

TERMINATION AND RELEASE OF AGREEMENT TO DEDICATE

This Termination and Release of Agreement to Dedicate (the "Release") is entered into by and between the CITY OF ALBUQUERQUE, a New Mexico municipal corporation (the "City") and HOFFMANTOWN CHURCH, a New Mexico nonprofit corporation formerly known as Hoffmantown Baptist Church ("Owner").

WHEREAS, in order to satisfy a requirement for the approval of City of Albuquerque Site Development Plan #Z-85-12, which was designed to accommodate a major expansion in the size of the church facility to be located on Tract A, Hoffmantown Baptist Church Site, as the same is shown and designated on the plat thereof filed in the office of the County Clerk, Bernalillo County, New Mexico, on November 6, 1986, in book C32, page 7, and Tract B-2, Yorba Linda Subdivision, as the same is shown and designated on the plat thereof filed in the office of the County Clerk, Bernalillo County, New Mexico, on December 27, 1984, in book C26, page 3 (together, "Owner's Property"), on June 20, 1986, Owner executed that certain Agreement to Dedicate filed in the office of the County Clerk, Bernalillo County, New Mexico, on August 5, 1986, in book Misc. 379A, page 652 (the "Agreement to Dedicate"), pursuant to which Owner agreed to the future dedication of a portion of Owner's Property for the construction of the extension of Moon Street NE from Harper Road NE to Academy Road NE; and,

WHEREAS, the City no longer requires the future dedication of a portion of Owner's Property for the construction of such extension of Moon Street NE; and,

WHEREAS, the City and Owner desire to sign and record this instrument so as to terminate and release the Agreement to Dedicate.


THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Agreement to Dedicate is hereby terminated and shall be of no force or effect, and the same is hereby released of record and shall no longer encumber Owner's Property.

EXECUTED as of the last date of acknowledgment set forth below:

CITY:


CITY OF ALBUQUERQUE, NEW MEXICO,
a New Mexico municipal corporation

By: 

 Name: Sarita Nair
Title: Chief Administrative Officer

OWNER:

HOFFMANTOWN CHURCH,
a New Mexico nonprofit corporation f/k/a Hoffmantown Baptist Church

By: 

Name: Kim S. Crissman
Title: Chairman Elders



Approved as to Form:

CITY OF ALBUQUERQUE:

By: [Signature] (AV)
Esteban A. Aguilar, City Attorney

Date: 2-14-19

By: [Signature]
Shahab Biazar, P.E., City Engineer

Date: 2/11/19

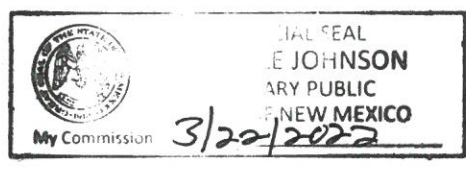
(Acknowledgments Follow)

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on February 20 2019, by Sarita Nair, Chief Administrative Officer of the CITY OF ALBUQUERQUE, New Mexico, a New Mexico municipal corporation, on behalf of said municipal corporation.

My Commission Expires:
3/22/2022

[Signature]
NOTARY PUBLIC



STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on Feb 8, 2019, by Kim Crissman, of HOFFMANTOWN CHURCH, a New Mexico nonprofit corporation, on behalf of said nonprofit corporation.

My Commission Expires:
8/13/2022

[Signature]
NOTARY PUBLIC



85 72089

AGREEMENT TO DEDICATE

66 652

Hoffmantown Baptist Church (Hoffmantown), being the owner of that property located at Ventura and Harper through which the Moon Street segment from approximately 750' south of Harper Road to Harper Road is proposed to be constructed at some time in the future, having requested approval of the Site Development Plan, # Z-85-12; and

Realizing that the future development of the area will require the establishment of Moon Street within the area for the circulation of traffic and that establishment of Moon Street will directly benefit Hoffmantown; and

The Environmental Planning Commission having required the segment of Moon Street be dedicated;

NOW, THEREFORE, it is hereby agreed that the attached drawing, showing the approximate route and location of Moon Street (Exhibit A), is hereby accepted and approved; and Hoffmantown agrees for itself, its successors and assigns, as a covenant running with the land that we will deed and dedicate to the City of Albuquerque a 60' wide portion of the property as will be necessary for the construction of the above-described Moon Street segment for street right-of-way purposes when requested to do so.

Hoffmantown understands that the proposed alignment as indicated on the attached Exhibit A is approximate only and that actual alignment has not yet been established.

HOFFMANTOWN BAPTIST CHURCH

By: Bill Chappell

Its: Trustee

STATE OF New Mexico
COUNTY OF Bernalillo ss.

The foregoing instrument was acknowledged before me this
20th day of June, 1986 by Bill Chappell, Jr.
Trustee of Hoffmantown Baptist Church, on behalf
of said non-profit corporation

Suzanne H. Purnell
Notary Public

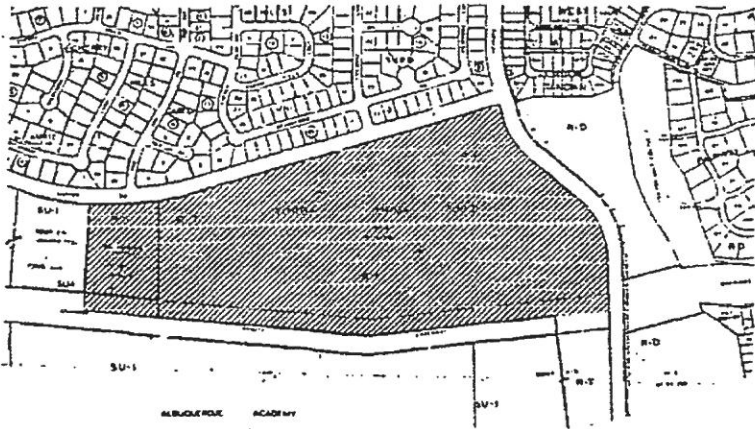
My commission expires:
10/1/86



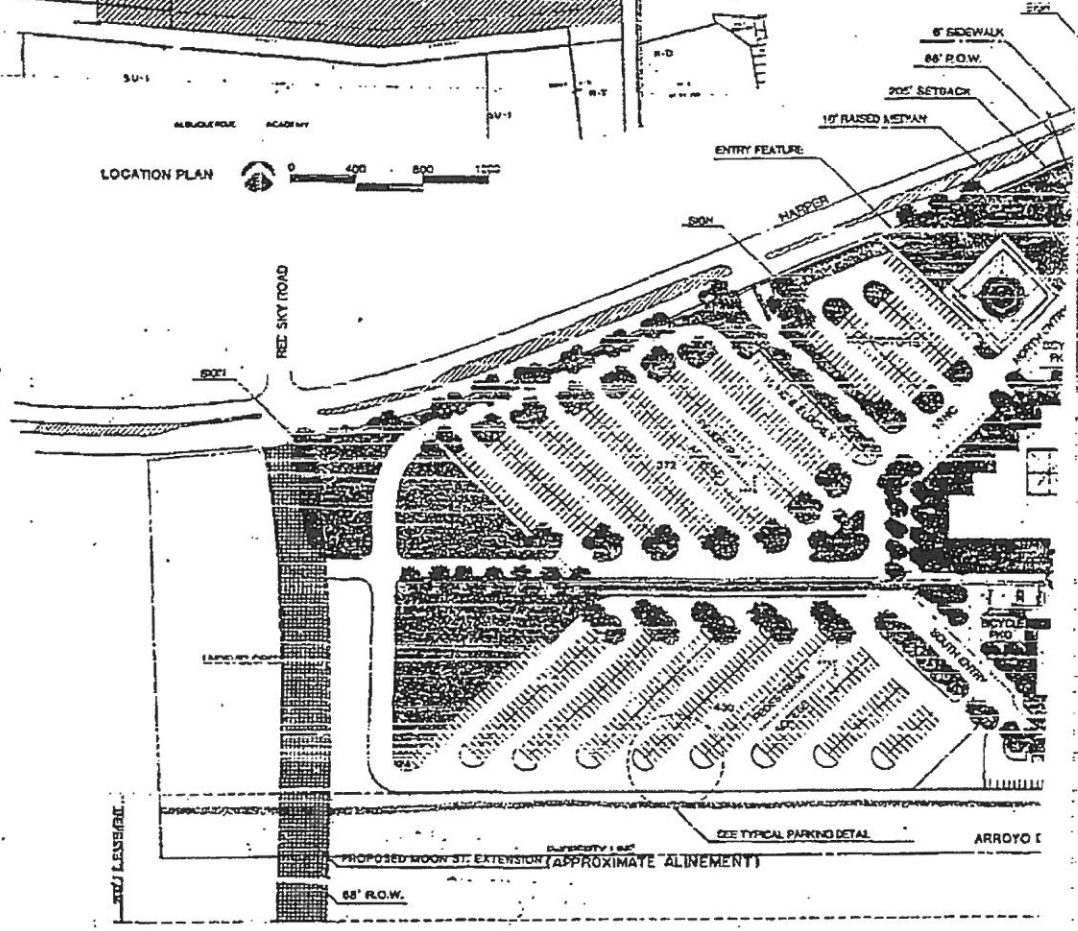
OFFICIAL SEAL
Suzanne H. Purnell
Notary Public, State of New Mexico
My Commission Expires 10/1/86

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1986 JUN -5 AM 9:40
652657
DOLORES C. WALLER
CLERK & RECORDER
Landfill DEPUTY



LOCATION PLAN



IBIT A

655

10' EASEMENT R.O.W. WILL BE MAINTAINED BY THE CITY FOR SIDEWALK

8' SIDEWALK
ANY RETRACK
BY R.O.W.

TYPICAL PARKING DETAIL
1" = 20'

RECEIVED
JUN 12 1986

PROPOSED MEDIAN CUT
LEFT TURN BAY BY DEVELOPER

DRB 86-414

FUTURE STREET

LEFT TURN BAY BY DEVELOPER

PROPOSED DREWAY BY OTHERS

SERVICE AREA AND GARAGE HOV 2+



ALVIN & ASSOCIATES

PLANNING & ARCHITECTURE

PLANNING & ARCHITECTURE

July 30, 1986

TO WHOM IT MAY CONCERN:

On March 10, 1986, in a regular business meeting of Hoffmantown Baptist Church, the following recommendation was presented and passed with 93% voting for and 7% voting against.

Based upon Hoffmantown Baptist Church's decision to:

Relocate to a new site.

Purchase the Yorba Linda Subdivision (Harper/Layton) for a new site.

Secure the services of Flatow, Moore, Bryan & Assoc. architects for master planning and zoning.

Secure the services of Resource Services, Inc. to help with a Capital Fund Raising Program.

The Pastor and the Building Committee recommends to the church that they be charged with the responsibility of constructing PHASE I facilities that conform with the financial resources of the church. Acquiring the needed financial resources shall include the liquidation of our current location and that the trustees be authorized to sign all contracts needed to accomplish the Phase I construction and liquidation of current facilities and property.


Georgann/R. McFall, Church Clerk