quirolo et al. 2006) by Marron. Subject to comment, therefore, the criteria of adverse effect have been applied to the proposed undertaking regarding LA 153415. The road segment in Tract 22, however, has been documented and no additional investigations regarding this road segment are recommended.

No additional cultural resource investigations are recommended at this time. If cultural materials or human burials are encountered during construction, work in that area should stop and the City of Albuquerque archaeologist should be notified. In addition, in the case of human burials, the local law enforcement agency, the New Mexico OMI, and the New Mexico SHPO must also be notified immediately.

**IF REPORT IS NEGATIVE YOU ARE DONE AT THIS POINT.**

**SURVEY LA NUMBER LOG**

**Sites Discovered:**

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)
LA 158331	1	Indeterminate

**Previously recorded revisited sites:**

LA No.	Field/Agency No.	Eligible? (Y/N, applicable criteria)
153415		Yes, Criteria A

**MONITORING LA NUMBER LOG (site form required)**

**Sites Discovered (site form required) :**      **Previously recorded sites (Site update form required):**

LA No.	Field/Agency No.	LA No.	Field/Agency No.

**Areas outside known nearby site boundaries monitored? Yes , No  If no explain why:**

**TESTING & EXCAVATION LA NUMBER LOG (site form required)**

Tested LA number(s)	Excavated LA number(s)





**FORM V: SUBDIVISION VARIANCES & VACATIONS**

**BULK LAND VARIANCE (DRB04)**

**(PUBLIC HEARING CASE)**

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

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

**VACATION OF PUBLIC EASEMENT (DRB27)**

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

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

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

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

**SIDEWALK VARIANCE (DRB20)**

**SIDEWALK WAIVER (DRB21)**

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

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

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

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

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

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

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

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

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

**VACATION OF PRIVATE EASEMENT (DRB26)**

**VACATION OF RECORDED PLAT (DRB29)**

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

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

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

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

MICHAEL BARASIKOVITS  
Applicant name (print)  
[Signature] 2/1/08  
Applicant signature / date



Form revised 4/07

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

Application case numbers  
08DRB - 10060  
08DRB - 10061

Sandy Hand 02/01/08  
Planner signature / date  
Project # 1006200

# 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. 12, 2008 To FEB. 27, 2008

#### 5. REMOVAL

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

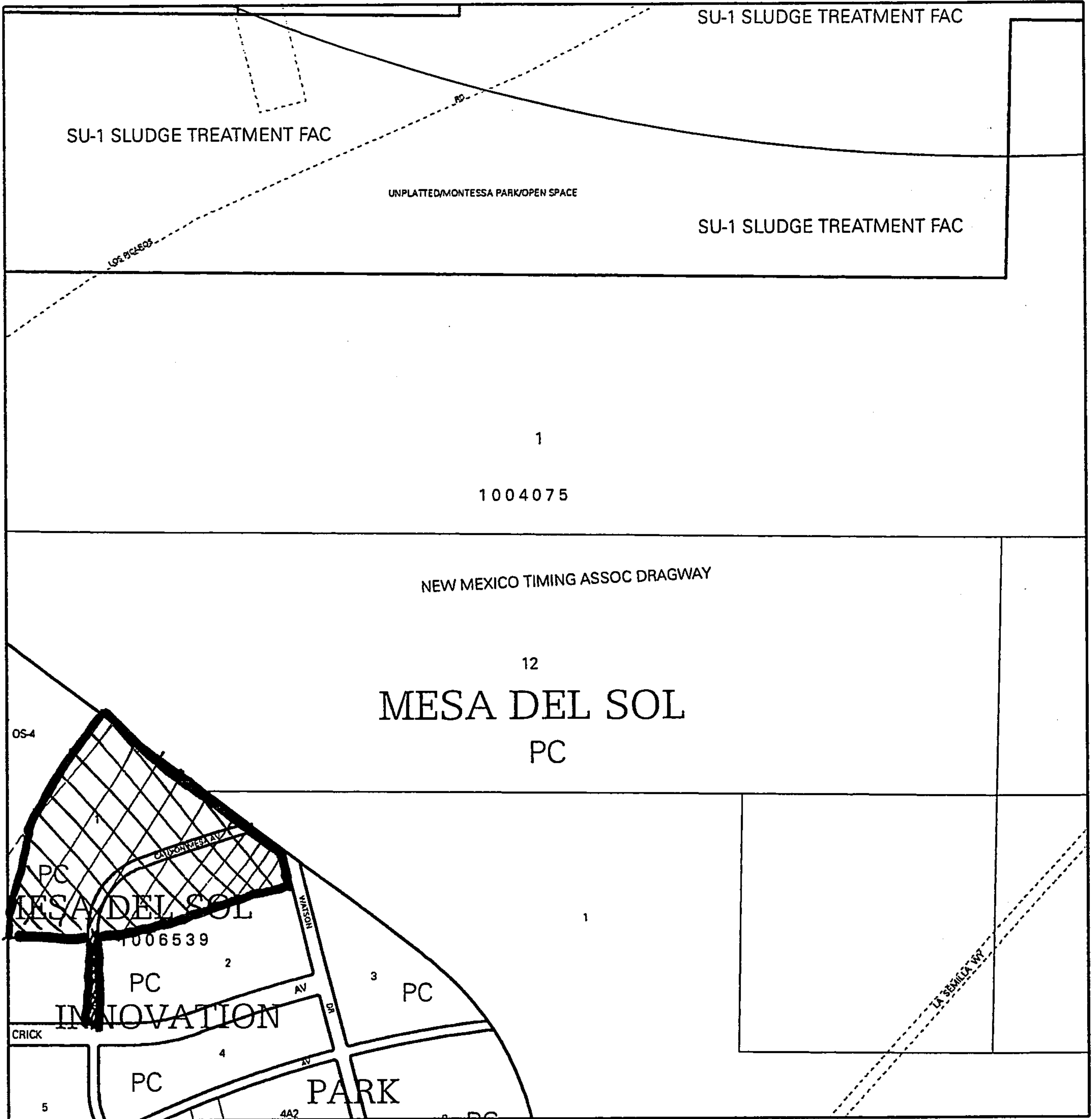
I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature]  
(Applicant or Agent)

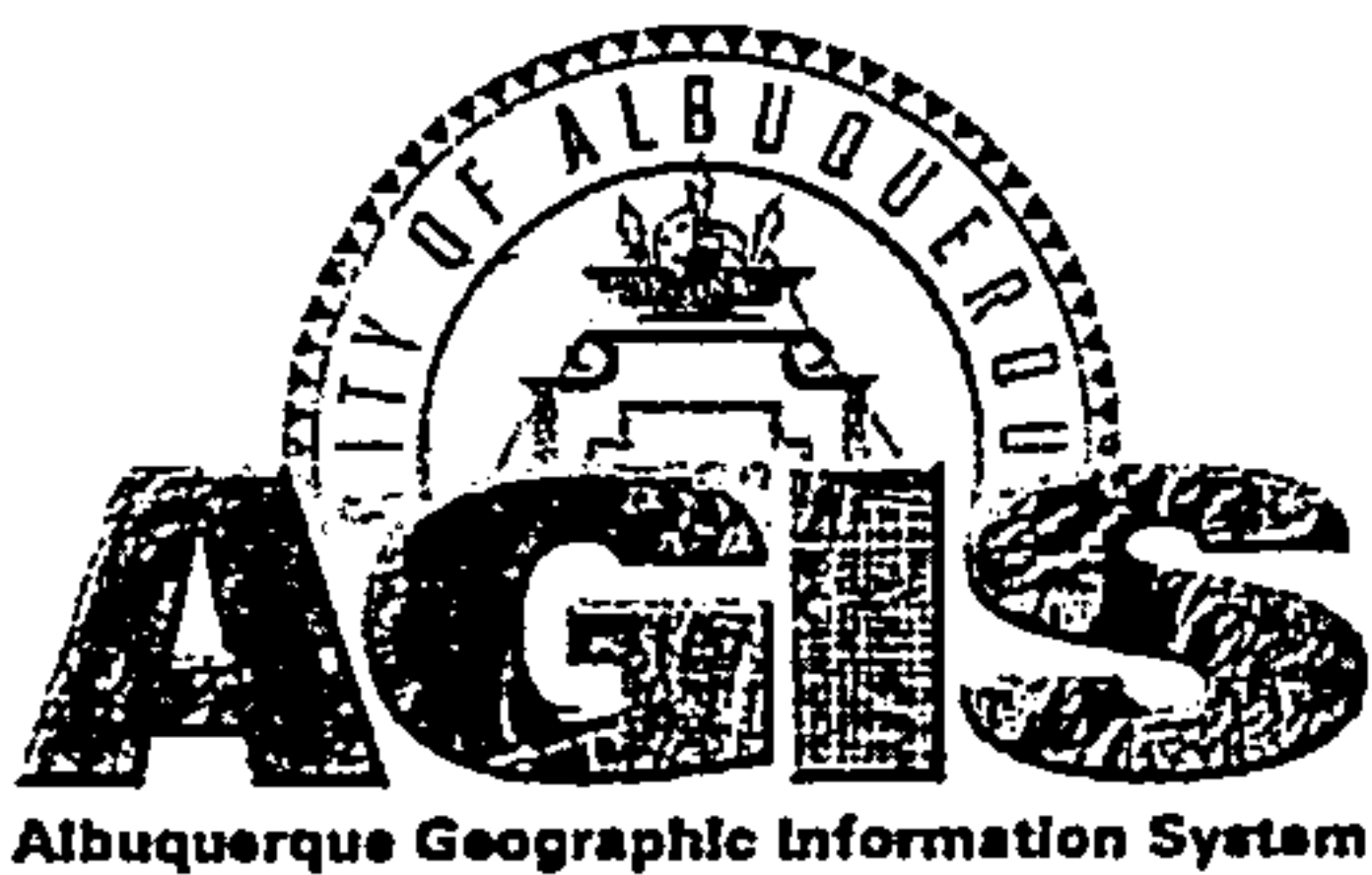
2/1/08  
(Date)

I issued 2 signs for this application, 02/01/08 [Signature]  
(Date) (Staff Member)

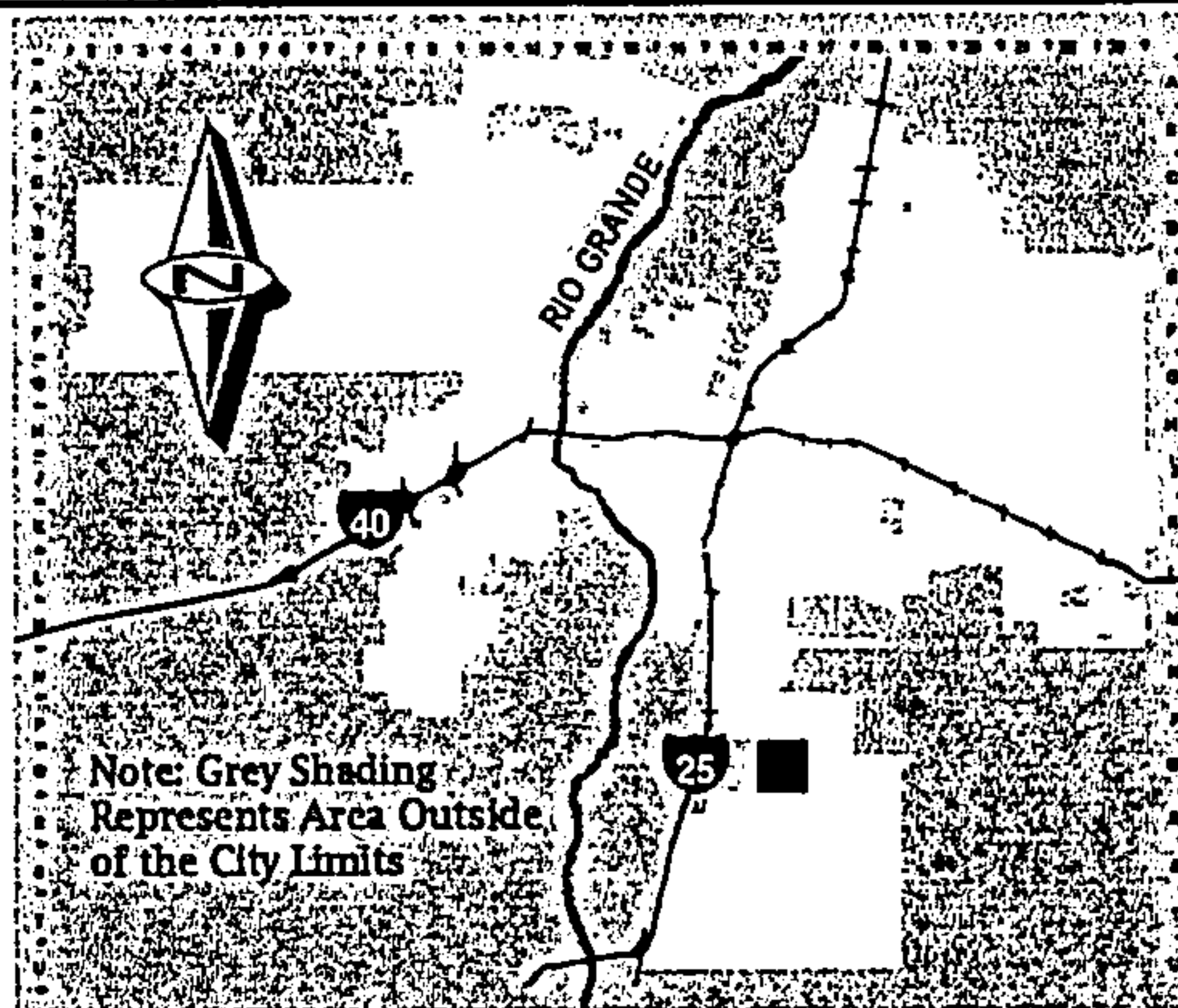
DRB PROJECT NUMBER: 1006200



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








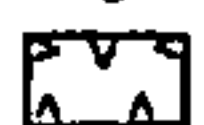



Map amended through: 1/4/2008

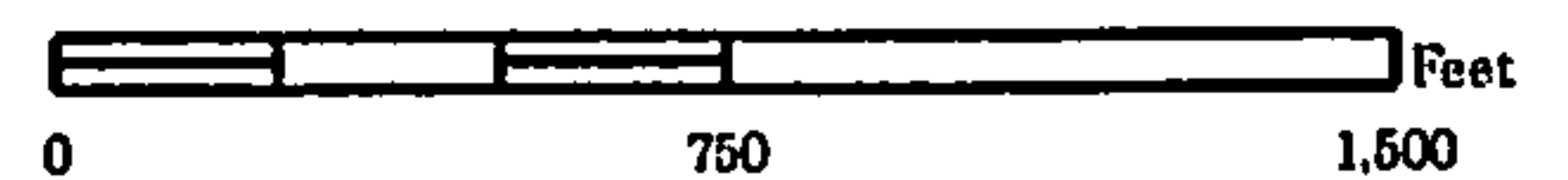


Zone Atlas Page:

**Q-16-Z**

Selected Symbols

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



February 1, 2008

Mr. Jack Cloud, Acting Chair  
Development Review Board  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, New Mexico 87103Re: Vacation of Public Easements & 50' wide Public Right-of-Way  
Tracts 1 and 2, Mesa Del Sol Innovation Park

Dear Jack:

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

- Development Review Application
- Twenty-four (24) copies of the Vacation exhibit (Exhibit "A")
- Twenty-Four (24) copies of the documents which created the 4 public easements and 50' wide Right-of-Way
- Letter from the Office of Neighborhood Coordination and neighborhood notification
- Zone Atlas Map showing the location of the property
- Fee in the amount of \$575.00

There are 4 public easements and one 50' wide stretch of public right-of-way being vacated with this submittal:

Public right-of-way granted to City of Albuquerque from Mesa Del Sol, LLC:

1. 50' public right-of-way granted to City of Albuquerque as part of the Mesa del Sol Innovation Park Bulk Land Plat (approx. 1.79Acres)

Public utility easements granted to City of Albuquerque from Mesa Del Sol, LLC:

2. Existing 10' public utility easement outside northwest side of right-of-way (w/in Tract 1).
3. Existing 10' public utility easement outside southeast side of right-of-way (w/in Tract 2).

Public drainage easement and public pedestrian easement:

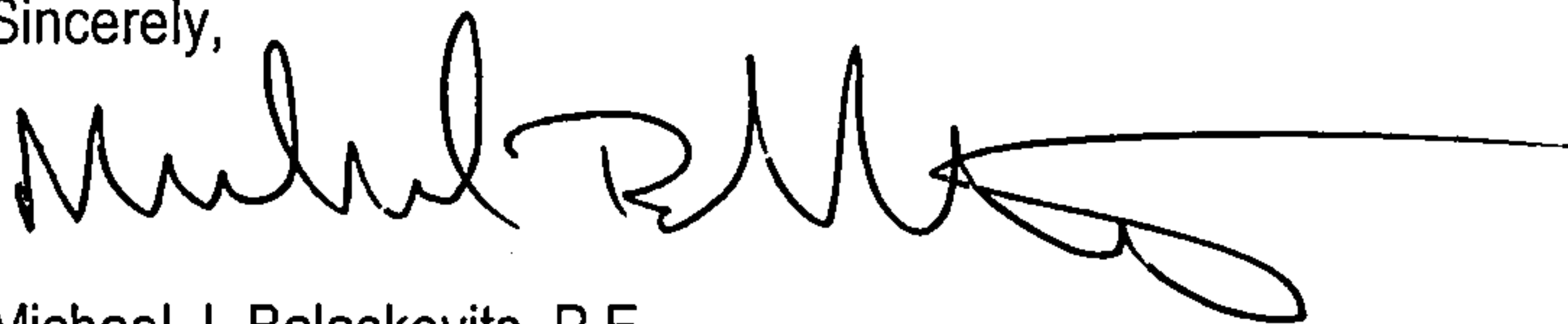
4. Existing public drainage and public access easement for drainage management and public access (w/in Tract 1 between University Blvd and existing Canyon Mesa ROW).
5. Existing public drainage and public access easement for drainage management and public access (w/in Tract 2 between existing Canyon Mesa ROW and Watson Dr).

Mr. Jack Cloud  
City of Albuquerque  
February 1, 2008  
Page 2

These public easements and 50' right-of-way to be vacated are in preparation for a future replat of Tracts 1 and 2. This replat will grant an additional public drainage and pedestrian easement to take the place of the two being vacated with this submittal.

Please place this item on the DRB Agenda for hearing on February 27, 2008. If you have any questions or require further information, please contact me.

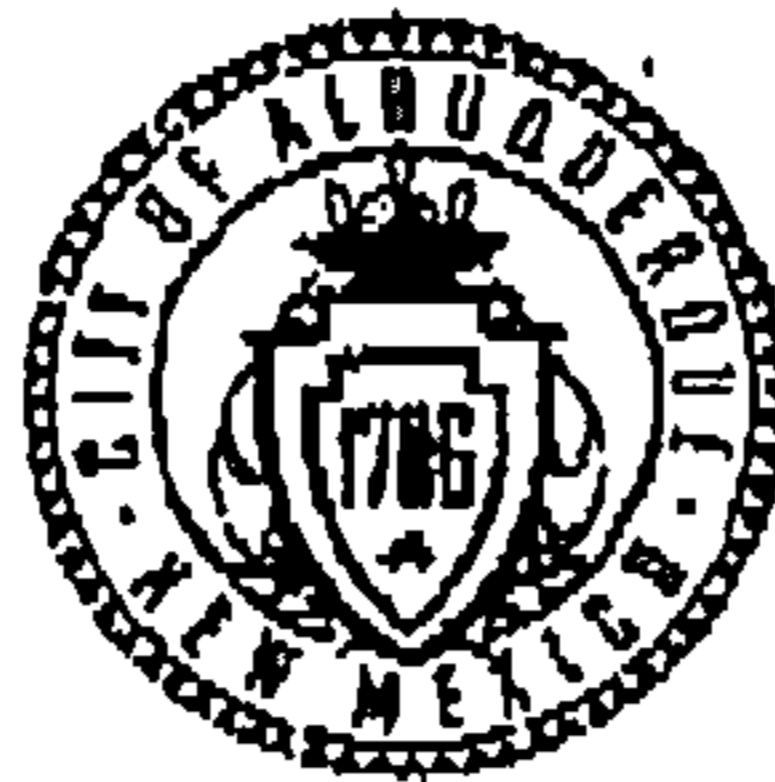
Sincerely,



Michael J. Balaskovits, P.E.  
Engineer  
Community Development and Planning Group

MJB/am  
Enclosures

cc: John Myers, Myers, Oliver, & Price (w/encl.)  
Lawrence Kline, Denish Kline & Associates (w/encl.)  
Harry Relkin, Mesa Del Sol (w/encl.)  
Jeffery Mulbery, Bohannon Huston Inc. (wo/encl.)  
James Topmiller, Bohannon Huston Inc. (wo/encl.)



# City of Albuquerque

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

Date: JANUARY 28, 2008

TO CONTACT NAME: Mike Balaskovits  
 COMPANY/AGENCY: Bahannan Huston, Inc.  
 ADDRESS/ZIP: 7500 Jefferson St. NE 87109-4335  
 PHONE/FAX #: 823-1000 / 798-7988

Thank you for your inquiry of JANUARY 28, 2008 (date) requesting the names of ALL Affected

**Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at Mesa Del Sol, Innovation Park, Tract 1 and 2 located on Creek Ave SE between University Blvd and Watson Dr.  
 zone map page(s) 9-16

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


Mountain View N.A.  
 Neighborhood or Homeowner Association  
 Contacts: Patty Grice  
206 Fentiman Pl. SE 87105  
452-9159 (h)  
Marla Painter  
506 Valley High St. SE 87106  
220-3969 (c)

Neighborhood or Homeowner Association  
 Contacts: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

YES { } NO {X}

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

Sincerely,  
  
 OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

# NOTICE TO APPLICANTS - SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

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

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the 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 amendments 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.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood and/or homeowner associations may contact someone with questions or comments.

## INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

The following information should always be 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 Homeowner Associations (if there are associations). A copy must be submitted with application packet.
- Copies of the certified receipts to Neighborhood and/or Homeowner Associations (if there are associations). A copy must be submitted with application packet.

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

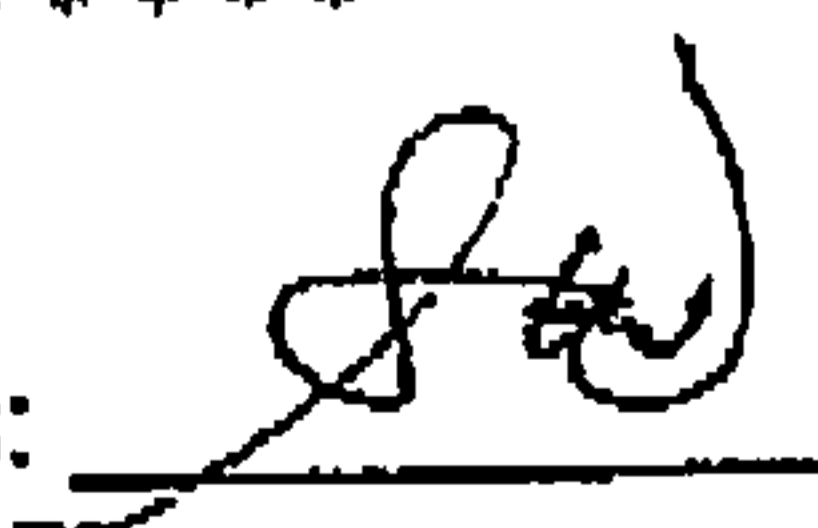
\*\*\*\*\*

(Below this line for ONC use only)

Date of Inquiry: 01.28.08

Time Entered: 10:10 AM

ONC Rep. Initials:



Fax Number :  
Name :

Name/Number : 99243913  
Page : 2  
Start Time : JAN-28-2008 10:26AM MON  
Elapsed Time : 00'46"  
Mode : STD ECM  
Results : [O.K]



## DEVELOPER INQUIRY SHEET

**(To be completed prior to application submittal)**

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

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

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

**City Project** [ ]

**CONTACT NAME:** Mike Balaskovits

**COMPANY NAME:** Bohannon Huston, Inc

**ADDRESS/ZIP:** 7500 Jefferson St NE, Albuquerque, NM 87109-4335

**PHONE:** 823-1000 **FAX:** 798-7988

### LEGAL DESCRIPTION INFORMATION

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

Mesa Del Sol, Innovation Park, Tracts 1 and 2

**LOCATED ON** Crick Ave SE LEGAL DESCRIPTION

STREET NAME OR OTHER IDENTIFYING LANDMARK

**BETWEEN** University BLVD **AND**

STREET NAME OR OTHER IDENTIFYING LANDMARK

Watson Dr

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE ( Q-16 ).  
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)  
(Zone Map **MUST** be provided with request)





# DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

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

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

Private Development  (i.e., EPC, DRB, LUCC, Liquor Submittal)

City Project

CONTACT NAME: Mike Balaskovits

COMPANY NAME: Bohannan Huston, Inc

ADDRESS/ZIP: 7500 Jefferson St NE, Albuquerque, NM 87109-4335

PHONE: 823-1000 FAX: 798-7988

## LEGAL DESCRIPTION INFORMATION

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

Mesa Del Sol, Innovation Park, Tracts 1 and 2

LOCATED ON Crick Ave SE

LEGAL DESCRIPTION

STREET NAME OR OTHER IDENTIFYING LANDMARK

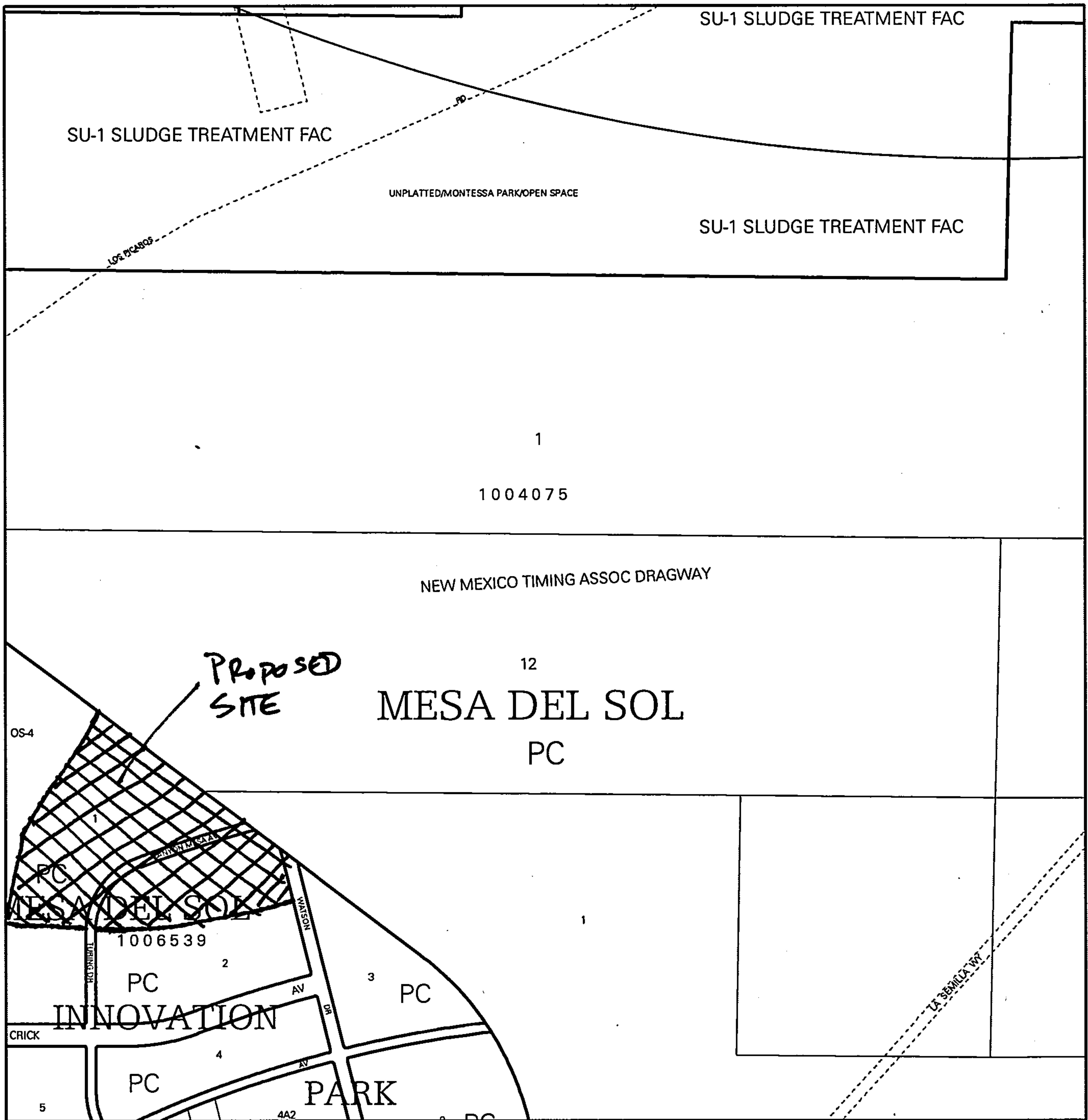
BETWEEN University BLVD AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

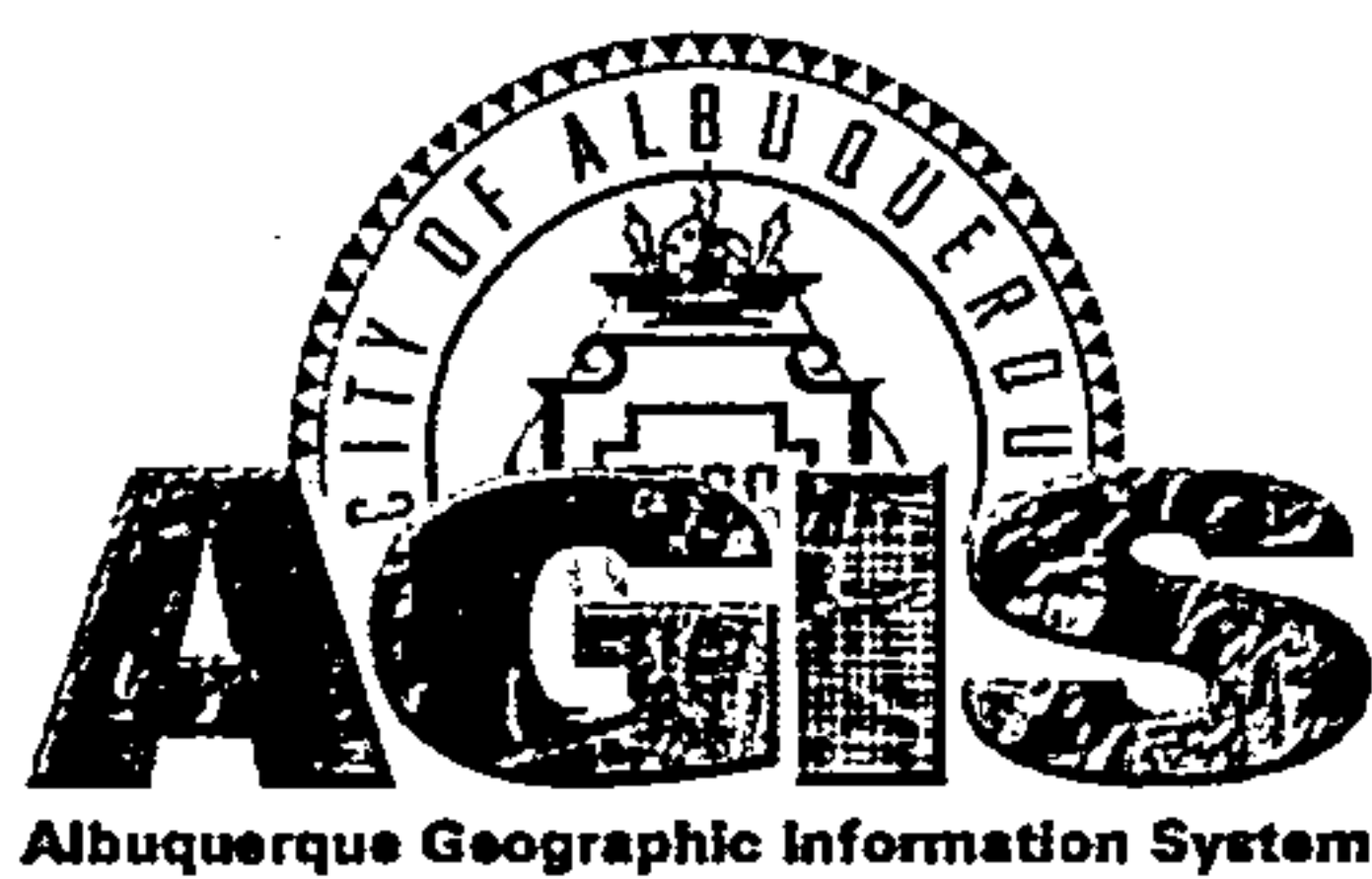
Watson Dr

STREET NAME OR OTHER IDENTIFYING LANDMARK

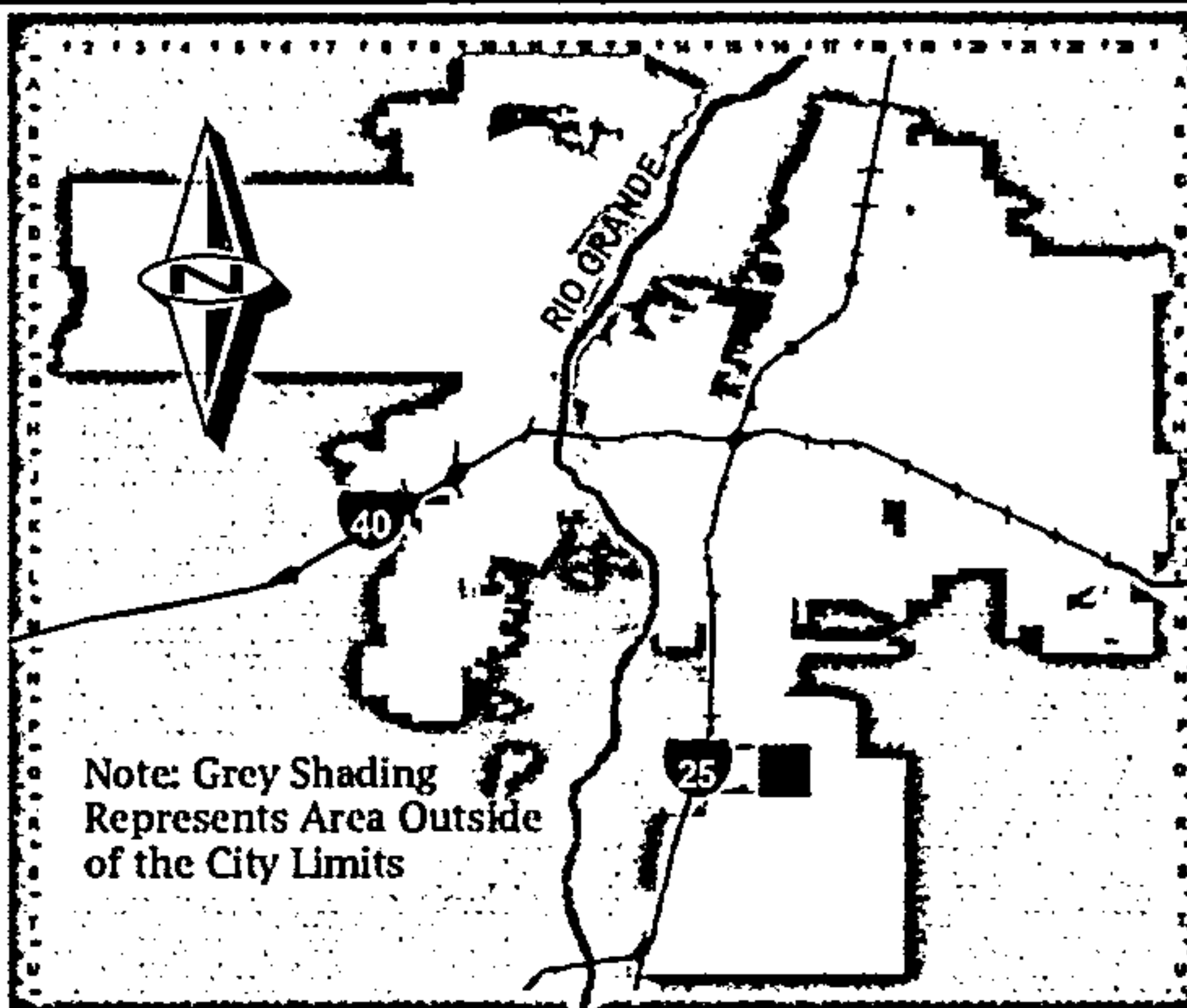
THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (Q-16).  
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)  
(Zone Map **MUST** be provided with request)



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



Map amended through: 1/4/2008



Zone Atlas Page:

**Q-16-Z**

Selected Symbols

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



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

[www.bhinc.com](http://www.bhinc.com)

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

February 1, 2008

Ms. Patty Grice  
206 Fentiman Place SE  
Albuquerque, NM 87105

RE: Vacation of Public Easements and Public Right-of-Way  
Tracts 1 and 2, Mesa Del Sol Innovation Park

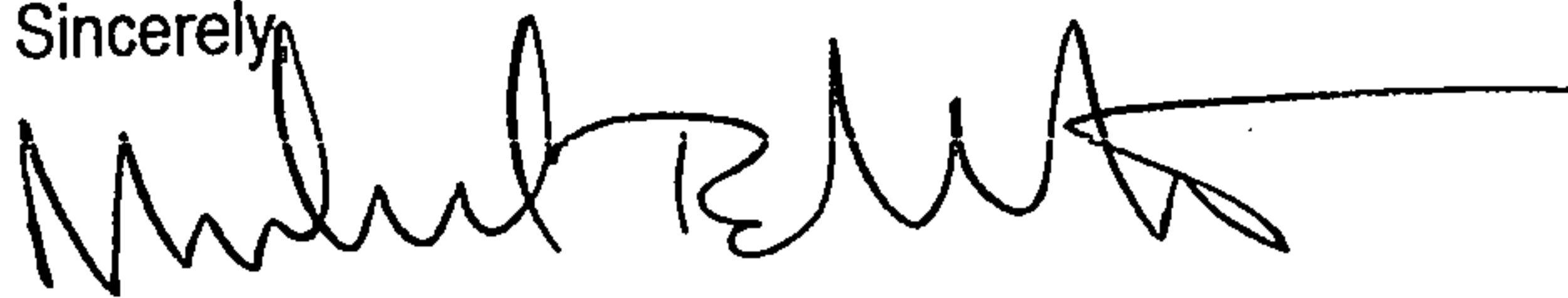
Dear Ms. Grice:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Mountain View Neighborhood Association.

This letter is to advise you that Bohannon Huston, Inc., agent for Mesa Del Sol LLC., is seeking approval of Vacation of Public Easements and Public Right-of-Way approval from the City of Albuquerque's Development Review Board (DRB).

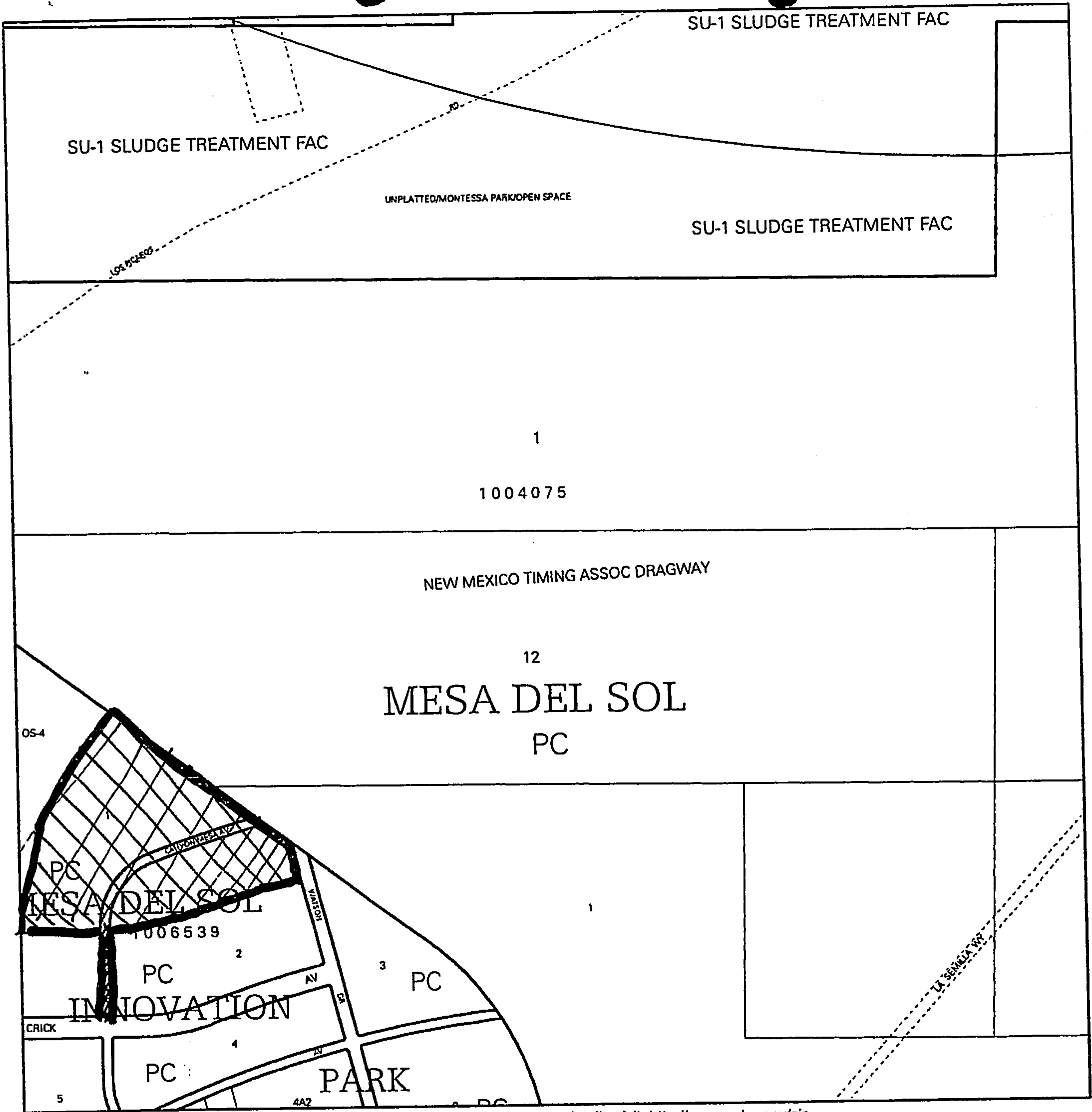
Enclosed for your review and information are copies of the exhibits and the zone atlas pages with the site highlighted that was submitted to the DRB. Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

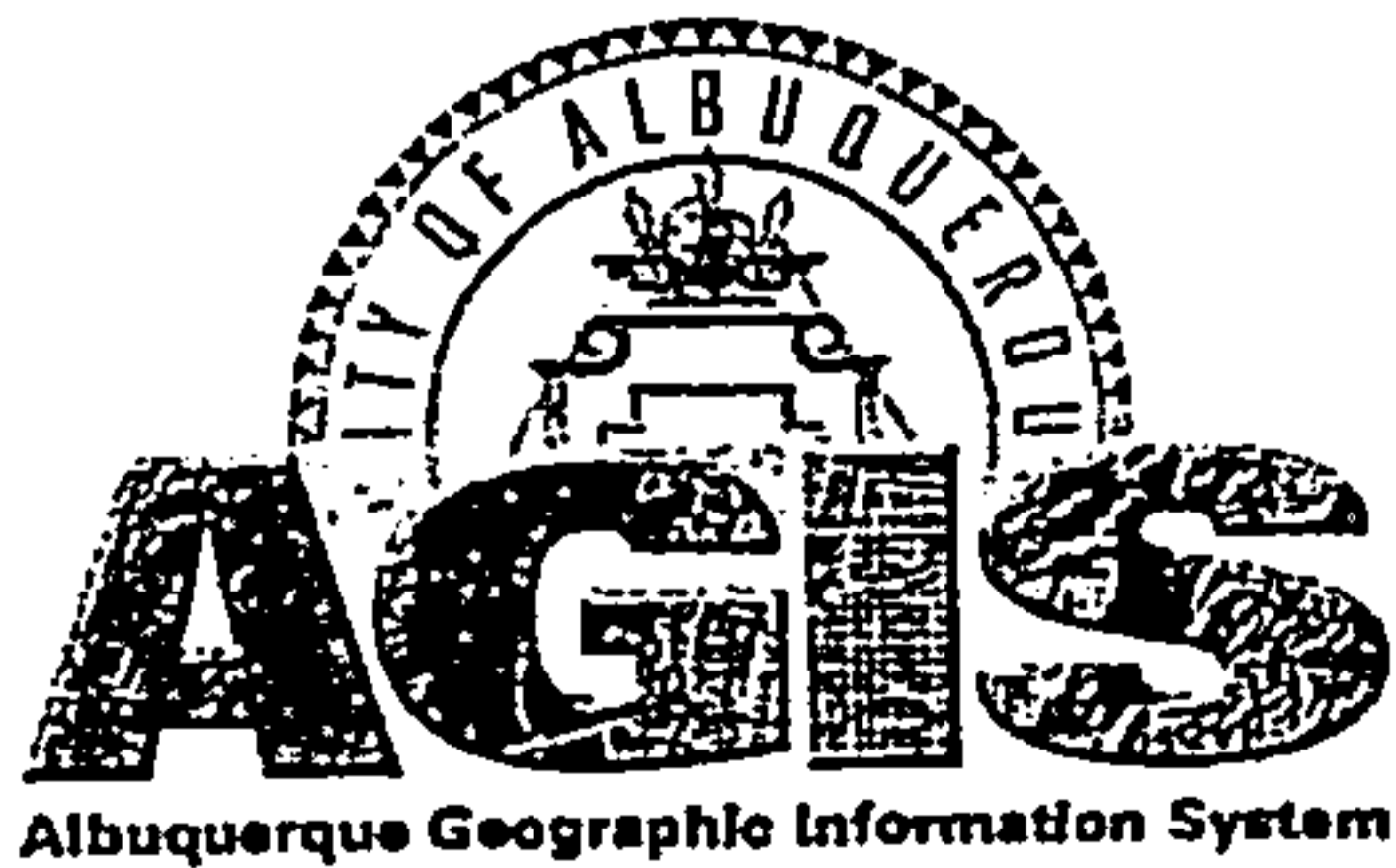


Michael J. Balaskovits, P.E.  
Engineer  
Community Development and Planning Group

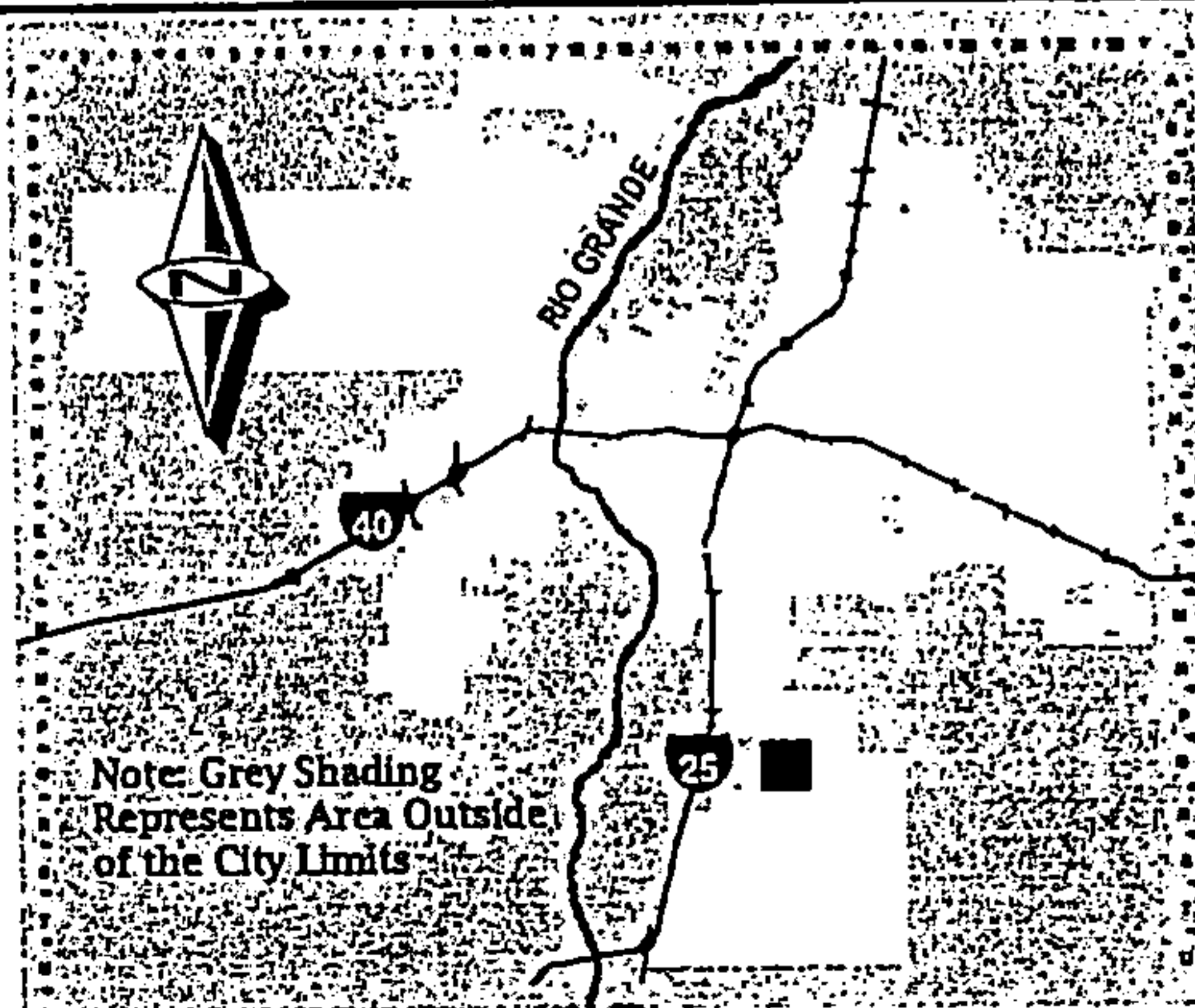
MJB/am  
Enclosures



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








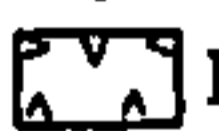



Map amended through: 1/4/2008

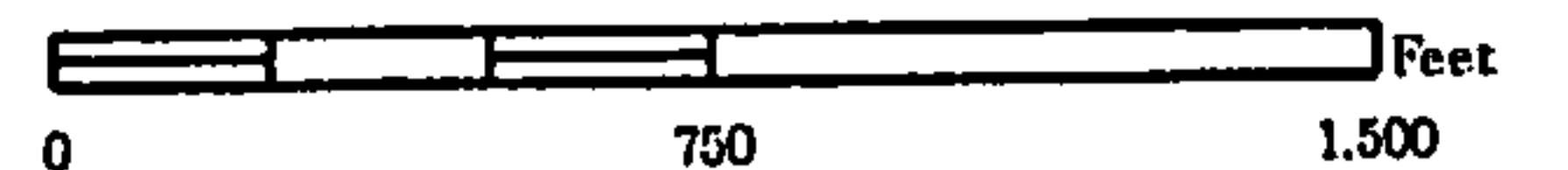


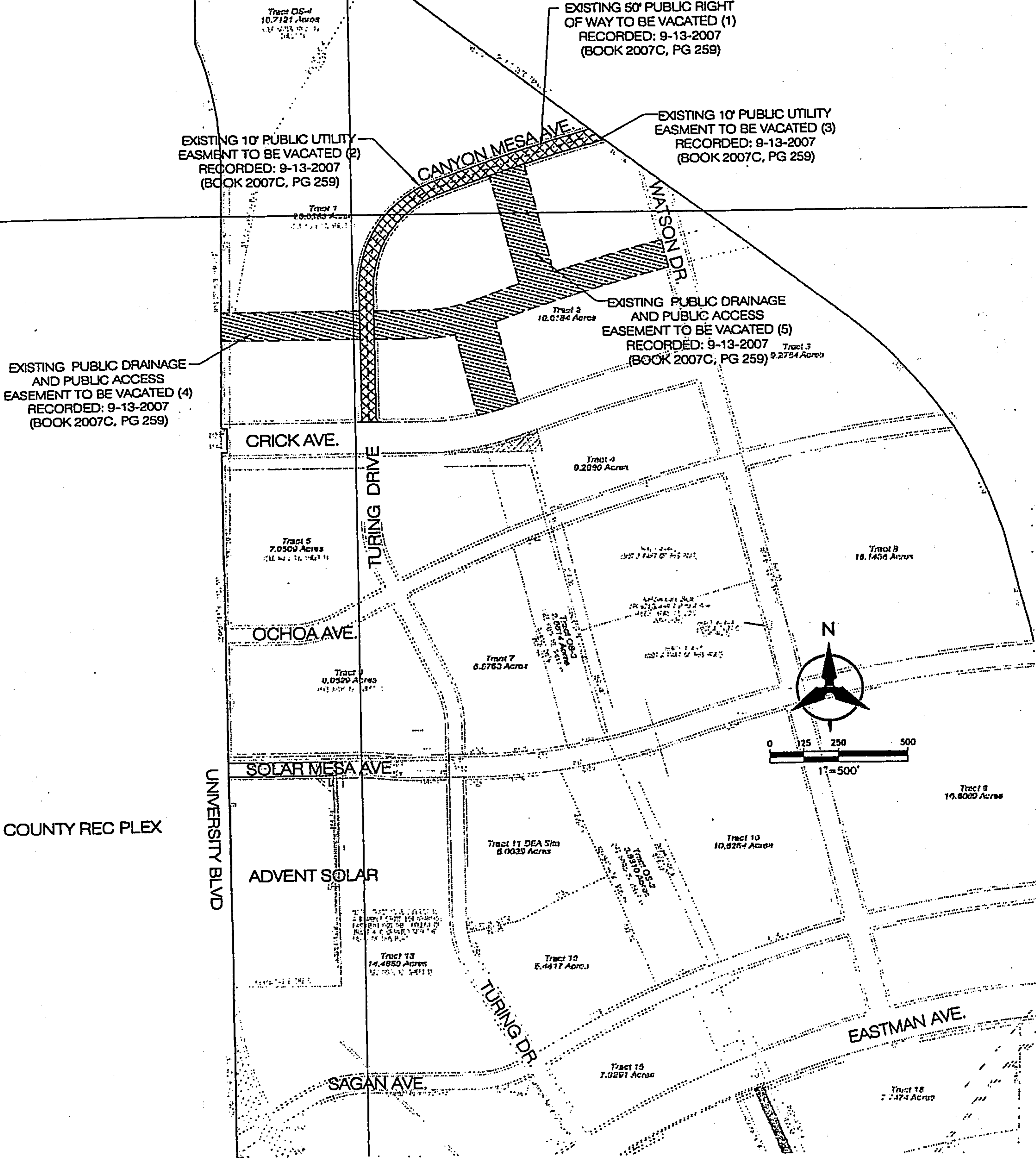
Zone Atlas Page:

**Q-16-Z**


Selected Symbols

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





## EXHIBIT - TRACT 1 & 2 EASEMENT VACATIONS



Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
 ENGINEERING • SURVEY DATA • ADVANCED TECHNOLOGIES

FIRST CLASS

FIRST CLASS

FIRST CLASS  
PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

FIRST CLASS

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Ms. Patty Grice  
 206 Fentimah Pl, SE  
 Albuquerque, NM 87105

2. Article Number  
 (Transfer from service label)

91 7108 2133 3933 4833 4900

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 X  Addressee

B. Received by (Printed Name) C. Date of Delivery

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

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

[www.bhinc.com](http://www.bhinc.com)

voice: 505.823.1000  
facsimile: 505.798.7988  
toll free: 800.877.5332

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

February 1, 2008

Ms. Marla Painter  
506 Valley High St. SE  
Albuquerque, NM 87106

RE: Vacation of Public Easements and Public Right-of-Way  
Tracts 1 and 2, Mesa Del Sol Innovation Park

Dear Ms. Painter:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the Mountain View Neighborhood Association.

This letter is to advise you that Bohannon Huston, Inc., agent for Mesa Del Sol LLC., is seeking approval of Vacation of Public Easements and Public Right-of-Way approval from the City of Albuquerque's Development Review Board (DRB).

Enclosed for your review and information are copies of the exhibits and the zone atlas pages with the site highlighted that was submitted to the DRB. Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,



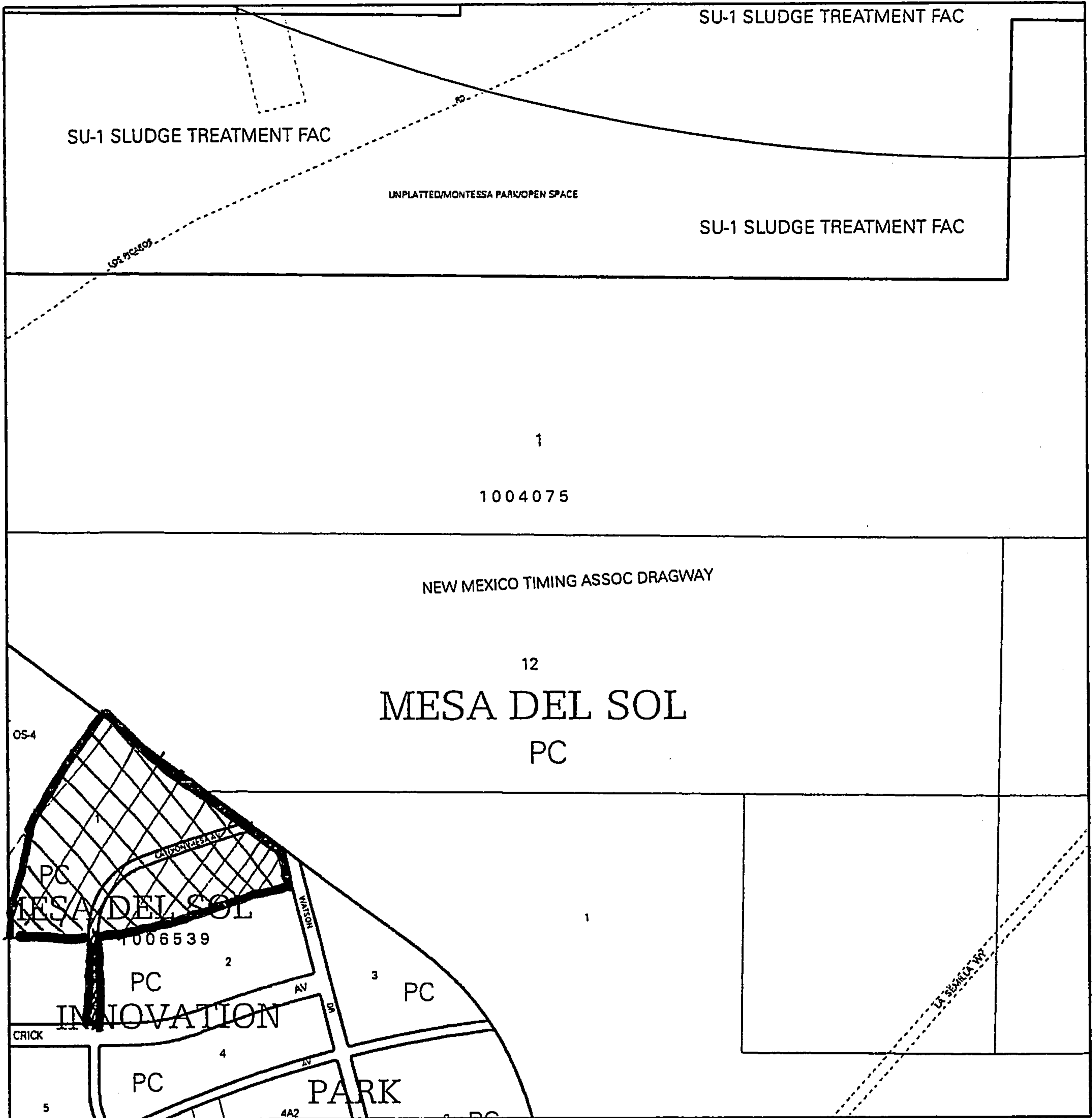
Michael J. Balaskovits, P.E.  
Engineer  
Community Development and Planning Group

MJB/am  
Enclosures

ENGINEERING

SPATIAL DATA

ADVANCED TECHNOLOGIES



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

Map amended through: 1/4/2008

Note: Grey Shading Represents Area Outside of the City Limits

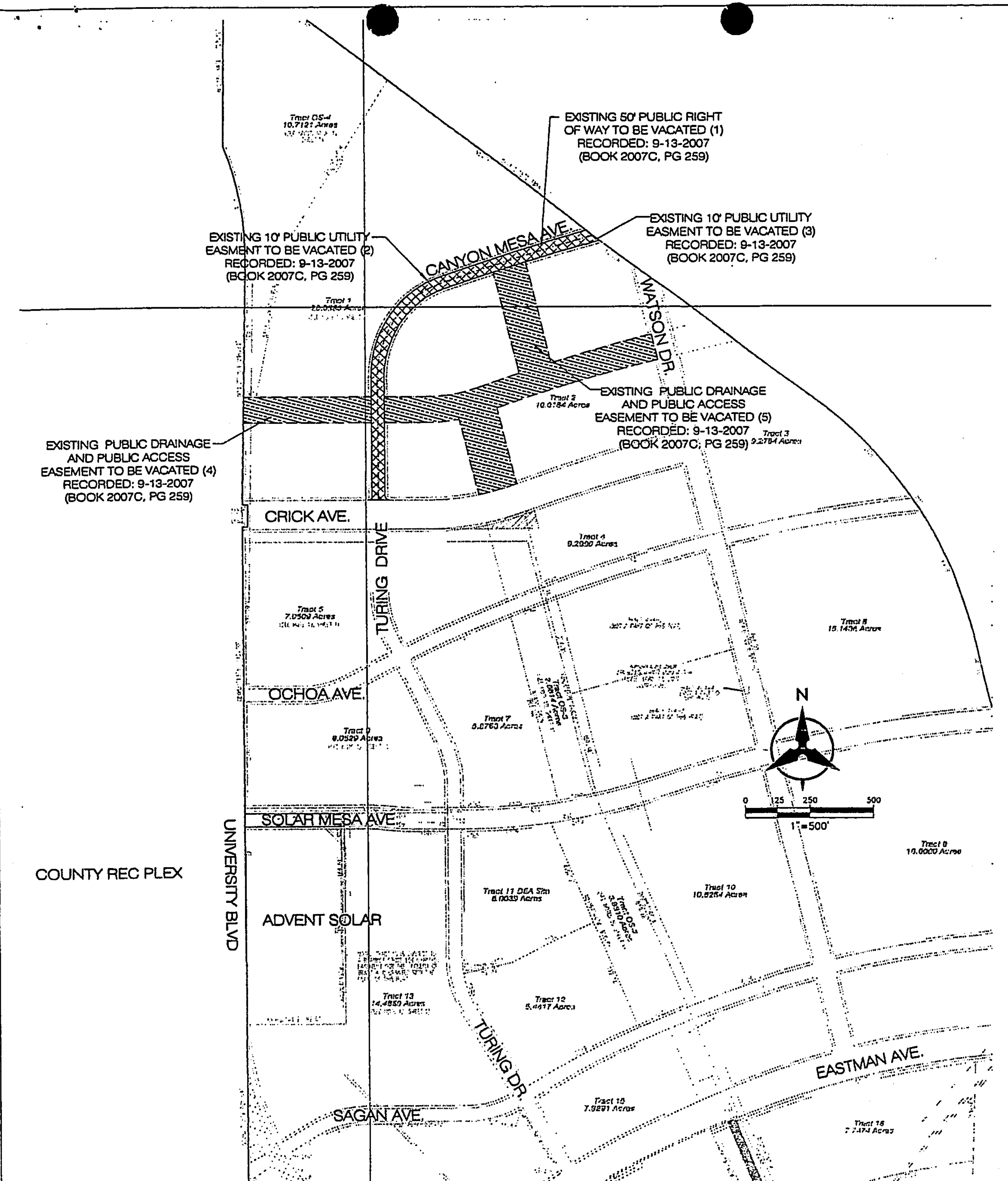
Zone Atlas Page:  
**Q-16-Z**

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 1500 Feet





**EXHIBIT - TRACT 1 & 2  
EASEMENT VACATIONS**

**Stebbins & Hustin**  
 Courtyard 1 7500 Jefferson St NE Albuquerque, NM 87109-4335  
 ENGINEERING & SURVEYING DATA & ADVANCED TECHNOLOGIES

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS

FIRST CLASS

FIRST CLASS

FIRST CLASS

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FIRST CLASS

FIRST CLASS

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Ms. Maria Painter  
 506 Valley High St. SE  
 Albuquerque, NM 87106

2. Article Number  
 (Transfer from service label)

91 7108 2133 3933 4833 4917

**COMPLETE THIS SECTION ON DELIVERY**

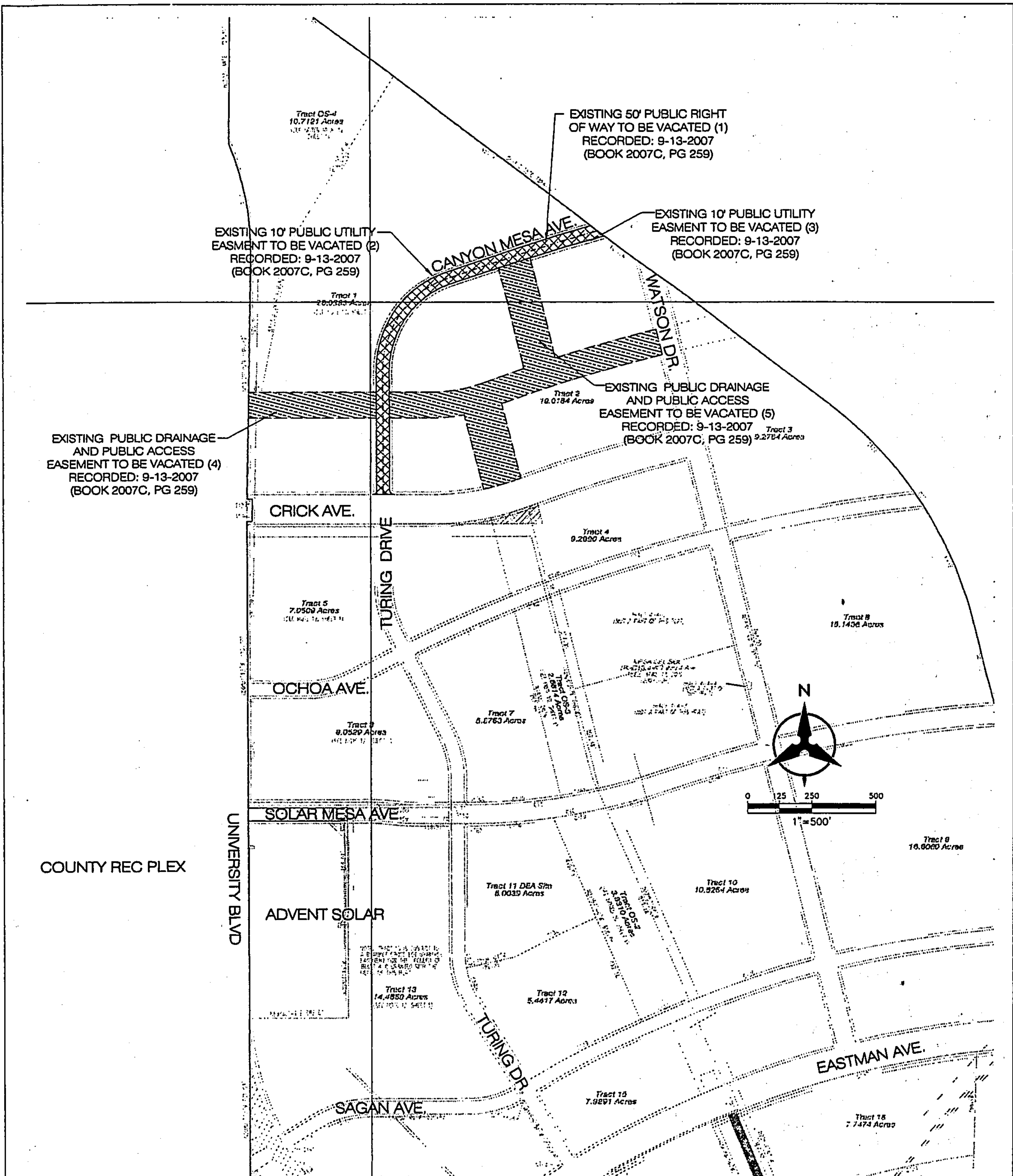
A. Signature  Agent  
 Addressee  
 X

B. Received by (Printed Name) C. Date of Delivery

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

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes



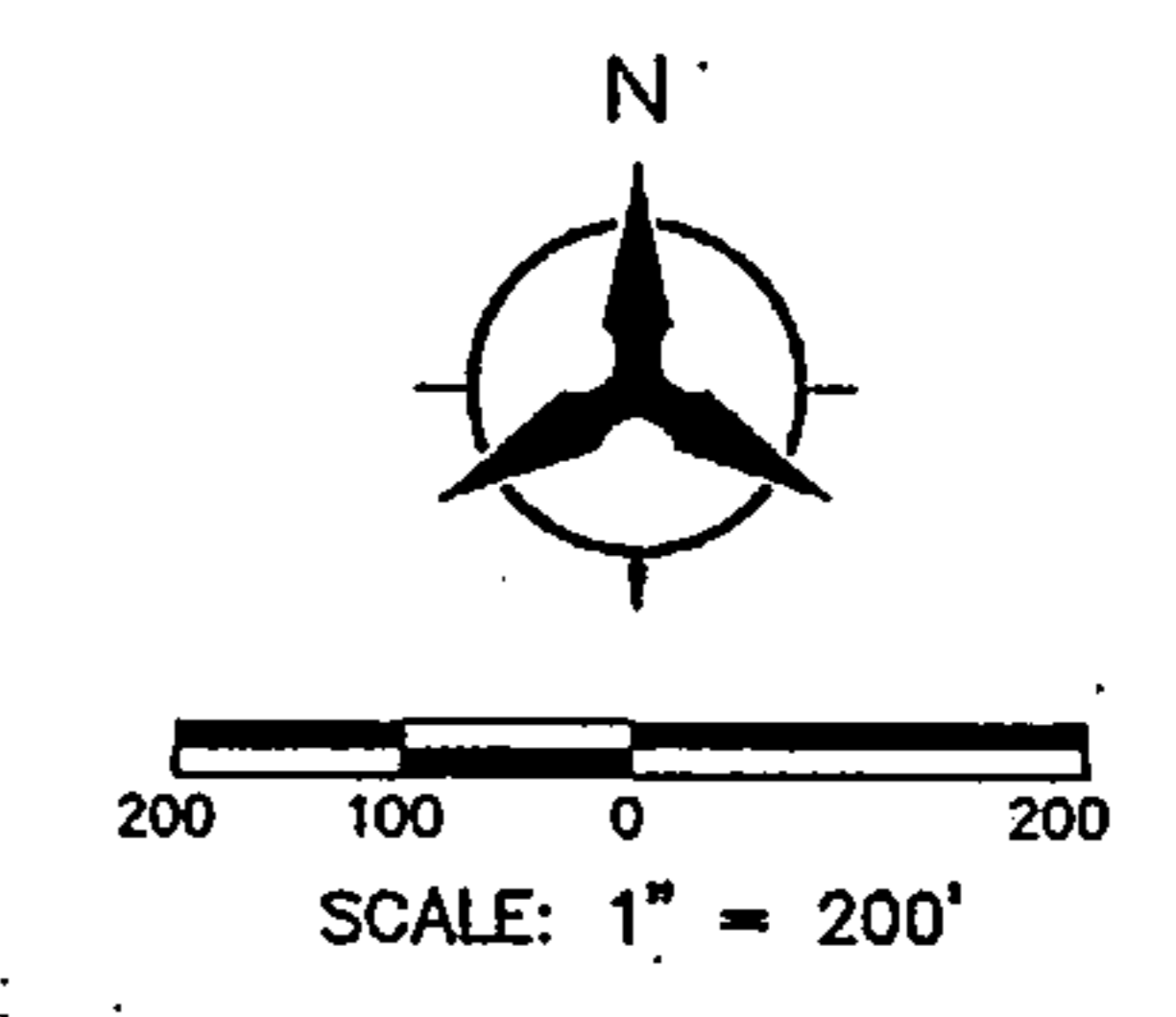
**EXHIBIT - TRACT 1 & 2  
EASEMENT VACATIONS**

**Robinson** **Hubert**

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
ENGINEERING & SURVEY DATA & ADVANCED TECHNOLOGIES

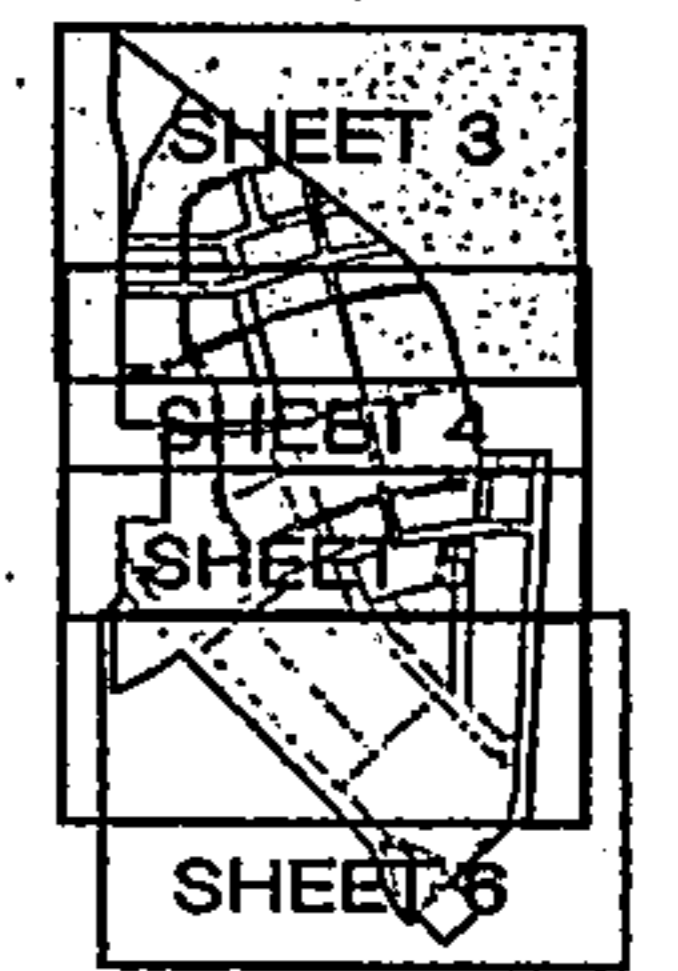


**BULK LAND PLAT FOR  
MESA DEL SOL  
INNOVATION PARK**  
(A REPLAT OF TRACTS 4-A-1 & 4-B, MESA DEL SOL)  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
APRIL, 2007

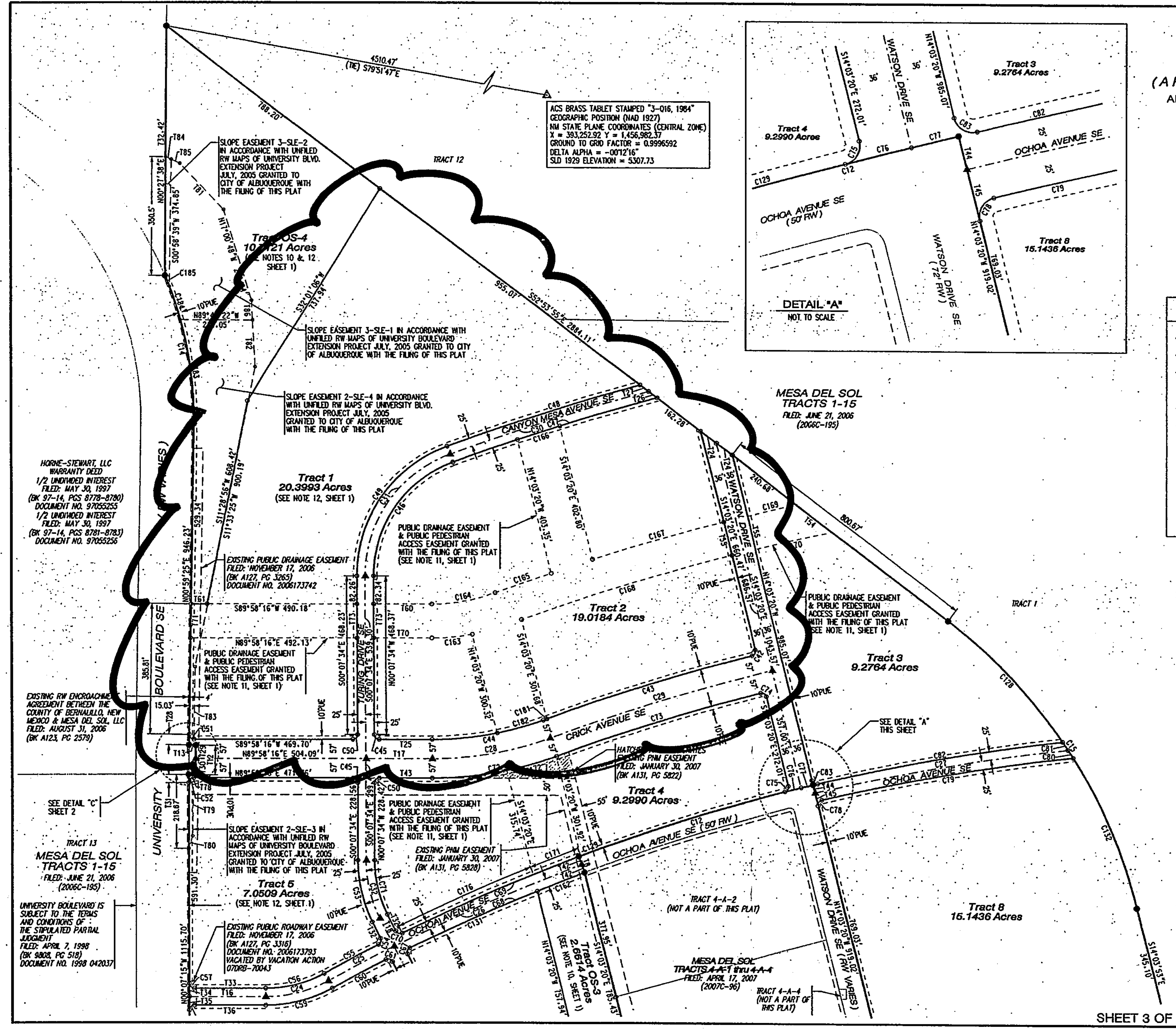


LEGEND	
	SUBDIVISION BOUNDARY LINE
	NEW LOT LINE
	CENTERLINE
	PROPOSED EASEMENT LINE
	EXISTING EASEMENT LINE
	ADJOINING PROPERTY LINE
	CITY OF ALBUQUERQUE CONTROL MONUMENT
	FOUND #5 REBAR WITH ORANGE PLASTIC SURVEY CAP STAMPED "BENHAM LS 15700" UNLESS OTHERWISE NOTED
	SET CENTERLINE MONUMENT
	PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT

DOCN 2007131551  
09/19/2007 16:37 PM Page: 3 of 7  
PLAT R-297, 8-B, 2007-C-1, 9258-A, Toulouse, Bernalillo County



**Bohannon & Huston**  
 Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
 ENGINEERING • SPATIAL DATA • ADVANCED TECHNOLOGIES



ACS BRASS TABLE STAMPED "J-016, 1984"  
GEOGRAPHIC POSITION (NAD 1927)  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
X = 393,252.92 Y = 1,456,962.37  
GROUND TO GRID FACTOR = 0.9996592  
DELTA ALPHA = -0012'16"  
SLD 1929 ELEVATION = 5307.73

HORNE-STEWART, LLC  
WARRANTY DEED  
1/2 UNDIVIDED INTEREST  
FILED: MAY 30, 1997  
(BK 97-14, PGS 8778-8780)  
DOCUMENT NO. 97055255  
1/2 UNDIVIDED INTEREST  
FILED: MAY 30, 1997  
(BK 97-14, PGS 8781-8783)  
DOCUMENT NO. 97055256

EXISTING RW ENCROACHMENT  
AGREEMENT BETWEEN THE  
COUNTY OF BERNALILLO, NEW  
MEXICO & MESA DEL SOL, LLC  
FILED: AUGUST 31, 2006  
(BK A123, PG 2579)

TRACT 13  
MESA DEL SOL  
TRACTS 1-15  
FILED: JUNE 21, 2006  
(2006C-195)

UNIVERSITY BOULEVARD IS  
SUBJECT TO THE TERMS  
AND CONDITIONS OF  
THE STIPULATED PARTIAL  
JUDGMENT  
FILED: APRIL 7, 1998  
(BK 9803, PG 518)  
DOCUMENT NO. 1998 042037