



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

September 9, 2015

**Project# 1007140**  
15DRB-70300 - 2YR SUBD IMP AGMT EXT (2YR SIA)

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH. LLC request(s) the above action(s) for all or a portion of Tract(s) 2-A, **JUAN TABO HILLS Unit(s) 3B**, zoned SU-1 RD, located on JUAN TABO HILLS BLVD BETWEEN MANACHOS AND TUJERAS ARROYO containing approximately 9.54 acre(s). (M-22)


At the September 9, 2015 Development Review Board meeting, the two year extensions of the Subdivision Improvements Agreements were approved.

If you wish to appeal this decision, you must do so by September 24, 2015, in the manner described below.

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

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



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



Jack Cloud, DRB Chair



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

4. **Project# 1007140**  
14DRB-70279 AMENDED SDP FOR  
SUBDIVISION  
14DRB-70280 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL 
- MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Tract(s) 2-A, **JUAN TABO HILLS Unit(s) 3B**, zoned SU-1/R-D, located on JUAN TABO HILLS BLVD BETWEEN MANACHAS AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22) **THE AMENDED SITE PLAN FOR BUILDING SUBDIVISION WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF AND SITE PLAN NOTE REVISIONS. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AMAFCA SIGNATURE, AGIS DXF AND REVISIONS TO THE SITE PLAN.**
5. **Project# 1008952**  
14DRB-70139 MINOR - FINAL PLAT  
APPROVAL 
- ISAACSON AND ARFMAN PA agent(s) for MVG DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 6, 7, & 8 AND 25, 26, & 27, Block 21, Tract A, Unit A, **NORTH ALBUQUERQUE ACRES**, zoned SU-2 FOR O-1, located on PALOMAS AVE NE BETWEEN WYOMING BLVD NE AND PASEO DEL NORTE NE containing approximately 3.29 acre(s). (D-19) *[Deferred from 5/14/14, 5/21/14, 5/28/14]* **THE FINAL PLAT WAS APPROVED.**
6. **Project# 1010178**  
14DRB-70281 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
14DRB-70282 VACATION OF PRIVATE  
EASEMENT
- CARTESIAN SURVEYS INC agent(s) for WM WESTERN PROPERTIES, GENERAL PARTNER request(s) the above action(s) for all or a portion of Lot(s) 4A(1A), 4-A(2) & 4-A(3A), **HOME DEVELOPMENT ADDITION** zoned SU-1 PLANNED COMMERCIAL, located on HOTEL AVE NE BETWEEN EUBANK BLVD NE AND HOTEL CIRCLE NE containing approximately 5.2173 acre(s). (K-21) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED: \_\_\_\_\_ THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO**
- 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.**
7. Other Matters:  
ADJOURNED:



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

April 23, 2014

### **Project# 1007140**

**14DRB-70102 VACATION OF PRIVATE EASEMENT**

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2-A, JUAN TABO HILLS zoned SU-1/RD, located on JUAN TABO HILLS BETWEEN MONACHOS AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the April 23, 2014 Development Review Board meeting, 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.

### Findings

The request was filed by the owners of all the frontage of the easement(s) proposed for vacation.

The public welfare is in no way served by retaining the easement(s); based on the proposed development and replat, the City of Albuquerque does not anticipate any need to utilize the existing easement(s).

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. The applicant is both the benefited and burdened party of the easement(s) proposed for vacation.

### CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
2. An amended site development plan for subdivision shall be approved prior to or concurrent with the required replat.

If you wish to appeal this decision, you must do so by May 8, 2014 in the manner described below.

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

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

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

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





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



Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A  
file

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

7. **Project# 1009840**  
14DRB-70002 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
14DRB-70004 SUBDN DESIGN  
VARIANCE FROM MIN DPM STDS 
- THE GROUP agent(s) for NAVISH LLC request(s) the above action(s) for all or a portion of Lot(s) 31, Block(s) 3, **NORTH ALBUQUERQUE ACRES** zoned RD, located on CARMEL AVE BETWEEN VENTURA BLVD AND VILLAGE AVE containing approximately .88 acre(s). (C-20) **DEFERRED TO 1/22/14.**
8. **Project# 1007140**  
14DRB-70006 MAJOR - FINAL PLAT  
APPROVAL
- MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Tract 2-A [**TBKA JUAN TABO HILLS Unit 3B**], zoned RD, located on JUAN TABO HILLS BETWEEN MANACHOS AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22) **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR RECORDING INFORMATION AND TO RECORD.**
9. **Project# 1004073**  
14DRB-70007 MAJOR - FINAL PLAT  
APPROVAL 
- MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 4-A, **JUAN TABO HILLS [TBKA VOLTERRA VILLAGE]** zoned SU-1, located on JUAN TABO HILLS BETWEEN TIJERAS ARROYO GALLANT ROX containing approximately 25.84 acre(s). (M-21 AND 22) **DEFERRED TO 1/22/14.**
10. **Project# 1002739**  
14DRB-70005 EXT OF SIA FOR TEMP  
DEFR SDWK CONST 
- MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for KB HOME OF NEW MEXICO request(s) the above action(s) for all or a portion of **ANDERSON HEIGHTS Unit(s) 2**, zoned RD, located on 118TH ST SW BETWEEN DENNIS CHAVEZ SW AND GIBSON BLVD SW containing approximately 24.07 acres. (N-8)
- A TWO YEAR EXTENSION TO THE 4-YEAR AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**
11. **Project# 1002885**  
13DRB-70813 EXT OF SIA FOR TEMP  
DEFR SDWK CONST 
- GARCIA/KRAEMER & ASSOCIATES agent(s) for PETE DASKALOS request(s) the above action(s) for all or a portion of **OCTILLO SUBDIVISION** zoned R-D 4 DU/ACRE, located on HOLBROOK ST NE BETWEEN ANAHEIM AVE NE AND PASEO DEL NORTE NE containing approximately 24.15 acres. (C-21) ) [*Deferred from 1/8/14*] **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

*Site Plans:* It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1007140

Application #: 13DRB-70623

Project Name: Juan Tabo Hills Unit 3B

Agent: MARK GOODWIN & ASSOC.

Phone #:

\*\*Your request was approved on 1-15-14 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): - provide adjacent recording info  
- to record

**PLATS:**

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.
- County Treasurer's signature must be obtained prior to the recording of the plat with 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.

**ALL SITE PLANS:**

3 copies of the approved site plan. Include all pages.



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

September 18, 2013

Project# 1007140  
13DRB-70672 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, SU-1, located on JUAN TABO BLVD SE BETWEEN MONACHOS RD SE AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the September 18, 2013 Development Review Board meeting, an extension of the preliminary plat was approved to May 8, 2014 to coincide with the expiration of the vacation(s). The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in black ink, appearing to read "Jack Cloud".

Jack Cloud, DRB Chair

Cc: Mark Goodwin & Assoc. – P.O. Box 90606 – Albuquerque, NM 87199  
Cc: Juan TAbO Hills LLC – P.O. Box 1443 – Corrales NM 87048  
Marilyn Maldonado  
file





## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

May 8, 2013

**Project# 1007140/1007139**  
13DRB-70511 VACATION OF PUBLIC EASEMENTS  
13DRB-70534

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS LLC request(s) the referenced/ above action(s) for all or a portion of Lot(s) 2A, 3A, 4A, 1-C, **JUAN TABO HILLS UNIT 1**, zoned RD/SU-1, located on the east side of JUAN TABO BLVD SE south of the TIJERAS ARROYO containing approximately 81 acre(s). (M-21 & 22)

At the May 8, 2013 Development Review Board meeting, 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.

### Findings

(A)(1) The vacation request was filed by the owners of the footage of private land abutting the proposed vacation and by the Planning Director on behalf of the City of Albuquerque owned property.

(B)(1) There is sufficient right of way remaining to serve the needs for flood protection as well as maintaining the trail on top of the right of way such that the public welfare is in no way served by retaining the portion proposed for vacation.

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

The vacation of the Blanket Drainage Easement is for Lots 2A and 4A only.

### CONDITIONS:

The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year. Utility Companies shall acknowledge the vacations by their signatures on the replat; previous conditions of Final Plat still apply.

A separate Drainage Easement shall be recorded concurrently with the required replat to cover existing facilities, which may not be released until alternative facilities are constructed and accepted by the City.

If you wish to appeal this decision, you must do so by May 23, 2013 in the manner described below.

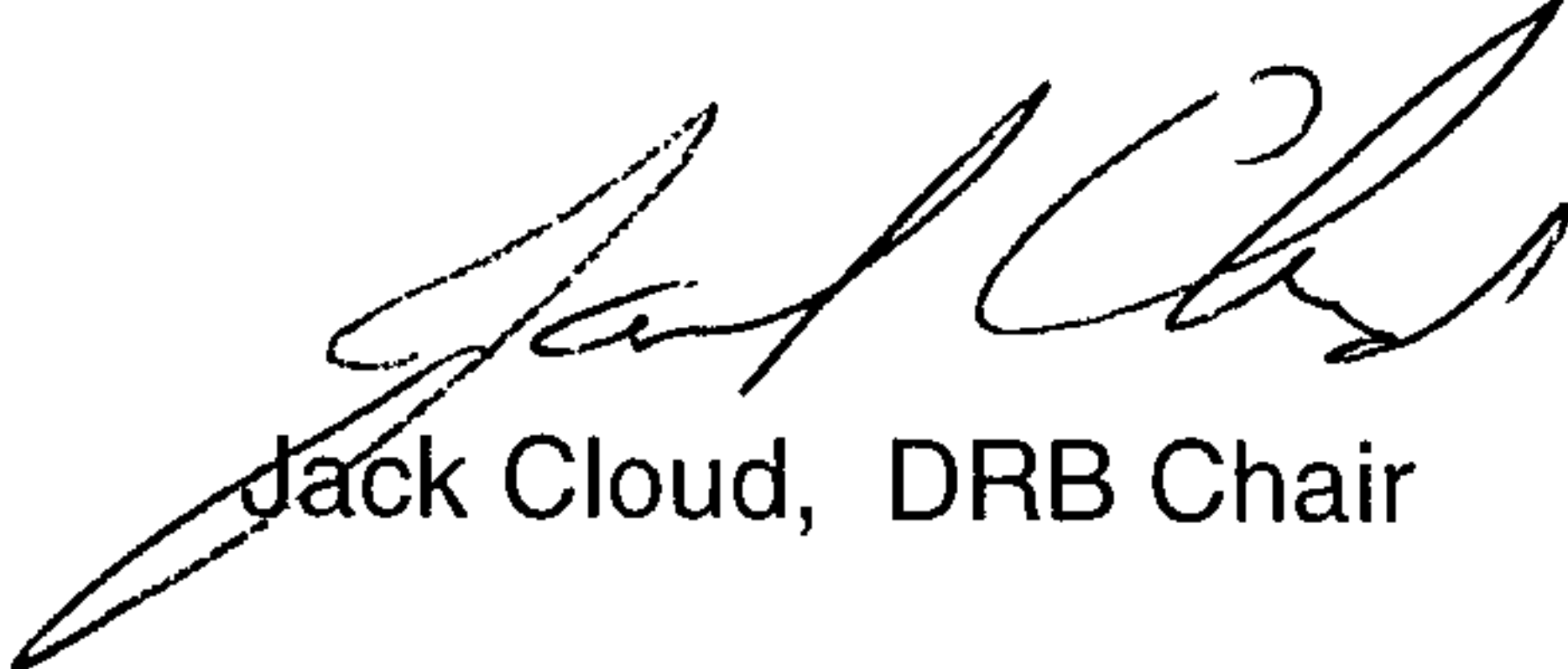
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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



Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A

Cc: Edwin Barsis – 1538 Catron Ave SE 87123

Cc: Roger Hartman – 1308 Wagon Train Dr SE 87123

Cc: Jeanette Jennings – 600 Via Posada SE – Albuquerque, NM 87123

Cc: Cathy Richey – 500 Accipitrine SE - Albuquerque, NM 87123

Marilyn Maldonado

File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

August 29, 2012

**Project# 1007140**

12DRB-70177 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B**, zoned RD-SU1, located on JUAN TABO BLVD BETWEEN MONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the August 29, 2012 Development Review Board meeting, a 4 week extension to 9/26/12 of the preliminary plat was approved.

The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in black ink, appearing to read "Jack Cloud".

Jack Cloud, DRB Chair

Cc: Mark Goodwin and Associates P.A.  
Marilyn Maldonado  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 29, 2011

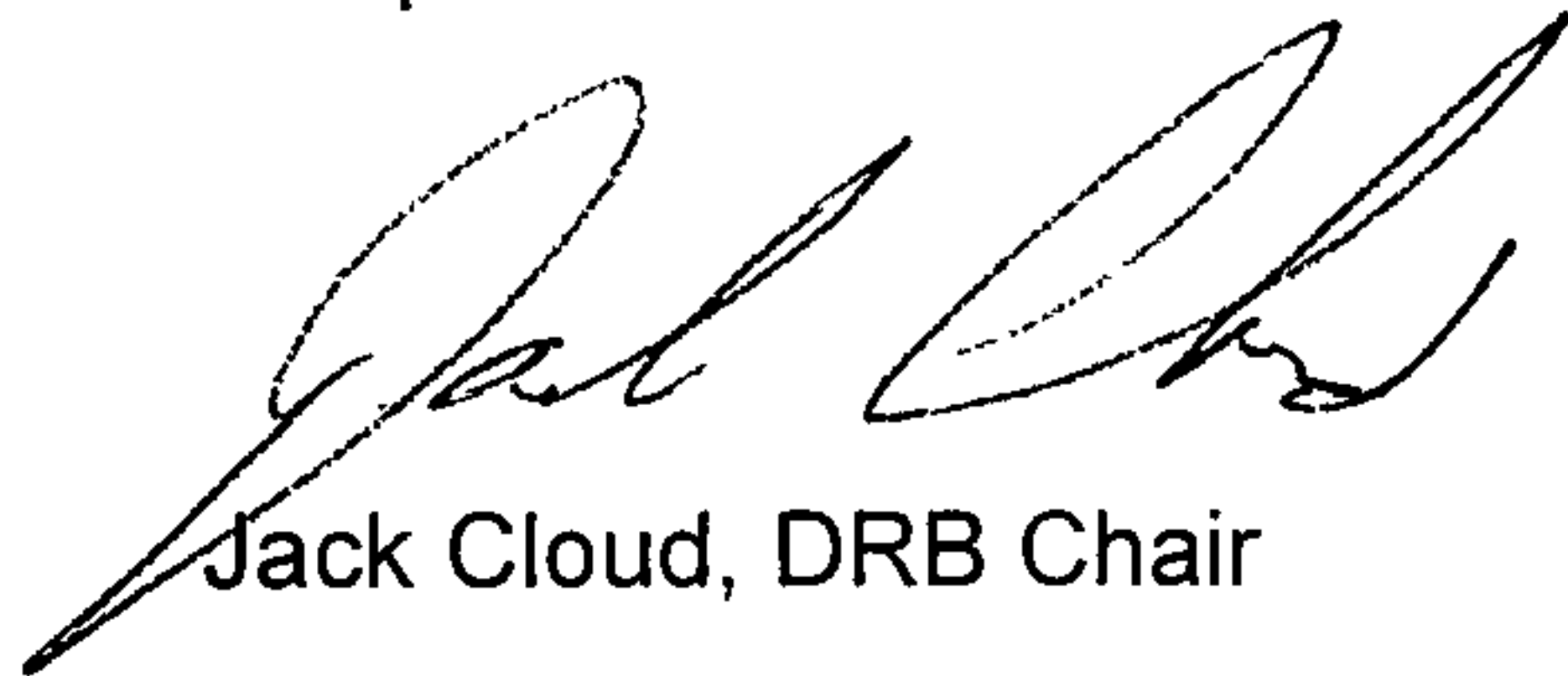
**Project# 1007140**  
11DRB-70139 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned R-D, located on JUAN TABO BLVD BETWEEN VIA POSADA AND GULFSTREAM DR containing approximately 41.0368 acre(s). (M-22)

At the June 29, 2011 Development Review Board meeting, the one-year extension of the preliminary plat was approved.

The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)



Jack Cloud, DRB Chair

Cc: Mark Goodwin & Associates, PA – P.O. Box 90606 – Albuquerque, NM  
87199

Cc: JTH, LLC – P.O. Box 1443 – Corrales, NM 87048

Marilyn Maldonado

file



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 30, 2010

**Project# 1007140**  
10DRB-70173 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES PA agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, located on JUAN TABO BLVD BETWEEN VIA POSADA AND GULFSTREAM DR containing approximately 41.02442 acre(s). (M-22)

At the June 30, 2010 Development Review Board meeting, a one year extension for the Preliminary Plat was approved along with the associated SIDEWALK WAIVER 08DRB-70300 and TEMP DEFT SWDK CONST 08DRB-70301, and subject to the completion or re-approval of VACATION OF PUBLIC EASEMENT 08DRB-70297 as well as any required vacations for associated PROJECTS 1007139 and 1004073; conditions of Final Plat and SDP FOR SUBDIVISION 08DRB-70302 remain applicable.

If you wish to appeal this decision, you must do so by July 15, 2010 in the manner described below.

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

The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

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

  
Jack Cloud, AICP, DRB Chair




Cc: Mark Goodwin & Associates – P.O. Box 90606 – Albuquerque, NM 87199

Cc: JTH, LLC – P.O. Box 1443 – Corrales, NM 87048

Marilyn Maldonado

File

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

8. **Project# 1003095**  
13DRB-70625 EXT OF MAJOR  
PRELIMINARY PLAT  WAYJOHN SURVEYING INC agent(s) for FRANK CASALE / JAMES SELIGMAN request(s) the above action(s) for all or a portion of Lot(s) 2-A-2-A, **LA MIRADA SUBDIVISION** zoned O-1, located on LA MIRADA PLACE NE BETWEEN WYOMING BLVD NE AND PENNSYLVANIA ST NE containing approximately 1.1443 acre(s). (G-19) **A 3 MONTH EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**
9. **Project# 1007139**  
13DRB-70624 MAJOR - FINAL PLAT  
APPROVAL  MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of Lot(s) 3A, 4A, 1-C, **JUAN TABO HILLS, UNIT 1** zoned RD, SU-1, located east of JUAN TABO BLVD BETWEEN GULFSTREAM AND TIJERAS ARROYO containing approximately 71.54 acre(s). (M-21& 22) **INDEFINITELY DEFERRED.**
10. **Project# 1007140**  
13DRB-70623 MAJOR - FINAL PLAT  
APPROVAL MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B** zoned RD, SU-1, located east of JUAN TABO BLVD BETWEEN CONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22) **INDEFINITELY DEFERRED.**
11. **Project# 1009619**  
13DRB-70574 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
13DRB-70612 SUBDN DESIGN  
VARIANCE FROM MIN DPM STDS PAUL CHAVEZ request(s) the above action(s) for all or a portion of Lot(s) 107-A-1-B-2, **MRGCD MAP #31** zoned RA-2, located on PEDRONCELLI BETWEEN RIO GRANDE AND DURANES LATERAL containing approximately .41 acre(s). (F-13) *[Deferred from 7/17/13]* **DEFERRED TO 7/31/13 AT THE AGENT'S REQUEST.**
12. **Project# 1005354**  
13DRB-70549 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  SURV-TEK INC agent(s) for SAWMILL COMMUNITY LAND TRUST request(s) the above action(s) for all or a portion of Lot(s) 1, SAWMILL VILLAGE, **SAWMILL VILLAGE** zoned SU-2, SU-1 FOR PRD, located on BELLAMAH BETWEEN 18TH ST AND 19TH ST containing approximately 5.701 acre(s). (H-13) *[Deferred from 5/22/13]* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR UTILITY COMPANY SIGNATURES.**
13. Approval of the Development Review Board Minutes for **July 10 & 17<sup>th</sup> 2013.**  
Other Matters: None.



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin and Associates, PA PHONE: 828-2200  
 ADDRESS: PO Box 90606 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: khyshear@goodwinengineers.com  
 APPLICANT: JTH, LLC PHONE: 975-1502  
 ADDRESS: PO Box 1443 FAX: \_\_\_\_\_  
 CITY: Corrales STATE NM ZIP 87048 E-MAIL: rsvg7@rayleehomes.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: 1 year extension approval for the LOMR for Juan Tabo Hills Unit 3B.

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

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

Lot or Tract No. Tract 2-A Block: \_\_\_\_\_ Unit: 3B  
 Subdiv/Addn/TBKA: Juan Tabo Hills  
 Existing Zoning: SU-1/R-D Proposed zoning: SU-1/R-D MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): M-22 UPC Code: 102205510444320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): #1007140  
14DRB-70279, 14DRB-70280, 14DRB-7006, 13DRB-70511, 13DRB-70534

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  no  
 No. of existing lots: 40 No. of proposed lots: 40 Total site area (acres): 9.54  
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Hills Blvd.  
 Between: Manachos and Tijeras Arroyo  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE Diane Haber DATE 8/8/15  
 (Print Name) Diane Haber Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15DRB-70300</u>	<u>SIA</u>	_____	<u>\$50.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>PMF</u>	_____	<u>\$2000</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee-rebate	_____	_____	_____	\$ _____
Hearing date <u>September 9, 2015</u>				Total <u>\$70.00</u>

[Signature] 8-27-15 Staff signature & Date Project # 1007140

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

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

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

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

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

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

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

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

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

**Amended preliminary plat approval expires after one year.**

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

**MINOR MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)**

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

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

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

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

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 8-5-15  
 Applicant signature / date



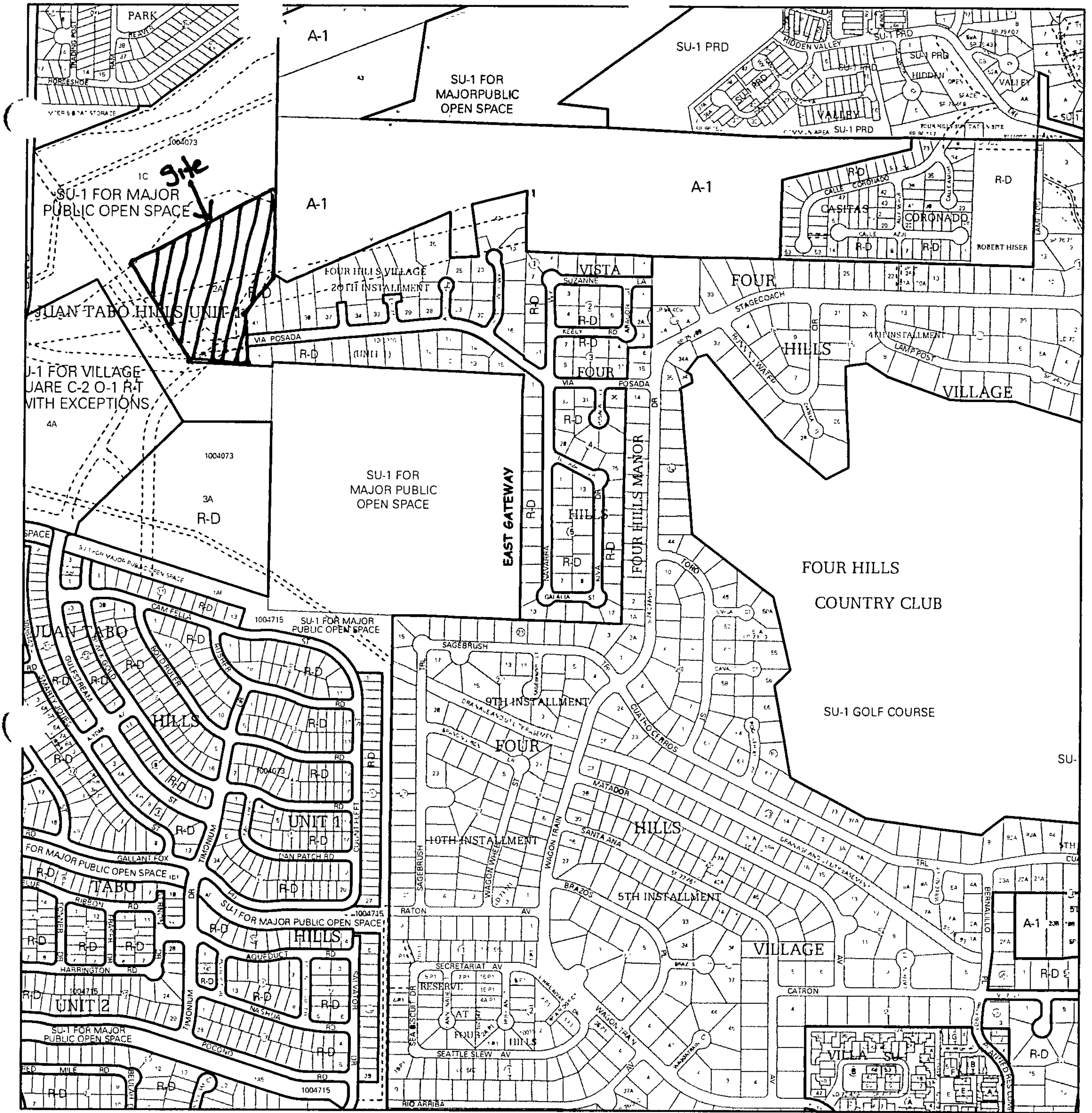
Form revised October 2007

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

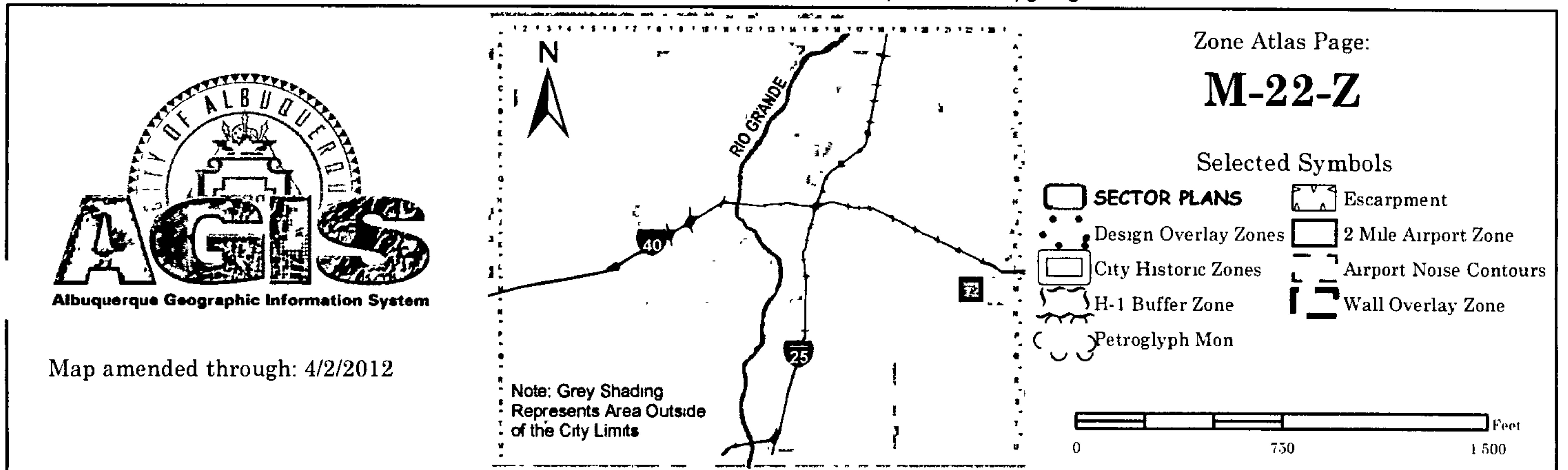
Application case numbers  
13DRB - 70300

[Signature] 8-27-15  
 Planner signature / date  
 Project # 1007140





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





D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

August 5, 2015

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

**Re: Juan Tabo Hills Unit 3B – (DRB 1007140)  
Request extension of SIA for the LOMR**

Dear Mr. Cloud:

The LOMR associated with the City Open Space property has not been done yet. It is planned on being processed with another LOMR that will be done for the Tijeras Arroyo at a later date.

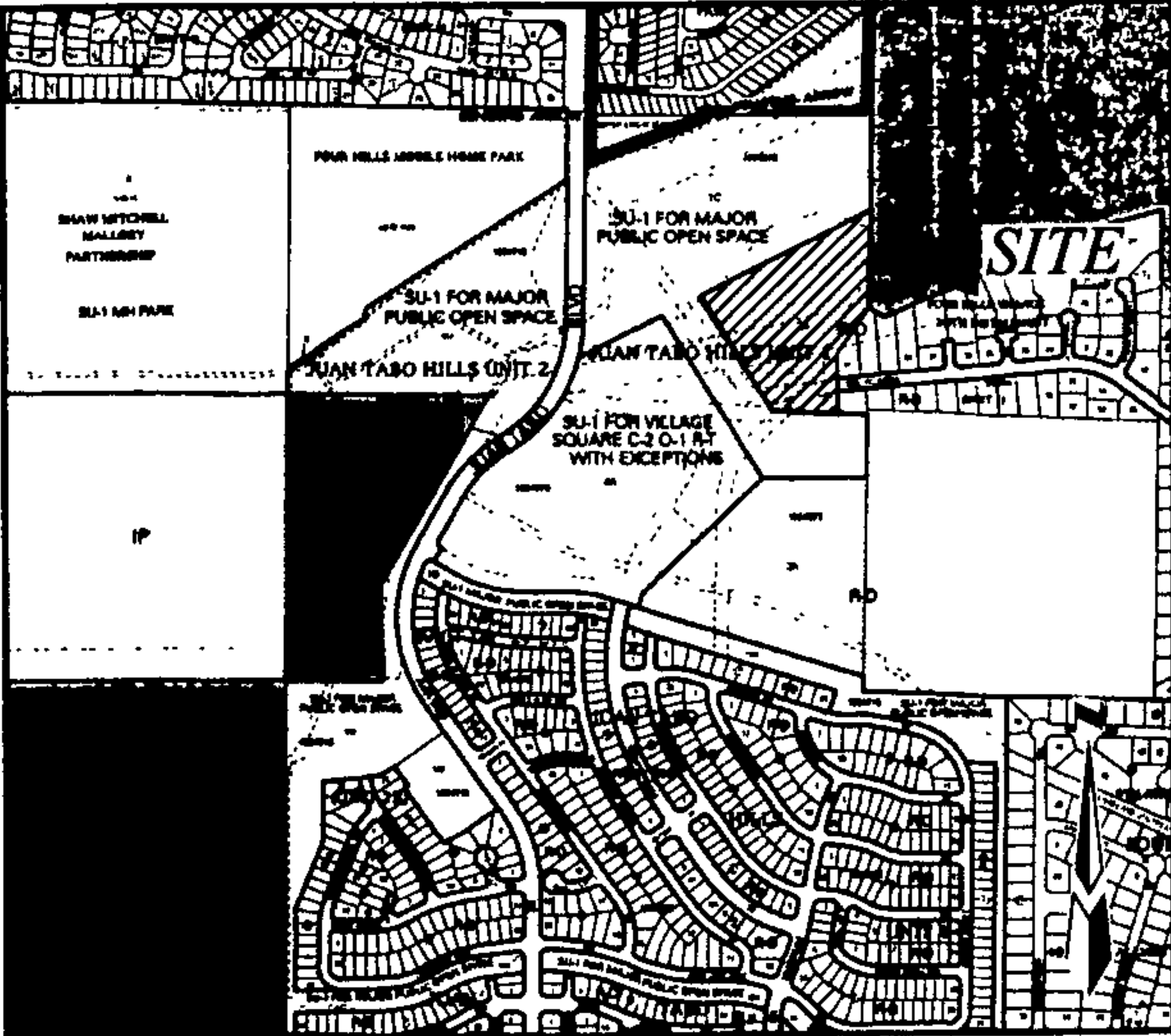
Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Diane Hoelzer, PE  
Senior Engineer

DLH/dlh



VICINITY MAP NO SCALE ZONE ATLAS: M-22

**SUBDIVISION DATA**

GROSS ACREAGE . . . . . 9.5455 Acres  
 ZONE ATLAS NO . . . . . M-22-Z  
 NO OF EXISTING LOTS/TRACTS . . . . . 40 LOTS / 7 TRACTS  
 NO OF LOTS/TRACTS CREATED . . . . . 40 LOTS / 7 TRACTS  
 NO OF TRACTS ELIMINATED . . . . . 0  
 MILES OF FULL WIDTH STREETS CREATED . . . . . 0.0  
 AREA DEDICATED TO CITY OF ALBUQUERQUE . . . . . 0.0000 Acres  
 DATE OF SURVEY . . . . . December, 2003

**FREE CONSENT AND DEDICATION:**

The subdivision hereon described is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof. Said owner(s) and/or proprietor(s) do hereby consent to the Vacation of Private Drainage Easements and said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is their free act and deed. Said owner(s) warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided.

JTH LLC, Owner Lots 1 through 15 Block 1, Lots 1 through 15 Block 2, lots 1 through 10 Block 3, Tracts "A" through "G", Juan Tabo Hills Unit 3B  
 Scott Grady, Managing Member

*[Signature]*  
 Scott Grady, Managing Member  
 6-4-14  
 Date

**OWNER'S ACKNOWLEDGMENT:**

STATE OF NEW MEXICO  
 COUNTY OF BERNALILLO

This instrument was acknowledged before me on 5/14/2014  
 By Scott Grady, Managing Member JTH LLC a New Mexico Limited Liability Company on behalf of said Company

*[Signature]* 5-19-2015  
 NOTARY PUBLIC MY COMMISSION EXPIRES



**LEGAL DESCRIPTION:**

A tract of land situate within Section 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of LOTS 1 through 15 BLOCK 1, LOTS 1 through 15 BLOCK 2, LOTS 1 through 10 BLOCK 3, TRACTS "A" through "G", JUAN TABO HILLS, UNIT 3B, as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on January 22, 2014 in Book 2014C, Page 5 and contains 9.5455 acres more or less.

**PURPOSE OF PLAT:**

1. Vacate easements as shown hereon in this plat.

**TABLE OF CONTENTS:**

- SHEET 1 COVER SHEET
- SHEET 2 EXISTING CONDITIONS AND EASEMENTS
- SHEET 3 FINAL PLAT GEOMETRY
- SHEET 4 CURVE, LINE TABLES AND PUE NOTES

**NOTES:**

1. **SOLAR NOTE:** No property within the area of this plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat.
2. If solid waste is encountered during excavation activities performed at the site, the Contractor shall cease operations and notify the Owner, Engineer, City of Albuquerque Environmental Health Department, and the New Mexico Environment Department-Solid Waste Bureau (Bureau). Any removal of landfill materials will require a health & safety/operation plan that must be approved by the Bureau. All solid waste material must be disposed at an NMED approved landfill.
3. Total remaining open space requirements are met via the provision of detached open space per provisions of section 14-16-3-9(A) (3). Note this option is only applicable to land covered by a sector development plan.
4. All city water and sanitary sewer service lines entering homes and commercial businesses within the landfill buffer zone will be constructed using anti-seep collars located at the slab-on-grade penetration point for each service line. Refer to sheet 4 of attachment "A" of the landfill gas assessment prepared by CDM dated February 8, 2008 for the LFG mitigation details for the service lines.
5. Development on all lots, tracts and areas within the COA Right-of-way within the landfill buffer zones are subject to compliance with "Interim Guidelines for Development within City Designated Landfill Buffer Zones" and that building permit plans and releases must be reviewed and approved by the Albuquerque Environmental Health Department.
6. Bearings are New Mexico State Plane grid bearings (central zone, NAD 83). Distances are ground distances.
7. Unless otherwise noted, field measurements match record measurements.
8. Landscaping is required within the public right-of-way. The maintenance responsibility for these areas will be the responsibility of the H.O.A.

REPLAT FOR  
**LOTS 1-A THROUGH 15-A, BLOCK 1,  
 LOTS 1-A THROUGH 15-A BLOCK 2,  
 LOTS 1-A THROUGH 10-A, BLOCK 3  
 AND TRACTS "A-1" THROUGH "G-1",  
 JUAN TABO HILLS UNIT 3B  
 WITHIN  
 SECTION 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 MAY, 2014**

**APPROVED AND ACCEPTED BY:**

APPROVAL AND CONDITIONAL ACCEPTANCE as specified by the Albuquerque subdivision Ord Chapter 14 Article 14 of the Revised Ordinances of Albuquerque, New Mexico, 1904

Project Number: 1007140

Application Number: 14 DRB-70280

**PLAT APPROVAL**

Utility Approvals:

*[Signature]* 7-22-14  
 Date  
 Public Electric Services

*[Signature]* 7/21/2014  
 Date  
 New Mexico Gas Company

*[Signature]* 7/21/14  
 Date  
 Qwest Corp d/b/a CenturyLink QC

*[Signature]*  
 Date

City Approvals:

*[Signature]* 6-18-14  
 Date  
 City Surveyor

*[Signature]* 8-29-14  
 Date  
 Real Property Division

*[Signature]* 8-29-14  
 Date  
 Environmental Health Department

*[Signature]* 08-13-14  
 Date  
 Traffic Engineering, Transportation Division

*[Signature]* 08/13/14  
 Date  
 Albuquerque Bernalillo Water Utility Authority

*[Signature]* 8-13-14  
 Date  
 Parks and Recreation Department

*[Signature]* 8-19-14  
 Date  
 ANAFCA

*[Signature]* 8-23-14  
 Date  
 City Engineer

*[Signature]* 8-29-14  
 Date  
 DRB Chairperson, Planning Department

**SURVEYOR'S CERTIFICATION:**

"I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat and description were prepared by me or under my supervision, shows all easements as shown on the plat of record or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties expressing an interest and meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, and further meets the Minimum Standards for Land Surveying in the State of New Mexico, and is true and correct to the best of my knowledge and belief."

*[Signature]* 06/13/14  
 Timothy Aldrich, P.S. No. 7719  
 Date



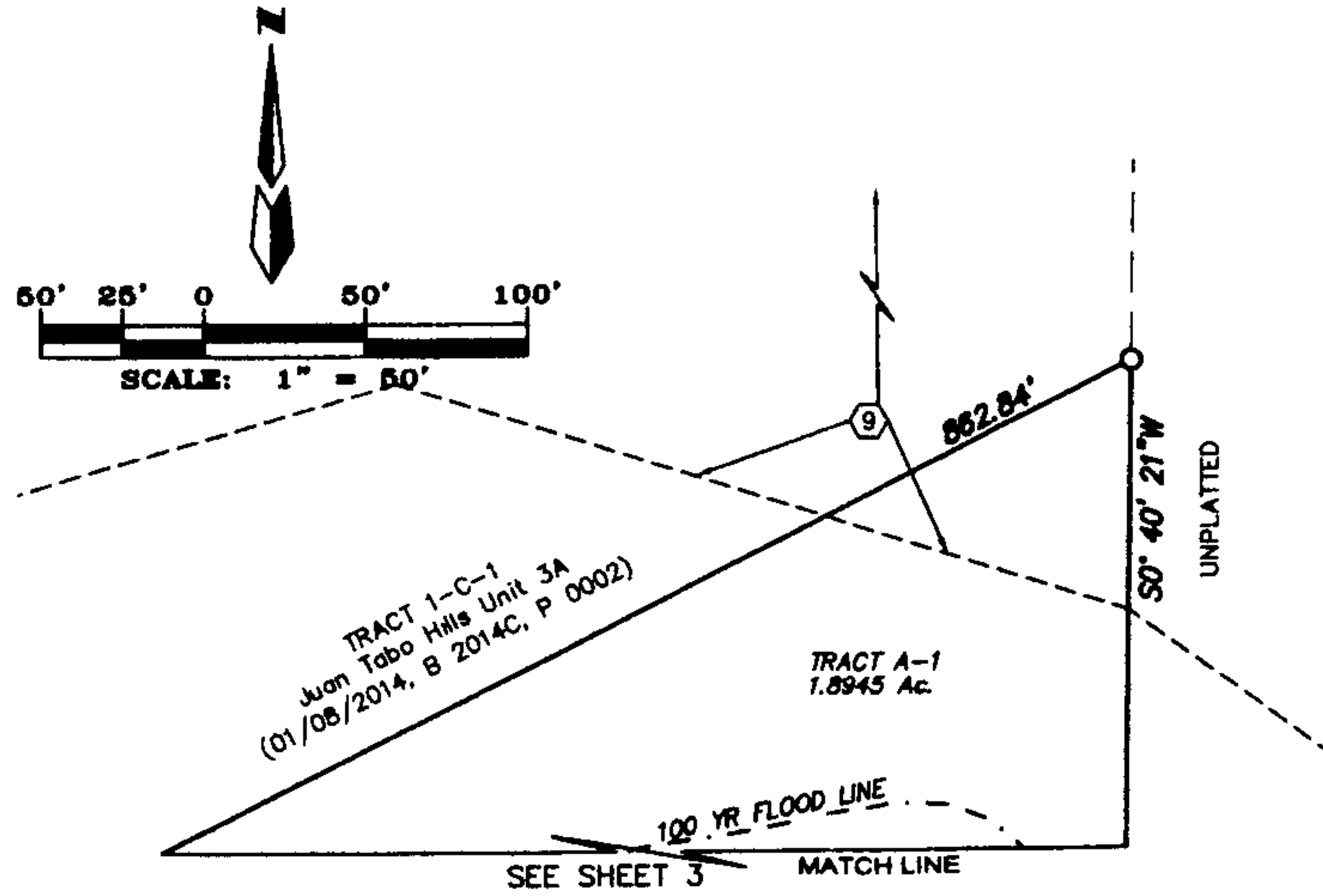
DOC# 2014872332  
 06/18/2014 08:40 AM Page 1 of 4  
 PLAT # 226 DB # 2014C P 0104 H Toulouse Oliveira Bernalillo Co  
 P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990

COVER REPLAT	Drawn: STEPHEN	Checked: ALS	Sheet 1 of 4
Scale: AS SHOWN	Date: 5/14/2014	Job: A11063	





REPLAT FOR  
**LOTS 1-A THROUGH 15-A, BLOCK 1,  
 LOTS 1-A THROUGH 15-A BLOCK 2,  
 LOTS 1-A THROUGH 10-A, BLOCK 3  
 AND TRACTS "A-1" THROUGH "G-1",  
 JUAN TABO HILLS UNIT 3B**  
 WITHIN  
 SECTION 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 MAY, 2014



BLOCK 1		
OLD LOT #	NEW LOT #	AREA
1	1-A	0.1300 Ac.
2	2-A	0.0723 Ac.
3	3-A	0.0713 Ac.
4	4-A	0.0684 Ac.
5	5-A	0.0688 Ac.
6	6-A	0.0630 Ac.
7	7-A	0.0708 Ac.
8	8-A	0.0709 Ac.
9	9-A	0.0628 Ac.
10	10-A	0.0628 Ac.
11	11-A	0.0708 Ac.
12	12-A	0.0708 Ac.
13	13-A	0.0708 Ac.
14	14-A	0.0708 Ac.
15	15-A	0.0708 Ac.

BLOCK 2		
OLD LOT #	NEW LOT #	AREA
1	1-A	0.1103 Ac.
2	2-A	0.0712 Ac.
3	3-A	0.0716 Ac.
4	4-A	0.0689 Ac.
5	5-A	0.0689 Ac.
6	6-A	0.0689 Ac.
7	7-A	0.0683 Ac.
8	8-A	0.0683 Ac.
9	9-A	0.0689 Ac.
10	10-A	0.0689 Ac.
11	11-A	0.0689 Ac.
12	12-A	0.0689 Ac.
13	13-A	0.0689 Ac.
14	14-A	0.0689 Ac.
15	TRACT 2-A	0.1080 Ac.

BLOCK 3		
OLD LOT #	NEW LOT #	AREA
1	1-A	0.1574 Ac.
2	2-A	0.0880 Ac.
3	3-A	0.1011 Ac.
4	4-A	0.1038 Ac.
5	5-A	0.1238 Ac.
6	6-A	0.1380 Ac.
7	7-A	0.1147 Ac.
8	8-A	0.1172 Ac.
9	9-A	0.1198 Ac.
10	10-A	0.1493 Ac.

PUBLIC UTILITY EASEMENTS (PUE) shown on this plat are granted for the common and joint use of:

Public Service Company of New Mexico ("PNM"), a New Mexico corporation (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.  
 New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.  
 Qwest Corporation D/B/A CenturyLink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.  
 Comcast for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

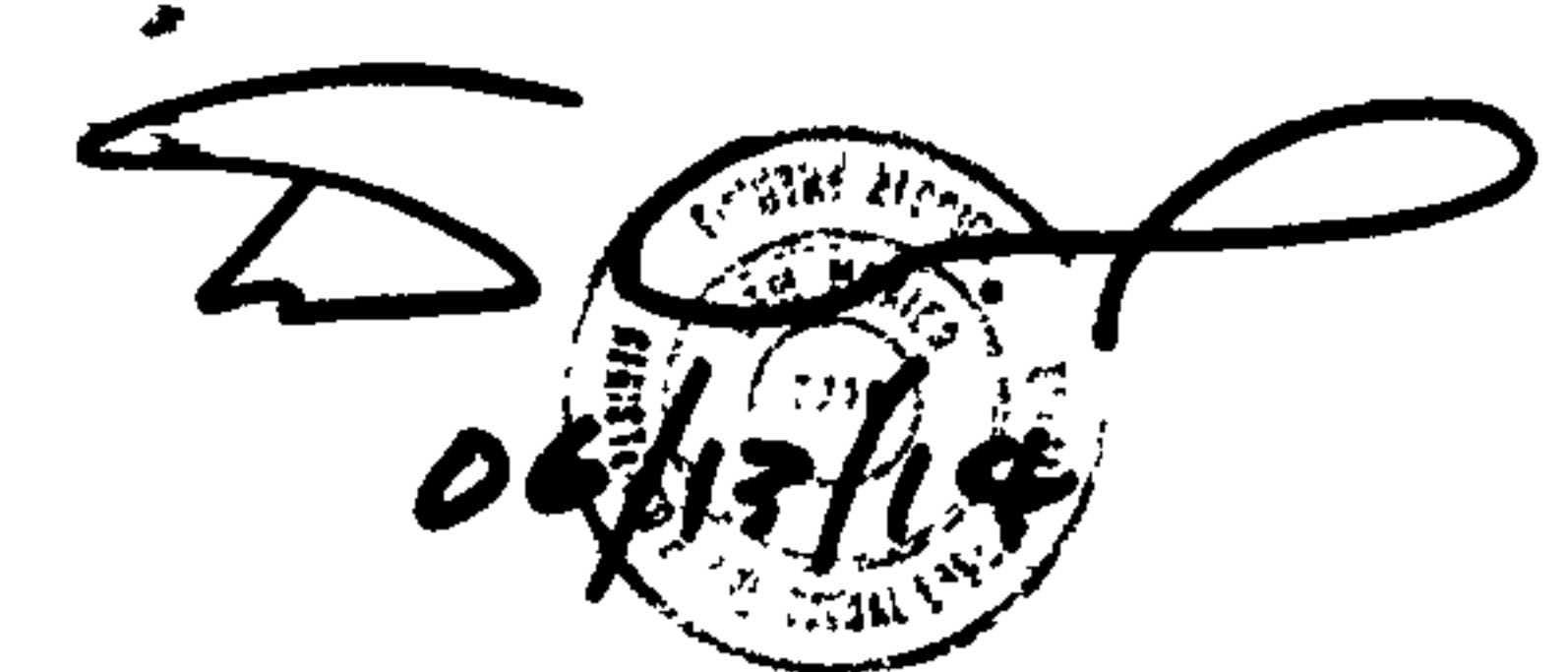
Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (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 by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgear, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

**Disclaimer**

In approving this plat, Public Service Company of New Mexico (PNM), New Mexico Gas Company (NMGC) and Qwest Corporation D/B/A CenturyLink did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

Curve Table						Curve Table						Curve Table						
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length	
C2	28.31	1100.00	1.47	N62° 29' 12"E	28.31	C23	34.55	100.50	19.70	S57° 14' 52"W	34.38	C308	302.77	183.38	94.60	N55° 46' 07"W	269.53	
C3	28.31	1100.00	1.47	S62° 29' 12"W	28.31	C24	3.95	100.50	2.25	S48° 31' 29"W	3.95							
C4	3.86	1100.00	0.19	S61° 39' 15"W	3.86	C25	13.40	25.00	30.72	S62° 45' 22"W	13.24							
C5	86.09	300.00	16.44	S69° 46' 46"W	85.79	C26	13.08	51.00	14.70	S70° 45' 51"W	13.05							
C6	188.85	125.00	86.47	S34° 45' 55"W	171.25	C27	31.99	51.00	35.94	S45° 26' 33"W	31.47							
C7	123.83	75.00	94.60	S55° 46' 07"E	110.24	C28	113.13	51.00	127.10	S14° 33' 56"W	91.32							
C8	51.49	300.00	9.83	N72° 00' 53"E	51.43	C29	13.40	25.00	30.72	S33° 37' 29"E	13.24							
C9	124.81	75.00	95.35	N19° 25' 25"E	110.90	C30	17.51	100.50	9.98	S23° 15' 31"E	17.49							
C10	30.26	1130.00	1.53	N62° 19' 34"E	30.26	C31	10.36	100.50	5.91	S21° 13' 13"E	10.36							
C11	42.55	270.00	9.03	N66° 04' 25"E	42.51	C32	7.15	100.50	4.08	S26° 12' 44"E	7.15							
C12	30.04	270.00	6.38	N73° 46' 34"E	30.03	C33	16.50	25.00	37.82	S9° 20' 35"E	16.20							
C13	4.88	270.00	1.04	N77° 28' 55"E	4.88	C34	36.03	25.00	82.58	S69° 32' 27"E	32.99							
C14	227.13	150.50	86.47	N34° 45' 55"E	206.18	C35	50.88	330.00	8.83	N73° 35' 04"E	50.81							
C15	158.86	150.50	60.48	N47° 45' 37"E	151.59	C36	112.41	99.50	64.73	N45° 38' 11"E	106.52							
C16	68.27	150.50	25.99	N4° 31' 33"E	67.68	C37	37.76	99.50	21.74	N2° 24' 07"E	37.53							
C18	165.93	100.50	94.60	N55° 46' 07"W	147.72	C38	81.73	49.50	94.60	N55° 46' 07"W	72.76							
C19	26.74	325.50	4.71	S74° 34' 43"W	26.73	C39	30.08	274.50	6.28	S73° 18' 02"W	30.06							
C20	29.13	325.50	5.13	S69° 39' 42"W	29.12	C40	14.88	274.50	3.06	S68° 37' 47"W	14.68							
C21	55.87	325.50	9.83	S72° 00' 53"W	55.80	C41	82.38	49.50	95.35	S66° 25' 25"W	73.19							
C22	30.22	100.50	17.23	S58° 15' 56"W	30.10	C42	2.36	274.50	0.49	S76° 41' 06"W	2.36							

Parcel Line Table		
Line #	Length	Direction
L1	10.39	N8° 28' 09.46"W
L2	14.90	S8° 28' 09.46"E
L3	19.41	N8° 28' 09.46"W
L4	30.29	S55° 40' 22.62"E
L5	13.52	N8° 28' 09.46"W
L6	4.00	N13° 04' 05.33"W
L7	11.36	S75° 20' 33.84"W



**ALDRICH LAND SURVEYING**

DOC# 2814872332  
 05/18/2014 09:40 AM Page 4 of 4  
 PLAT # 125 08 B 2014C P 0184 N Tulous Oliveira, Bernalillo Cou

P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990

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Scale: AS SHOWN	Date: 4/24/2014	Job: A11063	

Current DRC  
Project Number. \_\_\_\_\_

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

**Juan Tabo Hills, Unit 3B**

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

**Tract 2-A, Juan Tabo Hills Unit 1**

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted 8/29/2012  
Date Site Plan Approved \_\_\_\_\_  
Date Preliminary Plat Approved 9-26-12  
Date Preliminary Plat Expires 9-26-13  
DRB Project No: \_\_\_\_\_  
DRB Application No 1007140

△ 12-13-13

*ORIGINAL*

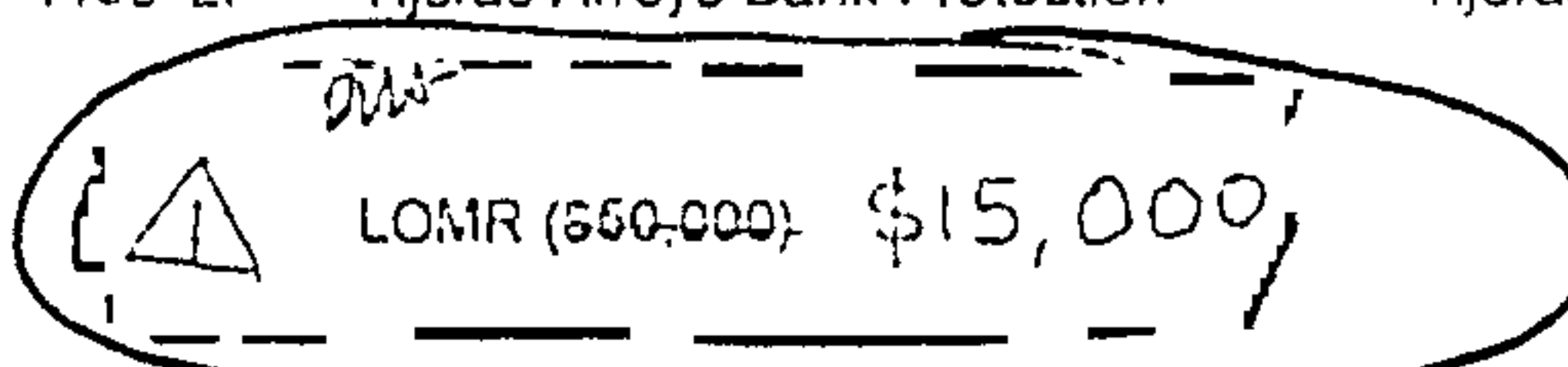
Following is a summary of PUBLIC/PRIVATE infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant 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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<b>PAVING</b>									
		40' FF	Perm Pvmnt C&G (both sides)	Monachos Road	Juan Tabo Blvd	Zanjero Road	/	/	/
		4'	Sidewalk (both sides)	Monachos Road	Juan Tabo Blvd	West PL			
		4' *	Sidewalk (south side only)	Monachos Road	West PL	Lot 10, Blk 3			
		10'	Trail (north side only) (7)	Tract B	West PL	Tract A			
		32' FF	Res Pvmnt C&G (both sides)	Zanjero Road	Monachos Road	Monachos Rd @ Lots 15/Tract B P L		/	/
		4'	Sidewalk (east side only)	Zanjero Road	Monachos Road	W side Tract B			
		4'	Sidewalk (west side only)	Zanjero Road	Monachos Road	N side Tract E			
		4' *	Sidewalk (north side)	Zanjero Road	N side Tract E	Lot 15, Blk 1			
		4' *	Sidewalk (south side)	Zanjero Road	W side Tract B	Monachos Road @ Lots 15/Tract B P L			
<b>WATER</b>									
		8"	Waterline	Monachos Road	Existing WL Near West P L	Zanjero Road		/	/
		8"	Waterline	Zanjero Road	Monachos Road	Monachos Road		/	/
		8"	Waterline	Tract D 15' public WL easement	Monachos Road	Tract C - Existing WL			/
		8"	Waterline	Tract A 51' public SAS & WL esmt	Zanjero Road	East PL		/	/

Project Name:

Juan Tabo Hills, Unit 3B (DRB 1007140)

Date Submitted: 8/29/2012

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		<b>SANITARY SEWER</b>							
		8"	Sanitary Sewer	Tract 1-C-1, in 20' SAS Easement	Exist 8" SAS, In 10' SAS Esmt	Zanjero Road	/	/	/
		8"	Sanitary Sewer	Zanjero Road	Monachos Road	Tract A	/	/	/
		6"	Sanitary Sewer	Monachos Road	West PL	Lot 10, Blk 3	/	/	/
		8"	Sanitary Sewer	Tract A, 51' public SAS & WL Easement	Zanjero Road	East PL	/	/	/
		<b>STORM DRAIN</b>							
		80" & 66"	Storm Drain	Tract 1-C-1	Tijeras Arroyo	Monachos Road	/	/	/
		48"	Storm Drain	Tract C, 10' Public Drainage Easement	Tract 1-C-2	Exist 80" Outfall	/	/	/
		48"	Storm Drain	Tract 1-C-2	Monachos Road	Tract C	/	/	/
		38"	Storm Drain	Monachos Road	Tract 1-C-2	Zanjero Road	/	/	/
		30", 36", 42"	Storm Drain	Monachos Road	Juan Tabo Blvd	20' SD Easement	/	/	/
		15'	Gravel Road	Tract C & Tract 1-C-2	Via Posada	Monachos Road	/	/	/
		15'	Gravel Road	Tract 1-C-1	Monachos Road	SDMH #14	/	/	/
		1150' LF	Tijeras Arroyo Bank Protection	Tijeras Arroyo	Exist Bank Protection	East PL	/	/	/
									
			Restoration & Revegetation (Separate SIA for 3 years)	Disturbed areas per approved plan	Tract 1-C-1 and 1-C-2 (COA Open Space)		/	/	/



Project Name.

Juan Tabo Hills, Unit 3B (DRB 1007140)

Date Submitted 8/29/2012

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	City Inspector	City Const Engineer
<input type="text"/>	<input type="text"/>								
<input type="text"/>	<input type="text"/>								
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature      Date							City User Dept. Signature      Date		

- Deferred sidewalk
- 1 Water infrastructure to include valves, fittings, and firehydrants as per approved DRC plans, *SERVICES*
- 2 SAS Infrastructure to include manholes and service connections as per DRC plans
- 3 Storm Drain Infrastructure includes manholes and inlets as per DRC plans
- 4 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty (Financial Guaranty not required for Grading and Drainage Plan.)
- 5 This site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA
- 6 Turnkey agreement with AMAFCA for the Tijeras Arroyo Bank Protection (No Financial Guarantee Required)
- 7 10' Wide crusher fine trail with stabilizer to replace 4' sidewalk on north side of Monachos Rd

AGENT / OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Diano Hoelzer, PE  
NAME (print)

*[Signature]* 9-26-12  
DRB CHAIR - date

*Carol S. Dumont* 9-26-12  
PARKS & RECREATION - date

Mark Goodwin & Associates  
FIRM

*[Signature]* 9-26-12  
TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

*Diano Hoelzer* 8-28-12  
SIGNATURE / date

*[Signature]* 9-26-12  
UTILITY DEVELOPMENT - date

- date

*[Signature]* 9-26-12  
CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
A5	12-13-13	<i>[Signature]</i>	<i>[Signature]</i>	<i>Diano Hoelzer</i>



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 24, 2009

**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 - PRELIMINARY PLAT

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 from 7/30/08, 8/20/08 8/27/08, 9/3/08, 9/17/08, 10/1/08, 10/22/08, 11/5/08, 11/26/08, 12/3/08, 12/14/09, 2/11/09, 3/11/09, 4/15/09, 5/6/09, 5/20/09, 5/27/09, 6/3/09, 6/17/09*]

At the June 24, 2009 Development Review Board meeting, 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. The sketch plat was reviewed and comments were given.

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

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

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

**CONDITIONS:**

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

The sidewalk waiver and the temporary deferral of sidewalk were approved as shown on Exhibit C in the Planning file. The site plan for subdivision was approved. With the signing of the infrastructure list dated 6/24/09 and with a grading and drainage plan engineer stamp dated 6/15/09, the preliminary plat was approved. Per ABCWUA, tract 'D' is to be retained as sanitary sewer easement at final plat, and a recorded copy of the public roadway easement must be provided to Planning.

If you wish to appeal this decision, you must do so by July 9, 2009 in the manner described below.

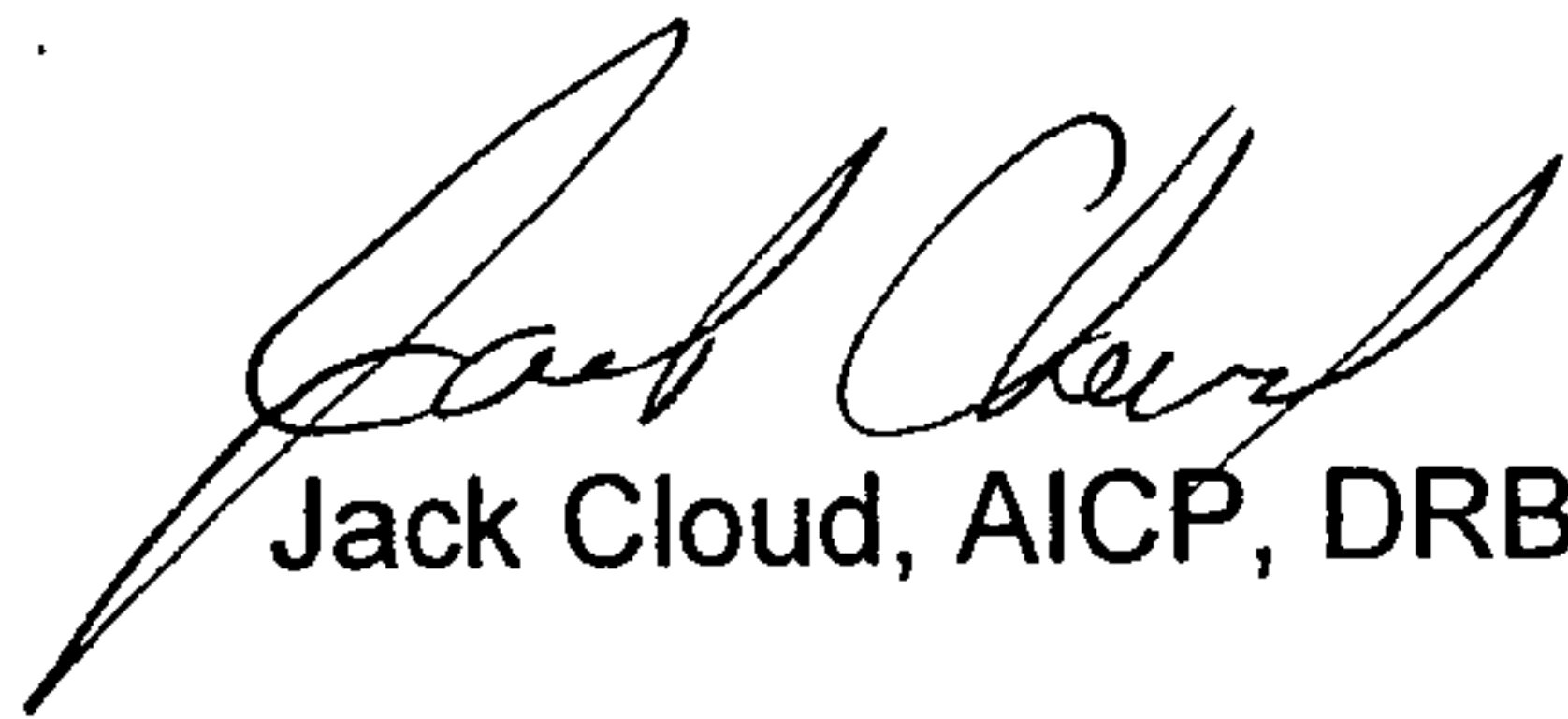
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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



Jack Cloud, AICP, DRB Chair

Cc: Mark Goodwin & Associates PA – P.O. Box 90606 – Albuquerque, NM 87199

Cc: Juan Tabo Hills, LLC – PO. Box 1443 – Corrales, NM 87048

Scott Howell

Marilyn Maldonado

File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

September 18, 2013

Project# 1007140  
13DRB-70672 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, SU-1, located on JUAN TABO BLVD SE BETWEEN MONACHOS RD SE AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the September 18, 2013 Development Review Board meeting, an extension of the preliminary plat was approved to May 8, 2014 to coincide with the expiration of the vacation(s). The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in black ink, appearing to read "Jack Cloud".

Jack Cloud, DRB Chair

Cc: Mark Goodwin & Assoc. – P.O. Box 90606 – Albuquerque, NM 87199  
Cc: Juan TAbó Hills LLC – P.O. Box 1443 – Corrales NM 87048  
Marilyn Maldonado  
file

## Kay Brashear

---

**From:** Cloud, Jack W. <jcloud@cabq.gov>  
**Sent:** Tuesday, August 4, 2015 11:08 AM  
**To:** Kay Brashear  
**Cc:** Diane Hoelzer  
**Subject:** RE: JTH 3B LOMR - CPN # 756187

Form S(2) Item (DRB09) is for SIA extensions –

If the LOMR is the only outstanding guarantee on the list, we can treat it like a minor subdivision and do a one week turnaround (no Neighborhood Notification and no Sign Posting) -

---

**From:** Kay Brashear [mailto:kbrashear@goodwinengineers.com]  
**Sent:** Tuesday, August 04, 2015 8:47 AM  
**To:** Cloud, Jack W.  
**Cc:** Diane Hoelzer  
**Subject:** JTH 3B LOMR - CPN # 756187

Jack,

The SIA for JTH 3B LOMR is coming due next month, we will need to return to DRB to request approval for an extension. The Procedure B for 3B has already been released, this request is strictly for the LOMR. Which checklist should we follow when submitting our application?

Thank you,

*Kay Brashear*  
Mark Goodwin & Associates, PA  
Office Manager  
PO BOX 90606  
Albuquerque, NM 87119  
(505) 828-2200

PROJECT #  
1007110

September 9, 2015

SIA



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 828-2200

ADDRESS: PO Box 90606 FAX: \_\_\_\_\_

CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: khrahearegoodwinengineers.com

APPLICANT: JTH, LLC PHONE: 338-1438

ADDRESS: PO Box 1443 FAX: \_\_\_\_\_

CITY: Corrales STATE NM ZIP 87048 E-MAIL: rvsg7c@raylcehomes.com

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

DESCRIPTION OF REQUEST: Minor Plat Approval for - Subdivision and Amended Site Plan approval for JTH 3B

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

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

Lot or Tract No. Tract Z-A Block: \_\_\_\_\_ Unit: 3B

Subdiv/Addn/TBKA: Juan Tabo Hills

Existing Zoning: SU-1/R-D Proposed zoning: n/a MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): m-22 UPC Code: 1022 0551044432 0000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007146

14DRB-7006 13DRB-70511 13DRB-70534 13DRB-70672

**CASE INFORMATION:**

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

No. of existing lots: 40 No. of proposed lots: 40 Total site area (acres): 9.54

LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Hills Blvd

Between: Manachos and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 7-31-14

(Print Name) Diane Hoelzer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

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

14DRB - 70280

14DRB - 70280

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action

ASPS

PBF

CMF

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

S.F.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Fees

\$ 50.00

\$ 215.00

\$ 20.00

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Total

\$ 285.00

Hearing date August 13, 2014

[Signature]

8-4-14  
Staff signature & Date

Project # 1007140

**FORM P(3): SITE PLAN REVIEW - D.R.B. MEETING (UNADVERTISED)**

- SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Maximum Size: 24" x 36"**
- Scaled site sketch and related drawings showing proposed land use including structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, etc. (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
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB18)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
  - Scaled site plan and related drawings (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
  - Letter of authorization from the property owner if application is submitted by an agent
  - Copy of the document delegating approval authority to the DRB
  - Completed Site Plan for Subdivision Checklist
  - Infrastructure List, if relevant to the site plan
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB17)** **Maximum Size: 24" x 36"**
- 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
  - Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. **6 copies**
  - Solid Waste Management Department signature on Site Plan
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter briefly describing, explaining, and justifying the request
  - Letter of authorization from the property owner if application is submitted by an agent
  - Copy of the document delegating approval authority to the DRB
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist
  - Copy of Site Plan with Fire Marshal's stamp
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- AMENDED SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB01)** **Maximum Size: 24" x 36"**
- AMENDED SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB02)** **Maximum Size: 24" x 36"**

- Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - DRB signed Site Plan being amended (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
  - Letter of authorization from the property owner if application is submitted by an agent
  - Infrastructure List, if relevant to the site plan
  - Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
  - Fee (see schedule)
  - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR BUILDING PERMIT (DRB05)**
- FINAL SIGN-OFF FOR EPC APPROVED SDP FOR SUBDIVISION (DRB06)**
- Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Approved Grading and Drainage Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
  - Solid Waste Management Department signature on Site Plan for Building Permit
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter carefully explaining how each EPC condition has been met **and** a copy of the EPC Notification of Decision
  - Infrastructure List, if relevant to the site plan
  - Copy of Site Plan with Fire Marshal's stamp (not required for SDP for Subdivision)
  - List any original and/or related file numbers on the cover application
- Meetings are approximately 8 DAYS after the Tuesday noon filing deadline. **Bring the original to the meeting. Your attendance is required.**

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

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 7-31-14  
 Applicant signature / date



Form revised October 2007

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 14DRB - 70279

V. [Signature] 8-4-14  
 Planner signature / date  
 Project # 1007140



**FORM S(3): SUBDIVISION - D...B. MEETING (UNADVERTISED) ... 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.

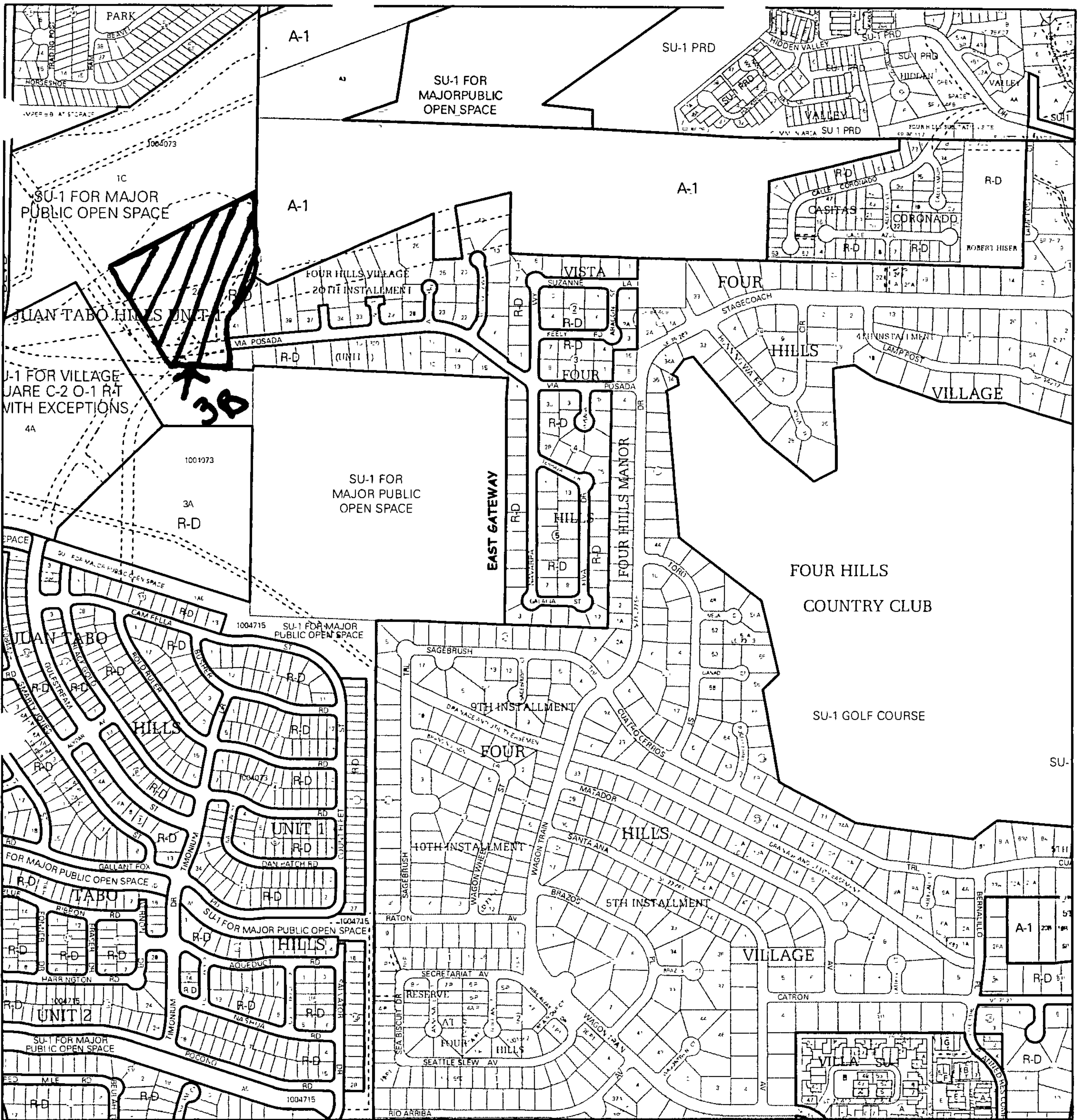
Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 7/31  
 Applicant signature / date



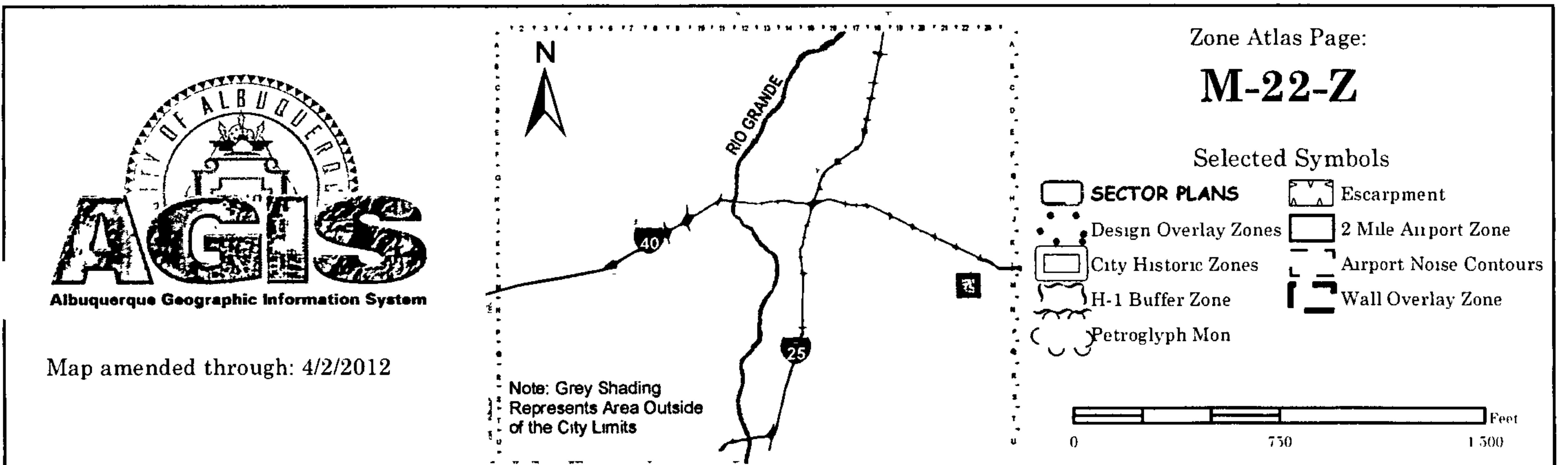
Form revised **October 2007**

[Signature] 8-4-14  
 Planner signature / date  
 Project # 1007140

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 14 DRB - 702  
 - 80  
 -         
 -



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





D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

July 31, 2014

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

**Re: Juan Tabo Hills Unit 3B – (DRB 1007140)**  
**Request approval of amended Final Plat and amended Site Plan**

Dear Mr. Cloud:

On behalf of our client, JTH, LLC, we are requesting the above actions from the DRB.

Grading and infrastructure improvements for this project site are well underway. The client changed the product on the site to single family duplexes, which allowed for the removal of all the private drainage channels that were on the original plan.

Our vacation request was approved by the DRB on April 23, 2014. We are now coming before the board to meet the conditions of that approval as outlined in the official notice of decision with a replat (or amended plat) and an amended Site Plan that has the private drainage easements removed.

Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Diane Hoelzer, PE  
Senior Engineer

DLH/dlh  
Attachments

Current DRC  
Project Number: \_\_\_\_\_

FIGURE 12

Date Submitted: 8/29/2012

Date Site Plan Approved: \_\_\_\_\_

Date Preliminary Plat Approved: 9-26-12

Date Preliminary Plat Expires: 9-26-13

DRB Project No.: \_\_\_\_\_

DRB Application No.: 1007140

▲ 12-13-17

INFRASTRUCTURE LIST

EXHIBIT "A"

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

**Juan Tabo Hills, Unit 3B**

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

**Tract 2-A, Juan Tabo Hills Unit 1**

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

ORIGINAL

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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			<b>PAVING</b>						
		40' FF	Perm Pvmt C&G (both sides)	Monachos Road	Juan Tabo Blvd.	Zanjero Road	/	/	/
		4'	Sidewalk (both sides)	Monachos Road	Juan Tabo Blvd.	West PL			
		4' *	Sidewalk (south side only)	Monachos Road	West PL	Lot 10, Blk 3			
		10'	Trail (north side only) (7)	Tract B	West PL	Tract A			
		32' FF	Res Pvmt C&G (both sides)	Zanjero Road	Monachos Road	Monachos Rd @ Lots 15/Tract B P.L.	/	/	/
		4'	Sidewalk (east side only)	Zanjero Road	Monachos Road	W. side Tract B			
		4'	Sidewalk (west side only)	Zanjero Road	Monachos Road	N. side Tract E			
		4' *	Sidewalk (north side)	Zanjero Road	N. side Tract E	Lot 15, Blk 1			
		4' *	Sidewalk (south side)	Zanjero Road	W. side Tract B	Monachos Road @ Lots 15/Tract B P.L.			
			<b>WATER</b>						
		8"	Waterline	Monachos Road	Existing WL Near West P.L.	Zanjero Road	/	/	/
		8"	Waterline	Zanjero Road	Monachos Road	Monachos Road	/	/	/
		8"	Waterline	Tract D 15' public WL easement	Monachos Road	Tract C - Existing WL	/	/	/
		8"	Waterline	Tract A 51' public SAS & WL esmt	Zanjero Road	East PL	/	/	/



Project Name:

Juan Tabo Hills, Unit 3B (DRB 1007140)

Date Submitted: 8/29/2012

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	City Inspector	City Cnst Engineer
<input type="text"/>	<input type="text"/>								
<input type="text"/>	<input type="text"/>								
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

\* Deferred sidewalk.

1 Water infrastructure to include valves, fittings, and firehydrants as per approved DRC plans, *Services*

2 SAS Infrastructure to include manholes and service connections as per DRC plans

3 Storm Drain Infrastructure includes manholes and inlets as per DRC plans.

4 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)

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

8 Turnkey agreement with AMAFCA for the Tijeras Arroyo Bank Protection (No Financial Guarantee Required)

7 10' Wide crusher fine trail with stabilizer to replace 4' sidewalk on north side of Monachos Rd.

AGENT / OWNER

Diane Hoelzer, PE

NAME (print)

Mark Goodwin & Associates

FIRM

SIGNATURE - date

*Diane Hoelzer* 8-28-12

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

*[Signature]* 9-26-12

TRANSPORTATION DEVELOPMENT - date

*[Signature]* 9-26-12

UTILITY DEVELOPMENT - date

*[Signature]* 9-26-12

CITY ENGINEER - date

*[Signature]* 9-26-12

*Carol S. Dumont* 9-26-12

PARKS & RECREATION - date

AMAFCA - date

- date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT / OWNER
Δ	12-13-13	<i>[Signature]</i>	<i>Crista E. Chene</i>	<i>Diane Hoelzer</i>

## Kay Brashear

---

**From:** Stephen Stasiewicz  
**Sent:** Tuesday, January 7, 2014 12:20 PM  
**To:** Kay Brashear; Diane Hoelzer  
**Subject:** FW: 1007140 Juan Tabo Hills Unit 3B

---

**From:** Gaulden, Tim H. [mailto:[tgaulden@cabq.gov](mailto:tgaulden@cabq.gov)]  
**Sent:** Tuesday, January 07, 2014 11:53 AM  
**To:** Stephen Stasiewicz; Bradley, Catherine P.; Sammons, Joshua R.; Gricius, Michelle A.  
**Subject:** RE: 1007140 Juan Tabo Hills Unit 3B

Stephen:

The DXF for project 1007140 has been approved.

Tim

Tim Gaulden  
GIS Coordinator  
505 924-3805  
[tgaulden@cabq.gov](mailto:tgaulden@cabq.gov)



---

**From:** Stephen Stasiewicz [mailto:[Stephen@goodwinengineers.com](mailto:Stephen@goodwinengineers.com)]  
**Sent:** Monday, January 06, 2014 1:01 PM  
**To:** Bradley, Catherine P.; Gaulden, Tim H.; Sammons, Joshua R.; Gricius, Michelle A.  
**Subject:** 1007140 Juan Tabo Hills Unit 3B

DXF file rotated and scaled to New Mexico state plane coordinates grid system NAD 83, Central zone.

Stephen Stasiewicz

## Kay Brashear

---

**From:** Cloud, Jack W. <jcloud@cabq.gov>  
**Sent:** Thursday, July 31, 2014 5:06 PM  
**To:** Kay Brashear; Diane Hoelzer  
**Cc:** Segura, Vanessa; Ortiz, Annette  
**Subject:** RE: JTH Unit 3B DRB Fees - CPN#1007140

As long as you are not creating any new lots, this would be considered a Minor Plat [Form S(3) – (DRB16)]

There is always at least a 'one lot' fee so your plat would have a base fee of \$145 plus \$70 = \$215

That, plus the \$50 site plan fee and \$20 conflict management will make a total of \$285

---

**From:** Kay Brashear [mailto:kbrashear@goodwinengineers.com]  
**Sent:** Thursday, July 31, 2014 3:36 PM  
**To:** Cloud, Jack W.; Segura, Vanessa  
**Cc:** Diane Hoelzer  
**Subject:** RE: JTH Unit 3B DRB Fees - CPN#1007140

Hi Jack,

*We are not creating any new lots, we are only removing private drainage easements on many of the lots. This is more of a correction plat (re-plat) than a minor subdivision plat.*

*It is our understanding that the cost would be \$20 for the conflict management fee, as this is what we paid on January 15, when we submitted for the Final Plat Approval the first time.*

*Will you please confirm this cost with us? Please contact Diane with questions.*

Thanks,  
Kay

---

**From:** Cloud, Jack W. [mailto:jcloud@cabq.gov]  
**Sent:** Wednesday, July 30, 2014 2:29 PM  
**To:** Segura, Vanessa; Kay Brashear  
**Subject:** RE: JTH Unit 3B DRB Fees - CPN#1007140

As long as you are not creating more than 10 new lots, this would be considered a Minor Plat [Form S(3) – (DRB16)]

There is a base fee of \$145 plus \$70 / lot – there is always at least a 'one lot' fee, and if you are creating one new lot more than the filed plat then you will be charged for two (\$285), increase by two then charged for three (\$355), etc.

---

**From:** Segura, Vanessa  
**Sent:** Wednesday, July 30, 2014 1:54 PM  
**To:** 'Kay Brashear'; Cloud, Jack W.  
**Subject:** RE: JTH Unit 3B DRB Fees - CPN#1007140

I am going to forward this to Jack he can let you know which checklist you need to follow.

Vanessa

---

**From:** Kay Brashear [mailto:kbrashear@goodwinengineers.com]  
**Sent:** Wednesday, July 30, 2014 1:52 PM



PROJECT #  
1007110

AUGUST 13. 2014

ASSS  
PIT



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 828-2200

ADDRESS: PO Box 90606 FAX: \_\_\_\_\_

CITY: Albuquerque STATE nm ZIP 87199 E-MAIL: kbrashear@goodwinengineers.com

APPLICANT: JTH, LLC PHONE: 338-1438

ADDRESS: PO Box 1443 FAX: \_\_\_\_\_

CITY: Corrales STATE nm ZIP 87048 E-MAIL: athorn@nerayleehomes.com

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

DESCRIPTION OF REQUEST: Private Easement Vacation Request

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

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

Lot or Tract No. Tract 2-A Block: \_\_\_\_\_ Unit: 3B

Subdiv/Addn/TBKA: Juan Tabo Hills

Existing Zoning: SU-1/RD Proposed zoning: SU-1/RD MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): m-2a UPC Code: 10220551044320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_, Z\_, V\_, S\_, etc.): #1007140

13DRB-70511 13DRB-70534 13DRB-70672

**CASE INFORMATION:**

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

No. of existing lots: \_\_\_\_\_ No. of proposed lots: 40 Total site area (acres): 9.54

LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Hills Blvd

Between: manachos and Tijeras Arroyo

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

SIGNATURE Diane Poltzer DATE 4-10-14

(Print Name) Diane Poltzer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14DRB-70102</u>	<u>VPE</u>	_____	\$ <u>270.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total
				\$ <u>290.00</u>

Hearing date April 23, 2014

[Signature]  
4-11-14  
Staff signature & Date

Project # 1007140

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

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

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

- VACATION OF PUBLIC EASEMENT (DRB27)**
- VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
  - \_\_\_ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**  
(Not required for City owned public right-of-way.)
  - \_\_\_ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
  - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
  - \_\_\_ Letter briefly describing, explaining, and justifying the request
  - \_\_\_ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
  - \_\_\_ Sign Posting Agreement
  - \_\_\_ Fee (see schedule)
  - \_\_\_ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)**
  - \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
  - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
  - \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver
  - \_\_\_ List any original and/or related file numbers on the cover application

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

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

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

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
- EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
  - \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
  - \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined
  - \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension
  - \_\_\_ List any original and/or related file numbers on the cover application

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

- VACATION OF PRIVATE EASEMENT (DRB26)** *6*
- VACATION OF RECORDED PLAT (DRB29)**
  - ✓ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
  - ✓ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
  - ✓ Zone Atlas map with the entire property(ies) clearly outlined
  - ✓ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
  - ✓ Letter of authorization from the grantors and the beneficiaries (private easement only)
  - ✓ Fee (see schedule)
  - ✓ List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
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I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Diane Hoelzer  
Applicant name (print)  
Diane Hoelzer  
Applicant signature / date



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

Application case numbers  
14 - DRB - 70102

Form revised 4/07  
[Signature] 4-11-14  
Planner signature / date  
Project # 1007140



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
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**APPLICATION INFORMATION:**

Professional/Agent (if any) Mark Goodwin & Associates PA PHONE 828-2200  
 ADDRESS: PO Box 9200 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE nm ZIP 87199 E-MAIL kbrashear@goodwinengineers.com

APPLICANT: JTH, LLC PHONE 338-1438  
 ADDRESS: PO Box 1443 FAX: \_\_\_\_\_  
 CITY: Corrales STATE nm ZIP 87048 E-MAIL: athorn@thornrayleehomes.com  
 Proprietary interest in site: owners List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Private Easement Vacation Request

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

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

Lot or Tract No. Tract 2-17 Block: \_\_\_\_\_ Unit: 3B  
 Subdiv/Addn/TBKA: Juan Tabo Hills  
 Existing Zoning: SU-1/RD Proposed zoning: SU-1/RD MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s) m-2a UPC Code: 10220551044320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj, App., DRB-, AX, Z, V, S, etc.): #1007140  
13DRB-70511 13DRB-70534 13DRB-70672

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  no  
 No. of existing lots: \_\_\_\_\_ No. of proposed lots: 40 Total site area (acres): 9.54  
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 Between: manachos and Tijeras Arroyo

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

SIGNATURE Diane Houlzer DATE 4-10-14  
 (Print Name) Diane Houlzer Applicant:  Agent:

Revised: 4/2012

**FOR OFFICIAL USE ONLY**

	Application case numbers	Action	S F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>14DRB-70102</u>	<u>VPE</u>	_____	\$ <u>270.00</u>
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Hearing date April 23, 2014

[Signature]  
 Staff signature & Date 4-11-14

Project # 1007140

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- VACATION OF PRIVATE EASEMENT (DRB26)-6**  
 **VACATION OF RECORDED PLAT (DRB29)**  
 The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**  
 Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**  
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 Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**  
 Letter of authorization from the grantors and the beneficiaries (private easement only)  
 Fee (see schedule)  
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Diane Hoeltzer  
 Applicant name (print)  
Diane Hoeltzer  
 Applicant signature / date

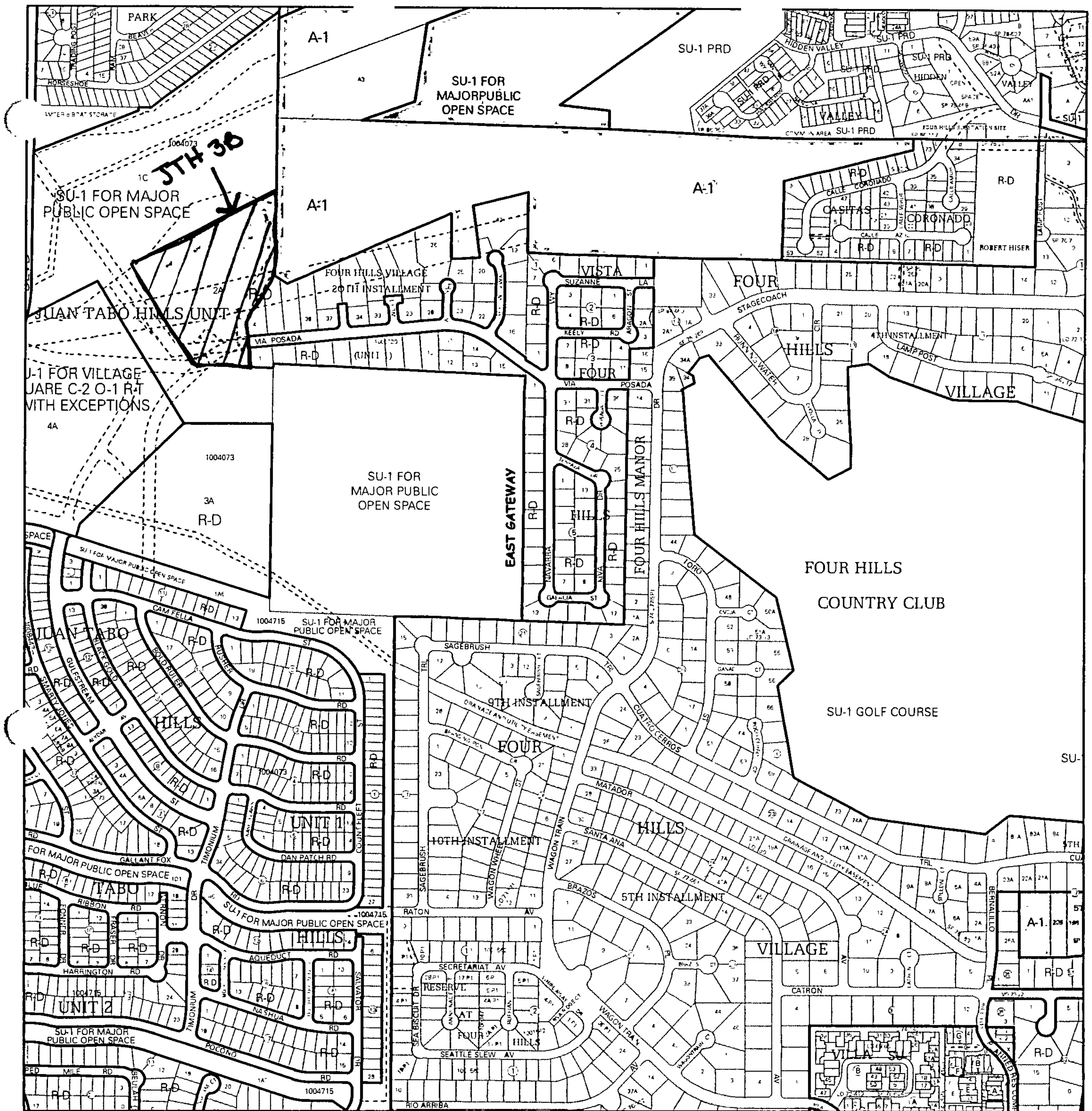


Form revised 4/07

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

Application case numbers  
14 - VRB - 70102  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature]  
 Planner signature / date  
4-11-14  
 Project # 1007140



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

Map amended through: 4/2/2012

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**M-22-Z**

Selected Symbols

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

0 750 1500 Feet



D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

April 10, 2014

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

**Re: Juan Tabo Hills Unit 3B – Vacation of Private Easements  
(DRB Case: 1007140) Zone Atlas M-22**

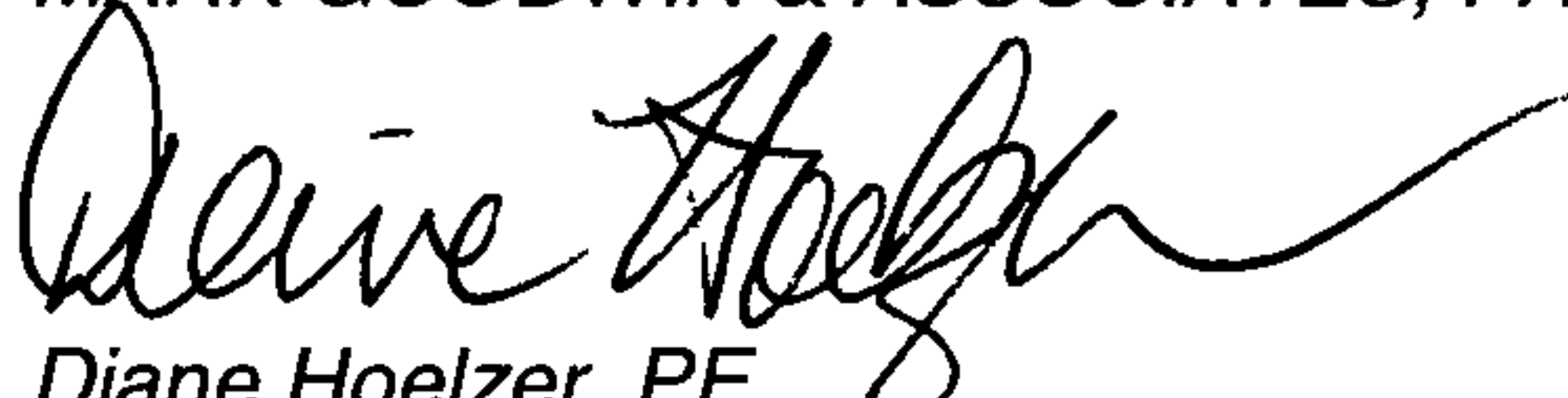
Dear Mr. Cloud:

*On behalf of our client, JTH, LLC, we are requesting vacation of all the 5' private drainage easements in for this project. These private drainage easements are no longer required since the client has decided to only build duplexes, eliminating the 4- and 5- plexes that were originally planned.*

*Please contact our office if you have any questions or comments.*

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

  
Diane Hoelzer, PE  
Senior Engineer

DLH/dlh  
Attachments

April 23, 2014

000000

4



# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

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### STANDARD APPLICATION, Paper Plans Required

#### DEVELOPMENT REVIEW BOARD

01/07/2014 Issued By: BLDAVM 221102

Category Code **910**  
**2014 070 006**

**Application Number:** 14DRB-70006, Major - Final Plat Approval

**Address:**

**Location Description:** JUAN TABO HILLS BETWEEN MANACHOS AND TIJERAS ARROYO

**Project Number:** 1007140

**Applicant**  
JTH, LLC

PO BOX 9606  
CORRALES AZ 87048

**Agent / Contact**

MARK GOODWIN AND ASSOCIATES, P.A.  
DIANE HOELZER  
P.O. BOX 90606  
ALBUQUERQUE NM 87199

#### Application Fees

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**APN Fee**

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**Conflict Mgmt Fee** **\$20.00**

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**DRB Actions**

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**TOTAL:** **\$20.00**

## Kay Brashear

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**From:** Stephen Stasiewicz  
**Sent:** Tuesday, January 7, 2014 12:20 PM  
**To:** Kay Brashear; Diane Hoelzer  
**Subject:** FW: 1007140 Juan Tabo Hills Unit 3B

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**From:** Gaulden, Tim H. [mailto:tgaulden@cabq.gov]  
**Sent:** Tuesday, January 07, 2014 11:53 AM  
**To:** Stephen Stasiewicz; Bradley, Catherine P.; Sammons, Joshua R.; Gricius, Michelle A.  
**Subject:** RE: 1007140 Juan Tabo Hills Unit 3B

Stephen:

The DXF for project 1007140 has been approved.

Tim

Tim Gaulden  
GIS Coordinator  
505 924-3805  
[tgaulden@cabq.gov](mailto:tgaulden@cabq.gov)



---

**From:** Stephen Stasiewicz [mailto:Stephen@goodwinengineers.com]  
**Sent:** Monday, January 06, 2014 1:01 PM  
**To:** Bradley, Catherine P.; Gaulden, Tim H.; Sammons, Joshua R.; Gricius, Michelle A.  
**Subject:** 1007140 Juan Tabo Hills Unit 3B

DXF file rotated and scaled to New Mexico state plane coordinates grid system NAD 83, Central zone.

Stephen Stasiewicz



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin & Associates, PA PHONE: 828-2200  
 ADDRESS: PO Box 90606 FAX: 797-9539  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: kbrashear@goodwinengineers.com

APPLICANT: JTH, LLC PHONE: \_\_\_\_\_  
 ADDRESS: PO Box 1443 FAX: \_\_\_\_\_  
 CITY: Corrales STATE NM ZIP 87048 E-MAIL: rvsg7@rayleehomes.com  
 Proprietary interest in site: owners List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Final plat submittal for JTH3B

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

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

Lot or Tract No. Tract 2-A Block: \_\_\_\_\_ Unit: 3B  
 Subdiv/Addn/TBKA: Juan Tabo Hills  
 Existing Zoning: SU-1/RD Proposed zoning: SU-1/RD MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): m-2a UPC Code: 1022 055 10444 320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007140  
13DRB-70511 13DRB-70534 13DRB-70672

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  no  
 No. of existing lots: \_\_\_\_\_ No. of proposed lots: 40 Total site area (acres): 9.54  
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Hills Blvd  
 Between: monachos and Tigeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 1-6-14  
 (Print Name) Diane Hoelzer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>14 DRB-70006</u>	<u>FP</u>	_____	\$ <u>0</u>
<input type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total
				\$ <u>20.00</u>

Hearing date Jan. 15, 2014

[Signature]  
 Staff signature & Date 1-7-14

Project # 1007140

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

Diiane Hoelzer  
 Applicant name (print)  
Diiane Hoelzer 1-6-14  
 Applicant signature / date



Form revised October 2007

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

Application case numbers  
14 - DRB - 70006  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature]  
 Planner signature / date  
 Project # 1007140



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

- for Subdivision
- for Building Permit
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- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- V**  Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P**  Adoption of Rank 2 or 3 Plan or similar
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- L A** **APPEAL / PROTEST of...**
  - Decision by, DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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APPLICANT: JTH, LLC PHONE: \_\_\_\_\_  
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 Proprietary interest in site: owners List all owners: \_\_\_\_\_

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Lot or Tract No. Tract 2-A Block. \_\_\_\_\_ Unit. 3B  
 Subdiv/Addn/TBKA: Juan Tabo Hills  
 Existing Zoning: SU-1/RD Proposed zoning: SU-1/RD MRGCD Map No. \_\_\_\_\_  
 Zone Atlas page(s): M-22 UPC Code: 102205510444320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.). 1007140  
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**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill?  no  
 No. of existing lots: \_\_\_\_\_ No. of proposed lots: 40 Total site area (acres): 9.54  
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 Between: manachos and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 1-6-14  
 (Print Name) Diane Hoelzer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	<u>14 DRB-70006</u>	<u>FP</u>	_____	\$ <u>0</u>
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	Hearing date <u>Jan. 15, 2014</u>			Total \$ <u>20.00</u>

[Signature]  
 Staff signature & Date 1-7-14

Project # 1007140

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

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 1-6-14  
 Applicant signature / date



Form revised October 2007

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

Application case numbers  
1-6-DRB-70006  
 \_\_\_\_\_  
 \_\_\_\_\_

[Signature] 1-7-14  
 Planner signature / date  
 Project # 1007140



Figure 12

Nearest Major Streets: Juan Tabo Hills Blvd.  
No. of Lots: 40**SUBDIVISION IMPROVEMENTS AGREEMENT PUBLIC AND/OR PRIVATE**  
**(Procedure B)****AGREEMENT TO CONSTRUCT**  
**PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT is made this 3<sup>RD</sup> day of January, 20 14, 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 JTH, LLC ("Subdivider"), a New Mexico Limited Liability Company, whose address is PO BOX 1443, Corrales, NM 87048 and whose telephone number is (505) 338-1438, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] A tract of land situate within Sections 27 and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT 2-A, and 1-C, Juan Tabo Hills Unit 1 as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico, recorded on December 22, 2005 in Book 2005C, pages 406, as Document No. \_\_\_\_\_ in the records of the Bernalillo County Clerk, State of New Mexico (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:] JTH, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Juan Tabo Hills Unit 3B - LOMR describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's 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, building permit or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in **Exhibit A**, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 18<sup>th</sup> day of September 2015, ("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. 756187

Doc# 2014000904

01/06/2014 01:25 PM Page 1 of 10  
AGRE R \$25.00 M. Toulouse Oliver, Bernalillo County

1 of 8



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 S.O. 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 City's Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See S.O. 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. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. 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 ("DPM"), 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. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail thirty (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%
Street Excavation and Barricadig Ordinance and 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.

5. 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 Surv-Tek, and construction surveying of the private Improvements shall be performed by Surv-Tek. 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 Mark Goodwin & Associates, PA and inspection of the private Improvements shall be performed by Mark Goodwin & Associates, PA 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 of Albuquerque, Inc., and field testing of the private Improvements shall be performed by Geo-Test of Albuquerque, 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 therefore.

6. 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 City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Bond No. 109 9800  
Amount: \$15,000  
Name of Financial Institution or Surety providing Guaranty: Lexon Insurance Company  
Date City first able to call Guaranty (Construction Completion Deadline): September 18, 2015  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_  
Additional information: FG Amount for LOMR only

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

8. 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 S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. 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.

10. 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 DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed, and completed in substantial compliance with the approved construction plans, 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 S.O.

(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.

11. 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 indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the 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. 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.

12. 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.

13. 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.

14. 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.

15. 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.

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

17. 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.

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

19. 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.

20. 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.

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

22. 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: JTH, LLC  
By [Signature]: [Signature]  
Name [Print]: Scott Grady  
Title: Managing Member  
Dated: 12-30-13

CITY OF ALBUQUERQUE  
By: [Signature]  
Bryan Wolfe, PE City Engineer  
Dated: 1/3/2014

[Signature]  
1-2-14  
12-30-13

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on this 30 day of December, 2013,  
by [name of person:] Scott Grady, [title or capacity, for instance, "President" or "Owner":]  
Managing Member of [Subdivider:] JTH, LLC.



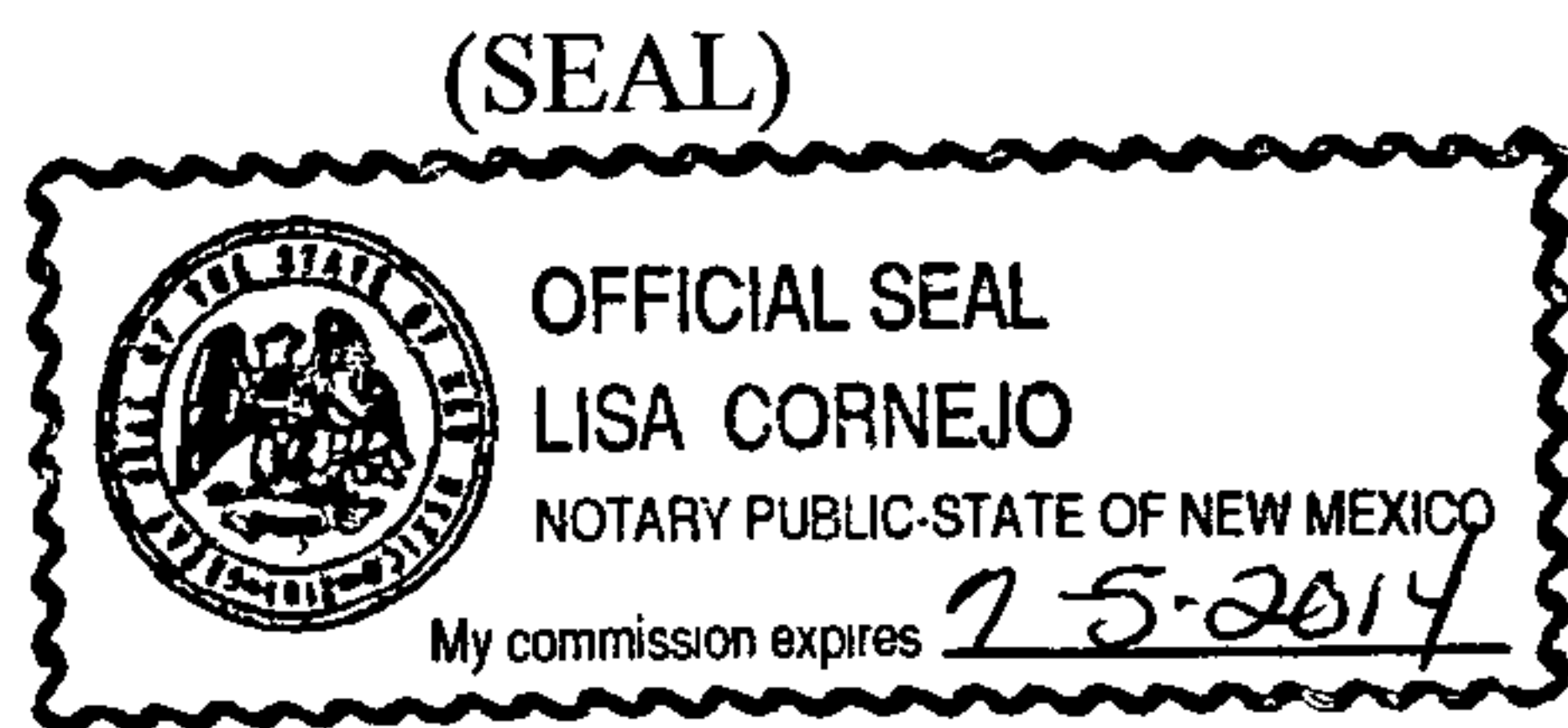
Kay Brashear  
Notary Public

My Commission Expires: 8-19-15

CITY'S NOTARY

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

This instrument was acknowledged before me on this 3 day of January,  
2014, by Bryan Wolfe, PE City Engineer of the City of Albuquerque, a municipal  
corporation, on behalf of said corporation.



Lisa Cornejo  
Notary Public

My Commission Expires: July 5, 2014



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

September 18, 2013

Project# 1007140  
13DRB-70672 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JUAN TABO HILLS, LLC request(s) the above action(s) for all or a portion of **JUAN TABO HILLS Unit(s) 3B**, zoned RD, SU-1, located on JUAN TABO BLVD SE BETWEEN MONACHOS RD SE AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the September 18, 2013 Development Review Board meeting, an extension of the preliminary plat was approved to May 8, 2014 to coincide with the expiration of the vacation(s). The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in black ink, appearing to read "Jack Cloud".

Jack Cloud, DRB Chair

Cc: Mark Goodwin & Assoc. – P.O. Box 90606 – Albuquerque, NM 87199  
Cc: Juan TAbó Hills LLC – P.O. Box 1443 – Corrales NM 87048  
Marilyn Maldonado  
file



# FINANCIAL GUARANTY AMOUNT

12/13/2013

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

Project Description:

**Project ID #: 756187, Juan Tabo Hills Unit 3B, Phase/Unit #: 1**

Requested By: **Diane Hoelzer**

TOTAL FINANCIAL GUARANTY REQUIRED \$15,000.00

APPROVAL:

DATE:

*D Woodall*

12-13-13

Notes: SIA B-2, LOMR, From Updated IL

**BOND NUMBER: 109 9800**

**CONTACT PERSON'S NAME: Michele Lacrosse**

**SUBDIVISION IMPROVEMENTS BOND**

**KNOW ALL MEN BY THESE PRESENTS:** That we **JTH, LLC, a New Mexico Limited Liability Company** as "Principal", and **Lexon Insurance Company** a corporation organized and existing under and by virtue of the laws of the State of **Texas** and authorized to do business in the State of New Mexico, as "Surety", whose address is **12890 Lebanon Road, Mt Juliet, TN 37155**, and whose telephone number is **1-800-235-9347** are held and firmly bound unto the **CITY OF ALBUQUERQUE** in the penal sum of **Fifteen Thousand and no/100s Dollars, \$15,000.00**, as amended by change orders approved by the Surety or changes to this infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, and firmly by these presents.

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

**WHEREAS**, the Principal is the owner of and/or is interested in or is developing land and premises known as **Juan Tabo Hills Unit 3B, Phase/Unit #: 1 Project ID #756187** and

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

**WHEREAS**, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: **SIA B-2, LOMR, From Updated IL**

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

**NOW, THEREFORE**, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before Sept 18, 2015 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

**IN WITNESS WHEREOF**, this bond has been executed this 27th day of December, 2013

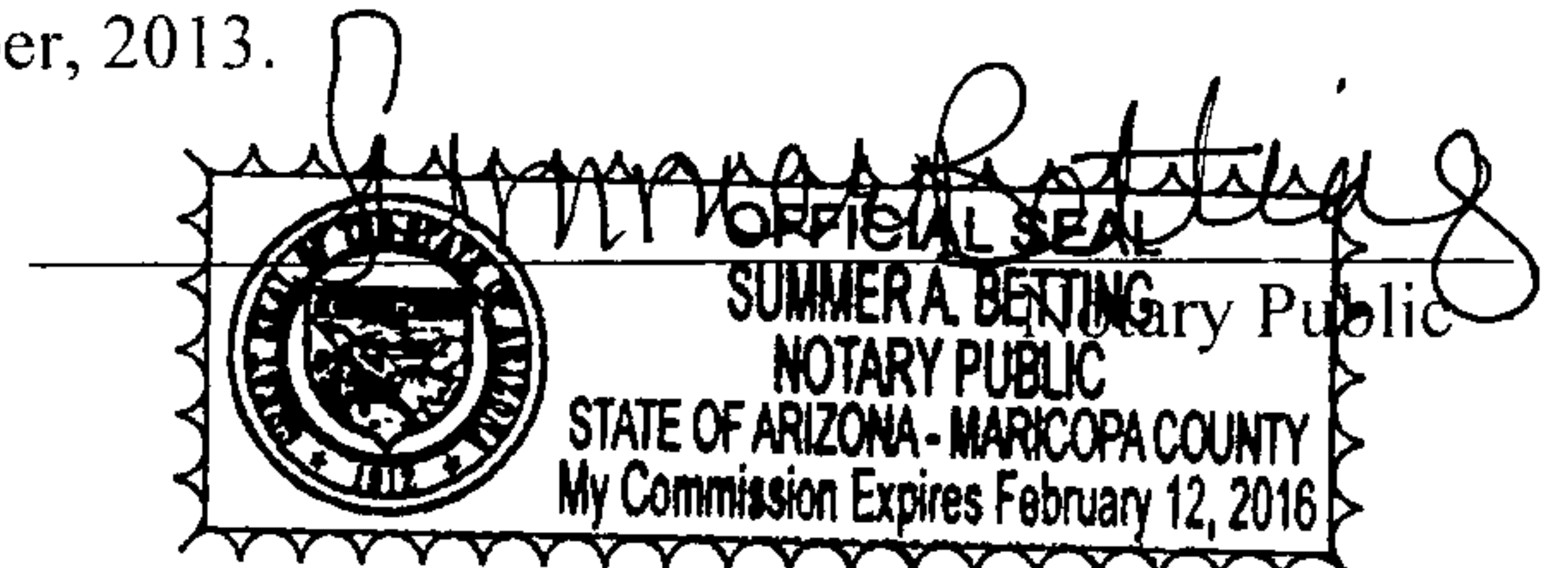
**SUBDIVIDER: JTH, LLC**  
BY: [Signature]  
NAME: Scott Grady  
TITLE: Manager  
DATED: December 27<sup>th</sup>, 2013

**SURETY: Lexon Insurance Company**  
BY: [Signature]  
NAME: Michele Lacrosse  
TITLE: Attorney-In Fact  
DATED: December 27<sup>th</sup>, 2013

**STATE OF ARIZONA  
COUNTY OF MARICOPA**

Subscribed and sworn to before me on this 27<sup>th</sup> day of December, 2013.

My Commission Expires: 2/12/16



POWER OF ATTORNEY

LX- 130166

Lexon Insurance Company

KNOW ALL MEN BY THERE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint:

Michele Lacrosse, Summer A. Betting\*\*\*\*\*

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 2,500,000.00, Two-million five hundred thousand dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 01-09-16

BY [Signature] Amy L Taylor Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 27th Day of Dec, 2013.



BY [Signature] Andrew Smith Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.”

# FINANCIAL GUARANTY AMOUNT

12/13/2013

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

Project Description:

**Project ID #: 756187, Juan Tabo Hills Unit 3B, Phase/Unit #: 1**

Requested By: **Diane Hoelzer**

TOTAL FINANCIAL GUARANTY REQUIRED \$15,000.00

APPROVAL:

*J Woodall*

DATE:

12-13-13

Notes: SIA B-2, LOMR, From Updated IL

Figure 12

Nearest Major Streets: Juan Tabo Hills Blvd.  
No. of Lots: 40

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

**AGREEMENT TO CONSTRUCT**  
**PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT is made this 3<sup>RD</sup> day of July, 20 14, 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 JTH, LLC ("Subdivider"), a New Mexico Limited Liability Company, whose address is PO BOX 1443, Corrales, NM 87048 and whose telephone number is (505) 338-1438, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] A tract of land situate within Sections 27 and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT 2-A, and 1-C, Juan Tabo Hills Unit 1 as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico, recorded on December 22, 2005 in Book 2005C, pages 406 , as Document No. \_\_\_\_\_ in the records of the Bernalillo County Clerk, State of New Mexico (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:] JTH, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Juan Tabo Hills Unit 3B – Re-seeding describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's 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, building permit or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in **Exhibit A**, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 18<sup>th</sup> day of September 2016, ("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. 756187

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 S.O. 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 City's Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See S.O. 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. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. 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 ("DPM"), 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. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail thirty (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%
Street Excavation and Barricadig Ordinance and 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.

5. 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 Surv-Tek, and construction surveying of the private Improvements shall be performed by Surv-Tek. 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 Mark Goodwin & Associates, PA and inspection of the private Improvements shall be performed by Mark Goodwin & Associates, PA 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 of Albuquerque, Inc., and field testing of the private Improvements shall be performed by Geo-Test of Albuquerque, 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 therefore.

6. 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 City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Bond No. 1099799  
Amount: \$25,000  
Name of Financial Institution or Surety providing Guaranty: Lexon Insurance Company  
Date City first able to call Guaranty (Construction Completion Deadline): September 18, 2016  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_  
Additional information: FG Amount for Re-seeding only

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

8. 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 S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.



9. 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.

10. 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 DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed, and completed in substantial compliance with the approved construction plans, 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 S.O.

(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.

11. 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 indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the 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. 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.

12. 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.

13. 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.

14. 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.

15. 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.

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

17. 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.

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

19. 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.

20. 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.

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

22. 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: JTH, LLC  
By [Signature]: [Signature]  
Name [Print]: Scott Grady  
Title: Managing Member  
Dated: 12-30-13

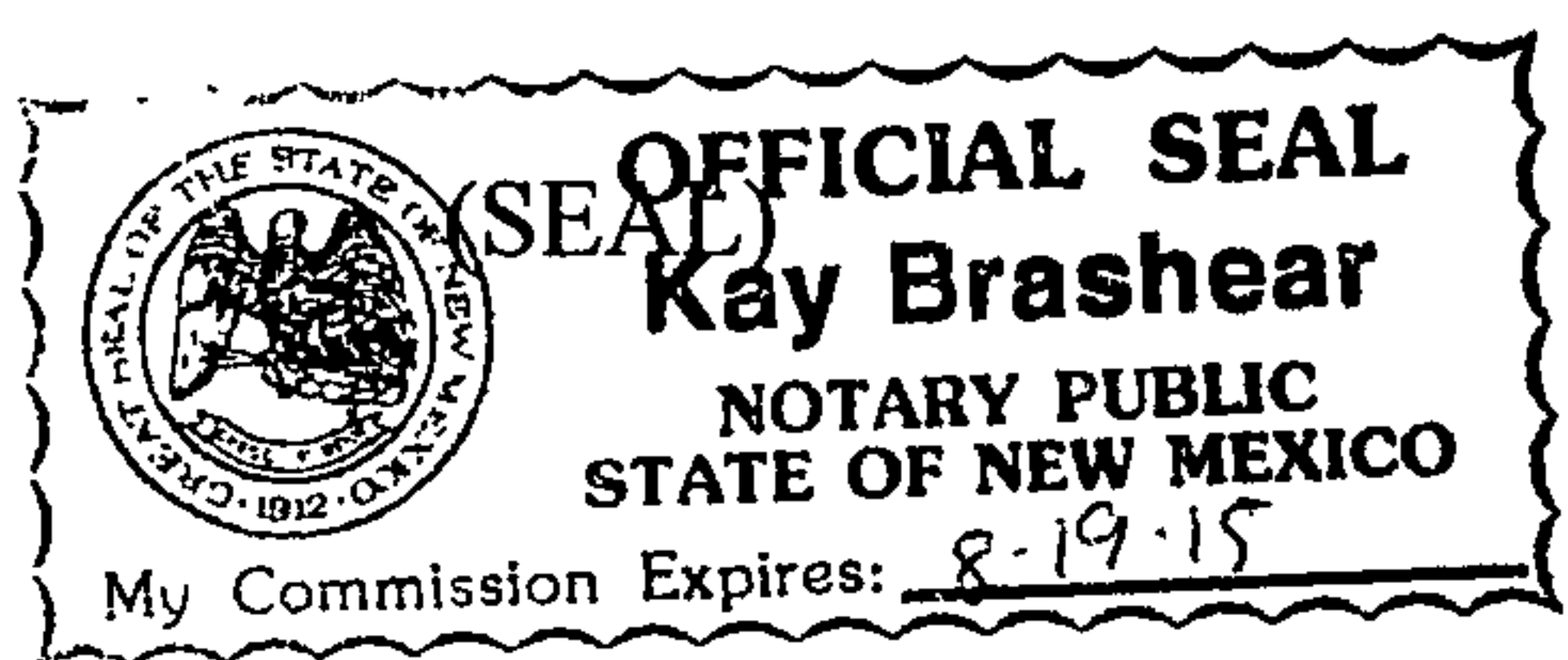
CITY OF ALBUQUERQUE  
By: [Signature]  
Bryan Wolfe, PE City Engineer  
Dated: 1/3/2014

[Signature]  
1-2-14  
[Signature]  
12-30-13

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on this 30 day of December, 2013,  
by [name of person:] Scott Grady, [title or capacity, for instance, "President" or "Owner":]  
Managing Member of [Subdivider:] JTH, LLC.

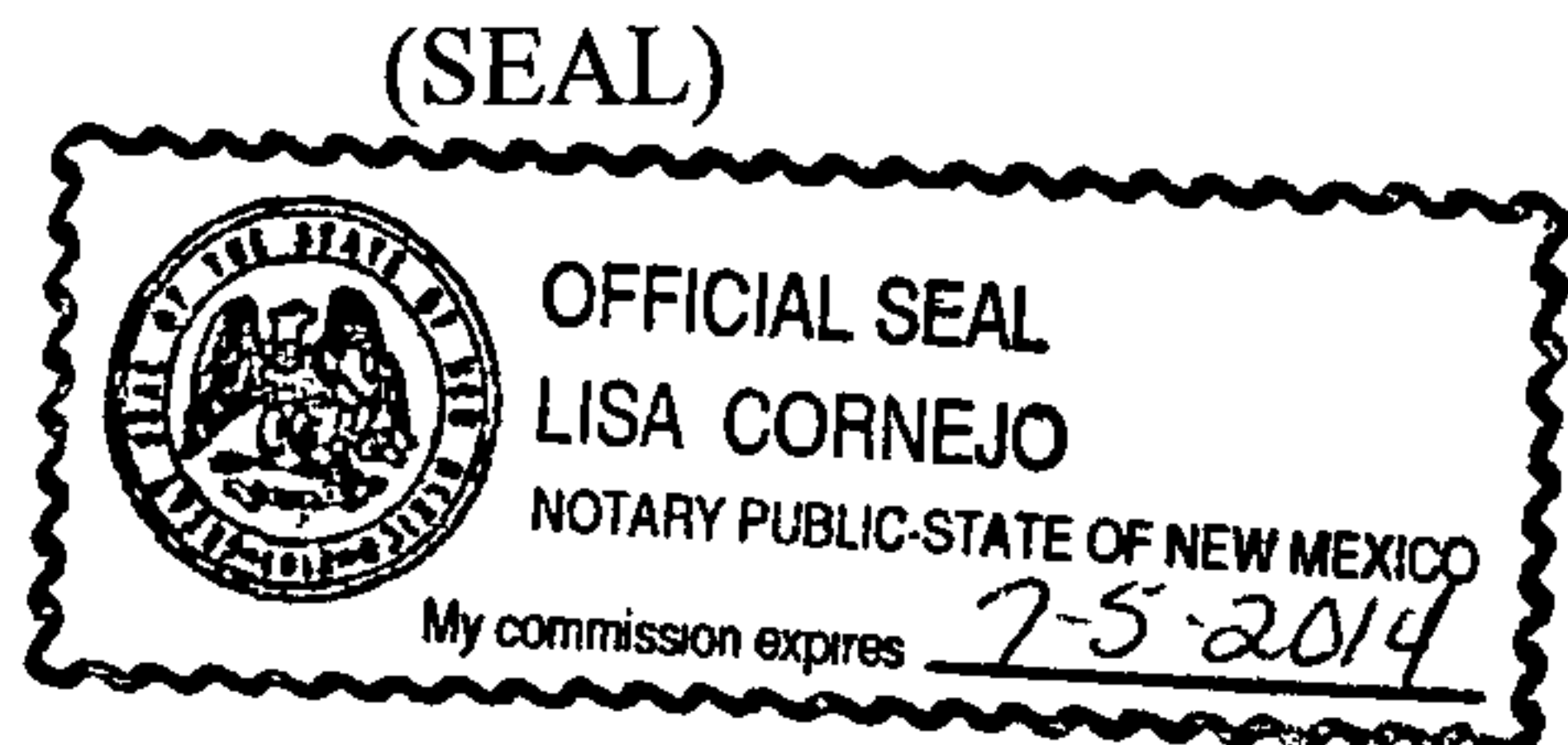


Kay Brashear  
Notary Public  
My Commission Expires: 8-19-15

CITY'S NOTARY

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

This instrument was acknowledged before me on this 3 day of January,  
2014, by Bryan Wolfe, PE City Engineer of the City of Albuquerque, a municipal  
corporation, on behalf of said corporation.



Lisa Cornejo  
Notary Public  
My Commission Expires: July 5, 2014

# FINANCIAL GUARANTY AMOUNT

12/27/2013

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

Project Description:

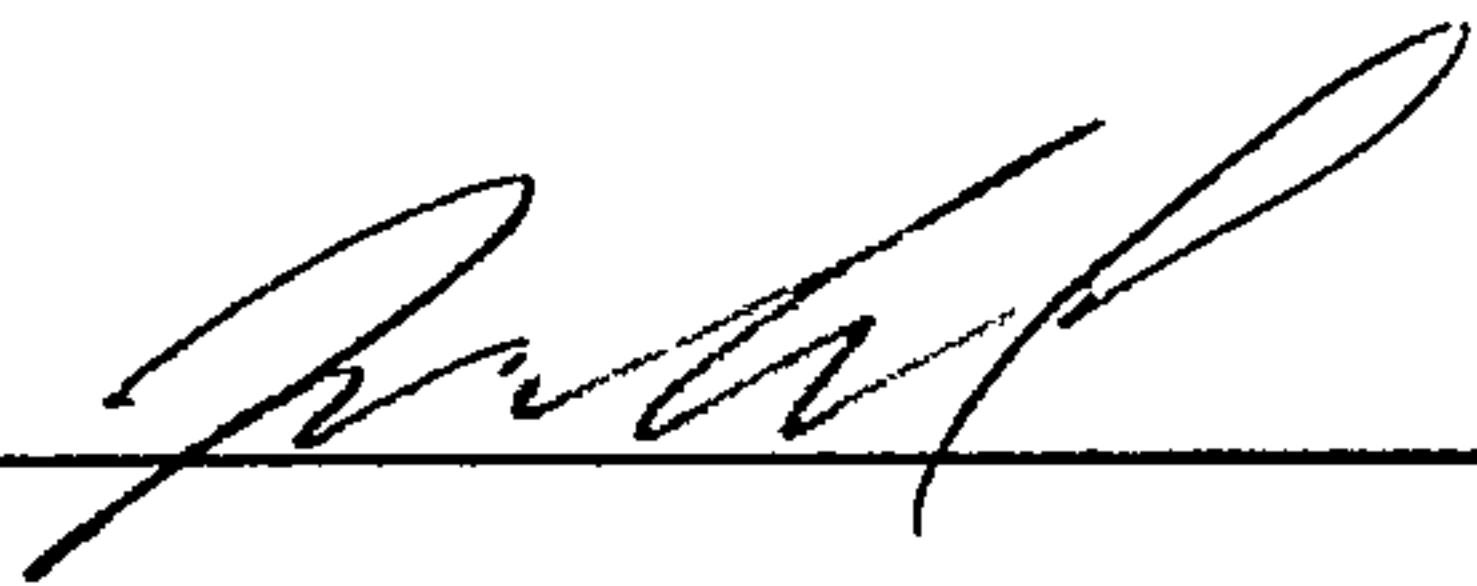
**Project ID #: 756187, Juan Tabo Hills Unit 3B, Phase/Unit #: 1**

Requested By: **Scott Grady**

TOTAL FINANCIAL GUARANTY REQUIRED \$25,000.00

APPROVAL:

DATE:

  
\_\_\_\_\_

Dec 27, 2013

Notes: SIA B-3, re-seeding

**BOND NUMBER: 109 9799**

**CONTACT PERSON'S NAME: Michele Lacrosse**

**SUBDIVISION IMPROVEMENTS BOND**

**KNOW ALL MEN BY THESE PRESENTS:** That we **JTH, LLC, a New Mexico Limited Liability Company** as "Principal", and **Lexon Insurance Company** a corporation organized and existing under and by virtue of the laws of the State of **Texas** and authorized to do business in the State of New Mexico, as "Surety", whose address is **12890 Lebanon Road, Mt Juliet, TN 37155**, and whose telephone number is **1-800-235-9347** are held and firmly bound unto the **CITY OF ALBUQUERQUE** in the penal sum of **Twenty Five Thousand and no/100s Dollars, \$25,000.00**, as amended by change orders approved by the Surety or changes to this infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, and firmly by these presents.

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

**WHEREAS**, the Principal is the owner of and/or is interested in or is developing land and premises known as **Juan Tabo Hills Unit 3B, Phase/Unit #: 1 Project ID #756187** and

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

**WHEREAS**, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: SIA B-3, re-seeding

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

**NOW, THEREFORE**, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before Sept 18, 2016 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

**IN WITNESS WHEREOF**, this bond has been executed this 27th day of December, 2013

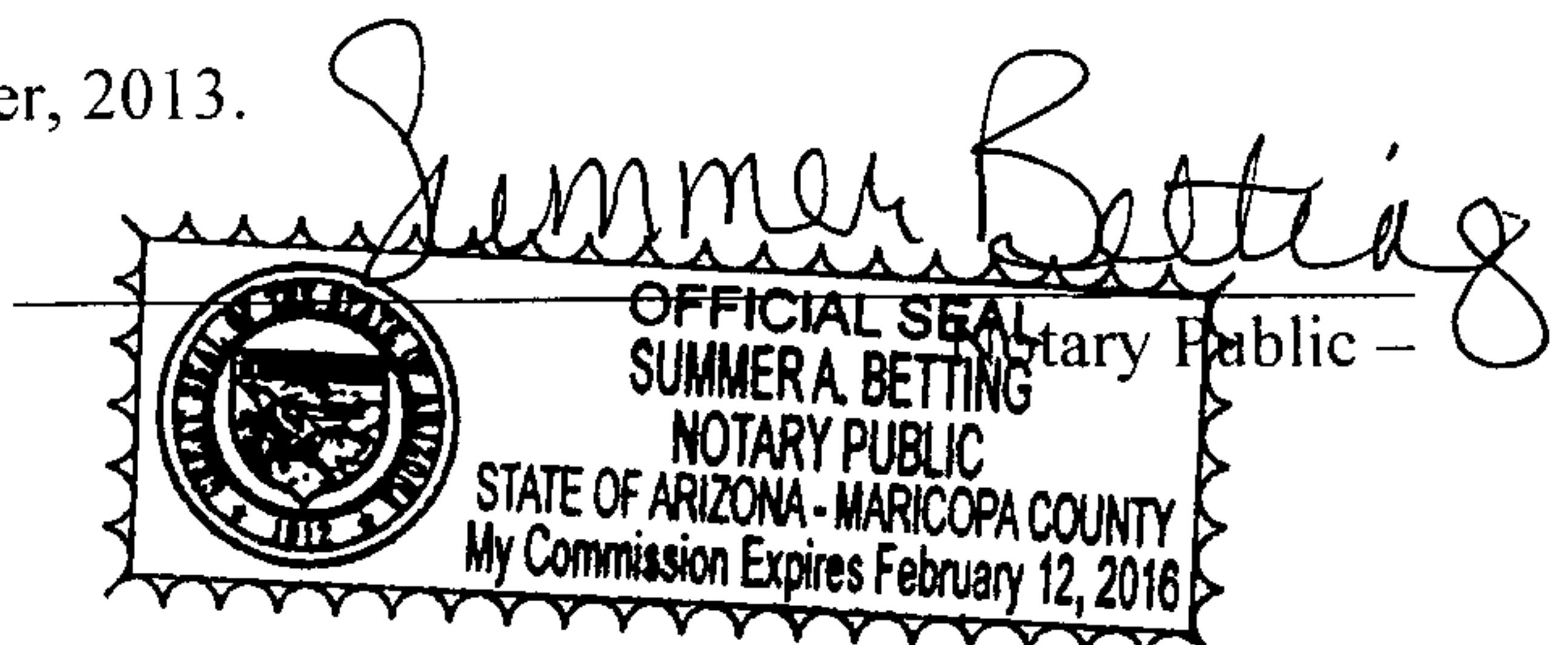
**SUBDIVIDER: JTH, LLC**  
BY: [Signature]  
NAME: Scott Grady  
TITLE: Manager  
DATED: December 27<sup>th</sup>, 2013

**SURETY: Lexon Insurance Company**  
BY: [Signature]  
NAME: Michele Lacrosse  
TITLE: Attorney-In Fact  
DATED: December 27<sup>th</sup>, 2013

**STATE OF ARIZONA**  
**COUNTY OF MARICOPA**

Subscribed and sworn to before me on this 27<sup>th</sup> day of December, 2013.

My Commission Expires: 2/12/16



POWER OF ATTORNEY

LX- 130167

Lexon Insurance Company

KNOW ALL MEN BY THERE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint:

Michele Lacrosse, Summer A. Betting\*\*\*\*\*

\*\*\*\*\*

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 2,500,000.00, Two-million five hundred thousand dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21st day of September, 2009.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 21st day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



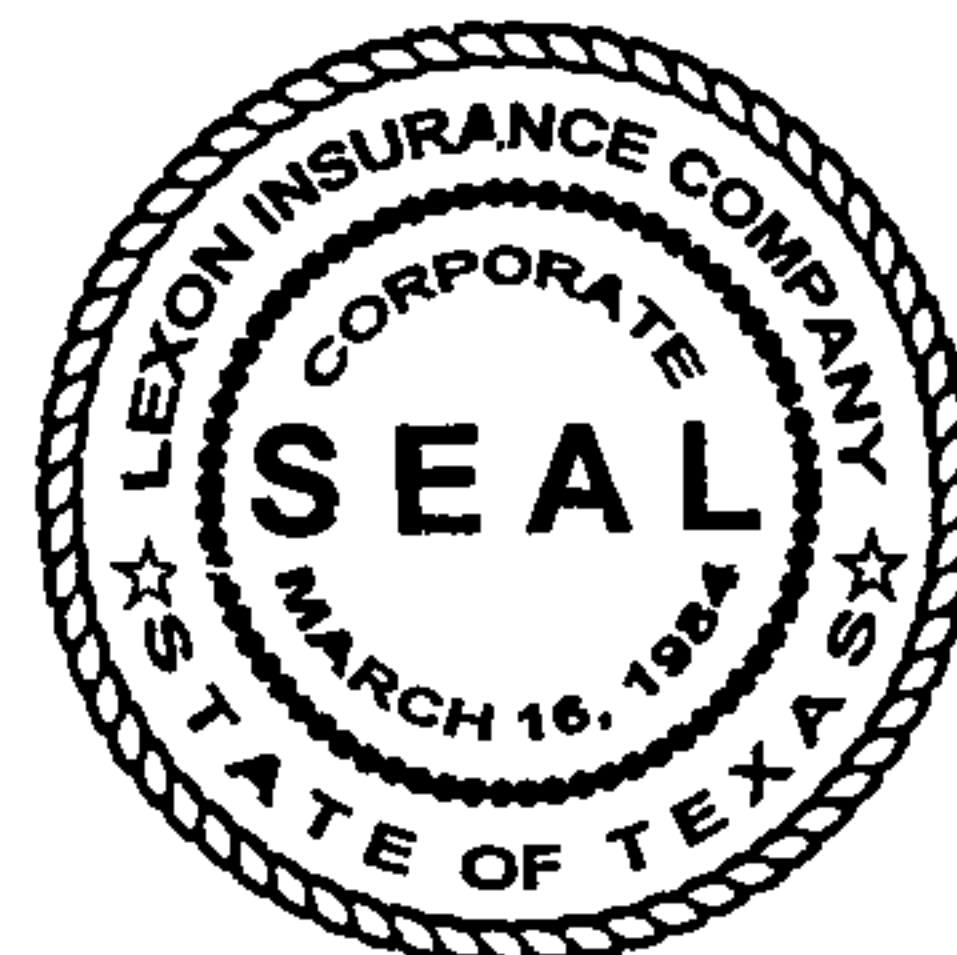
AMY L. TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 01-09-16

BY [Signature] Amy L. Taylor Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 27th Day of Dec, 2013.



BY [Signature] Andrew Smith Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.”

# FINANCIAL GUARANTY AMOUNT

12/27/2013

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

Project Description:

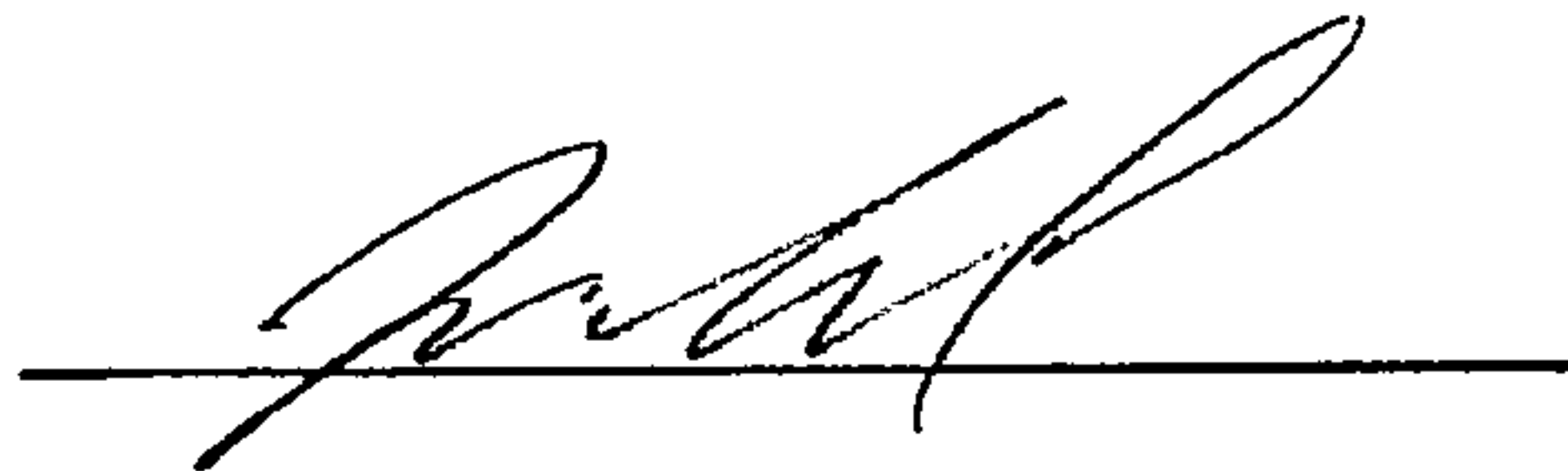
**Project ID #: 756187, Juan Tabo Hills Unit 3B, Phase/Unit #: 1**

Requested By: **Scott Grady**

TOTAL FINANCIAL GUARANTY REQUIRED \$25,000.00

APPROVAL:

DATE:

  
\_\_\_\_\_

Dec 27, 2013

Notes: SIA B-3, re-seeding



**1<sup>st</sup> EXTENSION AGREEMENT**  
**Procedure "B"**

**PROJECT NO. 756187**

This Agreement made this 3<sup>rd</sup> day of January, 2014, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer/subdivider:) JTH, LLC ("Subdivider"), whose address is PO BOX 1443, Corrales, NM 87048 and whose telephone number is (505) 883-1438 is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Subdivider entered into an Agreement on the 26 day of September 2013, which was recorded on September 30, 2013 Book \_\_\_\_\_, pages 1 through 11, as Document No. 2013108922 in the records of Bernalillo County Clerk, State of New Mexico ("Earlier Agreement"), by which the Subdivider agreed to complete the construction of certain infrastructure improvements on or before the 8<sup>th</sup> day of May 2013; and

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

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

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

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

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

A. For all improvements, the 6<sup>th</sup> day of January, 2016.

Doc# 2014000903

01/06/2014 01 25 PM Page 1 of 3  
AGRE R \$25 00 M Toulouse Oliver, Bernalillo County



B. On portions of the improvements as follows:

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

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

Type of Financial Guaranty: Bond 109 9852  
Amount: \$ 2,568,298.42  
Name of Financial Institution or Surety providing Guaranty: Lexon Insurance Company  
Date City first able to call Guaranty (Construction Completion Deadline):  
January 6<sup>th</sup>, 2016  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_  
Additional information: \_\_\_\_\_  
\_\_\_\_\_

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



**CONTACT PERSON'S NAME: Michele Lacrosse**

**SUBDIVISION IMPROVEMENTS BOND**

**KNOW ALL MEN BY THESE PRESENTS:** That we JTH, LLC, a New Mexico Limited Liability Company as "Principal", and Lexon Insurance Company a corporation organized and existing under and by virtue of the laws of the State of Texas and authorized to do business in the State of New Mexico, as "Surety", whose address is 12890 Lebanon Road, Mt Juliet, TN 37155, and whose telephone number is 1-800-235-9347 are held and firmly bound unto the **CITY OF ALBUQUERQUE** in the penal sum of Two Million Five Hundred Sixty Eight Thousand Two Hundred and Ninety Eight Dollars and 42/100s Dollars, \$2,568,298.42, as amended by change orders approved by the Surety or changes to this infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, and firmly by these presents.

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

**WHEREAS**, the Principal is the owner of and/or is interested in or is developing land and premises known as Project ID #: 756187, Juan Tabo Hills Unit 3B, Phase/Unit #:1 and

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

**WHEREAS**, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: **Infrastructure Improvements**

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

**NOW, THEREFORE**, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before Jan 6, 2016 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

**IN WITNESS WHEREOF**, this bond has been executed this 19th day of December, 2013

**SUBDIVIDER: JTH, LLC**

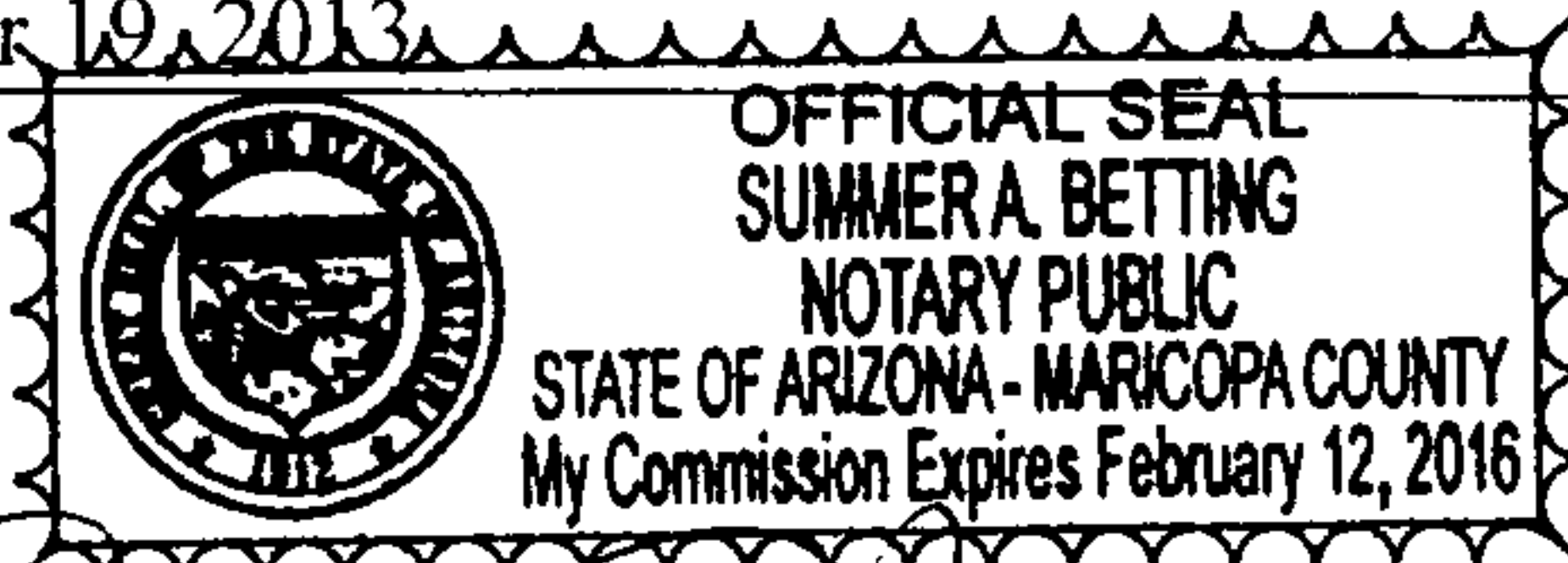
**SURETY: Lexon Insurance Company**

BY: [Signature]  
NAME: Scott Grady  
TITLE: Manager  
DATED: December 19<sup>th</sup>, 2013

BY: [Signature]  
NAME: Michele Lacrosse  
TITLE: Attorney-In Fact  
DATED: December 19, 2013

**STATE OF ARIZONA  
COUNTY OF MARICOPA**

Subscribed and sworn to before me on 19th day of December, 2013.



[Signature]  
Notary Public – Summer Betting

My Commission Expires: 2-12-2016

# Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that **LEXON INSURANCE COMPANY**, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Michele Lacrosse, Summer A. Betting \*\*\*\*\*

\*\*\*\*\*

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **LEXON INSURANCE COMPANY** on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 10,000,000 00 Ten million dollars \*\*\*\*\* dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Vice President, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **LEXON INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 2nd day of July, 2003.

**LEXON INSURANCE COMPANY**



BY *David E. Campbell*  
David E. Campbell  
President

### ACKNOWLEDGEMENT

On this 2nd day of July, 2003, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

**"OFFICIAL SEAL"**  
**MAUREEN K. AYE**  
Notary Public, State of Illinois  
My Commission Expires 09/21/09

*Maureen K. Aye*  
Maureen K. Aye  
Notary Public

### CERTIFICATE

I, the undersigned, Secretary of **LEXON INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Lombard, Illinois this 19<sup>th</sup> Day of Dec, 2013.



*Donald D. Buchanan*  
Donald D. Buchanan  
Secretary

**"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."**

**SIDEWALK DEFERRAL AGREEMENT**

PROJECT NO. 756187

THIS AGREEMENT is made this 3<sup>rd</sup> day of January, 2014, 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 JTH, LLC ("**Subdivider**"), whose address is PO BOX 1443, Corrales, NM 87048 and whose telephone number is (505) 338-1438, a (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.): a New Mexico Limited Liability Company, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Subdivider is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as Tract 2-1, and 1-C, Juan Tabo Hills, Unit 1 recorded on (Date) December 22, 2005, in Book 2005C, pages 406, as Document No \_\_\_\_\_ in the records of Bernalillo County Clerk, State of New Mexico ("**Subdivision**"); and

WHEREAS, the Subdivider has submitted and the City has approved Subdivider's development plans and (state "preliminary" or "final":) Final Plat plat, to be identified as (state name of plat:) Juan Tabo Hills, Unit 3B; and

WHEREAS, Subdivider has requested and the City has determined that it is acceptable for the Subdivider to defer construction of the sidewalks within the Subdivision until after construction of other required infrastructure; and

WHEREAS, the Subdivision Ordinance requires all sidewalks to be completed within four (4) years after execution of the Agreement to Construct Subdivision Improvements; and

WHEREAS, the Subdivider must execute and deliver to the City an Agreement and an acceptable financial guaranty to provide funds for construction of the sidewalk improvements in the event the Subdivider does not complete the construction as required.

THEREFORE, the City and the Subdivider agree:

1. A. Sidewalk Construction Deadline. Subdivider has obtained a sidewalk deferral, as shown in the attached **Exhibit "A"**, which is a copy of the Development Review Board's decision regarding the deferral granted. Subdivider agrees to utilize the City's sidewalk permit process and complete the sidewalks to the satisfaction of the City by September 18th, 2017 ("**Sidewalk Construction Deadline**").

B. Request for Extension. If this Sidewalk Deferral Agreement establishes a Sidewalk Construction Deadline which is less than four (4) years after execution of the Subdivision Improvements Agreement, the Subdivider may request an extension from the Design



Review Section for an additional period of time, which shall not exceed a total of four years after execution of the Subdivision Improvements Agreement. The form of the Financial Guaranty extension and the amount must be approved by the City, but shall not exceed 125% of the City's estimate of the cost of construction at the time Subdivider requests an extension. If the Subdivider will need more than four (4) years after execution of the Subdivision Improvements Agreement to construct the sidewalks, the Subdivider must request and obtain an extension from the Development Review Board and submit the required documentation to the Design Review Section before expiration of the four (4) years.

2. Financial Guaranty. Subdivider will provide a financial guaranty in an amount of not less than 125% of the cost of constructing the sidewalk improvements within the Subdivision, as determined by the City. The financial guaranty must be irrevocable and may be in the form of a City-approved bond, 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 Sidewalk Construction Deadline. To meet the Subdivision Ordinance requirements, the Subdivider has provided the following "Financial Guaranty":

Type of Financial Guaranty: Bond No. 109 9851  
Amount: \$ 38,338.56  
Name of Financial Institution or Surety providing Guaranty: Lexon Insurance Company  
Date City first able to call Guaranty (Construction Completion Deadline): September 18, 2017  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_  
Additional information: \_\_\_\_\_

3. Notice of Start of Construction. Before construction begins, the Subdivider's contractor shall obtain all necessary Excavation and Barricading permits.

4. Completion, Acceptance and Release. The Subdivider shall report completion of sidewalk construction in writing to the City. The City shall inspect the sidewalks to verify completion. Upon acceptance of the improvements, the City shall promptly release the financial guaranty and this Sidewalk Deferral Agreement.

5. Conveyance of Property Rights. When the sidewalks have been constructed, if the City does not own the real property upon which the sidewalks are constructed, the Subdivider shall convey to the City the real property rights required by the City together with the improvements, free and clear of all claims, encumbrances and liens, before the City will release the Financial Guaranty and Sidewalk Deferral Agreement. Conveyance may be by dedication on the final plat of the Subdivision.

6. 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 indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the 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. 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.

7. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of financial institution or surety which has undertaken to guaranty 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.

8. 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 posted a suitable financial guaranty and entered into a Sidewalk Improvements Agreement with the City. Thereafter, when the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

9. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the sidewalks by the Construction Completion Deadline, the City may construct or cause the sidewalks 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 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 the Financial Guaranty.

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



11. 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.

12. 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.

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

14. 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.

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

16. 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.

17. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the owner must provide a Power of Attorney or other evidence of authority to execute this Agreement which is acceptable to the City.

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

SUBDIVIDER: JTH, LLC  
By [signature]: \_\_\_\_\_  
Name [print]: Scott Grady  
Title: Managing Member  
Dated: 12-30-13

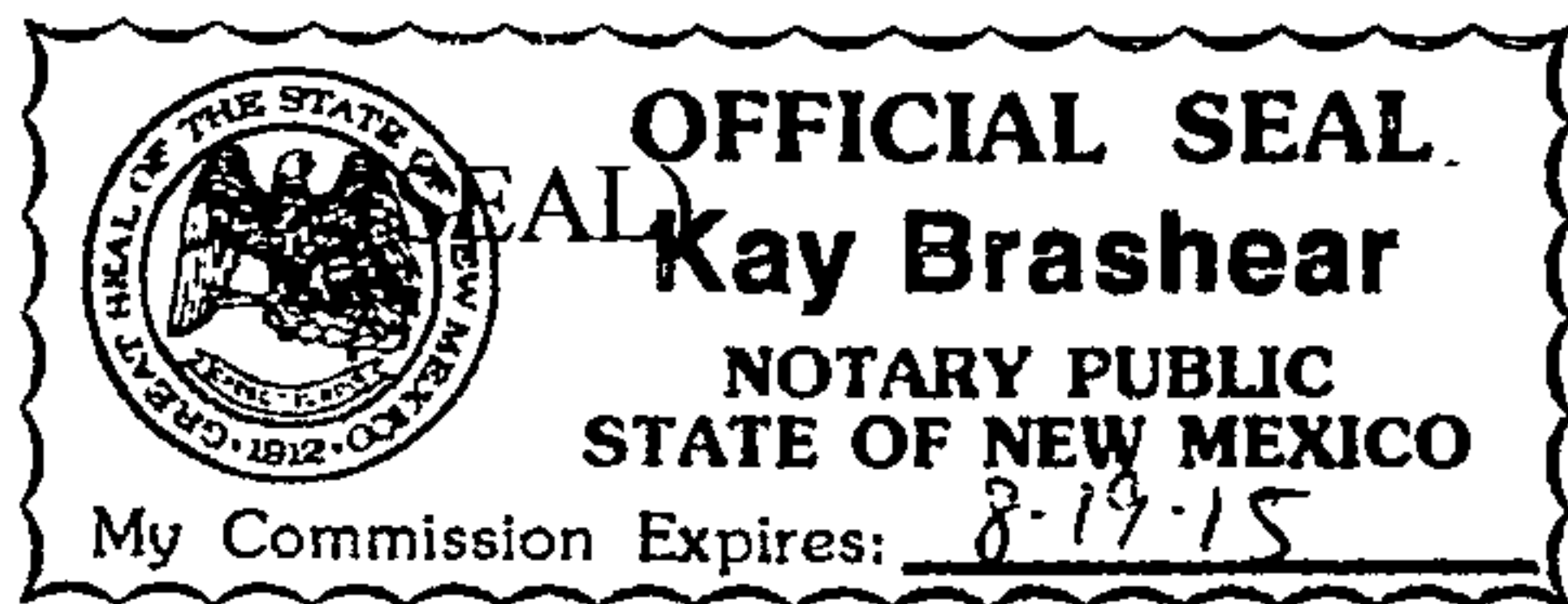
CITY OF ALBUQUERQUE:  
By: \_\_\_\_\_  
Bryan Wolfe, PE City Engineer  
Dated: 1/4/2014

SUBDIVIDER'S NOTARY

[Signature]  
1-2-14 12-30-13

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

This instrument was acknowledged before me on 30 day of December, 2013  
by (name of person:) Scott Grady, (title or capacity, for instance, "President" or  
"Owner":) Managing Member of (Subdivider:) JTH, LLC.



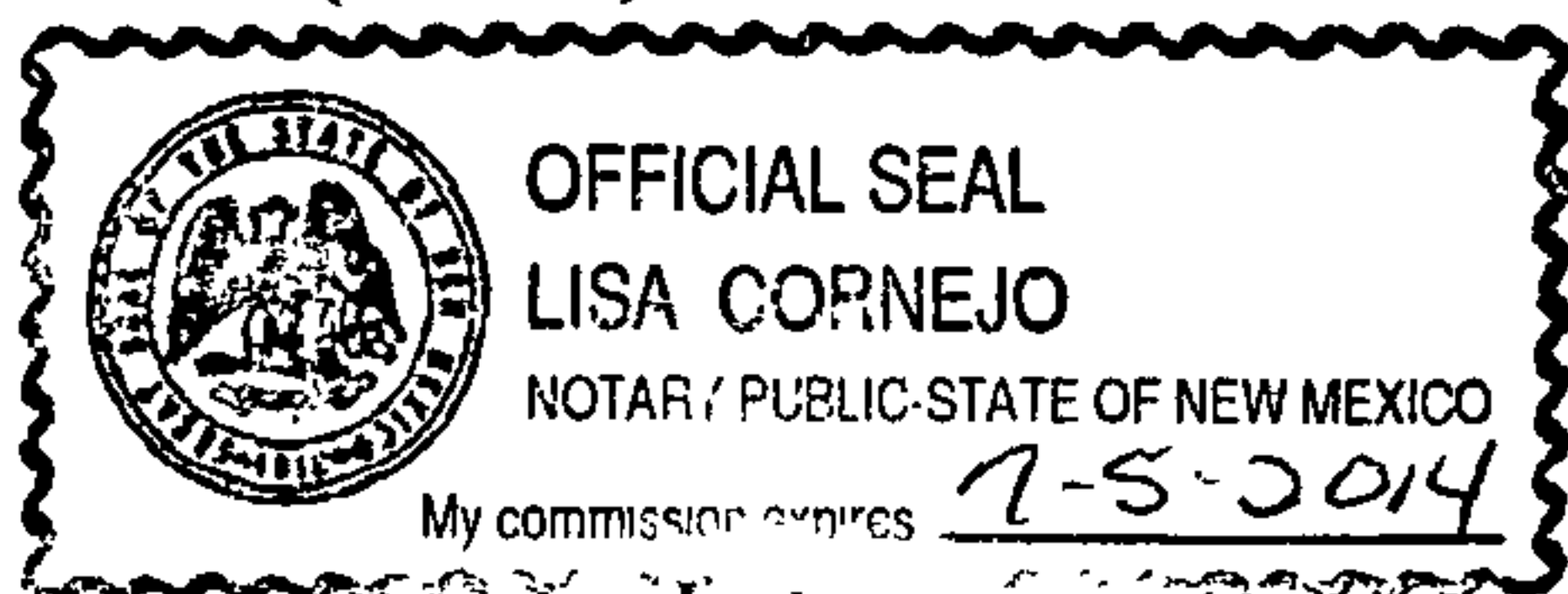
Kay Brashear  
Notary Public  
My Commission Expires: 8-19-15

CITY'S NOTARY

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

This instrument was acknowledged before me on 3 day of January, 2014  
by Bryan Wolfe, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of  
said corporation.

(SEAL)



Lisa Cornejo  
Notary Public  
My Commission Expires: July 5, 2014



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 24, 2009

**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 - PRELIMINARY PLAT

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 from 7/30/08, 8/20/08 8/27/08, 9/3/08, 9/17/08, 10/1/08, 10/22/08, 11/5/08, 11/26/08, 12/3/08, 12/14/09, 2/11/09, 3/11/09, 4/15/09, 5/6/09, 5/20/09, 5/27/09, 6/3/09, 6/17/09 ]

At the June 24, 2009 Development Review Board meeting, 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. The sketch plat was reviewed and comments were given.

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

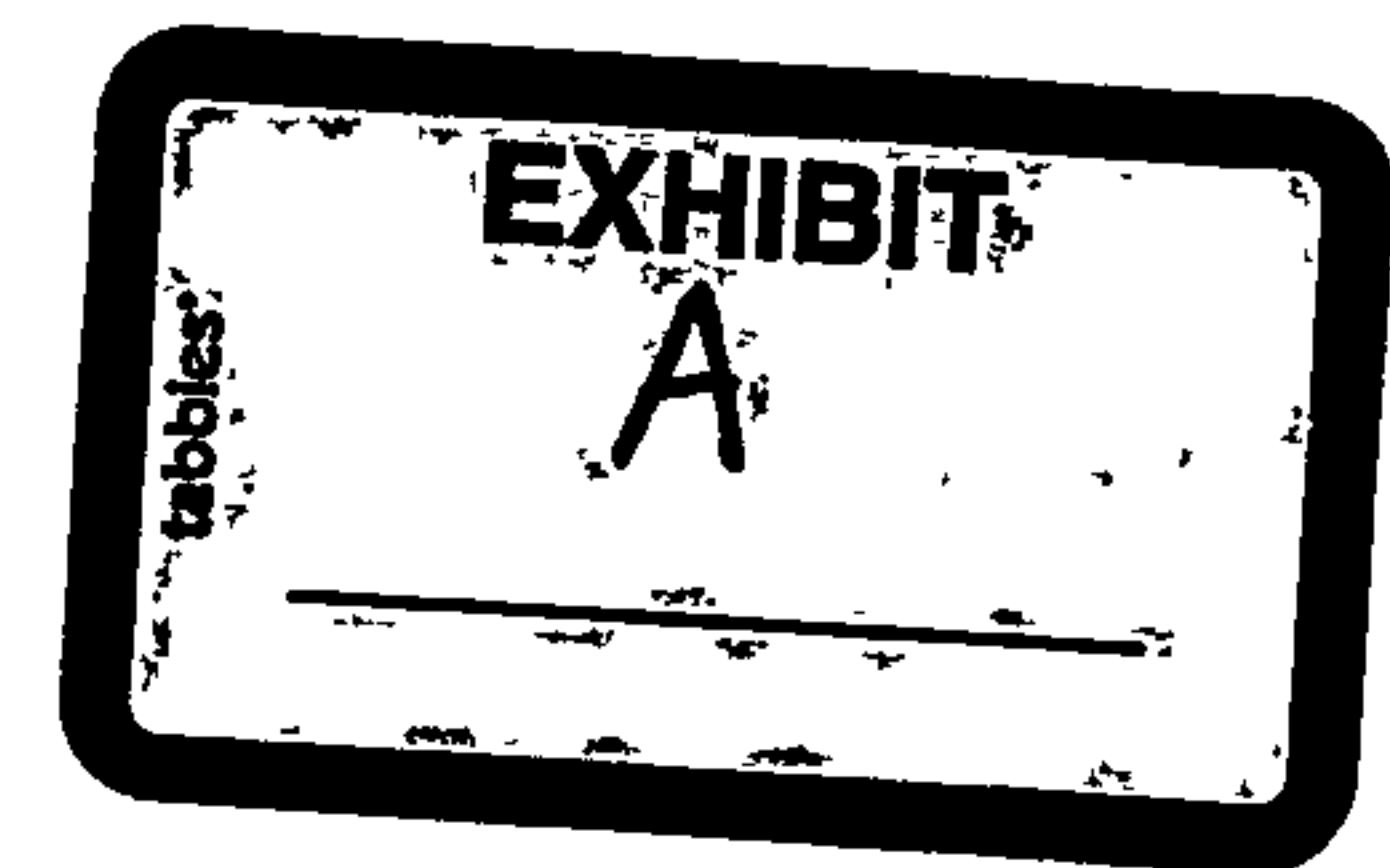
(B)(1) The public welfare is in no way served by retaining the public right-of-way easement.

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

**CONDITIONS:**

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

The sidewalk waiver and the temporary deferral of sidewalk were approved as shown on Exhibit C in the Planning file. The site plan for subdivision was approved. With the signing of the infrastructure list dated 6/24/09 and with a grading and drainage plan engineer stamp dated 6/15/09, the preliminary plat was approved. Per ABCWUA, tract 'D' is to be retained as sanitary sewer easement at final plat, and a recorded copy of the public roadway easement must be provided to Planning.



If you wish to appeal this decision, you must do so by July 9, 2009 in the manner described below.

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

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

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

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

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



Jack Cloud, AICP, DRB Chair

Cc: Mark Goodwin & Associates PA – P.O. Box 90606 – Albuquerque, NM 87199

Cc: Juan Tabo Hills, LLC – PO. Box 1443 – Corrales, NM 87048

Scott Howell

Marilyn Maldonado

File

BOND NUMBER: 109 9851

CONTACT PERSON'S NAME: Michele Lacrosse

**SUBDIVISION IMPROVEMENTS BOND**

**KNOW ALL MEN BY THESE PRESENTS:** That we JTH, LLC, a New Mexico Limited Liability Company as "Principal", and Lexon Insurance Company a corporation organized and existing under and by virtue of the laws of the State of Texas and authorized to do business in the State of New Mexico, as "Surety", whose address is 12890 LEBANON ROAD, MT. JULIET, TN 37155, and whose telephone number is 1-800-235-9347 are held and firmly bound unto the **CITY OF ALBUQUERQUE** in the penal sum of Thirty Eight Thousand Three Hundred Thirty Eight and 56/100 Dollars, \$38,338.56, as amended by change orders approved by the Surety or changes to this infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns jointly and severally, and firmly by these presents.

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

**WHEREAS,** the Principal is the owner of and/or is interested in or is developing land and premises known as Project ID #: 756187 JUAN TABO HILLS Unit 3B, Phase/Unit #: 1 and

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

**WHEREAS,** the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: **Sidewalk Deferral**

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between JTH, LLC and the **CITY OF ALBUQUERQUE**, as recorded in the office of the Clerk of Bernalillo County, New Mexico, in Book \_\_\_\_\_ pages \_\_\_\_\_, as amended by change orders or amendments to the Agreement.

**NOW, THEREFORE,** if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before Sept 18, 2017 ("the Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

**IN WITNESS WHEREOF** this bond has been executed this 19th Day of December, 2013

SUBDIVIDER: JTH, LLC

BY: \_\_\_\_\_

NAME: Scott Grady

TITLE: Manager

DATED: December 19<sup>th</sup>, 2013

SURETY: Lexon Insurance Company

BY: \_\_\_\_\_

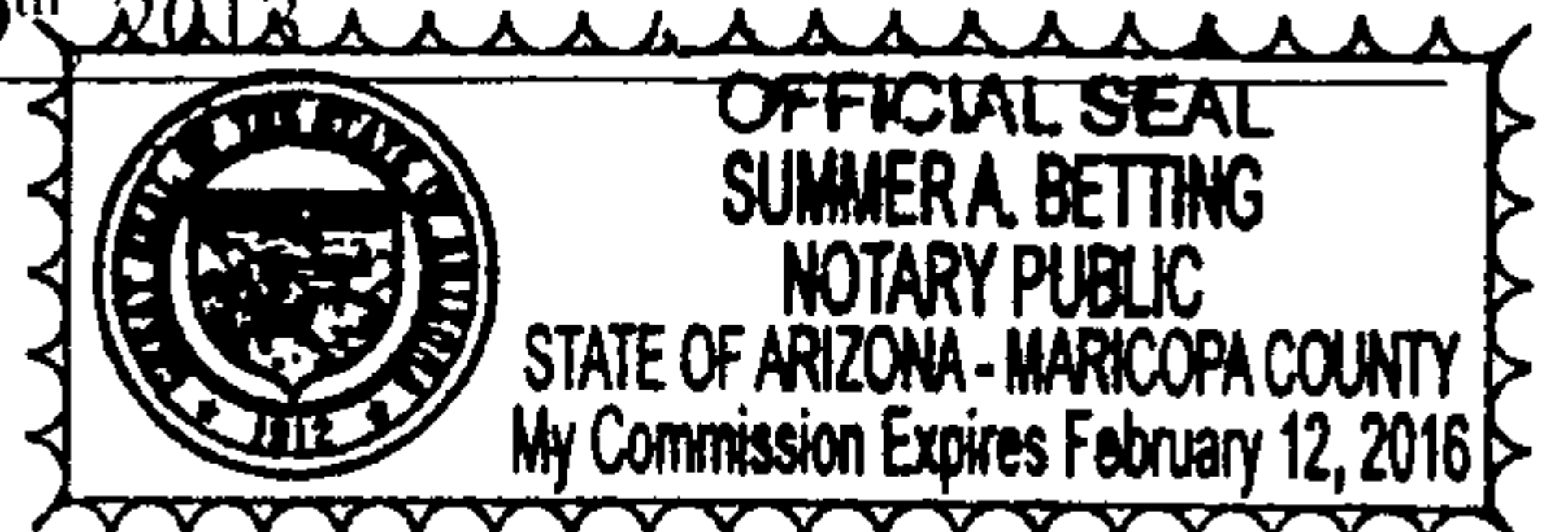
NAME: Michele D Lacrosse

TITLE: Attorney-In Fact

DATED: December 19<sup>th</sup>, 2013

STATE OF AZ  
COUNTY OF MARICOPA

Subscribed and sworn to before me on this 19<sup>th</sup> Day of December, 2013



SUMMER A. BETTING  
Notary Public \_\_\_\_\_

My Commission Expires: 2/12/2016

# Lexon Insurance Company

KNOW ALL MEN BY THERE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint:

Michele Lacrosse, Summer A. Betting\*\*\*\*\*

\*\*\*\*\*

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1<sup>st</sup> day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$ 2,500,000.00, Two-million five hundred thousand dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 21<sup>st</sup> day of September, 2009.

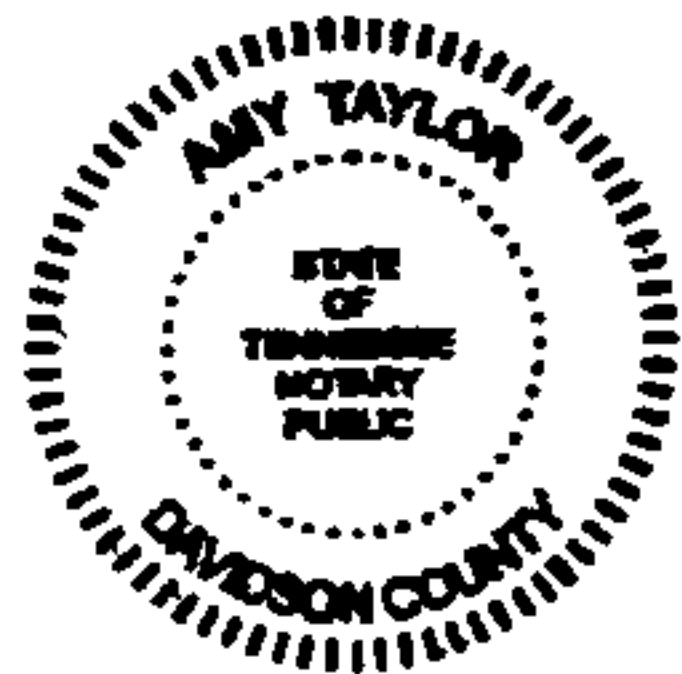


LEXON INSURANCE COMPANY

BY   
David E. Campbell  
President

### ACKNOWLEDGEMENT

On this 21<sup>st</sup> day of September, 2009, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY L. TAYLOR  
Notary Public- State of Tennessee  
Davidson County  
My Commission Expires 01-09-16

BY   
Amy L. Taylor  
Notary Public

### CERTIFICATE

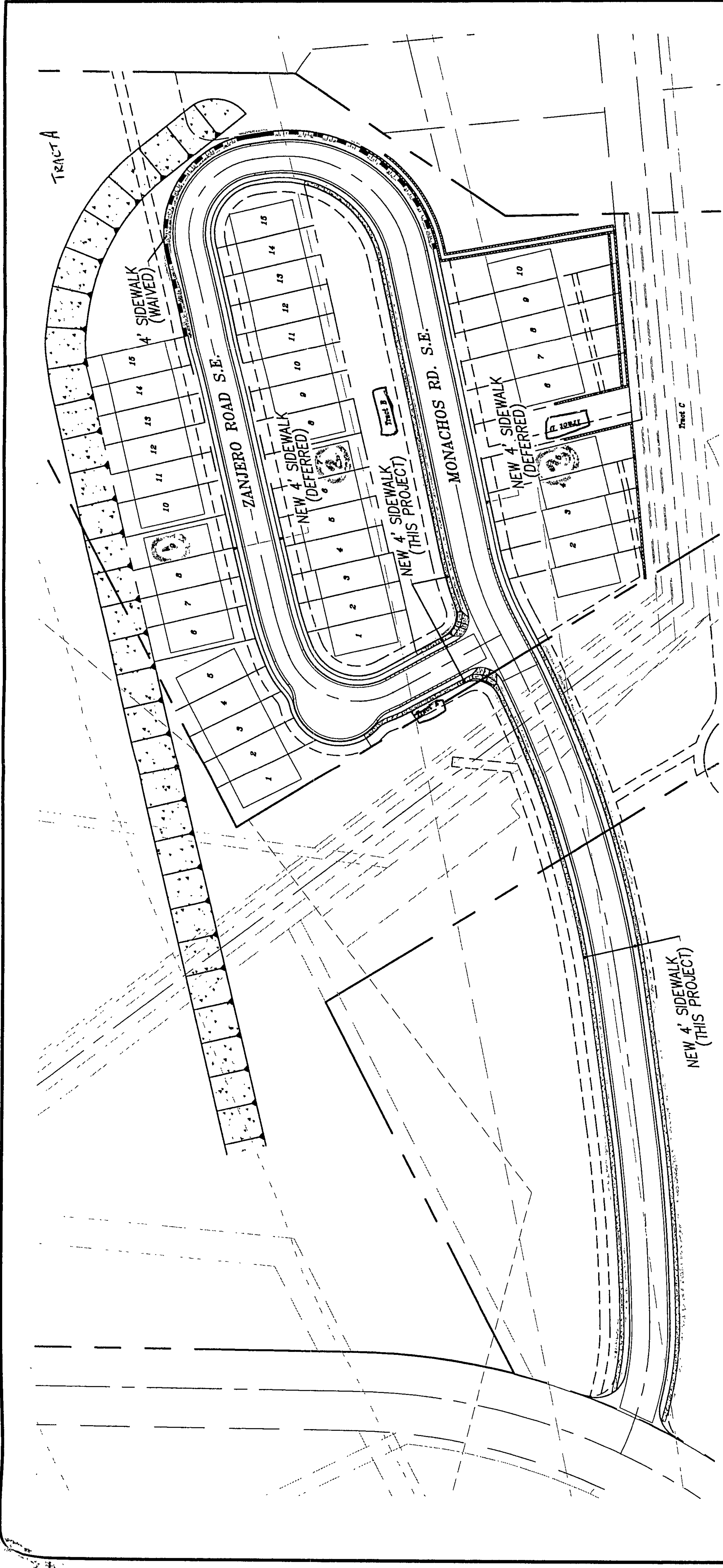
I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 19<sup>th</sup> Day of Dec, 2013.



BY   
Andrew Smith  
Assistant Secretary

“WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.”






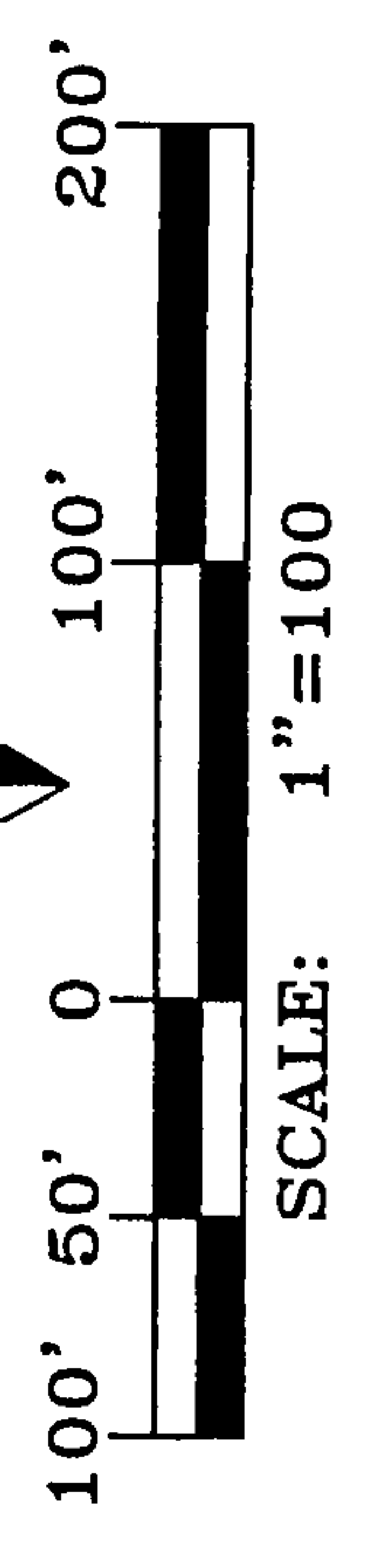
**dmj** MARK GOODWIN & ASSOCIATES, P.A.  
CONSULTING ENGINEERS  
P.O. BOX 90606  
ALBUQUERQUE, NEW MEXICO 87199  
(505) 828-2200, FAX (505) 797-9539

TITLE: **SIDEWALK WAIVER/DEFERRAL EXHIBIT**  
**JUAN TABO HILLS UNIT 3B**

CITY PROJECT NO. \_\_\_\_\_ ZONE MAP NO. **M-21-22-Z** SHEET **1** OF **1**

**SIDEWALK LEGEND**

-  SIDEWALK WAIVED
-  SIDEWALK THIS PROJECT
-  SIDEWALK DEFERRED



1007140 05/29/09

## Kay Brashear

---

**From:** Stephen Stasiewicz  
**Sent:** Monday, January 6, 2014 2:20 PM  
**To:** Kay Brashear  
**Subject:** FW: 1007140 Juan Tabo Hills Unit 3B  
**Attachments:** 1007140.pdf; 1007140.dxf

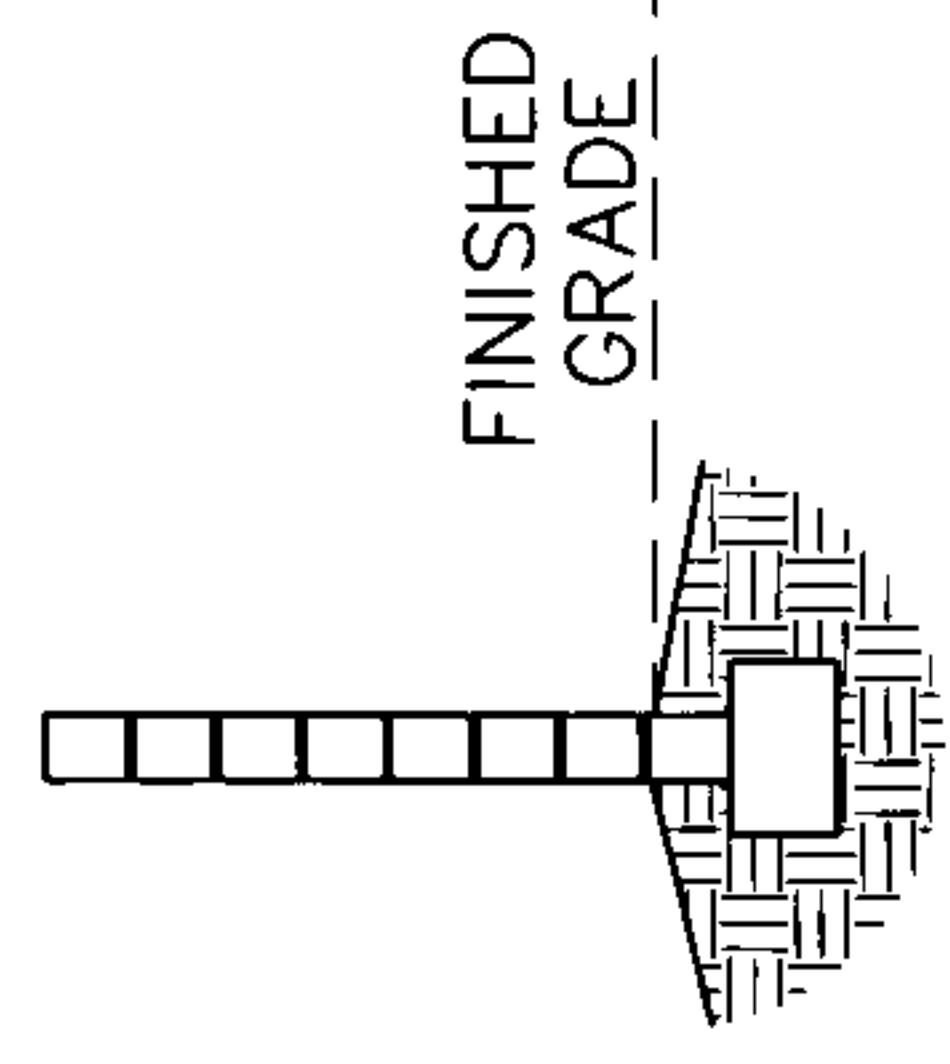
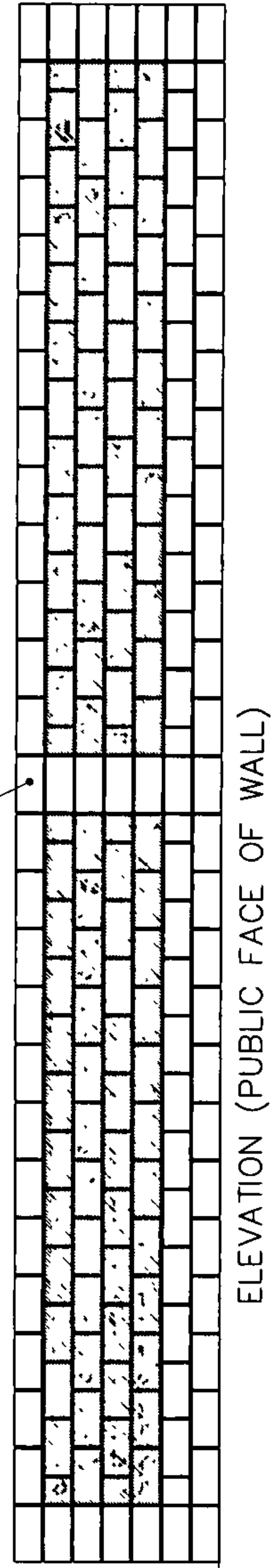
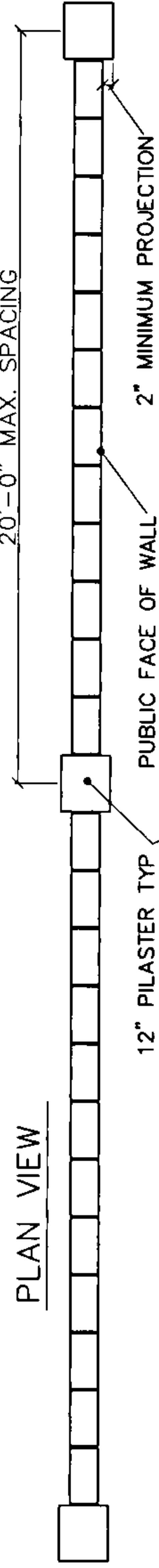
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**From:** Stephen Stasiewicz  
**Sent:** Monday, January 06, 2014 1:01 PM  
**To:** agis cbradley ; Gaulden, Tim H.; J sammons; m gricius  
**Subject:** 1007140 Juan Tabo Hills Unit 3B

DXF file rotated and scaled to New Mexico state plane coordinates grid system NAD 83, Central zone.

Stephen Stasiewicz





MATERIAL KEY

SMOOTH TAN CMU

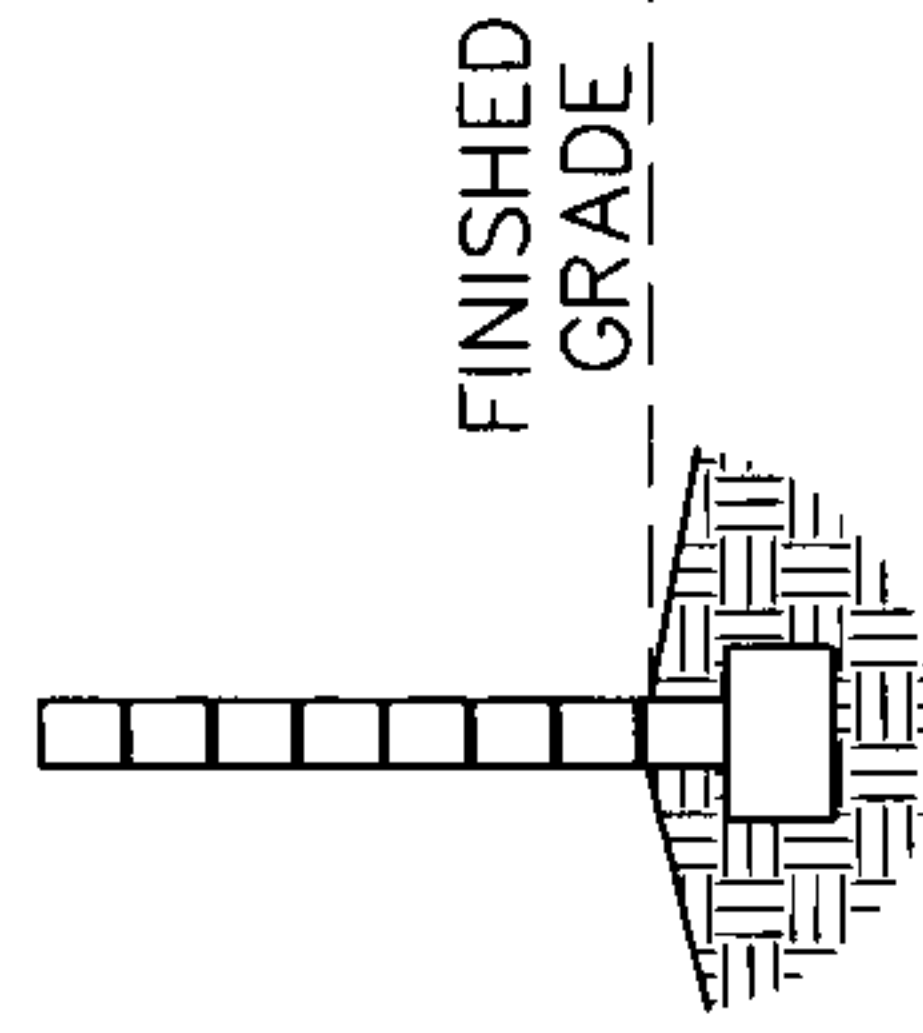
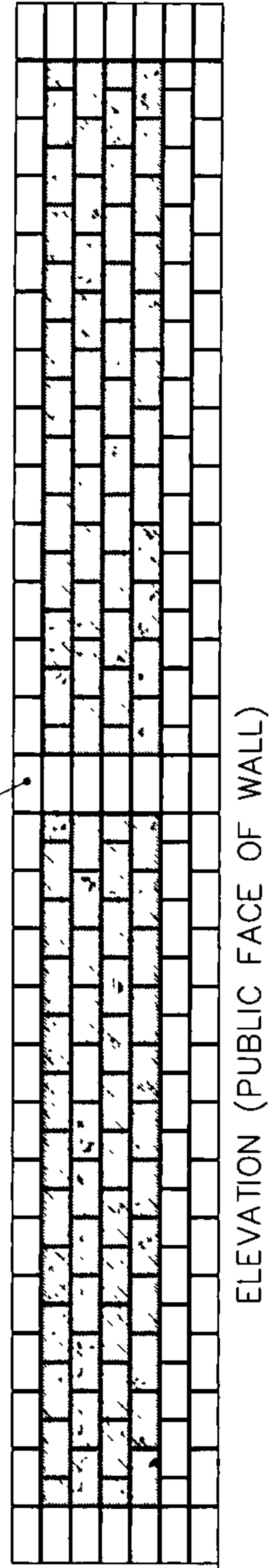
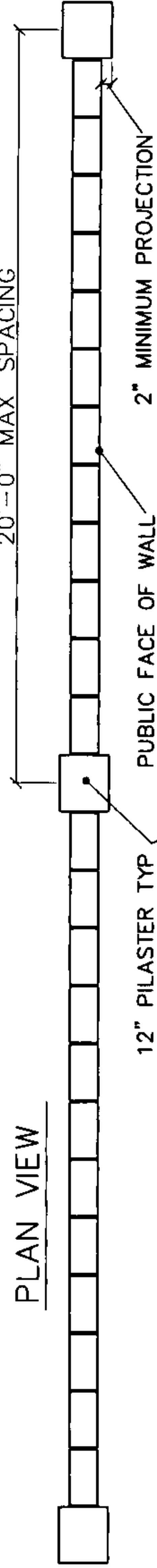
TEXTURED CMU

THE PUBLIC FACE OF THE WALL WILL HAVE A MIN OF 50% TEXTURED CMU, WITH THE BALANCE BEING SMOOTH TAN CMU IN THIS EXAMPLE EACH SECTION HAS 82.5 sq ft. TOTAL WITH 43 sq ft. OF TEXTURED CMU AND 39.5 sq.ft. OF SMOOTH TAN CMU, THEREFORE APPROX. 52% OF THE FACADE IS TEXTURED MATERIAL.

JUAN TABO HILLS UNITS 3A, 3B, and VOLTERRA VILLAGE

TYP. PERIMETER WALL

NOT TO SCALE



MATERIAL KEY

SMOOTH TAN CMU

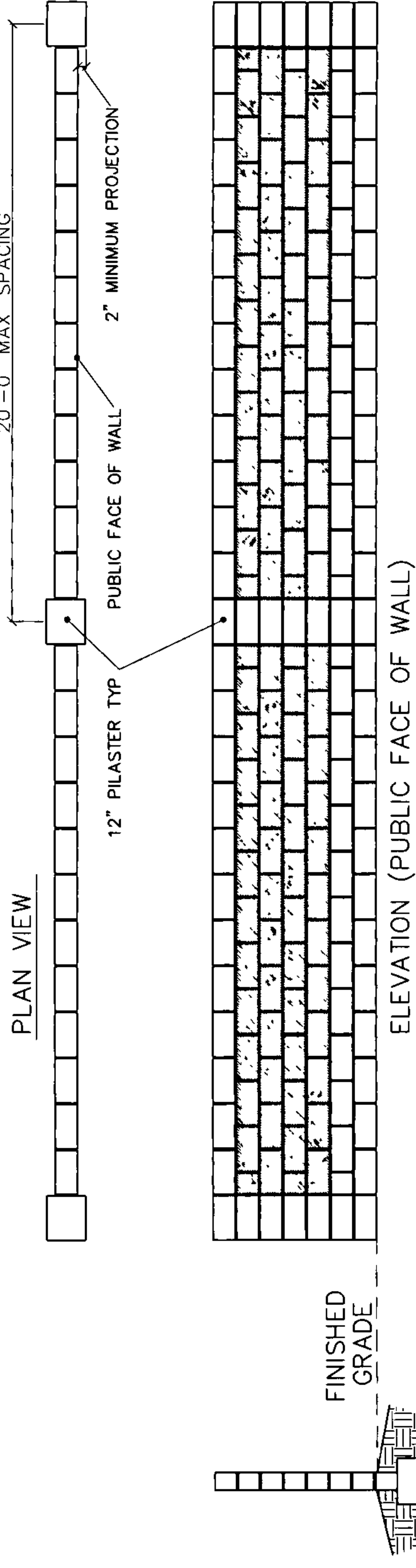
TEXTURED CMU

THE PUBLIC FACE OF THE WALL WILL HAVE A MIN OF 50% TEXTURED CMU, WITH THE BALANCE BEING SMOOTH TAN CMU. IN THIS EXAMPLE EACH SECTION HAS 82.5 sq.ft. TOTAL WITH 43 sq.ft. OF TEXTURED CMU AND 39.5 sq.ft. OF SMOOTH TAN CMU, THEREFORE APPROX 52% OF THE FACADE IS TEXTURED MATERIAL.

JUAN TABO HILLS UNITS 3A, 3B, and VOLTERRA VILLAGE

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NOT TO SCALE



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MATERIAL KEY  
 [Smooth] SMOOTH TAN CMU  
 [Textured] TEXTURED CMU

JUAN TABO HILLS UNITS 3A, 3B, and VOLTERRA VILLAGE  
TYP. PERIMETER WALL

NOT TO SCALE



ALBUQUERQUE PUBLIC SCHOOLS

Capital Master Plan

Expect Great Things!

M. Elizabeth Everitt, Ph.D.  
SUPERINTENDENT

### Pre-Development Facilities Fee (PDFF) Cover Sheet

**PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.**

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

**Project #** (if already assigned by DRB/EPC) 756187

**Please check one:**

**Preliminary PDFF**  
(Preliminary PDFF are required for preliminary plat submittals.)

**Final PDFF**  
(Final PDFF are required for final plat submittals and **must be recorded** prior to DRB hearing)

**Waiver/Deferral**  
(Must provide reason for waiver/deferral)

**Project Information**

Subdivision Name Juan Tabo Hills, Unit 3B

Location of Project (address or major cross streets) Juan Tabo Blvd. between Monachos Rd and Tijeras Arroyo

Proposed Number of Units:  Single-Family     Multi-Family    - 40 - SF

Note: A single-family unit is a single-family, detached dwelling unit.

**Waiver Information**

Property Owner JTH, LLC Legal Description Tract 2-A, Juan Tabo Hills, Unit 1 Zoning SU-1/RD

Reason for Waiver/Deferral N/A

**Contact Information**

Name Kay Brashear

Company Mark Goodwin & Associates, PA

Phone (505) 828-2200

E-mail kbrashear@goodwinengineers.com

**Please include with your submittal:**

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot (**for final plat only**)
- Please include project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

**FOR OFFICE USE ONLY**

APS Cluster Highland

Date Submitted \_\_\_\_\_

Date Completed \_\_\_\_\_

EXHIBIT BFINAL  
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and JTH, LLC ("Developer") effective as of this 31 day of Decem Ber, 2013 and pertains to the subdivision commonly known as Tract 2-A and 1-C Juan Tabo Hills, Unit 1 recorded on December 22, 2005 in Book 2005C, pages 406, in the records of the Bernalillo County Clerk, State of New Mexico (the "Subdivision".)

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools.

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
  - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
  - If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.

Doc# 2014000817

01/06/2014 11:10 AM Page 1 of 3  
AGRE R \$25.00 M Toulouse Oliver, Bernalillo County



- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

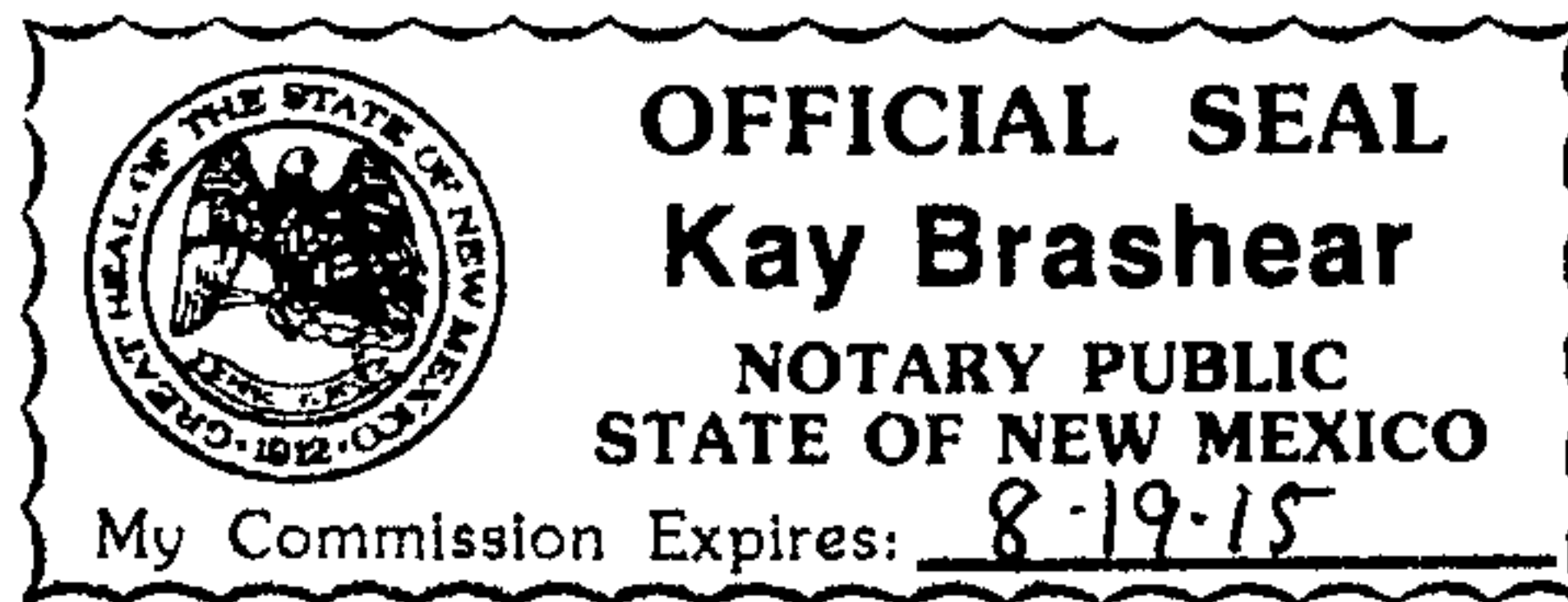
3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

Signature \_\_\_\_\_  
 Scott Grady  
 Name (typed or printed) and title  
 JTH, LLC  
 Developer



STATE OF NEW MEXICO }  
 COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Dec 31, 13, by Scott Grady, as Managing Member of JTH, LLC, a New Mexico limited liability company.

Kay Brashear  
 Notary Public

My commission expires:  
8-19-15

**ALBUQUERQUE PUBLIC SCHOOLS**

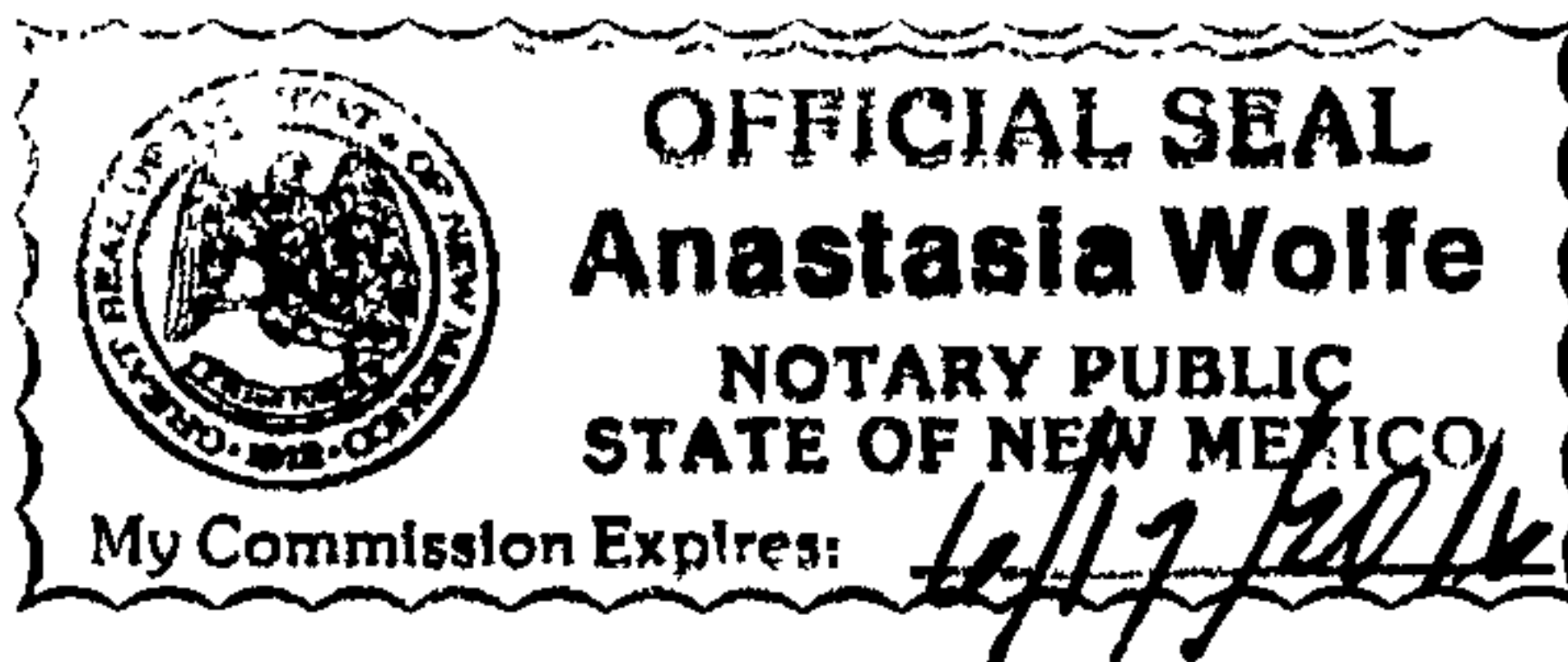
By: April L. Winters  
 Signature  
April L. Winters, Facility Fee Planner  
 Name (typed or printed) and title

STATE OF NEW MEXICO }  
 COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Jan. 6, 2014, by April L. Winters as Facility Fee Planner of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

Anastasia Wolfe  
 Notary Public

My commission expires:  
6/17/2016



### Juan Tabo Hills 3B Addresses

Address	City	State	Zip	Block	Lot
12001 Zanjero Road SE	Albuquerque	NM	87123	1	1
12005 Zanjero Road SE	Albuquerque	NM	87123	1	2
12009 Zanjero Road SE	Albuquerque	NM	87123	1	3
12015 Zanjero Road SE	Albuquerque	NM	87123	1	4
12019 Zanjero Road SE	Albuquerque	NM	87123	1	5
12023 Zanjero Road SE	Albuquerque	NM	87123	1	6
12027 Zanjero Road SE	Albuquerque	NM	87123	1	7
12031 Zanjero Road SE	Albuquerque	NM	87123	1	8
12035 Zanjero Road SE	Albuquerque	NM	87123	1	9
12039 Zanjero Road SE	Albuquerque	NM	87123	1	10
12043 Zanjero Road SE	Albuquerque	NM	87123	1	11
12047 Zanjero Road SE	Albuquerque	NM	87123	1	12
12051 Zanjero Road SE	Albuquerque	NM	87123	1	13
12055 Zanjero Road SE	Albuquerque	NM	87123	1	14
12059 Zanjero Road SE	Albuquerque	NM	87123	1	15
12000 Zanjero Road SE	Albuquerque	NM	87123	2	1
12004 Zanjero Road SE	Albuquerque	NM	87123	2	2
12008 Zanjero Road SE	Albuquerque	NM	87123	2	3
12012 Zanjero Road SE	Albuquerque	NM	87123	2	4
12016 Zanjero Road SE	Albuquerque	NM	87123	2	5
12020 Zanjero Road SE	Albuquerque	NM	87123	2	6
12024 Zanjero Road SE	Albuquerque	NM	87123	2	7
12028 Zanjero Road SE	Albuquerque	NM	87123	2	8
12032 Zanjero Road SE	Albuquerque	NM	87123	2	9
12036 Zanjero Road SE	Albuquerque	NM	87123	2	10
12040 Zanjero Road SE	Albuquerque	NM	87123	2	11
12044 Zanjero Road SE	Albuquerque	NM	87123	2	12
12048 Zanjero Road SE	Albuquerque	NM	87123	2	13
12052 Zanjero Road SE	Albuquerque	NM	87123	2	14
12056 Zanjero Road SE	Albuquerque	NM	87123	2	15
12000 Via Posada	Albuquerque	NM	87123	3	1
12004 Via Posada	Albuquerque	NM	87123	3	2
12008 Via Posada	Albuquerque	NM	87123	3	3
12012 Via Posada	Albuquerque	NM	87123	3	4
12016 Via Posada	Albuquerque	NM	87123	3	5
12024 Via Posada	Albuquerque	NM	87123	3	6
12028 Via Posada	Albuquerque	NM	87123	3	7
12032 Via Posada	Albuquerque	NM	87123	3	8
12036 Via Posada	Albuquerque	NM	87123	3	9
12040 Via Posada	Albuquerque	NM	87123	3	10



January 15, 2014

\*\*\*\*\*

(F2)



Supplemental form

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin + Assoc. PA PHONE: 828-2200

ADDRESS: PO Box 90606 FAX: \_\_\_\_\_

CITY: ABQ STATE NM ZIP 87199 E-MAIL: diane@goodwinengneers.com

APPLICANT: Juan Tabo Hills LLC PHONE: 338-1438

ADDRESS: PO Box 1443 FAX: \_\_\_\_\_

CITY: Corrales STATE NM ZIP 87048 E-MAIL: athornton@raykehomes.com

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

DESCRIPTION OF REQUEST: Extension of Preliminary Plat Approval for Juan Tabo Hills Unit 3B

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. 2A Block: - Unit: -

Subdiv/Addn/TBKA: Juan Tabo Hills Unit 1

Existing Zoning: RD-SU1 Proposed zoning: RD-SU1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): M-22 UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007140  
13DRB-70534, 70623

**CASE INFORMATION:**

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

No. of existing lots: 1 No. of proposed lots: 40 Total area of site (acres): 9.54

LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd,

Between: Monachos Road and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 9-9-13

(Print) Diane Hoelzer 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

13DRB - 70672

Action

EPP  
CMF  
1

S.F.

\_\_\_\_\_ \$ 50.00

\_\_\_\_\_ \$ 20.00

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

Total

\$ 70.00

Hearing date Sept 18, 2013

[Signature] 9-9-13  
Planner signature / date

Project # 1007140

**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.

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 9-9-13  
 Applicant signature / date



Form revised October 2007

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

Application case numbers  
 13DRB - \_\_\_\_\_ - 70622  
 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Vujan 9-9-13  
 Planner signature / date  
 Project # 1007140



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

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**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**
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  - \_\_\_ 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.

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 9-9-13  
 Applicant signature / date



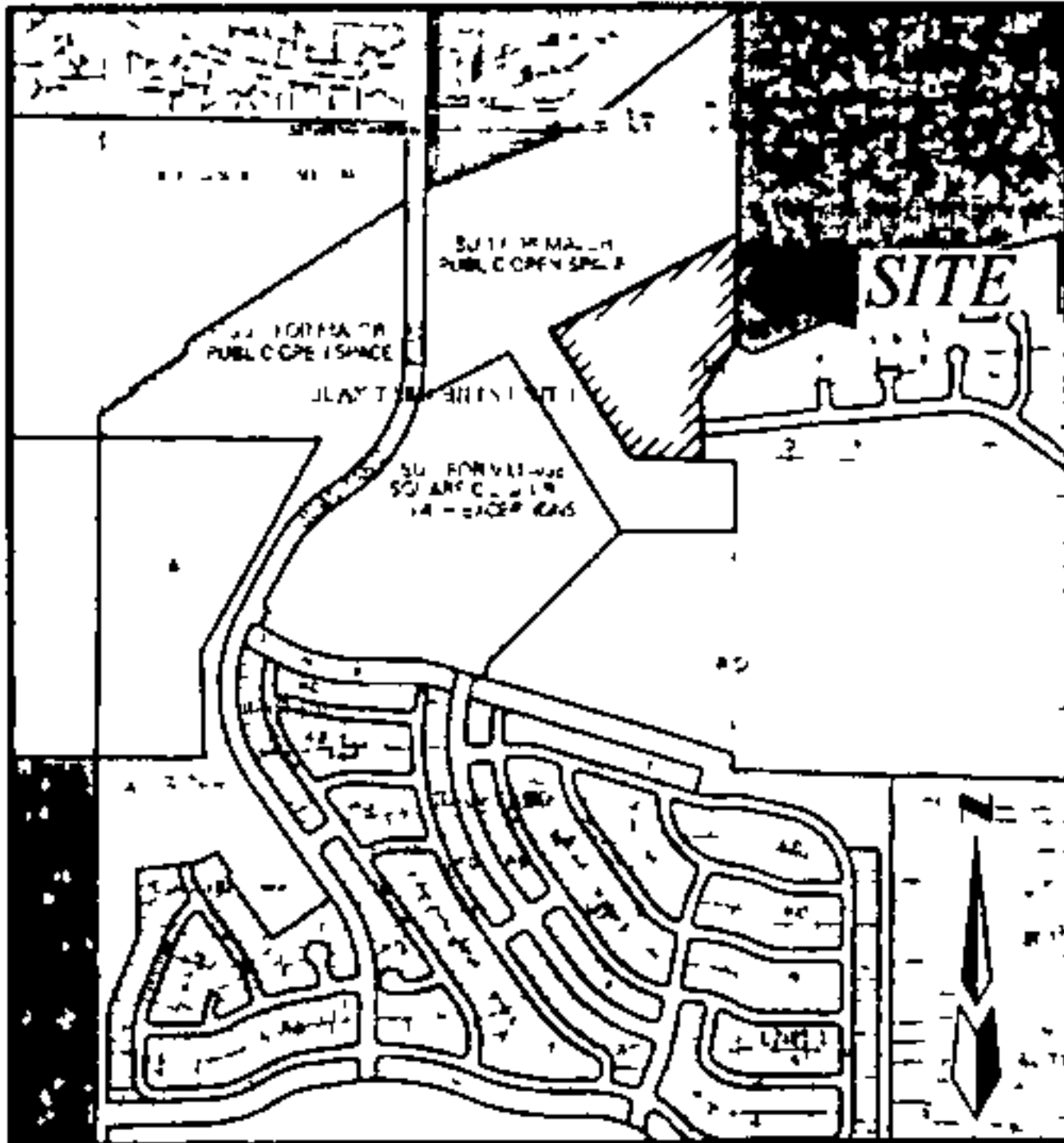
Form revised October 2007

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

Application case numbers  
 13DRB - 70622

V. J. [Signature] 9-9-13  
 Planner signature / date  
 Project # 1007140

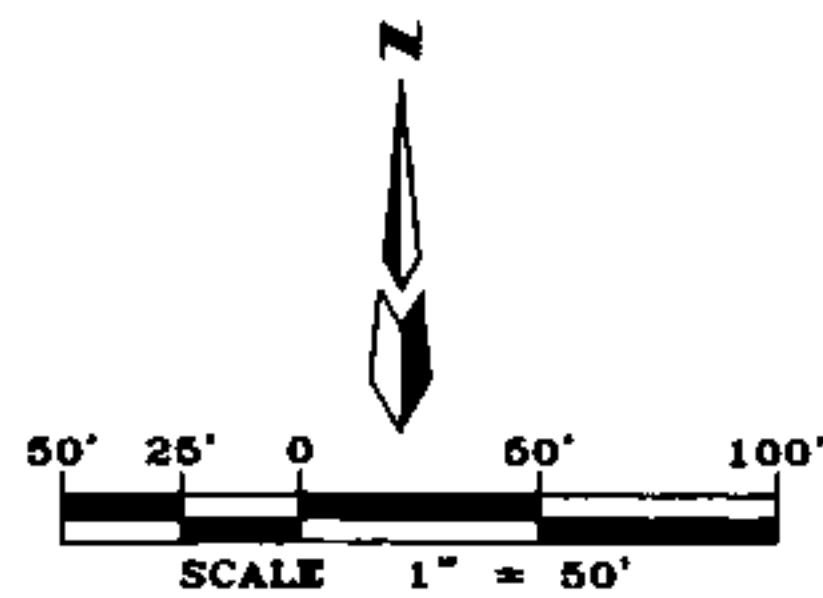




ZONE ATLAS MAP M 22 VICINITY MAP SCALE NTS

**LEGAL DESCRIPTION**

A tract of land situated within Sections 27 and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT 2-A, JUAN TABO HILLS, UNIT 1 as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 22, 2005 in Book 2005C, Page 406 and contains 9.5455 acres more or less.



AMENDED PRELIMINARY PLAT FOR  
JUAN TABO HILLS, UNIT 3B  
WITHIN  
SECTIONS 27, AND 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
MARCH, 2012

**SUBDIVISION DATA**

GROSS ACREAGE	9.5455 Ac
ZONE ATLAS NO	M-22-2
NO OF LOTS CREATED	40 LOTS
NO OF TRACTS CREATED	8 TRACTS
ZONING	R-D
DATE OF SURVEY	DECEMBER, 2003

**PURPOSE OF PLAT**

- SUBDIVIDE TRACT 2-A INTO 40 RESIDENTIAL LOTS AND 6 TRACTS
- DEDICATE RIGHT-OF-WAY AS SHOWN
- GRANT NEW EASEMENTS AS SHOWN
- VACATE EASEMENTS AS SHOWN

**NOTES**

- UNLESS OTHERWISE NOTED, ALL BOUNDARY CORNERS SHOWN THIS ○ SHALL BE A SET #8 REBAR WITH CAP "RPS 7718"
- ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T.'S, ANGLE POINTS, AND STREET INTERSECTIONS AND SHOWN THIS ▲ WILL BE MARKED BY A FOUR INCH (4") ALUMINUM CAP STAMPED:  
"CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION"  
"DO NOT DISTURB"  
"RPS7718"
- BOUNDARY SHALL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
- BASIS OF BEARING SHALL BE NEW MEXICO STATE PLANE GRID BEARINGS.
- ALL DISTANCES SHALL BE GROUND DISTANCES.
- MANHOLES WILL BE OFFSET AT ALL POINTS OF CURVATURE, POINTS OF TANGENCY STREET INTERSECTIONS, AND ALL OTHER ANGLE POINTS TO ALLOW USE OF CENTERLINE MONUMENTATION.
- TOTAL REMAINING OPEN SPACE REQUIREMENTS ARE MET VIA THE PROVISION OF DETACHED OPEN SPACE FOR THE PROVISIONS OF SECTION 14-18-3-NMCA (3). NOTE: THIS OPTION IS ONLY APPLICABLE TO LAND COVERED BY A SECTOR DEVELOPMENT PLAN.
- A BLANKET DRAINAGE EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE WITH THE BEAR PLAT FOR JUAN TABO HILLS (11-19-05, BK-2005C, PG-22). TRACTS 2-A WILL BE REMOVED FROM THE BLANKET DRAINAGE EASEMENT.
- THE PRUDENT LINE IS REMOVED AND/OR VACATED WITH THIS PLATING ACTION.

**APPROVED**

*[Signature]* 3/15/12  
City Surveyor, City of Albuquerque, N.M. Date

JTH, LLC, Owner Tracts 2-A  
*[Signature]* 3-8-2012  
Scott Grady, Managing Member Date

**EASEMENTS**

- EXISTING 20' C.O.A. PERMANENT UTILITY EASEMENT (05-16-78, MISC 608, PG 358-364)
- EXISTING 10' C.O.A. U.G. SEWER LINE EASEMENT (06-21-79, BK MISC 698, PG 281-283) (07-08-79 BK MISC 702, PG 289-291)
- EXISTING 50' C.O.A. DRAINAGE & UTILITY EASEMENT (01-07-81 C17-174)
- EXISTING 10' GAS EASEMENT (08-30-87 BK 97-27 PGS 113-119)
- EXISTING A.M.A.F.C.A. FLOOD PLAIN EASEMENT (12-28-88 98C-367) A PORTION TO BE VACATED
- EXISTING C.O.A. PUBLIC DRAINAGE EASEMENT (12-29-88 98C-367)
- EXISTING 60' C.O.A. PUBLIC ROADWAY EASEMENT (12-29-88, 98C-367) TO BE VACATED
- EXISTING 60' ACCESS AND UTILITY EASEMENT (12-22-89 BK 9918 PG 5720) TO BE VACATED
- EXISTING 80' PUBLIC DRAINAGE AND VEHICULAR ACCESS EASEMENT (03-13-03, BK AS2, PG 871) TO BE VACATED
- EXIST 10' QWEST EASEMENT (12/22/2005 BK-2005C, PG-408)
- EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C PG-408)
- EXISTING 15' WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-408)
- EXIST 10' PNM GAS LINE EASEMENT (12/22/2005, BK-2005C, PG-408)
- EXISTING BLANKET DRAINAGE EASEMENT TRACT 2-A (01/19/05, BK 2005C PG 22) TO BE VACATED

EASEMENTS 33 through 41 TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

- NEW 10' PUE
- NEW 10' PNM EASEMENT
- NEW 20' PUBLIC PEDESTRIAN ACCESS DRAINAGE AND SANITARY SEWER EASEMENT
- NEW 10' CENTURY LINK EASEMENT
- NEW 10x20 CENTURY LINK ESMT
- NEW 20' WIDE PUBLIC SANITARY SEWER EASEMENT
- NEW 20' PUBLIC STORM DRAIN EASEMENT
- NEW C.O.A. 51' WIDE PRIVATE ACCESS EASEMENT
- NEW 60' PUBLIC ROADWAY EASEMENT

**LEGEND**

- FOUND AND SET 5/8" REBAR WITH CAP "RPS 7718"
- LIMITS OF VACATION
- ② LIMITS OF VACATION EXISTING BLANKET DRAINAGE EASEMENT (SEE NOTE 8)

**OWNERS**

JTH, LLC PO Box 1443 Corrales, NM 87048  
(505) 882-5533

**ENGINEERS**

D. MARK GOODWIN & ASSOCIATES, P.A.  
CONSULTING ENGINEERS  
P.O. BOX 8036  
ALBUQUERQUE, NEW MEXICO 87199  
(505) 828-2200

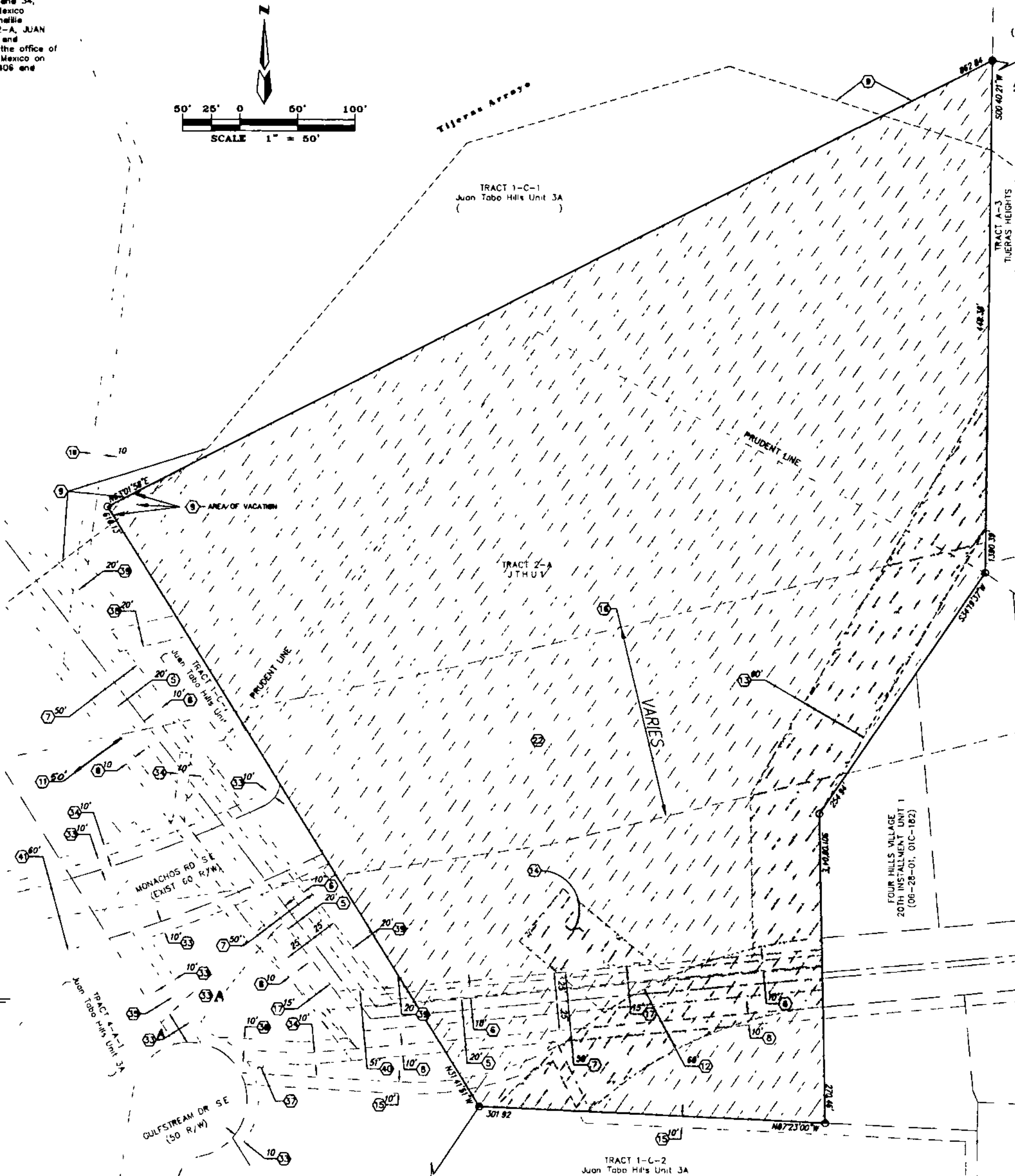
**SURVEYOR**

ALDRICH LAND SURVEYING  
P.O. BOX 3001  
ALBUQUERQUE, NEW MEXICO 87190  
(505) 884-1990

**SITE BENCHMARK**

ACS MONUMENT  
"5-M22"  
ELEVATION=5584.518  
(NAVD 1929)

ACS MONUMENT  
"7-M21"



AMENDED PRELIMINARY PLAT FOR  
 JUAN TABO HILLS, UNIT 3B  
 WITHIN  
 SECTIONS 27, AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 MARCH, 2012

NOTES

- TRACT A (1.8845 AC)  
 OWNED BY JTH LLC BLANKET DRAINAGE EASEMENT GRANTED TO A.M.A.F.C.A. AND PUBLIC PEDESTRIAN EASEMENT GRANTED TO C.O.A. BY THIS PLAT
- TRACT B (0.5381 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT C (1.0487 AC)  
 OWNED BY JTH LLC MAINTAINED BY "JUAN TABO HILLS" H.O.A.
- TRACT D (0.1199 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT E (0.0180 AC)  
 OWNED AND MAINTAINED BY "JUAN TABO HILLS" H.O.A.
- TRACT F (0.2503 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT G (0.3243 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.

EASEMENTS (1) through (41) TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

EASEMENTS

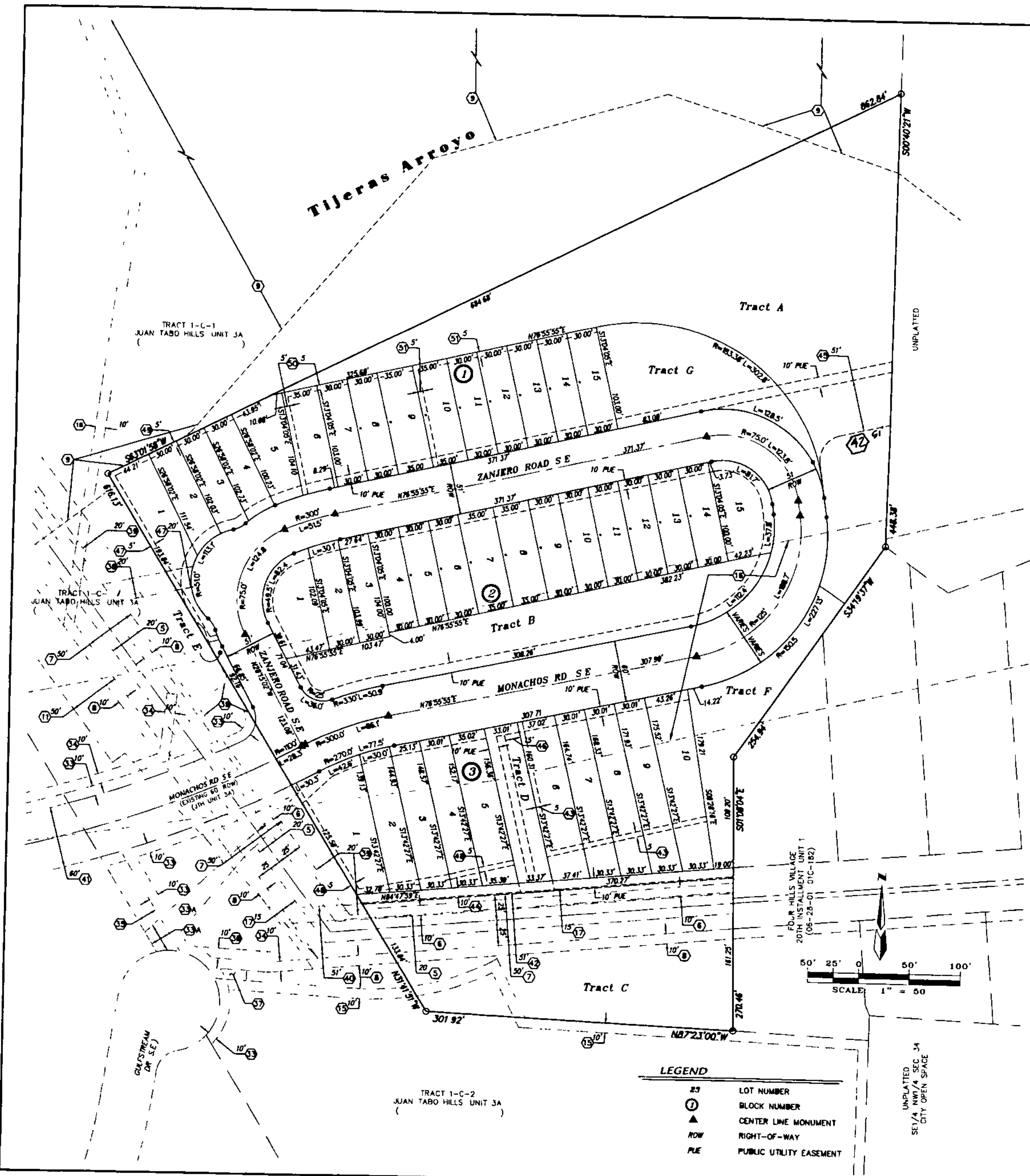
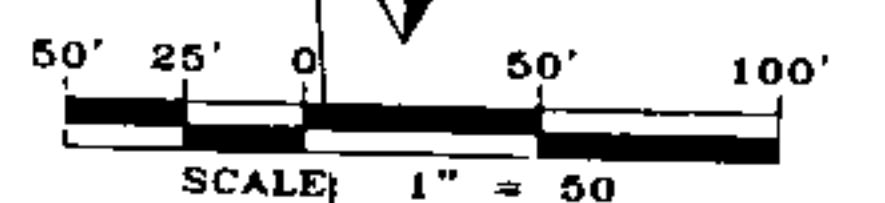
- |   |   |
|---|---|
| (5) EXISTING 20' C.O.A. PERMANENT UTILITY EASEMENT (05-18-78, MISC 808, PG 358-364)                                       | (33) EXIST 10' PUE  |
| (6) EXISTING 10' C.O.A. U.G. SEWER LINE EASEMENT (08-21-79, BK MISC. 698, PG 281-283) (07-09-79, BK MISC 702, PG 289-291) | (34) EXIST 10' PUE (WIDTH VARIES)   |
| (7) EXISTING 50' C.O.A. DRAINAGE & UTILITY EASEMENT (01-07-81, C17-174)   | (35) EXIST 10' PNM  |
| (8) EXISTING 10' GAS EASEMENT (09-30-97, BK 97-27, PGS 113-119)   | (36) EXIST 20' PUBLIC PEDESTRIAN ACCESS, DRAINAGE AND SANITARY SEWER EASEMENT |
| (9) EXISTING A.M.A.F.C.A. FLOOD PLAIN EASEMENT (12-28-98, 98C-367)  | (37) EXIST 10' CENTURY LINK EASEMENT  |
| (10) EXISTING C.O.A. PUBLIC DRAINAGE EASEMENT (12-28-98, 98C-367)   | (38) EXIST 10'x20' CENTURY LINK EASEMENT                                      |
| (11) EXIST 10' QWEST EASEMENT (12/22/2005, BK-2005C, PG-406)  | (39) EXIST 20' WIDE PUBLIC SANITARY SEWER EASEMENT                            |
| (12) EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-406)                                | (40) EXIST 20' PUBLIC STORM DRAIN EASEMENT                                    |
| (13) EXISTING 15' WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)   | (41) EXIST C.O.A. 51' PRIVATE ACCESS EASEMENT                                 |
| (14) EXIST 10' PNM GAS LINE EASEMENT (12/22/2005, BK-2005C, PG-406)   | (42) EXIST 60' PUBLIC ROADWAY EASEMENT  |
| (15) EXISTING BLANKET DRAINAGE EASEMENT TRACT 2-A (01/19/05, BK 2005C, PG 22)   |   |

NEW EASEMENTS

- |  |   |   |
|--|---|---|
| (43) NEW 51' WIDE PRIVATE ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A AND C TO BE GRANTED WITH THE FILING OF THIS PLAT  | (47) NEW 20' WIDE PUBLIC SANITARY SEWER DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A.B.C.W.U.A.  | (51) NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 10 - 15 BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 10 - 15 BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT |
| (44) NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 4 - 10, BLOCK 3 THE EASEMENT ACROSS EACH OF THE LOTS 4 - 10, BLOCK 3 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT                                      | (48) NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 3 THE EASEMENT ACROSS EACH OF THE LOTS 1 - 5, BLOCK 3 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT |   |
| (45) NEW 10' PUBLIC DRAINAGE EASEMENT GRANTED TO CITY OF ALBUQUERQUE WITH THE FILING OF THIS PLAT  | (49) NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 1 - 5, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT |   |
| (46) NEW 51' WIDE PUBLIC SANITARY SEWER AND WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A.B.C.W.U.A. AND PUBLIC ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A TO BE GRANTED WITH THE FILING OF THIS PLAT | (50) NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 8 - 9, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 8 - 9, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT |   |
| (44) NEW 15' WIDE PUBLIC WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A.B.C.W.U.A.   |   |   |

LEGEND

23	LOT NUMBER
①	BLOCK NUMBER
▲	CENTER LINE MONUMENT
ROW	RIGHT-OF-WAY
PUE	PUBLIC UTILITY EASEMENT







D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

September 9, 2013

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

**Re: Request for Extension of Preliminary Plat Approval  
Juan Tabo Hills Unit 3B, DRB Case No: 1007140 CPN: 756187**

Dear Mr. Cloud:

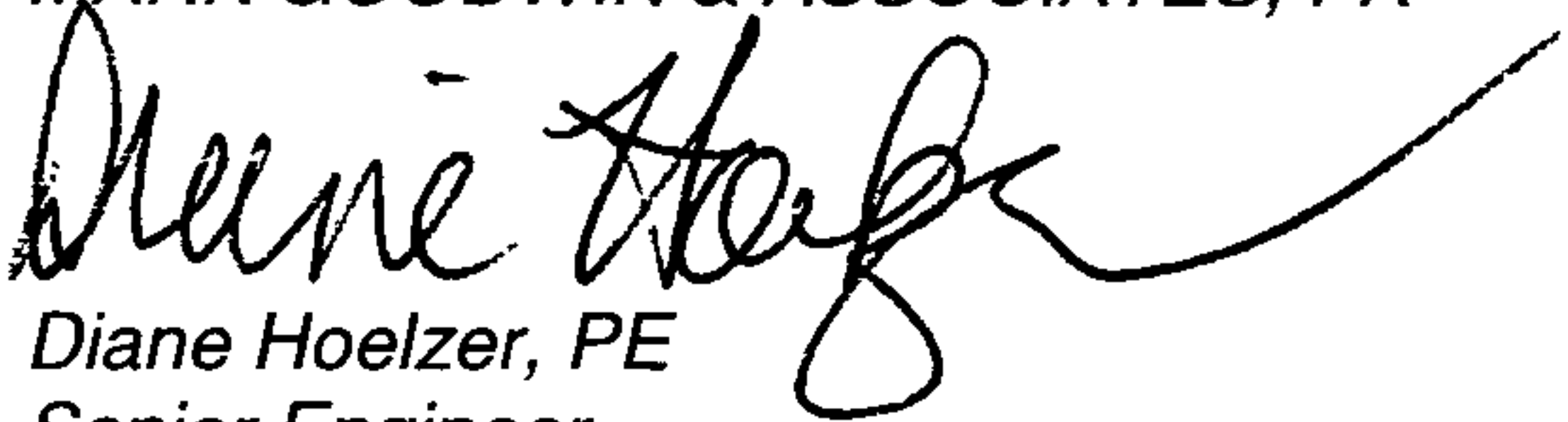
On behalf of our client, Juan Tabo Hills LLC, we are requesting a one year extension of the preliminary plat approval for Juan Tabo Hills Unit 3B.

The work order paperwork for this project is being processed at this time. Much of the entire site has been graded which includes Unit 3A, 3B and Volterra Village and infrastructure is well underway for Unit 3A at this time.

Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

  
Diane Hoelzer, PE  
Senior Engineer

DLH/dlh

Attachments

**INFRASTRUCTURE LIST**

**EXHIBIT "A"**

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

**Juan Tabo Hills, Unit 3B**

**PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN**

**Tract 2-A, Juan Tabo Hills Unit 1**

**EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

**ORIGINAL**

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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			<b>PAVING</b>						
		40' FF	Perm Pvmt C&G (both sides)	Monachos Road	Juan Tabo Blvd.	Zanjero Road	/	/	/
		4'	Sidewalk (both sides)	Monachos Road	Juan Tabo Blvd.	West PL			
		4' *	Sidewalk (south side only)	Monachos Road	West PL	Lot 10, Blk 3			
		10'	Trail (north side only) (7)	Tract B	West PL	Tract A			
		32' FF	Res Pvmt C&G (both sides)	Zanjero Road	Monachos Road	Monachos Rd @ Lots 15/Tract B P.L.	/	/	/
		4'	Sidewalk (east side only)	Zanjero Road	Monachos Road	W. side Tract B			
		4'	Sidewalk (west side only)	Zanjero Road	Monachos Road	N. side Tract E			
		4' *	Sidewalk (north side)	Zanjero Road	N. side Tract E	Lot 15, Blk 1			
		4' *	Sidewalk (south side)	Zanjero Road	W. side Tract B	Monachos Road @ Lots 15/Tract B P.L.			
			<b>WATER</b>						
		8"	Waterline	Monachos Road	Existing WL Near West P.L.	Zanjero Road	/	/	/
		8"	Waterline	Zanjero Road	Monachos Road	Monachos Road	/	/	/
		8"	Waterline	Tract D 15' public WL easement	Monachos Road	Tract C - Existing WL	/	/	/
		8"	Waterline	Tract A 51' public SAS & WL esmt	Zanjero Road	East PL	/	/	/



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	City Inspector	City Cnst Engineer
<input type="text"/>	<input type="text"/>								
<input type="text"/>	<input type="text"/>								
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature      Date							City User Dept. Signature      Date		

- \* Deferred sidewalk.
- 1 Water Infrastructure to include valves, fittings, and firehydrants as per approved DRC plans, *Services*.
- 2 SAS Infrastructure to include manholes and service connections as per DRC plans.
- 3 Storm Drain Infrastructure includes manholes and inlets as per DRC plans.
- 4 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)
- 5 This site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
- 6 Turnkey agreement with AMAFCA for the Tijeras Arroyo Bank Protection (No Financial Guarantee Required)
- 7 10' Wide crusher fine trail with stabilizer to replace 4' sidewalk on north side of Monachos Rd.

AGENT / OWNER

Diane Hoelzer, PE

NAME (print)

Mark Goodwin & Associates

FIRM

*Diane Hoelzer* 8-28-12  
SIGNATURE / date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

*[Signature]* 9-26-12  
DRB CHAIR - date

*[Signature]* 9-26-12  
TRANSPORTATION DEVELOPMENT - date

*[Signature]* 9-26-12  
UTILITY DEVELOPMENT - date

*[Signature]* 9-26-12  
CITY ENGINEER - date

*Carol S. Dumont* 9-26-12  
PARKS & RECREATION - date

\_\_\_\_\_- date

\_\_\_\_\_- date

\_\_\_\_\_- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

August 29, 2012

**Project# 1007140**  
12DRB-70177 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B**, zoned RD-SU1, located on JUAN TABO BLVD BETWEEN MONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the August 29, 2012 Development Review Board meeting, a 4 week extension to 9/26/12 of the preliminary plat was approved.

The conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

A handwritten signature in black ink, appearing to read "Jack Cloud".

Jack Cloud, DRB Chair

Cc: Mark Goodwin and Associates P.A.  
Marilyn Maldonado  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 27, 2012

**Project# 1007140**  
12DRB-70177 EXT OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for JTH, LLC request(s) the above action(s) for all or a portion of Lot(s) 2A, **JUAN TABO HILLS UNIT 3B** zoned RD-SU1, located on JUAN TABO BLVD BETWEEN MONACHOS RD AND TIJERAS ARROYO containing approximately 9.54 acre(s). (M-22)

At the June 27, 2012 Development Review Board meeting, the following documents were entered into the record:

- 1) "Tentative Agreement" summarizing meeting of May 8, 2012 and related agreement between Scott Grady, Juan Tabo Hills, L.L.C. and Matt Schmader, Superintendent of the City of Albuquerque's Open Space Division;
- 2) Email from Mark Goodwin, Goodwin & Associates to Carol Dumont, Sr. Planner, Parks and Recreation Department dated May 16, 2012 cancelling meeting in the field and outlining specific tasks that Scott Grady has asked Goodwin & Associates to do;
- 3) Memo from Curtis Cheme to Diane Hoelzer dated May 29, 2012, prepared at Ms. Hoelzer's request, outlining the specific comments that need to be addressed for the Juan Tabo Hills Unit 3A Grading and Drainage Plan to be approved by the City.

Based on the record, an extension of the Preliminary Plat for proposed Unit 3B was conditionally approved to August 31, 2012 to allow proposed Units 3B and 3A to track together, with the following conditions:

1. There must be resolution and agreement between the Juan Tabo Hills parties and the City Open Space Division of the Parks & Recreation Department, as outlined in the attached documents listed above, no later than August 15, 2012.
2. Certain changes in the approved Preliminary Plats have been agreed to by the parties during the review of the submitted "Amended Preliminary Plats" and those changes should be noted. For example, including but not limited to, the proposed trail alignment from the Tijeras Arroyo to provide connection to the Four Hills Village as required by EPC, the ownership of the various "open space" tracts A-E shown on the approved Preliminary Plat, and any and all agreements that the parties are able to resolve with respect to the Tract 1-C Open Space outstanding issues referred to on the documents listed above.
3. It will be necessary to have current and effective vacation approvals as needed and previously approved for the proposed plat.
4. An amended grading and drainage plan for Unit 3-B, Unit 3A and Tracts 1-C-1 and 1-C-2 must be submitted and approved by the Development Review Board.
5. The comment letter from City Hydrology dated May 29, 2012, Juan Tabo Hills Unit 3A Grading and Drainage Plan should be satisfactorily addressed

6. Provide a written reason for not recording a Subdivision Improvement Agreement 3 years after the original Preliminary Plat approval.
7. Keyed Note 25 notes there is a 51 foot wide Public Access Easement granted to the City of Albuquerque for Tract A which may interfere with the scour wall shown on the Grading and Drainage Plan that needs to be addressed.

Previous conditions of final plat still apply.

Please note that a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

If you wish to appeal this decision, you must do so by July 12, 2012, in the manner described below.

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

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

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



Jack Cloud, DRB Chair

Cc:  
Marilyn Maldonado  
File

September 18. 2013

\*\*\*



## Kay Brashear

---

**From:** Gaulden, Tim H. <tgaulden@cabq.gov>  
**Sent:** Tuesday, July 9, 2013 5:48 PM  
**To:** Stephen Stasiewicz; Kay Brashear  
**Cc:** Bradley, Catherine P.  
**Subject:** RE: plat for Juan Tabo Hills unit 3B 1007140

Stephen:

We have been having some trouble getting our emails to go through to your address so this note is just to verify that this DXF has been approved.

Tim

Tim Gaulden  
GIS Coordinator  
505 924-3805  
tgaulden@cabq.gov



---

**From:** Stephen Stasiewicz [mailto:Stephen@goodwinengineers.com]  
**Sent:** Wednesday, July 03, 2013 10:54 AM  
**To:** Gaulden, Tim H.  
**Cc:** Kay Brashear  
**Subject:** plat for Juan Tabo Hills unit 3B 1007140

Dxf drawing scale and rotated with New Mexico State Plane coordinate grid system NAD 83, central zone.  
For your approval

Stephen Stasiewicz  
Mark Goodwin and Associates



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

- Annexation
- V**  Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- P**  Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations

- D**  Street Name Change (Local & Collector)

**L A APPEAL / PROTEST of...**

- Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2<sup>nd</sup> Street NW, Albuquerque, NM 87102.

Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 828-2200

ADDRESS: PO Box 90606 FAX: \_\_\_\_\_

CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: kbrashear@goodwinengineers.com

APPLICANT: Juan Tabo Hills, LLC PHONE: 892-5533

ADDRESS: PO Box 1443 FAX: \_\_\_\_\_

CITY: Corrales STATE NM ZIP 87048 E-MAIL: athorn@rayleehomes.com

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

DESCRIPTION OF REQUEST: Final Plat Approval for Juan Tabo Hills Unit 3B

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. 2A Block: \_\_\_\_\_ Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Juan Tabo Hills unit 3B

Existing Zoning: RD-3u1 Proposed zoning: RD-3u1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): m-22 UPC Code: 10-2205510444320000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007140

13DEB-70511 13DEB-70534

**CASE INFORMATION:**

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

No. of existing lots: 40 No. of proposed lots: 40 Total site area (acres): 9.54

LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd.

Between: Manachos Rd. and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 7-9-13

(Print Name) Diane Hoelzer Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input type="checkbox"/>	INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/>	All checklists are complete	<u>BDRB -70623</u>	<u>FP</u>	_____	<u>\$ 0</u>
<input checked="" type="checkbox"/>	All fees have been collected	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input checked="" type="checkbox"/>	All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/>	AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/>	Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/>	Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/>	F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/>	F.H.D.P. fee rebate	_____	_____	_____	\$ _____
					Total
					<u>\$ 20.00</u>

Hearing date July 24, 2013

[Signature] 7-10-13  
Staff signature & Date

Project # 1007140

**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.

Diane Hoelzer  
 Applicant name (print)  
Diane Hoelzer 7-9-13  
 Applicant signature / date



Form revised October 2007

[Signature] 7-10-13  
 Planner signature / date

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 13DRB - 70623

Project # 1007149



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

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 ADDRESS: PO Box 90606 FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: kbrashear@goodwinengineers.com

APPLICANT: Juan Tabo Hills, LLC PHONE: 892-3533  
 ADDRESS: PO Box 1443 FAX: \_\_\_\_\_  
 CITY: Corrales STATE NM ZIP 87048 E-MAIL: authorhome@rayizehomes.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Final Plat Approval for Juan Tabo Hills Unit 3B

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

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Lot or Tract No. 2A Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Juan Tabo Hills unit 3B  
 Existing Zoning: RD-3U1 Proposed zoning: RD-3U1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): m-22 UPC Code: 10:220551044432000

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 1007140  
13DRB-70511 13DRB-70534

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Within city limits?  Yes Within 1000FT of a landfill?  No  
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 LOCATION OF PROPERTY BY STREETS. On or Near: Juan Tabo Blvd.  
 Between: Manachos Rd. and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 7-9-13  
 (Print Name) Diane Hoelzer Applicant:  Agent

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>BDRB 70623</u>	<u>FP</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ <u>20.00</u>

Hearing date July 24, 2013

[Signature] 7-10-13  
 Staff signature & Date

Project # 1007140

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.

Diane Hoelzer  
Applicant name (print)  
Diane Hoelzer 7-9-13  
Applicant signature / date



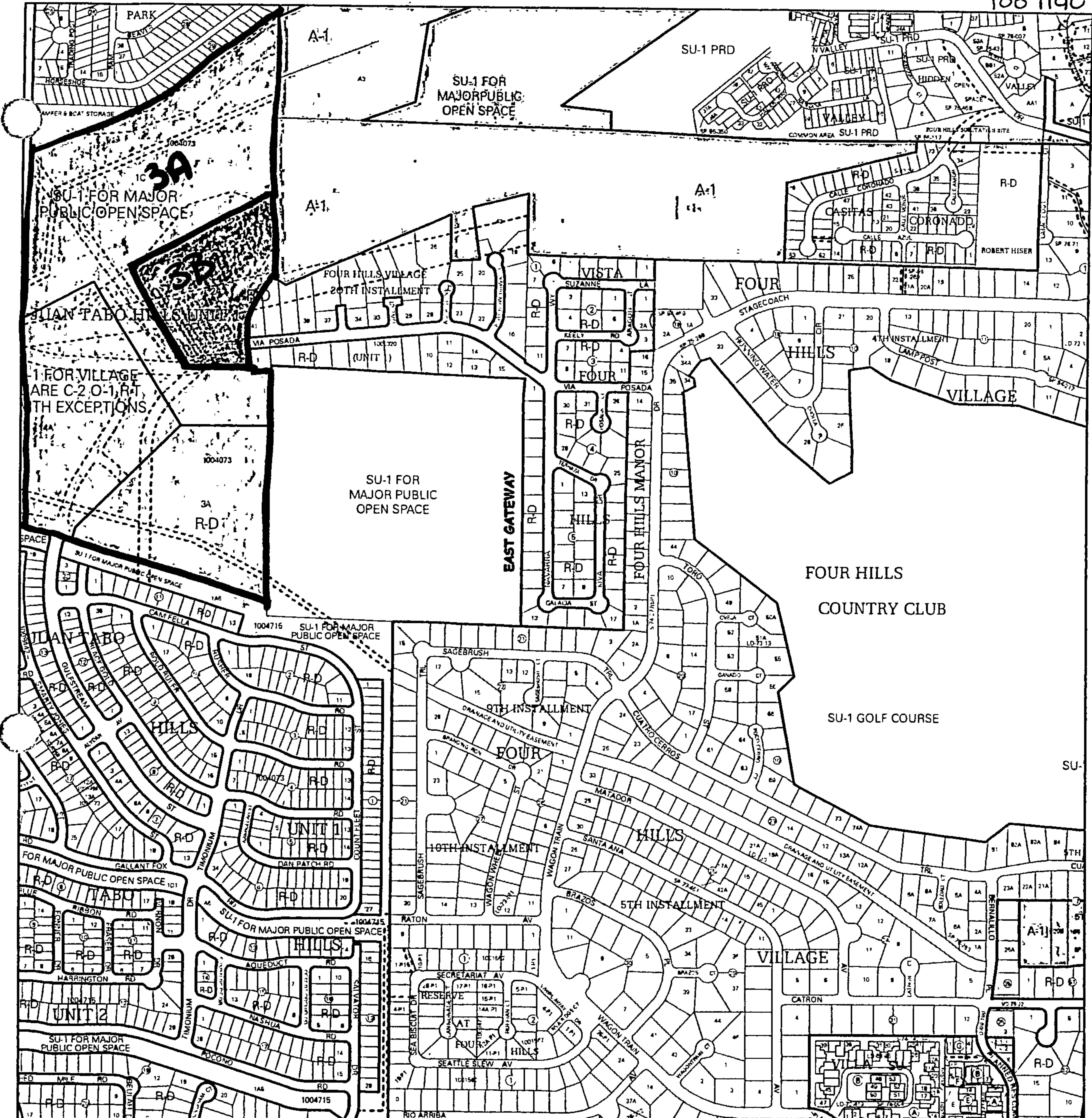
Form revised October 2007

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

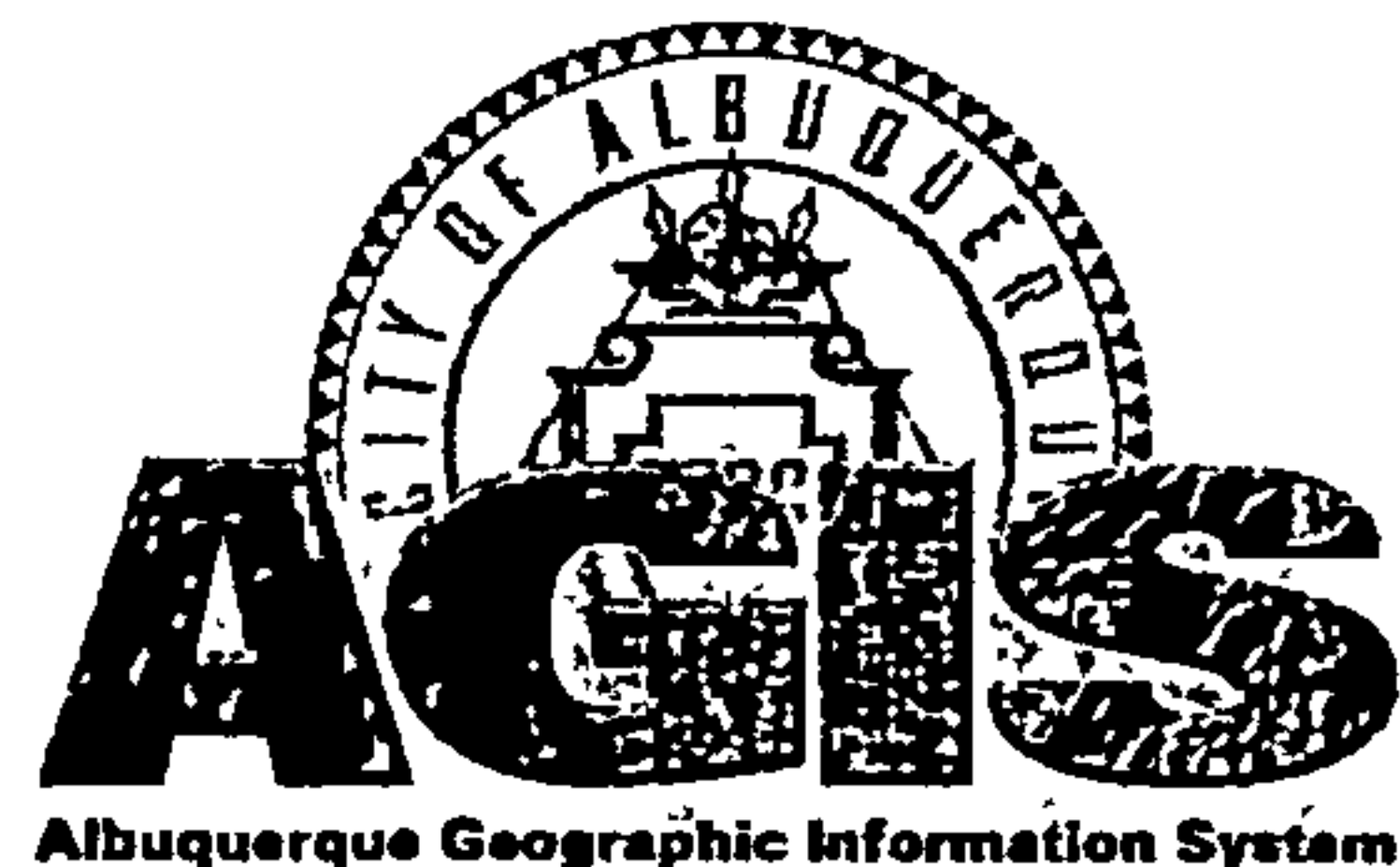
Application case numbers  
13DRB - 70623

[Signature] 7-10-13  
Planner signature / date  
Project # 1007149

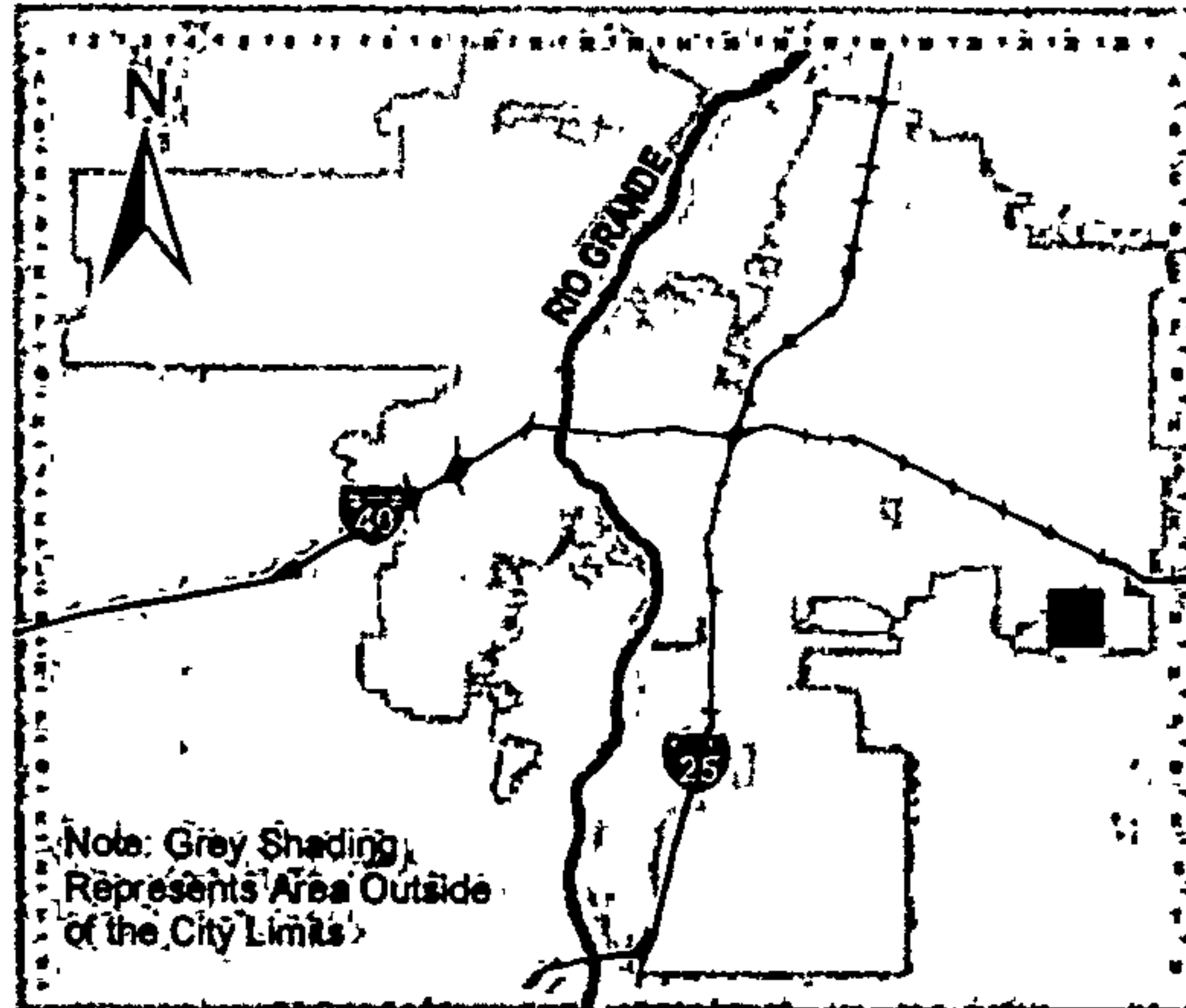




For more current information and details visit: <http://www.cabq.gov/gis>



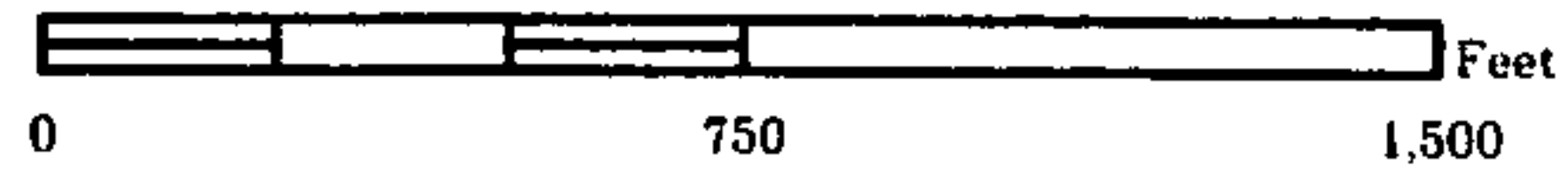
Map amended through: 4/2/2012



Zone Atlas Page:  
**M-22-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



### Juan Tabo Hills 3B Addresses

Address	City	State	Zip	Block	Lot
12001 Zanjero Road SE	Albuquerque	NM	87123	1	1
12005 Zanjero Road SE	Albuquerque	NM	87123	1	2
12009 Zanjero Road SE	Albuquerque	NM	87123	1	3
12015 Zanjero Road SE	Albuquerque	NM	87123	1	4
12019 Zanjero Road SE	Albuquerque	NM	87123	1	5
12023 Zanjero Road SE	Albuquerque	NM	87123	1	6
12027 Zanjero Road SE	Albuquerque	NM	87123	1	7
12031 Zanjero Road SE	Albuquerque	NM	87123	1	8
12035 Zanjero Road SE	Albuquerque	NM	87123	1	9
12039 Zanjero Road SE	Albuquerque	NM	87123	1	10
12043 Zanjero Road SE	Albuquerque	NM	87123	1	11
12047 Zanjero Road SE	Albuquerque	NM	87123	1	12
12051 Zanjero Road SE	Albuquerque	NM	87123	1	13
12055 Zanjero Road SE	Albuquerque	NM	87123	1	14
12059 Zanjero Road SE	Albuquerque	NM	87123	1	15
12000 Zanjero Road SE	Albuquerque	NM	87123	2	1
12004 Zanjero Road SE	Albuquerque	NM	87123	2	2
12008 Zanjero Road SE	Albuquerque	NM	87123	2	3
12012 Zanjero Road SE	Albuquerque	NM	87123	2	4
12016 Zanjero Road SE	Albuquerque	NM	87123	2	5
12020 Zanjero Road SE	Albuquerque	NM	87123	2	6
12024 Zanjero Road SE	Albuquerque	NM	87123	2	7
12028 Zanjero Road SE	Albuquerque	NM	87123	2	8
12032 Zanjero Road SE	Albuquerque	NM	87123	2	9
12036 Zanjero Road SE	Albuquerque	NM	87123	2	10
12040 Zanjero Road SE	Albuquerque	NM	87123	2	11
12044 Zanjero Road SE	Albuquerque	NM	87123	2	12
12048 Zanjero Road SE	Albuquerque	NM	87123	2	13
12052 Zanjero Road SE	Albuquerque	NM	87123	2	14
12056 Zanjero Road SE	Albuquerque	NM	87123	2	15
12000 Via Posada	Albuquerque	NM	87123	3	1
12004 Via Posada	Albuquerque	NM	87123	3	2
12008 Via Posada	Albuquerque	NM	87123	3	3
12012 Via Posada	Albuquerque	NM	87123	3	4
12016 Via Posada	Albuquerque	NM	87123	3	5
12024 Via Posada	Albuquerque	NM	87123	3	6
12028 Via Posada	Albuquerque	NM	87123	3	7
12032 Via Posada	Albuquerque	NM	87123	3	8
12036 Via Posada	Albuquerque	NM	87123	3	9
12040 Via Posada	Albuquerque	NM	87123	3	10





### Pre-Development Facilities Fee (PDFF) Cover Sheet

**PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.**

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

**Project #** (if already assigned by DRB/EPC) 1007140

**Please check one:**

**Preliminary PDFF**  
(Preliminary PDFF are required for preliminary plat submittals.)

**Final PDFF**  
(Final PDFF are required for final plat submittals and **must be recorded** prior to DRB hearing)

**Waiver/Deferral**  
(Must provide reason for waiver/deferral)

**Project Information**

Subdivision Name Juan Tabo Hills, Unit 3A

Location of Project (address or major cross streets) \_\_\_\_\_

Proposed Number of Units:  Single-Family  Multi-Family

Note: A single-family unit is a single-family, detached dwelling unit.

*40 single family units*

**Waiver Information**

Property Owner \_\_\_\_\_ Legal Description \_\_\_\_\_ Zoning \_\_\_\_\_

Reason for Waiver/Deferral \_\_\_\_\_

**Contact Information**

Name Kay Brashear

Company Mark Goodwin & Associates, PA

Phone (505) 828-2200

E-mail kbrashear@goodwinengineers.com

**Please include with your submittal:**

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot **(for final plat only)**
- Please include project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

FOR OFFICE USE ONLY

APS Cluster Highland

Date Submitted 7/3/2013

Date Completed 7/3/2013

EXHIBIT B

FINAL  
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico (“Albuquerque Public Schools” or “APS”), a public school district organized and existing pursuant to the laws of New Mexico, and JTH, LLC. (“Developer”) effective as of this 3 day of July, 2013 and pertains to the subdivision commonly known as JUAN TABO HILLS UNIT 3B, and more particularly described as a tract of land situate, within Sections 27, and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACTS 2-A, JUAN TABO HILLS UNIT 1 as the same is shown on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 22, 2005C, Page 406 (the “Subdivision”). The following individual lots comprise the subdivision:

*See attached Subdivision Plat Addresses*

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools.

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.

2. The amount of the fee shall be:

- If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
- If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.
- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

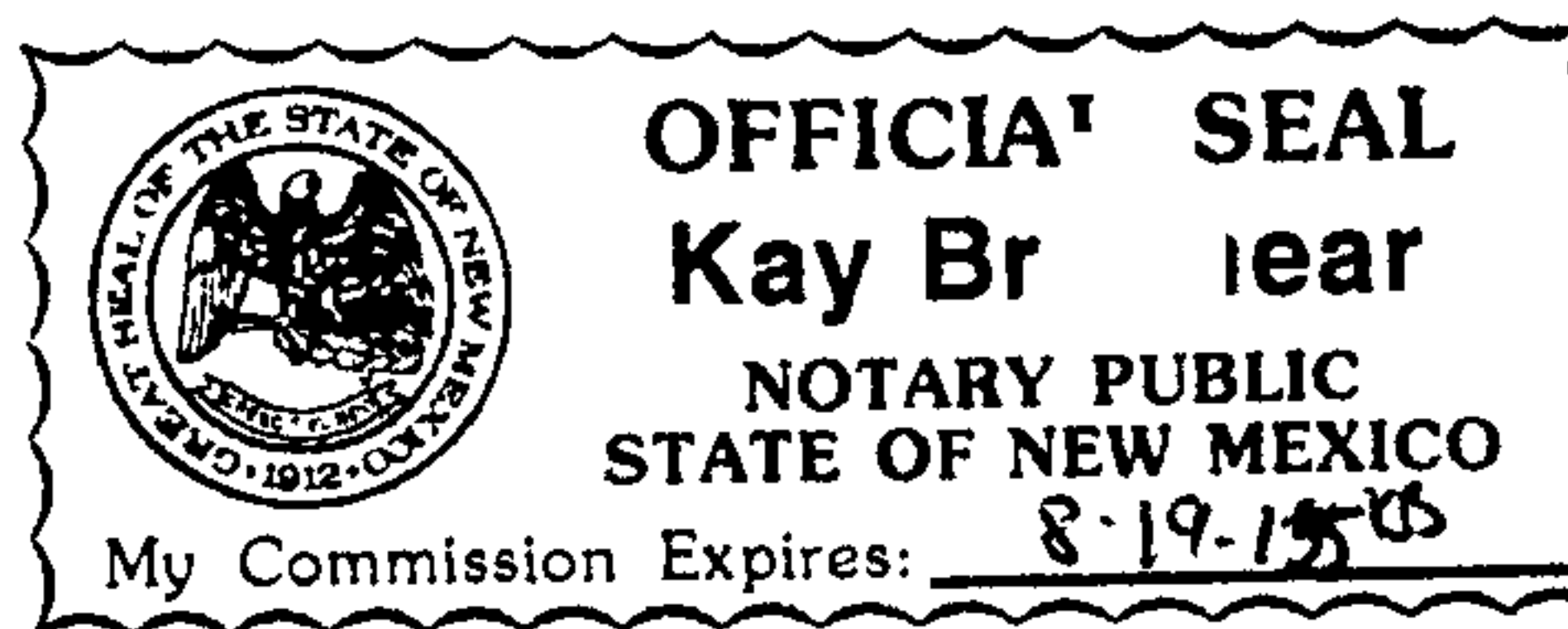
5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.



Signature

\_\_\_\_\_  
Name (typed or printed) and title  
JTH, LLC  
\_\_\_\_\_  
Developer



STATE OF NEW MEXICO }  
COUNTY OF BERNALILLO }

This instrument was acknowledged before me on 7-3-13, by \_\_\_\_\_  
Adam Thornton as managing member of JTH, LLC, a New  
Mexico limited liability company.

Kay Brice  
\_\_\_\_\_  
Notary Public

My commission expires:  
8-19-15

**ALBUQUERQUE PUBLIC SCHOOLS**

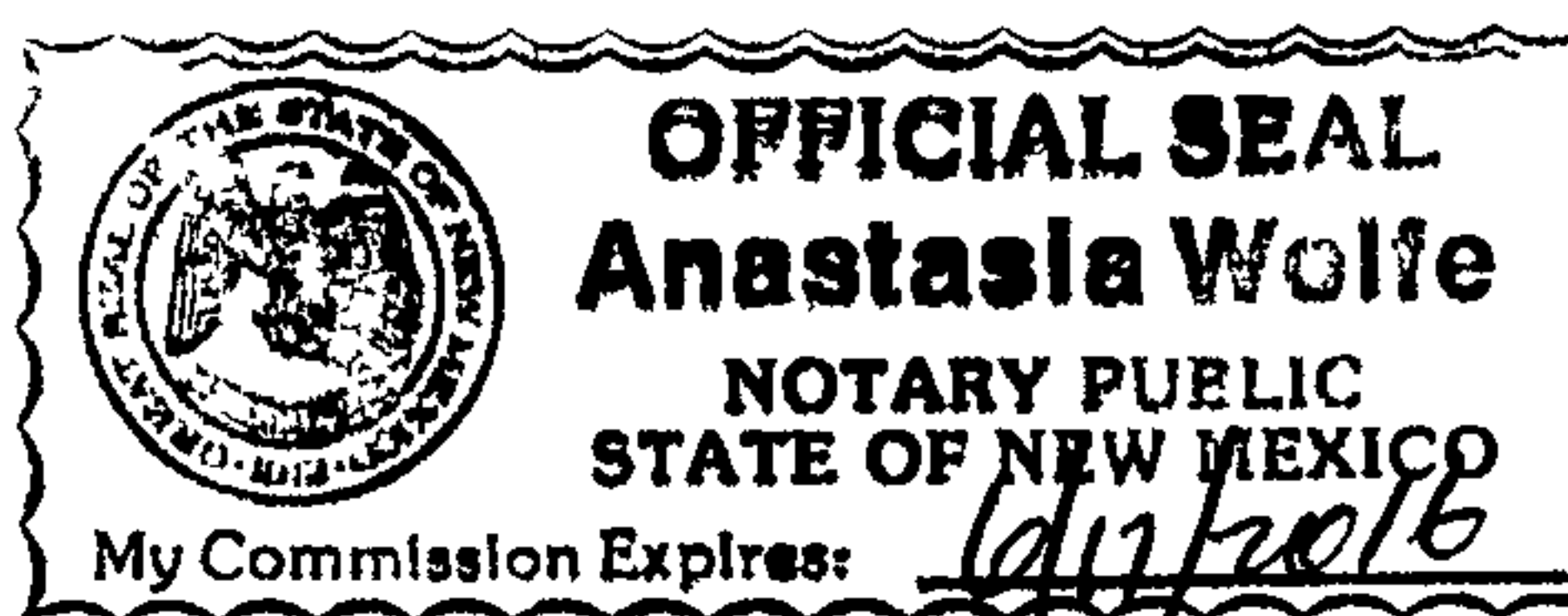
By: April L. Winters  
\_\_\_\_\_  
Signature  
April L. Winters, Facility Fee Planner  
Name (typed or printed) and title

STATE OF NEW MEXICO }  
COUNTY OF BERNALILLO }

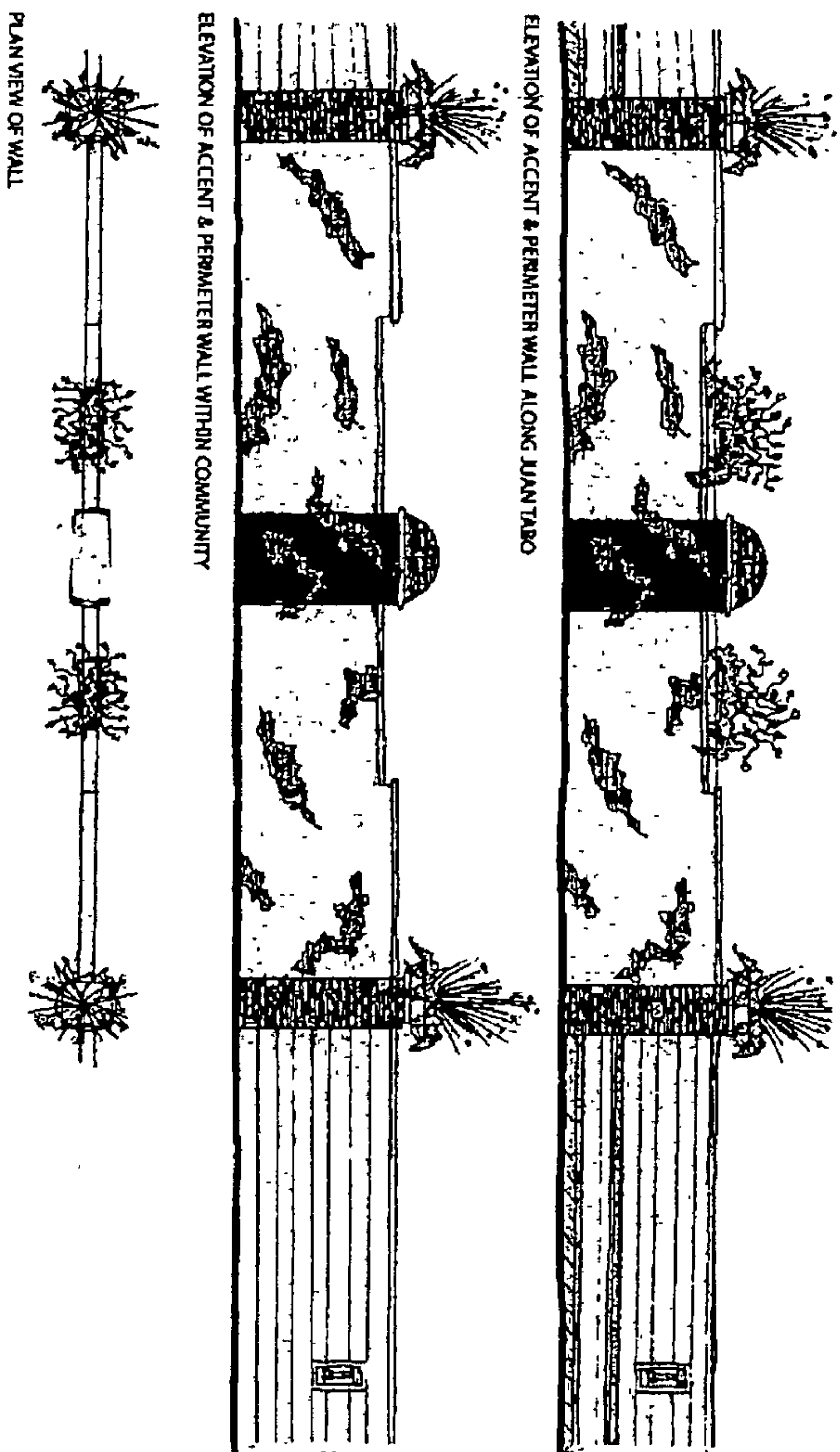
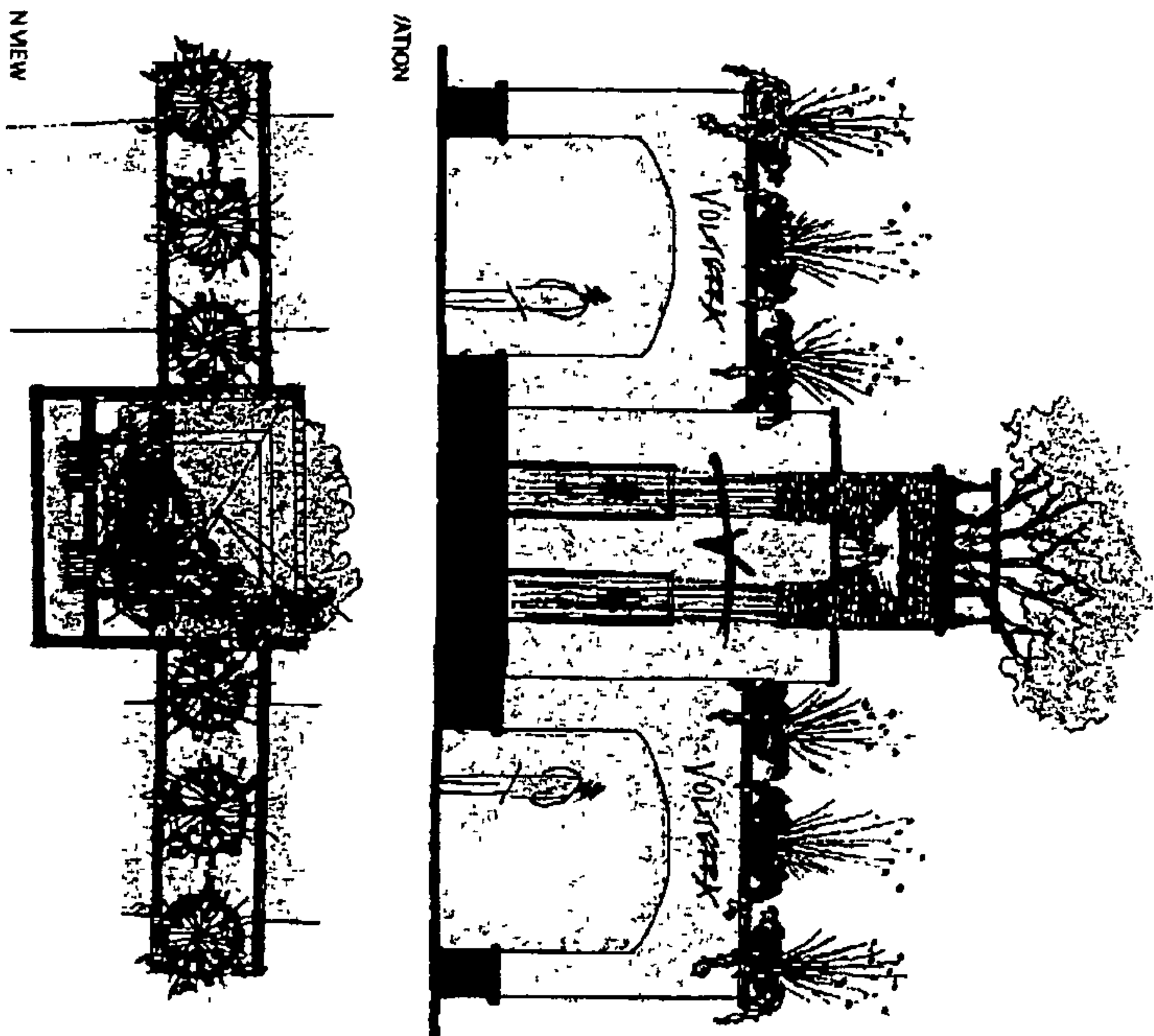
This instrument was acknowledged before me on July 3, 2013, by April L. Winters  
\_\_\_\_\_ as Facility Fee Planner of the Albuquerque Municipal  
School District No. 12, Bernalillo and Sandoval Counties, a school district organized and  
existing under the laws of the State of New Mexico.

Anastasia Wolfe  
\_\_\_\_\_  
Notary Public

My commission expires:  
6/17/2016



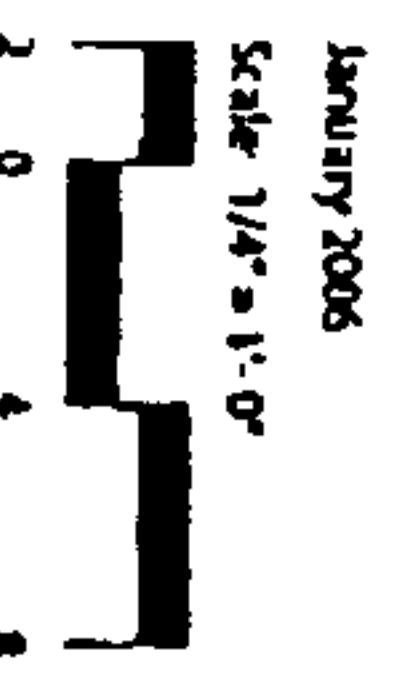
Color Option D



100' long - for

st. some movement

Perimeter Wall Approved  
*[Signature]*  
 DRB Chair  
 9/19/06  
 Date



January 2006  
Scale 1/4" = 1'-0"

VOLTERRA

July 24. 2013



## INTER-OFFICE MEMORANDUM

### COMMENTING AGENCIES

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

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

PROJECT # 10007140

**Wednesday, May 8, 2013**

Comments must be received by:

**Wednesday, May 1, 2013**

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests.

**If you have any questions, please contact me at 924-3946 or [agomez@cabq.gov](mailto:agomez@cabq.gov)**



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 505-828-2200  
 ADDRESS: PO Box 90000 FAX: 505-797-9539  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: kbrasheare@goodwinengineers.com

APPLICANT: Juan Tabo Hills, LLC PHONE: 892-5533  
 ADDRESS: PO Box 1443 FAX: \_\_\_\_\_  
 CITY: Corrales, NM STATE NM ZIP 87048 E-MAIL: athornton@rcyleehomes.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Vacation of Easements - Juan Tabo Hills 3A & 3B

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. 2A, 3A, 4A, 1-C Block: \_\_\_\_\_ Unit: 1  
 Subdiv/Addn/TBKA: Juan Tabo Hills Unit 1  
 Existing Zoning: RD; Su-1 Proposed zoning: RD; su-1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): m21-m22 UPC Code: See attached

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007140  
(08-DRB-70297) 1067139 (08DRB-70299) (09DRB-70310)

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? no  
 No. of existing lots: 4 No. of proposed lots: N/A Total site area (acres): 81  
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd. SE  
 Between: Gulfstream Dr. SE and Tijeras Arroyo

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

SIGNATURE Diane Hoelzer DATE 4-10-13  
 (Print Name) Diane Hoelzer, PE Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

INTERNAL ROUTING		Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/>	All checklists are complete	<u>13DRB - 70511</u>	<u>VPE</u>	_____	\$ <u>3,015.00</u>
<input checked="" type="checkbox"/>	All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/>	All case #s are assigned	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/>	AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/>	Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/>	Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/>	F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/>	F.H.D.P. fee rebate	_____	_____	_____	\$ _____
					Total
					\$ <u>3,110.00</u>

Revised: 4/2012

Hearing date May 8, 2013

4-12-13  
Staff signature & Date

Project # 1007140



**FORM V: SUBDIVISION VARIANCES & VACATIONS**

**BULK LAND VARIANCE (DRB04)**

**(PUBLIC HEARING CASE)**

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

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

**VACATION OF PUBLIC EASEMENT (DRB27)**

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

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

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

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

**SIDEWALK VARIANCE (DRB20)**

**SIDEWALK WAIVER (DRB21)**

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

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

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

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

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

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

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

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

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

**VACATION OF PRIVATE EASEMENT (DRB26)**

**VACATION OF RECORDED PLAT (DRB29)**

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

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

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

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

Kay Brashear  
Applicant name (print)  
Kay Brashear 4-10-13  
Applicant signature / date



Form revised 4/07

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
13 - DRB - 70511

[Signature] 4-12-13  
Planner signature / date  
Project # 1007140

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from April 23, 2013 To May 8, 2013

5. REMOVAL

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

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

Matt  
(Applicant or Agent)

04.12.13  
(Date)

I issued 4 signs for this application, 4-12-13  
(Date)

[Signature]  
(Staff Member)

DRB PROJECT NUMBER: 1007140



Supplemental Form (SF)

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICATION INFORMATION:**

Professional/Agent (if any) Mark Goodwin & Associates PA PHONE 505-828-2200  
 ADDRESS: PO Box 90000 FAX: 505-797-9539  
 CITY: Albuquerque STATE nm ZIP 87199 E-MAIL kbrashear@goodwinengineers.ca

APPLICANT: Juan Tabo Hills, LLC PHONE 892-5533  
 ADDRESS: PO Box 1443 FAX \_\_\_\_\_  
 CITY: Corrales, nm STATE NM ZIP 87048 E-MAIL athornton@royleebarres.com  
 Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Vacation of Easements - Juan Tabo Hills 3A & 3B

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. 2A, 3A, 4A, 1-C Block \_\_\_\_\_ Unit: 1  
 Subdiv/Addn/TBKA: Juan Tabo Hills Unit 1  
 Existing Zoning: RD; Su-1 Proposed zoning RD; Su-1 MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): m21-m22 UPC Code: See attached

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1007140  
(08-DRB-70297) 1007139 (08DRB-70299) (09DRB-70310)

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? no  
 No. of existing lots: 4 No. of proposed lots N/A Total site area (acres): 81  
 LOCATION OF PROPERTY BY STREETS: On or Near: Juan Tabo Blvd. SE  
 Between: Gulfstream Dr. SE and Tijeras Arroyo  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE Diane Hoelzer DATE 4-10-13  
 (Print Name) Diane Hoelzer, PE Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>13DRB - 70511</u>	<u>VPE</u>	_____	\$ <u>3,015.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F H D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F H D.P. fee rebate	_____	_____	_____	\$ <u>3,110.00</u>

Hearing date May 8, 2013  
4-12-13  
 Staff signature & Date

Project # 1007140

**FORM V: SUBDIVISION VARIANCES & VACATIONS**

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

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

- SIDEWALK VARIANCE (DRB20)**  
 **SIDEWALK WAIVER (DRB21)**  
 \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8 5" by 14") **6 copies**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the variance or waiver  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

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

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

- VACATION OF PRIVATE EASEMENT (DRB26)**  
 **VACATION OF RECORDED PLAT (DRB29)**  
 \_\_\_ The complete document which created the private easement/recorded plat (not to exceed 8 5" by 14") **6 copies**  
 \_\_\_ Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**  
 \_\_\_ Letter of authorization from the grantors and the beneficiaries (private easement only)  
 \_\_\_ Fee (see schedule)  
 \_\_\_ List any original and/or related file numbers on the cover application  
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

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

Kay Brashear  
 Applicant name (print)  
Kay Brashear 4-10-13  
 Applicant signature / date



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

Application case numbers  
13 - DRB - 70511  
 \_\_\_\_\_  
 \_\_\_\_\_

Form revised 4/07  
[Signature] 4-12-13  
 Planner signature / date  
 Project # 1007140

# SIGN POSTING AGREEMENT

## REQUIREMENTS

### POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

#### 4. TIME

Signs must be posted from April 23, 2013 To May 8, 2013

#### 5. REMOVAL

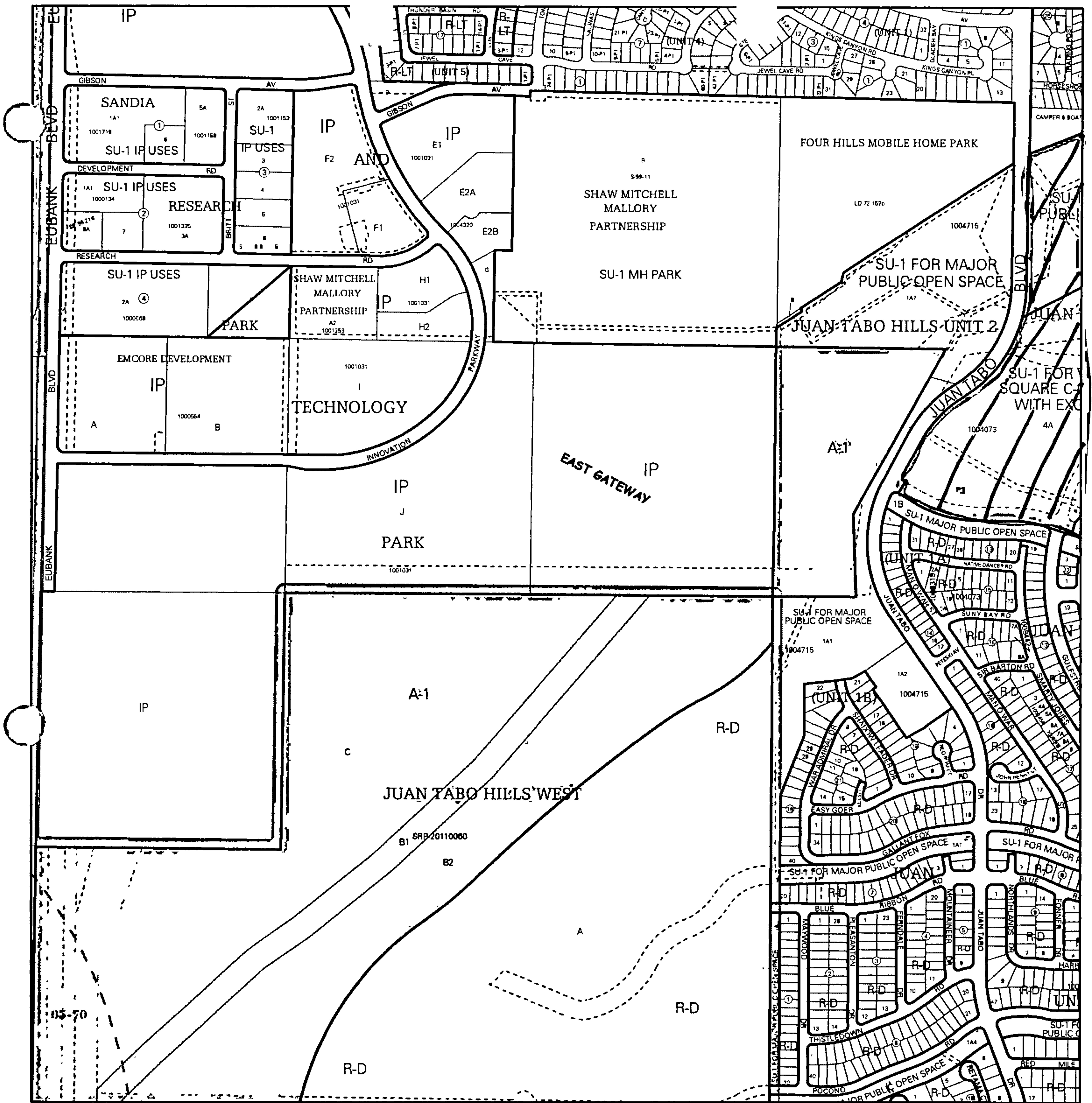
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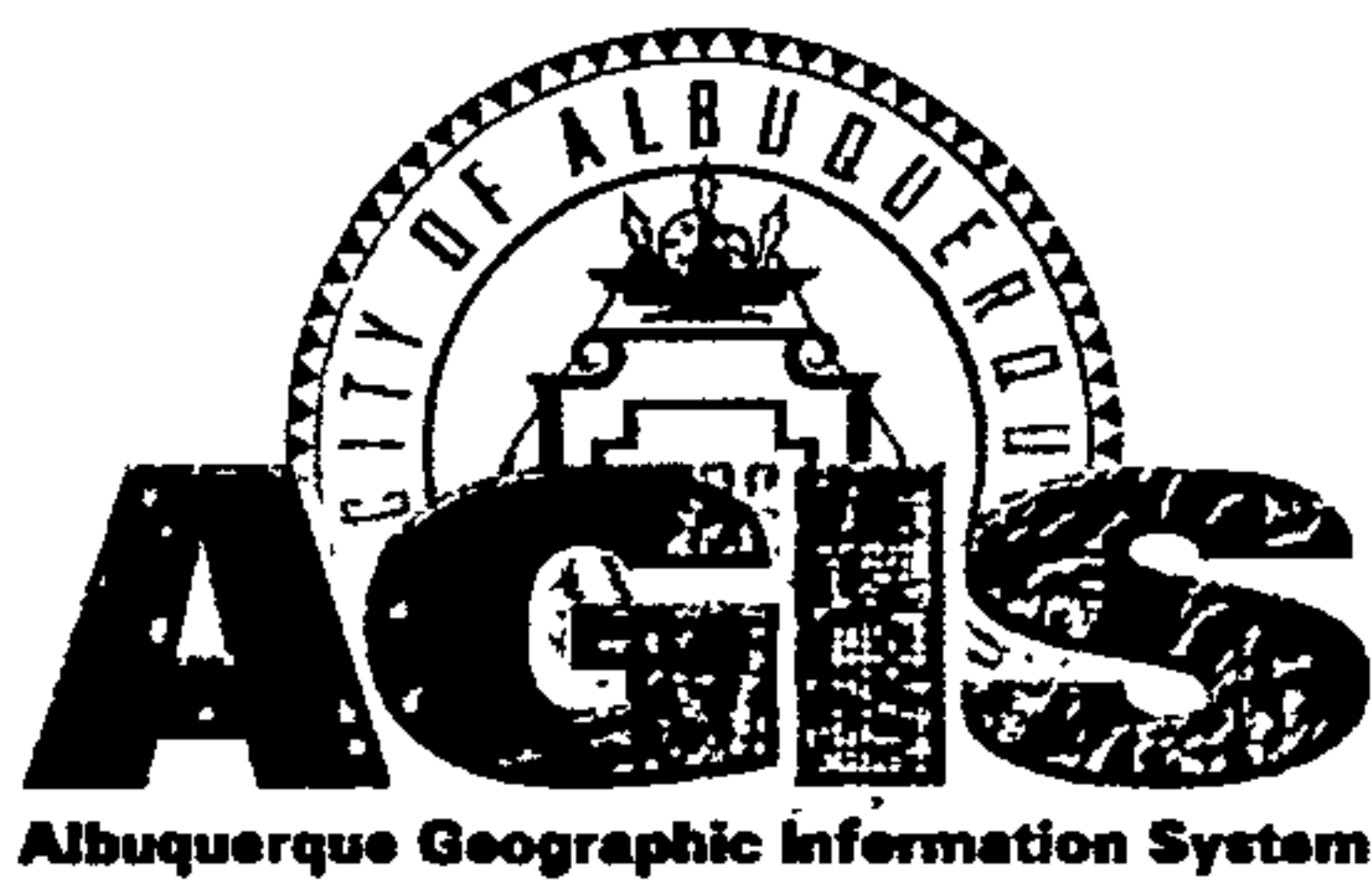
Mauro (Applicant or Agent) 04-12-13 (Date)

I issued 4 signs for this application, 4-12-13 (Date) [Signature] (Staff Member)

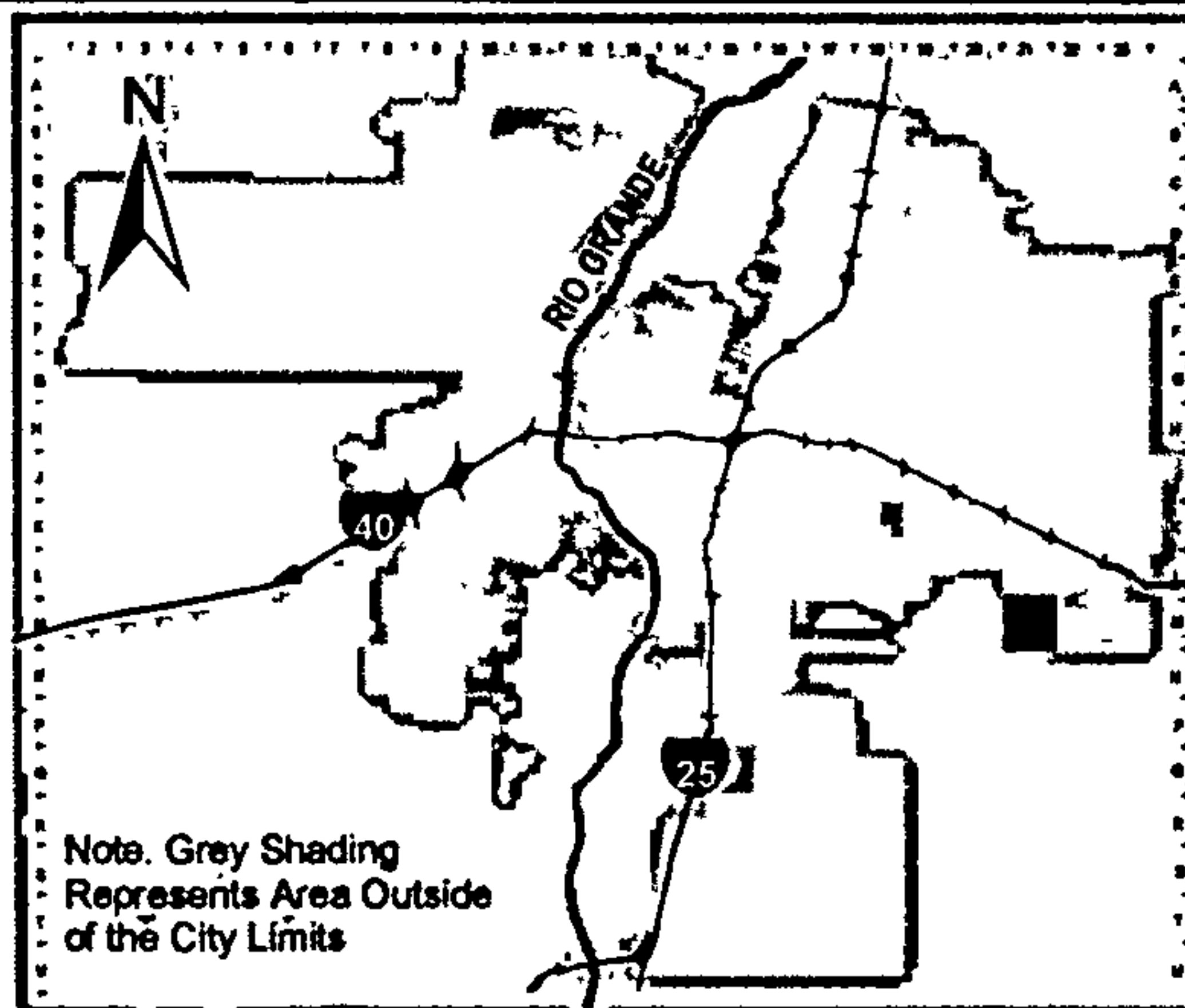
DRB PROJECT NUMBER: 1007140



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



Map amended through: 4/2/2012



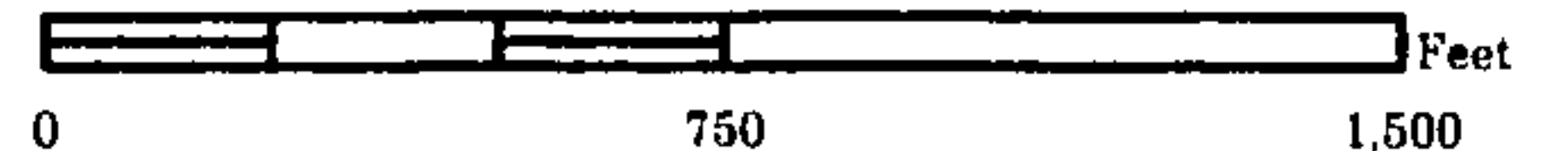
Note: Grey Shading Represents Area Outside of the City Limits

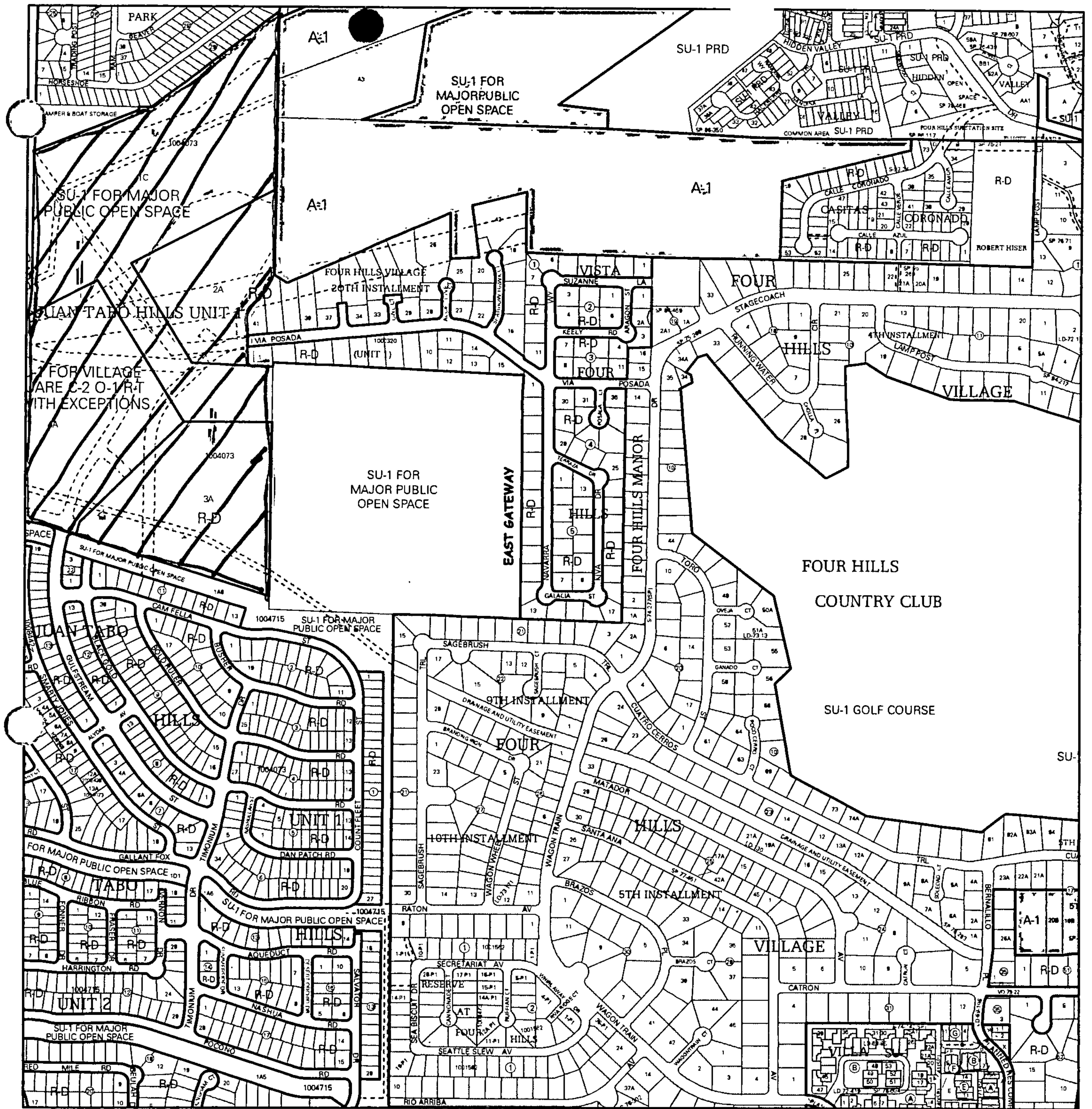
Zone Atlas Page:

# M-21-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



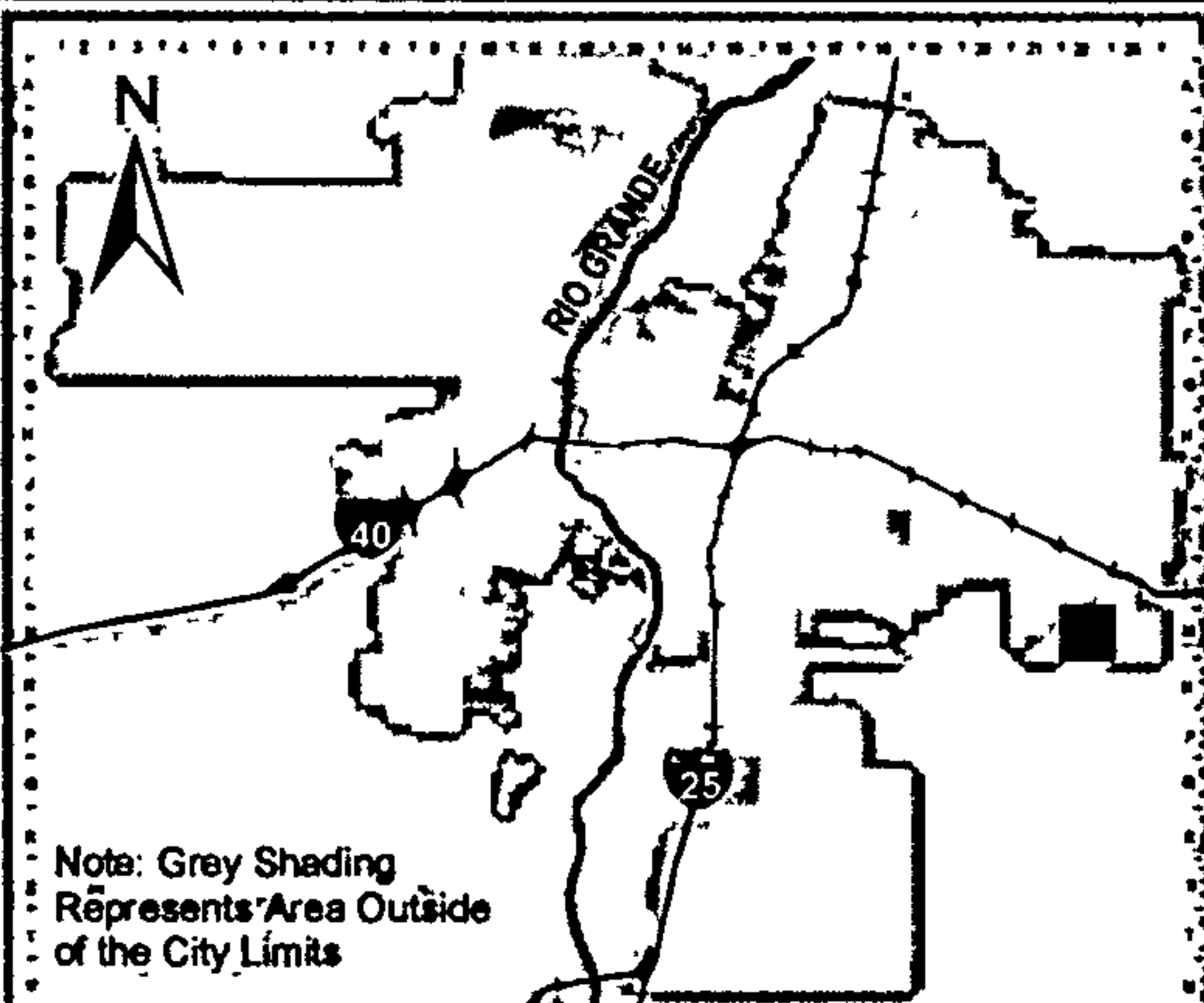


For more current information and details visit: <http://www.cabq.gov/gis>



**AGIS**  
Albuquerque Geographic Information System





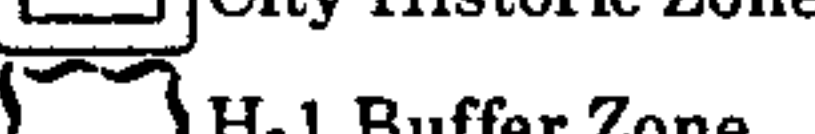
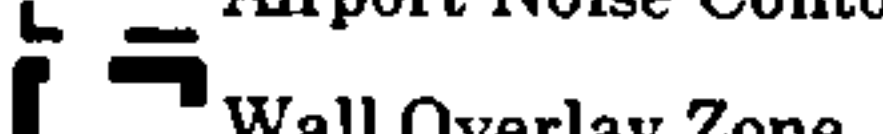



Map amended through: 4/2/2012



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**M-22-Z**

Selected Symbols

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

0 750 1,500 Feet



D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

April 12, 2013

Jack Cloud  
DRB Chair  
City of Albuquerque  
PO Box 1293  
Albuquerque, NM 87103

**Re: Vacation of Public Easements  
For Juan Tabo Hills Unit 3A (DRB 1007139) and Unit 3B (DRB 1007140)**

Dear Mr. Cloud;

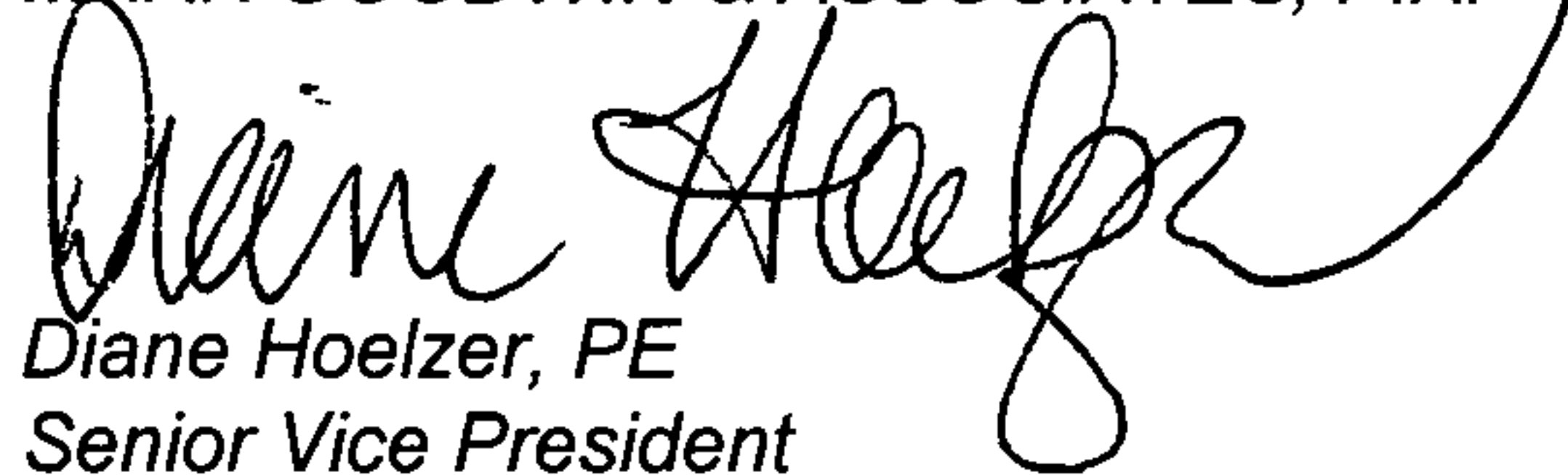
The original DRB request and action for the vacation of public easements was made in 2008 under DRB project numbers 1007139 and 1007140.

Development of Juan Tabo Hills Unit 3A and 3B subdivisions are now moving forward, necessitating the need to get these vacations approved again.

Please call me if you have any questions.

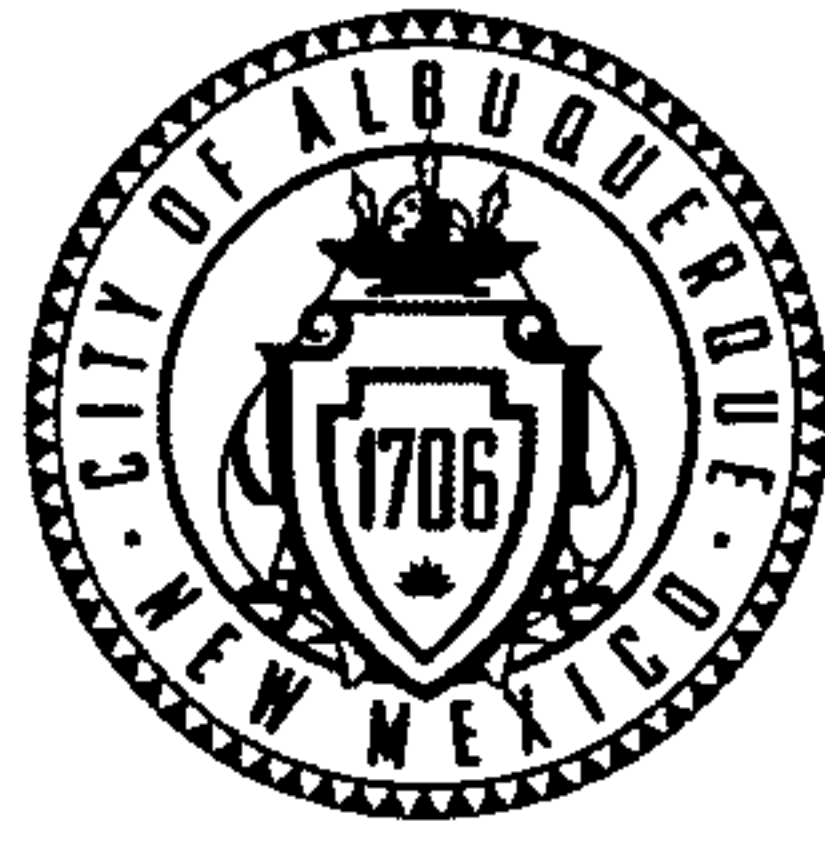
Sincerely,

MARK GOODWIN & ASSOCIATES, P.A.

  
Diane Hoelzer, PE  
Senior Vice President

DLH





## City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

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

April 1, 2013

Kay Brashear  
Mark Goodwin and Associates, PA  
P.O. Box 90606/87199  
Phone: 828-2200/Fax: 797-9539  
E-mail: [kbrashear@goodwinengineers.com](mailto:kbrashear@goodwinengineers.com)

Dear Kay:

Thank you for your inquiry of **April 1, 2013** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – JUAN TABO HILLS, UNIT 1 (3A), TRACT 2A, 3A, 4A, 1C, LOCATED ON JUAN TABO BOULEVARD SE BETWEEN GULF STREAM DRIVE SE AND TIJERAS ARROYO** zone map **M-21-22**.

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

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

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov) or by fax at (505) 924-3913.

Sincerely,  
*Stephani Winklepleck*  
Stephani Winklepleck  
Neighborhood Liaison  
OFFICE OF NEIGHBORHOOD COORDINATION  
Planning Department

**Letters must be sent to BOTH contacts of each NA/HOA's for this Planning Submittal**

planningrnaform(03/20/12)

# !!!Notice to Applicants!!!

## SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

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

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

## Information from the Office of Neighborhood Coordination

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

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

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

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at [swinklepleck@cabq.gov](mailto:swinklepleck@cabq.gov).

Thank you for your cooperation on this matter.

\*\*\*\*\*

(below this line for ONC use only)

Date of Inquiry: **04/01/13** Time Entered: **9:50 a.m.** ONC Rep. Initials: **siw**

# **“ATTACHMENT A”**

Kay Brashear  
Mark Goodwin and Associates, PA  
P.O. Box 90606/87199  
Phone: 828-2200/Fax: 797-9539  
E-mail: [kbrashear@goodwinengineers.com](mailto:kbrashear@goodwinengineers.com)  
Zone Map – M-21-22

## **JUAN TABO HILLS N.A. (JTH) “R”**

**\*Kevin Smith**

1843 Red Rum Ct. SE/87123 440-3838 (c)

Tom Gregory

1705 Black Gold SE/87123 235-1271 (h)

## **FOUR HILLS VILLAGE H.O.A. (FHV) “R”**

**\*Roger Hartman**

1308 Wagon Train Dr. SE/87123 296-7924 (h)

Cassandra Osterloh

1424 Catron Ave. SE/87123 264-2427 (c)

## **FOUR HILLS VILLAGE N.A. (FHN) “R”**

**\*Edwin Barsis**

1538 Catron Ave. SE/87123 293-5347 (h)

Cathy Loveday

1600 Speakman Dr. SE/87123 298-4801 (h)

**\*President of NA/HOA**



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(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~*  
*~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

April 10, 2013

Mr. Kevin Smith  
Juan Tabo Hills N.A.  
1743 Red Rum Court. SE  
Albuquerque, NM 87123

Mr. Tom Gregory  
Juan Tabo Hills N.A.  
1705 Black Gold SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Smith, and Mr. Gregory;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

Enclosure



D. Mark Goodwin Associates, P.A.  
Consulting Engineers

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(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

April 10, 2013

Mr. Roger Hartman  
Four Hills Village H.O.A.  
1308 Wagon Train Dr. SE  
Albuquerque, NM 87123

Ms. Cassandra Osterloh  
Four Hills Village H.O.A.  
1424 Catron Ave SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Hartman, and Ms. Osterloh;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

Enclosure



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April 10, 2013

Mr. Edwin Barsis  
Four Hills Village N.A.  
1538 Catron Ave SE  
Albuquerque, NM 87123

Ms. Cathy Loveday  
Four Hills Village N.A.  
1600 Speakman Dr. SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Barsis, and Ms. Loveday;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

Enclosure



D. Mark Goodwin & Associates, P.A.  
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199  
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~  
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

April 10, 2013

Mr. Kevin Smith  
Juan Tabo Hills N.A.  
1743 Red Rum Court. SE  
Albuquerque, NM 87123

Mr. Tom Gregory  
Juan Tabo Hills N.A.  
1705 Black Gold SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Smith, and Mr. Gregory;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

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April 10, 2013

Mr. Roger Hartman  
Four Hills Village H.O.A.  
1308 Wagon Train Dr. SE  
Albuquerque, NM 87123

Ms. Cassandra Osterloh  
Four Hills Village H.O.A.  
1424 Catron Ave SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Hartman, and Ms. Osterloh;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

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April 10, 2013

Mr. Edwin Barsis  
Four Hills Village N.A.  
1538 Catron Ave SE  
Albuquerque, NM 87123

Ms. Cathy Loveday  
Four Hills Village N.A.  
1600 Speakman Dr. SE  
Albuquerque, NM 87123

**Re: Juan Tabo Hills Unit 3A**

Dear Mr. Barsis, and Ms. Loveday;

Enclosed please find a copy of the DRB Application requesting Vacation of Easement for the referenced project. The anticipated date to be heard is May 8, 2013. Please contact **Diane Hoelzer** of our office if you have any questions or concerns.

Sincerely,  
MARK GOODWIN & ASSOCIATES, PA

Kay Brashear  
Office Manager

/kb

Enclosure

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**OFFICIAL USE**

Postage	CPU	
Certified Fee		
Return Receipt Fee (Endorsement Required)	APR 11 2013	Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

Sent To: Roger Hartman  
 Street, Apt. No.; or PO Box No.: 1308 Wagon Train Dr. SE  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

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Postage	CPU	
Certified Fee		
Return Receipt Fee (Endorsement Required)	APR 11 2013	Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

Sent To: Cathy Loveday  
 Street, Apt. No.; or PO Box No.: 11600 Speakman Dr. SE  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

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Postage	CPU	
Certified Fee		
Return Receipt Fee (Endorsement Required)	APR 11 2013	Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		

Sent To: Cassandra Osterloh  
 Street, Apt. No.; or PO Box No.: 1424 Catron Ave SE  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

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Postage	APR 11 2013	
Certified Fee		
Return Receipt Fee (Endorsement Required)		Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Edwin Barziz  
 Street, Apt. No.; or PO Box No.: 1538 Catron Ave  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

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Postage	CPU	
Certified Fee		
Return Receipt Fee (Endorsement Required)	APR 11 2013	Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Mr. Tom Gregory  
 Street, Apt. No.; or PO Box No.: 1705 Black Gold SE  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

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Postage	CPU	
Certified Fee		
Return Receipt Fee (Endorsement Required)	APR 11 2013	Postmark Here
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: Kevin Smith  
 Street, Apt. No.; or PO Box No.: 1743 Red Run Ct. SE  
 City, State, ZIP+4: APO NM 87103

PS Form 3800, August 2006 See Reverse for Instructions

4210 9208 8028 0124

7011 3500 0002 2000 005E

4210 9208 8028 0124

7011 3500 0002 2000 005E

4210 9208 8028 0124

7011 3500 0002 2000 005E

UPC Codes

Tract 1C	102205507350320000
Tract 2A	102205510444320000
Tract 3A	102205510032720000
Tract 4A	102205501637420000

Juan Tabo Hills Public **Vacation** fee: **TOTAL DUE: \$3,110.00**  
For JTH Unit 3A and 3B plats

Public notification: \$75.

Vacation of Easements: \$3015.

- 12 ~~#1~~ Roadway Esmt \$300 ✓
- 1 ~~#2~~ Utility & Drainage Esmt \$300 ✓
- 2 ~~#2~~ Temp. Utility & Drainage Esmt \$45 ✓
- 5 ~~#4~~ Qwest Esmt \$45 ✓
- 22 ~~#5~~ Blanket Drainage Esmt \$45 ✓
- 25 ~~#6~~ Public Access Esmt \$300 ✓
- 23 ~~#7~~ Public Access Esmt \$300 ✓
- 24 ~~#8~~ Public Access Esmt \$300 ✓
- 14 ~~#10~~ Public Drainage & Vehicular Access Esmt \$300
- 9 ~~#11~~ AMAFCA Floodplain Esmt \$45 ✓
- 20 ~~#12~~ Public Service Co. Esmt \$45
- 27 ~~#13~~ Public Service Co. Esmt \$45
- 3 ~~#14~~ Utility & Drainage Esmt \$300 ✓
- 4 ~~#15~~ Temp. Utility & Drainage Esmt \$45 ✓
- 13 ~~#16~~ Access and Utility Esmt \$300 ✓
- 20 ~~#17~~ Public Access Esmt \$300 ✓

Conflict management fee: \$20.

Dmg job no. 11057/11063  
2-9-12 DLH

Proj. 1007139  
08DRB-70299



M(AU) 8. 2013

DRB CASE ACTION LOG - BLUE SHEET

Done  
Jan. 2014

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

*Site Plans:* It is the responsibility of the applicant/agent/developer/owner to insert the DRB approved Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of building permit plansets. If the building permit plans have been submitted prior to the Site Plan for Subdivision and/or Site Plan for Building Permit being signed-off, then it is the responsibility of the applicant/agent/developer/owner to insert a copy of the signed-off Site Plan for Subdivision and/or Site Plan for Building Permit in each copy of the building permit plansets.

Project #: 1007140

Application #: 13DRB-70623

Project Name: Juan Tabo Hills Unit 3B

Agent: MARK GOODWIN & ASSOC.

Phone #:

\*\*Your request was approved on 1-15-14 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): - provide adjacent recording info  
to record

**PLATS:**

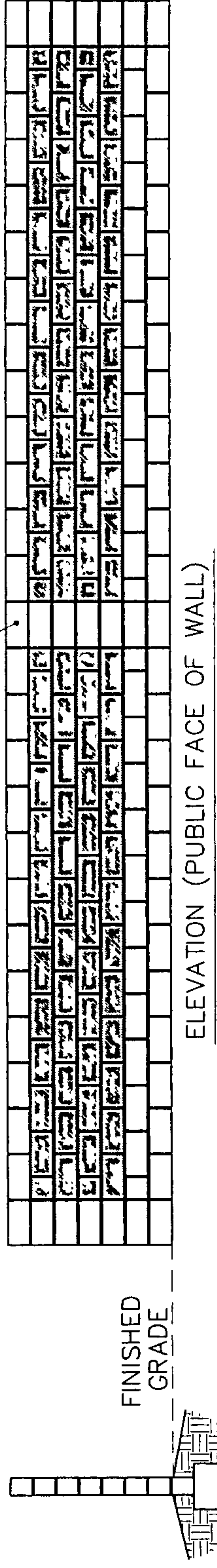
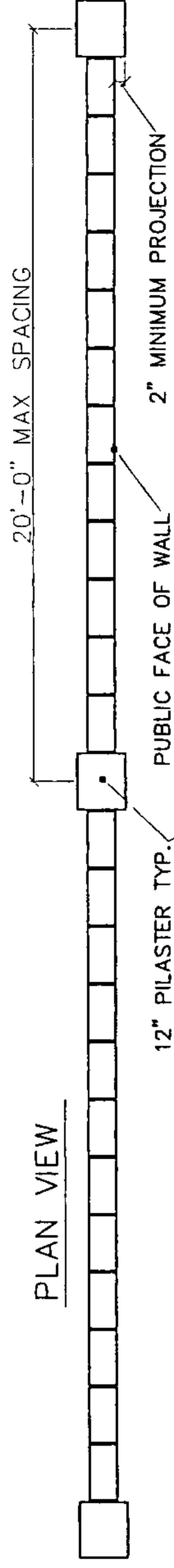
Planning must record this plat. Please submit the following items:

- 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.
- County Treasurer's signature must be obtained prior to the recording of the plat with 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.

**ALL SITE PLANS:**

- 3 copies of the approved site plan. Include all pages.



MATERIAL KEY

SMOOTH TAN CMU

TEXTURED CMU

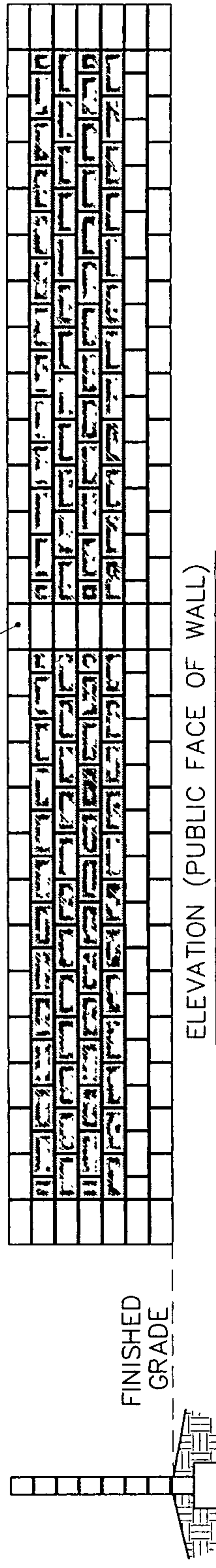
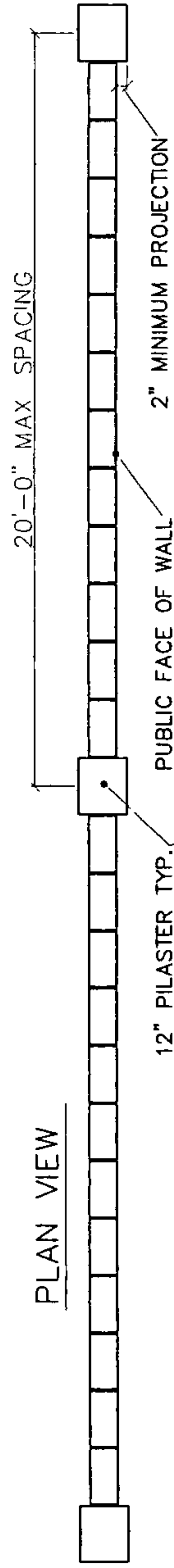
THE PUBLIC FACE OF THE WALL WILL HAVE A MIN. OF 50% TEXTURED CMU, WITH THE BALANCE BEING SMOOTH TAN CMU. IN THIS EXAMPLE EACH SECTION HAS 82.5 sq.ft. TOTAL WITH 43 sq.ft. OF TEXTURED CMU AND 39.5 sq.ft. OF SMOOTH TAN CMU, THEREFORE APPROX. 52% OF THE FACADE IS TEXTURED MATERIAL.

JUAN TABO HILLS UNITS 3A & 3B  
TYP. PERIMETER WALL

NOT TO SCALE

PROJECT: 1007140  
 DATE: 8-13-14  
 APP: 14-70279(ASPS)  
 14-70280(P&F)





MATERIAL KEY

SMOOTH TAN CMU

TEXTURED CMU

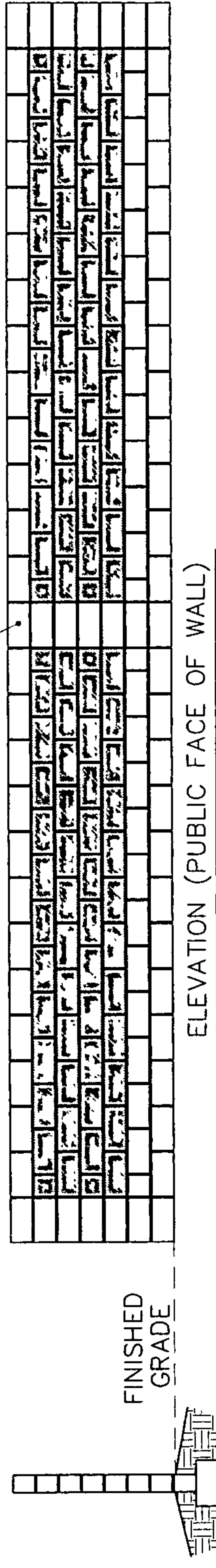
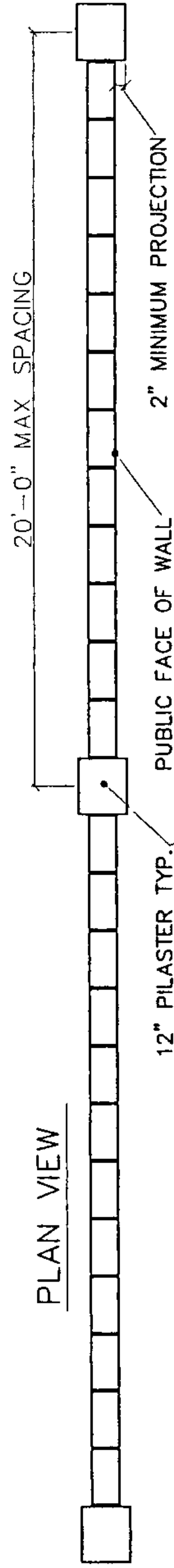
THE PUBLIC FACE OF THE WALL WILL HAVE A MIN. OF 50% TEXTURED CMU, WITH THE BALANCE BEING SMOOTH TAN CMU. IN THIS EXAMPLE EACH SECTION HAS 82.5 sq. ft. TOTAL WITH 43 sq. ft. OF TEXTURED CMU AND 39.5 sq. ft. OF SMOOTH TAN CMU, THEREFORE APPROX. 52% OF THE FACADE IS TEXTURED MATERIAL.

JUAN TABO HILLS UNITS 3A & 3B

TYP. PERIMETER WALL

NOT TO SCALE

SECTION



THE PUBLIC FACE OF THE WALL WILL HAVE A MIN. OF 50% TEXTURED CMU, WITH THE BALANCE BEING SMOOTH TAN CMU. IN THIS EXAMPLE EACH SECTION HAS 82.5 sq.ft. TOTAL WITH 43 sq.ft. OF TEXTURED CMU AND 39.5 sq.ft. OF SMOOTH TAN CMU, THEREFORE APPROX. 52% OF THE FACADE IS TEXTURED MATERIAL.

MATERIAL KEY

SMOOTH TAN CMU

TEXTURED CMU

JUAN TABO HILLS UNITS 3A & 3B

TYP. PERIMETER WALL

NOT TO SCALE



**Pre-Development Facilities Fee (PDFF)  
Cover Sheet**

**PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.**

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

**Project #** (if already assigned by DRB/EPC) 756187

**Please check one:**

- |  |                                     |   |  |
|--|-------------------------------------|---|--|
| <input type="checkbox"/> <b>Preliminary PDFF</b><br>(Preliminary PDFF are required for preliminary plat submittals.) | <input checked="" type="checkbox"/> | <b>Final PDFF</b><br>(Final PDFF are required for final plat submittals and <u>must be recorded</u> prior to DRB hearing) | <input type="checkbox"/> <b>Waiver/Deferral</b><br>(Must provide reason for waiver/deferral) |
|--|-------------------------------------|---|--|

**Project Information**

Subdivision Name Juan Tabo Hills, Unit 3B  
 Location of Project (address or major cross streets) Juan Tabo Blvd. between Monachos Rd and Tijeras Arroyo  
 Proposed Number of Units: XSingle-Family      Multi-Family    - 40-SF  
 Note: A single-family unit is a single-family, detached dwelling unit.

**Waiver Information**

Property Owner JTH, LLC    Legal Description Tract 2-A, Juan Tabo Hills, Unit 1    Zoning SU-1/RD  
 Reason for Waiver/Deferral N/A

**Contact Information**

Name Kay Brashear  
 Company Mark Goodwin & Associates, PA  
 Phone (505) 828-2200  
 E-mail kbrashear@goodwinengineers.com

**Please include with your submittal:**

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot **(for final plat only)**
- Please include project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

**FOR OFFICE USE ONLY**

APS Cluster Highland                      Date Submitted \_\_\_\_\_                      Date Completed \_\_\_\_\_

EXHIBIT B

FINAL  
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and JTH, LLC ("Developer") effective as of this 31 day of December, 2013 and pertains to the subdivision commonly known as Tract 2-A and 1-C Juan Tabo Hills, Unit 1 recorded on December 22, 2005 in Book 2005C, pages 406, in the records of the Bernalillo County Clerk, State of New Mexico (the "Subdivision".)

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new residential subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools.

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
  - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
  - If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.

Doc# 2014000817

01/06/2014 11:10 AM Page 1 of 3  
AGRE R \$25.00 M Toulouse Oliver, Bernalillo County



- If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

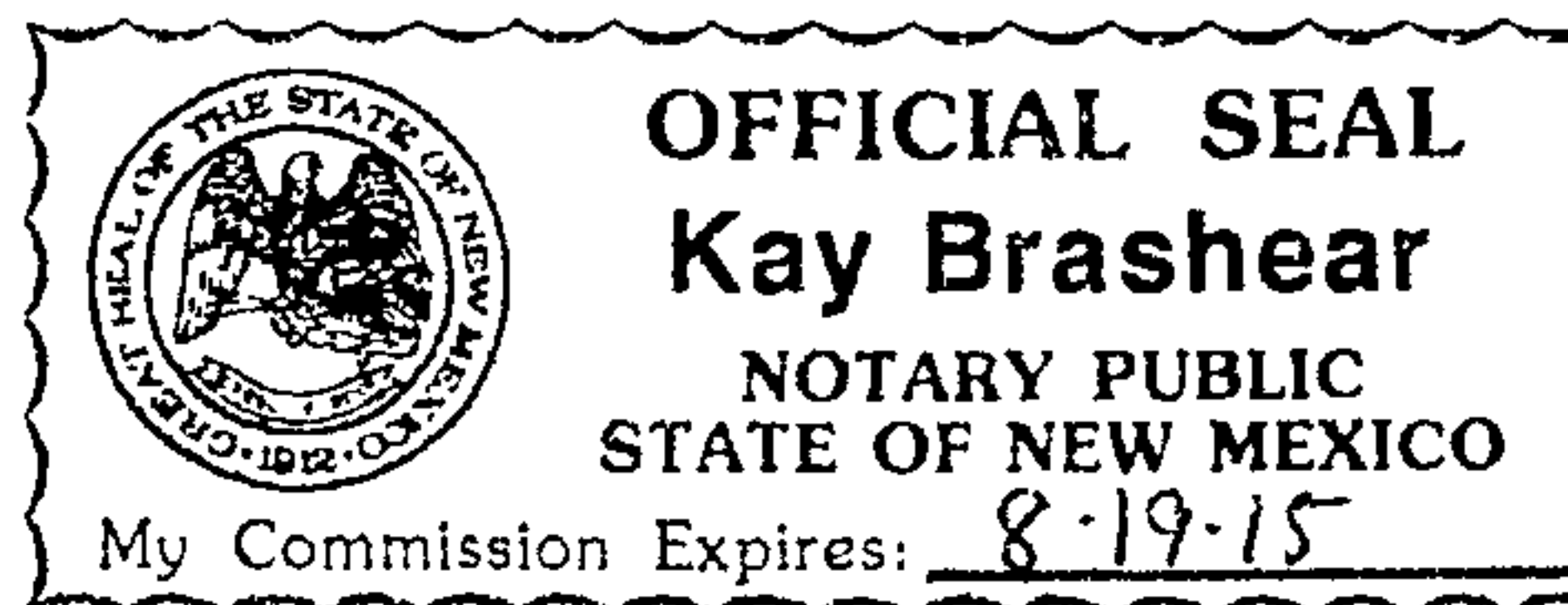
3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.

4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.

5. This contract may be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."

6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

*Scott Grady*  
 Signature  
Scott Grady  
 Name (typed or printed) and title  
JTH, LLC  
 Developer



STATE OF NEW MEXICO }  
 COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Dec 31, 13, by Scott Grady, as Managing Member of JTH, LLC, a New Mexico limited liability company.

*Kay Brashear*  
 Notary Public

My commission expires:  
8-19-15

**ALBUQUERQUE PUBLIC SCHOOLS**

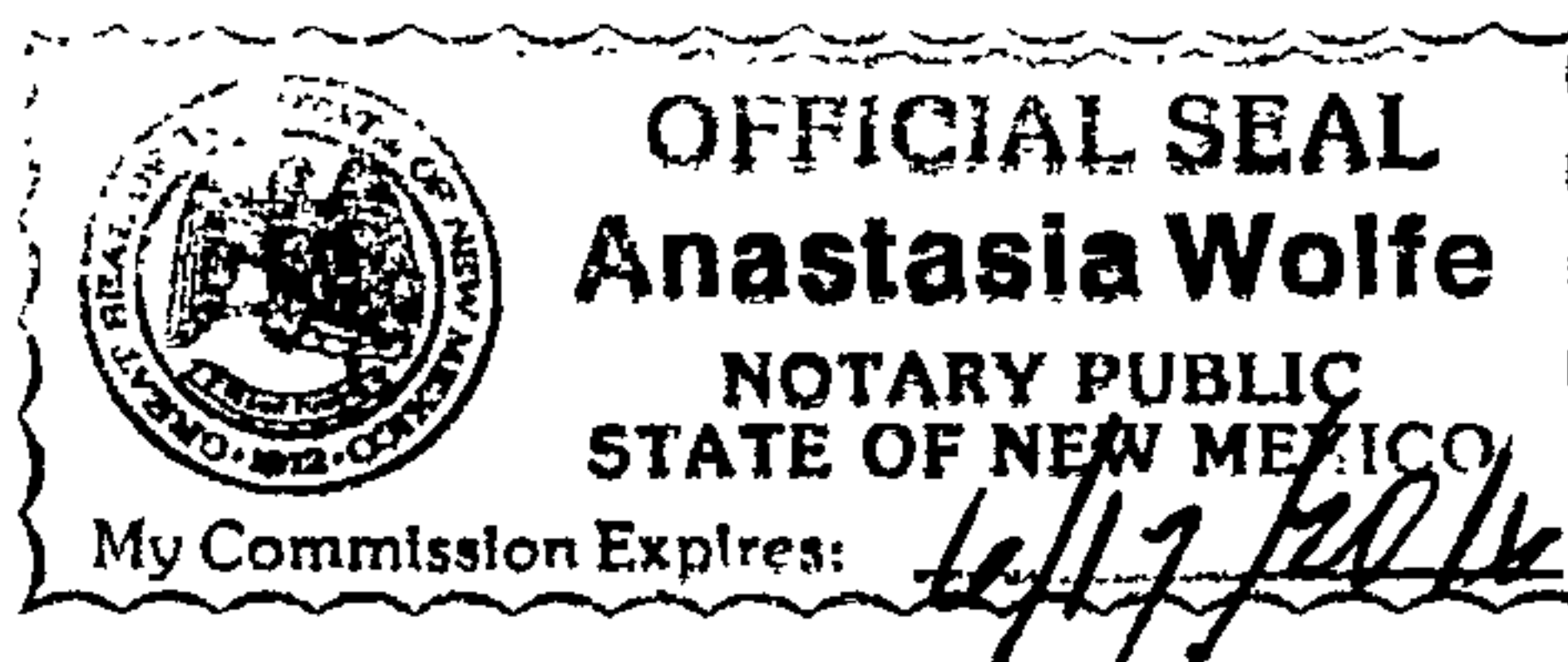
By: *April L. Winters*  
 Signature  
April L. Winters, Facility Fee Planner  
 Name (typed or printed) and title

STATE OF NEW MEXICO }  
 COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Jan. 6, 2014, by April L. Winters as Facility Fee Planner of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

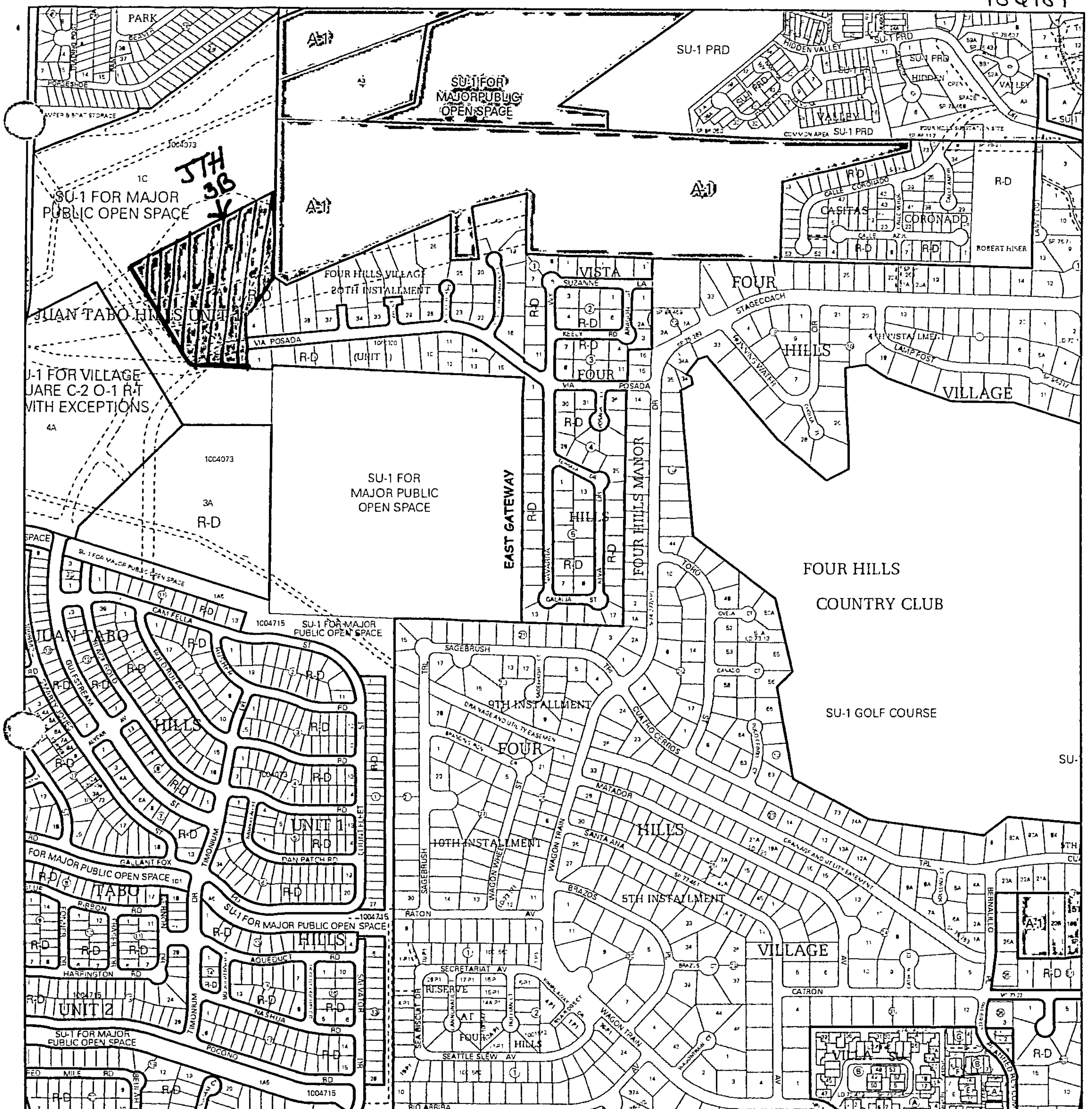
*Anastasia Wolfe*  
 Notary Public

My commission expires:  
6/17/2016



### Juan Tabo Hills 3B Addresses

Address	City	State	Zip	Block	Lot
12001 Zanjero Road SE	Albuquerque	NM	87123	1	1
12005 Zanjero Road SE	Albuquerque	NM	87123	1	2
12009 Zanjero Road SE	Albuquerque	NM	87123	1	3
12015 Zanjero Road SE	Albuquerque	NM	87123	1	4
12019 Zanjero Road SE	Albuquerque	NM	87123	1	5
12023 Zanjero Road SE	Albuquerque	NM	87123	1	6
12027 Zanjero Road SE	Albuquerque	NM	87123	1	7
12031 Zanjero Road SE	Albuquerque	NM	87123	1	8
12035 Zanjero Road SE	Albuquerque	NM	87123	1	9
12039 Zanjero Road SE	Albuquerque	NM	87123	1	10
12043 Zanjero Road SE	Albuquerque	NM	87123	1	11
12047 Zanjero Road SE	Albuquerque	NM	87123	1	12
12051 Zanjero Road SE	Albuquerque	NM	87123	1	13
12055 Zanjero Road SE	Albuquerque	NM	87123	1	14
12059 Zanjero Road SE	Albuquerque	NM	87123	1	15
12000 Zanjero Road SE	Albuquerque	NM	87123	2	1
12004 Zanjero Road SE	Albuquerque	NM	87123	2	2
12008 Zanjero Road SE	Albuquerque	NM	87123	2	3
12012 Zanjero Road SE	Albuquerque	NM	87123	2	4
12016 Zanjero Road SE	Albuquerque	NM	87123	2	5
12020 Zanjero Road SE	Albuquerque	NM	87123	2	6
12024 Zanjero Road SE	Albuquerque	NM	87123	2	7
12028 Zanjero Road SE	Albuquerque	NM	87123	2	8
12032 Zanjero Road SE	Albuquerque	NM	87123	2	9
12036 Zanjero Road SE	Albuquerque	NM	87123	2	10
12040 Zanjero Road SE	Albuquerque	NM	87123	2	11
12044 Zanjero Road SE	Albuquerque	NM	87123	2	12
12048 Zanjero Road SE	Albuquerque	NM	87123	2	13
12052 Zanjero Road SE	Albuquerque	NM	87123	2	14
12056 Zanjero Road SE	Albuquerque	NM	87123	2	15
12000 Via Posada	Albuquerque	NM	87123	3	1
12004 Via Posada	Albuquerque	NM	87123	3	2
12008 Via Posada	Albuquerque	NM	87123	3	3
12012 Via Posada	Albuquerque	NM	87123	3	4
12016 Via Posada	Albuquerque	NM	87123	3	5
12024 Via Posada	Albuquerque	NM	87123	3	6
12028 Via Posada	Albuquerque	NM	87123	3	7
12032 Via Posada	Albuquerque	NM	87123	3	8
12036 Via Posada	Albuquerque	NM	87123	3	9
12040 Via Posada	Albuquerque	NM	87123	3	10



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

**AGIS**  
Albuquerque Geographic Information System

Note: Grey Shading Represents Area Outside of the City Limits.

Zone Atlas Page:  
**M-22-Z**

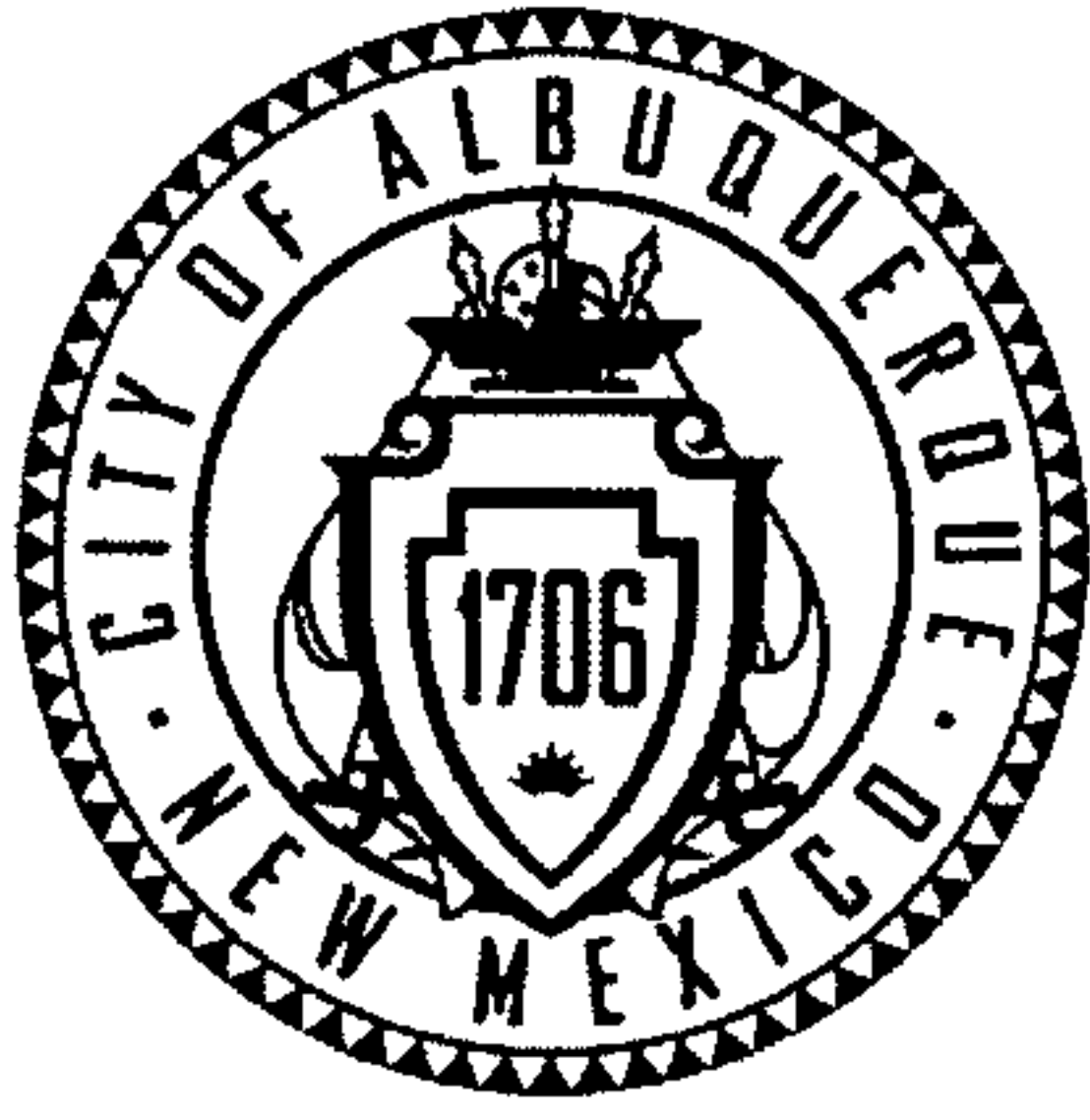
Selected Symbols

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

0                      750                      1,500 Feet

Map amended through: 4/2/2012





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

## Planning Department

Martin J. Chavez, Mayor  
Interoffice Memorandum

Richard Dineen, Director

June 17, 2008

---

**SUBJECT:** *Albuquerque Archaeological Ordinance—Compliance Documentation*

**Project Number(s):**

**Case Number(s):**

**Agent:** Mark Goodwin & Associates

**Applicant:**

**Legal Description:** Juan Tabo Hills Unit 3A- 14.44 acres  
Juan Tabo Hills Unit 3B- 9.55 acres  
Juan Tabo Hills Unit 4A/ Volterra Village Square- 25.62 acres

**Acreage:** 49.61 acres

**Zone Atlas Page:** M-22

**CERTIFICATE OF NO EFFECT:** Yes  No

**CERTIFICATE OF APPROVAL:** Yes  No

**TREATMENT PLAN REVIEW:**

Memorandum of Understanding for Treatment of LA 1877

**SUPPORTING DOCUMENTATION:**

TRC survey report of 327 acres (2003)

Letter correspondence from HPD of 09/11/03, 12/08/03 and 01/13/04

Additional archival research for LA 140036 and 140037

**RECOMMENDATION(S):**

- *CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 4B(3), information potential exhausted for LA 140036 and LA 140037).*
- *CERTIFICATE OF APPROVAL IS ISSUED (ref O-07-72 Section 4C(1), preservation plan and MOU for LA 1877).*

**SUBMITTED:**

Matthew Schmader, PhD

Superintendent, Open Space Division

Acting City Archaeologist

VACATION  
 PLAT FOR  
**JUAN TABO HILLS, UNIT 3B**  
 WITHIN  
 SECTION 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 APRIL, 2013

**NOTES**

- TRACT A (1.8945 AC)  
 OWNED BY JTH LLC BLANKET DRAINAGE EASEMENT GRANTED TO A M A F C A. AND PUBLIC PEDESTRIAN ACCESS EASEMENT GRANTED TO C O A BY THIS PLAT
- TRACT B (0.5381 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H O A
- TRACT C (1.0667 AC)  
 OWNED BY JTH LLC MAINTAINED BY "JUAN TABO HILLS" H O A
- TRACT D (0.1199 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H O A
- TRACT E (0.0160 AC)  
 OWNED AND MAINTAINED BY "JUAN TABO HILLS" H O A
- TRACT F (0.2503 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H O A
- TRACT G (0.3243 AC)  
 OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H O A

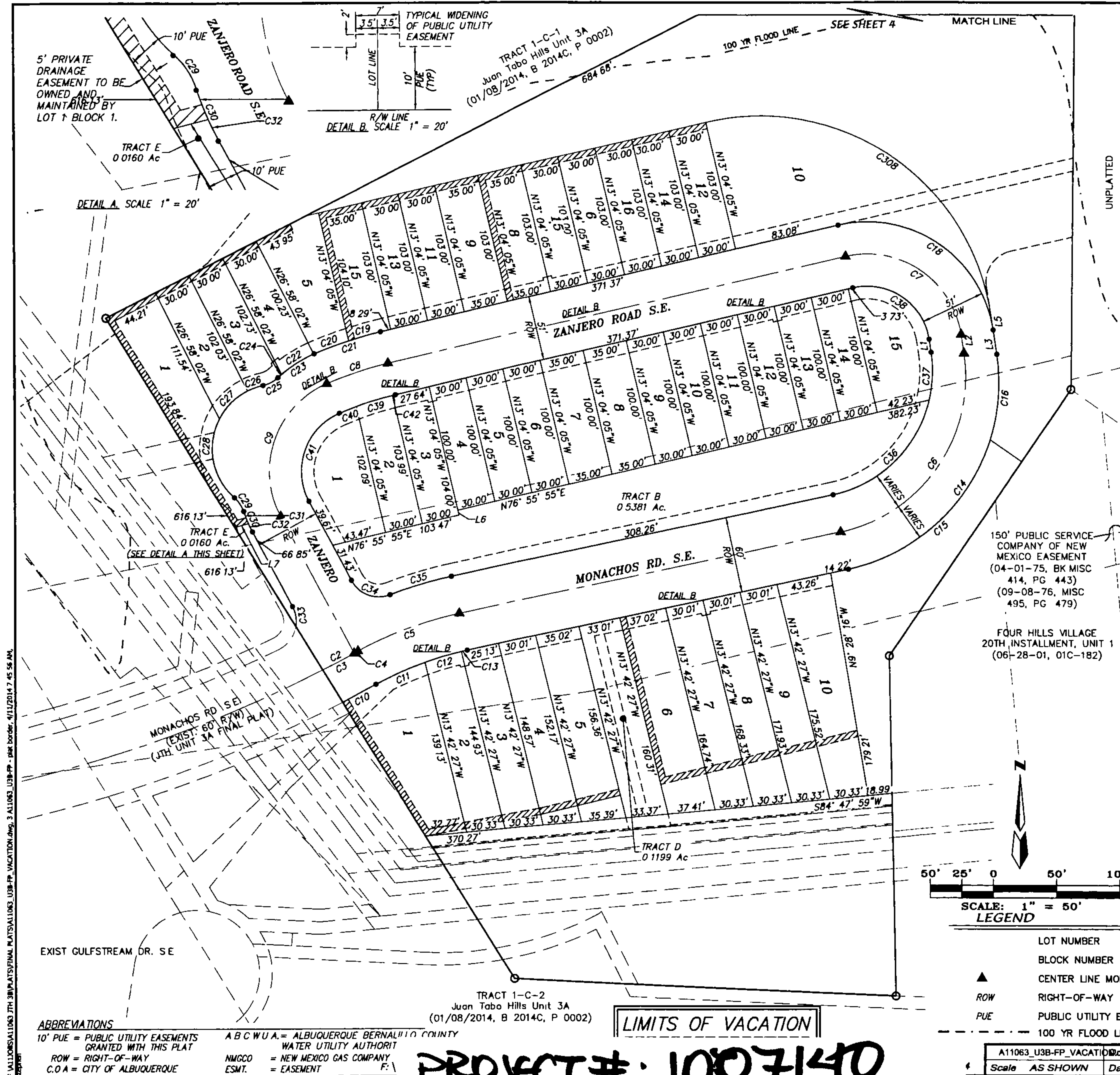
**EASEMENTS**

EASEMENTS 33 through 41 TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

- 33 EXIST 10' PUE
- 33A EXIST 10' PUE (WIDTH VARIES)
- 34 EXIST 10' PNM
- 35 EXIST 20' PUBLIC DRAINAGE EASEMENT
- 36 EXIST 10' CENTURY LINK EASEMENT
- 37 EXIST 10'x20' CENTURY LINK EASEMENT
- 38 EXIST 20' PUBLIC SANITARY SEWER EASEMENT
- 39 EXIST 20' PUBLIC STORM DRAIN EASEMENT
- 40 EXIST C.O.A. 51' PRIVATE ACCESS EASEMENT
- 41 EXIST 60' PUBLIC ROADWAY EASEMENT

**NOTE**

CENTERLINE (IN PLACE OF ROW) MONUMENTATION IS TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS AS SHOWN HEREON, AND WILL CONSIST OF A FOUR INCH (4") ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE", "CENTERLINE MONUMENT", "DO NOT DISTURB", "PLS # 7719".



**ABBREVIATIONS**  
 10' PUE = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT  
 ROW = RIGHT-OF-WAY  
 C.O.A. = CITY OF ALBUQUERQUE  
 A B C W U A. = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY  
 NMCCO = NEW MEXICO GAS COMPANY  
 ESMT. = EASEMENT

TRACT 1-C-2  
 Juan Tabo Hills Unit 3A  
 (01/08/2014, B 2014C, P 0002)

**LIMITS OF VACATION**

**PROJECT #: 1007140**  
**DATE: 4-23-14 (PRE)**

A11063_U3B-FP_VACATION	Design	STEPHEN	Checked	ALS	Sheet	3	of	4
Scale	AS SHOWN	Date:	4/15/2013	Job:	A11063			



P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990

F:\ALBQ\11063\_U3B-FP\_VACATION.dwg, 3 AL1063\_U3B-FP - DRG border: 4/11/2014 7:45:56 AM

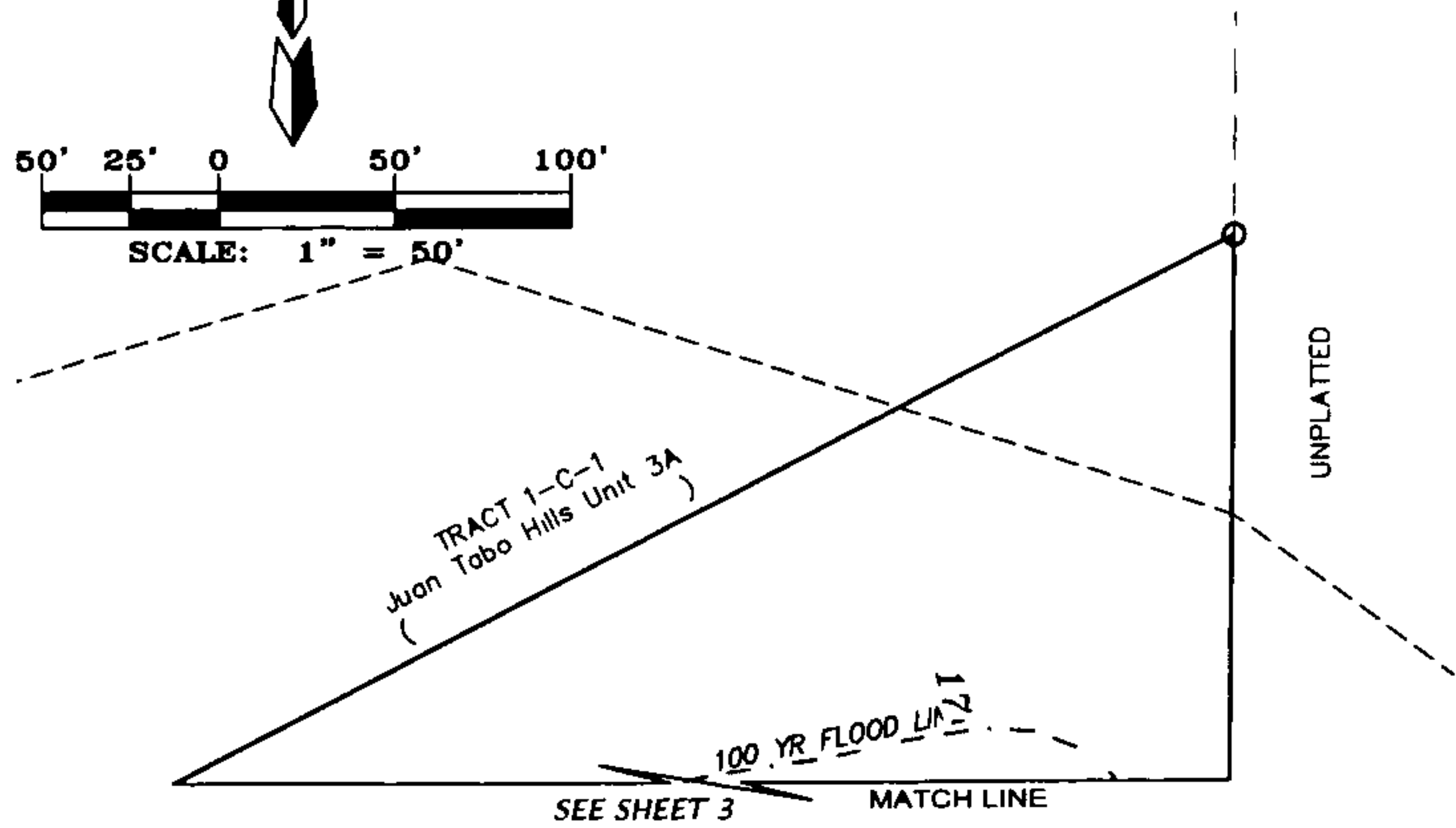
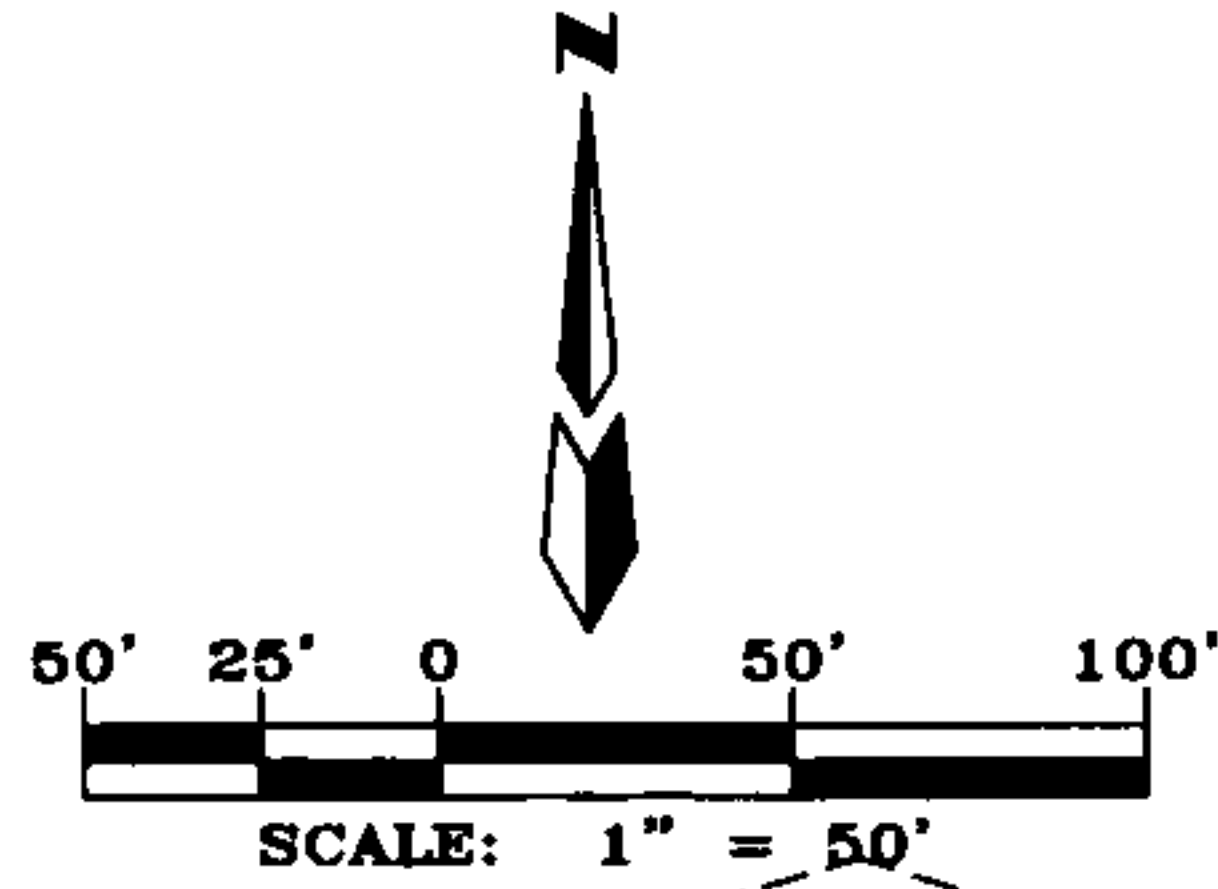
**NEW EASEMENTS**

- 42 NEW 51' WIDE PRIVATE ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A AND C TO BE GRANTED WITH THE FILING OF THIS PLAT
- 43 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 6 - 10, BLOCK 3 THE EASEMENT ACROSS EACH OF THE LOTS 6 - 10, BLOCK 3 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.
- 44 NEW 10' PUBLIC DRAINAGE EASEMENT GRANTED TO CITY OF ALBUQUERQUE WITH THE FILING OF THIS PLAT

- 45 NEW 51' WIDE PUBLIC SANITARY SEWER AND WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A B C W U A AND PUBLIC ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A TO BE GRANTED WITH THE FILING OF THIS PLAT
- 46 NEW 15' WIDE PUBLIC WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A B C W U A
- 47 NEW 20' WIDE PUBLIC SANITARY SEWER EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A B C W U A
- 48 **TO BE VACATED**  
NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 3 THE EASEMENT ACROSS EACH OF THE LOTS 1 - 5, BLOCK 3 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT

- 49 **TO BE VACATED**  
NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 1 - 5, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT
- 50 **TO BE VACATED**  
NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 6 - 9, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 6 - 9, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT
- 51 **TO BE VACATED**  
NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 10 - 15, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 10 - 15, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT

**VACATION  
PLAT FOR  
JUAN TABO HILLS, UNIT 3B  
WITHIN  
SECTION 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
APRIL, 2013**



BLOCK 1		BLOCK 2		BLOCK 3	
LOT #	AREA	LOT #	AREA	LOT #	AREA
1	0.1300 Ac.	1	0.1103 Ac.	2	0.0980 Ac.
2	0.0723 Ac.	2	0.0712 Ac.	3	0.1011 Ac.
3	0.0713 Ac.	3	0.0716 Ac.	4	0.1036 Ac.
4	0.0694 Ac.	4	0.0689 Ac.	5	0.1239 Ac.
5	0.0986 Ac.	5	0.0689 Ac.	6	0.1380 Ac.
		6	0.0689 Ac.	7	0.1147 Ac.
		7	0.0803 Ac.	8	0.1172 Ac.
		8	0.0803 Ac.	9	0.1196 Ac.
		9	0.0689 Ac.	10	0.1493 Ac.
		10	0.0689 Ac.		
		11	0.0689 Ac.		
		12	0.0689 Ac.		
		13	0.0689 Ac.		
		14	0.0689 Ac.		
		15	0.1060 Ac.		

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

1. THE PNM ELECTRIC SERVICES DIVISION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
2. THE NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND ANY OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
3. QWEST CORP D/B/A CENTURYLINK QC FOR INSTALLATION, MAINTENANCE AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
4. COMCAST 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 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 RIGHT-OF-WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT-OF-WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

DISCLAIMER IN APPROVING THIS PLAT, PNM, NMCCO, QWEST AND COMCAST DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, NMCCO, QWEST AND COMCAST DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS AS INSTALLED, SHALL EXTEND TEN FEET (10') IN FRONT OF TRANSFORMER/SWITCHGEAR DOORS AND FIVE FEET (5') ON EACH SIDE.

Curve Table						Curve Table						Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	28.31	1100.00	1.47	N62° 29' 12"E	28.31	C23	34.55	100.50	19.70	S57° 14' 52"W	34.38	C308	302.77	183.38	94.60	N55° 46' 07"W	269.53
C3	28.31	1100.00	1.47	S62° 29' 12"W	28.31	C24	3.95	100.50	2.25	S48° 31' 29"W	3.95						
C4	3.66	1100.00	0.19	S61° 39' 15"W	3.66	C25	13.40	25.00	30.72	S62° 45' 22"W	13.24						
C5	86.09	300.00	16.44	S69° 46' 46"W	85.79	C26	13.08	51.00	14.70	S70° 45' 51"W	13.05						
C6	188.65	125.00	86.47	S34° 45' 55"W	171.25	C27	31.99	51.00	35.94	S45° 26' 33"W	31.47						
C7	123.83	75.00	94.60	S55° 46' 07"E	110.24	C28	113.13	51.00	127.10	S14° 33' 56"W	91.32						
C8	51.49	300.00	9.83	N72° 00' 53"E	51.43	C29	13.40	25.00	30.72	S33° 37' 29"E	13.24						
C9	124.81	75.00	95.35	N19° 25' 25"E	110.90	C30	17.51	100.50	9.98	S23° 15' 31"E	17.49						
C10	30.26	1130.00	1.53	N62° 19' 34"E	30.26	C31	17.51	100.50	9.98	S23° 15' 31"E	17.49						
C11	42.55	270.00	9.03	N66° 04' 25"E	42.51	C32	17.51	100.50	9.98	S23° 15' 31"E	17.49						
C12	30.04	270.00	6.38	N73° 46' 34"E	30.03	C33	16.50	25.00	37.82	S9° 20' 35"E	16.20						
C13	4.88	270.00	1.04	N77° 28' 55"E	4.88	C34	36.03	25.00	82.58	S69° 32' 27"E	32.99						
C14	227.13	150.50	86.47	N34° 45' 55"E	206.18	C35	50.86	330.00	8.83	N73° 35' 04"E	50.81						
C15	158.86	150.50	60.48	N47° 45' 37"E	151.59	C36	150.16	99.50	86.47	N34° 45' 55"E	136.31						
C16	68.27	150.50	25.99	N4° 31' 33"E	67.68	C37	37.76	99.50	21.74	N2° 24' 07"E	37.53						
C18	165.93	100.50	94.60	N55° 46' 07"W	147.72	C38	81.73	49.50	94.60	N55° 46' 07"W	72.76						
C19	26.74	325.50	4.71	S74° 34' 43"W	26.73	C39	30.08	274.50	6.28	S73° 18' 02"W	30.06						
C20	29.13	325.50	5.13	S69° 39' 42"W	29.12	C40	14.68	274.50	3.06	S68° 37' 47"W	14.68						
C21	55.87	325.50	9.83	S72° 00' 53"W	55.80	C41	82.38	49.50	95.35	S19° 25' 25"W	73.19						
C22	30.22	100.50	17.23	S58° 15' 56"W	30.10	C42	2.36	274.50	0.49	S76° 41' 08"W	2.36						

Parcel Line Table		
Line #	Length	Direction
L1	10.39	N8° 28' 09.46"W
L2	14.90	S8° 28' 09.46"E
L3	19.41	N8° 28' 09.46"W
L5	13.52	N8° 28' 09.46"W
L6	4.00	N13° 04' 05.33"W
L7	11.36	S75° 20' 33.84"W



P.O. BOX 30701, ALBQ., N.M. 87190  
505-884-1990

**JTH, LLC  
PO BOX 1443  
Corrales, NM 87084**

April 11, 2014

Mr. Jack Cloud  
DRB Chair  
City of Albuquerque  
P.O. Box 1293  
Albuquerque, NM 87103

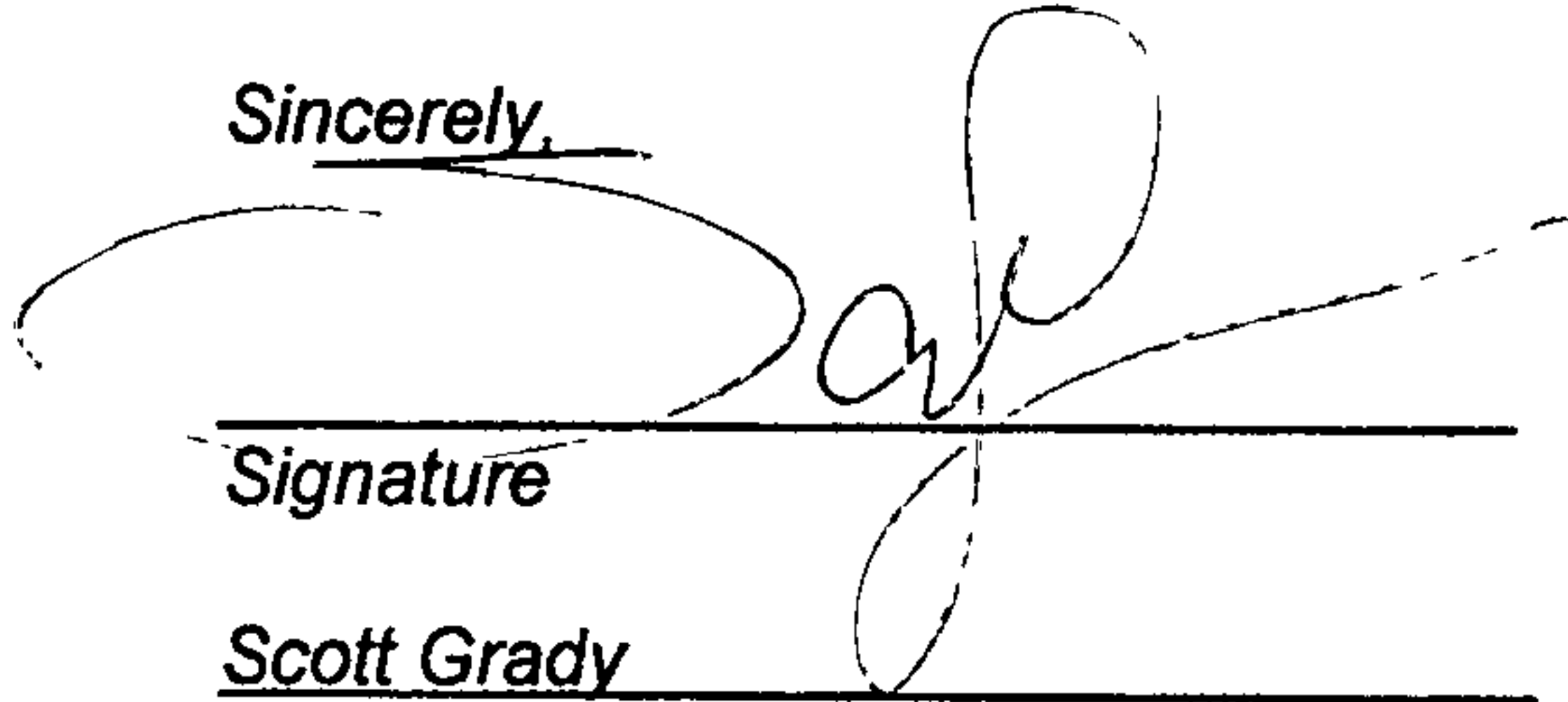
**Re: Juan Tabo Hills, Unit 3B – Project # 1007140**

Dear Mr. Cloud:

Please be advised that Mark Goodwin & Associates is hereby authorized to act on behalf of JTH, LLC, a NM Limited Liability Company, for the applications for Vacation Request for Private Easements for the above referenced project.

Please contact our office if you have any questions.

Sincerely,



\_\_\_\_\_  
Signature

\_\_\_\_\_  
Scott Grady  
Name

\_\_\_\_\_  
Managing Member  
Title

**PROJECT #: 10071410**  
**DATE: 4-23-14**  
**APP #: 14-70102 (VPE)**



**VICINITY MAP NO SCALE**      **ZONE ATLAS: M-22**

**SUBMISSION DATA**

GR-SS ACSEAGE	9.5455 Acres
ZONE ATLAS NO.	M-22-2
NO OF EXISTING TRACTS	1
NO OF LOTS/TRACTS - REATED	40 LOTS / 7 TRACTS
NO OF TRACTS ELIMINATED	1
NO. OF FULL WIDTH STREETS CREATED	0.27
AREA DESIGNATED TO CITY OF ALBUQUERQUE	1.7864 Acres
DATE OF SURVEY	December, 2003

**FREE CONSENT AND DEMONSTRATION:**

This subdivision has been described in with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof and said owner(s) and/or proprietor(s) do hereby dedicate all streets and public rights-of-way shown hereon to the City of Albuquerque in the ample with warranty, covenants, and said owner(s) and/or proprietor(s) do hereby grant, all access, utility and drainage easements shown hereon including the right to construct, operate, inspect, and maintain facilities shown, and all public utility easements shown hereon for the common and joint use of gas, electrical power, water, sewer and communication services for better distribution, heat, conduct, and pipes for underground cables when shown or indicated, and including the right of ingress and egress for construction and maintenance and the right to trim adjoining trees and shrubs. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that the subdivision is their free act and deed. Said owner(s) warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided.

JTH LLC, Owner Tract 2-A, Juan Tabo Hills Section 2-A, Bernalillo County, New Mexico Scott Grady, Managing Member

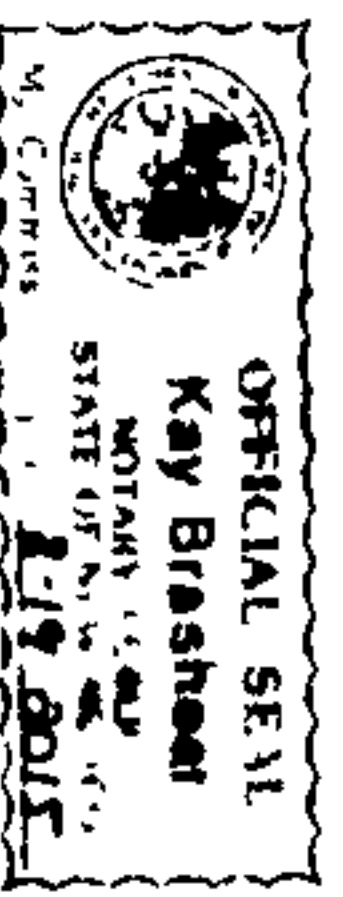
Scott Grady, Managing Member

**OWNER'S ACKNOWLEDGMENT:**

STATE OF NEW MEXICO  
 COUNTY OF BERNALILLO ss

This instrument was acknowledged before me on MOU 8, 2013 by Scott Grady, Managing Member JTH LLC a New Mexico Limited Liability Company or behalf of said Company

Scott Grady      P-19-2013  
 MY COMMISSION EXPIRES



**LEGAL DESCRIPTION:**

A tract of land situate within Sections 27 and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT 2-A, JUAN TABO HILLS, UNIT 1 as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 22, 2005 in Book 2005C, Page 406 and contains 9.5455 acres more or less

**PURPOSE OF PLAT:**

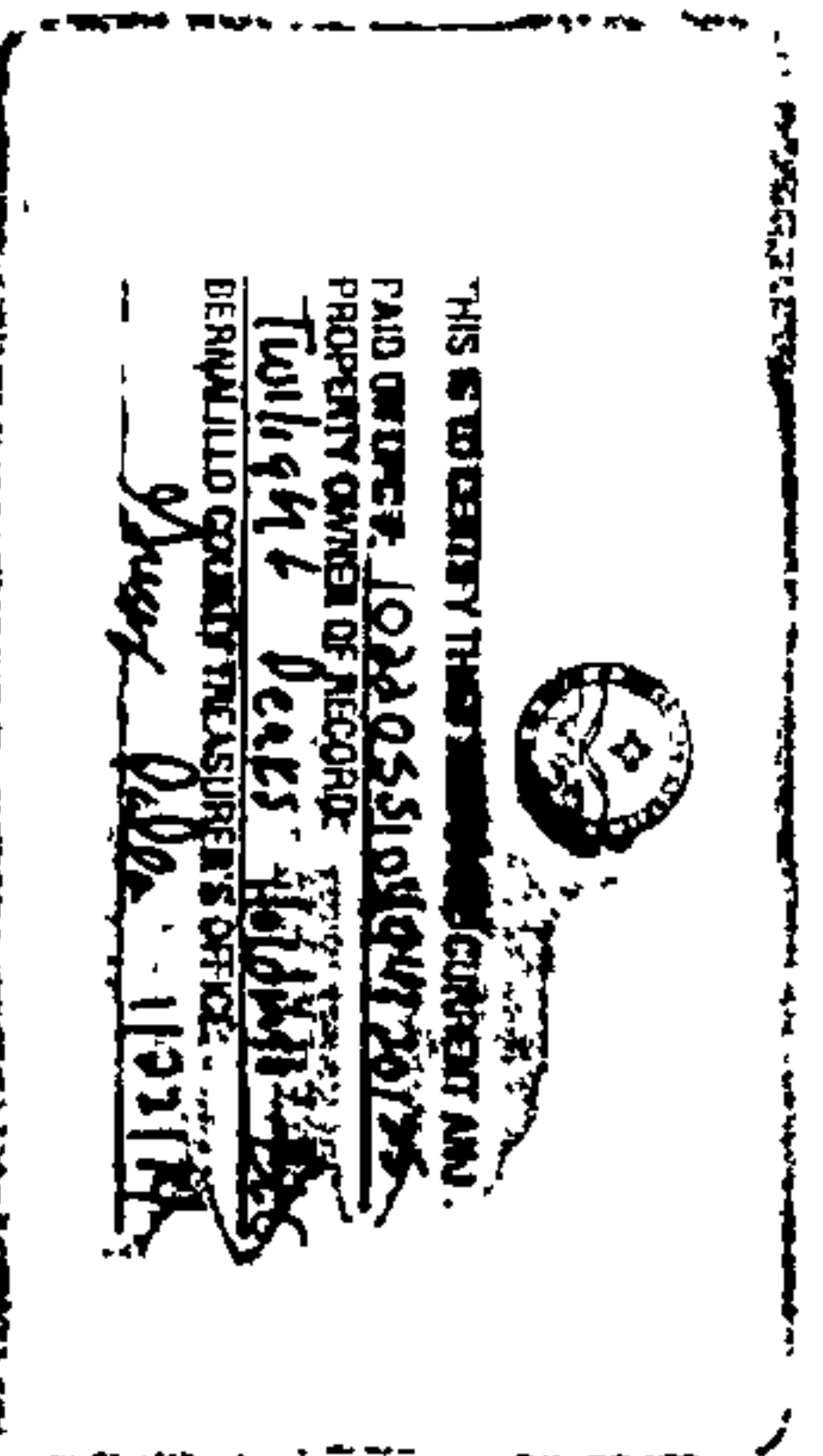
1. Subdivide Tract 2-A into forty (40) Residential lots and six (6) tracks.
2. Dedicate Right-of-Way as shown hereon in the plat.
3. Grant easements as shown hereon in the plat.
4. Vacate easements as shown hereon in the plat.

**TABLE OF CONTENTS:**

- SHEET 1 COVER SHEET
- SHEET 2 EXISTING CONDITIONS AND EASEMENTS
- SHEET 3 FINAL PLAT GEOMETRY
- SHEET 4 CURVE, LINE TABLES AND FILE NOTES

**NOTES:**

1. A blanket drainage easement granted to City of Albuquerque with the bulk plat for Juan Tabo Hills (1-19-05, BK-2005C, PG-22) is vacated with this plat.
2. **SCALE NOTE:** No property within the area of this plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or attached to the lots or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat.
3. If solar waste is encountered during excavation activities performed at the site, the Contractor shall cease operations and notify the Owner, Engineer, City of Albuquerque Environmental Health Department, and the New Mexico Environment Department (Solid Waste Bureau Bureau). Any removal of landfill materials will require a health & safety plan that must be approved by the Bureau. All solar waste materials must be disposed at an MHEED approved landfill.
4. Total remaining open space requirements are met via the provision of detached open space per provisions of section 14-18-3(A)(3) (note this option is only applicable to land covered by a sector development plan).
5. All city water and sanitary sewer service lines entering homes and commercial businesses within the landfill buffer zone will be constructed using anti-sweep collars located at the sub-grade penetration point for each service line. Refer to sheet 4 of subdivision "X" of the landfill gas assessment prepared by COM dated February 8, 2005 for the LFG mitigation details for the service lines.
6. Development on all lots, tracks and areas within the COA Right-of-Way within the landfill buffer zones are subject to compliance with Uniform Guidelines for Development within City Designated Landfill Buffer Zones and that building permit plans and reviews must be reviewed and approved by the Albuquerque Environmental Health Department.
7. Bearings are New Mexico State Plane North bearings (central zone, NAD 83). Distances are ground distances.
8. Unless otherwise noted, field measurements match record measurements.



**PLAT FOR**  
**JUAN TABO HILLS, UNIT 3B**  
 WITHIN  
 SECTION 4  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, N10PM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 APRIL, 2013

**APPROVED AND ACCEPTED BY:**

APPROVAL AND CONDITIONAL ACCEPTANCE as specified by the Albuquerque subdivision Ordinance, Chapter 14 Article 14 of the Revised Ordinances of Albuquerque, New Mexico, 1994

Project Number: 10071410  
 Application Number: 13-70523

**PLAT APPROVAL**

Utility Approver: Donna Marks      Date: 8-21-13  
 Public Engineer: [Signature]      Date: 8-21-2013

New Mexico State Company  
[Signature]      Date: 8-20-13  
 Owner Corp. [Signature]

City Approver: [Signature]      Date: 7-2-13  
 City Surveyor: [Signature]      Date: 7-2-13

Real Property Division: [Signature]      Date: 7-2-13  
 Environmental Health Department: [Signature]      Date: 7-2-13

Traffic Engineering/Transportation Division: [Signature]      Date: 01/15/14  
 Albuquerque Bernalillo Water Utility Authority: [Signature]      Date: 1-15-14

Public and Recreation Department: [Signature]      Date: 1-7-14  
 City Engineer: [Signature]      Date: 1-15-14

City Engineer: [Signature]      Date: 1-22-14  
 Planning Department: [Signature]      Date: 1-22-14

**SURVEYOR'S CERTIFICATION:**

I, Timothy Aldrich, a duly qualified Registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat and description were prepared by me or under my supervision, shows all easements as shown on the plat of record or made known to me by the owners and/or proprietors of the subdivision shown hereon, utility companies and other parties appearing on hereon and meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, and further meets the Minimum Standards for Land Surveying in the State of New Mexico, and is true and correct to the best of my knowledge and belief.

Timothy Aldrich, P.S., No. 10220  
[Signature]      Date: 06/14/13

**ALDRICH LAND SURVEYING**  
 P.O. BOX 30701, ALBU., N.M. 87190  
 505-884-1990

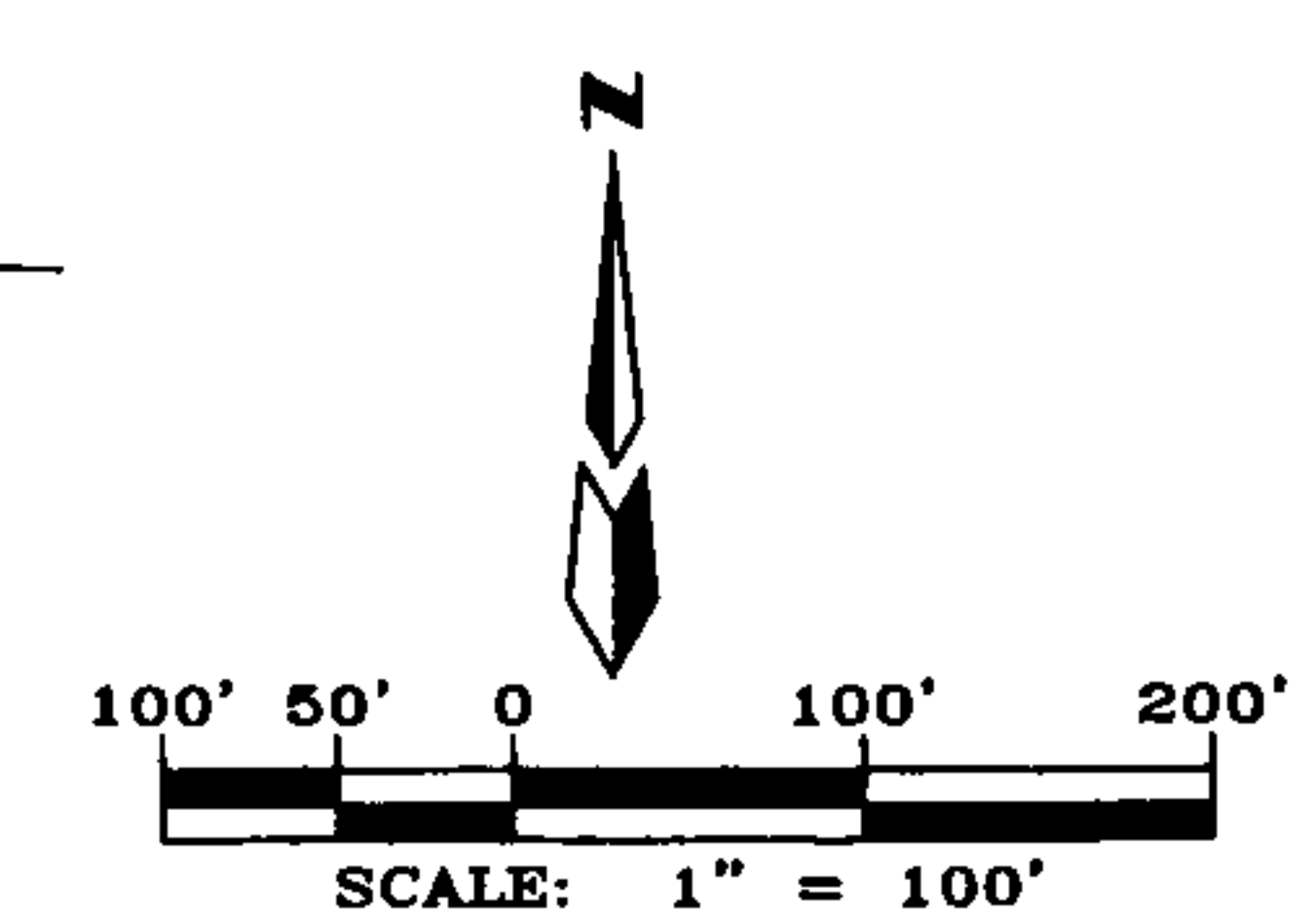
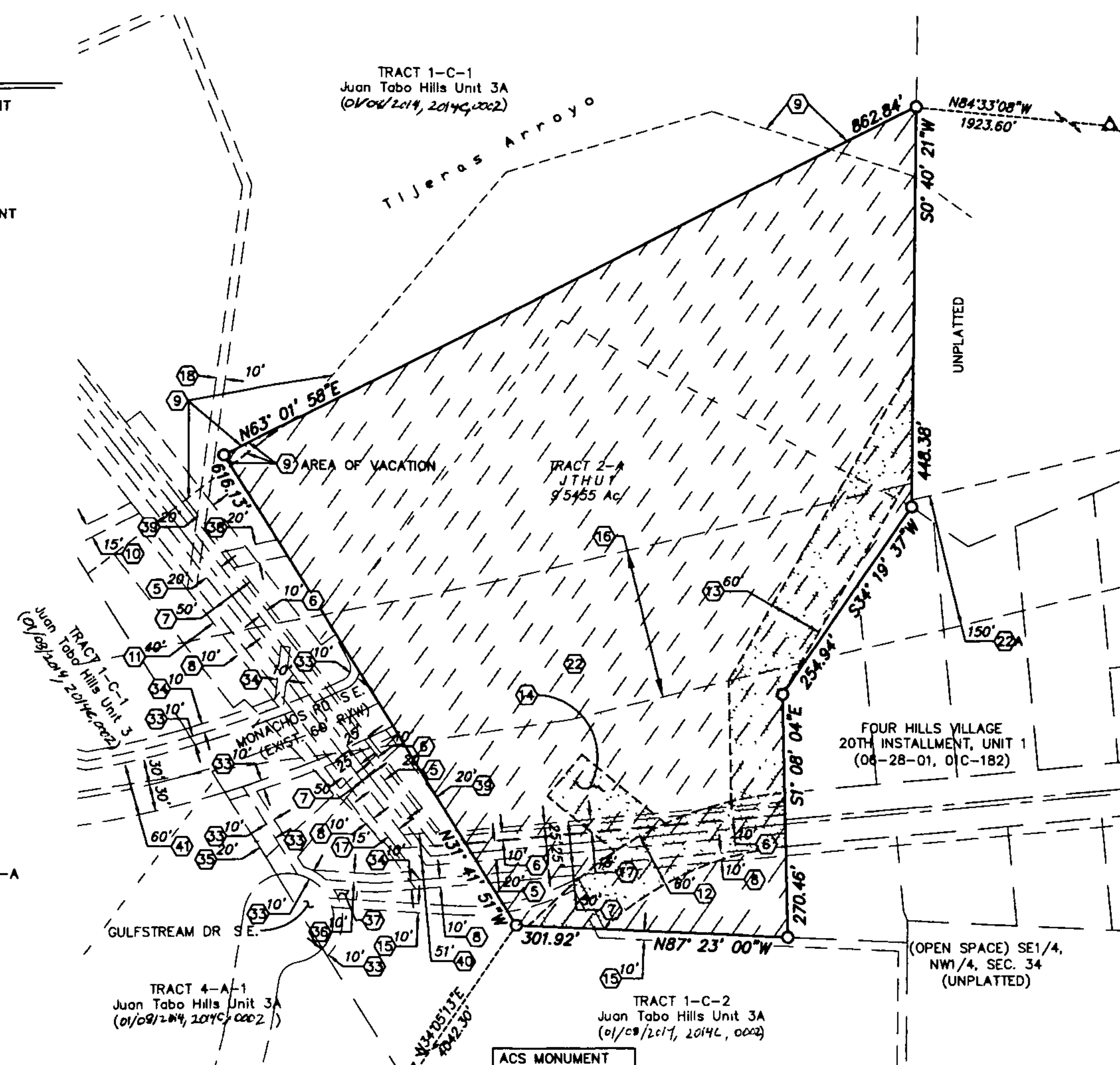
PLAT FOR  
**JUAN TABO HILLS, UNIT 3B**  
 WITHIN  
 SECTION 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 APRIL, 2013

**EASEMENTS**

- ⑤ EXISTING 20' C.O.A. PERMANENT UTILITY EASEMENT (05-16-78, MISC. 608, PG. 359-364)
- ⑥ EXISTING 10' C.O.A. U.G. SEWER LINE EASEMENT (06-21-79, BK.MISC. 698, PG. 291-293) (07-09-79, BK.MISC. 702, PG. 289-291)
- ⑦ EXISTING 50' C.O.A. DRAINAGE & UTILITY EASEMENT (01-07-81, C17-174)
- ⑧ EXISTING 10' GAS EASEMENT (09-30-97, BK. 97-27, PGS. 113-119)
- ⑨ EXISTING A.M.A.F.C.A. FLOOD PLAIN EASEMENT (12-28-98, 98C-367)  
**VACATED (13DRB-70511) PARTIAL**
- ⑪ EXISTING C.O.A. PUBLIC DRAINAGE EASEMENT (12-29-98, 98C-367)
- ⑫ EXISTING 60' C.O.A. PUBLIC ROADWAY EASEMENT (12-29-98, 98C-367)  
**VACATED (13DRB-70511)**
- ⑬ EXISTING 60' ACCESS AND UTILITY EASEMENT (12-22-99, BK. 9916, PG. 5720)  
**VACATED (13DRB-70511)**
- ⑭ EXISTING 60' PUBLIC DRAINAGE AND VEHICULAR ACCESS EASEMENT (03-13-03, BK. A52, PG. 871)  
**VACATED (13DRB-70511)**
- ⑮ EXIST. 10' QWEST EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑯ EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑰ EXISTING 15' WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑱ EXIST 10' PNM GAS LINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑳ (01/19/05, BK. 2005C, PG 22)
- ㉑ EXISTING BLANKET DRAINAGE EASEMENT TRACT 2-A  
**VACATED (13DRB-70511)**
- ㉒A 150' PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (04-01-75, BK.MISC. 414, PG. 443) (09-08-76, MISC. 495, PG. 479)

EASEMENTS ㉓ through ㉔ TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

- ㉓ NEW 10' PUE.
- ㉔ NEW 10' PNM EASEMENT.
- ㉕ NEW 20' PUBLIC DRAINAGE EASEMENT.
- ㉖ NEW 10' CENTURY LINK EASEMENT.
- ㉗ NEW 10'x20' CENTURY LINK ESMT.
- ㉘ NEW 20' WIDE PUBLIC SANITARY SEWER EASEMENT.
- ㉙ NEW 20' PUBLIC STORM DRAIN EASEMENT.
- ㉚ NEW C.O.A. 51' WIDE PRIVATE ACCESS EASEMENT.
- ㉛ NEW 60' PUBLIC ROADWAY EASEMENT



**LEGEND**

- FOUND AND SET 5/8" REBAR WITH CAP "RPS 7719"
- [Dotted Box] LIMITS OF VACATION
- [Hatched Box] LIMITS OF VACATION EXISTING BLANKET DRAINAGE EASEMENT

**ABBREVIATIONS**

- J.T.H.U.1. = JUAN TABO HILLS, UNIT 1 (12/22/2005, BK-2005C, PG-406)
- J.T.H.U.2. = JUAN TABO HILLS, UNIT 2 (05/19/2008, BK-2008C, PG-106)

DOC# 2814005837  
 8/22/2013 04:04 PM Page 2 of 4  
 11:22/2013 04:04 PM Page 2 of 4  
 11:22/2013 04:04 PM Page 2 of 4

**ALDRICH LAND SURVEYING**  
 P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990

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Scale: AS SHOWN	Date: 4/15/2013	Job: A11063	

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**PLAT FOR  
JUAN TABO HILLS, UNIT 3B**  
WITHIN  
SECTION 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
APRIL, 2013

**NOTES**

- TRACT A (1.8945 AC)  
OWNED BY JTH LLC BLANKET DRAINAGE EASEMENT GRANTED TO A.M.A.F.C.A. AND PUBLIC PEDESTRIAN ACCESS EASEMENT GRANTED TO C.O.A. BY THIS PLAT.
- TRACT B (0.5381 AC)  
OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT C (1.0667 AC)  
OWNED BY JTH LLC MAINTAINED BY "JUAN TABO HILLS" H.O.A.
- TRACT D (0.1199 AC)  
OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT E (0.0160 AC)  
OWNED AND MAINTAINED BY "JUAN TABO HILLS" H.O.A.
- TRACT F (0.2503 AC)  
OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.
- TRACT G (0.3243 AC)  
OWNED AND MAINTAINED BY THE "JUAN TABO HILLS" H.O.A.

**EASEMENTS**

EASEMENTS (33) through (41) TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

- (33) EXIST 10' PUE
- (33A) EXIST 10' PUE (WIDTH VARIES)
- (34) EXIST 10' PNM
- (35) EXIST 20' PUBLIC DRAINAGE EASEMENT
- (36) EXIST 10' CENTURY LINK EASEMENT
- (37) EXIST 10'x20' CENTURY LINK EASEMENT
- (38) EXIST 20' PUBLIC SANITARY SEWER EASEMENT
- (39) EXIST 20' PUBLIC STORM DRAIN EASEMENT
- (40) EXIST. C.O.A. 51' PRIVATE ACCESS EASEMENT
- (41) EXIST. 60' PUBLIC ROADWAY EASEMENT

DOC# 2014005837  
DATE: 01/22/2014 04:04 PM Page 3 of 4  
BY: JTH 02/25/2014 08:20:14 P. 0000 P. Telemio Olivares, Bernalillo Co. N.M.

**NOTE:** CENTERLINE (IN PLACE OF ROW) MONUMENTATION IS TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS AS SHOWN HEREON, AND WILL CONSIST OF A FOUR INCH (4") ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE", "CENTERLINE MONUMENT", "DO NOT DISTURB", "PLS # 7719".



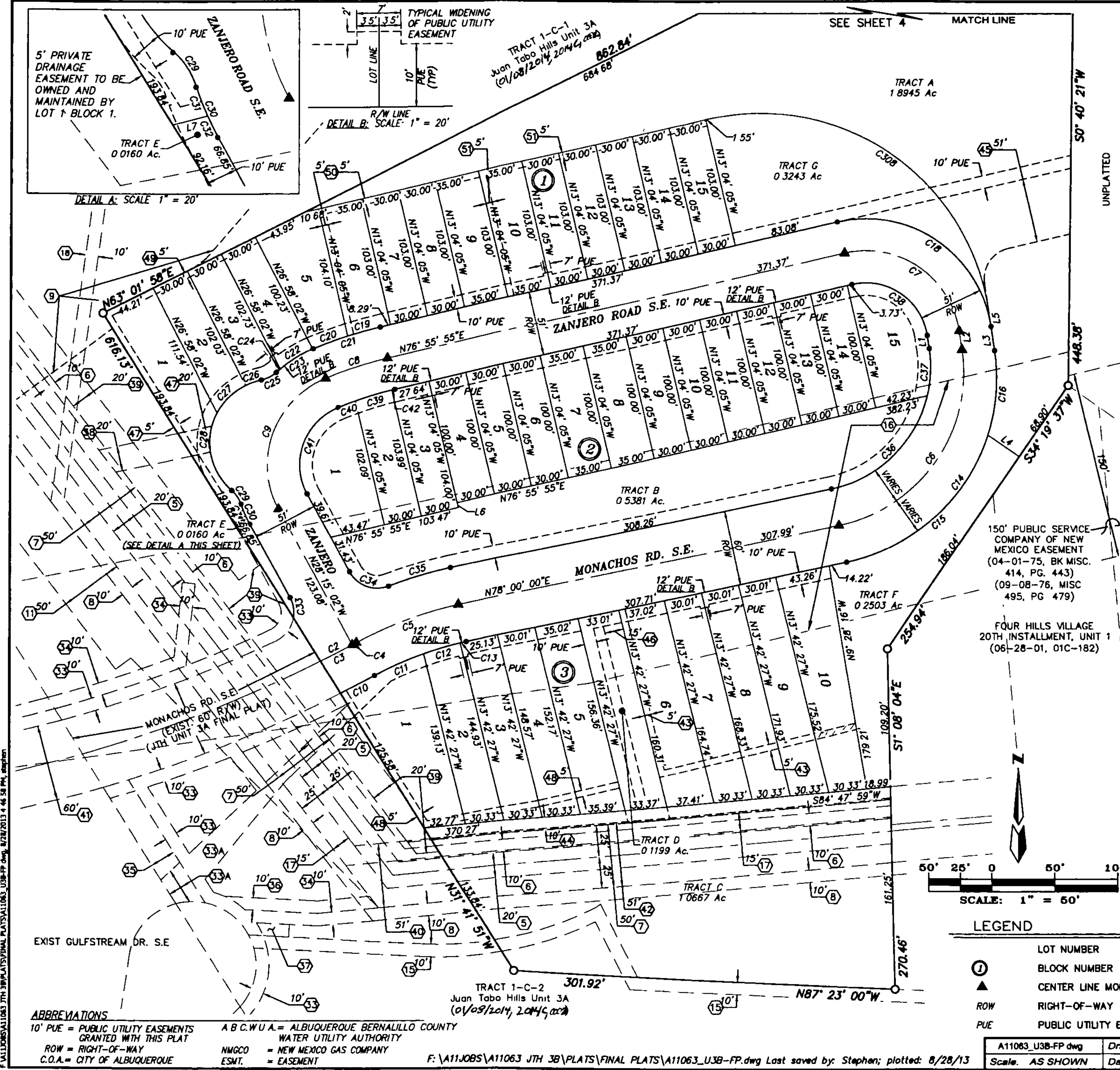
**LEGEND**

- (1) LOT NUMBER
- (2) BLOCK NUMBER
- (3) CENTER LINE MONUMENT
- ROW RIGHT-OF-WAY
- PUE PUBLIC UTILITY EASEMENT



P.O. BOX 30701, ALBU., N.M. 87190  
505-884-1990

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**ABBREVIATIONS**  
10' PUE = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT  
ROW = RIGHT-OF-WAY  
C.O.A. = CITY OF ALBUQUERQUE

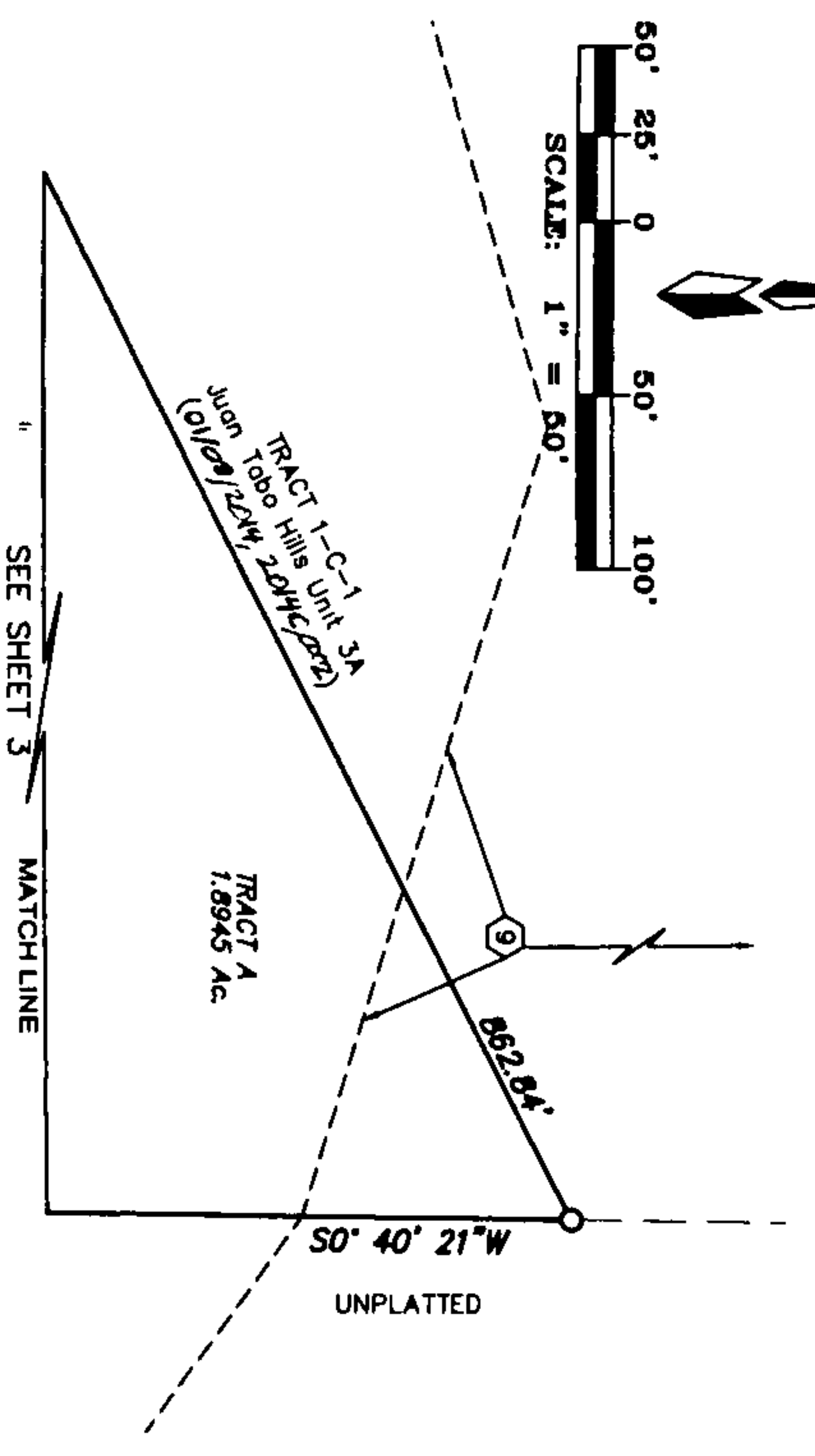
A B C W U A = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY  
NMGCO = NEW MEXICO GAS COMPANY  
ESMT. = EASEMENT

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**NEW EASEMENTS**

- 42 NEW 5' WIDE PRIVATE ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A AND C TO BE GRANTED WITH THE FILING OF THIS PLAT.
- 43 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 6 - 10, BLOCK 3 THE EASEMENT ACROSS EACH OF THE LOTS 6 - 10, BLOCK 3 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.
- 44 NEW 10' PUBLIC DRAINAGE EASEMENT GRANTED TO CITY OF ALBUQUERQUE WITH THE FILING OF THIS PLAT
- 45 NEW 5' WIDE PUBLIC SANITARY SEWER AND WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A,B,C,W,U.A. AND PUBLIC ACCESS EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE FOR THE BENEFIT OF UNPLATTED LAND EAST OF TRACT A TO BE GRANTED WITH THE FILING OF THIS PLAT.
- 46 NEW 15' WIDE PUBLIC WATERLINE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A,B,C,W,U.A.
- 47 NEW 20' WIDE PUBLIC SANITARY SEWER EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO THE A,B,C,W,U.A.
- 48 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 1 - 5, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.
- 49 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 1 - 5, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.
- 50 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 6 - 9, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.
- 51 NEW 5' WIDE PRIVATE CROSS LOT DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF LOTS 10 - 15, BLOCK 1 THE EASEMENT ACROSS EACH OF THE LOTS 10 - 15, BLOCK 1 IS TO BE OWNED AND MAINTAINED BY THE OWNER OF THAT LOT.



BLOCK 1		BLOCK 2		BLOCK 3	
LOT #	AREA	LOT #	AREA	LOT #	AREA
1	0.1300 Ac.	1	0.1103 Ac.	1	0.1574 Ac.
2	0.0723 Ac.	2	0.0712 Ac.	2	0.0980 Ac.
3	0.0713 Ac.	3	0.0716 Ac.	3	0.1011 Ac.
4	0.0694 Ac.	4	0.0699 Ac.	4	0.1036 Ac.
5	0.0986 Ac.	5	0.0699 Ac.	5	0.1239 Ac.
6	0.0830 Ac.	6	0.0689 Ac.	6	0.1380 Ac.
7	0.0709 Ac.	7	0.0803 Ac.	7	0.1147 Ac.
8	0.0709 Ac.	8	0.0803 Ac.	8	0.1172 Ac.
9	0.0828 Ac.	9	0.0689 Ac.	9	0.1196 Ac.
10	0.0828 Ac.	10	0.0689 Ac.	10	0.1493 Ac.
11	0.0709 Ac.	11	0.0689 Ac.		
12	0.0709 Ac.	12	0.0689 Ac.		
13	0.0709 Ac.	13	0.0689 Ac.		
14	0.0709 Ac.	14	0.0689 Ac.		
15	0.0709 Ac.	15	0.1080 Ac.		

Curve Table				Curve Table				Curve Table									
Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length	Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	28.31	1100.00	1.47	N62° 29' 12"E	28.31	C23	34.55	100.50	19.70	S57° 14' 52"W	34.38	C308	302.77	183.38	94.60	N55° 46' 07"W	289.53
C3	28.31	1100.00	1.47	S62° 29' 12"W	28.31	C24	3.95	100.50	2.25	S48° 31' 29"W	3.95						
C4	3.66	1100.00	0.19	S61° 39' 15"W	3.66	C25	13.40	25.00	30.72	S62° 45' 22"W	13.24						
C5	86.09	300.00	16.44	S69° 46' 46"W	85.79	C26	13.08	51.00	14.70	S70° 45' 51"W	13.05						
C6	188.85	125.00	86.47	S34° 45' 55"W	171.25	C27	31.99	51.00	35.94	S45° 28' 33"W	31.47						
C7	123.83	75.00	94.60	S55° 46' 07"E	110.24	C28	113.13	51.00	127.10	S14° 33' 56"W	91.32						
C8	51.49	300.00	9.83	N72° 00' 53"E	51.43	C29	13.40	25.00	30.72	S33° 37' 28"E	13.24						
C9	124.81	75.00	95.35	N19° 25' 25"E	110.90	C30	17.51	100.50	9.98	S23° 15' 31"E	17.49						
C10	30.26	1130.00	1.53	N62° 19' 34"E	30.26	C31	10.36	100.50	5.91	S21° 13' 13"E	10.36						
C11	42.55	270.00	9.03	N66° 04' 25"E	42.51	C32	7.15	100.50	4.08	S26° 12' 44"E	7.15						
C12	30.04	270.00	6.38	N73° 46' 34"E	30.03	C33	16.50	25.00	37.82	S9° 20' 35"E	16.20						
C13	4.88	270.00	1.04	N77° 28' 55"E	4.88	C34	36.03	25.00	82.58	S69° 32' 27"E	32.99						
C14	227.13	150.50	86.47	N34° 45' 55"E	206.18	C35	50.88	330.00	8.83	N73° 35' 04"E	50.81						
C15	158.86	150.50	60.48	N47° 45' 37"E	151.59	C36	150.16	99.50	86.47	N34° 45' 55"E	136.31						
C16	68.27	150.50	25.99	N4° 31' 33"E	67.68	C37	37.76	99.50	21.74	N2° 24' 07"E	37.53						
C18	165.93	100.50	94.60	N55° 46' 07"W	147.72	C38	81.73	49.50	94.60	N55° 46' 07"W	72.76						
C19	26.74	325.50	4.71	S74° 34' 43"W	26.73	C39	30.08	274.50	6.28	S73° 18' 02"W	30.06						
C20	29.13	325.50	5.13	S69° 39' 42"W	29.12	C40	14.68	274.50	3.06	S68° 37' 47"W	14.68						
C21	55.87	325.50	9.83	S72° 00' 53"W	55.80	C41	82.38	49.50	95.35	S19° 25' 25"W	73.19						
C22	30.22	100.50	17.23	S58° 15' 56"W	30.10	C42	2.36	274.50	0.49	S76° 41' 08"W	2.36						

Parcel Line Table		
Line #	Length	Direction
L1	10.39	N8° 28' 09.46"W
L2	14.90	S8° 28' 09.46"E
L3	19.41	N8° 28' 09.46"W
L4	30.29	S55° 40' 22.82"E
L5	13.52	N8° 28' 09.46"W
L6	4.00	N13° 04' 05.33"W
L7	11.36	S75° 20' 33.84"W

**PLAT FOR**  
**JUAN TABO HILLS, UNIT 3B**  
 WITHIN  
 SECTION 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 APRIL, 2013

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- THE PNM ELECTRIC SERVICES DIVISION FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
- THE NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE AND SERVICE OF NATURAL GAS LINES, VALVES AND ANY OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
- QUEST CORP D/B/A CENTURYLINK QC FOR INSTALLATION, MAINTENANCE AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
- COMCAST 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 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 RIGHT-OF-WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANITOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT-OF-WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANITE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

DISCLAIMER IN APPROVING THIS PLAT PNM, MNGCO, QUEST AND COMCAST DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY PNM, MNGCO, QUEST AND COMCAST DO NOT HAVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN ON THIS PLAT.



**ADIRICH LAND SURVEYING**

P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990



# PROJECT #

10071410

*App #*

*Action*

*Date*

13-70623

FP

7-24-13

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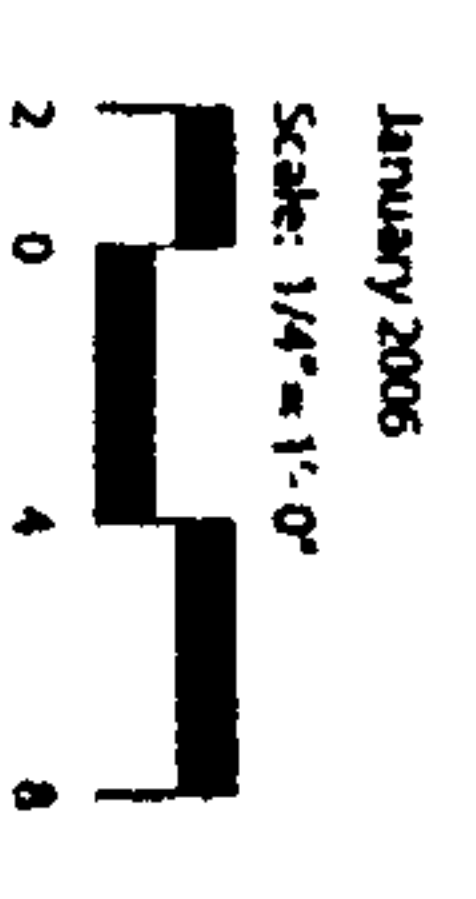
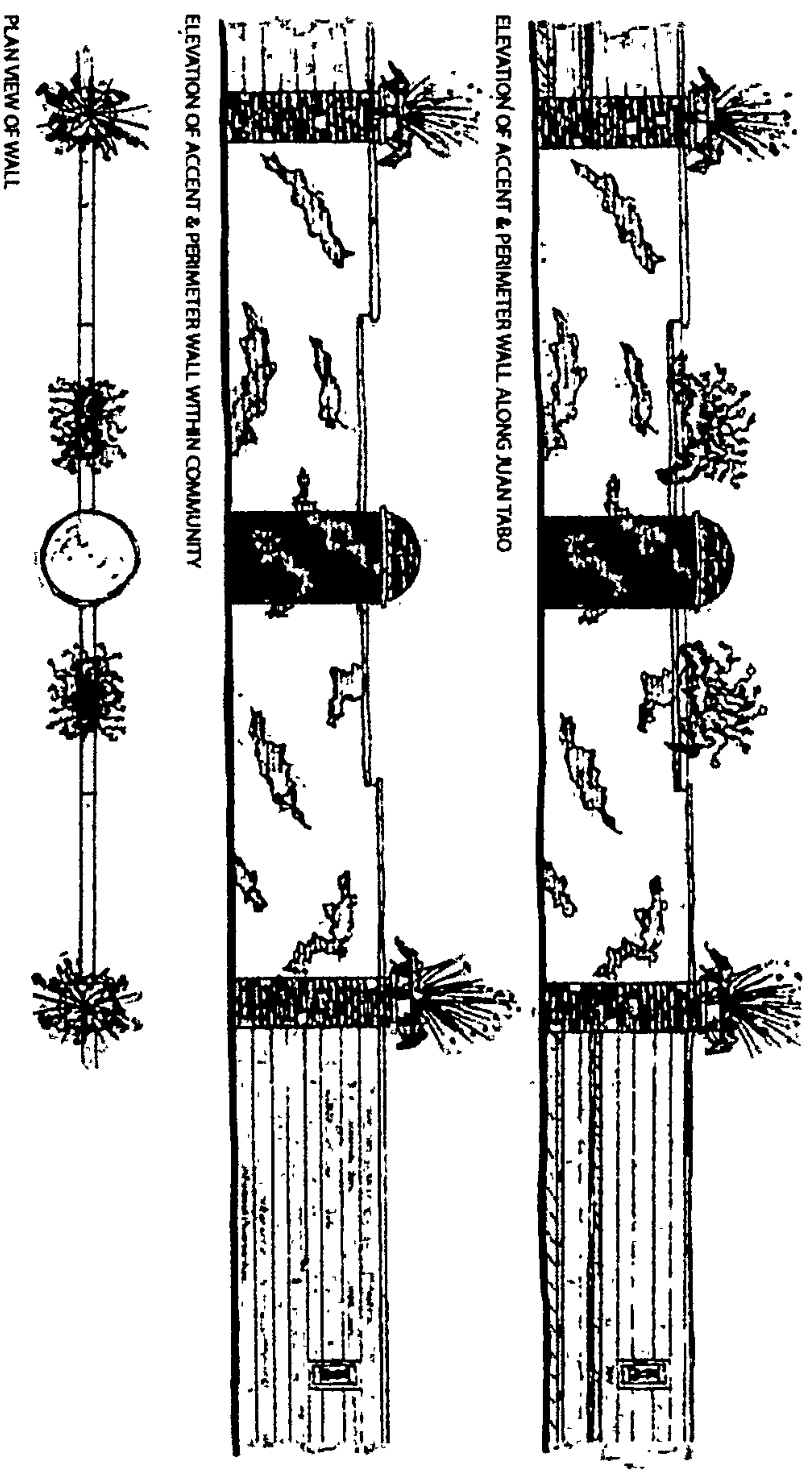
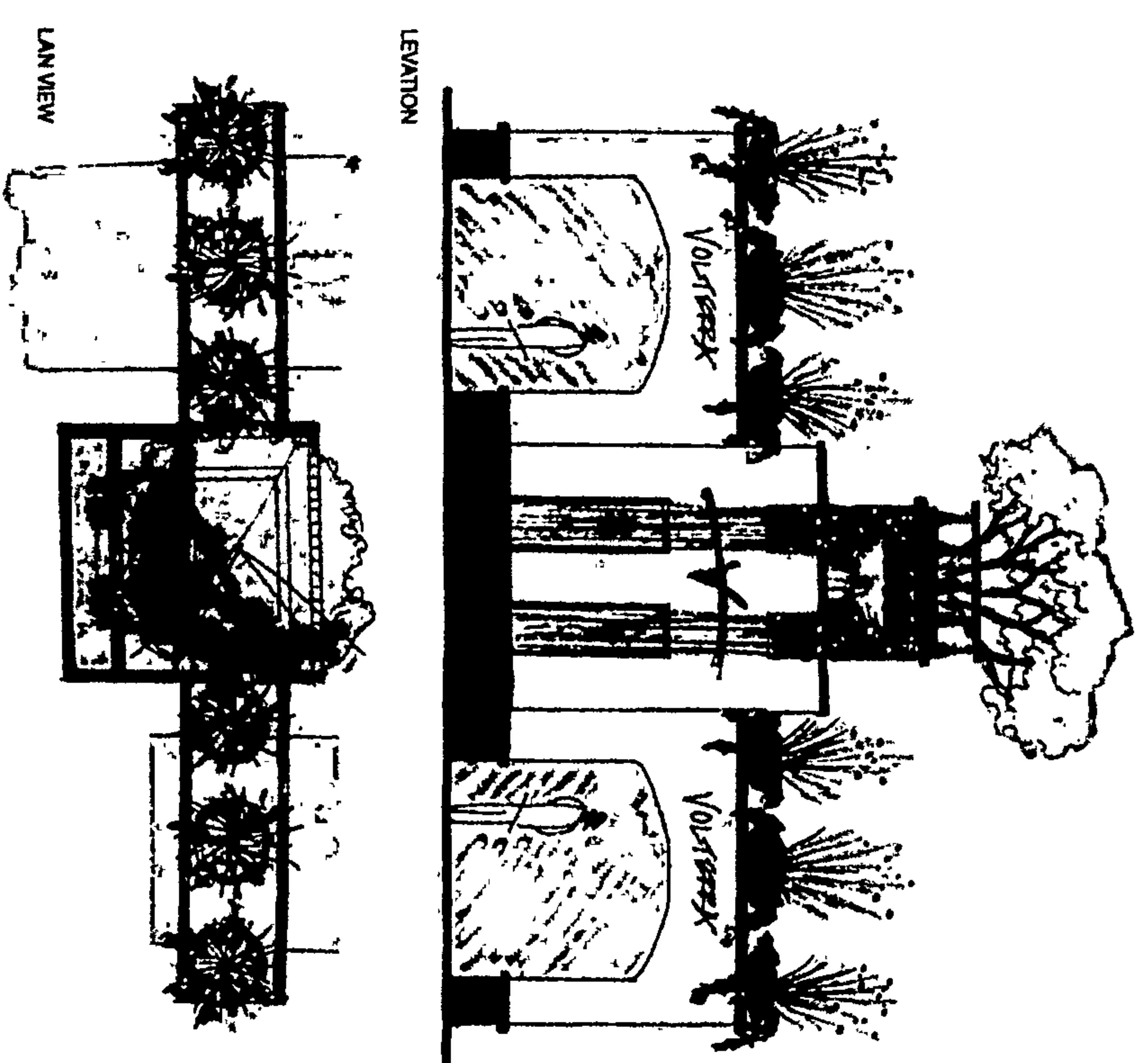
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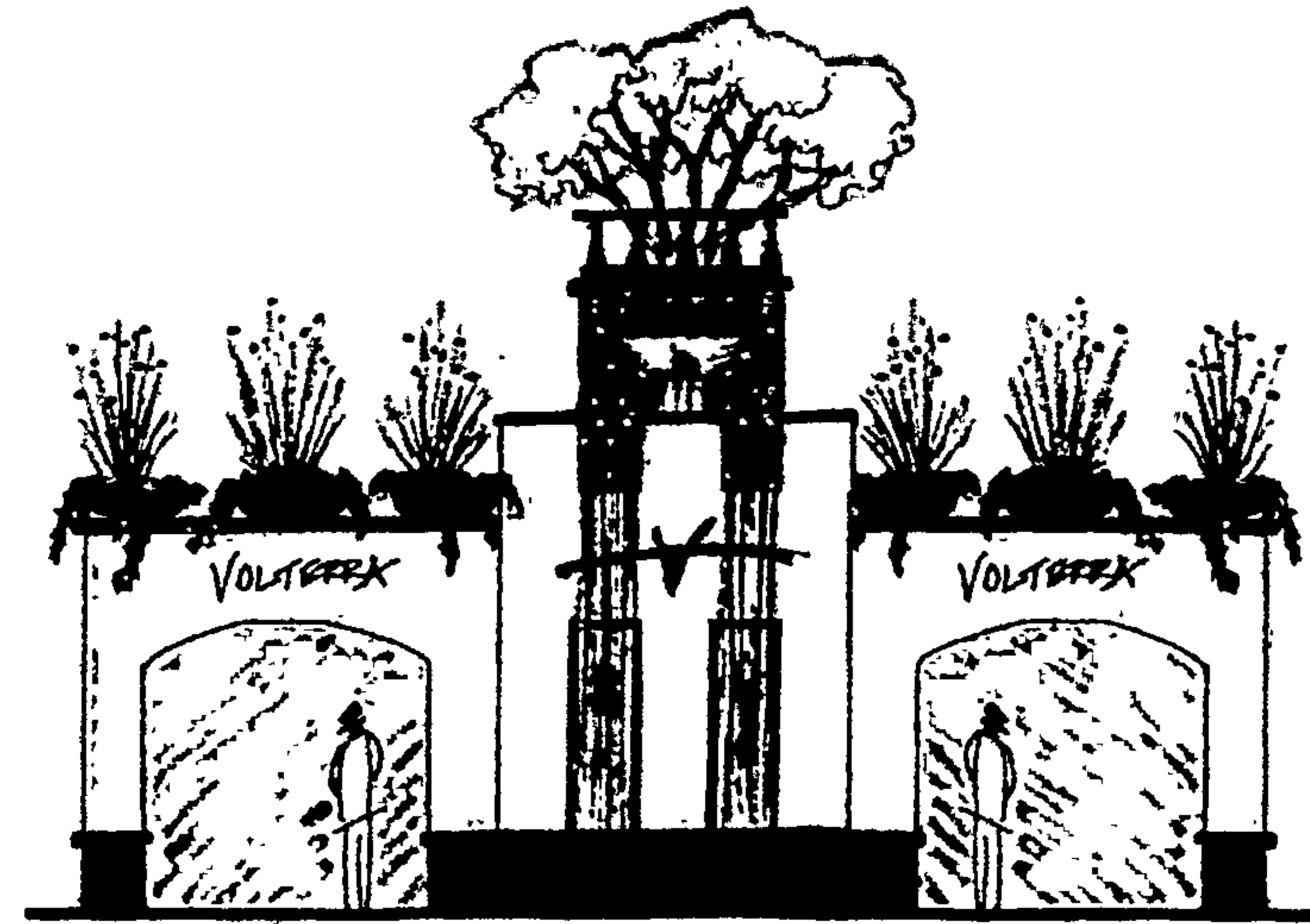
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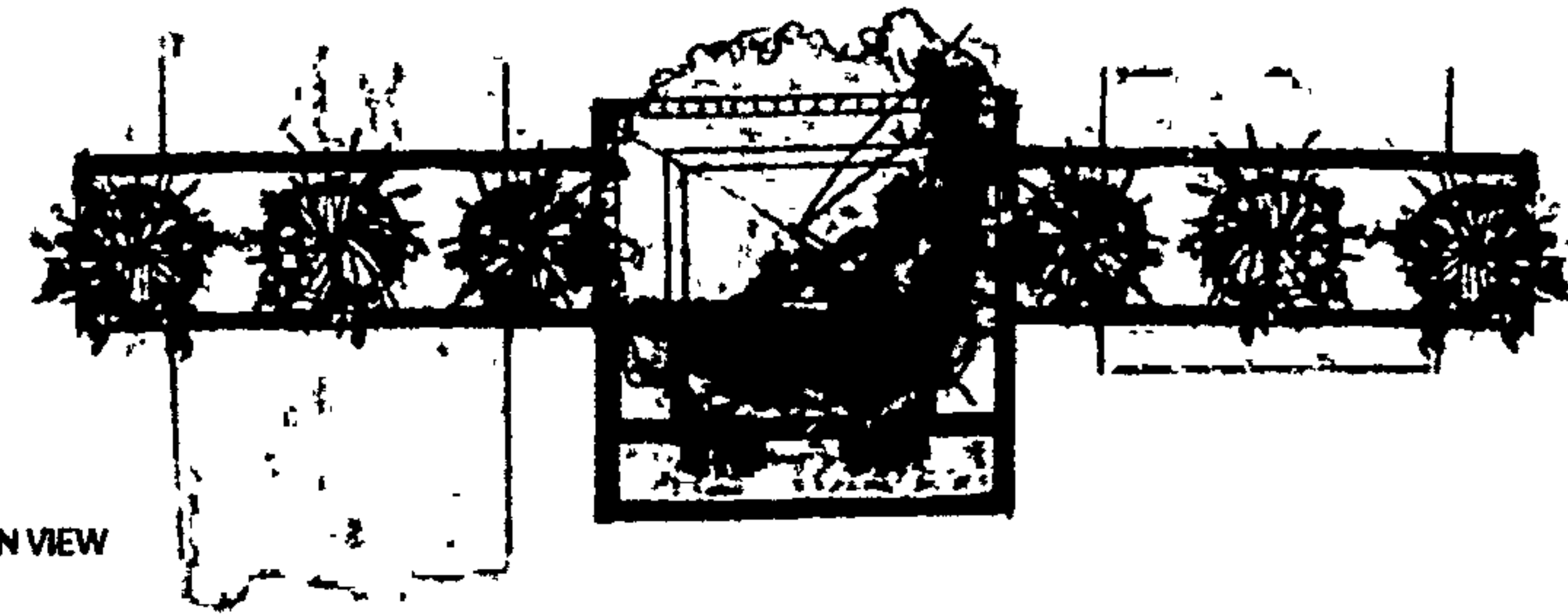
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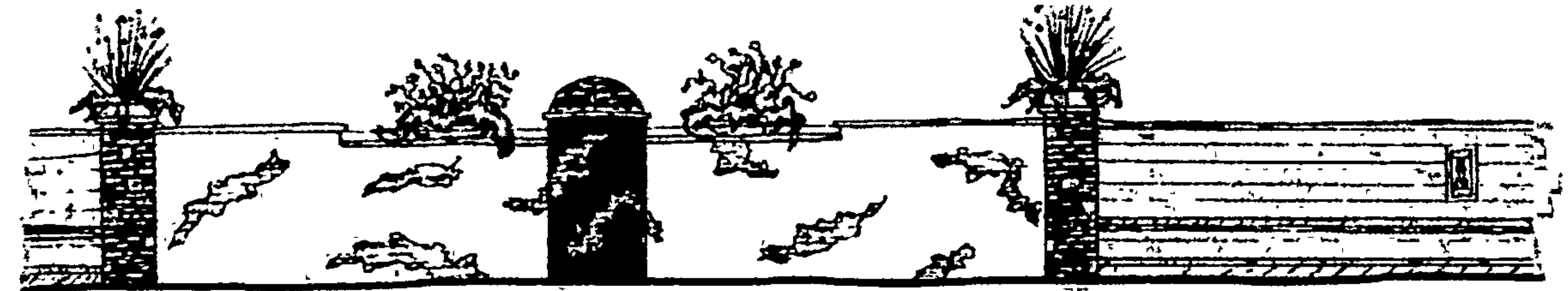
VOLTERRA



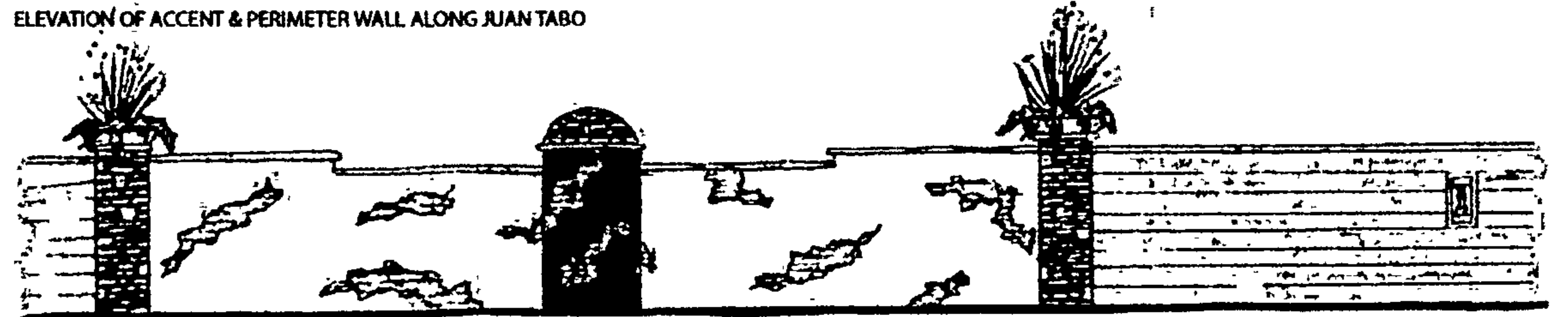
LEVATION



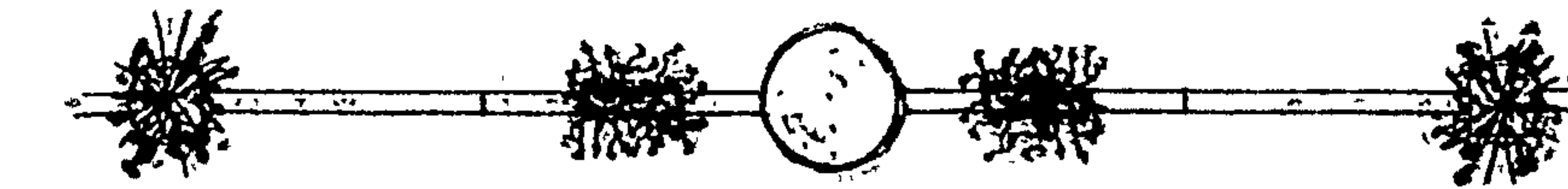
LAN VIEW



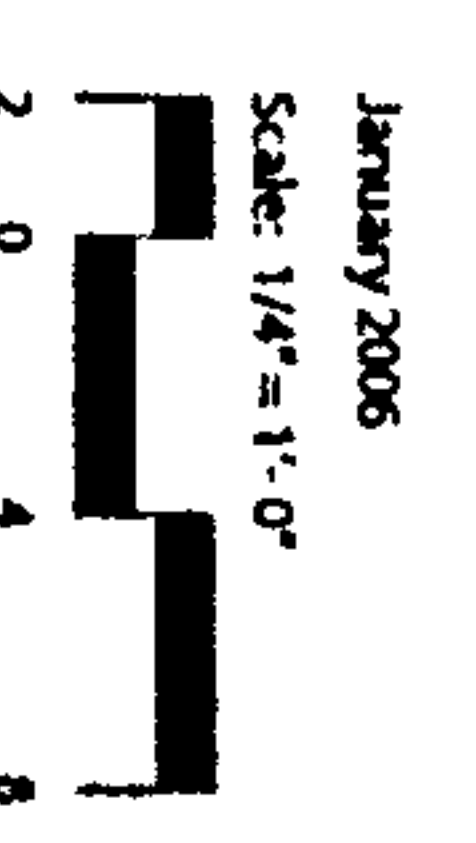
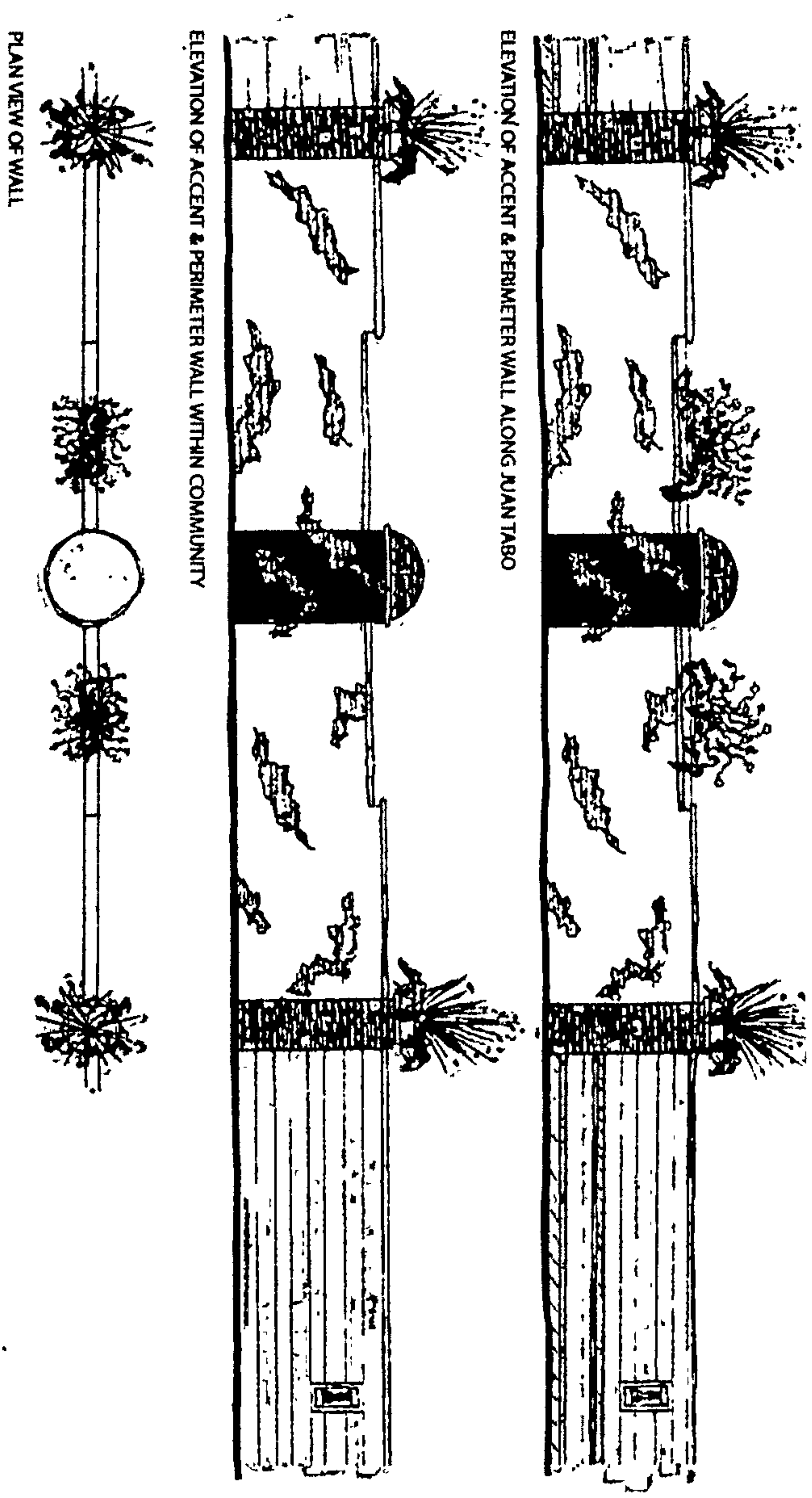
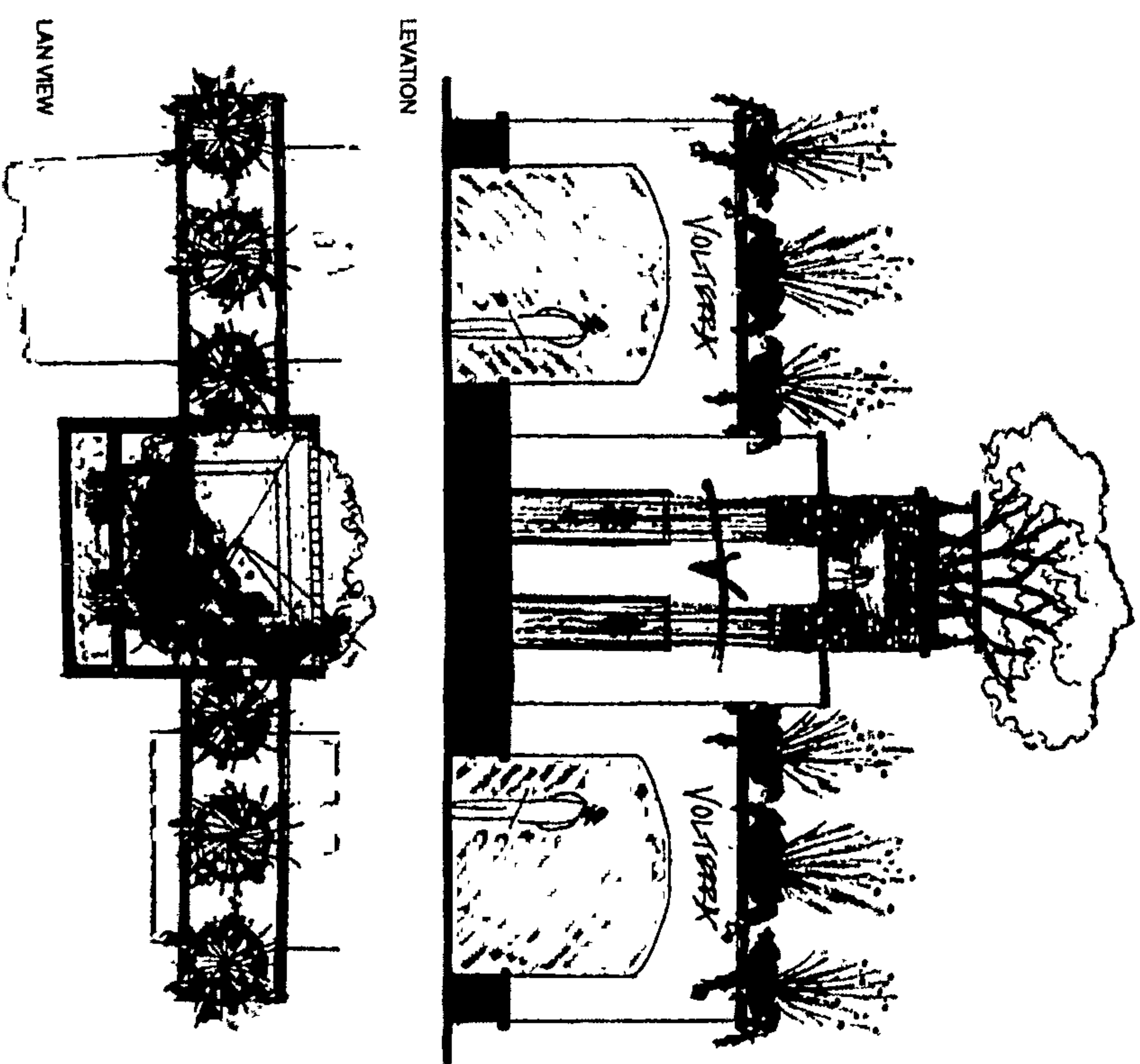
ELEVATION OF ACCENT & PERIMETER WALL ALONG JUAN TABO



ELEVATION OF ACCENT & PERIMETER WALL WITHIN COMMUNITY



PLAN VIEW OF WALL



VOLTBREX

# PROJECT #

1007140

*App #*

*Action*

*Date*

13-70511

VPE

5-8-13

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DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1007140

TO:  ALL MEMBERS

Application No. 13DRB-70511

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 05/08/13

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFIINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: please add to existing file

RECEIVED  
MAY 02 2013

CONTACT NAME: Diane Heltzer @ Mark Goodwin & Assoc.

TELEPHONE: 505-828-2200 EMAIL: diane@goodwinengineers

**Juan Tabo Hills Unit 3B (DRB 1007140)**

**Reasons for Vacations**

The following easements are proposed to be vacated because they are no longer needed and based on the proposed replat:

Easement (9) no replat action,

Easement (12) no replat action,

Easement (13) replat will allow for public utility and public access

Easement (14) new storm drain being routed around Unit 3B subdivision and new drainage easement will be granted,

Easement (22) no replat action.

**BULK LAND PLAT FOR  
FOUR HILLS VILLAGE 20TH INSTALLMENT  
TRACTS A, B AND C  
WITHIN  
SECTIONS 27, 33 AND 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
APRIL, 1998**

GRAPHIC SCALE  
(IN FEET)  
1 inch = 200 ft



NOTE:  
TRACT B is hereby encumbered with an existing  
City of Albuquerque Easement (Filed April 6, 1987,  
Doc # 8218046) containing a city waterline.

PRUDENT LINE  
(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

TRACT B - DETAIL  
NOT TO SCALE

DETAIL "A"  
NOT TO SCALE

DETAIL "A"  
NOT TO SCALE

UNIT 5  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)  
PROPERTY LINE

UNIT 4  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)  
PROPERTY LINE

UNIT 3  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)  
PROPERTY LINE

UNIT 2  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)  
PROPERTY LINE

UNIT 1  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)  
PROPERTY LINE

TRACT A-3  
TRACT A-2  
TRACT A-1

TIJERAS HEIGHTS  
(5-31-78, D8-139)

TRACT C  
21.9235 ACRES

TRACT B  
98.3447 ACRES

TRACT A  
12.23-81, BK MISC 898, PGS 892-885

TRACT B  
12.23-81, BK MISC 898, PGS 892-885

TRACT C  
21.9235 ACRES

RECO CORP TRACT  
(8-24-87, C20-24)

TRACT B (SEE DETAIL)  
N 5728.32' E 182.10' (40.28)  
N 5728.32' E 410.16'  
N 5728.32' E 182.10' (40.28)  
N 5728.32' E 410.16'

TRACT A  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT B  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT C  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT D  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT E  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT F  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT G  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT H  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT I  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT J  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT K  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT L  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

TRACT M  
AMAFCA PARCEL  
(12-23-81, BK MISC 898, PGS 892-885)

12-03-98  
1111

DETAIL FOR EASEMENTS (19 & 20)  
N15

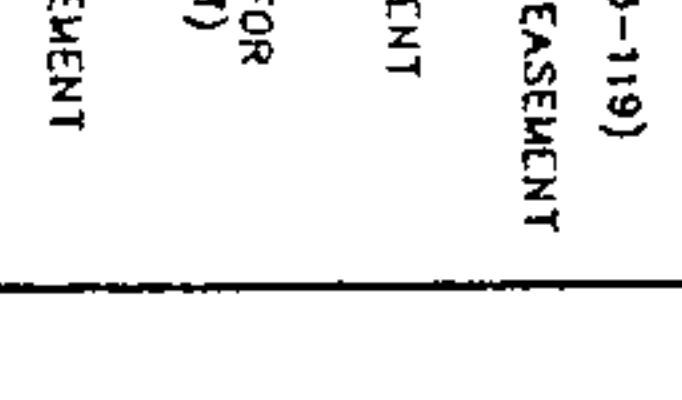
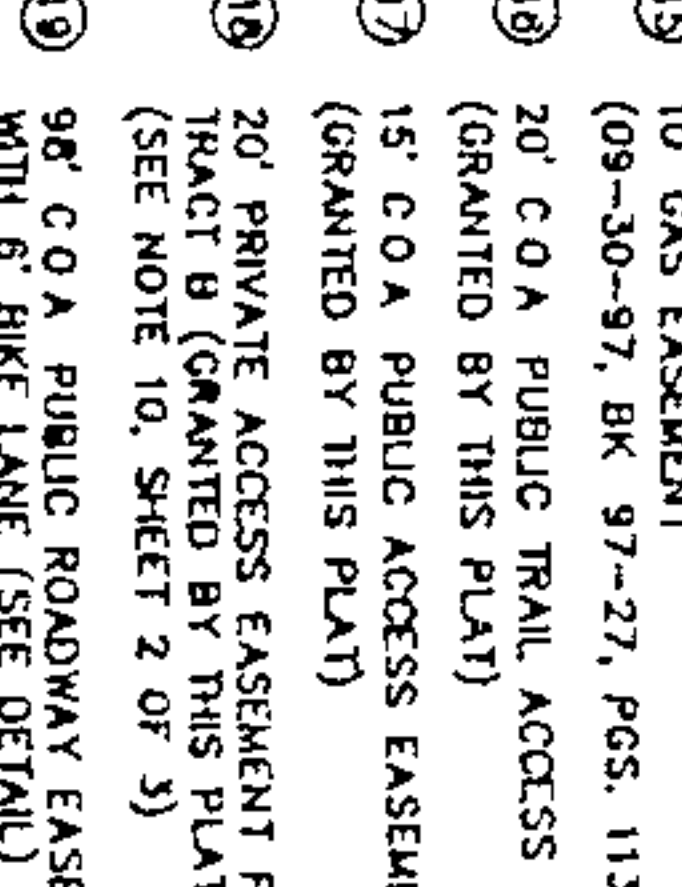
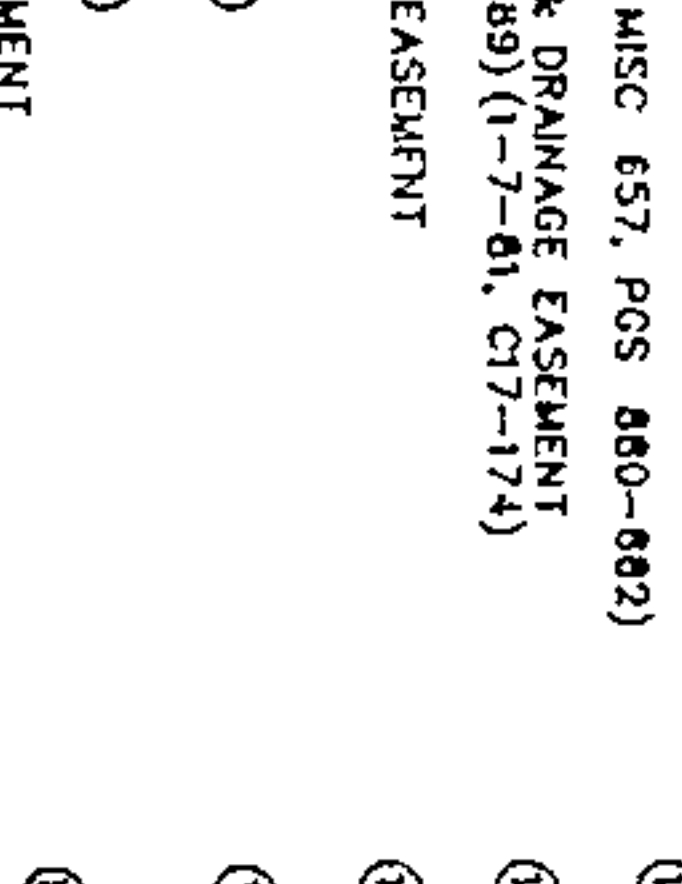
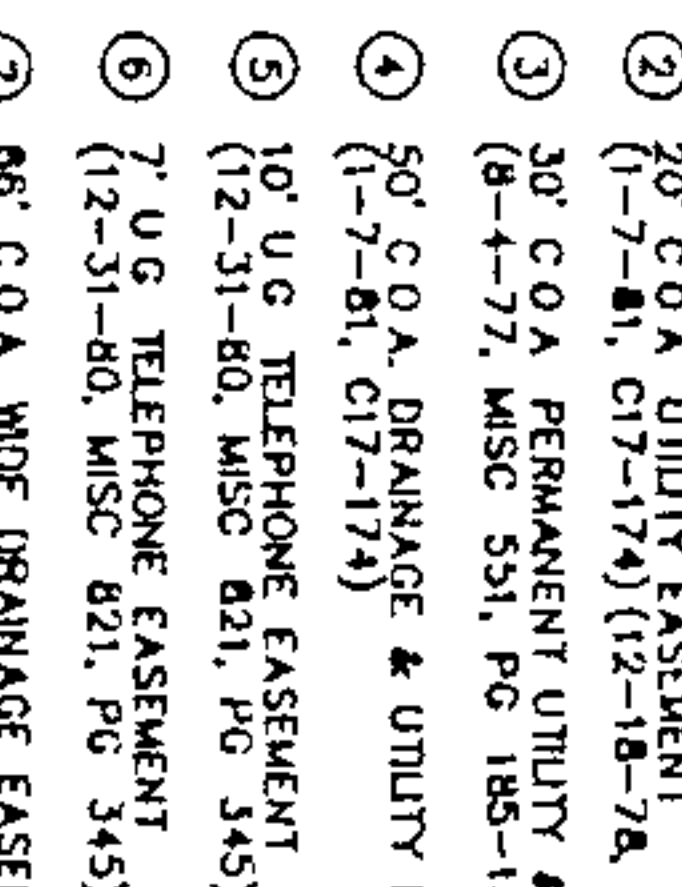
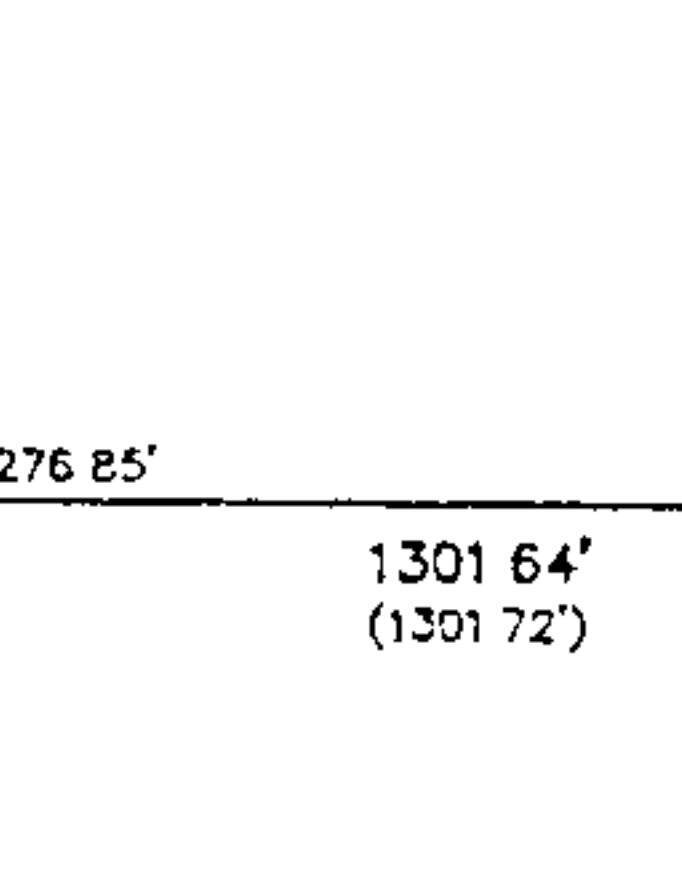
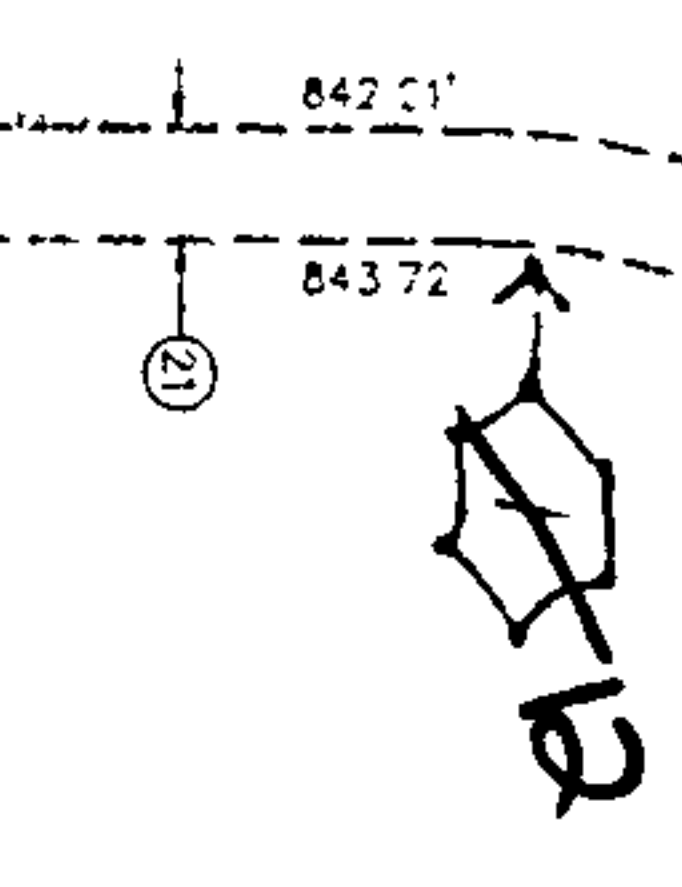
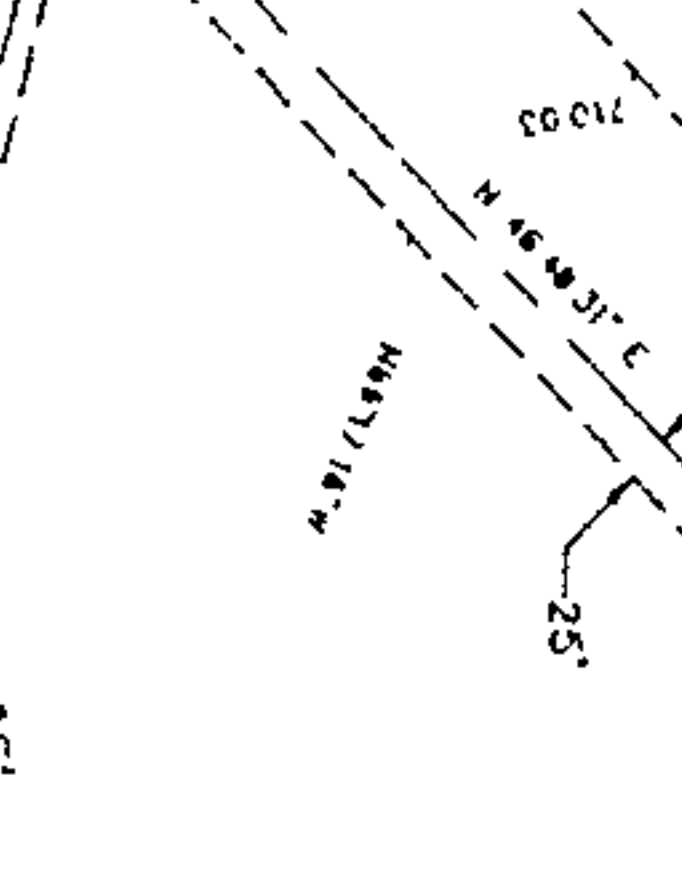
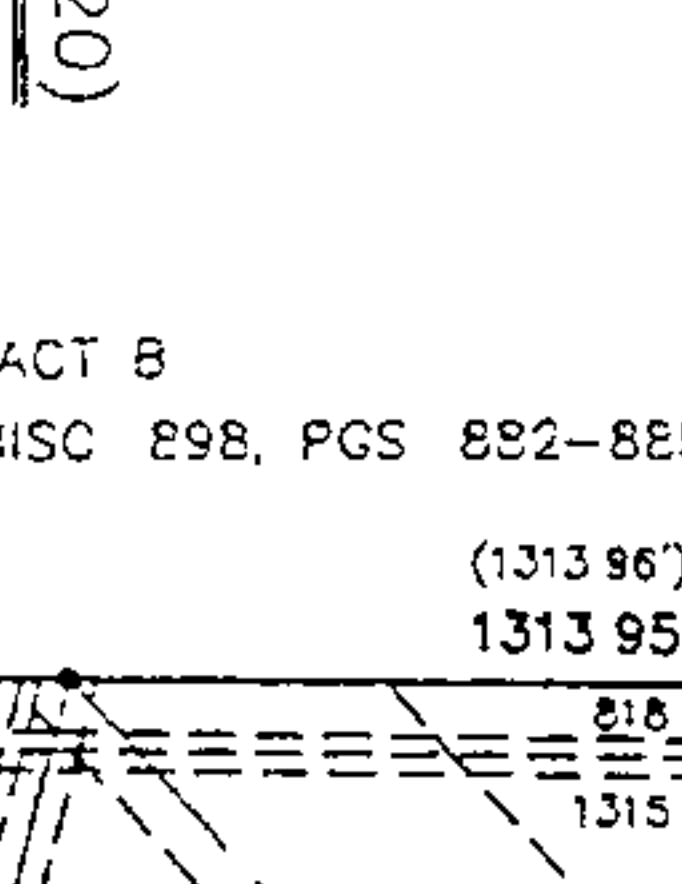


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Table with columns: BEARING, LENGTH. Row 1.

Table with columns: BEARING, LENGTH. Row 1.

Table with columns: BEARING, LENGTH. Row 1.

Table with columns: BEARING, LENGTH. Row 1.

Drawn By: RJA  
Checked By: TA  
Date: 04-07-98  
Drawing Name: 9472603.DWG  
Sheet: 3 of 3

AC'S MONUMENT  
7-M-21  
Y = 1,471,620.84  
X = 419,391.97  
G-G = 0.99964447  
Ave = -00709177  
CENTRAL ZONE  
(NAD 1927)  
ELEV = NVA  
(NAVD 1929)

FOUND REBAR WITH  
CAP LS 10042

FOUND REBAR WITH  
CAP LS 10042

FOUND REBAR WITH  
CAP LS 10042

FOUND REBAR WITH  
CAP LS 10042

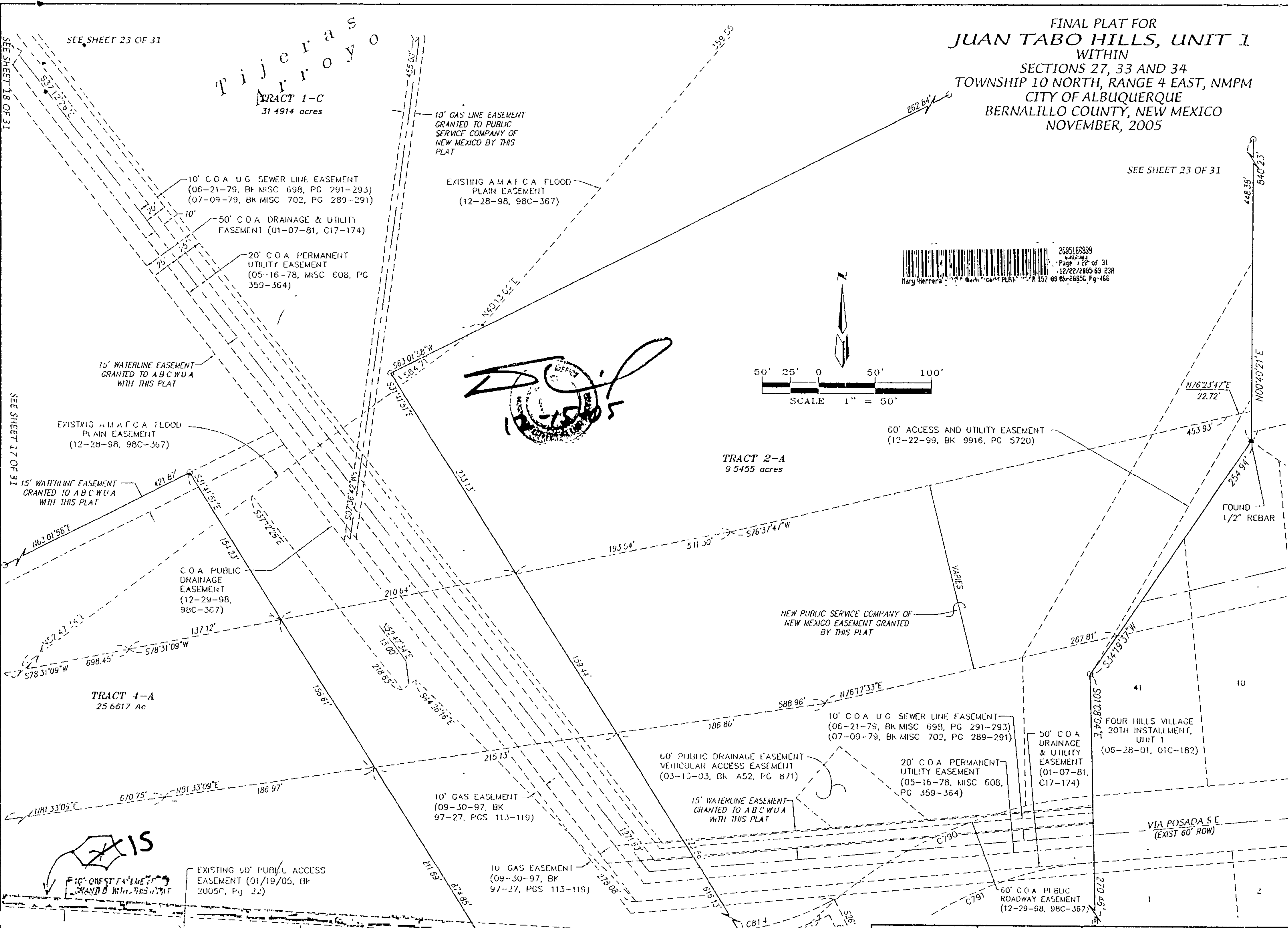
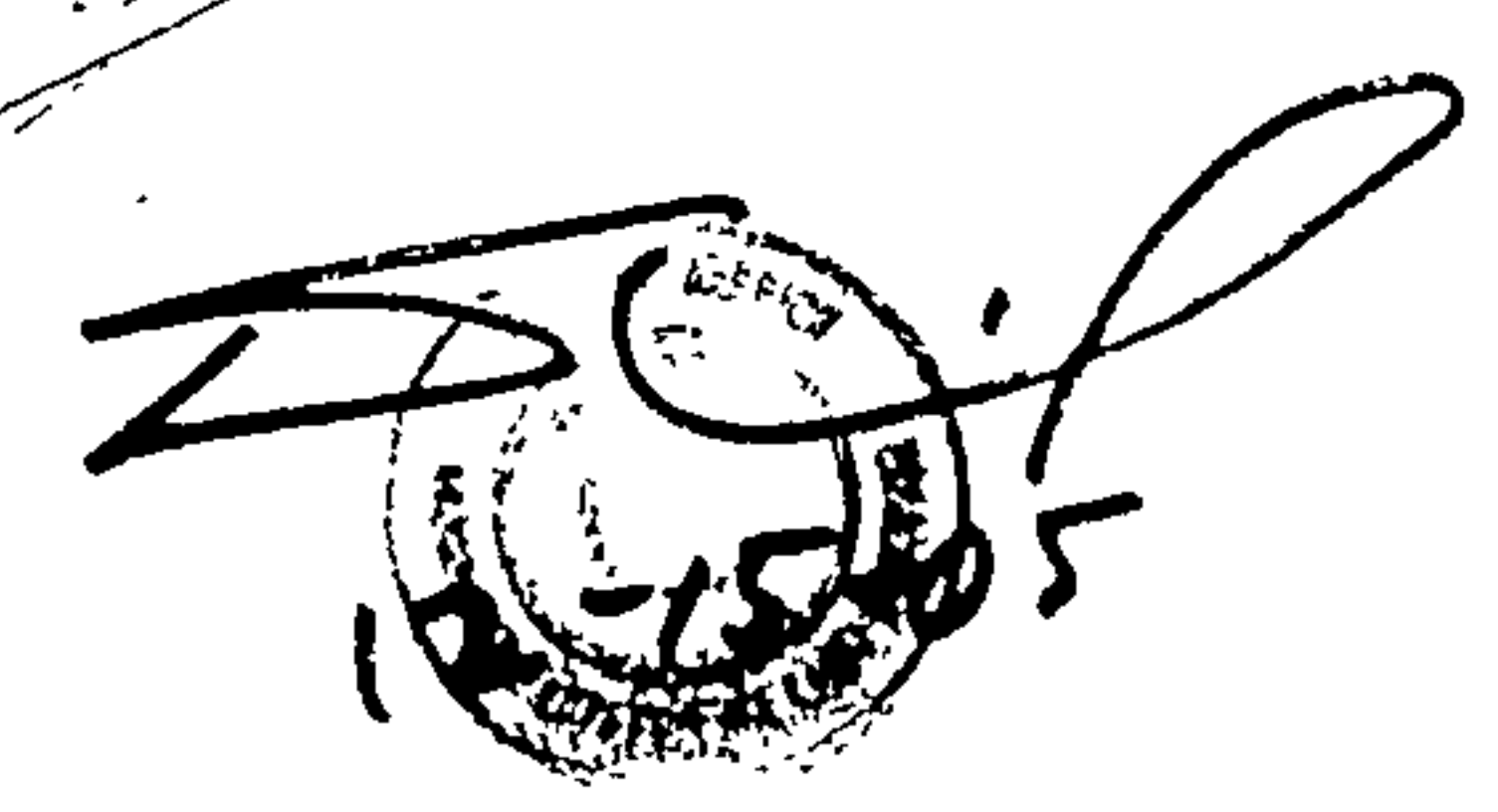
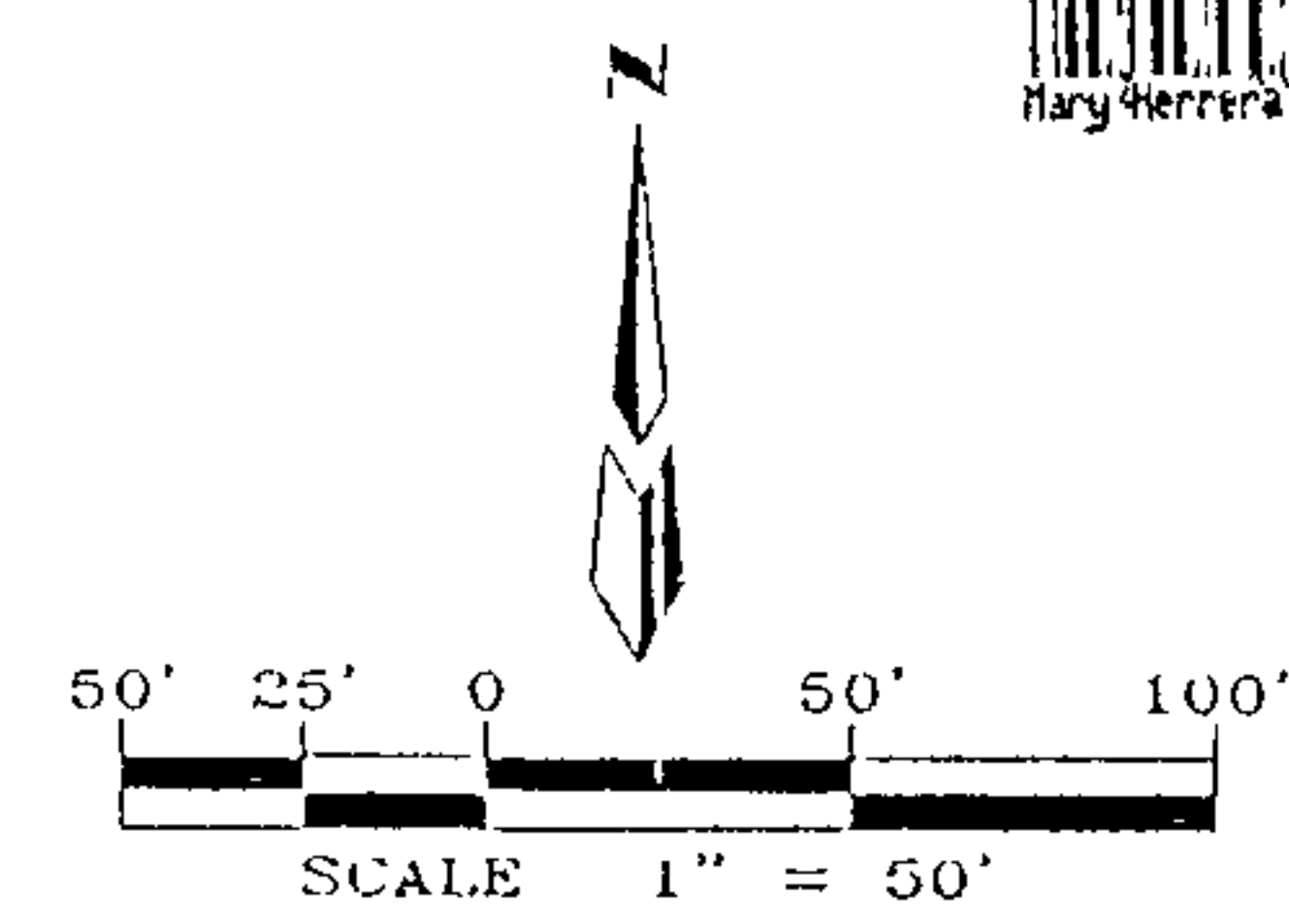


FINAL PLAT FOR  
**JUAN TABO HILLS, UNIT 1**  
 WITHIN  
 SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMMP  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 NOVEMBER, 2005

Tijeras  
 TRACT 1-C  
 31.4914 acres

TRACT 2-A  
 9.5455 acres

TRACT 4-A  
 25.6617 Ac



SEE SHEET 23 OF 31  
 SEE SHEET 18 OF 31

SEE SHEET 23 OF 31

SEE SHEET 17 OF 31

SEE SHEET 21 OF 31

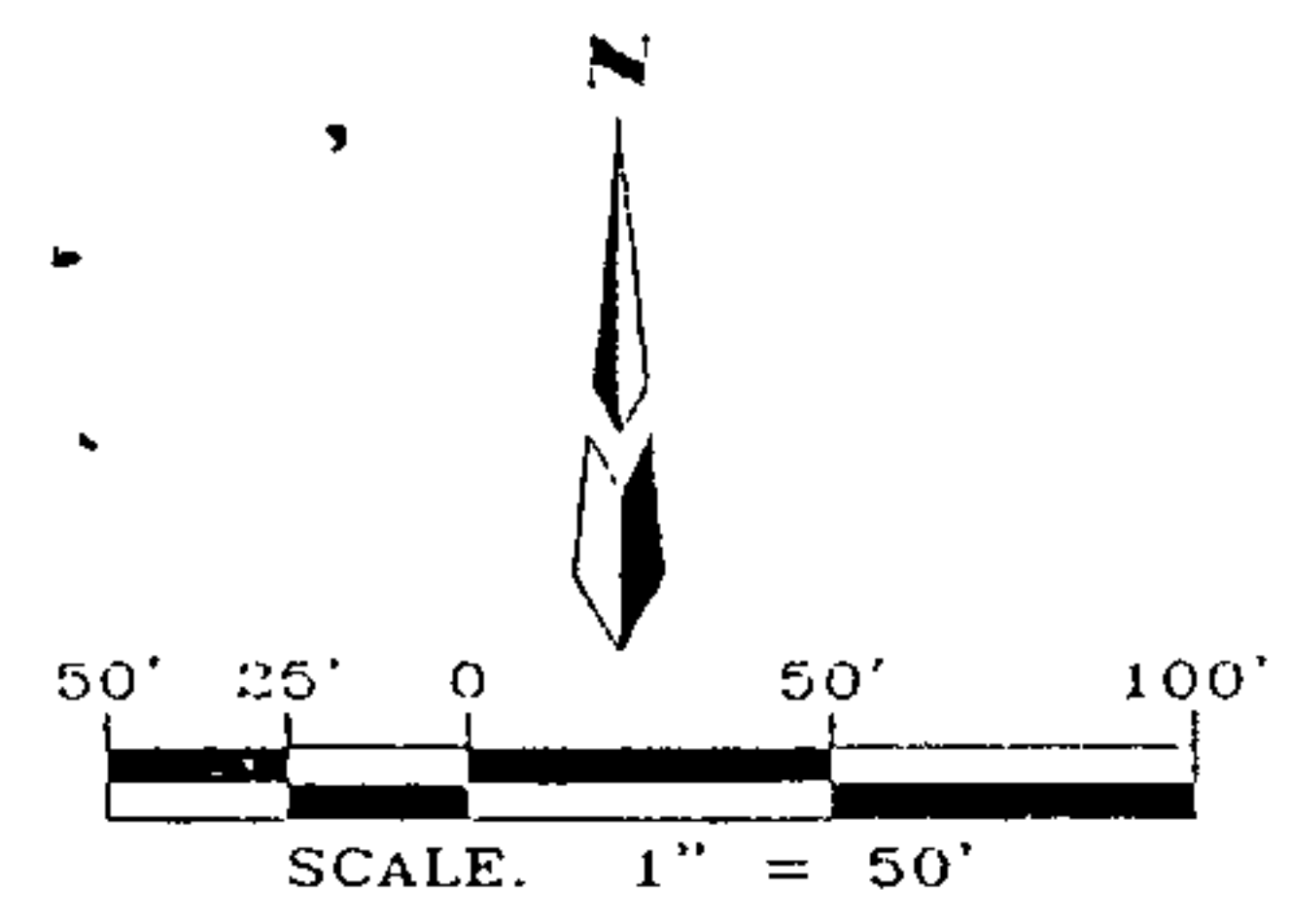
SEE SHEET 21 OF 31

Dwg	A02079fp02.dwg	Drawn	STEPHEN	Checked	ALS	Sheet	22	of	31
Scale	AS SHOWN	Date	11/12/2005	Job	A0207				

\\A02079\A02079 4 \*HLS\Final Plat Unit1.dwg\A02079fp02.dwg Last saved by Stephen plotted 12/8/05

FINAL PLAT FOR  
**JUAN TABO HILLS, UNIT 1**  
 WITHIN  
 SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 NOVEMBER, 2005

SEE SHEET 18 OF 31  
 SEE NOTE 1, 2 & 3 ON COVER SHEET ABOUT EASEMENTS IN TRACT 1-A



ALL STREETS AND ROADS SHOWN HEREON IS HEREBY DEDICATED IN FEE SIMPLE WITH WARRANTY COVENANTS AS PUBLIC RIGHT-OF-WAY

**NOTE**  
 CENTERLINE (IN PLACE OF ROW) MONUMENTATION IS TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS AS SHOWN HEREON, AND WILL CONSIST OF A FOUR INCH (4") ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE", "CENTERLINE MONUMENT", "DO NOT DISTURB", "PLS # 7719"

UNIT 5  
 FOUR HILLS MOBILE HOME PARK  
 (12-7-78, D9-39)

20' COA PUBLIC TRAIL ACCESS EASEMENT  
 (12-29-98, 98C-367)

15 COA PUBLIC ACCESS EASEMENT  
 (12-29-98, 98C-367)

20' PRIVATE ACCESS EASEMENT FOR TRACT B  
 (12-29-98, 98C-367)

EXISTING AMAFCA FLOOD-PLAIN EASEMENT  
 (12-28-98, 98C-367)

20' COA UTILITY EASEMENT  
 (01-07-81, C17-174)  
 (12-18-78 MISC 657, PGS 880-882)

30' SANIATARY SEWER EASEMENT GRANTED TO ABCWUA BY THIS PLAT



SEE SHEET 19 OF 31

SEE SHEET 22 OF 31

**ABBREVIATIONS**

- 10' PUE = PUBLIC UTILITY EASEMENTS GRANTED WITH THIS PLAT
- ROW = RIGHT-OF-WAY
- ABCWUA = ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY
- COA = CITY OF ALBUQUERQUE

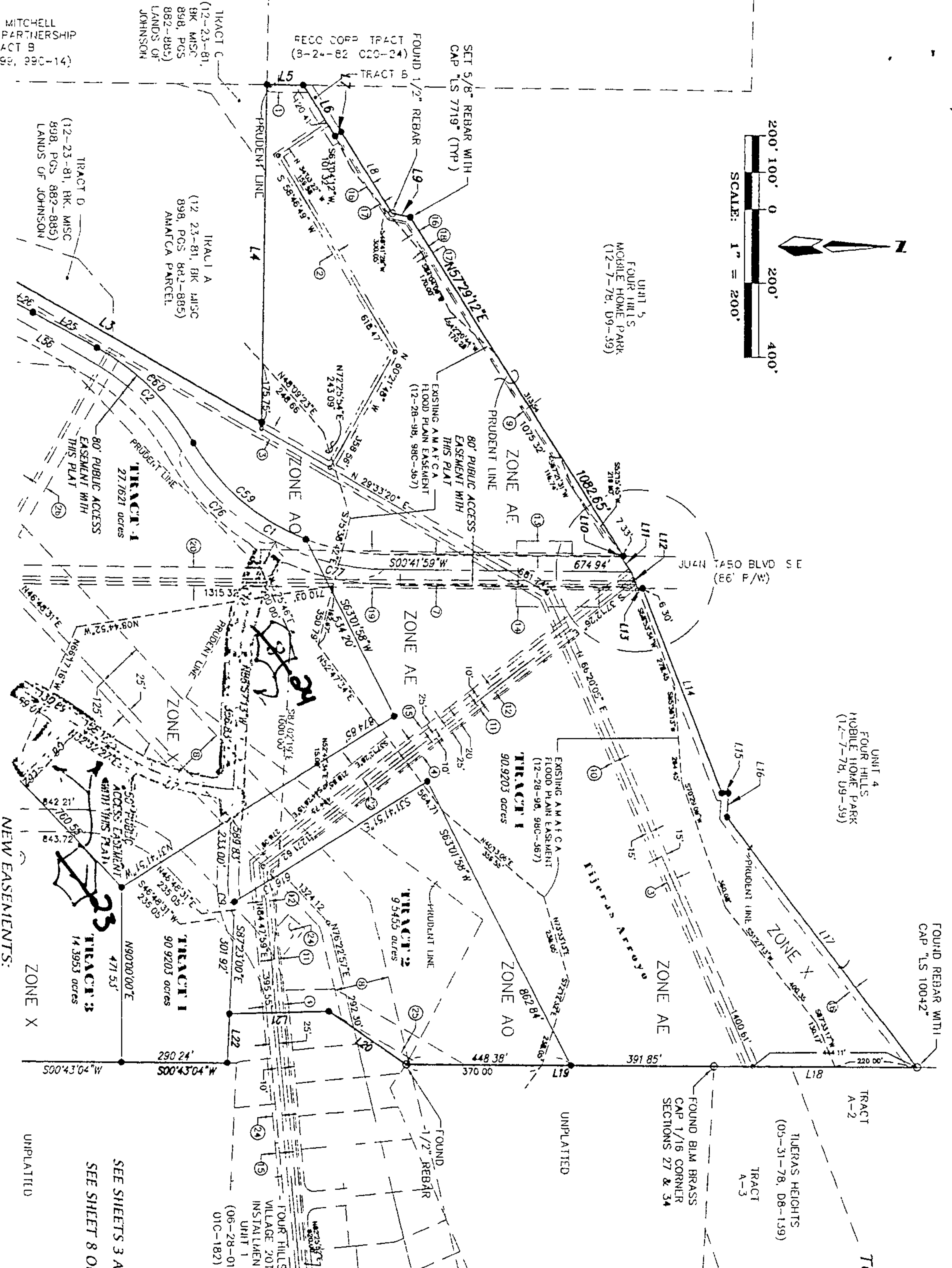
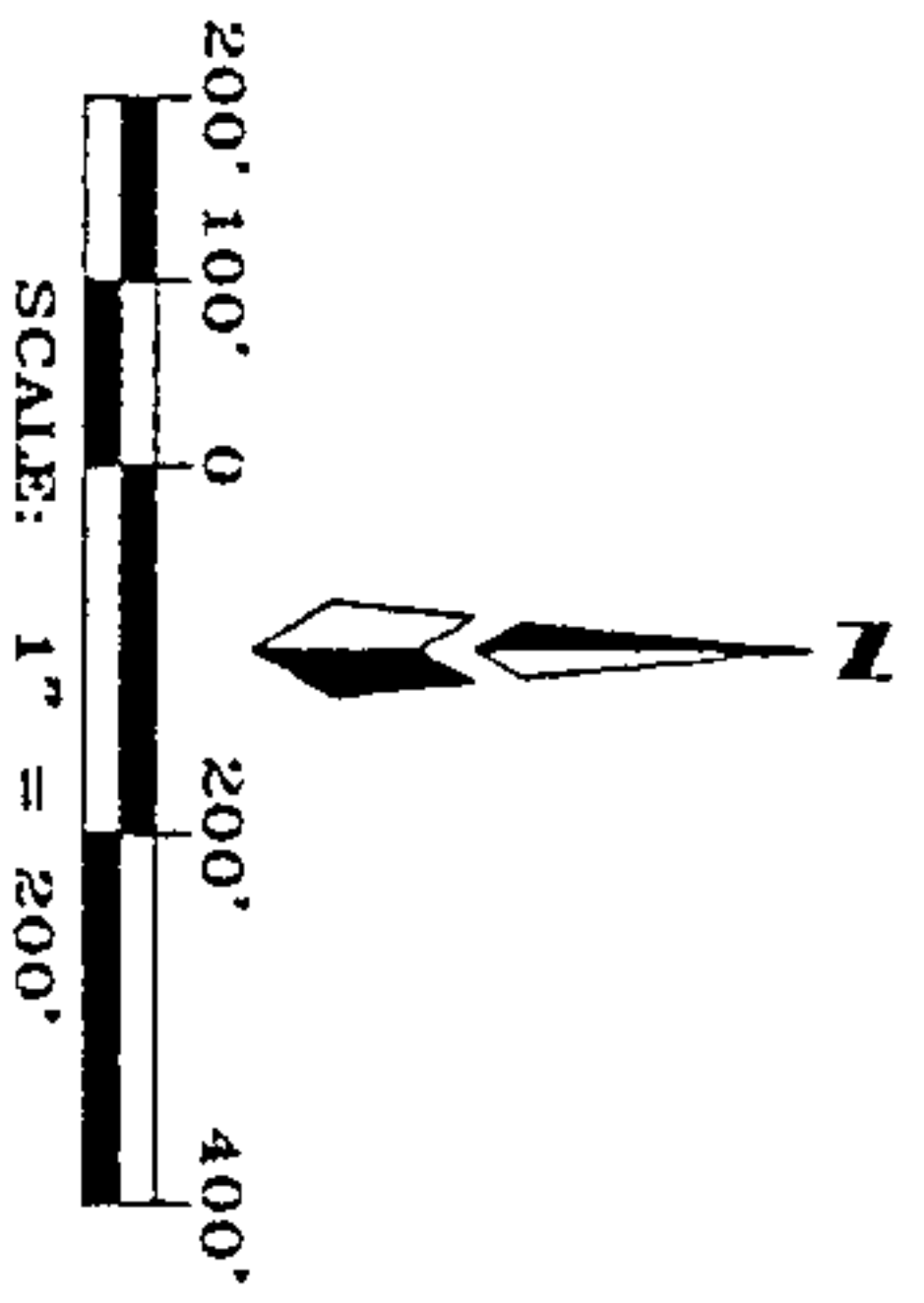
**LEGEND**

- I LOT NUMBER
- Ⓢ BLOCK NUMBER
- ▲ C.O.A. CENTERLINE MONUMENT
- REFERS TO END OF TANGENT OR CURVE ON RIGHT-OF-WAY

TRACT A  
 (12-23-81, BK MISC 898, PGS 882-885)  
 AMAFCA PARCEL

SEE SHEET 16 OF 31

Dwg A02079fp02.dwg	Drawn STEPHEN	Checked ALS	Sheet 17 of 31
Scale AS SHOWN	Date 11/11/2005	Job A02079	



S-4W, MITCHELL  
MALLORY PARTNERSHIP  
TRACT B  
(01-22-99, 890-1-14)

TRACT D  
(12-23-81, BK, MISC  
898, PGS 882-885)  
LANDS OF JOHNSON

TRACT A  
(12-23-81, BK, MISC  
898, PGS 882-885)  
AMATCA PARCEL

TRACT B  
FOUND 1/2" REBAR WITH  
CAP "LS 7719" (TYP)

UNIT 5  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)

UNIT 4  
FOUR HILLS  
MOBILE HOME PARK  
(12-7-78, D9-39)

FOUND REBAR WITH  
CAP "LS 10042"

SEE SHEET 6 OF 9



1) TRACT 1 IS OPEN SPACE DEDICATED TO THE CITY  
OF ALBUQUERQUE PER THE EXCHANGE AGREEMENT  
DATED 7-23-04

3) A 25' WIDE FLOATING ACCESS EASEMENT FROM NEW  
80' WIDE PUBLIC ACCESS EASEMENT ACROSS NEW  
TRACT 1 TO AMATCA TRACT "A" IS HEREBY GRANTED  
WITH THIS PLAT FINAL LOCATION TO BE DETERMINED  
AT A LATER DATE BETWEEN CITY OPEN SPACE AND  
AMATCA

SEE SHEETS 3 AND 4 OF 9 FOR EXISTING EASEMENTS  
SEE SHEET 8 OF 9 FOR NEW EASEMENTS

DETAIL "A"  
N.T.S.



286599975  
Scale  
Page 5 of 9  
8/17/19 2:05:58 PM  
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BULK LAND PLAT FOR  
JUAN TABO HILLS  
WITHIN  
SECTIONS 27, 33 AND 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
DECEMBER, 2004

*[Handwritten signature]*  
01-18-05

ALDRICH LAND  
SURVEYING

P.O. BOX 30701, ALBO., N.M. 87190  
505-884-1990

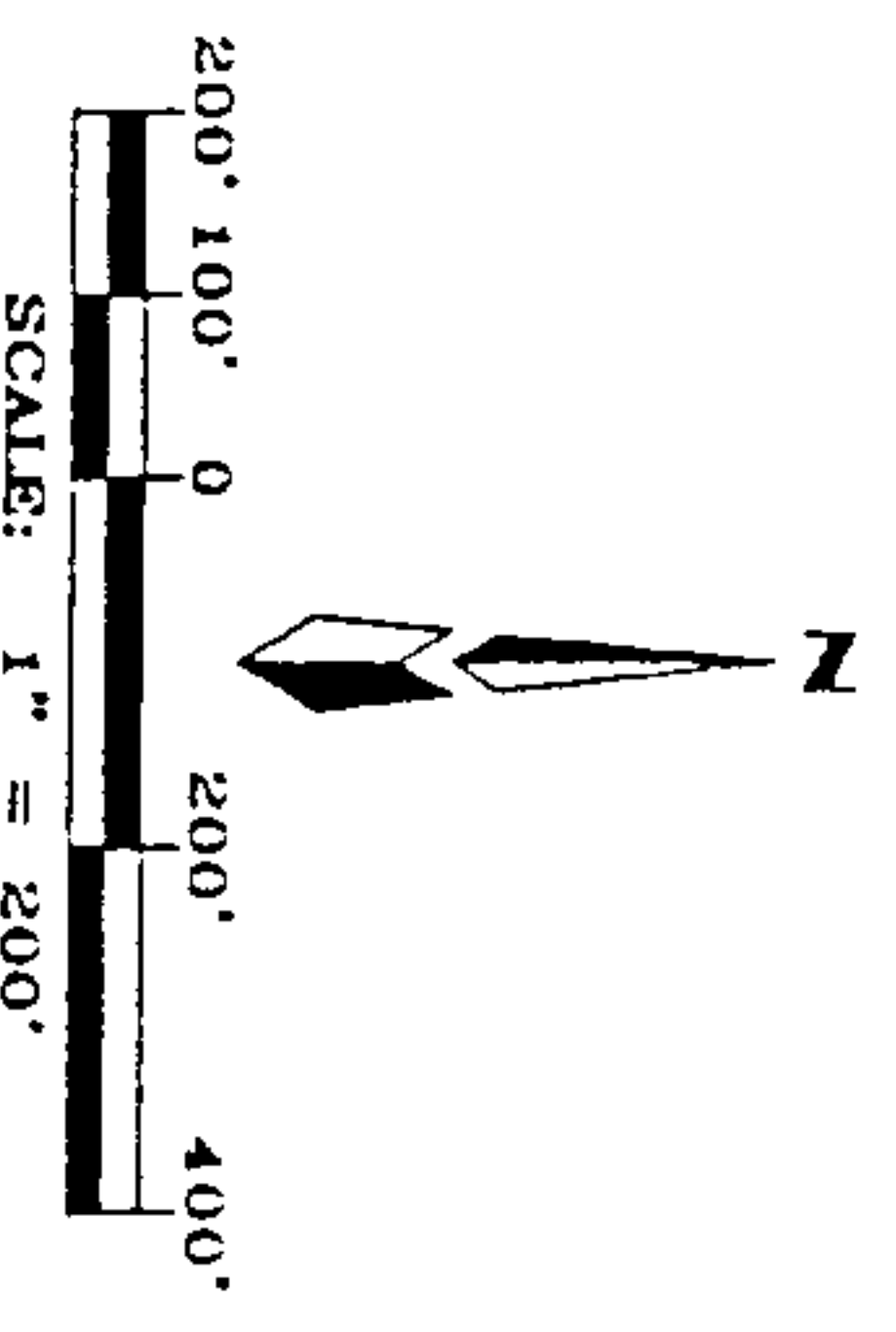
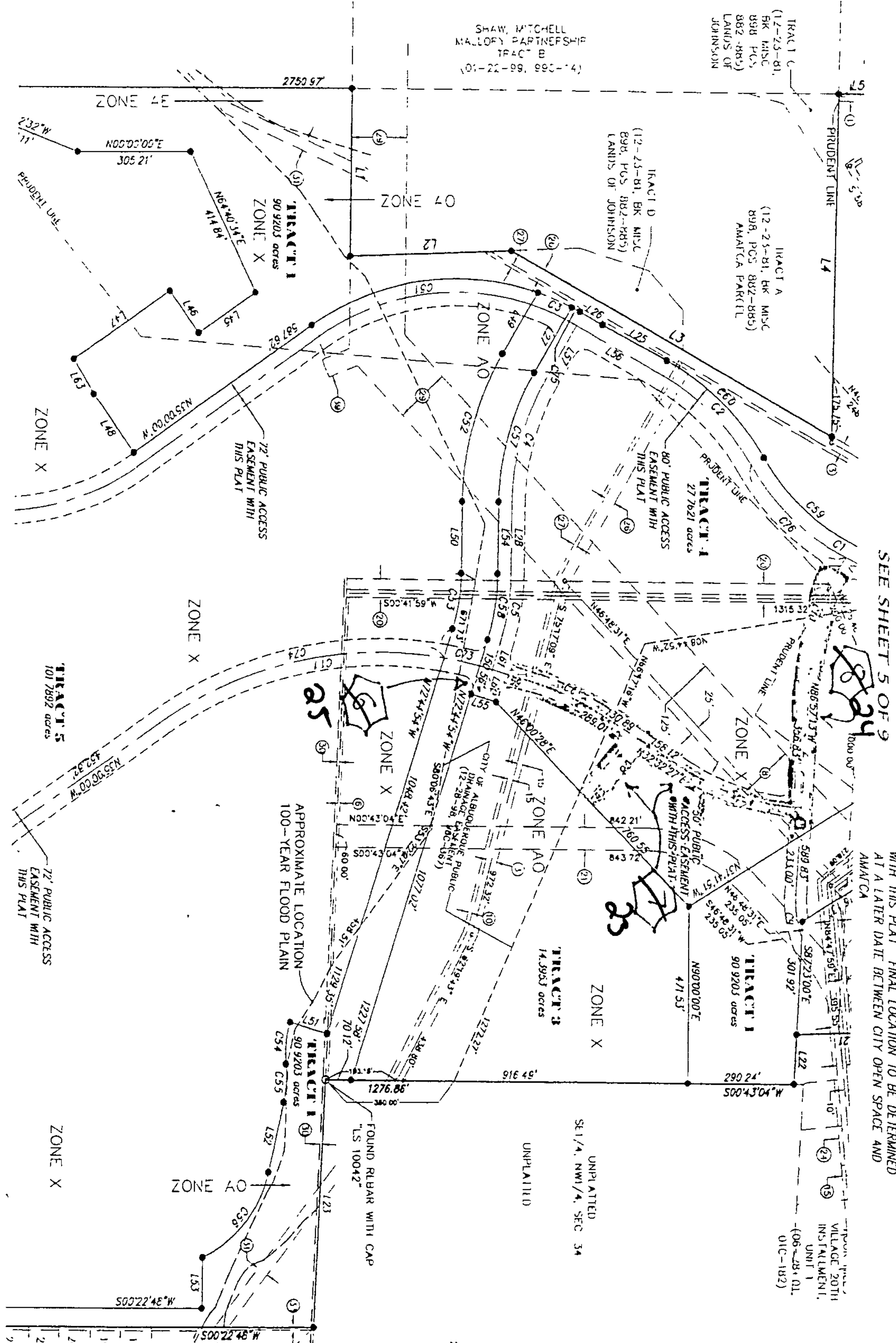
Dwg	NEW SHIT 5-8.dwg	Drawn	STEPHIN	Checked	ALS	Sheet	5	of	9
Scale	AS SHOWN	Date	01/17/05	Job	A02079				

A02079(5)A-2079 # HILLS\Bulk Plat\NEW SHIT 5-8.dwg - Layout1 (01-17-05) SPS

NEW EASEMENTS:

- TRACT 1 IS OPEN SPACE DEDICATED TO THE CITY OF ALBUQUERQUE PER THE EXCHANGE AGREEMENT DATED 7-23-04
- A BLANKET DRAINAGE EASEMENT WITH THIS PLAN TO THE DE. I.F.R. DEFINED OR VACATED UPON FUTURE DEVELOPMENT
- A 25' WIDE FLOATING ACCESS EASEMENT FROM NEW 80' WIDE PUBLIC ACCESS EASEMENT ACROSS NEW TRACT 1 TO AMAFCA TRACT "A" IS HEREBY GRANTED WITH THIS PLAN FINAL LOCATION TO BE DETERMINED AT A LATER DATE BETWEEN CITY OPEN SPACE AND AMAFCA

BULK LAND PLAT FOR  
**JUAN TABO HILLS**  
 WITHIN  
 SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 DECEMBER, 2004



22  
23  
24  
25

FOUR HILLS VILLAGE NINTH INSTALLMENT BLOCK 21 (09-30-71, CE-41)  
 FOUR HILLS 10TH INSTALLMENT (22-22-72, [4-194])

*Handwritten signature and date: 01-18-05*

**ALDRICH LAND SURVEYING**

P.O. BOX 30701, ALBQ., N.M. 87190  
 505-884-1990

SEE SHEET 7 OF 9

SEE SHEETS 3 AND 4 OF 9 FOR EASEMENTS  
 SEE SHEET 8 OF 9 FOR NEW EASEMENTS

AD2005MA2079 4 HILLS Bulk Plat NEW SHE 5 & DWG - layout 1 (2) (01-17-05) SWS

Dwg	NEW SHE 5 & DWG	Drawn	STEPHEN	Checked	ALS	Sheet	6	of	9
Scale	AS SHOWN	Date	01/17/05	Job	AD2079				

GRANT OF EASEMENT

FOR

DRAINAGE, WATER, SEWER AND PUBLIC UTILITIES

185

7746803

THIS INDENTURE made and executed this 14th day of

July, 1977, by and between \_\_\_\_\_

DALE BELLAMAH LAND CO., INC., a New Mexico corporation

in the County of Bernalillo and State of New Mexico hereinafter called the Grantors and THE CITY OF ALBUQUERQUE, NEW MEXICO, a municipal corporation, hereinafter called Grantee.

WITNESSETH, that for good and valuable consideration the receipt of which is hereby acknowledged the Grantors have this day bargained and sold and by these presents do sell, convey and deliver unto the City of Albuquerque a permanent easement as right-of-way including the permanent right to enter upon the real estate hereinafter described at any time that it may see fit and construct, maintain and repair, drainage ditches, water lines, sanitary sewer lines and public utilities across, through, and under the lands hereinafter described and the further right to remove trees, bushes, undergrowth and obstructions interfering with the location, construction and maintenance of said utilities.

The land affected by the grant of this easement and right-of-way is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

DESCRIPTION FOR PERMANENT UTILITY AND DRAINAGE EASEMENT

See Attached Exhibits "A", "A-1" and "B"

DESCRIPTION FOR TEMPORARY UTILITY AND DRAINAGE EASEMENT

See Attached Exhibits "A", "A-1" and "B"

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for aforesaid utilities.

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted provided, however, that the Grantee agrees to save Grantors harmless from any and all liability that may arise as a result of the construction and

2 3  
1 2

Extra Copy

use of the easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals this 4th day of August, 1977.

DALE BELLAMAH LAND CO., INC.

D. E. Boyle  
D. E. Boyle, President

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

The foregoing instrument was acknowledged before me this 4th day of August, 1977, by D. E. Boyle, President of Dale Bellamah Land Co. Inc., a New Mexico corporation, on behalf of said corporation.

Walter A. [Signature]  
Notary Public

My commission expires:

June 30, 1980

EXHIBIT "A"

PARCEL: P-7 "

187

GRANTOR: Adair & H. A. Nicholson

That part of a strip of land 30 feet in width (Permanent Right of Way), 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the NE 1/4 of the NE 1/4 of Section 33, and the NW 1/4 of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) and 15 feet wide (Permanent Right of Way), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 204+52.67 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values  $X=420,346.94$ ,  $Y=1,474,972.82$  and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, bears  $S 17^{\circ}56'16'' E$  a distance of 1359.75 feet; thence  $N 29^{\circ}19'47'' E$  along said centerline a distance of 970.68 feet to P.I. Station 214+23.35; thence  $N 66^{\circ}02'03'' E$  along said centerline a distance of 1054.87 feet to Station 224+78.22 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears  $S 88^{\circ}38'00'' E$  a distance of 1652.04 feet.

Containing 1.395 acres (Permanent Right of Way), more or less.  
Containing 0.454 acres (Temporary Right of Way), more or less.

7/14/77  
LDS  
v. 2

EXHIBIT "A-1"

188

PARCEL: P-8 <sup>04</sup>

GRANTOR: Four Hills Ltd.

That part of a strip of land 30 feet in width (Permanent Right of Way) 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the SW 1/4 of the SW 1/4 of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) 15 feet wide (Permanent Right of Way), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 224+78.22 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values X=421,789.95, Y=1,476,241.63 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 88°38'00" E a distance of 1652.04 feet; thence N 66°08'03" E along said centerline a distance of 354.28 feet to Station 228+32.50 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 82°20'40" E a distance of 1339.61 feet.

Containing 0.244 acres (Permanent Right of Way), more or less.  
Containing 0.087 acres (Temporary Right of Way), more or less.

DL  
1/14/77



EXHIBIT "B"

189

PARCEL: P-22

GRANTOR: Adair & H. Nicholson

That part of a strip of land 30 feet in width (Permanent Right of Way), 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the W 1/2 of the NW 1/4 of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) and 15 feet wide (Permanent Right of Way) on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 6+92.73 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values X=420,768.38, Y=1,474,311.99 and from whence the W 1/4 Corner of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 00°33'57" W a distance of 633.52 feet; thence S 75°22'18" E along said centerline a distance of 960.73 feet to P.I. Station 16+53.46; thence S 62°34'38" E along said centerline a distance of 443.92 feet to Station 20+97.38 and from whence the W 1/4 Corner of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 82°09'20" W a distance of 1340.92 feet.

Containing 0.967 acres (Permanent Right of Way), more or less.  
Containing 0.324 acres (Temporary Right of Way), more or less.

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

AUG 4 3 24 PM 1977

Mine 551 185-189

BR  
EDMUND GONZALES  
CO. CLERK & RECORDER

*[Signature]* DEPUTY

7/14/77  
L.S.  
OK

78 6136

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

IN THE DISTRICT COURT

804

CITY OF ALBUQUERQUE, NEW MEXICO,  
a municipal corporation,

Petitioner,

vs.

No. CV-77-05043

Condemnation - Tijeras  
Canyon Interceptor,  
Phase II

MARY VIRGINIA JOHNSON; REUBEN  
RAWLINS LOGAN; WESLEY RANDOL  
LOGAN; BOARD OF COMMISSIONERS  
OF BERNALILLO COUNTY, NEW MEXICO;  
and any and all unknown persons or  
claimants of interest in and to  
the property interest herein sought  
to be acquired,

Defendants.

AMENDED NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that an action has been commenced  
and is pending in the above entitled Court for condemnation by  
the Petitioner of real property to which the above named defen-  
dants may have an interest, and that the real property affected  
by this suit is situated in the State of New Mexico, County of  
Bernalillo, and described as follows:

That part of a strip of land 30 feet in width  
(Permanent Easement), 10 feet in width (Temporary  
Easement), lying and being situate in the SE 1/4  
of the NE 1/4 of Section 33, Township 10 North,  
Range 4 East, New Mexico Principal Meridian,  
County of Bernalillo, State of New Mexico being  
15 feet wide (Permanent Easement), 10 feet wide  
(Temporary Easement) on the right (South) and 15  
feet wide (Permanent Easement), on the left (North)  
of, parallel with and adjacent to the following  
described centerline, to wit:

14 15  
3 4

Beginning at centerline Station 190+14.93 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values X=419,648.38, Y=1,473,717.15 and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears N 89° 37' 19" E a distance of 1094.97 feet; thence N 24° 59' 26" E along said centerline a distance of 128.58 feet to P.I. Station 191+43.51; thence N 29° 19' 08" E along said centerline a distance of 939.34 feet to P.I. Station 200+82.85; thence N 29° 19' 47" E along said centerline a distance of 400.18 feet to Station 204+83.03 and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears S 16° 45' 59" E a distance of 1333.62 feet.

Containing 1.011 acres (Permanent Easement), more or less.

Containing 0.337 acres (Temporary Easement), more or less.


and

That part of a strip of land 30 feet in width (Permanent Easement), 10 feet in width (Temporary Easement), lying and being situate in the SE 1/4 of the NE 1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Easement) 10 feet wide (Temporary Easement), on the right (South) 15 feet wide (Permanent Easement), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 0+00.00 (Being an extension off of Station 200+82.85 Main Line), said same beginning point having New Mexico (Central Zone) State Plane Coordinate values X=420,165.00, Y=1,474,651.00 and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears S 31° 43' 27" E a distance of 1094.74 feet; thence S 60° 34' 29" E along said centerline a distance of 672.59 feet to Station 6+72.59; and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears S 00° 48' 18" W a distance of 597.66 feet.

Containing 0.463 acres (Permanent Easement), more or less.

Containing 0.154 acres (Temporary Easement), more or less.

  
 John A. Myers  
 Assistant City Attorney  
 P. O. Box 1293  
 Albuquerque, New Mexico 87103

F 806

STATE OF NEW MEXICO  
COUNTY OF SANGRE DE CRISTO  
FILED

JAN 26 11 40 AM 1979

*Mue 583* *804806*

CO. CL. CLERK  
*Quispe* DEPUTY

**PERMANENT EASEMENT**

3112103

Grant of Permanent Easement, between HAT Limited, a New Mexico Limited Partnership ("Grantor"), whose address is 6301 Indian School Rd. NE Ste. 208, Albuquerque, New Mexico 87110 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of drainage facilities, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

The grant and other provisions of this Easement constitutes covenants running with the land for the benefit of the City and its successors and assigns until terminated.

This Easement shall not be effective unless approved by the City Engineer as shown in the signature block below.

WITNESS my hand and seal this 4<sup>th</sup> day of MARCH, 2003.

APPROVED: *Fred J. Arfman* 3/12/03  
City Engineer

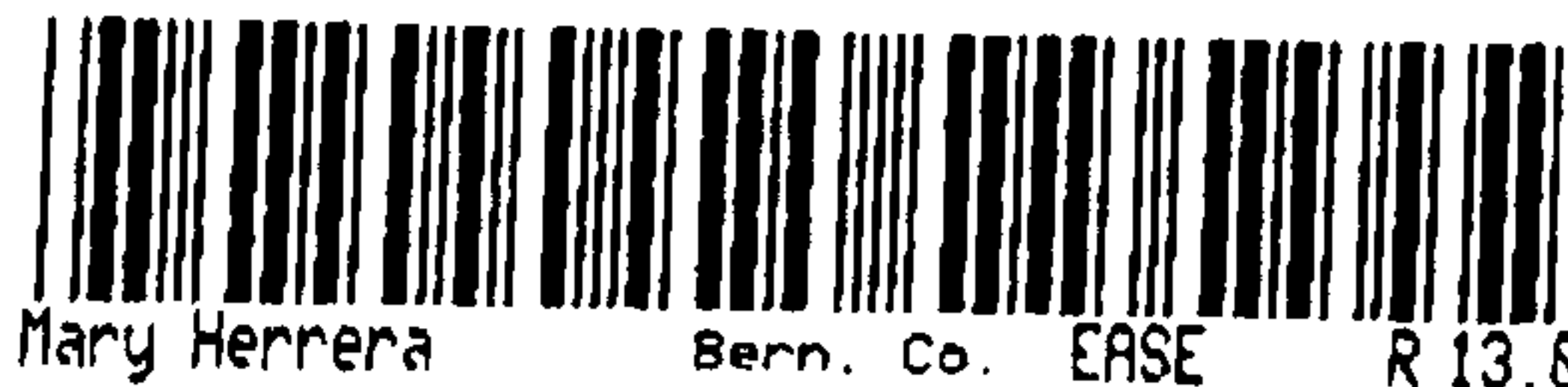
GRANTOR: \_\_\_\_\_  
(Individual)

GRANTOR: HAT Limited, A New Mexico Limited Partnership, managed by Trails Management, Inc.

Dated

By: *Stan Strickman*  
Stan Strickman  
Its: General Partner of Trails Management, Inc.  
(Corporation or Partnership)

*3/11/03*



2003040950  
5823952  
Page: 1 of 3  
03/13/2003 02:21P  
Bk-A52 Pg-871

10  
14

INDIVIDUAL

STATE OF \_\_\_\_\_ )  
 )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_

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

My Commission Expires:  
\_\_\_\_\_

CORPORATION

STATE OF \_\_\_\_\_ )  
 )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
Of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation.

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

My Commission Expires:  
\_\_\_\_\_

PARTNERSHIP

STATE OF New Mexico )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 4<sup>th</sup> day of March, 2003, by Stan Strickman, partner(s), on behalf of HAT Limited, a partnership.

Mary S. Strickman  
Notary Public

My Commission Expires:  
\_\_\_\_\_



OFFICIAL SEAL  
MARY S. STRICKMAN  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires 3-9-2003

(EXHIBIT 'A' ATTACHED)

## LEGAL DESCRIPTION

THAT CERTAIN PARCEL of land situate within Section 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT C, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367 and being more particularly described as a sixty foot (60') wide public drainage easement as follows:

BEGINNING at the southwest corner of said TRACT C from whence the Albuquerque Control Survey Monument "7-M21" bears S 37°37'10" W, 4207.91 feet;

THENCE N 47°15'09" W, 203.14 feet to a point, said point being the true POINT OF BEGINNING of a sixty foot (60') wide public drainage easement, said point also being common with the northerly easement line of the 50 foot wide public drainage and utility easement filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, 01-07-81, C17-174;

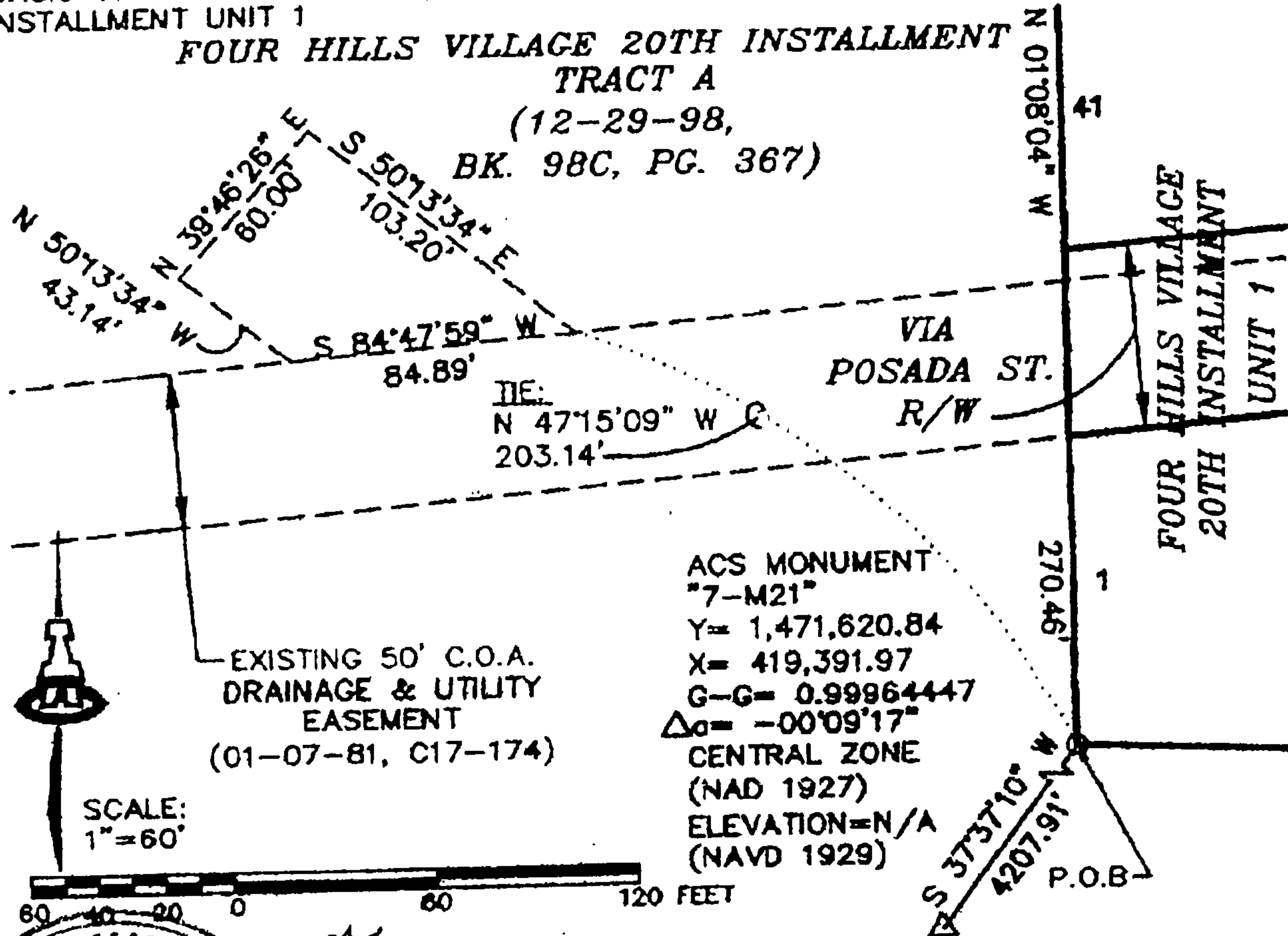
THENCE S 84°47'59" W, 84.89 feet to a point;

THENCE N 50°13'34" W, 43.14 feet to a point;

THENCE N 39°46'26" E, 60.00 feet to a point;

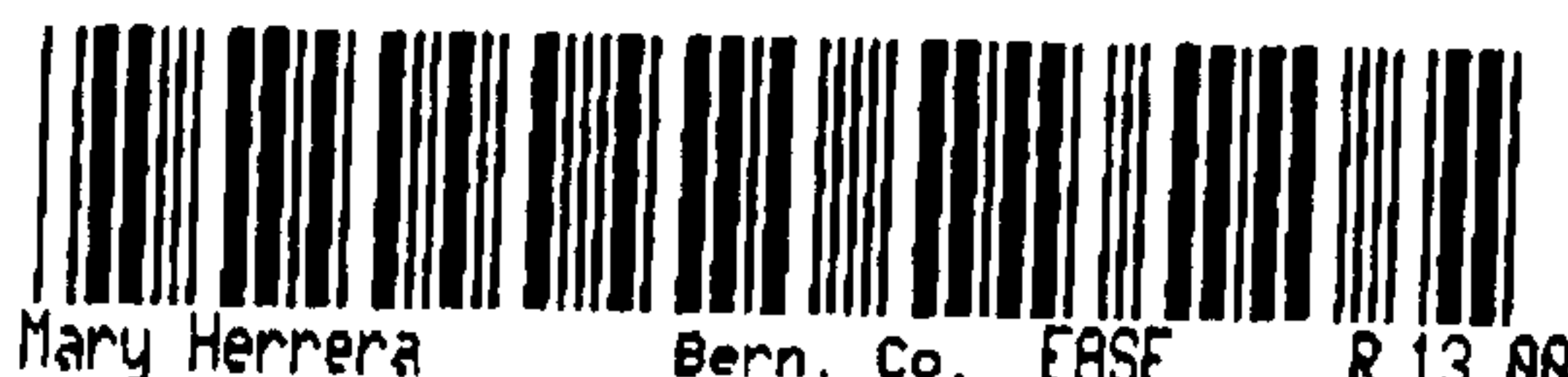
THENCE S 50°13'34" E, 103.20 feet to the POINT OF BEGINNING and containing 0.1008 acres more or less.

BASIS OF BEARING: Westerly lot line of lots 1 & 41, FOUR HILLS VILLAGE 20TH INSTALLMENT UNIT 1



**EXHIBIT 'A'**

168ESMT1.DWGrfh 03/03/03



2003040950  
5823952  
Page: 3 of 3  
03/13/2003 02:21P  
Bk-R52 Pg-871

PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this 19th day of February, 2008 by and between

**Juan Tabo Hills LLC, a New Mexico limited liability company**

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and its successors and assigns.

WITNESSETH.

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 14134

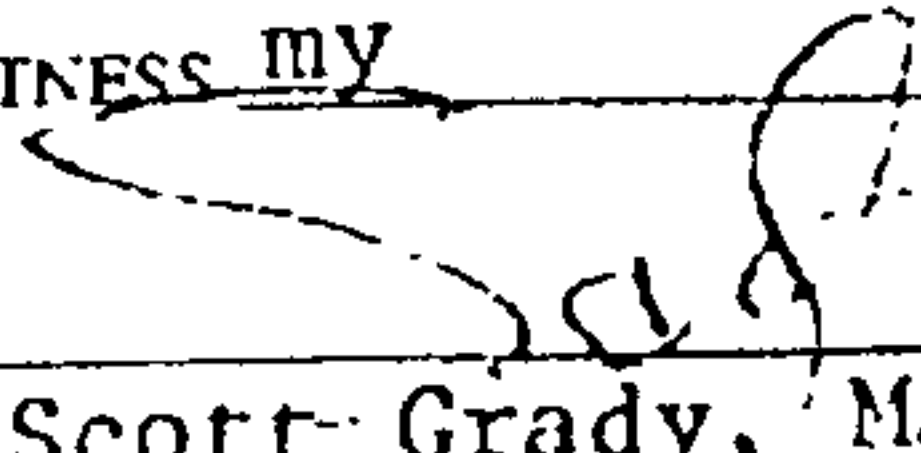
An easement within TRACT 4-A JUAN TABO HILLS UNIT 1, situate in Section 34, T. 10N, R. 4E, N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Bernalillo County on December 22, 2005 in Plat Book 2005C, Page 406, and being more particularly described as follows:

Said easement is ten (10) feet wide, being more particularly described and shown on the drawing attached hereto and made a part hereof as EXHIBIT "A" pages 1 and 2.

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electrical Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS MY hand this 19th day of February, 2008  
 (SIGNATURE) \_\_\_\_\_ (SIGNATURE)  
Scott Grady, Managing Member

ACKNOWLEDGMENT

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
This instrument was acknowledged before me on February 19, 2008

By Scott Grady  
9.20.2008  
My commission expires \_\_\_\_\_  
(Seal)

  
Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_

By \_\_\_\_\_ (Name of Officer) \_\_\_\_\_ (Title of Officer)

of \_\_\_\_\_ (Corporation Acknowledgment)  
a \_\_\_\_\_ corporation, on behalf of said corporation  
(State of Incorporation)

Said officer hereby acknowledges that s/he is the duly authorized signatory for said corporation.

My commission expires: \_\_\_\_\_  
(Seal)

Notary Public

FOR RECORDER'S USE ONLY

Doc# 2008092246

08/14/2008 03:01 PM Page: 1 of 3  
EASE R: \$13.00 M. Toulouse Oliver, Bernalillo County



PNM REFERENCE NUMBER

26  
12



Easement Survey  
for a portion of  
Tract 4-A

EXHIBIT A

Juan Tabo Hills Unit 1  
Bernalillo County, New Mexico  
February 2008

Page 1

Legal Description

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY EASEMENT LINE FOR STREET L, AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT WHENCE A TIE TO THE THE SOUTHWEST CORNER OF SAID TRACT 4-A, S 44°25'16" E, A DISTANCE OF 151.73 FEET TO BEGINNING OF SAID EASEMENT;

THENCE, N 17°15'06" E, A DISTANCE OF 10.00 FEET TO A POINT OF CURVATURE;

THENCE, 31.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 20.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 62°15'06" E, A DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE, N 17°15'06" E, A DISTANCE OF 67.70 TO A POINT OF CURVATURE;

THENCE, 182.79 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 685.00 FEET, A DELTA OF 15°17'21", AND A CHORD BEARING N 24°53'47" E, A DISTANCE OF 182.25 FEET TO A POINT OF TANGENCY;

THENCE, N 32°32'27" E, A DISTANCE OF 289.01 FEET TO A POINT OF CURVATURE;

THENCE, 254.47 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 615.00 FEET, A DELTA OF 23°42'25", AND A CHORD BEARING N 20°41'15" E, A DISTANCE OF 252.65 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE, 33.44 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, A DELTA OF 95°47'15", AND A CHORD BEARING N 39°03'35" W, A DISTANCE OF 29.68 FEET, TO AN ANGLE POINT;

THENCE, N 03°02'47" E, A DISTANCE OF 10.00 FEET TO A POINT OF CURVATURE;

THENCE, THE NEXT 6 COURSES COINCIDING WITH THE EASTERLY EASEMENT LINE FOR GULFSTREAM DRIVE S.E. AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT;

50.15 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A DELTA OF 95°47'15", AND A CHORD BEARING S 39°03'35" E, A DISTANCE OF 44.51 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE, 258.60 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.00 FEET, A DELTA OF 23°42'25", AND A CHORD BEARING S 20°41'15" W, A DISTANCE OF 256.76 FEET, TO A POINT OF TANGENCY;

THENCE, S 32°32'27" W, A DISTANCE OF 289.01 FEET TO A POINT OF CURVATURE;

THENCE, 180.12 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 675.00 FEET, A DELTA OF 15°17'21", AND A CHORD BEARING S 24°53'47" W, A DISTANCE OF 179.59 FEET TO A POINT OF TANGENCY;

THENCE, S 17°15'06" W, A DISTANCE OF 67.70 TO A POINT OF CURVATURE;

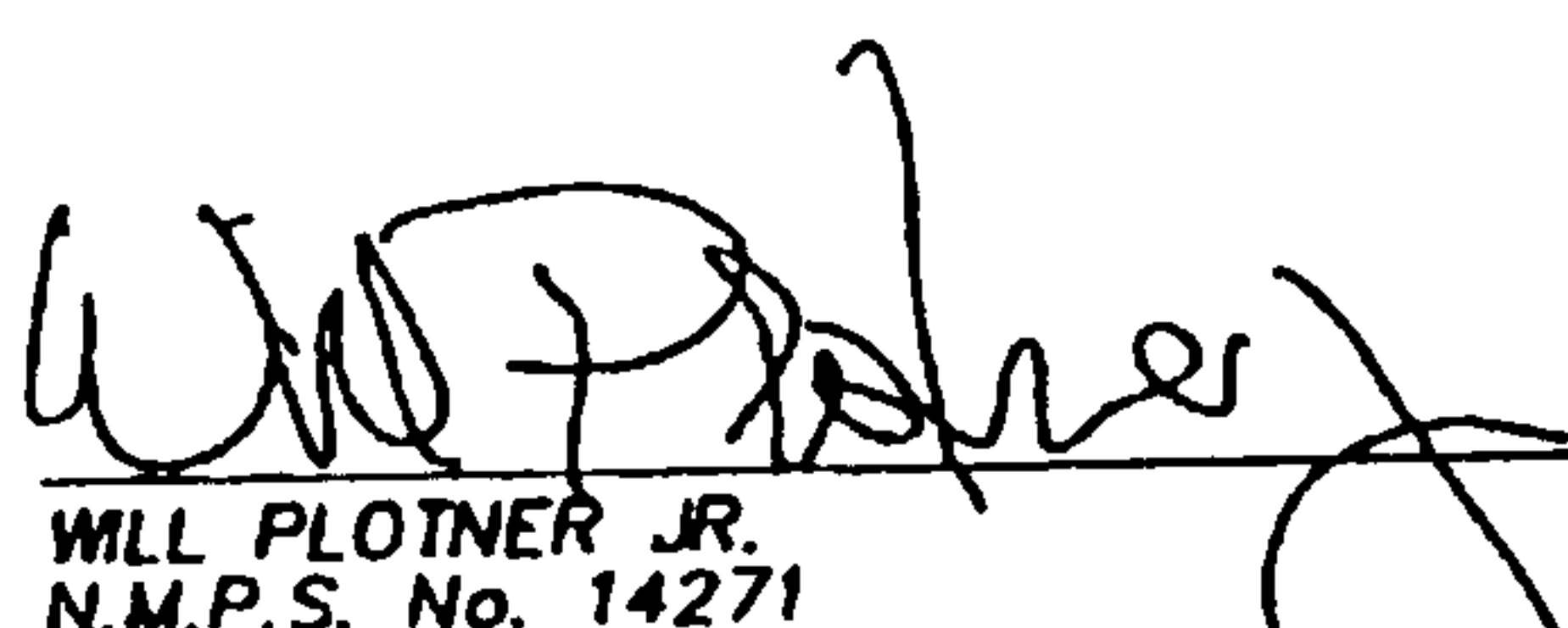
THENCE, 47.12 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 62°15'06" W, A DISTANCE OF 42.43 FEET TO THE POINT OF BEGINNING CONTAINING 0.2010 ACRES (8,758 SQ FT) MORE OR LESS.

Notes

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

Surveyor's Certificate

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

 2/18/08  
WILL PLOTNER JR.  
N.M.P.S. No. 14271



CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 1 of 2

051264

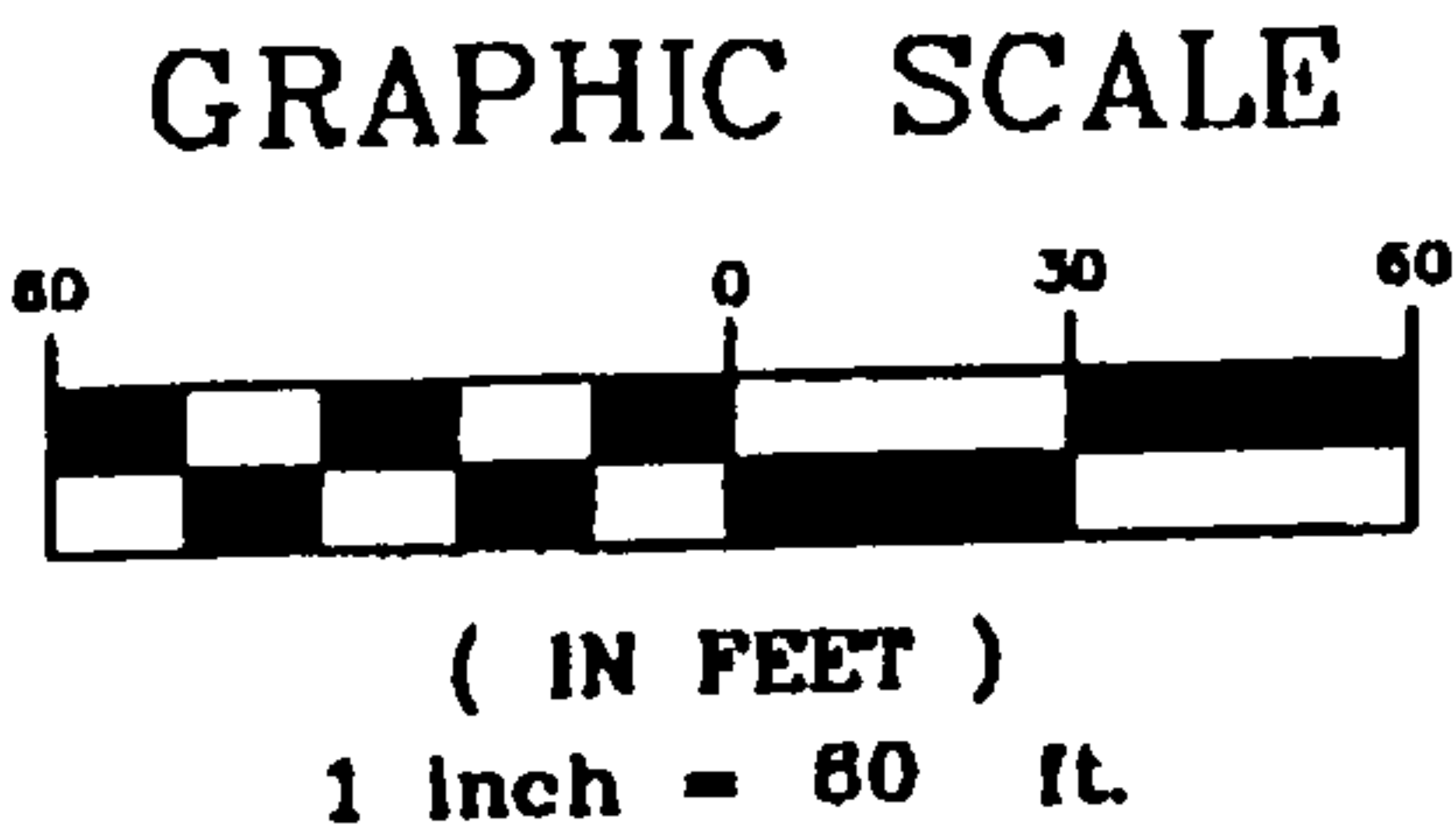
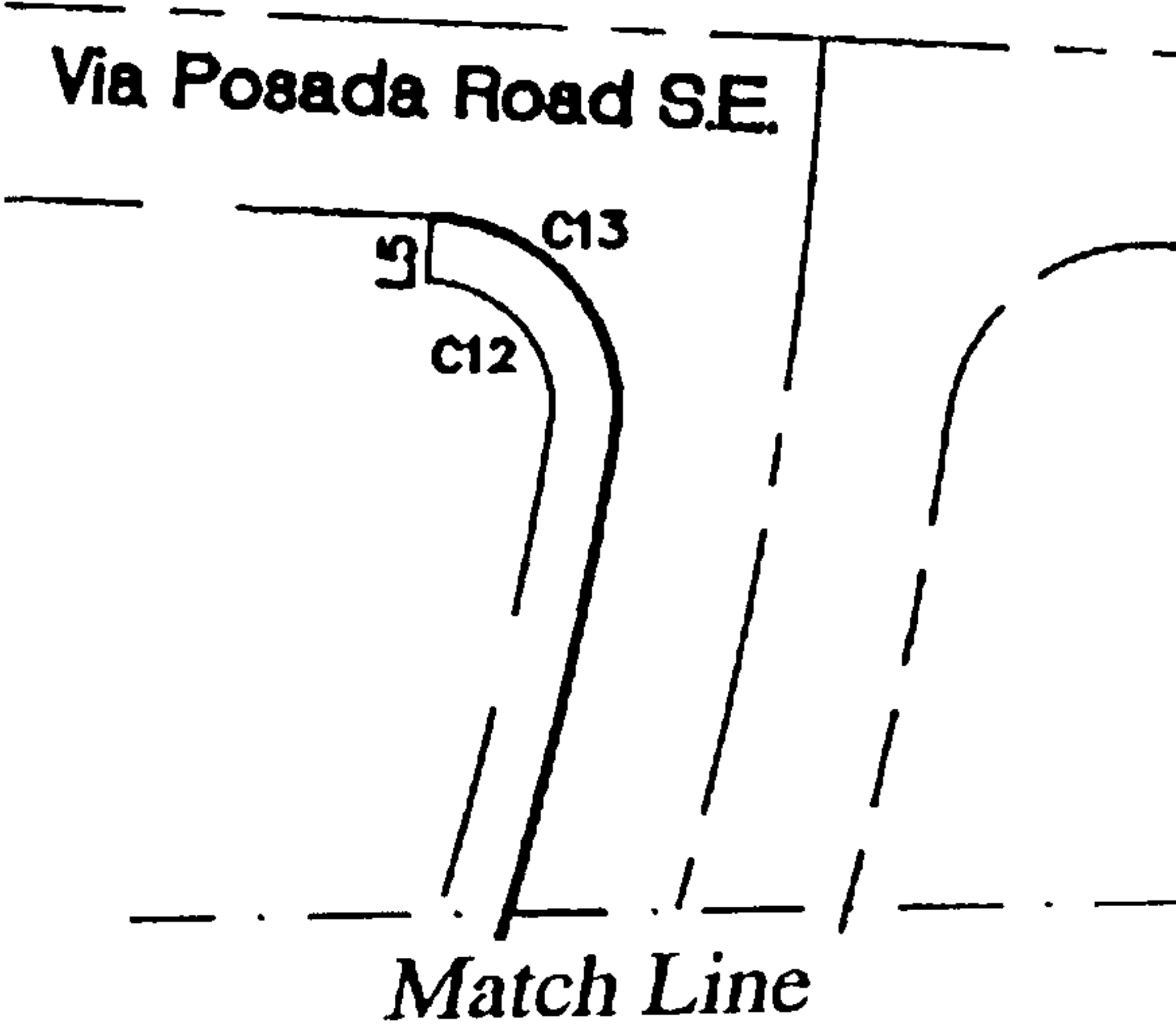
#14134

**Easement Survey**  
for a portion of  
**Tract 4-A**  
**Juan Tabo Hills Unit 1**  
**Bernalillo County, New Mexico**  
February 2008

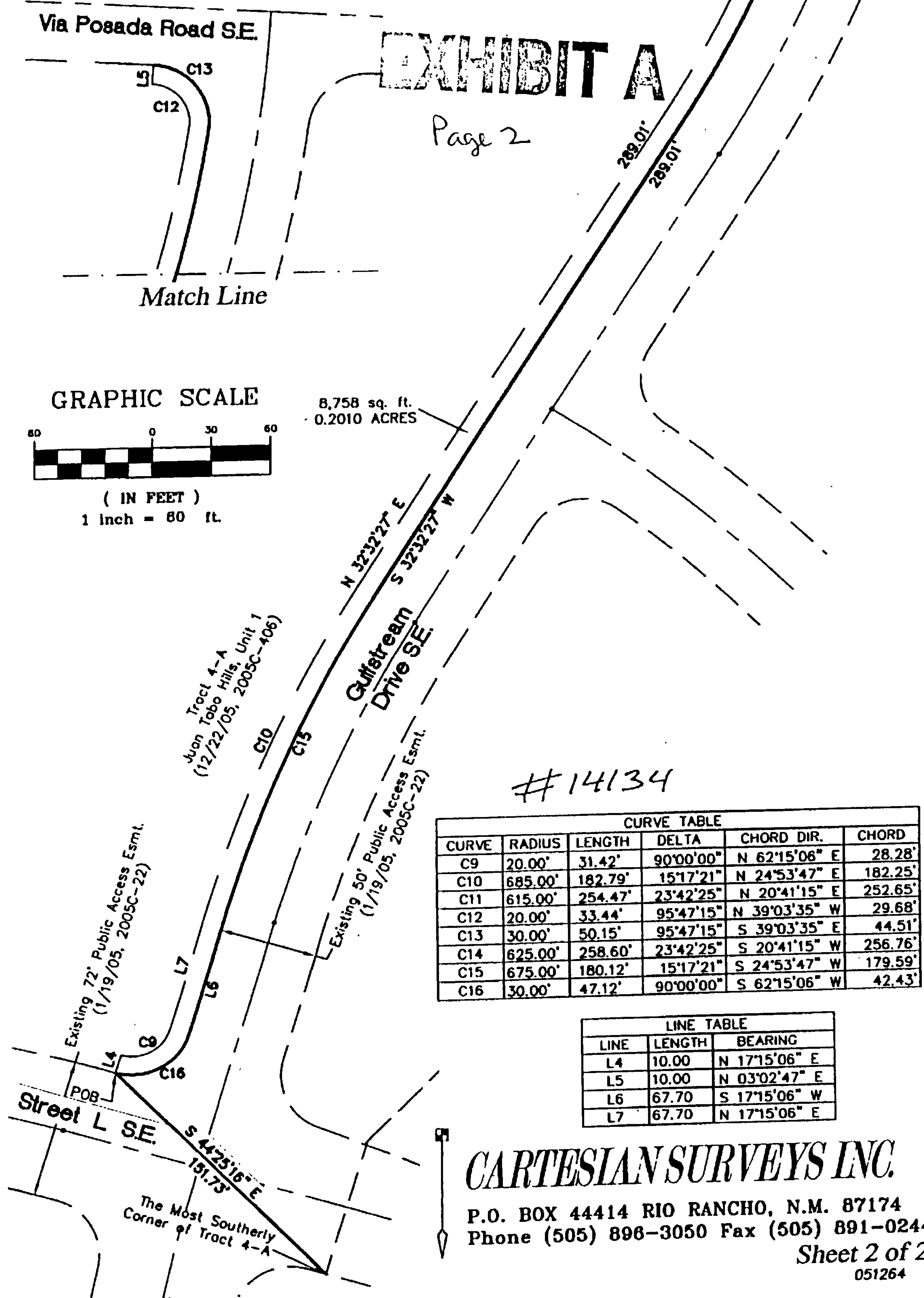
Match Line

**EXHIBIT A**

Page 2



8,758 sq. ft.  
0.2010 ACRES



#14134

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C9	20.00'	31.42'	90°00'00"	N 62°15'06" E	28.28'
C10	685.00'	182.79'	15°17'21"	N 24°53'47" E	182.25'
C11	615.00'	254.47'	23°42'25"	N 20°41'15" E	252.65'
C12	20.00'	33.44'	95°47'15"	N 39°03'35" W	29.68'
C13	30.00'	50.15'	95°47'15"	S 39°03'35" E	44.51'
C14	625.00'	258.60'	23°42'25"	S 20°41'15" W	256.76'
C15	675.00'	180.12'	15°17'21"	S 24°53'47" W	179.59'
C16	30.00'	47.12'	90°00'00"	S 62°15'06" W	42.43'

LINE TABLE		
LINE	LENGTH	BEARING
L4	10.00	N 17°15'06" E
L5	10.00	N 03°02'47" E
L6	67.70	S 17°15'06" W
L7	67.70	N 17°15'06" E

**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 2 of 2

051264

The Most Southerly  
Corner of Tract 4-A

PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this 19th day of February, 2008 by and between

**Juan Tabo Hills LLC, a New Mexico limited liability company**

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and its successors and assigns

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 14134

An easement within TRACT 4-A JUAN TABO HILLS UNIT 1, situate in Section 34, T. 10N, R. 4E, N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Bernalillo County on December 22, 2005 in Plat Book 2005C, Page 406, and being more particularly described as follows:

Said easement is ten (10) feet wide, being more particularly described and shown on the drawing attached hereto and made a part hereof as EXHIBIT "A" pages 1 and 2.

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electrical Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS MY hand this 19th day of February, 2008  
[Signature] (SIGNATURE) \_\_\_\_\_ (SIGNATURE)  
Scott Grady, Managing Member

ACKNOWLEDGMENT

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO

This instrument was acknowledged before me on February 19, 2008

By Scott Grady  
My commission expires 9.20.2008

[Signature]  
Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_

By \_\_\_\_\_ (Name of Officer) \_\_\_\_\_ (Title of Officer)

(Corporation Acknowledgment)

\_\_\_\_\_ corporation, on behalf of said corporation

(If Incorporation)

hereby acknowledges that s/he is the duly authorized signatory for

said corporation

My commission expires \_\_\_\_\_  
(Seal)

Notary Public

FOR RECORDER'S USE ONLY  
Doc# 2008092247  
08/14/2008 03:01 PM Page 1 of 3  
EASE R \$13.00 M. Toulouse Oliver, Bernalillo County  
[Barcode]

PNM REFERENCE NUMBER [ ]



**Easement Survey**  
 for a portion of **EXHIBIT A**  
**Tract 4-A**  
**Juan Tabo Hills Unit 1 Page 1**  
**Bernalillo County, New Mexico**  
**February 2008**

**Legal Description**

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED PARCEL, BEING A POINT ON THE EASTERLY PROPERTY LINE OF TRACT 4-A, WHENCE A TIE TO THE NORTHEAST CORNER OF SAID TRACT 4-A BEARS N 31°41'51" W, A DISTANCE OF 410.21 FEET;

THENCE, COINCIDING SAID EASTERLY PROPERTY LINE S 31°41'51" E, A DISTANCE OF 16.28 FEET TO AN ANGLE POINT;

THENCE, LEAVING SAID PROPERTY LINE AND TRAVERSING SAID TRACT 4-A THE FOLLOWING 3 COURSES: S 06°12'33" W, A DISTANCE OF 38.98 FEET TO AN ANGLE POINT;

N 86°57'13" W, A DISTANCE OF 378.76 FEET TO A POINT OF CURVATURE;

THENCE, 264.60 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET, A DELTA OF 24°51'10", AND A CHORD BEARING N 74°31'38" W, A DISTANCE OF 262.53 FEET TO A POINT ON THE EASTERLY EASEMENT FOR LINE FOR JUAN TABO DRIVE S.E. AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT;

THENCE, COINCIDING WITH SAID EASTERLY EASEMENT, 11.85 FEET ALONG A CURVE TO THE RIGHT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 30.00 FEET, A DELTA OF 22°37'48", AND A CHORD BEARING N 03°39'18" W, A DISTANCE OF 11.77 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, LEAVING SAID JUAN TABO DRIVE EASEMENT, 266.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE HAVING A RADIUS OF 600.00 FEET, A DELTA OF 25°26'28", AND A CHORD BEARING S 74°13'59" E, A DISTANCE OF 264.24 FEET, TO A POINT OF TANGENCY;

THENCE, S 86°57'13" E, A DISTANCE OF 369.30 FEET TO AN ANGLE POINT;

THENCE, N 06°12'33" E, A DISTANCE OF 42.36 FEET TO THE POINT OF BEGINNING CONTAINING 0.1563 ACRES (6,807 SQ FT) MORE OR LESS.

**Notes**

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C1	620.00'	245.82'	22°43'02"	N 75°35'42" W	244.22'
C2	30.00'	45.72'	87°19'13"	N 20°34'35" W	41.42'
C3	690.00'	106.34'	8°49'49"	N 18°40'07" E	106.24'
C4	610.00'	264.60'	24°51'10"	N 74°31'38" W	262.53'
C5	30.00'	11.85'	22°37'48"	N 03°39'18" W	11.77'
C6	600.00'	266.42'	25°26'28"	S 74°13'59" E	264.24'
C7	30.00'	25.80'	49°15'59"	N 39°36'12" W	25.01'
C8	30.00'	8.08'	15°25'26"	N 15°22'19" E	8.05'

LINE TABLE		
LINE	LENGTH	BEARING
L1	42.36	N 06°12'33" E
L2	16.28	S 31°41'51" E
L3	38.98	S 06°12'33" W

**Surveyor's Certificate**

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Will Plotner Jr.*      2/18/08  
 WILL PLOTNER JR.      DATE  
 N.M.P.S. No. 14271



#14134

**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
 Phone (505) 896-3050 Fax (505) 891-0244

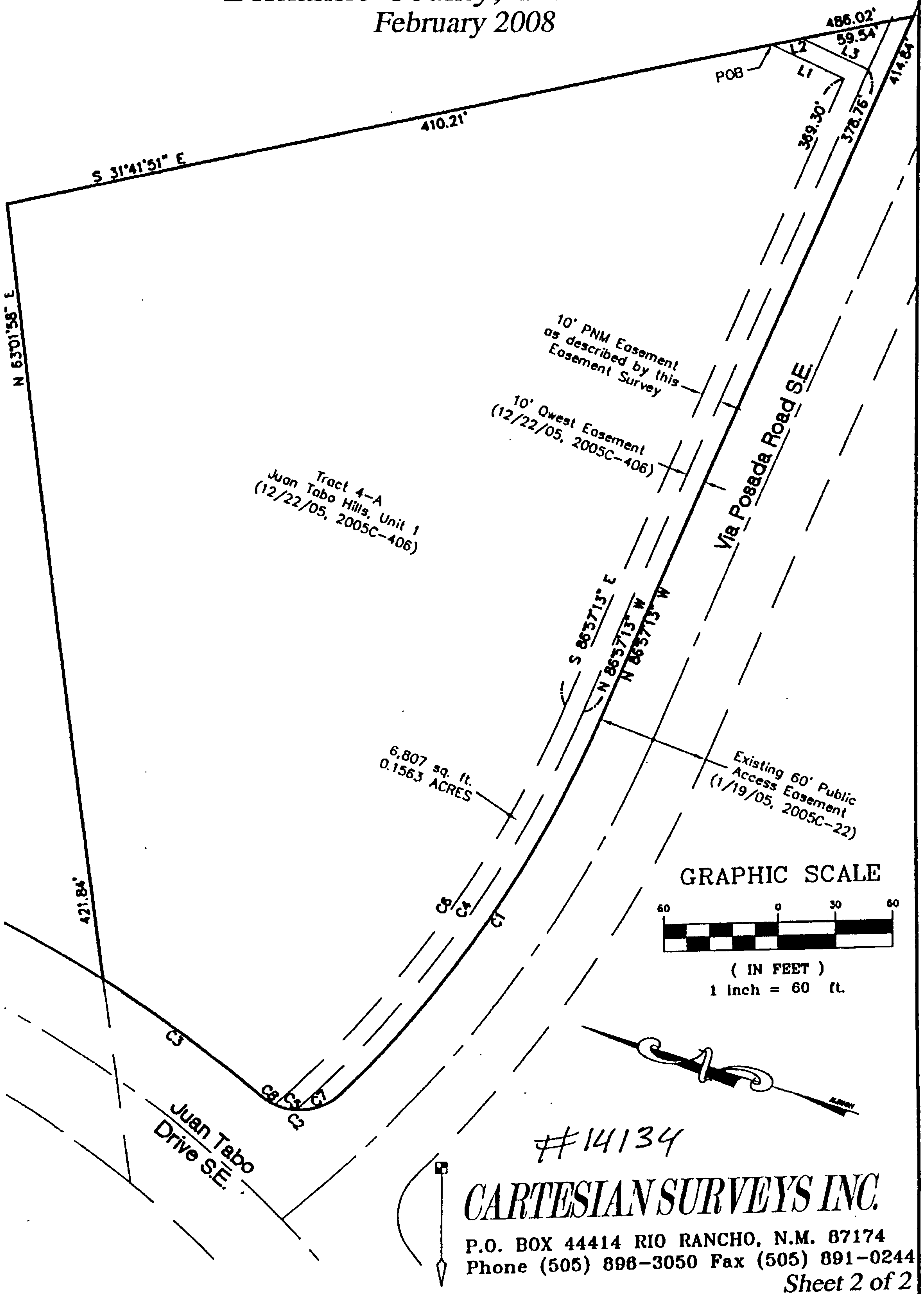
Sheet 1 of 2  
 051264

# Easement Survey

for a portion of  
Tract 4-A

# EXHIBIT A

Juan Tabo Hills Unit 1 Page 2  
Bernalillo County, New Mexico  
February 2008



Tract 4-A  
Juan Tabo Hills, Unit 1  
(12/22/05, 2005C-406)

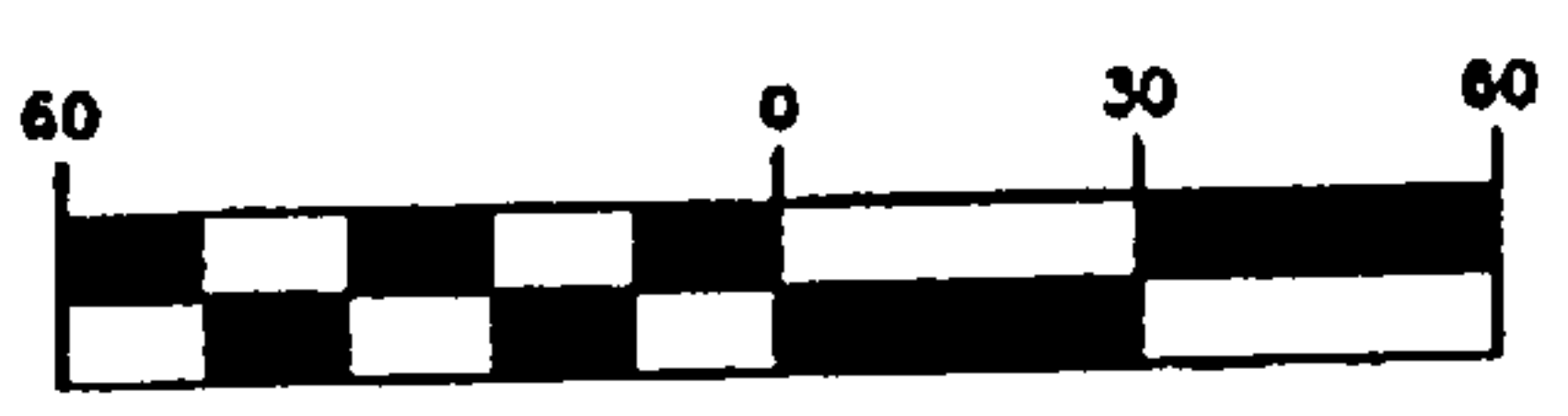
10' PNM Easement  
as described by this  
Easement Survey

10' Owest Easement  
(12/22/05, 2005C-406)

Via Posada Road SE

Existing 60' Public  
Access Easement  
(1/19/05, 2005C-22)

GRAPHIC SCALE



( IN FEET )  
1 inch = 60 ft.

#14134

## CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 2 of 2  
051264

MEMORANDUM OF SETTLEMENT AGREEMENT

This Memorandum of Settlement Agreement is made December 21, 1999, by and between HAT LIMITED, a New Mexico Limited Partnership and JERRY G. PERRY and ARTHUR J. GONZALES and JANIE FAY GONZALES, husband and wife.

WHEREAS, the above-mentioned parties are the successors in interest (both grantor and grantee) to that certain Warranty Deed dated October 14, 1976, filed October 29, 1976 as Document 76-58177 and recorded in Book MD157-A, Pages 939-940 in the records of Bernalillo County, New Mexico, which deed contained a covenant regarding a future easement to be granted; and

WHEREAS, the parties have agreed to the terms for said easement, but which terms are not yet ready to be filed of record.

NOW, THEREFORE, for and in consideration of the above, the parties hereby give notice of the existence of a certain Easement Agreement dated December 21, 1999, by and between the parties hereto which will be placed of record at an appropriate time in the future.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

HAT LIMITED, a New Mexico Limited Partnership

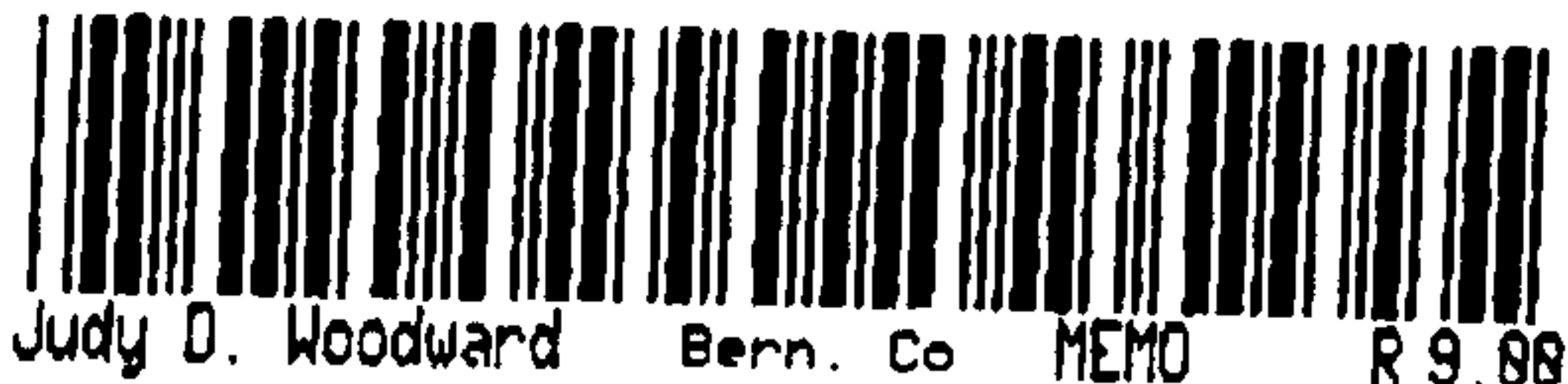
By TRAILS MANAGEMENT, INC. a New Mexico Corporation, Its General Partner

BY: [Signature]  
STAN STRICKMAN  
Vice-President

[Signature]  
JERRY G. PERRY

[Signature]  
ARTHUR J. GONZALES

[Signature]  
JANIE FAY GONZALES



1999156283  
5317615  
Page: 1 of 2  
12/22/1999 02:02P  
Bk-9916 Pg-5728

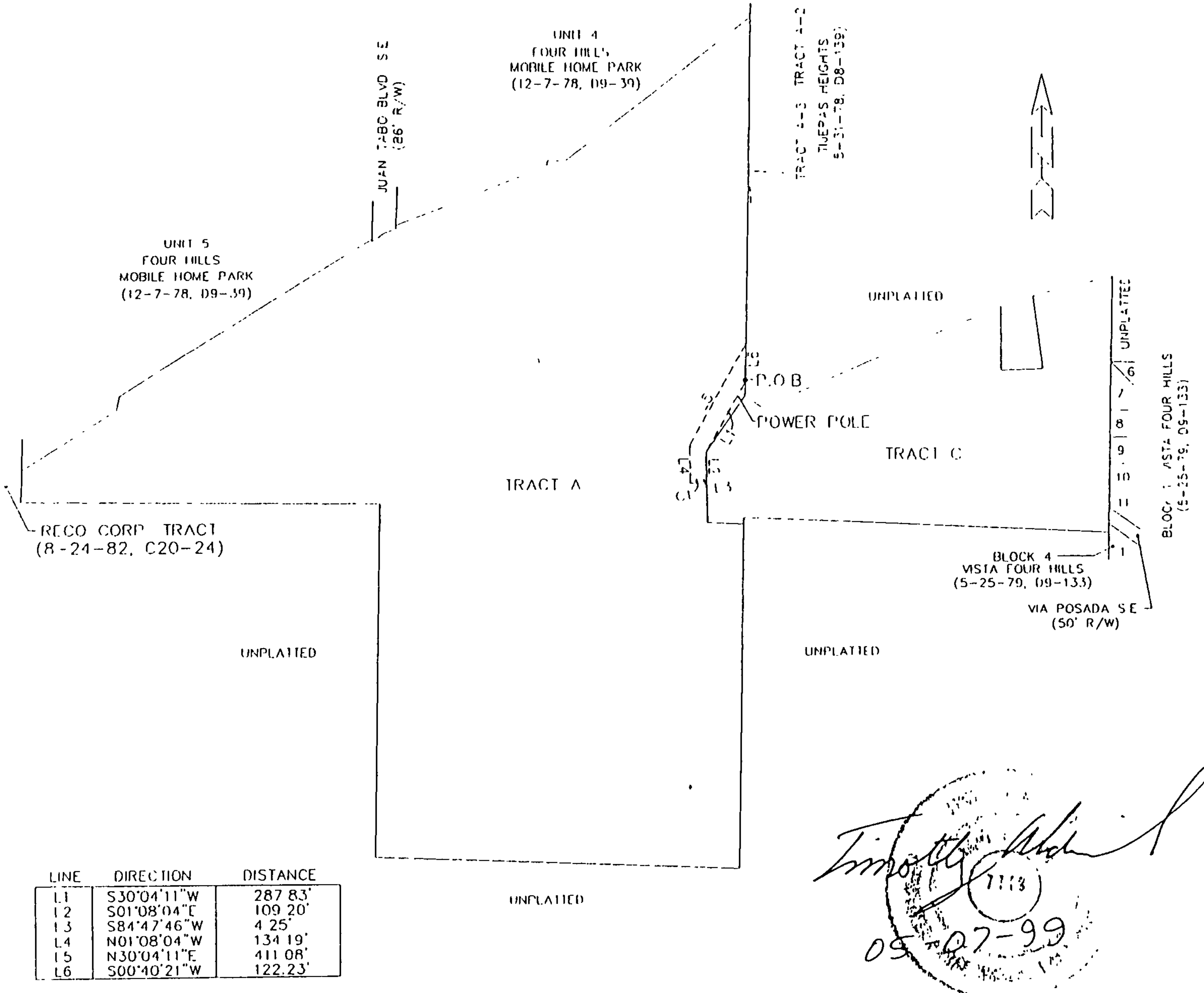
13  
16



# EXHIBIT "A"

60' WIDE ~~PLAT~~ ACCESS & UTILITY EASEMENT

NTS



LINE	DIRECTION	DISTANCE
L1	S30°04'11"W	287.83'
L2	S01°08'04"E	109.20'
L3	S84°47'46"W	4.25'
L4	N01°08'04"W	134.19'
L5	N30°04'11"E	411.08'
L6	S00°40'21"W	122.23'

CURVE	LENGTH	DELTA	RADIUS	TANGENT	DIRECTION	CHORD
C1	56.36'	08°03'28"	400.78'	28.23'	S80°46'27"W	56.32'

### DESCRIPTION.

A 60' wide ~~platted~~ Access & Utility Easement within Section 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being within TRACT A, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367 and being more particularly described as follows:

- BEGINNING at a point of the herein described from whence the Albuquerque Control Survey Monument "5-M22" bears N 83°15'52" E, 1933.05 feet,
- THENCE S 30°04'11" W, 287.83 feet to a point, said point being on the west line of TRACT C, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367,
- THENCE S 01°08'04" E, 109.20 feet along a line common with the west line of said TRACT C to the southeast corner,
- THENCE S 84°47'46" W, 4.25 feet to a point of curvature,
- THENCE 56.36 feet along a curve to the left, whose radius is 400.78 feet through a central angle of 08°03'28" and whose chord bears S 80°46'27" W, 56.32 feet to the southwest corner,
- THENCE N 01°08'04" W, 134.19 feet to a point,
- THENCE N 30°04'11" E, 411.08 feet to a point,
- THENCE S 00°40'21" W, 122.23 feet to the point of beginning and containing 0.6479 acres more or less.

**HAT**  
 EXHIBIT NO. A



176

756186

**PERMANENT EASEMENT**

Grant of Permanent Easement, between JTH, LLC ("Grantor"), whose address is P.O. Box 1443, Corrales, NM 87048 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of public roadway, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

In the event Grantor constructs any improvements ("Improvements") within the Easement, the City has the right to enter upon Grantors property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the Work effects any Improvements or encroachments made by the Grantor, the City will not be financially or otherwise responsible for rebuilding or repairing the Improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements or encroachments, the Grantor shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or encroachments.

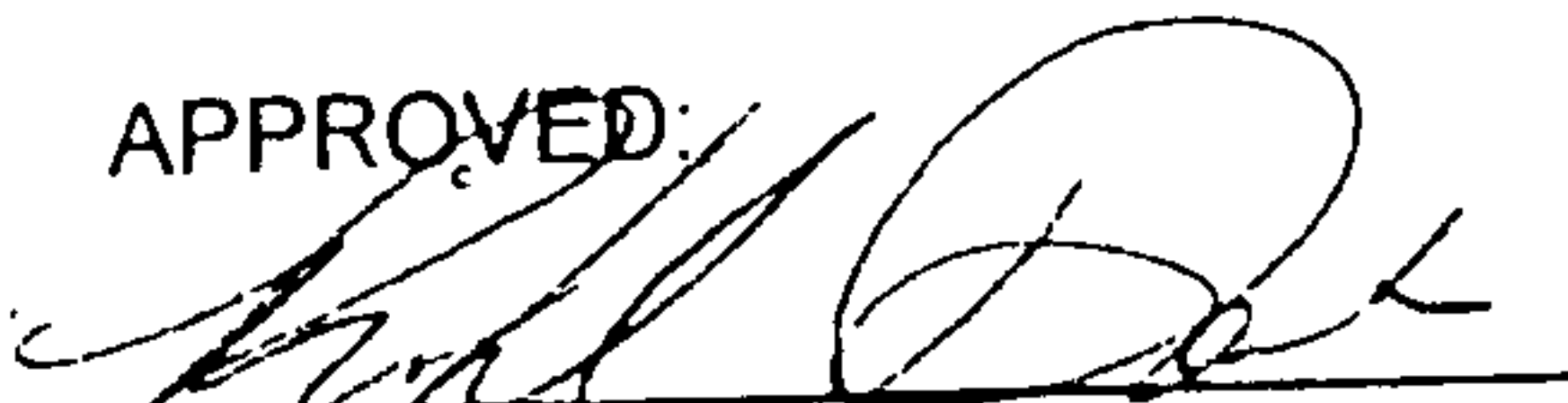
Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any part thereof and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

The grant and other provisions of this Easement constitute covenants running with the Property for the benefit of the City and its successors and assigns until terminated.


This Easement shall not be effective until approved by the City Engineer in the signature block below.

WITNESS my hand and seal this 14<sup>th</sup> day of January, 2009.

APPROVED:

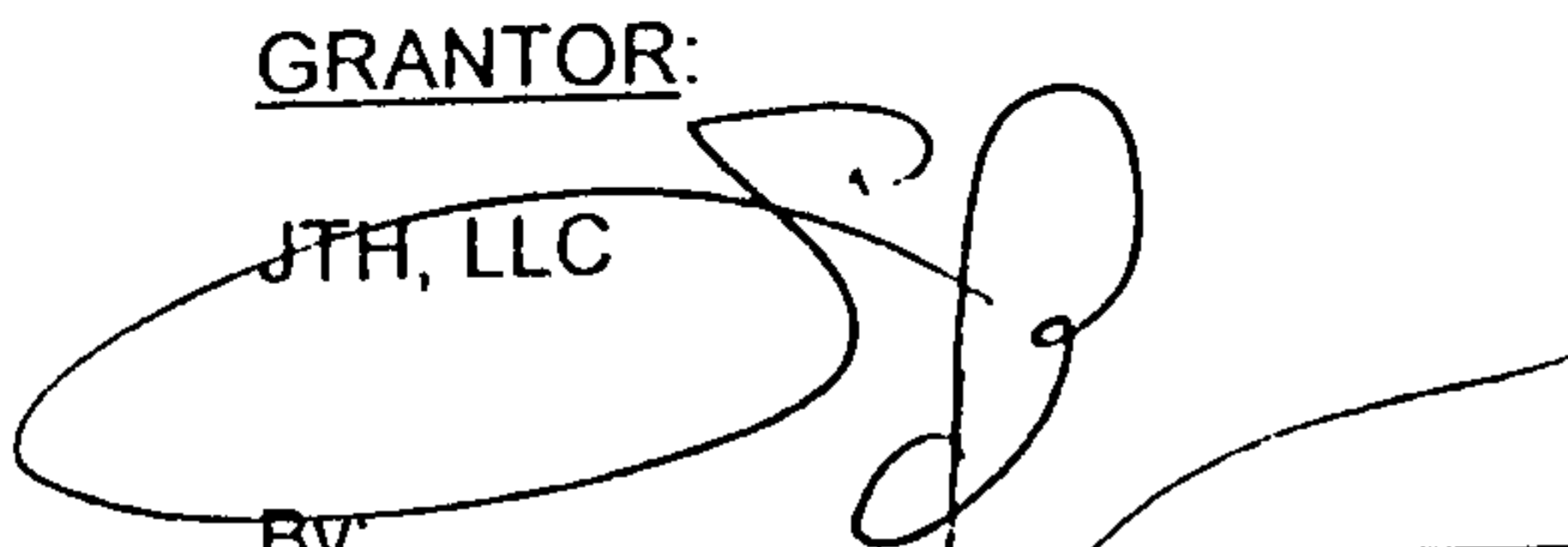
  
\_\_\_\_\_  
City Engineer

2-18-09  
\_\_\_\_\_  
Dated

 2/18/09

2-13-09

GRANTOR:

JTH, LLC  
  
By: \_\_\_\_\_  
Scott Grady  
Managing Member

Date: \_\_\_\_\_







**Exhibit A**  
**Public Roadway Easement**  
for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
**January 2009**

**Legal Description**

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF THE PLAT FOR JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT BEING ON THE NORTHEASTERLY PROPERTY LINE OF SAID TRACT 4-A, WHENCE, FROM SAID POINT OF BEGINNING, A TIE TO THE MOST EASTERLY PROPERTY CORNER BEARS S 31°41'51" E, A DISTANCE OF 331.84 FEET;

THENCE, FROM SAID POINT OF BEGINNING, LEAVING SAID NORTHEASTERLY PROPERTY LINE OF TRACT 4-A, 31.45 FEET ALONG A CURVE TO THE RIGHT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 50.00', A DELTA OF 36°02'19", AND A CHORD BEARING S 59°38'21" W, A DISTANCE OF 30.93 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, 30.06 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00', A DELTA OF 68°53'59", AND A CHORD BEARING S 43°12'31" W, A DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE, S 08°45'32" W, A DISTANCE OF 31.42 TO A POINT OF CURVATURE;

THENCE, 252.32 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 623.50 FEET, A DELTA OF 23°11'11", AND A CHORD BEARING S 20°21'07" W, A DISTANCE OF 250.60 FEET TO A POINT OF TANGENCY;

THENCE, S 31°56'43" W, A DISTANCE OF 147.33 FEET TO A POINT OF CURVATURE;

THENCE, 23.56 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 13°03'17" E, A DISTANCE OF 21.21 FEET TO A POINT OF TANGENCY;

THENCE, S 58°03'17" E, A DISTANCE OF 85.70 FEET TO A POINT OF CURVATURE;

THENCE, 66.75 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 625.50 FEET, A DELTA OF 6°06'51", AND A CHORD BEARING S 54°59'52" E, A DISTANCE OF 66.72 FEET TO AN ANGLE POINT ON THE EASTERLY PROPERTY LINE OF SAID TRACT 4-A:

THENCE, COINCIDING WITH SAID BOUNDARY LINE, S 46°00'28" W, A DISTANCE OF 51.54 FEET TO A POINT OF CURVATURE;

THENCE, LEAVING SAID PROPERTY LINE, 54.18 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 574.50 FEET, A DELTA OF 5°24'12", AND A CHORD BEARING N 55°21'11" W, A DISTANCE OF 54.16 FEET TO A POINT OF TANGENCY;

THENCE, N 58°03'17" W, A DISTANCE OF 85.70 FEET TO A POINT OF CURVATURE;

THENCE, 23.56 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 76°56'43" W, A DISTANCE OF 21.21 FEET TO A POINT OF TANGENCY;

THENCE, S 31°56'43" W, A DISTANCE OF 242.83 FEET TO A POINT OF CURVATURE;

THENCE, 70.91 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 276.50 FEET, A DELTA OF 14°41'37", AND A CHORD BEARING S 24°35'55" W, A DISTANCE OF 70.71 FEET TO A POINT OF TANGENCY;

THENCE, S 17°15'06" W, A DISTANCE OF 29.21 FEET TO AN ANGLE POINT;

(CONTINUED ON PAGE 2)

**Notes**

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

**Surveyor's Certificate**

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Will Plotner Jr.*  
WILL PLOTNER JR.  
N.M.P.S. No. 14271  
DATE 1/9/09



**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

**Exhibit A**  
**Public Roadway Easement**  
for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
**January 2009**

**Continued Legal Description**

THENCE, N 72°44'54" W, A DISTANCE OF 72.00 FEET TO AN ANGLE POINT;

THENCE, N 17°15'00" E, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE;

THENCE, 31.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 20.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 62°15'06" E, A DISTANCE OF 28.28 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, 88.45 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 329.93 FEET, A DELTA OF 15°21'39", AND A CHORD BEARING N 24°14'56" E, A DISTANCE OF 88.19 FEET TO A POINT OF TANGENCY;

THENCE, N 31°56'43" E, A DISTANCE OF 242.83 FEET TO A POINT OF CURVATURE;

THENCE, 15.71 FEET ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 10.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 13°03'17" W, A DISTANCE OF 14.14 FEET, TO AN ANGLE POINT;

THENCE, N 31°56'43" E, A DISTANCE OF 61.00 FEET TO A POINT OF CURVATURE;

THENCE, 15.71 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 10.00 FEET, A DELTA OF 89°59'54", AND A CHORD BEARING N 76°56'40" E, A DISTANCE OF 14.14 FEET TO A POINT OF TANGENCY;

THENCE, N 31°56'43" E, A DISTANCE OF 147.33 FEET TO A POINT OF CURVATURE;

THENCE, 231.27 FEET ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 571.50 FEET, A DELTA OF 23°11'11", AND A CHORD BEARING N 20°21'07" E, A DISTANCE OF 229.70 FEET TO A POINT OF TANGENCY;

THENCE, N 08°45'32" E, A DISTANCE OF 101.40 FEET TO A POINT OF CURVATURE;

THENCE, 57.79 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA OF 66°13'35", AND A CHORD BEARING N 41°52'19" E, A DISTANCE OF 54.63 FEET TO AN ANGLE POINT ON THE NORTHEASTERLY BOUNDARY LINE OF SAID TRACT 4-A;

THENCE, COINCIDING SAID NORTHEASTERLY PROPERTY LINE, S 31°41'51" E, A DISTANCE OF 95.79 FEET TO THE POINT OF BEGINNING, CONTAINING, 1.3866 ACRES (60,402 SQ. FT.) MORE OR LESS.

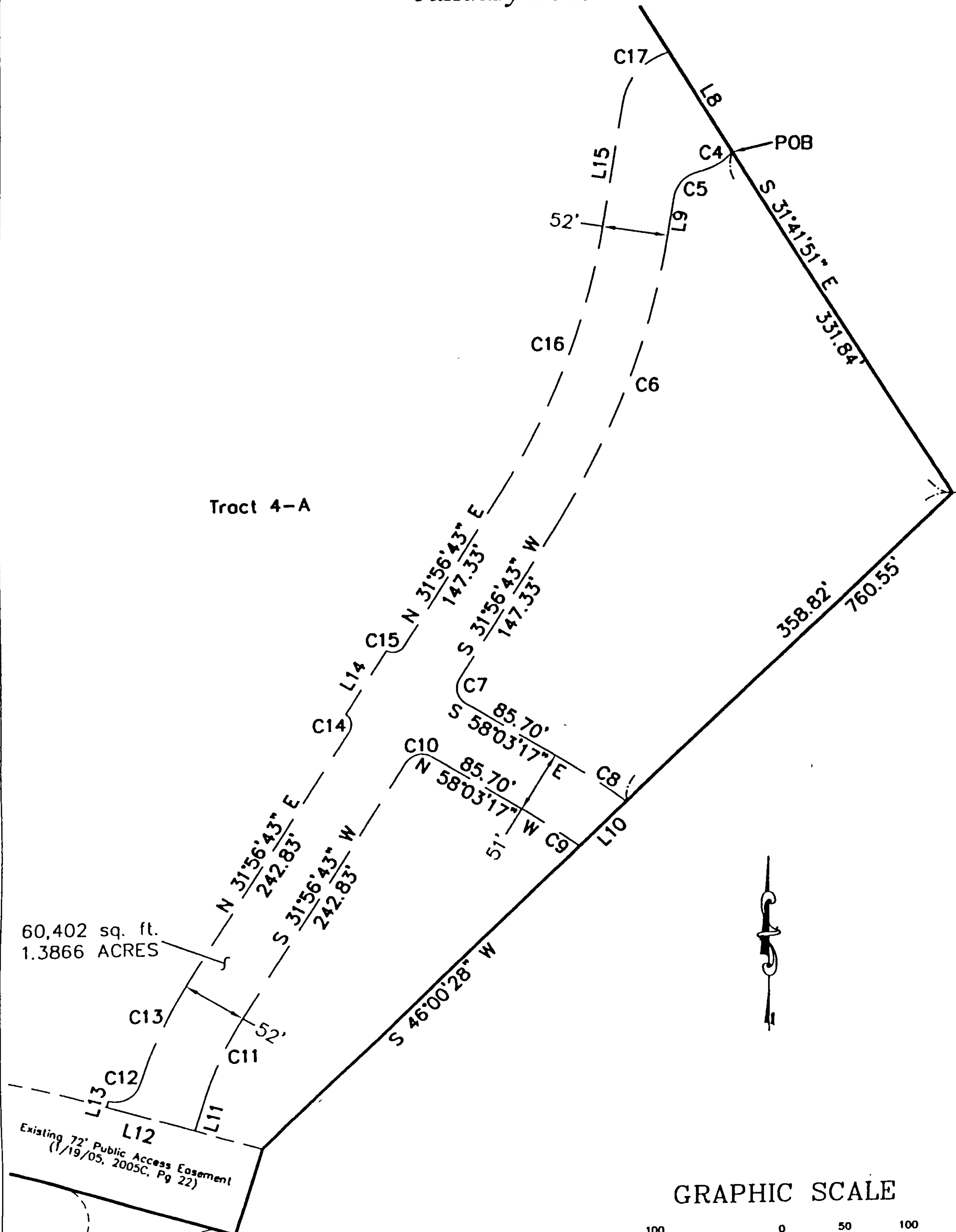
LINE TABLE		
LINE	LENGTH	BEARING
L8	95.79'	S 31°41'51" E
L9	31.42'	S 08°45'32" W
L10	51.54'	S 46°00'28" W
L11	29.21'	S 17°15'06" W
L12	72.00'	N 72°44'54" W
L13	5.00'	N 17°15'00" E
L14	61.00'	N 31°56'43" E
L15	101.40'	N 08°45'32" E
L16	25.00'	N 31°56'43" E

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C4	50.00'	31.45'	36°02'19"	S 59°38'21" W	30.93'
C5	25.00'	30.06'	68°53'59"	S 43°12'31" W	28.28'
C6	623.50'	252.32'	23°11'11"	S 20°21'07" W	250.60'
C7	15.00'	23.56'	90°00'00"	S 13°03'17" E	21.21'
C8	625.50'	66.75'	6°06'51"	S 54°59'52" E	66.72'
C9	574.50'	54.18'	5°24'12"	N 55°21'11" W	54.16'
C10	15.00'	23.56'	90°00'00"	S 76°56'43" W	21.21'
C11	276.50'	70.91'	14°41'37"	S 24°35'55" W	70.71'
C12	20.00'	31.42'	90°00'00"	N 62°15'06" E	28.28'
C13	329.93'	88.45'	15°21'39"	N 24°14'56" E	88.19'
C14	10.00'	15.71'	90°00'00"	N 13°03'17" W	14.14'
C15	10.00'	15.71'	89°59'54"	N 76°56'40" E	14.14'
C16	571.50'	231.27'	23°11'11"	N 20°21'07" E	229.70'
C17	50.00'	57.79'	66°13'35"	N 41°52'19" E	54.63'

**CARTESIAN SURVEYS INC.**

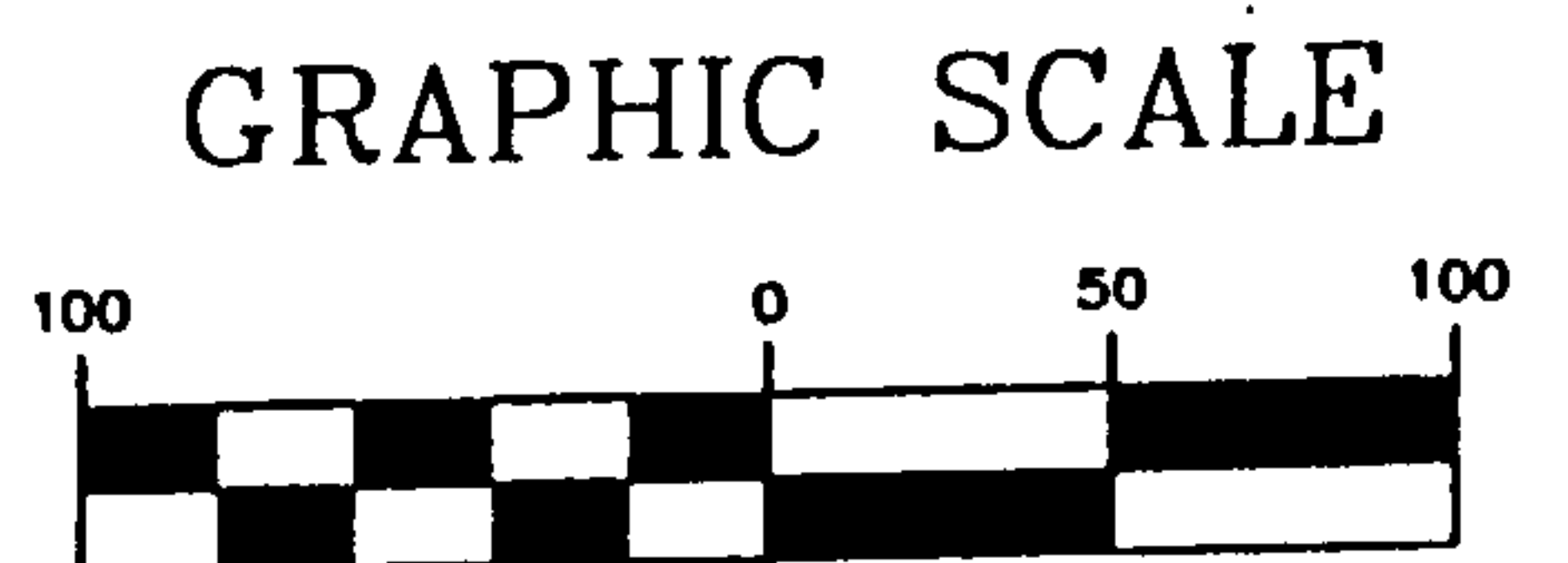
P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

**Exhibit A**  
**Public Roadway Easement**  
 for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
 January 2009



**CARTESIAN SURVEYS INC.**

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( IN FEET )  
 1 inch = 100 ft.

PRELIMINARY PLAT FOR  
 JUAN TABO HILLS, UNIT 3A  
 WITHIN  
 SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 August, 2008

EASEMENTS

- ① 60' C.O.A. PUBLIC ROADWAY EASEMENT (12-28-98, 98C-387)  
\* TO BE VACATED BY FUTURE PLATTING ACTION
- ② 30' C.O.A. PERMANENT UTILITY & DRAINAGE EASEMENT (08-04-77, BK.MISC. 531, PG. 183-189)
- ③ 10' C.O.A. TEMPORARY UTILITY & DRAINAGE EASEMENT (08-04-77, MISC. 531, PG. 183-189)
- ④ EXIST 10' WEST EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑤ EXISTING 72' PUBLIC ACCESS EASEMENT (01/18/05, BK. 2005C, Pg. 22)
- ⑥ EXISTING 50' PUBLIC ACCESS EASEMENT (01/18/05, BK. 2005C, Pg. 22) (VACATED)
- ⑦ EXISTING 60' PUBLIC ACCESS EASEMENT (01/18/05, BK. 2005C, Pg. 22)  
\*\* TO BE VACATED BY FUTURE PLATTING ACTION
- ⑧ EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑨ EXISTING 15' PUBLIC WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- ⑩ EXISTING A.M.A.F.C.A. FLOOD PLAN EASEMENT (12-28-98, 98C-387)
- ⑪ 51' PUBLIC ROADWAY AND PUBLIC UTILITY EASEMENT GRANTED WITH THIS PLAT
- ⑫ 10' PUBLIC DRAINAGE EASEMENT GRANTED BY THIS PLAT. SURFACE DRAINAGE TO BE MAINTAINED BY HOA.

NOTES

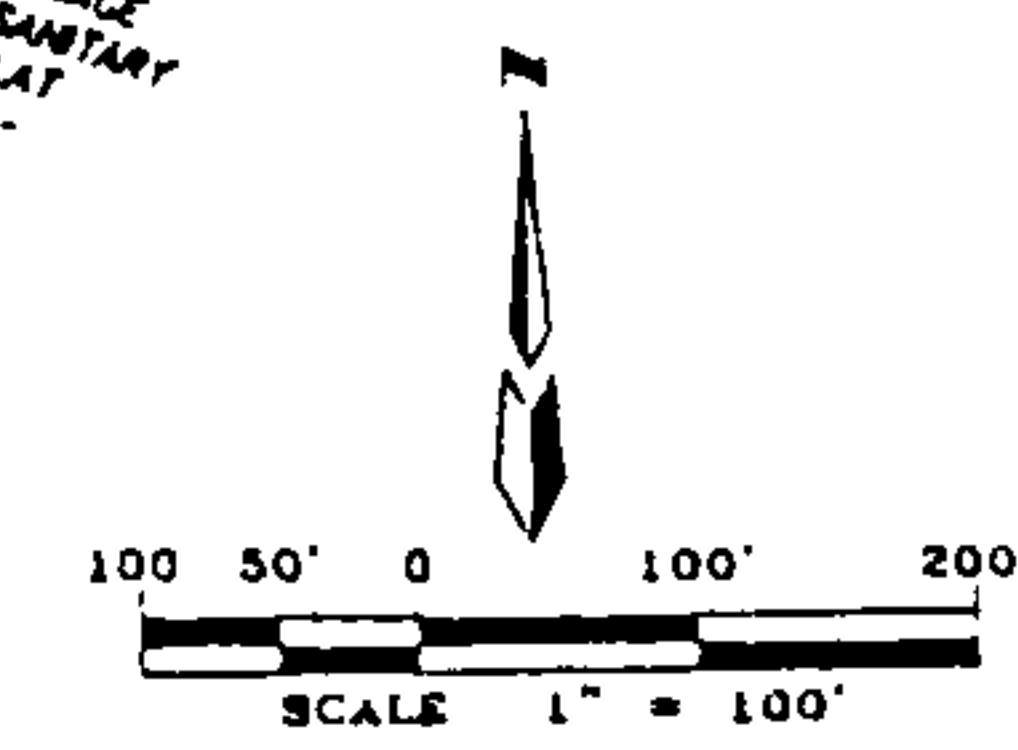
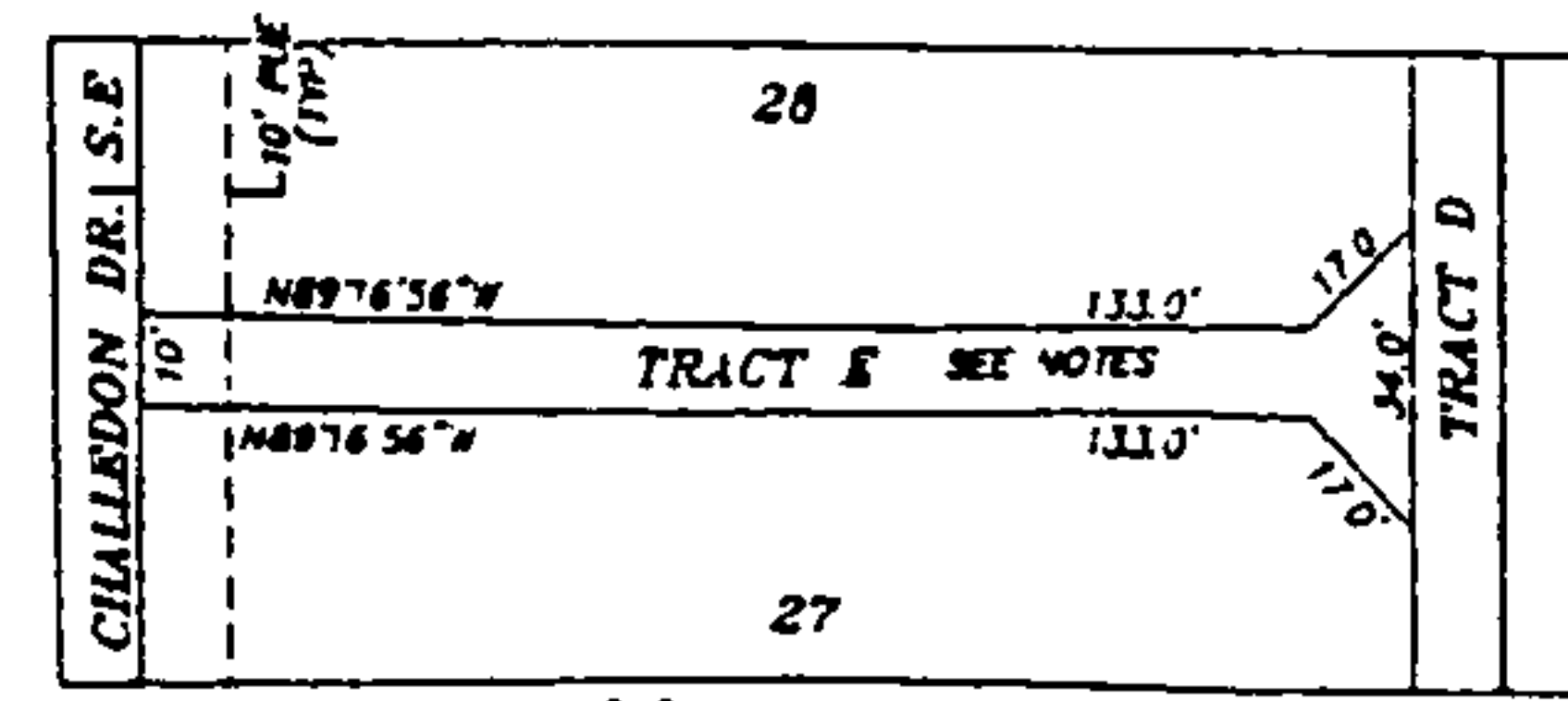
- TRACT A (0.0179 AC)  
 PEDESTRIAN ACCESS EASEMENT TO BE OWNED AND MAINTAINED BY THE HOA.
- TRACT B (0.1803 AC)  
 TO BE INCORPORATED INTO TRACT 4-A-1 IN THE FUTURE, TO BE OWNED AND MAINTAINED BY THE JTH, LLC.
- TRACT C (0.0179 AC)  
 PEDESTRIAN ACCESS EASEMENT TO BE OWNED AND MAINTAINED BY THE HOA.
- TRACT D (0.2100 AC)  
 PUBLIC DRAINAGE EASEMENT, TO BE OWNED AND MAINTAINED BY THE HOA.
- TRACT E (0.0366 AC)  
 FOR PURPOSES OF PUBLIC DRAINAGE SURFACE DRAINAGE CHANNEL AND INLET TO BE OWNED AND MAINTAINED BY THE C.O.A.

LEGEND

- 23 LOT NUMBER  
 ① BLOCK NUMBER  
 ▲ CENTER LINE MONUMENT  
 ROW RIGHT-OF-WAY  
 PUE PUBLIC UTILITY EASEMENT

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CH-BEARING	CH-DIST
C1	178.11	814.00	18°52'50"	93.20	N89°09'00"W	178.48
C2	357.06	888.00	28°18'21"	182.87	S74°52'00"E	353.05
C3	47.50	30.03	80°28'32"	30.37	S89°54'00"E	42.70
C4	318.24	870.00	28°52'08"	163.37	S84°38'00"W	313.81
C5	543.88	890.00	45°07'14"	287.01	N38°30'00"E	530.00

LINE TABLE		
LINE	BEARING	LENGTH
L1	N88°27'44"W	188.32
L2	N58°28'21"W	86.32
L3	N30°21'17"E	72.00
L4	N28°26'17"E	207.35
L5	N17°13'08"E	72.00



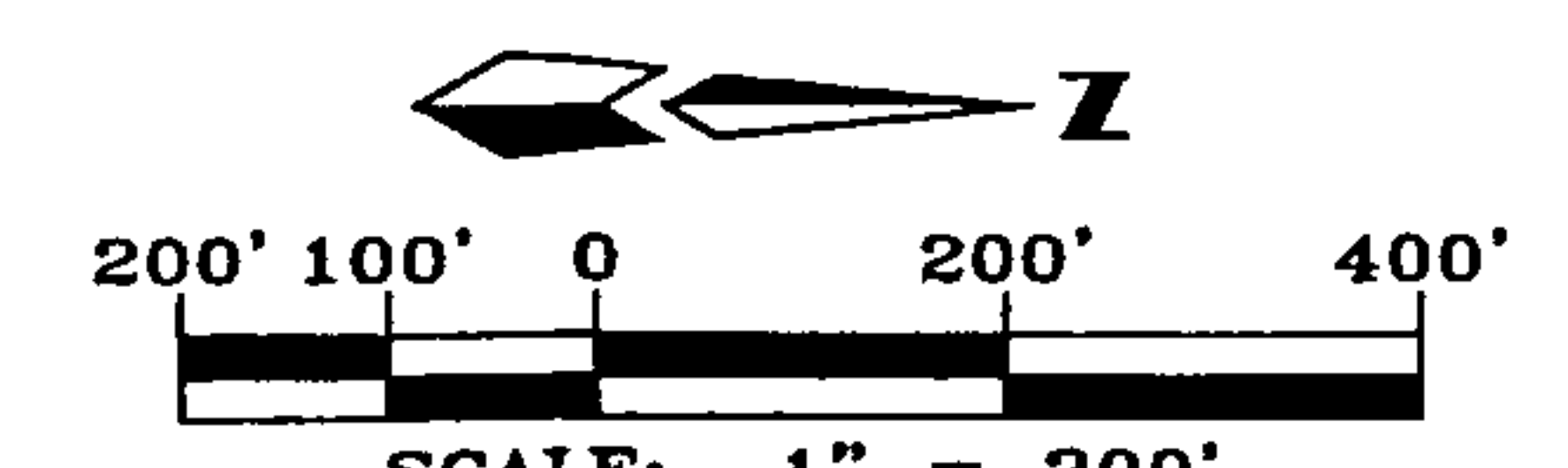
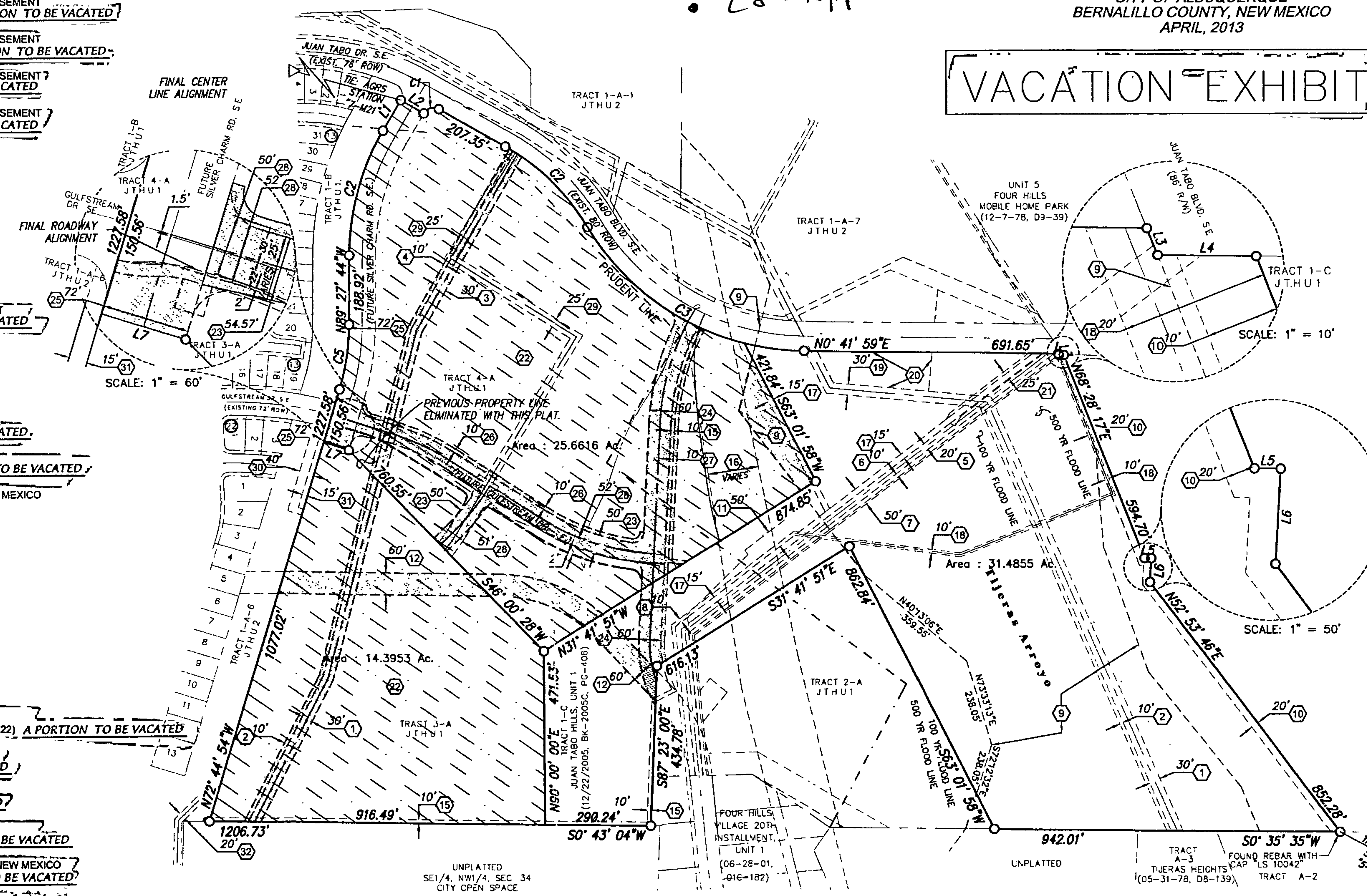
**EXISTING CONDITIONS AND VACATIONS**

**EASEMENTS**

- 1) 30' C.O.A. PERMANENT UTILITY & DRAINAGE EASEMENT (08-04-77, BK.MISC. 551, PG. 185-189) **A PORTION TO BE VACATED**
- 2) 10' C.O.A. TEMPORARY UTILITY & DRAINAGE EASEMENT (08-04-77, MISC. 551, PG. 185-189) **A PORTION TO BE VACATED**
- 3) 30' C.O.A. PERMANENT UTILITY & DRAINAGE EASEMENT (01-26-78, BK. 583, PGS. 804-806) **TO BE VACATED**
- 4) 10' C.O.A. TEMPORARY UTILITY & DRAINAGE EASEMENT (01-26-78, BK. 583, PGS. 804-806) **TO BE VACATED**
- 5) 20' C.O.A. PERMANENT UTILITY EASEMENT (05-16-78, MISC. 608, PG. 359-364)
- 6) 10' C.O.A. U.G. SEWER LINE EASEMENT (06-21-79, BK.MISC. 698, PG. 291-293) (07-09-79, BK MISC. 702, PG. 289-291)
- 7) 50' C.O.A. DRAINAGE & UTILITY EASEMENT (01-07-81, C17-174)
- 8) EXISTING 10' GAS EASEMENT (09-30-97, BK. 97-27, PGS. 113-119)
- 9) EXISTING A.M.A.F.C.A. FLOOD PLAIN EASEMENT (12-28-98, 98C-367) **A PORTION TO BE VACATED**
- 10) 20' C.O.A. PUBLIC TRAIL ACCESS EASEMENT (12-29-98, 98C-367)
- 11) C.O.A. PUBLIC DRAINAGE EASEMENT (12-29-98, 98C-367)
- 12) 60' C.O.A. PUBLIC ROADWAY EASEMENT (12-29-98, 98C-367) **A PORTION TO BE VACATED**
- 13) EXIST. 10' QWEST EASEMENT (12/22/2005, BK-2005C, PG-406) **A PORTION TO BE VACATED**
- 14) EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-406)
- 15) EXISTING 15' PUBLIC WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- 16) EXIST 10' PNM GAS LINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- 17) EXISTING 30' SANITARY SEWER EASEMENT (12/22/2005, BK-2005C, PG-406)
- 18) EXISTING MAINTENANCE ACCESS EASEMENT (12/22/2005, BK-2005C, PG-406)
- 19) EXISTING 25' WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- 20) AN EXISTING BLANKET DRAINAGE EASEMENT (TRACTS 4-A AND 3-A) (01/19/05, Bk. 2005C, Pg. 22) **A PORTION TO BE VACATED**
- 21) EXISTING 50' PUBLIC ACCESS EASEMENT (01/19/05, Bk. 2005C, Pg. 22) **TO BE VACATED**
- 22) EXISTING 60' PUBLIC ACCESS EASEMENT (01/19/05, Bk. 2005C, Pg. 22) **TO BE VACATED**
- 23) EXISTING 72' PUBLIC ACCESS EASEMENT (01/19/05, Bk. 2005C, Pg. 22) **A PORTION TO BE VACATED**
- 24) EXISTING 10' PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (08/14/2006 DOC# 2008092246) **TO BE VACATED**
- 25) EXISTING 10' PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (08/14/2006 DOC# 2008092247) **TO BE VACATED**
- 26) EXISTING PUBLIC ACCESS EASEMENT (02/23/2009 DOC#2009018367) **A 2' WIDE PORTION TO BE VACATED**
- 27) EXISTING 25' PUBLIC SANITARY SEWER EASEMENT (03/03/09 DOC# 2009022401)
- 28) EXISTING EMERGENCY ACCESS EASEMENT DOC# 2009103732
- 29) EXISTING PUBLIC WATERLINE EASEMENT DOC# 2009074579
- 30) EXISTING 20' PUBLIC SANITARY SEWER EASEMENT DOC# 2009103731

PLAT FOR  
**JUAN TABO HILLS, UNIT 3A**  
 WITHIN  
 SECTIONS 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 APRIL, 2013

**VACATION EXHIBIT**



**LEGEND**

○ FOUND AND SET 5/8" REBAR WITH CAP "RPS 7719"

▭ LIMITS OF VACATION

▭ LIMITS OF VACATION EXISTING BLANKET DRAINAGE EASEMENT (SEE NOTE 8)

**ABBREVIATIONS**

J.T.H.U.1. = JUAN TABO HILLS, UNIT 1 (12/22/2005, BK-2005C, PG-406)  
 J.T.H.U.2. = JUAN TABO HILLS, UNIT 2 (05/19/2008, BK-2008C, PG-106)

Line	Bearing	Distance
L1	S59°38'23"E	96.32'
L2	S30°21'37"W	72.00'
L3	S68°13'20"W	3.96'
L4	S0°53'31"W	13.27'
L5	S1°08'50"W	18.00'
L6	N86°43'49"W	64.80'
L7	S17°15'06"W	72.00'

Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	47.51'	30.00'	90°44'41"	S15°54'38"E	42.70'
C2	319.24'	610.00'	29°59'09"	S44°25'52"W	315.61'
C3	357.06'	686.00'	29°49'21"	S74°33'04"E	353.05'
C4	543.98'	690.00'	45°10'14"	S36°50'19"W	530.00'
C5	179.11'	614.00'	16°42'50"	S81°06'19"E	178.48'

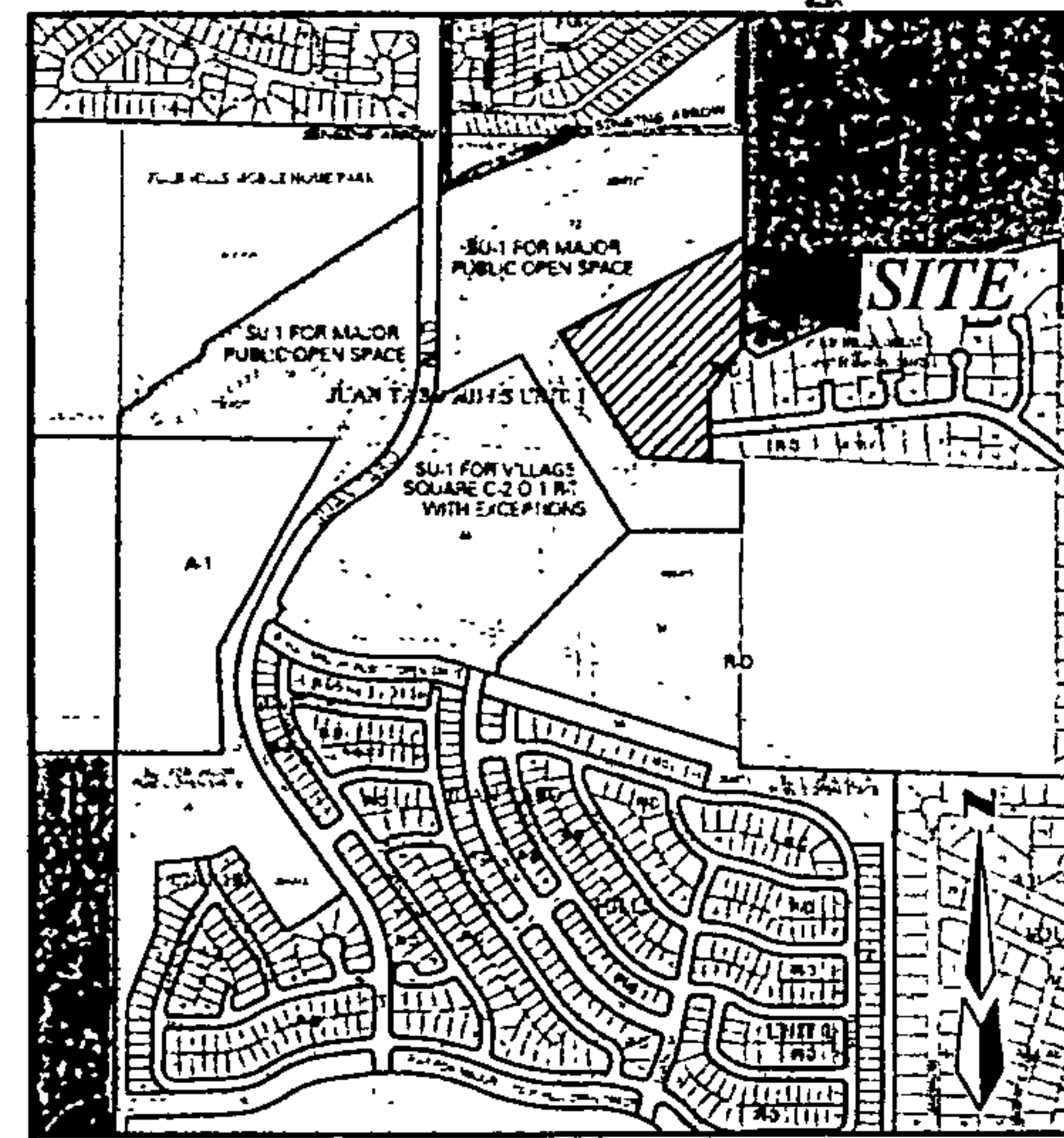
A11057_unit_3A_exist.dwg	Drawn: SPS	Checked:
Scale: AS SHOWN	Date: 4/8/2013	Job: VACATION EXHIBIT

2) Separate / Group  
 2) color  
 4-18-13  
 Gray  
 Brown  
 Blue  
 Red  
 Yellow  
 White  
 Normal

Separate application  
 7139 / 7140  
 Co-Applicant

\A11057\A11057 JTH 3A\PLATS\FINAL PLATS\A11057\_unit\_3A\_exist.dwg, 4/8/2013 4:09:16 PM, Stephen

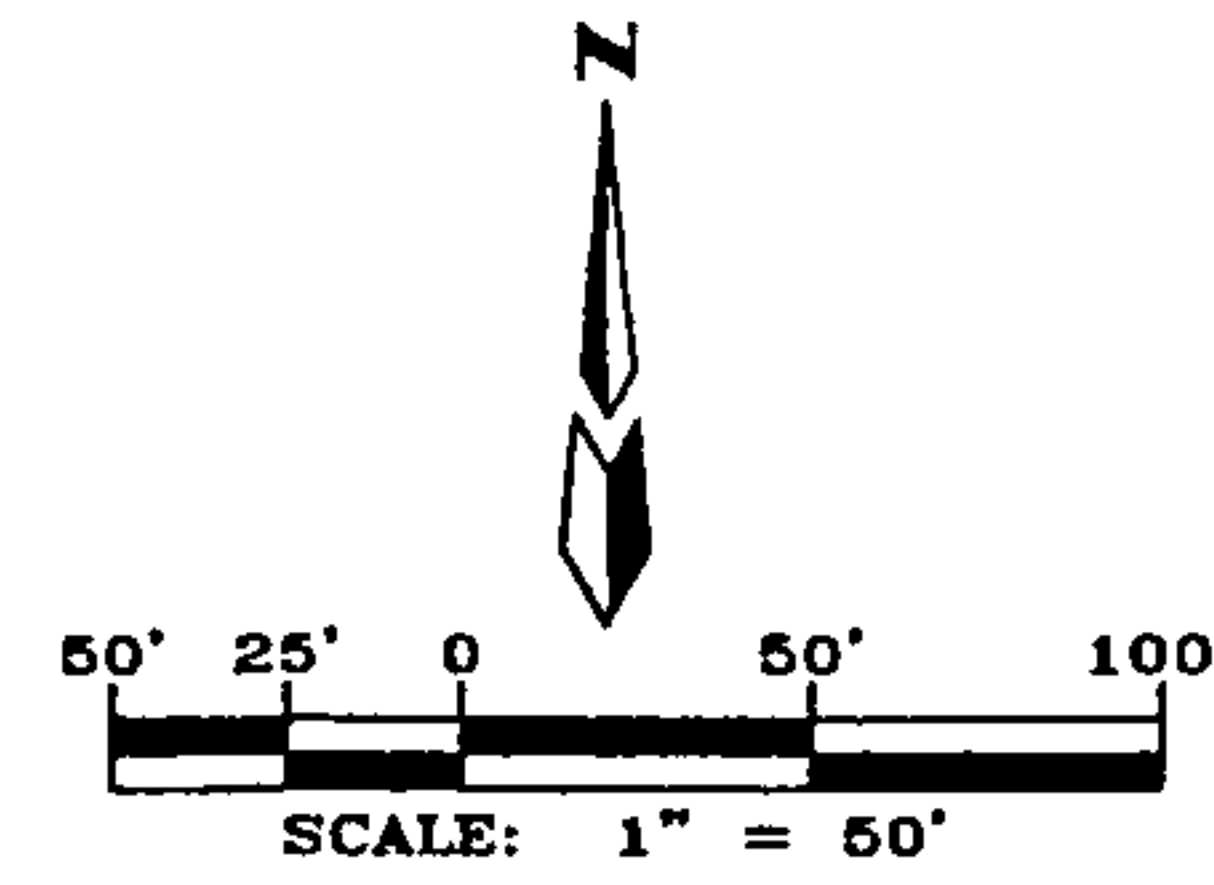
4-10-13



ZONE ATLAS MAP M-22 VICINITY MAP SCALE: NTS

**LEGAL DESCRIPTION**

A tract of land situate within Sections 27 and 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT 2-A, JUAN TABO HILLS, UNIT 1 as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 22, 2005 in Book 2005C, Page 406 and contains 9.5455 acres more or less.



**EASEMENTS**

- 5 EXISTING 20' C.O.A. PERMANENT UTILITY EASEMENT (05-16-78, MISC. 608, PG. 359-364)
- 6 EXISTING 10' C.O.A. U.G. SEWER LINE EASEMENT (06-21-79, BK.MISC. 698, PG. 291-293) (07-09-79, BK.MISC. 702, PG. 289-291)
- 7 EXISTING 50' C.O.A. DRAINAGE & UTILITY EASEMENT (01-07-81, C17-174)
- 8 EXISTING 10' GAS EASEMENT (09-30-97, BK. 97-27, PGS. 113-119)
- 9 EXISTING A.M.A.F.C.A. FLOOD PLAIN EASEMENT (12-28-98, 98C-367) A PORTION TO BE VACATED
- 11 EXISTING C.O.A. PUBLIC DRAINAGE EASEMENT (12-29-98, 98C-367)
- 12 EXISTING 60' C.O.A. PUBLIC ROADWAY EASEMENT (12-29-98, 98C-367) TO BE VACATED
- 13 EXISTING 60' ACCESS AND UTILITY EASEMENT (12-22-99, BK. 9916, PG. 5720) TO BE VACATED
- 14 EXISTING 60' PUBLIC DRAINAGE AND VEHICULAR ACCESS EASEMENT (03-13-03, BK. A52, PG. 871) TO BE VACATED
- 15 EXIST. 10' QWEST EASEMENT (12/22/2005, BK-2005C, PG-406)
- 16 EXISTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-406)
- 17 EXISTING 15' WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- 18 EXIST 10' PNM GAS LINE EASEMENT (12/22/2005, BK-2005C, PG-406)
- 22 EXISTING BLANKET DRAINAGE EASEMENT TRACT 2-A (01/19/05, BK. 2005C, PG. 22) TO BE VACATED

EASEMENTS 13 through 41 TO BE DEDICATED ON THE JUAN TABO HILLS UNIT 3A FINAL PLAT

- 33 NEW 10' PUE.
- 34 NEW 10' PNM EASEMENT
- 35 NEW 20' PUBLIC PEDESTRIAN ACCESS, DRAINAGE AND SANITARY SEWER EASEMENT.
- 36 NEW 10' CENTURY LINK EASEMENT.
- 37 NEW 10'x20' CENTURY LINK ESMT
- 38 NEW 20' WIDE PUBLIC SANITARY SEWER EASEMENT.
- 39 NEW 20' PUBLIC STORM DRAIN EASEMENT.
- 40 NEW C.O.A. 51' WIDE PRIVATE ACCESS EASEMENT.
- 41 NEW 60' PUBLIC ROADWAY EASEMENT.

**LEGEND**

- FOUND AND SET 5/8" REBAR WITH CAP "RPS 7719"
- ▨ LIMITS OF VACATION
- ▨ LIMITS OF VACATION EXISTING BLANKET DRAINAGE EASEMENT (SEE NOTE 8)

**OWNERS**

JTH, LLC PO Box 1443 Corrales, NM 87048 (505) 892-5533

**ENGINEERS**

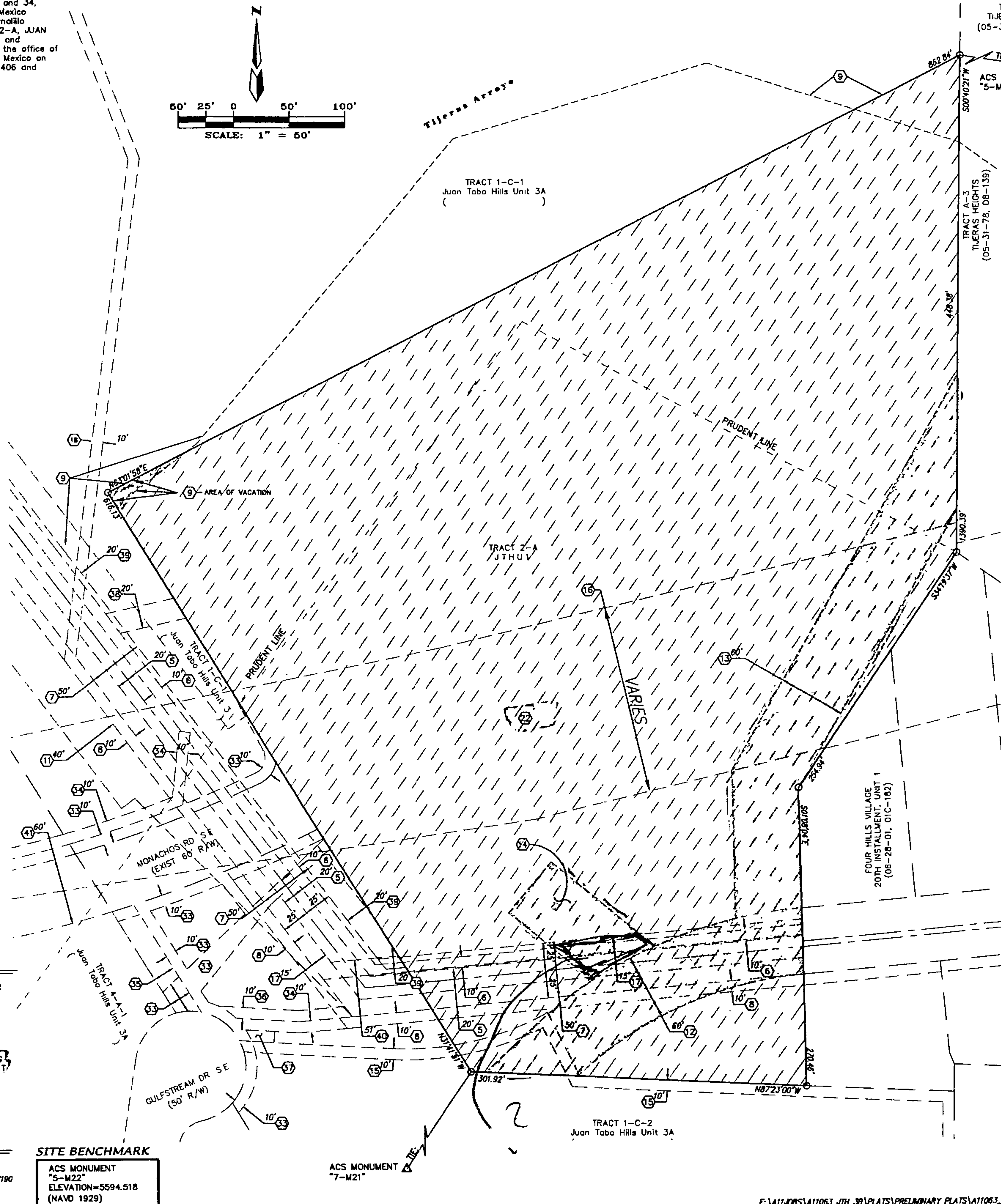
D. MARK GOODWIN & ASSOCIATES, P.A. CONSULTING ENGINEERS P.O. BOX 80606 ALBUQUERQUE, NEW MEXICO 87199 (505) 828-2200

**SURVEYOR**

ALDRICH LAND SURVEYING P.O. BOX 3001 ALBUQUERQUE, NEW MEXICO 87190 (505) 884-1990

**SITE BENCHMARK**

ACS MONUMENT "5-M22" ELEVATION=5594.518 (NAVD 1929)



AMENDED PRELIMINARY PLAT FOR JUAN TABO HILLS, UNIT 3B WITHIN SECTIONS 27, AND 34 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO MARCH, 2012

**VACATION EXHIBIT**

**SUBDIVISION DATA**

GROSS ACREAGE	9.5455 Ac.
ZONE ATLAS NO.	M-22-2
NO OF LOTS CREATED	40 LOTS
NO OF TRACTS CREATED	6 TRACTS
ZONING	R-D
DATE OF SURVEY	DECEMBER, 2003

**PURPOSE OF PLAT**

1. SUBDIVIDE TRACT 2-A INTO 40 RESIDENTIAL LOTS AND 6 TRACTS
2. DEDICATE RIGHT-OF-WAY AS SHOWN.
3. GRANT NEW EASEMENTS AS SHOWN.
4. VACATE EASEMENTS AS SHOWN.

**NOTES**

1. UNLESS OTHERWISE NOTED, ALL BOUNDARY CORNERS SHOWN THIS ○ SHALL BE A SET #5 REBAR WITH CAP "RPS 7719"
2. ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T.'S, ANGLE POINTS, AND STREET INTERSECTIONS AND SHOWN THIS △ WILL BE MARKED BY A FOUR INCH (4") ALUMINUM CAP STAMPED. "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION" "DO NOT DISTURB" RPS7719
3. BOUNDARY SHALL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
4. BASIS OF BEARING SHALL BE NEW MEXICO STATE PLANE GRID BEARINGS.
5. ALL DISTANCES SHALL BE GROUND DISTANCES.
6. MANHOLES WILL BE OFFSET AT ALL POINTS OF CURVATURE, POINTS OF TANGENCY, STREET INTERSECTIONS, AND ALL OTHER ANGLE POINTS TO ALLOW USE OF CENTERLINE MONUMENTATION.
7. TOTAL REMAINING OPEN SPACE REQUIREMENTS ARE MET VIA THE PROVISION OF DETACHED OPEN SPACE PER THE PROVISIONS OF SECTION 14-16-3-B(4) (3). \*NOTE: THIS OPTION IS ONLY APPLICABLE TO LAND COVERED BY A SECTOR DEVELOPMENT PLAN.
8. A BLANKET DRAINAGE EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE WITH THE BULK PLAT FOR JUAN TABO HILLS (1-19-05, BK-2005C, PG-22) TRACTS 2-A WILL BE REMOVED FROM THE BLANKET DRAINAGE EASEMENT.
9. THE PRUDENT LINE IS REMOVED AND/OR VACATED WITH THIS PLATING ACTION.

**APPROVED**

City Surveyor, City of Albuquerque, N.M. Date

JTH, LLC, Owner Tracts 2-A

Scott Grady, Managing Member Date

4-10-13



**BULK LAND PLAT FOR  
FOUR HILLS VILLAGE 20TH INSTALLMENT  
TRACTS A, B AND C  
WITHIN  
SECTIONS 27, 33 AND 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
APRIL, 1998**



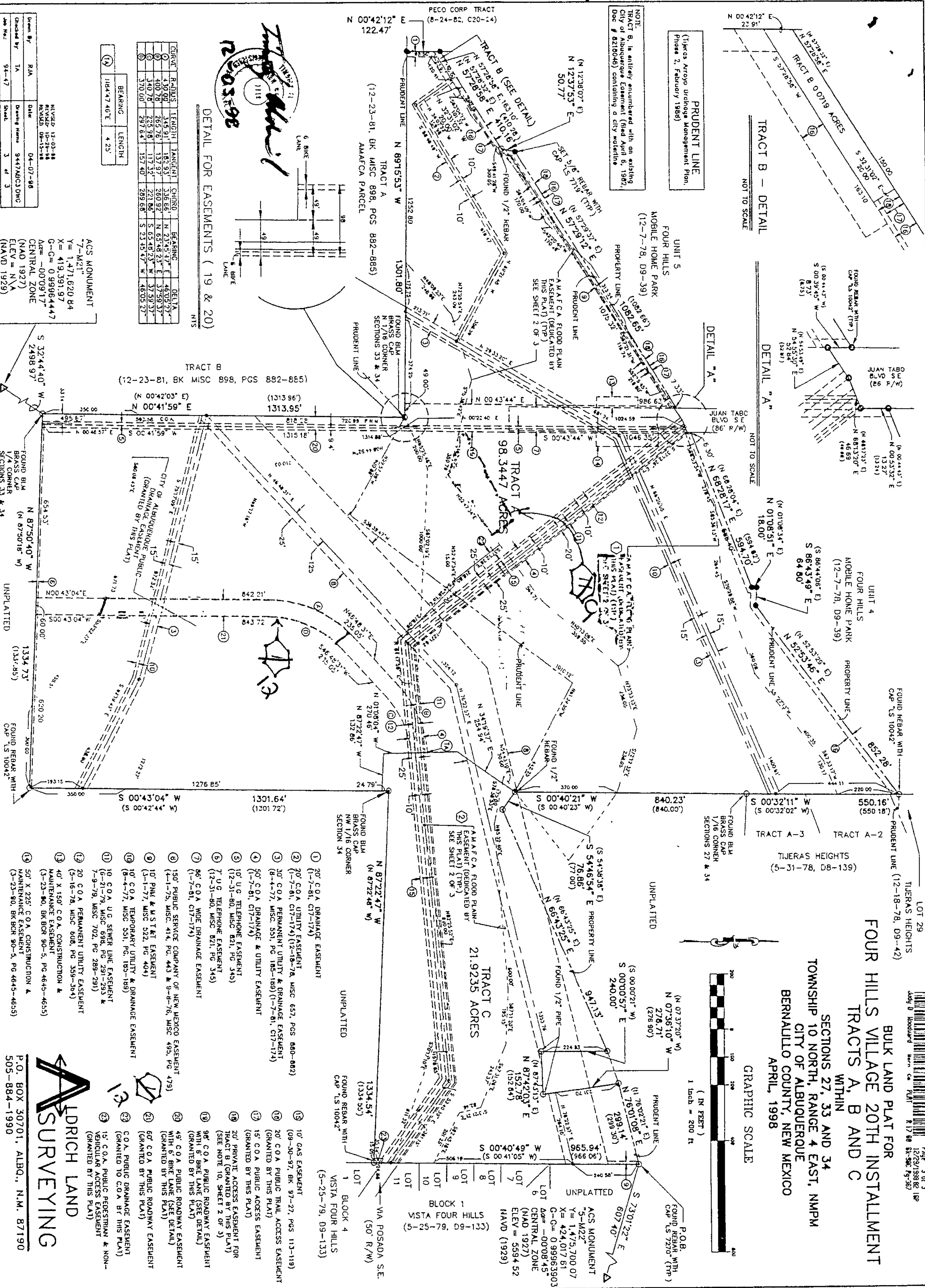
NOTE:  
TRACT B is entirely encumbered with an existing  
City of Albuquerque Easement (Filed April 5, 1982,  
Doc # 8210046) containing a city waterline

**PRUDENT LINE**  
(Times Arroyo Urethane Management Plan,  
Phase 2, February 1988)

**TRACT B - DETAIL**  
NOT TO SCALE

**DETAIL "A"**  
NOT TO SCALE

**DETAIL "A"**  
NOT TO SCALE



**DETAIL FOR EASEMENTS ( 19 & 20)**  
NTS

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
1	430.00	345.91	183.95	338.86	N 23°43'17"	48°05'27"
2	400.78	265.76	137.97	280.92	N 65°48'23"	37°59'37"
3	340.78	225.98	117.32	221.86	S 65°48'23"	37°59'37"
4	370.00	297.64	157.40	289.60	S 23°45'47"	48°05'27"

BEARING	LENGTH
(19)	1044.740°E
	4.25'

RECEIVED 12-03-98  
RECORDED 08-15-98

Drawn By: RJA Date: 04-07-98  
Checked By: TA Drawing Name: 947ABCD.DWG  
Map No.: 94-47 Sheet: 3 of 3

ACS MONUMENT  
T = 7-M21  
Y = 1,471,620.84  
X = 419,391.97  
G-G = 0.99964447  
Az = -00°09'17"  
CENTRAL ZONE  
(NAD 1927)  
ELEV = N/A  
(NAVD 1929)

- 1 20' C.O.A. DRAINAGE EASEMENT (1-7-81, C17-174)
- 2 20' C.O.A. UTILITY EASEMENT (1-7-81, C17-174) (12-18-78, PGS 880-882)
- 3 30' C.O.A. PERMANENT UTILITY & DRAINAGE EASEMENT (8-4-77, MISC. 551, PG 185-189) (1-7-81, C17-174)
- 4 50' C.O.A. DRAINAGE & UTILITY EASEMENT (1-7-81, C17-174)
- 5 10' U.G. TELEPHONE EASEMENT (12-31-80, MISC. 821, PG 345)
- 6 7' U.G. TELEPHONE EASEMENT (12-31-80, MISC. 821, PG 345)
- 7 86' C.O.A. WIDE DRAINAGE EASEMENT (1-7-81, C17-174)
- 8 150' PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (4-1-75, MISC. 414, PG. 443 & 9-8-76, MISC. 495, PG. 479)
- 9 10' P.U. & U.S.T. EASEMENT (3-1-77, MISC. 522, PG. 404)
- 10 10' C.O.A. TEMPORARY UTILITY & DRAINAGE EASEMENT (8-4-77, MISC. 551, PG. 185-189)
- 11 10' C.O.A. U.G. SEWER LINE EASEMENT (5-21-79, MISC. 694, PG. 291-293 & 7-9-78, MISC. 702, PG. 289-291)
- 12 20' C.O.A. PERMANENT UTILITY EASEMENT (5-18-78, MISC. 606, PG. 359-364)
- 13 40' X 150' C.O.A. CONSTRUCTION & MAINTENANCE EASEMENT (3-23-80, BK BCR 90-5, PG. 46-45-46-55)
- 14 50' X 225' C.O.A. CONSTRUCTION & MAINTENANCE EASEMENT (3-23-80, BK BCR 90-5, PG. 46-45-46-55)
- 15 10' GAS EASEMENT (09-30-87, BK 97-27, PGS 113-119)
- 16 20' C.O.A. PUBLIC TRAIL ACCESS EASEMENT (GRANTED BY THIS PLAT)
- 17 15' C.O.A. PUBLIC ACCESS EASEMENT (GRANTED BY THIS PLAT)
- 18 20' PRIVATE ACCESS EASEMENT FOR TRACT B (GRANTED BY THIS PLAT) (SEE NOTE 10, SHEET 2 OF 3)
- 19 96' C.O.A. PUBLIC ROADWAY EASEMENT WITH 6' BIKE LANE (SEE DETAIL) (GRANTED BY THIS PLAT)
- 20 49' C.O.A. PUBLIC ROADWAY EASEMENT WITH 6' BIKE LANE (SEE DETAIL) (GRANTED BY THIS PLAT)
- 21 60' C.O.A. PUBLIC ROADWAY EASEMENT (GRANTED BY THIS PLAT)
- 22 10' C.O.A. PUBLIC DRAINAGE EASEMENT (GRANTED TO C.O.A. BY THIS PLAT)
- 23 15' C.O.A. PUBLIC PEDESTRIAN & NON-VEHICULAR ACCESS EASEMENT (GRANTED BY THIS PLAT)



P.O. BOX 30701, ALBU., N.M. 87190  
505-884-1990



ALL STREETS AND ROADS SHOWN  
HEREON IS HEREBY DEDICATED IN FEE  
SIMPLE WITH WARRANTY COVENANTS  
AS PUBLIC RIGHT-OF-WAY



UNIT 5  
FOUR HILLS MOBILE  
HOME PARK  
(12-7-78, D9-39)

20' COA PUBLIC TRAIL  
ACCESS EASEMENT  
(12-29-98, 98C-367)

15' COA PUBLIC  
ACCESS EASEMENT  
(12-29-98, 98C-367)

20' PRIVATE ACCESS  
EASEMENT FOR TRACT B  
(12-29-98, 98C-367)

EXISTING A M A F C A FLOOD -  
PLAIN EASEMENT  
(12-28-98, 98C-367)

ABBREVIATIONS  
10' RUE = PUBLIC UTILITY EASEMENTS  
GRANTED WITH THIS PLAT  
ROW = RIGHT-OF-WAY

A B C W U A = ALBUQUERQUE BERNALILLO COUNTY  
WATER UTILITY AUTHORITY  
COA = CITY OF ALBUQUERQUE

TRACT A  
(12-23-81, BK MISC  
898, PGS 882-885)  
A M A F C A PARCEL

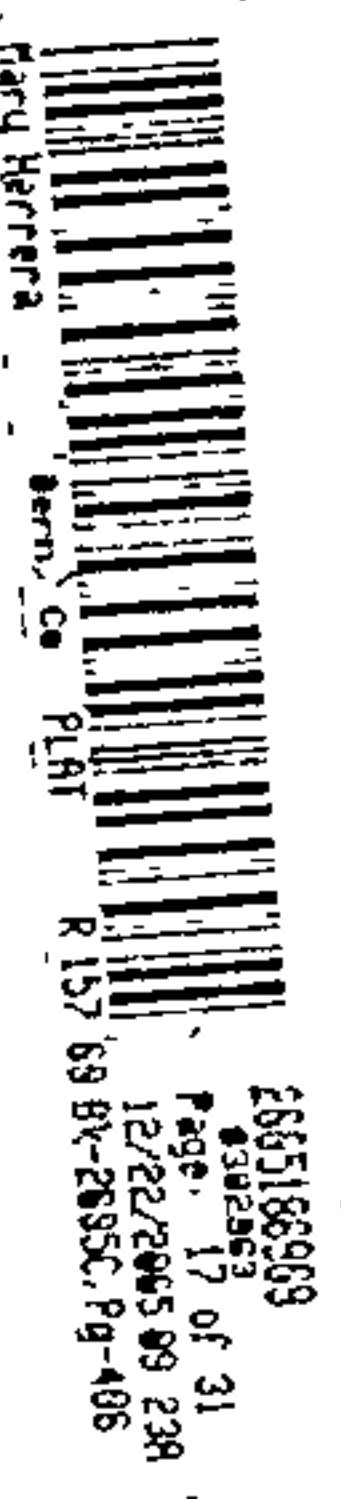
SEE SHEET 18 OF 31

SEE NOTE 1, 2 & 3 ON COVER  
SHEET ABOUT EASEMENTS IN  
TRACT 1-A

TRACT 1-A  
56.5188 AC

15' COA PUBLIC  
ACCESS EASEMENT  
(12-29-98, 98C-367)

45' RUE AND MAINTNANCE  
ACCESS EASEMENT  
GRANTED BY THIS PLAT



NOTE  
CENTERLINE (IN PLACE OF ROW) MONUMENTATION IS TO BE  
INSTALLED AT ALL CENTERLINE P.C.'S, P.T.S. ANGLE POINTS  
AND STREET INTERSECTIONS AS SHOWN HEREON, AND WILL  
CONSIST OF A FOUR INCH (4") ALUMINUM ALLOY CAP  
STAMPED "CITY OF ALBUQUERQUE", "CENTERLINE MONUMENT"  
DO NOT DISTURB, "P.S. # 7719"

Tijeras

FINAL PLAT FOR  
JUAN TABO HILLS, UNIT 1  
WITHIN  
SECTIONS 27, 33 AND 34  
TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
NOVEMBER, 2005

JUAN TABO BOULEVARD SE

SEE SHEET 22 OF 31

SEE NOTE 1 & 3 ON COVER  
SHEET ABOUT EASEMENTS IN  
TRACT 1-C

TRACT 1-C  
31.4914 acres

15' WATERLINE EASEMENT  
GRANTED TO A B C W U A  
WITH THIS PLAT

TRACT 4A  
25.6617 AC

EXISTING 60' PUBLIC  
ACCESS EASEMENT  
(01/19/05, BK 2005C,  
Pg. 22)

EXISTING 10' COA TEMPORARY  
UTILITY & DRAINAGE EASEMENT  
(01-26-78, BK 583, PGS  
804-806)

EXISTING 30' COA  
PERMANENT UTILITY &  
DRAINAGE EASEMENT  
(01-26-78, BK 583,  
PGS 804-806)

30' SANITARY SEWER  
EASEMENT GRANTED TO  
A B C W U A BY THIS  
PLAT

10' GUEST EASEMENT  
GRANTED WITH THIS PLAT

NEW PUBLIC SERVICE COMPANY OF  
NEW MEXICO EASEMENT GRANTED  
WITH THIS PLAT

EXISTING 30' COA  
PERMANENT UTILITY &  
DRAINAGE EASEMENT  
(08-04-77, BK V SC  
551, PG 155-159)

EXISTING A M A F C A FLOOD  
PLAIN EASEMENT  
(12-28-98, 98C-367)

COA CENTERLINE MONUMENT  
REFERS TO END OF TANGENT  
OR CURVE ON RIGHT-OF-WAY



LEGEND

1 LOT NUMBER  
5 BLOCK NUMBER

COA CENTERLINE MONUMENT  
REFERS TO END OF TANGENT  
OR CURVE ON RIGHT-OF-WAY

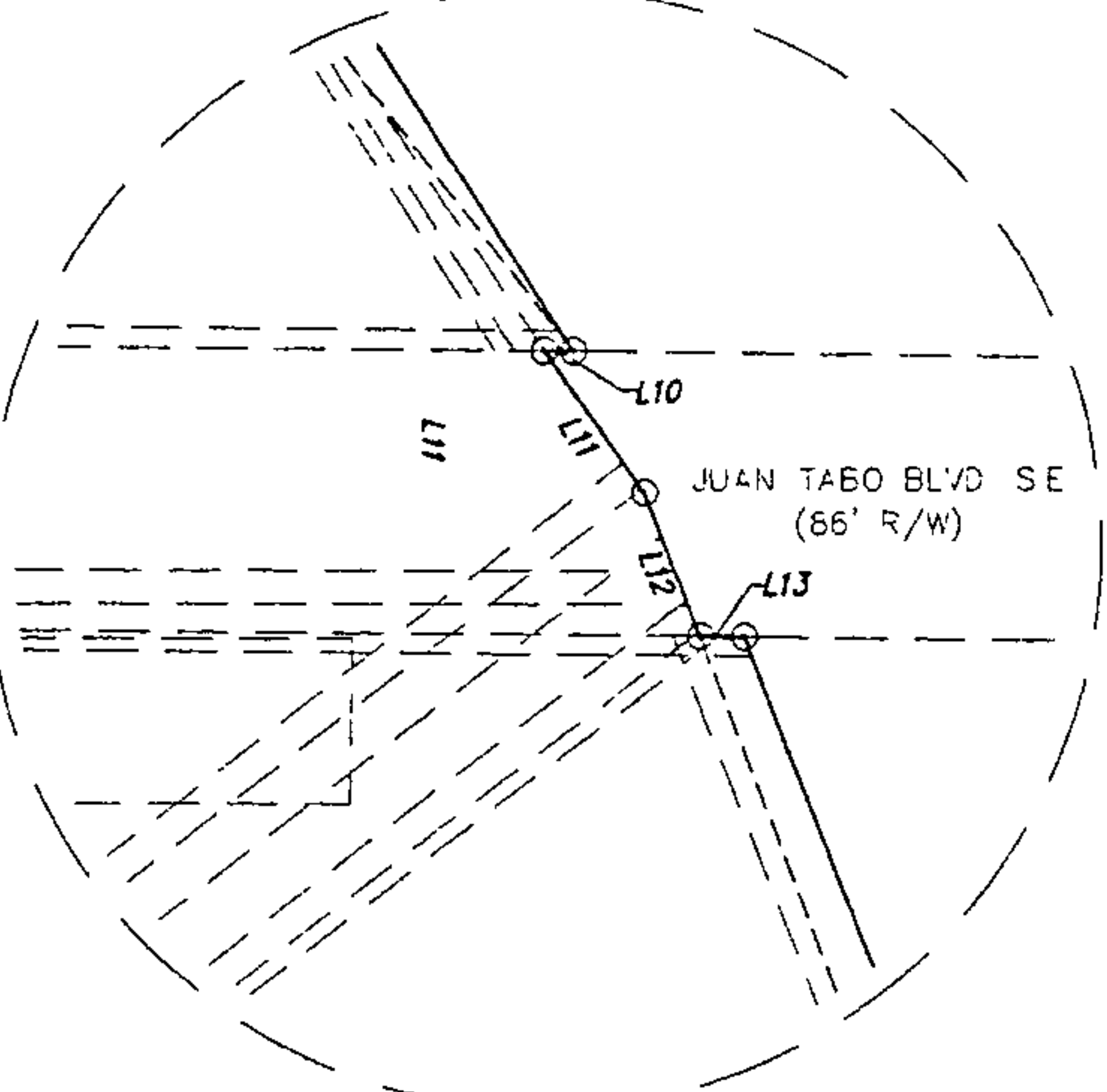
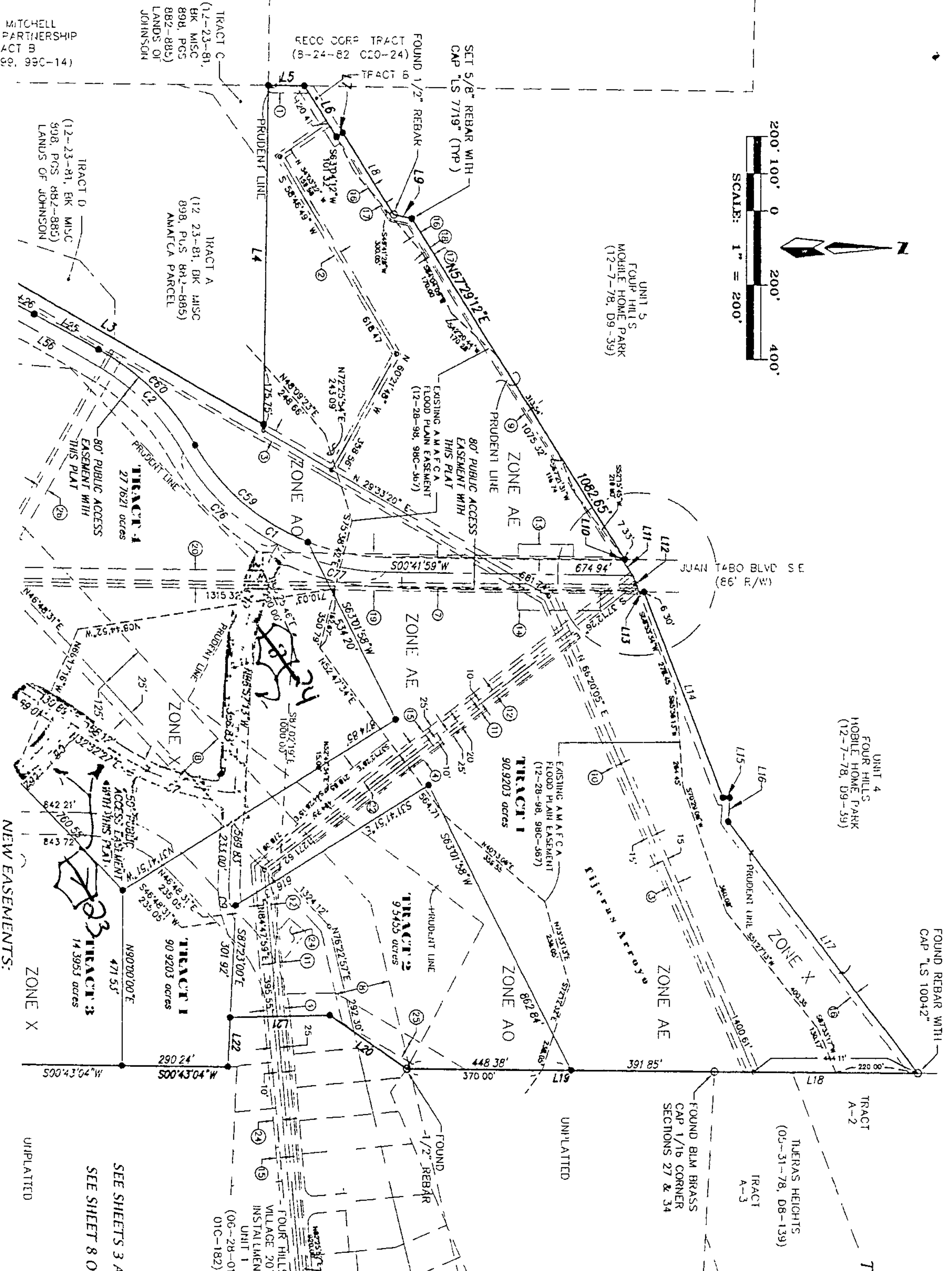
SEE SHEET 16 OF 31

Dwg	A020279P02.dwg	Drawn	STEPHEN	Checked	ALS	Sheet	17	of	31
Scale	AS SHOWN	Date	11/11/2005	Job	A02079				

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BULK LAND PLAT FOR  
**JUAN TABO HILLS**  
 WITHIN

SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 DECEMBER, 2004



SHAW, MITCHELL  
 MALLORY PARTNERSHIP  
 TRACT B  
 (01-22-99, 99C-14)

SEE SHEET 6 OF 9



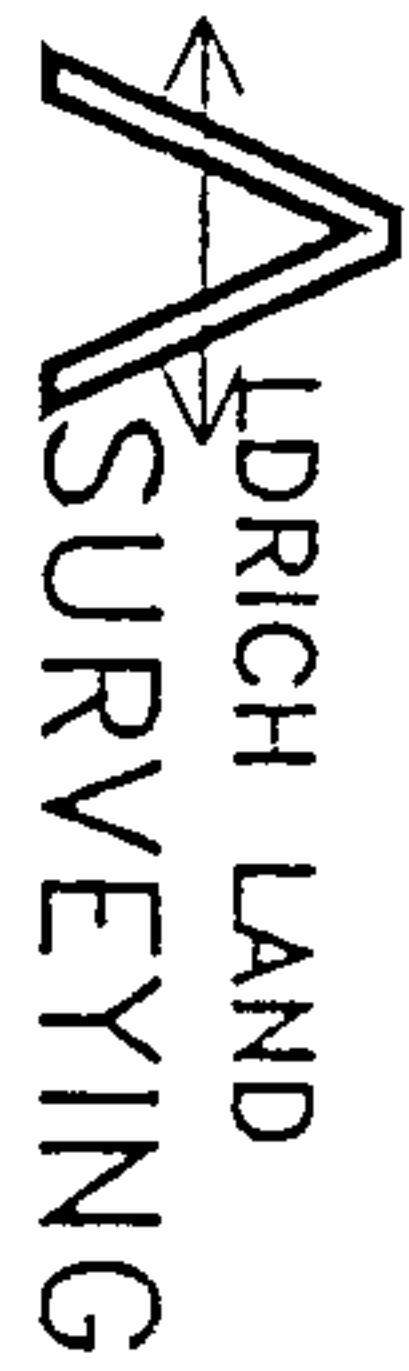
- NEW EASEMENTS:
- TRACT 1 IS OPEN SPACE DEDICATED TO THE CITY OF ALBUQUERQUE PER THE EXCHANGE AGREEMENT DATED 7-23-04

- A 25' WIDE FLOATING ACCESS EASEMENT FROM NEW 80' WIDE PUBLIC ACCESS EASEMENT ACROSS NEW TRACT 1 TO AMAFCA TRACT "A" IS HEREBY GRANTED WITH THIS PLAT FINAL LOCATION TO BE DETERMINED AT A LATER DATE BETWEEN CITY OPEN SPACE AND AMAFCA

SEE SHEETS 3 AND 4 OF 9 FOR EXISTING EASEMENTS  
 SEE SHEET 8 OF 9 FOR NEW EASEMENTS

285598975  
 Page 5 of 9  
 8/15/2005 02:27P  
 R 47 00 BX-2865C 79-22

*Handwritten signature and date:*  
 01-18-05



P.O. BOX 30701, ALBU., N.M. 87190  
 505-884-1990

AO210851A-2079 # HILLS\Bulk Plat\NEW sht 5-8.dwg - Layout1 (01-17-05) SPS

Dwg	NEW sht 5-8.dwg	Drawn	STEPHEN	Checked	ALS	Sheet	5	of	9
Scale	AS SHOWN	Date	01/17/05	Job	AO2079				



X

4000  
7746803

GRANT OF EASEMENT  
FOR  
DRAINAGE, WATER, SEWER AND PUBLIC UTILITIES

THIS INDENTURE made and executed this 14th day of

July, 1977, by and between \_\_\_\_\_

DALE BELLAMAH LAND CO., INC., a New Mexico corporation

in the County of Bernalillo and State of New Mexico hereinafter called the Grantors and THE CITY OF ALBUQUERQUE, NEW MEXICO, a municipal corporation, hereinafter called Grantee.

WITNESSETH, that for good and valuable consideration the receipt of which is hereby acknowledged the Grantors have this day bargained and sold and by these presents do sell, convey and deliver unto the City of Albuquerque a permanent easement as right-of-way including the permanent right to enter upon the real estate hereinafter described at any time that it may see fit and construct, maintain and repair, drainage ditches, water lines, sanitary sewer lines and public utilities across, through, and under the lands hereinafter described and the further right to remove trees, bushes, underground and obstructions interfering with the location, construction and maintenance of said utilities.

The land affected by the grant of this easement and right-of-way is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

DESCRIPTION FOR PERMANENT UTILITY AND DRAINAGE EASEMENT

See Attached Exhibits "A", "A-1" and "B"

DESCRIPTION FOR TEMPORARY UTILITY AND DRAINAGE EASEMENT

See Attached Exhibits "A", "A-1" and "B"

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for aforesaid utilities.

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted provided, however, that the Grantee agrees to save Grantors harmless from any and all liability that may arise as a result of the construction and

Extra Copy

2 2  
1 2

use of the easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals this 4th day of August, 1977.

DALE BELLAMAH LAND CO. INC.

D. E. Boyle  
D. E. Boyle, President

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

The foregoing instrument was acknowledged before me this 4th day of August, 1977, by D. E. Boyle, President of Dale Bellamah Land Co. Inc., a New Mexico corporation, on behalf of said corporation.

Louis A. Jones  
Notary Public

My commission expires:

September 30, 1980

EXHIBIT "A"

PARCEL: P-7

187

GRANTOR: Adair & H. A. Nicholson

That part of a strip of land 30 feet in width (Permanent Right of Way), 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the NE 1/4 of the NE 1/4 of Section 33, and the NW 1/4 of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) and 15 feet wide (Permanent Right of Way), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 204+52.67 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values  $X=420,346.94$ ,  $Y=1,474,972.82$  and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, bears  $S 17^{\circ}56'16'' E$  a distance of 1359.75 feet; thence  $N 29^{\circ}19'47'' E$  along said centerline a distance of 970.68 feet to P.I. Station 214+23.35; thence  $N 66^{\circ}08'03'' E$  along said centerline a distance of 1054.87 feet to Station 224+78.22 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears  $S 88^{\circ}38'00'' E$  a distance of 1652.04 feet.

Containing 1.395 acres (Permanent Right of Way), more or less.  
Containing 0.454 acres (Temporary Right of Way), more or less.

7/11/77  
LOS  
OK



PARCEL: P-8 <sup>04</sup>

GRANTOR: Four Hills Ltd.

That part of a strip of land 30 feet in width (Permanent Right of Way) 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the SW 1/4 of the SW 1/4 of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) 15 feet wide (Permanent Right of Way), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 224+78.22 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values X=421,789.95, Y=1,476,241.63 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 88°38'00" E a distance of 1652.04 feet; thence N 66°08'03" E along said centerline a distance of 354.28 feet to Station 228+32.50 and from whence the S 1/4 Corner of Section 27, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears S 82°20'40" E a distance of 1339.61 feet.

Containing 0.244 acres (Permanent Right of Way), more or less.  
Containing 0.087 acres (Temporary Right of Way), more or less.

DL  
L.P.  
11/4/77

EXHIBIT "B"

189

PARCEL: P-22

GRANTOR: Adair & H. Nicholson

That part of a strip of land 30 feet in width (Permanent Right of Way), 10 feet in width (Temporary Right of Way), owned by the Grantor, lying and being situate in the W 1/2 of the NW 1/4 of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Right of Way), 10 feet wide (Temporary Right of Way), on the right (South) and 15 feet wide (Permanent Right of Way) on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 6+92.73 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values  $X=420,768.38$ ,  $Y=1,474,311.99$  and from whence the W 1/4 Corner of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears  $S 00^{\circ}33'57'' W$  a distance of 633.52 feet; thence  $S 75^{\circ}22'18'' E$  along said centerline a distance of 960.73 feet to P.I. Station 16+53.46; thence  $S 62^{\circ}34'38'' E$  along said centerline a distance of 443.92 feet to Station 20+97.38 and from whence the W 1/4 Corner of Section 34, Township 10 North, Range 4 East, New Mexico Principle Meridian, County of Bernalillo, State of New Mexico bears  $S 82^{\circ}09'20'' W$  a distance of 1340.92 feet.

Containing 0.967 acres (Permanent Right of Way), more or less.  
Containing 0.324 acres (Temporary Right of Way), more or less.

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

AUG 4 3 24 PM 1977  
*M* BK 551 PG 185-189  
E. MAC GONZALES  
CL. CLERK & RECORDER  
*H. J. West* DEPUTY

711412  
L.S.  
OK

78 6136

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

IN THE DISTRICT COURT

804

CITY OF ALBUQUERQUE, NEW MEXICO,  
a municipal corporation,

Petitioner,

vs.

No. CV-77-05043  
Condemnation - Tijeras  
Canyon Interceptor,  
Phase II

MARY VIRGINIA JOHNSON; REUBEN  
RAWLINS LOGAN; WESLEY RANDOL  
LOGAN; BOARD OF COMMISSIONERS  
OF BERNALILLO COUNTY, NEW MEXICO;  
and any and all unknown persons or  
claimants of interest in and to  
the property interest herein sought  
to be acquired,

Defendants.

AMENDED NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that an action has been commenced  
and is pending in the above entitled Court for condemnation by  
the Petitioner of real property to which the above named defen-  
dants may have an interest, and that the real property affected  
by this suit is situated in the State of New Mexico, County of  
Bernalillo, and described as follows:

That part of a strip of land 30 feet in width  
(Permanent Easement), 10 feet in width (Temporary  
Easement), lying and being situate in the SE 1/4  
of the NE 1/4 of Section 33, Township 10 North,  
Range 4 East, New Mexico Principal Meridian,  
County of Bernalillo, State of New Mexico being  
15 feet wide (Permanent Easement), 10 feet wide  
(Temporary Easement) on the right (South) and 15  
feet wide (Permanent Easement), on the left (North)  
of, parallel with and adjacent to the following  
described centerline, to wit:

3 4  
14 15

Beginning at centerline Station 190+14.93 said same beginning point having New Mexico (Central Zone) State Plane Coordinate values  $X=419,648.38$ ,  $Y=1,473,717.15$  and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears  $N 89^{\circ} 37' 19'' E$  a distance of 1094.97 feet; thence  $N 24^{\circ} 59' 26'' E$  along said centerline a distance of 128.58 feet to P.I. Station 191+43.51; thence  $N 29^{\circ} 19' 08'' E$  along said centerline a distance of 939.34 feet to P.I. Station 200+82.85; thence  $N 29^{\circ} 19' 47'' E$  along said centerline a distance of 400.18 feet to Station 204+83.03 and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears  $S 16^{\circ} 45' 59'' E$  a distance of 1333.62 feet.

Containing 1.011 acres (Permanent Easement), more or less.

Containing 0.337 acres (Temporary Easement), more or less.


and

That part of a strip of land 30 feet in width (Permanent Easement), 10 feet in width (Temporary Easement), lying and being situate in the SE 1/4 of the NE 1/4 of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico being 15 feet wide (Permanent Easement) 10 feet wide (Temporary Easement), on the right (South) 15 feet wide (Permanent Easement), on the left (North) of, parallel with and adjacent to the following described centerline, to wit:

Beginning at centerline Station 0+00.00 (Being an extension off of Station 200+82.85 Main Line), said same beginning point having New Mexico (Central Zone) State Plane Coordinate values  $X=420,165.00$ ,  $Y=1,474,651.00$  and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears  $S 31^{\circ} 43' 27'' E$  a distance of 1094.74 feet; thence  $S 60^{\circ} 34' 29'' E$  along said centerline a distance of 672.59 feet to Station 6+72.59; and from whence the E 1/4 Corner of Section 33, Township 10 North, Range 4 East, New Mexico Principal Meridian, County of Bernalillo, State of New Mexico bears  $S 00^{\circ} 48' 18'' W$  a distance of 597.66 feet.

Containing 0.463 acres (Permanent Easement), more or less.

Containing 0.154 acres (Temporary Easement), more or less.

  
 \_\_\_\_\_  
 John A. Myers  
 Assistant City Attorney  
 P. O. Box 1293  
 Albuquerque, New Mexico 87103

806

STATE OF NEW MEXICO  
COUNTY OF SANGRE DE CRISTO  
FILED

JAN 26 11 40 AM 1978

*Mue 583* *804-806*

CO. CLERK

*Quispe* DEPUTY

**PERMANENT EASEMENT**

3/12/03

Grant of Permanent Easement, between HAT Limited, a New Mexico Limited Partnership ("Grantor"), whose address is 6301 Indian School Rd. NE Ste. 208, Albuquerque, New Mexico 87110 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of drainage facilities, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns until terminated.

This Easement shall not be effective unless approved by the City Engineer as shown in the signature block below.

WITNESS my hand and seal this 4<sup>th</sup> day of MARCH, 2003.

APPROVED:

*[Signature]* 3/12/03  
City Engineer

GRANTOR:

(Individual)

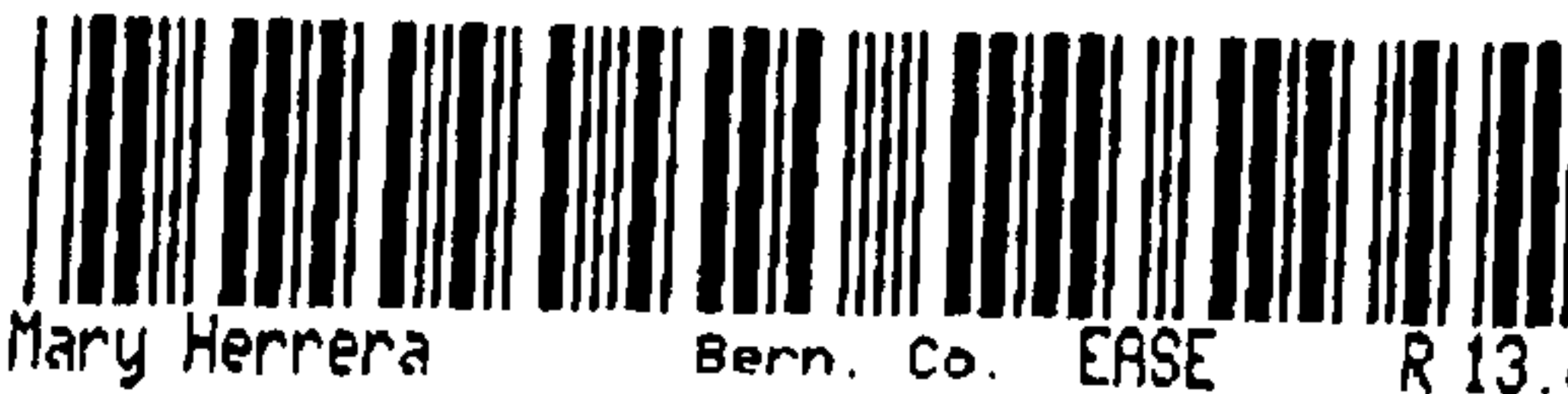
GRANTOR: HAT Limited, A New Mexico Limited Partnership, managed by Trails Management, Inc.

By:

*[Signature]*  
Stan Strickman

Its: General Partner of Trails Management, Inc.  
(Corporation or Partnership)

Dated



2003040950  
5823952  
Page: 1 of 3  
03/13/2003 02:21P  
Bk-A52 Pg-871

14  
10

INDIVIDUAL

STATE OF \_\_\_\_\_ )  
 )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

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

My Commission Expires:  
\_\_\_\_\_

CORPORATION

STATE OF \_\_\_\_\_ )  
 )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_  
Of \_\_\_\_\_, a \_\_\_\_\_ corporation, on behalf of the corporation.

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

My Commission Expires:  
\_\_\_\_\_

PARTNERSHIP

STATE OF New Mexico )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 4<sup>th</sup> day of March, 2003, by Stan Strickman, partner(s), on behalf of HAT Limited, a partnership.

Mary S. Strickman  
Notary Public

My Commission Expires:  
\_\_\_\_\_



OFFICIAL SEAL  
MARY S. STRICKMAN  
NOTARY PUBLIC STATE OF NEW MEXICO  
My commission expires 3-9-2003

(EXHIBIT 'A' ATTACHED)

## LEGAL DESCRIPTION

THAT CERTAIN PARCEL of land situate within Section 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being all of TRACT C, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367 and being more particularly described as a sixty foot (60') wide public drainage easement as follows:

BEGINNING at the southwest corner of said TRACT C from whence the Albuquerque Control Survey Monument "7-M21" bears S 37°37'10" W, 4207.91 feet;

THENCE N 47°15'09" W, 203.14 feet to a point, said point being the true POINT OF BEGINNING of a sixty foot (60') wide public drainage easement, said point also being common with the northerly easement line of the 50 foot wide public drainage and utility easement filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, 01-07-81, C17-174;

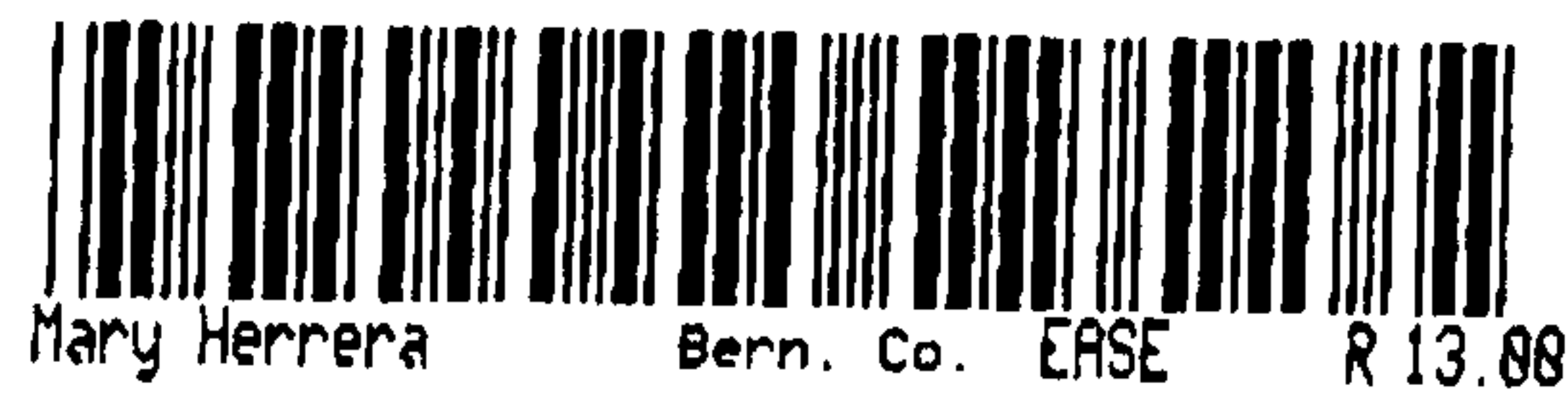
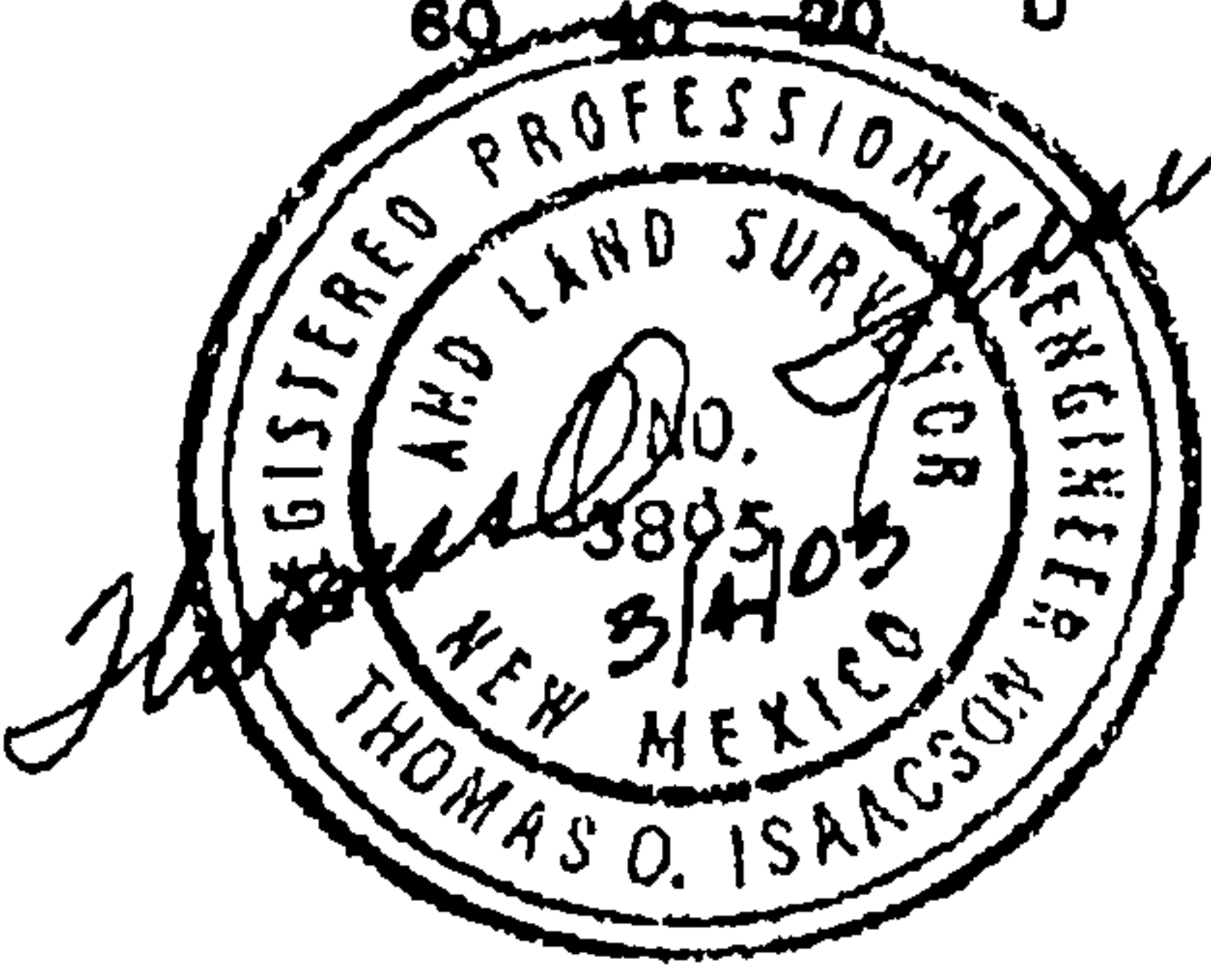
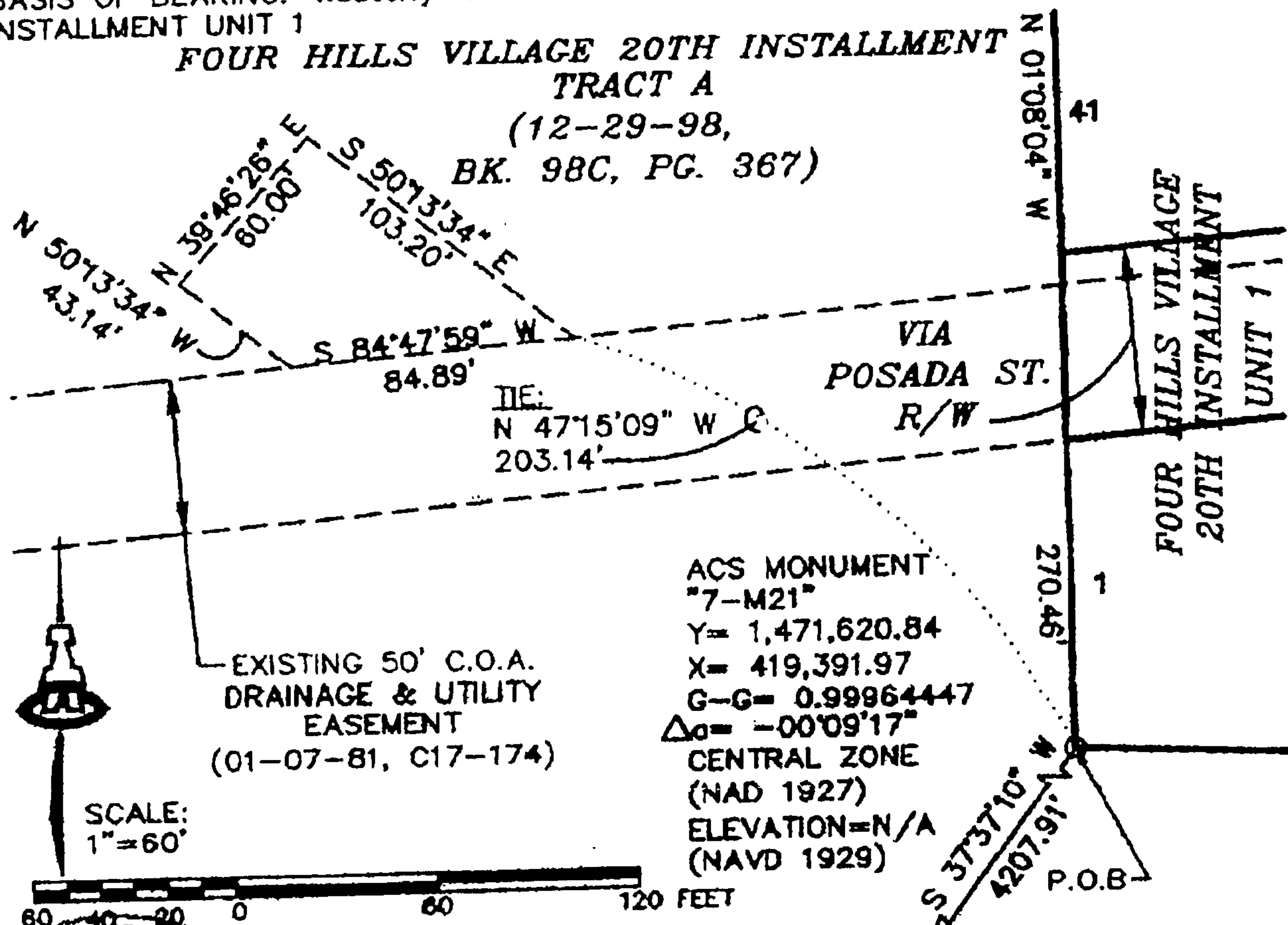
THENCE S 84°47'59" W, 84.89 feet to a point;

THENCE N 50°13'34" W, 43.14 feet to a point;

THENCE N 39°46'26" E, 60.00 feet to a point;

THENCE S 50°13'34" E, 103.20 feet to the POINT OF BEGINNING and containing 0.1008 acres more or less.

BASIS OF BEARING: Westerly lot line of lots 1 & 41, FOUR HILLS VILLAGE 20TH INSTALLMENT UNIT 1



168ESMT1.DWG rfh 03/03/03



PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this 19th day of February, 2008 by and between

**Juan Tabo Hills LLC, a New Mexico limited liability company**

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and its successors and assigns.

WITNESSETH:

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 14134

An easement within TRACT 4-A JUAN TABO HILLS UNIT 1, situate in Section 34, T. 10N, R. 4E, N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Bernalillo County on December 22, 2005 in Plat Book 2005C, Page 406, and being more particularly described as follows:

Said easement is ten (10) feet wide, being more particularly described and shown on the drawing attached hereto and made a part hereof as EXHIBIT "A" pages 1 and 2.

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electrical Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, lessees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

WITNESS MY hand this 19th day of February, 2008  
Scott Grady (SIGNATURE) \_\_\_\_\_ (SIGNATURE)  
Scott Grady, Managing Member

ACKNOWLEDGMENT

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
This instrument was acknowledged before me on February 19, 2008

By Scott Grady  
9.20.2008  
My commission expires: \_\_\_\_\_  
(Seal)

Hinda P. Lee  
Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_  
By \_\_\_\_\_ (Name of Officer) \_\_\_\_\_ (Title of Officer)  
of \_\_\_\_\_ (Corporation Acknowledgment)  
a \_\_\_\_\_ corporation, on behalf of said corporation.  
(State of Incorporation)

Said officer hereby acknowledges that s/he is the duly authorized signatory for said corporation.

My commission expires: \_\_\_\_\_  
(Seal)

Notary Public

FOR RECORDER'S USE ONLY

Doc# 2008092246

08/14/2008 03:01 PM Page: 1 of 3  
EASE R: \$13.00 M. Toulouse Oliver, Bernalillo County



PNM REFERENCE NUMBER [ ]

26  
12

*Easement Survey*  
for a portion of  
*Tract 4-A*  
*Juan Tabo Hills Unit 1*  
*Bernalillo County, New Mexico*  
*February 2008*

**EXHIBIT A**

Page 1

*Legal Description*

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY EASEMENT LINE FOR STREET L, AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT WHENCE A TIE TO THE THE SOUTHWEST CORNER OF SAID TRACT 4-A, S 44°25'16" E, A DISTANCE OF 151.73 FEET TO BEGINNING OF SAID EASEMENT;

THENCE, N 17°15'06" E, A DISTANCE OF 10.00 FEET TO A POINT OF CURVATURE;

THENCE, 31.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 20.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 62°15'06" E, A DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE, N 17°15'06" E, A DISTANCE OF 67.70 TO A POINT OF CURVATURE;

THENCE, 182.79 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 685.00 FEET, A DELTA OF 15°17'21", AND A CHORD BEARING N 24°53'47" E, A DISTANCE OF 182.25 FEET TO A POINT OF TANGENCY;

THENCE, N 32°32'27" E, A DISTANCE OF 289.01 FEET TO A POINT OF CURVATURE;

THENCE, 254.47 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 615.00 FEET, A DELTA OF 23°42'25", AND A CHORD BEARING N 20°41'15" E, A DISTANCE OF 252.65 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE, 33.44 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 20.00 FEET, A DELTA OF 95°47'15", AND A CHORD BEARING N 39°03'35" W, A DISTANCE OF 29.68 FEET, TO AN ANGLE POINT;

THENCE, N 03°02'47" E, A DISTANCE OF 10.00 FEET TO A POINT OF CURVATURE;

THENCE, THE NEXT 6 COURSES COINCIDING WITH THE EASTERLY EASEMENT LINE FOR GULFSTREAM DRIVE S.E. AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT;

50.15 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, A DELTA OF 95°47'15", AND A CHORD BEARING S 39°03'35" E, A DISTANCE OF 44.51 FEET, TO A POINT OF COMPOUND CURVATURE;

THENCE, 258.60 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 625.00 FEET, A DELTA OF 23°42'25", AND A CHORD BEARING S 20°41'15" W, A DISTANCE OF 256.76 FEET, TO A POINT OF TANGENCY;

THENCE, S 32°32'27" W, A DISTANCE OF 289.01 FEET TO A POINT OF CURVATURE;

THENCE, 180.12 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 675.00 FEET, A DELTA OF 15°17'21", AND A CHORD BEARING S 24°53'47" W, A DISTANCE OF 179.59 FEET TO A POINT OF TANGENCY;

THENCE, S 17°15'06" W, A DISTANCE OF 67.70 TO A POINT OF CURVATURE;

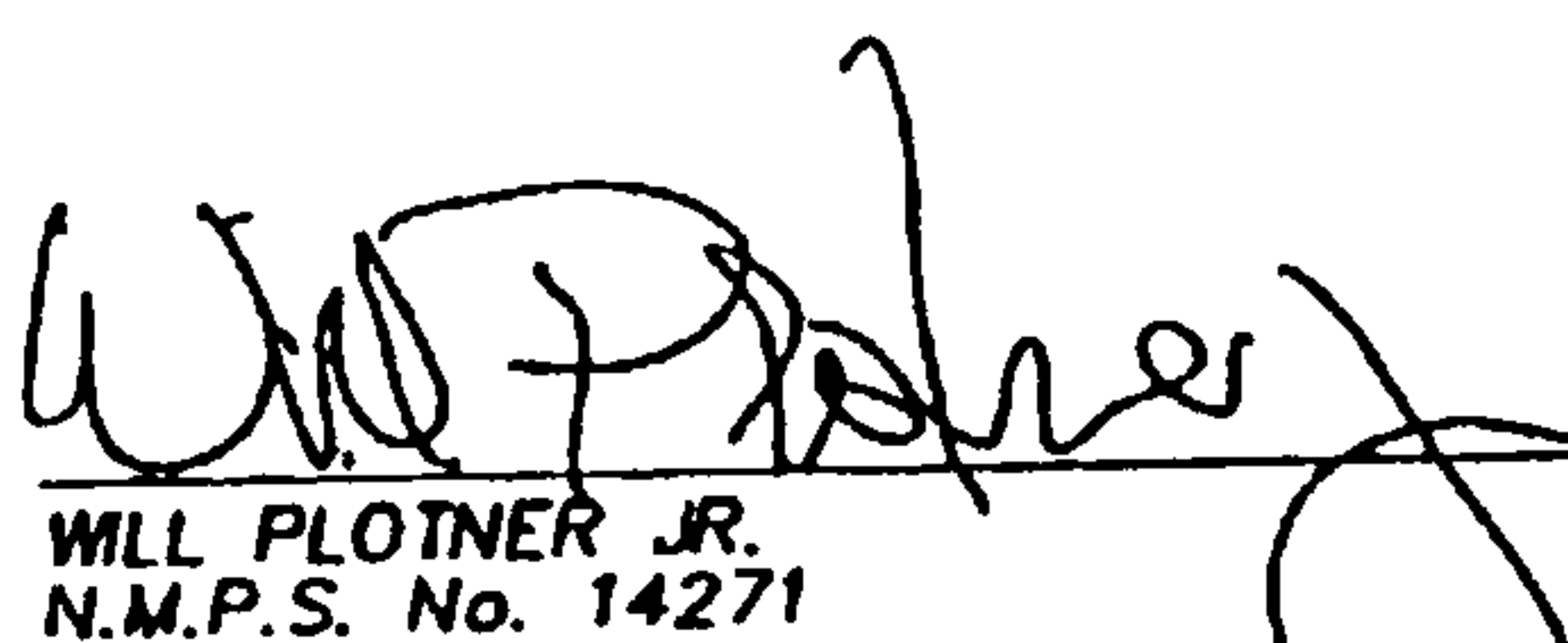
THENCE, 47.12 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 62°15'06" W, A DISTANCE OF 42.43 FEET TO THE POINT OF BEGINNING CONTAINING 0.2010 ACRES (8,758 SQ FT) MORE OR LESS.

*Notes*

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

*Surveyor's Certificate*

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

 2/18/08  
DATE  
WILL PLOTNER JR.  
N.M.P.S. No. 14271



#14134

**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 1 of 2

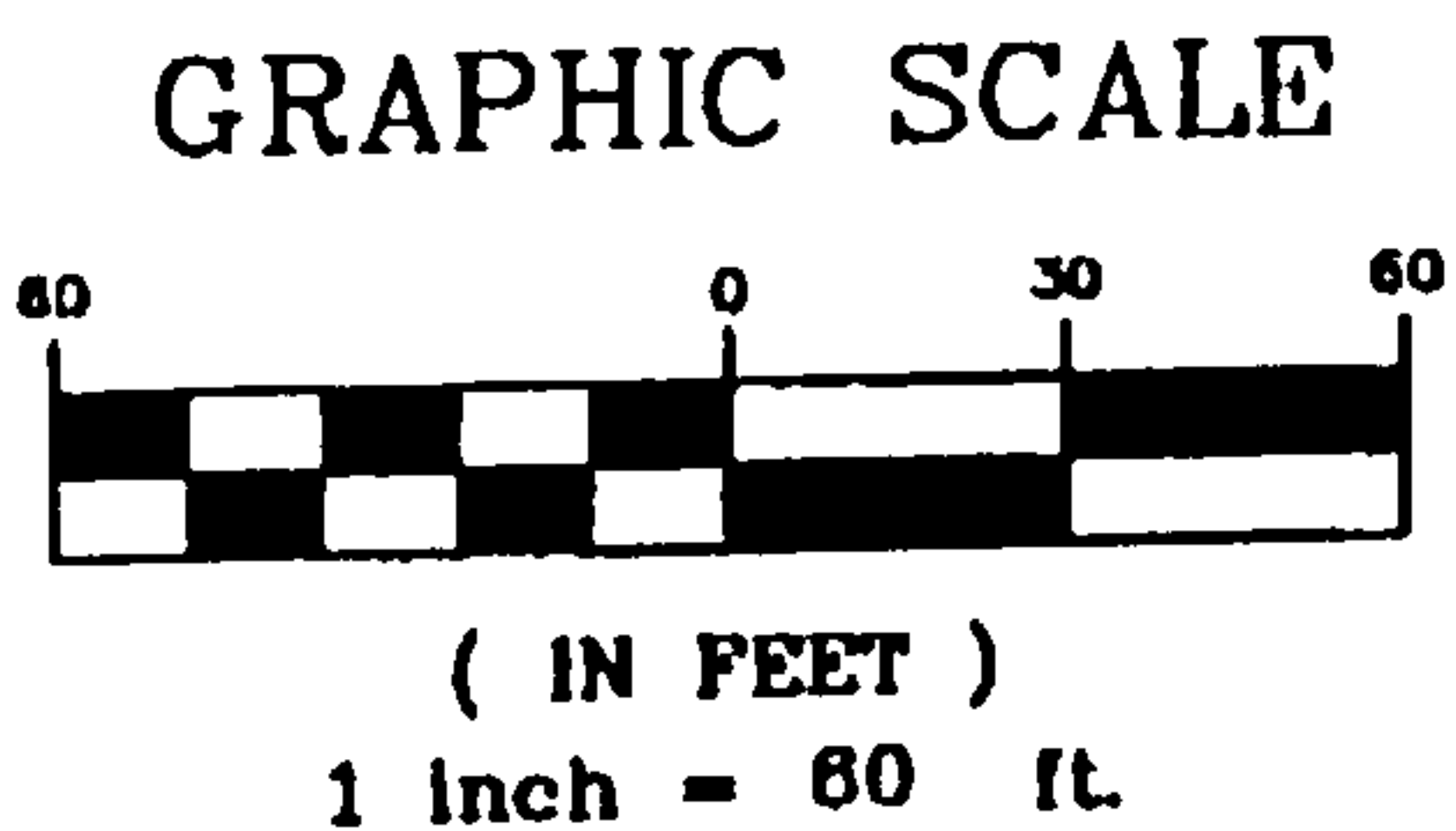
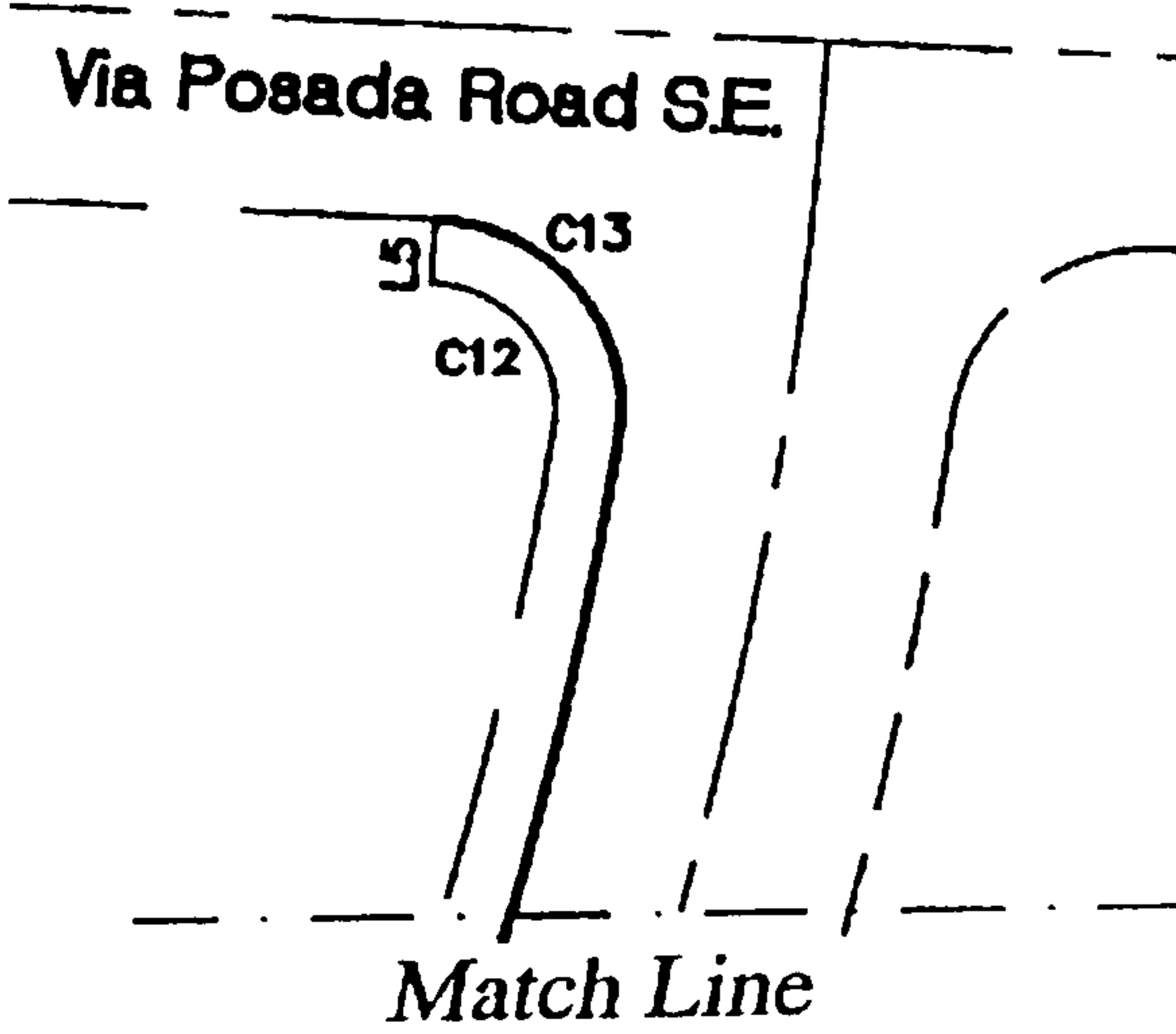
051264

**Easement Survey**  
for a portion of  
**Tract 4-A**  
**Juan Tabo Hills Unit 1**  
**Bernalillo County, New Mexico**  
February 2008

Match Line

**EXHIBIT A**

Page 2



8,758 sq. ft.  
0.2010 ACRES

N 32°32'27" E  
S 32°32'27" W

**Gulfstream Drive SE**

Tract 4-A  
Juan Tabo Hills, Unit 1  
(12/22/05, 2005C-406)

Existing 72' Public Access Esmt.  
(1/19/05, 2005C-22)

Existing 50' Public Access Esmt.  
(1/19/05, 2005C-22)

#14134

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C9	20.00'	31.42'	90°00'00"	N 62°15'06" E	28.28'
C10	685.00'	182.79'	15°17'21"	N 24°53'47" E	182.25'
C11	615.00'	254.47'	23°42'25"	N 20°41'15" E	252.65'
C12	20.00'	33.44'	95°47'15"	N 39°03'35" W	29.68'
C13	30.00'	50.15'	95°47'15"	S 39°03'35" E	44.51'
C14	625.00'	258.60'	23°42'25"	S 20°41'15" W	256.76'
C15	675.00'	180.12'	15°17'21"	S 24°53'47" W	179.59'
C16	30.00'	47.12'	90°00'00"	S 62°15'06" W	42.43'

LINE TABLE		
LINE	LENGTH	BEARING
L4	10.00	N 17°15'06" E
L5	10.00	N 03°02'47" E
L6	67.70	S 17°15'06" W
L7	67.70	N 17°15'06" E

Street L SE

P08

S 44°25'16" E  
151.73'

The Most Southerly  
Corner of Tract 4-A

**CARTESIAN SURVEYS INC.**  
P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244  
Sheet 2 of 2  
051264

PUBLIC SERVICE COMPANY OF NEW MEXICO  
UNDERGROUND EASEMENT (ELECTRIC)

THIS EASEMENT made this 19th day of February, 2008 by and between

**Juan Tabo Hills LLC, a New Mexico limited liability company**

(Grantor) and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation (Grantee), and its successors and assigns

WITNESSETH

Grantor, for and in consideration of the sum of One Dollar (\$1.00) in hand paid and other valuable consideration, the receipt of which is acknowledged, does hereby give, bargain, sell, grant and convey unto Grantee a perpetual easement to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein. The easement granted herein is within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT Number 14134

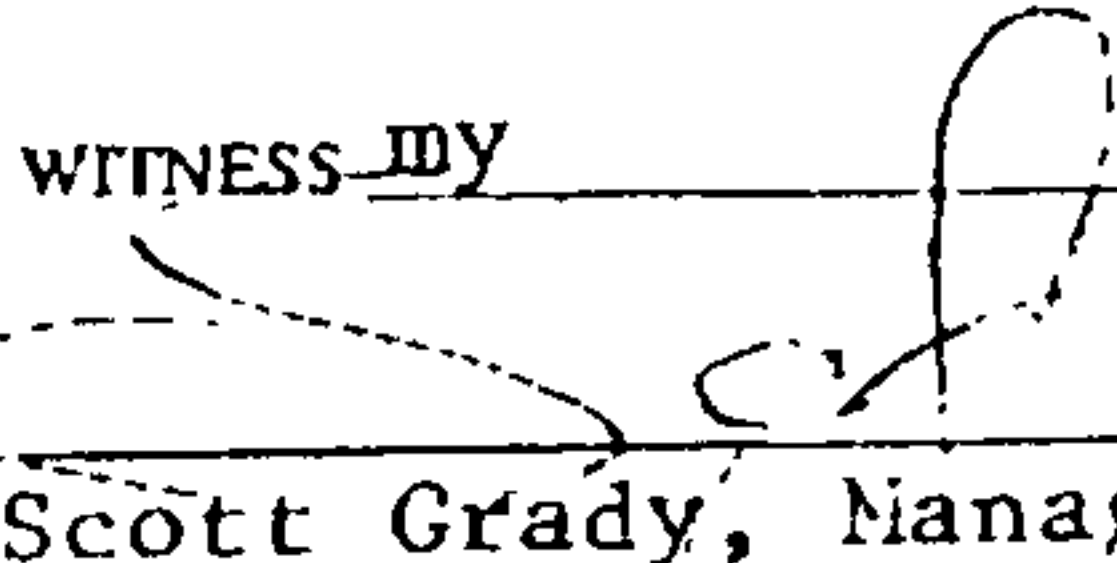
An easement within TRACT 4-A JUAN TABO HILLS UNIT 1, situate in Section 34, T. 10N, R. 4E, N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said Plat filed for record in the office of the County Clerk of Bernalillo County on December 22, 2005 in Plat Book 2005C, Page 406, and being more particularly described as follows:

Said easement is ten (10) feet wide, being more particularly described and shown on the drawing attached hereto and made a part hereof as EXHIBIT "A" pages 1 and 2.

Grantor hereby covenants that Grantor is the true and lawful owner of the land described herein.

Grantor shall have the right to use the above described easement for purposes not inconsistent with the rights hereby granted, provided that Grantor shall not erect nor construct any building, pool or other structure thereon, nor drill nor operate any well thereon, nor conduct any activity which violates provisions of the National Electrical Safety Code.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, mortgagees, leasees, tenants, successors and assigns of the parties hereto. Grantee shall have the unrestricted right to sell, transfer, assign, pledge, mortgage, lease, grant licenses or other use or occupancy rights with respect to, or otherwise dispose of, in whole or in part, any interest in the easement, and such assigns shall have the further right to convey, in whole or in part, the rights granted to them by Grantee.

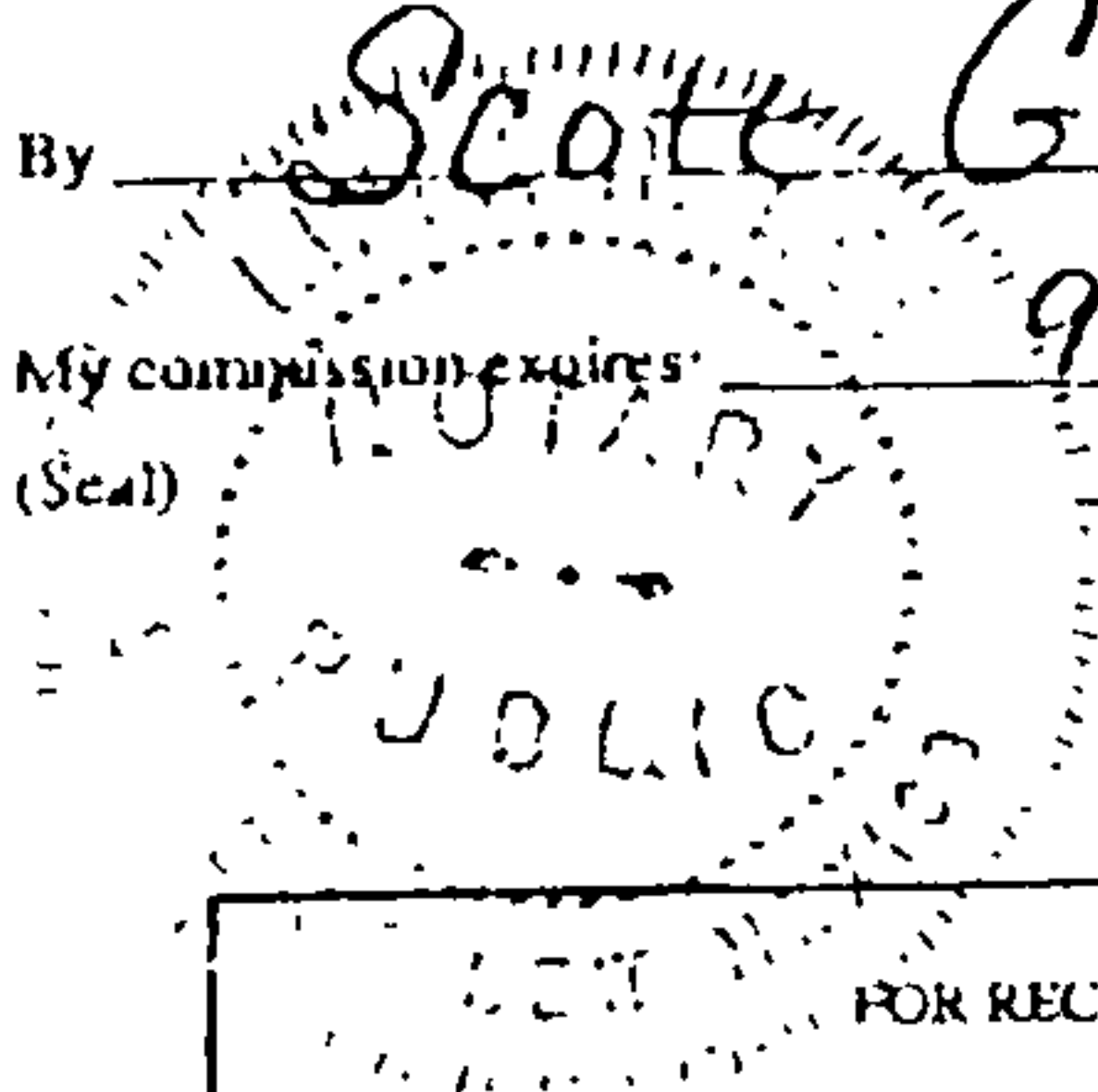
WITNESS MY hand this 19th day of February, 2008  
 (SIGNATURE) \_\_\_\_\_ (SIGNATURE) \_\_\_\_\_  
Scott Grady, Managing Member

ACKNOWLEDGMENT

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
This instrument was acknowledged before me on February 19, 2008

By Scott Grady  
My commission expires 9.20.2008

Linda J. Gee  
Notary Public



ACKNOWLEDGMENT FOR CORPORATION

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_  
This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_\_\_  
By \_\_\_\_\_ (Name of Officer) \_\_\_\_\_ (Title of Officer)


\_\_\_\_\_  
(Corporation Acknowledgment)  
\_\_\_\_\_ corporation, on behalf of said corporation.  
of Incorporation)  
hereby acknowledges that s/he is the duly authorized signatory for  
said corporation

My commission expires: \_\_\_\_\_  
(Seal) \_\_\_\_\_  
Notary Public

FOR RECORDER'S USE ONLY

Doc# 2008092247

08/14/2008 03:01 PM Page 1 of 3  
EASE R \$13.00 M. Toulouse Oliver, Bernalillo County



PNM REFERENCE NUMBER

**Easement Survey**  
for a portion of **EXHIBIT A**  
**Tract 4-A**  
**Juan Tabo Hills Unit 1 Page 1**  
**Bernalillo County, New Mexico**  
**February 2008**

**Legal Description**

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF THE HEREIN DESCRIBED PARCEL, BEING A POINT ON THE EASTERLY PROPERTY LINE OF TRACT 4-A, WHENCE A TIE TO THE NORTHEAST CORNER OF SAID TRACT 4-A BEARS N 31°41'51" W, A DISTANCE OF 410.21 FEET;

THENCE, COINCIDING SAID EASTERLY PROPERTY LINE S 31°41'51" E, A DISTANCE OF 16.28 FEET TO AN ANGLE POINT;

THENCE, LEAVING SAID PROPERTY LINE AND TRAVERSING SAID TRACT 4-A THE FOLLOWING 3 COURSES: S 06°12'33" W, A DISTANCE OF 38.98 FEET TO AN ANGLE POINT;

N 86°57'13" W, A DISTANCE OF 378.76 FEET TO A POINT OF CURVATURE;

THENCE, 264.60 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET, A DELTA OF 24°51'10", AND A CHORD BEARING N 74°31'38" W, A DISTANCE OF 262.53 FEET TO A POINT ON THE EASTERLY EASEMENT FOR LINE FOR JUAN TABO DRIVE S.E. AS SHOWN ON SAID JUAN TABO HILLS, UNIT 1 PLAT;

THENCE, COINCIDING WITH SAID EASTERLY EASEMENT, 11.85 FEET ALONG A CURVE TO THE RIGHT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 30.00 FEET, A DELTA OF 22°37'48", AND A CHORD BEARING N 03°39'18" W, A DISTANCE OF 11.77 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, LEAVING SAID JUAN TABO DRIVE EASEMENT, 266.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE HAVING A RADIUS OF 600.00 FEET, A DELTA OF 25°26'28", AND A CHORD BEARING S 74°13'59" E, A DISTANCE OF 264.24 FEET, TO A POINT OF TANGENCY;

THENCE, S 86°57'13" E, A DISTANCE OF 369.30 FEET TO AN ANGLE POINT;

THENCE, N 06°12'33" E, A DISTANCE OF 42.36 FEET TO THE POINT OF BEGINNING CONTAINING 0.1563 ACRES (6,807 SQ FT) MORE OR LESS.

**Notes**

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C1	620.00'	245.82'	22°43'02"	N 75°35'42" W	244.22'
C2	30.00'	45.72'	87°19'13"	N 20°34'35" W	41.42'
C3	690.00'	106.34'	8°49'49"	N 18°40'07" E	106.24'
C4	610.00'	264.60'	24°51'10"	N 74°31'38" W	262.53'
C5	30.00'	11.85'	22°37'48"	N 03°39'18" W	11.77'
C6	600.00'	266.42'	25°26'28"	S 74°13'59" E	264.24'
C7	30.00'	25.80'	49°15'59"	N 39°36'12" W	25.01'
C8	30.00'	8.08'	15°25'26"	N 15°22'19" E	8.05'

LINE TABLE		
LINE	LENGTH	BEARING
L1	42.36	N 06°12'33" E
L2	16.28	S 31°41'51" E
L3	38.98	S 06°12'33" W

**Surveyor's Certificate**

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Will Plotner Jr.*      2/18/08  
 WILL PLOTNER JR.      DATE  
 N.M.P.S. No. 14271



#14134

**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
 Phone (505) 896-3050 Fax (505) 891-0244



**MEMORANDUM OF SETTLEMENT AGREEMENT**

This Memorandum of Settlement Agreement is made December 21, 1999, by and between HAT LIMITED, a New Mexico Limited Partnership and JERRY G. PERRY and ARTHUR J. GONZALES and JANIE FAY GONZALES, husband and wife.

WHEREAS, the above-mentioned parties are the successors in interest (both grantor and grantee) to that certain Warranty Deed dated October 14, 1976, filed October 29, 1976 as Document 76-58177 and recorded in Book MD157-A, Pages 939-940 in the records of Bernalillo County, New Mexico, which deed contained a covenant regarding a future easement to be granted; and


WHEREAS, the parties have agreed to the terms for said easement, but which terms are not yet ready to be filed of record.

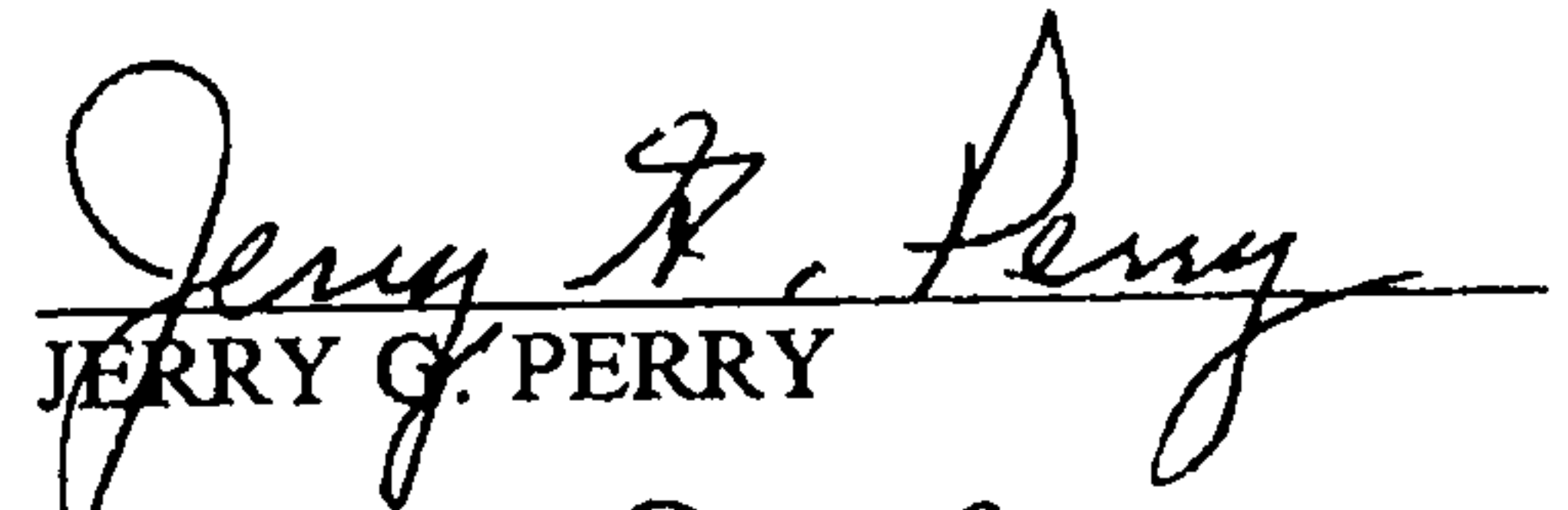
NOW, THEREFORE, for and in consideration of the above, the parties hereby give notice of the existence of a certain Easement Agreement dated December 21, 1999, by and between the parties hereto which will be placed of record at an appropriate time in the future.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date and year first above written.

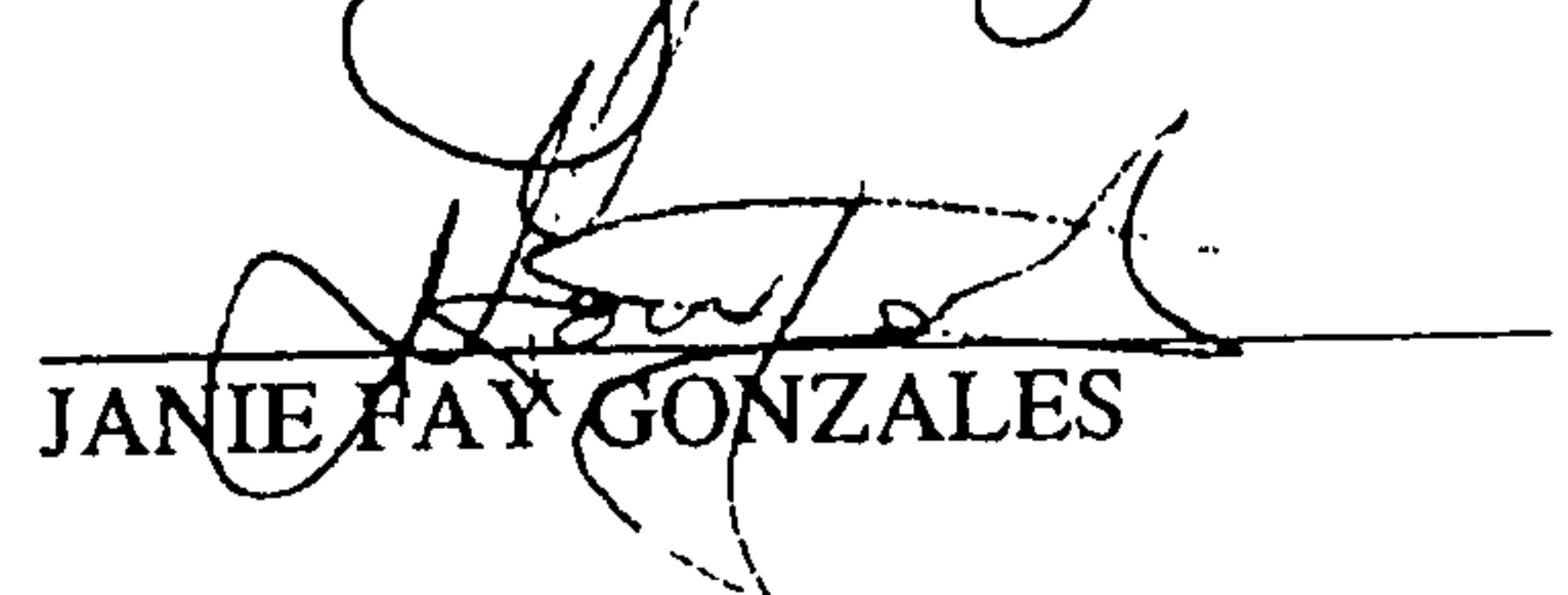
HAT LIMITED, a New Mexico  
Limited Partnership

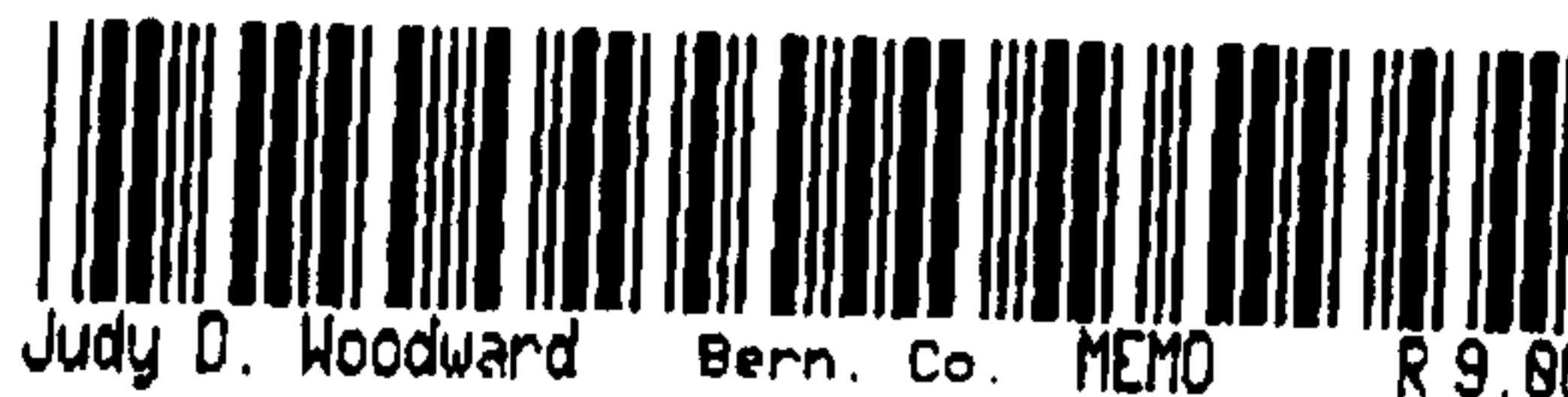
By TRAILS MANAGEMENT, INC. a  
New Mexico Corporation, Its General  
Partner

BY:   
STAN STRICKMAN  
Vice-President

  
JERRY G. PERRY

  
ARTHUR J. GONZALES

  
JANIE FAY GONZALES



Judy D. Woodward Bern. Co. MEMO R 9. 00

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Page: 1 of 2  
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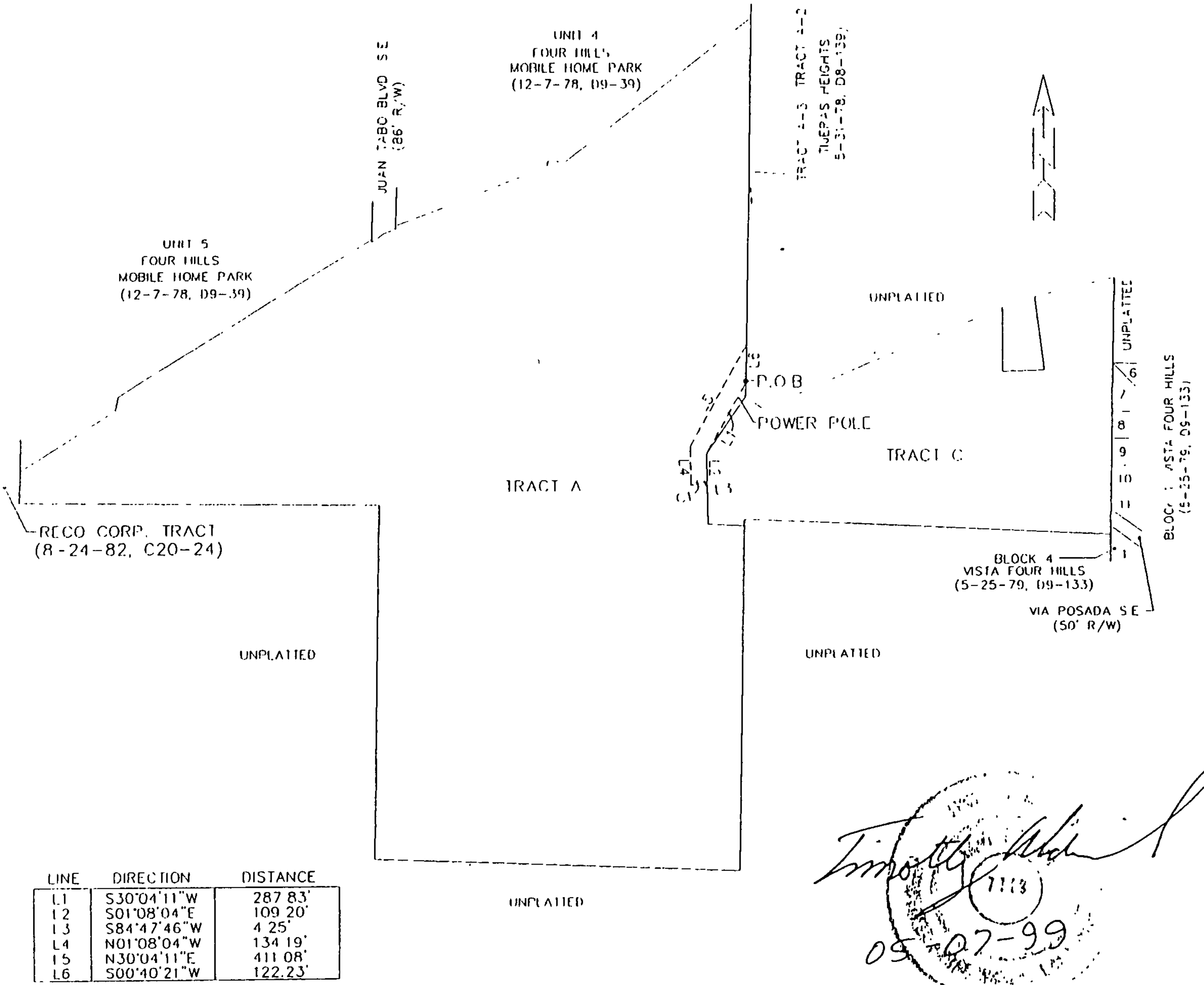




# EXHIBIT "A"

60' WIDE ~~PLATTE~~ ACCESS & UTILITY EASEMENT

NTS



LINE	DIRECTION	DISTANCE
L1	S30°04'11"W	287.83'
L2	S01°08'04"E	109.20'
L3	S84°47'46"W	4.25'
L4	N01°08'04"W	134.19'
L5	N30°04'11"E	411.08'
L6	S00°40'21"W	122.23'

CURVE	LENGTH	DELTA	RADIUS	TANGENT	DIRECTION	CHORD
C1	56.36'	08°03'28"	400.78'	28.23'	S80°46'27"W	56.32'

**DESCRIPTION:**

A 60' wide ~~platted~~ Access & Utility Easement within Section 34, Township 10 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being within TRACT A, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367 and being more particularly described as follows

- BEGINNING at a point of the herein described from whence the Albuquerque Control Survey Monument "5-M22" bears N 83°15'52" E, 1933.05 feet,
- THENCE S 30°04'11" W, 287.83 feet to a point, said point being on the west line of TRACT C, FOUR HILLS VILLAGE 20TH INSTALLMENT as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 29, 1998 in Book 98C, Page 367,
- THENCE S 01°08'04" E, 109.20 feet along a line common with the west line of said TRACT C to the southeast corner,
- THENCE S 84°47'46" W, 4.25 feet to a point of curvature,
- THENCE 56.36 feet along a curve to the left, whose radius is 400.78 feet through a central angle of 08°03'28" and whose chord bears S 80°46'27" W, 56.32 feet to the southwest corner,
- THENCE N 01°08'04" W, 134.19 feet to a point,
- THENCE N 30°04'11" E, 411.08 feet to a point,
- THENCE S 00°40'21" W, 122.23 feet to the point of beginning and containing 0.6479 acres more or less

**HAT**  


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**EXHIBIT NO. A**

PERMANENT EASEMENT

Grant of Permanent Easement, between JTH, LLC ("Grantor"), whose address is P.O. Box 1443, Corrales, NM 87048 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of public roadway, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

In the event Grantor constructs any improvements ("Improvements") within the Easement, the City has the right to enter upon Grantors property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the Work effects any Improvements or encroachments made by the Grantor, the City will not be financially or otherwise responsible for rebuilding or repairing the Improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements or encroachments, the Grantor shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or encroachments.

Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any part thereof and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

The grant and other provisions of this Easement constitute covenants running with the Property for the benefit of the City and its successors and assigns until terminated.

This Easement shall not be effective until approved by the City Engineer in the signature block below.

WITNESS my hand and seal this 14<sup>th</sup> day of January, 2009.

APPROVED:

[Signature]  
City Engineer

2-18-09  
Dated

[Signature] 2/18/09

[Signature]  
2-13-09

GRANTOR:

JTH, LLC  
[Signature]  
By: \_\_\_\_\_  
Scott Grady  
Managing Member

Date: \_\_\_\_\_



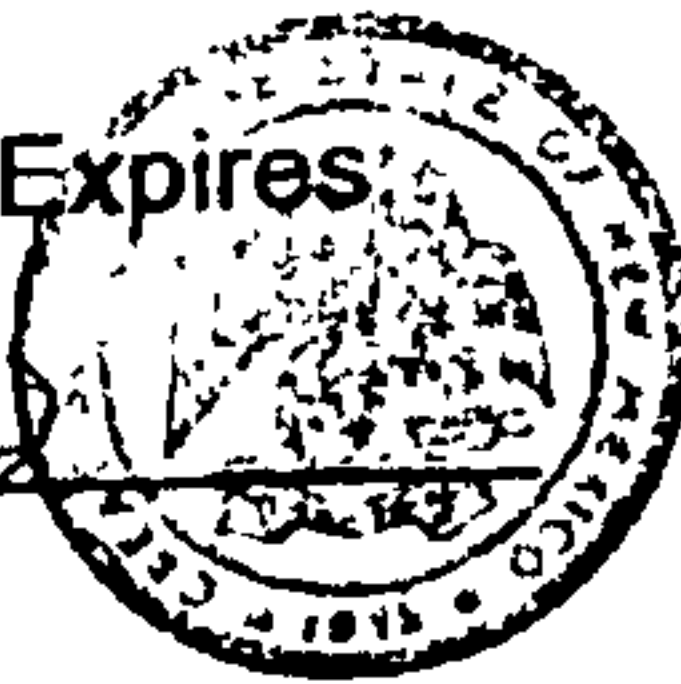
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**ACKNOWLEDGMENT**

STATE OF New Mexico )  
 )  
COUNTY OF Bernalillo )

This instrument was acknowledged before me on 14<sup>th</sup> day of January, 2009, by Scott Grady, managing member, on behalf of JTH, LLC.

Susan Rasinski  
Notary Public

My Commission Expires 9.10.12  OFFICIAL SEAL  
SUSAN RASINSKI  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires \_\_\_\_\_

(EXHIBIT "A" ATTACHED)

**Exhibit A**  
**Public Roadway Easement**  
for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
January 2009

**Legal Description**

A CERTAIN PARCEL OF LAND BEING A PORTION OF TRACT 4-A, OF THE PLAT FOR JUAN TABO HILLS UNIT 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN BOOK 2005C, PAGE 406, ON DECEMBER 22, 2005, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT BEING ON THE NORTHEASTERLY PROPERTY LINE OF SAID TRACT 4-A, WHENCE, FROM SAID POINT OF BEGINNING, A TIE TO THE MOST EASTERLY PROPERTY CORNER BEARS S 31°41'51" E, A DISTANCE OF 331.84 FEET;

THENCE, FROM SAID POINT OF BEGINNING, LEAVING SAID NORTHEASTERLY PROPERTY LINE OF TRACT 4-A, 31.45 FEET ALONG A CURVE TO THE RIGHT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 50.00', A DELTA OF 36°02'19", AND A CHORD BEARING S 59°38'21" W, A DISTANCE OF 30.93 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, 30.06 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00', A DELTA OF 68°53'59", AND A CHORD BEARING S 43°12'31" W, A DISTANCE OF 28.28 FEET TO A POINT OF TANGENCY;

THENCE, S 08°45'32" W, A DISTANCE OF 31.42 TO A POINT OF CURVATURE;

THENCE, 252.32 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 623.50 FEET, A DELTA OF 23°11'11", AND A CHORD BEARING S 20°21'07" W, A DISTANCE OF 250.60 FEET TO A POINT OF TANGENCY;

THENCE, S 31°56'43" W, A DISTANCE OF 147.33 FEET TO A POINT OF CURVATURE;

THENCE, 23.56 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 13°03'17" E, A DISTANCE OF 21.21 FEET TO A POINT OF TANGENCY;

THENCE, S 58°03'17" E, A DISTANCE OF 85.70 FEET TO A POINT OF CURVATURE;

THENCE, 66.75 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 625.50 FEET, A DELTA OF 6°06'51", AND A CHORD BEARING S 54°59'52" E, A DISTANCE OF 66.72 FEET TO AN ANGLE POINT ON THE EASTERLY PROPERTY LINE OF SAID TRACT 4-A:

THENCE, COINCIDING WITH SAID BOUNDARY LINE, S 46°00'28" W, A DISTANCE OF 51.54 FEET TO A POINT OF CURVATURE;

THENCE, LEAVING SAID PROPERTY LINE, 54.18 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 574.50 FEET, A DELTA OF 5°24'12", AND A CHORD BEARING N 55°21'11" W, A DISTANCE OF 54.16 FEET TO A POINT OF TANGENCY;

THENCE, N 58°03'17" W, A DISTANCE OF 85.70 FEET TO A POINT OF CURVATURE;

THENCE, 23.56 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 15.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING S 76°56'43" W, A DISTANCE OF 21.21 FEET TO A POINT OF TANGENCY;

THENCE, S 31°56'43" W, A DISTANCE OF 242.83 FEET TO A POINT OF CURVATURE;

THENCE, 70.91 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 276.50 FEET, A DELTA OF 14°41'37", AND A CHORD BEARING S 24°35'55" W, A DISTANCE OF 70.71 FEET TO A POINT OF TANGENCY;

THENCE, S 17°15'06" W, A DISTANCE OF 29.21 FEET TO AN ANGLE POINT;

(CONTINUED ON PAGE 2)

**Notes**

1. BASIS OF BEARINGS IS NEW MEXICO STATE PLANE COORDINATE SYSTEM (NAD 1927-GRID).
2. MEASUREMENTS AS SHOWN HEREON ARE IN GROUND DISTANCES: U.S. SURVEY FOOT.

**Surveyor's Certificate**

I, WILL PLOTNER JR., A NEW MEXICO REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THE EASEMENT SURVEY AS SHOWN HEREON WAS BASED UPON A FIELD SURVEY AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

  
WILL PLOTNER JR.  
N.M.P.S. No. 14271

DATE 1/9/09



**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 1 of 3  
051264

**Exhibit A**  
**Public Roadway Easement**  
for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
**January 2009**

**Continued Legal Description**

THENCE, N 72°44'54" W, A DISTANCE OF 72.00 FEET TO AN ANGLE POINT;

THENCE, N 17°15'00" E, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE;

THENCE, 31.42 FEET ALONG A CURVE TO THE LEFT, BEING NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 20.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 62°15'06" E, A DISTANCE OF 28.28 FEET TO A POINT OF REVERSE CURVATURE;

THENCE, 88.45 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 329.93 FEET, A DELTA OF 15°21'39", AND A CHORD BEARING N 24°14'56" E, A DISTANCE OF 88.19 FEET TO A POINT OF TANGENCY;

THENCE, N 31°56'43" E, A DISTANCE OF 242.83 FEET TO A POINT OF CURVATURE;

THENCE, 15.71 FEET ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 10.00 FEET, A DELTA OF 90°00'00", AND A CHORD BEARING N 13°03'17" W, A DISTANCE OF 14.14 FEET, TO AN ANGLE POINT;

THENCE, N 31°56'43" E, A DISTANCE OF 61.00 FEET TO A POINT OF CURVATURE;

THENCE, 15.71 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 10.00 FEET, A DELTA OF 89°59'54", AND A CHORD BEARING N 76°56'40" E, A DISTANCE OF 14.14 FEET TO A POINT OF TANGENCY;

THENCE, N 31°56'43" E, A DISTANCE OF 147.33 FEET TO A POINT OF CURVATURE;

THENCE, 231.27 FEET ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 571.50 FEET, A DELTA OF 23°11'11", AND A CHORD BEARING N 20°21'07" E, A DISTANCE OF 229.70 FEET TO A POINT OF TANGENCY;

THENCE, N 08°45'32" E, A DISTANCE OF 101.40 FEET TO A POINT OF CURVATURE;

THENCE, 57.79 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA OF 66°13'35", AND A CHORD BEARING N 41°52'19" E, A DISTANCE OF 54.63 FEET TO AN ANGLE POINT ON THE NORTHEASTERLY BOUNDARY LINE OF SAID TRACT 4-A;

THENCE, COINCIDING SAID NORTHEASTERLY PROPERTY LINE, S 31°41'51" E, A DISTANCE OF 95.79 FEET TO THE POINT OF BEGINNING, CONTAINING, 1.3866 ACRES (60,402 SQ. FT.) MORE OR LESS.

LINE TABLE		
LINE	LENGTH	BEARING
L8	95.79'	S 31°41'51" E
L9	31.42'	S 08°45'32" W
L10	51.54'	S 46°00'28" W
L11	29.21'	S 17°15'06" W
L12	72.00'	N 72°44'54" W
L13	5.00'	N 17°15'00" E
L14	61.00'	N 31°56'43" E
L15	101.40'	N 08°45'32" E
L16	25.00'	N 31°56'43" E

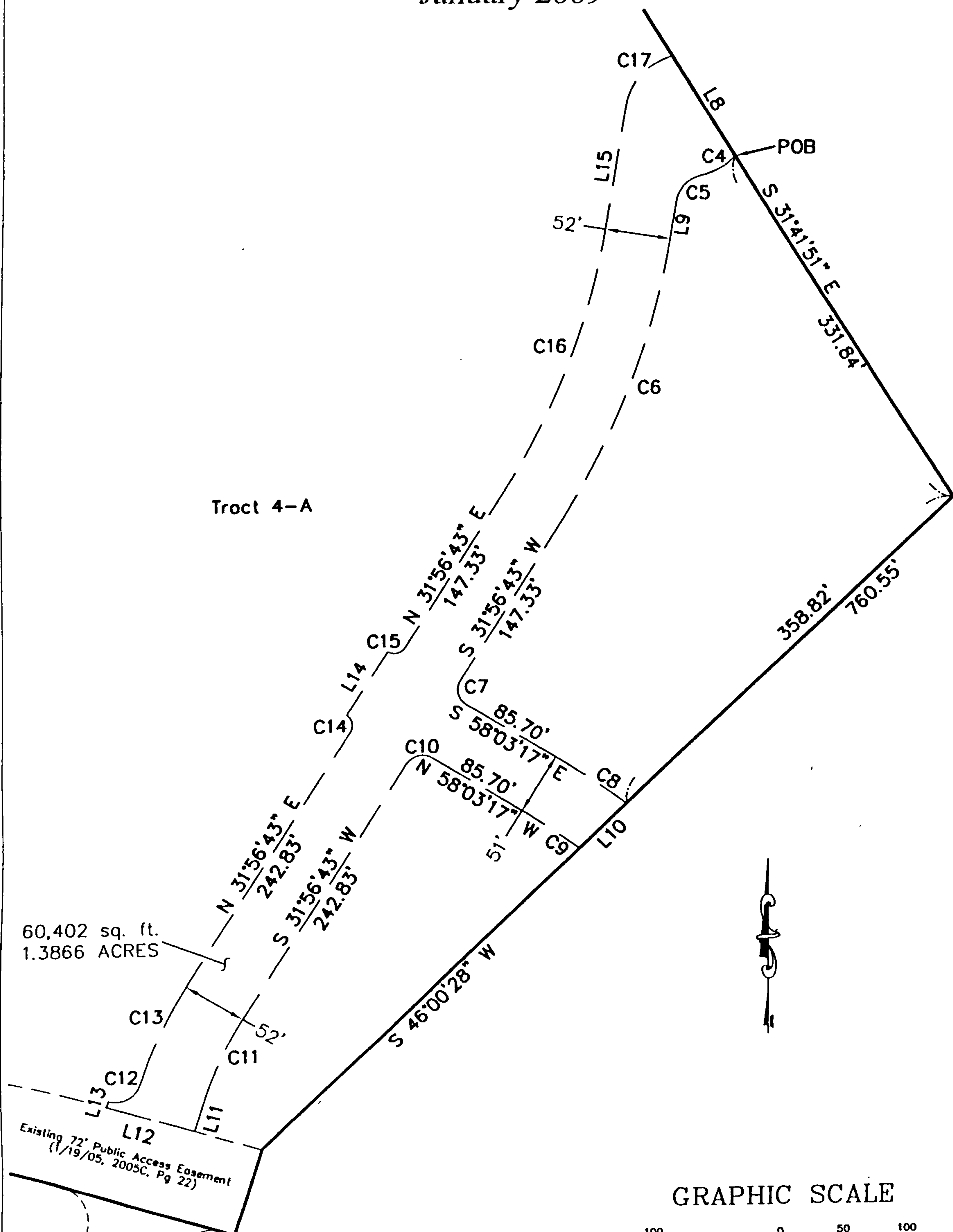
CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD DIR.	CHORD
C4	50.00'	31.45'	36°02'19"	S 59°38'21" W	30.93'
C5	25.00'	30.06'	68°53'59"	S 43°12'31" W	28.28'
C6	623.50'	252.32'	23°11'11"	S 20°21'07" W	250.60'
C7	15.00'	23.56'	90°00'00"	S 13°03'17" E	21.21'
C8	625.50'	66.75'	6°06'51"	S 54°59'52" E	66.72'
C9	574.50'	54.18'	5°24'12"	N 55°21'11" W	54.16'
C10	15.00'	23.56'	90°00'00"	S 76°56'43" W	21.21'
C11	276.50'	70.91'	14°41'37"	S 24°35'55" W	70.71'
C12	20.00'	31.42'	90°00'00"	N 62°15'06" E	28.28'
C13	329.93'	88.45'	15°21'39"	N 24°14'56" E	88.19'
C14	10.00'	15.71'	90°00'00"	N 13°03'17" W	14.14'
C15	10.00'	15.71'	89°59'54"	N 76°56'40" E	14.14'
C16	571.50'	231.27'	23°11'11"	N 20°21'07" E	229.70'
C17	50.00'	57.79'	66°13'35"	N 41°52'19" E	54.63'

**CARTESIAN SURVEYS INC.**

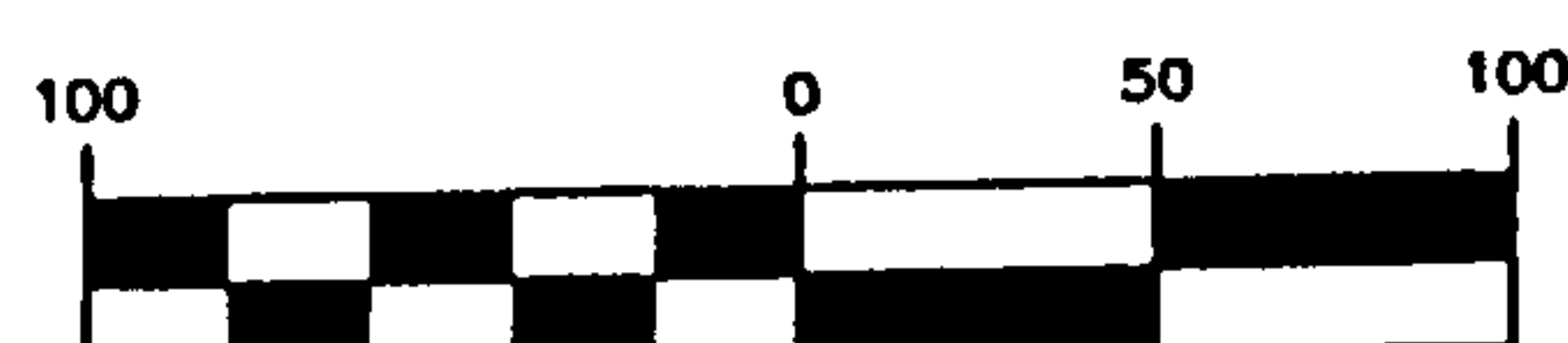
P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244

Sheet 2 of 3  
051264

**Exhibit A**  
**Public Roadway Easement**  
 for a portion of  
**Tract 4-A, Juan Tabo Hills Unit 1**  
**City of Albuquerque**  
**Bernalillo County, New Mexico**  
 January 2009



GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

**CARTESIAN SURVEYS INC.**

P.O. BOX 44414 RIO RANCHO, N.M. 87174  
 Phone (505) 896-3050 Fax (505) 891-0244

PRELIMINARY PLAT FOR  
 JUAN TABO HILLS, UNIT 3A  
 WITHIN  
 SECTIONS 27, 33 AND 34  
 TOWNSHIP 10 NORTH, RANGE 4 EAST, NMPM  
 CITY OF ALBUQUERQUE  
 BERNILLO COUNTY, NEW MEXICO  
 August, 2008

EASEMENTS

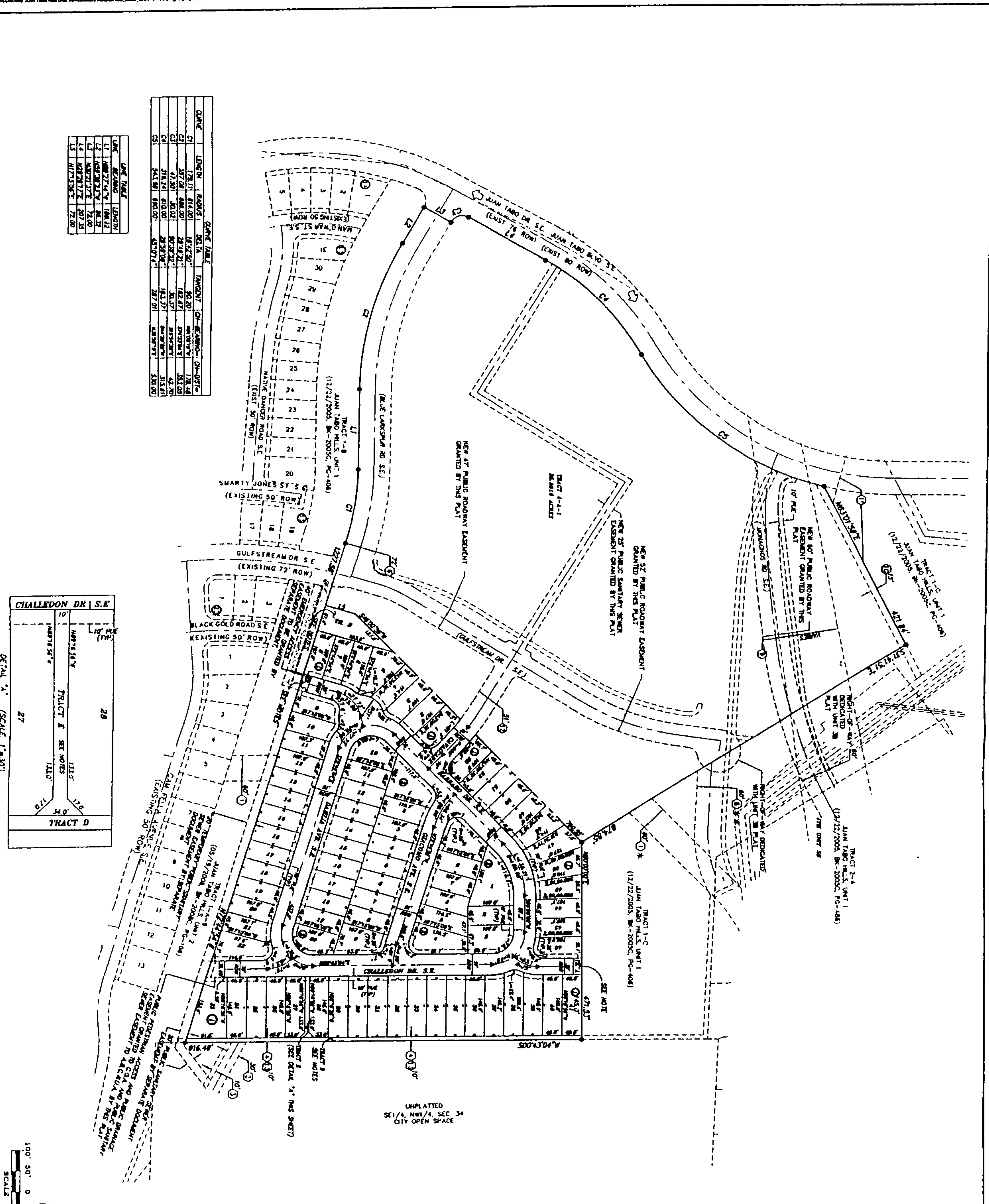
- 1 8' C.O.A. PUBLIC ROADWAY EASEMENT (12-28-96, REC-387)  
 \* TO BE WAIVED BY FUTURE PLATTING ACTION
- 2 30' C.O.A. PERMANENT UTILITY & DRAINAGE EASEMENT (08-04-77, REC-551, PC 183-189)
- 3 10' C.O.A. TEMPORARY UTILITY & DRAINAGE EASEMENT (08-04-77, REC. 551, PC 183-189)
- 4 EXST. 10' OWEST EASEMENT (12/22/2005, BK-2005C, PG-408)
- 5 EXSTING 7' PUBLIC ACCESS EASEMENT (01/19/04, BK. 2005C, Pg. 22)
- 6 EXSTING 30' PUBLIC ACCESS EASEMENT (01/19/04, BK. 2005C, Pg. 22) (VACATED)
- 7 EXSTING 8' PUBLIC ACCESS EASEMENT (01/19/04, BK. 2005C, Pg. 22)  
 \*\* TO BE WAIVED BY FUTURE PLATTING ACTION
- 8 EXSTING PUBLIC SERVICE COMPANY OF NEW MEXICO EASEMENT (12/22/2005, BK-2005C, PG-408)
- 9 EXSTING 15' PUBLIC WATERLINE EASEMENT (12/22/2005, BK-2005C, PG-408)
- 10 EXSTING ALMAY C.A. FLOOD PLAIN EASEMENT (12-28-96, REC-387)
- 11 5' PUBLIC ROADWAY AND PUBLIC UTILITY EASEMENT GRANTED WITH THIS PLAT.
- 12 10' PUBLIC DRAINAGE EASEMENT GRANTED BY THIS PLAT. SURFACE DRAINAGE TO BE MAINTAINED BY HOA.

NOTES

- 1 TRACT A (0.0778 AC) PEDESTRIAN ACCESS EASEMENT TO BE OWNED AND MAINTAINED BY THE HOA.
- 2 TRACT B (0.1803 AC) TO BE INCORPORATED INTO TRACT 4-A-1 IN THE FUTURE, TO BE OWNED AND MAINTAINED BY THE HOA, LLC.
- 3 TRACT C (0.0175 AC) PEDESTRIAN ACCESS EASEMENT TO BE OWNED AND MAINTAINED BY THE HOA.
- 4 TRACT D (0.2100 AC) PUBLIC DRAINAGE EASEMENT, TO BE OWNED AND MAINTAINED BY THE HOA.
- 5 TRACT E (0.048 AC) SURFACE OF PUBLIC DRAINAGE SURFACE DRAINAGE CHANNEL, AND INLET TO BE OWNED AND MAINTAINED BY THE C.O.A.

LEGEND

- AS LOT NUMBER
- 100 BLOCK NUMBER
- ▲ CENTER LINE MONUMENT
- ▲▲ RIGHT-OF-WAY
- AE PUBLIC UTILITY EASEMENT



LINE	LENGTH	BEARING	AREA	DATE
C1	178.11	S14.00°	1672.97	12/22/2005
C2	527.91	S88.00°	8237.97	12/22/2005
C3	477.50	S10.02°	8237.97	12/22/2005
C4	316.24	S10.00°	2823.06	12/22/2005
C5	241.89	S84.00°	4570.12	12/22/2005

LINE	BEARING	LENGTH
L1	N89°22'54"W	188.32
L2	N89°38'21"W	86.32
L3	N89°21'17"W	72.00
L4	N89°28'17"W	207.35
L5	N72°51'06"W	72.00

