



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 5, 2014

Project# 1008589

14DRB-70036 - 2YR SUBDIVISION IMPROVEMENT AGREEMENT EXTENSION
(2YR SIA)

ESMAIL Haidari requests the referenced/ above action for **LA VISTA AT DESERT RIDGE TRAILS**, zoned RD, located on the west side of WYOMING BLVD NE between EAGLE ROCK AVE NE and MODESTO AVE NE containing approximately 2.3961 acres. (C-19)

At the March 5, 2014 Development Review Board meeting, a six month extension of the Subdivision Improvements Agreement (SIA) was approved.

If you wish to appeal this decision, you must do so by March 20, 2014, in the manner described below.

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

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

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

Jack Cloud, DRB Chair


Cc: ESMail Haidari
File

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




7. **Project# 1004428**
12DRB-70355 EXT OF MAJOR
PRELIMINARY PLAT
- MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for ALBUQUERQUE RIO BRAVO PARTNERS request(s) the above action(s) for all or a portion of Lot(s) TR-RR-3-A-RR-3-E, **WESTLAND SOUTH** zoned SU-1/C-1/R-LT, located on DENNIS CHAVEZ BETWEEN MEADE AND 118TH ST containing approximately 98.907 acre(s). (P-9) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**
8. **Project# 1005141**
12DRB-70328 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
12DRB-70342 VACATION OF PRIVATE
EASEMENT
- CARTESIAN SURVEYS INC agent(s) for CALVARY CHAPEL EAST, request(s) the above action(s) for all or a portion of Tract(s) L-1-A, L-1-B & L-1-C, **PANORAMA HEIGHTS** zoned O-1, located on INDIAN SCHOOL BETWEEN EASTRIDGE AND CONSTITUTION containing approximately 7.677 acre(s). (J-22) *[Deferred from 11/14/12]* **DEFERRED TO 12/5/12 AT THE AGENT'S REQUEST.**
9. **Project# 1008589**
12DRB-70212 MAJOR - FINAL PLAT
APPROVAL
- CARTESIAN SURVEYS INC agent(s) for ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Lot(s) 15, 16 & PORTIONS OF LOT 18, Block(s) 1, **NORTH ALBUQUERQUE ACRES TRACT 2, UNIT 3 Unit(s) 3**, zoned R-D YDU/A, located on PINON VISTA BETWEEN MODESTO AND EAGLE CREST containing approximately 2.3961 acre(s). (C-19) *[Deferred from 8/1/12, 8/15/12]* **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR 22 FT. PRIVATE ACCESS EASEMENT, AGIS DXF, UTILITY SIGNATURES AND REVIEW BY CITY ATTORNEY.**
- NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING**
10. **Project# 1009505**
12DRB-70351 SKETCH PLAT REVIEW
AND COMMENT
- ALBUQUERQUE SURVEYING COMPANY INC. agent(s) for CANDELARIO CHAVEZ request(s) the above action(s) for all or a portion of Lot(s) 262 & 263A3, **MRGCD PROPERTY MAP 37** zoned S-R, located on 10TH ST BETWEEN MOUNTAIN AND 11TH AND FORRESTER containing approximately .1914 acre(s). (J-13) *[Deferred from 11/14/12]* **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**
11. Other Matters: None

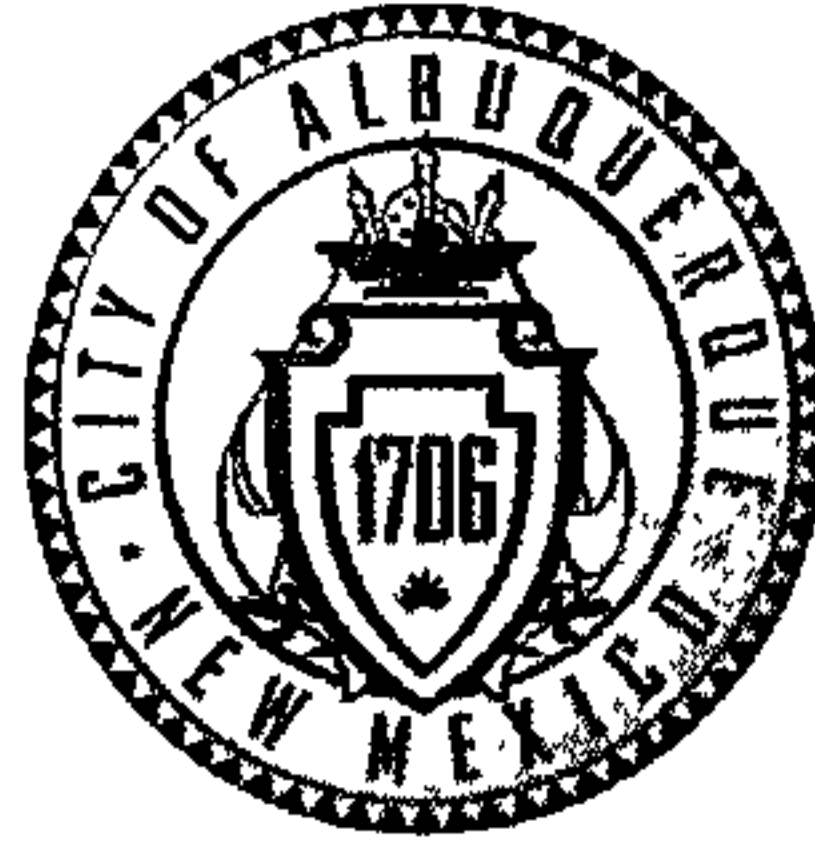
ADJOURNED: 9:45

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

3. **Project# 1009359**
12DRB-70305 EPC APPROVED SDP
FOR BUILD PERMIT 
- ARIA ARCHITECTURE LLC agent(s) for PEAK MOTION PHYSICAL THERAPY request(s) the above action(s) for all or a portion of Lot(s) 20A, Block(s) 10, Tract(s) 2, **NORTH ALBUQUERQUE ACRES Unit(s) 3**, zoned SU-2 MIXED USE, located on HOLLY AVE NE BETWEEN LOUISIANA AND WYOMING containing approximately .5907 acre(s). (C-19)**DEFERRED TO 10/10/12 AT THE AGENT'S REQUEST.**

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

4. **Project# 1008589**
12DRB-70306 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
- ESMAIL HAIDARI request(s) the above action(s) for all or a portion of Lot(s) 15, 16, & PORTION OF 18, Block(s) 1, Tract(s) 2, **TRACT 2 Unit(s) 3**, zoned RD, located on WYOMING BLVD NE BETWEEN EAGELROCK AVE NE AND MODESTO AVE NE containing approximately 2 acre(s). (C-19)**INDEFINITELY DEFERRED.**
5. **Project# 1009328**
12DRB-70301 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
- PRECISION SURVEYS INC agent(s) for RAFAEL H. VIGIL request(s) the above action(s) for all or a portion of Lot(s) 35, **CRESTVIEW PATIO HOMES** zoned SU-1/PRD, located on 9101 OSUNA PL NE containing approximately .25 acre(s). (F-20) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING TO RECORD.**
6. **Project# 1009406**
12DRB-70304 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
- DOUG SMITH SURVEYING agent(s) for PERCY & KATHY LEYBA request(s) the above action(s) for all or a portion of Lot(s) 16-19, Block(s) 3, **MESA VERDE ADDN** zoned C-2, located on TENNESSEE ST NE BETWEEN CENTRAL AVE NE AND CHICO NE containing approximately .3099 acre(s). (K-19) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF AND UTILITY COMPANY SIGNATURES.**



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

DEBBIE BAUMAN/ JOHN MAKENZIE -	Transportation Development
SHABIH RIZVI - KENDRA WATKINS/ ANDREW GINGERICH -	Transit & Parking Department
LYNN MAZUR - STEVE SINK - SUSANNAH ABBEY - ANTONIO CHINCHILLA - DAVID KILPATRICK - STEPHANI WINKLEPLECK - DANIEL ARAGON - PATRICK SANCHEZ - APRIL WINTERS - MICHELE RAMIREZ - MIKE MORTUS - RAY GOMEZ -	Council of Governments AMAFCA APD Crime Prevention Open Space Division Fire Department Zoning Enforcement Inspector Neighborhood Coordination Public Service Company of New Mexico New Mexico Gas Company Albuquerque Public Schools CenturyLink Comcast Cable Middle Rio Grande Conservancy District (MRGCD)
SUZANNE BUSCH -	Environmental Health

Your comments on the following case(s) are requested. Board hearing date:

PROJECT # 1008589

WEDNESDAY, March 5, 2014

Comments must be received by:

Monday, March 3, 2014

If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests. **If you have any questions, please contact me at 924-3946 or agomez@cabq.gov**



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Esmail Haidari PHONE: 250-6088
 ADDRESS: 12008 Gazelle Place NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: esmailhaidari@yahoo.com
 APPLICANT: Agent/Owner PHONE: _____
 ADDRESS: Same as above FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvement Agreement (SIA)

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. Lots 15 & 16 (Now Lots 1-10) Block: 1 Unit Tr2, Unit 3
 Subdiv/Addn/TBKA: North Albuquerque Acres/La Vista @ Desert Ridge
 Existing Zoning: RD Proposed zoning: RD MRGCD Map No. _____
 Zone Atlas page(s): C-19 UPC Code: 101906423851521918
101906425351521917

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 1003655, 1008589.

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 10 No. of proposed lots: 10 Total site area (acres): 2.0
 LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd NE
 Between: Eagle Rock NE and Modesto NE

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

SIGNATURE Esmail Haidari DATE 3-7-2014
 (Print Name) Esmail Haidari 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
<u>14DRB -70036</u>	<u>SIA</u>	_____	<u>\$ 50.00</u>
_____	<u>ADY</u>	_____	<u>\$ 75.00</u>
_____	<u>CME</u>	_____	<u>\$ 20.00</u>
_____	_____	_____	<u>\$ _____</u>
_____	_____	_____	<u>\$ _____</u>
Total			<u>\$ 145.00</u>

Hearing date March 5, 2014

Vaf 2-7-14
 Staff signature & Date

Project # 1008589

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

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

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Esmail Hardari
 Esmail Hardari
 Feb 07, 14

Applicant name (print)
 Applicant signature / date



Form revised October 2007

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

Application case numbers
 14DRB - 70036

Venja 2-7-14
 Planner signature / date
 Project # 1008589

*** CORRECTION PLAT ***
Plat for

La Vista at Desert Ridge Trails
 (Being a Replat of Lots 15, 16 and a Portion of Lot 18, Block 1, North Albuquerque Acres Tract 2, Unit 3 and A Portion of A.M.A.F.C.A. Right of Way)

Within
Section 18, Township 11 North, Range 4 East
New Mexico Principal Meridian
As Projected in The Elena Gallegos Grant
City of Albuquerque
Bernalillo County, New Mexico

July 2012

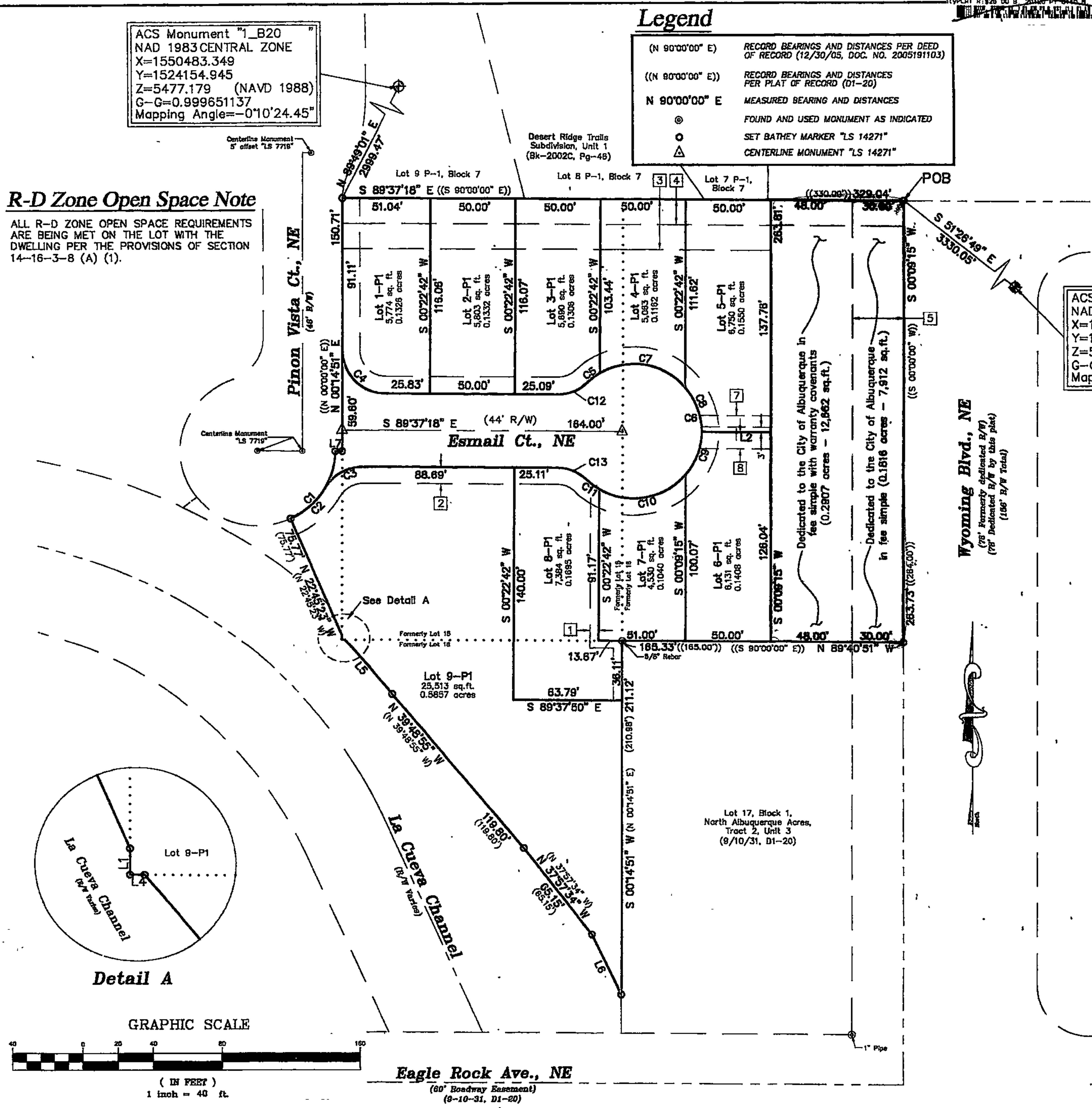
ACS Monument "7_C19"
 NAD 1983 CENTRAL ZONE
 X=1550417.138
 Y=1522068.520
 Z=5485.723 (NAVD 1988)
 G-G=0.999650745
 Mapping Angle=-0°10'24.78"

Legend

- (N 90°00'00" E) RECORD BEARINGS AND DISTANCES PER DEED OF RECORD (12/30/05, DOC. NO. 2005191103)
- ((N 90°00'00" E)) RECORD BEARINGS AND DISTANCES PER PLAT OF RECORD (D1-20)
- N 90°00'00" E MEASURED BEARING AND DISTANCES
- ⊙ FOUND AND USED MONUMENT AS INDICATED
- SET BATHEY MARKER "LS 14271"
- △ CENTERLINE MONUMENT "LS 14271"

ACS Monument "1_B20"
 NAD 1983 CENTRAL ZONE
 X=1550483.349
 Y=1524154.945
 Z=5477.179 (NAVD 1988)
 G-G=0.999651137
 Mapping Angle=-0°10'24.45"

R-D Zone Open Space Note
 ALL R-D ZONE OPEN SPACE REQUIREMENTS ARE BEING MET ON THE LOT WITH THE DWELLING PER THE PROVISIONS OF SECTION 14-16-3-8 (A) (1).



LINE TABLE

LINE	LENGTH	BEARING
L1	3.10'	N 00°14'51" E
L2	40.54'	S 89°50'45" E
L4	1.66'	N 89°37'50" W
L5	43.10' (43.10')	N 39°39'16" W (N 39°39'16" W)
L6	39.44' (39.44')	N 25°59'21" W (N 25°59'21" W)
L7	4.00' (4.00')	S 89°37'35" E (S 89°37'35" E)

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	(50.55') 50.55'	(45.00')	45.00'	84°21'30"	47.93' N 32°32'36" E
C2	27.47'	45.00'	34°58'28"	27.04'	N 47°14'7" E
C3	26.46'	25.00'	60°38'29"	25.24'	S 60°4'8" W
C4	39.21'	25.00'	89°51'25"	35.31'	S 44°40'51" E
C5	9.56'	40.00'	13°41'27"	9.54'	S 53°31'59" W
C6	186.67'	40.00'	267°22'51"	57.85'	N 0°22'41" E
C7	54.87'	40.00'	78°35'25"	50.67'	N 80°18'35" W
C8	28.75'	40.00'	41°11'7"	28.14'	N 20°26'19" W
C9	28.08'	40.00'	40°13'30"	27.51'	N 20°16'0" E
C10	55.81'	40.00'	79°56'40"	51.39'	N 80°21'6" E
C11	9.60'	40.00'	13°44'41"	9.57'	S 52°48'14" E
C12	19.07'	25.00'	43°42'12"	18.61'	N 68°32'21" E
C13	19.06'	25.00'	43°40'44"	18.60'	N 67°46'15" W

Easement Notes

- 1 5' PRIVATE SEWER EASEMENT BENEFITING LOT 17 AND TO BE MAINTAINED BY LOTS 8-P1 AND 17 GRANTED WITH THE FILING OF THIS PLAT
- 2 10' P.U.E. TO BE GRANTED WITH THE FILING OF THIS PLAT
- 3 EXISTING 30' ROADWAY EASEMENT (9-10-31, D-21) (PORTION OF EXISTING MODESTO AVENUE N.E. TO BE VACATED BY THIS PLAT)
- 4 15' PUBLIC STORM DRAIN EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT TO BE MAINTAINED BY THE INDIVIDUAL LOT OWNER
- 5 EXISTING 30' ROADWAY EASEMENT (9-10-31, D-20)
- 6 OMITTED
- 7 7' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
- 8 10' WATER UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT

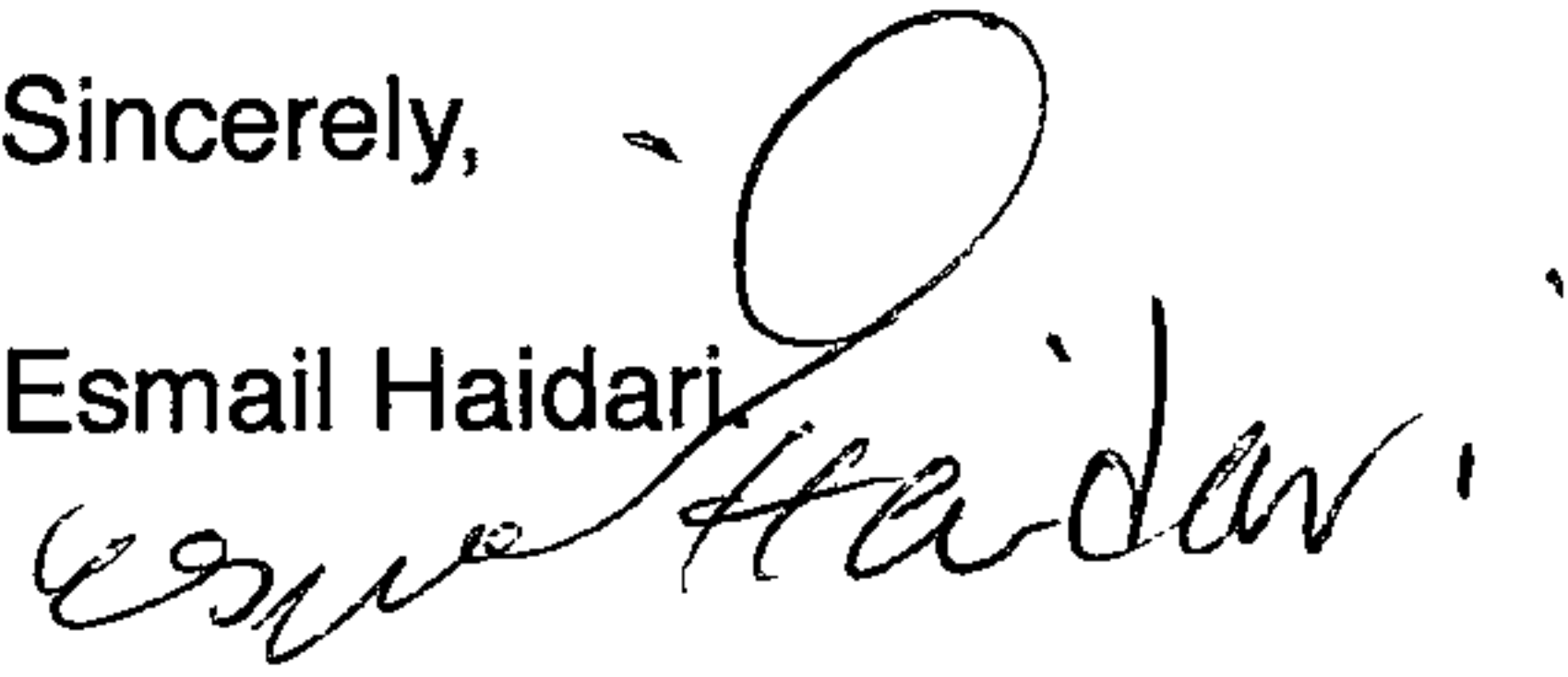
Mr. Jack Cloud
DRB Chairman
City of Albuquerque
P.O.Box 1293
Albuquerque, New Mexico 87102
La Vista @ Desert Ridge Trails Subdivision: DRB NO: 1008589

Subject: Extension of Subdivision improvement Agreement (SIA) for La Vista @ Desert Ridge Trails Subdivision.

I am hereby requesting a two years extension of the subdivision Improvement agreement (SIA) to complete all the offsite improvement along Wyoming Blvd. fronting lots 5 and 6 of the La Vista.

Sincerely,

Esmail Haidari

A handwritten signature in black ink, appearing to read "Esmail Haidari". The signature is written in a cursive style with a large, looping initial "E".

12008 Gazelle PL NE
Albuquerque NM 87111

Phon # 505 250-6088
email: esmailhaidari@yahoo.com

Project Number _____

FIGURE 12

Date Submitted 4-18-12
 Date Site Plan Approved _____
 Date Preliminary Plat Approved _____
 Date Preliminary Plat Expires _____
 DRB Project No _____
 DRB Application No _____

ORIGINAL

INFRASTRUCTURE LIST

(Rev. 9-20-05)

EXHIBIT "A"

**TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
 La Vista at Desert Ridge Trails Subdivision**

PROPOSED NAME OF PLAT AND/OR CITY DEVELOPMENT PLAN

Lots 15 and 16, Block 1, Tract 2, Unit 3, NAA and a portion of lot 18, Block 1, Tract 2, Unit 3. NAA

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Cnst Engineer
		28' FF	residential pavement, Curb and Gutter	Esmail Court	West PL	Culde Sac	/	/	/
		4	Side walks both sides	Esmail Court	West PL	Culde Sac	/	/	/
		8	Sanitary Sewer	Esmail Court	West PL	End of Culde Sac	/	/	/
		6"	Water line	Esmail Court	Wyoming Blvd	5' West of lot 1, East PL	/	/	/
		2500	Earth Work	Entire Subdivision			/	/	/
		80 LF	5' Retaining Wall	Wyoming	NE Cor	SE Cor	/	/	/
		4'	Side walk	Pinon Vista Ct Cul-De-Sac	Esmail Ct. SE	Existing Sidewalk (Approx 10' west of rundown)	/	/	/
		30' F-F	Perm pavement Curb and Gutter 6' side walk West side	Wyoming	NE Cor	SE Cor	/	/	/
			Side walk deferred				/	/	/

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification					
							Private Inspector	P.E.	City Cnst Engineer			
<input type="text"/>	<input type="text"/>											
<input type="text"/>	<input type="text"/>											
							Approval of Creditable Items:		Approval of Creditable Items:			
							Impact Fee Administrator Signature Date		City User Dept. Signature		Date	

NOTES

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA
Street lights per City requirements.

- 1 _____
- 2 _____
- 3 _____

~~XXXXX~~ / OWNER

Esmail Haidari

NAME (print)

Owner

FIRM

Esmail Haidari Apr 18 2012

SIGNATURE - date

Esmail Haidari

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

[Signature] 4-18-12
DRB CHAIR - date

Carol S. Dumont 4-18-12
PARKS & RECREATION - date

[Signature] 04-18-12
TRANSPORTATION DEVELOPMENT - date

AMATCA - date

Allen Porter 04/18/12
UTILITY DEVELOPMENT - date

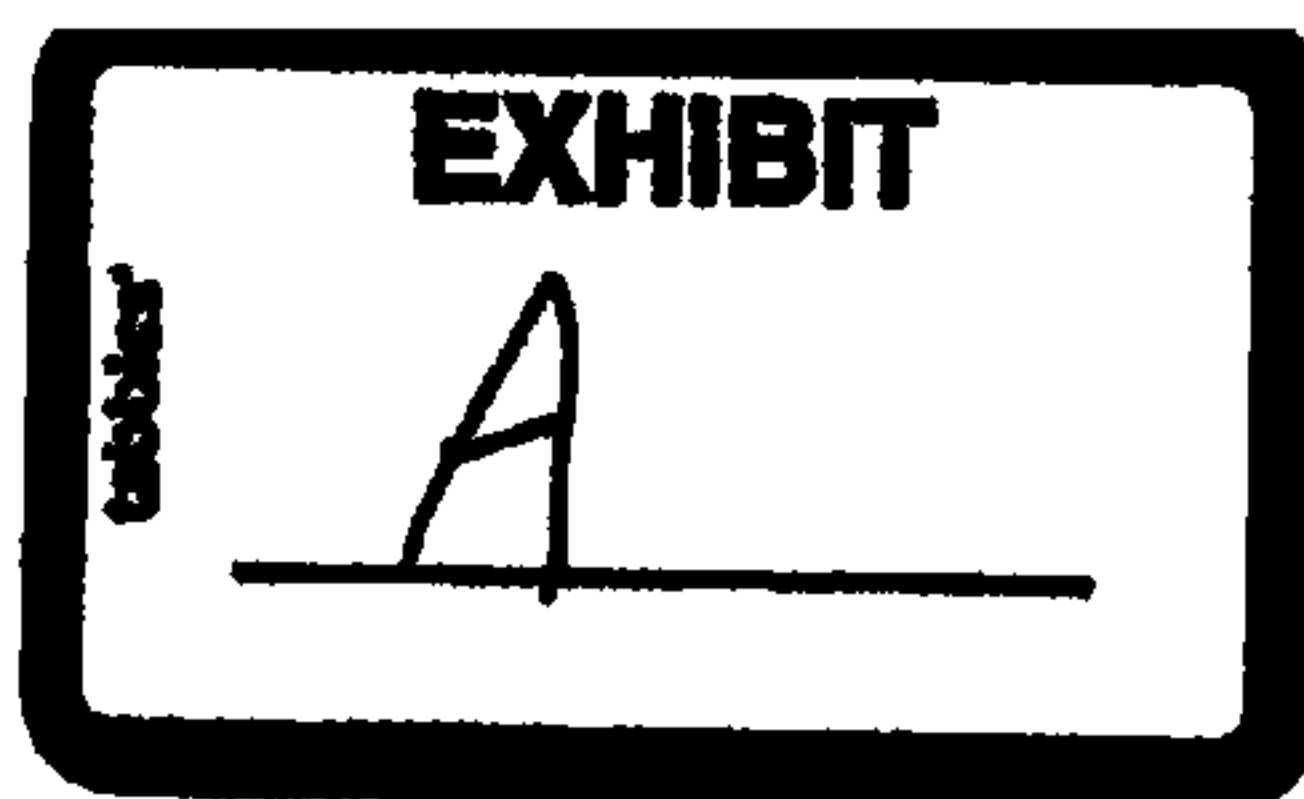
_____ - date

Antonia G. Chew 4-18-12
CITY ENGINEER - date

_____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 9, 2011

Project# 1008589

10DRB-70327 VACATION OF PUBLIC RIGHT-OF-WAY
10DRB-70328 VACATION OF PUBLIC EASEMENT
10DRB-70329 MINOR - TEMPORARY DEFERRED SIDEWALK CONST
10DRB-70330 MAJOR - PRELIMINARY PLAT APPROVAL

ESMAIL HAIDARI request(s) the referenced/ above action(s) for all or a portion of Lot(s) 15, 16, AND 18, Block 1, **NORTH ALBUQUERQUE ACRES Tract 2, Unit 3**, zoned R-D, located on the west side of WYOMING BLVD NE between EAGLE ROCK NE and MODESTO AVE NE containing approximately 2.3961 acre(s). (C-19)

At the March 9, 2011 Development Review Board meeting, the vacations were approved as shown on Exhibit 'B' in the Planning file, based on the following Findings:

Findings

The Subdivision Ordinance, Sections 14-14-7-2(B)(1) & (3), specify that a vacation may be approved only when the following items are determined:

The public welfare is in no way served by retaining the way or easement;

The City of Albuquerque does not need to utilize the existing Public Roadway Easement for roadway purposes based on the proposed subdivision, and AMAFCA has quit claimed the Public Drainage Easement because it is not needed.

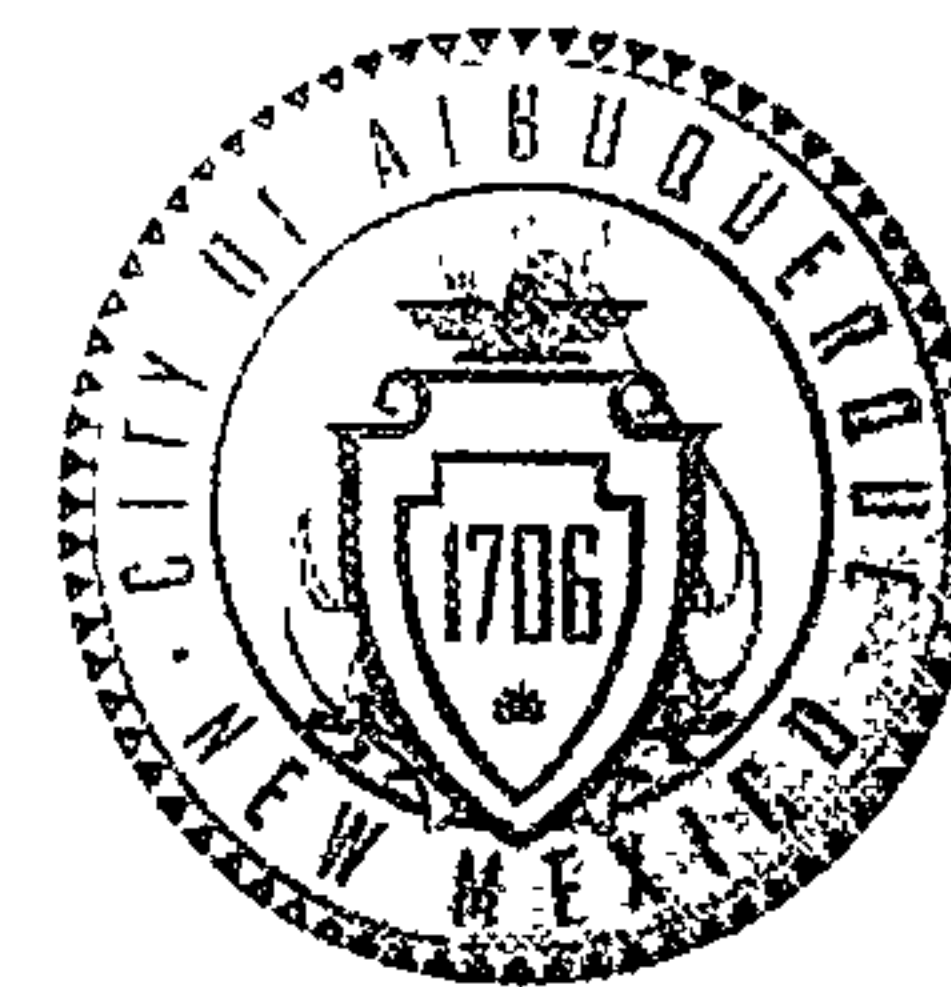
There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

CITY OF ALBUQUERQUE



September 4, 2012

PARTIAL CERTIFICATE OF COMPLETION AND ACCEPTANCE

Esmail Haidari, Managing Member
SENEMAR, LLC
12008 Gazelle Place
Albuquerque, NM 87111

RE: **LA VISTA @ DESERT TRAILS**
Project Number: **784882**

Dear: Mr. Haidari:

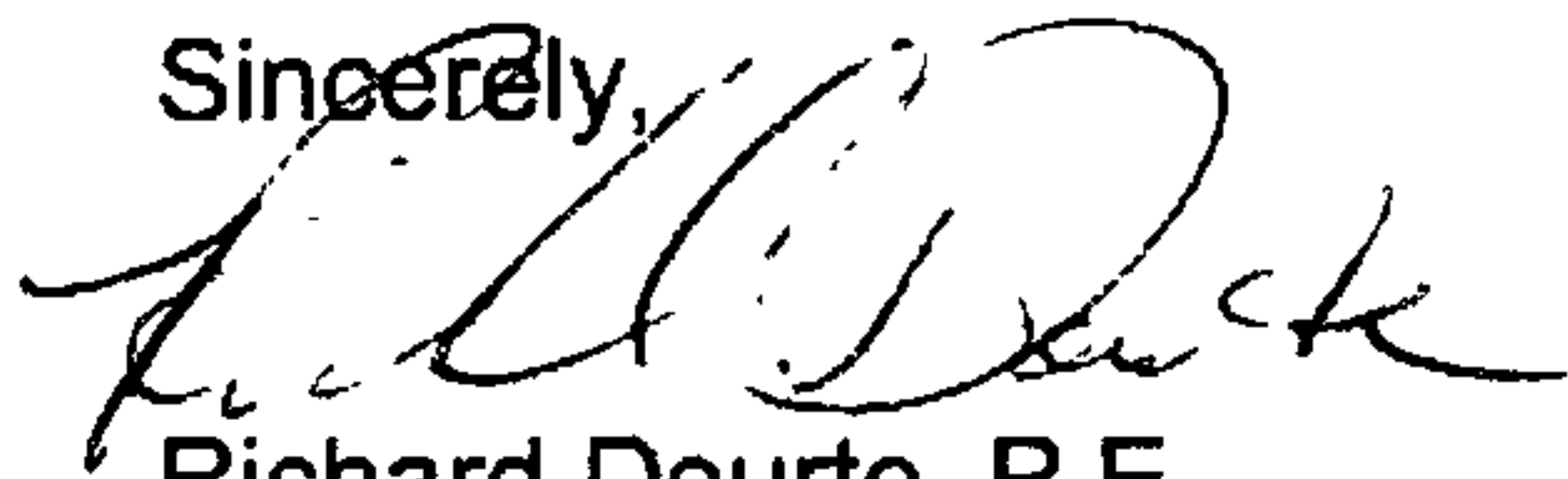
This is to certify that the City of Albuquerque partially accepts the construction of the infrastructure provided in the Work Order Construction Plans, City Project No. **784882**. The work was completed pursuant to the required infrastructure listed in the Subdivision Improvements Agreement (SIA) Procedure B, between **La Vista @ Desert Trails** and the City of Albuquerque executed on **February 24, 2012**.


Having satisfied the requirements referenced above, the SIA and any associated Financial Guaranty, held by the City, can now be partially released. Any performance/warranty bond and the indemnity and hold harmless provisions of the SIA in favor of the City shall remain in effect. The contractor's warranty period will begin **September 4, 2012** and is effective for a period of one (1) year.

Please be advised this Partial Certificate of Completion and Acceptance shall only become effective upon final plat approval and filing in the Bernalillo County Clerk's office.

Should you have any questions or issues regarding this project, please contact me at (505) 924-3996.

Sincerely,


Richard Dourte, P.E.
City Engineer
Development & Building Services
Planning Department


9-4-12

9-4-2012

cc: **Thompson Engineering** (e-mail)
Sundance Mechanical (e-mail)
Vincent Paul, DMD Maps & Records (e-mail)
David Zamora, DMD Street Maintenance (e-mail)
Phillip Romo, DMD Street Maintenance (e-mail)
David Rodriguez, ABCWUA Maps & Records (e-mail)
Martin Sanchez, ABCWUA Maps & Records (e-mail)
SIA File, City Project Number **784882**

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

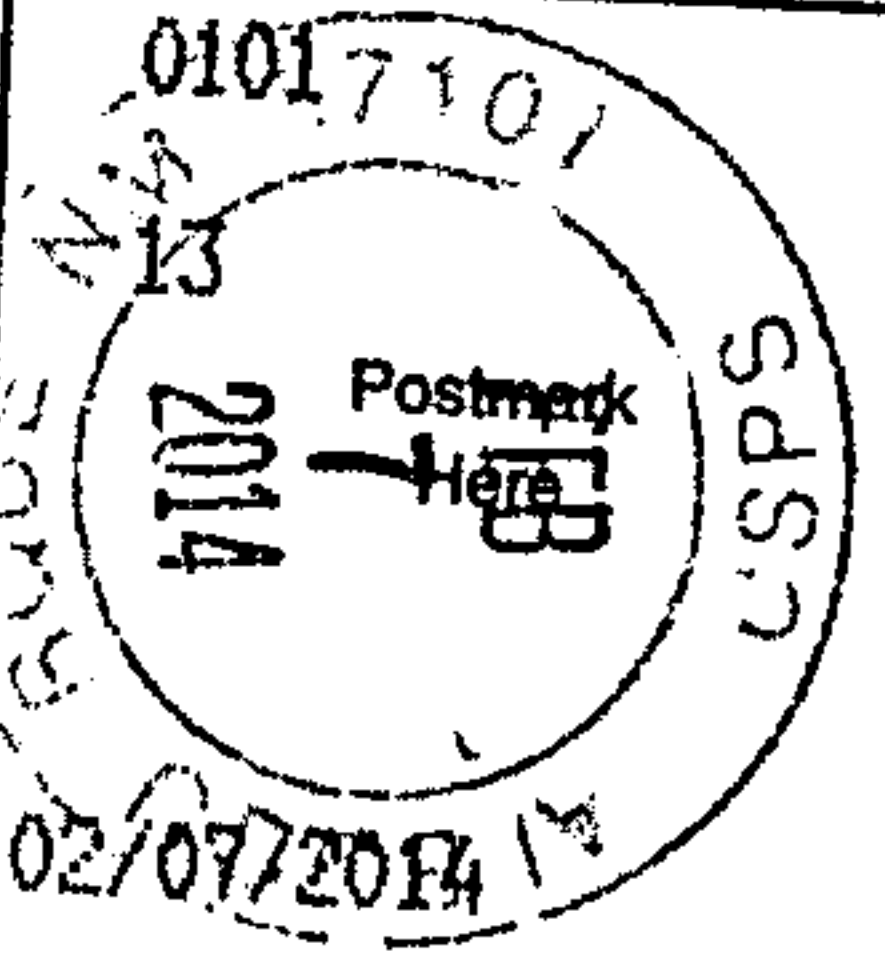
7013 1090 0000 8251 2463

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALBUQUERQUE, NM 87122
OFFICIAL USE

Postage	\$	\$0.49
Certified Fee		\$3.30
Return Receipt Fee (Endorsement Required)		\$1.35
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$5.14



Sent To
 Street, Apt. No., or PO Box No. Jeff Peterson
7800 Eagle Rock Avenue
 City, State, ZIP+4 87122-2723

PS Form 3800, August 2006 See Reverse for Instructions

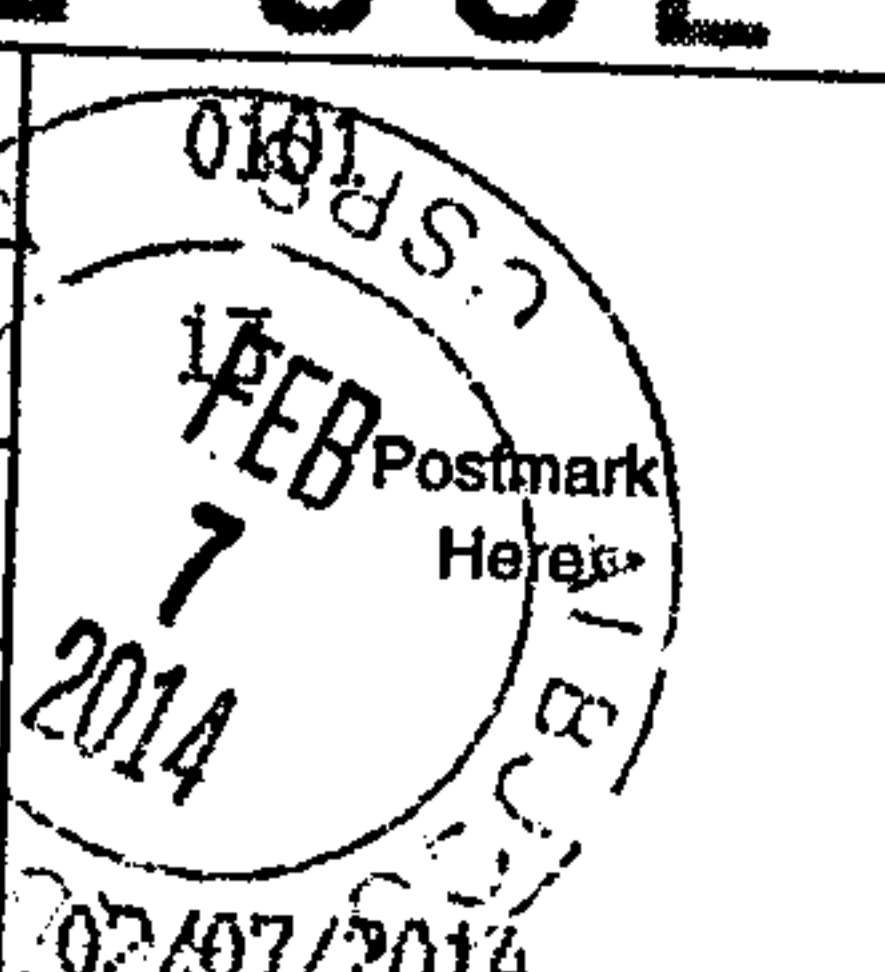
7013 1090 0000 8251 2463

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Sent To
 Street, Apt. No., or PO Box No. Charles Wong
8104 Via Encantada
 City, State, ZIP+4 87122

PS Form 3800, August 2006 See Reverse for Instructions

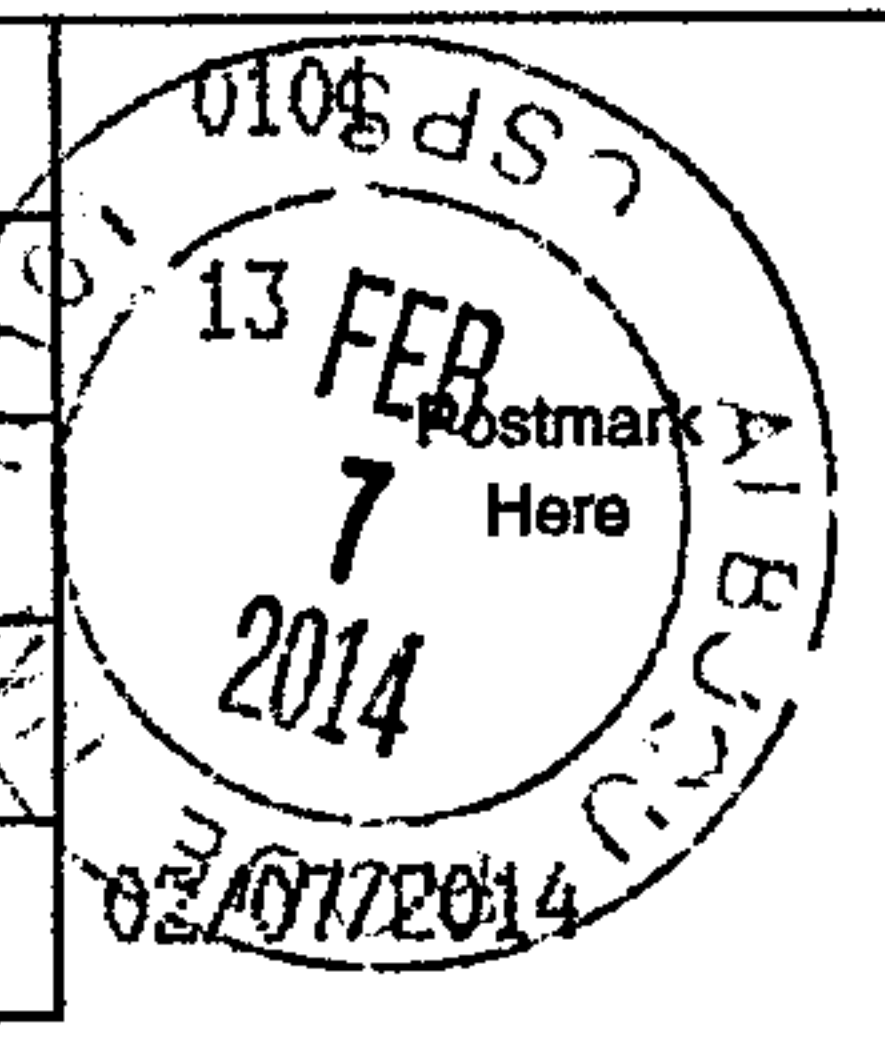
7013 1090 0000 8251 2463

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Total Postage & Fees	\$	\$5.14



Sent To
 Street, Apt. No., or PO Box No. Joe Yaudumark
7801 R.C. Gorman Ave NE
 City, State, ZIP+4 87122-2748

PS Form 3800, August 2006 See Reverse for Instructions

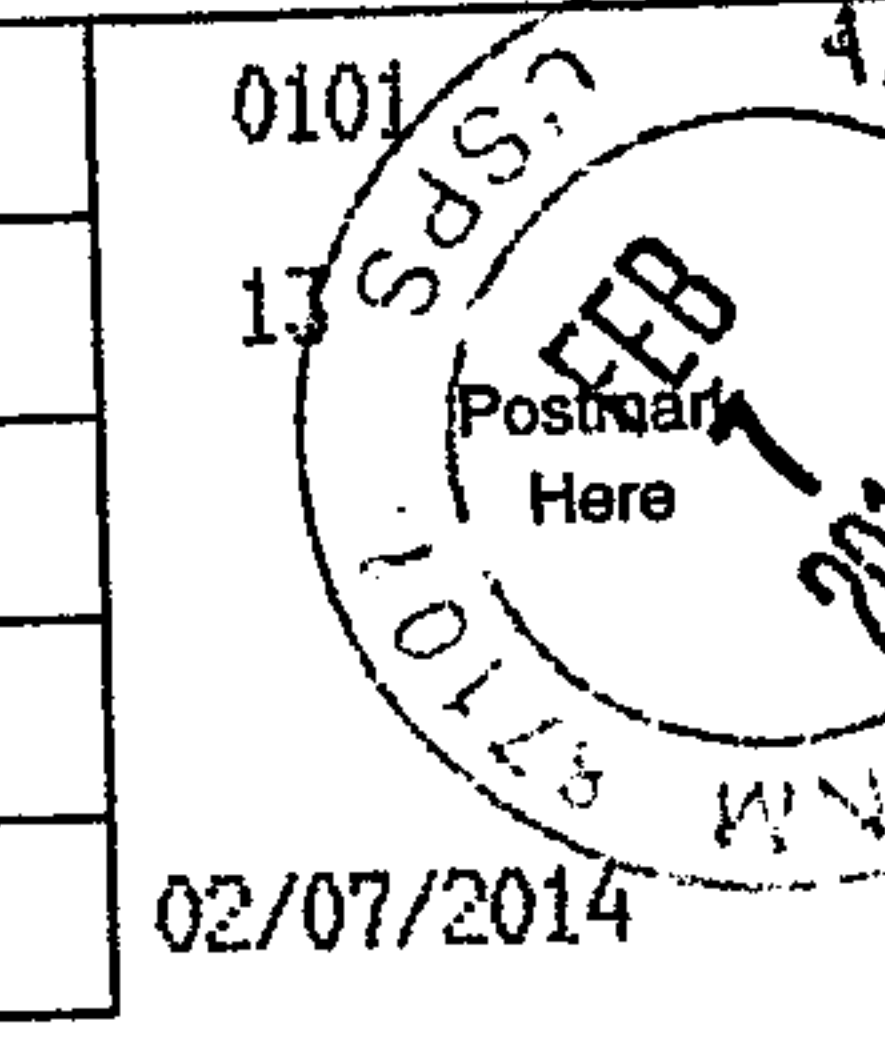
7013 1090 0000 8251 2463

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
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Total Postage & Fees	\$	\$5.14



Sent To
 Street, Apt. No., or PO Box No. Kevin Hudon
8109 Via Encantada
 City, State, ZIP+4 87122

PS Form 3800, August 2006 See Reverse for Instructions



City of Albuquerque
P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The NA/HOA 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.

February 6, 2014

Esmail Haidari
Senemar, LLC
12008 Giazelle Pl. NE/87111
Phone: 505-250-6088

Dear Esmail:

Thank you for your inquiry of **February 6, 2014** requesting the names of **ALL Neighborhood and/or Homeowner Associations** who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) – LOT 15 & 16, TRACT 2, UNIT 3, NORTH ALBUQUERQUE ACRES, LOCATED ON WYOMING BOULEVARD NE BETWEEN MODESTO NE AND EAGLE ROCK NE** zone map **C-19**.

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

NOR ESTE N.A. "R"

Jeff Peterson, 7800 Eagle Rock Ave. NE/87122-2723 797-3477 (h)
Joe Yardumian, 7801 R.C. Gorman Ave. NE/87122-2748 797-1851 (h)

QUIVERA ESTATES H.O.A.

Charles Wong, 8104 Via Encantada NE/87122 235-7695 (c)
Kevin Hudena, 8109 Via Enantada NE/87122 228-8082 (c)

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3902 or via an e-mail message at swinklepleck@cabq.gov or by fax at (505) 924-3913.

Sincerely,
Stephani Winklepleck
Stephani Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

**LETTERS MUST BE SENT
TO BOTH CONTACTS OF
EACH NA/HOA FOR THIS
PLANNING SUBMITTAL.**

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-**
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**
- Copies of the certified receipts to Neighborhood and/or Homeowners Associations (if there are associations). A copy must be submitted with application packet.**

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

Any questions, please feel free to contact Stephani at 924-3902 or via an e-mail message at swinklepleck@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **02/06/14** Time Entered: **12:40 p.m.** ONC Rep. Initials: **siw**

Mr. Kevin Hudena
8109 Via Enantada NE

02/07/2014

Albuquerque
New Mexico 87122

La Vista @ Desert Ridge Trails Subdivision: DRB NO: 1008589

Request for Extension of Subdivision improvement Agreement (SIA)

I am hereby requesting two years extension of the subdivision Improvement agreement (SIA) to complete all the off site improvement along Wyoming Blvd. fronting lots 5 and 6 of the La Vista subdivision

Sincerely,

Esmail Haidari.

12008 Gazelle PL NE
Albuquerque NM 87111

Phon # 505 250-6088
email: esmailhaidari@yahoo.com

Mr. Joe Yardumain
7801 R.C. Gorman Ave. NE
Albuquerque
New Mexico 87122-2748

02/07/2014

La Vista @ Desert Ridge Trails Subdivision: DRB NO: 1008589

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Esmail Haidari.

12008 Gazelle PL NE
Albuquerque NM 87111

Phon # 505 250-6088
email: esmailhaidari@yahoo.com

Mr. Jeff Peterson,
7800 Eagle Rock Ave. NE

02/07/2014

Albuquerque
New Mexico 87122-2723

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Phon # 505 250-6088
email: esmailhaidari@yahoo.com

Mr. Charles Wong
8104 Via Encantada NE

02/07/2014

Albuquerque
New Mexico 87122

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Sincerely,

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Albuquerque NM 87111

Phon # 505 250-6088
email: esmailhaidari@yahoo.com



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- ___ Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

L A APPEAL / PROTEST of...

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Esmail Haidari PHONE: 250-6088
 ADDRESS: 12008 Gazelle Place NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: esmailhaidari@yahoo.com
 APPLICANT: Agent/Owner PHONE: _____
 ADDRESS: Same as above FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: Extension of Subdivision Improvement Agreement (SIA)

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. Lots 15 & 16 (Now Lots 1-10) Block: 1 Unit: Tr2, Unit 3
 Subdiv/Addn/TBKA: North Albuquerque Acres/La Vista @ Desert Ridge
 Existing Zoning: RD Proposed zoning: RD MRGCD Map No _____
 Zone Atlas page(s): C-19 UPC Code: 101906423851521918
101906425351521917

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 1003655, 1008589.

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 10 No. of proposed lots: 10 Total site area (acres): 2.0
 LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd NE
 Between: Eagle Rock NE and Modesto NE

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

SIGNATURE Esmail Haidari DATE 3-7-2014
 (Print Name) Esmail Haidari Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>MDRB -70036</u>	<u>SIA</u>	___	<u>\$ 50.00</u>
<input checked="" type="checkbox"/> All fees have been collected	___	<u>ADY</u>	___	<u>\$ 75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	___	<u>CMF</u>	___	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	___	___	___	<u>\$</u>
<input checked="" type="checkbox"/> Case history #s are listed	___	___	___	<u>\$</u>
<input type="checkbox"/> Site is within 1000ft of a landfill	___	___	___	<u>\$</u>
<input type="checkbox"/> F.H.D.P. density bonus	___	___	___	<u>\$</u>
<input type="checkbox"/> F.H.D.P. fee rebate	___	___	___	<u>\$</u>
				Total
				<u>\$ 145.00</u>

Hearing date March 5, 2014

[Signature] 2-7-14
 Staff signature & Date

Project # 1008589

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

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

MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL (DRB13)

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

Preliminary plat approval expires after one year.

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

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

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

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

Amended preliminary plat approval expires after one year.

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

MAJOR SUBDIVISION IMPROVEMENTS AGREEMENT EXTENSION (DRB09)

(Temporary sidewalk deferral extension use FORM-V)

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

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

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

Esmail Haideri
 Applicant name (print)
Esmail Haideri
 Applicant signature / date
Feb 07, 14



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 14DRB - 70036

Verjo 2-7-14
 Planner signature / date
 Project # 1008589

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from February 18, 2014 To March 5 2014

5. REMOVAL

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

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

Esmat Heidari 2/7/14
(Applicant or Agent) (Date)

I issued 1 signs for this application, 2-7-14 Kay
(Date) (Staff Member)

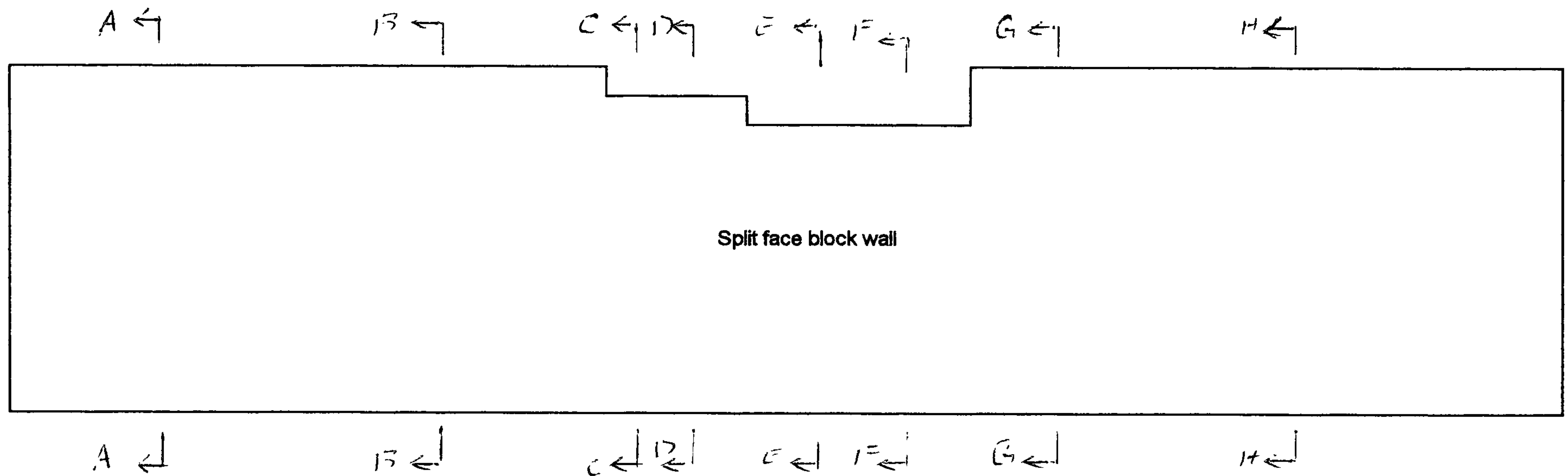
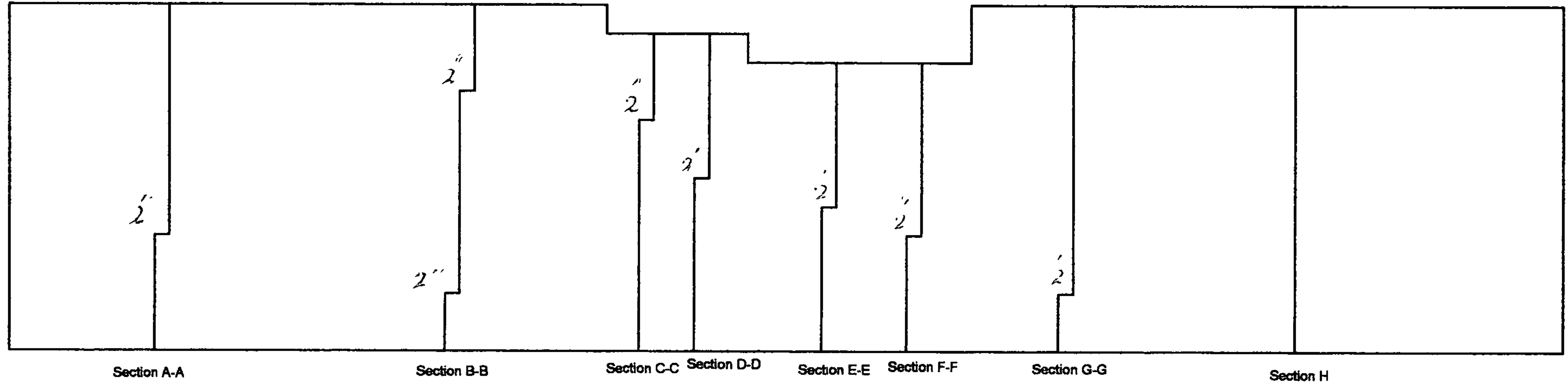
DRB PROJECT NUMBER: 1008589

March 5, 2014

(SIA)

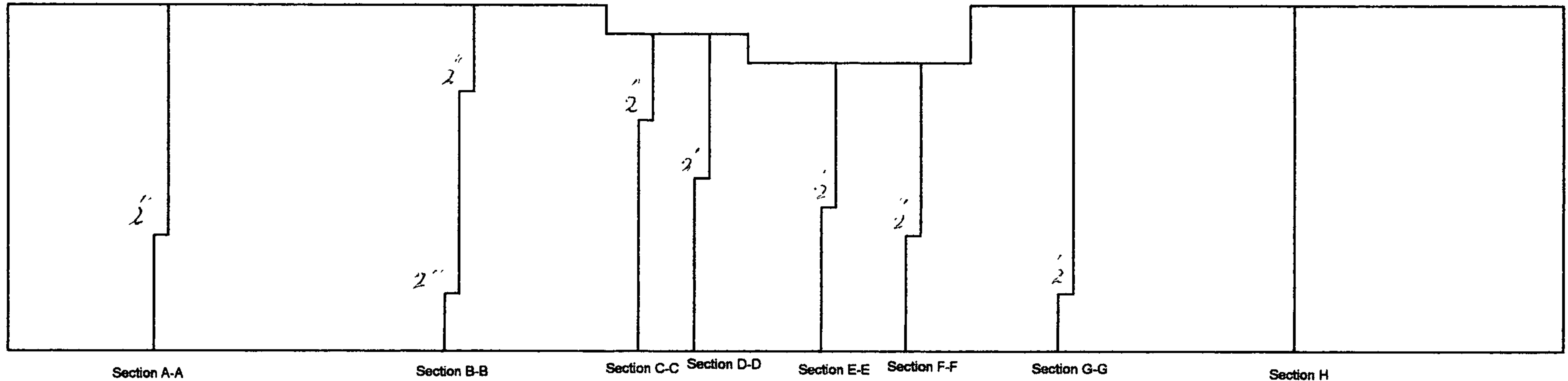
PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

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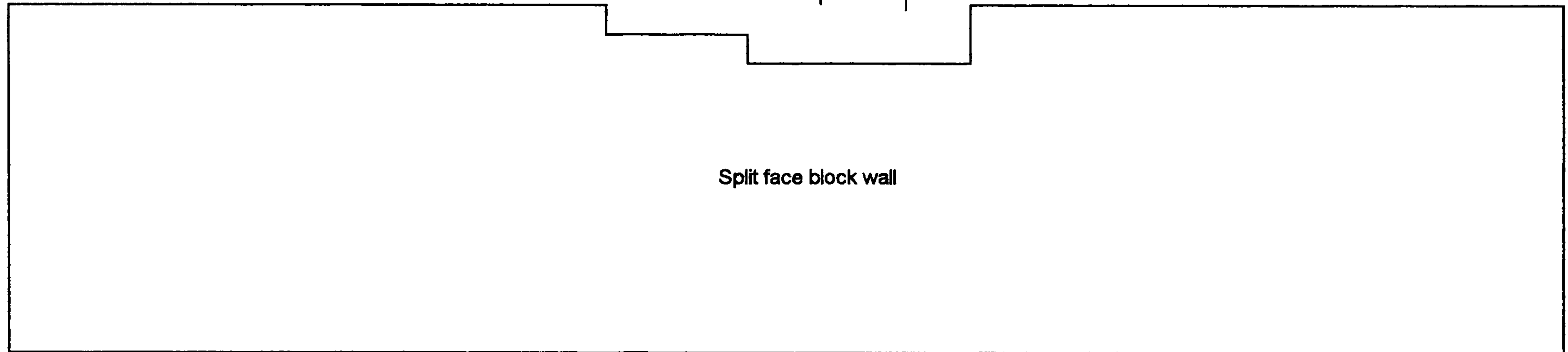


La Vista Project-Wyoming Wall Design

8-23-12
ZONING ENFORCEMENT
City of Albuquerque



A ← B ← C ← D ← E ← F ← G ← H ←



A ← B ← C ← D ← E ← F ← G ← H ←

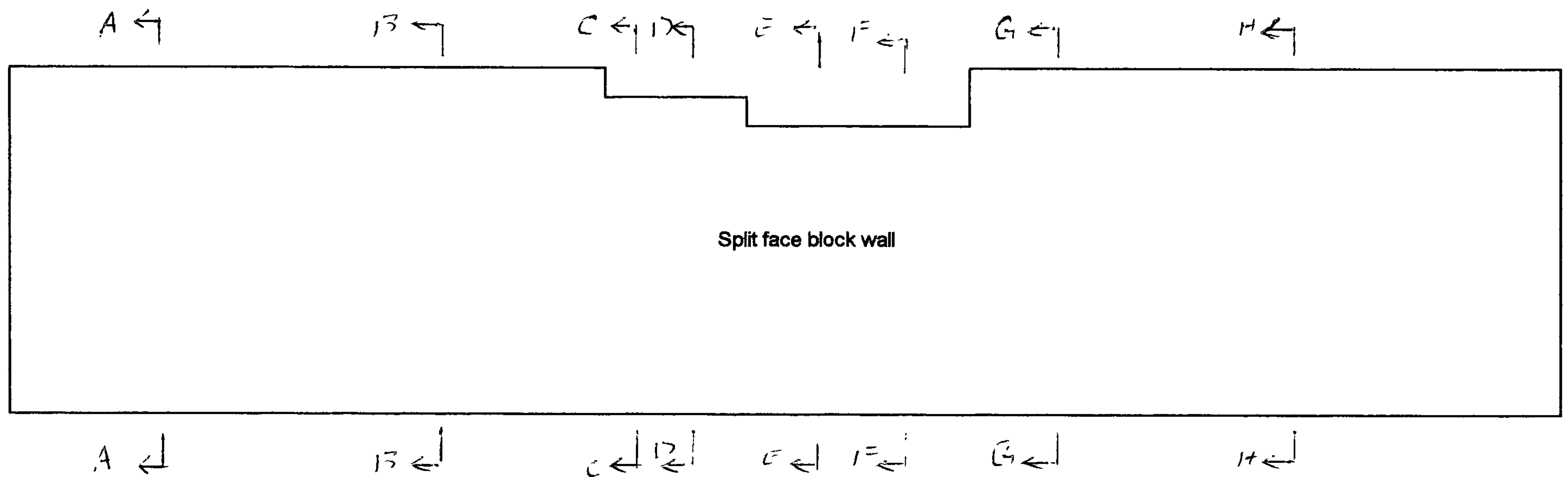
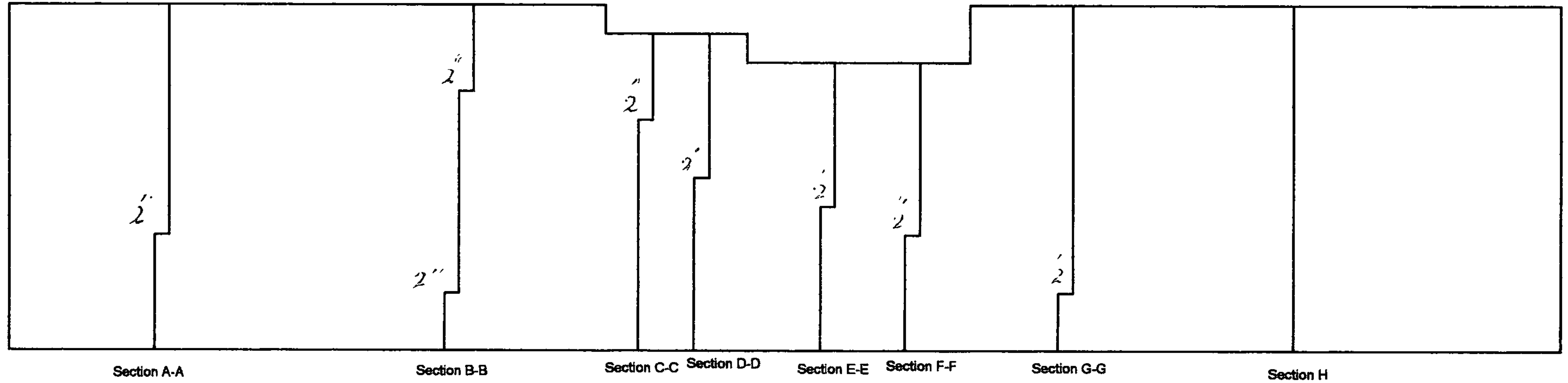
La Vista Project-Wyoming Wall Design

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



La Vista Project-Wyoming Wall Design



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: Esmail Haidari PHONE: 505-250-6088
 ADDRESS: 12008 Gazelle Place NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: esmailhaidari@yahoo.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Preliminary + Final Plat Approval of La Vista @ Desert Trails Subdivision.

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. 15 and 16 and Portion of 18 Block: 1 Unit: 3
 Subdiv/Addn/TBKA: Tract 2
 Existing Zoning: RD Proposed zoning: RD MRGCD Map No _____
 Zone Atlas page(s): C-19-2 UPC Code: Lot 15: 101906423851 521 918
Lot 16: 101906425351 521 917
Lot 18: 101906424350 021 924

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_V_S, etc.):
DRB No 1008589

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 9 No. of proposed lots: 10 Total site area (acres): 2.00
 LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd NE
 Between: Eaglerock Ave NE and Modesto Ave NE

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

SIGNATURE Esmail Haidari DATE Sept 24, 2012
 (Print Name) Esmail Haidari Applicant: Agent:

FOR OFFICIAL USE ONLY

- 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
<u>12DRB - 70306</u>	<u>FP</u>	_____	\$ <u>0</u>
_____	<u>EMF</u>	_____	\$ <u>20.00</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>October 3, 2012</u>			Total
			\$ <u>20.00</u>

Revised: 4/2012

[Signature] 9-25-12
 Staff signature & Date

Project # 1008589

FORM S(3): SUBDIVISION - C.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**
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- 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**
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- 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.

Esmail Haidari
Applicant name (print)
X Esmail Haidari 09/24/12
Applicant signature / date



Form revised **October 2007**

- | | |
|---------------------------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> Checklists complete | Application case numbers |
| <input checked="" type="checkbox"/> Fees collected | 12DRB |
| <input checked="" type="checkbox"/> Case #s assigned | - |
| <input checked="" type="checkbox"/> Related #s listed | - |

[Signature] 9-25-12
Planner signature / date
Project # 1008589



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

D Street Name Change (Local & Collector)

L A APPEAL / PROTEST of...

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): _____ PHONE: _____

ADDRESS: _____ FAX: _____

CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: Esmail Haidari PHONE: 505-250-6088

ADDRESS: 12008 Gazelle Place NE FAX: _____

CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: esmailhaidari@yahoo.com

Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Preliminary + Final Plat Approval of La Vista @ Desert Trails Subdivision

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. 15 and 16 and Portion of 18 Block: 1 Unit: 3

Subdiv/Addn/TBKA: Tract 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No _____

Zone Atlas page(s): C-19-2 UPC Code: Lot 15: 101906423851 521 918

Lot 16: 101906425351 521 917
Lot 18: 101906424350 021 924

CASE HISTORY:

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

DRB No 1008589

CASE INFORMATION:

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

No. of existing lots: 9 No. of proposed lots: 10 Total site area (acres): 2.00

LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd NE

Between: Eaglerock Ave NE and Modesto Ave NE

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

SIGNATURE Esmail Haidari DATE Sept 24, 2012

(Print Name) Esmail Haidari Applicant: Agent:

FOR OFFICIAL USE ONLY

- 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
12DRB - 70306

Action	S.F.	Fees
<u>FP</u>	_____	\$ <u>0</u>
<u>CMF</u>	_____	\$ <u>20.00</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
Total		\$ <u>20.00</u>

Hearing date October 3, 2012

[Signature]
9-25-12
Staff signature & Date

Project # 1008589

Revised: 4/2012

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

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- 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.

Esmail Haidari
 Applicant name (print)
 X [Signature] 09/24/12
 Applicant signature / date



Form revised **October 2007**

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- | | |
|--------------------------|-------|
| Application case numbers | _____ |
| 12DRB | _____ |
| _____ | _____ |
| _____ | _____ |

[Signature] 9-25-12
 Planner signature / date
 Project # 1008589

Mr Jack Cloud
DRB Chairman
City of Albuquerque
P.O.Box 1293
Albuquerque, New Mexico 87102

09-25-2012

La Vista @ Desert Ridge Trails Subdivision: DRB NO: 1008589
Request for Preliminary and Final Plat approval

Dear Mr Cloud:

I am requesting Preliminary and Final Plat approval for the re plat of existing Lot 9-P1 into Lots 9-P1, 10-P1 and 11-P1 of the La Vista at Desert Ridge Trails Subdivision. This request is based on EPC's Notice of Decision case number 1008589, ~~approving~~ a maximum of 10 subdivided lots on the previously undivided Lots 15 and 16, Block 18, Tract 2, Unit 3 of North Albuquerque Acres, Bernalillo County.

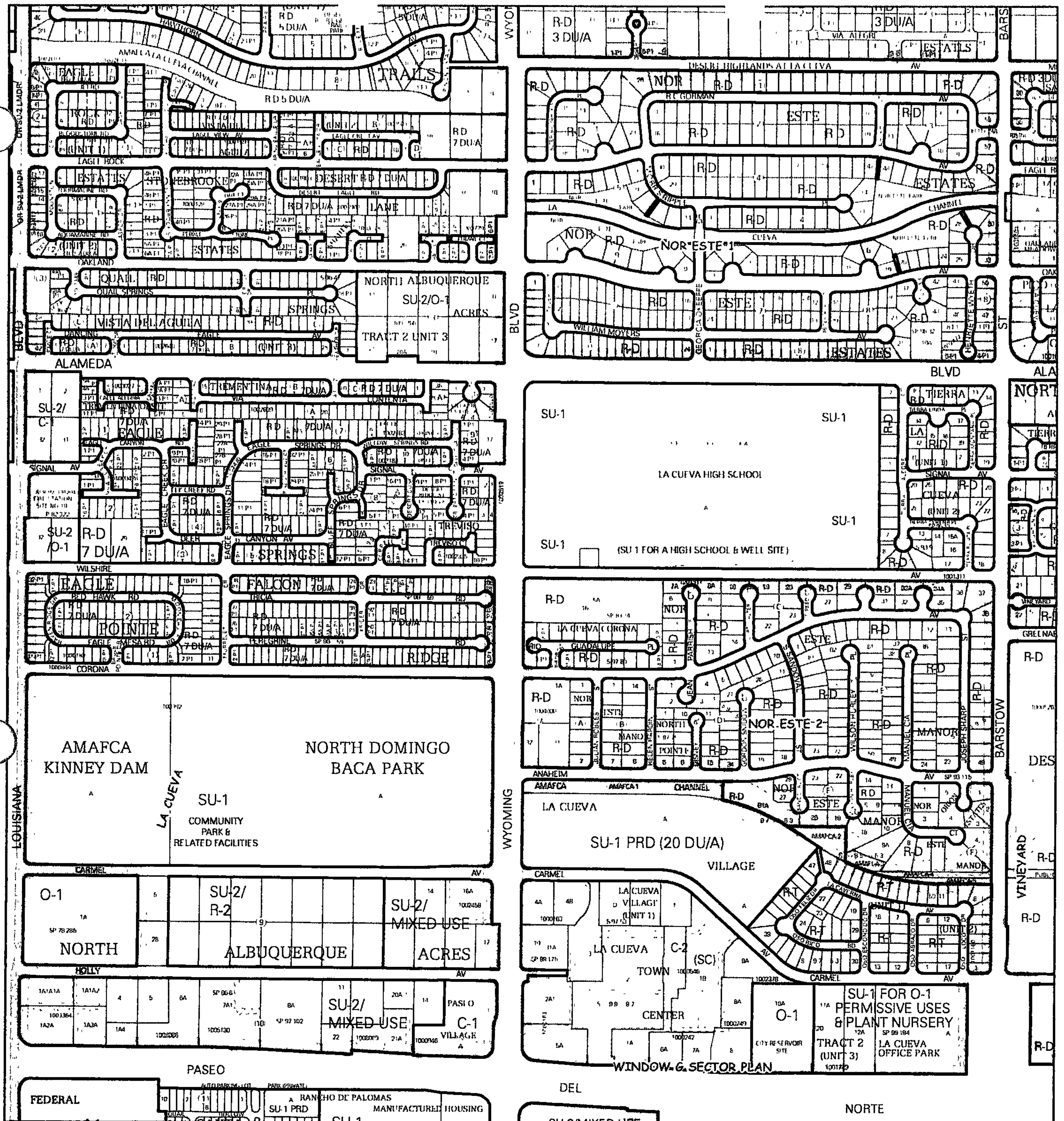
Please note that all the infrastructure associated with the Re-plat has been completed under City Project No: 784882 including the Subdivision Improvement Agreement for Internal Sidewalks and Future Wyoming Improvements.

If you have any questions please call me at 505-250-6088.

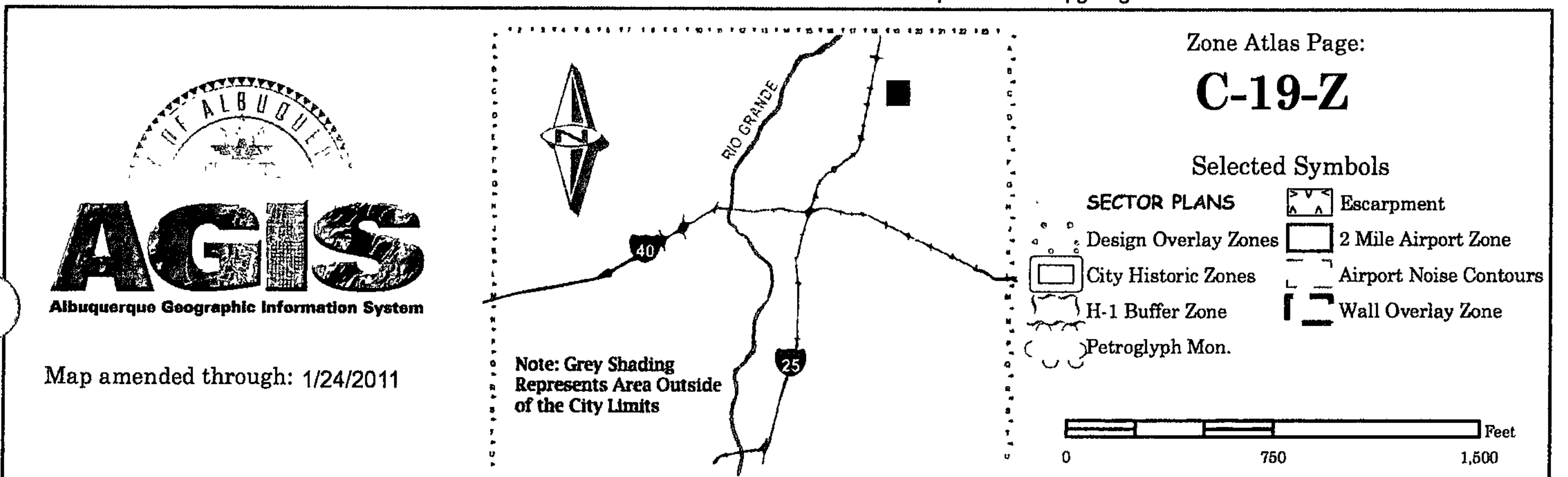
Sincerely,



Esmail Haidari
12008 Gazelle Place NE
Albuquerque
NM 87111
Email : esmailhaidari@yahoo.com



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





City of Albuquerque
Planning Department
Urban Design & Development Division
P.O. Box 1293
Albuquerque, New Mexico 87103

Date: July 18, 2011

OFFICIAL NOTIFICATION OF DECISION

FILE: Project # 1008589
10EPC-40076 AMNDT TO ZONE MAP
(ZONE CHANGE)

Esmail Haidari
12008 Gazelle Place NE
Albuquerque, NM 87111

LEGAL DESCRIPTION:

Joshua Skarsgard agent for Esmail Haidari requests the above action for all or a portion of lots 15 & 16, block 1, tract 2, unit 3, North Albuquerque Acres (La Vista at Desert Ridge Trails), located on Modesto Ave between Wyoming Blvd and Pinon Vista Ct. containing approximately 2.1 acres. (C-19) Randall Falkner, Staff Planner

On July 14, 2011, the Environmental Planning Commission voted to APPROVE Project 1008589/10EPC-40076, a request to amend the La Cueva Sector Development Plan Zone Map, based on the following findings:

FINDINGS - 10EPC 40076, Amend Sector Development Plan Zone Map, July 14, 2011

1. This is a request to amend the La Cueva Sector Development Plan Zone Map from **RD-5 DU/A to RD-7 DU/A**. The request comprises Lots 15 & 16, Block 1, Tract 2, Unit 3, North Albuquerque Acres, and consists of 1.6 acres. The vacant site is located on Modesto Avenue, between Wyoming Boulevard and Pinon Vista Court NE.
2. The subject site will contain a total of approximately 1.3 acres after dedication of easements and roadways that will be required when the site is developed. Based on the current zoning, the applicant can develop up to 6 dwelling units on the site. If the zone change request is approved, the applicant will be able to develop up to 9 dwelling units on the site.

3. The Environmental Planning Commission (EPC) heard this case on February 10, 2011. Planning staff recommended denial of the request, however, the EPC voted 5 to 4 to approve the request and amend the zoning to RD-7 du/acre with no more than 10 units on lots 15 and 16 combined.
4. The Nor Este Neighborhood Association appealed the EPC's February 10 decision. The City Council heard the appeal on May 2, 2011 and voted to remand the matter (AC-11-1) to the EPC. On May 16, 2011 the City Council adopted specific language for the Order of Remand. The City Council found that a remand is appropriate in order to determine the following:
 - A. Compliance with Section D of R-270-1980
 - B. Propriety of Creating a New Zone
5. The subject site is located within the Developing Urban Area of the Comprehensive Plan and within the boundaries of the La Cueva Sector Development Plan (LCSDP).
6. The Albuquerque/Bernalillo County Comprehensive Plan, the La Cueva Sector Development Plan, and the City of Albuquerque Zoning Code are incorporated herein by reference and made part of the record for all purposes.
7. In response to Item A of the Order of Remand from the City Council, the applicant has demonstrated compliance with Section D of R-270-1980 as follows:

D.2 - Changed neighborhood or community conditions justify the change.

- a. The 2007 text amendment to the LCSDP constitutes a "changed neighborhood/community condition". Prior to 2007, the applicant perceives he was able to develop a higher number of lots than what he is allowed to develop today. This is a direct result of the 2007 text amendment, which changed conditions in the community.
- b. The La Cueva Channel was used as the dividing line between 5 du/ acre and 7 du/acre when the LCSDP was adopted in 2000. In 2000, the subject site was located north of the channel and was thus zoned 5 du/acre. Since 2000, the actual location of the La Cueva Channel shifted southward leaving properties immediately south of the subject site north of the channel, yet they are still zoned 7du/acre. This change decreases the validity of the intended separation requirements.

D.3 – A different use category is more advantageous to the community as articulated in the Comprehensive Plan and the La Cueva Sector Development Plan.

Comprehensive Plan.

Developing & Established Urban Area Goal – The request will offer variety and maximum choice in housing, while creating a visually pleasing built environment.

II.B.5.e – Full urban services are available in the area of the subject site. The change in density from 5 du/acre to 7 du/acre will not greatly affect the integrity of these services.

II.B.5.k – The request will not dramatically affect the current traffic patterns on existing streets. Additionally, this de minimis increase in traffic will not substantially affect the safety and livability of the community.

La Cueva Sector Development Plan

Guiding Principle 1.3 recommends that land uses be compatible with existing development. The properties south of the subject site are zoned RD 7du/acre which is consistent with the request.

8. In response to Item B of the Order of Remand, the EPC created a new zone category when they approved a zone change to RD 7-du/acre with no more than 10 units on lots 15 and 16 combined. This new zone category qualifies as a text amendment to the LCSDP, which the EPC does not have the authority to approve.

IF YOU WISH TO APPEAL/PROTEST THIS DECISION, YOU MUST DO SO BY JULY 29, 2011 IN THE MANNER DESCRIBED BELOW. A NON-REFUNDABLE FILING FEE WILL BE CALCULATED AT THE LAND DEVELOPMENT COORDINATION COUNTER AND IS REQUIRED AT THE TIME THE APPEAL IS FILED. IT IS NOT POSSIBLE TO APPEAL EPC RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE EPC'S RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE EPC'S DECISION.

Persons aggrieved with any determination of the Environmental Planning Commission (EPC) and who have legal standing as defined in Section 14-16-4-4.B.2 of the City of Albuquerque Comprehensive Zoning Code may file an appeal to the City Council by submitting written application on the Planning Department form to the Planning Department **within 15 days** of the Planning Commission's decision. The date of the EPC's decision is not included in the 15-day period for filing an appeal, and if the fifteenth day falls on a Saturday, Sunday or holiday, the next working day is considered as the deadline for filing the appeal. Such appeal, if heard, shall be heard within 45 days of its filing.

YOU WILL RECEIVE NOTIFICATION IF ANY PERSON FILES AN APPEAL. IF THERE IS NO APPEAL, YOU CAN RECEIVE BUILDING PERMITS AT ANY TIME AFTER THE APPEAL DEADLINE QUOTED ABOVE, PROVIDED ALL CONDITIONS IMPOSED AT THE TIME OF APPROVAL HAVE BEEN MET. SUCCESSFUL APPLICANTS ARE REMINDED THAT OTHER REGULATIONS OF THE CITY ZONING CODE MUST BE COMPLIED WITH, EVEN AFTER APPROVAL OF THE REFERENCED APPLICATION(S).

ZONE MAP AMENDMENTS: Pursuant to Zoning Code Section 14-16-4-1(C)(11), a change to the zone map does not become official until the Certification of Zoning is sent to the applicant and any other person who requests it. Such certification shall be signed by the Planning Director after appeal possibilities have been concluded and after all requirements prerequisite to this certification are met. If

Official Notice of Decision

Project #1008589

February 10, 2011

Page 4 of 4

such requirements are not met within six months after the date of final City approval, the approval is void. The Planning Director may extend this time limit up to an additional six months.

SITE DEVELOPMENT PLANS: Pursuant to Zoning Code Section 14-16-3-11(C)(1), if less than one-half of the approved square footage of a site development plan has been built or less than one-half of the site has been developed, the plan for the undeveloped areas shall terminate automatically seven years after adoption or major amendment of the plan: within six months prior to the seven-year deadline, the property owners shall request in writing thorough the Planning Director that the Planning Commission extend the plan's life an additional five years.

DEFERRAL FEES: Pursuant to Zoning Code Section 14-16-4-1(B), deferral at the request of the applicant is subject to a \$110.00 fee.

Sincerely,

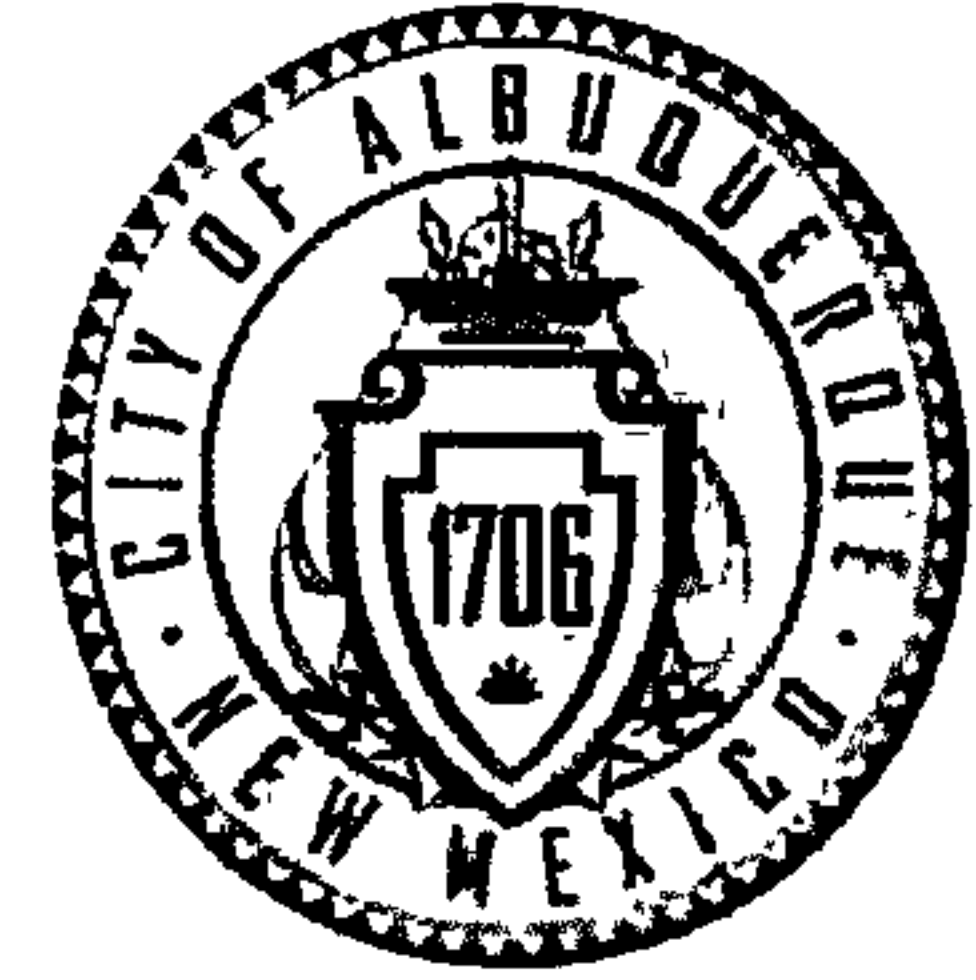


for
Deborah Stover
Planning Director

DS/RF/mc

cc: Joshua Skarsgard, 8220 San Pedro NE, Suite 500, Albuquerque, NM 87113
Jeffrey Peterson, 7800 Eagle Rock Avenue NE, Albuquerque, NM 87122
Joe Yardumian, 7801 R.C. Gorman Avenue NE, Albuquerque, NM 87122
Amy Whitling, P.O. Box 91343, Albuquerque, NM 87199-1343
Erica Vasquez, P.O. Box 92315, Albuquerque, NM 87199

CITY OF ALBUQUERQUE



September 19, 2012

David B. Thompson, P.E.
Thompson Engineering Consultants, Inc.
P.O. Box 65760
Albuquerque, NM 87193

**Re: La Vista Subdivision, Revised Grading Plan
Engineer's Stamp Date 09/11/2012 (C19/D042)**

Dear Mr. Thompson,

Based upon the information provided in your submittal received 09-11-12, the Plan is acceptable for Final Plat approval.

PO Box 1293

If you have any questions, you can contact me at 924-3695.

Albuquerque

NM 87103

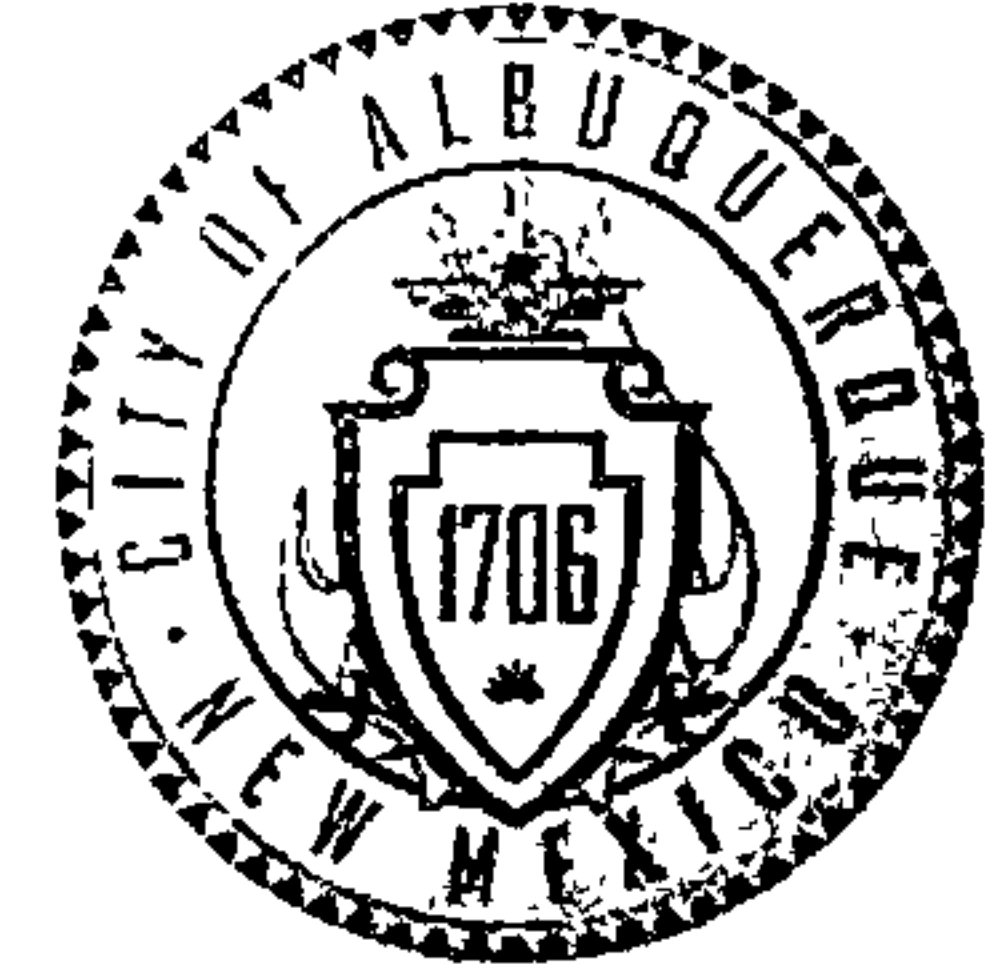
www.cabq.gov

Sincerely,

Shahab Biazar, P.E.
Senior Engineer, Planning Dept.
Development and Building Services

C: e-mail

CITY OF ALBUQUERQUE



September 4, 2012

PARTIAL CERTIFICATE OF COMPLETION AND ACCEPTANCE

Esmail Haidari, Managing Member
SENEMAR, LLC
12008 Gazelle Place
Albuquerque, NM 87111

RE: **LA VISTA @ DESERT TRAILS**
Project Number: **784882**

Dear: Mr. Haidari:

This is to certify that the City of Albuquerque partially accepts the construction of the infrastructure provided in the Work Order Construction Plans, City Project No. **784882**. The work was completed pursuant to the required infrastructure listed in the Subdivision Improvements Agreement (SIA) Procedure B, between **La Vista @ Desert Trails** and the City of Albuquerque executed on **February 24, 2012**.

Having satisfied the requirements referenced above, the SIA and any associated Financial Guaranty, held by the City, can now be partially released. Any performance/warranty bond and the indemnity and hold harmless provisions of the SIA in favor of the City shall remain in effect. The contractor's warranty period will begin **September 4, 2012** and is effective for a period of one (1) year.

Please be advised this Partial Certificate of Completion and Acceptance shall only become effective upon final plat approval and filing in the Bernalillo County Clerk's office.

Should you have any questions or issues regarding this project, please contact me at (505) 924-3996.

Sincerely,

[Handwritten initials]
9-4-12

Richard Dourte, P.E.
City Engineer
Development & Building Services
Planning Department

[Handwritten date]
9-4-2012

cc: **Thompson Engineering** (e-mail)
Sundance Mechanical (e-mail)
Vincent Paul, DMD Maps & Records (e-mail)
David Zamora, DMD Street Maintenance (e-mail)
Phillip Romo, DMD Street Maintenance (e-mail)
David Rodriguez, ABCWUA Maps & Records (e-mail)
Martin Sanchez, ABCWUA Maps & Records (e-mail)
SIA File, City Project Number **784882**

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

PARID: 101906425351521917
 LUC: 9200
 SENE/MAR LLC

TRACKING: A

NBHD: 2264

ROLL: RP
 MODESTO AVE

Tax (ADJUST)

Rolltype	Effective Year	Authority Project	Cycle	Original Amount	Adjustments	Payments	Total Amount
RP	2011		1	1,247.93	-199.66	-1,048.27	.00
RP	2011		2	1,247.93	-218.38	-1,029.55	.00
RP	2010		1	1,243.40	186.45	-1,429.85	.00
RP	2010		2	1,243.40	128.74	-1,372.14	.00
RP	2009		1	1,242.20	124.20	-1,366.40	.00
RP	2009		2	1,242.20	.00	-1,242.20	.00
RP	2008		1	1,246.59	274.34	-1,520.93	.00
RP	2008		2	1,246.59	211.99	-1,458.58	.00
RP	2007		1	589.68	200.60	-790.28	.00
RP	2007		2	589.68	171.10	-760.78	.00
RP	2006		1	563.77	197.40	-761.17	.00
RP	2006		2	563.77	169.20	-732.97	.00
RP	2005		1	535.35	192.60	-727.95	.00
RP	2005		2	535.35	165.85	-701.20	.00
RP	2004		1	473.10	.00	-473.10	.00
RP	2004		2	473.10	.00	-473.10	.00
RP	2003		1	477.85	19.12	-496.97	.00
RP	2003		2	477.85	.00	-477.85	.00

Printed on Wednesday, September 19, 2012, at 4:41:06 PM EST

2 22 572 "
C. 1e, dr. 1



Glenda Vigil | Role: GIS

Sign Out | My Account | ?

Home Property Records Maintain SQL Query Tool Inquire
 RP RP Owner Name List Parcel Address Sales Search Map Search Lists

Ownership	Parcel	Owner Name	Address	Parcel	Address	Sales Search	Map Search	Lists
Ownership	PARD 1019004200005919-8							
Profile	LCU 5200							
Sales	ENTRANCE	SENEMAR LLC						
Residential								
Permits								
Values								
Value History								
Assessed Values								
Land								
Agricultural								
Stretch								
Full Legal								
Photos								
Map								
Pictometry								
Appeals								
Appeals History								
Special Asmt								
Exemption								
Commercial Use								
Commercial Apartment								
Mailing Address								
Multi Use								
Notes								
Tax History								
NOV								
Protest: AA								
Protest: ALL								
Protest History								
Documents								

PARD 1019004200005919-8
 LCU 5200
 SENEMAR LLC

ENTRANCE

NOV 2004

ROLL: RP

1-1-1

Return to Search Results

Tax Year: 2012

Tax (ADJUST)

Rolltype	Effective Year	Authority Project	Cycle	Original Amount	Adjustments	Payments	Total Amount
RP	2011		1	1,247.93	187.20	-1,435.13	.00
RP	2011		2	1,247.93	124.80	-1,372.73	.00
RP	2010		1	1,243.40	186.45	-1,429.85	.00
RP	2010		2	1,243.40	128.74	-1,372.14	.00
RP	2009		1	1,242.20	124.20	-1,366.40	.00
RP	2009		2	1,242.20	.00	-1,242.20	.00
RP	2008		1	1,246.59	274.34	-1,520.93	.00
RP	2008		2	1,246.59	211.99	-1,458.58	.00
RP	2007		1	589.68	200.60	-790.28	.00
RP	2007		2	589.68	171.10	-760.78	.00
RP	2006		1	563.77	197.40	-761.17	.00
RP	2006		2	563.77	169.20	-732.97	.00
RP	2005		1	535.35	192.60	-727.95	.00
RP	2005		2	535.35	165.85	-701.20	.00
RP	2004		1	473.10	.00	-473.10	.00
RP	2004		2	473.10	.00	-473.10	.00
RP	2003		1	477.85	19.12	-496.97	.00
RP	2003		2	477.85	.00	-477.85	.00

- Actions
- Go to Current Record
- Printable Version
- Printable Version
- Reports
- CSV Export

Go



Ulenda V. ... | Role: GIS

Sign Out | My Account

Home Property Records Maintain SQL Query Tool Inquire
RP RP Owner Name Location Parcel Advanced Links Search Map Search Lists

Ownership

Profile

Sales

Residential

ENTRANCE

Permits

Values

Value History

Assessed Values

Land

Agricultural

Sketch

Full Legal

Photos

Map

Pictometry

Appeals

Appeals History

Special Asmt

Exemption

Commercial Use

Commercial Apartment

Mailing Address

Multi Use

Notes

Tax History

NOV

Protest - AA

Protest - ALL

Protest History

Documents

PARCEL: 190-424150-01924
LUMMA LLC

TRACKING: A

190-424150

POLL: 19

1 of 1
Return to Search Results
Tax Year: 2012

Tax (ADJUST)

Rolltype	Effective Year	Authority Project	Cycle	Original Amount	Adjustments	Payments	Total Amount
RP	2011		1	404.03	-163.86	-240.17	.00
RP	2011		2	404.03	-172.42	-231.61	.00
RP	2010		1	402.56	.00	-402.56	.00
RP	2010		2	402.56	41.18	-443.74	.00
RP	2009		1	402.17	40.20	-442.37	.00
RP	2009		2	402.17	.00	-402.17	.00
RP	2008		1	403.59	88.88	-492.47	.00
RP	2008		2	403.59	68.68	-472.27	.00
RP	2007		1	404.05	137.36	-541.41	.00
RP	2007		2	404.05	117.16	-521.21	.00
RP	2006		1	772.60	270.55	-1,043.15	.00
RP	2006		2	772.60	231.90	-1,004.50	.00

Actions

Get Current Record
Printable Version
Printable Version

Reports

City Export

Go

Bernalillo County Treasurer

PATRICK J. PADILLA

One Civic Plaza

BUSINESS	ACTUAL	TIME	DRW
9/20/2012	9/19/2012	16:06:38	10
EG WS18 WALKIN RP RJP			
>RECEIPT # 056380 9/19/2012 AUTO UPDT			
000 IAS PAYMENT'S			
ALANCE DUE	.00		
AIDARI ESMAIL			
2008 GAZALLE PL NE			
LBUQUERQUE NM 87111			
RP	NML 000		
PC 101906423851521918			
ILL/JU: 2011197922 02 000010220369			
000 IAS PAYMENTS			
0120920WS18180020001RJP		\$2,849.59	
AX YR 2010 CYC 2		\$41.73	
CODE INT		\$4.44	
CODE TAX		\$37.29	
AX YR 2011 CYC 1		\$1,435.13	
CODE INT		\$124.80	
CODE PEN		\$62.40	
CODE TAX		\$1,247.93	
AX YR 2011 CYC 2		\$1,372.73	
CODE INT		\$62.40	
CODE PEN		\$62.40	
CODE TAX		\$1,247.93	
receipt total		\$2,849.59	

>RECEIPT # 056381 9/19/2012 AUTO UPDT			
000 IAS PAYMENT'S			
ALANCE DUE	.00		
AIDARI ESMAIL			
MODESTO AVE			
RP	NML 000		
PC 101906425351521917			
ILL/JU: 2011197962 02 000010220370			
000 IAS PAYMENTS			
0120920WS18180020002RJP		\$2,119.55	
AX YR 2010 CYC 2		\$41.73	
CODE INT		\$4.44	
CODE TAX		\$37.29	
AX YR 2011 CYC 1		\$1,046.27	
CODE INT		\$65.52	
CODE PEN		\$46.80	
CODE TAX		\$935.95	
AX YR 2011 CYC 2		\$1,029.55	
CODE INT		\$45.80	
CODE PEN		\$46.80	
CODE TAX		\$935.95	
receipt total		\$2,119.55	

000 IAS PAYMENT'S

ALANCE DUE .00

AIDARI ESMAIL

EAGLE ROCK AVE

RP NML 000

PC 101906425349221915

ILL/JU: 2011197961 02 000010220371

000 IAS PAYMENTS

0120920WS18180020003RJP \$5,164.33

TAX YR 2010 CYC 1 \$1,579.01

CODE INT \$273.46

CODE PEN \$62.15

CODE TAX \$1,243.40

TAX YR 2010 CYC 2 \$1,516.86

CODE INT \$211.31

CODE PEN \$62.15

CODE TAX \$1,243.40

TAX YR 2011 CYC 1 \$1,038.91

CODE INT \$56.16

CODE PEN \$46.80

CODE TAX \$935.95

TAX YR 2011 CYC 2 \$1,029.55

CODE INT \$46.80

CODE PEN \$46.80

CODE TAX \$935.95

Receipt total \$5,164.33

All receipts \$10,133.47

CHECK

20120920WS18180020004RJP \$10,133.47

104A

HAIDARI ESMAIL

12008 GAZALLE PL NE

ALBUQUERQUE NM 87111

Total remitted \$10,133.47

Thank you for your payment.

ASSESSOR OFFICE USE ONLY:

JOB #: _____

QUAD: NE

BERNALILLO COUNTY
TREASURER'S CERTIFICATION

Page 1 of 1

NAME OF PLAT: PLAT FOR LA VISTA AT DESERT RIDGE TRAILS

ZONE ATLAS: C-19

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

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

UPC #(s) provided by: Glenda S. Vigil 9/19/12
(Bernalillo County Assessor's Office) (Date)

1-019-064-253515-219-17

1-019-064-238515-219-18

1-019-064-243500-219-24

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

PROPERTY OWNER OF RECORD

BERNALILLO COUNTY TREASURER'S OFFICE _____
(Date)

DRB Project # _____

APS Cluster La Cueva

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

ESMIL HERRERA ("Developer") effective as of this 24 day of September, 2012 and pertains to the subdivision commonly known as _____, and more particularly described as La Vista @ Desert Ridge Trails
[use new legal description of subdivision]
lots 9-A-P1, 9-B-P1 and 9-C-P1

(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.]

Doc# 2012098722

09/24/2012 12 57 PM Page 1 of 3
AGRE R \$10 00 M Toulouse Oliver Bernalillo County

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;

DRB Project # _____

APS Cluster La Cueva

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.

DRB . . . oject # _____

APS Cluster La Cueva

Esmail Haideri

Signature

Esmail Haideri

Name (typed or printed) and title

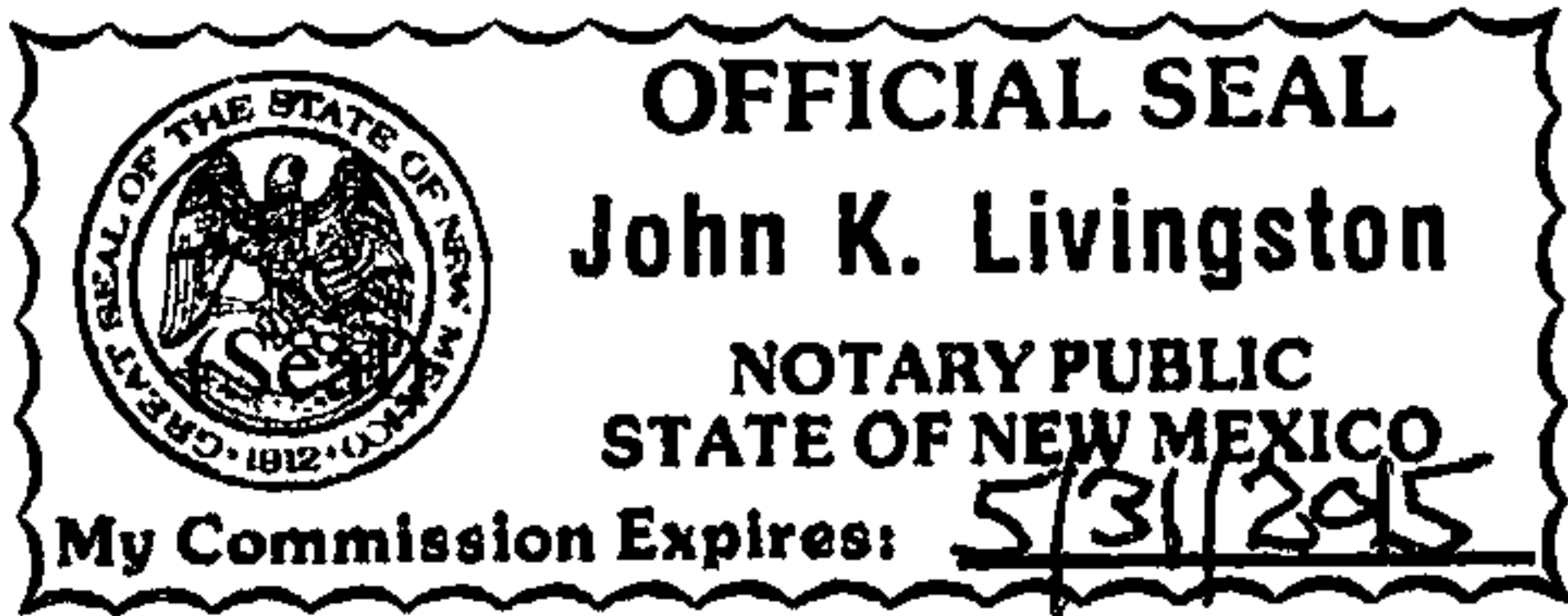
Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on SEPTEMBER 24, 2012 by ESMAIL HAIDARI

as DEVELOPER of _____, a corporation.



John K. Livingston

Notary Public

My commission expires: 5/31/2015

ALBUQUERQUE PUBLIC SCHOOLS

By: April L. Winters
Signature

April L. Winters, Facilities Fee Planner
Name (typed or printed) and title

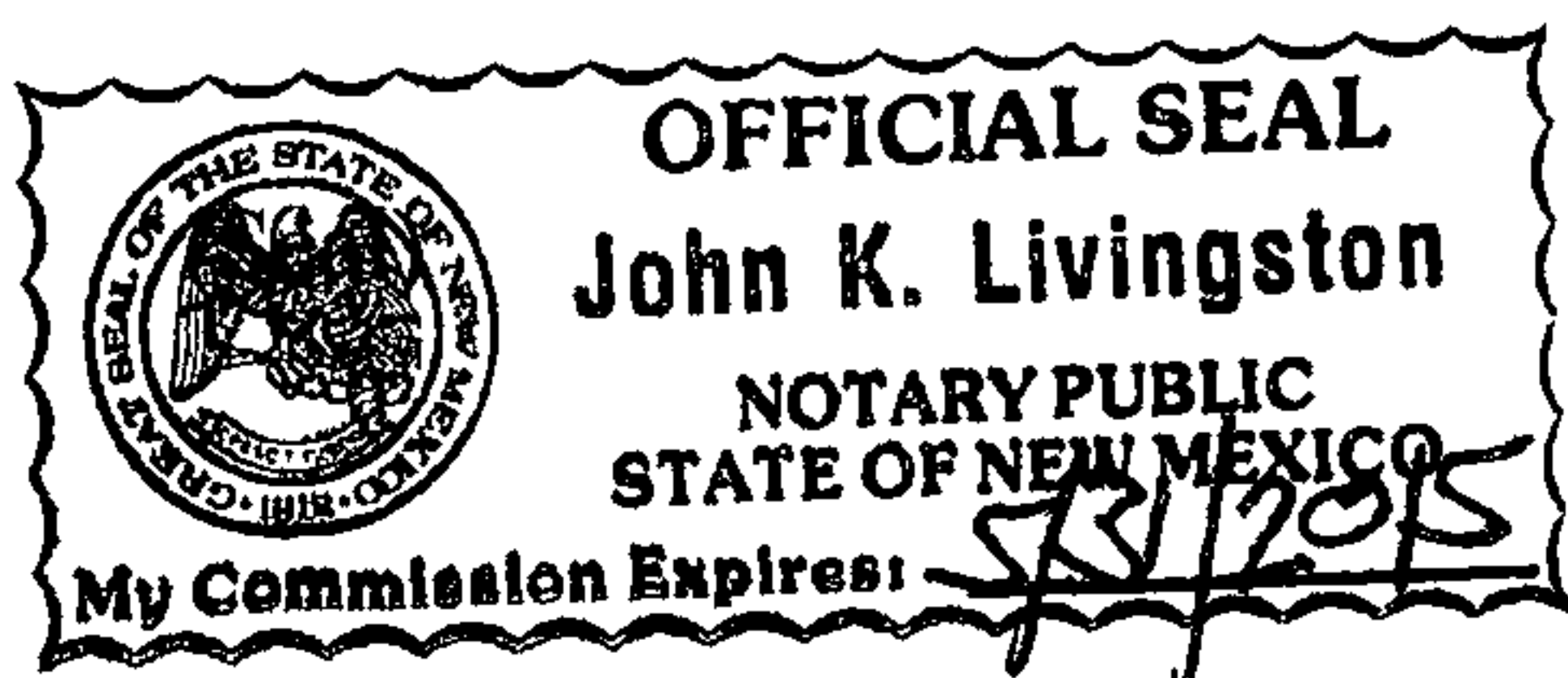
STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on Sept. 24, 2012, by April L. Winters

as Facilities Fee Planner of the Albuquerque Municipal School

District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.



John K. Livingston

Notary Public

My commission expires: 5/31/2015

EASEMENT AGREEMENT

This Easement Agreement (the "Agreement") is entered into this 7 day of March, 2011 by and between Payman Haidari, an individual residing in Albuquerque, New Mexico, his successors and assigns ("Haidari") and SBAIb Real Estate Holdings, LLC, a New Mexico limited liability company, its successors and assigns ("SBAIb")

RECITALS

WHEREAS Haidari owns certain real property in Albuquerque New Mexico, commonly known as Lot 17, and more particularly described in Exhibit A hereto (the "Burdened Property"),

WHEREAS SBAIb wishes to obtain an easement, pursuant to which SBAIb can establish a driveway and run utility lines over a portion of the Property to provide access to the real property commonly known as Lot 18 and more particularly described in Exhibit B hereto (the "Benefited Property"); and

WHEREAS Haidari is willing grant SBAIb the requested easement, on the terms and subject to the conditions set forth in this Agreement,

NOW THEREFORE, in consideration of the mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows

AGREEMENT

1 Grant of Easement Haidari hereby grants SBAIb a non-exclusive, perpetual easement and private right of way over the following described portion of the Burdened Property

A 22 FOOT-WIDE ACCESS AND UTILITY EASEMENT ON Lot Numbered Seventeen (17), Block Numbered one (1) of North Albuquerque Acres, Tract 2, Unit 3, 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 September 10, 1931, in Plat Book D1, Page 20, described by Metes and Bounds as follows

Beginning as the Southwest corner of the herein described easement, begin the Southwest corner of said Lot 17, Block 1 of North Albuquerque Acres, lying on the northerly right of way of eagle Rock Avenue, NE:

Thence S 25° 59' 21" E, a distance of 49.76 feet to an angle point

Thence S 00° 14' 51" W, a distance of 28.03 feet to an angle point lying on the northerly right of way of eagle Rock Avenue, NE;

Thence N 89° 37' 23" E, a distance of 22.00 feet to the point of beginning, containing 1107.58 square feet more or less

Doc# 2012085250

08/22/2012 08:33 AM Page 1 of 7
EASE R \$10.00 M Toulouse Oliver, Bernalillo County



(the "Easement"). The Easement runs with the land and shall be binding on Haidari and all subsequent owners of the Burdened Property. The easement shall benefit SBAIb and all subsequent owners of the Benefitted Property.

2. Permitted Uses. SBAIb may use the Easement only to (i) establish a private driveway over said easement area from the Benefitted Property to the public street, including all rights that may be exercised in connection with such access, and (ii) install and maintain utility lines, including natural gas, water, sewer, electric, telephone, and other utility lines, serving the Benefitted Property. The intended use of the Easement is to provide access and utility service to the Benefitted Property, upon which SBAIb or its successors or assigns may wish to develop one or more single family residences. The level of traffic and other uses of the driveway to be built on the Easement by SBAIb or subsequent owners of the Benefitted Property shall be consistent with, and shall not exceed, such contemplated development of the Benefitted Property. The parties acknowledge and agree that the Burdened Property shall also use the Easement for access and utilities relating to the present or future development and use of the Burdened Property.

3. Maintenance of Easement. Subject to paragraph 4 below, the owner of the Benefitted Property (SBAIb or its successors or assigns) will maintain the driveway and utility lines constructed over the Easement in a reasonable and prudent fashion. The owner of the Benefitted Property will be solely responsible for any claims arising from the failure to maintain the driveway or related utility lines. To the extent not inconsistent with the foregoing, local ordinances and regulations relative to maintenance and liability associated with private access driveways shall govern any driveway constructed by the owner of the Benefitted Property over the Easement. The obligation to maintain the driveway and utility lines shall continue only so long as SBAIb or its successors and assigns owns the Benefitted Property, and thereafter shall devolve to the new owner.

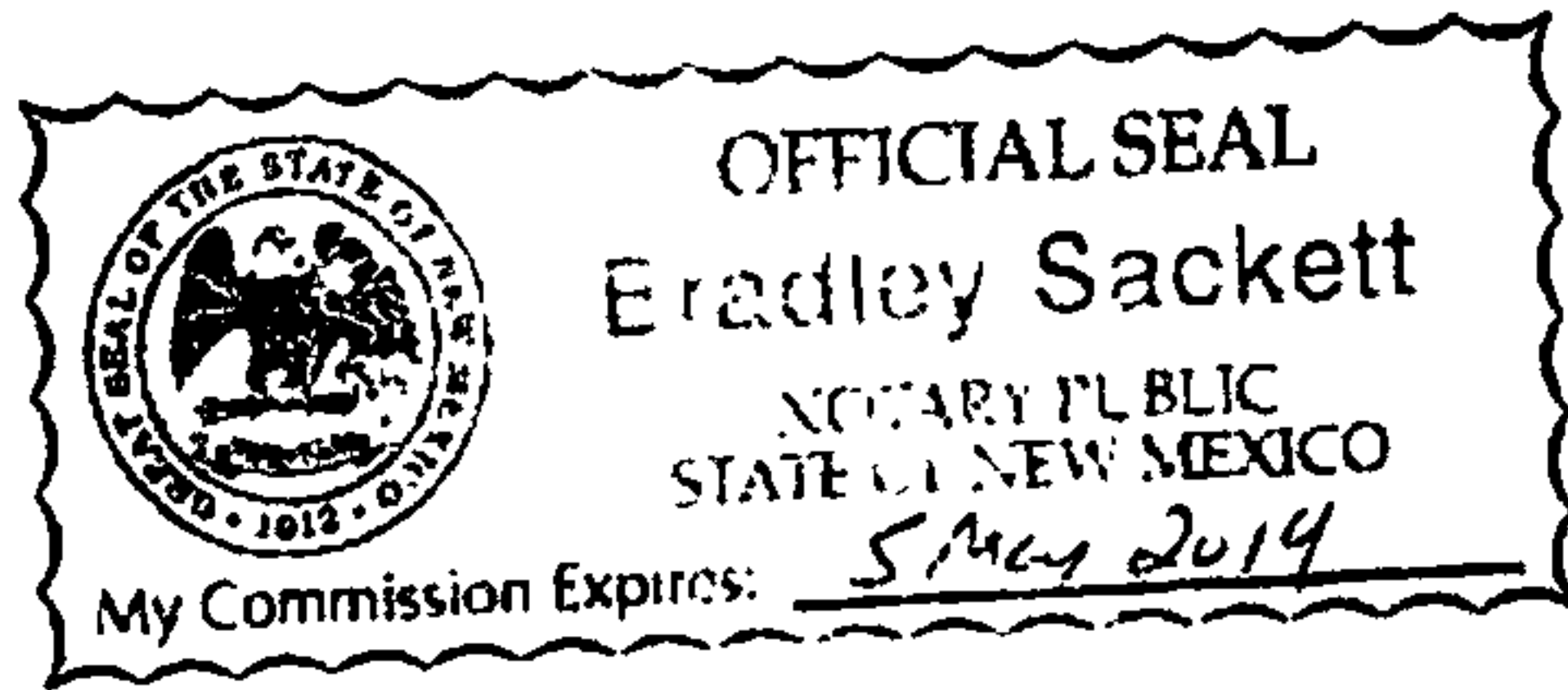
4. Access to Driveway. Haidari is hereby granted access to the Easement property and any driveways constructed thereon, including rights of ingress and egress. Haidari shall have the right to full use and enjoyment of the Easement property, so long as such use is not inconsistent with the use of the owner of the Benefitted Property; provided, however, that if Haidari or a successor owner of the Burdened Property uses the driveway or utility lines constructed on the easement, then the cost of maintaining the driveway shall be shared equally.

5. Construction on the Property. SBAIb or its successors or assigns, at its or their expense, will obtain the necessary permits for, and then construct in a good and workmanlike manner, the driveway and utility lines on the Easement. SBAIb or its successors or assigns shall insure that the driveway and utilities shall comply with all applicable laws, ordinances, rules, and regulations, and shall also insure that any construction or improvements done on the Easement property shall not cause the Burdened Property to cease to be in full compliance with any such laws, ordinances, rules, and/or regulations.

6. Entire Agreement. This Agreement represents the entire agreement between the parties and supersedes all prior agreements or representations with respect to the subject matter hereof. This Agreement may be modified only by a writing signed and dated by both parties.

COUNTY OF BERNALILLO) ss.
)

On this 7 day of ^{March}~~February~~, 2011, there personally appeared before me Steve Marcum, the managing member of SBA1b Real Estate Holdings, LLC, and acknowledged the execution of the foregoing instrument on behalf of such limited liability company.




Notary Public

My commission expires:

EXHIBIT A

Legal Description Lot 17 ("Burdened Property")

Lot numbered Seventeen (17) in Block Numbered One (1) of Tract 2, Unit 3, North Albuquerque Acres, as the same is shown and designated on said plat thereto, filed in the office of the County Clerk of Bernalillo Count, New Mexico on September 10, 1931, in Volume D1, folio 20.

EXHIBIT B

Legal Description Lot 18 ("Benefited Property")

A portion of Lot numbered Eighteen (18) in Block Numbered One (1), Tract 2, Unit 3, North Albuquerque Acres, 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 September 10, 1931, in Volume D1, folio 20.

Figure 19

Nearest Major Streets: WYOMING + EAGLE 1227
No. of Lots: NINE (9)

SIDEWALK DEFERRAL AGREEMENT

PROJECT NO. 784882

THIS AGREEMENT is made this 4th day of September, 2012, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P.O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103 and SENEMAR ("Subdivider"), whose address is 1202 Gazelle Pl NE ALBUQ NM 87111 and whose telephone number is 505 250 6122, a (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.)
SENEMAR, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Subdivider is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description) lots 15, 16 and portion of lot 18, Block 2, Tract 2, Unit 3 of Norte Albuquerque Acres recorded on (Date) 04-23-2011, 2011, in Book 20102624 pages 1 through 1, as Document No. _____ in the records of Bernalillo County Clerk, State of New Mexico ("Subdivision"); and

WHEREAS, the Subdivider has submitted and the City has approved Subdivider's development plans and (state "preliminary" or "final":) PRELIMINARY plat, to be identified as (state name of plat:) LA VISTA IN DESERT TRAILS; and
SUBDIVISION

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

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

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

Doc# 2012096817

09/19/2012 10 04 AM Page 1 of 8
AGRE R \$25 00 M Toulouse Oliver Bernalillo County



THEREFORE, the City and the Subdivider agree:

1. A. Sidewalk Construction Deadline. Subdivider has obtained a sidewalk deferral, as shown in the attached Exhibit "A", which is a copy of the Development Review Board's decision regarding the deferral granted. Subdivider agrees to utilize the City's sidewalk permit process and complete the sidewalks to the satisfaction of the City by AUG 31, 2012 20__ ("Sidewalk Construction Deadline").

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

2. Financial Guaranty. Subdivider will provide a financial guaranty in an amount of not less than 125% of the cost of constructing the sidewalk improvements within the Subdivision, as determined by the City. The financial guaranty must be irrevocable and may be in the form of a City-approved bond, letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Sidewalk Construction Deadline. To meet the Subdivision Ordinance requirements, the Subdivider has provided the following "Financial Guaranty":

Type of Financial Guaranty: Cashier's check # 120794
Amount: \$ 10,831.31
Name of Financial Institution or Surety providing Guaranty: First American bank
Date City first able to call Guaranty (Construction Completion Deadline): AUG 31, 2012
If Guaranty other than a Bond, last day City able to call Guaranty is: OCT 31, 2012
Additional information: _____

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

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

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

6. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

9. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the sidewalks by the Construction Completion Deadline, the City may construct or cause the sidewalks to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct

or indirect costs and damages to the City exceed the amount of the Financial Guaranty, the Subdivider shall be liable to, and shall pay the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to the Financial Guaranty.

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

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

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

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

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

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

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

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

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

SUBDIVIDER: Senemär
By [signature]: [Signature]
Name [print]: Esmail Haidari
Title: owner and developer
Dated: Managing member

Aug 29, 2012

CITY OF ALBUQUERQUE
By: [Signature]
Richard Dourte, City Engineer
Dated: 9-4-12

9-4-12

9-4-2012

SUBDIVIDER'S NOTARY

STATE OF New Mexico)
) ss.
COUNTY OF Sernalillo)

This instrument was acknowledged before me on 29 day of August, 2012
by (name of person:) Esmad Haidari, (title or capacity, for instance, "President" or
"Owner":) Managing Member of
(Subdivider:) Senemar LLC

(SEAL)

Lisa Cornejo
Notary Public

My Commission Expires:



CITY'S NOTARY

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

This instrument was acknowledged before me on 4 day of September 20 12
by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf
of said corporation.

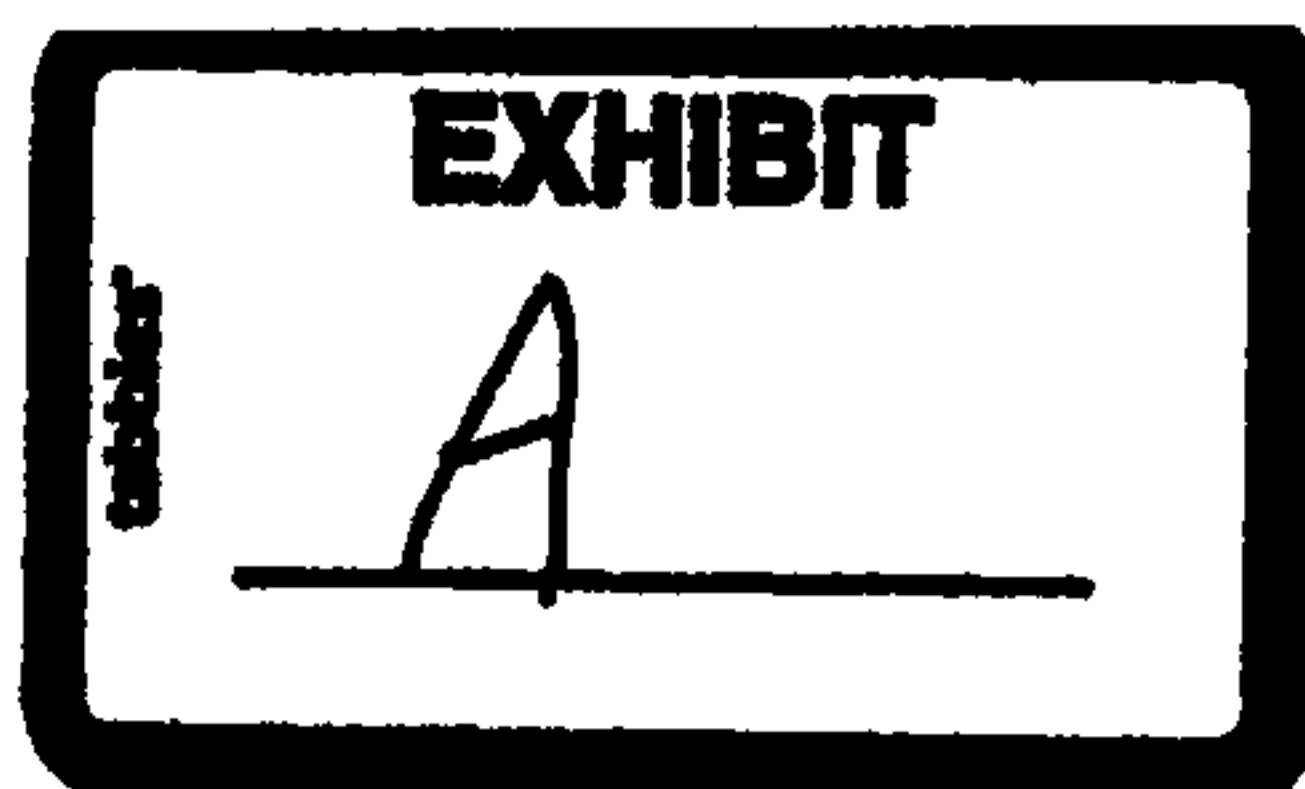
(SEAL)

Lisa Cornejo
Notary Public

My Commission Expires:



EXHIBIT A ATTACHED
[POWER OF ATTORNEY ATTACHED IF SUBDIVIDER
IS NOT THE OWNER OF THE SUBDIVISION]



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 9, 2011

Project# 1008589

10DRB-70327 VACATION OF PUBLIC RIGHT-OF-WAY
10DRB-70328 VACATION OF PUBLIC EASEMENT
10DRB-70329 MINOR - TEMPORARY DEFERRED SIDEWALK CONST
10DRB-70330 MAJOR - PRELIMINARY PLAT APPROVAL

ESMAIL HAIDARI request(s) the referenced/ above action(s) for all or a portion of Lot(s) 15, 16, AND 18, Block 1, **NORTH ALBUQUERQUE ACRES Tract 2, Unit 3**, zoned R-D, located on the west side of WYOMING BLVD NE between EAGLE ROCK NE and MODESTO AVE NE containing approximately 2.3961 acre(s). (C-19)

At the March 9, 2011 Development Review Board meeting, the vacations were approved as shown on Exhibit 'B' in the Planning file, based on the following Findings:

Findings

The Subdivision Ordinance, Sections 14-14-7-2(B)(1) & (3), specify that a vacation may be approved only when the following items are determined:

The public welfare is in no way served by retaining the way or easement;
The City of Albuquerque does not need to utilize the existing Public Roadway Easement for roadway purposes based on the proposed subdivision, and AMAFCA has quit claimed the Public Drainage Easement because it is not needed.

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'C' in the Planning file.

The Board found evidence of similar non-uniform lots in blocks 3 and 6 of adjacent Desert Ridge Trails Unit 1 Subdivision as proposed with this subdivision. With an approved grading and drainage plan engineer stamp dated March 1, 2011 and with the signing of the infrastructure list dated March 9, 2011 the preliminary plat was approved.

CONDITIONS:

1. Detached open space shall be calculated and compliance with Section 14-16-3-8 (A) of the Zoning Code shall be noted on the Final plat; this may require cash payment to be received prior to Final plat.

2. The proposed Lot 9P-1 shall be designated as "Tract" or "Parcel" on the Final plat, and restrictions on further platting of this Tract or Parcel shall be prominently noted on the Final plat.

If you wish to appeal this decision, you must do so by March 24, 2011 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department; the date the determination in question is issued is not included in the 15-day period for filing an appeal [If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal]. Such appeal shall be heard within 60 days of its filing. You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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


Jack Cloud, DRB Chair

Cc: Esmail Haidari – 12008 Gazelle Place NE – Albuquerque, NM 87111
Cc: Steve Marcum Managing Member – SBAIb Real Estate Holdings, LLC. –
219 Central Ave. NW Ste. 100 – Albuquerque, NM 87102
Marilyn Maldonado
Scott Howell
File

TREASURER'S REPORT OF DEPOSITS

Remitter: First American Check No. 120794	Project Name: La Vista @ Desert Trails CPN: 784882
Comments: Sidewalk Deferral Agreement Financial Guaranty	Account: <u>233100</u> Activity: <u>7000110</u> Fund: <u>110</u> Amount: <u>\$10,831.31</u>

Total Amount: \$10,831.31
Verified By: Marilyn Maldonado
Phone Number: (505)924-3997
Deposit Date: August 29, 2012

City of Albuquerque Treasury
 J-24 Deposit
 Date: 8/29/2012 Office: ANNEX
 Station ID: 50000008 Cashier: TRSSIV
 Batch: 676 Trans: 36
 Fund: 110 Activity ID
 Account: 233100 Project ID
 Dept ID: 7000110 Bus. Unit:
 Trans Amt: \$10,831.31
 Check Tendered : \$10,831.31

FINANCIAL GUARANTY AMOUNT

08/02/2012

Type of Estimate: Sidewalk Deferral

Project Description:

Project ID #: 784882, La Vista at Desert Ridge Trails Subd, Phase/Unit #: 1

Requested By: **Esmail Haidari**

Approved estimate amount:		\$8,098.18
NMGRT	7.00%	\$566.87
Subtotal:		\$8,665.05
125% FINANCIAL GUARANTY RATE		1.25
TOTAL FINANCIAL GUARANTY REQUIRED		\$10,831.31

APPROVAL:

DATE:

S Woodal

8-2-12

Notes: Deferred SDWK - Esmail Court

**AMENDMENT TO AGREEMENT TO
CONSTRUCT SUBDIVISION IMPROVEMENTS
AND
AMENDMENT TO DRB INFRASTRUCTURE LIST**

9-18-2012

City Project # 784882

WHEREAS, the City and the Subdivider entered into an Agreement to Construct Public and/or Private Subdivision Improvements ("Original Agreement") on **February 24, 2012**, which was recorded in the office of the Clerk of Bernalillo County, New Mexico, on **February 27, 2012**, as **Document No. 2012019397**, wherein the Subdivider agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Subdivider has requested final plat approval of its plat identified as **La Vista @ Desert Trails Subdivision**; and

WHEREAS, the Subdivider is required to financially guarantee the construction of the public and/or private infrastructure; and

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

THEREFORE, the Subdivider and the City agree to amend the Original Agreement as follows:

1. Amending Section 5, **Financial Guaranty**, second paragraph, to read as follows:

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

Type of Financial Guaranty: **Municipal Lien (on future Lot 9-P1)**

Amount: **\$87,034.51**

Name of Financial Institution or Surety providing Guaranty: **City of Albuquerque**

Date City first able to foreclose Guaranty (Construction Completion Deadline):

April 9, 2013

If Guaranty other than a Bond or Municipal Lien, last day City able to call Guaranty: _____

Additional information: **The subdivider agrees to replace the municipal lien with an irrevocable letter of credit or a subdivision bond acceptable to the City within 12 months of the final execution of this Amendment Agreement.**

2. WHEREAS, the Subdivider is required to amend the infrastructure listing for public and/or private improvements attached as Exhibit A to the Original Agreement;

WHEREAS, the Subdivider has submitted to the City and the City has approved an amended infrastructure listing.

Doc# 2012096818

09/19/2012 10 04 AM Page 1 of 8
AMND R \$25 00 M Toulouse Oliver, Bernalillo County



Current DRC
Project Number _____

FIGURE 12

Date Submitted: _____
Date Site Plan Approved: _____
Date Preliminary Plat Approved: _____
Date Preliminary Plat Expires: _____
DRB Project No.: _____
DRB Application No.: 1008589

ORIGINAL

INFRASTRUCTURE LIST

(Rev 9-20-05)

EXHIBIT "A"

TO SUBDIVISION IMPROVEMENTS AGREEMENT

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

La Vista at Pearl Ridge

PROPOSED NAME OF PLAT AND SITE DEVELOPMENT PLAN
Lots 15 and 16, Block 1, Tract 2, Unit 3, NAA and a Portion of lot 18, Block 1, Tract 2, Unit 3 NAA

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	P.E.	City Crst Engineer
		28' FF	Residential pavement, curb and Gutter	Esmail Court	West PL	Cul De Sac	/	/	/
		4'	Sidewalk both sides	Esmail Court	West PL	Cul De Sac	/	/	/
		8"	Sanitary Sewer	Esmail Court	West PL	End of Cu De Sac	/	/	/
		6"	Water line	Esmail Court	Wyoming Blvd	5' West of lot 1, East PL	/	/	/
		2500	Earth Work	Entire Subdivision			/	/	/
		264 LF	4' Garden wall (Varies in Height)	Wyoming	NE Cor	SE Cor	/	/	/
		80 LF	5' Retaining Wall	Wyoming	NE Cor	SE Cor	/	/	/
		4'	Sidewalk	Pinon Vista CT Cul De Sac	Esmail CT SE	Existing sidewalk (Approx 10' west of rundown)	/	/	/
		30' F-F	Perm pavement Curb and gutter 6' sidewalk West side	Wyoming	NE Cor	SE Cor	/	/	/

EXHIBIT
A-1

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

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

Approval of Creditable Items:	
Impact Fee Administrator Signature	Date
City User Dept. Signature	Date

NOTES

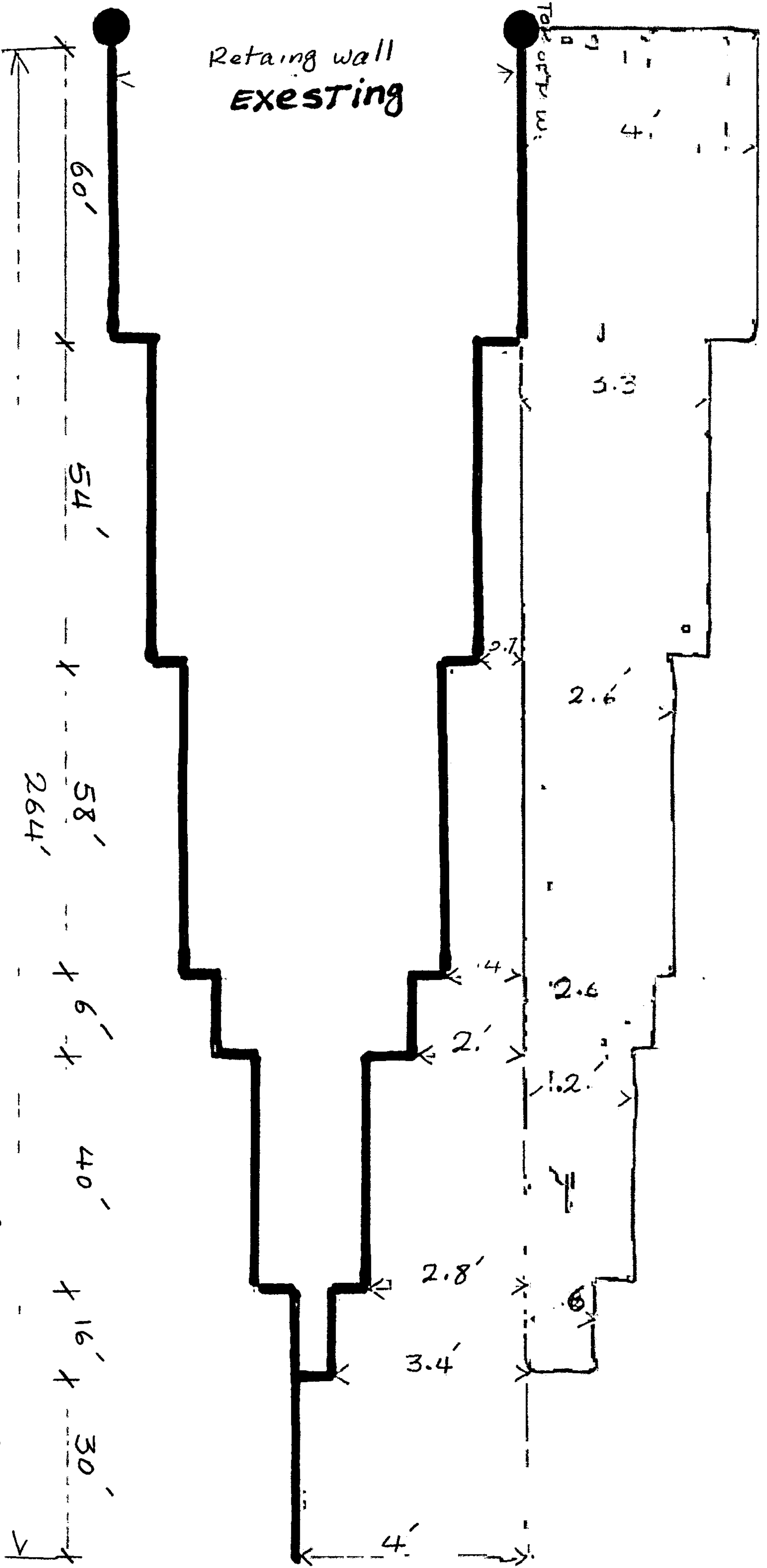
If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.
Street lights per City requirements.

- 1 _____
- 2 _____
- 3 _____

AGENCY OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
Esmail Heidari		<i>[Signature]</i>	<i>[Signature]</i>
NAME (print)		DRB CHAIR - date	PARKS & RECREATION - date
Owner		09-12-12	
FIRM		TRANSPORTATION DEVELOPMENT - date	AMAFCA - date
<i>[Signature]</i>		09/12/12	
SIGNATURE - date		UTILITY DEVELOPMENT - date	
		<i>[Signature]</i>	
		CITY ENGINEER - date	
		9/12/12	

DESIGN REVIEW COMMITTEE REVISIONS			
REVISION	DATE	DRC CHAIR	AGENT / OWNER

Retaining wall
EXISTING



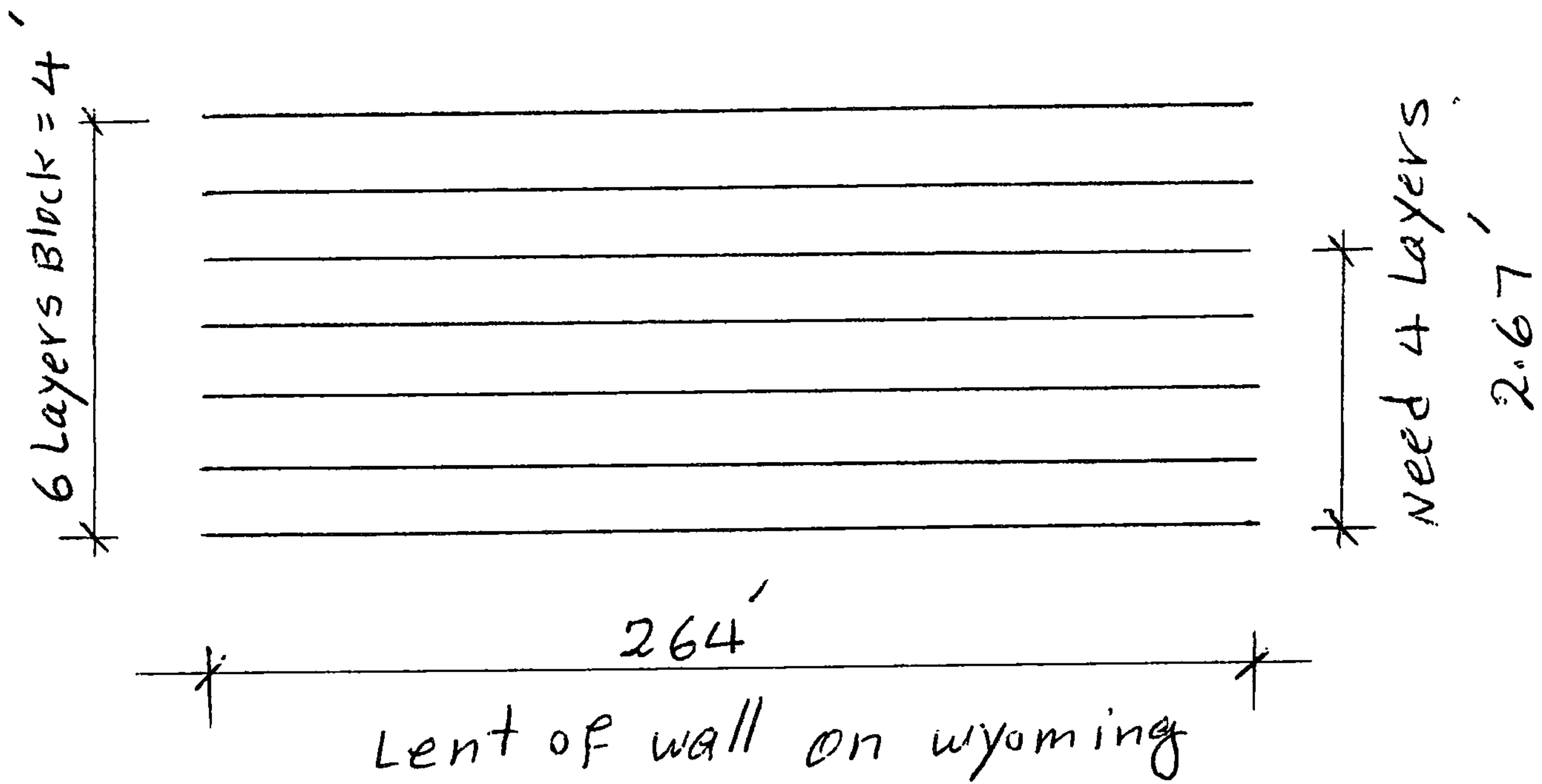
FUTURE G.W.

EXISTING G.W.

EXISTING R.W.

Financial Guaranti Garden wall "NO Footing"

60'	4:0'	270 Block
54'	3.3'	203
58'	2.6'	174
6'	2.0'	14
40'	1.2'	60



$$\text{Pices } 733 \times \frac{16}{12} = 977 \text{ LF}$$

$$\frac{977}{264} = 3.7 \text{ Layers} \rightarrow 4 \text{ Layers}$$

$$\text{Average} = \frac{4 \times 8''}{12''} = 2.67'$$

FINANCIAL GUARANTY AMOUNT

09/12/2012

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

Project Description:

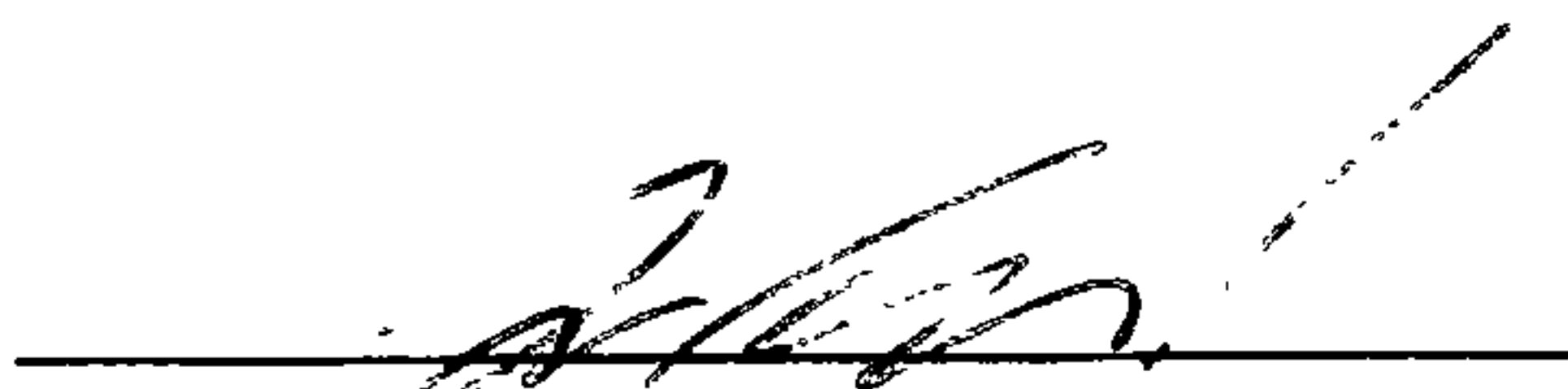
Project ID #: 784882, La Vista at Desert Ridge Trails Subd, Phase/Unit #:

Requested By: **Esmail Haidari**

Approved estimate amount:		\$54,472.24
Contingency Amount:	10.00%	\$5,447.22
Subtotal:		\$59,919.46
NMGRT	7.00%	\$4,194.36
Subtotal:		\$64,113.82
Engineering Fee	6.60%	\$4,231.51
Testing Fee	2.00%	\$1,282.28
Subtotal:		\$69,627.61
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		\$.00
TOTAL FINANCIAL GUARANTY REQUIRED		<u>\$87,034.51</u>

APPROVAL:

DATE:



Sept 12, 2012

Notes: Wyoming Improvements, plans have not been approved. Estimate includes wall along Wyoming.

CLAIM AND NOTICE OF LIEN**TITLE OF PROJECT: La Vista at Desert Ridge Trails****SUBDIVIDER: Senemar, LLC****CITY PROJECT NO.: 784882**

The City of Albuquerque ("City") claims a lien ("City Lien") on the real property described below for 125% of the cost of construction of all infrastructure improvements ("Improvements") required in connection with the development of (name of subdivision) **La Vista at Desert Ridge Trails**, said Improvements being more particularly described in that certain **Subdivision Improvements Agreement** ("Agreement") between the City and (name of owner and/or subdivider) **Senemar, LLC**, and recorded in on **February 27, 2012**, as **Document No.2012019397**, as amended in the Office of the Clerk of Bernalillo County, State of New Mexico. This City Lien is established pursuant to § 14-14-5-4 R. O. Albuquerque 1994, as amended and §§ 3-36-1 et seq. NMSA 1978 which provides that this lien is a first and prior lien subject only to the lien of general and state taxes and is claimed as assurance for the satisfactory completion of construction of the Improvements by the construction completion deadline as required by the Agreement.

OWNER: Senemar, LLC
12008 Gazelle Place
Albuquerque, NM 87111

LEGAL DESCRIPTION: Lot 9-P1, La Vista at Desert Ridge Trails being a replat of lots 15, 16, and a portion of lot 18, Block 1, North Albuquerque Acres Tract 2, Unit 3 and a portion of AMAFCA right-of-way recorded on Sept. 19, 2012, as Document No. 2012096818, in the Office of the County Clerk of Bernalillo County, State of New Mexico.

FORMER LEGAL DESCRIPTION: Lots 15, 16, and a portion of Lot 18, Block 1, North Albuquerque Acres Tract 2, Unit 3 and a portion of AMAFCA right-of-way recorded in Book D1, at page 20, on September 10, 1931, together with a portion of the La Cueva channel Drainage right-of-way as deeded via quitclaim deed from AMAFCA filed on December 30, 2005, in Book A109, Page 588, in the Office of the County Clerk of Bernalillo County, State of New Mexico.

AMOUNT: **\$87,034.51** plus any costs incurred for a title search and update, which amount shall bear interest at the rate of twelve percent (12%) per year from the date of filing of this Claim and Notice of Lien.

PERIOD OF TIME COVERED: Expiration of construction completion deadline **April 9, 2013**. Notwithstanding the expiration date of the construction completion deadline, the City may record this Claim and Notice of Lien at anytime the City determines that any alternative Financial Guaranty does not provide adequate assurance that construction of the Improvements will occur.

Doc# 2012096819

1 of 2

09/19/2012 10 04 AM Page 1 of 2
LIEN R \$25 00 M Toulouse Oliver, Bernalillo County

Bernalillo County, NM
One Civic Plaza NW
P.O. Box 542
Albuquerque, NM 87102

Receipt: 0396132

Product	Name	Extended
AGRE	Agreement	\$25.00
	# Pages	8
	Document #2012096817	
	# Of Entries	0
	In Person/Interested Person	false
AMND	Amendment	\$25.00
	# Pages	8
	Document #2012096818	
	# Of Entries	0
	In Person/Interested Person	false
LIEN	Lien	\$25.00
	# Pages	2
	Document #2012096819	
	# Of Entries	0
	In Person/Interested Person	false
Total		\$75 00
Tender (Check)		\$75 00
Check# 102a		
Paid By esmail haidari		

Thank You!

9/19/12 10:04 AM sgallegos

Application # :

1008589

12-70306 (FP)
