9.	**Project# 1007801** 14DRB-70321 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL 14DRB-70322 SIDEWALK WAIVER 14DRB-70336 SUBDN DESIGN VARIANCE FROM MIN DPM STDS	RIO GRANDE ENGINEERING agent(s) for ROSS & JOYCE COX request(s) the above action(s) for all or a portion of Lot(s) 1, 3, 4 & 5, Block(s) 16, **COX SUBD** zoned R-1, located on CAMINO ESPANOL BETWEEN 4TH AND RIO GRANDE containing approximately 1.862 acre(s). (E-14) **INDEFINITELY DEFERRED.**
10.	**Project# 1010077** 14DRB-70329 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL	PRECISION SURVEYS INC agent(s) for ELLIOT BERGER, BONAMI ENTERPRISES, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-13 AND TRACT A, Block(s) 1, TIMOTEO **CHAVEZ ADDITION** zoned C-3, located on PROSPECT BETWEEN MADISON AND MONROE containing approximately 2.0661 acre(s). (H-17) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO HYDROLOGY TO ADDRESS COMMENTS AND TO PLANNING TO RECORD.**
11.	**Project# 1010237** 14DRB-70333 VACATION OF PRIVATE EASEMENT 14DRB-70334 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL	CARTESIAN SURVEYS INC agent(s) for SCOTT ASHCROFT request(s) the above action(s) for all or a portion of Lot(s) 24-27, **LEGENDS AT HIGH DESERT** zoned SU-2 HD, located on ON CLIFFBRUSH containing approximately .362 acre(s). (E23) **INDEFINITELY DEFERRED.**
12.	**Project# 1000034** 14DRB-70291 SUBDN DESIGN VARIANCE FROM MIN DPM STDS 14DRB-70292 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL	THE SURVEY OFFICE agent(s) for ALFRED JARRETT request(s) the above action(s) for all or a portion of Tract(s) A-1 AND A, **TRACT A-1 LANDS OF AL JARRETT AND TRACT A, LANDS OF TOBIAS J GRIEGO** zoned R-1, located on 2204 BERYL CT NW containing approximately 2.1255 acre(s). (H-13)*[Deferred on 8/27/14]* **A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT IN THE PLANNING FILE. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR REMOVAL OF ENCROACHMENT OF RIGHT-OF-WAY IN BARRELL COURT AND FOR REVISED EXHIBIT FOR ACCESS TO THE SOUTH.**

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
September 24, 2014
DRB Comments

ITEM # 4

PROJECT # 1007801 **APPLICATION # 14-70321/ 70322**

RE: Lots 1 & 3-5, Lands of Ross & Joyce Cox

The Location Map is illegible; please provide a vicinity map that identifies the site and nearby streets.
An amended Private Access Agreement is required for proposed plat.
Refer to comments from Transportation Development regarding minimum DPM standards for access.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

3. **Project# 1010225**
14DRB-70312 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL
14DRB-70326 SUBDIVISION DESIGN VARIANCE

CARTESIAN SURVEYS INC agent(s) for KEITH BANDONI/RANDOLPH MARTINEZ request(s) the above action(s) for all or a portion of Tract(s) TRACT D AND TRACT 106-D-Z, **LANDS OF MORA** and **MRGCD MAP NO. 31** zoned RA-1, located on ELFEGO BETWEEN RIO GRANDE AND DURANES LATERAL containing approximately .8079 acre(s). (F-13)
THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF. A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM DESIGN STANDARDS WAS APPROVED AS SHOWN ON EXHIBIT IN THE PLANNING FILE.

4. **Project# 1007801**
14DRB-70321 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL
14DRB-70322 SIDEWALK WAIVER

RIO GRANDE ENGINEERING agent(s) for ROSS & JOYCE COX request(s) the above action(s) for all or a portion of Lot(s) 1, 3, 4 & 5, Block(s) 16, **COX SUBD** zoned R-1, located on CAMINO ESPANOL BETWEEN 4TH AND RIO GRANDE containing approximately 1.862 acre(s). (E-14) **DEFERRED TO 10/1/14.**

5. **Project# 1010230**
14DRB-70319 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

RIO GRANDE ENGINEERING agent(s) for PRESTINA SANCHEZ-DAVIS request(s) the above action(s) for all or a portion of Lot(s) 21 & 22, Block(s) 16, **RAYNOLDS ADDITION** zoned SU-2 FOR HOUSING, located on SILVER BETWEEN 9TH AND 8TH ST containing approximately .2 acre(s). (K-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF, UTILITY COMPANY SIGNATURES, AND REVISED LOCATION MAP.**

6. **Project# 1010231**
14DRB-70320 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

RIO GRANDE ENGINEERING agent(s) for GREG KLISE request(s) the above action(s) for all or a portion of Lot(s) 7, 8 AND EASTERLY 20' OF LOT 9, Block(s) 38, **RAYNOLDS ADDITION** zoned SU-2 FOR R-3, located on COAL BETWEEN 7TH AND 8TH ST containing approximately .2 acre(s). (K-13)
THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF, UTILITY COMPANY SIGNATURES, COPY OF 1966 REAL ESTATE CONTRACT, AND REVISED LOCATION MAP.

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
June 11, 2014
DRB Comments

ITEM # 10

PROJECT # 1007801 **APPLICATION # 14-70197**

RE: Lots 1 & 3-5, Lands of Ross & Joyce Cox

An amended Private Access Agreement would be required for proposed plat. Refer to comments from Transportation Development regarding minimum DPM standards for access.

_____

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/19/2009 Issued By: PLNSDH

Permit Number: **2009 070 177** **Category Code 910**

Application Number: 09DRB-70177, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: CAMINO ESPANOL NW AND 4TH ST NW

Project Number: 1007801

Applicant
Ross & Joyce Cox

6204 2nd St Nw
Albuquerque NM 87107
345-6232

Agent / Contact
The Survey Office Llc

333 Lomas Blvd Nw
Albuquerque NM 87102
999-0303

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	$20.00
441006/4983000	DRB Actions	$495.00
TOTAL:		**$515.00**

City Of Albuquerque
Treasury Division

5/19/2009 9:21AM LOC: ANNX
WS# 006 TRANS# 0007
RECEIPT# 00106077-00106077
PERMIT# 2009070177 TRSDMG
Trans Amt $515.00
Conflict Manag. Fee $20.00
DRB Actions $495.00
CK $515.00
CHANGE $0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

07/17/2009 Issued By: E08375

Permit Number: **2009 070 249** **Category Code 910**

Application Number: **09DRB-70249**, Subdn Design Variance From Min Dpm Stds

Address:

Location Description: CAMINO ESPANOL NW AND 4TH ST

Project Number: 1007801

Applicant
Ross & Joyce Cox

6204 2nd St Nw
Albuquerque NM 87107
345-6232

Agent / Contact
The Survey Office, Llc

333 Lomas Blvd Ne
Albuquerque NM 87102
998-0303

Application Fees

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

City Of Albuquerque
Treasury Division

7/17/2009 12:18PM LOC: ANNX
WSH 006 TRANSH 0012
RECEIPTH 00108192-00108193
PERMITH 2009070249 TRSDHG
Trans Amt $20.00
Conflict Manag. Fee $20.00
CK $20.00
CHANGE $0.00

Thank You

DRB CASE ACTION LOG (Preliminary / Final Plat)

REVISED 10/08/07

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

DRB Application No.: 09DRB - 70177 Project # 1007801

Project Name:

Agent: The Survey Office Phone No.:

Your request was approved on 07-29-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

- ☐ TRANSPORTATION:
- ☐ UTILITIES:
- ☐ CITY ENGINEER / AMAFCA:
- ☐ PARKS / CIP:
- ☒ PLANNING (Last to sign): - Shed 2 - call out "Private Rdway"
  - " " - repeat Note 11
  - Maintenance & Beneficiary

8-7-09

- ☐ **Planning must record this plat. Please submit the following items:**
  - -The original plat and a mylar copy for the County Clerk.
  - -Tax certificate from the County Treasurer.
  - -Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
  - -Tax printout from the County Assessor.
  - ☐ **3 copies of the approved site plan. Include all pages.**
  - ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
  - ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
  - ☐ **AGIS DXF File approval required.**
  - ☐ **Copy of recorded plat for Planning.**

Created On:

DRB CASE ACTION LOG (Preliminary / Final Plat)

REVISED 10/08/07

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

DRB Application No.: 09DRB - 70177 Project # 10071801

Project Name:

Agent: The Survey Office Phone No.:

Your request was approved on 07-29-09 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

☐ TRANSPORTATION:

☐ UTILITIES:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☒ PLANNING (Last to sign): - Shed 2 - call out "Private Rdway"
- " " - replace Note 11
- Maintenance & Beneficiary

☐ **Planning must record this plat. Please submit the following items:**

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). **RECORDED DATE:** _____
-Tax printout from the County Assessor.

- ☐ **3 copies of the approved site plan. Include all pages.**
- ☐ **County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.**
- ☐ **Property Management's signature must be obtained prior to Planning Department's signature.**
- ☐ **AGIS DXF File approval required.**
- ☐ **Copy of recorded plat for Planning.**

Created On:

4. **Project# 1007771**
09DRB-70229 VACATION OF PUBLIC RIGHT-OF-WAY

- WITHDRAWN -

ADAM TRUBOW request(s) Vacation (closing) of public right of way for the platted east-west alley adjacent to Lot 8, Block(s) 1, **REALTY SALES COMPANY'S 1ST ADDITION,** zoned SU-2/ R-1, located on the east side of 7TH ST SW between IRON AVE SW and STOVER AVE SW containing approximately 0.07 acre(s). (K-14) **WITHDRAWN AT THE AGENT'S REQUEST.**

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

5. **Project# 1003565**
08DRB-70534 EPC APPROVED SDP FOR BUILD PERMIT

JOSH SKARSGARD agent(s) for ART GARDENSWARTZ request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, Block(s) 8, **MIRAMONTES PARK Unit(s) 1,** zoned C-1, SU-1 C-2 USES AND WAREHOUSE, located on SAN MATEO BLVD NE BETWEEN CLAREMONT AVE NE AND PHOENIX AVE NE (H-1) *[Deferred from 1/7/09]* **DEFERRED TO 8/12/09 AT THE AGENT'S REQUEST.**

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

6. **Project# 1002581**
09DRB-70251 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CARTESIAN SURVEYS INC agent(s) for ANDRES GALLEGOS request(s) the above action(s) for all or a portion of Lot(s) 1-A, Block(s) 49, **SKYLINE HEIGHTS** zoned M-1, located on EUBANK BLVD SE BETWEEN TRUMBULL AVE SE AND SOUTHERN AVE SE containing approximately 1.5664 acre(s). (L-20) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR APPEAL PERIOD TO EXPIRE 8/6/09 AND TO RECORD.**

7. **Project# 1007801**
09DRB-70249 SUBDN DESIGN VARIANCE FROM MIN DPM STDS

THE SURVEY OFFICE, LLC agent(s) for ROSS & JOYCE COX request(s) the above action(s) for all or a portion of Tract(s) 65A7A1A1 & 65A7A1A2, **MRGCD MAP 29** zoned R-1, located on CAMINO ESPANOL NW AND 4TH ST containing approximately 2.28 acre(s). (E-14) **THE SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS WAS APPROVED. THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR PRIVATE ROADWAY TO BE CALLED OUT ON SHEET 2, NOTE 11 TO BE REPEATED ON SHEET 2, AND MAINTENANCE AND BENEFICIARIES.**

8. Other Matters: None.

ADJOURNED:

CITY OF ALBUQUERQUE

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007801 **AGENDA ITEM NO: 7**

SUBJECT:

DPM Variance

ACTION REQUESTED:

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

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the DPM variance request.

RESOLUTION:

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

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

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

FOR:

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

DATE: July 27, 2009

CITY OF ALBUQUERQUE

PLANNING DEPARTMENT
July 29, 2009
DRB Comments

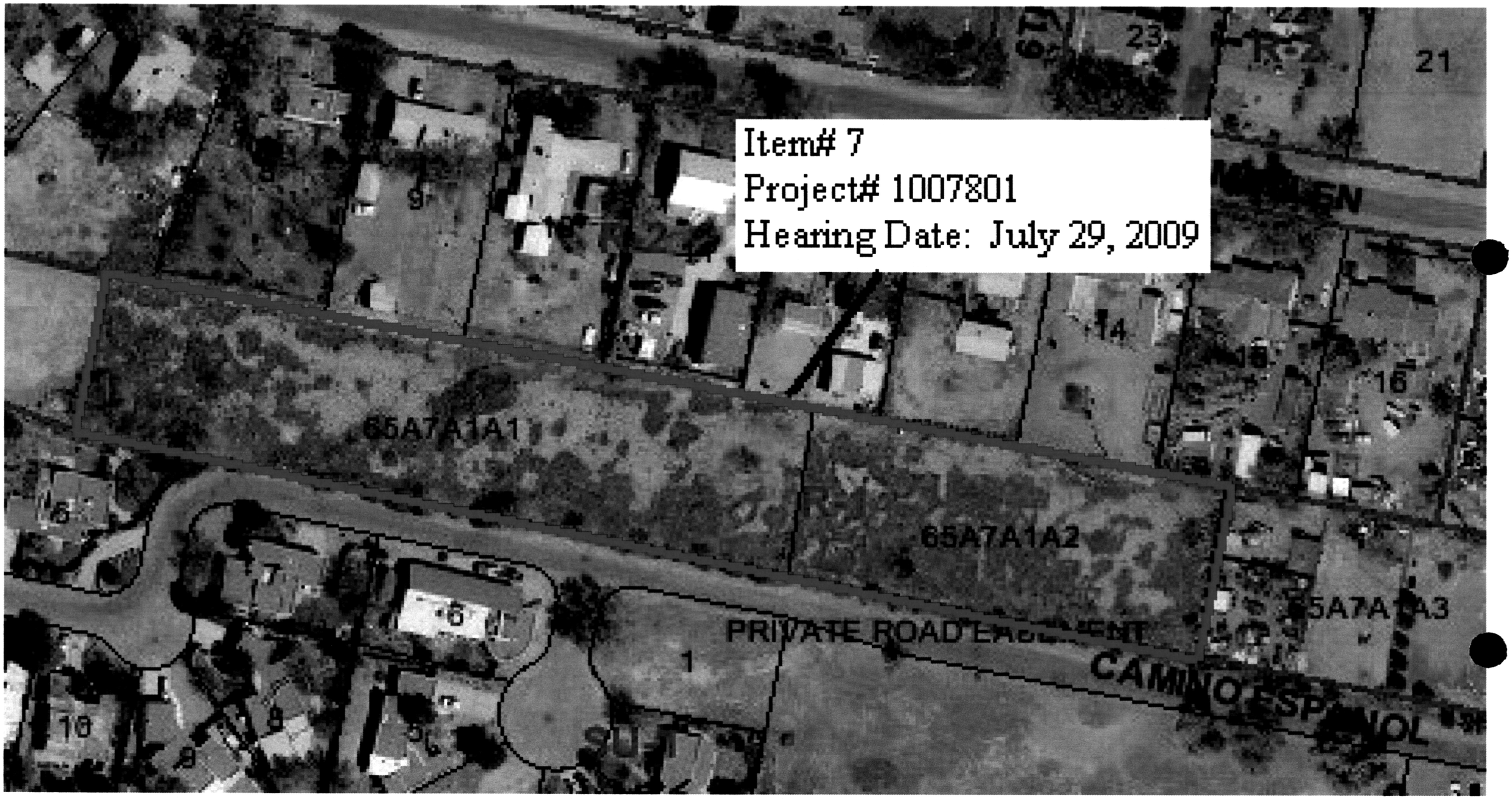
ITEM # 7

PROJECT # 1007801 APPLICATION # 09-70177

RE: Tracts 65A7A1A -1 and -2, MRGCD Map #29

Maintenance and beneficiaries of the Shared Access Easements need to be noted on the plat.

Jack Cloud AICP, DRB Chairman
924-3880/ jcloud@cabq.gov


Item# 7
Project# 1007801
Hearing Date: July 29, 2009
65A7A1A1
65A7A1A2
PRIVATE ROAD EASEMENT
CAMINO ESPAÑOL
23
21
14
16
9
6
7
1
10

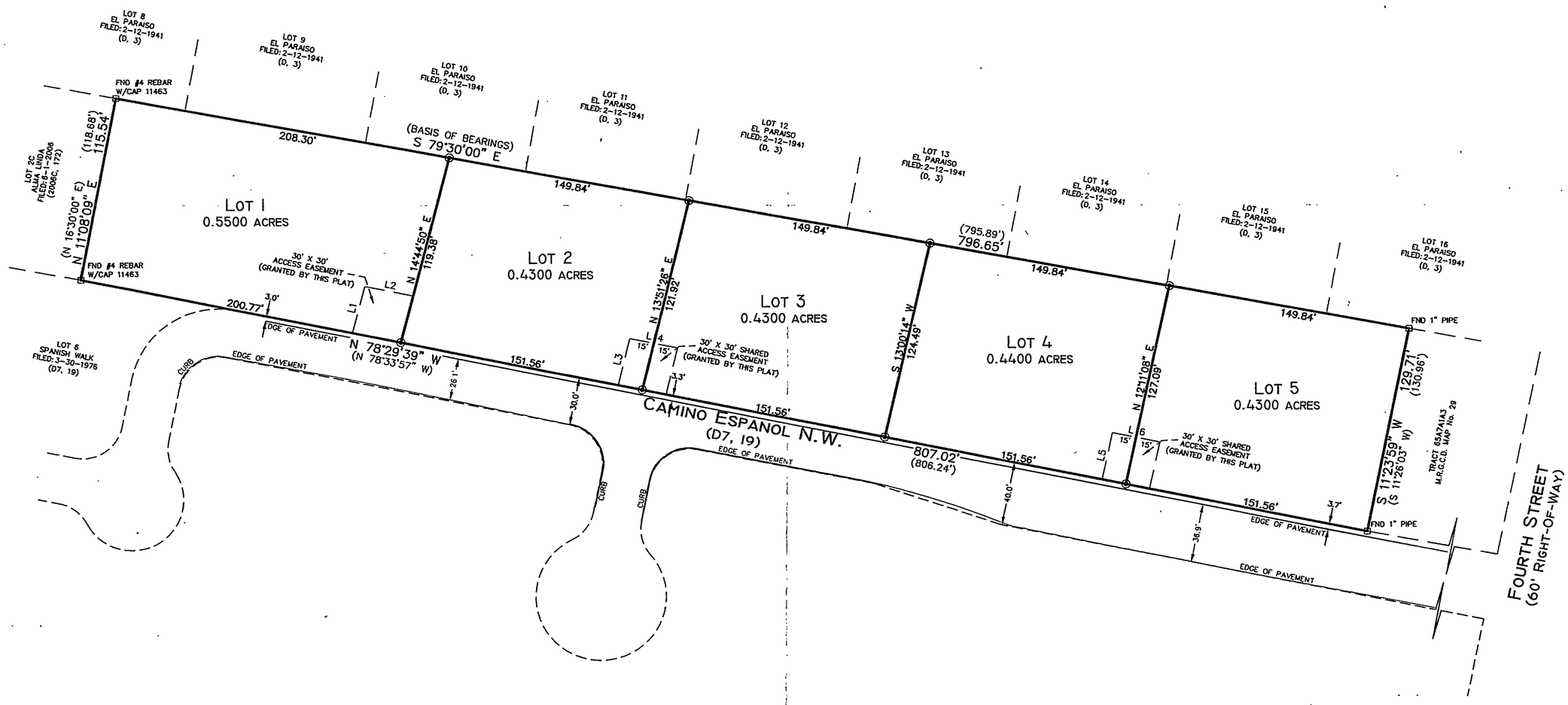

LOT 8
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 9
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 10
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 11
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 12
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 13
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 14
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 15
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 16
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 2C
ALMA LINDA
FILED: A-1-2006
(2006C, 172)
LOT 6
SPANISH WALK
FILED: 3-30-1976
(D7, 19)
FND #4 REBAR
W/CAP 11463
(118.66')
115.54'
N 16°30'00" E
(N 16°30'00" E)
N 11°08'09" E
208.30'
(BASIS OF BEARINGS)
S 79°30'00" E
149.84'
149.84'
(795.89')
796.65'
149.84'
149.84'
FND 1" PIPE
LOT 1
0.5500 ACRES
LOT 2
0.4300 ACRES
LOT 3
0.4300 ACRES
LOT 4
0.4400 ACRES
LOT 5
0.4300 ACRES
30' X 30'
ACCESS EASEMENT
(GRANTED BY THIS PLAT)
N 14°44'50" E
119.38'
L1
L2
200.77'
3.0'
EDGE OF PAVEMENT
N 78°29'39" W
(N 78°33'57" W)
151.56'
N 13°51'26" E
121.92'
L3
L4
15'
30' X 30' SHARED
ACCESS EASEMENT
(GRANTED BY THIS PLAT)
3.3'
S 13°00'14" W
124.49'
N 12°11'08" E
127.09'
L5
L6
129.71'
(130.96')
S 11°23'59" W
(S 11°26'03" W)
TRACT 65A7A1A3
M.R.G.C.D. MAP No. 29
CURB
26.1'
30.0'
CAMINO ESPANOL N.W.
(D7, 19)
151.56'
807.02'
(806.24')
40.0'
36.9'
3.7'
FOURTH STREET
(60' RIGHT-OF-WAY)

Exhibit B

7801

DXF Electronic Approval Form

DRB Project Case #: 1007801

Subdivision Name: COX--ROSS & JOYCE LOTS 1 - 5

Surveyor: ANTHONY L HARRIS

Contact Person: SARAH AMATO

Contact Information: 998-0303

DXF Received: 5/26/2009 Hard Copy Received: 5/26/2009

Coordinate System: NMSP Grid (NAD 83)

Approved

05·27·2009
Date

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

AGIS Use Only

Copied fc **7801** to agiscov on **5/27/2009** Contact person notified on **5/27/2009**

7. **Project# 1007679**
09DRB-70175 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

LISA & DAN TORRACO request(s) the above action(s) for all or a portion of Lot(s) 3-5, Block(s) 4, **NORTHERN ADDITION,** zoned SU-2 FOR C, located on 2ND ST NW BETWEEN SLATE NW AND GRANITE NW (J-14) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR ADEQUATE RIGHT-OF-WAY AND EASEMENT FOR SECOND STREET AND TO PLANNING FOR AGIS DXF, AND AMAFCA SIGNATURE.**

8. **Project# 1007801**
09DRB-70177 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

THE SURVEY OFFICE LLC agent(s) for ROSS & JOYCE COX request(s) the above action(s) for all or a portion of Tract(s) 65A7A1A1 & 65A7A1A2, located on CAMINO ESPANOL NW AND 4TH ST NW containing approximately 2.28 acre(s). (E-14)**INDEFINITELY DEFERRED AT THE AGENT'S REQUEST.**

9. **Project# 1007720**
09DRB-70182 MINOR - TEMP DEFR SWDK CONST
09DRB-70183 EXT OF SIA FOR TEMP DEFR SDWK CONST

CITY OF ALBUQUERQUE TRANSIT DEPT request(s) the above action(s) for all or a portion of Lot(s) C43, **TOWN OF ATRISCO Unit 4,** zoned SU-2 FOR IP, located on NW CORNER OF CENTRAL NW & UNSER NW containing approximately 4.8 acre(s). (K-10) **THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT 'C' IN THE PLANNING FILE.**

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

10. **Project# 1000572**
09DRB-70181 SKETCH PLAT REVIEW AND COMMENT

ISAACSON AND ARFMAN PA agent(s) for CENTEX HOMES request(s) the above action(s) for all or a portion of Tract(s) J, **THE PRESIDO Unit 1,** zoned SU-1 FOR PRD, located on PORT POINT LA BETWEEN MARINA GATE TRL AND POLIN SPRINGS TRL containing approximately 2.3041 acre(s). (K-21)**THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

11. **Project# 1000809**
09DRB-70184 SKETCH PLAT REVIEW AND COMMENT

JACKS HIGH COUNTRY INC agent(s) for LANDCO II LLC request(s) the above action(s) for all or a portion of **SUNSET FARM SUBDIVISION,** located on SUNSET RD SW BETWEEN SUNSET RD SW AND LUIS SANCHEZ PL SW containing approximately 4.8911 acre(s). (K-12) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**

DRB CASE ACTION LOG - BLUE SHEET

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

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

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

Project #: **1007801** *Application #:* 14DRB-70321

Project Name: **COX SUBD.**

Agent: RIO GRANDE ENGINEERING *Phone #:*

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

❑ **TRANSPORTATION:**

❑ **ABCWUA:**

❑ **CITY ENGINEER / AMAFCA:**

❑ **PARKS / CIP:**

❑ **PLANNING (Last to sign):**

PLATS:

❑ **Planning must record this plat. Please submit the following items:**

- **-The original plat and a mylar copy for the County Clerk.**
- **-Tax certificate from the County Treasurer.**
- **-Recording fee (checks payable to the County Clerk). RECORDED DATE: _____**
- **-Tax printout from the County Assessor.**
- **-County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.**

❑ **Property Management's signature must be obtained prior to Planning Department's signature.**

❑ **AGIS DXF File approval required.**

❑ **Copy of recorded plat for Planning.**

ALL SITE PLANS:

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

DRB CASE ACTION LOG - BLUE SHEET

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

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

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

Project #: **1007801** *Application #:* 14DRB-70321

Project Name: **COX SUBD.**

Agent: RIO GRANDE ENGINEERING *Phone #:*

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

❑ **TRANSPORTATION:** _____

❑ **ABCWUA:** _____

❑ **CITY ENGINEER / AMAFCA:** _____

❑ **PARKS / CIP:** _____

❑ **PLANNING (Last to sign):** _____

PLATS:

❑ **Planning must record this plat. Please submit the following items:**

-The original plat and a mylar copy for the County Clerk.
-Tax certificate from the County Treasurer.
-Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
-Tax printout from the County Assessor.
-County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

❑ **Property Management's signature must be obtained prior to Planning Department's signature.**
❑ **AGIS DXF File approval required.**
❑ **Copy of recorded plat for Planning.**

ALL SITE PLANS:

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

Current DRC

FIGURE 12

Date Submitted:_____
Date Site Plan Approved:_____
Date Preliminary Plat Approved:_____
Date Preliminary Plat Expires:_____

DRB Application No.:_____

INFRASTRUCTURE LIST

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

LOT 1A,1B,3A,3B,4A,4B LANDS OF COX
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Lots 1,3,4 LANDS OF COX
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
				PHASE 1					
		2.625'	Residential Road estate Curb	lot frontages	east property line	west property line	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

revised 07/01/01

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
							/	/	/

NOTES

1 _____

2 _____

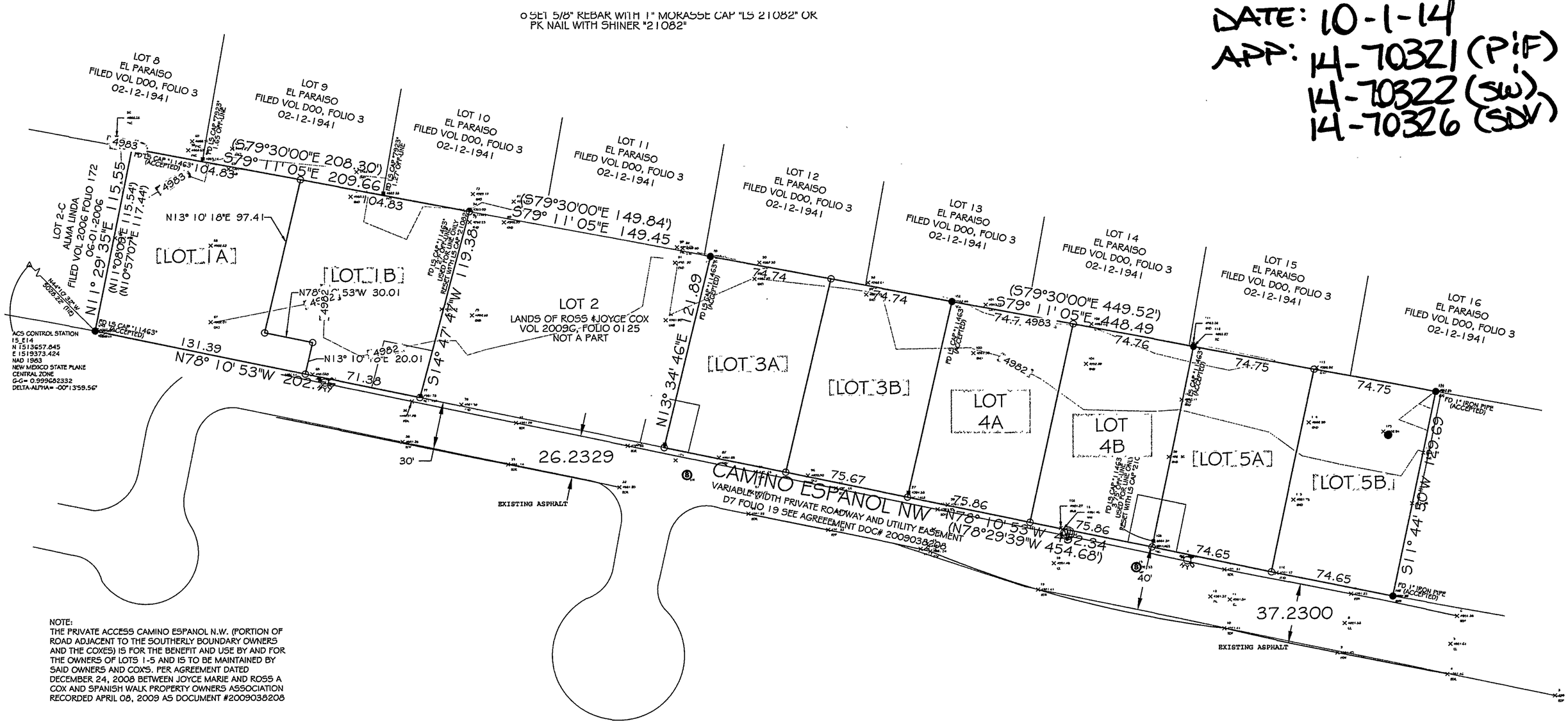
3 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
NAME (print)	DRB CHAIR - date	PARKS & RECREATION DEPARTMENT - date
FIRM	TRANSPORTATION DEVELOPMENT - date	AMAFCA - date
SIGNATURE - date	UTILITY DEVELOPMENT - date	_____ - date
MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB EXTENSION: _____	CITY ENGINEER - date	_____ - date

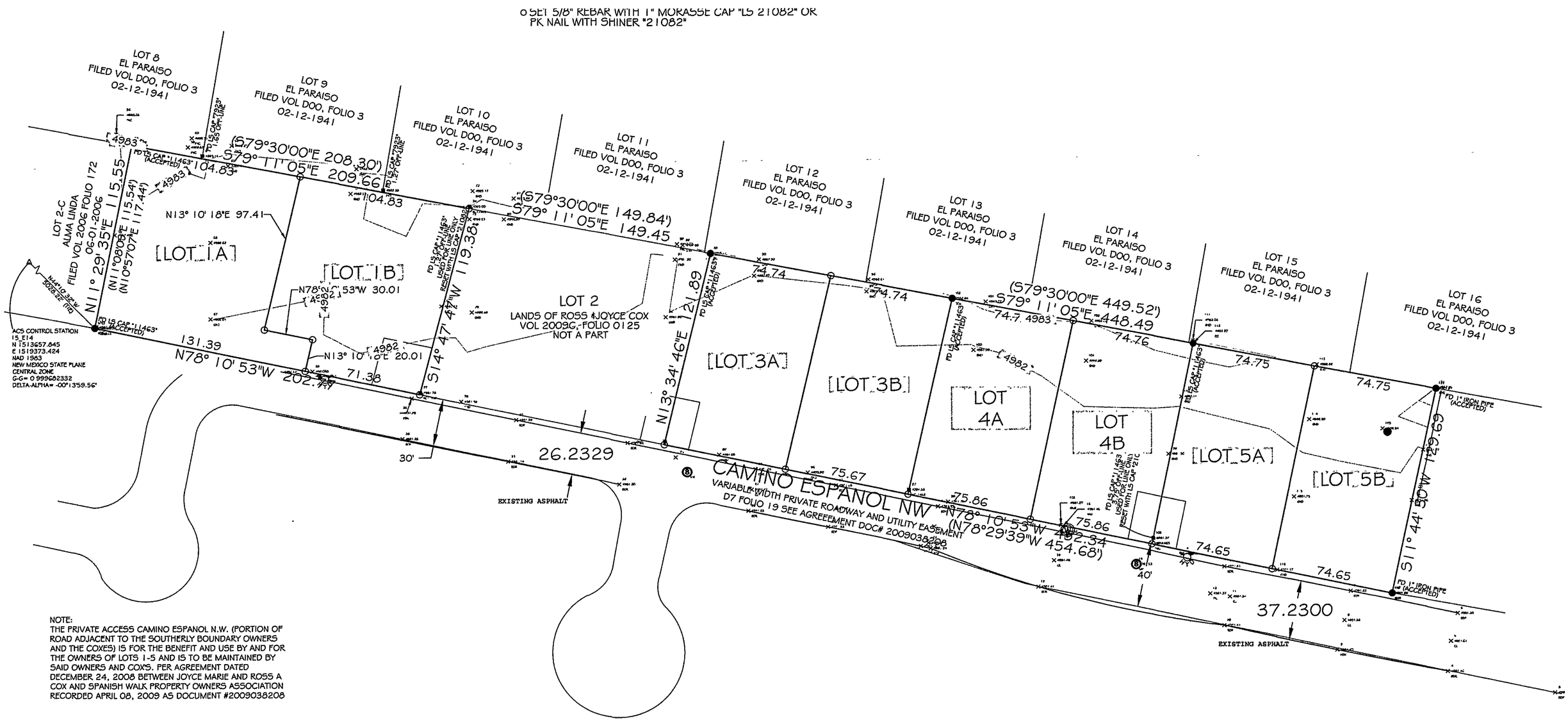
DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

PROJECT: 1007801
DATE: 10-1-14
APP: 14-70321 (P&F)
14-70322 (SW)
14-70326 (SDV)



NOTE:
THE PRIVATE ACCESS CAMINO ESPANOL N.W. (PORTION OF ROAD ADJACENT TO THE SOUTHERLY BOUNDARY OWNERS AND THE COXES) IS FOR THE BENEFIT AND USE BY AND FOR THE OWNERS OF LOTS 1-5 AND IS TO BE MAINTAINED BY SAID OWNERS AND COXS. PER AGREEMENT DATED DECEMBER 24, 2008 BETWEEN JOYCE MARIE AND ROSS A COX AND SPANISH WALK PROPERTY OWNERS ASSOCIATION RECORDED APRIL 08, 2009 AS DOCUMENT #2009038208



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Gomez, Angela J.

From: Jonathan Turner <jturner@garciakraemer.com>
Sent: Tuesday, September 30, 2014 4:37 PM
To: Gomez, Angela J.
Cc: David Soule
Subject: Project #1007801

Dear Angela,

Please indefinitely defer project # 1007801 until further notice. Thank you!

Very sincerely,

Jonathan Turner
Garcia/Kraemer & Associates
505-440-1524

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION — S Z

___ Major subdivision action
X Minor subdivision action
___ Vacation — V
___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — P

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

STORM DRAINAGE (Form D)

___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING

___ Annexation
___ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
___ Adoption of Rank 2 or 3 Plan or similar
___ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
___ Street Name Change (Local & Collector) — L A

APPEAL / PROTEST of...

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): RIO GRANDE ENGINEERING PHONE: 505.321.9099
ADDRESS: PO BOX 93924 FAX: ___
CITY: ALB STATE NM ZIP 87199 E-MAIL: david@riograndeengineeering.com

APPLICANT: ROSS &JOYCE COX PHONE: ___
ADDRESS: 6204 SECOND FAX: ___
CITY: ALBUQUERQUE STATE NM ZIP 87107 E-MAIL: ___
Proprietary interest in site: ___ List all owners: ___

DESCRIPTION OF REQUEST: Replat- 4 lots into 8 lots

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

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

Lot or Tract No. 1,3,4,5 Block: 16 Unit: ___
Subdiv/Addn/TBKA: COX SUBDIVISION
Existing Zoning: R1 Proposed zoning: R1 MRGCD Map No ___
Zone Atlas page(s): E14 UPC Code: 101406249616140822

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? X Yes Within 1000FT of a landfill? NO
No. of existing lots: 4 No. of proposed lots: 8 Total site area (acres): 1.862
LOCATION OF PROPERTY BY STREETS: On or Near: camino espanol
Between: 4th and rio grande

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

SIGNATURE ___ DATE ___
(Print Name) DAVID SOULE Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY — Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
☒ All checklists are complete	14DRB 70321	PLF		$ 705.00
☒ All fees have been collected		CMF		$ 20.00
☒ All case #s are assigned	70322	SW		$ Ø
☒ AGIS copy has been sent	70336	SDV		$ Ø — Oct 1, 2014
☒ Case history #s are listed				$
☐ Site is within 1000ft of a landfill				Total $ 725.00
☐ F.H.D.P. density bonus				
☐ F.H.D.P. fee rebate				

Hearing date Sept. 24, 2014

9-12-14
Staff signature & Date

Project # 1007801

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

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

☐ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

__ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ List any original and/or related file numbers on the cover application

☐ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Copy of DRB approved infrastructure list
__ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
__ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

☐ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

__ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Copy of recorded SIA
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ List any original and/or related file numbers on the cover application
__ DXF file and hard copy of final plat data for AGIS is required.

☒ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

N/A 5 Acres or more: Certificate of No Effect or Approval
X Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
N/A Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
N/A Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
N/A Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
X Zone Atlas map with the entire property(ies) clearly outlined
X Letter briefly describing, explaining, and justifying the request
X Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
X Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
X Fee (see schedule)
X List any original and/or related file numbers on the cover application
X Infrastructure list if required **(verify with DRB Engineer)**
X DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

Applicant name (print)

Applicant signature / date

Form revised October 2007

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

Application case numbers
14 - DRB - 70321
___ - ___ - ___
___ - ___ - ___

9-12-14
Planner signature / date

Project # 1007801

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

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

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

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

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

☒ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
- X Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") 6 **copies**
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Letter briefly describing, explaining, and justifying the variance
- N/A-MINOR Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- N/A-MINOR Sign Posting Agreement
- __ Fee (see schedule)
- X List any original and/or related file numbers on the cover application

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

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

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☐ **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

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

David Sook
Applicant name (print)

Applicant signature / date

Form revised 4/07

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

Application case numbers
_____-_____-_____
_____-_____-_____
_____-_____-_____

Planner signature / date

Project #

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- X List any original and/or related file numbers on the cover application

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- __ Sign Posting Agreement
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David Sodt
Applicant name (print)

Applicant signature / date

Form revised 4/07

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

Application case numbers
14-DRB 70322
____-____-____
____-____-____

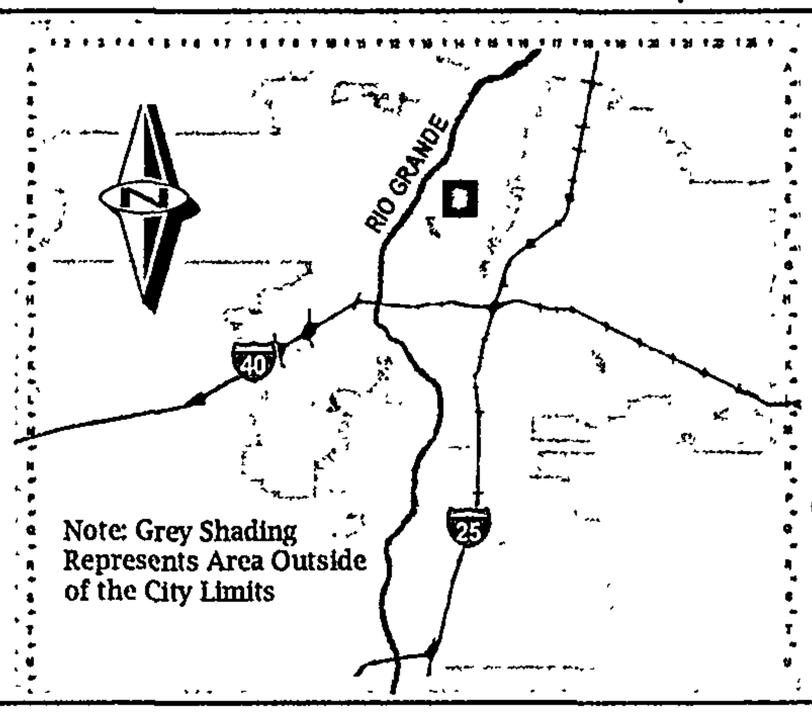
9-12-14
Planner signature / date

Project # 1007801

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

Albuquerque Geographic Information System

Map amended through: 2/4/2010



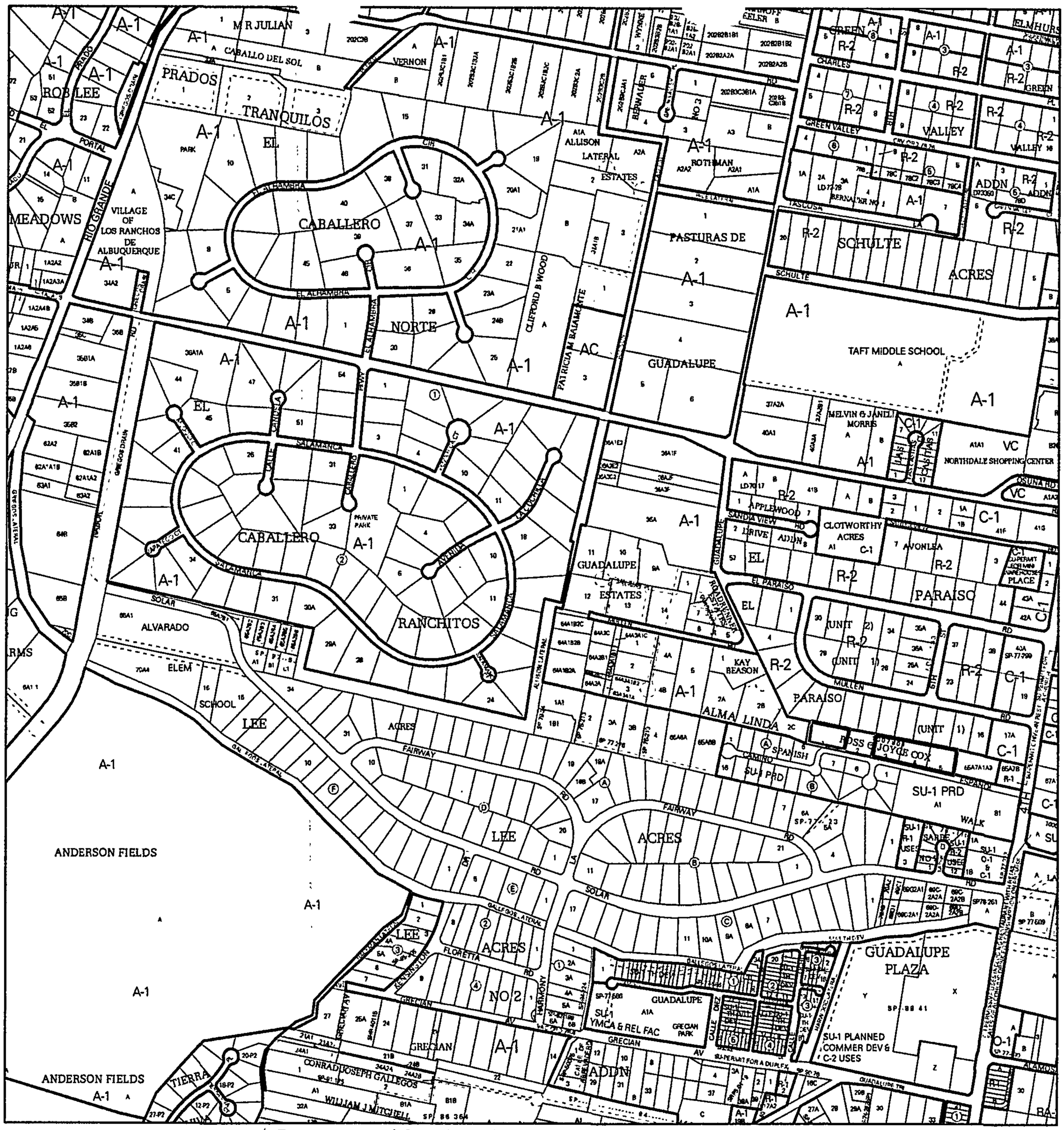
Zone Atlas Page:

E-14-Z

Selected Symbols

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

0 750 1,500 Feet



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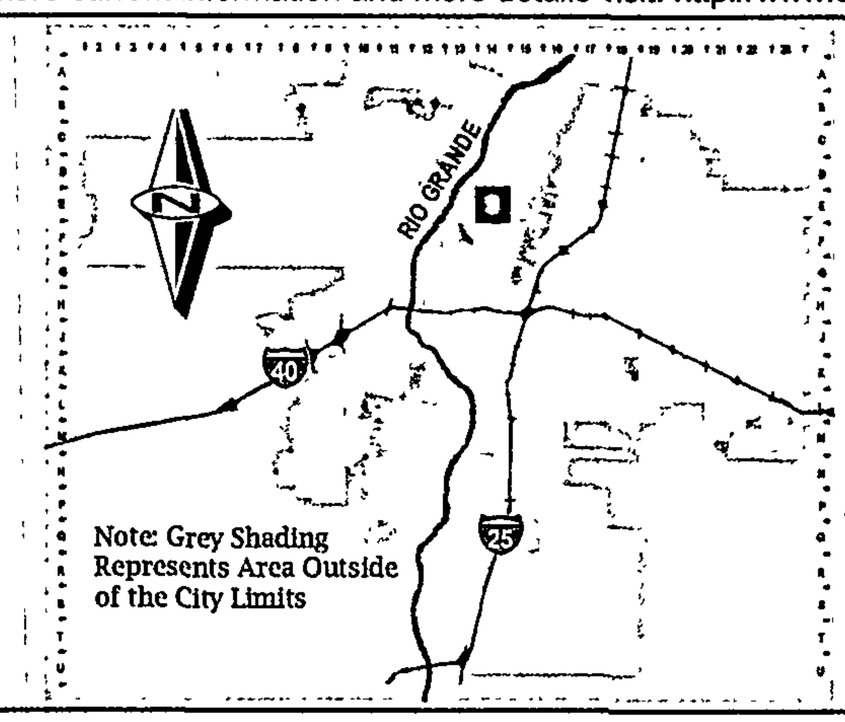

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- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

Google earth

feet 1000

meters 500

September 15, 2014

Jack Cloud,Chairman
Development Review Board

RE: Sidewalk waiver
Camino Espanol re-plat

Dear Sir:

The purpose of this letter is to explain and justify a variance and waiver of sidewalk along the proposed lot frontage. The proposed subdivision consists of partition of each existing lot into halfs . The lot configurations do not alter any roadways. The existing roadway and neighborhood character does not have sidewalks nor curb and gutter. We propose to construct a typical estate curb between the edge of existing asphalt and the existing property line. This is an infill subdivision and to the waiver is justified due to the lack of connecting sidewalks in the subdivision.

By: _____

David Soule, P.E.
Rio Grande Engineering of NM, LLC
PO Box 93924
Albuquerque, NM 87199
505-321-9099

September 24, 2014

Jack Cloud,Chairman
Development Review Board

RE: Design variance
Camino Espanol re-plat

Dear Sir:

The purpose of this letter is to explain and justify a variance and waiver of sidewalk, curb and gutter and roadway width for the referenced project. The project is currently serviced by a private access easement with width varying from 26' of asphalt to 37' of asphalt. The asphalt road is typically abutting the southerly boundary of the access easement and is 3.5' from the northern edge of the easement. The road and easement are existing and not on this property. All the adjacent improvements have been constructed. We feel the construction of a roadway abutting our property would require additional asphalt, curb and gutter and sidewalk that would be non continuous and disjointed. We feel the road adequately services the existing homes. The easement is not within the lot owners control and expansion of the easement is not practical due to the existing lot 2 located interior to our subdivision. We feel to meet the dpm standards would create a less functional road than exists currently.

By: _____

David Soule, P.E.
Rio Grande Engineering of NM, LLC
PO Box 93924
Albuquerque, NM 87199
505-321-9099

Doc# 2014072012

09/12/2014 10 16 AM Page 1 of 3
AGRE R.$25 00 M Toulouse Oliver, Bernalillo County

DRB Project #_____

APS Cluster_____

EXHIBIT B

FINAL

PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and LAS Ventanas NM, INC _____ ("Developer") effective as of this 12 day of Sept ,2014 and pertains to the subdivision commonly known as COX SUBDIVISION, and more particularly described as Lots 1A, 1B, 3A, 3B, 4A, 4B, 5A, 5B Lands of Cox _____ *(use new legal description of subdivision)* (the "Subdivision".)

WHEREAS, In order to provide for APS becoming more knowledgeable of development plans within the City so that APS may better plan for future growth, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

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

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

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

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

1. Developer agrees that a facilities fee will be paid to APS for each dwelling unit to be constructed in the Subdivision.

2. The amount of the fee shall be:

   - If the permit is issued on or after January 1, 2010, the fee shall be $2975 per dwelling unit.
   - If the permit is issued on or after August 1, 2011 the fee shall be $1075 per dwelling
   -

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

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

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

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

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

DRB Project #_____

APS Cluster_____

Signature

Scott Allen President

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on Sept 11, 2014, by Scott Allen as President of LAS Ventanas NM, INC, a corporation.

OFFICIAL SEAL
Michele Leyba
NOTARY PUBLIC
STATE OF NEW MEXICO
(Seal) My Commission Expires: 12/27/15

Notary Public

My commission expires: 12-27-15

ALBUQUERQUE PUBLIC SCHOOLS

By: on behalf of K. Wyenge
Signature

KAREN ALARID
Name (typed or printed) and title

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 9/12/14, by Karen Alarid as Executive Director PDC of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, and school district organized and existing under the laws of the State of New Mexico.

Notary Public

My commission expires: 6/17/2016

(Seal) OFFICIAL SEAL
Anastasia Wolfe
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 6/17/2016

September 9, 2014

Mr. Jack Cloud
Chair- Development Review Board
City of Albuquerque
600 2nd street NW
Albuquerque, NM 87102

RE: Preliminary/final Plat Comments
Lot 1,3,4,5 lands of Cox
Albuquerque, New Mexico

Dear Mr. Cloud:

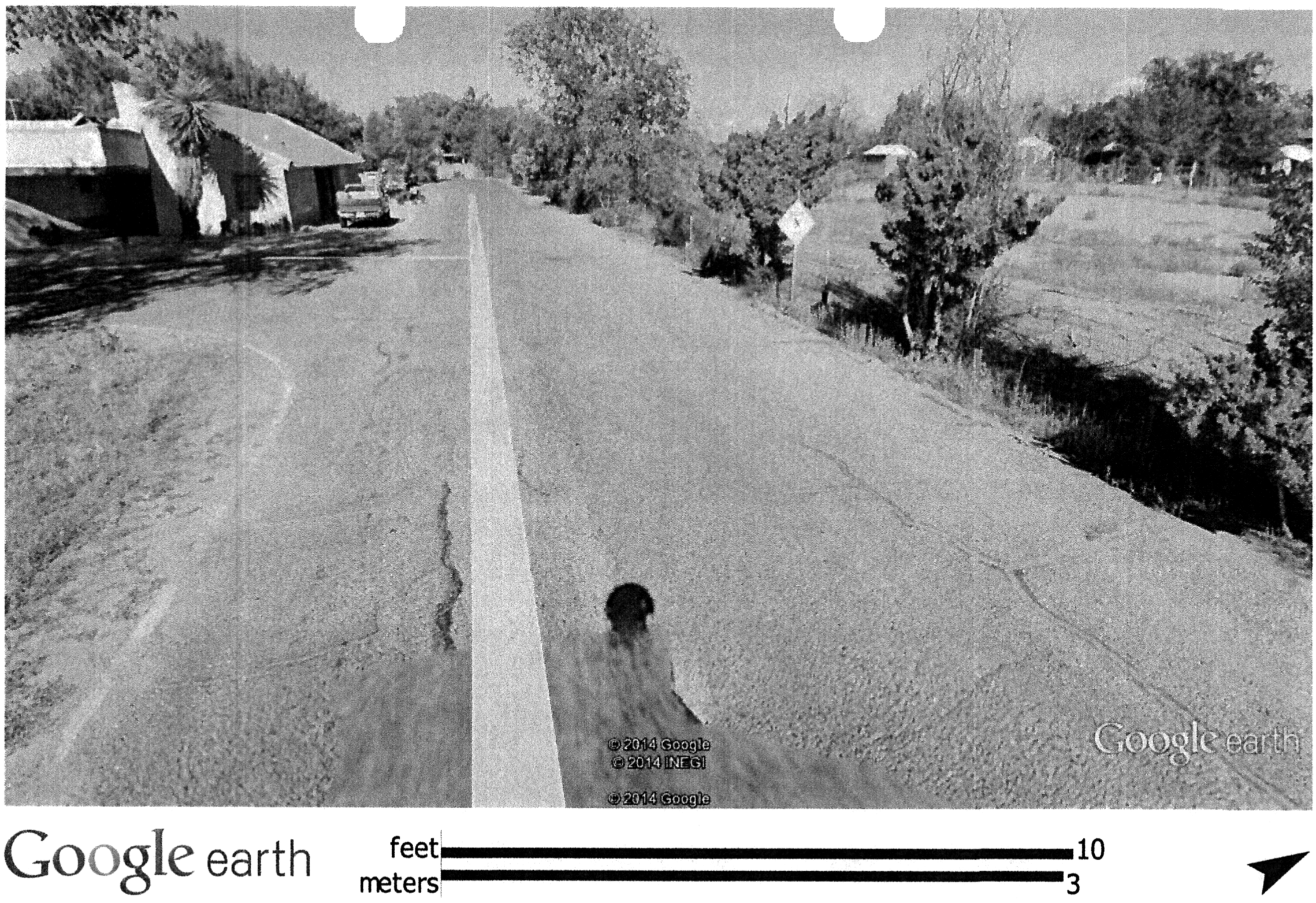
Rio Grande Engineering requests preliminary/ final plat approval on the enclosed plat. The proposed replat is consistent with the R-1 zoning and in conformance to the sketch plat comments.

Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

David Soule, PE
RIO GRANDE ENGINEERING
PO Box 93924
ALBUQUERQUE, NM 87199
321-9099

Enclosures



1007801
9-24-14

PROJECT#
10078001

September 24.2014

P.F
SW

City of **Albuquerque**

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental Form (SF)

SUBDIVISION — S — Z — **ZONING & PLANNING**

___ Major subdivision action
___ Minor subdivision action
___ Vacation — V
___ Variance (Non-Zoning)

___ Annexation
___ Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)

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

___ Adoption of Rank 2 or 3 Plan or similar
___ Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
___ Street Name Change (Local & Collector)

STORM DRAINAGE (Form D)
___ Storm Drainage Cost Allocation Plan

L — A — **APPEAL / PROTEST of...**
___ Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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

APPLICATION INFORMATION:

Professional/Agent (if any): Garcia/Kraemer & Associates PHONE: 505-440-1524
ADDRESS: 600 1st St. NW Suite 211 FAX: ___
CITY: Albuquerque STATE NM ZIP 87102 E-MAIL: jturner@garciakraemer.com

APPLICANT: Las Ventanas NM Inc. PHONE: 505-362-6824
ADDRESS: P.O. Box 10600 FAX: ___
CITY: Albuquerque STATE NM ZIP 87184 E-MAIL: ___
Proprietary interest in site: owner under contract List all owners: Joyce & Ross Cox

DESCRIPTION OF REQUEST: Sketch plat review

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

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

Lot or Tract No. Lots 1, 3, 4, and 5 Block: - Unit: ___
Subdiv/Addn/TBKA: Inclusive Lands of Ross & Joyce Cox
Existing Zoning: R-1 Proposed zoning: N/A MRGCD Map No ___
Zone Atlas page(s): E-14 UPC Code: 101406247317340818

CASE HISTORY:
List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Project # 1007801

CASE INFORMATION:
Within city limits? X Yes Within 1000FT of a landfill? No
No. of existing lots: 4 No. of proposed lots: 8 Total site area (acres): 1.85
LOCATION OF PROPERTY BY STREETS: On or Near: Camino Espanol NW
Between: Directly West of 4th St NW and ___

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

SIGNATURE [signature] DATE 6/2/14
(Print Name) JONATHAN TURNER Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY — Revised: 4/2012

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

Application case numbers	Action	S.F.	Fees
14DRB - 70197	SK		$ Ø
-			$
-			$
-			$
-			$
			Total $ Ø

Hearing date June 11, 2014

[signature] 6-3-14
Staff signature & Date

Project # 1007801

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

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

☒ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

✓ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ List any original and/or related file numbers on the cover application

☐ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Copy of DRB approved infrastructure list
__ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
__ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

☐ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

__ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Copy of recorded SIA
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ List any original and/or related file numbers on the cover application
__ DXF file and hard copy of final plat data for AGIS is required.

☐ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

__ 5 Acres or more: Certificate of No Effect or Approval
__ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ Fee (see schedule)
__ List any original and/or related file numbers on the cover application
__ Infrastructure list if required **(verify with DRB Engineer)**
__ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

6/2/14
Applicant name (print)
JONATHAN TURNER
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
14DRB-_____-20197
_____-_____-_____
_____-_____-_____

6-3-14
Planner signature / date

Project # 1007601

GARCIA/KRAEMER & ASSOCIATES

600 1ST St NW Suite 211
Albuquerque, NM 87102
(505) 440-1524
jturner@garciakraemer.com

June 2, 2014

Mr. Jack Cloud, Chair
Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

RE: Sketch plat review- replat of lots 1,3,4 and 5, Inclusive Lands of Ross & Joyce Cox

Dear Mr. Cloud,

The owners of the above referenced property, Joyce and Ross Cox, are currently in negotiations and under contract to sell the property to Las Ventanas NM Inc. This is a request for sketch plat review by the City of Albuquerque Development Review Board for comments and guidance for a proposed re-plat of the land. The subject property is currently vacant, undeveloped, and zoned R-1 single family residential. The site is located just west of 4th St NW on the north side of Camino Espanol NW. The Zone atlas page is E-14 as shown on the accompanying map. The property was recently re-platted in 2009 as lots 1 thru 5 (Project #1007801). The purpose of this request is to subdivide each of the 4 lots as referenced above into 2 lots, which would result in a total of 8 lots. The property has both access and sewer/ water availability from Camino Espanol NW. The resulting lot size square footages would be as follows: lot 1÷2= 11,979 each, lot 3÷2= 9,365 each, lot 4÷2= 9,583 each, and lot 5÷2= 9,365 each. We believe that the sizes of the proposed lots are in harmony and consistent with the residential platting of the surrounding neighborhood and community.

Please feel free to contact me if you have any questions.

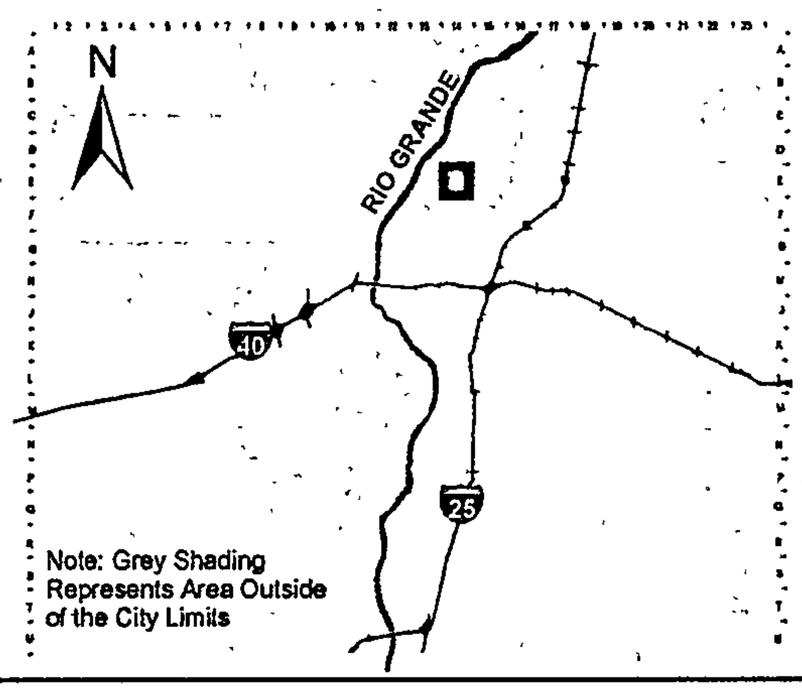
Sincerely,

Jonathan Turner
Garcia/Kraemer & Associates

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

Albuquerque Geographic Information System

Map amended through: 6/7/2013



Zone Atlas Page:

E-14-Z

Selected Symbols

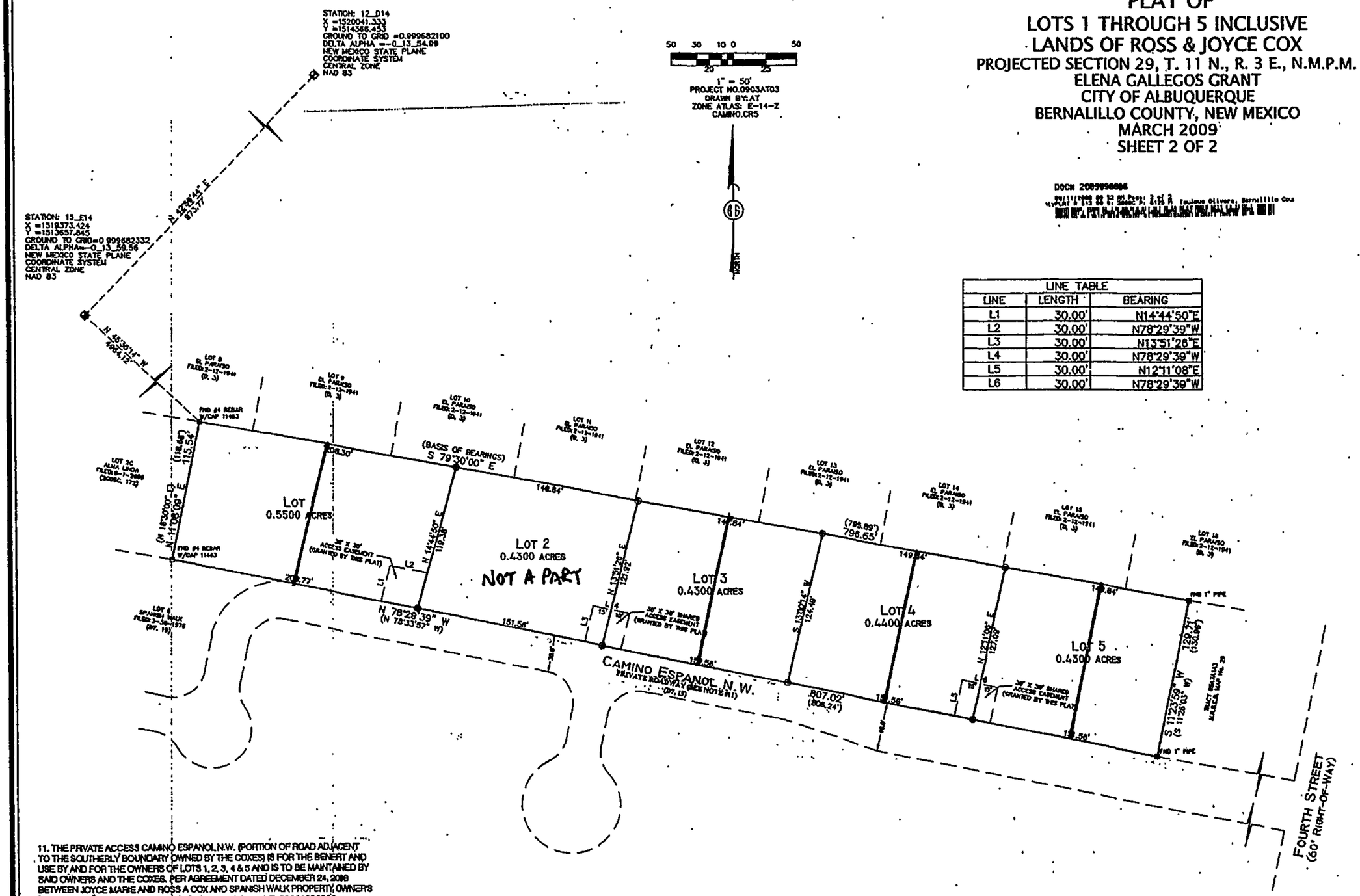
- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

0 750 1,500 Feet

PROJECT #: 1007801
DATE: 6-11-14 (SK)

PLAT OF
LOTS 1 THROUGH 5 INCLUSIVE
LANDS OF ROSS & JOYCE COX
PROJECTED SECTION 29, T. 11 N., R. 3 E., N.M.P.M.
ELENA GALLEGOS GRANT
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH 2009
SHEET 2 OF 2

DOC# 2009090806



LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00'	N14°44'50"E
L2	30.00'	N78°29'39"W
L3	30.00'	N13°51'26"E
L4	30.00'	N78°29'39"W
L5	30.00'	N12°11'08"E
L6	30.00'	N78°29'39"W

11. THE PRIVATE ACCESS CAMINO ESPANOL N.W. (PORTION OF ROAD ADJACENT TO THE SOUTHERLY BOUNDARY OWNED BY THE COXES) IS FOR THE BENEFIT AND USE BY AND FOR THE OWNERS OF LOTS 1, 2, 3, 4 & 5 AND IS TO BE MAINTAINED BY SAID OWNERS AND THE COXES. PER AGREEMENT DATED DECEMBER 24, 2008 BETWEEN JOYCE MARIE AND ROSS A COX AND SPANISH WALK PROPERTY OWNER'S ASSOCIATION RECORDED APRIL 8, 2009 AS DOCUMENT #2009038208.

MONUMENT LEGEND
- FOUND CONTROL STATION AS NOTED
- FOUND MONUMENT AS NOTED
- SET 1/2" REBAR W/CAP STAMPED "PS 11443" UNLESS OTHERWISE NOTED

THE SURVEY OFFICE, LLC
333 LOMAS BLVD., N.E.
ALBUQUERQUE, NEW MEXICO
87102
PHONE: (505) 998-0303
FAX: (505) 998-0305

.0903AT03

T11N R3E SEC. 29

OR ALB10240 BE 2009090806.002
Land Records Corp.

PROJECT #
1007801

June 11. 2014

SK

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

	S	Z	
SUBDIVISION			**ZONING & PLANNING**
___ Major Subdivision action			___ Annexation
___ Minor Subdivision action			___ County Submittal
___ Vacation	V		___ EPC Submittal
✓ Variance (Non-Zoning) SIDEWALK WAIVER & SUBD. DESIGN VARIANCE FROM MINIMUM DPM STANDARDS			Zone Map Amendment (Establish or Change Zoning)
SITE DEVELOPMENT PLAN	P		___ Sector Plan (Phase I, II, III)
___ for Subdivision			___ Amendment to Sector, Area, Facility or Comprehensive Plan
___ for Building Permit			
___ Administrative Amendment (AA)			___ Text Amendment (Zoning Code/Sub Regs)
___ IP Master Development Plan			___ Street Name Change (Local & Collector)
___ Cert. of Appropriateness (LUCC)	L	A	**APPEAL / PROTEST of...**
STORM DRAINAGE	D		___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
___ Storm Drainage Cost Allocation Plan			

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE, LLC PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: ROSS & JOYCE COX PHONE: 345-6232
ADDRESS: 6204 2ND STREET NW FAX:
CITY: ALBQ STATE NM ZIP 87107 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: REQUESTING SIDEWALK WAIVER & A SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS.

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. TRACTS 65A7A1A1 & 65A7A1A2 Block: N/A Unit: N/A
Subdiv/Addn/TBKA: M.R.G.C.D. MAP NO. 29
Existing Zoning: R-1 Proposed zoning: N/A
Zone Atlas page(s): E-14-Z UPC Code: 1-014-062-473-153-40793 MRGCD Map No 29
1-014-062-434-160-40792

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Z-93-134, AX 93-13, 09DRB70177, Proj#1007801

CASE INFORMATION:

Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 2 No. of proposed lots: 5 Total area of site (acres): 2.2800 AC
LOCATION OF PROPERTY BY STREETS: On or Near: CAMINO ESPANOL NW
Between: 4TH STREET NW and

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

SIGNATURE [signature] DATE 7-17-09
(Print) Gary D. Maple Applicant: ☐ Agent: ☒

Form revised 4/07

FOR OFFICIAL USE ONLY

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

Application case numbers	Action	S.F.	Fees
09DRB - 70249	SDV		$ 0
09DRB - 70250	SW		$ 0
	~~AVSF~~		~~$ 75.00~~
	CMF		$ 20.00
			$
			Total $ 20.00

Hearing date July 29, 2009

[signature] 7.17.09
Planner signature / date

Project # 1007801

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

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

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

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

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

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

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

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

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

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

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

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

Gary D. Maple
Applicant name (print)

M. Maple 7-17-09
Applicant signature / date

Form revised 4/07

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

Application case numbers
09DRB-70249
09DRB-70250
____-____-____

7-17-09
Planner signature / date

Project # 1007801

AGREEMENT

THIS AGREEMENT is made as of December 24, 2008, between Joyce Marie Cox and Ross A. Cox, husband and wife, and Spanish Walk Property Owners' Association, a New Mexico nonprofit corporation.

RECITALS

1. Joyce Marie Cox and Ross A. Cox, husband and wife (the "Coxes"), are owners of the certain real property described on the attached Exhibit "A" situated in Bernalillo County, New Mexico.

2. The Spanish Walk Property Owners' Association, a New Mexico nonprofit corporation (the "Association"), owns and controls a private road known as Camino Español situated in Bernalillo County, New Mexico.

3. A portion of Camino Español is adjacent to the southerly boundary of the property owned by the Coxes.

4. The parties desire that the land owned by the Coxes obtain access to Camino Español and the Association desire that the Coxes become members of the Association and assume responsibility for the maintenance of the strip.

5. The Association desires that the property owned by the Coxes be subdivided into five (5) lots in accordance with Exhibit "B" which is attached hereto utilizing access as defined and that the Coxes and any subsequent owners of the five (5) lots become members of the Association and any and all subsequent deeds shall be subject to the Protective Covenants of Blocks A and B as recorded on June 5, 1974 in Volume Misc. Folio 453-359 in the real property records of Bernalillo County, New Mexico, except for the fourth full paragraph of paragraph 11, pages 3 and 4, from which the property of the Coxes is exempted.

Doc# 2009038208
04/08/2009 09:11 AM Page: 1 of 5
AGRE R:$17.00 M. Toulouse Oliver, Bernalillo County

6. The Association desires that all dwellings constructed on the property owned by the Coxes contain a minimum 2,000 square feet utilizing a Spanish Colonial style construction.

7. The Coxes desire that the Association cooperate with the Coxes in obtaining approval of the proposed subdivision plat through the City of Albuquerque and requirements of any other governmental entities, and further work cooperatively to have street lights excluded as part of the subdivision approval.

IT IS THEREFORE AGREED:

1. The Coxes shall pay the Association the sum of $5,000.00 in order to join the Association and be given access to Camino Español.

2. The Coxes shall be granted access to Camino Español and said access shall be made in conformance with the attached Exhibit "B".

3. The Coxes and any subsequent owners of the lots as defined in Exhibit "B" shall conform to the dwelling size requirements of 2,000 square feet and the Spanish Colonial style architecture and shall become members of the Association and all subsequent deeds for the property shall be subject to the Protective Covenants of Blocks A and B as recorded on June 5, 1974 in Volume Misc. Folio 453-359 in the real property records of Bernalillo County, New Mexico, except for the fourth full paragraphs of paragraph 11, pages 3 and 4, from which the property of the Coxes is exempt.

4. The Coxes and subsequent owners of the lots shall maintain the strip.

5. The parties agree that the Coxes shall work to have the Proposed Subdivision approved within one (1) year of this agreement (the time frame for which may be extended upon mutual agreement), and the Association shall work cooperatively with the Coxes to obtain approval of the subdivision plat through the City and Albuquerque and requirements of any other governmental entities and will work together to have street lights excluded as part of the approval.

IN WITNESS WHEREOF, Joyce Marie Cox and Ross A. Cox and the Spanish Walk Property Owners' Association have executed this Agreement on December 24, 2008.

Joyce Marie Cox

Joyce Marie Cox

Ross A. Cox

Ross A. Cox

SPANISH WALK PROPERTY OWNERS' ASSOCIATION

By: _____
Lynne Andersen, President

By: _____
~~Connie Burress, Vice President and Secretary~~

ACKNOWLEDGEMENTS

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

SUBSCRIBED AND SWORN to and acknowledged before me this 24th day of December, 2008 by Joyce Marie Cox and Ross A. Cox, wife and husband.

_____
Notary Public

My commission expires:
3/7/2010

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

SUBSCRIBED AND SWORN to and acknowledged before me this 22 day of December, 2008, by Lynne Anderson, President of Spanish Walk Property Owners' Association, Inc. ~~and Connie Burress, Vice President and Secretary of Spanish Walk Property Owners' Association, Inc.~~, for and on behalf of said corporation.

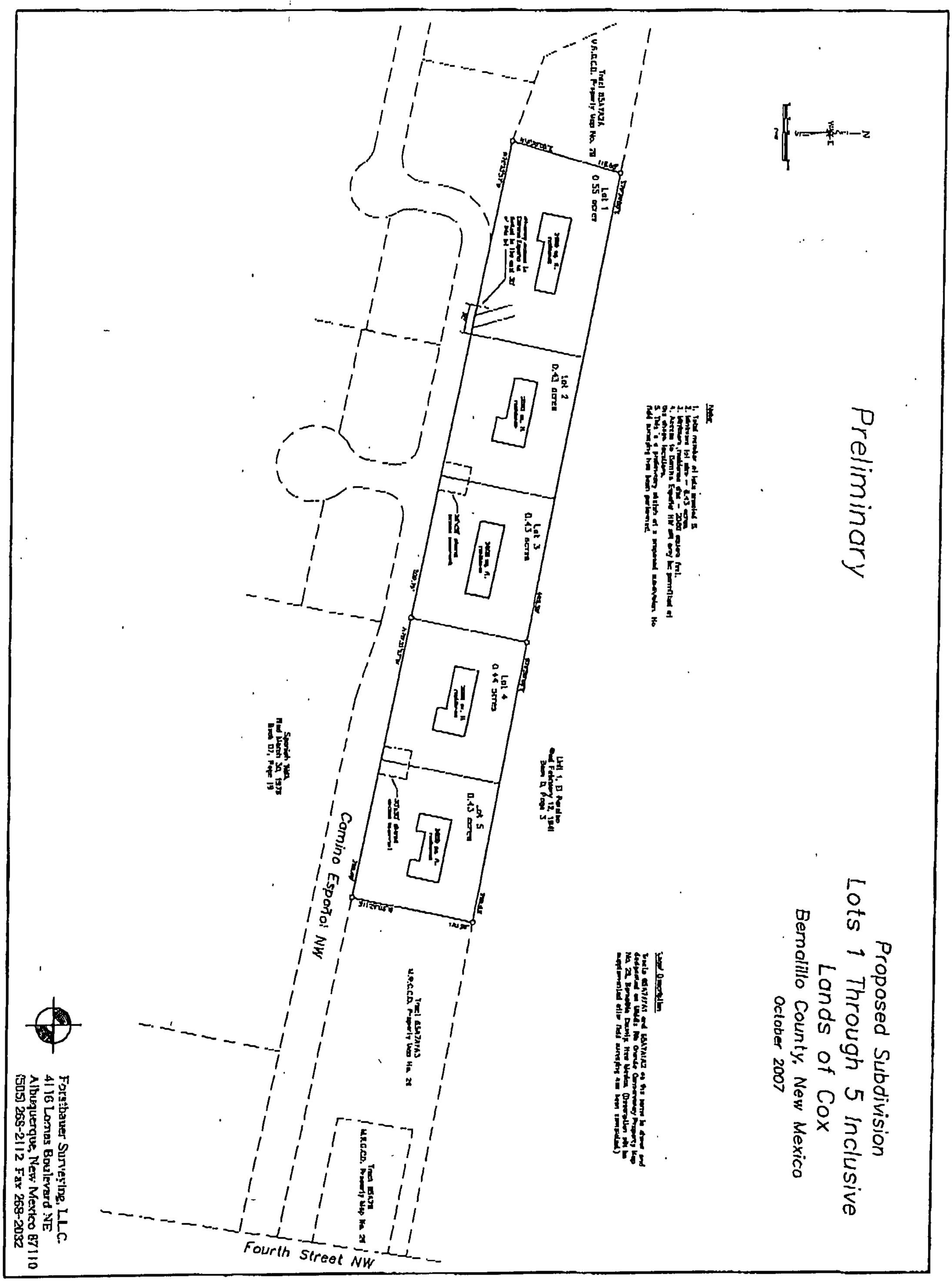
Kathleen T Allen
Notary Public

My commissions expires:
06.28.2010

EXHIBIT "A"

A certain Tract of land in Bernalillo County, New Mexico, comprising a portion of Tract 65-a-7-a-a on Middle Rio Grande Conservancy District Property Map No. 29 being the Westerly 2.6247 acres, more or less, of the Plat of Division of Land of Heirs of GILBERTO B. CHAVEZ, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 13, 1974 in Plat Book B9, folio 121, and being more particularly described by metes and bounds as follows: BEGINNING at the Northeast corner of the parcel herein described, whence the Southeast corner of EL PARAISO SUBDIVISION UNIT ONE, Plat of which was filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 12, 1941 BEARS S. 79 DEG. 30' E. a distance of 363.63 feet; THENCE, from said point of beginning, S. 11 deg. 26'03" W. a distance of 128.11 feet to the Southeast corner of the parcel herein described; THENCE, N. 78 deg. 33' 57" W. a distance of 819.23 feet to a point; THENCE, N. 70 DEG. 46' 47" W. a distance of 94.51 feet to the Southwest corner of the parcel herein described; THENCE, N. 19 deg. 34' 07" W. a distance of 117.40 feet to the Northwest corner of the parcel herein described; THENCE, S. 77 deg. 46' 21" E. a distance of 39.74 feet to a point on the Southerly line of said EL PARAISO SUBDIVISION UNIT ONE; THENCE, along said subdivision line S. 79 deg. 30' E. a distance of 933.72 feet to the Northeast and beginning corner of the parcel herein described.

Less property deeded to A. Kay Beason on November 27, 1996.


Proposed Subdivision
Lots 1 Through 5 Inclusive
Lands of Cox
Bernalillo County, New Mexico
October 2007
Preliminary
Lot 1
0.55 acre
Lot 2
0.43 acre
Lot 3
0.43 acre
Lot 4
0.43 acre
Lot 5
0.43 acre
Camino Espanol NW
Fourth Street NW
Forstbauer Surveying, L.L.C.
4116 Lomas Boulevard NE
Albuquerque, New Mexico 87110
(505) 268-2112 Fax 268-2032

PROTECTIVE COVENANTS

FOR BLOCKS LETTERED A AND B OF SPANISH WALK,
A SUBDIVISION IN BERNALILLO COUNTY, NEW MEXICO.

KNOW ALL MEN BY THESE PRESENTS, THAT:

WHEREAS, JANET M. LEPPKE is the title holder to property located and situated in Bernalillo County, New Mexico, described as:

> SPANISH WALK, a Subdivision in Section 29, Township 11 North, Range 3 East, N.M.P.M., Bernalillo County, New Mexico, as the same is shown on the map of said subdivision filed in the office of the Clerk of Bernalillo County, New Mexico, on May 25, 1973.

and

WHEREAS, in order to provide a uniform plan for the use and enjoyment thereof title holder desires to impose certain protective and restrictive covenants on all lots in Blocks lettered A and B thereof;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable considerations, the undersigned, being the owner and proprietor of said Spanish Walk Subdivision, hereby does create, establish and impose the following protective and restrictive covenants for all lots in said Blocks lettered A and B, and all conveyances henceforth of said lots shall be made subject to these covenants, stipulations and restrictions:

1. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty years from and after the date these covenants are recorded, after which the said covenants shall be automatically extended for successive periods of ten years, unless an instrument signed by the then owners of the majority of the lots involved have recorded an agreement to change these covenants in whole or in part. It is further recognized that the area is zoned for Special Use by the City of Albuquerque, and the use and improvement of the area is subject to the terms and provisions thereof.

2. Enforcement of these covenants shall be by appropriate proceedings either in law or in equity against any person or persons violating or attempting to violate any covenant and seeking to either restrain the

violation or to recover damages or to obtain a mandatory injunction, or any one or more of these remedies. It shall be lawful and appropriate for any person or persons owning any real property situated in said Subdivision to prosecute any such proceedings.

3. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall be and remain in full force and effect.

4. All lots in Blocks lettered A and B shall be known and described as single family residential lots, and no lot therein shall be used except for such single family residential purposes. No structure shall be erected, altered, placed or permitted to remain on any lot in either of said two blocks other than one detached single family dwelling and related appropriate out buildings.

5. No activity of any kind shall be carried on or be permitted to remain upon any lot which may be or may become an annoyance or nuisance to the neighborhood. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose.

6. No trailer, garage or any other out building erected on the subdivision shall at any time be used as a residence, either temporary or permanent, nor shall any structure of a temporary character be used as a residence. No residential structure shall be occupied as a dwelling place in any manner until fully completed.

7. All structures erected on corner lots shall present a good appearance from both streets.

8. Each dwelling must contain a minimum of 1500 square feet of heated living area exclusive of garages, patios, portals, carports, etc.

9. The exterior of all structures (out buildings as well as main structure) must visually conform to a Southwestern image.

(a) Exterior walls shall range in color from creamy beige to deep brown, following an earth tone concept.

(b) Roofs shall be either flat or with a shallow slope and

sloping roofs shall be covered with Spanish Clay, cement tile, or shake or asphalt shingles in earth tone colors.

(c) Fences and exterior free-standing walls shall be constructed of either adobe, concrete or pumice concrete block which is covered with a stucco in earth tone colors. Vertical cedar or grape stake fences with a natural or light stain finish are also permissible. Wood planks stained in earth tone colors shall also be permissible.

10. No structures may exceed 20 feet in height and no portion of a structure within 15 feet of the property line shall exceed 12 feet in height. Not more than thirty per cent of the heated floor area shall be located higher than 12 feet above the top of the foundation for the structure.

11. No structure shall be located on any plot nearer than 20 feet to the front lot line nor nearer than 15 feet to any side street lot line.

Residential structures shall be constructed entirely on one plot. A building "plot" shall consist of not less than one lot and may consist of two adjoining lots used as a single plot or may consist of a plot resulting from dividing three adjoining lots into two plots.

No building wall shall be located nearer than ten (10) feet to the side of any other building wall. All exterior walls located within five feet of a building plot line must be without any openings and no openings shall ever be installed in such wall.

Each owner of a structure validly located within five feet of a side building plot line shall have the easement and right running with the land to enter upon the side of the adjoining building plot to the extent such entry is necessary to carry out the painting, resurfacing, repair and/or maintenance of the exterior surfaces of walls or structures located within such five foot strip. Such right of entry shall be exercised in such manner as to interfere as little as is reasonable possible with the possession and enjoyment of the easement area and shall be preceded by reasonable notice

whenever the circumstances permit. All resurfacing and/or painting of such wall areas adjacent to the easement shall be completed in a color and texture as close to the original as possible unless the then owners of both properties shall otherwise agree in writing. Each owner shall keep and maintain the exterior of all structures on a lot in a good state of repair.

A four inch (4") tolerance variation is by reason of mechanical variances of construction allowable for minimum distance requirements set forth in all the setbacks herein mentioned and provided.

12. Within two years from the date of purchase of a lot from the undersigned proprietor, a residential structure shall be commenced thereon and completed within six months after the commencement of construction.

13. No building shall be erected, placed or altered on any residential building plot in this subdivision, without the approval of the Architectural Review Board, composed of James F. Ryan, Janet M. Leppke and Margaret Jones or by a representative designated by a majority of the members of said Board. After eight (8) of the lots have been sold, the owners of said lots shall select a member from within their group to replace James F. Ryan. Thereafter, the Board shall consist of Janet M. Leppke, Margaret Jones and one other lot owner until such time as all of the lots have been sold, at which time this Board shall cease to exist and the Spanish Walk Nonprofit Corporation shall assume control.

(a) Lot owners shall submit preliminary and final plans to the Board for final approval. Final plans shall include architectural plans, specifications, elevations and color schedules.

(b) Board shall have the power to require owner to modify plans or specifications if they do not conform to the Design Requirements.

(c) The Board or its designated representative shall not be entitled to any compensation for services performed pursuant to this Covenant. The Board shall complete the review within a reasonable period of time, not to exceed thirty (30) days.

14. Jan Leppke, Realtor, has the exclusive right until all lots have been sold to construct, erect, display and maintain signs advertising lots and new homes for sale. Otherwise, no "for rent" or "for sale" signs of any kind shall be erected or displayed on any of the lots in said Blocks lettered A and B.

15. It is recognized that Tract A-1 of said Spanish Walk Subdivision will Be developed as a multiple family area and that Tract B-1 of Spanish Walk Subdivision will be developed as a light commercial and office area. It is further recognized that the streets in said Subdivision are private streets and it is intended that the northerly three (3) feet of that portion of Camino Espanol N.W. adjacent to the north boundary of said Subdivision will be landscaped. For the maintenance of these common area, which is all of that portion shown as "Private Road and Utility Easement" Camino Espanol N.W., on the plat, a non-profit corporation to be known as Spanish Walk Nonprofit Corporation shall be organized to be owned by all owners of land in Spanish Walk Subdivision, with the owner(s) of each lot in Blocks lettered A and B having one unit or share, all the owners of interest in Tract A-1 having a total of 5 units or shares and all owners of interest in Tract B-1 having a total of 3 units or shares. If two adjoining lots have been combined into a single building plot, the owner thereof shall have two units or shares. If three adjoining lots have been divided into two building plots, the owner of each shall have one and one-half units or shares. Each owner in said Subdivision shall contribute to the corporation his proportionate share on the basis of his unit or share ownership toward the maintenance and improving of said common area, with the amount of contribution per unit or share to be determined from time to time by the Board of Directors. By acceptance of an instrument granting any interest in title, the grantee or assignee by whatever name for himself, his heirs, executors, successors and assigns, obligates them to be obligated by and accept such provisions.

It is specifically recognized that the corporation through its directors and officers is charged with the power, duty and obligation to improve, keep, maintain, care for and be responsible for the common areas. Estimates and

budgets for such expenses, including taxes, insurance, labor shall be compiled from time to time and the funds therefor shall be assessed to and paid by the then owners of property in the subdivision in proportion to their unit or stock ownership. The directors and officers shall serve without compensation but shall be reimbursed for any necessary and proper expense.

IN WITNESS THEREOF, the undersigned Owner has caused these presents to be executed this 28th. day of May, 1974.

Janet M. Leppke

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 28th. day of May, 1974 by JANET M. LEPPKE, a single person.

James G. Lange
Notary Public

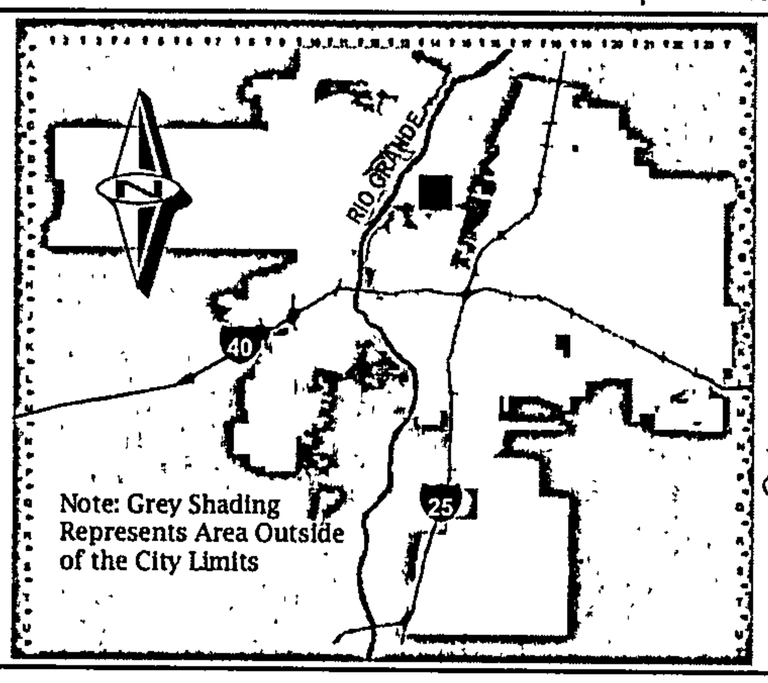
My commission expires: 14 April 1976

State of New Mexico }
County of Bernalillo } ss
This instrument was filed for record on
JUN 5 1974
At 1:48 o'clock p.m. Recorded in Vol. 370
of records of said County Folio 357-359
Clerk & Recorder
Deputy Clerk

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

Albuquerque Geographic Information System

Map amended through: 3/10/2009



Zone Atlas Page:

E-14-Z

Selected Symbols

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

0 750 1,500 Feet

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

July 16, 2009

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87102

REF: SUBDIVISION DESIGN VARIANCE AND SIDEWALK WAIVER FOR LOTS 1-5 INCLUSIVE, LANDS OF ROSS & JOYCE COX (PROJECT #1007801)

Dear Board Members:

The Survey Office, LLC is requesting a subdivision design variance from the minimum DPM standards for private way widths, curb & gutter (excluding construction) and a sidewalk waiver (to waive construction and installation of sidewalks) for the above referenced property.

Camino Espanol NW is an existing 30'– 40' paved road within the Spanish Walk Subdivision recorded on March 30, 1976, which defines the roadway as private and is maintained and owned by the Spanish Walk Property Owners' Association. The property owners entered into an agreement (recorded April 8, 2009) with the Spanish Walk Property Owners' Association to obtain a portion of Camino Espanol NW for access to the proposed five-lot subdivision and assume responsibility for the maintenance of the strip. The agreement further defines the requirements in regards to future development of the property (a copy of the agreement was submitted under project #1007801).

We request that the sidewalks, curbs (proposed subdivision grants shared access easements), gutters and any infrastructure improvements to the existing road be waived since Camino Espanol, NW and all infrastructure have been constructed and in use since 1976.

The property owners and the Association would like to maintain the same characteristics of the existing neighborhood (Spanish Walk Subdivision).

If you have any questions please feel free to contact me.

Sincerely,

Gary Maple
President

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: July 14, 2009

TO CONTACT NAME: Sarah Gibson
COMPANY/AGENCY: G.P.S. LLC
ADDRESS/ZIP: 333 Lomas Blvd NE 87102
PHONE/FAX #: 417-4855 / 998-0305

Thank you for your inquiry of 7-14-09 (date) requesting the names of **ALL Affected Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at Tracts 65A7A1A1 & 65A7A1A2, MRGCD Map No. 29 located on Camino Espanol NW between 4th St. NW and Mullen Rd. NW.
zone map page(s) E-14.

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

North Fourth Camino Real Merchants
~~Neighborhood or Homeowner~~ Association, Inc.
Contacts: Scot Steinberg
3906 4th St NW / 87107
344-1777 (W)
Ted Brown
PO Box 26508 / 87125
345-9051 (h)

Neighborhood or Homeowner Association
Contacts:

See reverse side for additional Neighborhood and/or Homeowner Associations Information: YES { } NO {X}

Please note that according to O-92 you are required to notify each of these contact persons by ***CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE*** the Planning Department will accept your application filing. ***IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.*** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Dalaina K Carmona
OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: *Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.*

Planningnacontactformltr (12/03/07)

NOTICE TO APPLICANTS - SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

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

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

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

[X] Copies of Letters to Neighborhood and/or Homeowner Associations *(if there are associations)*. A copy must be submitted with application packet.

[X] Copies of the certified receipts to Neighborhood and/or Homeowner Associations *(if there are associations)*. A copy must be submitted with application packet.

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

* *

(Below this line for ONC use only)

Date of Inquiry: 7-14-09 Time Entered: 9:45 am ONC Rep. Initials: DC

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

July 16, 2009

NORTH FOURTH CAMINO REAL MERCHANTS ASSOC., INC
TED BROWN
3906 4TH STREET NW
ALBUQUERQUE, NM 87107

REF: PROPOSED LOTS 1-5, LANDS OF ROSS & JOYCE COX

Dear Ted Brown:

This letter is a notice to you of action being taken on the Lands of Ross & Joyce Cox, located on Camino Espanol NW.

The Survey Office, LLC is submitting the above referenced property for a subdivision design variance and a sidewalk waiver (excluding requirements to construct and install curb, gutters, sidewalks and any improvements to the existing road. A copy of the exhibit for this request is enclosed. The property owners would like to subdivide the existing two tracts (tracts 65A7A1A1 & 65A7A1A2, M.R.G.C.D. Map 29) into five new lots with future residential (single-family) development.

The date and time of the DRB (Development Review Board) hearing will be posted on the site two weeks before the hearing. Presently the schedule for the hearing is August 12, 2009.

If you have any questions please feel free to contact

Sincerely,

Gary Maple
President

7007 0710 0003 3222 4428

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.54

Postmark Here 7/17/09

Sent To TED BROWN
Street, Apt. No.; or PO Box No. P.O. BOX 24508
City, State, ZIP+4 ALBQ, N. MEX 87125

PS Form 3800, August 2006 See Reverse for Instructions

The Survey Office, LLC

333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305

July 16, 2009

NORTH FOURTH CAMINO REAL MERCHANTS ASSOC., INC
SCOT STEINBERG
3906 4TH STREET NW
ALBUQUERQUE, NM 87107

REF: PROPOSED LOTS 1-5, LANDS OF ROSS & JOYCE COX

Dear Scot Steinberg:

This letter is a notice to you of action being taken on the Lands of Ross & Joyce Cox, located on Camino Espanol NW.

The Survey Office, LLC is submitting the above referenced property for a subdivision design variance and a sidewalk waiver (excluding requirements to construct and install curb, gutters, sidewalks and any improvements to the existing road. A copy of the exhibit for this request is enclosed. The property owners would like to subdivide the existing two tracts (tracts 65A7A1A1 & 65A7A1A2, M.R.G.C.D. Map 29) into five new lots with future residential (single-family) development.

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If you have any questions please feel free to contact m

Sincerely,

Gary Maple
President

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Certified Fee	$ 2.80
Return Receipt Fee (Endorsement Required)	$ 2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 5.54

Postmark Here 7.17.09

7007 0710 0003 3222

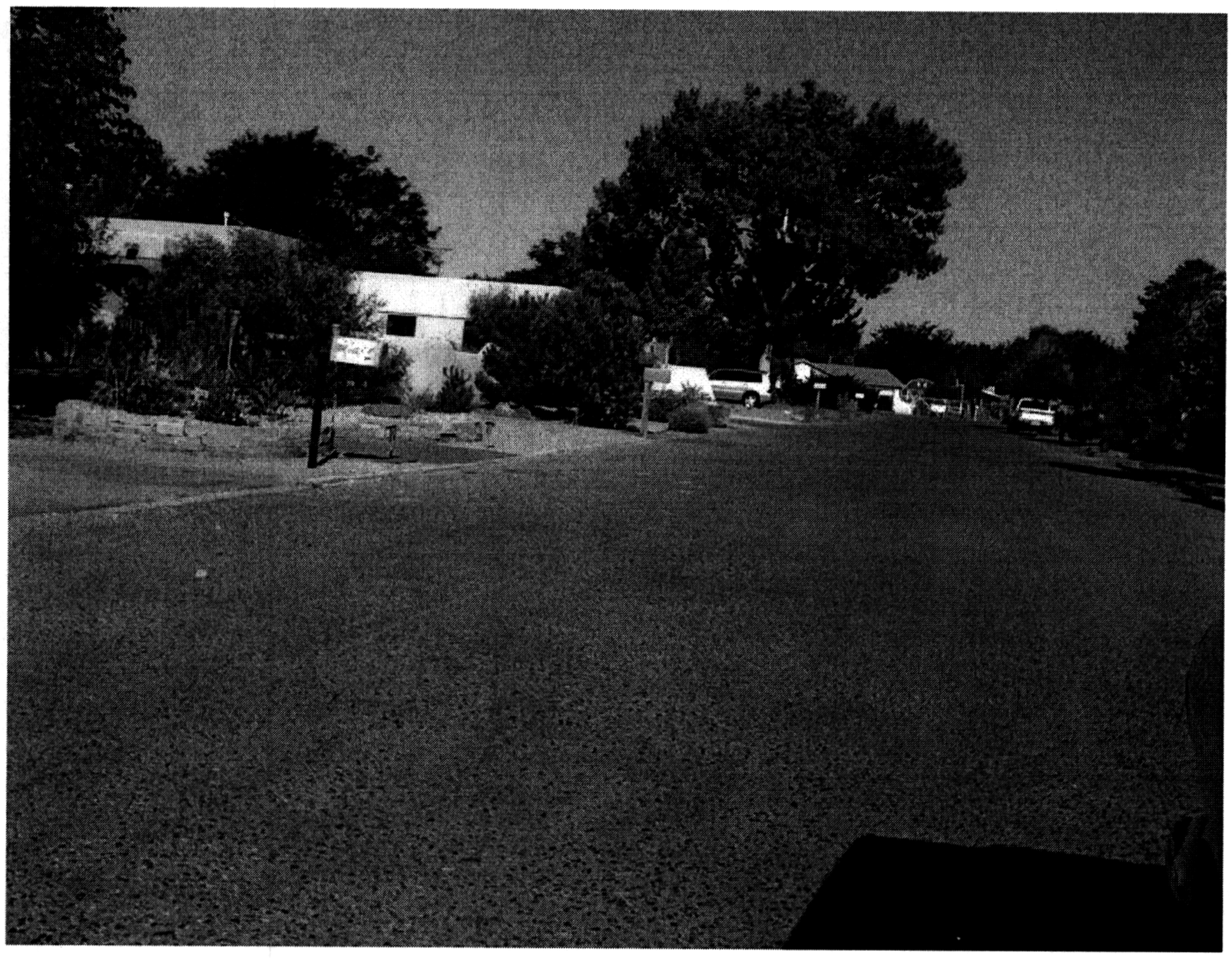
Sent To Scot Steinberg
Street, Apt. No.; or PO Box No. 3906 4TH STREET NW
City, State, ZIP+4 ALBQ, N. MEX 87107

PS Form 3800, August 2006 See Reverse for Instructions

ON CAMINO ESPANOL NW LOOKING EAST
ONTO 4th STREET

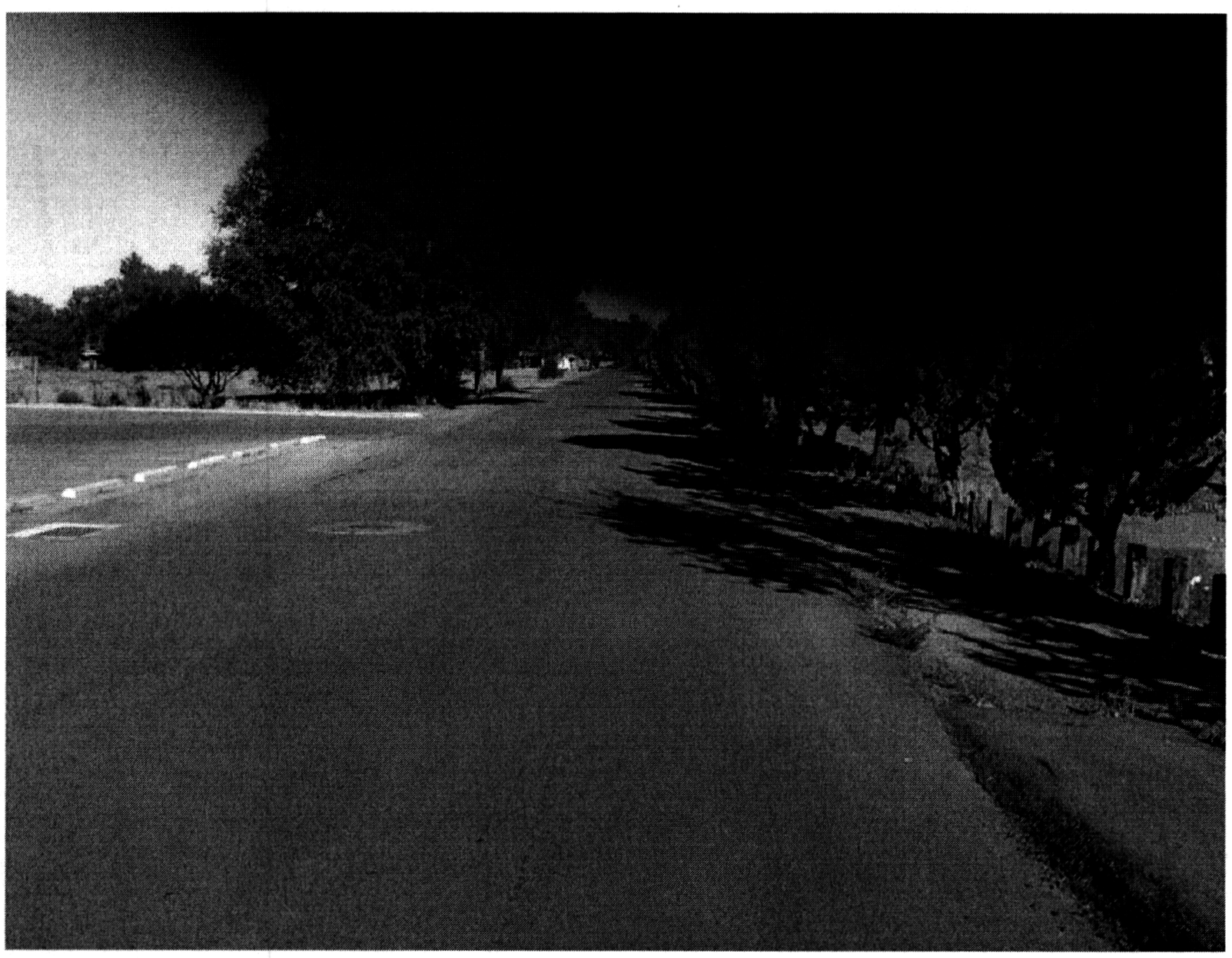
WEST END OF SUBJECT PROPERTY
(PROPOSED LOTS 1-5, LANDS OF
ROSS & JOYCE COX)

LOOKING EAST (SUBJECT PROPERTY)



LOOKING WEST IN SPANISH WALK SUBD

END OF CUL-DE-SAC



ON 4th St - LOOKING WEST INTO SUBDIVISION (SPANISH WALK SUBD)

CURB @ PROPOSED LOT 1, LANDS OF
ROSS & JOYCE COX

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — S
- ✓ Major Subdivision action — PRELIM/FINAL
- ✓ Minor Subdivision action
- ___ Vacation — V
- ___ Variance (Non-Zoning)

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

STORM DRAINAGE — D
- ___ Storm Drainage Cost Allocation Plan

ZONING & PLANNING — Z
- ___ Annexation
  - ___ County Submittal
  - ___ EPC Submittal
- ___ Zone Map Amendment (Establish or Change Zoning)
- ___ Sector Plan **(Phase I, II, III)**
- ___ Amendment to Sector, Area, Facility or Comprehensive Plan
- ___ Text Amendment (Zoning Code/Sub Regs)
- ___ Street Name Change (Local & Collector)

APPEAL / PROTEST of... — A
- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

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

APPLICANT INFORMATION:

Professional/Agent (if any): THE SURVEY OFFICE, LLC PHONE: 998-0303
ADDRESS: 333 LOMAS BLVD NE FAX: 998-0305
CITY: ALBQ STATE NM ZIP 87102 E-MAIL:

APPLICANT: ROSS & JOYCE COX PHONE: 345-6232
ADDRESS: 6204 2ND ST. NW FAX:
CITY: ALBQ STATE NM ZIP 87107 E-MAIL:
Proprietary interest in site: OWNER List all owners: N/A

DESCRIPTION OF REQUEST: DIVIDE TWO MRGCD TRACTS INTO FIVE NEW LOTS AND GRANT ADDITIONAL EASEMENTS AS SHOWN.

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. TRACTS 65A7A1A1 & 65A7A1A2 Block: N/A Unit: N/A
Subdiv/Addn/TBKA: M.R.G.C.D. MAP NO. 29
Existing Zoning: R-1 Proposed zoning: N/A
Zone Atlas page(s): E-14-Z UPC Code: 1-014-062-473-153-40793 MRGCD Map No 29
1-014-062-434-160-40792

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_,Z_, V_, S_, etc.): Z93-134, AX93-13

CASE INFORMATION:

Within city limits? ✓ Yes Within 1000FT of a landfill? NO
No. of existing lots: 2 No. of proposed lots: 5 Total area of site (acres): 2.2800 AC
LOCATION OF PROPERTY BY STREETS: On or Near: CAMINO ESPANOL NW
Between: 4TH STREET NW and

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

SIGNATURE Gary D Maple DATE 5-18-9
(Print) Gary D. Maple Applicant: ☐ Agent: ☐

FOR OFFICIAL USE ONLY

Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
09DRB - 70177	P&F	5(3)	$ 495.00
	CME		$ 20.00
			$
			$
			$
			$
			Total $ 515.00

Hearing date 05/27/09

Sandy Handley 05/19/09 Project # 1007801
Planner signature / date

FORM S(3): SUBDIVISION - [B. MEETING (UNADVERTISED) (INTERNAL ROUTING

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

☐ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**

__ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
__ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ List any original and/or related file numbers on the cover application

☐ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**

__ Preliminary Plat reduced to 8.5" x 11"
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the request
__ Copy of DRB approved infrastructure list
__ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
__ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

☐ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**

__ Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
__ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
__ Design elevations & cross sections of perimeter walls **3 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
__ Copy of recorded SIA
__ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
__ List any original and/or related file numbers on the cover application
__ DXF file and hard copy of final plat data for AGIS is required.

☑ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**

N/A 5 Acres or more: Certificate of No Effect or Approval
✓ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
✓ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
N/A Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
✓ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
✓ Zone Atlas map with the entire property(ies) clearly outlined
✓ Letter briefly describing, explaining, and justifying the request
✓ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
N/A Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
✓ Fee (see schedule)
✓ List any original and/or related file numbers on the cover application
N/A Infrastructure list if required **(verify with DRB Engineer)**
✓ DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

Gary D. Maple
Applicant name (print)

Gary D. Maple
Applicant signature / date

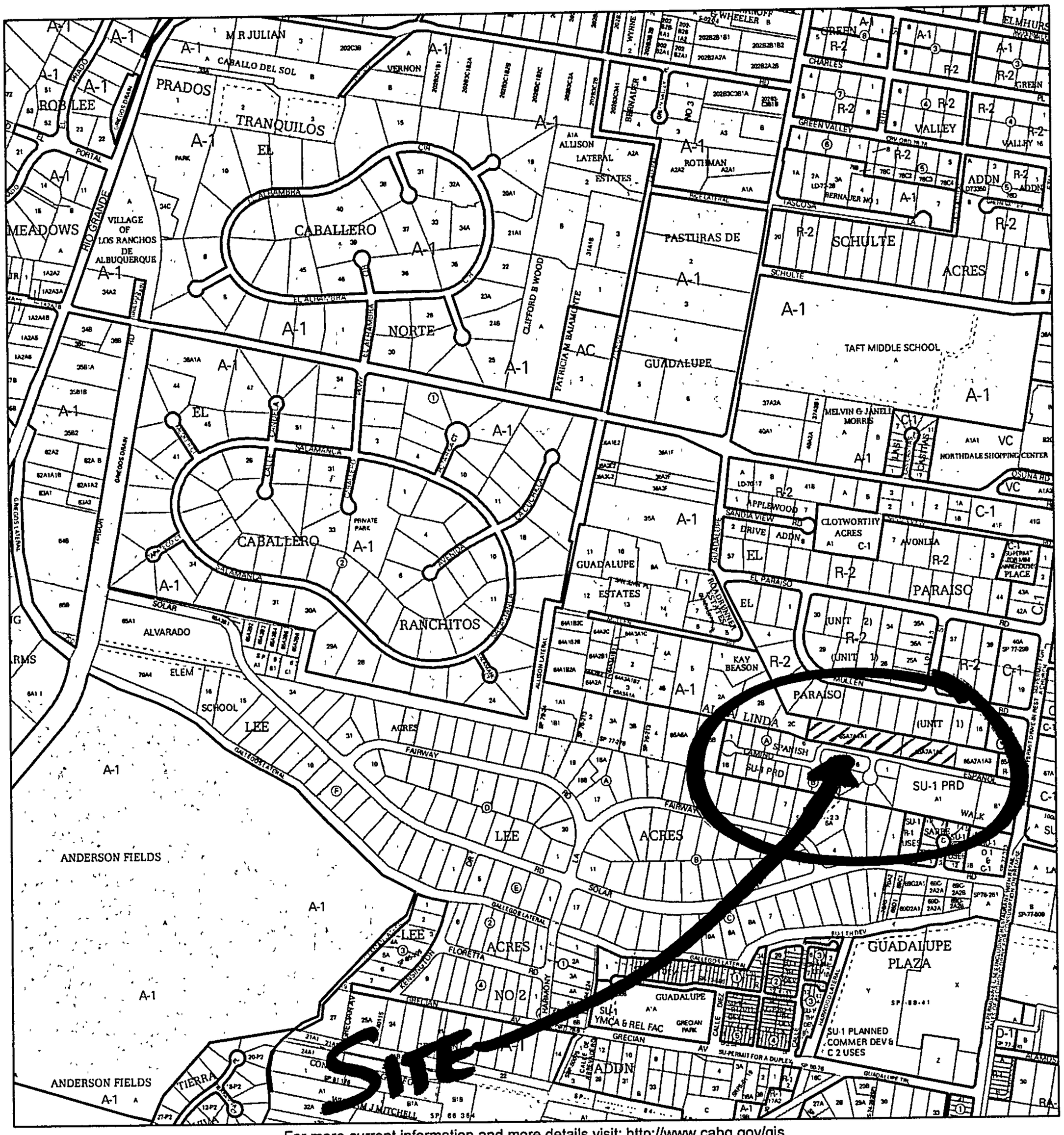
Form revised **October 2007**

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

Application case numbers
09DRB - 70177
___ - ___ - ___
___ - ___ - ___

Sandy Handley 05/19/09
Planner signature / date

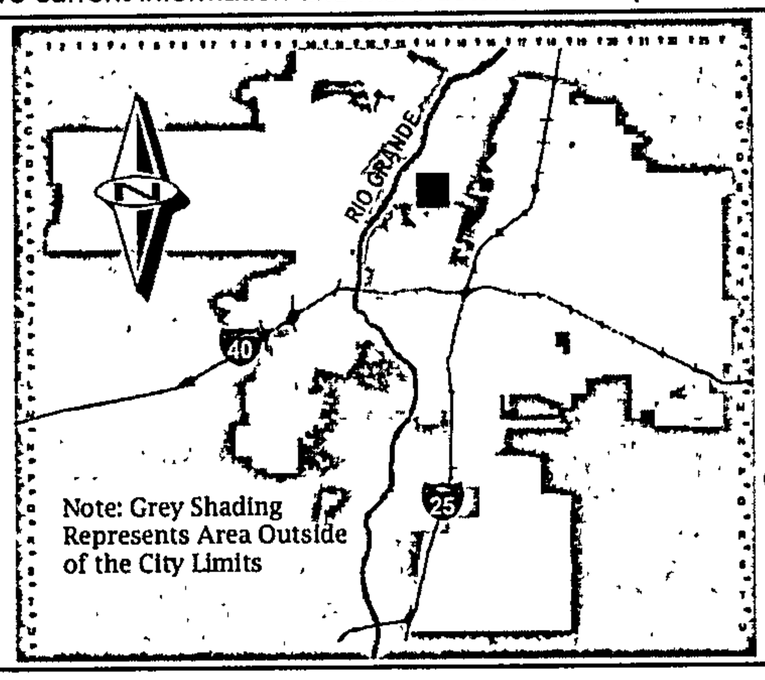
Project # 1007801



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

Albuquerque Geographic Information System

Map amended through: 3/10/2009



Zone Atlas Page:

E-14-Z

Selected Symbols

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

0 750 1,500 Feet

The Survey Office, LLC

*333 Lomas Blvd., NE * Albuquerque, New Mexico 87102 * 998-0303 * Fax 998-0305*

May 18, 2009

DEVELOPMENT REVIEW BOARD MEMBERS
PLAZA DEL SOL
600 SECOND STREET NW
ALBUQUERQUE, NM 87103

REF: LOTS 1 THROUGH 5, INCLUSIVE LANDS OF ROSS & JOYCE COX

Dear Board Members:

The Survey Office, LLC is requesting preliminary/final plat to divide two (2) existing M.R.G.C.D. tracts into five (5) new lots for the above referenced property.

The property owners have a recorded agreement with Spanish Walk Property Owners' Association in regards to road access and future development of this property (see attached agreement).

Currently the property is vacant, with no curb, gutter or sidewalks. Attached is a proposed drawing showing future development as defined in the agreement.

If you have any questions please feel free to contact me.

Sincerely,

Gary Maple

Gary Maple
President

IRB Project # NOT ASSIGNED YET

APS Cluster Valley

EXHIBIT B

FINAL
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and ROSS & JOYCE COX ("~~Developer~~ OWNER") effective as of this 2ND day of APRIL, 2009, and pertains to the subdivision commonly known as TRACTS 65A7A1A1 & 65A7A1A M.R.G.C.D. MAP 29, and more particularly described as LOTS 1 THROUGH 5, INCLUSIVE, LANDS OF ROSS & JOYCE COX WITHIN PROJECTED SECTION 29, T11N, R3E, N.M.P.M, ELENA GALLEGOS GRANT, CITY OF ALBQ, BERNALILLO COUNTY, NEW MEXICO.

(the "Subdivision".) The following individual lots comprise the subdivision:

[List lots by street address and new legal description; Lots which will be used for multi-family residences should be marked "multifamily- __ units" with the number of units filled in.]

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

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

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

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

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

Doc# 2009037483
04/08/2009 08:59 AM Page: 1 of 3
AGRE R:$13.00 M. Toulouse Oliver, Bernalillo County

RB Project # Not Assigned Yet

APS Cluster Valley

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

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.

2. The amount of the fee shall be:

- If the building permit is issued on or after January 1, 2007, the fee shall be $1875 per dwelling unit.
- If the building permit is issued on or after July 1, 2008, the fee shall be $2425 per dwelling unit.
- If the permit is issued on or after January 1, 2010, the fee shall be $2975 per dwelling unit.

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

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

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

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

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

ORB Project # NOT ASSIGNED YE

APS Cluster Valley

Signature

Ross A. Cox Joyce Cox

Name (typed or printed) and title

~~Developer~~ OWNER

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on April 2, 2009, by Ross & Joyce Cox as OWNER ~~of~~ ~~, a corporation~~

OFFICIAL SEAL
Sarah Amato
(Seal) NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 10-01-09

Sarah Amato

Notary Public

My commission expires: 10-01-09

ALBUQUERQUE PUBLIC SCHOOLS

By:

Signature

Kizito Wijenje, Director, Capital Master Plan

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on April 3, 2009, by Kizito Wijenje as Director of CMP of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

OFFICIAL SEAL
(Seal)
April L. Winters
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 5-18-2011

April L. Winters

Notary Public

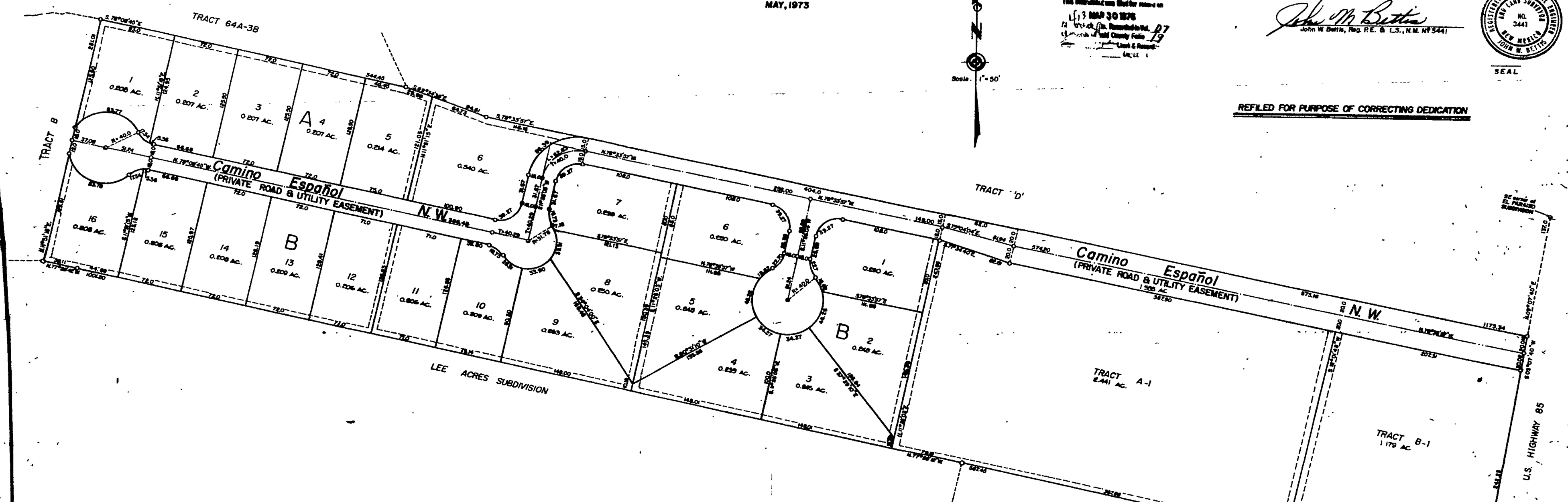
My commission expires: May 18 2011

1976017559

SPANISH WALK

A SUBDIVISION
IN
SEC. 29, T. 11 N., R. 3 E., N.M.P.M.
ALBUQUERQUE, BERNALILLO COUNTY,
NEW MEXICO
MAY, 1973

ENCHANTMENT ENGINEERING INC.



ENGINEERS CERTIFICATION

I, John W. Bettis, certify that I am a Registered Professional Engineer and Land Surveyor and that this plat was prepared from notes of a field survey made under my supervision and is true and correct to the best of my knowledge and belief.

John W. Bettis, Reg. P.E. & L.S., N.M. No. 3441

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR NO. 3441 NEW MEXICO JOHN W. BETTIS

SEAL

State of New Mexico, County of Bernalillo — This instrument was filed for record on MAY 25 1973 — Clerk & Recorder

State of New Mexico, County of Bernalillo — This instrument was filed for record on MAR 30 1976 — Clerk & Recorder

REFILED FOR PURPOSE OF CORRECTING DEDICATION

DESCRIPTION

Tract lettered A as shown on the plat showing lands of CHAVEZ HEIRS, MRGCD Map 29, filed in the office of the County Clerk of Bernalillo County on January 14, 1972, hereinafter known as SPANISH WALK, A SUBDIVISION and more particularly described as follows:

Beginning at the NE corner of the tract herein described from which the SE corner of the EL PARAISO SUBDIVISION bears N 09°07'40"E, 137.0 feet; thence from the point of beginning on the Westerly right-of-way of U.S. Highway 85 S 09°07'40"W, 282.28 feet; thence N 77°50'35"W, 587.45 feet; thence N 77°58'12"W, 1001.20 feet; thence N 77°59'42"W, 38.11 feet; thence N 11°51'15"E, 281.01 feet; thence S 78°08'45"E, 344.45 feet; thence S 69°34'38"E, 94.61 feet; thence S78°33'57"E, 875.34 feet to the point of beginning and containing 10.277 acres more or less.

DEDICATION

The subdivision of that certain tract of land as described, is with the free consent and in accordance with the desires of the undersigned owners and proprietors thereof and said owners and proprietors do hereby dedicate easements for throughfares shown hereon, together with easements for electric power and telephone lines on the rear seven (7) feet of each lot and also easements as shown on this plat, including easements for overhead, underground and buried service wires and including the rights of egress, ingress and the right to trim or remove interfering trees.

JANET M. LEPPKE

State of New Mexico
County of Bernalillo ss

On this 15th day of May, 1973, the foregoing instrument was acknowledged before me by Janet M. Leppke, owner and proprietor of hereon described tract of land.

My commission expires 14 April 1976

Notary Public

SEAL

TAX SEARCH:

We hereby certify that all taxes to and including 1972, are paid.

New Mexico Title Co. By: Elizabeth C. Martinez
Trust Officer

NOTES:

1. LEGAL DESCRIPTIONS FOR TRACTS OF LAND IN THIS SUBDIVISION SHALL READ AS FOLLOWS: Lot numbered "(Lk)" in Block lettered "(Bk)" of SPANISH WALK, a subdivision in Albuquerque, New Mexico, as the same is shown and designated on the Plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on _____.
2. All easements shown are for the use of public utilities.
3. Unless otherwise shown, lot boundary lines are perpendicular to street right-of-way lines which they intersect.
4. Unless otherwise shown, all block corner radii are 25 feet with an arc length of 39.27 feet.

APPROVALS:

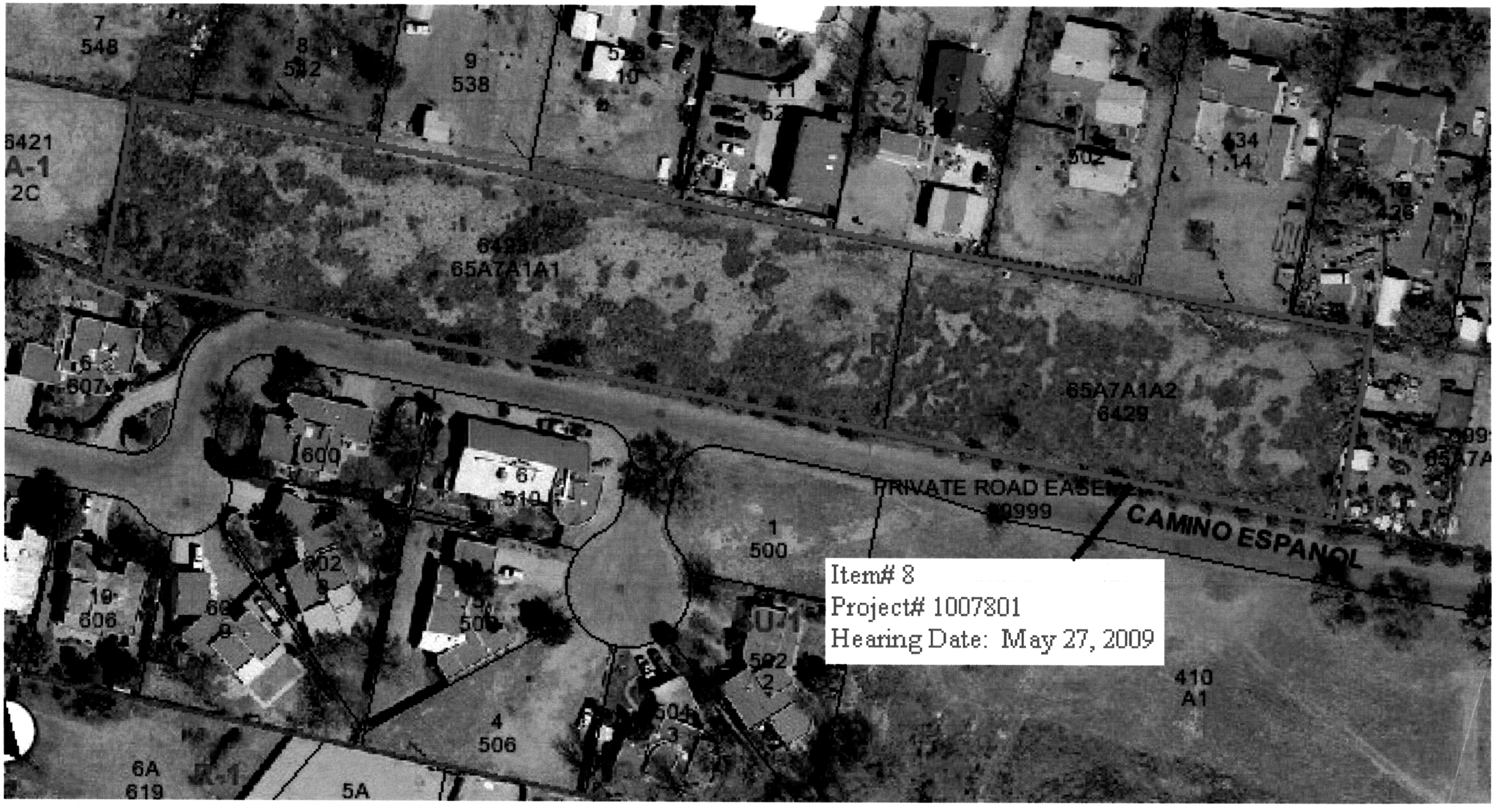
City Engineer, city of Albuquerque, New Mexico	5-17-73 Date
Traffic Engineer, city of Albuquerque, New Mexico	May 11 1973
Parks and Recreation Dept., City of Albuquerque, New Mexico	16 May 1973
Mountain States Telephone & Telegraph Co.	15 May 73
Public Service Co. of New Mexico	5-15-73
Southern Union Gas Co.	5-15-73
Chairman, Planning Commission	5-14-73
Executive Secretary, Planning Commission	5-17-73

Solazar 2436796 6797

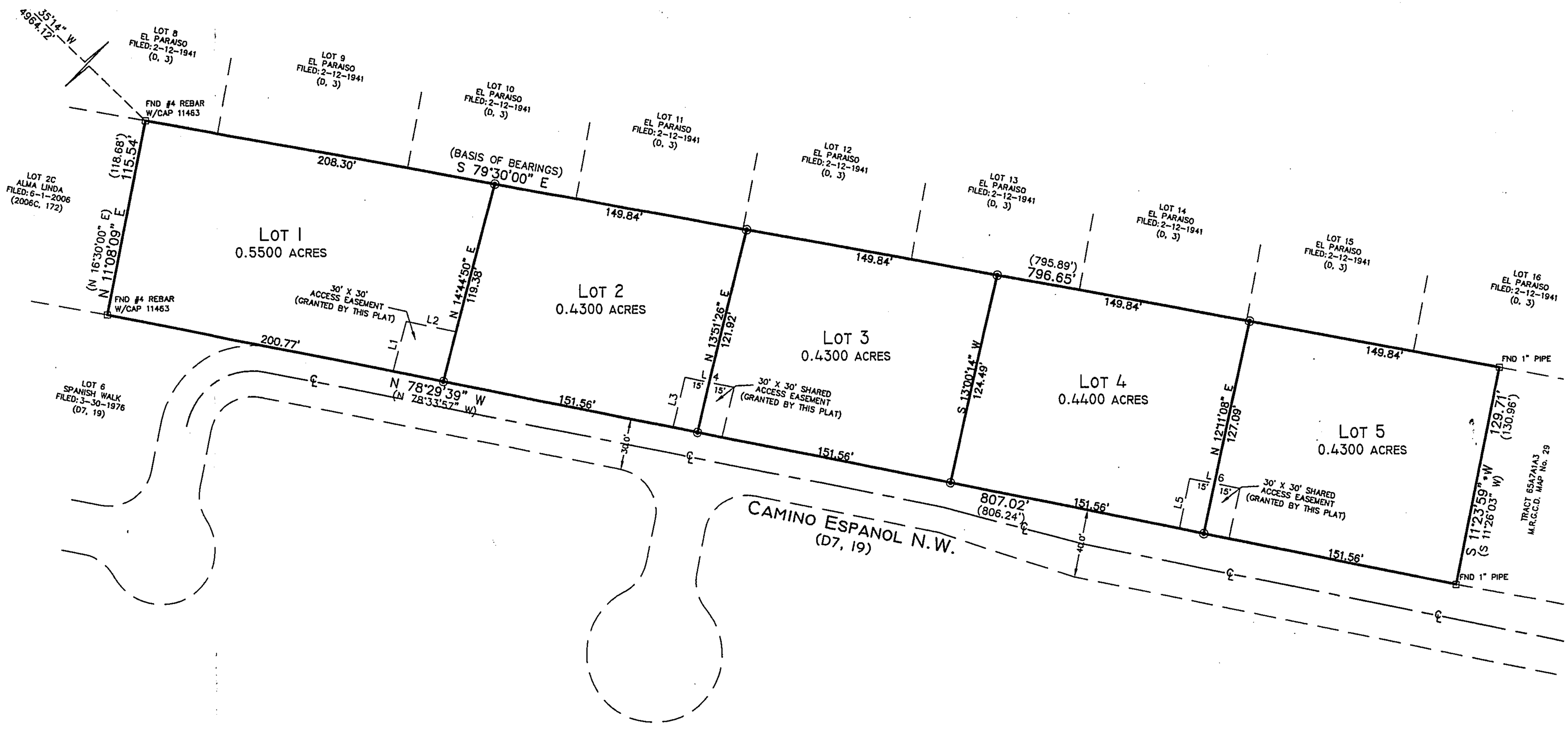
I, Gissie Settignol, City Clerk for the city of Albuquerque, New Mexico, do hereby certify that the plat of SPANISH WALK, a subdivision within the city of Albuquerque New Mexico, upon which this certificate appears, was approved for filing by the City Commission of Albuquerque, at its meeting on the 21st day of May, 1973.

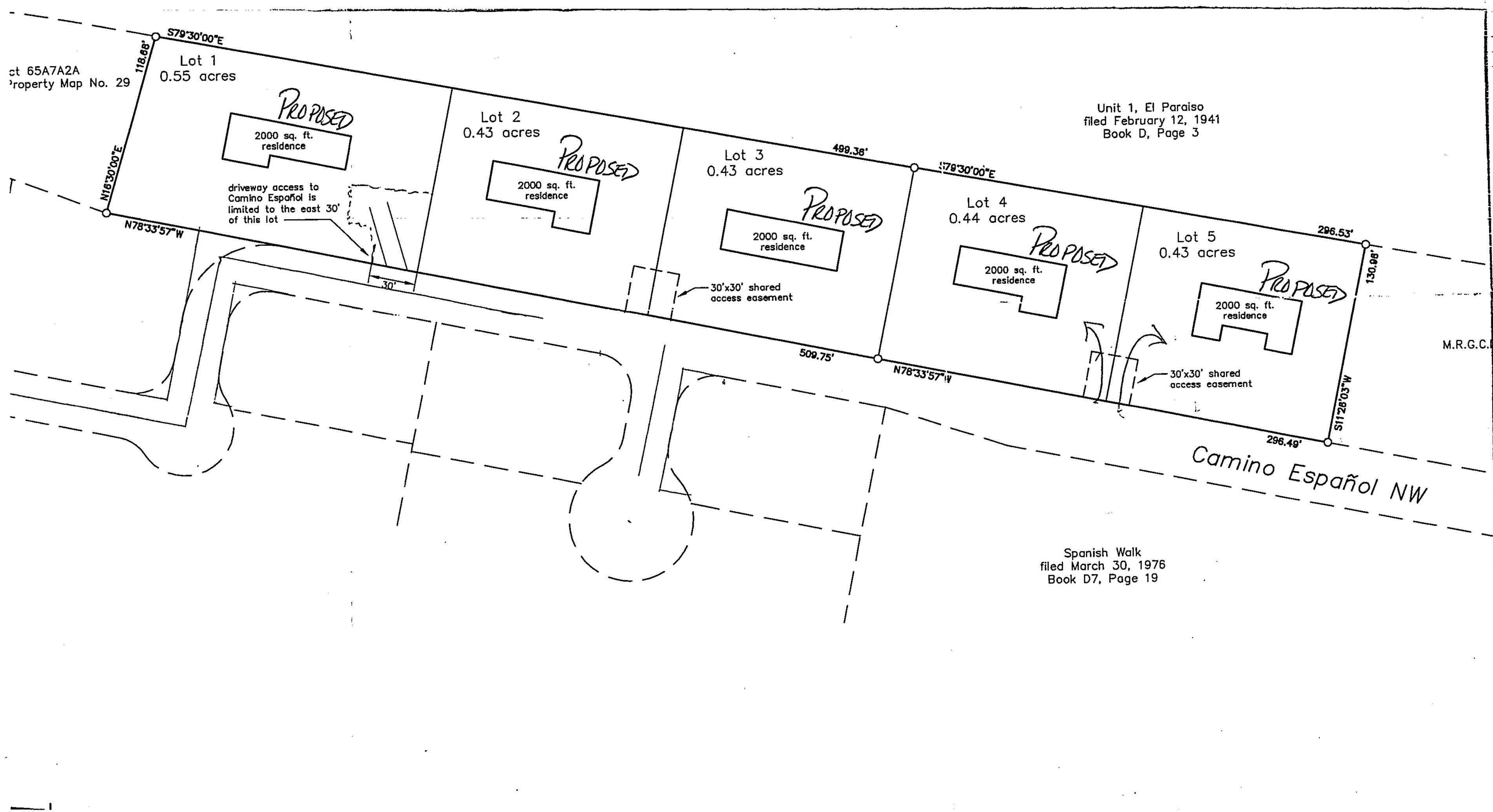
City Clerk

07-79



Item# 8
Project# 1007801
Hearing Date: May 27, 2009


35°14" W
4964.12'
LOT 8
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 9
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 10
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 11
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 12
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 13
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 14
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 15
EL PARAISO
FILED: 2-12-1941
(D, 3)
LOT 16
EL PARAISO
FILED: 2-12-1941
(D, 3)
FND #4 REBAR
W/CAP 11463
LOT 2C
ALMA LINDA
FILED: 6-1-2006
(2006C, 172)
(118.68')
115.54'
(N 16°30'00" E)
N 11°08'09" E
208.30'
(BASIS OF BEARINGS)
S 79°30'00" E
149.84'
149.84'
(795.89')
796.65'
149.84'
149.84'
LOT 1
0.5500 ACRES
30' X 30'
ACCESS EASEMENT
(GRANTED BY THIS PLAT)
L2
L1
N 14°44'50" E
119.38'
LOT 2
0.4300 ACRES
N 13°51'26" E
121.92'
LOT 3
0.4300 ACRES
S 13°00'14" W
124.49'
LOT 4
0.4400 ACRES
N 12°11'08" E
127.09'
LOT 5
0.4300 ACRES
FND 1" PIPE
129.71'
(130.96')
S 11°23'59" W
(S 11°26'03" W)
TRACT 65A7A1A3
M.R.C.C.D. MAP No. 29
FND 1" PIPE
200.77'
N 78°29'39" W
(N 28°33'57" W)
151.56'
151.56'
151.56'
151.56'
151.56'
L3
L4
15'
15'
30' X 30' SHARED
ACCESS EASEMENT
(GRANTED BY THIS PLAT)
L5
L6
15'
15'
30' X 30' SHARED
ACCESS EASEMENT
(GRANTED BY THIS PLAT)
807.02'
(806.24')
40'0"
30'0"
LOT 6
SPANISH WALK
FILED: 3-30-1976
(D7, 19)
CAMINO ESPANOL N.W.
(D7, 19)


ct 65A7A2A
Property Map No. 29
S79°30'00"E
118.68'
N16°30'00"E
N78°33'57"W
Lot 1
0.55 acres
PROPOSED
2000 sq. ft.
residence
driveway access to
Camino Español is
limited to the east 30'
of this lot
30'
Lot 2
0.43 acres
PROPOSED
2000 sq. ft.
residence
Lot 3
0.43 acres
PROPOSED
2000 sq. ft.
residence
30'x30' shared
access easement
489.36'
S79°30'00"E
Lot 4
0.44 acres
PROPOSED
2000 sq. ft.
residence
Lot 5
0.43 acres
PROPOSED
2000 sq. ft.
residence
296.53'
130.98'
M.R.G.C.
509.75'
N78°33'57"W
30'x30' shared
access easement
S11°28'03"W
296.49'
Camino Español NW
Unit 1, El Paraiso
filed February 12, 1941
Book D, Page 3
Spanish Walk
filed March 30, 1976
Book D7, Page 19