



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 25, 2014

**Project# 1006505**

14DRB-70178 MAJOR – 1 YEAR SUBDIVISION IMPROVEMENT AGREEMENT  
EXTENSION (1YR SIA)

APPLIED ENGINEERING & SURVEYING, INC agents for EDDIE CORLEY JR & SR, LLC request the referenced/above action for Lot 17A, Block 9, Tract A, Unit B **NORTH ALBUQUERQUE ACRES** zoned SU-2/ IP/ NC, located on the north side of EAGLE ROCK AVE NE between I-25/ PAN AMERICAN FREEWAY NE and SAN PEDRO BLVD NE containing approximately 3.9321 acres. (C-18)

At the June 25, 2014 Development Review Board meeting, a one year extension of the Subdivision Improvements Agreement was approved.

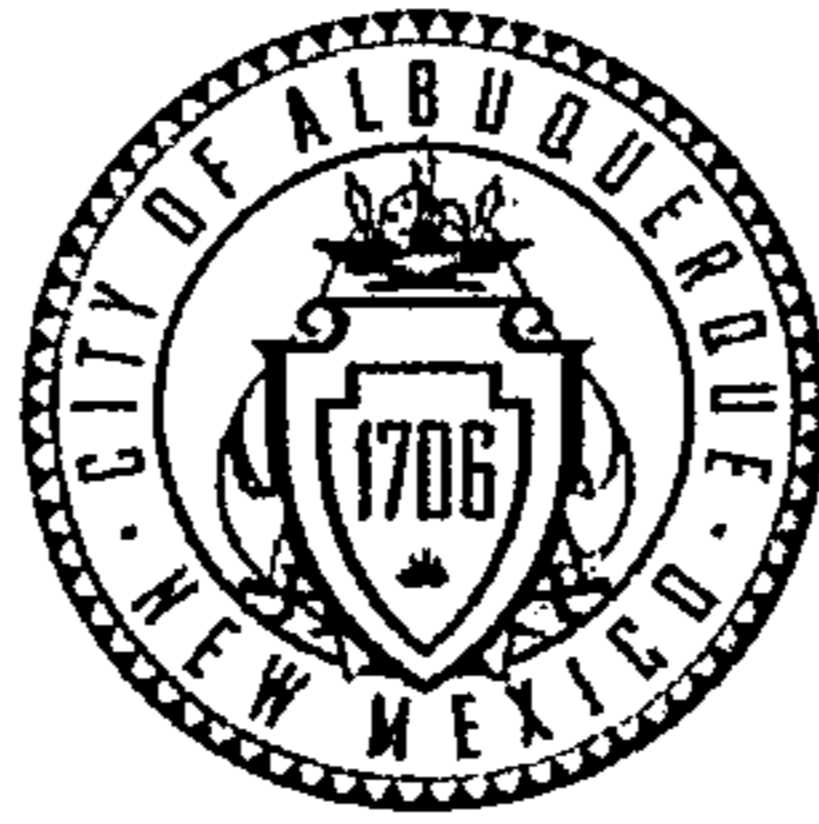
If you wish to appeal this decision, you must do so by July 10, 2014 in the manner described below.

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

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

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

Jack Cloud, DRB Chair



**INTER-OFFICE MEMORANDUM**

**COMMENTING AGENCIES**

TRANSPORTATION DEVELOPMENT .....*John MacKenzie*  
TRANSIT & PARKING DEPARTMENT .....*Shabih Rizvi*  
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*  
AMAFCA.....*Lynn Mazur*  
APD CRIME PREVENTION.....*Steve Sink*  
OPEN SPACE DIVISION.....*Kent Reed Swanson*  
FIRE DEPARTMENT.....*Antonio Chinchilla*  
ZONING ENFORCEMENT INSPECTOR.....*David Kilpatrick*  
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*  
PNM.....*Daniel Aragon*  
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*  
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*  
COMCAST CABLE..... *Mike Mortus*  
Mid.Rio Grande Conserv. Dist. (MRGCD)..... *Ray Gomez*  
ENVIRONMENTAL HEALTH.....*Paul Olson*

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

PROJECT # 1006505

**WEDNESDAY, June 25, 2014**

Comments must be received by:  
**Friday, June 20, 2014**





Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
  - Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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): Eddie Corley, JR & SR, LLC <sup>(505)</sup> PHONE: 260-2221  
 ADDRESS: P.O. Box 3869 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87190 E-MAIL: \_\_\_\_\_

APPLICANT: Applied Engr. & Surveying, Inc PHONE: 505 480-8125  
 ADDRESS: 1605 Blair Dr. NE FAX: 505 237-1456  
 CITY: Albuquerque STATE NM ZIP 87112 E-MAIL: galdez47@yahoo.com  
 Proprietary interest in site: \_\_\_\_\_ List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Subdivision Improvement Agreement Extension for San Pedro Blvd. NE

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. Lot 17A Block: 9 Unit: B  
 Subdiv/Addn/TBKA: North Albuquerque Acres  
 Existing Zoning: SU2 for IP Proposed zoning: SU2 for IP MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): C-18 UPC Code: 1018064200351221003

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB, AX, Z, V, S, etc.):  
Project #1006505 DRB; City Project No. 724582

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  No  
 No. of existing lots: 1 No. of proposed lots: 1 Total site area (acres): 3.90 AC

LOCATION OF PROPERTY BY STREETS: On or Near: Eagle Rock Road NE  
 Between: East Frontage Road and San Pedro NE

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

SIGNATURE Gilbert Aldaz DATE 5-21-2014  
 (Print Name) Gilbert Aldaz Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> INTERNAL ROUTING				
<input checked="" type="checkbox"/> All checklists are complete	<u>14DRB -70178</u>	<u>SIA</u>		<u>\$ 50.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>ADY</u>		<u>\$ 75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #s are listed				\$
<input type="checkbox"/> Site is within 1000ft of a landfill				\$
<input type="checkbox"/> F.H.D.P. density bonus				\$
<input type="checkbox"/> F.H.D.P. fee rebate				\$
				Total
				<u>\$ 145.00</u>

Hearing date June 25, 2014

[Signature]

5-21-14  
Staff signature & Date

Project # 1006505

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

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

**MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)**

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

**Preliminary plat approval expires after one year.**

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

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

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

- Proposed Amended Preliminary Plat, and/or Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
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**MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

**(Temporary sidewalk deferral extension use FORM-V)**

- Zone Atlas map with the entire property(ies) clearly outlined
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- Plat or plan reduced to 8.5" x 11"
- Official D.R.B. Notice of the original approval
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- Previous SIA extension notice, if one has been issued. If not applicable, please initial. \_\_\_\_\_
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Gilbert Aldaz  
Applicant name (print)  
Gilbert Aldaz  
Applicant signature / date



Form revised **October 2007**

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

Application case numbers  
14DRB-70178

\_\_\_\_\_  
Planner signature / date

\_\_\_\_\_  
Project #



# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

#### 1. LOCATION

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

#### 2. NUMBER

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

#### 3. PHYSICAL POSTING

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

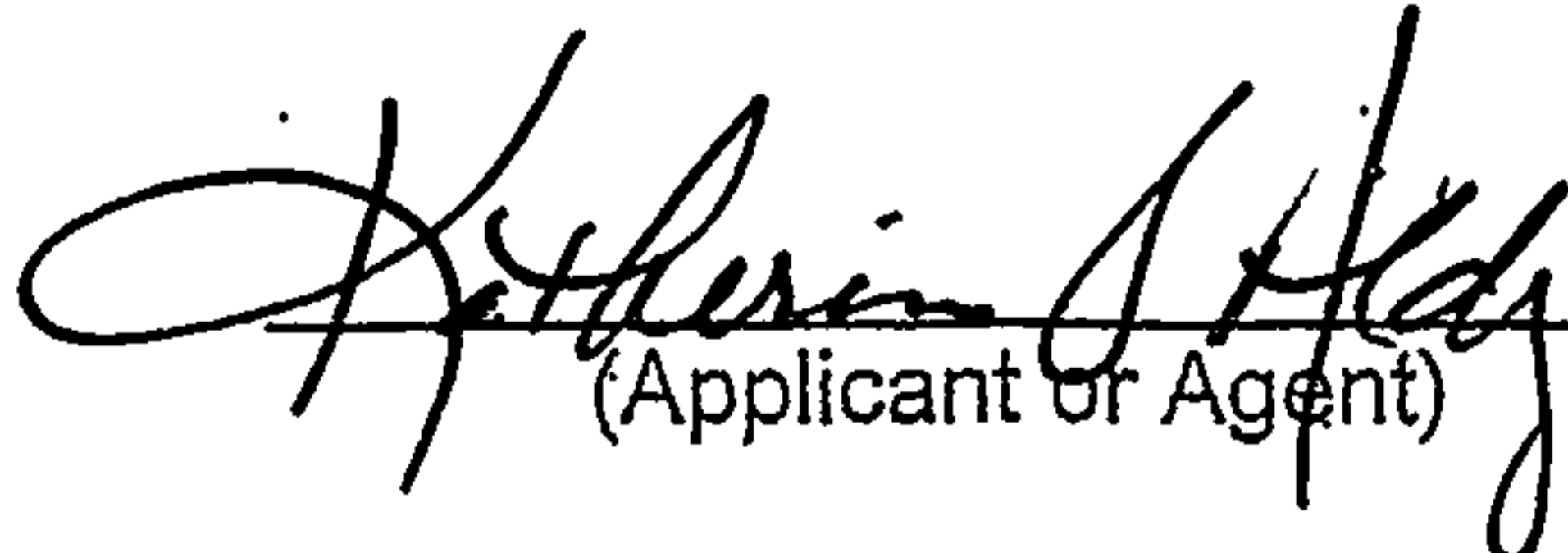
#### 4. TIME

Signs must be posted from June 10, 2014 To June 25, 2014

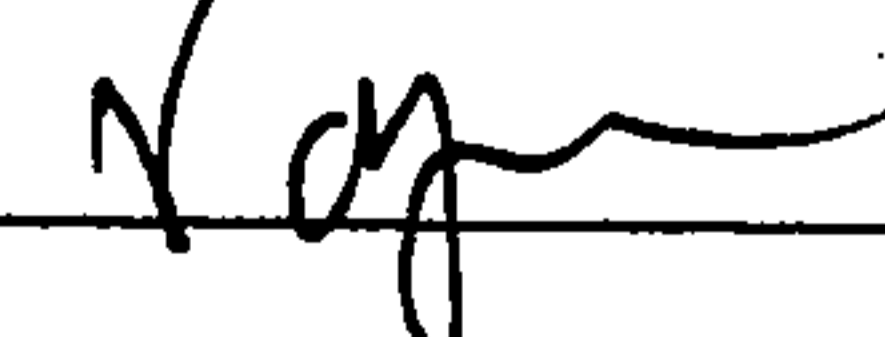
#### 5. REMOVAL

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

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

  
(Applicant or Agent)

5-21-14  
(Date)

I issued 1 signs for this application, 5-21-14   
(Date) (Staff Member)

DRB PROJECT NUMBER: 1006505





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Revised: 4/2012

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Applicant name (print)  
Gilbert Aldaz  
Applicant signature / date



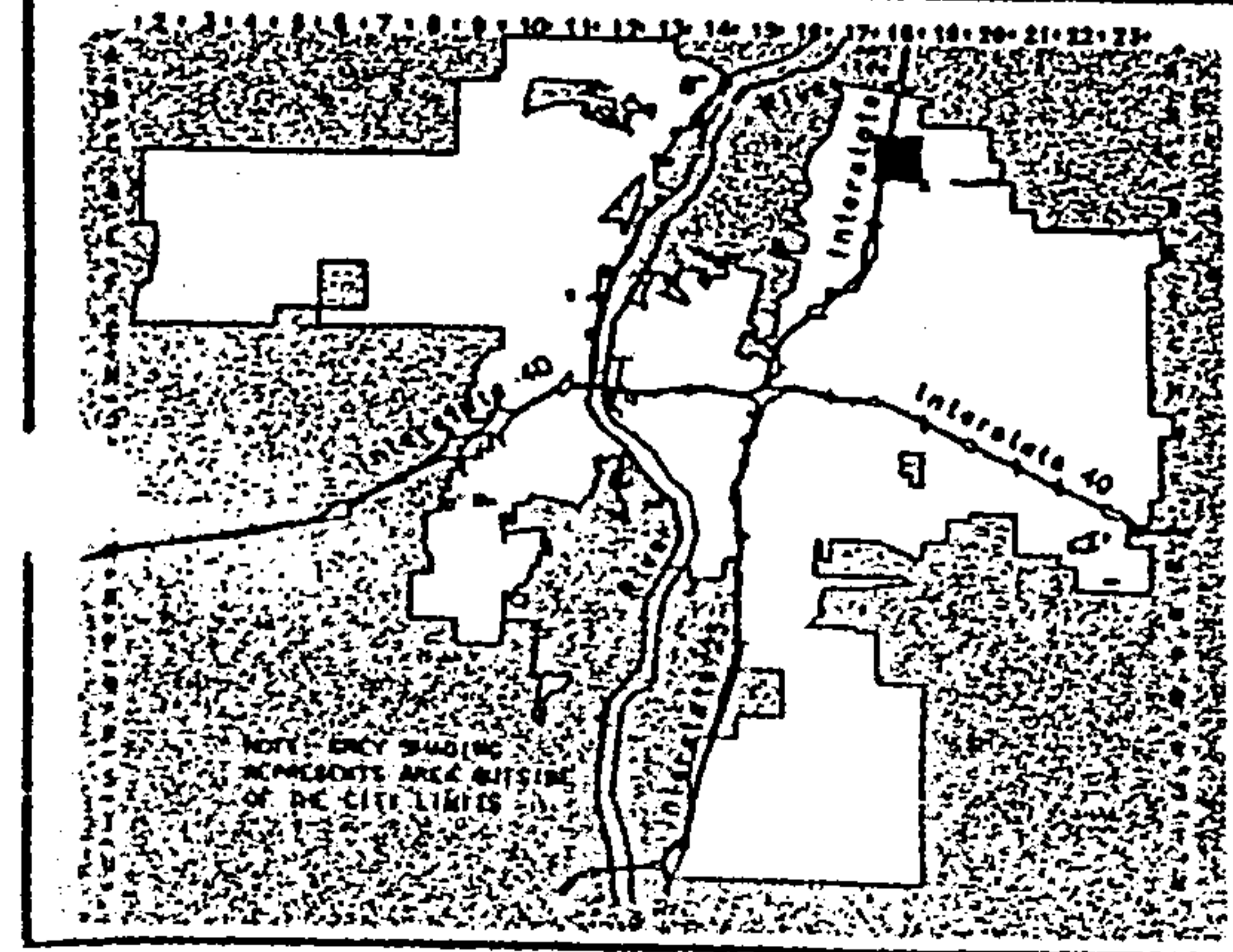
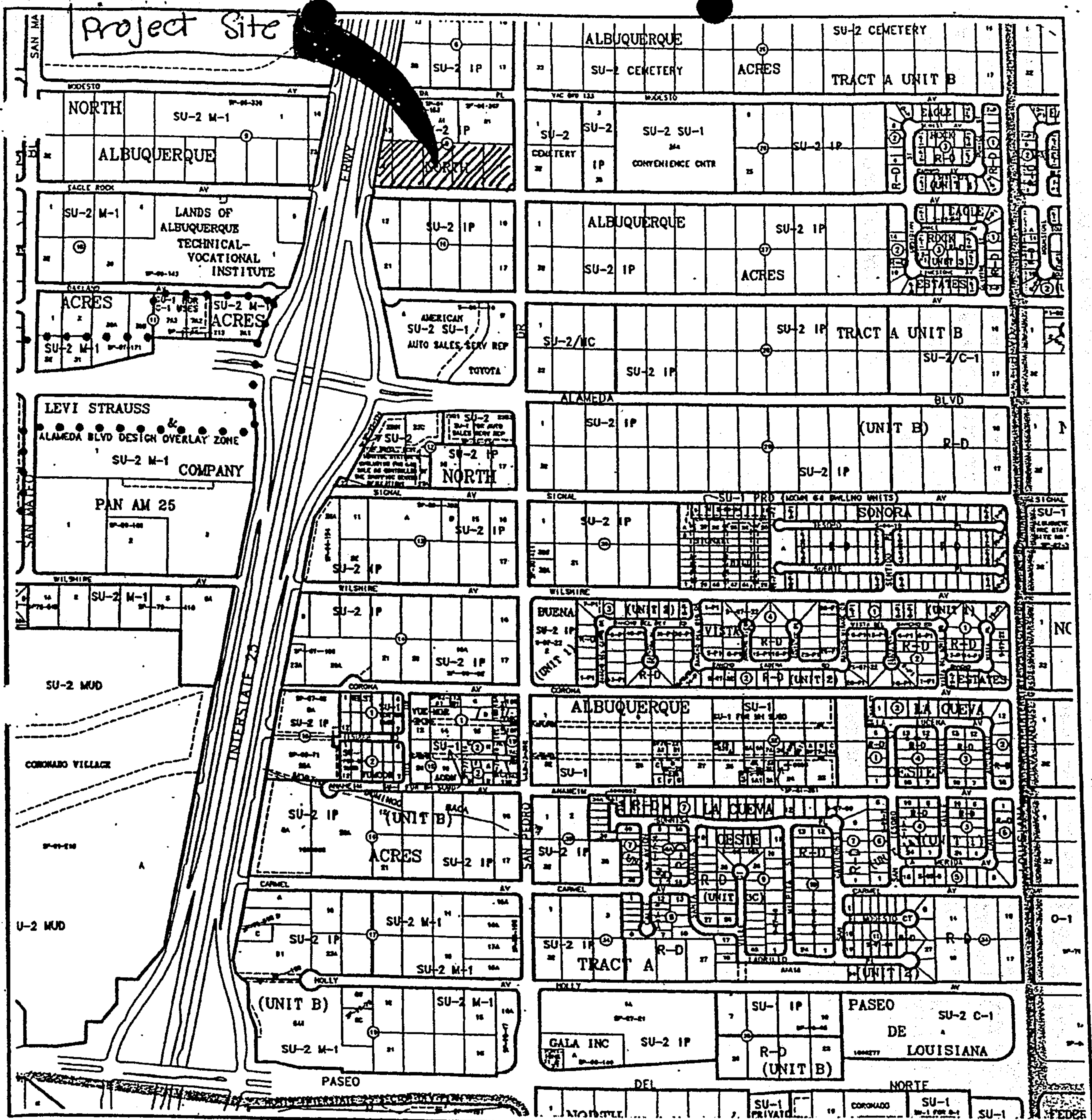
Form revised October 2007

- Checklists complete
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- Related #s listed

Application case numbers  
14DRB-70178

Planner signature / date  
Project # \_\_\_\_\_





CITY OF  
Albuquerque  
**AGIS**  
Albuquerque Geographic Information System  
PLANNING DEPARTMENT  
© Copyright 2000



Zone Atlas Page  
**C-18-Z**  
Map Amended through August 15, 2000





**DATE:** May 21, 2014

**TO:** (OFFICE) Development Review Board  
(ADDRESS) Plaza Del Sol – 1st Floor West  
City of Albuquerque, Public Works  
(ATTENTION) Jack Cloud, Chair.

**FROM:** Gilbert Aldaz, P.E. & P.S. *GA*

**RE:** CORLEY'S ALBUQUERQUE NEW LINCOLN MERCURY  
VOLVO DEALERSHIP, DRB Project No. 1006505, REQUEST  
FOR SUBDIVISION IMPROVEMENT AGREEMENT 1-YEAR  
EXTENSION FOR SAN PEDRO BLVD NE

The purpose of this memorandum is to request a one year extension for the existing Subdivision Improvement Agreement for San Pedro Blvd NE, City Project No. 724582 for a financial guaranty amount of \$66,490.93.

The reason for this request is to provide time to complete the design and construction. A topographic survey has been started and should be completed by the first week of June, 2014. Two power poles need to be relocated so Corley's will need time for coordination/relocation.

Cc: Eddie Corley, Jr. & Sr., LLC  
Nor Este Neighborhood Association, Jeff Peterson, 7800 Eagle Rock Ave. NE 87122-2723  
Nor Este Neighborhood Association, Joe Yardumian, 7801 R.C. Gorman Ave. NE 87122-2748  
Wildflower Area Neighborhood Association, Larry T. Caudill, 4915 Watercress NE 87113  
Wildflower Area Neighborhood Association, Tony Perry, 4909 Watercress NE 87113



INFRASTRUCTURE LIST

(Rev. 8-14-09)  
EXHIBIT "A"

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

SEZ LEYS AVENUE

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

LOTS 17, 18, 19, 20 & PORTION 21 BLOCK 9 TRACT A, UNIT B, N.A.A.

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

The City of Pueblo, Colorado, is a member of the Public Works Authority of Pueblo, Colorado. The Public Works Authority is a body corporate and a legal entity created by the City of Pueblo, Colorado, and the City of Pueblo, Colorado, for the purpose of providing for the construction, maintenance, and operation of public works facilities in the City of Pueblo, Colorado. The Public Works Authority is authorized to incur debt and to issue bonds for the purpose of financing its operations. The Public Works Authority is authorized to enter into contracts with private parties for the construction, maintenance, and operation of public works facilities. The Public Works Authority is authorized to acquire, hold, and dispose of real and personal property. The Public Works Authority is authorized to sue and be sued. The Public Works Authority is authorized to do all things that the City of Pueblo, Colorado, is authorized to do. The Public Works Authority is authorized to exercise all the powers and perform all the duties that the City of Pueblo, Colorado, is authorized to exercise and perform. The Public Works Authority is authorized to do all things that the City of Pueblo, Colorado, is authorized to do. The Public Works Authority is authorized to exercise all the powers and perform all the duties that the City of Pueblo, Colorado, is authorized to exercise and perform. The Public Works Authority is authorized to do all things that the City of Pueblo, Colorado, is authorized to do. The Public Works Authority is authorized to exercise all the powers and perform all the duties that the City of Pueblo, Colorado, is authorized to exercise and perform.

Final Facility Guaranteed	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	P.E.
<input type="checkbox"/>	<input type="checkbox"/>	2'-6"	Standard Curb & Gutter	San Pedro Blvd	Eagle Rock	North Property Line		
<input type="checkbox"/>	<input type="checkbox"/>	30' x 6'	Pavement Asphalt Paving	San Pedro Blvd	Eagle Rock	North Property Line		
<input type="checkbox"/>	<input type="checkbox"/>	12' x 6'	Concrete Sidewalk	San Pedro Blvd	Eagle Rock	North Property Line		
<input type="checkbox"/>	<input type="checkbox"/>	60' x 12'	RCP Storm Drain	Eagle Rock & San Pedro Inter	Eagle Rock	San Pedro		
<input type="checkbox"/>	<input type="checkbox"/>	60'	RCP Storm Drain, 270 LF	Eagle Rock	Eagle Return	270 LF West		
<input type="checkbox"/>	<input type="checkbox"/>	2'-6"	Standard Curb & Gutter	Eagle Rock	I-25 Frontage Road	San Pedro		
<input type="checkbox"/>	<input type="checkbox"/>	20' x 24'	Pavement Asphalt Paving	Eagle Rock	I-25 Frontage Road	San Pedro		
<input type="checkbox"/>	<input type="checkbox"/>	6'	Concrete Sidewalk	Eagle Rock	I-25 Frontage Road	San Pedro		
<input type="checkbox"/>	<input type="checkbox"/>	60'	Waterline 270 LF Existing to Be Relocated	Eagle Rock	I-25 Frontage Road	San Pedro		



Construction Certificate	City Code	Engineer	Private	Public	From	To	Location	Type of Improvement	Size	Proposed	Under	Draw
1					Existing	Existing	North Property Line	I-25 Frontage Rd	30"			
1					Existing	Existing	North Property Line	I-25 Frontage Rd	30"			
1					Existing	Existing	Frontage Curb 66" S.D.	I-25 Frontage Rd	18"			
1					Existing	Existing	West Property Line	I-25 Frontage Rd	18"			
1					New 30"	S.D.	North Property Line	I-25 Frontage Rd	18"			
1					North Property Line	North Property Line	East Property Line	Standard Curb and Gutter	2'-0"			
1					North Property Line	North Property Line	East Property Line	Concrete Sidewalk	6"			
1					SW Corner of Intx	SW Corner of Intx	East of Eagle Rock & San Pedro	Handicapped Ramp - Concrete				

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

Financially Guaranteed DRG #	Constructed Under DRG #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Const Engineer
							/	/	/
							/	/	/

Approval of Creditable Items:  
 Impact Fee Administrator Signature Date  
 City User Dept. Signature Date

NOTES

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

1. Engineer's Certification of The Grading Plan Required Prior to Release of SIA AND FINANCIAL GUARANTY.

2. Defered, Modified 'B'

PREFERRED

AGENT / OWNER

*Albert Aida*  
 NAME (print)

Applied Envir. Inc.  
 FIRM

*Albert Aida*  
 SIGNATURE - date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

*[Signature]* 6/20/07 DRB CHAIR - date  
*[Signature]* 6/20/07 PARKS & RECREATION - date

*[Signature]* 6-20-07  
 TRANSPORTATION DEVELOPMENT - date

*[Signature]* 6/20/07  
 UTILITY DEVELOPMENT - date

*[Signature]* 6-20-07  
 CITY ENGINEER - date

ATAAFCA - date

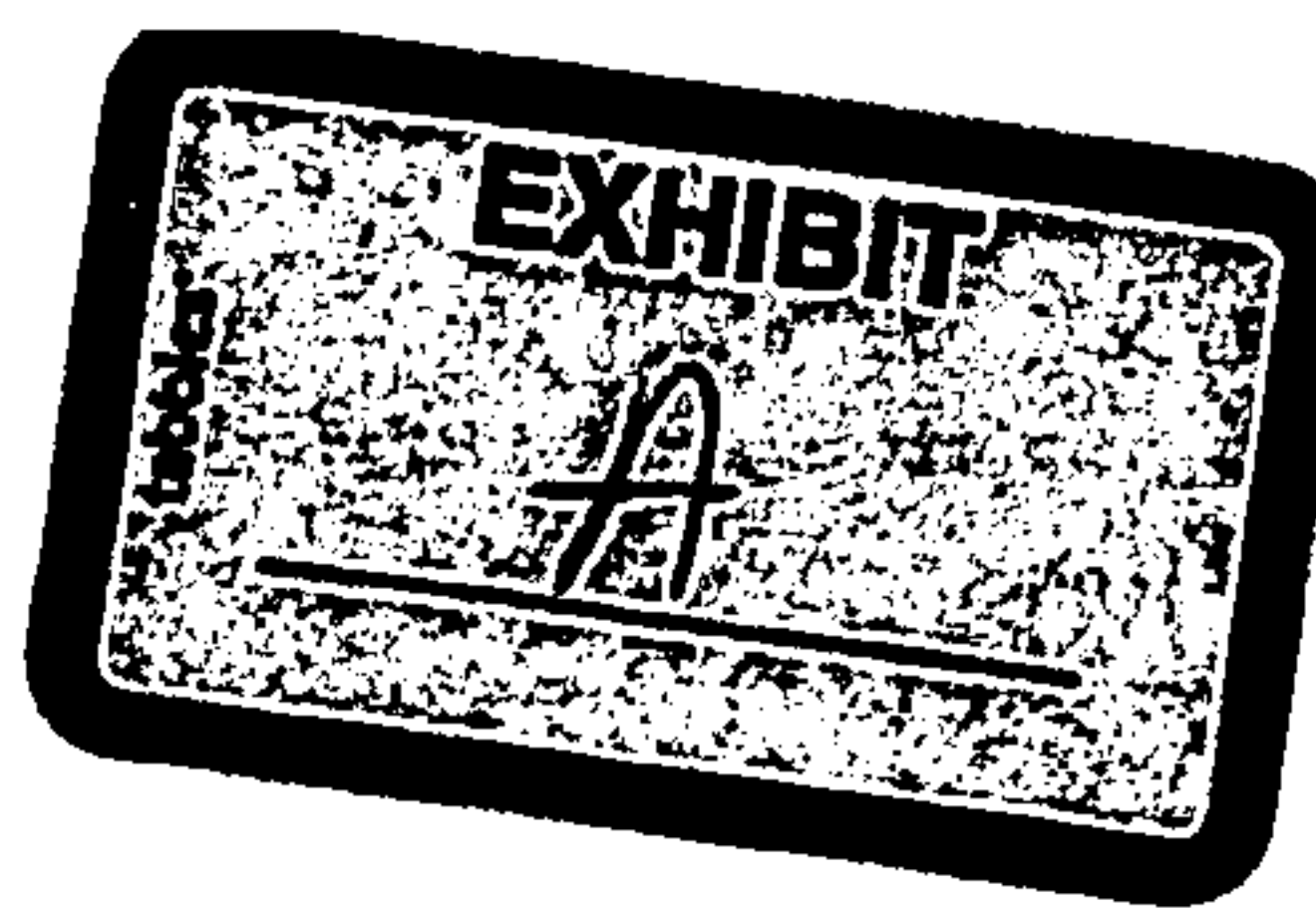
- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRG CHAIR	USER DEPARTMENT	AGENT / OWNER





## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

October 30, 2013

**Project# 1006505**  
13DRB-70681 MAJOR - 2YR SUBDIVISION IMPROVEMENT AGREEMENT  
EXTENSION (2YR SIA)

APPLIED ENGINEERING AND SURVEYING INC agents for EDDIE CORLEY, JR AND SR, LLC request the referenced/above action for Lot 17A, Block 9, Tract A, Unit B NORTH ALBUQUERQUE ACRES zoned SU-2/ IP/ NC, located on the north side of EAGLE ROCK AVE NE between I-25/ PAN AMERICAN FREEWAY NE and SAN PEDRO BLVD NE containing approximately 3.9321 acre(s). (C-18)[Deferred from 10/16/13]

At the October 30, 2013 Development Review Board meeting, a six month extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by November 14, 2013, in the manner described below.

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

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

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



Jack Cloud, DRB Chair

Cc: APPLIED ENGINEERING AND SURVEYING INC  
Marilyn Maldonado  
File

**6<sup>th</sup> EXTENSION AGREEMENT**  
**Procedure B-Modified Non-Work Order**

PROJECT NO: 724582

This Agreement made this 6<sup>th</sup> day of November, 2013, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of Subdivider/Developer:) JR & SR, LLC. ("Developer"), whose address is 9000 Pan American Frwy NE, Albuquerque, NM 87113 and whose telephone number is (505) 260-2200 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 10<sup>th</sup> day of December 2007, which was recorded on 12/11/07, in Book       , pages 1 through 4, as Document No. 2007166924 in the records of Bernalillo County Clerk, State of New Mexico ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 1<sup>st</sup> day of October 2008; and

WHEREAS, the Earlier Agreement was amended by a 1<sup>st</sup> Extension Agreement dated October 14, 2008, recorded on October 16, 2008, in Book       , pages 1 to 3, as Document No. 2008113220 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2009; and

WHEREAS, the Earlier Agreement was amended by a 2<sup>nd</sup> Extension Agreement dated December 21, 2009, recorded on December 28, 2009, in Book       , pages 1 to 4, as Document No. 2009139914 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2010; and

WHEREAS, the Earlier Agreement was amended by a 3<sup>rd</sup> Extension Agreement dated November 8, 2010, recorded on November 9, 2010, in Book       , pages 1 to 3, as Document No. 2010113715 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2011; and

WHEREAS, the Earlier Agreement was amended by a 4<sup>th</sup> Extension Agreement dated November 22, 2011, recorded on December 15, 2011, in Book       , pages 1 to 4, as Document No. 2011115993, in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2012; and

WHEREAS, the Earlier Agreement was amended by a 5<sup>th</sup> Extension Agreement dated December 10, 2012, recorded on December 28, 2012, in Book       , pages 1 to 4, as Document No. 2012138139, in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2013; and

Doc# 2013134502

12/19/2013 01:55 PM Page 1 of 5  
 AGRE R:\$25.00 M. Toulouse Oliver, Bernalillo County





WHEREAS, the Earlier Agreement was amended by a 1<sup>st</sup> amendment to agreement dated July 30, 2013 recorded on July 31, 2013, in Book    , pages 1 to 4, as Document No. 2013085442, in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to October 1, 2013; and

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

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

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

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

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

A. For all improvements, the 10<sup>th</sup> day of June, 2014.

B. On portions of the improvements as follows:

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

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

Type of Financial Guaranty: Bond No. 71440923 *11/2/13*  
Amount: \$ ~~\$500,000.00~~ \$66,490.93  
Name of Financial Institution or Surety providing Guaranty: Western Surety Company  
Date City first able to call Guaranty (Construction Completion Deadline):  
~~October 1, 2014~~ June 10, 2014 *11/2/13*  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is:  
~~December 1, 2014~~ N/A  
Additional information: \_\_\_\_\_

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

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

DEVELOPER: TRBSR, LLC  
By [signature]: [Signature]  
Name [print]: Eddie B. Corley, Jr.  
Title: Managing member  
Dated: September 27, 2013

CITY OF ALBUQUERQUE:  
By: [Signature]  
Bryan Wolfe, City Engineer  
Dated: 12/6/2013

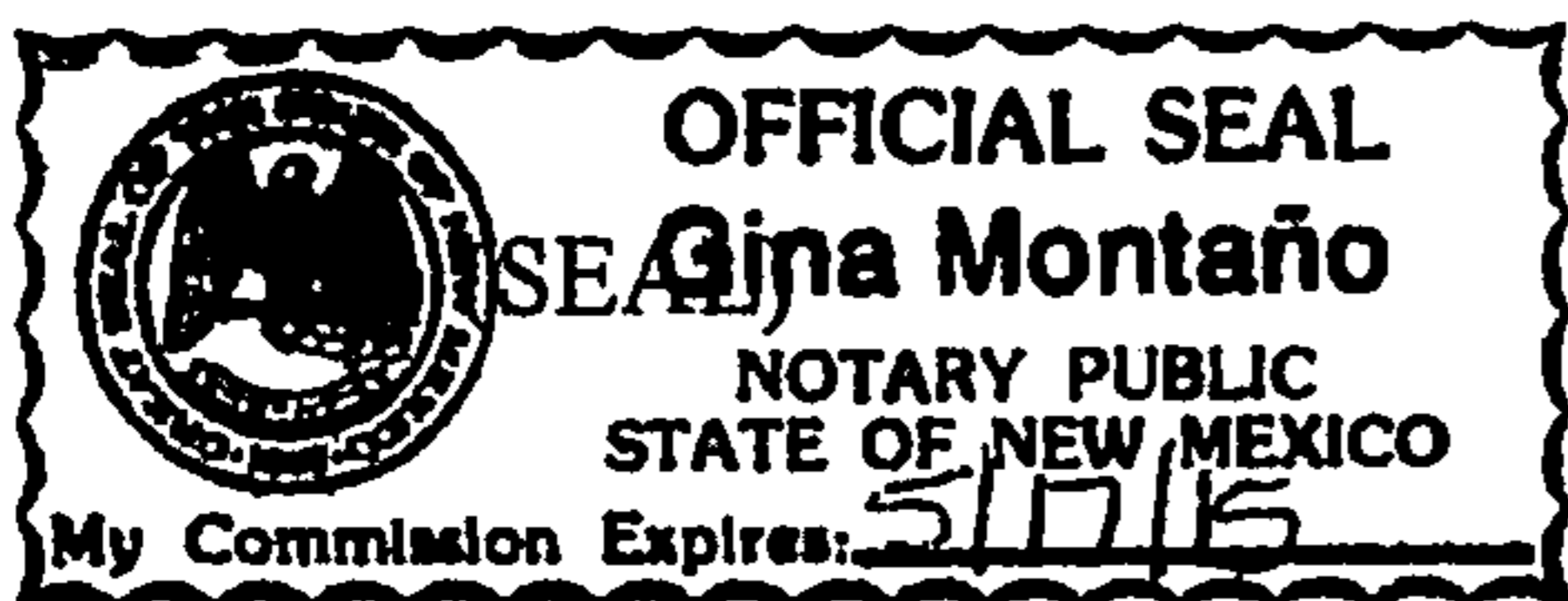
[Signature]  
12-3-13  
[Signature]  
11-22-2013



DEVELOPER'S NOTARY

STATE OF New Mexico )  
 ) ss.  
COUNTY OF Bernalillo )

This instrument was acknowledged before me on this 27 day of September  
2013 by [name of person:] Eddie B. Corley, Jr., [title or  
capacity, for instance, "President" or "Owner"] Managing Member  
of [Developer:] JR & SR, LLC.

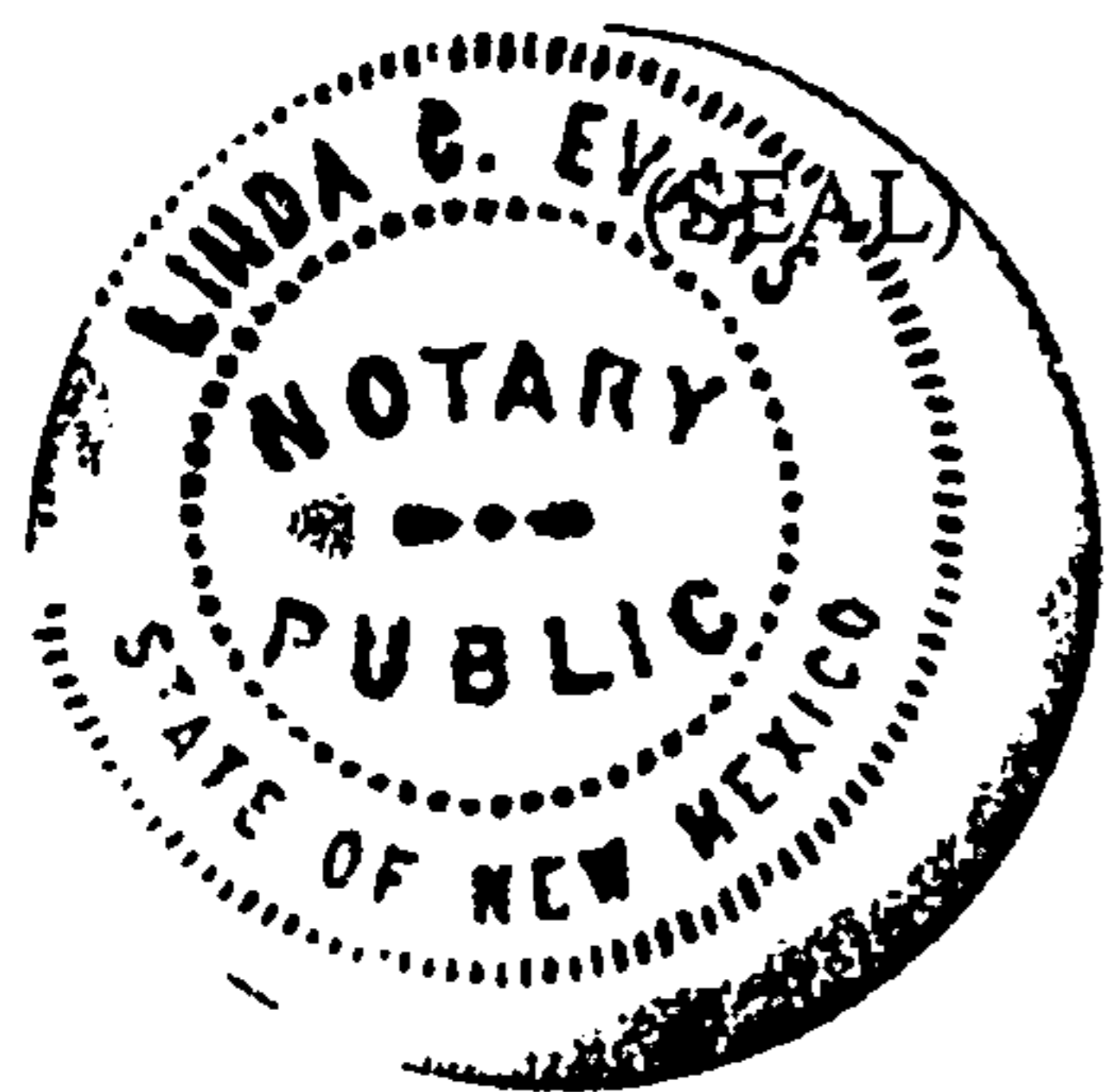


[Signature]  
Notary Public  
My Commission Expires: 5/17/15

CITY'S NOTARY

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

This instrument was acknowledged before me on this 6<sup>th</sup> day of December,  
2013 by Bryan Wolfe, City Engineer of the City of Albuquerque, a municipal corporation, on behalf  
of said corporation.



[Signature]  
Notary Public  
My Commission Expires: 10-17-16

**GENERAL PURPOSE RIDER**

TO BE ATTACHED to and form part of Bond Number 71440923 issued by the  
WESTERN SURETY COMPANY, as  
Surety, on behalf of JR & SR, LLC of  
9000 Pan American Frwy N.E., Albuquerque, NM 87113, hereinafter referred  
to as the Principal and in favor of City of Albuquerque  
of City Clerk, P.O. Box 1293, Albuquerque, NM 87103, hereinafter  
referred to as the Obligee, in the sum of Sixty-Six Thousand Four Hundred Ninety and 93/100  
Dollars ( \$66,490.93 ), effective the 23rd day of July, 2013.

NOW, THEREFORE, it is agreed that the Completion Date has been changed to read:  
June 10, 2014

No further changes other than above.

IT IS FURTHER AGREED that all other terms and conditions of this bond shall remain unchanged.

THIS RIDER IS TO BE EFFECTIVE the 21st day of November, 2013

SIGNED, SEALED AND DATED this 21st day of November, 2013

Accepted By:

City of Albuquerque

By: [Signature]

12-5-13

11-22-13

JR & SR, LLC

By: [Signature] (Principal) (Seal)

WESTERN SURETY COMPANY

By: [Signature] (Seal)  
Paul T. Bruflat, Vice President, Attorney-in-Fact





# Western Surety Company

## POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 71440923

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Paul T. Bruflat

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: JR & SR, LLC

Obligee: City of Albuquerque

Amount: \$500,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Senior Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

All authority hereby conferred shall expire and terminate, without notice, unless used before midnight of October 1, 2014, but until such time shall be irrevocable and in full force and effect.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 21st day of November, 2013.

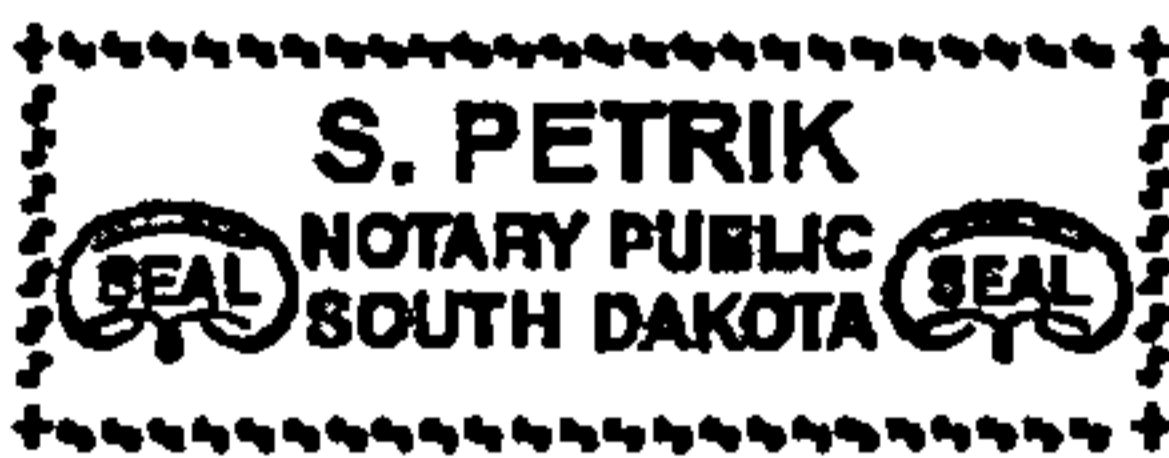


WESTERN SURETY COMPANY

Paul T. Bruflat  
Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }  
COUNTY OF MINNEHAHA } 35

On this 21st day of November, in the year 2013, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.



My Commission Expires August 11, 2016

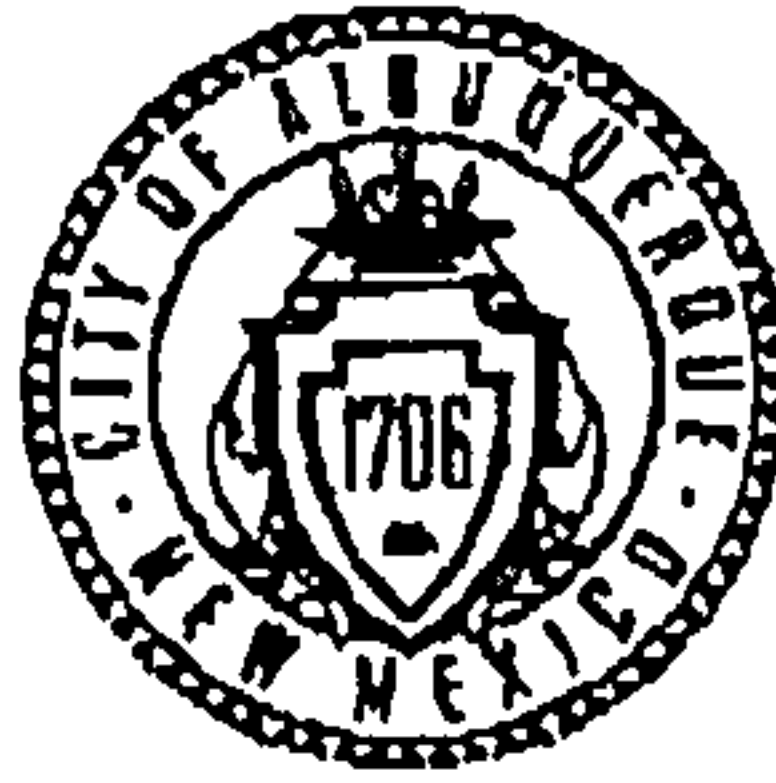
S. Petrik  
Notary Public - South Dakota

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 21st day of November, 2013.

WESTERN SURETY COMPANY

Paul T. Bruflat  
Paul T. Bruflat, Vice President



## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

May 20, 2014

Katherine Aldaz for  
 Gilbert Aldaz, P.E.P.S  
 Applied Engineering and Surveying, Inc.  
 1605 Blair Dr. NE/87112  
 Phone: 505-237-1456 Fax: 505-237-1456

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

Dear Katherine:

Thank you for your inquiry of May 20, 2014 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at (DRB SUBMITTAL) CORLEY'S ALBUQUERQUE NEW LINCOLN MERCURY VOLVO DEALERSHIP LOCATED ON SAN PEDRO DRIVE NE BETWEEN EAGLE ROCK ROAD NE AND 200' NORTH OF EAGLE ROCK ROAD NE FROM SAN PEDRO DRIVE NE zone map C-18.

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

**SEE ATTACHMENT "A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL - please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's.**

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3906 or via an e-mail message at [dcarmona@cabq.gov](mailto:dcarmona@cabq.gov) or by fax at (505) 924-3913.

Sincerely,

*Dalaina Carmona*

Senior Administrative Assistant  
 OFFICE OF NEIGHBORHOOD COORDINATION  
 Planning Department

**LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD ASSOCIATION.**



# !!!Notice to Applicants!!!

## SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

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

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

## Information from the Office of Neighborhood Coordination

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

~~ONC's "Official" Letter to the applicant. (if there are associations). A copy must be submitted with application packet -OR-~~

The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.

~~Copies of Letters to Neighborhood Associations. (if there are associations). A copy must be submitted with application packet.~~

~~Copies of the certified receipts to Neighborhood Associations. (if there are associations). A copy must be submitted with application packet.~~

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

Any questions, please feel free to contact Dalaina at 924-3906 or via an e-mail message at [dcarmona@cabq.gov](mailto:dcarmona@cabq.gov).

Thank you for your cooperation on this matter.

.....  
(below this line for ONC use only)

Date of Inquiry: 5/20/14 Time Entered: 9:15 a.m. ONC Rep. Initials: DC



# ATTACHMENT "A"

May 20, 2014

Katherine Aldaz for  
Gilbert Aldaz, P.E.P.S  
Applied Engineering and Surveying, Inc.  
1605 Blair Dr. NE/87112  
Phone: 505-237-1456 Fax: 505-237-1456

**NOR ESTE N.A. (NRE) "R"**

**\*Jeff Peterson**

7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)

Joe Yardumian

7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

**WILDFLOWER AREA N.A. (WFA) "R"**

**\*Larry T. Caudill**

4915 Watercress NE/87113 857-0596 (h)

Tony Perry

4909 Watercress NE/87113 797-7098 (h)



**DATE:** May 21, 2014

**TO:** (OFFICE) Development Review Board  
(ADDRESS) Plaza Del Sol – 1st Floor West  
City of Albuquerque, Public Works  
(ATTENTION) Jack Cloud, Chair.

**FROM:** Gilbert Aldaz, P.E. & P.S. *GA*

**RE:** CORLEY'S ALBUQUERQUE NEW LINCOLN MERCURY  
VOLVO DEALERSHIP, DRB Project No. 1006505, REQUEST  
FOR SUBDIVISION IMPROVEMENT AGREEMENT 1-YEAR  
EXTENSION FOR SAN PEDRO BLVD NE

The purpose of this memorandum is to request a one year extension for the existing Subdivision Improvement Agreement for San Pedro Blvd NE, City Project No. 724582 for a financial guaranty amount of \$66,490.93.

The reason for this request is to provide time to complete the design and construction. A topographic survey has been started and should be completed by the first week of June, 2014. Two power poles need to be relocated so Corley's will need time for coordination/relocation.


Cc: Eddie Corley, Jr. & Sr., LLC  
Nor Este Neighborhood Association, Jeff Peterson, 7800 Eagle Rock Ave. NE 87122-2723  
Nor Este Neighborhood Association, Joe Yardumian, 7801 R.C. Gorman Ave. NE 87122-2748  
Wildflower Area Neighborhood Association, Larry T. Caudill, 4915 Watercress NE 87113  
Wildflower Area Neighborhood Association, Tony Perry, 4909 Watercress NE 87113



**CERTIFIED MAIL™ RECEIPT**  
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For delivery information visit our website at [www.usps.com](http://www.usps.com)

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Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	

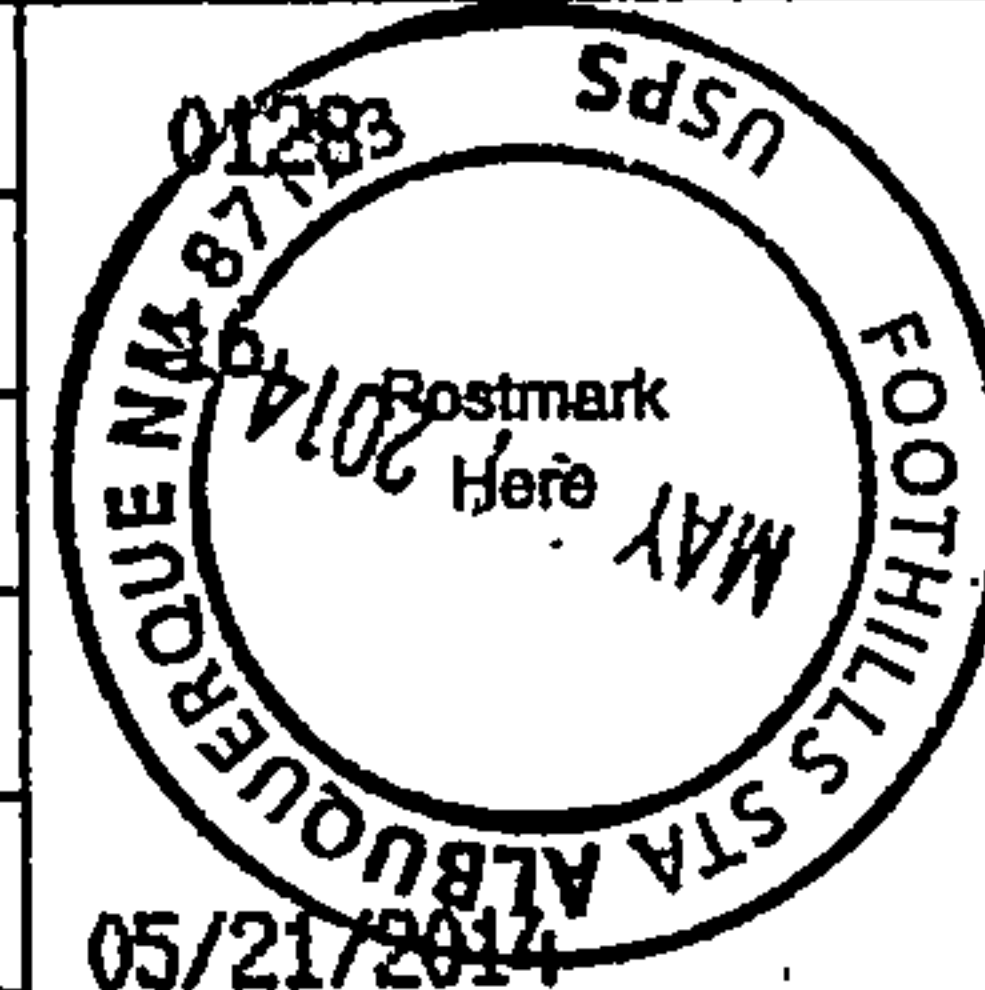
Sent To *Wildflower Area Neighborhood Assoc*  
*Larry Candell*  
Street, Apt. No., or PO Box No. *4915 Waterways NE*  
City, State, ZIP+4 *Albuq, NM 87113*

PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	

Sent To *Nor Este Neighborhood Assoc*  
*Joe Ljardumian*  
Street, Apt. No., or PO Box No. *7801 R.C. Gorman Ave NE*  
City, State, ZIP+4 *Albuq, NM 87122-2718*

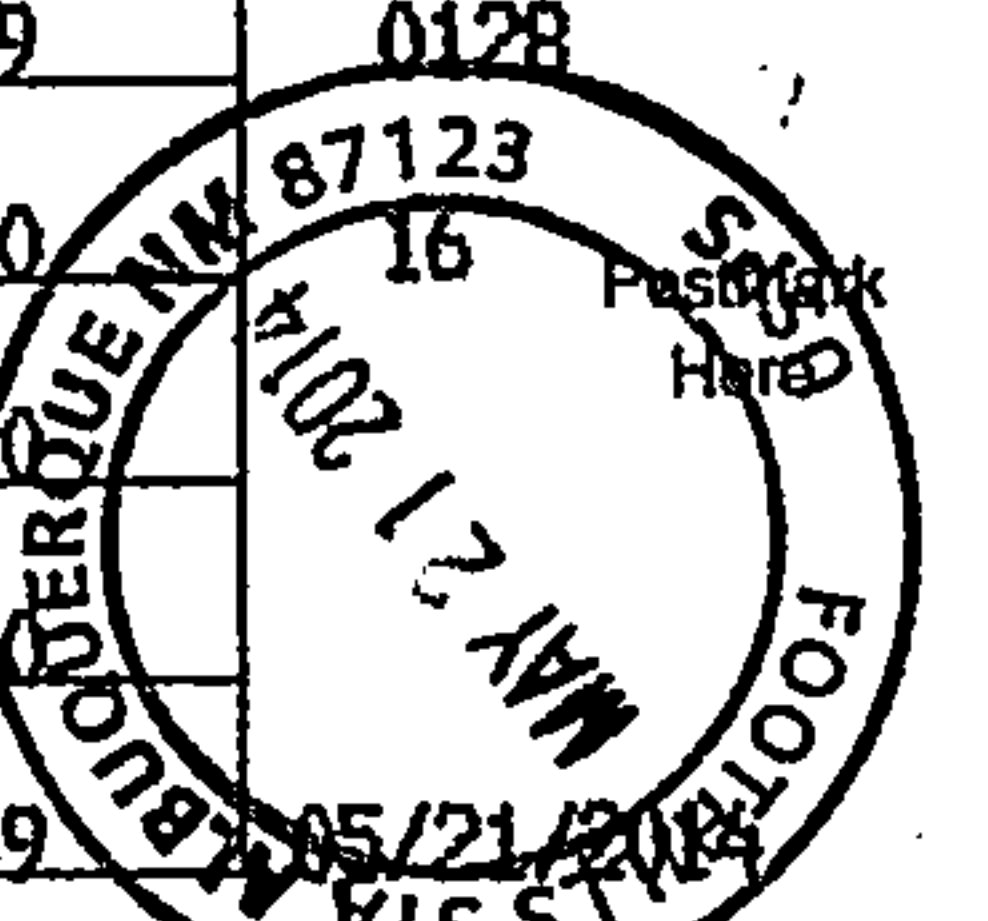
PS Form 3800, August 2006 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$2.70	
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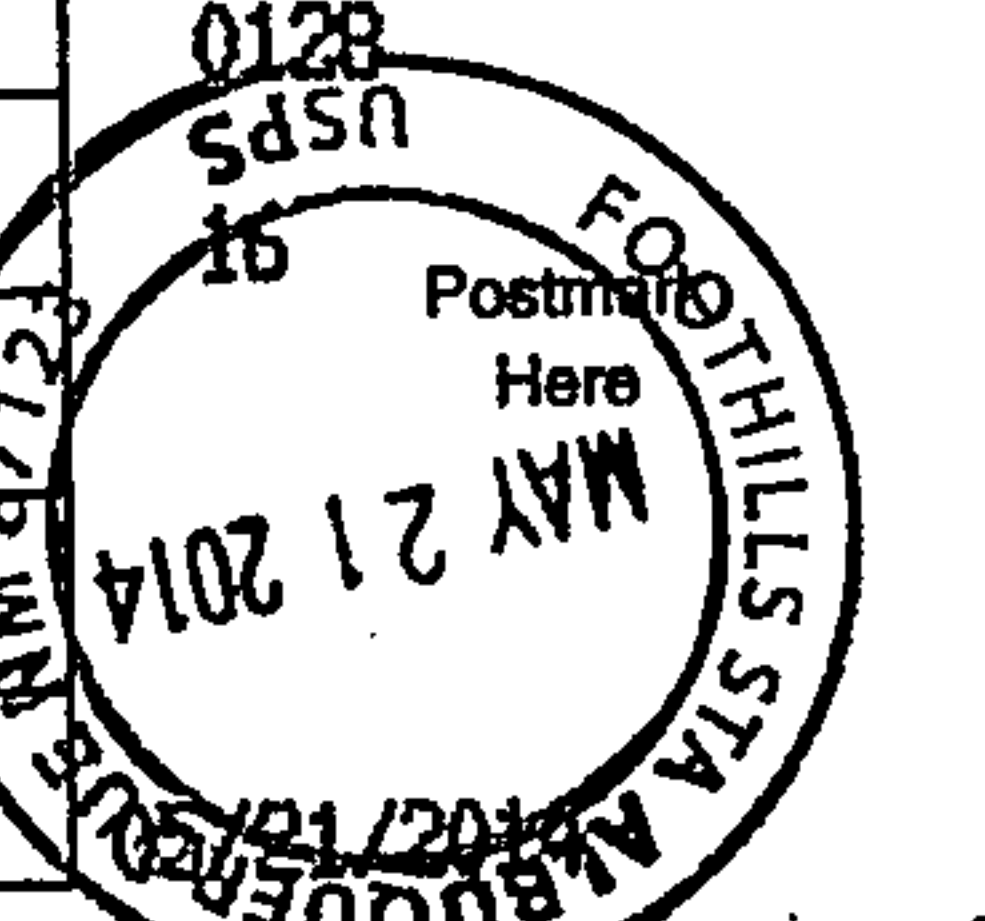
Sent To *Nor Este Neighborhood Assoc*  
*Jeff Peterson*  
Street, Apt. No., or PO Box No. *7800 Eagle Rock Ave NE*  
City, State, ZIP+4 *Albuq, NM 87122-2723*

PS Form 3800, August 2006 See Reverse for Instructions

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**OFFICIAL USE**  
ALBUQUERQUE NM 87113

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Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.49	

Sent To *Wildflower Area Neighborhood Assoc*  
*Tony Perry*  
Street, Apt. No., or PO Box No. *4809 Waterways NE*  
City, State, ZIP+4 *Albuq, NM 87113*


PS Form 3800, August 2006 See Reverse for Instructions

7011 0470 0002 5835 4742



**DATE:** May 21, 2014

**TO:** (OFFICE) Development Review Board  
(ADDRESS) Plaza Del Sol – 1st Floor West  
City of Albuquerque, Public Works  
(ATTENTION) Jack Cloud, Chair.

**FROM:** Gilbert Aldaz, P.E. & P.S. 

**RE:** CORLEY'S ALBUQUERQUE NEW LINCOLN MERCURY  
VOLVO DEALERSHIP, DRB Project No. 1006505, REQUEST  
FOR SUBDIVISION IMPROVEMENT AGREEMENT 1-YEAR  
EXTENSION FOR SAN PEDRO BLVD NE

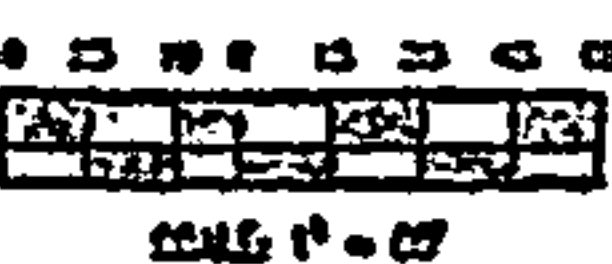
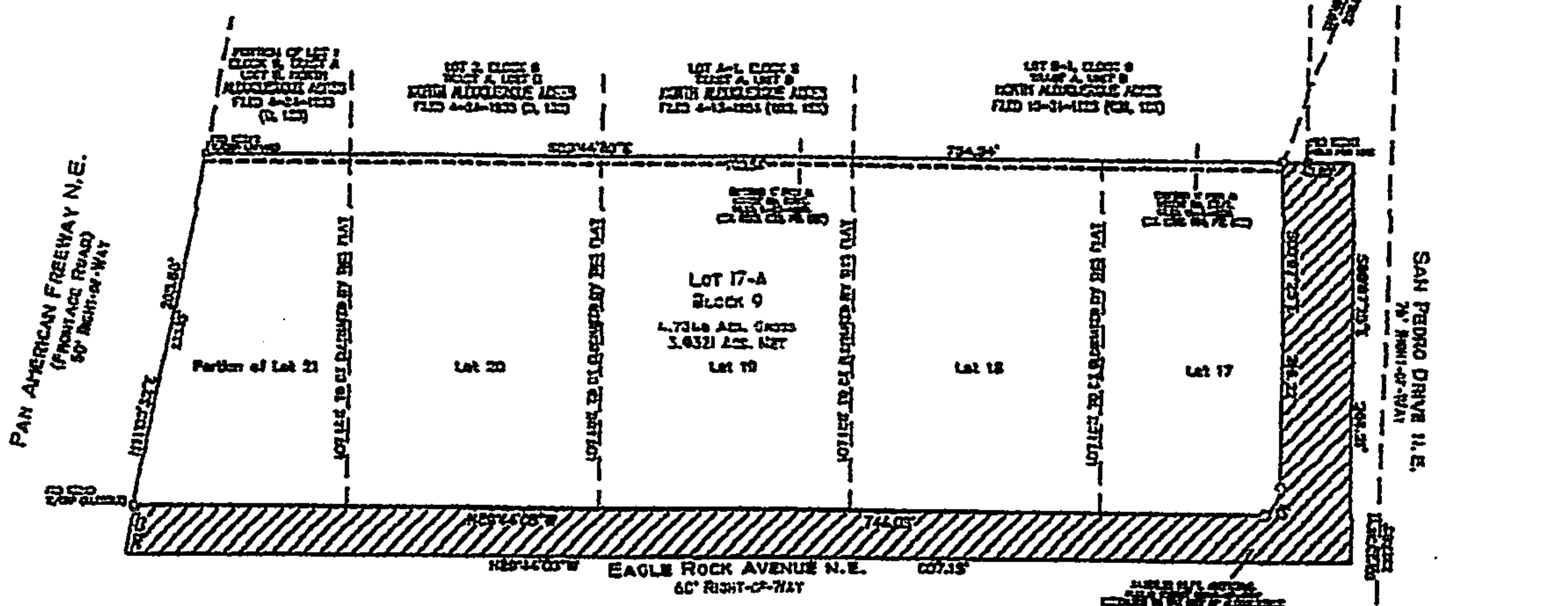
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Wildflower Area Neighborhood Association, Larry T. Caudill, 4915 Watercress NE 87113  
Wildflower Area Neighborhood Association, Tony Perry, 4909 Watercress NE 87113



PLAT OF  
 LOT 17-A, BLOCK 9  
 TRACT A, UNIT B, NORTH ALBUQUERQUE ACRES  
 PROJECTED SECTION 13, T. 11 N., R. 3 E., N.M.P.M.  
 ELENA GALLEGOS GRANT  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 JUNE 2007  
 SHEET 2 OF 2



City of Albuquerque  
 729302  
 SURVEYS PLAT MAPS  
 Form Used File  
 C-10  
 Sheet  
 2 of 2

DATE	REVISION	BY	FOR
6/25/07	1	J. GALLEGOS	INITIAL SURVEY

NOTES:  
 1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND MAPPERS OF NEW MEXICO.  
 2. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION.  
 3. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION.  
 4. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION.

1" = 40'  
 PLAT BY SURVEYS  
 SOUTH WEST LTD.  
 113 LOMAS BLVD., N.E.  
 ALBUQUERQUE, NEW MEXICO  
 87102

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