J.C.

COMPLETED 12/17/08 SH

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-70426 Project # 1006936

Project Name: TRANSPORTATION CENTRAL tbk SILVER GARDENS

Agent: RIO GRANDE SURVEYING CO. Phone No.: 764-8891

Your request was approved on 12-17-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: - comments 12-17-08

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): - PNM Agreement 12-17-08

☐ **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.** OK
☑ **Copy of recorded plat for Planning.**
☑ Copy of recorded plat for Real Property Division

Created On:

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-70426 Project # 1006936

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Agent: RIO GRANDE SURVEYING CO. Phone No.: 764-8891

Your request was approved on 12-17-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☑ TRANSPORTATION: - comments

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☑ PLANNING (Last to sign): - PNM Agreement

☐ **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.**
- ☑ Copy of recorded plat for Real Property Division

Created On:

6936

DXF Electronic Approval Form

DRB Project Case #: 1006936

Subdivision Name: SILVER GARDENS TRACTS 1-4

Surveyor: REX J VOGLER

Contact Person: REX J VOGLER

Contact Information: 379-4579

DXF Received: 12/17/2008 Hard Copy Received: 12/17/2008

Coordinate System: NMSP Grid (NAD 27)

Approved

12.17.2008
Date

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

AGIS Use Only

Copied fc **6936** to agiscov on **12/17/2008** Contact person notified on **12/17/2008**

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

13. **Project# 1001150**
08DRB-70514 SKETCH PLAT REVIEW AND COMMENT

MARK GOODWIN AND ASSOCIATES PA agent(s) for VISTA DEL NORTE LLC request(s) the above action(s) for all or a portion of Tract(s) J-1A, J-1B, J-1C & M-1, **VISTA DEL NORTE** zoned SU-1/ C-2, located on OSUNA RD NE BETWEEN VISTA DEL NORTE DR NE AND CHAPPELL RD NE containing approximately 21.1 acre(s). (E-16)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

14. **Project# 1006520**
08DRB-70512 SKETCH PLAT REVIEW AND COMMENT

TERRAMETRICS OF NEW MEXICO agent(s) for HOPE EPISCOPAL CHURCH request(s) the above action(s) for all or a portion of Lot(s) 25, Block(s) 4, Tract(s) B & C, 3, **HOPE PLAZA, NORTH ALBUQUERQUE ACRES Unit(s) 3,** zoned SU-2/ O1 & RT, located on SIGNAL AVE NE BETWEEN BARSTOW NE AND VENTURA NE (C-20) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. **Project# 1007581**
08DRB-70515 SKETCH PLAT REVIEW AND COMMENT

CARTESIAN SURVEYS INC agent(s) for DAVE SANDOVAL request(s) the above action(s) for all or a portion of Lot(s) 1-A, **MESA GRANDE ADDITION** zoned CCR-2, located on CENTRAL BLVD NE BETWEEN SIERRA AVE NE AND GRACELAND NE containing approximately .2757 acre(s). (K-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. **Project# 1007582**
08DRB-70517 SKETCH PLAT REVIEW AND COMMENT

J MARTIN REALTY SERVICES agent(s) for C&N PROPERTIES LLC request(s) the above action(s) for all or a portion of Lot(s) 4, 5, 6, 7, & 8, **BROCK ADDITION** zoned C-2 & R-1, located on 4TH ST NW BETWEEN SAN LORENZO NW AND SAN CLEMENTE NW (G-14)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

17. Other Matters: **Project # 1006936 08DRB-70426 – FINAL PLAT**

WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED12/17/08, THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR COMMENTS AND TO PLANNING FOR PNM AGREEMENT, AGIS DXF FILE AND A COPY OF THE RECORDED PLAT. A COPY OF THE RECORDED PLAT MUST ALSO BE PROVIDED TO THE REAL PROPERTY DIVISION.

ADJOURNED: 10:30

PNM
Alvarado Square
Albuquerque, NM 87158-2104
505 241-2031
Fax 505 241-2376
www.pnm.com

A personal commitment to New Mexico

August 25, 2008

Ms. Teresa Bell
Romero Rose LLC
601 Tijeras Avenue NW, Suite 200A
Albuquerque, NM 87102

RE : Electric Vault Located On Block 29 ("Property")
Former Greyhound Site
Albuquerque, NM

Dear Ms. Bell:

As I mentioned to you in an email dated August 18, 2008, PNM believes a suitable alternative to the existing vault location may have been discovered. After discussing various alternatives with PNM engineering and planning over the last few months, we have found that we are able to meet the current and anticipated future electric service demands of this area with capacity from other existing vaults with expansion plans that will be tied to area growth in electrical demand. Therefore, we believe that the vault located on Block 29 can be removed from service in the usual course of business without adversely impacting the Albuquerque downtown network.

We will need to meet with you to work out final details, but our general proposal is:

- Once Romero Rose provides a set of final design drawings to PNM and a schedule is agreed upon by both PNM and Romero Rose, PNM will remove the transformers from the vault building and pull associated cables up to the manhole located to the southwest of the vault on 2nd Street. PNM will handle and pay for final disposition of the aforementioned equipment.

- After PNM's equipment is removed, the Vault building and duct banks will be abandoned in place. At that time, Romero Rose may arrange to have the building and duct banks removed at its expense.

- PNM and Romero Rose will enter into a written settlement agreement before any removal work begins.

PNM believes this proposal provides a mutually beneficial solution to the issues surrounding the location of the vault on the Property. Please call me at (505) 241-2974 if you have any questions.

Sincerely,

Maureen D. Gannon
Director, Environment and Land Services

cc: Madonna Bixby, PNM
Charlie Brown, PNM
Becky Carter, PNM
Melvin Christopher, PNM
Joel Ivy, PNM
Mike Moyer, PNM
John Myers, Myers, Oliver & Price
Prassad Potturi, Public Regulation Commission

6. **Project# 1007474**
08DRB-70434 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

SOUNDER, MILLER & ASSOCIATES agent(s) for JOHN MAHONEY request(s) the above action(s) for all or a portion of Tract(s) A-3-A & A-1, **LANDS OF DAVID MACIEL & FLORAL MEADOWS** zoned RLT, located on RIO GRANDE BLVD NW BETWEEN MONTOYA ST NW AND FLORAL RD NW (H-12) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR SOLAR COLLECTORS NOTE, AGIS DXF FILE, AND A COPY OF THE RECORDED PLAT.**

7. **Project# 1007496**
08DRB-70430 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL
08DRB-70439 VACATION OF PRIVATE EASEMENT

DOUG SMITH SURVEYING agent(s) for ULLA ALLYN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2, **JEFFERSON OFFICE PLAZA** zoned SU-1, located on JEFFERSON ST NE BETWEEN MONTGOMERY BLVD NE AND LUMBER NE containing approximately .817 acre(s). (F-17) **THE PRELIMINARY/FINAL PLAT WAS APPROVED. A COPY OF AGIS DXF IS REQUIRED AS WELL AS A COPY OF THE RECORDED PLAT. THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

8. **Project# 1006845**
08DRB-70415 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

NMQC agent(s) for CARLOS MATA request(s) the above action(s) for all or a portion of Tract(s) 3, **GARDEN ACRES ADDITION,** zoned R-1, located on GRIEGOS RD NW BETWEEN GUADALUPE TR NW AND GRANDE DR NW containing approximately .7452 acre(s). (F-14) *[Deferred from 10/1/08, 10/8/08]***INDEFINITELY DEFERRED ON A NO SHOW.**

9. **Project# 1006936**
08DRB-70426 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

RIO GRANDE SURVEYING CO. agent(s) for CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Block(s) 29 & PARK SITE, **TRANSPORTATION CENTRAL (TO BE KNOWN AS SILVER GARDENS),** zoned SU-3, located on 2ND ST SW BETWEEN LEAD SW AND GOLD SW containing approximately 3.3 acre(s). (K-14) *[Deferred from 10/1/08, 10/8/08]* **THE PRELIMINARY PLAT WAS APPROVED, THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SIA AND SUBJECT TO RIGHT-OF-WAY AND/OR SIDEWALK EASMENTS.**

Def 10/15

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1006936 AGENDA ITEM NO: 9

SUBJECT:

FINAL PLAT
PRELIMINARY PLAT

ENGINEERING COMMENTS:

Provide an exhibit showing the location of sidewalk and defining the distance from face of curb to the property line.
The relocation and removal of sidewalk and bus lane must be added to the infrastructure list.
2nd Street (principal arterial) should have a distance of 12 feet from the face of curb to the property line (see Table 23.2.1A of the *Development Process Manual*).
Infrastructure will be required for the proposed extension of Silver Avenue.

RESOLUTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

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

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

SIGNED: Kristal D. Metro
Transportation Development 505-924-3991

DATE: OCTOBER 8, 2008

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006936 **AGENDA ITEM NO: 9**

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

ENGINEERING COMMENTS:

An approved infrastructure list is required for Preliminary Plat approval.
An executed Subdivision Improvements Agreement with financial guarantees is required for Final Plat sign-off.

RESOLUTION:

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

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

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

FOR:

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

DATE: October 8, 2008

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006936 **AGENDA ITEM NO: 9**

SUBJECT:

Final Plat
Preliminary Plat

ACTION REQUESTED:

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

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

ENGINEERING COMMENTS:

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

RESOLUTION: signed I.L FP indef

APPROVED X; DENIED ____; DEFERRED 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: October 15, 2008

DEVELOPMENT REVIEW BOARD
Action Sheet

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

July 30, 2008
MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department
Angela Gomez, Administrative Assistant

Kristal Metro, P.E. , Transportation Development
Brad Bingham, P.E., Hydrology/ Alternate City Engineer
Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development

CASES WHICH REQUIRE PUBLIC NOTIFICATION
MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1.	**Project# 1007137** 08DRB-70097 VACATION OF PUBLIC RIGHT-OF-WAY	ISMELDA F. FLORES request(s) the above/ referenced action(s) for all or a portion of the alley at the rear of Lot(s) 1, Block B, **CACY SUBDIVISION** zoned R-2, located on the east side of CORONA DR NW BETWEEN PHEASANT AVE NW AND FLAMINGO AVE NW. (G-11) *[Deferred from 3/26/08, 5/7/08 & 7/16/08]* **DEFERRED TO 10/29/08 AT THE AGENT'S REQUEST.**
2.	**Project# 1003604** 08DRB-70298 VACATION OF PUBLIC EASEMENT	ALPHA PROFESSIONAL SURVEYING agent(s) for ANTHONY MONTOYA JR request(s) the above action(s) for all or a portion of Lot(s) A, **MIRA MESA ESTATES** zoned R-2, located on TELSTAR LOOP NW BETWEEN 68TH ST NW AND GLENRIO RD NW containing approximately .2353 acre(s). (J-10) **DEFERRED TO 8/6/08 AT THE AGENT'S REQUEST.**
3.	**Project# 1007139** 08DRB-70299 VACATION OF PUBLIC EASEMENT 08DRB-70304 SIDEWALK WAIVER 08DRB-70305 MINOR - TEMP DEFR SWDK CONST 08DRB-70306 MAJOR - PRELIMINARY PLAT APPROVAL 08DRB-70307 MAJOR - SDP FOR SUBDIVISION	MARK GOODWIN AND ASSOCIATES PA agent(s) for JUAN TABO HILLS LLC request(s) the above action(s) for all or a portion of Tract(s) 3-A & 4-A, **JUAN TABO HILLS Unit(s) 1,** zoned RD, SU-1, located on JUAN TABO BLVD SE BETWEE N GULFSTREAM DR SE AND TIJERAS ARROYO containing approximately 14.3953 acre(s). (M-22) **DEFERRED TO 8/20/08 AT THE AGENT'S REQUEST.**

4. **Project# 1007140**
08DRB-70297 VACATION OF PUBLIC EASEMENT
08DRB-70300 SIDEWALK WAIVER
08DRB-70301 MINOR - TEMP DEFR SWDK CONST
08DRB-70302 MAJOR - SDP FOR SUBDIVISION
08DRB-70303 MAJOR - PRELIMINARY PLAT APPROVAL

MARK GOODWIN AND ASSOCIATES PA agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of Tract(s) 2-A, A-C, **JUAN TABO HILLS, UNIT 1** zoned AD, SU-1, located on JUAN TABO BLVD BETWEEN VIA POSADA RD AND JULFSTREAM DR containing approximately 41.0242 acre(s). (M-22) **DEFERRED TO 8/27/08 AT THE AGENT'S REQUEST.**

5. **Project# 1003688**
08DRB-70290 VACATION OF PUBLIC EASEMENT
08DRB-70291 VACATION OF PRIVATE EASEMENT

SURV-TEK INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 9, **THE TRAILS Unit(s) 3A,** zoned SU-2 FOR SRSL 26, SU-1 FOR SCHOOL, PARK, OPEN SPACE & FUTURE ROW, located on WOODMONT AVE NW BETWEEN RAINBOW BLVD NW AND PASEO DEL NORTE NW containing approximately 25.25 acre(s). (C-910090641303232306) *[Deferred from 7/23/08]* **DEFERRED TO 8/6/08 AT THE AGENT'S REQUEST.**

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

6. **Project# 1006976**
08DRB-70327 EPC APPROVED SDP FOR BUILD PERMIT

DAVID OBERSTEIN agent(s) for MEMORIAL VENTURES LLC request(s) the above action(s) for all or a portion of Tract(s) A, **SECTION 21, T. 10 N. R 3E NMPM** zoned SU-2 / RO, located on CENTRAL SE BETWEEN ELM SE AND GOLD AVE SE containing approximately 2.27 acre(s). (K-15) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION TO PROVIDE A COPY OF 1953 PLAT AND FOR COMMENTS AND TO PLANNING TO SHOW FIRELINE AND EXISTING WATER METERS ON SITE PLAN.**

7. **Project# 1007313**
08DRB-70329 EPC APPROVED SDP FOR BUILD PERMIT

JOHN FRIEDMAN, AIA agent(s) for DR CHARLES PACE request(s) the above action(s) for all or a portion of Lot(s) 3, **BOSQUE PLAZA SUBDIVISION** zoned C-1 (CS), located on BOSQUE PLAZA LANE, NW BETWEEN LA ORILLA, NW AND COORS BLVD NW containing approximately .5161 acre(s). (E-12) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR COMMENTS AND TO PLANNING TO ADD FIRE HYDRANT AND TO MOVE SEWER SERVICE AND TO SIGN AFTER 8/1/08.**

8. **Project# 1000650**
08DRB-70237 EPC APPROVED SDP FOR BUILD PERMIT

GEORGE RAINHART & ASSSOC. agent(s) for NEW MEXICO EDUCATORS FEDERAL CREDIT UNION request(s) the above action(s) for all or a portion of Lot(s) 2A, **LAMONICA & WENK,** zoned SU-1 / C-1, located on COORS BLVD AND RIO BRAVO containing approximately 1.55 acre(s). (P-10) *[Deferred from 5/28/08, 6/4/08, 6/11/08 , 6/25/08, 7/9/08 & 7/23/08]* **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO TRANSPORTATION FOR COMMENTS AND TO CITY ENGINEER FOR SIA AND FOR SOLID WASTE SIGN OFF. 3 COPIES OF APPROVED SITE PLAN MUST BE PROVIDED TO PLANNING.**

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

9. **Project# 1001449**
08DRB-70332 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

ABQ ENGINEERING agent(s) for DT KABD DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 9, Block(s) A, **KIRTLAND ADDITION Unit(s) 2,** zoned C-1, located on GIBSON SE BETWEEN UNIVERSITY SE AND YALE SE containing approximately 3.254 acre(s). (M-15) **DEFERRED TO 8/6/08 AT THE AGENT'S REQUEST.**

10. **Project# 1004607**
08DRB-70334 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

WILSON & COMPANY agent(s) for SALLS BROTHERS CONSTRUCTION INC request(s) the above action(s) for all or a portion of Block(s) 15 & 16, **VISRA VIEJA Unit(s) 3,** zoned RD, located on GROUNDSEL RD NW BETWEEN METE SOT NW AND VISTA TERRAZA DR NW containing approximately 6.32 acre(s). (D-9) **DEFERRED TO 8/6/08 AT THE AGENT'S REQUEST.**

11. **Project# 1004300**
08DRB-70330 EXT OF MAJOR PRELIMINARY PLAT

WAYJOHN SURVEYING INC agent(s) for ELITE DRI-WALL request(s) the above action(s) for all or a portion of Lot(s) 31 & 32, Block(s) 9, **TRACT A, NORTH ALBUQUERQUE ACRES Unit(s) B,,** zoned SU-2/M1, located on EAGLE ROCK AVE NE BETWEEN SAN MATEO BLVD NE AND INTERSTATE 25 containing approximately 1.9986 acre(s). (C-18) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

12. **Project# 1007314**
08DRB-70331 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

WAYJOHN SURVEYING INC agent(s) for SLICE PIE LLC request(s) the above action(s) for all or a portion of Lot(s) 1-3 & 32-34, Block(s) 3, **EAST CENTRAL BUSINESS ADDITION** zoned C-2, located on CENTRAL AVE SE BETWEEN ELIZABETH ST SE AND DOROTHY ST SE containing approximately 1.1641 acre(s). (L-21) **THE PRELIMINARY/FINAL PLAT WAS APPROVED. AGIS DXF FILE MUST BE PROVIDED TO PLANNING IN ADDITION TO A COPY OF THE RECORDED PLAT.**

13. **Project# 1007342**
08DRB-70336 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

ERANEST H LEGER agent(s) for ERANEST H LEGER request(s) the above action(s) for all or a portion of **ROSSITER ADDITION** zoned R-1, located on 11TH ST NW BETWEEN BELLROSE AVE NW AND GRIEGOS RD NW containing approximately .4598 acre(s). (F-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR 20 FOOT RADIUS DEDICATION AND TO PLANNING FOR AGIS DXF FILE.**

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

14. **Project# 1006982**
08DRB-70328 SKETCH PLAT REVIEW AND COMMENT

CARTESIAN SURVEYS INC agent(s) for KBCK, LLC request(s) the above action(s) for all or a portion of Lot(s) 13, Block(s) 3, **FRANCISCAN ACRES** zoned SUK-2, R-T, located on BROADWAY BLVD SE BETWEEN MENAUL BLVD SE AND INTERSTATE 40 containing approximately .338 acre(s). (H-14)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

15. **Project# 1006936**
08DRB-70335 SKETCH PLAT REVIEW AND COMMENT

RIO GRANDE SURVEYING CO agent(s) for COA REAL ESTATE OFFICES request(s) the above action(s) for all or a portion of Block(s) 29, **TRANSPORTATION CENTER SUBDIVISION** zoned SU-3, located on 2ND ST SW BETWEEN LEAD SW AND GOLD SW containing approximately 3.3 acre(s). (K-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

16. Other Matters: None.

ADJOURNED: 11:30

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006936 **AGENDA ITEM NO: 15**

SUBJECT:

Sketch Plat/Plan

ACTION REQUESTED:

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

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

ENGINEERING COMMENTS:

An approved infrastructure list is required for Preliminary Plat approval.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED _____; COMMENTS PROVIDED X; WITHDRAWN

discussed

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: July 30, 2008

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
November 21, 2007
DRB Comments

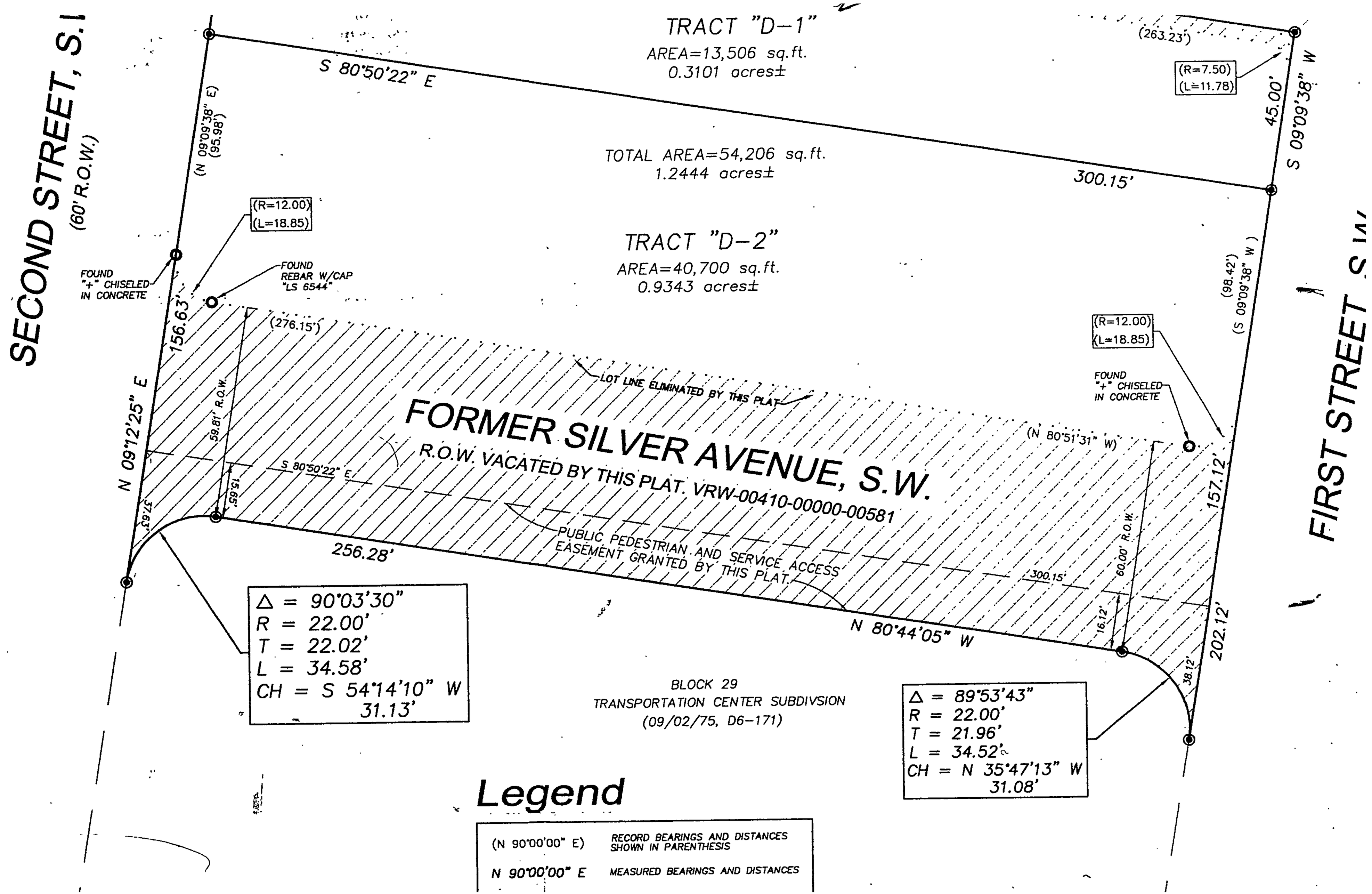
ITEM # 13

PROJECT # 1006936 **APPLICATION # 07-70377**

RE: Block 29, Transportation Center/sketch

Planning has no objection to this request.

Andrew Garcia , Planning Alternate
924-3858/agarcia@cabq.gov


SECOND STREET, S.W.
(60' R.O.W.)
FIRST STREET, S.W.
TRACT "D-1"
AREA=13,506 sq.ft.
0.3101 acres±
TOTAL AREA=54,206 sq.ft.
1.2444 acres±
TRACT "D-2"
AREA=40,700 sq.ft.
0.9343 acres±
S 80°50'22" E
300.15'
(N 09°09'38" E)
(95.98')
(263.23')
(R=7.50)
(L=11.78)
45.00'
S 09°09'38" W
(98.42')
(S 09°09'38" W)
(R=12.00)
(L=18.85)
FOUND "+" CHISELED IN CONCRETE
FOUND REBAR W/CAP "LS 6544"
156.63'
(276.15')
N 09°12'25" E
59.81' R.O.W.
15.65'
37.63'
LOT LINE ELIMINATED BY THIS PLAT
FORMER SILVER AVENUE, S.W.
R.O.W. VACATED BY THIS PLAT. VRW-00410-00000-00581
PUBLIC PEDESTRIAN AND SERVICE ACCESS EASEMENT GRANTED BY THIS PLAT.
256.28'
(N 80°51'31" W)
157.12'
60.00' R.O.W.
300.15'
16.12'
N 80°44'05" W
202.12'
38.12'
Δ = 90°03'30"
R = 22.00'
T = 22.02'
L = 34.58'
CH = S 54°14'10" W
31.13'
BLOCK 29
TRANSPORTATION CENTER SUBDIVSION
(09/02/75, D6-171)
Δ = 89°53'43"
R = 22.00'
T = 21.96'
L = 34.52'
CH = N 35°47'13" W
31.08'
Legend
(N 90°00'00" E) RECORD BEARINGS AND DISTANCES SHOWN IN PARENTHESIS
N 90°00'00" E MEASURED BEARINGS AND DISTANCES

DEVELOPMENT REVIEW BOARD
Action Sheet

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

November 21, 2007 9:00 AM
MEMBERS:

Sheran Matson, AICP, DRB Chair
Angela Gomez, Administrative Assistant

Kristal Metro, Transportation Development
Brad Bingham, Alternate City Engineer

Roger Green, ABCWUA
Christina Sandoval, Parks & Recreation

****

CASES WHICH REQUIRE PUBLIC NOTIFICATION
MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1005536**
07DRB-70344 MAJOR - PRELIMINARY PLAT APPROVAL
07DRB-70345 MINOR - TEMP DEFR SWDK CONST

ISAACSON & ARFMAN PA agent(s) for BCR CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 57-59, **ROSSITER ADDITION (to be known as 12TH STREET VILLAS)** zoned R-2, located on 12TH ST NW BETWEEN CANDELARIA RD NW AND GRIEGOS RD NW containing approximately 1.1 acre(s). (G-14) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/21/07 AND WITH AN APPROVED GRADING AND DRAINAGE PLAN ENGINEER STAMP DATED 10/25/07 THE PRELIMINARY PLAT WAS APPROVED. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

2. **Project# 1003520**
07DRB-70337 MAJOR - SUBD IMP AGMT (SIA)

MARK GOODWIN & ASSOCIATES agent(s) for WASHINGTON STREET INVESTORS, LLC request(s) the above action(s) for all or a portion of Lot(s) 27 & 28, Block(s) 16, Tract(s) 1, **NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as BENJAMIN PLACE SUBD),** zoned RD/3 DU/AC, located on GLENDALE AVE NE BETWEEN BARSTOW NE AND VENTURA NE containing approximately 2 acre(s). (B-20) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

3. **Project# 1006854**
07DRB-70340 VACATION OF PUBLIC EASEMENT
07DRB-70341 VACATION OF PUBLIC RIGHT-OF-WAY
07DRB-70342 BULK LAND VARIANCE
07DRB-70343 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of **UNPLATTED LAND SECTION 15 (to be known as THE TRAILS UNIT 4),** zoned SU2-UR35, SU2-SRLL18, SU-1 FOR OPEN SPACE, SU2-TC65 & SU2-NMU35, located on UNIVERSE BLVD NW BETWEEN AVENIDA DE JAIMITO NW AND WOODMONT AVE NW containing approximately 34.85 acre(s). (C-10) **DEFERRED TO 12/5/07 AT THE AGENT'S REQUEST.**

4. **Project# 1003703**
07DRB-70338 VACATION OF PUBLIC RIGHT-OF-WAY

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 1-P1 & 15-P1, Block(s) 2, **NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as EAGLE'S VIEW ESTATE),** zoned RD/3du/a, located on VENTURA ST NE BETWEEN EAGLE ROCK AVE NE AND OAKLAND AVE NE containing approximately 6 acre(s). (C-20) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

5. **Project# 1003655**
07DRB-70339 VACATION OF PUBLIC RIGHT-OF-WAY

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 15-17 & a portion of Lot 18, Block 1, **NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as LA VISTA @ DESERT RIDGE TRAILS),** zoned RD/5 & 7du/a, located on WYOMING BLVD NE BETWEEN EAGLE ROCK NW AND MODESTO NE containing approximately 2.5 acre(s). (C-19) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

6. **Project# 1006868**
07DRB-70302 MAJOR - PRELIMINARY PLAT APPROVAL

TIERRA WEST LLC agent(s) for PACIFIC PASEO DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 1A, Block(s) 35, **NORTH ALBUQUERQUE ACRES Unit(s) B to be known as DEL NORTE PLAZA,** zoned SU-2 FOR C-2 & IP, located on PASEO DEL NORTE NE BETWEEN SAN PEDRO DR NE AND LOUISIANA BLVD NE containing approximately 6.7402 acre(s). (C-18) *[Deferred from 10-31-07]* **DEFERRED TO 11/28/07 AT THE AGENT'S REQUEST.**

07DRB-70389 MINOR - SDP FOR SUBDIVISION
07DRB-70390 MINOR - SDP FOR BUILDING PERMIT

GEORGE RAINHART ARCHITECTS agent(s) for PACIFIC PASEO DEVELOPMENT LLC request(s) the above action(s) for all or a portion of Lot(s) 1A, Block(s) 35, Tract(s) A, **NORTH ALBUQUERQUE ACRES Unit(s) B,** zoned SU-2 FOR C2 & IP, located on SAN PEDRO DR NE BETWEEN PASEO DEL NORTE NE AND HOLLY AVE NE containing approximately 8.6 acre(s). (C-18) **DEFERRED TO 11/28/07 AT THE AGENT'S REQUEST.**

7. **Project# 1004404**
07DRB-70296 VACATION OF PUBLIC EASEMENT
07DRB-70297 BULK LAND VARIANCE
07DRB-70298 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for THE TRAILS LLC request(s) the above action(s) for all or a portion of Tract(s) 1-8, OS-1 & OS-2, 12, **THE TRAILS Unit 3A,** zoned SU-2 UR, SU-2 SRLL, SU-2SRSL, SU-2, SU-1 , SU-VC, located on PASEO DEL NORTE NW BETWEEN WOODMONT AVE NW AND RAINBOW BLVD NW containing approximately 158.67 acre(s). (C-8 & C-9) *[Deferred from 10/31/07 & 11/14/07]* **DEFERRED TO 11/28/07 AT THE AGENT'S REQUEST.**

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

8. **Project# 1004875**
07DRB-70382 EPC/ SDP FOR BUILDING PERMIT
07DRB-70383 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

ALBUQUERQUE MONTHLY MEETING OF THE RELIGIOUS SOCIETY OF FRIENDS request(s) the above action(s) for all or a portion of Lot(s) 19-25, Block(s) 2, **IVES ADDITION** zoned SU2 FOR S-R, located on 5TH ST NW BETWEEN BELLAMAH NW AND ASPEN AVE NW containing approximately 0.57 acre(s). [REF: 06EPC00627/00628] (J-14) ***[Catalina Lehner – EPC Planner]*** **DEFERRED TO 12/5/07 AT THE AGENT'S REQUEST.**

9. **Project# 1003714**
07DRB-70364 EPC/SDP FOR BUILDING PERMIT

ALEXANDER FINALE agent(s) for ASSOCIATED HOME & RV SALES, INC request(s) the above action(s) for all or a portion of Tract(s) C-3-A, **ADOBE WELLS SUBDIVISION,** zoned SU1 FOR IPC-2/R-2, located on EAGLE RANCH NE BETWEEN WESTSIDE NE AND COORS BYPASS BLVD NE containing approximately 2.29 acre(s). (B-13) ***[EPC Planner – Carol Toffaleti]****[Deferred from 11/14/07].* **INDEFINITELY DEFERRED ON A NO SHOW.**

10. **Project# 1006600**
07DRB-70365 EPC/ SDP FOR BUILDING PERMIT

GARRETT SMITH LTD agent(s) for NEW LIFE HOMES INC request(s) the above action(s) for all or a portion of Tract(s) 111-C, **TOWN OF ATRISCO GRANT Unit 6,** zoned SU-1 PRD /20 DU-A, located on BATAAN DR SW BETWEEN DELIA AVE SW AND GWIN ST SW containing approximately 3.2 acre(s). (K-10) ***[EPC Planner – Anna DiMambro]][Deferred from 11/14/07].*** **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/21/07 THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR THE SIA AND FOR 3 COPIES OF THE SITE PLAN AND TO TRANSPORTATION FOR INDICATION OF ADDITIONAL RAMPS AND FOR ALL BUILD-NOTES TO REFER TO CITY STANDARDS.**

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

11. **Project# 1000512**
07DRB-70388 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for SANDRA L. FENKETICH request(s) the above action(s) for all or a portion of Lot(s) 16-A, **WEST HIGHLANDS AT HIGH DESERT,** zoned R-1, located on SAND CHERRY NE BETWEEN ELATA CT NE AND PINO ARROYO CT NE containing approximately 0.503 acre(s). (E-23) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR SOLAR COLLECTOR LANGUAGE, TO RECORD, AGIS DXF FILE, AND FOR ADROA SIGNATURE.**

12. **Project# 1006751**
07DRB-70385 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

BARELAS CDC/CITY OF ALBUQUERQUE agent(s) for MRS. IRMA V. LOPEZ request(s) the above action(s) for all or a portion of Tract(s) 4, zoned SU2-R1, located on PACIFIC AVE SW BETWEEN 4TH ST SW AND BARELAS RD SW containing approximately 0.215 acre(s). (K-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF AND TO RECORD THE PLAT AND TO TRANSPORTATION FOR ADDITIONAL RIGHT-OF-WAY FOR SIDEWALK IF UNEXISTING.**

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

~~13. Project#1006936~~
07DRB-70377 SKETCH PLAT REVIEW AND COMMENT

RIO GRANDE SURVEYING CO. agent(s) for CITY OF ALBUQUERQUE REAL ESTATE OFFICE request(s) the above action(s) for all or a portion of Block(s) 29 **TRANSPORTATION CENTER,** zoned SU3, located on 2ND ST SW BETWEEN LEAD SW AND GOLD SW containing approximately 3.3 acre(s). (K-14) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS GIVEN.**

14. Project# 1006939
07DRB-70381 SKETCH PLAT REVIEW AND COMMENT

WAYJOHN SURVEYING INC. agent(s) for E&J INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) 1, **BRUNACINI INDUSTRIAL PARK Unit(s) 3,** zoned M1, located on PHOENIX AVE NE BETWEEN VASSAR DR NE AND GIRARD BLVD NE containing approximately 1.91 acre(s). (H-16) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS GIVEN.**

15. Project# 1006940
07DRB-70384 SKETCH PLAT REVIEW AND COMMENT

COMMUNITY SCIENCES CORPORATION agent(s) for FABIAN IVARRA request(s) the above action(s) for all or a portion of Lot(s) 17-20 Block(s) 12, **ORIGINAL TOWNSITE OF WESTLAND,** zoned C2, located on 90TH ST SW BETWEEN BRIDGE SW AND VIA DEL ORO SW containing approximately 1.2 acre(s). (K-9) **THE ABOVE REQUEST WAS REVIEWED AND COMMENTS GIVEN.**

16. Other Matters: None

ADJOURNED: 11:10

IMPACT FEES – # 1006936

Development Review Board 11/21/07 Agenda Item #13
Sketch Plat: Block 29, Transportation Center Subdivision

Impact Fees will be assessed at the time a building permit is issued. These fees are available on the city's website- www.cabq.gov. Go to the "A-Z" feature and under the letter "I" the first item in this list will be Impact Fees. The areas for which these will be assessed are Central / University for Parks, and the Eastside for Public Safety. This area lies within a Metropolitan Redevelopment Area. Commercial construction is exempt from Im;pact Fees per Resolution R-04-159. Residential construction may have fees reduced or waived if the criteria for affordable housing in R-04-159 are met.

JACK CLOUD
IMPACT FEE ADMINISTRATOR

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
November 21, 2007
DRB Comments

ITEM # 13

PROJECT # 1006936 **APPLICATION # 07-70377**

RE: Block 29, Transportation Center/sketch

Planning has no objection to this request.

Andrew Garcia , Planning Alternate
924-3858/agarcia@cabq.gov

SU-3
13
29/BUS TERMINAL
2ND
1ST
LEAD
Item# 13
Project# 106936
Hearing Date: Nov. 21, 2007

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

12/16/2008 Issued By: E08375

Permit Number: **2008 070 522** **Category Code 910**

Application Number: 08DRB-70522, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: SILVER AVE BETWEEN 2ND AND 1ST

Project Number: 1006936

Applicant
Silver Garden Llc

5021 Indian School Rd Ne
Albuquerque NM 87110
764-3094

Agent / Contact
Rex Vogler Dba Rio Grande Surveying

Po Box 7155
Albuquerque NM 87194
764-8891

Application Fees

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

City Of Albuquerque
Treasury Division

12/16/2008 3:09PM LOC: ANNX
WS# 006 TRANS# 0018
RECEIPT# 00101356-00101356
PERMIT# 2008070522 TRSDMG
Trans Amt $20.00
Conflict Manag. Fee $20.00
VI $20.00
CHANGE $0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

09/23/2008 Issued By: PLNSDH

Permit Number: **2008 070 426** **Category Code 910**

Application Number: 08DRB-70426, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: 2ND ST SW BETWEEN LEAD SW AND GOLD SW

Project Number: 1006936

Applicant
City Of Albuquerque Real Estate Office

Po Box 1293
Albuquerque NM 87103

Agent / Contact
Rio Grande Surveying Co.
Rex Vogler, P.S.
P.O. Box 7155
Albuquerque NM 87194

rgsc@flash.net

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$425.00
	TOTAL:	**$445.00**

City Of Albuquerque
Treasury Division

9/23/2008 12:14PM LOC: ANNX
WSN 006 TRANSN 0009
RECEIPTN 00098050-00098050
PERMITN 2008070426 TRSCCS
Trans Amt $445.00
Conflict Manag. Fee $20.00
DRB Actions $425.00
CK $445.00
CHANGE $0.00

Thank You

SETTLEMENT AGREEMENT AND MUTUAL RELEASE

This Settlement Agreement and Mutual Release ("Settlement Agreement") is entered into by and among PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation ("PNM"), ALVARADO – HDIC, LLC, a New Mexico limited liability company ("AHLLC"), ROMERO-ROSE, LLC, a New Mexico limited liability company (RRLLC), HISTORIC DISTRICT IMPROVEMENT COMPANY, a New Mexico limited liability company (HDIC), and the CITY OF ALBUQUERQUE, a municipal corporation (the "City"). PNM, AHLLC, RRLLC, HDIC and the City are sometimes referred to in this Settlement Agreement individually as a "Party" and collectively as "Parties".

RECITALS

WHEREAS, the City is the owner of a certain tract of land located at Silver Avenue S.W. and 2nd Street S.W., Albuquerque, New Mexico, generally known as Block 29 of the Transportation Subdivision ("Property"); and

WHEREAS, since 1975, PNM has continuously operated the Albuquerque Transportation Vault and related building and equipment ("Vault"), which is located on the Property and is part of PNM's downtown network system; and

WHEREAS, pursuant to a Master Development Agreement between HDIC and the City, HDIC, AHLLC or an affiliate may acquire and develop the Property as part of the Alvarado Square Transportation Center Phase II Housing Project ("Project"); and

WHEREAS, a dispute has arisen among AHLLC, RRLLC, HDIC, the City and PNM regarding how to accommodate the Vault into the design of the Project and PNM's claim to an easement over the Property to access, operate and maintain the Vault ("Dispute"); and

WHEREAS, PNM has agreed to discontinue use of the Vault and allow its removal pursuant to the terms of this Settlement Agreement as an accommodation to AHLLC, RRLLC, HDIC and the City for the Project; and

WHEREAS, the City, PNM, RRLLC, HDIC and AHLLC have negotiated and entered into this Settlement Agreement to resolve all claims that any may have against the others in connection with the Dispute,

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the Parties, intending to be bound, agree as follows:

AGREEMENT

1. Removal of Transformers and Cables. PNM will remove the transformers and any and all other equipment, fixtures, and personal property located in the Vault building (collectively, the "Transformers"), pull associated cables ("Cables") from the Vault to the manhole located southwest of the Vault on 2nd Street S.W., and dispose of the Transformers and Cables, all in accordance with the final construction schedule established for the Project by the Parties and the Project's general contractor ("Construction Schedule") so that the removal of the Transformers and

Cables does not delay AHLLC from commencing the construction of its first phase of the Project. Removal and disposition of the Transformers and Cables will be at the sole expense of PNM. PNM will have no other obligation, financial or otherwise, to any other Party with respect to the Vault or the Property except to remove and dispose of the Transformers and Cables at its own expense, and except as otherwise expressly provided herein.

2. Abandonment of the Vault. After PNM has completely removed the Transformers and Cables, PNM will abandon the Vault building and duct banks in place. Upon receipt of written notice from PNM that it has abandoned the Vault, AHLLC may arrange to remove and dispose of the Vault building and duct banks. Such removal and disposition will be at the sole expense of AHLLC.

3. Release of Easement Claim. PNM agrees to release any claim that it has to use of the Property, including any easement of any form for use of the Property for the Vault, the Transformers and the Cables, upon removal of the Transformers and Cables and abandonment of the Vault building and duct banks. Such release shall not preclude PNM from seeking and obtaining any necessary easements, rights of way, or other rights of ingress or egress to the Property associated with providing electric service to the Project or as otherwise needed to support jurisdictional load.

4. Environmental Claims. Notwithstanding any other provisions in this Settlement Agreement, any release granted hereunder shall not apply with respect to any Environmental Claims currently existing, or that may arise in the future, relating to the Property. "Environmental Claims" shall mean those claims of whatever kind that arise in whole or in part as a result of the alleged violation of any Environmental Laws, or as a result of the presence of Hazardous Materials on or under the Property. "Environmental Laws" shall mean all federal, state, tribal and local laws, rules, regulations and ordinances governing, regulating or relating to public health, pollution, or the protection of the environment, including, but not limited to, the laws and regulations promulgated pursuant to: the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 *et seq.*, as amended, the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 *et seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9601 *et seq.*, as amended, the Federal Water Pollution Control Act, 33 U.S.C. § 1251, *et seq.*, as amended, the Clean Air Act, 42 U.S.C. § 7401 *et seq.*, as amended, the Toxic Substances Control Act, 15 U.S.C. § 2601 *et seq.*, as amended, the Hazardous Materials Transportation Act, 49 U.S.C. § 5101 *et seq.*, as amended, the Safe Drinking Water Act, 42 U.S.C. § 300f *et seq.*, as amended, the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.*, as amended, and the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11001 *et seq*, as amended, the New Mexico Water Quality Act, §74-6-1 *et seq*, as amended, the New Mexico Air Quality Act, § 74-2-1 *et seq.*, as amended, the New Mexico Hazardous Waste Act, §74-4-1, *et seq.*, as amended, the New Mexico Solid Waste Act, §74-9-1, *et seq.*, as amended, the New Mexico Ground Water Protection Act, § 74-6B-1, *et seq.*, as amended, and the New Mexico Hazardous Chemicals Information Act, §74-4D-1, *et seq.*, as amended, together with all applicable similar and related federal, state, tribal and local laws, rules, regulations and ordinances, as may amended from time to time. "Hazardous Materials" shall mean oil, petroleum products and substances, flammable substances, explosive materials, radioactive materials and any other materials, wastes or substances defined as hazardous materials, hazardous wastes or hazardous substances, toxic wastes or substances as defined under any Environmental Laws, and any other materials, substances and wastes which, even if not regulated, may or could pose a hazard to human health and safety or to the environment.

5. No Capacity Guarantee. Nothing herein shall be construed as a capacity guarantee from PNM with respect to electricity to be supplied to or for the Project.

6. Limitation of Liability. Except as expressly set forth in this Settlement Agreement, no Party will be liable to the others under any theory of tort, negligence, contract, strict liability, or other legal or equitable theory for damages, including indirect, consequential, special, incidental or punitive damages, however caused, arising under or in connection with the Dispute, even if the Party has been advised of the possibility of such damages.

7. Mutual Releases. In consideration of the promises stated in this Settlement Agreement, and except as expressly set out herein to the contrary, the Parties hereby forever and fully release each other and their respective successors, assigns, officers, agents, supervisors, managers, parents, subsidiaries, insurers, attorneys, employees, and all persons, firms and corporations having an interest in them, from any and all claims and demands of any kind, nature, or description whatsoever, and from any and all liabilities, damages, injuries, actions or causes of action, either at law or in equity, known and unknown, which the Parties have against each other arising from the Dispute. For the purpose of clarity, these mutual releases do not include any Environmental Claims or claims arising out of the breach of this Settlement Agreement.

8. Notices. Any notices or communications required or permitted under this Settlement Agreement shall be deemed to be given if sent by registered mail, certified mail return receipt requested, facsimile transmission, or delivered personally to the following persons:

To PNM: Public Service Company of New Mexico
Attn: Maureen Gannon
Alvarado Square, MS 2104
Albuquerque, NM 87158
Fax: 505-241-2384

To AHLLC: Alvarado - HDIC, LLC
Attn: Theresa Bell
5021 Indian School Road NE Suite 300
Albuquerque, NM 87110
Fax: 505-764-6604

To RRLLC: Romero-Rose LLC
Attn: Theresa Bell
5021 Indian School Road NE Suite 300
Albuquerque, NM 87110
Fax: 505-764-6604

To HDIC: Historic District Improvement Company
Attn: Theresa Bell
5021 Indian School Road NE Suite 300
Albuquerque, NM 87110
Fax: 505-764-6604

To the City: City of Albuquerque
Attn: Chief Administrative Officer
P. O. Box 1293
Albuquerque, NM 87103

9. Interpretation. This Settlement Agreement was drafted jointly by the Parties. Any ambiguity in this Settlement Agreement shall not be construed against any Party by reason of that Party having drafted all or any portion of this Settlement Agreement. Nothing in this Settlement Agreement, or any action taken under this Settlement Agreement, is intended or shall be construed as an admission by either of the Parties regarding any claimed fact, right or defense. Rather, this Settlement Agreement is made solely so that the Parties can reach a mutually agreeable resolution of the Dispute and all associated disputes as of the date of this Settlement Agreement.

10 Representation by Counsel. Each Party acknowledges and agrees that it is entering into this Settlement Agreement on the advice of its own independent counsel and that it is not relying upon any representations, statements, or promises of any kind by the other Party not explicitly made in this Settlement Agreement.

11. Governing Law. This Settlement Agreement shall be governed by, and construed and enforced in accordance with, the laws of the State of New Mexico, without regard to conflict of laws principles.

12. Confidentiality. The Parties agree that this Settlement Agreement and all matters relating to it shall be kept confidential. Although the Parties shall be entitled to discuss these matters with necessary parties, such as attorneys, auditors, City representatives and financial consultants, or as may be required by law or court order, the Parties shall use reasonable efforts to maintain the confidential nature of such matters. The Parties understand and agree that the fact that the Dispute has settled (but not the terms and conditions thereof) may be disclosed to other third parties, and that the same shall not be a violation of this paragraph.

13. Successors and Assigns. This Settlement Agreement shall be binding upon the Parties, their current and former affiliates, agents, representatives, successors, directors, officers, employees and assigns.

14. Entire Agreement. This Settlement Agreement sets forth the entire agreement and understanding of the Parties with respect to the subject matter hereof and supersedes any and all prior agreements and understandings of the Parties with respect to that subject matter.

15. Amendment and Waiver. No amendment, waiver or modification of this Settlement Agreement shall be effective unless it is in writing and signed by the Party against whom such amendment, waiver or modification is asserted, and then such amendment, waiver, or modification shall be effective only in the specific instance and for the specific purpose for which given.

16. Transfer of Claims. The Parties have not sold, assigned, transferred, conveyed or otherwise disposed of any of the claims referred to in this Settlement Agreement.

17. Counterparts. This Settlement Agreement may be executed in two or more counterparts, and when each Party has signed and delivered at least one counterpart, each counterpart shall be deemed an original, and all counterparts taken together shall constitute one and the same

agreement. Facsimile signatures shall have the same force and effect as if they were original signatures.

18. Headings. The headings in this Settlement Agreement are for convenience only and shall not be used in interpreting the obligations of the Parties under this Settlement Agreement.

19. Severability. If any of the provisions of this Settlement Agreement are for any reason held to be invalid, illegal, or unenforceable, such invalidity, illegality or unenforceability shall not affect any other provision, and this Settlement Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained in this Settlement Agreement.

20. Authority to Sign. The undersigned signatories, by their signatures, represent that they have the capacity and are duly authorized to execute this Settlement Agreement on behalf of their respective Party. Each Party represents that it took all corporate or other action necessary for the performance of its obligations under this Settlement Agreement before signing this Settlement Agreement.

21. Regulatory Impact. PNM has used its best efforts to determine it can meet current and anticipated future electric service demands of the area currently served by the Vault with capacity from other existing vaults and expansion plans and so can decommission the Vault without adverse impact to the spot network system or electric customers in the area. While PNM does not anticipate that any regulatory approvals will be required with respect to abandonment and removal of the Vault, the Parties understand and agree that PNM's ability to fulfill its obligations under this Settlement Agreement may be subject to orders by the New Mexico Public Regulation Commission. PNM shall promptly notify the other Parties if PNM determines that the plans enumerated in this Agreement require notice to or approval by the PRC, and PNM shall use its best efforts to ensure that there is no disruption of the proposed and agreed-to timetable contained in the Construction Schedule.

IN WITNESS WHEREOF, the Parties hereto have caused this Settlement Agreement to be executed on their behalf by their respective representatives to be binding on them on the date that both Parties have signed a copy of this Settlement Agreement.

SIGNATURES TO FOLLOW

PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation

By: _____

Name: E. James Ferland

Its: SVP Ops

Date: 12/4/08

ALVARADO - HDIC, LLC, a New Mexico limited liability company

By: _____

Name: Theresa A Bell

Its: Manager

Date: 12/15/08

ROMERO-ROSE, LLC, a New Mexico limited liability company

By: _____

Name: Theresa A Bell

Its: Manager

Date: 12/15/08

HISTORIC DISTRICT IMPROVEMENT COMPANY, a New Mexico limited liability company

By: _____

Name: _____

Its: _____

Date: _____

THE CITY OF ALBUQUERQUE, a Municipal corporation

By: _____

Name: Ed Adams.

Its: Chief Administrative Officer.

Date: 12-17-08

PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation

By: _____

Name: E. James Ferland

Its: SVP Ops

Date: 12/4/08

ALVARADO - HDIC, LLC, a New Mexico limited liability company

By: _____

Name: _____

Its: _____

Date: _____

ROMERO-ROSE, LLC, a New Mexico limited liability company

By: _____

Name: _____

Its: _____

Date: _____

HISTORIC DISTRICT IMPROVEMENT COMPANY, a New Mexico limited liability company

By: Wendy Lewis

Name: Wendy Lewis

Its: Co Manager

Date: 12/14/08

THE CITY OF ALBUQUERQUE, a Municipal corporation

By: _____

Name: _____

Its: _____

Date: _____

No. of Lots: 4
Nearest Major Streets
2nd Street SW & Lead Ave. SW

FIGURE 12

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

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 16th day of December, 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 Silver Gardens I, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] New Mexico limited liability *, whose address is 5021 Indian School Rd NE, Ste 300, ABQ, NM ** and whose telephone number is 764-3094, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.
*company **87108

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Block 29 & Tract "Park", Transportation Center, ***, recorded on 09/30/1976 in the records of the Bernalillo County Clerk at Book D7, pages 66 ~~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:] City of Albuquerque, a municipal corporation ("Owner"). ***New Mexico Town Company's Original Townsite

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

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

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 15th day of October, 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. 555483

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

Doc# 2008132023
12/16/2008 04:18 PM Page: 1 of 9
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

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

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

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

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

Type of Fee	Amount
Engineering Fee	3.25% of actual construction cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As required per City-approved estimate. (Figure 7)

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

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

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Rio Grande Surveying, Inc; and construction surveying of the private Improvements shall be performed by Rio Grande Surveying, 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 Isaacson & Arfman, P.A., and inspection of the private Improvements shall be performed by Isaacson & Arfman, P.A., both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

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

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by 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 retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

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

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

Type of Financial Guaranty: Irrevocable Letter of Credit No. 20167
Amount: $368,823.43 Name of Financial Institution or Surety
Date City first able to call Guaranty: October 15, 2010 Los Alamos National Bank
[Construction Completion Deadline]: October 15, 2010
If Guaranty other than a Bond, last day City able to call Guaranty is:
December 15, 2010
Additional information: See master Development between City and HDIC filed for record Jan. 19, 200 in Bk-A1 at Pg. 5892

10/21/2

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SUBDIVIDER: Silver Gardens I, LLC

By [Signature]: _____
Name: Theresa A. Bell
Title: Managing Member
Dated: 12-12-08

CITY OF ALBUQUERQUE

_____
City Engineer
Dated: 12-16-08

12/16/08

12-16-08

SUBDIVIDER'S NOTARY

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

OFFICIAL SEAL
Ruth T. Lozano
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 4/22/2011

This instrument was acknowledged before me on 12th day of December, 2008 by [name of person:] Theresa A. Bell, [title or capacity, for instance, "President" or "Owner":] Managing Member of [Subdivider:] Silver Gardens I, LLC

Ruth T. Lozano
Notary Public

My Commission Expires:
4/22/2011

CITY'S NOTARY

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

This instrument was acknowledged before me on 16 day of December, 2008 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Lisa Cornejo
Notary Public

My Commission Expires:

OFFICIAL SEAL
LISA CORNEJO
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 7-5-2010

EXHIBIT A AND POWER OF ATTORNEY ATTACHED

FIGURE 12

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

Date Submitted:
Date Site Plan Approved:
Date Preliminary Plat Approved: 10-15-08
Date Preliminary Plat Expires: 10-15-09
DRB Project No.: 1006936
DRB Application No.: 08-70456

Silver Gardens

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Block 29, Transportation Cntr., New Mexico Town Company's Original Townsite

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification: Private Inspector	Private P.E.	City Cnst Engineer
			Busbays, SW Remove ~~Turnbays~~ Replace with C&G and Sidewalk w/ 4'x4' Tree Planters @ 25' o.c.	2nd Street	Lead Ave.	North R	/	/	/
			4' Wide Alley Addition to Existing Alley	Alley @ North R	Second Street	First Street	/	/	/
		2'-6"	Standard Curb & Gutter	Silver Ave	Second Street	First Street	/	/	/
		40' R/W ~~2~~ F-F Lip to Lip	Permanent Asphalt Paving & 2 Rows Parallel Parking	Silver Ave	Second Street	First Street	/	/	/
		9' Wide	Concrete Sidewalk Both Street Sides w/ 4'x4' Tree Planters @ 25' o.c.	Silver Ave	Second Street	First Street	/	/	/

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification: Private Inspector	Private P.E.	City Cnst Engineer
			Remove Driveways Replace w/ C & G and Sidewalk w/ 4' x 4' Tree Planters @ 25' o.c.	First Street	LEAD AVENUE	NORTH RE	/	/	/
							/	/	/
							/	/	/
							/	/	/
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(rev 9 20 05)

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

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

Approval of Creditable Items:

Impact Fee Admistrator Signature Date

Approval of Creditable Items:

City User Dept. Signature Date

NOTES

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

2 Street lights per City rquirements.

3

AGENT / OWNER

Gilbert Aldaz
NAME (print)

Applied Engr. Inc.
FIRM

Gilbert Aldaz 10-13-08
SIGNATURE date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

10-15-08
DRB CHAIR - date

10-15-08
TRANSPORTATION DEVELOPMENT - date

10/15/08
UTILITY DEVELOPMENT - date

Bradley L. Bingham 10/15/08
CITY ENGINEER - date

Christina Sandoval 10/15/08
PARKS & RECREATION - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

(REV 9-20-06)

LOS ÁLAMOS NATIONAL BANK – SANTA FE OFFICE

2009 Galisteo Street, Santa Fe, New Mexico 87505 / Telephone (505) 988-3200

Irrevocable Letter of Credit *No.* 20167

December 16, 2008

AMOUNT: $368,823.43

City of Albuquerque
Department of the City Engineer
P.O. Box 1293 (One Civic Plaza)
Albuquerque, NM 87103

RE: Letter of Credit for: Silver Gardens I, LLC
City of Albuquerque Project No.: 555483
Project Name: Silver Gardens Subdivision

To Whom It May Concern::

This letter is to advise the City of Albuquerque ("City") that, at the request of, Silver Gardens I, LLC, Los Alamos National Bank in Los Alamos, New Mexico, has established an Irrevocable Letter of Credit in the sum of Three Hundred Sixty Eight Thousand Eight Hundred Twenty-Three Dollars and 43/100 ($368,823.43) U. S. Currency Dollars ("Letter of Credit") for the exclusive purpose of providing the financial guarantee which the City requires, Silver Gardens I, LLC ("Subdivider") to provide for the installation of the improvements which must be constructed at Silver Gardens Tract 1, Phase/Unit #: 1 Project No. 555483 ("Project").

The amount of the Letter of Credit is 125% of the City's estimated cost of construction of improvementsas required by the City's Subdivision Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Subdivider, which was recorded on_____, 20____ in the records of the Clerk of Bernalillo County, New Mexico in Book Misc._____, at pages _____ to _____, as amended ("Agreement").

A Draft or Drafts for any amount up to, but not in excess of Three Hundred Sixty Eight Thousand Eight Hundred Twenty-Three Dollars and 43/100 ($368,823.43) U. S. Currency Dollars is/are available at sight at Los Alamos National Bank, 1200 Trinity Drive, Los Alamos, New Mexico 87544 between October 15, 2010 and December 15, 2010.

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

We hereby agree with the drawer of Draft(s) drawn under and in compliance with the terms of this credit that such Drafts(s) will be duly honored upon presentation to the drawee if negotiated between October 15, 2010 and December 15, 2010.

The Draft(s) drawn under this credit must contain the clause: "Drawn under Letter of Credit and Agreement No. 20167 of Los Alamos National Bank, Los Alamos, New Mexico, dated December 16, 2008 and the original Letter of Credit must be endorsed on the reverse side with the amount of each draft. This Letter of Credit must accompany each draft and be attached to the draft which exhausts this credit.

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

1. Sixty (60) days after the City accepts the completed improvements specifiedin the Agreement; or

2. City notification of Silver Gardens I, LLC failure to comply with the terms of the Agreement, and payment by Certified Check from Los Alamos National Bank to the City of Albuquerque of 125% of the City's estimated costs of completing the improvements specified in the Agreement; or

3. Expiration of the date December 15, 2010, or

4. Written termination of this Letter of Credit by the City of Albuquerque, signed by its Chief Administrative Officer.

This Letter of Credit will terminate at 3:00 o'clock p.m., New Mexico time, December 15, 2010.

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

Sincerely,

Brian McKelvey
Commercial Loan Officer

ACCEPTED:

CITY OF ALBUQUERQUE

By: _____ 12/16/08
Chief Administrative Officer

Dated: 12-06-08

12-16-08

FINANCIAL GUARANTY AMOUNT

12/10/2008

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

Project Description:

Project ID #: 555483, Silver Gardens Tract 1, Phase/Unit #: 1

Requested By: **Genny Donart with Isaacson & Arfman**

Approved estimate amount:		$231,375.88
Contingency Amount:	10.00%	$23,137.59
Subtotal:		$254,513.47
NMGRT	6.75%	$17,179.66
Subtotal:		$271,693.13
Engineering Fee	6.60%	$17,931.75
Testing Fee	2.00%	$5,433.86
Subotal:		$295,058.74
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$368,823.43**

APPROVAL: DATE:

S Woodall 12-10-08

Notes: SIA B-1: 10% Contingency, Final plans and Eng Est have not been approved, Street Lights per City requirements.

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- X Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC)

STORM DRAINAGE — D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ 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... — L A
- ___ 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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Rex Vosler dba Rio Grande Surveying Co PHONE: 764-8891
ADDRESS: PO Box 7115 FAX: 764-8891
CITY: Abq STATE NM ZIP 87194 E-MAIL: rgsc@flash.net

APPLICANT: Silver Garden I LLC PHONE: 764-3094
ADDRESS: 5021 Indian School Rd NE FAX: 764-6604
CITY: Albuquerque Suite 300 STATE NM ZIP 87110 E-MAIL: Theresa@Romero-Rose.com
Proprietary interest in site: purchasing firm List all owners: City of Albuquerque City Redevelopment Agency

DESCRIPTION OF REQUEST: Replat

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. Block 29 & 'Park' Site Block: 29 Unit:
Subdiv/Addn/TBKA: Transportation Center Subd (TBK: Silver Gardens)
Existing Zoning: SU3 Proposed zoning:
Zone Atlas page(s): K-14 UPC Code: 101405124339210 10 MRGCD Map No
101405723231721910

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): 1006936
#08DRB-70426, -70335, -70333

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of existing lots: 2 No. of proposed lots: 4 Total area of site (acres): 3.3 AC
LOCATION OF PROPERTY BY STREETS: On or Near: ~~1st & 2nd on~~ Silver Ave
Between: 2nd and 1st

Check-off if project was previously reviewed by Sketch Plat/Plan ☒, or Pre-application Review Team ☐. Date of review: 7/30/08

SIGNATURE Theresa Bell DATE 12/16/08
(Print) Theresa A Bell Applicant: ☒ Agent: ☐

FOR OFFICIAL USE ONLY Form revised 4/07

	INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
☒	All checklists are complete	08DRB - 70522			$
☒	All fees have been collected		CMF		$ 20.00
☒	All case #s are assigned				$
NA ☐	AGIS copy has been sent				$
☒	Case history #s are listed				$
NA ☐	Site is within 1000ft of a landfill				$
NA ☐	F.H.D.P. density bonus				Total
NA ☐	F.H.D.P. fee rebate	Hearing date 12.17.08			$ 20.00

12.16.08
Planner signature / date

Project # 1006936

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
X Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
__ 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**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request (See Sept. 23, 08 Letter)
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

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

Applicant name (print)

12-16-08
Applicant signature / date

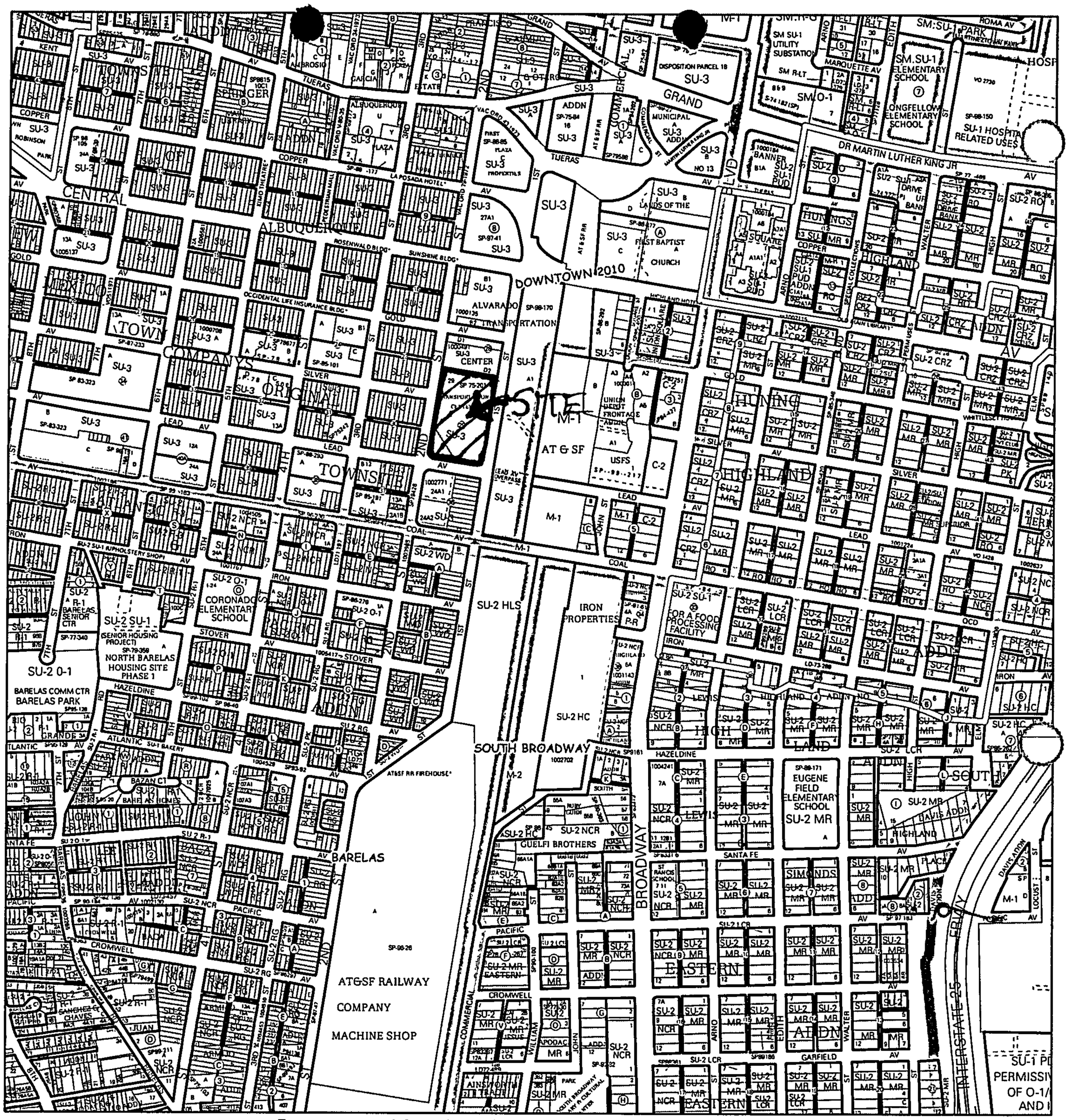
Form revised **October 2007**

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

Application case numbers
08DRB - ____ - 70522
____ - ____ - ____
____ - ____ - ____

12-16-08
Planner signature / date

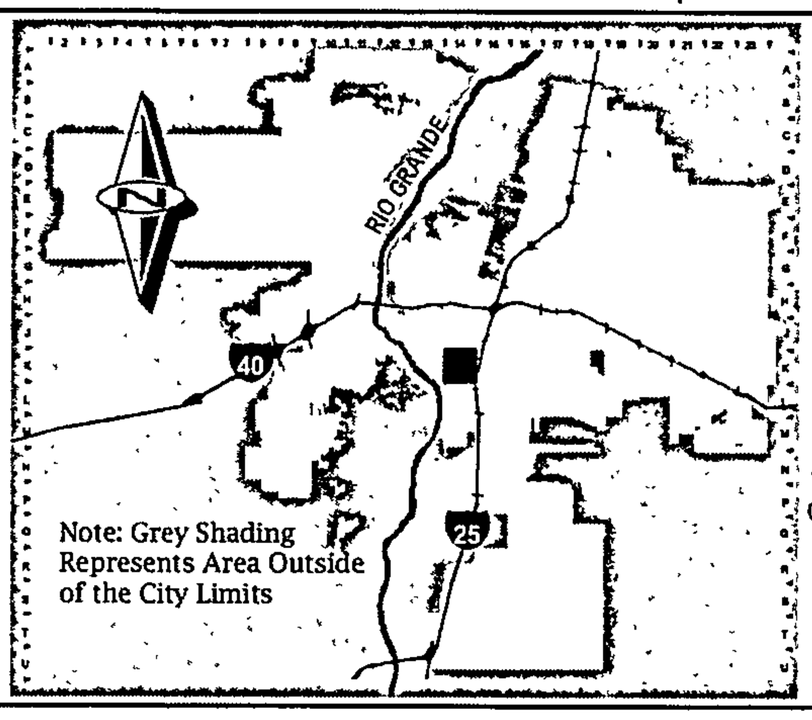
Project # 10016936



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

Albuquerque Geographic Information System

Map amended through: 6/13/2008



Zone Atlas Page:

K-14-Z

Selected Symbols

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

0 750 1,500 Feet

RIO GRANDE SURVEYING CO., P.C.
P.O. BOX 7155 ABQ., N.M. 87194 VOICE & FAX (505)764-8891 rgsc@flash.net

October 07, 2008

Planning Department
Attn: Mr. Jack Cloud, DRB Chairman
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico

VIA FACSIMILE TRANSMISSION
924-3864

RE: PROJECT #1006936
BLOCK 29 OF TRANSPORTATION CENTER SUBD.
(THE OLD GREYHOUND BUS TERMINAL SITE AT 300 SECOND STREET S.W.)

Dear Mr. Cloud,

The above referenced project is scheduled for hearing at the October 8 DRB meeting. We respectfully request deferral to the October 15 DRB meeting to allow us more time to address remaining issues regarding our submittal.

Thank you for your consideration on this matter, and please do not hesitate to call if you have any questions or need additional information.

Sincerely,
RIO GRANDE SURVEYING CO., PC

Rex J. Vogler, PS
President

Q.C.D. to convert alley on north side to public R/W
(easement)

QUITCLAIM DEED

THE CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("Grantor"), quitclaims to THE CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("Grantee"), whose address is P. O. Box 1293, Albuquerque, NM, 87103, the following described real property ("Property") in Bernalillo County, New Mexico:

A southerly portion of Tract D2, Alvarado Transportation Center as shown on attached Exhibit "A"

The intent of this deed is to convert the described Property from an easement for public pedestrian, service access and utility easement to public right of way.

DATED: June 9, 2008

GRANTOR:

The City of Albuquerque, a New Mexico Municipal Corporation

By: Ed Adams
for Bruce J. Perlman, Ph.D.
Chief Administrative Officer

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

Ed Adams This instrument was acknowledged before me on June 9, 2008, by ~~Bruce J. Perlman, Ph.D.~~, Chief Administrative Officer of The City of Albuquerque, a New Mexico municipal corporation, on behalf of said corporation.

Felicia Lizon
Notary Public

My Commission Expires:
1-27-2010

DocN 2008066663
06/11/2008 04:07 PM Page: 1 of 2
QCD R:$11.00 M. Toulouse Oliver, Bernalillo County

LEGAL DESCRIPTION:

A tract of land being the southerly portion of Tract "D-2" of ALVARADO TRANSPORTATION CENTER, said southerly portion identified as "Public Pedestrian, Service Access and Utility Easement Granted by this Plat" as the same is shown and designated on the plat entitled "Plat of Tracts "D-1" and "D-2", Block 28, ALVARADO TRANSPORTATION CENTER, Albuquerque, Bernalillo County, New Mexico" filed for record in the Office of the Bernalillo County Clerk on September 27, 2000 in Plat Book 2000C, page 251, and said southerly portion being more particularly described as follows:

BEGINNING at the southeast corner of the tract herein described, a point on the westerly right-of-way line of First Street S.W., being also the southeast corner of aforesaid Tract "D-2", thence, leaving said westerly right-of-way line of First Street S.W. and running

34.52 feet northwesterly along the arc of a curve to the left to a point of tangency, said curve having a radius of 22.00 feet, a central angle of 89°53'43", and a chord of 31.08 feet bearing N. 35°47'13" W.; thence,

N. 80°44'05" W., a distance of 256.28 feet to a point of curve; thence,

34.58 feet southwesterly along the arc of a curve to the left to the southwest corner, a point of tangency on the easterly right-of-way line of Second Street S.W., said curve having a radius of 22.00 feet, a central angle of 90°03'30", and a chord of 31.13 feet bearing S. 54°14'10" W.; thence,

N. 09°12'25" E, along said easterly right-of-way line of Second Street S.W. a distance of 37.63 feet to the northwest corner; thence, leaving said easterly right-of-way line of Second Street S.W.,

S. 80°50'22" E., a distance of 300.15 feet to the northeast corner, a point on the aforesaid westerly right-of-way line of First Street S.W.; thence,

S. 09°09'38" W. along said westerly right-of-way line of First Street S.W. for a distance of 38.12 feet to the southeast corner and POINT OF BEGINNING.

Legal Description Prepared By:

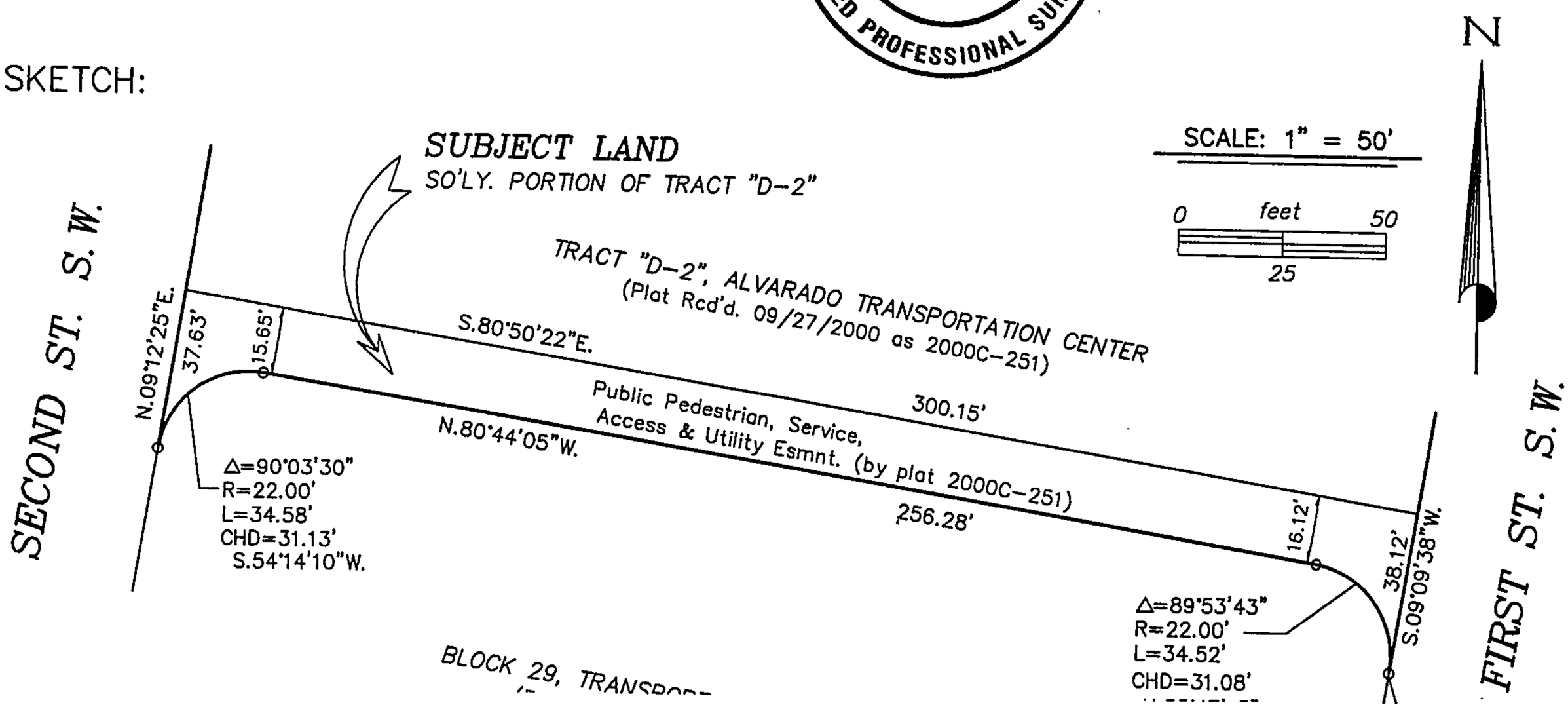
Rex J. Vogler *May 27, 2008*
NM PS #10466

NOTE: The bearing and distance calls used hereon are from the record plat referenced above.

Rio Grande Surveying Co. P.C.
P.O. Box 7155
Abq. NM 87194
764-8891 Voice & Fax

REX J. VOGLER
NEW MEXICO
10466
LICENSED PROFESSIONAL SURVEYOR

SKETCH:



IMPACT FEES – # 1006936

Development Review Board 11/21/07 Agenda Item #13
Sketch Plat: Block 29, Transportation Center Subdivision

Impact Fees will be assessed at the time a building permit is issued. These fees are available on the city's website- www.cabq.gov. Go to the "A-Z" feature and under the letter "I" the first item in this list will be Impact Fees. The areas for which these will be assessed are Central / University for Parks, and the Eastside for Public Safety. This area lies within a Metropolitan Redevelopment Area. Commercial construction is exempt from Im;pact Fees per Resolution R-04-159. Residential construction may have fees reduced or waived if the criteria for affordable housing in R-04-159 are met.

JACK CLOUD
IMPACT FEE ADMINISTRATOR

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION
- ___ Major Subdivision action
- X 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
- ___ Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)

P
- ___ 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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Rex Vogler, dba Rio Grande Surveying Co. PHONE: 764-8891
ADDRESS: P.O. Box 7155 FAX: 764-8891
CITY: ABQ. STATE NM ZIP 87194 E-MAIL: rgsc@flash.net

APPLICANT: C.O.A. Real Estate Office PHONE: ___
ADDRESS: P.O. Box 1293 FAX: ___
CITY: ABQ. STATE NM ZIP 87103 E-MAIL: ___
Proprietary interest in site: Owner List all owners: ___

DESCRIPTION OF REQUEST: Final Plat Review of Minor Subd.

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. Block 29 & 'Park' Site Block: 29 Unit: ___
Subdiv/Addn/TBKA: Transportation Center Subd. (TBK: SILVER GARDENS)
Existing Zoning: SU-3 Proposed zoning: ___
Zone Atlas page(s): K-14 UPC Code: 101405724339210 10 MRGCD Map No ___
101405723231721910

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): ___
Proj. # 1006936

CASE INFORMATION:
Within city limits? X Yes Within 1000FT of a landfill? ___
No. of existing lots: 2 No. of proposed lots: 4 Total area of site (acres): 3.3 ac.
LOCATION OF PROPERTY BY STREETS: On or Near: 300 2ND St. SW
Between: Lead and Gold

Check-off if project was previously reviewed by Sketch Plat/Plan ☒ or Pre-application Review Team ☐. Date of review: 07/30/08

SIGNATURE [signature] DATE Sept. 23, 2008
(Print) ___ 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	Action	S.F.	Fees
08DRB - 70426	P&F	S(3)	$ 425.00
	CMF		$ 20.00
			$
			$
			$
			$
			Total $ 445.00

Hearing date 10/01/08

Sandy Handley 09/23/08
Planner signature / date

Project # 1006936

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.**

✓ 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**
✓ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Zone Atlas map with the entire property(ies) clearly outlined
✓ Letter briefly describing, explaining, and justifying the request
✓ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

Rex Vogler
Applicant name (print)

Sept. 23, 2008
Applicant signature / date

Form revised 4/07

☑ Checklists complete
☑ Fees collected
☑ Case #s assigned
☐ Related #s listed

Application case numbers
08DRB-_____-70426
_____-_____-_____
_____-_____-_____

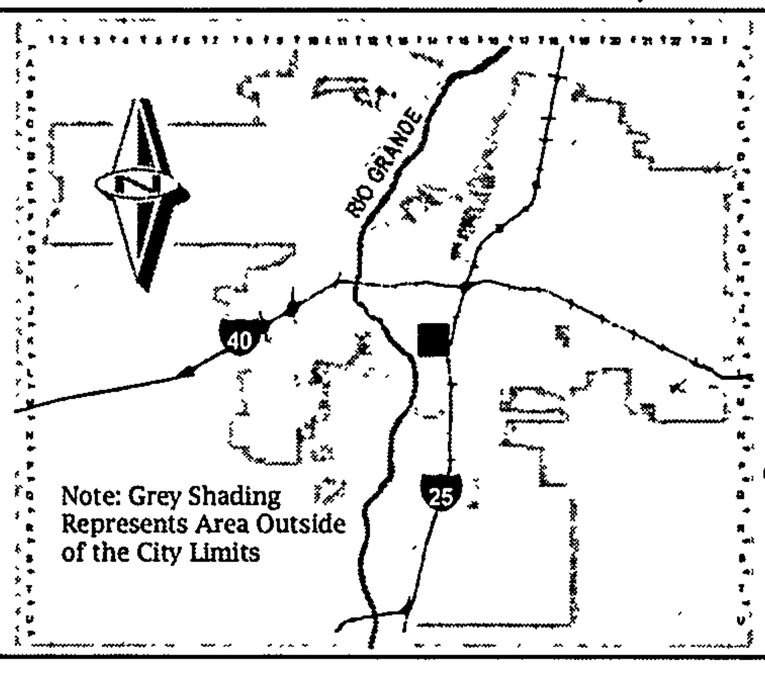
Sandy Handley 09/23/08
Planner signature / date

Project # 1006936

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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



Zone Atlas Page:

K-14-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

0 750 1,500 Feet

RIO GRANDE SURVEYING CO., P.C.

P.O. BOX 7155 ABQ., N.M. 87194 VOICE & FAX (505)764-8891 rgsc@flash.net

September 23, 2008

Mr. Jack Cloud, AICP
Development Review Board Chairperson
City of Albuquerque, Planning Dept.
Albuquerque, New Mexico

RE: PROJECT #1006936
SILVER GARDENS SUBDIVISION
FINAL PLAT SUBMITTAL

Dear Mr. Cloud,

This project was previously submitted and reviewed for Amended Sketch Plat at the July 30, 2008 DRB meeting. It is hereby being re-submitted for Final Plat review The subject site is the former Greyhound Bus terminal site together with a former city park at the northeast quadrant of Second and Lead streets S.W.

The City of Albuquerque is the current owner of the property, and, upon completion of the subdivision, will convey the tracts for urban redevelopment for residential and live/work units, consistent with the guidelines of the Downtown 2010 Plan and the Alvarado Transportation Center Redevelopment Plan, guided by the Alvarado Task Force.

The Disclosure Statement on the plat states the technical aspects of the plat action we request..

Per your request at the July 30 DRB meeting for Sketch Plat, I enclose a copy of the original (current) plat of the subject property; a copy of the plat for the north adjoiner that created a 16' Access Easement, and a copy of the document that converted the Access Easement to public right-of-way.

Feel free to call if you have any questions or need additional information.

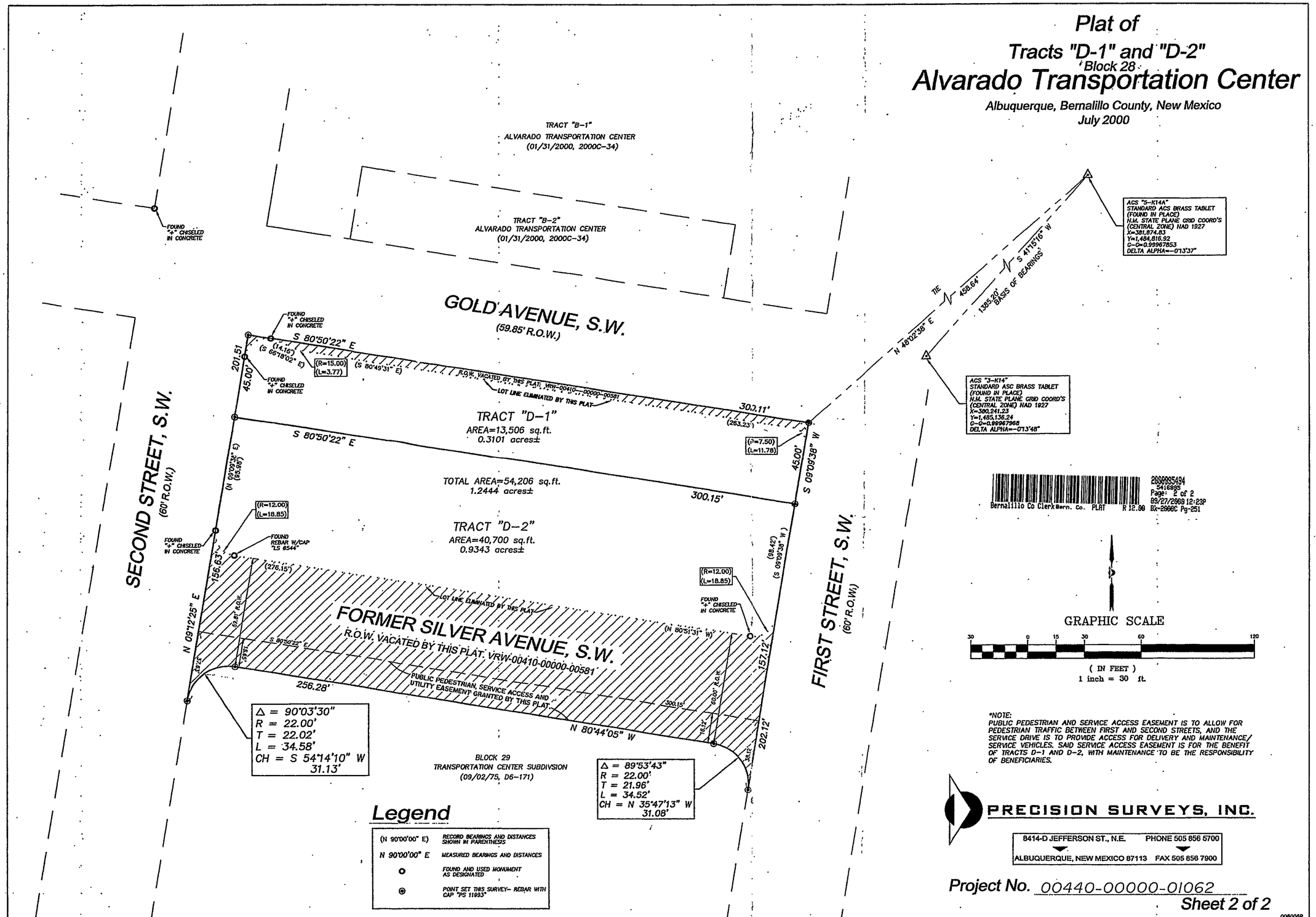
Sincerely,
RIO GRANDE SURVEYING CO., PC

Rex J. Vogler, PS
President

enclosures (3)

Plat for North adjoiner

Plat of
Tracts "D-1" and "D-2"
Block 28
Alvarado Transportation Center
Albuquerque, Bernalillo County, New Mexico
July 2000



2000095494
5416989
Page: 2 of 2
09/27/2000 12:23P
Bernalillo Co Clerk Bern. Co. PLAT R 12.00 Bk-2000C Pg-251

*NOTE:
PUBLIC PEDESTRIAN AND SERVICE ACCESS EASEMENT IS TO ALLOW FOR PEDESTRIAN TRAFFIC BETWEEN FIRST AND SECOND STREETS, AND THE SERVICE DRIVE IS TO PROVIDE ACCESS FOR DELIVERY AND MAINTENANCE/ SERVICE VEHICLES. SAID SERVICE ACCESS EASEMENT IS FOR THE BENEFIT OF TRACTS D-1 AND D-2, WITH MAINTENANCE TO BE THE RESPONSIBILITY OF BENEFICIARIES.

Legend

(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES SHOWN IN PARENTHESIS
N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
◉	POINT SET THIS SURVEY- REBAR WITH CAP "PS 11993"

PRECISION SURVEYS, INC.
8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900

Project No. 00440-00000-01062

Sheet 2 of 2

006006P

Plat of

Tracts "D-1" and "D-2"
Block 28
Alvarado Transportation Center

Albuquerque, Bernalillo County, New Mexico
July 2000

Location Map
Zone Atlas Map No. K-14-Z

Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN PROJECTED SECTION 20, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, TOWN OF ALBUQUERQUE GRANT, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACT D, BLOCK 28, OF ALVARADO TRANSPORTATION CENTER, AS THE SAME IS SHOWN AND DESIGNATED ON THE MAP OF SAID PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON AUGUST 20, 1998, IN MAP BOOK 98C, PAGE 251, TOGETHER WITH THE VACATED SOUTHERLY PORTION OF GOLD AVENUE, S.W., AND ALL OF VACATED SILVER AVENUE, S.W. LYING BETWEEN FIRST STREET, S.W. AND SECOND STREET, S.W., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF DESCRIBED TRACT, LYING ON THE INTERSECTION OF THE PROJECTED SOUTH RIGHT OF WAY LINE OF GOLD AVENUE, S.W. AND THE PROJECTED WEST RIGHT OF WAY LINE OF FIRST STREET, S.W., MARKED BY A SET REBAR WITH CAP "PS 11993", FROM WHENCE A TIE TO ACS MONUMENT "5-K14A" BEARS N 48°02'38" E, A DISTANCE OF 458.64 FEET;

THENCE FROM SAID BEGINNING POINT S 09°09'38" W, ALONG SAID WEST RIGHT-OF-WAY LINE OF FIRST STREET, S.W., A DISTANCE OF 202.12 FEET TO THE SOUTHEAST CORNER OF DESCRIBED TRACT, ALSO BEING A POINT OF CURVATURE, MARKED BY A SET REBAR WITH CAP "PS 11993";

THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE, ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 89°53'43", AN ARC LENGTH OF 34.52 FEET, AND A CHORD BEARING AND DISTANCE OF N 35°47'13" W, 31.08 FEET, TO A POINT OF TANGENCY LYING ON THE SOUTH RIGHT-OF-WAY LINE OF SILVER AVENUE, S.W., MARKED BY A SET REBAR WITH CAP "PS 11993";

THENCE N 80°44'05" W ALONG SAID SOUTH RIGHT-OF-WAY LINE OF SILVER, S.W., A DISTANCE OF 256.28 FEET TO A POINT OF CURVATURE, MARKED BY A SET REBAR WITH CAP "PS 11993";

THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 22.00 FEET, A CENTRAL ANGLE OF 90°03'30", AN ARC LENGTH OF 22.02 FEET, AND A CHORD BEARING AND DISTANCE OF S 54°14'10" W, 31.13 FEET, TO A POINT OF TANGENCY LYING ON THE EAST RIGHT-OF-WAY LINE OF SECOND STREET, S.W., MARKED BY A SET REBAR WITH CAP "PS 11993";

THENCE N 09°12'25" E ALONG SAID EAST RIGHT-OF-WAY LINE OF SECOND STREET, S.W., A DISTANCE OF 201.51 FEET TO THE NORTHWEST CORNER OF DESCRIBED TRACT, MARKED BY A SET "+" CHISELED IN CONCRETE;

THENCE LEAVING SAID EAST RIGHT OF WAY LINE, S 80°50'22" E ALONG SAID SOUTH RIGHT-OF-WAY LINE OF GOLD AVENUE, S.W., A DISTANCE OF 300.11 FEET TO TO THE POINT OF BEGINNING CONTAINING 1.2444 ACRES (54,206 SQUARE FEET) MORE OR LESS, NOW COMPRISING TRACTS D-1 AND D-2, ALVARADO TRANSPORTATION CENTER.

Subdivision Data:

GROSS SUBDIVISION ACREAGE: 1.2444 ACRES±
ZONE ATLAS INDEX NO: K-14-Z
NO. OF TRACTS CREATED: 2
NO. OF LOTS CREATED: 0
MILES OF FULL-WIDTH STREETS CREATED: 0 MILES
DATE OF SURVEY: NOVEMBER 1999, FIELD VERIFIED APRIL 2000.

Bernalillo Co Clerk Bern. Co. PLAT R 12.00
2000095494
5416985
Page: 1 of 2
09/27/2000 12:23P
Bk-2000C Pg-251

Notes:

1. MISC. DATA: ZONING
2. BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE – NAD 1927).
3. ALL DISTANCES ARE GROUND DISTANCES–US SURVEY FOOT.
4. THIS PROPERTY LIES WITHIN PROJECTED SECTION 20, TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M., TOWN OF ALBUQUERQUE GRANT, BERNALILLO COUNTY, NEW MEXICO.
5. THE PURPOSE OF THIS PLAT IS TO REPLAT 1 TRACT INTO TWO NEW TRACTS, VACATE PUBLIC RIGHT OF WAY. (00410-00000-00581) AND GRANT EASEMENTS.
6. PLAT SHOWS ALL EASEMENTS OF RECORD.
7. SP NO. 00071310110294.

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

Easements

THIS PLAT SHOWS EXISTING RECORDED AND APPARENT EASEMENTS AS NOTED.
PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

1. PNM ELECTRIC SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, COMMUNICATION FACILITIES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
2. PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
3. U.S. WEST FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED AND AERIAL COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
4. COMCAST CABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE. CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFER WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OR POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO WITHIN OR NEAR EASEMENTS SHOWN ON THIS PLAT.

Free Consent and Dedication

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND/OR PROPRIETOR. EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER AND/OR PROPRIETOR DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNER AND/OR PROPRIETOR DOES HEREBY GRANT THE EASEMENT FOR PUBLIC PEDESTRIAN AND SERVICE ACCESS AS SHOWN HEREON.

7/14/00
LAWRENCE RAEL — DATE
CHIEF ADMINISTRATION OFFICER
CITY OF ALBUQUERQUE, A NEW MEXICO MUNICIPAL CORPORATION

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #: 1-014-057-230367-22701
PROPERTY OWNER OF RECORD: City of Albuquerque
BERNALILLO COUNTY TREASURER'S OFFICE: 9/25/2000

Acknowledgement

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF July 2000 BY LAWRENCE RAEL, CHIEF ADMINISTRATION OFFICER, CITY OF ALBUQUERQUE, A NEW MEXICO MUNICIPAL CORPORATION

BY Renie Carmona — MY COMMISSION EXPIRES: 1/15/2002

OFFICIAL SEAL
Renie Carmona
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires:

Approvals

Application No. 1000491
00440 00000 01062 (PIF)
00410 00000 00581 (VRW)

CITY PLANNER, ALBUQUERQUE PLANNING DIVISION	9/25/00 DATE
CITY ENGINEER	9-7-00 DATE
A.M.A.F.C.A.	9-7-00 DATE
TRAFFIC ENGINEER	8-09-00 DATE
For CITY SURVEYOR	7-26-2000 DATE
PROPERTY MANAGEMENT	9-22-00 DATE
WATER RESOURCES DEPARTMENT	8/9/00 DATE
PARKS AND RECREATION DEPARTMENT	8/9/00 DATE
PNM ELECTRIC SERVICES	8-19-00 DATE
PNM GAS SERVICES	8-19-00 DATE
U.S. WEST COMMUNICATIONS	08-15-00 DATE
COMCAST CABLE, INC.	8/15/00 DATE

Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF STANDARDS FOR LAND SURVEYS OF THE N.M. BOARD OF REGISTRATION FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

7/13/2000
LARRY W. MEDRANO — DATE
N.M.P.S. No. 11993

LARRY W. MEDRANO
NEW MEXICO
11993
REGISTERED PROFESSIONAL SURVEYOR

PRECISION SURVEYS, INC.
8414-D JEFFERSON ST., N.E. PHONE 505 856 5700
ALBUQUERQUE, NEW MEXICO 87113 FAX 505 856 7900

Project No. 00440-00000-01062

Sheet 1 of 2

006008P

ASSESSOR OFFICE USE ONLY:
JOB #: _____
QUAD: SW

BERNALILLO COUNTY
TREASURER'S CERTIFICATION

Page 1 of 1

NAME OF PLAT: **PLAT FOR SILVER GARDENS SUBDIVISION**

ZONE ATLAS: **K-14**

NOTE: Taxes for any tax year are the responsibility of the owner of record on January 1 of that tax year. 7-38-7 and 7-38-47 NMSA 1978

This is to certify that taxes are current and paid through tax year _____ on property(s) identified within the boundaries of the above referenced plat and identified by the following uniform property code (UPC) numbers.

UPC #(s) provided by: **George S. Benavidez** (Bernalillo County Assessor's Office) **12/17/08** (Date)

1-014-057-232317-219-01

1-014-057-247339-219-10

DOC# 2008132498

12/17/2008 02:42 PM Page: 1 of 2
tyPLAT R:$12.00 B: 2008C P: 0264 M. Toulous Olivere, Bernalillo Cour

DOC# 2008132498

12/17/2008 02:42 PM Page: 2 of 2
tyPLAT R:$12.00 B: 2008C P: 0264 M. Toulous Olivere, Bernalillo Cour

THIS IS TO CERTIFY THAT 2008 TAXES ARE CURRENT AND PAID ON UPC'S LISTED ON THIS TAX CERTIFICATE.

1-014-057-232317-219-01
1-014-057-247339-219-10

PROPERTY OWNER OF RECORD
City of Albuquerque

BERNALILLO COUNTY TREASURER'S OFFICE 12/17/08
(Date)

In compliance with County Commission Ordinance 97-2, section 78-2 adopted March 1, 1997.

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- X Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC)

STORM DRAINAGE — L D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ 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... — A
- ___ 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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Rex J. Vogler, dba Rio Grande Surveying Co. PHONE: 764 8891
ADDRESS: P.O. Box 7155 FAX: 764-8891
CITY: ABQ. STATE NM ZIP 87194 E-MAIL: rgsc@flashinet

APPLICANT: C.O.A. Real Estate Office PHONE: ___
ADDRESS: P.O. Box 1293 FAX: ___
CITY: ABQ. STATE NM ZIP 87103 E-MAIL: ___
Proprietary interest in site: Owner List all owners: ___

DESCRIPTION OF REQUEST: Sketch Plat review of minor subd.

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. Block 29 & Park Site Block: 29 Unit: ___
Subdiv/Addn/TBKA: Transportation Center Subd.
Existing Zoning: SU-3 Proposed zoning: ___
Zone Atlas page(s): K-14 UPC Code: 101405724339210 10 101405723231721910 MRGCD Map No ___

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? X Yes Within 1000FT of a landfill? ___
No. of **existing** lots: 2 No. of **proposed** lots: 4 Total area of site (acres): 3.3 ac.
LOCATION OF PROPERTY BY STREETS: On or Near: 300 Second St. SW
Between: Lead and Gold

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

SIGNATURE ___ DATE 07/22/08
(Print) Rex J. Vogler Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
08DRB-70335	SK		$ 0
			$
			$
			$
			$
		Total	$ 0

Hearing date July 30, 2008

7.22.08
Planner signature / date

Project # 10069936

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.**

__ 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 ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

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

Rex J. Vogler
Applicant name (print)

07/22/08
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
06DRB-_____-70335
_____-_____-_____
_____-_____-_____

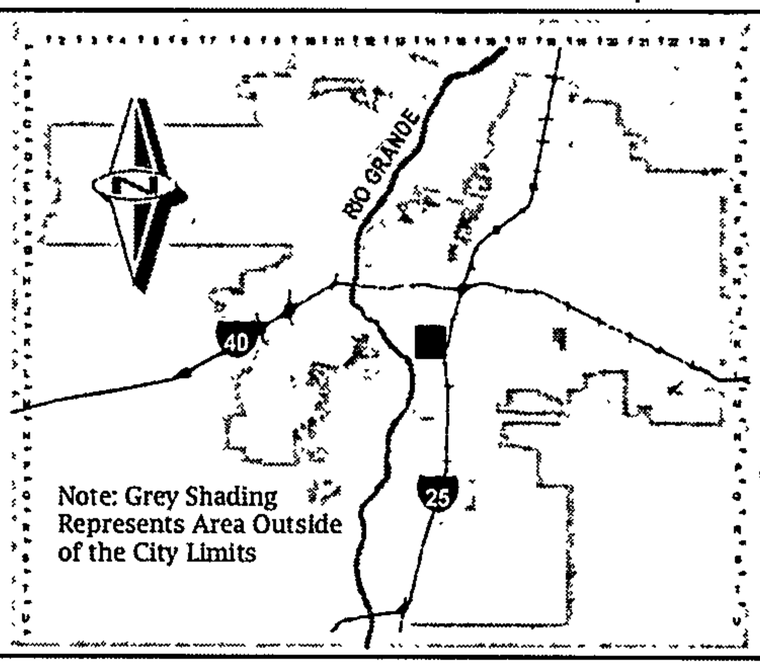
Planner signature / date

Project # 1006936

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

Albuquerque Geographic Information System

Map amended through: 1/4/2008



Zone Atlas Page:

K-14-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

0 750 1,500 Feet

RIO GRANDE SURVEYING CO., P.C.

P.O. BOX 7155 ABQ., N.M. 87194 VOICE & FAX (505)764-8891 rgsc@flash.net

July 22, 2008

Mr. Jack Cloud, AICP
Development Review Board Chairperson
City of Albuquerque, Planning Dept.
Albuquerque, New Mexico

RE: PROJECT #1006936
SILVER GARDENS SUBDIVISION
AMENDED SKETCH PLAT SUBMITTAL

Dear Mr. Cloud,

This project was previously submitted and reviewed for Sketch Plat at the November 21, 2007 DRB meeting. It is being re-submitted for Sketch Plat review with a new name and further subdivision of the southerly land. The subject site is the former Greyhound Bus terminal site together with a former city park at the northeast quadrant of Second and Lead streets S.W.

The City of Albuquerque is the current owner of the property, and, upon completion of the subdivision, will convey the tracts for urban redevelopment for residential and live/work units, consistent with the guidelines of the Downtown 2010 Plan and the Alvarado Transportation Center Redevelopment Plan, guided by the Alvarado Task Force.

The Disclosure Statement on the plat states the technical aspects of the plat action we request..

Proposed Site Plans are enclosed with this submittal for your review, and a sketch that shows the dimensions from curb to property lines for the Traffic Engineer.

Feel free to call if you have any questions or need additional information.

Sincerely,
RIO GRANDE SURVEYING CO., PC

Rex J. Vogler, PS
President

enclosures (3)

CITY OF ALBUQUERQUE

THREE HUNDRED YEARS
1706 ★ 2006
ALBUQUERQUE
Making History

November 5, 2007

To Whom It May Concern:

Please be advised that for purposes of a subdivision matter, Mr. Rex Vogler, DBA Rio Grande Surveying Company, P.C., P.O. Box 7155, Albuquerque, New Mexico 87194, is authorized to act on behalf of the City of Albuquerque.

Sincerely,

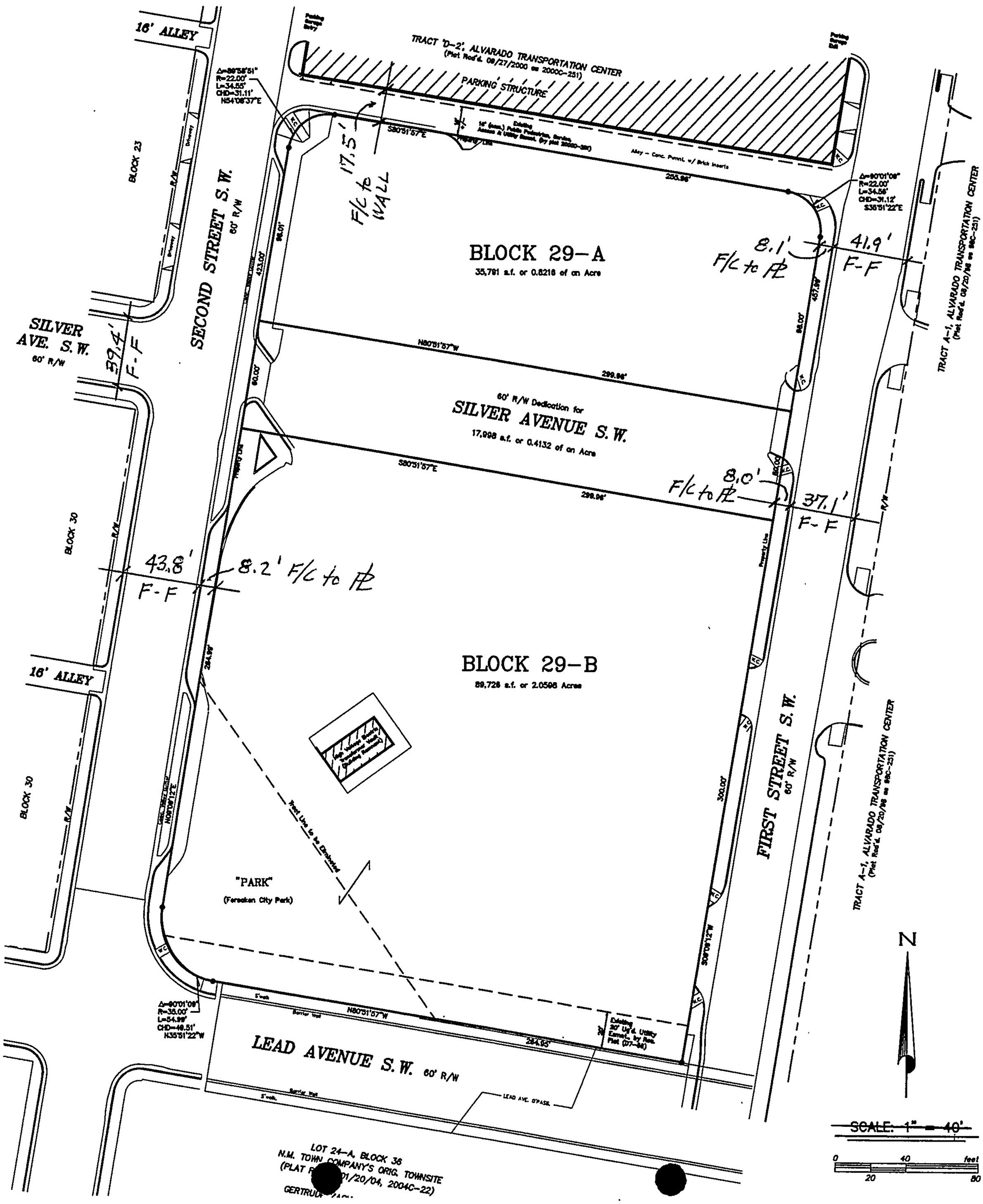
Cynthia Borrego
Executive Director

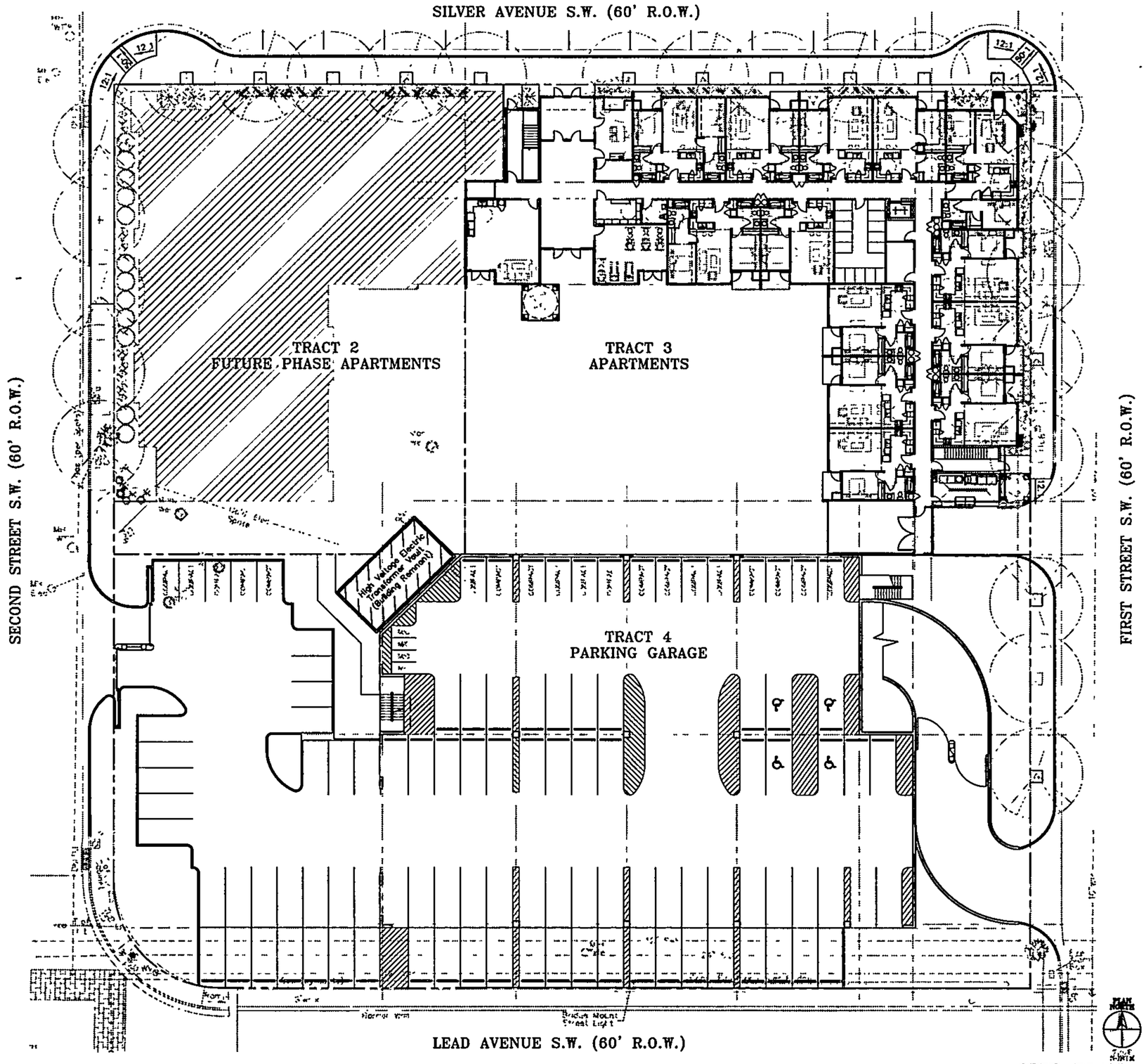
P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov


16' ALLEY
TRACT 'D-2', ALVARADO TRANSPORTATION CENTER
(Plat Rec'd. 08/27/2000 as 2000C-251)
PARKING STRUCTURE
Δ=89°58'51"
R=22.00'
L=34.55'
CHD=31.11'
N54°06'37"E
S80°51'57"E
17.5'
F/C to WALL
255.96'
Δ=90°01'08"
R=22.00'
L=34.56'
CHD=31.12'
S35°51'22"E
BLOCK 23
SECOND STREET S.W.
60' R/W
BLOCK 29-A
35,791 s.f. or 0.8216 of an Acre
8.1'
F/C to ℄
41.9'
F-F
TRACT A-1, ALVARADO TRANSPORTATION CENTER
(Plat Rec'd. 08/20/98 as 98C-251)
SILVER AVE. S.W.
60' R/W
39.4'
F-F
N80°51'57"W
299.96'
60' R/W Dedication for
SILVER AVENUE S.W.
17,998 s.f. or 0.4132 of an Acre
S80°51'57"E
299.96'
8.0'
F/C to ℄
37.1'
F-F
BLOCK 30
43.8'
F-F
8.2' F/C to ℄
16' ALLEY
BLOCK 29-B
89,728 s.f. or 2.0598 Acres
FIRST STREET S.W.
60' R/W
TRACT A-1, ALVARADO TRANSPORTATION CENTER
(Plat Rec'd. 08/20/98 as 98C-251)
BLOCK 30
"PARK"
(Forsaken City Park)
Δ=90°01'08"
R=33.00'
L=54.99'
CHD=49.51'
N35°51'22"W
N80°51'57"W
LEAD AVENUE S.W. 60' R/W
LEAD AVE. O'PASS.
LOT 24-A, BLOCK 38
N.M. TOWN COMPANY'S ORIG. TOWNSITE
N
SCALE: 1" = 40'
0
40
feet
20
80



A1 SCALE: 1/16" = 1'-0"

SITE PLAN

Development Plan
South of Silver Ave.

CLAUDIO VIGIL ARCHITECTS

1801 Rio Grande Boulevard, N.W.
Albuquerque, New Mexico
Phone: (505) 842-1113
Fax: (505) 842-1330

OWNERSHIP OF INSTRUMENTS OF SERVICE
All design concepts, details, specifications, plans, computer files, field data, notes and other documents and instruments prepared by Claudio Vigil Architects, P.C. as instruments of service shall remain the property of Claudio Vigil Architects, P.C. Claudio Vigil Architects, P.C. shall retain all common law, statutory and other reserved rights, including the copyright thereto.

CONSULTANTS

3012 Huron St. #100
Denver, Colorado
Phone: (303) 861-5704

PROFESSIONAL SEAL

PRELIMINARY FOR CONSTRUCTION

SILVER GARDENS PARKING GARAGE

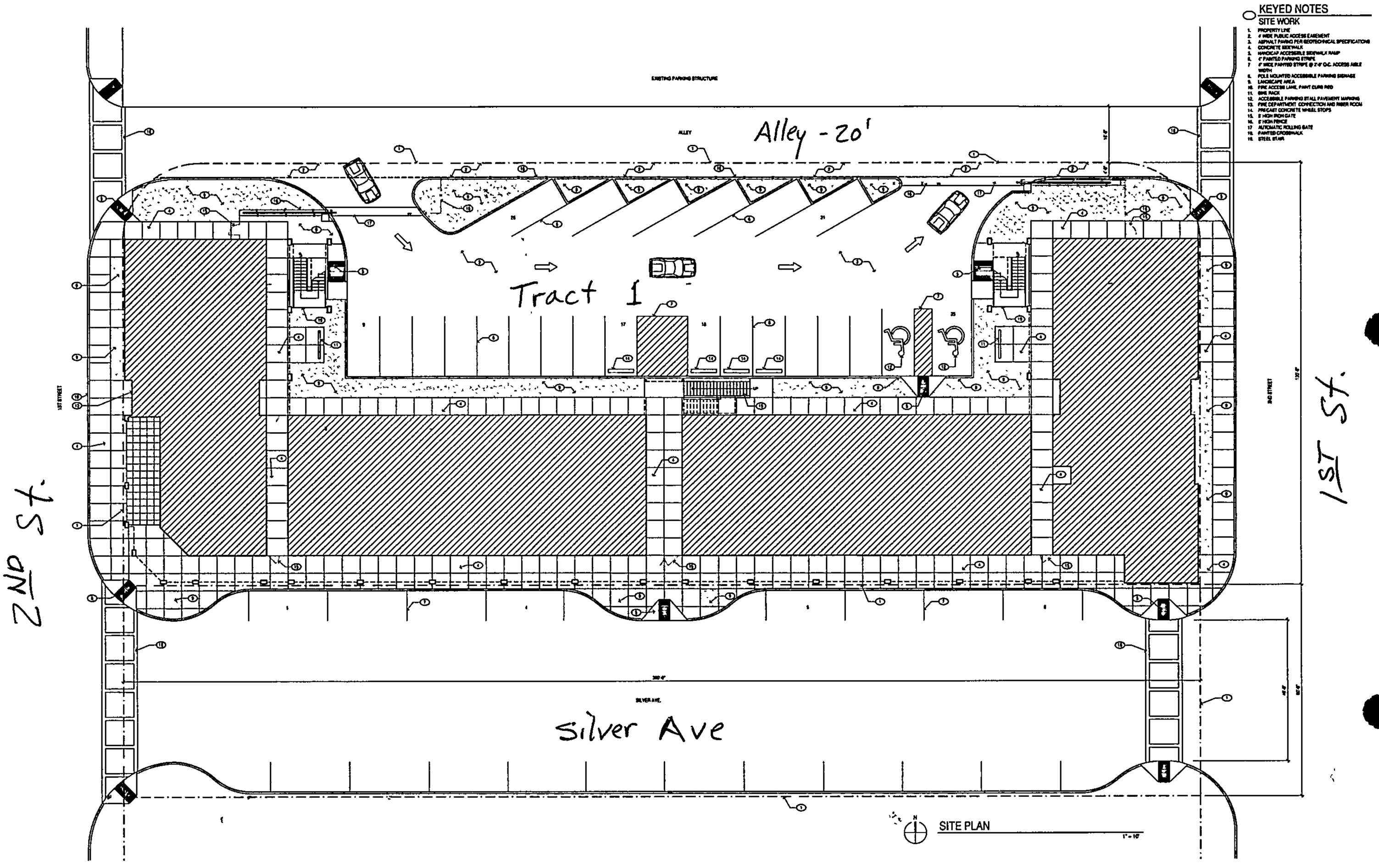
BLOCK 29 – ALVA[redacted]
TRANSPORTATION C[redacted]
ALBUQUERQUE, NEW [redacted]

MARK	DATE	DESCRIPTION
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-
-	-	-

PROJECT NUMBER:	05410
DRAWING FILE:	
DRAWN BY:	PWR
CHECK BY:	
COPYRIGHT:	CLAUDIO VIGIL ARCHITECTS 2006
DATE:	7.18.06

SHEET TITLE
SITE PLAN

SHEET NUMBER
AS101



GREEN COMMONS - LIVE / WORK
SILVER AVE. SW
ALBUQUERQUE, NM

Development Plan
North of Silver Ave.

Dekker/Perich/Sabatini
architecture • interiors • landscape • planning • engineering
7601 Jefferson NE, Suite 100
Albuquerque, NM 87109
505 761-9700
fax 761-4222

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1006936 **AGENDA ITEM NO: 13**

SUBJECT:

Sketch Plat/Plan

ACTION REQUESTED:

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

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

ENGINEERING COMMENTS:

An approved infrastructure list is required for Preliminary/Final Plat approval.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED X discussed; 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: November 21, 2007

City of **Albuquerque**

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ___ Major Subdivision action
- X Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P
- ___ for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan
- ___ Cert. of Appropriateness (LUCC) — L

STORM DRAINAGE — D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ 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... — A
- ___ 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 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Rex J. Vogler dba Rio Grande Surveying Co. PHONE: 764-8891
ADDRESS: P.O. Box 7155 FAX: ___
CITY: Abq. STATE NM ZIP 87194 E-MAIL: rgsc@flash.net

APPLICANT: City of Albuquerque Real Estate Office PHONE: ___
ADDRESS: P.O. Box 1293 FAX: ___
CITY: Abq. STATE NM ZIP 87103 E-MAIL: ___
Proprietary interest in site: Owner List all owners: ___

DESCRIPTION OF REQUEST: Sketch plat review of minor subd.

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. Block 29 & 'Park' site Block: 29 Unit: ___
Subdiv/Addn/TBKA: Transportation Center Subdivision D7-66
Existing Zoning: SU-3 Proposed zoning: ___
Zone Atlas page(s): K-14 UPC Code: 101405724733921910 MRGCD Map No ___
101405723231721901

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? X Yes Within 1000FT of a landfill? ___
No. of existing lots: 2 No. of proposed lots: 2 Total area of site (acres): 3.3 ac.
LOCATION OF PROPERTY BY STREETS: On or Near: 300 Second St. SW
Between: Lead SW and Gold SW

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

SIGNATURE [signature] DATE 11/05/07
(Print) Rex J. Vogler 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	Action	S.F.	Fees
07DRB - ___ - 70377	SK	S(3)	$ 0
___ - ___ - ___	___	___	$ ___
___ - ___ - ___	___	___	$ ___
___ - ___ - ___	___	___	$ ___
___ - ___ - ___	___	___	$ ___
			Total $ 0

Hearing date 11/21/07

Sandy Handley 11/07/07
Planner signature / date

Project # 1006936

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.**

__ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

Rex J. Vogler
Applicant name (print)

11/05/07
Applicant signature / date

Form revised 4/07

☑ Checklists complete
☑ Fees collected
☑ Case #s assigned
☐ Related #s listed

Application case numbers
07DRB - - 70377
- -
- -

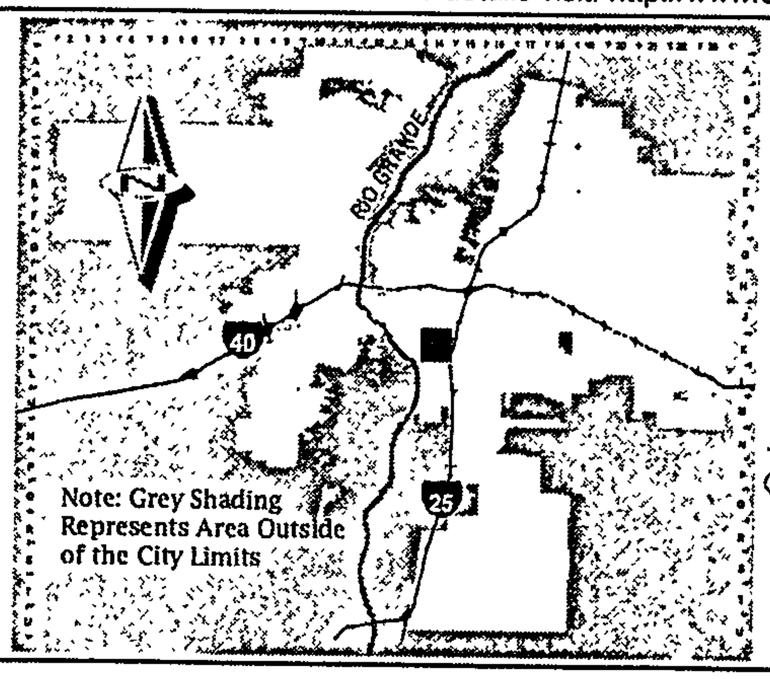
Sandy Handley 11/07/07
Planner signature / date

Project # 1006936

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

Albuquerque Geographic Information System

Map amended through: 9/6/2007



Zone Atlas Page:

K-14-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

0 750 1,500 Feet

CITY OF ALBUQUERQUE

November 5, 2007

To Whom It May Concern:

Please be advised that for purposes of a subdivision matter, Mr. Rex Vogler, DBA Rio Grande Surveying Company, P.C., P.O. Box 7155, Albuquerque, New Mexico 87194, is authorized to act on behalf of the City of Albuquerque.

Sincerely,

Cynthia Borrego
Executive Director

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

RIO GRANDE SURVEYING CO., P.C.
P.O. BOX 7155 ABQ., N.M. 87194 VOICE & FAX (505)764-8891 rgsc@flash.net

November 05, 2007

Development Review Board Chairperson
City of Albuquerque, Planning Dept.
Albuquerque, New Mexico

RE: PROJECT #
BLOCK 29 OF TRANSPORTATION CENTER SUBD.
(THE OLD GREYHOUND BUS TERMINAL SITE AT
300 SECOND STREET S.W.)

Dear Sir or Madam,

As referenced above, the subject site is the old Greyhound Bus terminal site together with a former city park at the northeast corner of Second and Lead streets S.W. We are submitting this application for Sketch Plat review for a Minor Subdivision.

The technical aspects of the replat request is to: 1) eliminate the existing tract line between the 'Park' site and Block 29, and, 2) dedicate 60 foot right of way for Silver Avenue S.W. across Block 29, thus creating Block 29-A on the north side of Silver Avenue and Block 29-B on the south side of Silver Avenue.

The City of Albuquerque is the current owner of the property, and, upon completion of replatting, will convey the 2 tracts for urban redevelopment of residential and live/work units, consistent with the Alvarado Transportation Center Redevelopment Plan, guided by the Alvarado Task Force.

Feel free to call if you have any questions or need additional information.

Sincerely,
RIO GRANDE SURVEYING CO., PC

Rex J. Vogler, PS
President