

**DEVELOPMENT REVIEW BOARD**  
**Action Sheet**

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

May 6, 2009 9:00 AM  
MEMBERS:

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

**Kristal Metro, P.E., Transportation Development**  
**Brad Bingham, P.E., Hydrology/ Alternate City Engineer**

**Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA**  
**Christina Sandoval, Parks/Municipal Development**

**CASES WHICH REQUIRE PUBLIC NOTIFICATION**

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

1. **Project# 1003790**  
09DRB-70137 MAJOR - 2YEAR  
EXTENSION OF SUBDIVISION  
IMPROVEMENTS AGREEMENT  
(2YR SIA)  
  
MARK GOODWIN AND ASSOCIATES PA agent(s) for MCT INDUSTRIES, INC request(s) the refererced/ above action(s) for all or a portion of **NORTH GATEWAY SUBDIVISION**, zoned IP, located on the north side of **BALLOON FIESTA PARKWAY NE** between **SAN MATEO BLVD NE** and **I-25** containing approximately 14.7539 acre(s). (B-18) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**
  
2. **~~Project# 1007735~~**  
09DRB-70136 VACATION OF PUBLIC  
EASEMENT  
  
JOSEPH P. STARKE request(s) the refererced/ above action(s) for all or a portion a 30 FOOT ACCESS EASEMENT on Lot(s) 36 P-1, **PARADISE GREENS Unit(s) 1**, zoned R-2, located east of **ALTA MESA NW** and west of **SUMMERLIN RD NW**, south of **IRVING BLVD NW**. (B-12) **THE VACATION OF THE VEHICULAR COMPONENT OF THE ACCESS EASEMENT ON LOT 36 P1, 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.**

# CITY OF ALBUQUERQUE



11-11-09

## CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

### DEVELOPMENT REVIEW BOARD--SPEED MEMO

**DRB CASE NO/PROJECT NO: 1007735**

**AGENDA ITEM NO: 2**

**SUBJECT:**

Vacation

**ACTION REQUESTED:**

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

PO Box 1293

**ENGINEERING COMMENTS:**

The Hydrology Section has no objection to the vacation request.

Albuquerque

NM 87103

**RESOLUTION:**

APPROVED ; DENIED ; DEFERRED ; COMMENTS PROVIDED ; WITHDRAWN

www.cabq.gov

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

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

FOR:

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

**DATE:** May 6, 2009



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

May 6, 2009

**Project# 1007735**  
09DRB-70136 VACATION OF PUBLIC EASEMENT

JOSEPH P. STARKE request(s) the refererced/ above action(s) for all or a portion a 30 FOOT ACCESS EASEMENT on Lot(s) 36 P-1, **PARADISE GREENS Unit(s) 1**, zoned R-2, located east of ALTA MESA NW and west of SUMMERLIN RD NW, south of IRVING BLVD NW. (B-12)

At the May 6, 2009 Development Review Board meeting, the vacation of the vehicular component of the access easement on Lot 36 P1, 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:

1. (A)(1) The public easment vacation request was filed by the majority owner of the land which is encumbered by/ has frontage of the easement which is proposed for vacation.
2. (B)(1) Based on retention of pedestrian access and the testimony and evidence that this portion of the easement was not used for vehicular access, the public welfare is in no way served by retaining that component of the public easement.
3. (B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right; after Notice to property owners there was no opposition or objection to the vacation action, provided that public pedestrian access is maintained.

### CONDITIONS:

1. The subject easement area shall be retained for PUBLIC PEDESTRIAN ACCESS and WATERLINE EASEMENT (in favor of the ABCWUA) only.
2. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by May 21, 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: Joseph P. Starke – 4900 Alta Mesa NW – Albuquerque, NM 87114

Cc: Kathleen Singer – 4944 Alta Mesa NW – Albuquerque, NM 87114

Marilyn Maldonado

Scott Howell

file



CITY OF ALBUQUERQUE  
 PLANNING DEPARTMENT  
 DEVELOPMENT REVIEW BOARD

May 6, 2009

**Project# 1007735**  
 09DRB-70136 VACATION OF PUBLIC EASEMENT

JOSEPH P. STARKE request(s) the referered/ above action(s) for all or a portion a 30 FOOT ACCESS EASEMENT on Lot(s) 36 P-1, **PARADISE GREENS Unit(s) 1**, zoned R-2, located east of ALTA MESA NW and west of SUMMERLIN RD NW, south of IRVING BLVD NW. (B-12)

<b>AMAFCA</b> No comment.
<b>COG</b> MRCOG staff have no comment on the proposed development.
<b>TRANSIT</b> No comment.
<b>ZONING ENFORCEMENT</b> No comment.
<b>NEIGHBORHOOD COORDINATION</b> Letters sent to: No Neighborhood and/or Homeowner Association(s)

**APS**  
 Paradise Greens Unit 1, Lot 36-P1 is located east of Alta Mesa NW and west of Summerlin Rd NW south of Irving Blvd NW. The owner of the above property requests a Vacation of Public Easement for a development that consists of an existing residential development. This development is impacting Sierra Vista Elementary School, James Monroe Middle School, and Cibola High School. Currently, all three schools are over capacity.

Loc No	School	2008-09 40th Day	2008-09 Capacity	Space Available
356	Sierra Vista	816	800	-16
490	James Monroe	1,519	1,417	-102
580	Cibola	2,614	2,575	-39

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)

- Schedule Changes
  - Double sessions
  - Multi-track year-round
- Other
  - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

**All planned additions to existing educational facilities are contingent upon taxpayer app**

**POLICE DEPARTMENT**

No comment.

**FIRE DEPARTMENT**

No comment.

**PNM ELECTRIC & GAS**

No comment.

**COMCAST**

No comment.

**QWEST**

No comment.

**ENVIRONMENTAL HEALTH**

No comment.

**M.R.G.C.D**

No Adverse Comments

**OPEN SPACE DIVISION**

Open Space has no adverse comments

**CITY ENGINEER**

The Hydrology section has no objection to the vacation request.

**TRANSPORTATION DEVELOPMENT**

Transportation Development would not object to the vacation of the public access easement if it was replaced with a private pedestrian easement for the benefit of the homeowner's association.

**PARKS AND RECREATION**

Does the vacation connect with the public ROW (street)? What are you requesting to vacate?

**ABCWUA**

No objection to Vacation request.

**PLANNING DEPARTMENT**

Refer to comments from affected agencies and any public hearing comments regarding proposed vacation.

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

Cc:

# DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1007735 AGENDA# 2 DATE: 5/6/09

1. Name: Kathleen Singer Address: 4944 Alta Mesa NW  
Albuquerque NM Zip: 87114
2. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
3. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
4. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
5. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
6. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
7. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
8. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
9. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
10. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
11. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
12. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
13. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
14. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
15. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
16. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_
17. Name: \_\_\_\_\_ Address: \_\_\_\_\_ Zip: \_\_\_\_\_

**Cloud, Jack W.**

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**From:** first2connect@aol.com  
**Sent:** Tuesday, April 21, 2009 1:07 PM  
**To:** Cloud, Jack W.  
**Cc:** goddessogold@aol.com; hersheytwix@aol.com  
**Subject:** Re: Project 1007735 - Starke

Good Afternoon Mr. Cloud and Board Members:

A couple of neighbors and myself walked over to the easement area last night and noted that there are 8 very large black lava type boulders that almost completely block the access to the golf course. There is one portion where a small golf cart could go through but that is easily remedied by a couple of folks moving one of the boulders. We are going to take a picture so that you will have this before the hearing date. Based on this we **DO NOT SUPPORT a vacation of the easement** as requested by Mr. Starke.

Thank you.

-----Original Message-----

**From:** first2connect@aol.com  
**To:** JCloud@cabq.gov  
**Sent:** Mon, 20 Apr 2009 12:15 pm  
**Subject:** Project 1007735 - Starke

Dear Mr. Cloud and Development Review Board:

It is my understanding that Mr. Starke is requesting a Vacation of Public Easement onto the golf course in our neighborhood. I am a homeowner in this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next. If Mr. Starke simply wants to block golf carts from access to the neighborhoods then we have no problem with that.

We would **absolutely want to maintain pedestrian access** to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Susan L. Reuler, RN

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**From:** Homes [homes@dellishometeam.com]  
**Sent:** Monday, April 27, 2009 8:16 PM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud,

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood because we have sold homes in that neighborhood over the years. One amenity important to our Buyers who purchased in Los Verdes was access to the golf course.

We **would not support any action by Mr. Starke to obstruct access to these areas.**

Thank you and please feel free to contact me should you need additional information.

**Bill d'Ellis**

Bill & Elsa d'Ellis  
D'Ellis Home Team  
6108 Tallsman Drive NW  
Albuquerque, NM 87120  
(505) 899-1598  
(505) 792-0366 - Fax  
(888) 464-7896 - No Toll  
MailTo:homes@dellishometeam.com  
<http://www.dellishometeam.com>  
e-PRO Certified Internet Professional



**Cloud, Jack W.**

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**From:** Suzsatchel@aol.com  
**Sent:** Tuesday, April 28, 2009 12:32 AM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735

Monday, April 27, 2009

Mr. J. Cloud  
Development Review Board

RE: Project 1007735 - 09DRB-70136 Vacation of Public Easement

Gentlemen:

It is my understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood. This easement provides access to the golf course and connects Los Verdes to the adjacent neighborhood. It's a safe way for neighborhood children to go from one area to the next where they have friends, and, as a senior citizen, it provides a short walk between my bridge playing friends' homes.

Please maintain the existing access between neighbors and to the golf course. I am opposed to Mr. Starke's efforts to obstruct this valuable access.

Thank you for your consideration,  
Sue Millington

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**From:** Lynn Paul [lpaul@balkcom.com]  
**Sent:** Tuesday, April 28, 2009 9:57 AM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Lynanne Paul

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**From:** Carolyn Hayes [carolynhayes@earthlink.net]  
**Sent:** Tuesday, April 28, 2009 10:37 AM  
**To:** Cloud, Jack W.  
**Subject:** Do Maintain Access!!!/Project 1007735

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Your name  
Carolyn L. Hayes

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**Cloud, Jack W.**

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**From:** ALVALSCOTT@aol.com

**Sent:** Friday, May 01, 2009 12:52 AM

**To:** Cloud, Jack W.

**Subject:** Non Support for Vacating the Easement

Mr Cloud;

Re : Project 1007735 09DRB-70136 Vacation of Easement

It is my understanding that Mr. J Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. Please note that I would urge you not to support the Vacation of Public Easement. If passed this would deny people who enjoy access to Golf Course and the surrounding neighborhood. It is a safe way for our children to go from one area to the next.

We want to maintain access to the other neighborhood and Golf Course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Sincerely;

Valerie Scott

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

**Meeting Date:** May 6, 2009  
**Zone Atlas Page:** B-12  
**Notification Radius:** 100 Ft.

**Project#** 1007735  
**App#** 09DRB-70136

**Cross Reference and Location:** ALTA MESA NW AND SUMMERLIN RD NW

**Applicant:** JOSEPH P STARKE  
4900 ALTA MESA NW  
ALBUQUERQUE, NM 87114

**Agent:**

**Special Instructions:**

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

**Date Mailed:** MAY 6, 2009  
**Signature:** ERIN TREMLIN

# City of Albuquerque



## DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

### SUBDIVISION

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

### SITE DEVELOPMENT PLAN

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

### STORM DRAINAGE

- 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...**
- D 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.

### APPLICANT INFORMATION:

Professional/Agent (if any) \_\_\_\_\_ PHONE \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ FAX \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL \_\_\_\_\_

APPLICANT Joseph P. Starke PHONE 505-848-5417

ADDRESS 4900 A/TA MESA NW FAX \_\_\_\_\_

CITY Albuquerque STATE NM ZIP 87114 E-MAIL JPSTARKE@3EMSN.CO

Proprietary interest in site Joseph P. Starke. List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: VACATE PUBLIC EASEMENT - PEDESTRIAN USE ONLY

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 36 P-1 Block \_\_\_\_\_ Unit 1

Subdiv/Addn/TBKA PARADISE GREENS

Existing Zoning R2 Proposed zoning NO CHANGE

Zone Atlas page(s) B-12-Z UPC Code 1012065417209 MRGCD Map No NA

### CASE HISTORY:

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

SEE ATTACHED LETTER

### CASE INFORMATION:

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

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

LOCATION OF PROPERTY BY STREETS. On or Near \_\_\_\_\_

Between A/TA MESA NW and SUMMERLIN RD NW

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

SIGNATURE [Signature] DATE 4-3-2009

(Print) Joseph P. Starke Applicant  Agent

### FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING	Application case numbers	Action	SF	Fees
<input checked="" type="checkbox"/> All permits are complete	<u>SIDRS</u> <u>70136</u>	<u>YPE</u>		<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>ADV</u>		<u>\$ 75.00</u>
<input type="checkbox"/> All case #s are assigned		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> AGIC copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input checked="" type="checkbox"/> Sites within 1000ft of a landfill				\$ _____
<input checked="" type="checkbox"/> FHD P density bonus				Total
<input checked="" type="checkbox"/> FHD P fee rebate	Hearing date <u>05/06/09</u>			<u>\$ 140.00</u>

San Antonio, 04/07/09 Project # 10,07735

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  
 \_\_\_ ~~NA~~ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts  
 \_\_\_ Sign Posting Agreement  
 \_\_\_ Fee (see schedule)  
 \_\_\_ ~~NA~~ 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)** **6 copies**  
 \_\_\_ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14")  
 \_\_\_ 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)** **6 copies**  
 \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14")  
 \_\_\_ 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.

Joseph P. Starke  
 Applicant name (print)  
[Signature] 4-3-2009  
 Applicant signature / date



Form revised 4/07

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

Application case numbers  
 DRB# - 70136  
 -  
 -

Sandy Havelley 04/07/09  
 Planner signature / date  
 Project # 1007735

REC	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP CODE	PROPERTY CLASS	TAX DISTRICT	LEGAL	ACRES
1	10120 65226 43012 242	BUSTAMANTE RUDOLFO E & PAULA	4832 SU MMERLI N RD N W	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 12- P1 BLK 3 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2 COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.3176 AC M/ LOR 13,835 SF M/L	0.3 188 878
2	10120 65208 42820 923	BATH JAMES A JR & BAR BARA J	10200 S ANDHUR ST DR N W	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 37- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.3131 AC M/L OR 13,639 SQ F T M/L	0.3 132 508
3	10120 65224 43712 243	PARADISE GREENS LTD PTNS C/O ARGUS DEV C O	6400 UP TOWN B LVD NE 220W	ALB UQU ERQ UE	N	87 11 0	V	A1 A	TR B VACATION & REPLAT FOR PARADISE GREENS UNIT 2 COMPRISED OF TR B PARA DISE GREENS UNIT 1 CONT 0.1076 AC M/L O R 4,687SF M/L	0.1 097 405 8
4	10120 65176 42720 918	CLARK WILLIAM J	4916 AL TA MES A NW	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 32- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1758 AC M/L OR 7,658 SQ FT M/L	0.1 761 13
5	10120 65186 44221 002	REULER SUSAN L	4909 AL TA MES A NW	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 2- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.2204 AC M/L OR 9,601 SQ FT M/L	0.2 233 900 6
6	10120 65222 45512 245	UNDERWOOD RICHARD L & MELISSA M	10205 P RESCOT T DR NW	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 10- P1 BLK 3 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2 COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.2799 AC M/ LOR 12,192 SF M/L	0.2 861 708 2
7	10120 65193 44121 001	TORRES FRANK T & RAE CHEL E	4901 AL TA MES A NW	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 1- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.2423 AC M/L OR 10,555 SQ F T M/L	0.2 423 423 1
8	10120 65205 44520 925	HANN JOHN L	10212 S ANDHUR ST DR N W	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 39- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1954 AC M/L OR 8,512 SQ FT M/L	0.1 949 979 3
9	10120 65183 42520 919	VAN SCHAIK MARIE THER ESE & HENK	4912 AL TA MES A NW	ALB UQU ERQ UE	N	87 11 4	R	A1 A	LT 33- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1789 AC M/L OR 7,793 SQ FT M/L	0.1 792 115 7
10	10120 65241 16830 920	DESERT GREENS GOLF C OURSE INC	PO BOX 13900	ALB UQU ERQ UE	N	87 19 2	C	A1 A	TR C-1 PLAT OF TRS A-1, A-2, C- 1 & T PARADISE HILLS GOLF COURSE CONT 160.8160 AC M/L	160 .49 767 082
11	10120 65196 41920	SCHNITZKE EMIL OTTO & CONSUELO DOLORES TR USTEES SCHNITZKE FAMI	4904 AL TA MES A NW	ALB UQU ERQ	N	87 11 4	R	A1 A	LT 35- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON	0.1 792 705

	921	LY TRUST		UE						CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1798 AC M/L OR 7,832 SQ FT M/L	2
1 2	10120 65205 41720 922	STARKE JOSEPH P & ANN G	4900 AL TA MES A NW	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 36- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.3044 AC M/L OR 13,260 SQ F T M/L	0.3 045 954
1 3	10120 65236 44712 302	PHAM TRINH P & MICHAEL YAMBAO	4831 SU MMERLI N RD N W	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 30- P1 BLK 2 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.2699 AC M/ LOR 11,757 SF M/L	0.2 637 027 6
1 4	10120 65206 43820 924	GRSW REAL ESTATE TRU ST	10208 S ANDHUR ST DR N W	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 38- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1869 AC M/L OR 8,141 SQ FT M/L	0.1 872 829 3
1 5	10120 65222 44412 244	SIERRA JUAN CESAR & C ARMEN MORAN & PUENT E ERNESTO C	10201 P RESCOT T CT NW	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 11- P1 BLK 3 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.2270 AC M/ LOR 9,888 SF M/L	0.2 320 050 7
1 6	10120 65189 42320 920	KATAPSKI STEVEN M	4908 AL TA MES A NW	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 34- P1 VACATION & REPLAT COMPRISED OF TR ACT LETTERED "A" OF LANDS OF HORIZON CORPORATION TO PARADISE GREENS- UNIT 1 CONT 0.1863 AC M/L OR 8,115 SQ FT M/L	0.1 858 988 3
1 7	10120 65235 42812 241	LLOYD LAWRENCE N & A NNETTE T	4828 SU MMERLI N NW	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 13- P1 BLK 3 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.2191 AC M/ LOR 9,544 SF M/L	0.2 177 720 5
1 8	10120 65241 42612 240	STUHLMANN JEFFREY A & THERESA M	4824 SU MMERLI N RD N W	ALB UQU ERQ UE	N M	87 11 4	R	A1 A		LT 14- P1 BLK 3 VACATION & REPLAT FOR PARADI SE GREENS UNIT 2COMPRISED OF TR B PA RADISE GREENS UNIT 1 CONT 0.1892 AC M/ LOR 8,242 SF M/L	0.1 877 704 4

OR CURRENT RESIDENT  
101206520842820923  
BATH JAMES A JR & BARBARA J  
10200 SANDHURST DR NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206522643012242  
BUSTAMANTE RUDOLFO E & PAULA  
4832 SUMMERLIN RD NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206517642720918  
CLARK WILLIAM J  
4916 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206524116830920  
DESERT GREENS GOLF COURSE INC  
PO BOX 13900  
ALBUQUERQUE, NM 87192

OR CURRENT RESIDENT  
101206520643820924  
GRSW REAL ESTATE TRUST  
10208 SANDHURST DR NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206520544520925  
HANN JOHN L  
10212 SANDHURST DR NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206518942320920  
KATAPSKI STEVEN M  
4908 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206523542812241  
LLOYD LAWRENCE N & ANNETTE T  
4828 SUMMERLIN NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206522443712243  
PARADISE GREENS LTD PTNS C/O  
ARGUS DEV CO  
6400 UPTOWN BLVD NE 220W  
ALBUQUERQUE, NM 87110

OR CURRENT RESIDENT  
101206523644712302  
PHAM TRINH P & MICHAEL YAMBAO  
4831 SUMMERLIN RD NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206518644221002  
REULER SUSAN L  
4909 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206519641920921  
SCHNITZKE EMIL OTTO & CONSUELO  
DOLORES TRUSTEES SCHNITZKE FAMIL'  
TRUST  
4904 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206522244412244  
SIERRA JUAN CESAR & CARMEN  
MORAN & PUENTE ERNESTO C  
10201 PRESCOTT CT NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206520541720922  
STARKE JOSEPH P & ANN G  
4900 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206524142612240  
STUHLMANN JEFFREY A & THERESA  
4824 SUMMERLIN RD NW  
ALBUQUERQUE, NM 87114

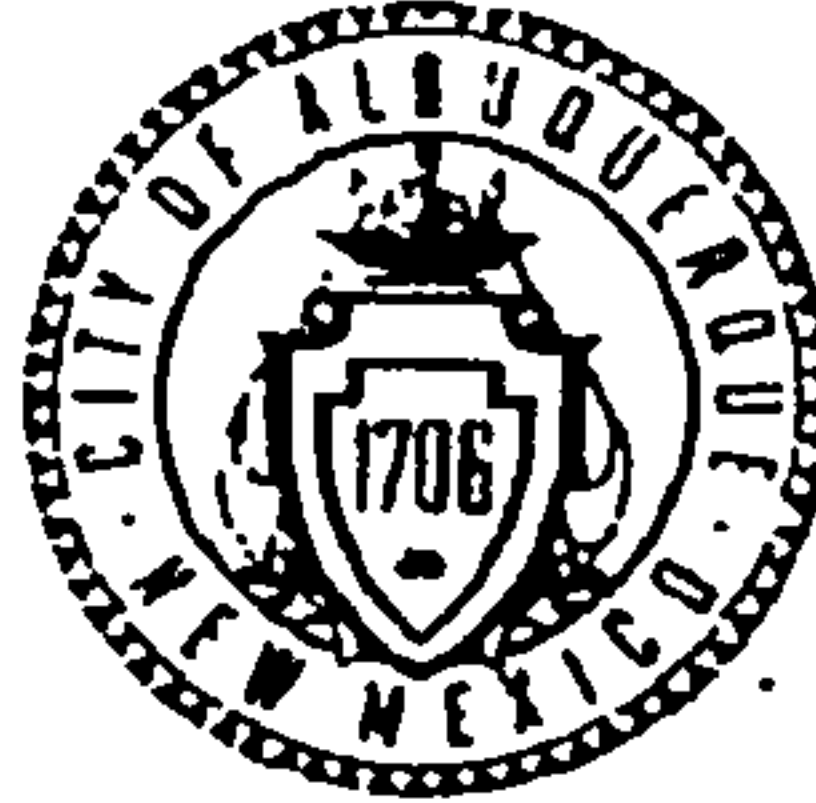
OR CURRENT RESIDENT  
101206519344121001  
TORRES FRANK T & RAEHEL E  
4901 ALTA MESA NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206522245512245  
UNDERWOOD RICHARD L & MELISSA  
10205 PRESCOTT DR NW  
ALBUQUERQUE, NM 87114

OR CURRENT RESIDENT  
101206518342520919  
VAN SCHAIK MARIE THERESE &  
HENK  
4912 ALTA MESA NW  
ALBUQUERQUE, NM 87114

Project# 1007735  
JOSEPH P STARKE  
4900 ALTA MESA NW  
ALBUQUERQUE, NM 87114





City of Albuquerque

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

Date: April 3, 2009

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on April 3, 2009 (date)

TO CONTACT NAME: Joseph P. Starke
COMPANY/AGENCY: Los Verdes Homeowners Association
ADDRESS/ZIP: 4900 Alta Mesa NW
PHONE/FAX #: 848-5477

Contacted the Office of Neighborhood Coordination requesting the contact names for ALL Affected Neighborhood and/or Homeowner Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Lt 36 - P1 Vacation + repeat comprised of Tract A of Lands of Horizon Corp. + Paradise Greens - Unit 1. zone map page(s) B-12-2

Our records indicate that as of 4-3-09 (date), there were No Affected Neighborhood and/or Homeowner Associations in this area.

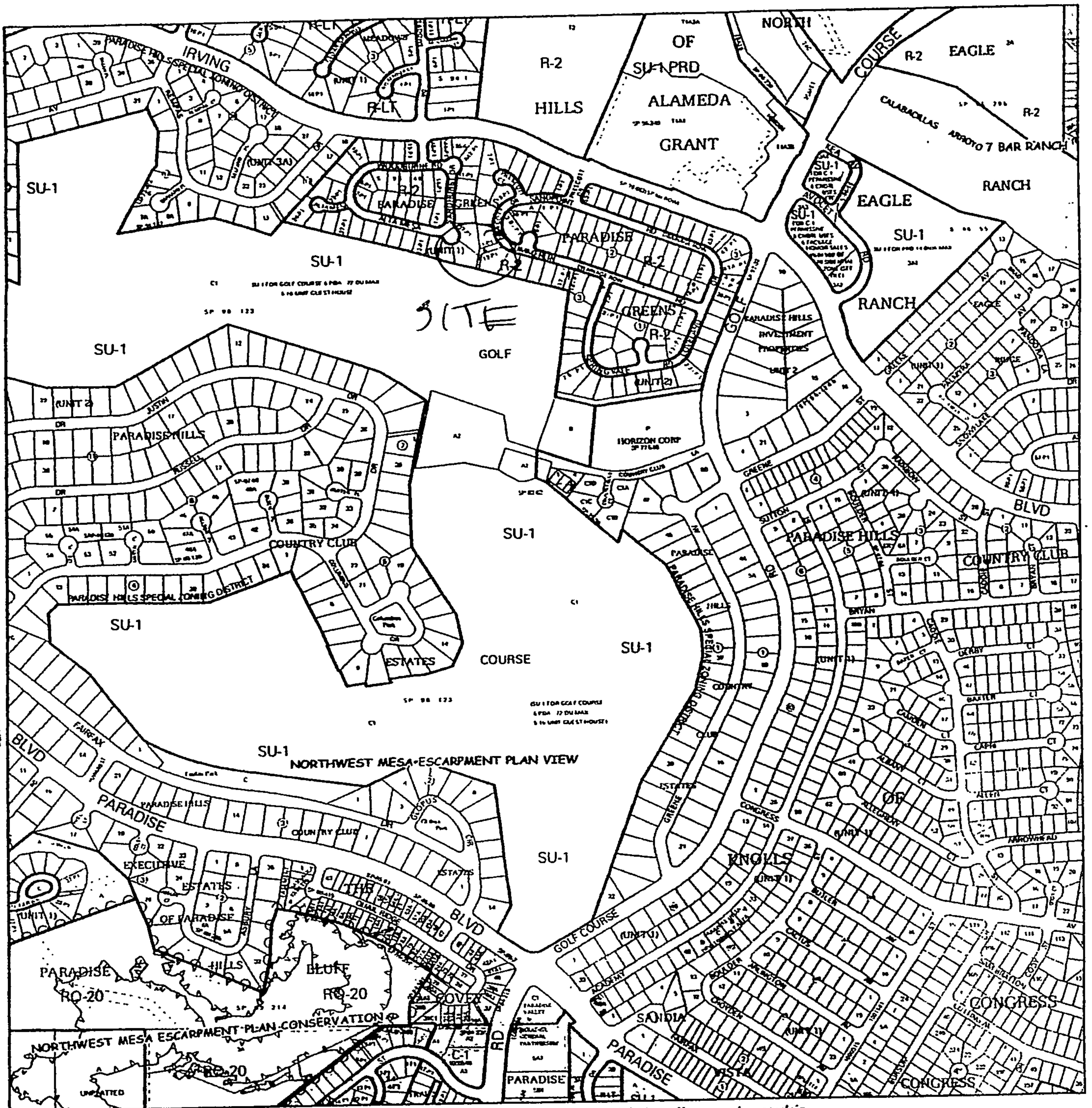
If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Salma J. Carmona
OFFICE OF NEIGHBORHOOD COORDINATION







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

Map amended through: 3/10/2009

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**B-12-Z**

Selected Symbols

	Escarpment
	2 Mile Airport Zone
	Airport Noise Contours
	Wall Overlay Zone

0 750 1,500 Feet

April 3, 2009

Albuquerque Departmental Review Board  
City of Albuquerque  
Jack Cloud, Chairman  
City Planning Department  
Albuquerque, NM

**RE: Paradise Greens II/Los Verdes (Paradise Greens I) Easement Access**

Dear Mr. Cloud:

I am sending this letter with our application for a hearing with the Departmental Review Board. On March 20, 2009, I, Joe Starke representing the Los Verdes Homeowners' Association (LVHA), and Jim Boukidis, Vice President of the Paradise Greens II Homeowners' Association (PGHA), met with Richard Dourte to attempt to resolve issues between the two associations.

As Mr. Dourte is aware, PGHA in the past two and a half years has illegally fenced and gated a public easement without meeting the necessary requirements and permit required by the city. This easement has shared access with LVHA for twelve years. In the past year, PGHA has widened the gate to this fenced easement so that one of their members, Mr. Kenneth Anderson, 10223 Prescott Court, NW, Albuquerque, NM, could bring his golf cart and those of his friends on and off the Desert Greens Golf Course. This has created a liability concern for LVHA and me personally since I own a portion of the easement they are using for golf cart access to the Desert Greens course. The Los Verdes Homeowners' Association has carried liability insurance on this property since the development of LVHA 14 years ago and I, Joe Starke, have paid property taxes on this land. We have been advised that PGHA does not carry liability insurance on their portion of the easement and we have been unable to determine whether or not they or a resident are paying the city property taxes.

Boulders were placed at the end of the easement to the golf course to prevent vehicular access. Mr. Anderson moved one of these boulders to gain access to the golf course.

In an effort to reach an agreement regarding this matter LVHA filed for mediation with Dima Brown of the city's Legal Department on October 2, 2008. PGHA refused to mediate and the case was dismissed on October 14, 2008. LVHA has repeatedly tried to reach a compromise with PGHA, and they have refused to negotiate.

At our meeting on March 20, 2009 Mr. Boukidis advised that PGHA needed additional time to meet the city requirements. I proposed that the LVHA Board would consider granting an extension if Mr. Anderson would stop bringing his golf cart through our shared easement until a City Development Review Board (DRB) hearing can be scheduled to adjudicate this matter. Mr. Boukidis has advised LVHA that Mr. Anderson refuses to stop using our shared access to the golf course.

Therefore, the LVHA Board requests the fence that PGHA installed without a permit to be **immediately removed** (this has been done) **and for Mr. Anderson to stop using the**

# **PARADISE GREENS LIMITED PARTNERSHIP**

6300 Riverside Plaza Lane NW, Suite 200, Albuquerque, NM 87120

May 04, 2009

Los Verdes Homeowners Association  
Attn: Joe Starke  
4900 Alta Mesa NW  
Albuquerque, NM 87114

Dear Mr. Starke:

As the developer of Paradise Greens I(Tract A) and Paradise Greens II(Tract B), we never intended to allow vehicular traffic through the easements located in these subdivisions. The easements were designed for pedestrian only traffic.

Sincerely,



Ben F. Spencer  
Manager – Paradise Greens Limited Partnership

**PRESENTATION TO DEVELOPMENT REVIEW BOARD IN  
BEHALF OF RESIDENTS OF LOS VERDES HOMEOWNERS'  
ASSOCIATION**

**I. April/May of 2007**

**A. Fence and gate are installed on Tract B of public easement.**

B. Member of Paradise Greens II (PGHOA) board states that they have experienced too many vandals coming in off the Desert Greens Golf Course and wish to stop this foot traffic. The vandals and foot traffic are now forced into and through Paradise Greens I.

C. At this time, members of Paradise Greens I a/k/a Los Verdes Homeowners' Association (LVHA) were told PGHOA had a permit to install said fence and gate.

1. During installation, anchor bolts are driven into wall of LVHA homeowner without obtaining permission—constitutes trespassing.

D. LVHA members say to PGHOA president Frank Gallegos it would have been neighborly to talk with us before installing fence and gate. No substantial response.

E. Keys are distributed to residents of PGHOA and gate is locked.

F. Issue lies quiet through fall into winter.

**II. Summer of 2008.**

A. Gate is widened to 71" in order to accommodate golf cart driven by Mr. Ken Anderson, residing at 10223 Prescott Court, Albuquerque NM 87114.

B. Kathy Singer, board member of LVHA calls PGHOA president, Al Testatore to object because this public easement has always been a pedestrian walkway.

C. Mr. Testatore attests that Mr. Anderson has every right to drive his golf cart onto the easement and in fact has their board's permission because Mr. Anderson paid to widen the gate himself and their insurance will take care of any issues that may occur.

1. Mr. Anderson has also moved boulders from Tract B easement which blocked his way to golf course.

2. In doing so, a boulder was thrown against a cinderblock wall of a PGHOA homeowner and damaged the wall.

D. Joe Starke, the owner of 15 feet of Tract A, and Kathy Singer sit down with Ron Meng, owner of the Desert Greens Golf Course, to request that he use his influence over Mr. Anderson to see if he will come into the golf course from the 18<sup>th</sup> hole of a gated and fenced area, which gives direct access from PGHOA.

1. Mr. Meng refuses and states that he cannot tell his clients where or how they can access the golf course.

2. Meeting ends in frustration.

E. Gate at public easement is now unlocked at all times, allowing anyone from golf course easy access to both PGHOA and LVHA properties.

1. Defeats purpose of initially putting up fence and gate—or so LVHA was told was the reason.

F. The question arises whether or not Mr. Anderson's golf cart is street legal. Kathy Singer is told by Mr. Testatore that it is, but she has only his word on this.



G. Summer continues with Mr. Anderson driving his cart back and forth through the easement and to the golf course.

1. Many times, he drives back late at night, in the dark. He has also allowed his friends on the way to his home to bring their golf carts on an off the golf course using the easement.

2. LVHA concern regarding liability grows.

H. During the summer of 2008, LVHA tries to obtain Mr. Anderson's address from Mr. Testatore to no avail.

1. The LVHA board also tries to come to some mutually agreeable workable solutions to this issue, or at least a compromise.

2. In frustration, by October 2008 the LVHA board files for mediation through the city's mediation board for help in resolving this matter.

3. Mr. Testatore never replies to city's mediation request and city closes its file.

### **III. 2009**

A. Joe Starke begins to investigate through city channels.

1. Meets with Neal Weinberg
2. Meets with Richard Dourte
3. Talks with Kevin Curren
4. Goes down to city records
5. Gets plats and maps from city

B. Information received from above:

1. PGHOA did not have a permit to put up fence and gate to begin with.

2. PGHOA has never had insurance on this property.

3. PGHOA does not own the property—if you do not own the property; you cannot insure it or get a permit for it. Only the owner can do that.

4. PGHOA has been ordered to take down the fence and gate.

B. On February 28, 2009 Jim Boukidis , Vice President of PGHOA attends board meeting of LVHA board at home of Kathy Singer.

1. He wants some history and background on this issue and hopes to come to a compromise.

2. After this meeting, Mr. Boukidis begins to go down to the city to meet with some of the same people Mr. Starke has met with and also looks to gain further knowledge of the situation.

C. Downtown, both men meet and begin to talk. They meet with Richard Dourte, City Engineer.

1. Mr. Starke suggests to Mr. Boukidis that if Mr. Anderson will agree to not drive his golf cart down the easement and onto the golf course, LVHA will agree to let PGHOA keep the fence and gate up until a compromise could be reached.

2. That evening, Mr. Boukidis tells Mr. Starke to let the LVHA board know that Mr. Anderson refuses to do so.

3. Mr. Boukidis takes the fence and gate down by himself.

D. PGHOA is scheduled to hold a board meeting and will discuss this issue.

1. Kathy Singer calls the new PGHOA president, Lillian Palmer, to request Mr. Anderson's address from her. She refuses to give it and says she will call Ms. Singer after their board meeting to let her know what transpired.

2. Kathy Singer never hears again from Ms. Palmer.

E. Joe Starke and Kathy Singer and LVHA board decide their only recourse at this point is to file an application for a hearing with the City Department Review Board to have the easement in question declared pedestrian only.

1. Application filed with appropriate documents on April 3, 2009.

F. On April 17, 2009, Joe and Kathy meet with Kevin Curren regarding Tract A and Tract B, photos which will be presented to the DRB, plats of both communities, and copies of the letters of mediation.

1. Mr. Curren suggests finding out who the owner of the property is and having them write a letter to the effect that this easement was developed for pedestrian use only and vehicular traffic should be prohibited.

2. Joe asked about cart riding on the streets. Mr. Curren replied that if cart not street legal, then cannot be ridden on city streets.

3. Joe has already requested that APD Commander Warfield check Anderson's cart to see if street legal. We do not know if this has been done.

G. Notice of Hearing to vacate had to be posted April 21, 2009. So posted in front of easement.

H. Hearing set for May 6<sup>th</sup> at 9:00 am. in the hearing room at 600 Second Street/Plaza del Sol, Albuquerque, NM

4. Letter from Paradise Greens Limited Partnership/Argus Development Company, the developer of Paradise Greens I (Tract A) and Paradise Greens II (Tract B) stating, " We never intended to allow vehicular traffic through the easements located in these subdivisions. The easements were designed for pedestrian only traffic."

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**From:** first2connect@aol.com  
**Sent:** Tuesday, April 21, 2009 1:07 PM  
**To:** Cloud, Jack W.  
**Cc:** goddessogold@aol.com; hersheytwix@aol.com  
**Subject:** Re: Project 1007735 - Starke

Good Afternoon Mr. Cloud and Board Members:

A couple of neighbors and myself walked over to the easement area last night and noted that there are 8 very large black lava type boulders that almost completely block the access to the golf course. There is one portion where a small golf cart could go through but that is easily remedied by a couple of folks moving one of the boulders. We are going to take a picture so that you will have this before the hearing date. Based on this we **DO NOT SUPPORT a vacation of the easement** as requested by Mr. Starke.

Thank you.

-----Original Message-----

**From:** first2connect@aol.com  
**To:** JCloud@cabq.gov  
**Sent:** Mon, 20 Apr 2009 12:15 pm  
**Subject:** Project 1007735 - Starke

Dear Mr. Cloud and Development Review Board:

It is my understanding that Mr. Starke is requesting a Vacation of Public Easement onto the golf course in our neighborhood. I am a homeowner in this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next. If Mr. Starke simply wants to block golf carts from access to the neighborhoods then we have no problem with that.

We would **absolutely want to maintain pedestrian access** to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Susan L. Reuler, RN

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**From:** Homes [homes@dellishometeam.com]  
**Sent:** Monday, April 27, 2009 8:16 PM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud,

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood because we have sold homes in that neighborhood over the years. One amenity important to our Buyers who purchased in Los Verdes was access to the golf course.

We **would not support any action by Mr. Starke to obstruct access to these areas.**

Thank you and please feel free to contact me should you need additional information.

Bill d'Ellis

Bill & Elsa d'Ellis  
D'Ellis Home Team  
6108 Tallsman Drive NW  
Albuquerque, NM 87120  
(505) 899-1598  
(505) 792-0366 - Fax  
(888) 464-7896 - No Toll  
MailTo:homes@dellishometeam.com  
<http://www.dellishometeam.com>  
e-PRO Certified Internet Professional

Cloud, Jack W.

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From: Suzsatchel@aol.com  
Sent: Tuesday, April 28, 2009 12:32 AM  
To: Cloud, Jack W.  
Subject: Project 1007735

Monday, April 27, 2009

Mr. J. Cloud  
Development Review Board

RE: Project 1007735 - 09DRB-70136 Vacation of Public Easement

Gentlemen:

It is my understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood. This easement provides access to the golf course and connects Los Verdes to the adjacent neighborhood. It's a safe way for neighborhood children to go from one area to the next where they have friends, and, as a senior citizen, it provides a short walk between my bridge playing friends' homes.

Please maintain the existing access between neighbors and to the golf course. I am opposed to Mr. Starke's efforts to obstruct this valuable access.

Thank you for your consideration,  
Sue Millington

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From: Lynn Paul [lpaul@balkcom.com]  
Sent: Tuesday, April 28, 2009 9:57 AM  
To: Cloud, Jack W.  
Subject: Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Lynanne Paul

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From: Carolyn Hayes [carolynhayes@earthlink.net]  
Sent: Tuesday, April 28, 2009 10:37 AM  
To: Cloud, Jack W.  
Subject: Do Maintain Access!!/Project 1007735

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Your name  
Carolyn L. Hayes

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**From:** ALVALSCOTT@aol.com

**Sent:** Friday, May 01, 2009 12:52 AM

**To:** Cloud, Jack W.

**Subject:** Non Support for Vacating the Easement

Mr Cloud;

Re : Project 1007735 09DRB-70136 Vacation of Easement

It is my understanding that Mr. J Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. Please note that I would urge you not to support the Vacation of Public Easement. If passed this would deny people who enjoy access to Golf Course and the surrounding neighborhood. It is a safe way for our children to go from one area to the next.

We want to maintain access to the other neighborhood and Golf Course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Sincerely;

Valerie Scott

---

Cloud, Jack W.

---

From: first2connect@aol.com  
Sent: Tuesday, April 21, 2009 1:07 PM  
To: Cloud, Jack W.  
Cc: goddessogold@aol.com; hersheytwix@aol.com  
Subject: Re: Project 1007735 - Starke

Good Afternoon Mr. Cloud and Board Members:

A couple of neighbors and myself walked over to the easement area last night and noted that there are 8 very large black lava type boulders that almost completely block the access to the golf course. There is one portion where a small golf cart could go through but that is easily remedied by a couple of folks moving one of the boulders. We are going to take a picture so that you will have this before the hearing date. Based on this we **DO NOT SUPPORT a vacation of the easement** as requested by Mr. Starke.

Thank you.

-----Original Message-----

From: first2connect@aol.com  
To: JCloud@cabq.gov  
Sent: Mon, 20 Apr 2009 12:15 pm  
Subject: Project 1007735 - Starke

Dear Mr. Cloud and Development Review Board:

It is my understanding that Mr. Starke is requesting a Vacation of Public Easement onto the golf course in our neighborhood. I am a homeowner in this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next. If Mr. Starke simply wants to block golf carts from access to the neighborhoods then we have no problem with that.

We would **absolutely want to maintain pedestrian access** to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Susan L. Reuler, RN

---

From: Homes [homes@dellishometeam.com]  
Sent: Monday, April 27, 2009 8:16 PM  
To: Cloud, Jack W.  
Subject: Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud,

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood because we have sold homes in that neighborhood over the years. One amenity important to our Buyers who purchased in Los Verdes was access to the golf course.

We **would not support any action by Mr. Starke to obstruct access to these areas.**

Thank you and please feel free to contact me should you need additional information.

Bill d'Ellis

Bill & Elsa d'Ellis  
D'Ellis Home Team  
6108 Tallsman Drive NW  
Albuquerque, NM 87120  
(505) 899-1598  
(505) 792-0366 - Fax  
(888) 464-7896 - No Toll  
MailTo:homes@dellishometeam.com  
<http://www.dellishometeam.com>  
e-PRO Certified Internet Professional



Cloud, Jack W.

---

**From:** Suzsatchel@aol.com  
**Sent:** Tuesday, April 28, 2009 12:32 AM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735

Monday, April 27, 2009

Mr. J. Cloud  
Development Review Board

RE: Project 1007735 - 09DRB-70136 Vacation of Public Easement

Gentlemen:

It is my understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood. This easement provides access to the golf course and connects Los Verdes to the adjacent neighborhood. It's a safe way for neighborhood children to go from one area to the next where they have friends, and, as a senior citizen, it provides a short walk between my bridge playing friends' homes.

Please maintain the existing access between neighbors and to the golf course. I am opposed to Mr. Starke's efforts to obstruct this valuable access.

Thank you for your consideration,  
Sue Millington

---

**From:** Lynn Paul [lpaul@balkcom.com]  
**Sent:** Tuesday, April 28, 2009 9:57 AM  
**To:** Cloud, Jack W.  
**Subject:** Project 1007735 09DRB-70136 Vacation of Public Easement

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Lynanne Paul

---

**From:** Carolyn Hayes [carolynhayes@earthlink.net]  
**Sent:** Tuesday, April 28, 2009 10:37 AM  
**To:** Cloud, Jack W.  
**Subject:** Do Maintain Access!!!/Project 1007735

Dear Mr. Cloud and Development Review Board:  
RE: Project 1007735 09DRB-70136 Vacation of Public Easement

It is our understanding that Mr. J. Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. I am very familiar with this neighborhood and enjoy access to golf course and surrounding neighborhood. It's a safe way for our children to go from one area to the next.

We would want to maintain access to the other neighborhood and golf course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Thank you and please feel free to contact me should you need additional information.

Your name  
Carolyn L. Hayes

---

**Cloud, Jack W.**

---

**From:** ALVALSCOTT@aol.com

**Sent:** Friday, May 01, 2009 12:52 AM

**To:** Cloud, Jack W.

**Subject:** Non Support for Vacating the Easement

Mr Cloud;

Re : Project 1007735 09DRB-70136 Vacation of Easement

It is my understanding that Mr. J Starke is requesting a Vacation of Public Easement in the Los Verdes Neighborhood. Please note that I would urge you not to support the Vacation of Public Easement. If passed this would deny people who enjoy access to Golf Course and the surrounding neighborhood. It is a safe way for our children to go from one area to the next.

We want to maintain access to the other neighborhood and Golf Course and therefore would not support any action by Mr. Starke to obstruct our access to these areas.

Sincerely;

Valerie Scott

---



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**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

**APPLICANT INFORMATION:**

Professional/Agent (if any): \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: Joseph P. Starke PHONE: 505-898-5477  
 ADDRESS: 4900 A/YA MESA NW FAX: \_\_\_\_\_  
 CITY: ALBUQUERQUE STATE NM ZIP 87114 E-MAIL: JPSTARKE-3@MSN.COM  
 Proprietary interest in site: Joseph P. Starke List all owners: \_\_\_\_\_  
LOS VERDES HOMEOWNERS ASSOCIATION

DESCRIPTION OF REQUEST: VACATE PUBLIC BASEMENT - PEDESTRIAN USE ONLY

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. 36 P-1 Block: \_\_\_\_\_ Unit: 1  
 Subdiv/Addn/TBKA: PARADISE GREENS  
 Existing Zoning: R2 Proposed zoning: NO CHANGE  
 Zone Atlas page(s) B-12-Z UPC Code: 1012065A17209 MRGCD Map No NA

**CASE HISTORY:**

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

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
 No. of existing lots: \_\_\_\_\_ No. of proposed lots: \_\_\_\_\_ Total area of site (acres): \_\_\_\_\_  
 LOCATION OF PROPERTY BY STREETS: On or Near: \_\_\_\_\_  
 Between: A/YA MESA NW and SUMMERLIN RD, NW  
 Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: \_\_\_\_\_

SIGNATURE [Signature] DATE 4-3-2009  
 (Print) Joseph P. Starke Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>09DRB - 70136</u>	<u>VPE</u>		<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>ADV</u>		<u>\$ 75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned		<u>CMF</u>		<u>\$ 20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>05/06/09</u>			Total <u>\$ 140.00</u>

Form revised 4/07

Sandy Handley 04/07/09 Project # 1007735  
 Planner signature / date

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE) **24 copies**
- Application for Minor Plat on FORM S-3, including those submittal requirements.
  - 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)** **6 copies**
- Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14")
  - 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)** **24 copies**
- Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14")
  - 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)** **6 copies**
- Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14")
  - 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)** **6 copies**
- The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14")
  - Scale drawing showing the easement to be vacated (8.5" by 11")
  - Zone Atlas map with the entire property(ies) clearly outlined
  - Letter/documents briefly describing, explaining, and justifying the vacation
  - 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.

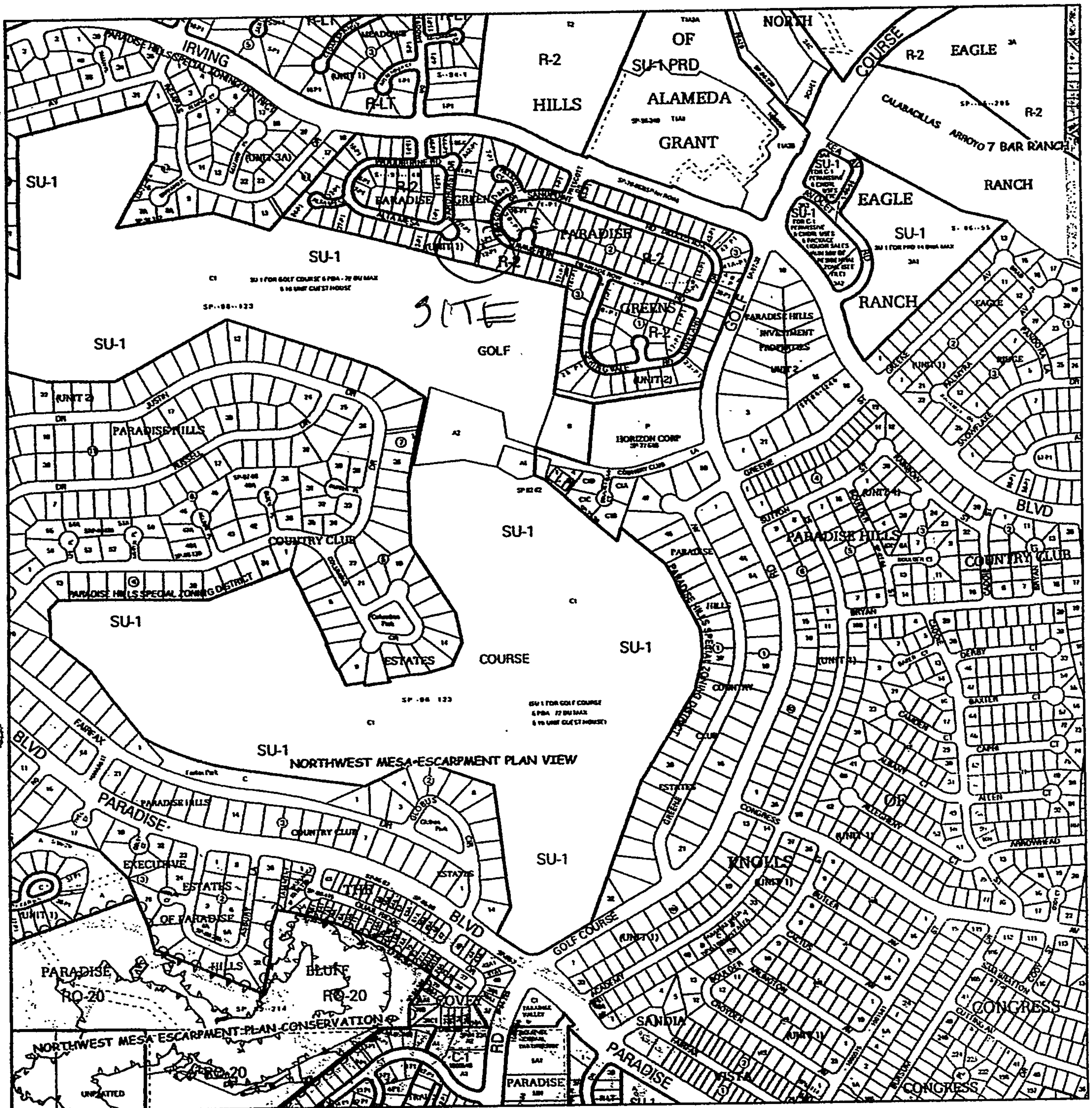
Joseph P. Starks  
 Applicant name (print)  
[Signature] 4-3-2009  
 Applicant signature / date




Form revised 4/07

- Checklists complete
  - Fees collected
  - Case #s assigned
  - Related #s listed
- Application case numbers  
 09DRB - \_\_\_\_\_ - 70136

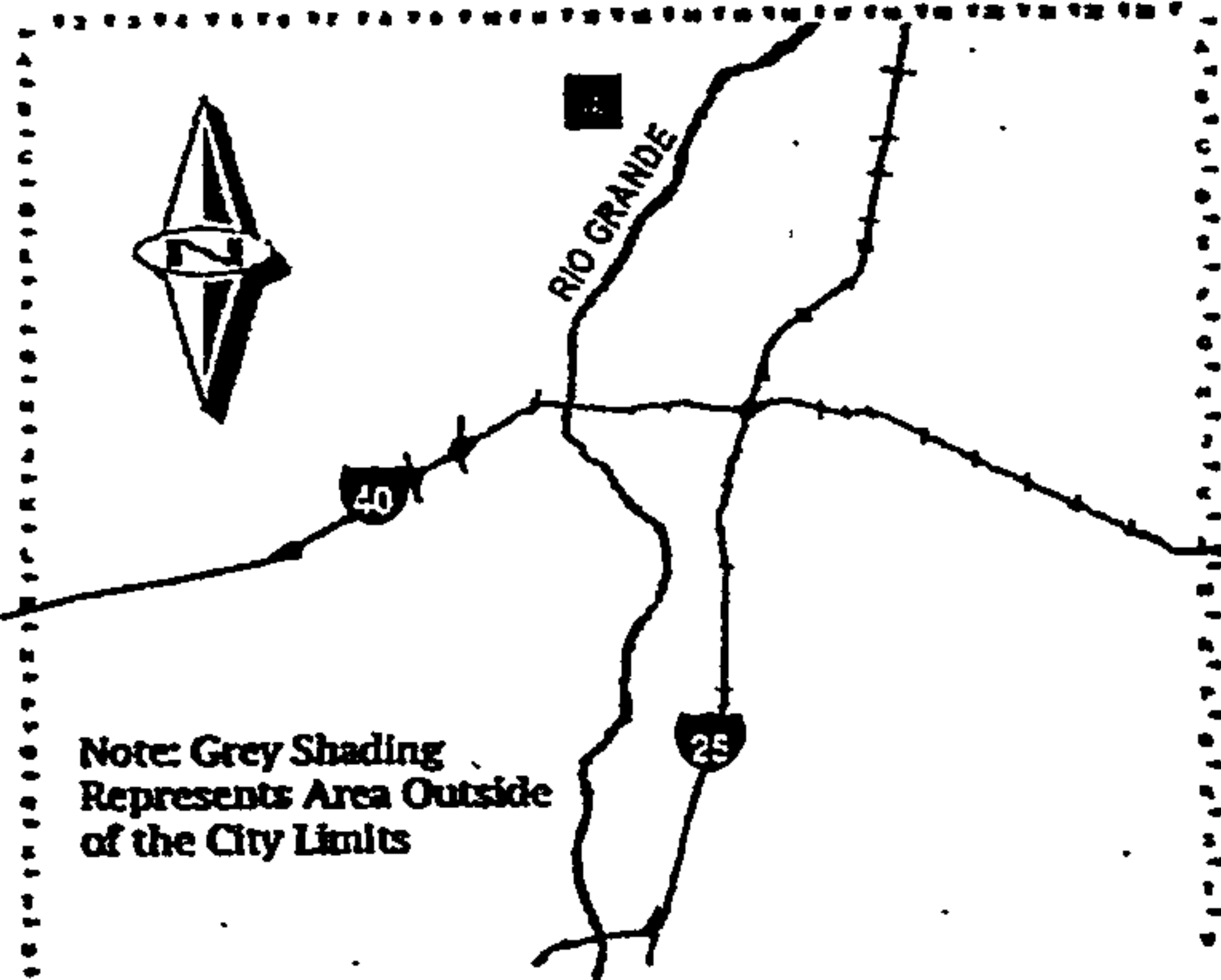
Sandy Harpelle 04/07/09  
 Planner signature / date  
 Project # 1007735



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



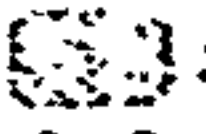








Map amended through: 3/10/2009



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**B-12-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

April 3, 2009

Albuquerque Departmental Review Board  
City of Albuquerque  
Jack Cloud, Chairman  
City Planning Department  
Albuquerque, NM

**RE: Paradise Greens II/Los Verdes (Paradise Greens I) Easement Access**

Dear Mr. Cloud:

I am sending this letter with our application for a hearing with the Departmental Review Board. On March 20, 2009, I, Joe Starke representing the Los Verdes Homeowners' Association (LVHA), and Jim Boukidis, Vice President of the Paradise Greens II Homeowners' Association (PGHA), met with Richard Dourte to attempt to resolve issues between the two associations.

As Mr. Dourte is aware, PGHA in the past two and a half years has illegally fenced and gated a public easement without meeting the necessary requirements and permit required by the city. This easement has shared access with LVHA for twelve years. In the past year, PGHA has widened the gate to this fenced easement so that one of their members, Mr. Kenneth Anderson, 10223 Prescott Court, NW, Albuquerque, NM, could bring his golf cart and those of his friends on and off the Desert Greens Golf Course. This has created a liability concern for LVHA and me personally since I own a portion of the easement they are using for golf cart access to the Desert Greens course. The Los Verdes Homeowners' Association has carried liability insurance on this property since the development of LVHA 14 years ago and I, Joe Starke, have paid property taxes on this land. We have been advised that PGHA does not carry liability insurance on their portion of the easement and we have been unable to determine whether or not they or a resident are paying the city property taxes.

Boulders were placed at the end of the easement to the golf course to prevent vehicular access. Mr. Anderson moved one of these boulders to gain access to the golf course.

In an effort to reach an agreement regarding this matter LVHA filed for mediation with Dima Brown of the city's Legal Department on October 2, 2008. PGHA refused to mediate and the case was dismissed on October 14, 2008. LVHA has repeatedly tried to reach a compromise with PGHA, and they have refused to negotiate.

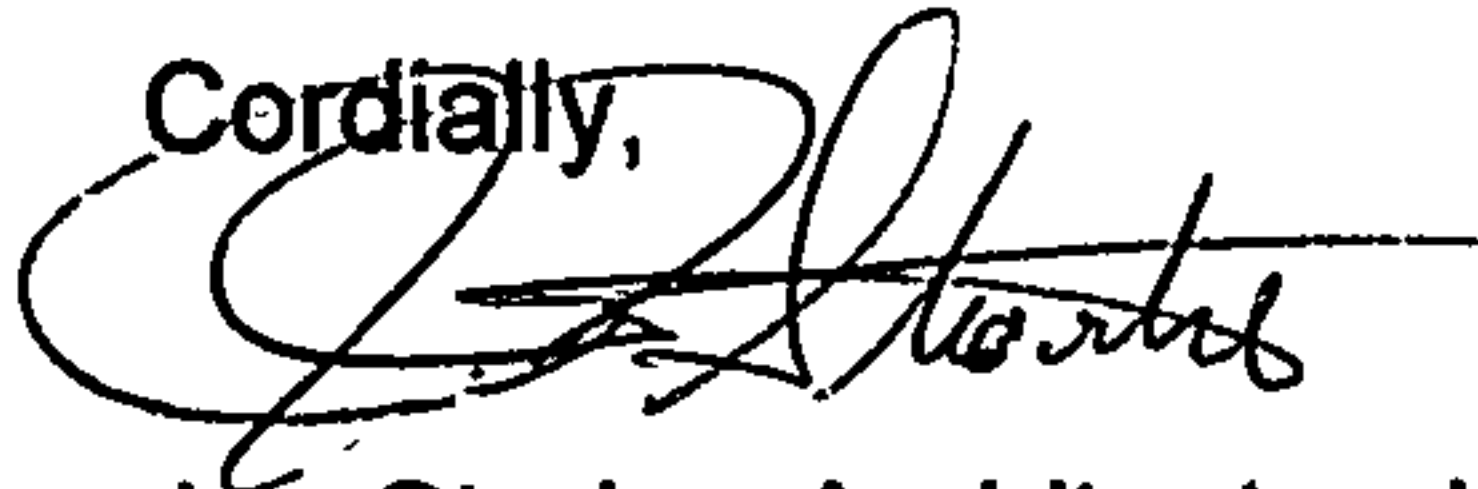
At our meeting on March 20, 2009 Mr. Boukidis advised that PGHA needed additional time to meet the city requirements. I proposed that the LVHA Board would consider granting an extension if Mr. Anderson would stop bringing his golf cart through our shared easement until a City Development Review Board (DRB) hearing can be scheduled to adjudicate this matter. Mr. Boukidis has advised LVHA that Mr. Anderson refuses to stop using our shared access to the golf course.

Therefore, the LVHA Board requests the fence that PGHA installed without a permit to be **immediately removed** (this has been done) **and for Mr. Anderson to stop using the**

**easement for his golf course access until a hearing can be convened. Mr. Boukidis has been advised of this decision. Please note that entry to the golf course is directly accessible from PGHA without using this shared easement. This direct access can be easily used for vehicular traffic with no liability issue for LVHA.**

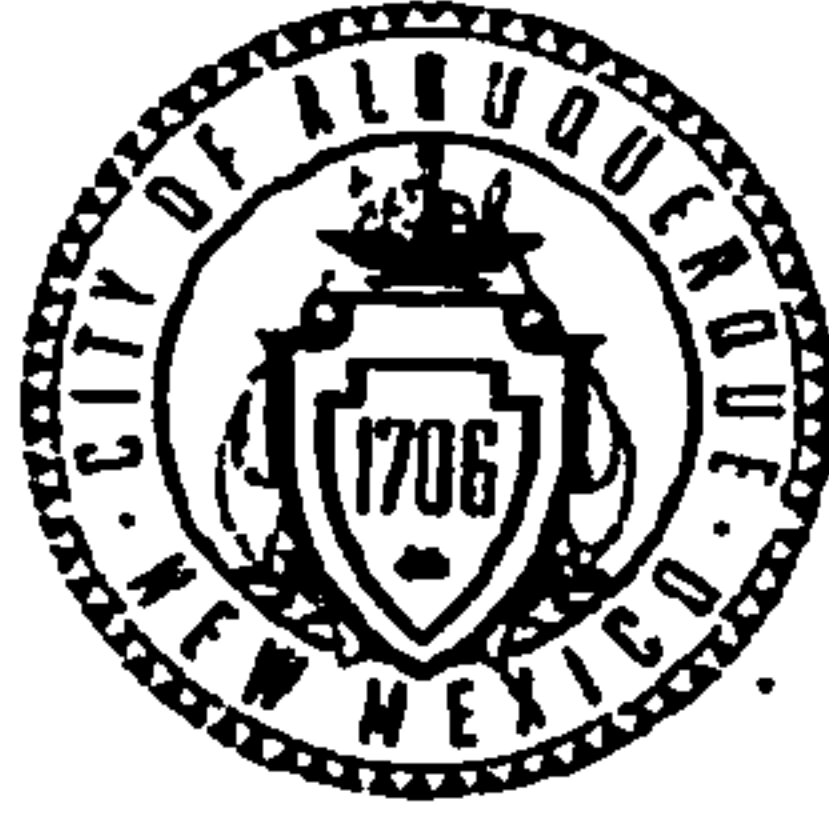
**It is the hope of the LVHA Board that this easement can be declared as originally intended - for pedestrian use only.**

Cordially,



**Joe Starke, Architectural Committee Chairman  
Los Verdes Homeowners' Association**

Electronic copy:      **Mr. Richard Dourte, City of Albuquerque  
Mr. Neal Weinberg, City of Albuquerque  
Ms. Carrol McKinney, President, LVHA  
Ms. Kathy Singer, Vice President, LVHA**



City of Albuquerque

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

Date: April 3, 2009

Planning Department
Plaza Del Sol Building
600 Second St. NW
Second Floor (924-3860)

This letter will serve to notify you that on April 3, 2009 (date)

TO CONTACT NAME: Joseph P. Starke
COMPANY/AGENCY: Los Verdes Homeowners Association
ADDRESS/ZIP: 4900 Alameda NW
PHONE/FAX #: 898-5477

Contacted the Office of Neighborhood Coordination requesting the contact names for ALL Affected Neighborhood and/or Homeowner Associations affected by their request concerning a Zoning Action or Site Development Plan, etc. at Lt 36 - P1 Vacation + repeat comprised of tract A of lands of Horizon Corp. to Paradise Greens - Unit 1. zone map page(s) B-12-2.

Our records indicate that as of 4-3-09 (date), there were No Affected

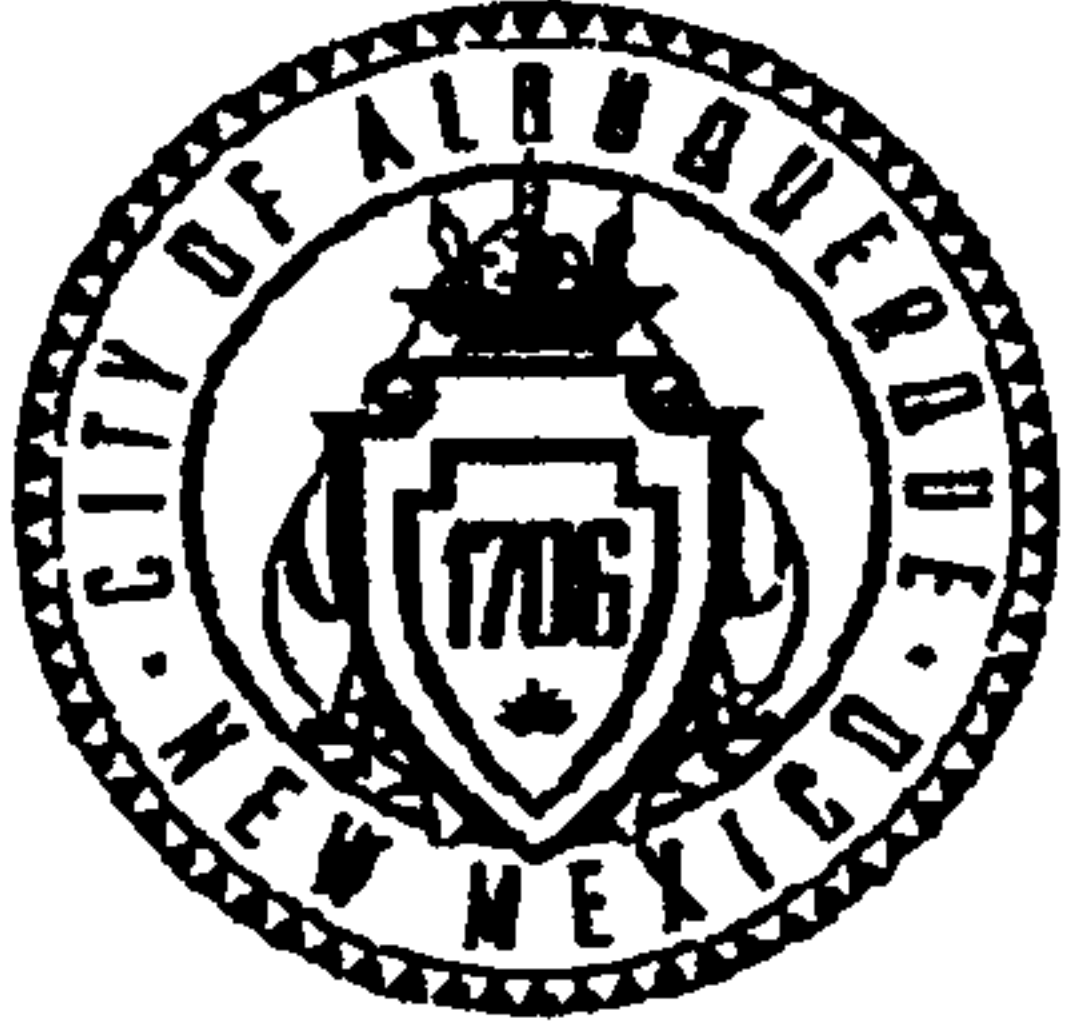
Neighborhood and/or Homeowner Associations in this area.

If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalana X Carmona
OFFICE OF NEIGHBORHOOD COORDINATION





# DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

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

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

Private Development  EPC  DRB  LUCC  Liquor Submittal

Administrative Amendments (AA's)

City Project

Special Exception Application (ZHE)

CONTACT NAME: JOSEPH P. STARKS

COMPANY NAME: LOS VERDES HOMEOWNERS ASSOCIATION

ADDRESS/ZIP: 4900 ALTA MESA, NW

PHONE: 505-898-5477 FAX: \_\_\_\_\_

## LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

LOS VERDES HOMEOWNERS ASSOCIATION

PARADISE GREENS II HOMEOWNERS ASSOCIATION

LEGAL DESCRIPTION

LOCATED ON

\_\_\_\_\_ STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN ALTA MESA NW AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

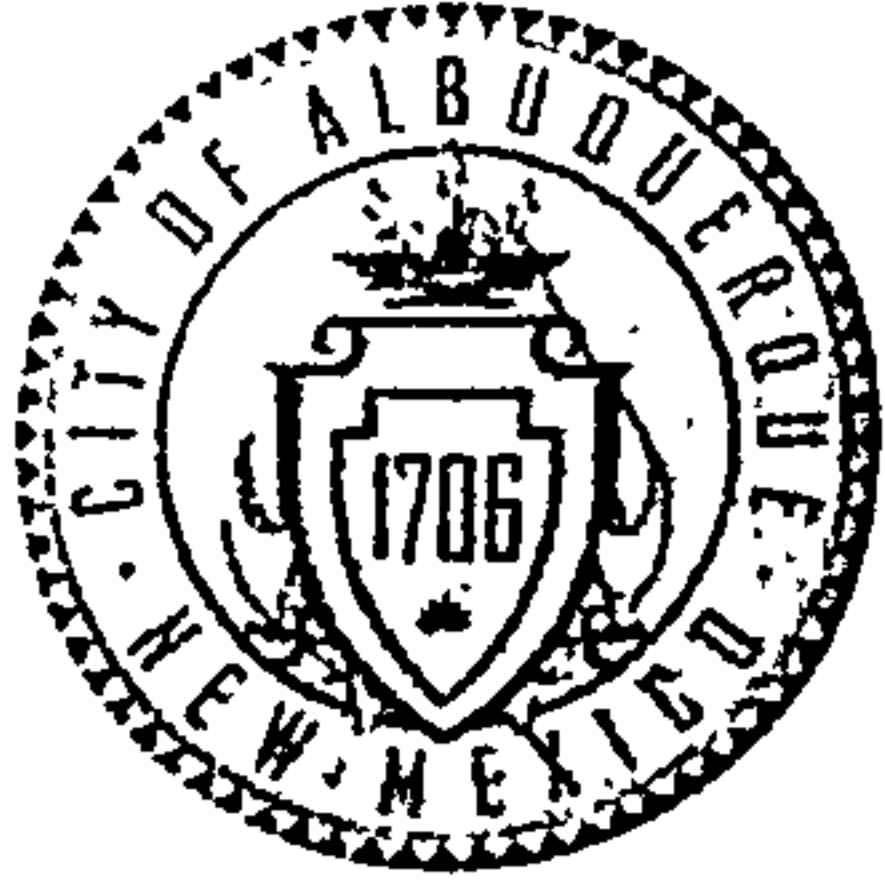
SUMMERLIN NW

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (B-12).

(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)

(Zone Map **MUST** be provided with request)



# *City of Albuquerque*

## **Legal Department**

P.O. Box 2248 Albuquerque, NM 87103  
(505) 768-4500 ♦♦ Fax (505) 768-4655

**Martin Chavez, Mayor**

**Robert M. White, City Attorney**

October 2, 2008

Joe Starke  
4900 Alta Mesa NW  
Albuquerque, NM 87114

Dear Mr. Starke,

As you are aware, the City of Albuquerque Legal Department has a Community Mediation Program that assists citizens in resolving disagreements. At your request, Al Testatore was sent a letter offering mediation with Los Verdes HOA and Paradise Greens II HOA regarding the easement issue.

Mediation is an opportunity for everyone to sit down with a trained neutral third-party to discuss the issue and possible resolutions to the dispute. The mediator has no authority to impose a decision upon the parties, but is available to facilitate the conversation. Mediation sessions are arranged in Community Centers or Police Substations convenient for the parties. There is no charge to you for this service. Our goal is to help you come to a mutually acceptable agreement.

Please call the Alternative Dispute Resolution (ADR) Office at 768-4667 and we will work with you to answer any questions you have about mediation and determine if mediation can help you resolve your conflict. If I do not hear from Mr. Testatore by **October 10, 2008**, I will assume Paradise Greens II is not interested in mediating.

Sincerely,

Dima Houpis-Brown  
ADR Case Manager

**COPY**



# *City of Albuquerque*

## **Legal Department**

P.O. Box 2248 Albuquerque, NM 87103  
(505) 768-4500 ♦♦ Fax (505) 768-4440

**Martin Chavez, Mayor**

**Robert M. White, City Attorney**

October 14, 2008

Joe Starke  
4900 Alta Mesa NW  
Albuquerque, NM 87114

RE: Los Verdes HOA and Paradise Greens II HOA

Dear Mr. Starke,

At your request, on October 2, 2008, the City of Albuquerque Community Mediation Program sent Al Testatore a letter offering mediation as a means to resolve the easement issue. To date, Mr. Testatore has not responded.

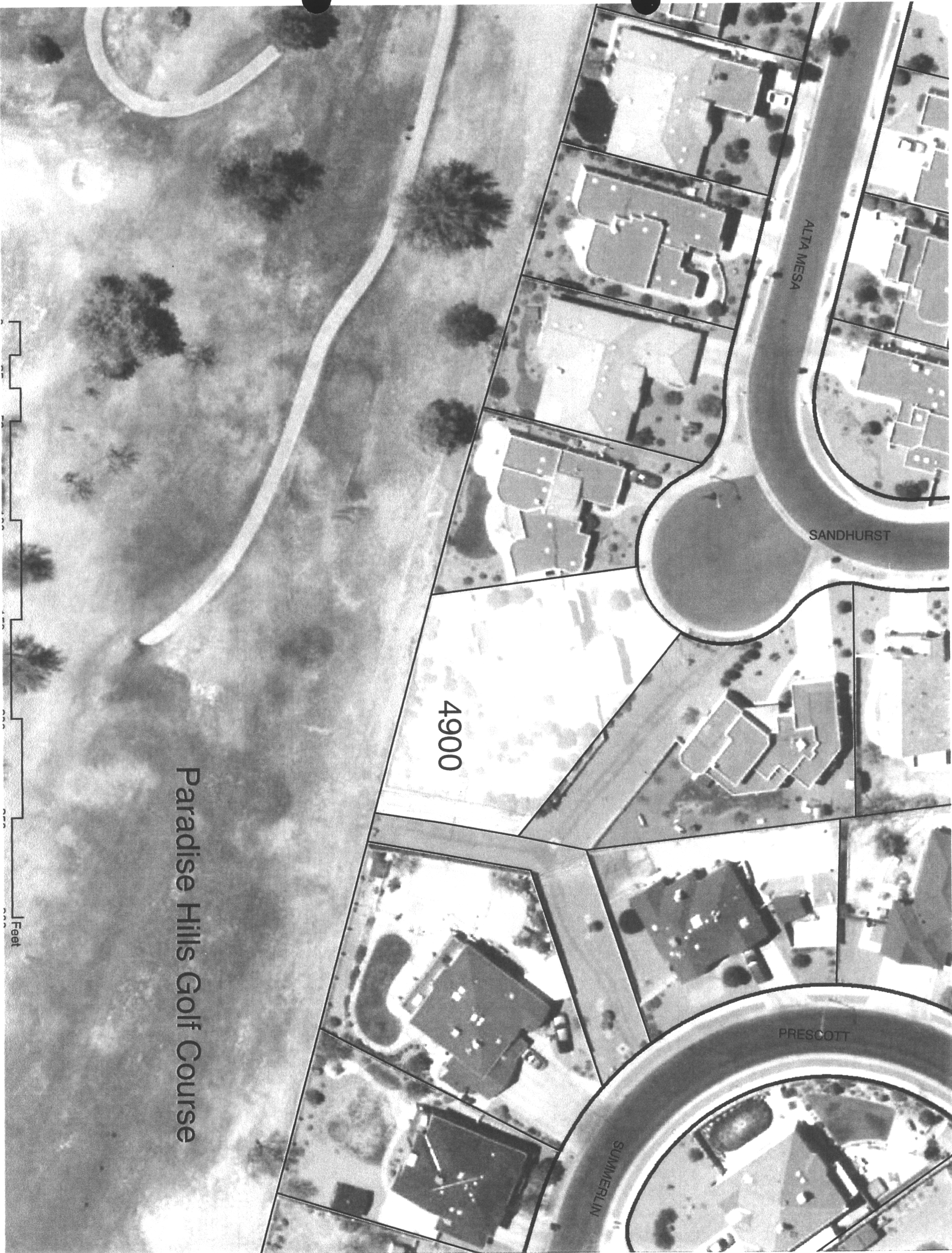
Based on this information, our office is closing the case and will inform Neal Weinberg. Should circumstances change, you will be contacted. If you require our assistance in the future, the Community Mediation Program is a means to help resolve these types of issues. Again, there is no charge to you for this service. The mediators and the location of the mediation are neutral. Our goal is to help you and your neighbor come to a mutually acceptable agreement.

Thank you for your interest in our program.

Sincerely,

Dima Houpis-Brown  
ADR Case Manager

cc: Michelle Clark; Kathy Singer; Carol McKinney.



ALTA MESA

SANDHURST

4900

PRESCOTT

SUMMERLIN

Paradise Hills Golf Course

Feet

ONE STOP SHOP  
CITY OF ALBUQUERQUE PLANNING DEPARTMENT  
Development & Building Services

PAID RECEIPT

APPLICANT NAME LOS VERDES HOMEOWNERS ASSOC.  
AGENT JOSEPH STARKE  
ADDRESS 4900 ALTA MESA NW  
PROJECT & APP # 1007735/09 DRB 70134  
PROJECT NAME \_\_\_\_\_

\$ 20.00 441032/3424000 Conflict Management Fee  
\$ 45.00 441006/4983000 DRB Actions  
\$ \_\_\_\_\_ 441006/4971000 EPC/AA/LUCC Actions & All Appeals  
\$ 75.00 441018/4971000 Public Notification  
\$ \_\_\_\_\_ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY\*\*\*  
( ) Major/Minor Subdivision ( ) Site Development Plan ( ) Bldg Permit  
( ) Letter of Map Revision ( ) Conditional Letter of Map Revision  
( ) Traffic Impact Study  
\$ 140.00 TOTAL AMOUNT DUE

\*\*\*NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.

4/7/2009 12:17PM LOC: ANNX  
RECEIPT# 00104794 WSH 006 TRANS# 0027  
Account 441006 Fund 0110  
Activity 4983000 TRSMSP  
Trans Amt \$140.00  
J24 Misc \$45.00  
City Of Albuquerque  
Treasury Division  
6/21/04  
Thank You

City Of Albuquerque  
Treasury Division  
4/7/2009 12:17PM LOC: ANNX  
RECEIPT# 00104793 WSH 006 TRANS# 0027  
Account 441032 Fund 0110  
Activity 3424000 TRSMSP  
Trans Amt \$140.00  
J24 Misc \$20.00  
Thank You

City Of Albuquerque  
Treasury Division

4/7/2009	12:17PM	LOC: ANNX
RECEIPT# 00104795	WS# 006	TRANS# 0027
Account 441018	Fund 0110	
Activity 4971000		TRSMSP
Trans Amt	\$140.00	
J24 Misc		\$75.00
CK		\$140.00
CHANGE		\$0.00

Thank You

# 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 21, 2009 To MAY 6, 2009

#### 5. REMOVAL

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

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

[Signature]  
(Applicant or Agent)

4-7-2009  
(Date)

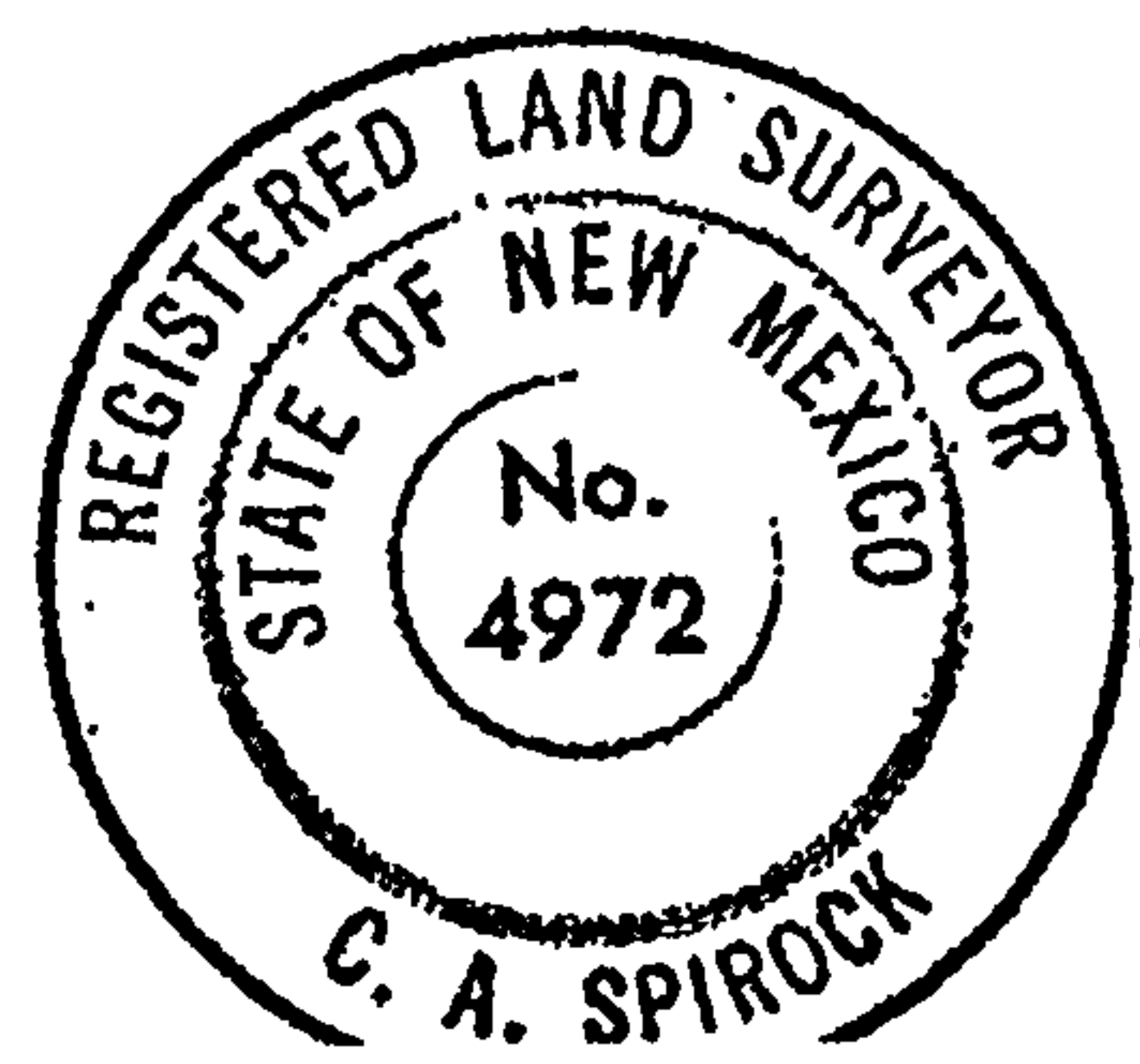
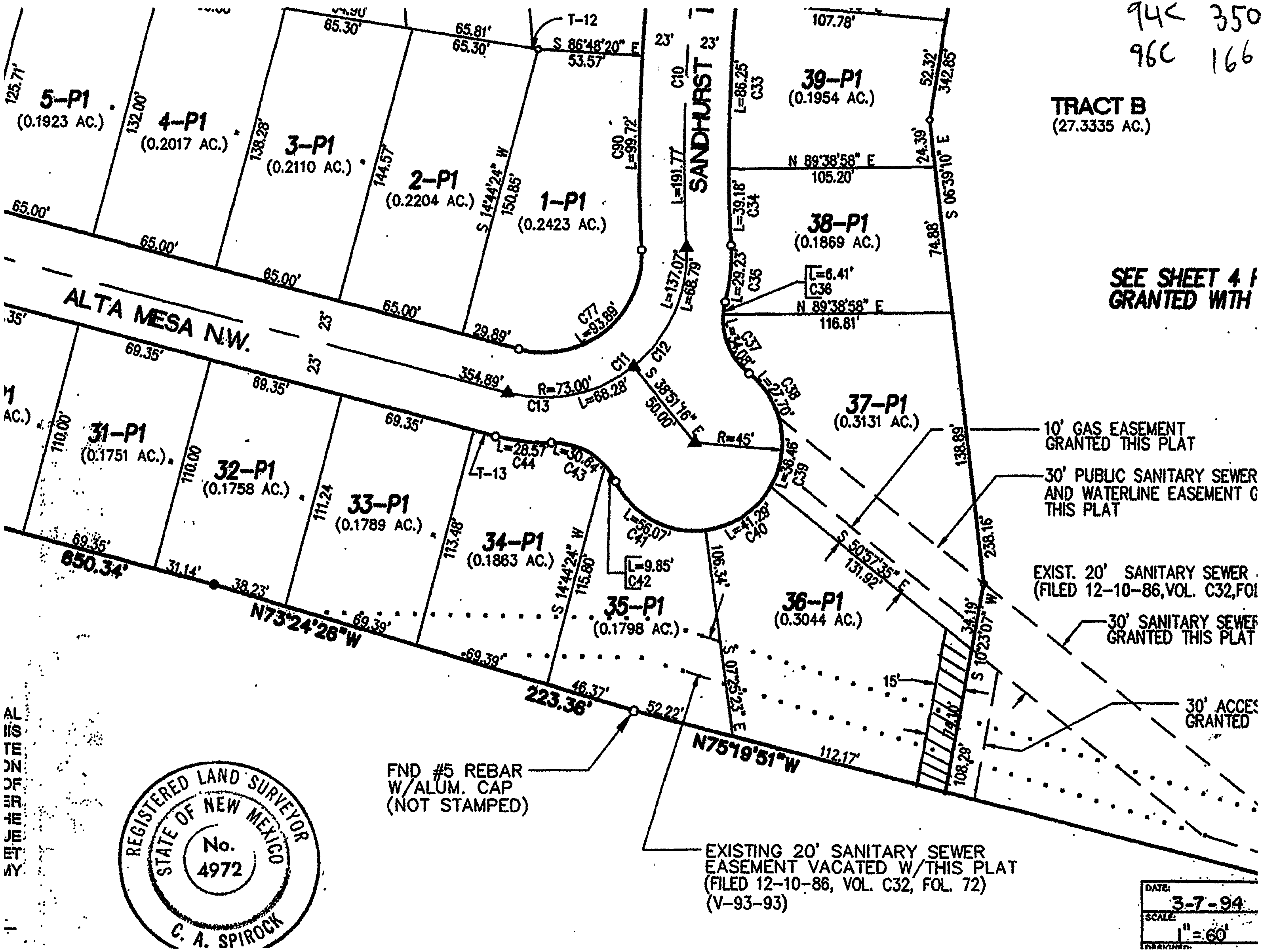
I issued 1 signs for this application, 04/07/09 Sandy Handley  
(Date) (Staff Member)

DRB PROJECT NUMBER: 1007735

94C 350  
96C 166

TRACT B  
(27.3335 AC.)

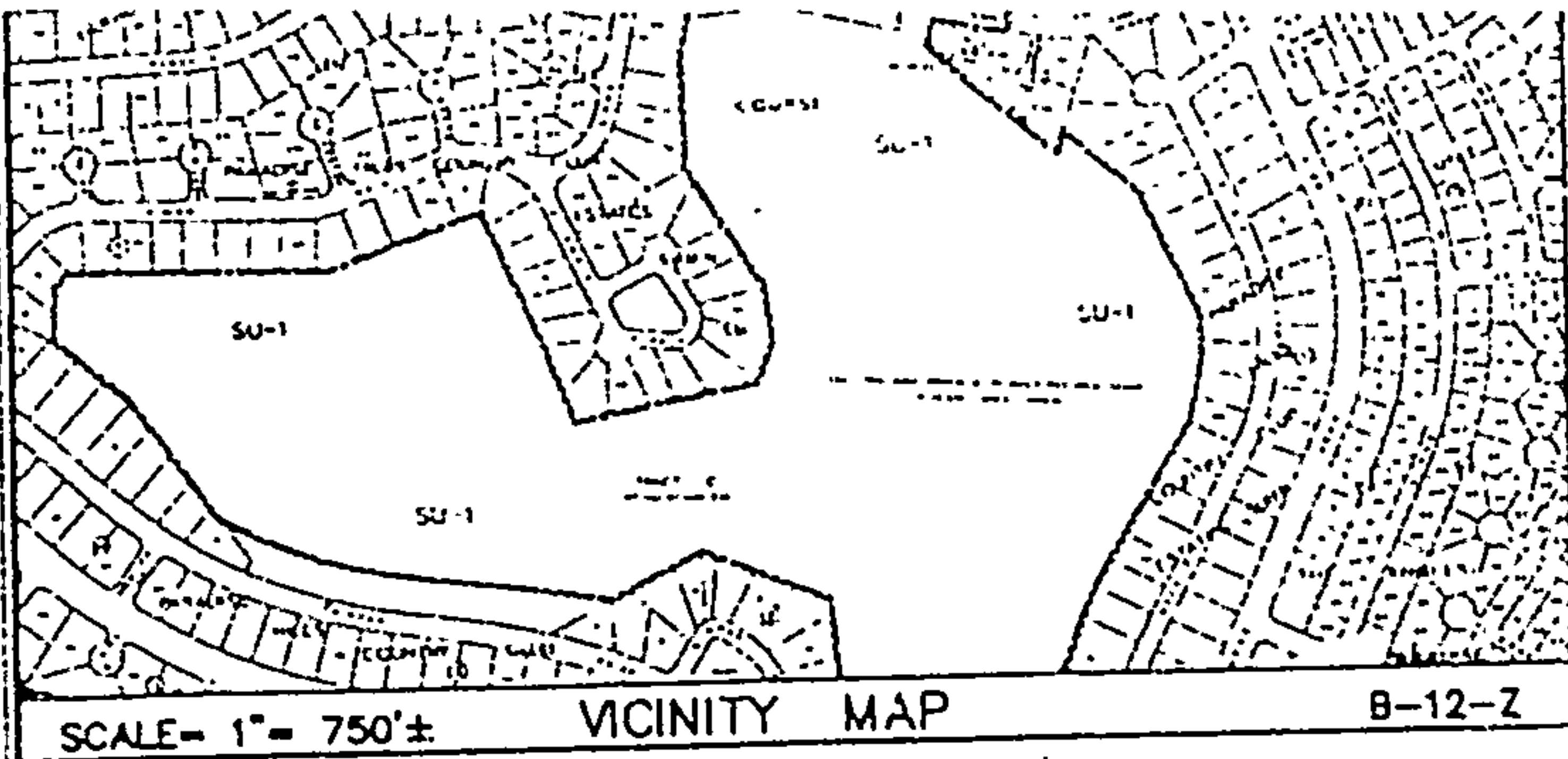
SEE SHEET 4 I  
GRANTED WITH



DATE:	3-7-94
SCALE:	1" = 60'



COMMUNITY SCIENCES CORPORATION - CORRALES, NEW MEXICO - (505) 897-0000



**SUBDIVISION DATA:**

CASE NO. .... V-93-93, SV-93-43, DRB-93-362  
 GROSS SUBDIVISION ACREAGE ..... 38.4374 AC  
 ZONE ATLAS INDEX NO. .... B-12  
 NO. OF EXISTING TRACTS ..... 1  
 NO. OF TRACTS CREATED ..... 2  
 NO. OF LOTS CREATED ..... 42  
 MILES OF FULL-WIDTH STREETS CREATED ..... 0.38 MILES  
 DATE OF SURVEY ..... JUNE, 1993  
 SP LOG NO. .... SP94-G3-14-0925-048

**TREASURER'S CERTIFICATION**

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #s:  
 TRACT A, LANDS OF HORIZON, UPC #101206526440710330  
 PROPERTY OWNER OF RECORD: ARGUS DEVELOPMENT COMPANY, BEN SPENCER  
 BERNALILLO COUNTY TREASURER'S OFFICE:

BY: *Ben Spencer* DATE: 10/18/94

**NOTES:**

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE "TRACT A, LANDS OF HORIZON" CONTAINING 38.4374 AC. INTO 42 RESIDENTIAL LOTS, ADJOINING STREETS AND 2 TRACTS, AND TO VACATE PORTIONS OF EXISTING EASEMENTS SHOWN HEREON (V-93-93).
2. ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, MEAN DELTA ALPHA -00°12'15". ALL DISTANCES ARE GROUND DISTANCES.
3. BEARINGS AND DISTANCES SHOWN IN PARENTHESES ARE FROM RECORD PLATS.
4. ALL DIMENSIONS PUBLISHED ALONG CURVED LINES ARE ARC DISTANCES LOT LINES MARKED N/R ARE NON-RADIAL.
5. BENCHMARK FOR THIS PLAT IS THE A 3" ALUMINUM TABLET STAMPED "ACS-2-B12, 1985" SET IN CONCRETE, ELEVATION = 5273.83, FLUSH WITH THE TOP OF CURB, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF IRVING BLVD. AND TIMAN AVE.
6. UNLESS OTHERWISE NOTED, ALL CORNERS ARE EVIDENCED BY A #5 REBAR WITH ALUMINUM CAP STAMPED "P.S. #4972".
7. CENTERLINE (IN LIEU OF R/W) MONUMENTATION TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS PRIOR TO ACCEPTANCE OF SUBDIVISION STREET IMPROVEMENTS AND WILL CONSIST OF A FOUR INCH (ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION SURVEY MARKER DO NOT DISTURB P.L.S. 4972".  
 ▲ DENOTES CENTERLINE MONUMENT.

(NOTES CONTINUED ON SHEET 5)

OF UNIT 3A OF PARADISE HILLS COUNTRY CLUB ESTATES (FILED SEPTEMBER 14, 1978 IN VOLUME 08, FOLIO 194) THE NORTHWEST CORNER AND THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED: THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S80°46'20"E, 34.13 FEET TO A POINT-OF-CURVATURE (PC); THENCE SOUTHEASTERLY, 411.97 FEET ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1510.67 FEET, A CENTRAL ANGLE OF 15°37'30" AND A CHORD THAT BEARS S88°31'35"E, 410.70 FEET) TO A POINT-OF-REVERSE-CURVATURE (PRC); THENCE SOUTHEASTERLY, 449.18 FEET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 704.79 FEET, A CENTRAL ANGLE OF 36°30'58" AND A CHORD THAT BEARS S78°08'21"E, 441.62 FEET) TO A POINT-OF-REVERSE CURVATURE (PRC), THENCE SOUTHEASTERLY, 407.85 FEET ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 2467.09 FEET, A CENTRAL ANGLE OF 09°28'19" AND A CHORD THAT BEARS S64°37'31"E, 407.35 FEET) TO A POINT-OF-TANGENCY (PT); THENCE CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF IRVING BOULEVARD, S69°21'11"E, 799.34 FEET TO A POINT-OF-CURVATURE (PC); THENCE SOUTHWESTERLY, 61.36 FEET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 656.52 FEET, A CENTRAL ANGLE OF 05°21'17" AND A CHORD THAT BEARS S66°40'32"E, 61.34 FEET) TO A POINT-OF-COMPOUND-CURVATURE (PCC); THENCE SOUTHEASTERLY, 45.26 FEET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 86°26'41" AND A CHORD THAT BEARS S20°46'33"E, 41.69 FEET) TO A POINT-OF-TANGENCY (PT) ON THE WESTERLY RIGHT-OF-WAY LINE OF GOLF COURSE ROAD, N.W. (86' R/W); THENCE ALONG SAID RIGHT-OF-WAY LINE, S22°26'47"W, 612.70 FEET TO A POINT-OF-CURVATURE (PC); THENCE SOUTHWESTERLY 189.68 FEET ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 759.35, A CENTRAL ANGLE OF 14°18'44" AND A CHORD THAT BEARS S15°17'25"W, 189.19 FEET) TO A POINT ON CURVE AND THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE DEPARTING THE SAID WESTERLY RIGHT-OF-WAY LINE OF GOLF COURSE ROAD, N.W., S82°18'13"W, 563.28 FEET; THENCE N75°32'58"W, 213.35 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PARADISE HILLS GOLF COURSE; THENCE ALONG SAID EASTERLY BOUNDARY, N37°08'22"E, 570.86 FEET; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARADISE HILLS GOLF COURSE, N75°19'51"W, 655.41 FEET; THENCE N73°24'26"W, 223.36 FEET; THENCE N75°15'36"W, 650.34 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID UNIT 3A OF PARADISE HILLS COUNTRY CLUB ESTATES AND THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE ALONG SAID EASTERLY BOUNDARY LINE, N41°59'02"E, 585.04 FEET TO A POINT BEING THE NORTHEAST CORNER OF LOT 18, BLOCK 17, UNIT 3A OF PARADISE HILLS COUNTRY CLUB ESTATES AND THE TRUE PLACE OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

THE ABOVE DESCRIBED ENCLOSURE CONTAINS 38.4373 ACRES, MORE OR LESS

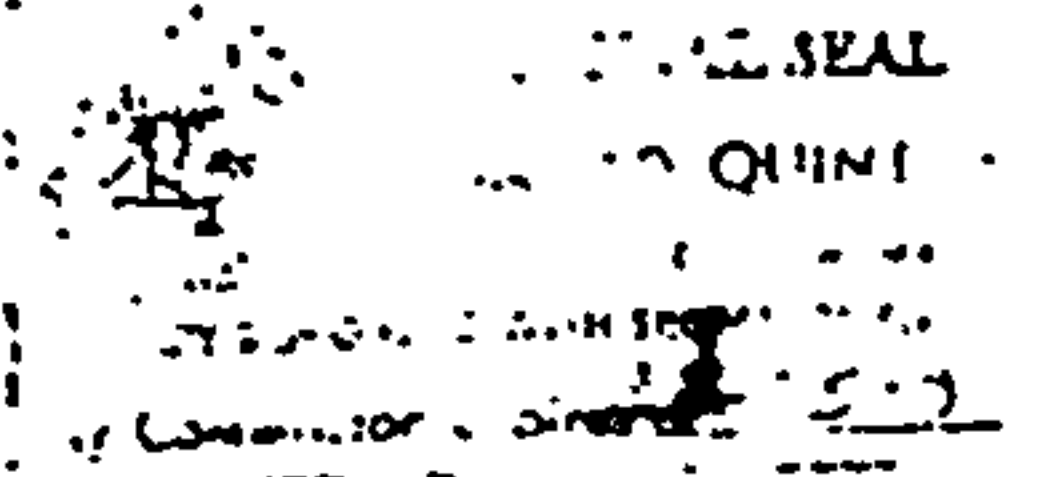
**FREE CONSENT AND DEDICATION:**

THE SUBDIVISION SHOWN HEREON IS 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 FEE SIMPLE WITH WARRANTY COVENANTS AND DO HEREBY GRANT: ALL ACCESS, UTILITY AND DRAINAGE EASEMENTS SHOWN HEREON INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT, AND MAINTAIN FACILITIES THEREIN; AND ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS (SEE NOTE 8) 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.

PARADISE GREENS LIMITED PARTNERSHIP  
 ARGUS DEVELOPMENT COMPANY  
 A NEW MEXICO CORPORATION, GENERAL PARTNER  
 BY: *Ben Spencer*  
 BEN F. SPENCER, PRESIDENT

STATE OF NEW MEXICO)SS  
 COUNTY OF BERNALILLO)  
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON MARCH 10<sup>TH</sup> 1994  
 BY BEN F. SPENCER, PRESIDENT, ON BEHALF OF SAID CORPORATION.

BY: *[Signature]*  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 3-25-97



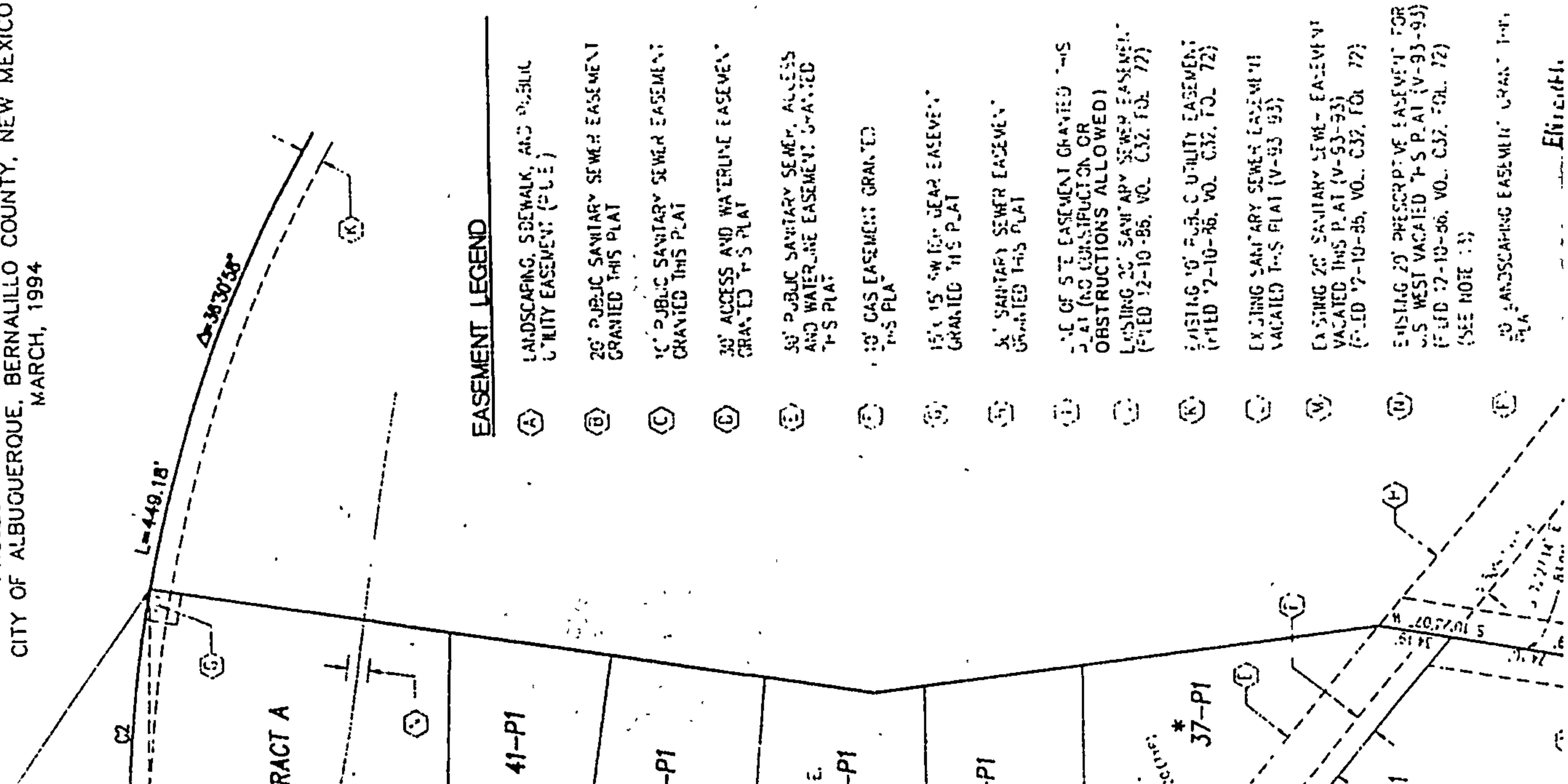
94C-349(2)

25200 UPLATI.DWG



VALUATION AND TRACT LETTERED  
 COMPRISED OF TRACT LETTERED  
 "A" OF LANDS OF HORIZON CORPORATION  
 TO  
**PARADISE GREENS- UNIT 1**

SITUATE WITHIN  
 TOWN OF ALAMEDA GRANT  
 PROJECTED SECTION 12, T11N, R2E, N.M.P.M.  
 CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
 MARCH, 1994

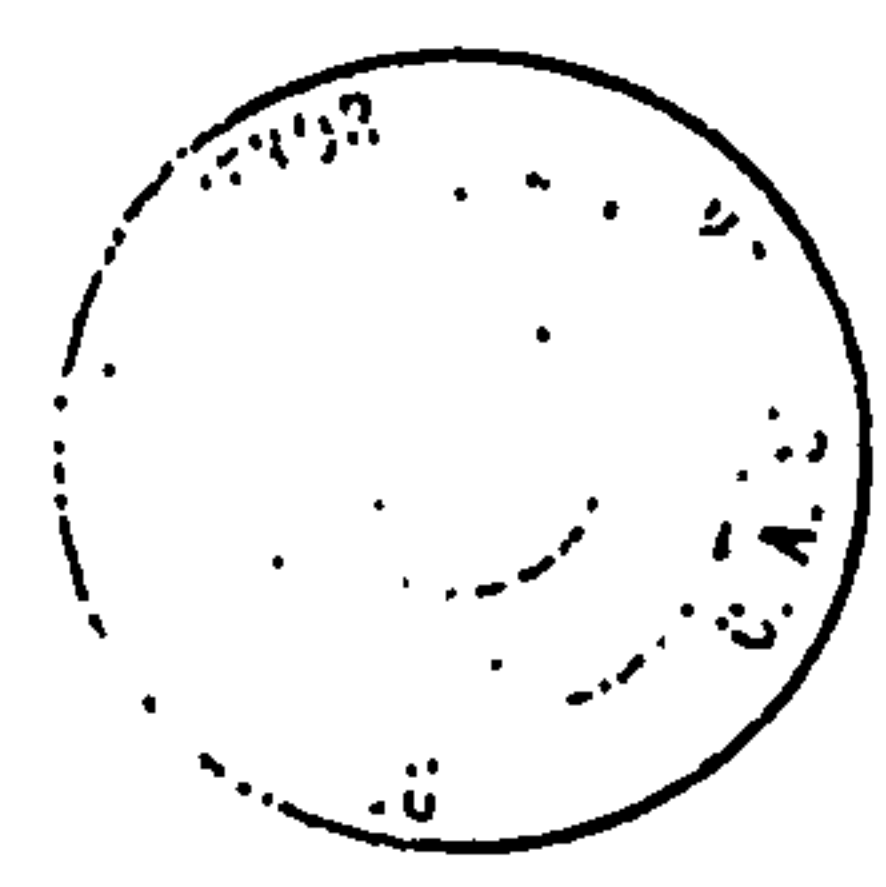


**EASEMENT LEGEND**

- (A) LANDSCAPING, SIDEWALK, AND PUBLIC UTILITY EASEMENT (P.U.E.)
- (B) 20' PUBLIC SANITARY SEWER EASEMENT GRANTED THIS PLAT
- (C) 10' PUBLIC SANITARY SEWER EASEMENT GRANTED THIS PLAT
- (D) 30' ACCESS AND WATERLINE EASEMENT GRANTED THIS PLAT
- (E) 30' PUBLIC SANITARY SEWER, ACCESS AND WATERLINE EASEMENT GRANTED THIS PLAT
- (F) GAS EASEMENT GRANTED THIS PLAT
- (G) 15' X 15' SWIRL DECK EASEMENT GRANTED THIS PLAT
- (H) SANITARY SEWER EASEMENT GRANTED THIS PLAT
- (I) 10' SETBACK EASEMENT GRANTED THIS PLAT (NO CONSTRUCTION OR OBSTRUCTIONS ALLOWED) (FILED 12-10-86, VOL. C32, FOL. 72)
- (J) EXISTING 10' PUBLIC UTILITY EASEMENT (FILED 12-10-86, VOL. C32, FOL. 72)
- (K) EXISTING SANITARY SEWER EASEMENT VACATED THIS PLAT (V-93 93)
- (L) EXISTING 20' SANITARY SEWER EASEMENT VACATED THIS PLAT (V-53-93) (FILED 12-10-86, VOL. C32, FOL. 72)
- (M) EXISTING 20' PREScriptive EASEMENT FOR U.S. WEST VACATED THIS PLAT (V-93-93) (FILED 12-10-86, VOL. C32, FOL. 72) (SEE NOTE 13)
- (N) LANDSCAPING EASEMENT GRANTED THIS PLAT

**(NOTES CONTINUED FROM SHEET 1)**

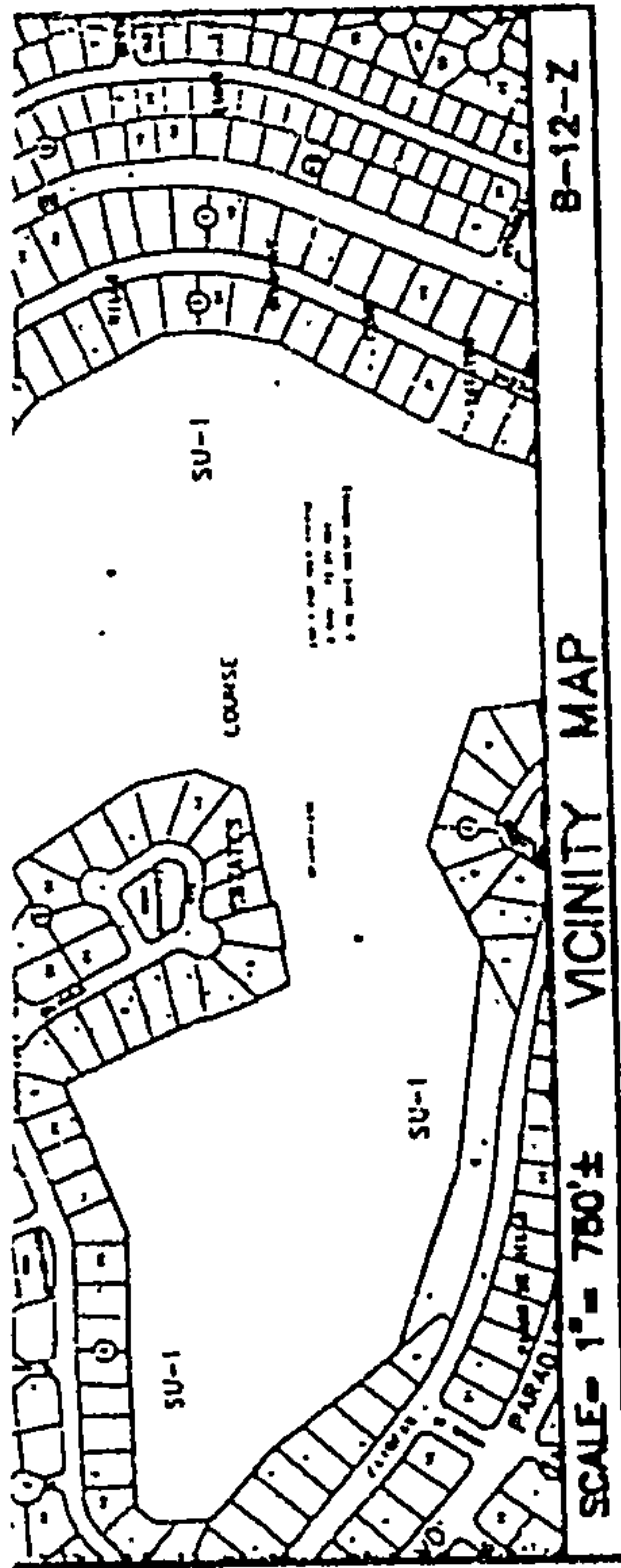
8. PUBLIC UTILITY EASEMENTS (P.U.E.) SHOWN ON THIS PLAT ARE TEN (10) FEET WIDE AND ARE GRANTED FOR THE COMMON AND JOINT USE OF:
  - A. THE PUBLIC SERVICE COMPANY OF NEW MEXICO FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
  - B. THE GAS COMPANY OF NEW MEXICO FOR INSTALLATION, MAINTENANCE AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
  - C. U.S. WEST FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
  - D. JONES INTERCABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH UNDERGROUND LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.
9. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SURFACE), 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 ELECTRIC SAFETY CODE CAUSED BY CONSTRUCTION OR POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.
10. THIS PROPERTY IS WITHIN THE NEW MEXICO UTILITIES, INC. (NMU, INC.) FRANCHISE AREA. WATER AND SANITARY SEWER SYSTEM CAPABILITIES ARE BASED ON NMU, INC.'S FACILITIES, NOT THE CITY OF ALBUQUERQUE. WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST, HOWEVER, BE APPROVED BY THE CITY OF ALBUQUERQUE AND NMU, INC. EASEMENTS THAT ARE EXISTING OR GRANTED BY THIS PLAT TO NMU, INC. ARE FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF BURIED WATER OR SANITARY SEWER LINES AND RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE SAID SERVICE. INCLUDED IS THE RIGHT TO BUILD, RECONSTRUCT, RELOCATE, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS. NO BUILDINGS OR STRUCTURES OF ANY KIND SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS.
11. UNLESS OTHERWISE INDICATED, BY APPROVING THIS DOCUMENT, PNM AND U.S. WEST COMMUNICATIONS DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHT WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR DOCUMENT.
12. MINIMUM DWELLING SETBACKS FOR ALL LOTS ARE AS DEFINED IN THE ZONING CODE FOR R-2 ZONING.
13. THE P1 SUFFIX TO LOT NUMBERS DESIGNATES PARKING FOR INTERMITTENT PARKING CRITERIA FOR 3 TO 4 BEDROOM HOUSES.
14. EXISTING MOUNTAIN BELL FACILITIES ARE WITHIN THE SOUTHERLY 10 FEET OF THE PREVIOUSLY VACATED PORTION OF IRVING BLVD. RIGHT-OF-WAY. REFER TO REALIGNMENT MAP OF A PORTION OF IRVING BLVD. N.W. FILED DECEMBER 7, 1978 IN VOLUME 06, FOLIO 38.
15. TRACT A IS AFFECTED BY THE AMAFCA EASEMENT, AS SHOWN ON THIS PLAT. THIS TRACT WILL BE REPLATTED INTO 3 LOTS WHEN NEGOTIATIONS WITH AMAFCA OCCUR AND CONDITIONS ARE ESTABLISHED TO VACATE EASEMENT.



SURVEYOR'S S.C.  
 I. C. A. SPIRO  
 SURVEYOR UN  
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 C. A. SPIRO

COMMUNITY SCIENCES CORPORATION - CORRALES, NEW MEXICO - (505) 897-0000

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p] 0mbqZ-3eqZ, %Dmf; qYp] 07PjoF1Mp] 0mbp] 1<np] /hDqZ-3emf: u>o`0RCJcC<\$JcC<\$JcE:  
qZ-!\_p] ,mFJcC<\$JcC<\$JcEC\_mf90`\_>p; 0d/\atYQ+S%KE(] HaT) #8i; `ZSq#Bmbq#B7P^] 3s,  
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p] .GrqZ+; /o`25ro`2u2nc66#mf7q=JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
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aT) #8bQ\$Auqu?Ek^] 3s, Jc> `Mo`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$`rFrsk5X-8JcC<\$  
JcCf2\H%3\JcC<\$JcD) :nc6, unc6Z/mf: -&mf7q=JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
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p&FdeZiBe# [f?"#JcC<\$JcC<\$JcC<\$\c; X/k5Y2VJcC<\$JcC<\$JcC<\$^] 3a&V#S: 3V#SL9JcG0<  
rW%NLa8c, =\_Z0K5aT(9#XoJ%oJc> `Mnc47@JcEF`JcC<\$JcG<@o`0RCJcC<\$JcC<\$bl?/mn, Lc8  
JcC<\$JcD5>WW7VMJcC<\$JcDDCmf9ouo`21/RfJ\$>JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$huEHO  
JcC<\$JcC<\$JcC<\$JcCc1nc87\mf7q=JcC<\$JcFj3o`2H#p] 0mbd/\Y8qZ-!\_p] 1!ep] 1\*ho`4de  
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li<s`p] 0d\_rW) rtrW) Nho`1oiklCDVjoEg/rW&kro`0RCScAZhqu?Wqrr; rt`W, 0&V#U) fJc> `M  
nc47@JcEF`JcC<\$JcG<@o`0RCJcC<\$JcC<\$df7Jjqu=M5JcC<\$JcDbMQiM^; JcC<\$JcDVIli>6/  
klAU#ScF?AJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$h>c: 2JcC<\$JcC<\$  
h#I\$I [f?+&`W, f8o) JRem/Qh\q#C3kl2UV\qu?Ekm/Qh\i; `QPqu?EkZiBe#k5X\$5qu?<hJcC<\$  
JcC<\$JcC<\$ [f?+&rr; EeJcC<\$JcC<\$JcC<\$\c; \*uV#U2ieGo: DWrM; `m/QDPgAgUAYLE`JcDhO  
klBcDp] 1\*hh#OJTo`0RC!<; TiJcC<\$^&NZ`JcC<\$o) J@\_ JcC<\$JcC<\$JcF: #JH, ZMJcC<\$JcDtS  
PlQC8JcC<\$JcDVIhuMU5joE0rT`BZDJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$dJrY8JcC<\$JcC<\$d/Wk@ [f?+&`W, f8o) JRem/Qh\q#C3kl2UV\qu?Ekm/Qq\_gAh\$Mqu?Ek  
12T65q#C\*hl2U; Sp&FI\q#C\*hJcC<\$JcC<\$JcC<\$ [f>RlJcC<\$JcC<\$JcC<\$ZiB@lJcCc1mf; MM  
mf; DJirH=`g&Q^ (\Gtdnj8 [g5qu?<hq#C\*h^] 3s, Jc> `Mo`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$  
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qZ, m\qZ-Nnp] 0 [\qZ, @Mp] 1<np] 0 [\c2dbAp] 0 [\o`4. Sp] 13ko`0RCJcC<\$JcC<\$JcDtSmf7q=  
JcC<\$JcC<\$JcE (Vli; V: OoObJk5XlM12TQ>XoH1NJcE. Xo`4%PhuN?Jnc8 [hp] /) /o`0RC!<;] l  
JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$JcC<\$JcF: #JH, ZMJcC<\$JcE1YM#` , , JcC<\$LB\$] B [f<6\*] `4c-  
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qZ-3eqZ-!\_p] 1\*hqZ, m\qZ-Nnp] 0 [\p] 07Pp] 13kp] 0 [\c2dbAp] 0 [\p] 07Pp] 13kp] ,mFJcC<\$  
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[f?+&`W, f8o) JRem/Q; Mm/Qq\_q#C\*hl2UMYk5Y) Squ?Ekm/PH5q#C3kl2UV\gAh\$Mqu?EkJcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcF\*sli; V: OoOkMi; `6Gp&EVDQ2fG9JcE [gp] 0@Sk1BZAnc6H)  
nc47@!<; TiJcC<\$^&NZ`JcC<\$o) J@\_ JcC<\$JcC<\$JcFC&JH5NHJcC<\$JcELbJH5WKJcC<\$JcCo5  
joDafYQ266 [K (mYJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
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p] ,mFJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$d/WP7JcCc1li?) Gmf<@ed/] 7-c2`Fqd/Wk@i; `?J  
eGo1A^] 3s, Jc> `Mo`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$g] )g) pAfdEJcC<\$^] /ibr; \_EK  
JcC<\$P5jYEYlD-3 [f>muJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$JcC<\$^&Rj- [f?+&`W, f8o) JRel2TuJp&Fdep&Fdek5X\$5q#C\*hj8\uVfdkUGm/Qh\h>d?P  
qu?EkJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcF\*sli; V: NrSYMi; ^XoJcG] Kd/\atg&LgIj8\ZM



CURVATURE (PC); THENCE SOUTHWESTERLY 61.30 FEET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF \$36.52 FEET, A CENTRAL ANGLE OF 05°21'17", AND A CHORD THAT BEARS 80°49'32"E, 61.34 FEET) TO A POINT-OF-COMPOUND-CURVATURE (PCC); THENCE SOUTHEASTERLY 45.28 FEET ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF 86°26'41", AND A CHORD THAT BEARS S20°45'35"E, 41.09 FEET) TO A POINT-OF-TANGENCY (PT) ON THE WESTERLY RIGHT-OF-WAY LINE OF GOLF COURSE ROAD N.W. (85' R/W); THENCE ALONG SAID RIGHT-OF-WAY LINE, S22°28'47"W, 612.70 FEET TO A POINT-OF-CURVATURE (PC); THENCE SOUTHWESTERLY 189.08 FEET ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 759.35 FEET, A CENTRAL ANGLE OF 14°18'14", AND A CHORD THAT BEARS S19°17'25"W, 189.19 FEET) TO A POINT ON CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF GOLF COURSE ROAD N.W., S82°18'13"W, 583.28 FEET; THENCE N75°32'58"W, 213.35 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF THE PARADISE HILLS GOLF COURSE; THENCE ALONG SAID EASTERLY BOUNDARY LINE N07°08'22"E, 570.86 FEET TO AN ANGLE POINT; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID PARADISE HILLS GOLF COURSE PARADISE GREENS UNIT 1, AND THE SOUTHWEST CORNER OF THE PARCEL, HEREIN DESCRIBED; THENCE DEPARTING SAID NORTHERLY BOUNDARY LINE OF PARADISE HILLS GOLF COURSE N10°23'07"E, 108.28 FEET TO AN ANGLE POINT; THENCE N06°39'10"W, 238.18 FEET TO AN ANGLE POINT; THENCE N09°25'14"E, 342.86 FEET TO THE NORTH-EAST CORNER OF TRACT A, PARADISE GREENS UNIT 1, AND THE ~~LINE POINT OF BEGINNING~~ OF THE PARCEL HEREIN DESCRIBED.

THE ABOVE DESCRIBED ENCLOSURE CONTAINS 27.3335 ACRES MORE OR LESS.

**TREASURER'S CERTIFICATION**

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #:

TRACT B, PARADISE GREENS UNIT 1 UPC# 4012065-384-399-10380

PROPERTY OWNER OF RECORD: ARGUS DEVELOPMENT COMPANY, BEN F. SPENCER

BERNALILLO COUNTY TREASURERS OFFICE:

BY: Frank Nical DATE: 4-18-96

**FREE CONSENT AND DEDICATION:**

THE SUBDIVISION SHOWN HEREON IS 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 FEE SIMPLE WITH WARRANTY COVENANTS AND DO HEREBY GRANT: ALL ACCESS, UTILITY AND DRAINAGE EASEMENTS SHOWN HEREON INCLUDING THE RIGHT TO CONSTRUCT, OPERATE, INSPECT, AND MAINTAIN FACILITIES THEREIN; AND ALL PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS (SEE HGTE 6). 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.

PARADISE GREENS LIMITED PARTNERSHIP

ARGUS DEVELOPMENT COMPANY

A NEW MEXICO CORPORATION, GENERAL PARTNER

BY: Ben F. Spencer  
BEN F. SPENCER, PRESIDENT

STATE OF NEW MEXICO ) SS  
COUNTY OF BERNALILLO )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON January 10 1995  
BY BEN F. SPENCER, PRESIDENT ON BEHALF OF SAU CORPORATION

BY: Charles J. Jarama  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 4-21-95

**PNM ELECTRIC AND GAS SERVICES APPROVAL:**

PNM ELECTRIC AND GAS SERVICES DO HEREBY RELEASE, WAIVE, QUITCLAIM AND DISCHARGE THEIR RIGHT, TITLE, AND INTEREST IN THE EASEMENT (GRANTED BY PRIOR PLAT, REPEAT OR DOCUMENT) SHOWN TO BE VACATED ON THIS PLAT

PNM ELECTRIC SERVICES  
BY: Frank S. Haden DATE: 3-8-96

PNM GAS SERVICES  
BY: Frank S. Haden DATE: 3-8-96

STATE OF NEW MEXICO ) SS  
COUNTY OF BERNALILLO )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8 DAY OF MARCH 1996 BY Frank S. Haden OF PNM ELECTRIC AND PNM GAS SERVICES.

BY: Frank S. Haden  
NOTARY PUBLIC

MY COMMISSION EXPIRES 3-10-98

**U S WEST COMMUNICATIONS QUITCLAIM**

KNOW ALL MEN BY THESE PRESENTS: THAT U S WEST COMMUNICATIONS, INC., A COLORADO CORPORATION, HERINAFTER CALLED "COMPANY" FOR AND IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS IN HAND PAID, THE RECEIPT WHEREOF IS HEREBY CONFESSED AND ACKNOWLEDGED, DOES HEREBY RELEASE, REMISE AND QUITCLAIM ALL THE RIGHT, TITLE AND INTEREST IN THE EASEMENTS SHOWN TO BE VACATED ON THIS PLAT AND HEREBY EXPRESSLY EXCEPTING AND RESERVING TO THE COMPANY, ANY AND ALL INTEREST OTHERWISE ACQUIRED IN SAID PROPERTY, EXCEPT AS SHOWN TO BE VACATED.

IN WITNESS WHEREOF, THE COMPANY HAS CAUSED THESE PRESENTS TO BE EXECUTED BY ITS DULY AUTHORIZED OFFICER THIS 8 DAY OF MARCH 1996

U S WEST COMMUNICATIONS, INC.

BY: James H. Villalobos  
MANAGER - NETWORK AND TECHNOLOGY SERVICES

STATE OF NEW MEXICO ) SS  
COUNTY OF BERNALILLO )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 8 DAY OF MARCH 1996, BY James H. Villalobos AS THE MANAGER NETWORK AND TECHNOLOGY SERVICES OF U S WEST COMMUNICATIONS INC., A COLORADO CORPORATION, ON BEHALF OF THE CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL

BY: Frank S. Haden MY COMMISSION EXPIRES 8/26/99  
NOTARY PUBLIC

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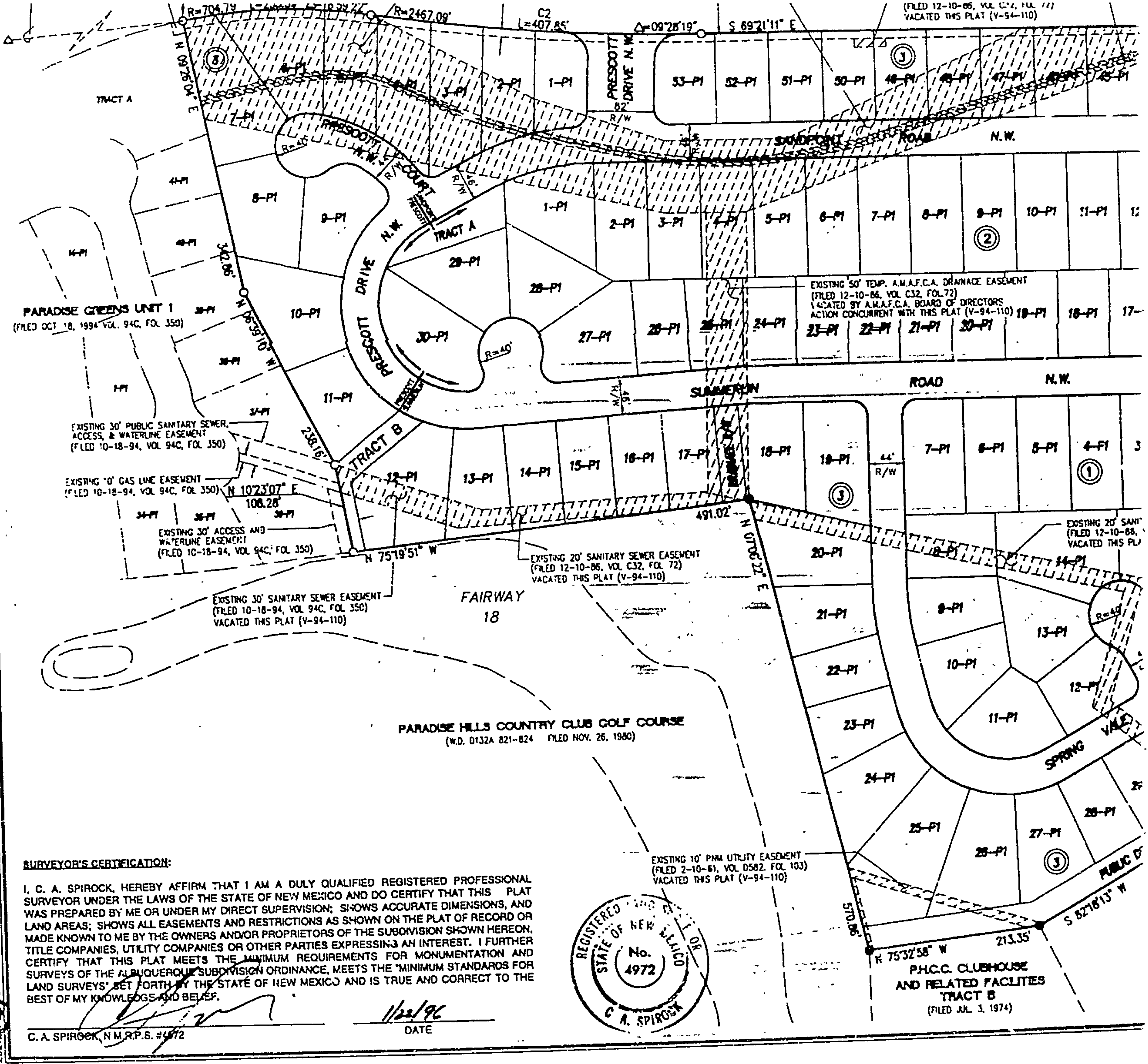
REGISTERED PROFESSIONAL  
I CERTIFY THAT THIS PLAT  
ACCURATE DIMENSIONS, AND  
ON THE PLAT OF RECORD OR  
SUBDIVISION SHOWN HEREON,  
HOLDING AN INTEREST. I FURTHER  
FOR MONUMENTATION AND  
THE MINIMUM STANDARDS FOR  
TRUE AND CORRECT TO THE

1/9/95  
DATE  
11/21/96  
C.A.S.

1 OF 5  
community  
sciences  
corporation

PLANNING ENGINEERING SURVEYING  
Box 1328 Corrales, N.M. 87146

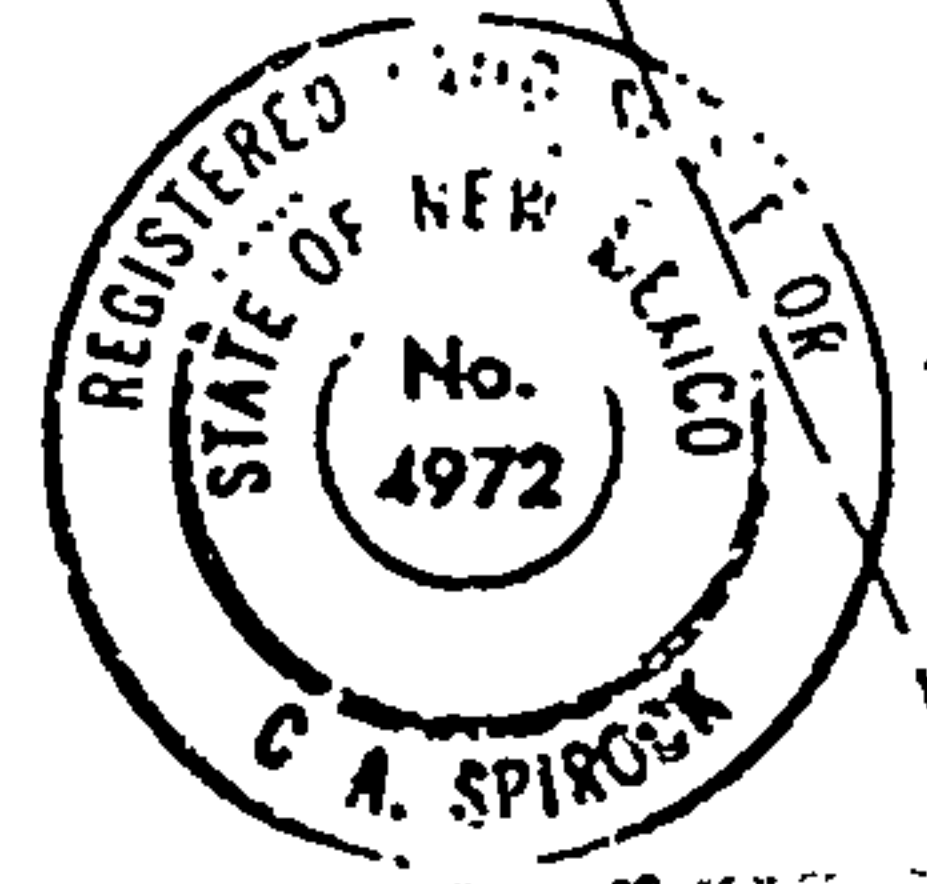
COMMUNITY SCIENCES CORPORATION - CORRALES, NEW MEXICO - (505) 897-7711



**SURVEYOR'S CERTIFICATION:**

I, C. A. SPIROCK, HEREBY AFFIRM THAT I AM A DULY QUALIFIED REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO AND DO CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; SHOWS ACCURATE DIMENSIONS, AND LAND AREAS; SHOWS ALL EASEMENTS AND RESTRICTIONS AS SHOWN ON THE PLAT OF RECORD OR MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF THE SUBDIVISION SHOWN HEREON, TITLE COMPANIES, UTILITY COMPANIES OR OTHER PARTIES EXPRESSING AN INTEREST. I FURTHER CERTIFY THAT THIS PLAT MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE ALBUQUERQUE SUBDIVISION ORDINANCE, MEETS THE MINIMUM STANDARDS FOR LAND SURVEYS SET FORTH BY THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

C. A. SPIROCK, N.M.R.P.S. #4572  
DATE 1/22/96



EXISTING 10' P.M. UTILITY EASEMENT  
(FILED 2-10-61, VOL. 0582, FOL. 103)  
VACATED THIS PLAT (V-94-110)

EXISTING 20' SANITARY SEWER EASEMENT  
(FILED 12-10-86, VOL. C32, FOL. 72)  
VACATED THIS PLAT (V-94-110)

EXISTING 50' TEMP. A.M.A.F.C.A. DRAINAGE EASEMENT  
(FILED 12-10-86, VOL. C32, FOL. 72)  
VACATED BY A.M.A.F.C.A. BOARD OF DIRECTORS  
ACTION CONCURRENT WITH THIS PLAT (V-94-110)





...this plat, PMA Electric Services and  
 ...are not shown on this plat.

**NOTES:**

1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE TRACT B OF PARADISE GREENS UNIT 1 CONTAINING 27.33 ACRES INTO 100 RESIDENTIAL LOTS AND ADJOINING STREETS AND TO VACATE EXISTING EASEMENTS SHOWN HEREON (V-94-110).
2. ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, MEAN DELTA ALPHA -00°12'15". ALL DISTANCES ARE GROUND DISTANCES.
3. BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED.
4. ALL DIMENSIONS PUBLISHED ALONG CURVED LINES ARE ARC DISTANCES. LOT LINES MARKED N/R ARE NON-RADIAL.
5. BENCHMARK FOR THIS PLAT IS THE A 3" ALUMINUM TABLET STAMPED "ACS-2-812, 1965" SET IN CONCRETE, ELEVATION = 5273.63, FLUSH WITH THE TOP OF CURB, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF IRVING BLVD. AND TIMAN AVE.
6. UNLESS OTHERWISE NOTED, ALL CORNERS ARE EVIDENCED BY A #5 REBAR WITH ALUMINUM CAP STAMPED "P.S. #4972".

7. CENTERLINE (IN LIEU OF R/W) MONUMENTATION TO BE INSTALLED AT ALL CENTERLINE P.C.'S, P.T'S, ANGLE POINTS AND STREET INTERSECTIONS PRIOR TO ACCEPTANCE OF SUBDIVISION STREET IMPROVEMENTS AND WILL CONSIST OF A FOUR INCH (ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION SURVEY MARKER DO NOT DISTURB P.L.S. 4972". ▲ DENOTES CENTERLINE MONUMENT.
8. PUBLIC UTILITY EASEMENTS (P.U.E.) SHOWN ON THIS PLAT ARE TEN (10) FEET WIDE AND ARE GRANTED FOR THE COMMON AND JOINT USE OF:
  - A. PNM ELECTRIC SERVICES FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SERVICE OF UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
  - B. PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
  - C. U.S. WEST FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
  - D. JONES INTERCABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH UNDERGROUND LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

9. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH 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. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OR POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.
10. THIS PROPERTY IS WITHIN THE NEW MEXICO UTILITIES, INC. (NMU, INC.) FRANCHISE AREA. WATER AND SANITARY SEWER SYSTEM CAPABILITIES ARE BASED ON NMU, INC.'S FACILITIES, NOT THE CITY OF ALBUQUERQUE. WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST, HOWEVER, BE APPROVED BY THE CITY OF ALBUQUERQUE AND NMU, INC.
11. MINIMUM DWELLING SETBACKS FOR ALL LOTS ARE AS DEFINED IN THE ZONING CODE FOR R-2 ZONING.
12. THE P1 SUFFIX TO LOT NUMBERS DESIGNATES SPECIAL ON-SITE PARKING CRITERIA WHICH JUSTIFIED THE CITY ALLOWING REDUCED STREET WIDTHS IN THIS SUBDIVISION. SPECIFICALLY, THE PARKING DENSITY CATEGORY OF "INTERMITTENT"

15. LOTS 1-P1 TO 11-P1 INCLUSIVE OF BLOCK 2 LOTS 1-P1 TO 7-P1, INCLUSIVE AND LOTS 43-P1 TO 53-P1, INCLUSIVE, OF BLOCK 3 MAY BE REQUIRED. PROVIDE FLOOD INSURANCE BY LENDER UNTIL A LATTER OF MAP REVISION (LOMR) IS APPROVED BY FEMA (FEDERAL EMERGENCY MAPPING AGENCY).
16. A HOME OWNERS ASSOCIATION XEROSCAPING EASEMENT AND A CITY OF ALBUQUERQUE SLOPE AND CONSTRUCTION EASEMENT.
17. THIS AREA OF RIGHT-OF-WAY TO BE DEDICATED TO THE CITY OF ALBUQUERQUE, BUT OVERLAIN WITH A PRIVATE LANDSCAPING EASEMENT. MAINTENANCE OF LANDSCAPING TO BE VIA A SEPARATE "STREETSCAPE GIFT AND FREE WORK AGREEMENT" BETWEEN OWNER AND CITY. OWNER WILL SUBSEQUENTLY AVERAGE FOR A NEW AGREEMENT BETWEEN CITY AND HOME OWNERS ASSOCIATION.
18. TRACT B IS HEREBY ENCUMBERED WITH GAS, WATER, SANITARY SEWER AND ACCESS EASEMENT.

CURVE ID	CURVE DATA					CHORD BEG	CHORD END
	RADIUS	ARC	DELTA	TANGENT	CHORD		
C1	704.79	233.59	018-58-22	117.87	232.52	895-22-33E	
C2	2467.09	407.85	008-28-18	204.39	407.39	N64-57-01W	
C3	558.52	91.39	008-31-17	30.70	61.34	868-40-32E	
C4	30.00	45.28	008-28-41	28.19	41.09	831-46-32E	
C5	759.35	190.68	014-18-44	95.34	189.18	N18-17-30E	
C6	180.00	182.38	021-47-58	123.89	172.35	822-47-12E	
C7	892.35	18.48	001-11-08	9.23	18.48	N31-51-14E	
C8	120.00	127.85	021-08-31	70.74	121.89	861-48-87W	
C9	120.00	219.57	024-02-14	165.82	190.80	N45-18-53W	
C10	300.00	70.73	013-30-57	35.63	70.68	N13-53-33E	
C11	1000.00	98.00	003-48-54	33.01	98.89	871-14-30E	
C12	190.00	588.01	188-54-18	636.28	254.74	N05-18-04E	
C13	190.00	172.44	004-53-49	83.60	165.04	833-40-40E	
C14	300.00	140.72	008-53-35	71.08	139.44	863-47-38E	
C15	323.00	47.81	008-28-52	23.95	47.77	877-58-02E	
C16	20.00	29.29	004-10-08	18.08	28.81	868-00-19W	
C17	30.00	44.27	008-02-14	28.18	41.82	871-15-58E	
C18	2467.09	26.19	000-48-59	17.84	26.88	N63-08-09W	
C19	2467.09	65.10	001-30-43	32.55	65.10	N63-51-44W	
C20	323.00	89.32	018-19-34	34.89	89.32	867-52-32E	
C21	582.00	14.18	004-52-17	7.08	14.12	N69-01-22E	
C22	20.00	18.28	008-15-34	8.94	13.11	N77-08-89W	
C23	2467.09	65.22	001-30-53	32.61	65.22	N63-20-69W	
C24	2467.09	65.29	001-31-07	32.70	65.29	N60-49-96W	
C25	20.00	14.18	040-24-19	7.29	13.87	N37-41-09W	
C26	202.00	88.87	018-28-58	24.89	88.84	837-13-31E	
C27	502.00	66.59	018-44-17	35.14	66.24	848-44-56E	
C28	2467.09	8.39	000-11-31	4.13	8.28	N59-08-37W	
C29	704.79	87.98	004-28-08	29.53	87.01	858-11-85E	
C30	704.79	126.10	011-02-53	69.28	126.89	870-08-57E	
C31	202.00	15.30	004-30-28	7.68	15.30	858-57-31E	
C32	40.00	28.48	045-12-43	15.48	28.82	882-14-28E	
C33	40.00	44.82	007-18-39	22.98	44.28	N43-08-32E	
C34	704.79	40.48	002-17-31	20.23	40.48	877-13-33E	
C35	40.00	51.13	078-18-58	25.72	47.78	N27-10-63W	
C36	40.00	30.87	043-47-12	16.07	29.83	N66-41-27W	
C37	35.00	44.40	078-41-50	26.75	41.48	871-14-33E	
C38	180.00	34.65	018-24-59	17.41	34.81	828-28-32E	
C39	20.00	32.33	008-27-54	20.84	28.83	823-58-43W	
C40	153.00	96.29	008-50-38	50.89	96.70	N31-53-21E	
C41	153.00	84.79	031-45-08	43.51	83.71	N17-36-33E	
C42	153.00	100.89	037-41-48	52.53	98.98	N17-07-69W	
C43	153.00	38.50	044-08-08	19.25	38.40	N55-57-58W	
C44	153.00	87.84	010-55-57	43.98	87.81	N67-56-17W	
C45	977.00	19.84	001-10-09	9.97	19.84	878-33-00E	
C46	977.00	44.55	008-28-45	22.28	44.54	870-38-33E	
C47	20.00	31.42	000-20-00	20.00	28.28	824-51-11E	
C48	322.00	59.20	010-38-02	29.68	59.12	N15-22-48E	
C49	322.00	16.71	008-48-35	8.35	16.71	N08-37-35E	
C50	142.00	28.74	011-35-47	14.42	28.69	N01-30-29E	
C51	142.00	28.74	011-35-47	14.42	28.69	N01-30-29E	

2  
 M. MEXICO  
 received 28  
 at v. 96c  
 10/1/2000  
 Receiver  
 City Clerk



**NOTES:**

- are not shown on this plat.
- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE TRACT B OF PARADISE GREENS UNIT 1 CONTAINING 27.33 ACRES INTO 100 RESIDENTIAL LOTS AND ADJOINING STREETS AND TO VACATE EXISTING EASEMENTS SHOWN HEREON (V-94-110).
  - ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, MEAN DELTA ALPHA -00°12'15". ALL DISTANCES ARE GROUND DISTANCES.
  - BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED.
  - ALL DIMENSIONS PUBLISHED ALONG CURVED LINES ARE ARC DISTANCES. LOT LINES MARKED N/R ARE NON-RADIAL.
  - BENCHMARK FOR THIS PLAT IS THE A 3" ALUMINUM TABLET STAMPED "ACS-2-B12, 1985" SET IN CONCRETE, ELEVATION = 5273.83, FLUSH WITH THE TOP OF CURB, LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF IRVING BLVD. AND TIMAN AVE.
  - UNLESS OTHERWISE NOTED, ALL CORNERS ARE EVIDENCED BY A #5 REBAR WITH ALUMINUM CAP STAMPED "P.S. #4972".
  - CENTERLINE (IN LIEU OF R/W) MONUMENTATION TO BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS AND STREET INTERSECTIONS PRIOR TO ACCEPTANCE OF SUBDIVISION STREET IMPROVEMENTS AND WILL CONSIST OF A FOUR INCH (ALUMINUM ALLOY CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION SURVEY MARKER DO NOT DISTURB P.L.S. 4972". ▲ DENOTES CENTERLINE MONUMENT.
  - PUBLIC UTILITY EASEMENTS (P.U.E.) SHOWN ON THIS PLAT ARE TEN (10) FEET WIDE AND ARE GRANTED FOR THE COMMON AND JOINT USE OF:
    - PNM ELECTRIC SERVICES FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, POLES AND ANY OTHER EQUIPMENT, FIXTURES, STRUCTURES AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICE.
    - PNM GAS SERVICES FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.
    - U.S. WEST FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF ALL BURIED COMMUNICATION LINES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE GROUND PEDESTALS AND CLOSURES.
    - JONES INTERCABLE FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH UNDERGROUND LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.
- INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE, AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH 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. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE CAUSED BY CONSTRUCTION OR POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.
- THIS PROPERTY IS WITHIN THE NEW MEXICO UTILITIES, INC. (NMU, INC.) FRANCHISE AREA. WATER AND SANITARY SEWER SYSTEM CAPABILITIES ARE BASED ON NMU, INC.'S FACILITIES, NOT THE CITY OF ALBUQUERQUE. WATER AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST, HOWEVER, BE APPROVED BY THE CITY OF ALBUQUERQUE AND NMU, INC.
  - MINIMUM DWELLING SETBACKS FOR ALL LOTS ARE AS DEFINED IN THE ZONING CODE FOR R-2 ZONING.
  - THE P1 SUFFIX TO LOT NUMBERS DESIGNATES SPECIAL ON-SITE PARKING CRITERIA WHICH JUSTIFIED THE CITY ALLOWING REDUCED STREET WIDTHS IN THIS SUBDIVISION. SPECIFICALLY, THE PARKING DENSITY CATEGORY OF "INTERMITTENT" IS MET BY EACH LOT PROVIDING 4 PARKING SPACES (INCLUDING THE GARAGE) FOR 3-4 BEDROOMS. ALL DWELLINGS WILL HAVE 2-4 BEDROOMS AND 2-CAR ATTACHED GARAGES WITH 2-CAR WIDTH DRIVEWAYS.
  - EXISTING MOUNTAIN BELL FACILITIES ARE WITHIN THE SOUTHERLY 10 FEET OF THE PREVIOUSLY VACATED PORTION OF IRVING BLVD. RIGHT-OF-WAY. REFER TO "REALIGNMENT MAP OF A PORTION OF IRVING BLVD. N.W." FILED DECEMBER 7, 1978 IN VOLUME D9, FOLIO 38. VACATED THIS PLAT (V-94-110).
  - TRACT "A" IS HEREBY ENCUMBERED WITH A NEGATIVE EASEMENT THE PURPOSE OF WHICH IS TO RESTRICT ANY FUTURE EXCAVATIONS UPON THAT AREA SHALLOW EXCAVATION(S) FOR LANDSCAPING WALLS AND FOOTING TO A DEPTH OF 18" FROM THE DESIGNED, FINISHED GRADE IS PERMITTED. MAINTENANCE OF LANDSCAPING TO BE VIA A SEPARATE AGREEMENT BETWEEN HOME OWNERS ASSOCIATION AND CITY. EXCAVATIONS DEEPER THAN 18" REQUIRE PERMISSION FROM THE CITY OF ALBUQUERQUE. OPEN SPACE DIVISION PRIOR TO COMMENCING. NO ROCK OR SUBSURFACE MATERIAL REMOVED IS PERMITTED.
  - THE VACATION OF THE EXISTING SANITARY SEWER EASEMENT (V-94-110) SHOWN ON THIS PLAT WILL OFFICIALLY OCCUR WHEN THE NEW RELOCATED SANITARY SEWER LINE IS CONSTRUCTED AND IS IN SERVICE AND THE EXISTING SANITARY SEWER HAS BEEN ABANDONED.

- LOTS 1-P1 TO 11-P1 INCLUSIVE OF BLOCK 2 LOTS 1-P1 TO 7-P1, INCL 43-P1 TO 53-P1, INCLUSIVE, OF BLOCK 3 MAY BE REQUIRED. INSURANCE BY LENDER UNTIL A LETTER OF MAP REVISION (LOMR) FEMA (FEDERAL EMERGENCY MAPPING AGENCY).
- A HOME OWNERS ASSOCIATION XEROSCAPING EASEMENT A ALBUQUERQUE SLOPE AND CONSTRUCTION EASEMENT.
- THIS AREA OF RIGHT-OF-WAY TO BE DEDICATED TO THE CITY OF ALBUQUERQUE OVERLAID WITH A PRIVATE LANDSCAPING EASEMENT. A SEPARATE "STREETSCAPE GIFT AGREEMENT" BETWEEN OWNER AND CITY. OWNER WILL SUBSEQUENTLY ENTER INTO A NEW AGREEMENT BETWEEN CITY AND HOME OWNERS ASSOCIATION.
- TRACT B IS HEREBY ENCUMBERED WITH GAS, WATER, SANITARY SEWER AND EASEMENT.

CURVE DATA					
CURVE ID	RADIUS	ARC	DELTA	TANGENT	CHORD
C1	704.79	239.59	018-58-22	117.87	232.52
C2	2467.09	407.85	008-28-18	204.39	407.39
C3	688.52	81.36	005-21-17	30.70	61.34
C4	30.00	45.28	088-28-41	28.19	41.08
C5	769.36	189.68	014-18-44	85.34	189.19
C6	120.00	182.39	091-47-58	123.83	172.35
C7	892.35	18.48	001-11-08	8.23	18.45
C8	120.00	127.85	081-02-31	70.74	121.89
C9	120.00	219.57	104-50-10	155.92	190.80
C10	300.00	70.73	013-30-37	35.63	70.88
C11	1000.00	88.00	003-48-54	53.01	85.89
C12	130.02	358.01	158-84-18	636.28	254.74
C13	180.00	172.48	054-53-48	89.80	185.94
C14	300.00	140.72	028-53-35	71.08	138.44
C15	323.00	47.81	002-28-52	23.95	47.77
C16	20.00	29.39	084-10-08	18.08	28.81
C17	30.00	48.27	088-22-14	28.18	41.82
C18	2467.09	35.48	000-49-59	17.84	35.88
C19	2467.09	65.10	001-30-43	32.55	65.10
C20	323.00	89.82	012-18-54	34.89	89.38
C21	323.00	14.18	004-53-17	7.08	14.12
C22	20.00	13.28	038-18-34	8.84	13.11
C23	2467.09	68.22	001-30-52	32.81	65.22
C24	2467.09	68.38	001-31-07	32.70	65.38
C25	20.00	14.18	040-54-19	7.38	13.87
C26	208.00	89.87	018-58-58	34.88	88.84
C27	208.00	89.59	018-44-17	35.14	88.24
C28	2467.09	8.29	000-11-31	4.13	8.29
C29	704.79	67.02	004-38-08	28.53	67.01
C30	704.79	136.10	011-02-53	68.28	135.89
C31	208.00	15.30	004-20-28	7.88	15.30
C32	40.00	28.48	042-13-43	15.48	28.82
C33	40.00	48.82	087-18-39	27.88	44.28
C34	704.79	40.48	008-17-31	20.23	40.48
C35	40.00	51.13	072-13-58	28.72	47.72
C36	40.00	30.87	043-47-12	18.07	28.83
C37	35.00	44.40	072-41-20	25.75	41.48
C38	158.00	34.85	018-34-59	17.41	34.81
C39	20.00	32.33	088-37-54	20.84	28.83
C40	153.00	88.39	038-50-39	60.88	88.70
C41	153.00	84.79	031-45-08	43.81	83.71
C42	153.00	100.88	037-41-48	52.23	98.88
C43	153.00	38.50	044-25-05	18.38	38.40
C44	153.00	57.84	010-55-37	13.88	57.81
C45	877.00	18.84	001-10-09	8.97	18.84
C46	877.00	44.55	002-38-45	22.28	44.54
C47	20.00	31.42	080-30-00	20.00	28.28
C48	322.00	59.20	010-32-02	29.68	59.12
C49	322.00	16.71	008-58-25	8.36	16.71
C50	142.00	28.74	011-36-47	14.42	28.68
C51	142.00	54.80	022-08-59	27.79	54.85
C52	142.00	54.80	022-08-59	27.79	54.85
C53	142.00	54.80	022-08-59	27.79	54.85
C54	142.00	54.80	022-08-59	27.79	54.85

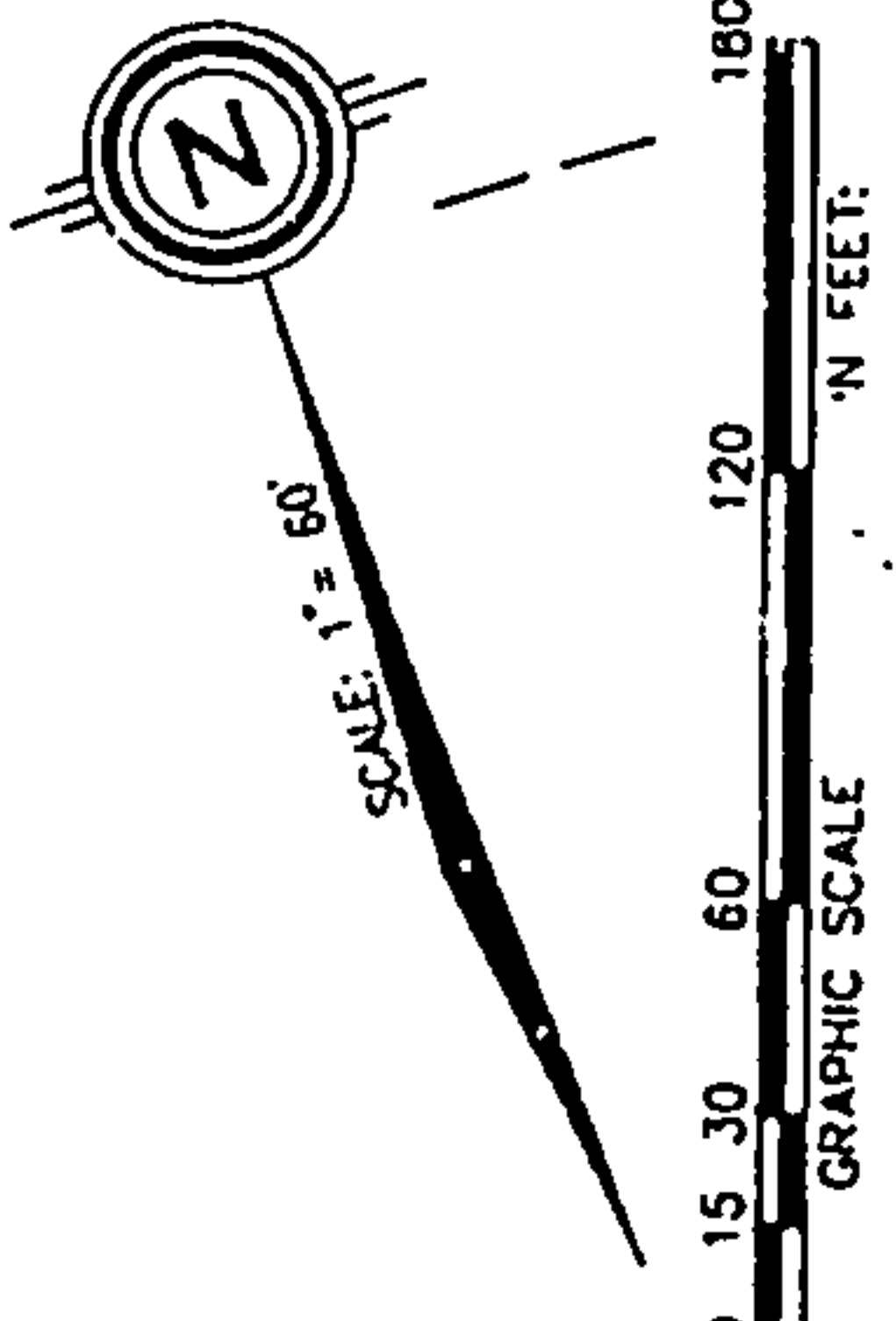
**SURVEYOR'S CERTIFICATION:**

I, C. A. SPIROCK, HEREBY AFFIRM THAT I AM A DULY QUALIFIED SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO AND THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION; SHOWS ALL EASEMENTS AND RESTRICTIONS AS SHOWN MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF 1 TITLE COMPANIES, UTILITY COMPANIES OR OTHER PARTIES EXPRESSLY CERTIFY THAT THIS PLAT MEETS THE MINIMUM REQUIREMENTS SURVEYS OF THE ALBUQUERQUE SUBDIVISION ORDINANCE, MEET LAND SURVEYS SET FORTH BY THE STATE OF NEW MEXICO AND THE BEST OF MY KNOWLEDGE AND BELIEF.

C. A. SPIROCK, N.M.L.S. #4972

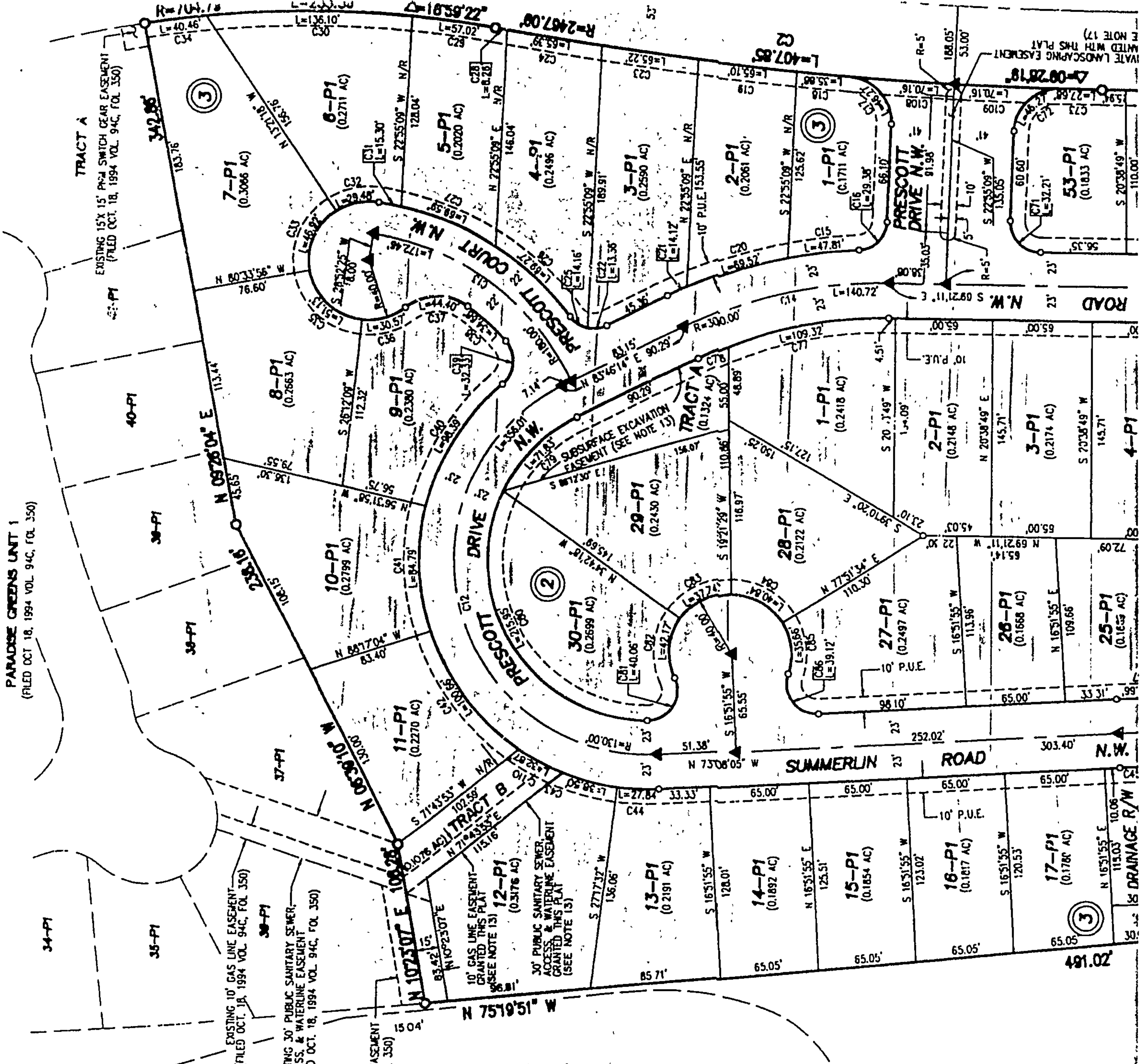
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PARADISE HILLS COUNTRY CLUB GOLF COURSE  
 (W.D. D132A 821-824 FILED NOV. 26, 1990)

FAIRWAY  
18



PARADISE GREENS UNIT 1  
 (FILED OCT. 18, 1994 VOL. 94C, FOL. 350)

TRACT A  
 EXISTING 15' X 15' P.M. SWITCH GEAR EASEMENT  
 (FILED OCT. 18, 1994 VOL. 94C, FOL. 350)

EXISTING 10' GAS LINE EASEMENT  
 (FILED OCT. 18, 1994 VOL. 94C, FOL. 350)

EXISTING 30' PUBLIC SANITARY SEWER,  
 ACCESS, & WATERLINE EASEMENT  
 (FILED OCT. 18, 1994 VOL. 94C, FOL. 350)

EXISTING 30' ACCESS & WATERLINE EASEMENT  
 (FILED OCT. 18, 1994 VOL. 94C, FOL. 350)

10' GAS LINE EASEMENT  
 GRANTED THIS PLAT  
 (SEE NOTE 13)

30' PUBLIC SANITARY SEWER  
 ACCESS & WATERLINE EASEMENT  
 GRANTED THIS PLAT  
 (SEE NOTE 13)

EXISTING LANDSCAPING EASEMENT  
 GRANTED WITH THIS PLAT  
 (SEE NOTE 17)

REGISTERED LAND SURVEYOR  
 FOR NEW MEXICO



2522-05-025

COMMUNITY UTILITIES

COMMUNITY SCIENCES CORPORATION - CORRALES, NEW MEXICO - (505) 897-00

1. THE GAS COMPANY OF NEW MEXICO FOR INS. MAINTENANCE AND SERVICE OF NATURAL GAS LINES BY OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS.

2. U.S. WEST FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF BURIED COMMUNICATION LINES AND OTHER RELATED EQUIPMENT REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES, INCLUDING BUT NOT LIMITED TO ABOVE PEDESTALS AND CLOSURES.

3. JONES INTERCABLE FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF SUCH UNDERGROUND LINES, CABLE AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE TV SERVICE.

4. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RELOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, AND SIGN, POOL (ABOVE GROUND OR SUBSURFACE) HOT TUB, COM WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE OR POOLS, DECKING, OR ANY EASEMENTS ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAN.

5. THIS PROPERTY IS WITHIN THE NEW MEXICO UTILITIES, INC. FRANCHISE AREA, WATER AND SANITARY SEWER SYSTEMS CAPABLE AND SANITARY SEWER INFRASTRUCTURE IMPROVEMENTS MUST BE APPROVED BY THE CITY OF ALBUQUERQUE AND NMU, INC. THAT ARE EXISTING OR GRANTED BY THIS PLAN TO NMU, INC. AS NECESSARY TO PROVIDE AND SERVICE OF BURIED WATER, SEWER LINES AND RELATED EQUIPMENT AND FACILITIES FOR INSTALLATION, MAINTENANCE AND SERVICE OF BURIED WATER, SEWER LINES AND RELATED EQUIPMENT AND FACILITIES FOR NECESSARY TO PROVIDE SAID SERVICE. INCLUDED IS THE RIGHT TO CONSTRUCT, RECONSTRUCT, RELOCATE, CHANGE, RENEW, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, NO BUILDINGS OR STRUCTURES OF ANY KIND BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS.

6. UNLESS OTHERWISE INDICATED, BY APPROVING THIS DOCUMENT, U.S. WEST COMMUNICATIONS DO NOT WAIVE OR RELEASE ANY EASEMENT RIGHT WHICH MAY HAVE BEEN GRANTED BY PRIOR DOCUMENTS.

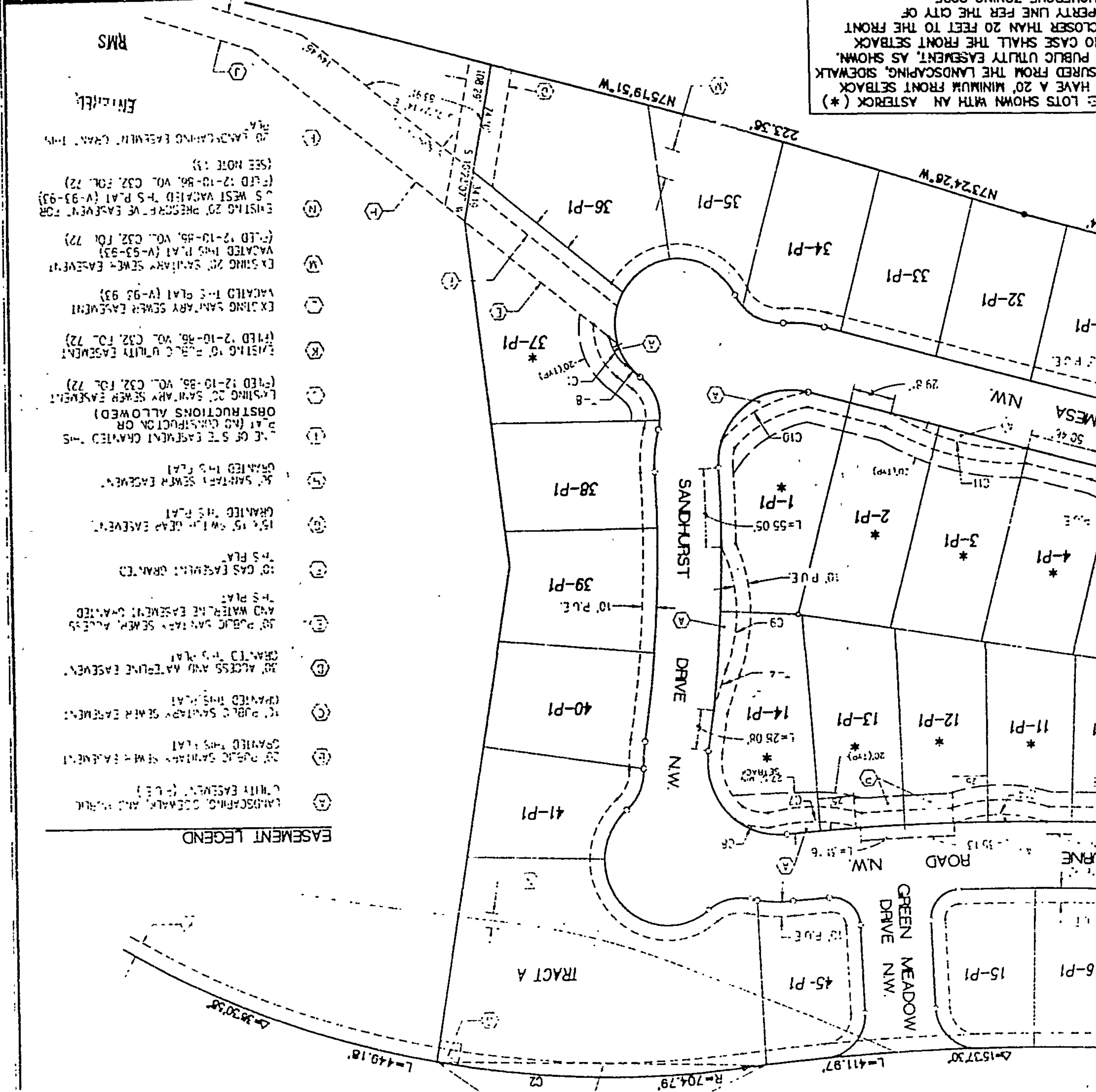
7. MINIMUM DWELLING SETBACKS FOR ALL LOTS ARE AS DEFINED IN CODE FOR R-2 ZONING.

8. THE P1 SUFFIX TO LOT NUMBERS DESIGNATES PARKING FOR EXISTING MOUNTAIN BELL FACILITIES ARE WITHIN THE SOUTHERN TRACT A IS AFFECTED BY THE AMYCA EASEMENT, AS SHOWN IN THIS TRACT WILL BE REPARTITIONED INTO 3 LOTS WHEN NEGOTIATED. AMYCA OCCUR AND CONDITIONS ARE ESTABLISHED TO VACATE 2, 1972 IN VOLUME 08, FOLIO 36.

9. APPROVING HIS PLAN, NFM DID NOT CONDUCT A VISUAL SURVEY OF THE PROPERTIES SHOWN ON THIS PLAN. NFM DOES NOT WARRANT THAT THE PROPERTIES SHOWN ON THIS PLAN ARE ACCURATE OR COMPLETE. APPROVED BY: [Signature]

DATE	3-7-94
SCALE	AS SHOWN
DRAWN BY	JCH
DESIGNED BY	DER
PROJECT NO.	252-05-025

SHEET 4 OF 5



LOTS SHOWN WITH AN ASTERISK (\*) HAVE A 20' MINIMUM FRONT SETBACK FROM THE LANDSCAPING, SIDEWALK PUBLIC UTILITY EASEMENT, AS SHOWN. NO CASE SHALL THE FRONT SETBACK BE CLOSER THAN 20 FEET TO THE FRONT PROPERTY LINE PER THE CITY OF ALBUQUERQUE ZONING CODE.

OTHER SETBACKS ARE PER R-1 ZONING.

EASEMENT LEGEND

LANDSCAPING, SIDEWALK, AND PUBLIC UTILITY EASEMENT (FILED)

20' PUBLIC SANITARY SEWER EASEMENT GRANTED THIS PLAN

10' PUBLIC SANITARY SEWER EASEMENT GRANTED THIS PLAN

30' ACCESS AND WATERLINE EASEMENT GRANTED THIS PLAN

30' PUBLIC SANITARY SEWER, ACCESS AND WATERLINE EASEMENT GRANTED THIS PLAN

10' GAS EASEMENT GRANTED THIS PLAN

15' 10' SW TIE-DEAR EASEMENT GRANTED THIS PLAN

30' SANITARY SEWER EASEMENT GRANTED THIS PLAN

10' OF SETBACK GRANTED THIS PLAN (NO CONSTRUCTION OR PLANTING ALLOWED)

EXISTING 20' SANITARY SEWER EASEMENT (FILED 12-10-86, VOL. C32, FOL. 72)

EXISTING 10' PUBLIC UTILITY EASEMENT (FILED 12-10-86, VOL. C32, FOL. 72)

EXISTING 20' SANITARY SEWER EASEMENT VACATED THIS PLAN (V-93-93)

EXISTING 20' PRESERVE EASEMENT FOR U.S. WEST VACATED THIS PLAN (V-93-93)

(SEE NOTE 13)

NO LANDSCAPING EASEMENT GRANTED THIS PLAN

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YlFIup&FdeJcC<\$JcC<\$JcC<\$^] 3a&V#U2iJcGbb] E!N\_huE\$Crr:mVP5kL] T)\Qcm/Q\_Yl2UMY  
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d/\atJcF^/irJQJrW)Nh5gAup] 0RY] E!N\_JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
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V#U) fJcG9?^Aribh#H (.M?!>NU&Xlfl2UMYl2UMYh>b+fS, ^-] JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$  
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\H%3\jo=6=Jc>`Mc2c/io`4@Yp] 0RYp] 07P\H&-!o`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$  
hZ&- , nGn.?JcC<\$`W (JhoDjIBJcC<\$j8 [1#JcC<\$lMp; QcMuJrcMsI9JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcCZ.p] 0.Mo`0RCJcC<\$JcFs6o`2H#p] .PuqZ\*1#p] .Z#p] .Z#  
qZ\*1#p] , mFJcC<\$JcC<\$JcDbMmf7q=JcC<\$JcC<\$JcE: \li<s`kl?; 7p] (3mrr9M/JcGbbhuJ?.  
qZ"V: eGn, #rr; \* \gAeecs, ^-] JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$JcC<\$JcFU, JH53?JcC<\$JcE^h  
JH5<BJcC<\$JcFd1o`3qMnc47@JcG6>nc6c2o`4deo`3) 5VZ; ; JJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$K) bTGeGoCGJcC<\$JcC<\$kl: ; U [f?+&YlFS#YlFIu^] 495q#C\*h\_ZOK5  
q#C\*h^] 495qu?<hJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcF\*smf90`p] 13knc7qSp] .5lnc8.Y  
[K] ] pc2`FqrVu`pqu?Wqrr; rtq#C<nrr; rtqu?Wqrr; WkgAe\`fDj4urr; NhS, ^-] JcC<\$] )R?]   
JcC<\$o) J@\_ JcC<\$JcC<\$JcFU, JH53?JcC<\$JcE^hJH53?JcCQ+p] , mFkl: ; Ui; `?JJcC<\$nGi.]  
aT (o5p&F [baT&dNJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$nGi7`eGoCG  
JcC<\$JcC<\$kl: ; U [f?+&YlFS#^] 402q#C\*h`W, T2rr; Wk`W, ] 5q#C3k^] 402qu?<hJcC<\$JcC<\$  
JcC<\$JcFs6nc8 [hd/\atJcC<\$JcC<\$X8hVgV#U; lp&FR\_rr; `nrr; NhWrMMfk5Vs1V#T?Qq#Bd\_  
KE (] HcN!Y>h>b"ceGo:DeGo:DT) \?] JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$JcC<\$JcFU, JH53?JcC<\$  
JcE^hJH53?JcCQ+p] , mFkl: ; Uh>d-JJcC<\$nGi.] aT (o5p&F [baT'E`JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$hZ\*?NeGoCGJcC<\$JcC<\$kl: ; U [f?+&i; `?Jj8\lS\_ZOB2  
q#C\*h`W, T2qu?Ek`W, T2qu?Ek\_ZOK5qu?<hJcC<\$JcC<\$JcC<\$KE%\_IJcC<\$JcC<\$JcDeNmf8=H  
g&S/Qli>1A\_>pV9huN?Jmf8"?rW(%>p] 07P [K+hWqZ, .Gp] -f`o`0RCJcE=] JcC<\$JcG<@o`0RC  
JcC<\$JcC<\$hZ&- , nGn.?JcC<\$`W, 0&rr; rtrr; 3\_rr92&JcCQ+nc47@li6\_ [gAgpJJcC<\$mJl\_W  
bQ%>; o) J@\_ aT'WfJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$f`1^HeGoCG  
JcC<\$JcC<\$kl: ; U [f?+&l2TZA12UV\^] 402q#C\*h`W, T2rr; Wk`W, T2qu?Nn\_ZOB2qu?<hJcC<\$  
JcC<\$JcC<\$R/d\$`o) GKcJcC<\$JcC<\$JcDeNmf8=Hg&S/Qmf: c8a8iIEjoFZGli; V: b5\_5: i; `HM  
q#C3krr; rtrr; rtqu?Wqq#C<nqu?EkeGoCGeGo:DT) \?] JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$JcC<\$  
JcFU, li>6/rW) rtrW) rtqZ-WqrW) rtrW) Nhkl?; 7JcC<\$`W, B, R/cLQJcCZ.nc47@li6VXh>d6M  
JcC<\$mJl\_WbQ%>; o) J@\_ `W+cJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
g] . \$KeGoCGJcC<\$JcC<\$kl: ; U [f?+&m/Pc>m/Qq\_ ^] 402q#C\*h\_ZOB2qu?Ek\_ZOK5q#C\*h\_ZOK5  
qu?<hJcC<\$JcC<\$JcC<\$S, `6`n, MVPO) J [hJcC<\$JcC<\$JcC<\$q#BmbP5j, 6VuQ) `bQ#ifZiB@l  
i; ^-DJcEmmp] 0@Sp] /D8p] .#fp] -f`o`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$hZ\*\$EQ2g: Q  
JcC<\$JcE^hmf8aTli; V: MuW>JJcG'9p] 0%Jo`0RCJcG6>mf: Z5o`4denc6Q, `; kJhJcC<\$JcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcG\$8` ; kJhJcC<\$JcFs6o`2H#p] 0d\_li@%bmf; \_S  
qZ\*1#p] .c&o`2>up] .c&o`0RCJcC<\$JcC<\$JcE1Yh#N\$+JcC<\$JcC<\$JcELbmf90`qZ-Ekd/^3H  
mf: \$#g&SJZo`3MAMf7q=b5\_5: j8\lSaT) , ; JcE%Unc47@JcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$  
hZ\*\$EQ2g: QJcC<\$JcE^hmf8aTli; V: MuW5Grr; iqrr9h8rr; rt^] 3s, h>d6Mh>d6MJcD) : mf: c8  
nc8Renc6Z/qZ-Wq^AribJcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcGHd` ; kJh  
JcC<\$JcFs6o`2H#p] 0mbo`4.Sp] 0d\_qZ\*1#p] 0%Jo`47Vo`3D>o`4I\qZ+qAp] 0d\_o`0RCJcC<\$  
JcC<\$JcE1Yh#N\$+JcC<\$JcC<\$JcELbmf90`h#RHskl@a`mf9frirH4] qZ+qAmf7q=c2 [P=JcC<\$  
aod#6JcC<\$] )R?] JcC<\$o) J@\_ JcC<\$JcC<\$JcFU, mf8XQmf7q=JcC<\$`W, K/Q2g1NJcCZ.RfL>\*  
p] 0%Jp] 0.Mp] , mFQiHCPdJr5, `W, ] 5m/Op&JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$  
JcC<\$JcC?%a8gekJcC<\$JcFs6o`2H#p] 0mbp] 07PqZ-\*bqZ, [Vo`4.SqZ-Nnp] 0@SirJQJp] /qG  
li?VVqZ+qAp] 0d\_o`0RCJcC<\$JcC<\$JcE1YqZ-EkqZ-Nnp] , mFJcC<\$JcC<\$JcELbmf90`joFZG  
o`2#lmf9Kimf7q=li6MUJcF\*sp] , mFJcEjlo`0RCJcE=] JcC<\$JcG<@o`0RCJcC<\$JcC<\$f`1UE  
P5k1TJcC<\$JcELbp] -9Qp] , mFL& [M?`W, T2h>d6Mi; `HMJcCu7h#QU; irHsro`4I\H%3\JcC<\$  
JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcC<\$JcE: \o`2H#p] 1!ep] 0%JqZ-3e  
qZ, m\joFuPp] 13kp] 0IVf) YUGp] 0d\_o`4mhuNQPqZ, dYp] 1<nqZ-Nno`5!krW) `no`0RCJcC<\$  
JcC<\$JcC<\$JcC<\$08o1ZJcC<\$JcE^hmf90`li; V: !<; KfJcC<\$s8VWiR/cp] bQ%58j8\lSaT) , ;