OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

July 11, 2012

Project# 1008797
12DRB-70183 EXTENSION OF MAJOR PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for TOAS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TOAS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE AVE. BETWEEN OAKRIDGE ST AND UNIVERSE BLVD [REF: 100906445332010O7] (C9)

At the July 11, 2012 Development Review Board meeting, an extension of the preliminary plat was approved to July 27th to coincide with Tierra Vista. A 15 day appeal period will expire 8/11/12.

The conditions of final plat still apply.

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

If you wish to appeal this decision, you must do so by July 26, 2012 in the manner described below.

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

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

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

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc.
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 31, 2012

Project# 1008797
12DRB-70340 EXT OF MAJOR PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for GALWAY CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS AT THE TRAILS UNIT 2 Unit(s) 2,** zoned R-D, located on TREE LINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD containing approximately 14.63 acre(s). (C-9)
At the October 31, 2012 Development Review Board meeting, an extension of the preliminary plat was approved through January 2, 2013.

The conditions of final plat still apply.

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

Jack Cloud, DRB Chair

Bohannan Huston Inc.
Marilyn Maldonado
File

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 5, 2012

Project# 1008797
12DRB-70274 EXT OF MAJOR PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for GALWAY CONSTRUCTION request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 14.63 acre(s). (C-9)

At the September 5, 2012 Development Review Board meeting, an extension of the preliminary plat was approved through October 31, 2012.

The conditions of final plat still apply.

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc
Marilyn Maldonado
file

3. Project# 1008585 12DRB-70146 MAJOR – SITE DEVELOPMENT PLAN FOR BUILDING PERMIT	TIERRA WEST LLC agent(s) for BRUCKNER TRUCK SALES request(s) the referenced/ above action(s) for all or a portion of Tract(s) B-20 & B-21, **TOWN OF ATRISCO Unit 5,** zoned SU-1 (IP USES & C-2 PERMISSIVE USES W/EXCEPTIONS), located on the north side of DAYTONA RD NW between UNSER BLVD AND 90TH ST NW containing approximately 7.2399 acre(s). (J-9) *[Deferred from 6/6/12]***DEFERRED TO 6/27/12 AT THE AGENT'S REQUEST.**
4. Project# 1008797 12DRB-70153 EXTENSION OF MAJOR PRELIMINARY PLAT 12DRB-70154 VACATION OF PUBLIC EASEMENT 12DRB-70155 VACATION OF PUBLIC EASEMENT 12DRB-70156 VACATION OF PUBLIC RIGHT-OF-WAY	BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned SU-2/ VTSL, located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 14.63 acre(s). (C-9) **DENIED.**
5. Project# 1008797 12DRB-70096 MAJOR - FINAL PLAT APPROVAL	BOHANNAN HUSTON INC agent(s) for RCS-TAOS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD containing approximately 14.63 acre(s). (C-9) *[Indefinitely Deferred at the Applicant's request on 4/11/12]* **DENIED.**
6. Project# 1008798 12DRB-70152 EXT OF MAJOR PRELIMINARY PLAT	BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Tract(s) TRACT A TAOS UNIT 1 AT THE TRAILS & TRACT B TAOS AT THE TRAILS UNIT 2, **TAOS UNIT 2 AT THE TRAILS** zoned RD, located on TREEN LINE AVE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 7.36 acre(s). (C-9) **DENIED.**
7. Project# 1008798 12DRB-70097 MAJOR - FINAL PLAT APPROVAL	BOHANNAN HUSTON INC agent(s) for RCS-TAOS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS UNIT 2 AT THE TRAILS** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 7.36 acre(s). (C-9) *[Indefinitely Deferred at the Applicant's request on 4/11/12]* **DENIED.**
8. Project# 1008799 12DRB-70166 EXT OF MAJOR PRELIMINARY PLAT	BOHANNAN HUSTON INC agent(s) for THE TRAILS, LCC request(s) the above action(s) for all or a portion of Tract(s) 9A, **THE TRAILS UNIT 2** zoned RD, located on WOODMONT BETWEEN RAINBOW AND UNIVERSE containing approximately 19.77 acre(s). (C-9) **DENIED.**

#4

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008797

Date:

NAME: Marcus Rael ADDRESS: 500 Marquette Ave Suite 700 ZIP: 87102

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

#4

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008799

Date:

NAME:	Jerry Lovato	ADDRESS:	2600 Prospect NE	ZIP:	87107
NAME:	Tim Flynn O'Brien	ADDRESS:	817 Odd Sw	ZIP:	87102
NAME:	Rio Leverick	ADDRESS:	5120 San Francisco NE	ZIP:	87109
NAME:	Brian Paul	ADDRESS:	c/o "	ZIP:	"
NAME:		ADDRESS:		ZIP:	
NAME:		ADDRESS:		ZIP:	
NAME:		ADDRESS:		ZIP:	
NAME:		ADDRESS:		ZIP:	

#5

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008797

Date:

NAME: Jerry Lovato ADDRESS: 2600 Prospect NE ZIP: 87107

NAME: Tim Flynn/Bruce ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: Ric Leverick ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: Brian Paul ADDRESS: c/o 817 Goldan SW ZIP: 87102

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

#6

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008798

Date:

NAME: Jerry Lovato ADDRESS: 2660 Prospect NE ZIP: 87107

NAME: Tim Flynn O'Brien ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: Ric Leverich ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: Bula Paul ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

7

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008798

Date: _____

NAME: Jerry Lovato ADDRESS: 2600 Prospect NE ZIP: 87107

NAME: Tim Flynn O'Brien ADDRESS: 817 Odd Ave SW ZIP: 87102

NAME: Ric Leverich ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: Bud Paul ADDRESS: 817 Odd Ave SW ZIP: 87102

NAME: _____ ADDRESS: _____ ZIP: _____

NAME: _____ ADDRESS: _____ ZIP: _____

NAME: _____ ADDRESS: _____ ZIP: _____

NAME: _____ ADDRESS: _____ ZIP: _____

#8

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008799

Date:

NAME: Jerry Lovato ADDRESS: 2600 Prospect NE ZIP: 87107

NAME: Tim Flynn O'Brien ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: Ric Leverich ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: Brian Paul ADDRESS: c/o 817 Gold Ave SW ZIP: 87102

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

#9

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008799

Date:

NAME: Jerry Lovato ADDRESS: 2600 Prospect NE ZIP: 87107

NAME: Tim Flynn O'Brien ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: Ric Leverich ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: Brian Paul ADDRESS: c/o 817 Gold Ave SW ZIP: 87102

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

#10

DRB PUBLIC HEARING SIGN IN SHEET

Project #: 1008820

Date:

NAME: Jerry Lovato ADDRESS: 2600 Prospect NE ZIP: 87107

NAME: Tim FlynnOBrien ADDRESS: 817 Gold Ave SW ZIP: 87102

NAME: Bill Paul ADDRESS: c/o " ZIP: "

NAME: Ric Leverich ADDRESS: 5120 San Francisco NE ZIP: 87109

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

NAME: ADDRESS: ZIP:

3. **Project# 1008797**
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9)) *[Deferred from,6/1/11, 6/15/11]*
THE BOARD CONCLUDED AN ADVERTISED PUBLIC HEARING ON THE PROPOSED VACATIONS PER SECTION 14-14-7-2(F) OF THE SUBDIVISION ORDINANCE. THE BOARD RECOMMENDS APPROVAL TO THE CITY COUNCIL OF THE PROPOSED VACATIONS AS SHOWN ON EXHIBIT C IN THE PLANNING FILE, BASED ON THE FOLLOWING RECOMMENDED FINDINGS PER SECTIONS 14-14-7-2(A)(1), (B)(1), AND (B)(3) OF THE SUBDIVISION ORDINANCE, AND SUBJECT TO THE FOLLOWING RECOMMENDED CONDITIONS OF APPROVAL PER SECTIONS 14-14-7-2(F)(3)(C) AND 14-14-7-2(F)(4) OF THE SUBDIVISION ORDINANCE.

4. **Project# 1008798**
11DRB-70115 PRELIMINARY PLAT
11DRB-70121 SIDEWALK WAIVER
11DRB-70122 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for a portion of Lot(s) 7-P1 thru 113-P1, TAOS **AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 2 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 7.31 acre(s). (C-9)) *[Deferred from,6/1/11, 6/15/11]* **WITH AN APPROVED GRADING AND DRAINAGE PLAN ENGINEER STAMP DATED 6/21/11 AND WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 6/29/11, THE PRELIMINARY PLAT WAS APPROVED SUBJECT TO COMPLIANCE WITH THE REVISIONS TO THE SITE DEVELOPMENT PLAN FOR SUBDIVISON; THE GRADING AND DRAINAGE PLAN SHALL ALSO BE UPDATED AND THE FINAL PLAT SHALL INCLUDE OPEN SPACE NOTE 9 FROM THE SITE PLAN. THE SIDEWALK WAIVER AND THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT 'B' IN THE PLANNING FILE.**

13. Project# 1007672
11DRB-70331 MAJOR - 2YR SUBD IMP AGMT EXT (2YR SIA)

JOHN SCHIFFER/MASTER HOMECRAFTERS INC. agent(s) for JOHN SCHIFFER/MASTER HOMECRAFTERS INC. request(s) the above action(s) for all or a portion of Lot(s) 30 A & B, Block(s) 16, Tract(s) 1, **NORTH ALBUQUERQUE ACRES Unit(s) 3,** zoned R-D, located on GLENDALE EAST OF BARSTOW (B-20) **THE TWO YEAR EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED.**

14. Project# 1008797
11DRB-70323 AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 14.63 acre(s). (C-9)*[Deferred from 11/16/11]***WITH AMENDMENTS TO THE INFRASTRUCTURE LIST AND SUBJECT TO THE APPROVAL BY DRC, THE AMENDED PRELIMINARY PLAT WAS APPROVED.**

15. Project# 1008798
11DRB-70324 AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P-1 THROUGH 113-P-1, Tract(s) TRACT A TAOS UNIT 1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 14.63 acre(s). (C-9))*[Deferred from 11/16/11]* **WITH AMENDMENTS TO THE INFRASTRUCTURE LIST AND SUBJECT TO THE APPROVAL BY DRC, THE AMENDED PRELIMINARY PLAT WAS APPROVED.**

16. Project# 1005029
11DRB-70322 EXT OF MAJOR PRELIMINARY PLAT

ISAACSON AND ARFMAN PA agent(s) for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC C/O GARRETT DEV CORP request(s) the above action(s) for all or a portion of Tract(s) B & J & R, **STORMCLOUD (TBK STORMCLOUD SUBDIVISION UNIT 4 AND 5) Unit(s) 3,** zoned SU-2/RL-T, located on TIERRA PINTADA BLVD NW WEST OF UNSER containing approximately 55.243 acre(s). (H-9)*[Deferred from 11/16/11]* **A 15 DAY EXTENSION TO DECEMBER 7 OF THE PRELIMINARY PLAT WAS APPROVED.**

17. Approval of the Development Review Board Minutes for November 16, 2011

Other Matters: None.

ADJOURNED:

6. **Project# 1008916**
11DRB-70274 EPC APPROVED SDP FOR BUILD PERMIT

MULLEN HELLER ARCHITECTURE agent(s) for FIRST UNITARIAN CHURCH OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Lot(s) 8-D1 &8-B, Block(s) B, **INDIAN ACRES SUBD** zoned SU-1 FOR C-1/O-1 & SU-1 FOR O-1, located on CARLISLE BLVD NE BETWEEN COMANCHE BLVD NE AND AZTEC RD NE containing approximately 3.5686 acre(s). (G-16)*[Deferred from 10/12/11, 10/26/11,11/2/11, 11/9/11]***INDEFINTIELY DEFERRED AT THE AGENT'S REQUEST.**

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

7. **Project# 1005029**
11DRB-70322 EXT OF MAJOR PRELIMINARY PLAT

ISAACSON AND ARFMAN PA agent(s) for WESTERN ALBUQUERQUE LAND HOLDINGS, LLC C/O GARRETT DEV CORP request(s) the above action(s) for all or a portion of Tract(s) B & J & R, **STORMCLOUD (TBK STORMCLOUD SUBDIVISION UNIT 4 AND 5) Unit(s) 3,** zoned SU-2/RL-T, located on TIERRA PINTADA BLVD NW WEST OF UNSER containing approximately 55.243 acre(s). (H-9) **DEFERRED TO 11/30/11 AT THE AGENT'S REQUEST.**

8. **Project# 1008797**
11DRB-70323 AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P1 THROUGH 113-P1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 14.63 acre(s). (C-9) **DEFERRED TO 11/30/11 AT THE AGENT'S REQUEST.**

9. **Project# 1008798**
11DRB-70324 AMENDMENT TO PRELIMINARY PLAT

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the above action(s) for all or a portion of Lot(s) 7-P-1 THROUGH 113-P-1, Tract(s) TRACT A TAOS UNIT 1, **TAOS AT THE TRAILS UNIT 2** zoned RD, located on TREE LINE BETWEEN OAKRIDGE AND UNIVERSE containing approximately 14.63 acre(s). (C-9) **DEFERRED TO 11/30/11 AT THE AGENT'S REQUEST.**

10. **Project# 1004228**
11DRB-70313 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for HEADSTART ENTERPRISES request(s) the above action(s) for all or a portion of Tract(s) A & 188-A-1-B, **GUTHRIE COMMERCE PARK** zoned M-1, located on MONTANO RD BETWEEN EDITH BLVD AND I-25 containing approximately 7.7279 acre(s). (F-15)*[Deferred from 11/9/11]* **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF.**

DRB CASE ACTION LOG

(Site Plan - Subdivision)

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

DRB Application No.: *11DRB- 70120* Project # *10008797*

Project Name: *Taos at the Trails Unit 2 TBKA Taos unit 1 at the Trails*

Agent: *Bohannan Huston* Phone No.:

Your request was approved on 6-29-11 by the **DRB with delegation of signature(s) to the following departments.**

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED:

- ☐ **TRANSPORTATION**:
- ☐ **ABCWUA**:
- ☐ **CITY ENGINEER / AMAFCA**:
- ☐ **PARKS / CIP**:
- ☑ **PLANNING (Last to sign)**: Revisions for comments

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

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

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

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
November 16, 2011
DRB Comments

ITEM # 8 & 9

PROJECT # 1008797 & 1008798

RE: Taos at the Trails

A scaled design is needed to demonstrate how revised street sections will function. Regarding proposed Tract C at the intersection corner, this should be incorporated/ replatted into Lot B along Universe.

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

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
November 16, 2011
DRB Comments

ITEM # 8 & 9

PROJECT # 1008797 & -8798

RE: Taos at the Trails

A scaled design is needed to demonstrate how revised street sections will function. Regarding proposed Tract C at the intersection corner, this should likely be dedicated as right of way.

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

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2011 070 323

11/08/2011 Issued By: BLDAVM 128020

Application Number: **11DRB-70323**, Amendment To Preliminary Plat

Address:

Location Description: TREE LINE BETWEEN OAKRIDGE AND UNIVERSE

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LN #160
ALBUQUERQUE NM 87120
505-761-9911

Agent / Contact
BOHANNAN HUSTON INC
SCOTT STEFFEN
COURTYARD I, 7500 JEFFERSON NE
ALBUQUERQUE NM 87109

Application Fees		
441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	**$20.00**
441006/4958000	DRB Actions	**$50.00**
	TOTAL:	**$70.00**

City Of Albuquerque
Treasury Division

11/8/2011 10:06AM LOC: ANNX
WS# 007 TRANS# 0013
RECEIPT# 00150937-00150937
PERMIT# 2011070323 TRSYLB
Trans Amt $70.00
Conflict Manag. Fee $20.00
DRB Actions $50.00
CK $70.00
CHANGE $0.00

Thank You

HEARING DATE: 11-16-11 (APP)

City of Albuquerque

Action Summary

City Council

Council President, Don Harris, District 9
Vice-President, Rey Garduño, District 6

Ken Sanchez, District 1; Debbie O'Malley, District 2
Isaac Benton, District 3; Brad Winter, District 4
Dan Lewis, District 5; Michael D. Cook, District 7
Trudy E. Jones, District 8

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Monday, September 19, 2011 **5:08 PM** **Vincent E. Griego Chambers**
One Civic Plaza
Albuquerque/Bernalillo County
Government Center

R-11-222 Nuisance Abatement at 11101 Towner NE (Harris, by request)

Motion: ***Postpone, due back on October 5, 2011***

Status: Passed
Votes: For: 9 - Council Members: Sanchez, O'Malley, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris

R-11-259 Designating Workforce Housing Trust Funds To Acquire Property On North Fourth Street; Authorizing The Use Of Appropriated Monies For The Purchase Of The North Fourth Street Property For Affordable Housing And Related Development (O'Malley)

Motion: ***Postpone, due back on October 17, 2011***

Status: Passed
Votes: For: 9 - Council Members: Sanchez, O'Malley, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris

R-11-275 F/S Affirming That The City Council And The Mayor Will Work Cooperatively And Collaboratively With The Department Of Justice (DOJ) Should It Choose To Conduct A Comprehensive Review Into Whether There Has Been A Pattern Or Practice Of Civil Rights Violations By The Albuquerque Police Department (Garduño, Lewis)

Motion: ***Do Pass as Substituted***

Status: Passed
Votes: For: 9 - Council Members: Sanchez, O'Malley, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris

EC-11-544 FY11 Priority Objective Report: Public Safety Goal 2, Objective 11 - APD Call Center, 4th Qtr Report

Motion: ***Receipt Be Noted***

Status: Passed
Votes: For: 8 - Council Members: Sanchez, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris
Excused: 1 - Council Members: O'Malley

EC-11-559 Vacation of Public Right-of-Way (Project# 1007886/11DRB-70047) - Jacks High Country Inc., agent for the U.S. Park Service request Vacation for all of St. Joseph's Avenue NW, located on the west side of Unser Blvd. NW within the boundary of Petroglyph National Monument

Motion: ***Approve***

Status: Passed
Votes: For: 8 - Council Members: Sanchez, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris
Excused: 1 - Council Members: O'Malley

EC-11-560 Vacation of Public Right-of-Way (Project# 1008797/ 11DRB-70116) - Bohannan Huston Inc., agent for Taos at the Trails, LLC request Vacation for Lot(s) 7-P1 thru 113-P1, Taos at the Trails, Unit 2, zoned R-D (proposed SU-2/ VTSL), located on the west side of Universe Blvd. NW between Tree Line Ave NW and Woodmont Ave. NW, containing approximately 18.8023 acres

Motion: ***Approve***

Status: Passed
Votes: For: 8 - Council Members: Sanchez, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris
Excused: 1 - Council Members: O'Malley

EC-11-561 Vacation of Public Right-of-Way (Project# 1008699/ 11DRB-70046) - James Lawrence et.al. requests Vacation for all of the East-West Alley in Block E, Atlantic and Pacific Addition, located between 2ND ST SW and 3RD ST SW, between Coal Ave SW and Iron Ave SW

Motion: ***Postpone, due back on October 5, 2011***

Status: Passed
Votes: For: 8 - Council Members: Sanchez, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris
Excused: 1 - Council Members: O'Malley

O-11-69 Amending The Zoning Code, Subsections 14-16-1-5(B) And 14-16-3-5(A), (B), (C) And (D) ROA 1994 To Update The Regulation Of Electronic Signs; Adding Restrictions To New Off-Premise Electronic Signs (Benton)

Motion: ***Postpone, due back on October 5, 2011***

Status: Passed
Votes: For: 8 - Council Members: Sanchez, Benton, Winter, Garduño, Lewis, Cook, Jones and Harris
Excused: 1 - Council Members: O'Malley

M-11-5 Supporting A Ban Of Animal Trapping Through The Use Of Steel-Jaw Leghold Traps, Strangulation Snares, Kill-Type Animal Traps, And Any Modified Version Of Any Such Traps On New Mexico Public Lands (Benton, Jones)

Motion: ***Do Pass***

Status: Passed
Votes: For: 7 - Council Members: Sanchez, Benton, Winter, Garduño, Cook, Jones and Harris
Against: 1 - Council Members: Lewis
Excused: 1 - Council Members: O'Malley

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 1, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9)

AMAFCA
No comments.

COG
No comments.

TRANSIT
Project # 1008797
11DRB-70114
VACATION OF PUBLIC EASEMENT.
11DRB-70116
VACATION OF PUBLIC RIGHT-OF-WAY.
11DRB-70117
SIDEWALK WAIVER.
11DRB-70118
TEMPORARY DEFFERAL OF SIDEWALK CONSTRUCTION.
11DRB-70119
PRELIMINARY PLAT.
11DRB-70120
SITE DEVELOPMENT PLAN FOR SUBDIVISION.

Adjacent and nearby routes
Route #162,Ventana Ranch Commuter route passé the site on Rainbow Blvd.

Adjacent bus stops
None

Site plan requirements
None.

Large site TDM suggestions
None.

Other information
None.

ZONING ENFORCEMENT

No comments.

NEIGHBORHOOD COORDINATION

APS

Taos at the Trails Unit 2, Lots 7-P1 thru 113-P1 Taos at the Trails Unit 1, is located on the west side of Universe Blvd NW between Tree Line Ave NW and Woodmont Ave NW. The owner of the above property requests approval of a Preliminary Plat, Vacation of Public Easement, Sidewalk Deferral/Waiver, and Design Variance for a development that will consist of 57 single family units. This development will have impacts to Ventana Ranch Elementary School, James Monroe Middle School, and Cibola High School. Currently, Ventana Ranch Elementary School is exceeding capacity, James Monroe Middle School and Cibola High School have excess capacity.

Loc No	School	2010-11 40th Day	2010-11 Capacity	Space Available
264	VENTANA RANCH ES	753	730	-23
490	JAMES MONROE MS	1001	1015	14
580	CIBOLA HS	1857	2100	243

Residential Units: 57

Est. Elementary School Students: 15

Est. Middle School Students: 7

Est. High School Students: 7

Est. Total # of Students from Project: 29

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

Tierra Antigua and Sunset View Elementary Schools have opened, they will relieve overcrowding at Ventana Ranch. Tony Hillerman Middle School opened fall of 2009, and has relieved overcrowding at James Monroe.

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

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

On May 10, 2011, The Trails LLC, entered into a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools to pay a facility fee for each residential unit that will be constructed in the subdivision. These fees will help with the construction and maintenance of new and existing schools within the APS district.

POLICE DEPARTMENT No comments.
FIRE DEPARTMENT No comments.
PNM ELECTRIC & GAS No comments.
COMCAST No comments.
QWEST No comments.
ENVIRONMENTAL HEALTH No comments.
M.R.G.C.D No adverse comments.
OPEN SPACE DIVISION No adverse comments.
CITY ENGINEER Comments, if any, will be provided at the meeting
TRANSPORTATION DEVELOPMENT Clarify the extents of the proposed vacation of right of way; if only a portion of the existing right of way is to be vacated, the exhibit must reflect this. The platting action must specify Tract A as a separate entity; remove the right of way lines from this area. The previous infrastructure list included roadway improvements and traffic signal contributions that are no longer included on the infrastructure list. Provide as-built information for these items or include them on the infrastructure list. Provide a trip distribution exhibit. Provide additional geometric information (width of all right of way, radii, etc.). Infrastructure List: add a note to the IL stating that the sidewalk will be built/deferred in accordance with the approved sidewalk exhibit.
PARKS AND RECREATION No comments.
ABCWUA Comment: Infrastructure list needs to be modified to include the temporary 4 inch water line across Lot 35 P-1 that connects the 8 inch line in Mission Ridge to the 12 inch line in Universe.
PLANNING DEPARTMENT Refer to comments from franchised utilities plus any public hearing comments regarding proposed vacation of public utility easement(s). Refer to comments from Hydrology plus any public hearing comments regarding proposed vacation of drainage easement; vacation of this easement is dependent on proposed plat, however the proposed new easement needs to be entirely on one lot. If there is no objection to the vacation of public right of way at DRB, final approval would be by the City Council.

No comment on Sidewalk Variances for waiver or temporary deferral as depicted on Exhibit "B."

Compliance with Open Space requirements must be demonstrated/ documented – Note 9 of the site plan for subdivision needs to be supplemented with calculations. Street trees on Oakmont, Woodmont, and Universe need to be addressed on the site plan as well as pedestrian access to Oakmont and Universe. Please make the dividing line more prominent and label as Units 1 and 2 instead of Phases. Rights of way and pavement widths need to be consistent with Preliminary Plats and Infrastructure Lists.

Subdivison Design Variances need to be requested for 1) more than 50 dwelling units served by a single point of access (up to 100 dwelling units could be served with a strategically located emergency access); 2) block lengths greater than 600 feet on the south side of Kayser Mill Road and Oasis Canyon Road; 3) less than 49 foot right of way widths for Mission Ridge Drive and Eagle Hill Drive (the northern portions are Normal Local streets not Access Local) and Kayser Mill Road – justifications must be provided per § 14-14-6-1(A).

Lots on the north side of Kayser Mill need to be adjusted to provide a minimum 50 foot lot width for proposed Lot 23 in order to eliminate the encroachment of the pad development from the public water and sewer easement. Lots on the east side of Mission Ridge need to be adjusted to provide a minimum 55 foot lot width for proposed Lot 30 in order to accommodate the full width of the public drainage easement and eliminate any encroachment of the pad development or a property line fence.

Temporary turnarounds need to be included on the Infrastructure List. Turnaround easements need to be provided for western terminus of Kayser Mill Road and for Mission Ridge Drive, as well as any easement which may be needed for waterline looping – refer to comments from Transportation Development and the Water Authority.

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

CONSENSUS PLANNING

Memorandum

To: Jack Cloud, DRB Chairman

From: Jim Strozier

Date: June 17, 2011

Re: Taos at the Trails Project #1008797; 11DRB – 70120

The purpose of this memo is to provide a summary of the open space calculations as required by the RD Zone.

I have attached a detailed table that provides the basis for the open space calculations by lot type and includes assumptions as to 2 story vs. 1 story.

Usable open space required is 2,400 square feet per dwelling unit.
Total usable open space required is 271,200 square feet
Open space provided is 212,117 square feet
This results in a shortfall of 59,083 square feet or 1.4 acres

The Trails Master Plan includes an extensive network of private open space areas and pocket parks. These private open space tracts total 35.15 acres.

Private Open Space Provided:	33.15 Acres
RD Open Space Shortfall – Taos	1.4 Acres
Remaining Private Open Space	31.75 Acres

Please do not hesitate to contact me at 764-9801 if you have any questions or require any additional information.

c: Rick Beltramo, Longford Homes

Exhibit 1: Open Space Calculations for Taos at the Trails

TAOS UNITS 1 & 2 AT THE TRAILS UNIT 2

OPEN SPACE COMPUTATIONS

PRODUCT LINE		AVERAGE LOT SIZE (s.f.)	(-) AVERAGE BLDG SIZE (s.f.)	(-) DRIVEPAD (s.f.)	(+) RECESSED PORCHES BALCONIES (s.f.)	AVAILABLE O.S TOTAL	REQUIRED O.S (s.f.)	OVER-RUN/ UNDER-RUN (-) (s.f.)	NUMBER OF LOTS	TOTAL SHORTFALL (s.f.)	TOTAL SHORTFALL (acres)
90' x 40'	(2)	3600	1449	360	50	1841	2400	-559	6	-3354	-0.0770
95' x 40'	(2)	3800	1449	360	50	2041	2400	-359	18	-6462	-0.1483
100' x 40'	(2)	4000	1549	360	50	2141	2400	-259	31	-8029	-0.1843
105' x 40'	(1)	4200	2201	360	50	1689	2400	-711	58	-41238	-0.9467
									113	**(9,816)**	**-0.2253**

NOTES

(1) 1-story units, includes garage.

(2) 2-story units, foot print area includes garage.

ALBUQUERQUE PUBLIC SCHOOLS

Capital Master Plan
Expect Great Things!

TADS 3

Winston Brooks
SUPERINTENDENT

Pre-Development Facilities Fee (PDFF)
Cover Sheet

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan offices. The office is located in Suite 9, 2nd Floor of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: http://apsfacilities.org/capital/map.php

Project # (if already assigned by DRB) _____

Please check one:

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

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

☐ Waiver/Deferral
(Must provide reason for Waiver/deferral)

Project Information

Subdivision Name: TADS 3
Legal Description: LOTS 7-113, TADS AT THE TRAILS, UNIT 2
Location of Project (address or major cross streets): TREE LINE AVE. NW & UNIV. BLVD. NW
Proposed Number of Units 56 Single-Family 0 Multi-Family 56 Total Units
Note: A single-family unit is a single-family, detached dwelling unit.
Comments: THIS IS A RE-PLAT OF LOTS 7-113 (107 LOTS) to a new layout with LOTS 7-119 (113 LOTS).

Waiver Information

Property Owner: _____ Legal Description: _____ Zoning:
Reason for Waiver/Deferral: _____

Contact Information

Name: RICK BELTRAMO
Company: LONGFORD HOMES
Phone: 761-9911 OFFICE, 761-9922 FAX., 620-5322 CELL
E-Mail: rbeltramo@longfordgroup.com

Please include with your submittal:

☒ Zone Atlas map with the entire property (ies) precisely and clearly outlined
☒ Copy of a plat or plan for the proposed project
☐ List of new legal description (e.g. lot, block) and street address for each lot **(for final plat only)**
☐ Please include project number on the top right corner of all documents
☒ LAYOUT
☒ PREVIOUS SUBDIVISION APPLICATION

TAOS UNIT 3

DRB Project #_____

APS Cluster_____

EXHIBIT A

PRELIMINARY
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 Taos at The Trails, Inc. ("Developer") effective as of this ___ day of _____, 20__, and pertains to the subdivision commonly known as Land of Joseph Trujillo and Reynaun Addn, and more particularly described as *[use current legal description]* Lots 7 thru 113, Taos at The Trails, Unit 2 (the "Subdivision".)

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

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

WHEREAS, Developer is 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;

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

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

2. The amount of the fee shall be:

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

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

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

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

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

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

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

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

DRB Project #_____

APS Cluster_____

_____
Signature

KELLY CALHOUN, VICE PRESIDENT
Name (typed or printed) and title

TAOS AT THE TRAILS, Inc.
Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on May 4th, 2012 by Kelly Calhoun
as Vice President of Taos at The Trails, Inc. a corporation.

(Seal) OFFICIAL SEAL
Jacqueline Vargas
NOTARY PUBLIC
STATE OF NEW MEXICO
Commission Expires: 10-1-2012

_____
Notary Public

My commission expires: 10-1-2012

ALBUQUERQUE PUBLIC SCHOOLS

By:_____
Signature

_____
Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

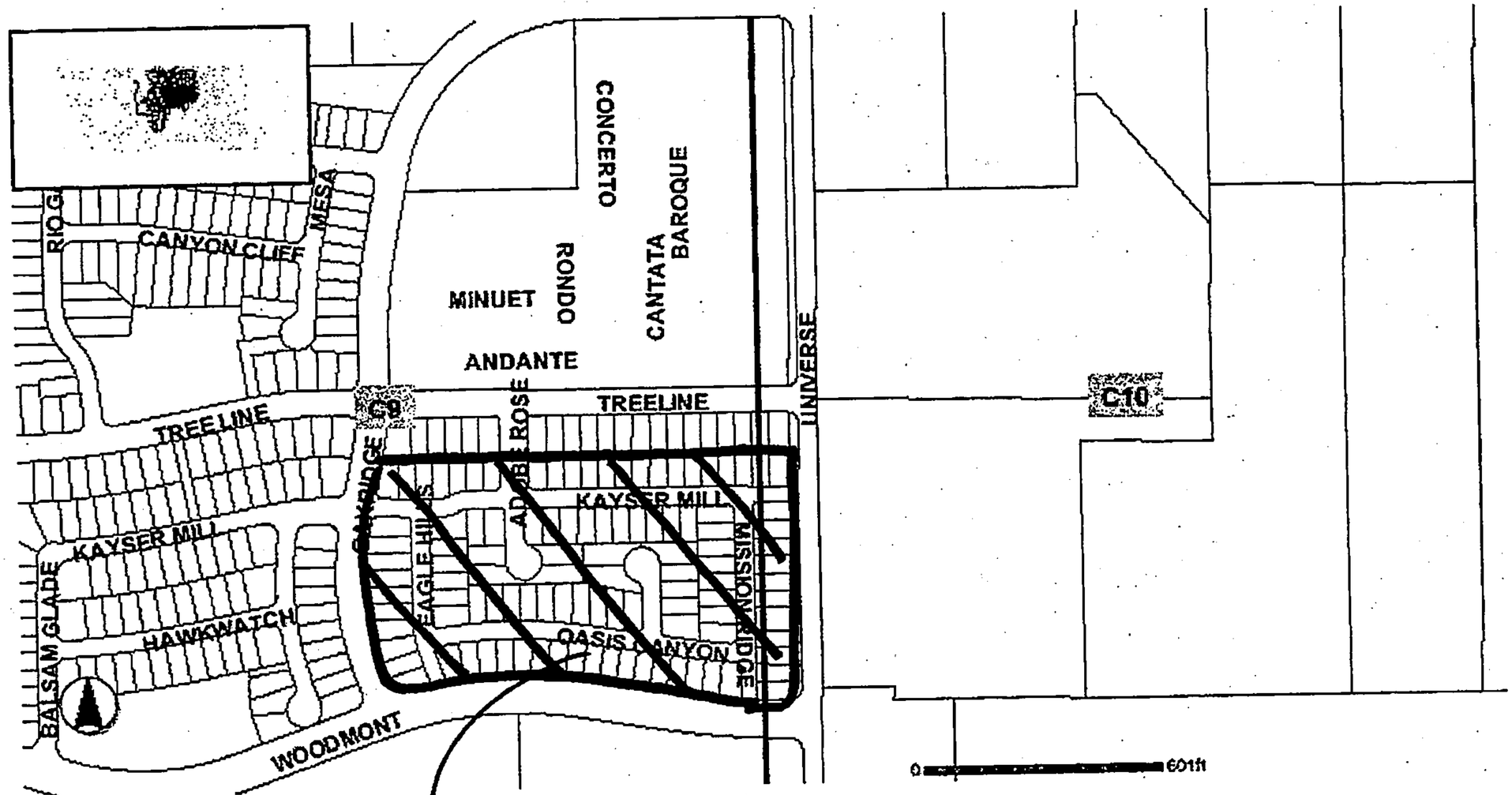
This instrument was acknowledged before me on _____, by _____
_____ as _____of the Albuquerque Municipal School
District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under
the laws of the State of New Mexico.

(Seal)

_____
Notary Public

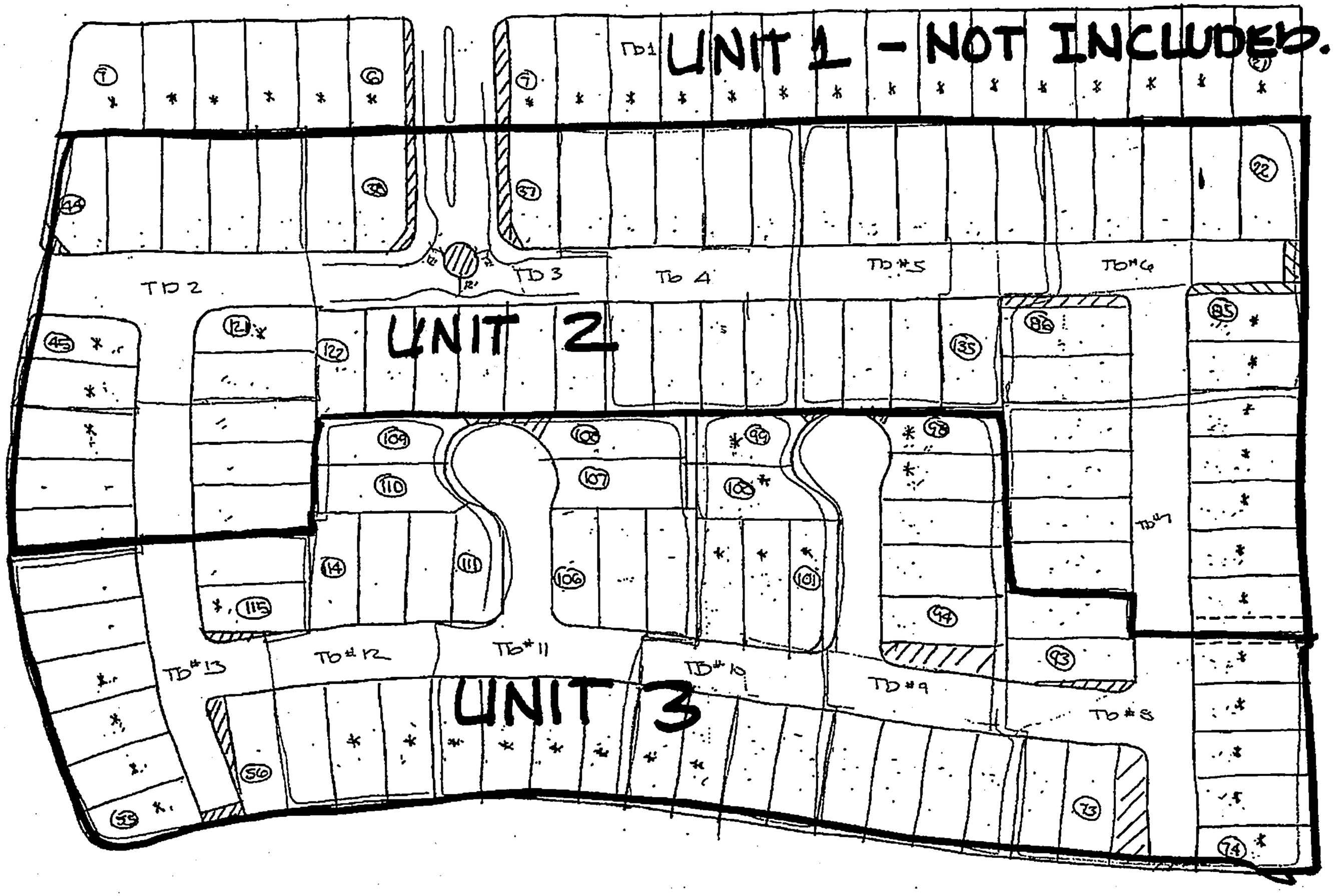
My commission expires:_____

Rev 11/13/06

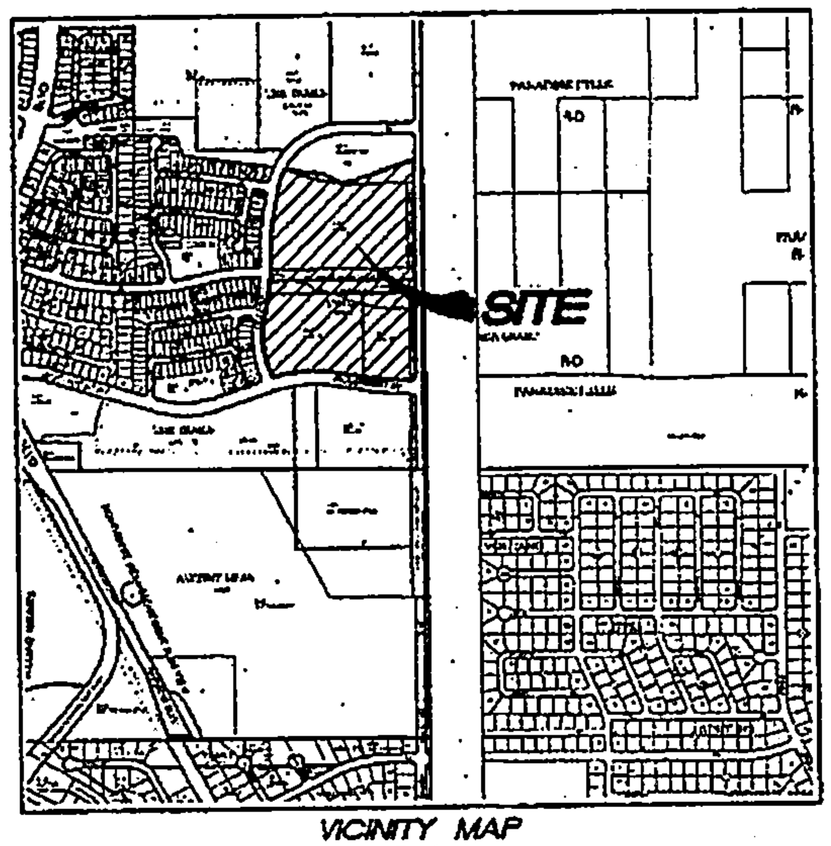


PROJECT

ZONE MAP C9


UNIT 1 - NOT INCLUDED.
TD1
TD 2
TD 3
TD 4
TD #5
TD #6
UNIT 2
TD #7
TD #8
TD #9
TD #10
TD #11
TD #12
TD #13
UNIT 3

LAYOUT



VICINITY MAP
Not To Scale

1. Bearings are grid based upon the New Mexico State Plane Coordinate System, Central Zone (NAD 27) and related to grid at the Albuquerque Survey Control Monument "7-C10".
2. Distances are ground.
3. Distances along curved lines are arc lengths.
4. Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ( ).
5. All corners are a 5/8" rebar and cap stamped "HUGG L.S. 9760" unless otherwise indicated.
6. All street centerline monumentation shall be installed at all centerline PC's, PT's, angle points and street intersections and shown thus ⊙. All centerline monumentation will be set using the standard four (4") aluminum monument stamped "City of Albuquerque Centerline Monument- Do not disturb, PS Number 9750" and will be set flush with the final asphalt lift.
7. Manholes will be offset at all points of curvature, points of tangency, street intersections, and all other angle points to allow use of centerline monumentation.
8. U.C.L.S. Log Number: 2007200722
9. City of Albuquerque Zone Atlas Page: C-09-Z.
10. Existing Tract 7 is currently zoned SU-2 SRSL and Tract 5 is currently zoned SU-2 UR per the Volcano Heights Sector Plan.

SUBDIVISION DATA

Total number of existing Tracts: 2

Total number of new lots created: 128

Total number of new Tracts created: 2

Gross Subdivision acreage: 34.4559 acres

Total milage of full width private streets created: 0.66 mile

Minimum Lot size shall be 4,085 square feet.

SHEET INDEX

SHEET 1 – General Note, Approvals, Surveyor Certification
SHEET 2 – Legal Description, Additional notes
SHEET 3 – Overall Boundary
SHEET 4 – West 1/2 of Tract 5 of The Trails, Unit 2
SHEET 5 – East 1/2 of Tract 5 of The Trails, Unit 2
SHEET 6 – Line and Curve Tables

TREASURERS CERTIFICATION

This is to certify that taxes are current and paid on the following:

UPC# 101406148029510201

The Trails LLC

Bernalillo County Treasurer — 10-26-07 Date

PUBLIC UTILITY EASEMENTS

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

A. PNM Electric Services for installation, maintenance, and service of underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical service.

B. PNM Gas Services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.

C. QWest Corporation for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to ground pedestals and closures.

D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.

E. New Mexico Utilities, Inc. for the installation, maintenance, and service of underground water and sanitary sewer lines, valves and other equipment and facilities reasonably necessary to provide water and sanitary sewer service.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformers/switchgears, as installed, shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

DISCLAIMER

In approving this plat, PNM Electric Services and Gas Services (PNM) did not conduct a Title Search of the properties shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled other than those specified.

PURPOSE OF PLAT

The Purpose of this plat is to: Create the 128 residential lots and 2 Tracts as shown hereon; Dedicate the street right of ways as shown hereon to the City of Albuquerque in fee simple with warranty covenants and grant the public utility easements as shown hereon.

Tract A as shown hereon will be retained in fee simple by the current owners, The Trails, LLC.

Tract B as shown hereon will be conveyed to The Trails Community Association, Inc. in fee simple after recording of the final plat. Said Tract B will be be maintained by The Trails Community Association, Inc.

Tract B will be landscaped per the approved landscaping plan and will be maintained by The Trails Community Association, Inc.

All Public Street right of way to be dedicated to the City of Albuquerque in fee simple with warranty covenants by final plat.

SURVEYOR'S CERTIFICATION

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my direct supervision; that it meets the Standards for Land Surveys in the State of New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for surveys and monumentation of the Albuquerque Subdivision Ordinance; that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.

Russ P. Hugg
NMPS No. 9750
August 15, 2007

STATE OF NEW MEXICO — No. 9750 — PROFESSIONAL SURVEYOR — RUSS P. HUGG

070182_FINAL PLAT SHT1-3.dwg

SUBDIVISION PLAT OF

TAOS AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
THE TOWN OF ALAMEDA GRANT
IN
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
- NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

AUGUST , 2007

PROJECT NUMBER: 1003973

Application Number: 07DRB-70213

PLAT APPROVAL

Utility Approvals:

PNM Gas and Electric Services — 10-24-07 Date

QWest Corporation — 9/10/07 Date

Comcast — 8-20-07 Date

New Mexico Utilities — 9-12-07 Date

Note: These properties lie within the New Mexico Utilities, Inc. (NMU, Inc.) Franchise area. Water and Sanitary Sewer capabilities are based upon the NMU, Inc. facilities, not the City of Albuquerque.

City Approvals:

City Surveyor, Department of Municipal Development — 8-20-07 Date

Real Property Division — 10/25/07 Date

Environmental Health Department — 10/25/07 Date

Traffic Engineering, Transportation Division — 10/25/07 Date

ABCWUA — N/A per letter — Date

Parks and Recreation Department — 8/29/07 Date

AMAFCA — 8/29/07 Date

City Engineer — 8/29/07 Date

DRB Chairperson, Planning Department — 10/25/07 Date

DOC# 2007143699
10/26/2007 11:22 AM Page: 1 of 6
PLAT $ 132.00 B: 2007C P: 0010 M. Toulouse, Bernalillo County

SHEET 1 OF 6

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377

SUBDIVISION PLAT OF

TAOS
AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)

WITHIN

THE TOWN OF ALAMEDA GRANT

IN

PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST

NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2007

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Alameda Grant in Projected Section 16, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being and comprising all of Tracts 5 and 7, of The Trails Unit 2 as the same is shown and designated on the plat entitled "BULK LAND PLAT OF THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS G AND J, THE TRAILS AND UNPLATTED DEED PARCELS) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico on October 18, 2004 in Plat Book 2004C, Page

Said parcel contains 34.4669 acres, more or less

FREE CONSENT AND DEDICATION

SURVEYED AND REPLATTED and now comprising "SUBDIVISION PLAT OF TAOS AT THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS UNIT 2) SITUATE WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", is with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietors(s). Said owner(s) and proprietor(s) do hereby dedicate the public street right of ways as shown hereon to the City of Albuquerque in fee simple with warranty covenants. Said owner(s) and proprietor(s) do hereby warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby grant to the use of the public forever, the public utility easements as shown hereon. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby certify that they are so authorized to act.

OWNER(S)

~~The Trails, LLC~~ Taos at the Trails, Inc.

By: Kelly Calhoun

Kelly Calhoun, Vice President

The Trails Community Association, Inc.

By: [signature]

Tracy Murphy, President

ACKNOWLEDGMENT

STATE OF NEW MEXICO
COUNTY OF BERNALILLO SS

OFFICIAL SEAL
Evelyn Lopez-Chavez
NOTARY PUBLIC
STATE OF NEW MEXICO

The foregoing instrument was acknowledged before me this 20th day of August, 2007, by Kelly Calhoun, Vice President of The Trails, LLC

My Comm. Exp. 3-18-08

[signature] My commission expires 3-18-08

Notary Public

ACKNOWLEDGMENT

STATE OF New Mexico
COUNTY OF Bernalillo SS

OFFICIAL SEAL
Evelyn Lopez-Chavez
NOTARY PUBLIC
STATE OF NEW MEXICO

The foregoing instrument was acknowledged before me this 20th day of August, 2007, by Tracy Murphy, President of The Trails Community Association, Inc.

My Comm. Exp. 3-18-08

[signature] My commission expires 3-18-08

Notary Public

APS AGREEMENT

The Property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded in the office of the County Clerk of Bernalillo County, New Mexico on 8-21, 2007 DOCUMENT 2007120907.

SECTION 14-14-4-7 PROHIBITION ON PRIVATE RESTRICTIONS ON THE INSTALLATION OF SOLAR COLLECTORS

"No property within the area of requested final action shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat or site development plan for subdivision"

DOCN 2007149690

10/20/2007 11:22 AM Page: 2 of 6
PLAT R 532.00 D. 2007C P 0314 M. Toulouse, Bernalillo County

SHEET 2 OF 6

070182_FINAL PLAT SHT1-3.dwg

SURV TEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3380
Fax: 505-897-3377

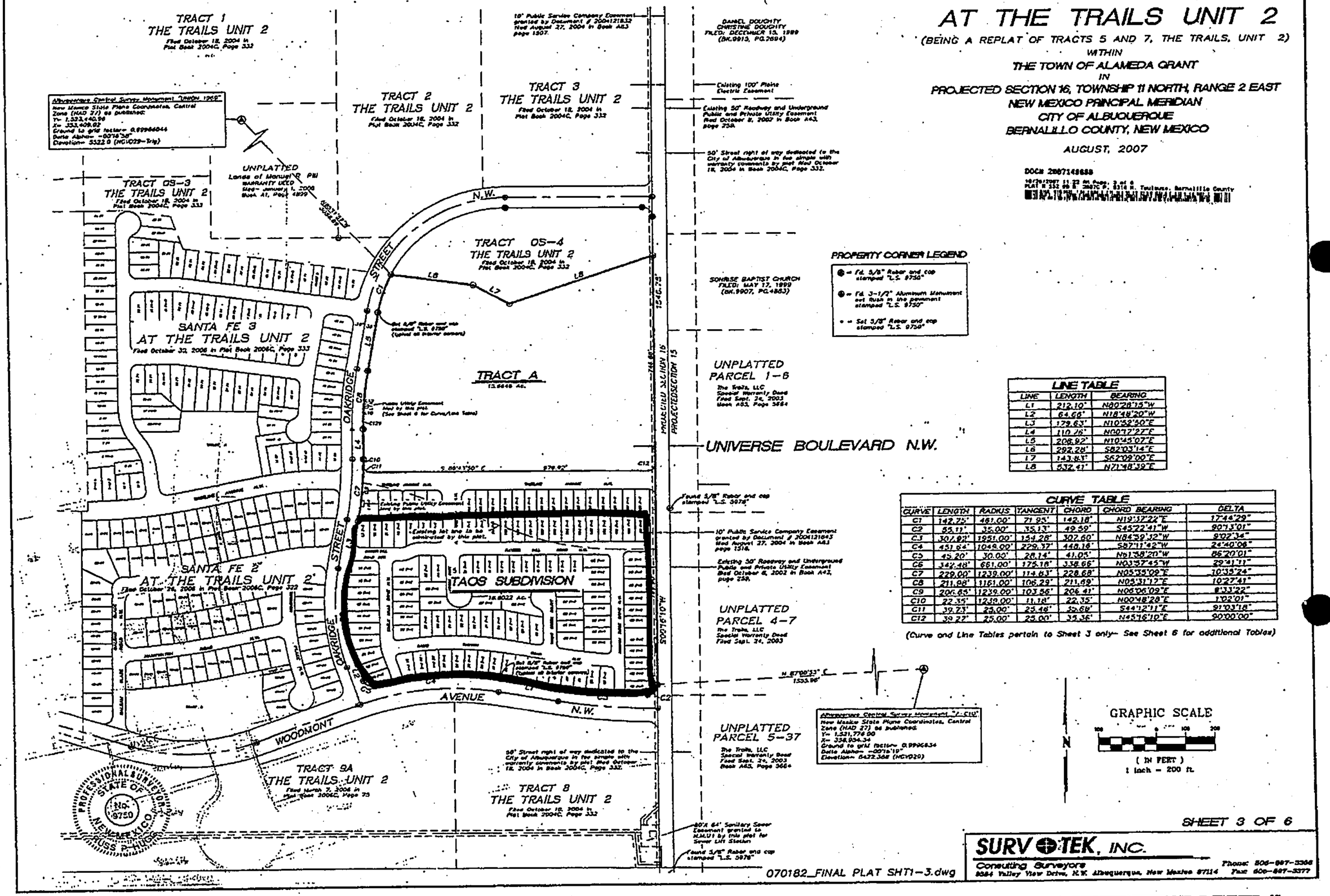
SUBDIVISION PLAT OF

TAOS AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
THE TOWN OF ALAMEDA GRANT
IN
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2007

DOC# 2007148658



LINE TABLE		
LINE	LENGTH	BEARING
L1	212.10'	N00°28'15"W
L2	64.66'	N18°48'20"W
L3	179.63'	N10°52'50"E
L4	110.26'	N00°17'27"E
L5	206.92'	N10°45'07"E
L6	292.28'	S82°03'14"E
L7	143.83'	S62°09'00"E
L8	532.41'	N71°48'39"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	142.75'	461.00'	71.95'	142.18'	N19°17'22"E	17°44'29"
C2	55.11'	35.00'	35.13'	49.59'	S45°22'41"W	90°13'01"
C3	307.87'	1951.00'	154.28'	307.60'	N84°39'32"W	9°02'34"
C4	451.64'	1049.00'	229.37'	448.16'	S87°11'42"W	24°40'06"
C5	45.20'	30.00'	28.14'	41.05'	N61°38'20"W	86°20'01"
C6	342.48'	661.00'	175.18'	338.66'	N03°57'45"W	29°41'11"
C7	229.00'	1239.00'	114.83'	228.68'	N05°35'09"E	10°35'24"
C8	211.98'	1161.00'	106.29'	211.69'	N05°31'17"E	10°27'41"
C9	206.85'	1239.00'	103.56'	206.41'	N06°06'09"E	9°33'22"
C10	22.35'	1239.00'	11.18'	22.35'	N00°48'28"E	1°02'01"
C11	39.73'	25.00'	25.48'	35.68'	S44°12'11"E	91°03'18"
C12	39.27'	25.00'	25.00'	35.36'	N45°16'19"E	90°00'00"

(Curve and Line Tables pertain to Sheet 3 only- See Sheet 6 for additional Tables)

GRAPHIC SCALE
N
100 0 100 200
(IN FEET)
1 inch = 200 ft.

SHEET 3 OF 6

070182_FINAL PLAT SHT1-3.dwg

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

SUBDIVISION PLAT OF
TAOS
AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
THE TOWN OF ALAMEDA GRANT
IN
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2007

DOC# 2007149689
10/29/2007 11:22 AM Page: 4 of 6
PLAT B:633 PG:0 2007C P:0314 M Torulaque, Bernalillo County

SEE SHEET 3 OF 6

TRACT A
13.6648 Ac.

NOTE
Centerline Monumentation for Woodmont Avenue and Oakridge Street are complete and found in place, set Rusk in the asphalt and stamped "L.S. 9750"

TRACT C

SANTA FE 3
AT THE TRAILS UNIT 2
Filed October 30, 2006 in Plat Book 2006C, Page 333

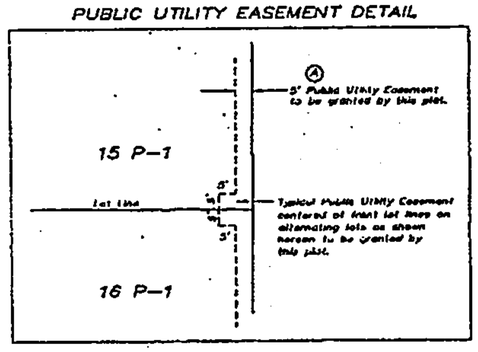
SANTA FE 2
AT THE TRAILS UNIT 2
Filed October 30, 2006 in Plat Book 2006C, Page 322

TREELINE AVENUE
TREELINE AVENUE N.W.
KAYSER MILL ROAD
KAYSER MILL ROAD N.W.
OSO CORRIDOR
OAKRIDGE STREET
ADOBE ROSE PLACE N.W.
EAGLE HILLS DRIVE N.W.
OASIS CANYON ROAD N.W.
WOODMONT AVENUE N.W.

1 P–1 0.1324 Ac.
2 P–1 0.1139 Ac.
3 P–1 0.1139 Ac.
4 P–1 0.1139 Ac.
5 P–1 0.1139 Ac.
6 P–1 0.1170 Ac.
7 P–1 0.0837 Ac.
8 P–1 0.0838 Ac.
9 P–1 0.0839 Ac.
10 P–1 0.1127 Ac.
11 P–1 0.1152 Ac.
12 P–1 0.1174 Ac.
13 P–1 0.1329 Ac.
14 P–1 0.1130 Ac.
15 P–1 0.1093 Ac.
16 P–1 0.1134 Ac.
17 P–1 0.1149 Ac.
18 P–1 0.1132 Ac.
19 P–1 0.1060 Ac.
20 P–1 0.1148 Ac.
21 P–1 0.1107 Ac.
22 P–1 0.0818 Ac.
23 P–1 0.1013 Ac.
24 P–1 0.1135 Ac.
25 P–1 0.0838 Ac.
26 P–1 0.0838 Ac.
27 P–1 0.0838 Ac.
28 P–1 0.0838 Ac.
29 P–1 0.0841 Ac.
30 P–1 0.0841 Ac.
31 P–1 0.0841 Ac.
32 P–1
70 P–1 0.1068 Ac.
71 P–1 0.1057 Ac.
72 P–1 0.0845 Ac.
73 P–1 0.0838 Ac.
74 P–1 0.0838 Ac.
75 P–1 0.0844 Ac.
76 P–1 0.0838 Ac.
77 P–1 0.1126 Ac.
78 P–1 0.0838 Ac.
79 P–1 0.0838 Ac.
80 P–1 0.0838 Ac.
81 P–1 0.0838 Ac.
82 P–1 0.1330 Ac.
83 P–1 0.0832 Ac.
84 P–1 0.1123 Ac.
85 P–1 0.1103 Ac.
86 P–1 0.1268 Ac.
87 P–1 0.1322 Ac.
88 P–1 0.1300 Ac.
89 P–1 0.1022 Ac.
90 P–1 0.0838 Ac.
91 P–1 0.0838 Ac.
92 P–1 0.0838 Ac.
111 P–1 0.0838 Ac.
112 P–1 0.0838 Ac.
113 P–1 0.1048 Ac.
114 P–1 0.1040 Ac.
115 P–1 0.0838 Ac.
116 P–1 0.0838 Ac.
117 P–1

Set 5/8" Rebar and cap stamped "L.S. 9750" (typical at interior corners)

PUBLIC UTILITY EASEMENT DETAIL



EASEMENT LEGEND

Ⓐ – 5' Public Utility Easement to be granted by this plat.

Ⓑ – 20' Public Drainage Easement to be granted to the City of Albuquerque by this plat.

Ⓒ – 35' Public Waterline and Sanitary Sewer Easement granted to New Mexico Utilities, Inc. (NMU) by Document filed Sept. 12, 2007 Document No. 2007131218

Ⓓ – 5'x 17' Private Cross Access Easement for the joint use and benefit of Lots 125 P–1 and 126 P–1, to be maintained by the owners of said Lots.

Ⓔ – 5'x 17' Private Cross Access Easement for the joint use and benefit of Lots 127 P–1 and 128 P–1, to be maintained by the owners of said Lots.

Ⓕ – Additional 8' x 10' Public Utility Easement granted by this plat.

NOTE
All Street right of ways as shown hereon will be dedicated to the City of Albuquerque in fee simple with warranty covenants by this plat.

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

N

SEE SHEET 5 OF 6

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

070182_FINAL PLAT 4 of 6.dwg

SUBDIVISION PLAT OF
TAOS
AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
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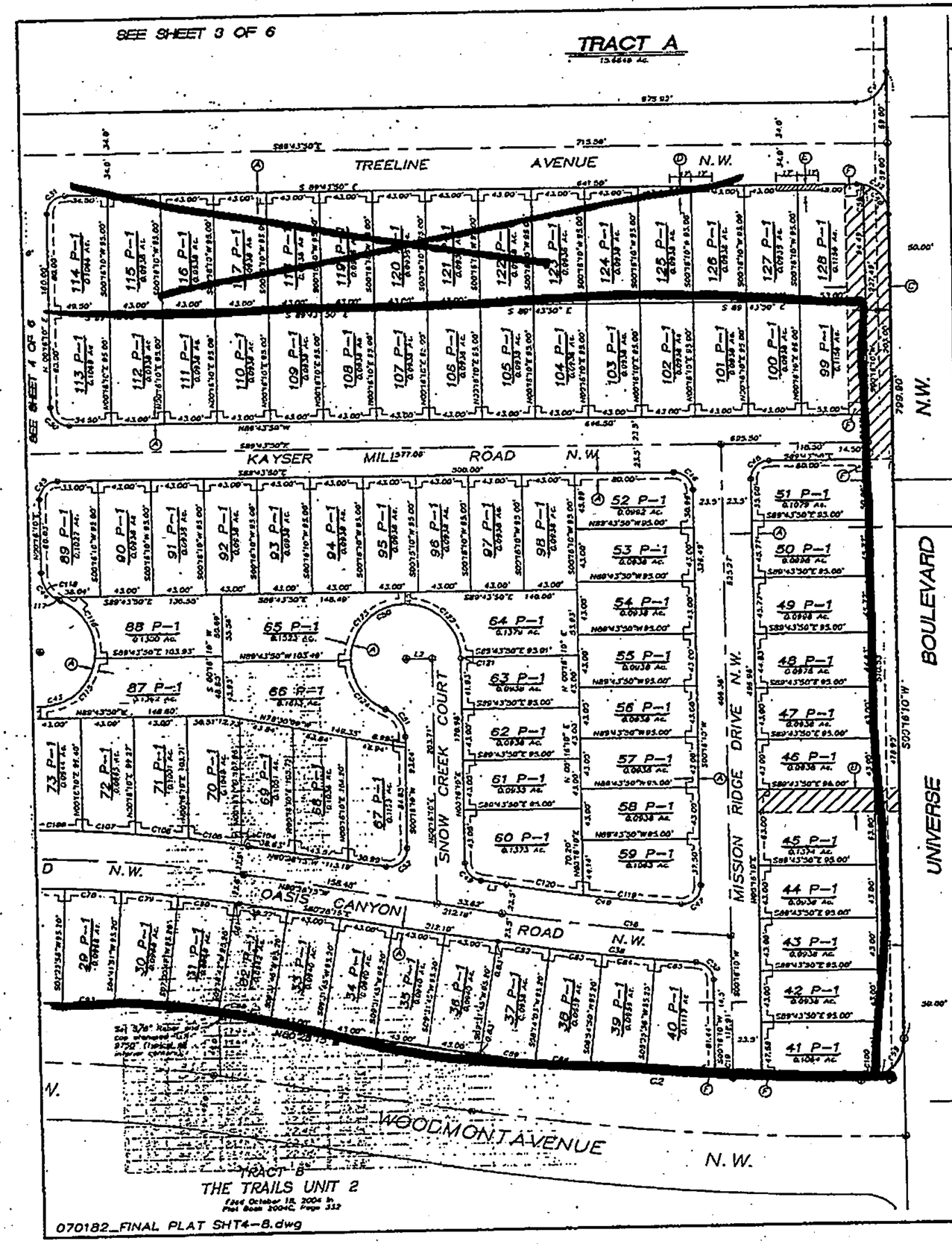
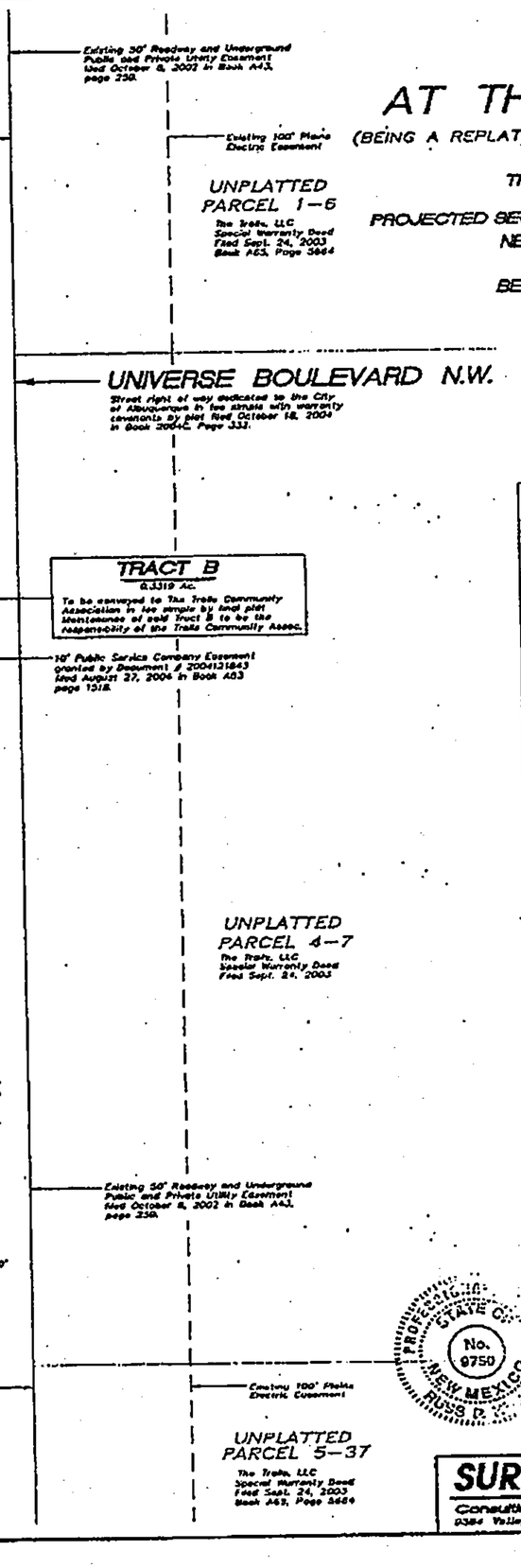
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

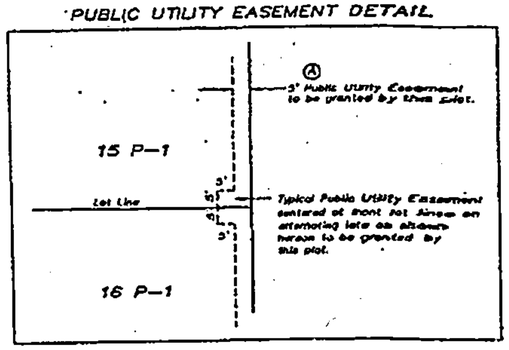
AUGUST, 2007





DOC# 2007149688

PUBLIC UTILITY EASEMENT DETAIL



EASEMENT LEGEND

- (A) – 5' Public Utility Easement to be granted by this plat.
- (B) – 20' Public Drainage Easement to be granted to the City of Albuquerque by this plat.
- (C) – 35' Public Waterline and Sanitary Sewer Easement granted to New Mexico Utilities, Inc (NMUI) by Document Med Sept. 12, 2007 Document No. 20017131218.
- (D) – 5'x 17' Private Cross Access Easement for the joint use and benefit of Lots 125 P-1 and 126 P-1, to be maintained by the owners of said Lots.
- (E) – 5'x 17' Private Cross Access Easement for the joint use and benefit of Lots 127 P-1 and 128 P-1, to be maintained by the owners of said Lots.
- (F) – Additional 5' x 10' Public Utility Easement granted by this plat.

NOTE

All Street right of ways as shown hereon will be dedicated to the City of Albuquerque in fee simple with warranty covenants by this plat.

GRAPHIC SCALE

(IN FEET)
1 inch = 60 ft.

SHEET 5 OF 6

SURV TEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: (505)-897-3366
Fax: (505)-897-3377

070182_FINAL PLAT SHT4-8.dwg

SUBDIVISION PLAT OF

TAOS
AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
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IN
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2007

DOC# 2007149833
10/30/2007 11:22 AM Page: 6 of 6
PLAT R:$33.00 B: 2007C P: 0311 M. Toulouse, Bernalillo County

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	55.11'	35.00'	35.13'	49.59'	S45°22'41"W	90°13'01"
C2	307.92'	1951.00'	154.28'	307.60'	N84°59'32"W	9°02'34"
C3	451.64'	1049.00'	229.37'	448.16'	S87°11'42"W	24°40'06"
C4	45.20'	30.00'	28.14'	41.05'	N61°58'20"W	86°20'01"
C5	342.48'	661.00'	175.18'	338.66'	N03°57'45"W	29°41'11"
C6	229.00'	1239.00'	114.83'	228.68'	N05°35'09"E	10°35'24"
C7	22.35'	1239.00'	11.18'	22.35'	N00°48'28"E	1°02'01"
C8	39.73'	25.00'	25.46'	35.68'	S44°12'11"E	91°03'18"
C9	39.27'	25.00'	25.00'	35.36'	N45°16'10"E	90°00'00"
C10	66.58'	200.00'	33.60'	66.28'	N09°16'05"W	19°04'30"
C11	22.38'	200.00'	11.20'	22.36'	N15°38'02"W	6°24'36"
C12	44.21'	200.00'	22.20'	44.12'	N06°03'47"W	12°39'54"
C13	39.74'	75.00'	20.35'	39.28'	N75°47'57"E	30°21'48"
C14	38.94'	75.00'	19.92'	38.51'	N75°23'37"E	29°45'06"
C15	23.72'	15.00'	15.16'	21.33'	N45°34'30"E	90°36'40"
C16	185.30'	1832.30'	92.73'	185.22'	N83°22'05"W	5°47'39"
C17	418.01'	1167.70'	211.27'	415.78'	S89°16'26"W	20°30'39"
C18	23.53'	1951.00'	11.77'	23.53'	S86°49'18"E	0°41'28"
C19	14.53'	1951.00'	7.26'	14.53'	S86°15'46"E	0°25'36"
C20	14.68'	1049.00'	7.34'	14.68'	N80°14'32"E	0°48'07"
C21	23.73'	1049.00'	11.87'	23.73'	N79°11'36"E	1°17'46"
C22	56.44'	1239.00'	28.22'	56.43'	N05°22'54"E	2°36'35"
C23	59.52'	1239.00'	29.77'	59.51'	N07°42'03"E	2°45'09"
C24	36.47'	25.00'	22.35'	33.32'	N48°28'41"E	83°34'58"
C25	23.56'	15.00'	15.00'	21.21'	S44°43'50"E	90°00'00"
C26	23.56'	15.00'	15.00'	21.21'	S45°16'10"W	90°00'00"
C27	51.15'	98.50'	26.16'	50.57'	S75°23'37"W	29°45'06"
C28	27.29'	51.50'	13.97'	26.97'	S75°41'57"W	30°21'46"
C29	26.18'	15.00'	17.88'	22.98'	S39°07'10"E	100°00'00"
C30	23.56'	15.00'	15.00'	21.21'	N44°43'50"W	90°00'00"
C31	23.56'	15.00'	15.00'	21.21'	N45°16'10"E	90°00'00"
C32	39.27'	25.00'	25.00'	35.36'	S44°43'50"E	90°00'00"
C33	20.94'	15.00'	12.59'	19.28'	N50°52'50"E	80°00'00"
C34	23.40'	15.00'	14.84'	21.10'	S44°25'30"E	89°23'20"
C35	74.41'	223.50'	37.55'	74.06'	S09°16'05"E	19°04'30"
C36	26.06'	15.00'	17.73'	22.90'	N30°57'58"E	99°32'35"
C37	375.27'	1144.20'	189.34'	373.59'	S89°52'00"E	18°47'30"
C38	160.66'	1855.80'	80.38'	160.61'	S82°37'03"E	4°57'36"
C39	22.44'	15.00'	13.91'	20.40'	S42°34'51"E	85°42'01"
C40	23.56'	15.00'	15.00'	21.21'	N45°16'10"E	90°00'00"
C41	52.20'	98.50'	26.73'	51.59'	N75°41'57"E	30°21'46"
C42	23.56'	15.00'	15.00'	21.21'	S44°43'50"E	90°00'00"
C43	124.24'	45.00'	67.59'	24.91'	N56°36'49"E	247°18'43"
C44	20.37'	25.00'	16.65'	27.71'	N33°23'11"W	67°18'43"
C45	23.56'	15.00'	15.00'	21.21'	N45°16'10"E	90°00'00"
C46	23.56'	15.00'	15.00'	21.21'	S44°43'50"E	90°00'00"
C47	24.81'	15.00'	16.30'	22.08'	N47°39'21"E	94°46'23"
C48	141.64'	1808.80'	70.86'	141.61'	N82°42'51"W	4°29'12"
C49	21.14'	15.00'	12.75'	19.43'	N40°06'02"W	80°44'25"
C50	124.24'	45.00'	67.59'	24.91'	S56°36'49"W	247°18'43"
C51	29.37'	25.00'	16.62'	27.71'	S33°23'11"E	67°18'43"
C52	25.99'	15.00'	17.64'	22.86'	S49°53'58"W	99°16'35"
C53	385.13'	1191.20'	194.26'	383.45'	N89°43'39"W	18°31'25"
C54	25.99'	15.00'	17.65'	22.86'	N49°21'46"W	99°15'53"
C55	7.26'	98.50'	3.63'	7.26'	S88°09'28"W	4°13'23"
C56	43.69'	98.50'	22.31'	43.33'	S73°16'56"W	25°11'43"
C57	1.57'	51.50'	0.78'	1.57'	N61°23'26"E	1°44'44"
C58	25.72'	51.50'	13.14'	25.46'	N76°34'20"E	28°37'02"
C59	5.03'	25.00'	2.53'	5.03'	N83°57'43"W	11°32'13"
C60	34.24'	25.00'	20.41'	31.62'	N38°57'43"W	78°27'47"
C61	31.71'	223.50'	15.88'	31.69'	S03°47'44"E	8°07'48"
C62	41.09'	223.50'	20.60'	41.03'	S13°07'36"E	10°31'35"
C63	1.61'	223.50'	0.81'	1.61'	S18°35'57"E	0°24'47"
C64	54.12'	661.00'	27.17'	54.30'	S16°27'05"E	4°42'29"
C65	56.51'	661.00'	28.27'	56.50'	S11°38'53"E	4°53'55"
C66	43.39'	661.00'	21.70'	43.38'	S07°19'08"E	3°45'39"
C67	43.10'	661.00'	21.56'	43.10'	S03°34'11"E	3°44'11"
C68	43.01'	661.00'	21.51'	43.00'	S00°09'45"W	3°43'41"
C69	43.09'	661.00'	21.55'	43.09'	S03°53'30"W	3°44'07"
C70	43.37'	661.00'	21.69'	43.36'	S07°38'28"W	3°45'32"
C71	15.59'	661.00'	7.84'	15.69'	S10°12'03"W	1°21'36"
C72	67.45'	1043.00'	33.74'	67.44'	S70°42'11"W	3°41'03"
C73	47.50'	1144.20'	23.80'	47.59'	S81°[illegible]'45"W	2°23'00"
C74	46.24'	1144.20'	23.12'	46.23'	S84°16'43"W	2°18'55"
C75	46.24'	1144.20'	23.12'	46.23'	S86°35'38"W	2°18'55"
C76	46.24'	[illegible]	23.12'	46.23'	S88°54'34"W	2°18'55"
C77	46.2[illegible]	[illegible]	23.12'	46.23'	N88°46'31"W	2°18'55"
C78	[illegible]	[illegible]	23.12'	46.23'	N86°27'36"W	2°18'55"
C79	[illegible]	[illegible]	23.12'	46.23'	N84°08'41"W	2°18'55"
C80	[illegible]	[illegible]	23.12'	46.23'	N81°49'46"W	2°18'55"
C81	[illegible]	[illegible]	2.01'	4.01'	N80°34'17"W	0°12'03"
C82	[illegible]	[illegible]	20.97'	[illegible]	S81°07'06"E	1°17'42"
C83	[illegible]	[illegible]	21.19'	[illegible]	S82°25'33"E	1°19'14"
C84	[illegible]	[illegible]	21.39'	[illegible]	S83°44'47"E	1°19'14"
C85	[illegible]	[illegible]	[illegible]	[illegible]	S84°55'07"E	1°01'28"
C86	[illegible]	[illegible]	[illegible]	[illegible]	S85°[illegible]3'41"E	1°38'55"
C87	[illegible]	[illegible]	[illegible]	44.05'	S83°44'47"E	1°19'14"
C88	[illegible]	[illegible]	[illegible]	44.35'	S82°25'33"E	1°19'14"
C89	[illegible]	[illegible]	[illegible]	[illegible]	S81°07'06"E	1°17'42"
C90	[illegible]	[illegible]	[illegible]	3.69'	N80°34'17"W	0°12'03"

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C91	42.39'	1049.00'	21.20'	42.39'	N81°49'46"W	2°18'55"
C92	42.39'	1049.00'	21.20'	42.39'	N84°08'41"W	2°18'55"
C93	42.39'	1049.00'	21.20'	42.39'	N86°27'36"W	2°18'55"
C94	42.39'	1049.00'	21.20'	42.39'	N88°46'31"W	2°18'55"
C95	42.39'	1049.00'	21.20'	42.39'	S88°54'34"W	2°18'55"
C96	42.39'	1049.00'	21.20'	42.39'	S86°35'38"W	2°18'55"
C97	42.39'	1049.00'	21.20'	42.39'	S84°16'43"W	2°18'55"
C98	45.36'	1049.00'	22.69'	45.36'	S81°52'56"W	2°28'40"
C99	39.48'	35.00'	22.14'	37.42'	N32°34'52"E	64°37'23"
C100	15.63'	35.00'	7.91'	15.50'	N77°41'22"E	25°35'38"
C101	79.90'	1951.00'	39.95'	79.89'	S88°20'25"E	2°20'47"
C102	17.15'	1239.00'	8.58'	17.15'	N10°29'03"E	0°47'35"
C103	73.54'	1239.00'	36.78'	73.53'	N08°23'14"E	3°24'03"
C104	4.93'	1191.20'	2.47'	4.93'	N80°35'22"W	0°14'14"
C105	43.42'	1191.20'	21.71'	43.42'	N81°45'08"W	2°05'19"
C106	43.23'	1191.20'	21.62'	43.23'	N83°50'11"W	2°04'46"
C107	43.10'	1191.20'	21.55'	43.10'	N85°54'45"W	2°04'23"
C108	43.02'	1191.20'	21.51'	43.02'	N87°59'01"W	2°04'10"
C109	43.00'	1191.20'	21.50'	43.00'	S89°56'51"W	2°04'06"
C110	43.04'	1191.20'	21.52'	43.04'	S87°52'41"W	2°04'13"
C111	43.13'	1191.20'	21.57'	43.13'	S85°48'21"W	2°04'29"
C112	78.25'	1191.20'	39.14'	78.23'	S82°53'12"W	3°45'49"
C113	5.96'	45.00'	2.99'	5.96'	S03°31'34"E	7°35'27"
C114	64.45'	45.00'	39.14'	59.07'	S48°20'25"E	82°02'15"
C115	64.88'	45.00'	39.54'	59.40'	N49°20'18"E	82°36'21"
C116	58.97'	45.00'	34.58'	54.84'	N29°30'13"W	75°04'40"
C117	6.23'	25.00'	3.13'	6.22'	S59°54'01"E	14°17'04"
C118	23.14'	25.00'	12.47'	22.32'	S26°14'39"E	53°01'39"
C119	79.20'	1808.80'	39.60'	79.19'	S83°42'12"E	2°30'31"
C120	62.45'	1808.80'	31.23'	62.45'	S81°27'36"E	1°58'41"
C121	1.07'	45.00'	0.51'	1.07'	N00°24'43"W	1°21'47"
C122	69.62'	45.00'	43.94'	62.88'	N45°24'43"W	88°38'13"
C123	71.24'	45.00'	45.56'	64.03'	S44°54'52"W	90°42'37"
C124	52.31'	45.00'	29.56'	49.41'	S33°44'30"E	66°36'06"
C125	20.96'	51.50'	10.64'	20.83'	S72°21'11"W	23°20'14"
C126	5.77'	51.50'	2.89'	5.76'	S87°03'44"W	6°24'32"
C127	26.74'	51.50'	13.69'	26.44'	N75°23'37"E	29°45'06"
C128	12.94'	1239.00'	6.47'	12.94'	N06°59'09"E	0°35'54"
C129	75.63'	1161.00'	37.63'	75.62'	S02°09'25"W	3°43'57"

LINE TABLE		
LINE	LENGTH	BEARING
L1	21.50'	S89°43'50"E
L2	21.50'	N89°43'50"W
L3	20.89'	N80°28'15"W
L4	10.11'	S89°07'10"E
L5	10.00'	N00°16'10"E
L6	9.89'	S00°16'10"W
L7	11.47'	S82°21'01"E
L8	20.51'	S07°38'59"W
L9	11.51'	N82°21'01"W
L10	15.25'	S85°35'28"E
L11	15.65'	N04°24'32"E
L12	15.25'	N85°35'28"W

PROFESSIONAL SURVEYOR
STATE OF NEW MEXICO
No. 9750
RUSS P. HUGG

SHEET 6 OF 6

070182_FINAL PLAT SHT4-8.dwg

SURV TEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377

TAOS UNIT 3

DRB Project #_____

APS Cluster_____

EXHIBIT A

PRELIMINARY
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 The Trails, LLC ("Developer") effective as of this ___ day of _____, 20__, and pertains to the subdivision commonly known as Land of Joseph Trujillo and Reynaun Addn, and more particularly described as _____*[use current legal description]* Lots 7 thru 113, Taos At The Trails Unit 2 _____ _____ _____(the "Subdivision".)

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

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

WHEREAS, Developer is 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;

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

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

2. The amount of the fee shall be:

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

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

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

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

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

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

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

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

DRB Project #_____

APS Cluster_____

_____

Signature

_____

Name (typed or printed) and title

_____

Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on _____, by _____

_____ as _____of _____, a corporation.

_____

(Seal) Notary Public

My commission expires:_____

ALBUQUERQUE PUBLIC SCHOOLS

By:_____

Signature

_____

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on _____, by _____

_____ as _____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.

_____

(Seal) Notary Public

My commission expires:_____

Rev 11/13/06

PREVIOUS APPLICATION

ALBUQUERQUE PUBLIC SCHOOLS
Capital Master Plan
Expect Great Things!

M. Elizabeth Everitt, Ph.D.
SUPERINTENDENT

Pre-Development Facilities Fee (PDFF)
Cover Sheet

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

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

Project # (if already assigned by DRB/EPC) 1005070

Please check one:

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

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

Project Information

Subdivision Name Taos at The Trails

Location of Project (address or major cross streets) Universe NW & Woodmont

Proposed # of Units: 128 Single-Family ____ Multi-Family

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

Contact Information

Name Evelyn Lopez-Chavez

Company Longford Homes of NM

Phone 505-761-9911 x 205

E-mail elopez@longfordhomes.com

Please include with your submittal:

☑ Zone Atlas map with the entire property(ies) precisely and clearly outlined

☑ Copy of a plat or plan for the proposed project

☑ List of legal description (e.g. lot, block) and street address for each lot **(for final plat only)**

☑ Please include project number on the top right corner of all documents

☑ Please paper clip all submitted documents (for ease of making copies)

FOR OFFICIAL USE ONLY
APS Cluster Volcano Vista
Preliminary PDFF Date Submitted ____
Preliminary PDFF Date Completed ____

Final PDFF Date Submitted 8/15/07
Final PDFF Date Completed 8/16/07

DRB Project # 1005070

APS Cluster Volcano Vista

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 Taos at The Trails, Inc. ("Developer") effective as of this 15 day of August, 2007 and pertains to the subdivision commonly known as Taos at The Trails, and more particularly described as Taos at The Trails Unit 2 *[use new legal description of subdivision]* (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.]

See attached

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 #[redacted] # 1005070

APS Cluster Volcano Vista

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 Proj# 1003070

APS Cluster Volcano Vista

Signature

John K. Murtagh

Name (typed or printed) and title

Taos at The Trails, Inc.

Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on 8/15/07, by John K. Murtagh as President of Taos at The Trails, Inc a corporation.

(Seal)

OFFICIAL SEAL
Evelyn Lopez-Chavez
NOTARY PUBLIC
STATE OF NEW MEXICO
My Comm. Exp. 3-18-08

Notary Public

My commission expires: 3-18-08

ALBUQUERQUE PUBLIC SCHOOLS

By:

Signature

BETTY KING, PLANNER, APS CMP

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 16, 2007, by Betty King as Planner, APS, CMP of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

Notary Public

My commission expires: May 18, 2011

DRB# 1005070
APS Cluster Volcano Vista

LOT	ADDRESS	LEGAL DESCRIPTION
1	6840 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 1
2	6836 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 2
3	6832 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 3
4	6828 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 4
5	6824 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 5
6	6820 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 6
7	6819 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 7
8	6823 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 8
9	6827 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 9
10	6831 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 10
11	6835 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 11
12	6839 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 12
13	6843 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 13
14	8935 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 14
15	8931 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 15
16	8927 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 16
17	8923 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 17
18	8919 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 18
19	8915 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 19
20	8911 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 20
21	8909 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 21
22	8905 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 22
23	8901 EAGLE HILLS DRIVE NW	Taos at The Trails Unit 2, Lot 23
24	6832 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 24
25	6828 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 25
26	6824 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 26
27	6820 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 27
28	6816 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 28
29	6812 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 29
30	6808 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 30
31	6804 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 31
32	6800 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 32
33	6736 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 33
34	6732 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 34
35	6728 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 35
36	6724 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 36
37	6720 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 37
38	6716 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 38
39	6712 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 39
40	6808 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 40
41	8900 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 41
42	8904 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 42
43	8908 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 43
44	8912 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 44
45	8916 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 45
46	8920 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 46
47	8924 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 47
48	8928 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 48
49	8932 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 49
50	8936 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 50

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51	8940 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 51
52	8939 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 52
53	8935 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 53
54	8931 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 54
55	8927 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 55
56	8923 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 56
57	8919 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 57
58	8915 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 58
59	8911 MISSION RIDGE DR NW	Taos at The Trails Unit 2, Lot 59
60	8912 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 60
61	8916 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 61
62	8920 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 62
63	8924 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 63
64	8928 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 64
65	8927 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 65
66	8923 SNOW CREEK CT NW	Taos at The Trails Unit 2, Lot 66
67	6731 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 67
68	6735 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 68
69	6801 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 69
70	6805 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 70
71	6809 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 71
72	6811 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 72
73	6815 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 73
74	6819 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 74
75	6823 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 75
76	6827 OASIS CANYON RD NW	Taos at The Trails Unit 2, Lot 76
77	8916 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 77
78	8920 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 78
79	8924 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 79
80	8928 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 80
81	8932 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 81
82	8936 EAGLE HILLS DR NW	Taos at The Trails Unit 2, Lot 82
83	6824 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 83
84	6820 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 84
85	8927 ADOBE ROSE PL NW	Taos at The Trails Unit 2, Lot 85
86	8923 ADOBE ROSE PL NW	Taos at The Trails Unit 2, Lot 86
87	8924 ADOBE ROSE PL NW	Taos at The Trails Unit 2, Lot 87
88	8928 ADOBE ROSE PL NW	Taos at The Trails Unit 2, Lot 88
89	6816 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 89
90	6812 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 90
91	6808 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 91
92	6804 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 92
93	6800 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 93
94	6736 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 94
95	6732 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 95
96	6728 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 96
97	6724 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 97
98	6720 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 98
99	6701 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 99
100	6705 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 100
101	6709 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 101
102	6711 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 102

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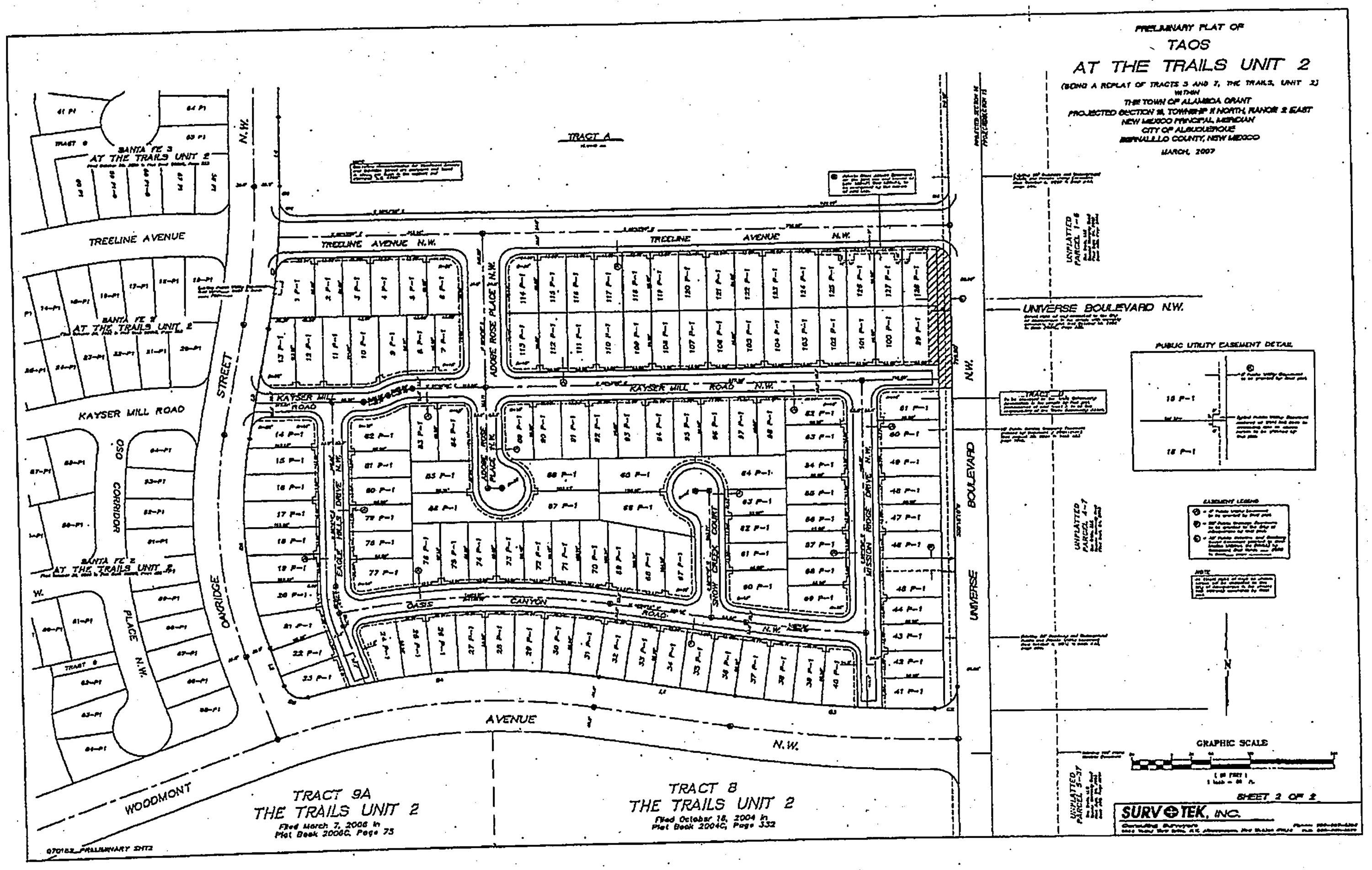
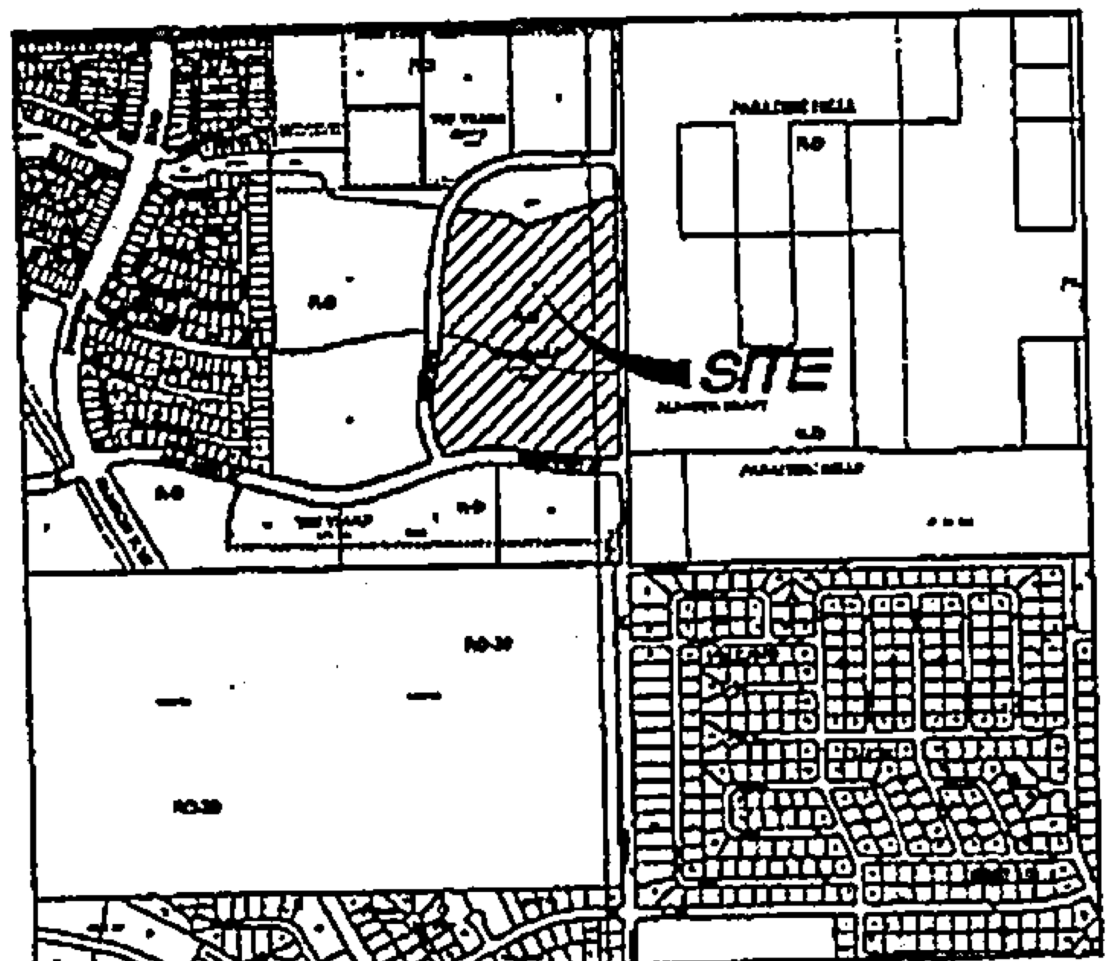
103	6715 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 103
104	6719 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 104
105	6723 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 105
106	6727 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 106
107	6731 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 107
108	6735 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 108
109	6801 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 109
110	6805 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 110
111	6809 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 111
112	6811 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 112
113	6815 KAYSER MILL RD NW	Taos at The Trails Unit 2, Lot 113
114	6816 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 114
115	6812 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 115
116	6808 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 116
117	6804 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 117
118	6800 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 118
119	6736 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 119
120	6732 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 120
121	6728 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 121
122	6724 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 122
123	6720 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 123
124	6716 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 124
125	6712 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 125
126	6708 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 126
127	6704 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 127
128	6700 TREE LINE AVE NW	Taos at The Trails Unit 2, Lot 128


PRELIMINARY PLAT OF
TAOS
AT THE TRAILS UNIT 2
(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 18, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH, 2007
TRACT A
TREELINE AVENUE N.W.
KAYSER MILL ROAD N.W.
ADOBE ROSE PLACE N.W.
EAGLE HILLS DRIVE N.W.
SNOW CREEK COURT
MISSION RIDGE DRIVE N.W.
OASIS CANYON ROAD N.W.
UNIVERSE BOULEVARD N.W.
OAKRIDGE STREET
WOODMONT AVENUE N.W.
SANTA FE 3 AT THE TRAILS UNIT 2
SANTA FE 2 AT THE TRAILS UNIT 2
SANTA FE 2 AT THE TRAILS UNIT 2
OSO CORRIDOR PLACE N.W.
TRACT 9A
THE TRAILS UNIT 2
Filed March 7, 2006 in
Plat Book 2006C, Page 75
TRACT 8
THE TRAILS UNIT 2
Filed October 18, 2004 in
Plat Book 2004C, Page 332
UNPLATTED PARCEL 1-6
UNPLATTED PARCEL 4-7
UNPLATTED PARCEL 5-37
PUBLIC UTILITY EASEMENT DETAIL
EASEMENT LEGEND
NOTE
GRAPHIC SCALE
SHEET 2 OF 2
SURVOTEK, INC.
070182_PRELIMINARY SHT2

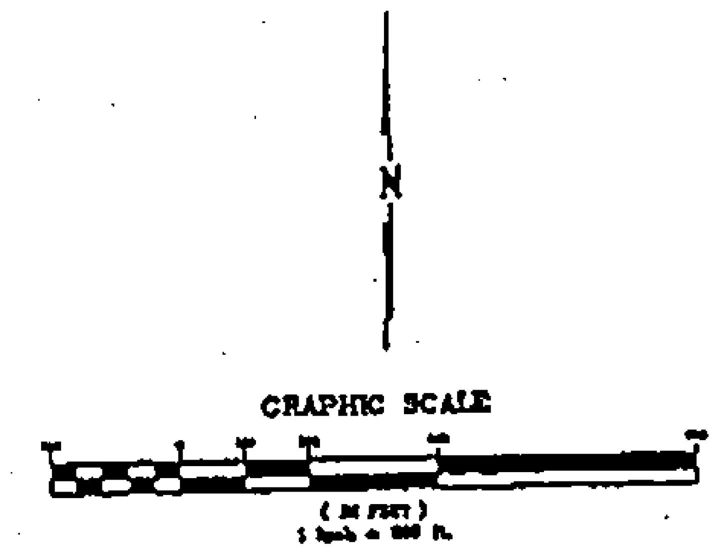
PRELIMINARY PLAT OF

TAOS AT THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2)
WITHIN
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH, 2007

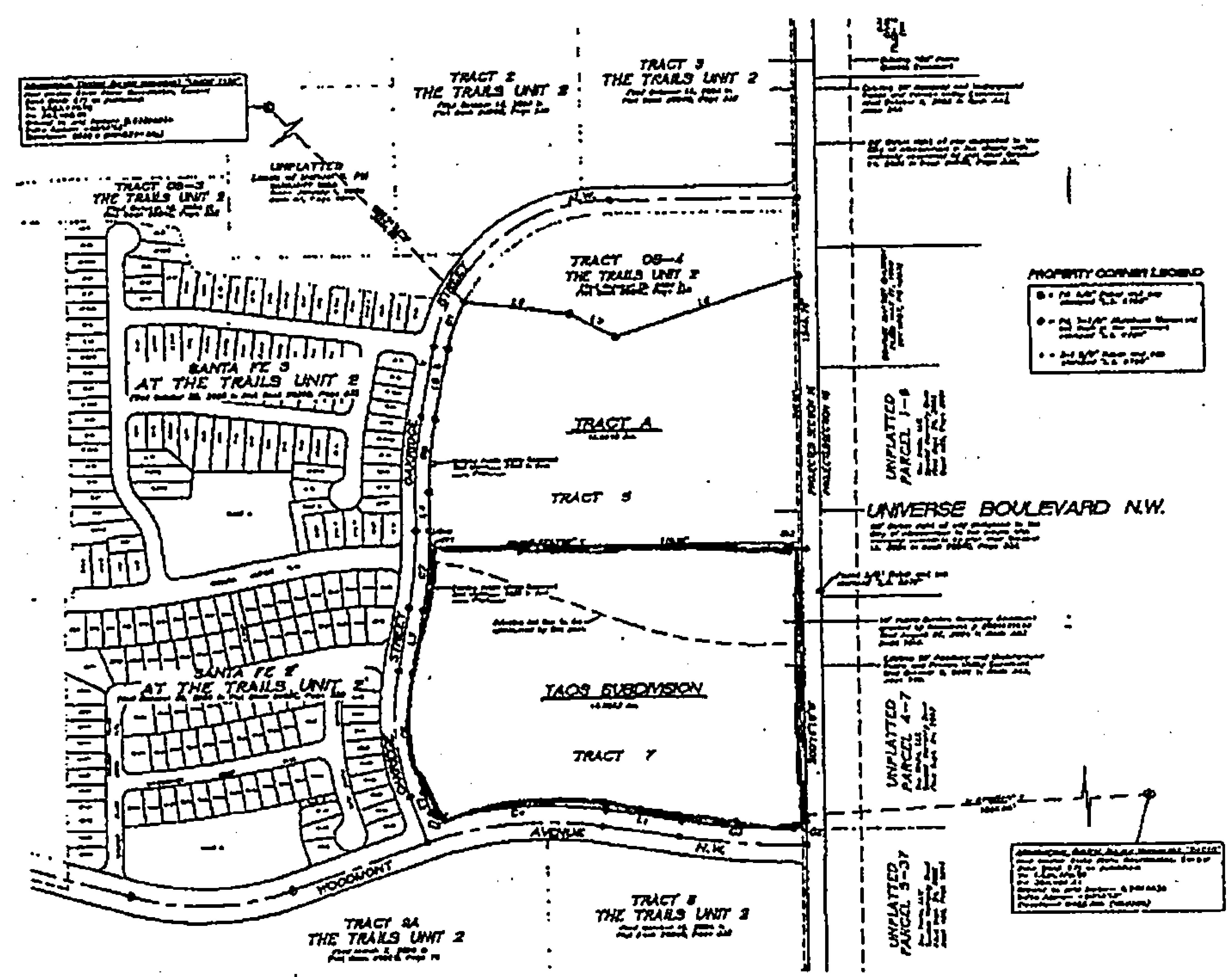


VICINITY MAP



GENERAL NOTES

1. [illegible]
2. [illegible]
3. [illegible]
4. [illegible]
5. [illegible]
6. [illegible]
7. [illegible]
8. Total number of existing tracts: 2
9. Total number of tracts created: [illegible]
10. Total number of lots created: [illegible]
11. Total number of parcels created: [illegible]
12. [illegible]
13. [illegible]
14. [illegible]
15. Minimum lot size shall be 4,000 square feet.



LINE TABLE		
LINE	LENGTH	BEARING
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C3	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C6	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C8	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C9	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C11	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
C12	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

LEGAL DESCRIPTION

[illegible]

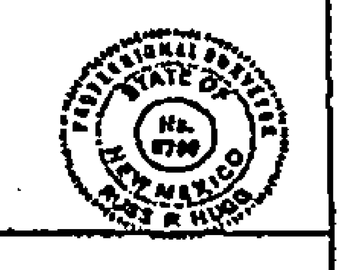
PURPOSE OF PLAT

[illegible]

APPROVALS

Kelly Calhoun 3/21/07

[signature] 3/21/07



SHEET 1 OF 2

SURV TEK, INC.

Consulting Surveyors

970182_PRELIMINARY SHT1

HEARING DATE: 5-

City of Albuquerque
Parks and Recreation Department

PO Box 1293, Albuquerque, New Mexico 87103

Inter-Office Correspondence

Development Review Board Comments

Project Number: 1008797

Application Number: 11DRB-70323

DRB Date: 11/16/2011

Item Number: 8

Subdivision: Taos at the Trails Unit I

Lots 7-P1 through 113-P1, Taos at the Trails Unit I

Zoning: RD

Zone Page: C-9

New Lots (or units) : 58

Request for:

- [ ] Sketch Plat Review & Comment
- [ ] Bulk Land Variance
- [ ] Site Development Plan for Subdivision
- [ ] Site Development Plan for Building Permit
- [x] Preliminary Plat
- [ ] Final Plat
- [ ] Vacation of Public RoW
- [ ] Vacation of Public Easement
- [ ] Vacation of Private Easement
- [ ] Temp. Deferral of Sidewalk Construction
- [ ] Sidewalk Variance
- [ ] SIA Extension
- [ ] Other

Parks and Recreation Comments:

The RD zone requires 2,400 sq. ft. of open space for each unit. An open space calculation showing the lot numbers, lot sizes, building and driveway areas and provided open space is to be included on the plat. A note shall be required that indicates how the open space is being met for each lot per the provisions of Section 14-16-3-8.

Signed: Carol S. Dumont

Carol S. Dumont
Parks & Recreation Dept.

Phone: 768-5387

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

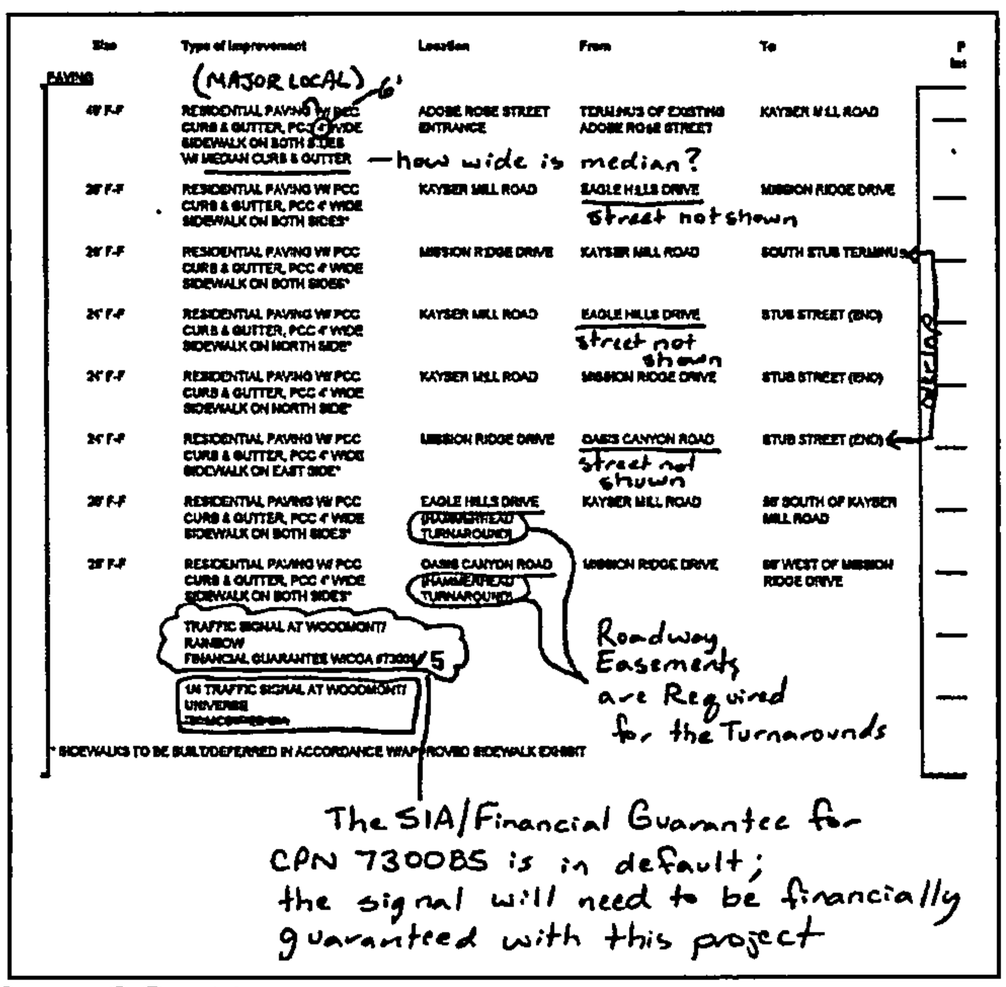
DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1008797 AGENDA ITEM NO: 5

SUBJECT:
PRELIMINARY PLAT, SIDEWALK DEFERRAL, SIDEWALK WAIVER
SITE PLAN FOR SUBDIVISION
VACATION OF PUBLIC EASEMENTS, VACATION OF PUBLIC RIGHT-OF-WAY

ENGINEERING COMMENTS:
No objection to vacation requests.
No objection to sidewalk waiver or sidewalk deferral request.
The design variance request is not shown on the agenda.
Roadway easements must be provided for the temporary turnarounds.
Define the width of all right of way.
Infrastructure List (IL):

- ❑ The IL references streets that are not defined on the proposed plat (Eagle Hills Drive, Oasis Canyon Road). These roadways must be defined on the plat.
- ❑ Provide a cross section for Adobe Rose Street. How wide is the median?
- ❑ Adobe Rose Street is a major local roadway. Please note this on the IL.
- ❑ The following roadways are normal local roadways and must be indicated as such: Kayser Mill Road, Mission Ridge Drive from Lot 30/31 to Kayser Mill Road.
- ❑ Adobe Rose Street must have a 6-foot wide sidewalk.
- ❑ The traffic signal at Woodmont / Rainbow was financially guaranteed under CPN 730085, not 730084. However, this SIA/Financial Guarantee is currently in default. Since the traffic signal at Woodmont / Rainbow is not currently financially guaranteed, it must be financially guaranteed under this project.
- ❑ The ¼ Traffic Signal at Woodmont / Universe will not be guaranteed under a Procedure B Modified. Please remove this notation.



RESOLUTION:

06-29-11

APPROVED ___; DENIED ___; DEFERRED X; COMMENTS PROVIDED ___; WITHDRAWN ___

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

SIGNED: Kristal D. Metro DATE: JUNE 15, 2011
Transportation Development 505-924-3991

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/06/2011 Issued By: E08375 108602

STANDARD APPLICATION, Paper Plans Required

Permit Number: **2011 070 119** **Category Code 910**

Application Number: **11DRB-70119**, Major - Preliminary Plat Approval

Address:

Location Description: TREELINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6840 TREELINE AVE
ALBUQUERQUE NM 87114
761-9911

Agent / Contact
Bohannan Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees		
441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	
441006/4958000	DRB Actions	$2,445.00
	TOTAL:	**$2,445.00**

City Of Albuquerque
Treasury Division

5/6/2011 1:20PM LOC: ANNX
WS# 008 TRANS# 0036
RECEIPT# 00131430-00131430
PERMIT# 2011070119 TRSLNP
Trans Amt $7,695.00
DRB Actions $2,445.00
Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/06/2011 Issued By: E08375 108598

STANDARD APPLICATION, Paper Plans Required

Permit Number: **2011 070 116** **Category Code 910**

Application Number: **11DRB-70116**, Vacation Of Public Right-Of-Way

Address:

Location Description: TREELINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6840 TREELINE AVE
ALBUQUERQUE NM 87114
761-9911

Agent / Contact
Bohannan Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	
441006/4958000	DRB Actions	$2,100.00
	TOTAL:	**$2,100.00**

City Of Albuquerque
Treasury Division

5/6/2011 1:21PM LOC: ANNX
WS# 008 TRANS# 0036
RECEIPT# 00131430-00131432
PERMIT# 2011070116 TRSLNP
Trans Amt $7,695.00
DRB Actions $2,100.00
Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/06/2011 Issued By: E08375 108583

STANDARD APPLICATION, Paper Plans Required

Permit Number: **2011 070 114** **Category Code 910**

Application Number: **11DRB-70114**, Vacation Of Public Easement

Address:

Location Description: TREELINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6840 TREELINE AVE
ALBUQUERQUE NM 87114
761-9911

Agent / Contact
Bohannan Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees

441018/4943000	APN Fee	$75.00
441032/3416000	Conflict Mgmt Fee	$20.00
441006/4958000	DRB Actions	$225.00
	TOTAL:	**$320.00**

City Of Albuquerque
Treasury Division

5/6/2011 1:21PM LOC: ANNX
WS# 008 TRANS# 0036
RECEIPT# 00131430-00131433
PERMIT# 2011070114 TRSLNP
Trans Amt $7,695.00
AFN Fee $75.00
Conflict Manag. Fee $20.00
DRB Actions $225.00

Thank You

8797

DXF Electronic Approval Form

DRB Project Case #: 1008797

Subdivision Name: TAOS UNIT 1 AT THE TRAILS

Surveyor: RUSS P HUGG

Contact Person: RUSS P HUGG

Contact Information: 897-3366

DXF Received: 3/13/2012 Hard Copy Received: 3/13/2012

Coordinate System: NMSP Grid (NAD 83)

Approved 3-14-12 Date

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

AGIS Use Only

Copied fc **8797** to agiscov on **3/14/2012** Contact person notified on **3/14/2012**

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

05/06/2011 Issued By: E08375 108603

STANDARD APPLICATION, Paper Plans Required

Permit Number: **2011 070 120** **Category Code 910**

Application Number: **11DRB-70120**, Major - Sdp For Subdivision

Address:

Location Description: TREELINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6840 TREELINE AVE
ALBUQUERQUE NM 87114
761-9911

Agent / Contact
Bohannan Huston Inc
Kevin Patton
7500 Jefferson Ne
Albuquerque NM 87109

kpatton@bhinc.com

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	
441006/4958000	DRB Actions	$385.00
	TOTAL:	**$385.00**

City Of Albuquerque
Treasury Division

5/6/2011 1:22PM LOC: ANNX
WS# 008 TRANS# 0036
RECEIPT# 00131430-00131434
PERMIT# 2011070120 TRSLNP
Trans Amt $7,695.00
DRB Actions $385.00
CK $385.00
CK $1,180.00
CK $1,680.00
CK $4,010.00
VI

Current DRC
Project No. _____

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		4" DIA *	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	TRACT A, TAOS UNIT 1 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
		*	RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION				/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 6/28/2011 PREPARED BY: PRINT NAME DATE		DRB CHAIR	6-29-11 DATE	C Sandoval 6/29/11 PARKS & GENERAL SERVICES DATE
BOHANNAN HUSTON, INC. FIRM:		TRANSPORTATION DEVELOPMENT	06-29-11 DATE	AMAFCA DATE
SIGNATURE		ABCWUA	06/29/11 DATE	Curtis a Chan 6-29-4 CITY ENGINEER DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION				DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC
Project No. 730077

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv
Date Site Plan for Sub. Approved: 6/29/2011

Date Preliminary Plat Approved:

Date Preliminary Plat Expires:

DRB Project No. 1008797

6/29/2012

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
730077 B-1		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
730077 B-1			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
730077 B-1		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730077 B-1		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
730077 B-2			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
730077 B-1		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077 B-1		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077 B-1		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
730077 B-1		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
730077 B-1		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
730077 B-1		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
730077 B-1		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
730077 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
730077 B-1		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
730077 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
730077 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
730077 B-1		4" DIA	* WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	TRACT A, TAOS UNIT 1 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
			* RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION				/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
	730084	EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
730077 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
730077 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
Hugh W. Floyd PREPARED BY: PRINT NAME	8-7-13 DRB CHAIR DATE	Carol S. Dumont 8-7-13 PARKS & ~~GENERAL SERVICES~~ Recreation DATE
Easterling Consultants LLC FIRM	08-07-13 TRANSPORTATION DEVELOPMENT DATE	AMAFCA DATE
SIGNATURE	Allan Porter 08/07/13 ABCWUA DATE	Curtis C. Cherne 8-7-13 CITY ENGINEER DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION		DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC
Project No. _____

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS ~~UNIT 2~~ SJS
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	SJS (S/W TO OAKRIDGE) STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	(S/W TO UNIVERSE SJS 11/30/11) STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		~~4" DIA~~ SJS	~~WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S~~ SJS	~~TRACT A, TAOS UNIT 1 WATERLINE EASEMENT~~ SJS	~~MISSION RIDGE DRIVE~~ SJS	~~UNIVERSE BLVD~~ SJS	/	/	/
			~~RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION~~ SJS 11/30/11				/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE	6/28/2011	11/30/11	6-29-11	Sandoval csd	11/30/11
PREPARED BY: PRINT NAME	DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.		11-30-11	06-29-11		
FIRM:		TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
Scott J Steffen		11/30/11 A Patea	06/29/11	Curtis a Chan cc 11-30-11	6-29-11
SIGNATURE		ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION					
					DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2013 070 593

06/20/2013 Issued By: BLDAVM 195513

Application Number: **13DRB-70593**, Amendment To Preliminary Plat

Address:

Location Description: ADOBE ROSE PL AND TREE LINE BETWEEN UNIVERSE AND OAKRIDGE

Project Number: 1008797

Applicant
TCS-TAOS LLC

371 CENTENNIAL PARKWAY, SUITE 200
LOUISVILLE CO 80027

Agent / Contact
EASTERLING CONSULTANTS LLC
HUGH W. FLOYD
2613 NM 528 NW, SUITE E-2
ALBUQUERQUE NM 87114
5058216646

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	$50.00
TOTAL:	$70.00

City of Albuquerque Treasury
Date:6/20/2013 Office:ANNEX
Stat ID:WS000006 Cashier:TRSCXG
Batch: 2144 Trans #:9
Permit: 20130170593
Receipt Num 00137610
Payment Total:$70.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $50.00
VISA Tendered : $140.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

08/28/2012 Issued By: E08375 160586

Category Code 910
2012 070 274

Application Number: **12DRB-70274**, Ext Of Major Preliminary Plat

Address:

Location Description: TREE LINE BETWEEN OAKRIDGE AND UNIVERSE

Project Number: 1008797

Applicant
GALWAY CONSTRUCTION
RICK BELTRAMO
6330 RIVERSIDE PLAZA LN #160
ALBUQUERQUE NM 87120

Agent / Contact
BOHANNAN HUSTON INC
SCOTT J STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
5058231000

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	$50.00
TOTAL:	$70.00

City of Albuquerque Treasury
Date:8/28/2012 Office:ANNEX
Stat ID:WS000008 Cashier:TRSSTV
Batch: 669 Trans #:26
Permit #: 2012070274
Receipt Num 00047693
Payment Total:$70.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $50.00
VISA Tendered : $210.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/10/2012 Issued By: BLDAVM 153896

Category Code 910
2012 070 195

Application Number: **12DRB-70195**, Major - Final Plat Approval

Address:

Location Description: TREE LINE AVE BETWEEN OAKRIDGE AND UNIVERSE BLVD

Project Number: 1008797

Applicant
RCS-TAOS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LANE #160
ALBUQUERQUE NM 87109

Agent / Contact
BOHANNAN HUSTON INC
SCOTT STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
5058231000
SSTEFFEN@BHINC.COM

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	
TOTAL:	$20.00

City of Albuquerque Treasury
Date:7/10/2012 Office:ANNEX
ID:WS000006 Cashier:TRSFXG
Batch: 455 Trans #:12
Permit: 20120701951
Receipt Num 00032890
Payment Total:$20.00
Conflict Manag. Fee $20.00
Cash Tendered : $60.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

07/31/2012 Issued By: BLDAVM 156712

Category Code 910
2012 070 227

Application Number: **12DRB-70227**, Ext Of Major Preliminary Plat

Address:

Location Description: TREE LINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
GALWAY CONSTRUCTION
RICK BELTRAMO
6330 RIVERSIDE PLAZA LN #160
ALBUQUERQUE NM 87120

Agent / Contact
BOHANNAN HUSTON INC
SCOTT J STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
5058231000

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	$50.00
TOTAL:	$70.00

City of Albuquerque Treasury
Date:7/31/2012 Office:ANNEX
Stat ID:WS000007 Cashier:TRSCXG
Batch: 551 Trans #:6
Permit: 2012070227
Receipt Num 00039031
Payment Total:$70.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $50.00
Cash Tendered : $280.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

06/29/2012 Issued By: BLDAVM 152835

Category Code 910
2012 070 183

Application Number: **12DRB-70183**, Ext Of Major Preliminary Plat

Address:

Location Description: TREE LINE AVE. BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
TOAS AT THE TRAILS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LANE #160
ALBUQUERQUE NM 87120

Agent / Contact
BOHANNAN HUSTON INC
SCOTT STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
505823100
SSTEFFEN@BHINC.COM

Application Fees	
APN Fee	
Conflict Mgmt Fee	**$20.00**
DRB Actions	**$50.00**
TOTAL:	**$70.00**

City of Albuquerque Treasury
Date:6/29/2012 Office:ANNEX
ID:WS000007 Cashier:TRSSVG
Batch: 416 Trans #:14
Permit: 2012070183
Receipt Num 00029806
Payment Total:$70.00
0901 Conflict Manag. Fee $20.00
0903 DRB Actions $50.00
Cash Tendered : $140.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

05/24/2012 Issued By: BLDAVM 148410

Category Code 910
2012 070 153

Application Number: **12DRB-70153**, Ext Of Major Preliminary Plat

Address:

Location Description: TREE LINE AVE BETWEEN OAKRIDGE AND UNIVERSE

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LN #160
ALBUQUERQUE NM 87120

Agent / Contact
BOHANNAN HUSTON INC
SCOTT STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
5058231000

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	**$20.00**
441006/4958000	DRB Actions	**$50.00**
	TOTAL:	**$70.00**

City of Albuquerque Treasury Division
Date:5/29/2012 Office:ANNEX
Batch ID:WS000008 Cashier:TRSYLB
Permit: 278 Trans #:11
Receipt: 2012070153
Rcpt Num 00019578
0901 Payment Total:$70.00
0903 Conflict Manag. Fee $20.00
DRB Actions $50.00
Check Tendered : $2,630.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

05/29/2012 Issued By: BLDAVM 148418

Category Code 910
2012 070 156

Application Number: **12DRB-70156**, Vacation Of Public Right-Of-Way

Address:

Location Description: TREE LINE BETWEEN OAKRIDGE AND UNIVERSE

Project Number: 1008797

Applicant
TAOS AT THE TRAILS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LANE #160
ALBUQUERQUE NM 87120

Agent / Contact
BOHANNAN HUSTON INC
SCOTT STEFFEN
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
505-515-5898

Application Fees

441018/4943000	APN Fee	**$75.00**
441032/3416000	Conflict Mgmt Fee	
441006/4958000	DRB Actions	**$2,415.00**
	TOTAL:	**$2,490.00**

City of Albuquerque Treasury
Date:5/29/2012 Office:ANNEX
t ID:WS000008 Cashier:TRSYLB
ch: 278 Trans #:11
#it: 2012070156
ipt Num 00019577
Payment Total:$2,490.00

0	APN Fee	$75.00
3	DRB Actions	$2,415.00
	Check Tendered :	$2,630.00

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

Category Code 910
2012 070 096

03/12/2012 Issued By: E08375 139014

Application Number: **12DRB-70096**, Major - Final Plat Approval

Address:

Location Description: TREE LINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
RCS-TAOS, LLC
RICK BELTRAMO
6330 RIVERSIDE PLAZA LANE #160
ALBUQUERQUE NM 87120
761-9911

Agent / Contact
BOHANNAN HUSTON INC
KEVIN PATTON
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
505-515-5898
KPATTON@BHINC.COM

Application Fees

441018/4943000	APN Fee	
441032/3416000	Conflict Mgmt Fee	**$20.00**
441006/4958000	DRB Actions	
	TOTAL:	**$20.00**

City Of Albuquerque
Treasury Division

3/12/2012 9:43AM LOC: ANNX
WS# 006 TRANS# 0012
RECEIPT# 00145284-00145284
PERMIT# 2012070096 TRSSVC
Trans Amt $20.00
Conflict Manag. Fee $20.00
CA $20.00
CHANGE $0.00

Thank You

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1008797 AGENDA ITEM NO: 6

SUBJECT:

FINAL PLAT

ENGINEERING COMMENTS:

Defer to City Engineer.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

07-25-12

APPROVED ___; DENIED ___; DEFERRED _X_; COMMENTS PROVIDED ___; WITHDRAWN ___

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

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

SIGNED: Kristal D. Metro
Transportation Development 505-924-3991

DATE: JULY 18, 2012

PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
TRANSPORTATION SECTION

DEVELOPMENT REVIEW BOARD – SPEED MEMO

DRB CASE NO: 1008797 AGENDA ITEM NO: 14

SUBJECT:

FINAL PLAT

ENGINEERING COMMENTS:

Defer to City Engineer.

Disclaimer: The comments provided are based upon the information received from the applicant. If new or revised information is submitted, additional comments may be provided by Transportation Development.

RESOLUTION:

08-01-12

APPROVED ___; DENIED ___; DEFERRED _X_; COMMENTS PROVIDED ___; WITHDRAWN ___

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

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

SIGNED: Kristal D. Metro DATE: JULY 25, 2012
Transportation Development 505-924-3991

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

10/23/2012 Issued By: E08375 167990

Category Code 910
2012 070 340

Application Number: **12DRB-70340**, Ext Of Major Preliminary Plat

Address:

Location Description: TREE LINE AVE BETWEEN OAKRIDGE ST AND UNIVERSE BLVD

Project Number: 1008797

Applicant
GALWAY CONSTRUCTION
RICK BELTRAMO
6330 RIVERSIDE PLAZA LANE #160
ALBUQUERQUE NM 87120
761-9911

Agent / Contact
BOHANNAN HUSTON INC
KEVIN PATTON
7500 JEFFERSON NE
ALBUQUERQUE NM 87109
505-515-5898
KPATTON@BHINC.COM

Application Fees	
APN Fee	
Conflict Mgmt Fee	$20.00
DRB Actions	$50.00
TOTAL:	$70.00

City of Albuquerque Treasury
Date:10/23/2012 Office:ANNEX
Cashier ID:WSOOOOO7 Cashier:TRSMAB
Batch: 921 Trans #:8
Permit: 20120703340
Receipt Num 00064515
Payment Total:$70.00
Conflict Mgmt. Fee $20.00
DRB Actions $50.00
VISA Tendered : $210.00

DATE November 1, 2012

Originating Department/Division Planning

Departments affected by this Legislation Development Review Board

Contact for Content Jack Cloud, Development Review Board Chair 924-3880

Contact for Routing Dora Henry **Phone** 924-3883

Legislation Type (circle one) Resolution Ordinance EC

Legislation Title (as per subject line from cover memo)

Project #1008797, 12DRB-70156 VACATION OF PUBLIC RIGHT-OF-WAY – BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/above action(s) for Lot(s) 7-P1 thru 113-P1, TAOS AT THE TRAILS UNIT 2 [T.B.K.A: TAOS UNIT 1 at the TRAILS] ZONED SU-2/VTSL, LOCATED ON THE WEST SIDE OF UNIVERSE BLVD NW BETWEEN TREE LINE AVE NW AND WOODMONT AVE NW CONTAINING APPROXIMATELY 14.63 acre(s). (C-9)

If requiring immediate action, please state reason _____

For Resolutions & Ordinances: **Fiscal Impact Analysis** _____ **&** **Disk** ✓

For ALL Legislation: **Cover Analysis** _____

For Legislation with large attachments:

Duplicating & Supply Requisition with Activity No. and authorized signature _____

Please insure that the following departments/individuals have signed legislation before it reaches the Mayor's office for signature:

Originating department(s) director(s)
Budget Officer (if needed)
City Attorney's Office

For further information, call Gilbert Montano, 768-3317 or gmontano@cabq.gov

City of Albuquerque

Planning Department

Richard J. Berry, Mayor

Interoffice Memorandum **October 22, 2012**

To: **Trudy E. Jones, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: **Taos at the Trails Vacation** **Project# 1008797/** 12DRB-70156 VACATION OF PUBLIC RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned SU-2/ VTSL, located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 14.63 acre(s). (C-9)

Request: This is a request for vacation of public right of way for the interior platted streets in a subdivision (Taos at the Trails Unit 2) that were never built and are wholly within the boundaries of the property owned by the applicant. The platted right of way is not needed to serve abutting property or to provide public access; the subdivision is in the process of being replatted and that requires some adjustment in the street locations. Rather than show the bits and pieces of right of way vacation and dedication, the applicants sought a wholesale vacation of the platted right of way and dedication of a new street network which will serve the new lots.

At an advertised public hearing, the Development Review Board voted to recommend APPROVAL to the City Council of the proposed vacation as shown on the Vacation Exhibit in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: Taos at the Trails Vacation: Project 1008797 – 12-DRB-70156, DRB RECOMMENDATION FOR APPROVAL

Approved:

Robert J. Perry Date
Chief Administrative Officer

Approved as to Legal Form:

David Tourek Date
City Attorney

Recommended:

Suzanne Lubar 10/31/12
Suzanne Lubar Date
Planning Department Acting Director

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 22, 2012

Project# 1008797
12DRB-70153 EXTENSION OF MAJOR PRELIMINARY PLAT
12DRB-70154 VACATION OF PUBLIC EASEMENT
12DRB-70155 VACATION OF PUBLIC EASEMENT
12DRB-70156 VACATION OF PUBLIC RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned SU-2/ VTSL, located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 14.63 acre(s). (C-9)

At the June 20, 2012 Development Review Board meeting the Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. The Board recommends APPROVAL to the City Council of the proposed vacations as shown on Exhibit C in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Findings

(A)(1) The public road vacation and easement vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacations.

(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

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

PROTEST: IT I S NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY July 5, 2012.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest. You will receive notice if any other person files a protest.

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 effective date of approval if all conditions are not met; the effective date of approval is the date of final action by the City Council. (REF: Chapter 14 Article 14 Part 7-2 (F)(3)(c) Revised Ordinance.)

The request for Extension of Preliminary Plat approval was denied by the Board because it did not comply with the Subdivision Regulations §14-14-3-4.E.1. which states:

"A decision to grant an extension shall be based on the finding that the extension is not detrimental to the public interest and that the preliminary plat, as approved is not in significant conflict with current city and county policies."

The Board found that granting an extension would be detrimental to the public interest and would conflict with current City and County policies based on the following:

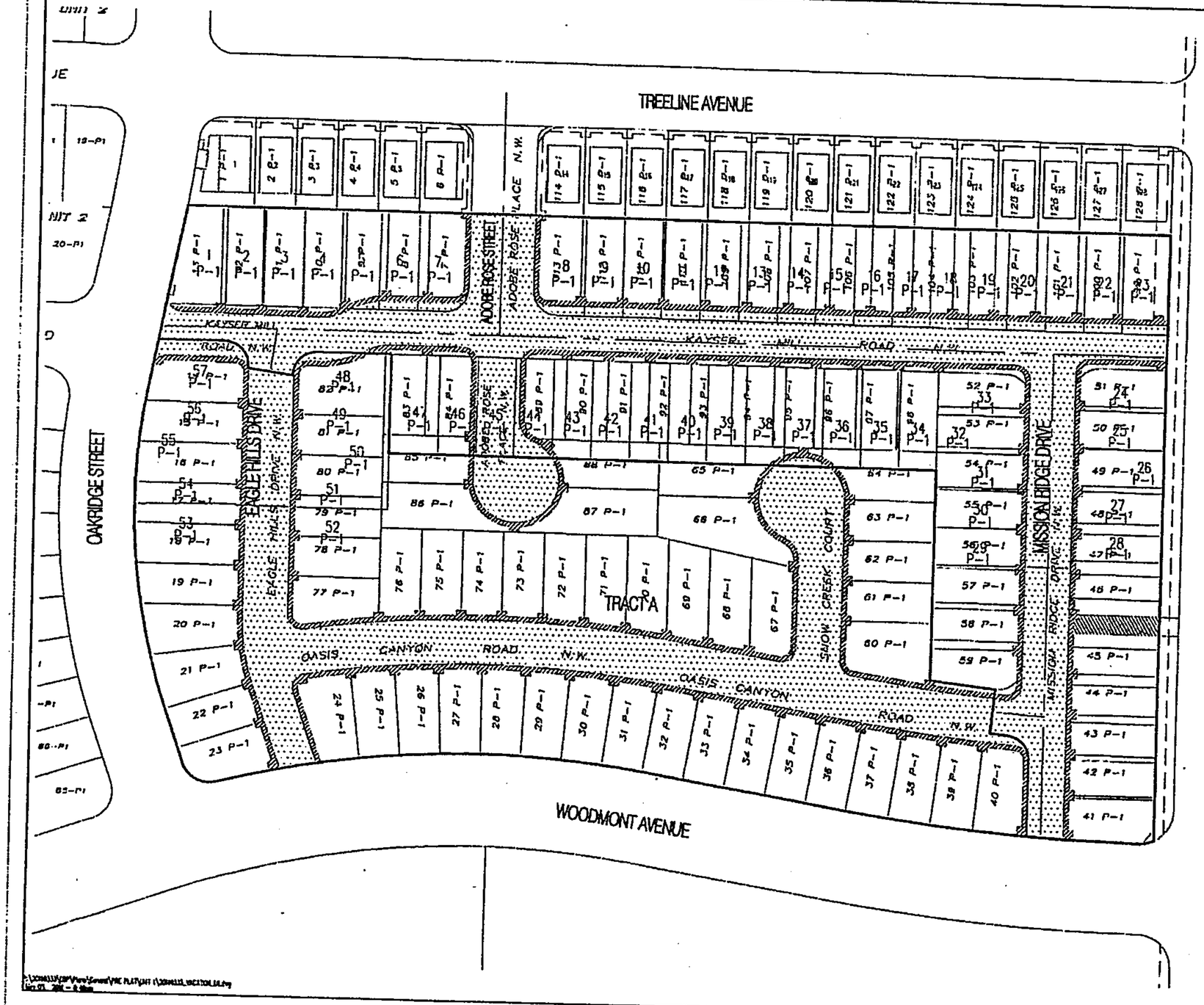
1. The site is not in conformance with the approved drainage reports.
2. Necessary drainage improvements are disputed and not financially guaranteed.
3. The City is primarily charged with protecting the public's health, safety, and general welfare. Inadequate drainage infrastructure and the resulting runaway storm water flows are serious public safety concerns.

If you wish to appeal this decision, you must do so by July 5, 2012 in the manner described below.

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc.
Marcus Rael – 500 Marquette Avenue NW Ste 700 - Albuquerque, NM 87102
Jerry Lovato – 2600 Prospect NE – Albuquerque, NM 87107
Tim Flynn O'Brien – 817 Gold Avenue SW – Albuquerque, NM 87102
Brian Paul - 5120 San Francisco NE – Albuquerque, NM 87109
Rick Leverick – 5120 San Francisco NE - Albuquerque, NM 87109
Marilyn Maldonado
File



N

NOT TO SCALE

EXISTING PUBLIC UTILITY EASEMENT TO BE VACATED WITH THIS PLAT.

PORTION OF EXISTING DRAINAGE EASEMENT TO BE VACATED WITH THIS PLAT.

EXISTING RIGHT-OF-WAY TO BE VACATED BY THIS PLAT.

REASON FOR VACATION

THE EXISTING TAOS AT THE TRAILS UNIT 2 SUBDIVISION IS BEING RESUBDIVIDED TO CHANGE THE LOT SIZES. NEW EASEMENTS AND RIGHT-OF-WAY WILL BE GRANTED AND DEDICATED RESPECTIVELY, WITH THE NEW PLAT.

EXHIBIT "C"
TAOS UNIT 1
at the TRAILS
VACATION EXHIBIT
MAY, 2011

Bohannan Huston

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 20, 2012

Project# 1008797
12DRB-70153 EXTENSION OF MAJOR PRELIMINARY PLAT
12DRB-70154 VACATION OF PUBLIC EASEMENT
12DRB-70155 VACATION OF PUBLIC EASEMENT
12DRB-70156 VACATION OF PUBLIC RIGHT-OF-WAY

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned SU-2/ VTSL, located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 14.63 acre(s). (C-9)

AMAFCA Taos at the Trails, Unit 2 Subdivision, (C-9) AMAFCA is reserving comment until we receive more information. AMAFCA staff will attend the public hearing to comment, if necessary.
COG No comments provided.
TRANSIT No comments.
ZONING ENFORCEMENT No comments provided.
NEIGHBORHOOD COORDINATION
APS
POLICE DEPARTMENT No comments provided.
FIRE DEPARTMENT Fire has no comments.
PNM ELECTRIC & NM GAS No comments provided.
CenturyLink No comments provided.
COMCAST No comments provided.

ENVIRONMENTAL HEALTH

No comments provided.

M.R.G.C.D

1. Previously reviewed 05/25/2011.
2. No Adverse Comments.

OPEN SPACE DIVISION

No Adverse Comment

CITY ENGINEER

Per the Subdivision Ordinance §14-14-3-4.E.1
"A decision to grant an extension shall be based on the finding that the extension is not detrimental to the public interest and that the preliminary plat, as approved is not in significant conflict with current city and county policies.

Granting an extension would be detrimental to the public interest and would conflict with current City and County policies. The site is not in conformance with the approved drainage reports. Necessary drainage improvements are disputed and not financially guaranteed. The City is primarily charged with protecting the public's health, safety, and general welfare. Inadequate drainage infrastructure and the resulting runaway storm water flows are serious public safety concerns.

The Preliminary Plat may be extended if specific drainage items are added to the infrastructure list. Additionally, several conflicts between current drainage construction and the approved drainage reports must be formally addressed—please refer to the letter from Hydrology to David B. Thompson, P.E. dated March 22, 2012. Finally, the off-site drainage mitigation SIAs should be assigned to RCS, the current owner of the property.

Handwritten items on the infrastructure list should be typed.

TRANSPORTATION DEVELOPMENT

No objection to vacation requests; revised access will be provided with replat.
Preliminary plat extension: defer to City Engineer.

PARKS AND RECREATION

ABCWUA

PLANNING DEPARTMENT

Refer to any public hearing comments and comments from the City Engineer plus affected agencies regarding proposed extension.

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

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — **S**
- ___ Major Subdivision action
- ___ Minor Subdivision action
- _X_ Vacation — **V**
- ___ Variance (Non-Zoning)

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

STORM DRAINAGE (Form D) — **A**
- ___ Storm Drainage Cost Allocation Plan

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

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6330 Riverside Plaza Lane #160 FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: rbeltramo@gcinm.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Taos Unit 1 at the Trails public right-of-way and easement vacation & preliminary plat extension

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1008797 11DRB-70114, 11DRB-70116, 11DRB-70119, 11DRB-70323

CASE INFORMATION:

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

No. of existing lots: 107 No. of proposed lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J Stf DATE 5/24/12

(Print) Scott J Steffen Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers
12 DRB 70153
12 DRB 70155
12 DRB 70156

Action	S.F.	Fees
EPP	___	$50.00
CMF	___	$20.00
VPE	___	$315.00
ADV	___	$ 75.00
VRB	___	$2,100.00
	Total	$2560.00

Hearing date June 20, 2012

5-24-12
Planner signature / date

Project # 1008797

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

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

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

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

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

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

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

Amended preliminary plat approval expires after one year

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

Scott Steffen
Applicant name (print)

Scott Steffen 5/24/12
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
12 - DRB - 70153
___ - ___ - ___
___ - ___ - ___

5-24-12
Planner signature / date

Project # 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☒ **VACATION OF PUBLIC EASEMENT (DRB27)** -6
☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** -7 -1 drainage

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

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

☐ **SIDEWALK VARIANCE (DRB20)**
☐ **SIDEWALK WAIVER (DRB21)**

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

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

☐ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
___ Zone Atlas map with the entire property(ies) clearly outlined
___ Letter briefly describing, explaining, and justifying the deferral or extension
___ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**
☐ **VACATION OF RECORDED PLAT (DRB29)**

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

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

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

SCOTT STEFFEN
Applicant name (print)

Applicant signature / date 5/24/12

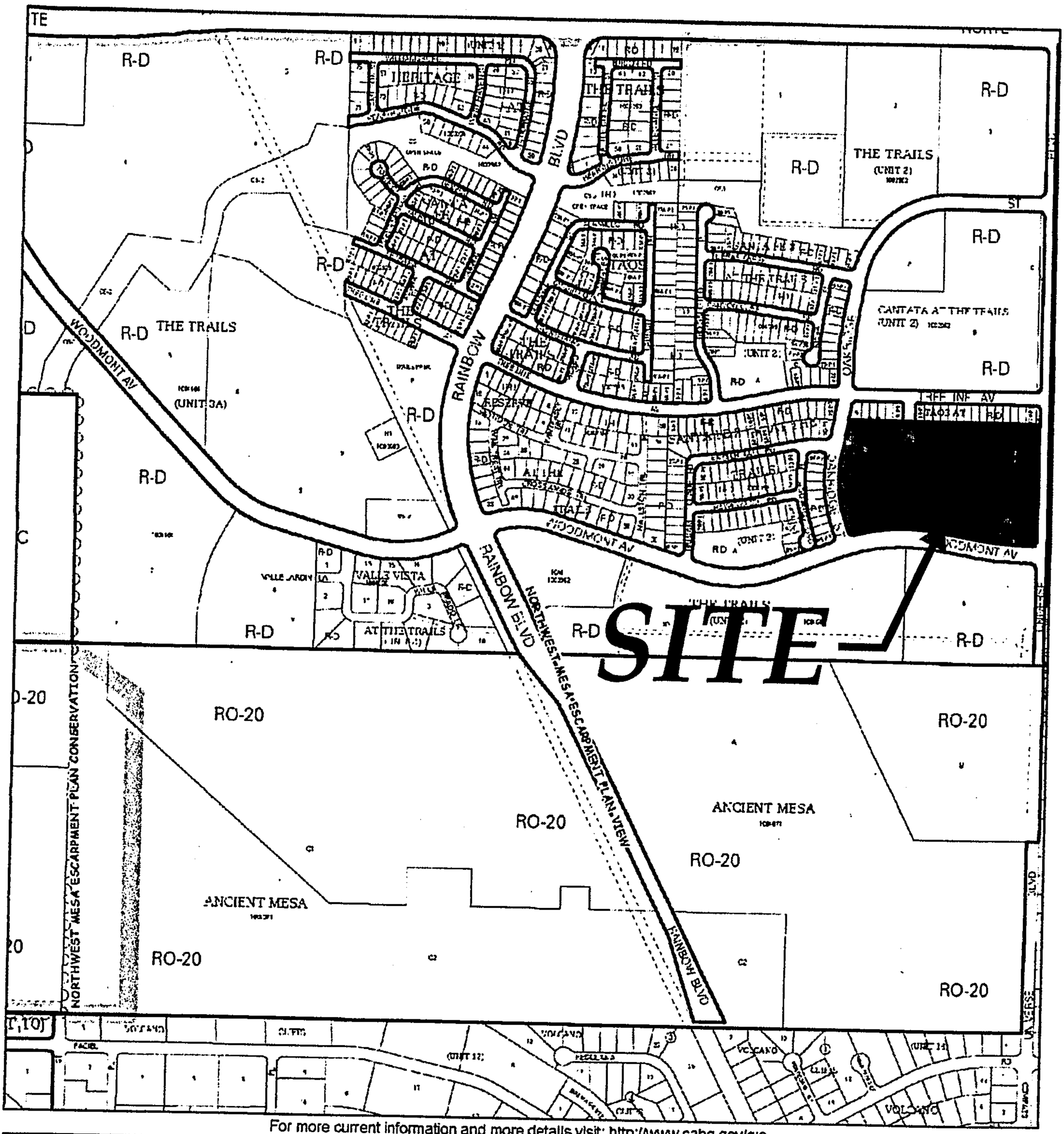
Form revised 4/07

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

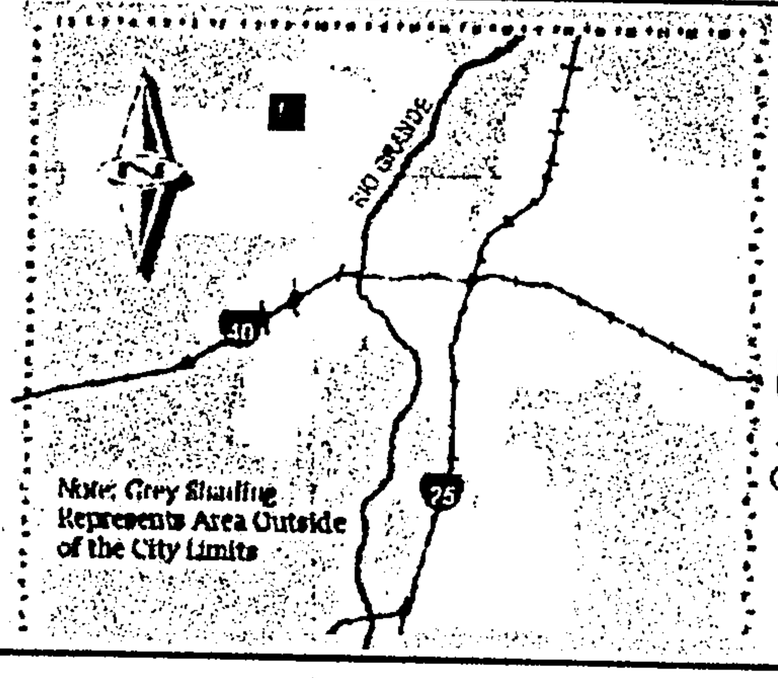
Application case numbers
12 - DRB - 70155
12 - DRB - 70156
____ - _____ - _____

5-24-12
Planner signature / date

Project # 1008797



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



Albuquerque Geographic Information System

Map amended through: 1/24/2011

Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 750 1,500 Feet

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

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

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

PROJECT # 1008797

Wednesday, June 20, 2012

Comments must be received by:

Friday, June 15, 2012

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

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 24, 2012

Mr. Jack Cloud, DRB Chair
City of Albuquerque, Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Vacation of Public Easement, Vacation of Public Right-of-Way and Preliminary Plat Extension (DRB 1008797)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) review and comment are copies of the following information:

- Application for Development Review
- Twenty-four (24) copies of Vacation Action Exhibit (Exhibit C)
- Letter from the Office of Neighborhood Coordination
- Zone Atlas map
- Preliminary Plat
- Infrastructure List
- Submittal Fees

The Taos Unit 1 at the Trails Vacation request and preliminary plat were approved by the DRB on June 29, 2011. An amended preliminary plat and infrastructure list were approved by the DRB on November 30, 2011. At this time it is not anticipated that the Taos Unit 1 final plat will be approved by the DRB and recorded by the preliminary plat expiration date of June 29, 2012. Therefore, we are requesting review and approval of the attached Vacation request and a one-year extension of the preliminary plat. We request that the Vacation request and the preliminary plat extension be heard at the same DRB hearing.

Please place these items on the DRB Agenda to be heard on June 20, 2012. Please feel free to contact me at 823-1000 with questions or comments.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development & Planning

Enclosures

cc: Rick Beltramo, Galway Construction

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

May 23, 2012

Becky Gauna
Bohannan Huston Inc.
7500 Jefferson NE/87109
Phone: 505-823-1000/Fax: 505-798-7988

Dear Becky:

Thank you for your inquiry of **May 23, 2012** 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) – LOTS 88-P1 SUBDIVISION, PLAT OF TAOS AT THE TRIALS, UNIT 2 (A REPLAT OF TRACTS 5 & 7, THE TRAILS, UNIT 2), LOCATED ON OAKRIDGE STREET NW BETWEEN TREELINE AVENUE NW AND WOODMONT AVENUE NW** zone map **C-9**

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

VOLCANO TRAILS N.A. "R"
***William Ek**, 8931 Winncrest Trail NW/87114 944-5525 (h)
Tim Goloversic, 7160 Tree Line Ave. NW/87114 554-5136 (h)

*** President of Association**

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 I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

planningrnaform(03/20/12)

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

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

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

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

[X] **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: **05/23/12** Time Entered: **1:30 p.m.** ONC Rep. Initials: **siw**

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 24, 2012

Bill Ek
8931 Winncrest Trail NW
Albuquerque, NM 87114

Re: Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Taos at the Trails Unit 2 (DRB 1008797)

Dear Mr. Ek:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

P:\20110333\Correspondence\Submittals\Pre Plat Extension\Unit 1\Unit 1 NA Notice LTR Vacation.doc

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 24, 2012

Tim Goloversic
7160 Tree Line NW
Albuquerque, NM 87114

Re: Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Taos at the Trails Unit 2 (DRB 1008797)

Dear Mr. Goloversic:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2.

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Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

P:\20110333\Correspondence\Submittals\Pre Plat Extension\Unit 1\Unit 1 NA Notice LTR Vacation.doc

nnan ▲ Huston

yard I
Jefferson Street NE
querque, NM
9 - 4335

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7011 2970 0000 5101 1702

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

Postmark Here

Sent To: Bill EK
Street, Apt. No.; or PO Box No.: 8931 Winncrest Trail NW
City, State, ZIP+4: Albuquerque NM 87114

PS Form 3800, August 2006 — See Reverse for Instructions

HIS SECTION

d 3. Also complete
very is desired.
dress on the reverse
e card to you.
ack of the mailpiece,
permits.

1. Article Addressed to:

Bill EK
8931 Winncrest Trail NW
Albuquerque NM 87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7011 2970 0000 5101 1702

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Bohannan Huston
Courtyard I
7500 Jefferson Street NE
Albuquerque, NM
87109 - 4335

7011 2970 0000 5101 1726

7011 2970 0000 5101 1726

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

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OFFICIAL USE

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

Postmark Here

Sent To: Tim Goloversic
Street, Apt. No.; or PO Box No.: 7160 Tree Line NW
City, State, ZIP+4: Albuquerque NM 87114

PS Form 3800, August 2006 — See Reverse for Instructions

THIS SECTION

nd 3. Also complete
livery is desired.
ddress on the reverse
he card to you.
back of the mailpiece,
or on the front if space permits.

1. Article Addressed to:

Tim Goloversic
7160 Tree Line NW
Albuquerque NM
87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7011 2970 0000 5101 1726

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9))

At the June 29, 2011 Development Review Board meeting, the Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. The Board recommends APPROVAL to the City Council of the proposed vacations as shown on Exhibit C in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Findings

(A)(1) The public road vacation and easement vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacations.

(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

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

PROTEST: IT I S NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY July 15, 2011.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

In other actions at the June 29, 2011 Development Review Board meeting, the sidewalk waiver and the temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'B' in the planning file. The subdivision design variance was approved as shown on Exhibit 'D' in the planning file. With an approved grading and drainage plan engineer stamp dated 6/21/11 and with the signing of the infrastructure list dated 6/29/11 the site development plan for subdivision and the preliminary plat were approved subject to the following conditions:

CONDITIONS:

1. Proposed Lot 35 and the abutting Mission Ridge Drive NW right of way shall be shown as part of Tract A/ Unit 2, and the former right of way shall include a landscape and pedestrian easement and public sewer easement.
2. Adobe Rose Place NW shall have equivalent 75 foot Roadway/ Easement.
3. The right of way for the turnaround for the western end of Kayser Mill Road NW shall terminate at the east boundary of Lot 1, and the remainder shall be incorporated into Lot 1, to include a landscape and pedestrian easement.
4. Open Space Note No. 9 of the Site Development Plan for Subdivision shall be included on the Final Plat.
5. An updated Grading and Drainage Plan and Site Development Plan for Subdivision shall incorporate the revisions to the Preliminary Plat.

If you wish to appeal the other actions within this decision, you must do so by July 15, 2011 in the manner described below.

The site development plan for subdivision was delegated to Planning for final sign-off, to address comments and for expiration of the appeal period.

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

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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: Bohannan Huston Inc. – Courtyard 1, 7500 Jefferson St NE – Albuquerque, NM 87109
Cc: Taos At the Trails LLC – 6840 Treeline Ave – Albuquerque, NM 87114
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
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(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

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CONDITIONS:

1. Proposed Lot 35 and the abutting Mission Ridge Drive NW right of way shall be shown as part of Tract A/ Unit 2, and the former right of way shall include a landscape and pedestrian easement and public sewer easement.
2. Adobe Rose Place NW shall have equivalent 75 foot Roadway/ Easement.
3. The right of way for the turnaround for the western end of Kayser Mill Road NW shall terminate at the east boundary of Lot 1, and the remainder shall be incorporated into Lot 1, to include a landscape and pedestrian easement.
4. Open Space Note No. 9 of the Site Development Plan for Subdivision shall be included on the Final Plat.
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Appeal of the actions other than the vacation is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc. – Courtyard 1, 7500 Jefferson St NE – Albuquerque, NM 87109
Cc: Taos At the Trails LLC – 6840 Treeline Ave – Albuquerque, NM 87114
Marilyn Maldonado
file

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9))

At the June 29, 2011 Development Review Board meeting, the Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. The Board recommends APPROVAL to the City Council of the proposed vacations as shown on Exhibit C in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Findings

(A)(1) The public road vacation and easement vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacations.

(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

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

PROTEST: IT I S NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY July 15, 2011.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

In other actions at the June 29, 2011 Development Review Board meeting, the sidewalk waiver and the temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'B' in the planning file. The subdivision design variance was approved as shown on Exhibit 'D' in the planning file. With an approved grading and drainage plan engineer stamp dated 6/21/11 and with the signing of the infrastructure list dated 6/29/11 the site development plan for subdivision and the preliminary plat were approved subject to the following conditions:

CONDITIONS:

1. Proposed Lot 35 and the abutting Mission Ridge Drive NW right of way shall be shown as part of Tract A/ Unit 2, and the former right of way shall include a landscape and pedestrian easement and public sewer easement.
2. Adobe Rose Place NW shall have equivalent 75 foot Roadway/ Easement.
3. The right of way for the turnaround for the western end of Kayser Mill Road NW shall terminate at the east boundary of Lot 1, and the remainder shall be incorporated into Lot 1, to include a landscape and pedestrian easement.
4. Open Space Note No. 9 of the Site Development Plan for Subdivision shall be included on the Final Plat.
5. An updated Grading and Drainage Plan and Site Development Plan for Subdivision shall incorporate the revisions to the Preliminary Plat.

If you wish to appeal the other actions within this decision, you must do so by July 15, 2011 in the manner described below.

The site development plan for subdivision was delegated to Planning for final sign-off, to address comments and for expiration of the appeal period.

Appeal of the actions other than the vacation 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.

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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: Bohannan Huston Inc. – Courtyard 1, 7500 Jefferson St NE – Albuquerque, NM 87109
Cc: Taos At the Trails LLC – 6840 Treeline Ave – Albuquerque, NM 87114
Marilyn Maldonado
file

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — **S**

___ Major Subdivision action
___ Minor Subdivision action
_X_ Vacation — **V**
___ Variance (Non-Zoning)

SITE DEVELOPMENT PLAN — **P**

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

STORM DRAINAGE (Form D) — **A**

___ Storm Drainage Cost Allocation Plan

Z **ZONING & PLANNING**

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

APPEAL / PROTEST of...

___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6330 Riverside Plaza Lane #160 FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: rbeltramo@gcinm.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Taos Unit 1 at the Trails public right-of-way and easement vacation & preliminary plat extension

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1008797 11DRB-70114, 11DRB-70116, 11DRB-70119, 11DRB-70323

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J Stf DATE 5/24/12

(Print) SCOTT J STEFFEN Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers: 12-DRB-70153; 12-DRB-70155; 12-DRB-70156

Action	S.F.	Fees
EPP	___	$50.00
CMF	___	$20.00
VPE	___	$315.00
ADV	___	$ 75.00
VRB	___	$2,100.00
	Total	$2560.00

Hearing date June 20, 2012

5-24-12
Planner signature / date

Project # 1008797

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

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

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

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

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

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

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

Amended preliminary plat approval expires after one year

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

Scott Steffen
Applicant name (print)

Scott S
Applicant signature / date 5/24/12

Form revised **October 2007**

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

Application case numbers
12 - DRB - 70153
____ - ____ - ____
____ - ____ - ____

5-24-12
Planner signature / date

Project # 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☒ **VACATION OF PUBLIC EASEMENT (DRB27)** -6

☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** -7 -1 drainage

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

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

☐ **SIDEWALK VARIANCE (DRB20)**

☐ **SIDEWALK WAIVER (DRB21)**

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

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

☐ **SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

__ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
__ Zone Atlas map with the entire property(ies) clearly outlined
__ Letter briefly describing, explaining, and justifying the deferral or extension
__ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

☐ **VACATION OF RECORDED PLAT (DRB29)**

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

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

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

SCOTT STEFFEN
Applicant name (print)

Scott S 5/24/12
Applicant signature / date

Form revised 4/07

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

Application case numbers
12 - DRB - 70155
12 - DRB - 70156
- -

5-24-12
Planner signature / date

Project # 1008797

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 June 5, 2012 To June 20, 2012

5. REMOVAL

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

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

Ricky Young for BHI — 5/24/12
(Applicant or Agent) (Date)

I issued 2 signs for this application, 5-24-12 (Date) _____ (Staff Member)

DRB PROJECT NUMBER: 1008797

Rev. 1/11/05

Bohannan ▲ Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 24, 2012

Mr. Jack Cloud, DRB Chair
City of Albuquerque, Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Vacation of Public Easement, Vacation of Public Right-of-Way and Preliminary Plat Extension (DRB 1008797)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) review and comment are copies of the following information:

- Application for Development Review
- Twenty-four (24) copies of Vacation Action Exhibit (Exhibit C)
- Letter from the Office of Neighborhood Coordination
- Zone Atlas map
- Preliminary Plat
- Infrastructure List
- Submittal Fees

The Taos Unit 1 at the Trails Vacation request and preliminary plat were approved by the DRB on June 29, 2011. An amended preliminary plat and infrastructure list were approved by the DRB on November 30, 2011. At this time it is not anticipated that the Taos Unit 1 final plat will be approved by the DRB and recorded by the preliminary plat expiration date of June 29, 2012. Therefore, we are requesting review and approval of the attached Vacation request and a one-year extension of the preliminary plat. We request that the Vacation request and the preliminary plat extension be heard at the same DRB hearing.

Please place these items on the DRB Agenda to be heard on June 20, 2012. Please feel free to contact me at 823-1000 with questions or comments.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development & Planning

Enclosures

cc: Rick Beltramo, Galway Construction

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

S	Z		
		SUBDIVISION	
		___	Major Subdivision action
		___	Minor Subdivision action
		_X_	Vacation
V		___	Variance (Non-Zoning)
		SITE DEVELOPMENT PLAN	
P		___	for Subdivision
		___	for Building Permit
		___	Administrative Amendment (AA)
		___	IP Master Development Plan
D		___	Cert. of Appropriateness (LUCC)
		STORM DRAINAGE (Form D)	
L	A	___	Storm Drainage Cost Allocation Plan

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6330 Riverside Plaza Lane #160 FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: rbeltramo@gcinm.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Taos Unit 1 at the Trails public right-of-way and easement vacation & preliminary plat extension

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1008797 11DRB-70114, 11DRB-70116, 11DRB-70119, 11DRB-70323

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J Steffen DATE 5/24/12

(Print) Scott J Steffen Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

- ☒ **INTERNAL ROUTING**
- ☒ All checklists are complete
- ☒ All fees have been collected
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- ☐ Case history #s are listed
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- ☐ F.H.D.P. fee rebate

Application case numbers: 12 DRB 70153; 12 DRB 70155; 12 DRB 70156

Action	S.F.	Fees
EPP	___	$50.00
CMF	___	$20.00
VPE	___	$315.00
ADV	___	$ 75.00
VRB	___	$2,100.00
	Total	$2560.00

Hearing date June 20, 2012

5-24-12
Planner signature / date

Project # 1008797

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

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

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

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

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

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

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

Amended preliminary plat approval expires after one year

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

Scott Steffen
Applicant name (print)

Scott Steffen 5/24/12
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
12 - DRB - 70153
____ - ____ - ____
____ - ____ - ____

5-24-12
Planner signature / date

Project # 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

☒ **VACATION OF PUBLIC EASEMENT (DRB27)** -6

☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** -7 -1 drainage
- ☒ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- ☒ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- ☒ Zone Atlas map with the entire property(ies) clearly outlined
- ☒ Letter briefly describing, explaining, and justifying the request
- ☒ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ☒ Sign Posting Agreement
- ☒ Fee (see schedule)
- ☒ List any original and/or related file numbers on the cover application

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

☐ **SIDEWALK VARIANCE (DRB20)**

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

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

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

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

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

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

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

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

SCOTT STEFFEN
Applicant name (print)

Scott Steffen 5/24/12
Applicant signature / date

Form revised 4/07

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

Application case numbers
12 - DRB - 70155
12 - DRB - 70156
____ - _____ - _____

5-24-12
Planner signature / date

Project # 1008797

INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

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

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

PROJECT # 1008797

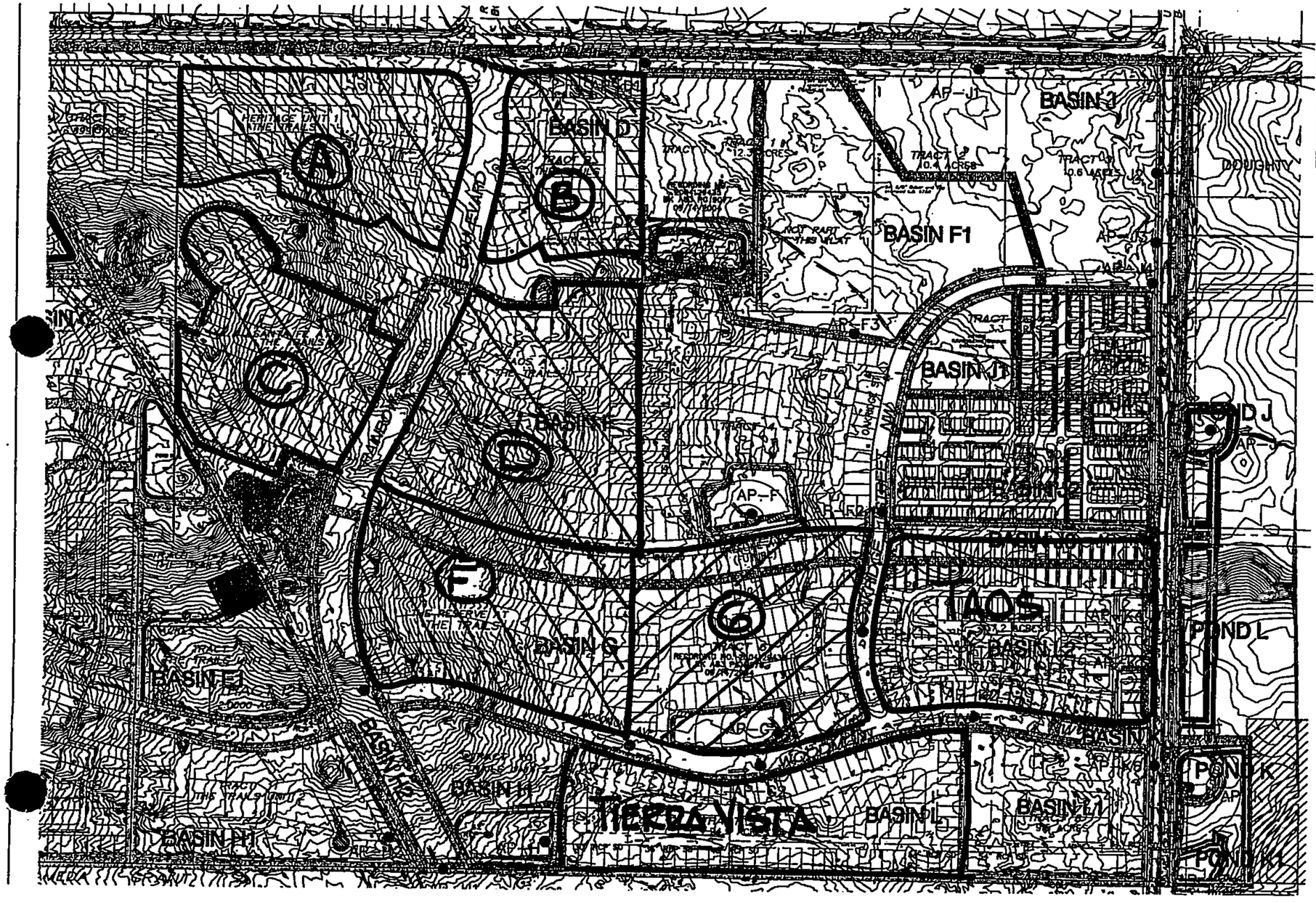
Wednesday, June 20, 2012

Comments must be received by:

Friday, June 15, 2012

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



THE TRAILS UNIT 1 — TRACTS A, B, C, D & F

THE TRAILS UNIT 2 — TRACT G

Interim Condition
SURGE POND SUMMARY

Analysis Point	Description	Drainage Area (Ac)	Q100 (cfs)	Q100 (cfs/ac)	MAX STORAGE (Ac-Ft)	TOP ELEV =	BOP ELEV =	MAX WSEL =
AP-D	POND D	58.30	151.97	2.61	6.13	5436.85	5430.00	5436.79
AP-E	POND E	141.27	282.17	32.85	8.33	5424.33	5418.00	5423.00
AP-G	POND G	173.21	136.79	23.30	7.00	5422.50	5418.00	5422.43
AP-J	POND J	33.11	91.44	2.93	3.50	5421.00	5415.00	5420.31
AP-H	POND H	45.58	83.14	2.63	2.33	5422.00	5418.00	5421.71
AP-K	POND K	291.19	68.92	18.80	8.86	5418.69	5405.00	5410.45
AP-K1	POND K1	74.90	68.00	34.80	1.14	5417.00	5410.00	5415.85
AP-L	POND L	208.89	126.18	18.70	7.98	5414.00	5405.00	5413.70

NOTES:
1) ALL PONDS TEMPORARILY RELEASE A REDUCED FLOWRATE IN THE INTERIM CONDITION, UNTIL CONSTRUCTION OF UNIVERSE STORM DRAIN TO THE BOCA NEGRA DAM IS COMPLETE. TEMPORARY ORIFICE PLATES TO BE INSTALLED AT ALL PONDS.
2) ALL RUNOFF FROM THE TRAILS UNIT III IS ASSUMED TO BE RETAINED OFFSITE IN THE INTERIM CONDITION.
3) THIS INTERIM DRAINAGE ANALYSIS ASSUMES UNITS I & II ARE FULLY DEVELOPED. FLOWRATE OF 18.73 CFS APPROXIMATELY EQUALS THE HISTORIC FLOWS DRAINING EAST FROM THE TRAILS (DRAINAGE REPORT FOR LA CUENTISTA SUBDIVISION, WILSON & CO, NOV. 2003)

Developed Condition
SUB-BASIN ANALYSIS POINT SUMMARY

Analysis Point	Description	Drainage Area (Ac)	Q100 (cfs)
AP-01	PASEO DEL NORTE BYPASS FLOW	–	12.85
AP-02	FROM HERITAGE-REPORT DATED 03/04	–	172.0
AP-F1	FROM SANTA FE/TAOS-REPORT DATED 12/03	–	187.4
AP-F2	OAKRIDGE ST INLETS	2.36	8.03
AP-01	FROM RESERVE-REPORT DATED 04/04	–	52.80
AP-02	WOODMONT AVE SUMP INLETS	4.29	17.99
AP-H1	RAINBOW INLETS	3.16	12.86
AP-H2	TRACT 11 STUB	11.71	33.32
AP-H3	RAINBOW INLETS	2.82	11.06
AP-I1	PASEO DEL NORTE SUMP INLETS	3.04	12.85
AP-I2	STUB TO UNIVERSE STORM DRAIN	14.54	34.85
AP-I3	UNIVERSE INLETS	2.92	12.31
AP-J4	OAKRIDGE ST INLETS	0.82	3.47
AP-J5	STUB TO UNIVERSE STORM DRAIN	9.72	31.47
AP-K1	OAKRIDGE ST SUMP INLETS	1.34	5.65
AP-K2	WOODMONT AVE SUMP INLETS	2.04	8.82
AP-K3	STUB TO UNIVERSE STORM DRAIN	18.00	51.80
AP-K4	STUB TO UNIVERSE STORM DRAIN	0	0
AP-K5	STUB TO UNIVERSE STORM DRAIN	14.93	50.85
AP-K6	UNIVERSE INLETS	8.24	21.29
AP-K7	TRAILS TEMP. OUTFALL TO VACANT LAND	324.37	19.73

HYDROLOGIC DATA – INTERIM

BASIN	AREA (acres)	LAND TREATMENT PERCENTAGES BY TYPE A	B	C	D	YIELD (cfs/ac)	Q_{100} (cfs)	V_{100-24} (ac-ft)
ON-D	58.30	0	25	25	50	2.61	151.97	7.84
ON-H	7.43	0	15	25	60	3.54	26.30	1.11
ON-H1	11.71	0	39.9	38.9	20.2	2.77	32.46	1.10
ON-H2	5.77	0	0	10	90	4.10	23.59	1.08
ON-G	31.83	0	25	25	50	4.29	105.96	4.29
ON-F	68.15	0	25	25	50	3.33	218.08	6.76
ON-F1	17.82	0	18	17	67	3.83	64.75	2.81
ON-J	23.63	0	15	15	70	2.85	67.41	3.82
ON-J1	3.22	20	40	40	0	2.14	6.88	0.19
ON-J2	14.40	0	10	15	75	3.78	54.63	2.43
ON-J3	3.81	0	15	15	70	3.69	14.04	0.62
ON-J4	3.10	0	10	15	75	3.80	11.77	0.52
ON-K	28.85	0	15	15	70	3.26	95.42	4.82
ON-L	17.38	0	18	18	64	3.10	53.72	2.76
ON-L1	8.45	0	33	33	34	2.81	24.66	1.07

CITY OF ALBUQUERQUE

March 22, 2012

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

Re: Amendment to the Trails Drainage Master Plan
Engineer's Stamp Date 1-25-12 (file no. C09-D001)

Dear Mr. Thompson,

Based upon the information provided in your submittal engineer stamp dated and received 1-25-12, the above referenced Drainage Master Plan and Drainage Report ("DMP") for the Trails Development ("Trails") is not approved. The following comments or issues are outstanding and need to be addressed:

1. The City's Development Process Manual ("DPM") requires that storm water generated from a developed site retain the 100 year, 10 day storm for an interim condition. Pond "K" does not appear to have adequate capacity to accommodate the flows generated by the Trails as it exists today. Please verify that pond "K" does have the capacity for the storm flows identified above or identify how these flows are to be controlled and when.

2. The Trails is required to drain ponds "K" and "J" in order to continue to develop. A storm drain pipe from the two ponds is required to outfall into the Boca Negra Dam. This report is required to provide a schedule for the construction of this pipe.

3. This report proposes to drain the Trails to the east. The Boca Negra Agreement requires a storm drain in Universe Blvd from the Trails to the Boca Negra Detention Dam. This report is inconsistent with that Agreement. Accordingly, this proposal will need to be amended consistent with the Boca Negra Agreement as a condition to the implementation of this proposal.

4. Provide the volume required, volume provided, and water surface elevation for each pond on the plan and also show existing and proposed grades in the vicinity of the pond.

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

5. The City is concerned with the excessive amount of ponds for and within the Trails. Provide a solution that does not include a Pond F. The drainage from Paseo del Norte Blvd. and basin F7 should drain to Universe Blvd. Please provide analysis points for the storm drain in Universe Blvd. where flows are introduced into this system.

6. Please investigate discharging the storm water generated by the western 1/4 to 1/3 of the Trails south directly into the Boca Negra Arroyo west of the APS site.

7. To reduce the number of interim ponds, the storm drain in Universe Blvd. from basin J9 should drain south into one large pond built to City standards. This pond should be located at or near the southeast corner of the Trails. This pond will be permitted to have only one inlet and one outlet storm drain and therefore act as a detention pond that drains to the Boca Negra Dam.

8. Regarding the pond referred to in item number 7, please provide a volume calculation for the currently approved drainage plan and for a scenario that diverts the western 1/4 to 1/3 of the Trails development as discussed above in item number 6.

If you have any questions, you can contact me at 924-3986.

Sincerely,

Curtis Cherne, P.E.
Principal Engineer, Planning Dept.
Development and Building Services

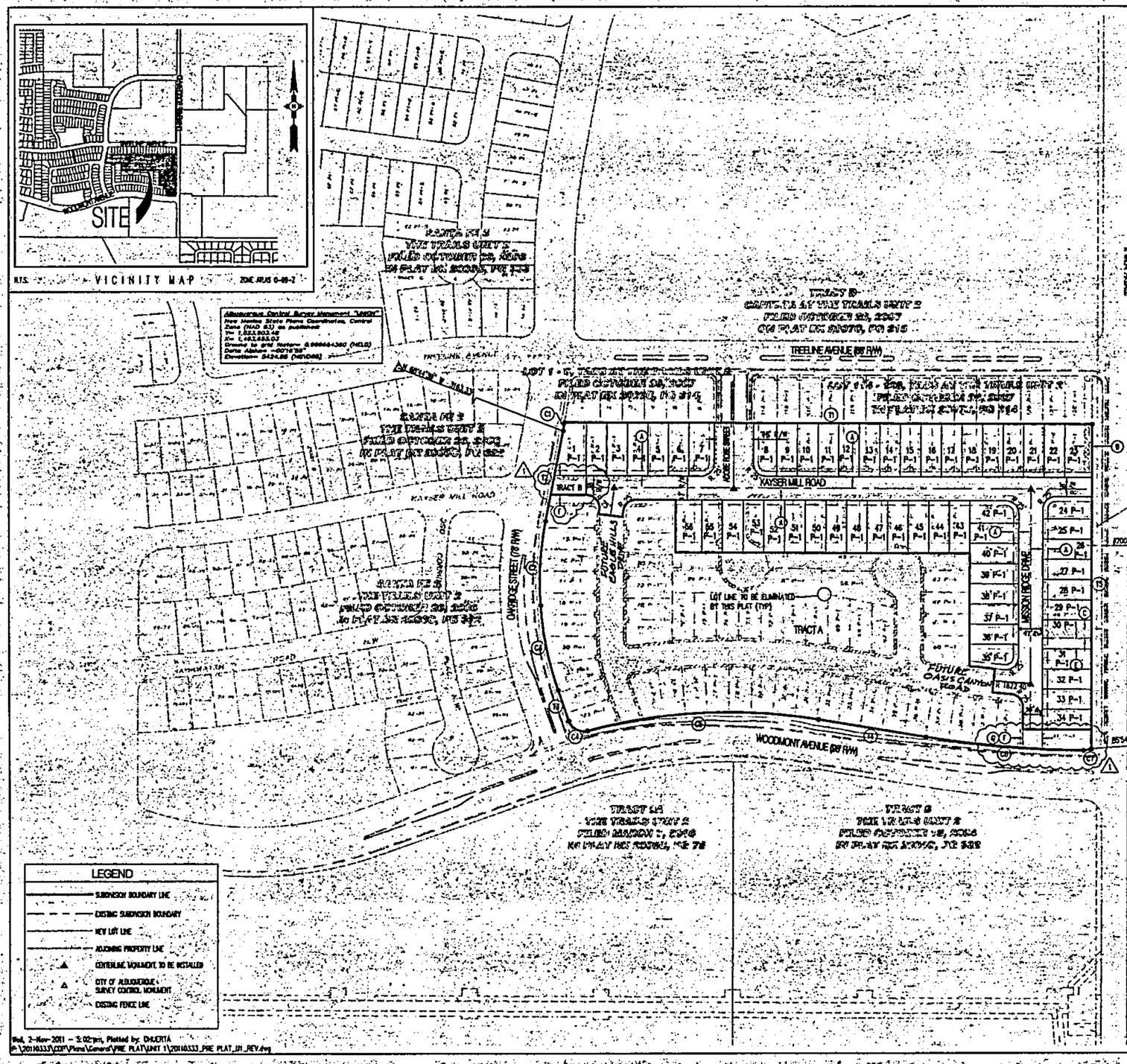
Cc: file

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

PRELIMINARY PLAT FOR
TAOS UNIT 1
at the TRAILS

(Lots 7-P1 thru 113-P1, together with vacated Kayser Mill Road, Eagle Hills Drive, Mission Ridge Drive, Oasis Canyon Road, Snow Creek Court, and a Portion of Adobe Rose Place, OF THE TRAILS UNIT 2)
THE TOWN OF ALAMEDA GRANT
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
NOVEMBER, 2011

N.T.S. VICINITY MAP ZONE ATLAS C-09-Z



LEGEND

- SUBDIVISION BOUNDARY LINE
- EXISTING SUBDIVISION BOUNDARY
- NEW LOT LINE
- ADJOINING PROPERTY LINE
- ▲ COVERLINE MONUMENT TO BE INSTALLED
- △ CITY OF ALBUQUERQUE SURVEY CONTROL MONUMENT
- EXISTING FENCE LINE

KEYED NOTES

- (A) 10' PUBLIC UTILITY EASEMENT
- (B) EXISTING PUBLIC UTILITY EASEMENT TO BE VACATED WITH THIS PLAT
- (C) DRAINAGE EASEMENT TO BE VACATED WITH THIS PLAT
- (D) EXISTING PUBLIC WATERLINE AND SANITARY SEWER EASEMENT
- (E) 20' PUBLIC STORM DRAIN EASEMENT
- (F) PUBLIC PEDESTRIAN ACCESS EASEMENT TO BE GRANTED TO THE CITY OF ALBUQUERQUE BY THIS PLAT
- (G) PUBLIC SANITARY SEWER EASEMTN TO BE GRANTED TO THE ABCWUA BY THIS PLAT

EXISTING PUBLIC UTILITY EASEMENT TO BE VACATED WITH THIS PLAT

PORTION OF EXISTING DRAINAGE EASEMENT TO BE VACATED WITH THIS PLAT

EXISTING PUBLIC WATERLINE AND SANITARY SEWER EASEMENT

EXISTING RIGHT-OF-WAY TO BE VACATED BY THIS PLAT

LEGAL DESCRIPTION

Lots 7-P1 thru 113-P1, together with vacated Kayser Mill Road, Eagle Hills Drive, Mission Ridge Drive, Oasis Canyon Road, Snow Creek Court, and a Portion of Adobe Rose Place, of Taos at the Trails Unit 2 Subdivision, City of Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat entitled "SUBDIVISION PLAT OF TAOS AT THE TRAILS UNIT 2(BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on October 26, 2007, in Plat Book 2007C, Page 314, as Document No. 2007149699.

GENERAL NOTES

1. EXISTING ZONING: R-D
   PROPOSED DEVELOPMENT: R-D
2. PROPOSED ACREAGE: 14.63 AC
   NUMBER OF LOTS: 56 + 2 TRACT
   PROPOSED DENSITY: 7.78 DU/AC
3. MIN. LOT DIMENSIONS: 40' X 90'
   MINIMUM LOT AREA: 3,600 SQFT
4. ALL STREETS, UTILITIES, AND STORM DRAIN IMPROVEMENTS ARE TO BE PUBLIC, AND TO BE DEDICATED TO THE CITY OF ALBUQUERQUE FOR MAINTENANCE.
5. LOT SETBACKS SHALL CONFORM TO R-D ZONING REQUIREMENTS
6. NO INDIVIDUAL LOTS SHALL BE ALLOWED DIRECT ACCESS TO UNIVERSE STREET OR UNIVERSE BOULEVARD.
7. TRACT B TO BE OWNED AND MAINTAINED BY THE TRAILS HOMEOWNERS ASSOCIATION
8. TRACT B TO HAVE A PRIVATE ACCESS EASEMENT FOR THE USE AND BENEFIT OF LOT 1.

SITE DATA

ZONE ATLAS NO.	C-09-Z
ZONING	R-D
MILES OF FULL WIDTH STREETS CREATED	0.26 MILES
NO. OF EXISTING PARCELS	102 + 2 TRACT
NO. OF LOTS CREATED	56 + 2 TRACT
DENSITY	7.78 DU/AC

SURVEY NOTES:

1. ALL BOUNDARY CORNERS SHOWN (●) ARE FOUND REBAR W/CAP.
2. ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE PC'S, PT'S, ANGLE POINTS, AND STREET INTERSECTIONS AND SHOWN THUS (▲) AND WILL BE MARKED BY (4") ALUMINUM CAP STAMPED "CITY OF ALBUQUERQUE CENTERLINE MONUMENTATION MARKER, DO NOT DISTURB PLS 9750".
3. THE SUBDIVISION BOUNDARY WILL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
4. BASIS OF BEARINGS WILL BE NEW MEXICO STATE PLANE BEARINGS.
5. DISTANCES SHALL BE GROUND DISTANCES.
6. MANHOLES WILL BE OFFSET AT ALL POINTS OF CURVATURE, TANGENCY STREET INTERSECTIONS, AND ALL OTHER ANGLE POINTS TO ALLOW USE OF CENTERLINE MONUMENTATION.

BOUNDARY CURVE TABLE				
ID	ARC	RADIUS	DELTA	TANGENT
C1	17.15'	1230.00'	00°47'35"	8.58'
C2	169.51'	661.00'	14°41'36"	85.22'
C3	172.97'	661.00'	14°58'34"	86.98'
C4	43.20'	30.00'	82°30'04"	26.14'
C5	431.64'	7046.93'	3°30'47"	215.87'
C6	307.88'	2041.29'	08°38'31"	154.24'
C7	15.63'	39.00'	22°57'38"	7.93'

BOUNDARY TANGENT TABLE		
ID	BEARING	LENGTH
T1	N88°43'50"W	1021.85'
T2	S10°52'50"W	179.63'
T3	S18°46'20"E	64.86'
T4	S80°28'15"E	212.16'
T5	N00°16'16"E	643.53'

APPROVED

CITY SURVEYOR — DATE 11-7-11

KELLY CALHOUN, VICE PRESIDENT, THE TRAILS, LLC — DATE 10/3/11

PRELIMINARY PLAT AMENDMENT
1 NOVEMBER 2, 2011

Bohannan ▲ Huston
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335
ENGINEERING ▲ SPATIAL DATA ▲ ADVANCED TECHNOLOGIES

Wed, 2-Nov-2011 - 3:02pm, Plotted by: CHUERTA
P:\20100333\COT\Plans\General\PRE PLAT\UNIT 1\20100333_PRE PLAT_01_REV.dwg

City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

PLEASE NOTE: The Neighborhood and/or Homeowner Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office.

May 23, 2012

Becky Gauna
Bohannan Huston Inc.
7500 Jefferson NE/87109
Phone: 505-823-1000/Fax: 505-798-7988

Dear Becky:

Thank you for your inquiry of **May 23, 2012** 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) – LOTS 88-P1 SUBDIVISION, PLAT OF TAOS AT THE TRIALS, UNIT 2 (A REPLAT OF TRACTS 5 & 7, THE TRAILS, UNIT 2), LOCATED ON OAKRIDGE STREET NW BETWEEN TREELINE AVENUE NW AND WOODMONT AVENUE NW** zone map **C-9**

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

VOLCANO TRAILS N.A. "R"
***William Ek**, 8931 Winncrest Trail NW/87114 944-5525 (h)
Tim Goloversic, 7160 Tree Line Ave. NW/87114 554-5136 (h)

*** President of Association**

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 I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

planningmaform(03/20/12)

!!!Notice to Applicants!!!

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

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

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

Information from the Office of Neighborhood Coordination

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

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

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

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

[X] **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: **05/23/12** Time Entered: **1:30 p.m.** ONC Rep. Initials: **siw**

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 24, 2012

Bill Ek
8931 Winncrest Trail NW
Albuquerque, NM 87114

Re: Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Taos at the Trails Unit 2 (DRB 1008797)

Dear Mr. Ek:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

P:\20110333\Correspondence\Submittals\Pre Plat Extension\Unit 1\Unit 1 NA Notice LTR Vacation.doc

Engineering ▲
Spatial Data ▲
Advanced Technologies ▲

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

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voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 24, 2012

Tim Goloversic
7160 Tree Line NW
Albuquerque, NM 87114

Re: Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Taos at the Trails Unit 2 (DRB 1008797)

Dear Mr. Goloversic:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

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

Sent To: Bill EK
Street, Apt. No.; or PO Box No.: 8931 Winncrest Trail NW
City, State, ZIP+4: Albuquerque NM 87114

Postmark Here

PS Form 3800, August 2006 — See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Bill EK
8931 Winncrest Trail NW
Albuquerque NM 87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7011 2970 0000 5101 1702

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Bohannan Huston
Courtyard I
7500 Jefferson Street NE
Albuquerque, NM
87109 - 4335

7011 2970 0000 5101 1726

7011 2970 0000 5101 1726

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

Sent To: Tim Goloversic
Street, Apt. No.; or PO Box No.: 7160 Tree Line N W
City, State, ZIP+4: Albuquerque NM 87114

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

1. Article Addressed to:

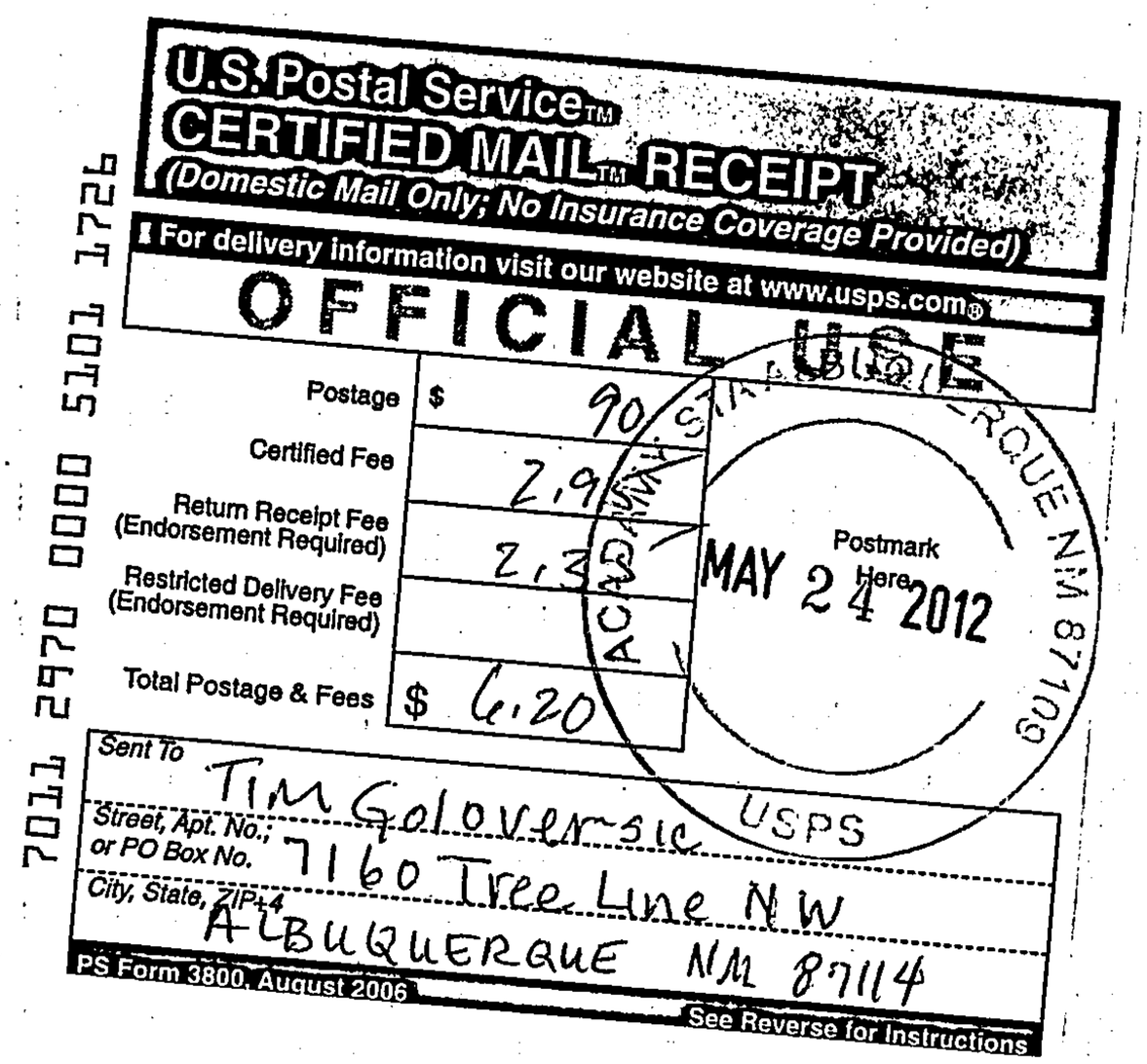
Tim Goloversic
7160 Tree Line N W
Albuquerque NM
87114

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7011 2970 0000 5101 1726

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



SCANNED

5/23/12

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Return Receipt Fee (Endorsement Required)	2.65
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.20

ALBUQUERQUE NM 87109 MAY 24 2012 USPS

Postmark Here

Sent To: Bill Ek
Street, Apt. No.; or PO Box No.: 8931 Winncrest Trail NW
City, State, ZIP+4: ALBUQUERQUE NM 87114

PS Form 3800, August 2006 — See Reverse for Instructions

SCANNED

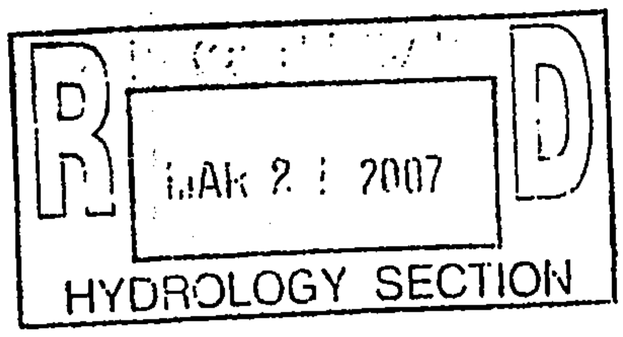
5/23/12

DRAINAGE REPORT

for

TAOS AT THE TRAILS UNIT II
Albuquerque, New Mexico

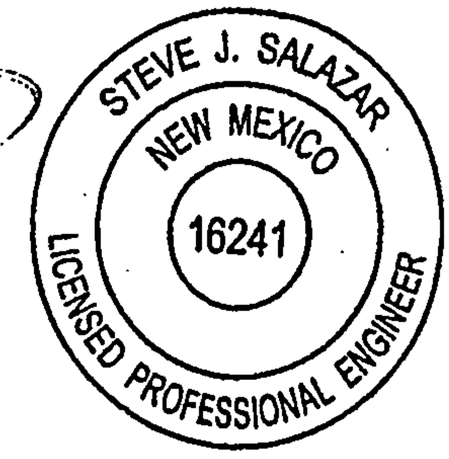
MARCH 2007



I, Steve J. Salazar, do hereby certify that this report was prepared by me or under my direction and that I am a duly registered Professional Engineer under the laws of the State of New Mexico.

Steve J. Salazar, P.E.
NM No. 16241

3/21/07
Date



(04/0017

Introduction

Wilson & Company prepared this drainage report under contract to The Trails, LLC. The document provides a basis for the design of storm water conveyance systems within Taos of the Trails Unit II (subject property). The objective of this report is to analyze the hydrologic characteristics associated with the existing and developed conditions.

Taos of the Trails Unit II is a single-family residential subdivision with 127 total lots within The Trails master planned community. The "Master Drainage Study for The Trails Subdivision", dated December 2003, prepared by Bohannan-Huston, Inc (BHI Study) outlines the major drainage requirements for the entire Trails development. This DMP covers a large area surrounding the subject property. The master planned area will drain through a series of detention surge ponds to the southeast corner of the Trails project to reduce flows. As established in the "Amendment to The Trails Subdivision Master Drainage Study", dated May 5, 2004 and prepared by Wilson & Company. A future storm drain system (currently under design, COA#761281) is scheduled to carry developed flows from the southeast corner of the Trails south to the Boca Negra Detention Dam (currently under BID). Wilson & Company has revised the BHI Study as the project progresses to more accurately model the drainage conditions. This revised Drainage Master Plan is included in this report as Plate 2 (also referred to as the Overall Pond Grading & Drainage Plan for Future Developed Conditions). The Drainage Master Plan establishes revised Basin, Pond and Hydrologic summary data. Taos at The Trails Unit II drains into a storm drain system built by COA 730084. This system has been designed to accept developed flows as per the "Amendment to The Trails Subdivision Master Drainage Study", dated May 5, 2004. Pond K shall accept developed flows generated by Taos at The Trails Unit II.

Project Description

The proposed development is located within the city limits of Albuquerque, New Mexico. The subject property consists of approximately 18.0 acres of undeveloped land on the west side of Albuquerque, south of Ventana Ranch subdivision. The Trails Subdivision is located on Albuquerque's Northwest Mesa, west of Universe Boulevard and south of Paseo Del Norte. The subject property is bound by Tract 8 (of the Trails to the south, Universe Blvd. to the east. Tract 5 to the north, and Tract 6 (Santa Fe at the Trails Unit II) to the west. See Exhibit A, Vicinity Map.

There are currently nine other tracts within the Trails Subdivision that are developed or under construction - Santa Fe at the Trails (Tract C of the Trails), Estados at the Trails (Tract D of the Trails), Heritage at the Trails Units I and II (Tract A & B of the Trails respectively), The Reserve at the Trails (Tract F of the Trails), Santa Fe at the Trails Unit II (Tract 6 of the Trails Unit II), Valle Vista at The Trails Unit II (Tract 11 of Trails Unit II). The Trails Unit II (COA #730084) is also currently under construction, which includes the development of Woodmont Avenue, Oakridge Street, Rainbow Boulevard, Paseo Del Norte and Universe Boulevard within the boundaries of The Trails Unit II.

EXHIBIT
B
Page 12 of 14

Also included is the construction of all major drainage facilities, including ponds. necessary for the development of The Trails Unit II, including facilities within Tract 7.

The current legal description of the proposed development is "Tract 7 of the Trails Unit II (Filed in Book 2004C, Page 332, on 10/18/2004). The site is located on Zone Atlas Sheet C-9-Z. See Exhibit C for site location on this Zone Atlas Sheet. Tract 7 of Trails Unit II is currently zoned R-D. No portion of Tract 8 lies within the 100-year flood zone based on FIRM Map #35001C0111D dated September 20, 1996. See Exhibit B for site location on the Flood Insurance Rate Map.

Existing Conditions

Currently, the site is located in a local depression with slopes ranging from 1% to 5% and has been mass graded. The soils are classified as Alemeda Sandy Loam (AmB) for slopes based on sheet 10 of Soil survey of Bernalillo County. See Exhibit D for site location on the Soils map. A shallow basaltic layer runs subsurface of the natural grade, and varies in depth from 0 ft to 9 ft.

Developed Conditions

(Refer to Plates 1 & 2 – Interim and Developed Conditions)

The developed site will consist of 127 lots of single-family housing. Taos and Tract A of Toas (Replat of Tracts) of Trails Unit II is contained within Basins K of the Drainage Master Plan. Proposed flows for individual sub-basins are determined based on an area percentage of the overall Basin K flow. The overall Basin K has an area of 45.12 acres and a fully developed 100-year flow of 128.14 cfs. This plan develops 39.9% (18.0 acres) of the total 45.12 acres. Please see the AHYMO summary file for calculations. The total generated runoff for Tract 7 under fully developed conditions is 64.46 cfs. The remainder of Basin K, which is Replat of Tract 5 at The Trails Unit II, generates a flow of 63.68 cfs and is available once 'Tract A" (Replat Tract 5) is developed.

This report divides the proposed development into sub-basins. (See the proposed Basin Map in Plate 4). Drainage & basin boundaries were determined based on the grades established in the grading & drainage plan, and by street flow capacity and storm drain requirements. (See the Grading & Drainage Plans in Plate 3 and Street Flow Capacity Calculations in Appendix C).

Proposed flows from Sub-Basin 1 flow to the Universe Blvd. storm drain system through a series of inlets on Treeline Road (adjacent to Universe). Proposed flows from Sub-Basins 2 through 4 are collected through a series of inlets on Kayser Mill Road, Oasis Canyon Road and Mission Ridge Drive and are ultimately routed to the Universe storm drain system and contained in Pond K. See the proposed Sub-Basin Map in Plate 4. Developed flows from Sub-Basin 5 are collected by the inlets on Oakridge road as shown on the Sub-Basins Map. There will be no ponds built in the Tract 7 of The Trails Unit II sub-division and developed flows are contained in Pond K (East of Universe Blvd). See

the proposed Sub-Basin Map in Plate 4. See the HydraFlow Storm Drain Calculations and Inlet Capacity Calculations in Appendix D.

See Plate 1, Overall Pond Grading & Drainage Plan - Interim Conditions for summary tables. See Appendix A for AHYMO input and output. In the future developed conditions, all ponds will be detention surge ponds. According to the "Amendment to the Trails Subdivision Master Drainage Study", a maximum of flowrate of 200 cfs is allowed from the Trails Subdivision. According to the revised Drainage Master Plan, a maximum flowrate of 198 cfs will enter the Universe Blvd. storm drain system to the Boca Negra Dam. See Plate 2 for the Overall Pond Grading & Drainage Plan for Developed Conditions.

Once the storm drain from The Trails to the Boca Negra Detention Dam is completed, all of the plugs in the ponds within The Trails Unit II can be removed, creating detention facilities and eliminating the need to retain runoff from the Trails.

The hydrologic analysis for the interim and developed condition was completed using the Arid Lands Hydrologic Model (AHYMO) Version 1997.02. The 100-year 24-hour return frequency storm was used as the basis of analysis. (See Appendices A & B for input and output data). Methodology outlined in Section 22.2 of the City of Albuquerque Development Process Manual was also incorporated into this analysis. Street flows have been evaluated using Flow Master by Haested Methods. Street flows were analyzed for the use of roll type curb where capacities permitted. Inlets are located to prevent exceeding the street flow capacities per the DPM. See Appendix C for street capacity analysis. Storm Drain design and analysis was performed using *Hydraflow*. See Appendix D for *Hydraflow* output.

Grading Plan

Taos of Trails Unit II Grading Plan is attached as Plate 3. It illustrates the overall grading concept for the Taos of Trails Unit 2 as well as the proposed storm drain.

Conclusion

The analysis performed for this report demonstrates that the proposed system of streets and storm drainage improvements will safely convey and adequately detain the 100-year storm runoff from the offsite and the onsite basins contributing to the site development. Wilson & Company recommends that the proposed storm drain system undergo regular maintenance activities. This should include removing debris from grate inlets, as well as removing sediment buildup within the pipe system.

Per The Trails Unit II Construction Plans (COA 730084), storm drain plugs at Pond E. Pond G and Pond K are scheduled to be installed. As a result of the interim conditions analysis, Wilson & Company recommends also installing temporary plugs at Pond D and Pond F to retain runoff from the 100-year, 10-day event, until the Universe storm drain to the Boca Negra Detention Dam is constructed.

WILSON &CO
EXHIBIT
B
Page 4 of 4

AMENDMENT TO THE TRAILS UNIT II DRAINAGE MASTER PLAN

Albuquerque, New Mexico

AUGUST 2007

PREPARED FOR:

Longford Homes
7007 Jefferson St. NE, Suite A
Albuquerque, New Mexico 87109

PREPARED BY:

Wilson & Company, Engineers & Architects
2600 American Rd. SE Suite 100
Rio Rancho, NM 87124

WCEA File No. 07-600-001-00

WILSON &COMPANY

AMENDMENT TO THE TRAILS UNIT II DRAINAGE MASTER PLAN

Albuquerque, New Mexico

AUGUST 2007

I, Donald M. Duneman, do hereby certify that this report was prepared by me or under my direction and that I am a duly registered Professional Engineer under the laws of the State of New Mexico.

Donald M Duneman, P.E.
NM No. 17616

8/22/07
Date

Executive Summary

Wilson & Company prepared this drainage master plan amendment under contract to The Trails, LLC. The document provides a basis for the design of storm water conveyance systems for the Trails Unit II along Universe Blvd. The objective of this amendment is to re-analyze the hydrologic characteristics for The Trails Unit II based on requirements of the approved Volcano Heights Sector Development Plan (VHSDP). Development unit densities within the Trails have increased from previously assumed values and basin boundaries have changed due to the VHSDP. Additionally, the allowable discharge from the Trails master plan area is being reduced from 200 c.f.s. to under 50 c.f.s. in order to decrease the cost of downstream infrastructure.

The "Master Drainage Study for The Trails Subdivision", dated December 2003, prepared by Bohannan-Huston, Inc (BHI Study) outlines the major drainage requirements for the entire Trails development. Wilson & Company has revised the BHI Study as the project progresses to more accurately model the drainage conditions. The latest revision to the Drainage Master Plan is included in this report as Plate 1 and Plate 2 for Developed and Interim Conditions, respectively (Appendix C).

The Hydrologic analysis conforms to Section 22.2 of the Albuquerque Development Process Manual. Hydrologic modeling was performed using AHYMO, version 1997.02. AHYMO input and summary files can be found in Appendix A and B for the Interim and Developed conditions, respectively.

Proposed Drainage Basins will be conveyed as follows:
Basins J, J1 and J4 are routed directly through Pond J.
Basins J2, J3, L2 and Ponds G and J outflow are routed directly through Pond L.
Basins L, L1 and Pond H outflow are routed directly through Pond K1.
Basin K and Ponds K1 and L outflow are routed directly through Pond K.

The master planned area will drain through a series of detention surge ponds to the southeast corner of the Trails project to reduce flows. In the fully developed conditions, a future storm drain system (currently under design, COA#761281) is scheduled to carry developed flows from the southeast corner of the Trails south to the Boca Negra Detention Dam. As previously mentioned, the maximum allowable discharge is now being restricted to 50 c.f.s. The current design will release a peak flowrate of approximately 48 c.f.s., while detaining approximately 21 acre-feet of storm-water runoff. See plate 1 for the overall drainage plan for developed conditions, including all hydrologic summary tables.

In the interim, historic flows will be released from the Universe Blvd. detention ponds to the east. The drainage area used to determine historic flows from the Trails was referenced from the approved Drainage Report for La Cuentista Subdivision, Wilson & Company, Nov. 2003. La Cuentista drainage basin 101 in the aforementioned report encompasses a 40 acre portion of the Trails. Historic flows for basin 101 are 0.5 c.f.s. per

acre, so approximately 20 c.f.s. is released from the Trails to this basin in the historic condition. See Plate 6 - Existing Conditions Basin Boundary Map for La Cuentista Subdivision for this existing drainage basin (Appendix C). It was determined, based on this analysis, that the revised ponds will detain fully developed flows from all of the Trails Units I & II in the interim, assuming that runoff from Unit III is retained offsite. The current design will release a peak flowrate of 19.73 c.f.s., while detaining approximately 21 acre-feet of storm-water runoff. See plate 2 for the overall drainage plan for interim conditions, including all hydrologic summary tables.

Storm-water Detention Surge Ponds were designed based on the fully developed conditions and evaluated for the interim conditions. Preliminary grading plans for Pond J, Pond L and Pond K are found in Appendix C (Plates 3, 4, 5)

Conclusion

The current stormwater system safely conveys runoff in both the fully developed condition and the interim condition. The interim condition analysis concludes that the current pond design can accommodate fully developed flows from both Units I and II, while runoff from Unit III is retained. Wilson & Company recommends that the proposed storm drain system undergo regular maintenance activities. This should include removing debris from grate inlets, as well as removing sediment buildup within the pipe system.

As a result of the interim condition analysis, temporary orifice plates shall be installed at Pond D, Pond E, Pond F, Pond G, Pond H and Pond L. In addition, temporary plugs shall be installed at Ponds J and K, with a temporary culvert at each pond allowing a maximum discharge of 20 c.f.s. to drain east as it has historically. See grading plans in Appendix C (plates 3, 4, 5). These temporary designs shall remain in place until the Universe storm drain to the Boca Negra Detention Dam is constructed.

25a.

No. of Units: 113
Nearest Major Streets: Tree line & Universe Blvd.

FIGURE 12

SUBDIVISION IMPROVEMENTS AGREEMENT-PUBLIC AND/OR PRIVATE
Project No. 730077
(Onsite, Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 28th day of October, 2011, 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 **RCS-Taos, LLC** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **Colorado Limited Liability Corporation**, whose address is **1450 Infinite Drive, Suite E2, Louisville, Colorado, 80027** and whose telephone number is **303-466-2500** is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] **Lots 7 thru 113, Taos At The Trails Unit 2**, recorded on **10-26-07** in the records of the Bernalillo County Clerk at Document # **2007149699**, pages **1** through **6** (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] **RCS-Taos, LLC** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Taos Unit 1 at The Trails** describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **29th** day of **June**, 20**12** ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. **730077**.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

Doc# 2011098762
10/31/2011 10:09 AM Page: 1 of 9
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

09/04

EXHIBIT B

the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As per required City - approved estimate. (Figure 7)

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by **SurvTek**, and construction surveying of the private Improvements shall be performed by **SurvTek**. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by **Western technologies, Inc.**, and inspection of the private Improvements shall be performed by **Western technologies, Inc.**, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by **Western Technologies, Inc.**, and field testing of the private Improvements shall be performed by **Western Technologies, Inc.**, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

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

Type of Financial Guaranty: **NA**
Amount: $ **NA** Name of Financial Institution or Surety providing Guaranty: **NA**
Date City first able to call Guaranty: **NA**
[Construction Completion Deadline]: ___ 20___
If Guaranty other than a Bond, last day City able to call Guaranty is: **N/A**, 20__.
Additional information: **Not Requesting Final Plat**

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

8. Conveyance of Property Rights. When the Improvements are completed, if the

City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. 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 defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent 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; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. 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.

11. Assignment. This Agreement shall not be assigned without the prior written

consent of the City and the Subdivider and the express written concurrence of any financial institution or surety, which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

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

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

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

15. 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.

16. 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.

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

18. 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.

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

20. 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.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

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

SUBDIVIDER: RCS-Taos, LLC

By [Signature]: Sharon K. Eshima
Name: Sharon K. Eshima
Title: Manager
Dated:

CITY OF ALBUQUERQUE

City Engineer
Dated: 10/28/11 10-26-11

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 15th day of September, 20 11 by [name of person:] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner":] Manager of [Subdivider:] RCS-Taos, LLC.

Notary Public

My Commission Expires:
8/6/2012

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

CITY'S NOTARY

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

This instrument was acknowledged before me on 28th day of, October, 2011 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA C. EVANS NOTARY PUBLIC STATE OF NEW MEXICO

Current DRC Project No. 730077

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv
Date Site Plan for Sub. Approved:
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6.29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 these 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, these items may be deleted as well as the related portions of the financial guarantee. 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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Const Engineer
		PAVING							
730077 B-1		48' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
730077 B-1			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
730077 B-1		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730077 B-1		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
730077 B-1		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
730077 B-1		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
730077 B-2			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

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730077

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
			PUBLIC STORM DRAIN IMPROVEMENTS						
730077 B-1		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077 B-1		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077 B-1		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
730077 B-1		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A182 PF 7818)	EAST SIDE OF UNIVERSE BLVD		/	/	/
730077 B-1		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
			PUBLIC WATERLINE IMPROVEMENTS						
730077 B-1		12" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
730077 B-1		12" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
730077 B-1		8" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
730077 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
730077 B-1		8" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
730077 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
730077 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
730077 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S	TRACT A, TAOS UNIT 1 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
		*	RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION				/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
	730084	EX 8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
730077 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
730077 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

DEVELOPMENT REVIEW BOARD SIGNATURE APPROVALS

AGENT/OWNER

SCOTT STEFFEN, PE — ADDRESS
PREPARED BY: PRINT NAME — DATE

BOHANNAN HUSTON, INC.
FIRM

SIGNATURE

MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

AGENT/OWNER — DATE

DRB CHAIR — DATE

TRANSPORTATION DEVELOPMENT — DATE
ABCWUA

CITY ENGINEER — DATE

DESIGN REVIEW COMMITTEE REVISIONS

DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

REVISION	DATE

1ST
AMENDMENT TO AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS
3-9-2012

City Project # 730077 Taos Unit 1 At The Trails (Onsite, Procedure B)

WHEREAS, the City and the Subdivider entered into an Agreement to Construct Public and/or Private Subdivision Improvements ("Original Agreement") on October 28, 2011 which was recorded on October 31, 2011, in the records of the Bernalillo County Clerk in Document No. 2011098762, pages 1 to 9, wherein the Subdivider agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Subdivider has requested 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":

Doc# 2012022647
03/06/2012 09:44 AM Page: 1 of 3
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

Type of Financial Guaranty: Bond # 5048901

Amount: $1,138,595.94

Name of Financial Institution or Surety providing Guaranty:
Bond Safeguard Insurance Co.

Date City first able to call Guaranty (Construction Completion Deadline):
June 29, 2013

If Guaranty other than a Bond, last day City able to call Guaranty is:

Additional information:

2. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

SUBDIVIDER: RCS-Taos, LLC

By [signature]:
Name [print]: Sharon K. Eshima
Title: Manager
Dated: 1-19-12

CITY OF ALBUQUERQUE:

By:
Richard Dourte, City Engineer
Dated: 2-9-12

lgf 2/7/12

kn 02-02-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss
COUNTY OF Boulder)

This instrument was acknowledged before me on this 19TH day of January, 2012 by [name of person] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner"] Manager of ("Subdivider") RCS - Taos, LLC, a Colorado limited liability company

(SEAL)

Notary Public

My Commission Expires:
12/10/2013

ANDREA MARQUEZ
Notary Public
State of Colorado

CITY'S NOTARY

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

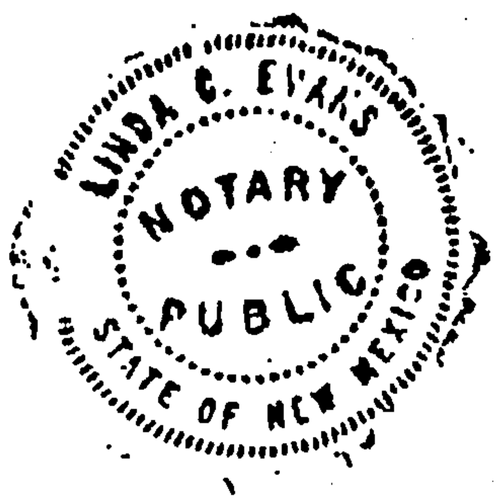
This instrument was acknowledged before me on 9th day of February, 2012, by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public

My Commission Expires:

1C 07-12



FINANCIAL GUARANTY AMOUNT

08/02/2011

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

Project Description:

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

Requested By: **Scott Steffen with BHI**

Approved estimate amount:		$712,612.32
Contingency Amount:	10.00%	$71,261.23
Subtotal:		$783,873.55
NMGRT	7.00%	$54,871.15
Subtotal:		$838,744.70
Engineering Fee	6.60%	$55,357.15
Testing Fee	2.00%	$16,774.89
Subotal:		$910,876.75
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		$1,138,595.94

APPROVAL: DATE:

JWoodall 8-2-11

Notes: 10% Contingency, Final Plans and Engineers Estimate Have Not Been Approved, G&D Cert Is Required Prior to Release of F.G.

Developer

11/04/2011 16:50:35 Figure 22

Page 1

WORK ORDER ISSUANCE CHECKLIST DETAILS

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

	Public	PRIVATE
INSPECTION:	WESTERN TECHNOLOGIES	
SURVEYING:	Surv-Tek	
AS BUILTS:	Surv-Tek	
TESTING:	WESTERN TECHNOLOGIES	

WORK ORDER AMOUNTS: (Includes NM Gross Receipts Tax)

Public: $335,985.29 + Private: $.00 = Total Construction Cost: $335,985.29

FEES: Engineering: Public: 6.60% = $10,919.52 = $10,919.52
Private: = $.00

- Design Deposit: $3,209.15 - Credit Applied: $.00
+ Recording Fee: $50.00 = Total: $7,760.37

BONDS AND INSURANCE:

Performance/Warranty: ● Y ○ N Insurance Certificate: ● Y ○ N
Materials/Labor: ● Y ○ N Policy Expr Date: 03/02/2012
Construction Deadline: 06/29/2012

PERMITS:

Excavation Ordinance: $2,646.00 Permit Number: Date: 00/00/0000

Sidewalk Ordinance - (Staking): $.00
Street Restoration Fee: $.00

NOTE: Lane Closure/Barricading Fees will be calculated and collected by the Permits Section.

Total Fees: $2,646.00

ATTACHMENTS:

Engineering Fees Deposit Slip: ● Y ○ N Generate Pro-Rata: ○ Y ● N
City Approved Estimate: ● Y ○ N Easements: ○ Y ● N
Contractor's Proposal: ● Y ○ N Drainage Covenants: ○ Y ● N
Paid Outstanding Pro-Rata: ○ Y ● N Other:

Remarks:

Date "Work Order" to Construction: 11/04/2011

Date Fees Collected: 11/04/2011

REMARKS: The date of work order issuance will govern the date of effective specification and amendments.

Developer: RCS-Taos, LLC Phone: (303)466-2500
Street: N/A City: State: ZIP:

Construction Company: Python Construction Co. Phone: (505)899-5923
Street: 10523 Safford Pl. NW City: Albuquerque State: NM ZIP: 87114

Engineering Firm: BOHANNAN-HUSTON Phone: (505)823-1000
Street: 7500 JEFFERSON ST NE City: Albuquerque State: NM ZIP: 87109

Developer

11/04/2011 16:50:35 Figure 22

Page 1

WORK ORDER ISSUANCE CHECKLIST DETAILS

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

Public	PRIVATE

INSPECTION: WESTERN TECHNOLOGIES

SURVEYING: Surv-Tek

AS BUILTS: Surv-Tek

TESTING: WESTERN TECHNOLOGIES

WORK ORDER AMOUNTS: (Includes NM Gross Receipts Tax)

Public: $335,985.29 + Private: $.00 = Total Construction Cost: $335,985.29

FEES: Engineering: Public: 6.60% = $10,919.52
Private: = $.00 = $10,919.52

- Design Deposit: $3,209.15 - Credit Applied: $.00
+ Recording Fee: $50.00 = Total: $7,760.37

BONDS AND INSURANCE:

Performance/Warranty: ● Y ○ N Insurance Certificate: ● Y ○ N

Materials/Labor: ● Y ○ N Policy Expr Date: 03/02/2012

Construction Deadline: 06/29/2012

PERMITS:

Excavation Ordinance: $2,646.00 Permit Number: Date: 00/00/0000

Sidewalk Ordinance - (Staking): $.00
Street Restoration Fee: $.00

NOTE: Lane Closure/Barricading Fees will be calculated and collected by the Permits Section.

Total Fees: $2,646.00

ATTACHMENTS:

Engineering Fees Deposit Slip: ● Y ○ N Generate Pro-Rata: ○ Y ● N

City Approved Estimate: ● Y ○ N Easements: ○ Y ● N

Contractor's Proposal: ● Y ○ N Drainage Covenants: ○ Y ● N

Paid Outstanding Pro-Rata: ○ Y ● N Other:

Remarks:

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CONSTRUCTION PLANS
FOR
TAOS UNIT 1 at the TRAILS UNIT 2
ALBUQUERQUE, NEW MEXICO

INDEX

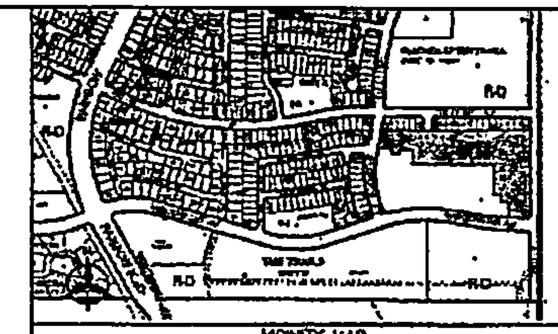
SHEET NO.	DESCRIPTION
1	COVER SHEET
2A-2C	FINAL PLAT
3	GRADING AND DRAINAGE PLAN
4	GRADING AND DRAINAGE DETAILS
5	OVERALL PAVING PLAN
6 - 8	PAVING PLAN AND PROFILE SHEETS
9	OVERALL UTILITY PLAN
10 - 13	UTILITY PLAN AND PROFILE SHEETS
14	POND "K" GRADING PLAN
15 - 16	MISCELLANEOUS PAVING AND UTILITY DETAIL SHEETS

PAVING PLANS

SHEET NO.	DESCRIPTION
6	KAYSER MILL ROAD
7	MISSION RIDGE DRIVE AND ADOBE ROSE PLACE
8	OASIS CANYON ROAD AND EAGLE HILLS DRIVE

UTILITY PLANS

SHEET NO.	DESCRIPTION
10	KAYSER MILL ROAD
11	MISSION RIDGE DRIVE AND ADOBE ROSE PLACE
12	OASIS CANYON ROAD EAGLE HILLS DRIVE
13	STORMDRAIN ALIGNMENT AND WATERLINE ALIGNMENT



VICINITY MAP
C-DB-Z

NOTICE TO CONTRACTORS

1. ALL EXCAVATION/CONSTRUCTION PERMITS SHALL BE APPLIED FOR BY THE CONTRACTOR, ANY BOND SHALL BE CITY-RISK-OF-USE.

2. ALL WORK DETAILED ON THESE PLANS TO BE PERFORMED UNDER AGREEMENT SHALL CONFORM AS APPLICABLE, EXCEPT AS MODIFIED FOR SPECIFIC WORK DESCRIBED, BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF ALBUQUERQUE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1986 EDITION AS REVISED THROUGH MARCH 94.

3. TWO WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL CONTACT NEW MEXICO ONE CALL SYSTEM (260-1990) FOR LOCATION OF EXISTING UTILITIES.

4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL POTENTIAL CONFLICTING UTILITIES AND REPORT ANY DISCREPANCIES TO THE ENGINEER. FAILURE TO DO SO SHALL NOT RELIEVE THE CONTRACTOR FROM RESPONSIBILITY FOR ANY AND ALL DAMAGE WHICH MIGHT HAVE BEEN AVOIDED.

5. NOTICE OF INTENT SHALL BE GIVEN TO THE CITY ENGINEER AT LEAST FIVE (5) WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR SHALL SUBMIT TO THE CITY ENGINEER FOR APPROVAL A CONSTRUCTION SEQUENCE SCHEDULE AT LEAST TWO (2) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION. THE CONSTRUCTION SHALL BEGIN AT A BENCHMARK POINT WITH THE CONSTRUCTION DESCRIPTION PROVIDED. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION INSPECTOR (924-3416) PRIOR TO BEGINNING OR RESUMING ANY OPERATIONS. REFER TO SECTION 1.8 OF THE GENERAL REQUIREMENTS OF THE STANDARD SPECIFICATIONS.

6. ALL WORK INVOLVING ASPHALT CONCRETE SHALL BE PERFORMED UNDER THE OBSERVATION AND TESTING OF A QUALIFIED TECHNICIAN.

7. ALL TRAFFIC SIGNING AND STRIPING SHALL BE REFLECTORIZED PAINT OR PLASTIC CONFORMING TO THE STATE HIGHWAY AND TRANSPORTATION DEPARTMENT STANDARDS AND SPECIFICATIONS, AND AS INDICATED ON THE PAVING PLAN SET.

8. CONTRACTOR SHALL NOTIFY THE ENGINEER AND UCSI (ONE CALL) 48 HOURS PRIOR TO GRADING WORK TO ENSURE THAT THE CITY SURVEYOR MAY TAKE NECESSARY MEASURES TO ENSURE THE PRESERVATION OF SURVEY MONUMENTS. CONSTRUCTION SHALL NOT PROCEED PENDING SURVEY MONUMENTS WITHOUT THE CONSENT OF THE CITY SURVEYOR AND SHALL NOTIFY THE CITY SURVEYOR AND SHALL NOT PROCEED AT DISTURBED AREA THAT HAS BE DISTURBED THROUGH PERMANENT REPLACEMENT SHALL BE DONE ONLY BY THE CITY SURVEYOR. WHEN A CHANGE IS MADE IN THE APPROVED ENGINEERING OF THE PROJECT OR ANY PORTION IN WHICH A PERMANENT SURVEY MONUMENT IS LOCATED, SURVEILLANCE SHALL BE DONE PRIOR. ALIGNS THE MONUMENT GRADE TO THE NEW GRADE UNLESS OTHERWISE DIRECTED. REFER TO SECTION 4.9 OF THE GENERAL REQUIREMENTS OF THE STANDARD SPECIFICATIONS.

9. CONTRACTOR SHALL REVIEW DATA ON ALL UTILITY MAPS AND AGREEMENTS AS REQUIRED BY NEW MEXICO STATUTES THAT THE PREPARATION OF "AS CONSTRUCTED" DRAWINGS. CONTRACTOR SHALL GIVE CLOSE UTILITY LINES AND ACCURATELY DATA, ETC. DATA SHE HAVE RECEIVED.

10. CONTRACTOR SHALL MAINTAIN A CLEAN-FREE WORK SITE. CONTRACTOR SHALL PROMPTLY REMOVE ANY DEBRIS FROM ALL ROADWAYS, WHETHER PERFORMED BY CONTRACTOR.

11. THE CONTRACTOR SHALL DISCONTINUE NEW TAP WATER AUTHORITY SEVEN (7) DAYS IN ADVANCE OF PROCEDURES WHICH SHALL AFFECT THE PUBLIC WATER OR SANITARY SEWER INFRASTRUCTURE, WORK INCLUDING SHUTOFF OF MAIN, DISCONNECTION, MANIPULATION LINES, OR FIXTURES DESIGNATED AS MARKED PLAN FACILITIES WHICH BE CONSTRUCTED WORK. THE WATER AUTHORITY TO ASSIST IN THE SERVICE OF PERFORMING SUCH WORK. ONLY WATER AUTHORITY CREWS ARE AUTHORIZED TO OPERATE PUBLIC VALVES. SHUTOFF REQUESTS MUST BE MADE ONLINE AT http://www.wa.org/content/view/951/739/.

THE FOLLOWING NOTES ALSO APPLY WHEN CHECKED

- [X] ALL MANHOLE AND VALLEY GUTTER LINES SHALL BE INSTALLED PRIOR TO PAVING.
- [X] BACKFILL COMPACTION SHALL BE ACCORDING TO APPROVED STREET USE.
- [X] SIDEWALK AND DRIVEWAY RAMPS WHERE THE CURB RETURNS SHALL BE CONSTRUCTED SLOPED. A NEW CURB RETURN IS CONSTRUCTED.
- [X] IF CURB IS DEPRESSED FOR A DRIVEWAY, THE DEPRESSED SHALL BE CONSTRUCTED PRIOR TO ACCEPTANCE OF CURB AND GUTTER.
- [X] ALL SPECIAL DRAINAGE FACILITIES SHALL BE CONSTRUCTED PRIOR TO FINAL INSPECTION.
- [X] THE DEVELOPER OR DEVELOPER SHALL BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ALL CURB AND GUTTER OR SIDEWALK DAMAGED AFTER APPROVAL BY THE CITY ENGINEER OF WORK COMPLETED BY THE CONTRACTOR.

CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL ABIDE BY ALL LOCAL, STATE, AND FEDERAL LAWS, RULES AND REGULATIONS WHICH APPLY TO THE CONSTRUCTION OF THESE IMPROVEMENTS.

2. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL POTENTIAL CONFLICTING UTILITIES. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OR CONSTRUCTION INSPECTOR 24 HOURS PRIOR TO CONFLICT CAN BE RESOLVED AND A WRITTEN AWARD OF RELIEF.

3. ALL MANHOLES, TEMPORARY CAPS, TY, GAS AND OTHER UTILITY LINES, VALVES AND APPURTENANCES ENCOUNTERED DURING CONSTRUCTION THAT REQUIRE REMOVAL SHALL BE COORDINATED WITH THEIR OWNERS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ALL NECESSARY UTILITY ADJUSTMENTS AND REMOVAL. CONSTRUCTION WILL BE ALLOWED FOR RELOCATION OR DISCONNECTION OWNED BY UTILITY COMPANIES (EXCEPT CITY). THE CONTRACTOR MAY BE REQUIRED TO PERFORM ANY ACTIVITIES TO PROVIDE, DELAY ANCHOR RODS.

4. EXPOSED SIDE FOR ALL CONCRETE (CONCRETE MATERIAL, AND STRUCTURES MATERIAL SHALL BE OBTAINED BY THE CONTRACTOR IN COMPLIANCE WITH APPLICABLE ENVIRONMENTAL REGULATIONS AND APPROVED BY THE CONSTRUCTION ENGINEER. ALL CURBS INCREASE IN THICKNESS A DEPRESS, SPC AND RAMP, SHOWN SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT AND NO SEPARATE MEASUREMENT OR PAYMENT WILL BE MADE.

5. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING THE EXISTING STREET WORK WITHIN THE CONSTRUCTION AREA. ANY DAMAGE TO EXISTING FACILITIES CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE AND APPROVED BY THE CONSTRUCTION ENGINEER.

6. CONSTRUCTION ACTIVITY SHALL BE LIMITED TO THE PROPERTY AND/OR PUBLIC RIGHTS OF WAYS AND EASEMENTS AS ACQUIRED PROPERTY ACQUIRED FROM THE GOVERNMENT PROCESS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY DAMAGE RESULTING FROM REPAIRS SHALL BE THE CARE OF THE CONTRACTOR.

7. ENGINEER PERMITS OF CONSTRUCTION EQUIPMENT SHALL NOT OBSTRUCT CONCRETE OR REQUIRED TRAFFIC LANES. THE CONTRACTOR SHALL NOT STORE ANY EQUIPMENT OR MATERIAL WITHIN THE PUBLIC RIGHT-OF-WAY.

8. THE CONTRACTOR SHALL OBTAIN ALL THE NECESSARY PERMITS FOR THE PROJECT PRIOR TO BEGINNING CONSTRUCTION (ALBUQUERQUE, SURFACE DISTRICT).

9. THE CONTRACTOR SHALL BE RESPONSIBLE TO REPLACE AT HIS EXPENSE ANY AND ALL PROPERTY CORNERS DESTROYED DURING CONSTRUCTION. ALL PROPERTY CORNERS MUST BE RESET BY A REGISTERED LAND SURVEYOR.

10. ALL PERMANENT PAVEMENT MARKING AND TRAFFIC SIGNS SHALL BE FURNISHED AND PLACED BY THE CONTRACTOR PER PLAN.

11. THE CONTRACTOR SHALL COORDINATE WITH THE CITY OF ALBUQUERQUE AND CONSTRUCTION DIVISION, PRIOR TO BEGINNING ANY CONSTRUCTION WORK ON OR ADJACENT OF EXISTING STREETS.

12. ALL EXCAVATIONS AND CONSTRUCTION SHALL CONFORM TO APPLICABLE SECTIONS OF OSHA, "GENERAL OR SHORING TRAFFIC CONTROL DEVICES" MANUAL, U.S. DEPARTMENT OF TRANSPORTATION, LATEST EDITION.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING AND MAINTAINING CONCRETE, SURFACE LINES, AND PROCESS HAS BEEN ACCEPTED BY THE CITY OF ALBUQUERQUE. THE CONTRACTOR SHALL VERIFY THE EXISTING LOCATION OF ALL STRUCTURES OR ANY DRY AND REGARDS OF SUCH SAME.

14. ALL SIGNAGE PROPOSED SHALL HAVE A CLEARER SIGHT AND BE APPROVED WITH TRAFFIC.

15. WHEN ADDITIONS NEW CURB AND GUTTER TO EXISTING PAVEMENT, A 1" VICE SECTION OF EXISTING PAVEMENT ADJACENT TO THE CURB AND GUTTER SHALL BE SAWCUT, REMOVED, AND REPLACED AS PER THE STANDARD SPECIFICATIONS.

16. THE CONTRACTOR SHALL ARRANGE REPLACEMENT FOR ANY DAMAGE TO EXISTING PAVEMENT, PERMANENT MARKINGS, CURB & GUTTER, SIGNS POSTS, IMPROVEMENTS SHOWN, AND INCIDENTAL DURING CONSTRUCTION, REPAIR SHALL INCLUDE REMOVING FOR ROADWAY ON THE PLANS AND SHALL REPAIR OR REPLACE PER CITY STANDARDS, AT HIS OWN EXPENSE.

17. ANY AND ALL EXCESS OR DEPOSITED ON PLACE ANY MATERIAL OR OF AROUND A WATER CHARM SHALL BE THE CITY ENGINEER-OF-USE SHALL INCLUDE MONITORING WORK THE RULES GOVERNING SECTION WATER PER THE CONTRACTOR'S SECTION. CITY PERFORMING ANY REMOVE THIS MATERIAL AT ANY TIME WITHOUT NOTICE. THE PREFERRED DUMP IS TO REMOVE SCHEDULE/FOLLOWING ON THE PROPERTY WHERE CONSTRUCTION ACTIVITY IS OCCURRING.

18. ALL EXCAVATION, TRENCHING, AND SHORING ACTIVITIES MUST BE CARRIED OUT IN ACCORDANCE WITH OSHA 29 CFR LATEST EDITION.

DRB #1008797

REV.	SHEETS	CITY ENGINEER	DATE	USER DEPARTMENT	DATE	MRGN DEPARTMENT	DATE

ENGINEERS STAMP & SIGNATURE	APPROVALS	ENGINEER	DATE
	DRC Chairman		7/11/11
	Transportation		08/4/11
	Water/Wastewater		8-10-11
	Hydrology		8-03-11
	Parks		
	Const. Coord.		

APPROVED FOR CONSTRUCTION

City Engineer — Date

City Project No. 730077

Sheet 1 of 16

Bohannan ▲ Huston

EH JOB NO. 20118333

JULY 2011

Case 1:12-cv-00357 Document 1-3 Filed 04/06/12 Page 16 of 51

20 76

Doc# 2012024199
03/09/2012 11:19 AM Page: 1 of 9
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

No. of Units: 57
Nearest Major Streets: Tree line & Universe Blvd.

FIGURE 12

SUBDIVISION IMPROVEMENTS

SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
Project No. 730076 Taos Unit 2 at The Trails
(Onsite, Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 2ND day of March, 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 **RCS-Taos, LLC** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **Colorado Limited Liability Corporation**, whose address is **1450 Infinite Drive, Suite E2, Louisville, Colorado, 80027** and whose telephone number is **303-466-2500** is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] **Lots 7 thru 113, Taos At The Trails Unit 2**, recorded on **10-26-07** in the records of the Bernalillo County Clerk at Document # **2007149699**, pages **1** through **6** (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] **RCS-Taos, LLC** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Taos Unit 2 at The Trails** describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **29th** day of **June**, 20**13** ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. **730076**.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As per required City - approved estimate. (Figure 7)

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by **SurvTek**, and construction surveying of the private Improvements shall be performed by **SurvTek**. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by **Western technologies, Inc.**, and inspection of the private Improvements shall be performed by **Western technologies, Inc.**, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by **Western Technologies, Inc.**, and field testing of the private Improvements shall be performed by **Western Technologies, Inc.**, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

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

Type of Financial Guaranty: **Subdivision Bond #5048909**
Amount: **$693,884.19**
Name of Financial Institution or Surety providing Guaranty:
Bond Safeguard Insurance Company
Date City first able to call Guaranty: **June 29, 2013**
[Construction Completion Deadline]: **June 29** 20 **13**
If Guaranty other than a Bond, last day City able to call Guaranty is:
N/A, 20___
Additional information: **N/A**

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

8. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. 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 defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent 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; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. 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.

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

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

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

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

15. 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.

16. 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.

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

18. 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.

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

20. 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.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

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

SUBDIVIDER: RCS-Taos, LLC

By [Signature]: Sharon K. Eshima
Name: Sharon K. Eshima
Title: Manager
Dated: December 30, 2011

CITY OF ALBUQUERQUE

City Engineer
Dated: 2/24/12

02-22-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 30th day of December, 20 11 by [name of person:] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner":] Manager of [Subdivider:] RCS-Taos, LLC, a Colorado limited liability company.

Notary Public
ANDREA MARQUEZ
Notary Public
State of Colorado

My Commission Expires:
12/14/2013

CITY'S NOTARY

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

This instrument was acknowledged before me on 2nd day of March, 2012 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA C. EVANS
NOTARY PUBLIC
STATE OF NEW MEXICO

Current DRC Project No. 730076

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv
Date Site Plan for Sub. Approved:
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008798

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 2 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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, these 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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
730077		48' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
730077			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
730077		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	ADOBE ROSE STREET	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE	KAYSER MILL ROAD	LOT 50/51	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE	LOT 50/51	OASIS CANYON ROAD	/	/	/
730076 B-1; SDWK		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON ONE SIDE*	EAGLE HILLS DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730076 B-1 SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISTY SAGE COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	SNOW CREEK COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730077		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE (HAMMERHEAD TURNAROUND)	60' NORTH OF OASIS CANYON ROAD	OASIS CANYON ROAD	/	/	/
730077		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON ONE SIDE*	MISSION RIDGE DRIVE (HAMMERHEAD TURNAROUND)	OASIS CANYON ROAD	60' SOUTH OF OASIS CANYON ROAD	/	/	/
730077			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

Unit 2 can't be built until Unit 1 has been constructed and accepted by the COA

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

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730076

BIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
			PUBLIC STORM DRAIN IMPROVEMENTS						
730077		18" - 24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	APPROX. 40 LF WEST OF MISSION RIDGE DRIVE	MISSION RIDGE DRIVE	/	/	/
730077		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7015)	EAST SIDE OF UNIVERSE BLVD		/	/	/
730077		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
			PUBLIC WATERLINE IMPROVEMENTS						
730076 B-1		6" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S 280	EAGLE HILLS DRIVE	KAYSER MILL ROAD, UNIT 1	OASIS CANYON ROAD	/	/	/
730076 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S 50	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH END OF EAGLE HILLS DRIVE	/	/	/
730076 B-1		6" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S 795	OASIS CANYON ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730076 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S 150	MISTY SAGE COURT	OASIS CANYON ROAD	END OF CUL DE SAC	/	/	/
730076 B-1		4" DIA	WATERLINE W/ REC. VALVES FH'S, MJ'S & RJ'S 180	SNOW CREEK COURT	OASIS CANYON ROAD	END OF CUL DE SAC	/	/	/
730076 B-1		4" DIA	REMOVE 4" WATERLINE	LOT 30, TAOS UNIT 2 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
730076 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES 345	EAGLE HILLS DRIVE	KAYSER MILL ROAD	APPROX. 90 LF SOUTH OF OASIS CANYON RD	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES 725	OASIS CANYON ROAD	EAGLE HILLS DRIVE	TIE TO EXISTING SANITARY SEWER IN MISSION RIDGE DRIVE	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES 175	MISTY SAGE COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ REC. MH'S & SERVICES 205	SNOW CREEK COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/

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730076

AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE	6/28/2011		6-29-11	Sandoval	6/29/11
PREPARED BY: PRINT NAME	DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.			06-29-11		
FIRM		TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
			06/29/11	Curtis A Cherne	6-29-11
SIGNATURE		ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION					DATE

DESIGN REVIEW COMMITTEE REVISIONS				
REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

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FIGURE 16

SUBDIVISION BOND
(PROCEDURE B)

Bond No. [Surety's No:] 5046909

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] RCS-Taos, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] A Colorado Limited Liability Company as "Principal", and [name of surety:] Bond Safeguard Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois and authorized to do business in the State of New Mexico, as "Surety", are held and firmly bound unto the CITY OF ALBUQUERQUE ("City") in penal sum of [written amount:] Six Hundred Ninety Three Thousand Eight Hundred Dollars, ([amount in figures:] $ 693,684.19), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City's Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

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

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of subdivision:] Taos Unit 2 At The Trails ("Subdivision"), City Project No. 730076; and

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

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:]

Onsite, Procedure (Paving, curb and gutter, Storm drain, water, sewer and non-deferred Sidewalk) ("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider;] RCS-Taos, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on March 9, 2012 as Document Number 2012024199, as amended by change orders or amendments to the agreement.

**Eighty Four and 19/100ths

Bond No. [Surety's No:] 5048909

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] June 29, ,20 13 . ("the Construction Completion Deadline "), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 17th day of January , 20 12 .

SUBDIVIDER

RCS-Taos, LLC
By [signature:]
Name: Sharon K Eshuis
Title:
Dated: 2/1/12

SURETY

Bond Safeguard Insurance Company
By [signature:] Victoria M Campbell
Name: Victoria M Campbell
Title: Attorney-in-Fact
Dated: January 17, 2012

*NOTE: Power of Attorney for Surety must be attached.

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Colorado
County of Boulder } ss.

On this the 1st day of February, 2012, before me,
Day Month Year

Valerie Taylor, the undersigned Notary Public,
Name of Notary Public

personally appeared Sharon K Eshima,
Name(s) of Signer(s)

☒ personally known to me – **OR** –

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same for the purposes therein stated.

WITNESS my hand and official seal.

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

Place Notary Seal and/or Stamp Above

Signature of Notary Public

Valerie Taylor
Other Required Information (Printed Name of Notary, Residence, etc.)

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Right Thumbprint of Signer
Top of thumb here

Description of Any Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On January 17, 2012 (DATE) before me, Kim Heredia, Notary Public (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"),

personally appeared Victoria M Campbell, who proved to me on the basis of satisfactory evidence to be the person(s) whose names (s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

KIM HEREDIA
Commission # 1945397
Notary Public - California
Orange County
My Comm. Expires Jul 24, 2015

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☒ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER: Authorized Representative

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

Bond Safeguard Insurance Company

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

1-17-12
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

POWER OF ATTORNEY AO 42562

Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Woodridge, Illinois, does hereby constitute and appoint: Lisa Clark, Victoria M. Campbell, ******** Kim Heredia, Erik Johansson, Shirley Bauman **********

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

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 6,500,000.00 Six million fivehundred thousand dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

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

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/13

_____
Maureen K. Aye
Notary Public

CERTIFICATE

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

Signed and Sealed at Woodridge, Illinois this 17th Day of January, 2012

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Philip G. Lauer
Assistant Secretary

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

BS2

RECEIVED AUG 18 2011

FINANCIAL GUARANTY AMOUNT

08/18/2011

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

Project Description:

Project ID #: 730076, Taos Unit 2 @ the Trails Unit 2, Phase/Unit #: 1

Requested By: **Scott Steffen with BHI**

Approved estimate amount:		$434,280.84
Contingency Amount:	10.00%	$43,428.09
Subtotal:		$477,708.92
NMGRT	7.00%	$33,439.63
Subtotal:		$511,148.55
Engineering Fee	6.60%	$33,735.81
Testing Fee	2.00%	$10,222.97
Subotal:		$555,107.36
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$693,884.19**

APPROVAL: DATE:

J Woodall 8/19/11

Notes: REQUIRES Taos Unit 1 Recorded Plat Prior to acceptance of Taos Unit 2 SIA, Cert of G & D required prior to release of FG.

25

No. of Units: 50
Nearest Major Streets:
Woodmont Ave. / Oakridge St.

FIGURE 12

SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
Project No. 730075, Tierra Vista Unit 1 at The Trails
(Onsite, Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 1st day of November, 2011, 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 RCS-Trails 9-A, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] Colorado Limited Liability Corporation, whose address is 1450 Infinite Drive, Suite 02, Louisville, Colorado, 80027 and whose telephone number is 303-466-2500 is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tract 9A at The Trails Unit 2, recorded on 03-07-06 in the records of the Bernalillo County Clerk at Document # 2006032746, pages 1 through 4 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] RCS-Trails 9-A, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tierra Vista Unit 1 at The Trails describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 29th day of June, 20 12 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 730075.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

Doc# 2011100472
11/02/2011 02:43 PM Page: 1 of 8
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

EXHIBIT C

the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As per required City - approved estimate. (Figure 7)

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by SurvTek, and construction surveying of the private Improvements shall be performed by SurvTek. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Western technologies, Inc., and inspection of the private Improvements shall be performed by Western technologies, Inc., both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Western Technologies, Inc., and field testing of the private Improvements shall be performed by Western Technologies, Inc., both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

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

Type of Financial Guaranty: NA
Amount: $ NA Name of Financial Institution or Surety providing Guaranty: _____
Date City first able to call Guaranty: NA
[Construction Completion Deadline]: NA 20__
If Guaranty other than a Bond, last day City able to call Guaranty is: N/A, 20__.
Additional information: Not Requesting Final Plat

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

8. Conveyance of Property Rights. When the Improvements are completed, if the

City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section B of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. 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 defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent 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; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. 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.

11. Assignment. This Agreement shall not be assigned without the prior written

consent of the City and the Subdivider and the express written concurrence of any financial institution or surety, which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

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

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

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

15. 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.

16. 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.

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

18. 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.

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

20. 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.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

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

SUBDIVIDER: RCS-Trails 9-A, LLC

By [Signature]: Shaun K. Eshima
Name: Shaun K. Eshima
Title: manager
Dated:

CITY OF ALBUQUERQUE

City Engineer
Dated: 10-26-11
12/31/11

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 15th day of September, 20 11 by [name of person:] Shaun K. Eshima, [title or capacity, for instance, "President" or "Owner":] Manager of [Subdivider:] RCS-Trails 9-A, LLC

Notary Public

My Commission Expires:

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

CITY'S NOTARY

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

This instrument was acknowledged before me on 1st day of November, 20 11 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA S. EVANS
NOTARY
PUBLIC
STATE OF NEW MEXICO

Case 1:12-cv-00357 Document 1-3 Filed 04/06/12 Page 38 of 51

Current DRC Project No. _____

ORIGINAL

Figure 12

INFRASTRUCTURE LIST

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

TERRA VISTA UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF TRACT 9A AT THE TRAILS UNIT 2)

Date Submitted: July 21, 2011
Date Site Plan for Bldg Permit Appvd: _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 7-27-11
Date Preliminary Plat Expires: 7-27-12

DRB Project No. 1608799

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 these items in the listing and related financial guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, these 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, those residuals to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
			PAVING:						
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES	INDIAN HILLS STREET	TOMBSTONE ROAD	TEMPE AVENUE	/	/	/
730076		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES	INDIAN HILLS STREET	WOODMONT AVENUE	TOMBSTONE ROAD	/	/	/
730075		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD	INDIAN HILLS STREET	LOT 9/10	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD	LOT 9/10	APPROX. 135 LF EAST OF KINGMAN STREET	/	/	/
730075		12' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, 16' DIA ROLL MIDIAN CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD (TRAFFIC CIRCLE FOR TRAFFIC CALMING)	LOTS 9-9	LOTS 22-23	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TEMPE AVENUE	INDIAN HILLS STREET	APPROX. 135 LF EAST OF KINGMAN STREET	/	/	/
730076		12' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, 16' DIA ROLL MIDIAN CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TEMPE AVENUE (TRAFFIC CIRCLE FOR TRAFFIC CALMING)	LOTS 41-42	LOTS 23-08	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES	KINGMAN STREET	TOMBSTONE ROAD	TEMPE AVENUE	/	/	/
730050		4'	PCC SIDEWALK	PEDESTRIAN ACCESS EASEMENT (TRACT A)	TEMPE AVENUE	RAINBOW BLVD	/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA ORC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
730075		18" - 30" DIA	RCP W/ MH & INLETS	TEMPE AVENUE	VARIOUS LOCATIONS IN TEMPE AVENUE	TIE TO EXISTING 54" STORM DRAIN IN TEMPE AVENUE	/	/	/
730075		18" - 24" DIA	RCP W/ MH & INLETS	TOMBSTONE AVENUE	39' EAST OF KINGMAN STREET	KINGMAN STREET	/	/	/
730677		54" DIA	8' RCP w/MH	UNIVERSE BLVD	EXISTING 54" STORM DRAIN (COA 730084)	EXISTING SD IN UNIVERSE (COA 730084)	/	/	/
730675		24" DIA	RCP W/ MH & INLETS	KINGMAN STREET	TOMBSTONE AVENUE	TEMPE AVENUE (COA 730084)	/	/	/
730677		6.9 ac-ft	PERMANENT DETENTION POND WAIVEREMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127369 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
	730084	EX 12" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	INDIAN HILLS STREET	BUILT UNDER COA 730084		/	/	/
	730084	EX 12" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TEMPE AVENUE	BUILT UNDER COA 730084		/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TOMBSTONE ROAD	INDIAN HILLS STREET	KINGMAN STREET	/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TOMBSTONE ROAD	KINGMAN STREET	EAST BOUNDARY	/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	KINGMAN STREET	TEMPE AVENUE	TOMBSTONE ROAD	/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
	730084	EX 6" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	INDIAN HILLS STREET	BUILT UNDER COA 730084		/	/	/
	730084	EX 10" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	TEMPE AVENUE	BUILT UNDER COA 730084		/	/	/
730075		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	TOMBSTONE ROAD	APPROX. 40 LF EAST OF INDIAN HILLS STREET	EAST BOUNDARY	/	/	/
730075		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KINGMAN STREET	TOMBSTONE ROAD	TIE TO EXISTING SANITARY SEWER IN TEMPE AVENUE	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD REVIEW APPROVALS			
SCOTT STEFFEN 7/21/2011 PREPARED BY: PRINT NAME DATE	DRC CHAIR	7-27-11 DATE	Sandoval 7/27/11 PARKS & GENERAL SERVICES	DATE
BOWMAN HUNTON, MD. FIRM	TRANSPORTATION DEVELOPMENT	07/27/11 DATE	AMAFCA	DATE
SIGNATURE	ABCWUA	07/27/11 DATE	CITY ENGINEER	07-27-11 DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION				DATE

DESIGN REVIEW COMMITTEE REVISIONS

DIVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

1st AMENDMENT TO AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS

City Project # 730075 Tierra Vista Unit 1 (Onsite. Procedure B)

2-14-2012

WHEREAS, the City and the Subdivider entered into an Agreement to Construct Public and/or Private Subdivision Improvements ("Original Agreement") on November 1, 2011 which was recorded on November 3, 2011, in the records of the Bernalillo County Clerk in Document No. 2011100472, pages 1 to 9, wherein the Subdivider agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Subdivider has requested 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":

Doc# 2012014226
02/14/2012 09:25 AM Page: 1 of 3
AMND R:$25.00 M. Toulouse Oliver, Bernalillo County

Type of Financial Guaranty: Bond # 5048905

Amount: $872.564.10

Name of Financial Institution or Surety providing Guaranty: Bond Safeguard Liability Company

Date City first able to call Guaranty (Construction Completion Deadline): November 1, 2012

If Guaranty other than a Bond, last day City able to call Guaranty is: N/A

Additional information:

2. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

SUBDIVIDER: RCS-Trails 9-A, LLC

By [signature]:
Name [print]: Sharon K. Eshima
Title: Manager
Dated: December 30, 2011

CITY OF ALBUQUERQUE:

By:
Richard Dourte, City Engineer
Dated: 2-13-12

2-3-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss
COUNTY OF Boulder)

This instrument was acknowledged before me on this 30th day of December, 2011 by [name of person] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner"] Manager of ("Subdivider") RCS-Trails 9-A, LLC, a Colorado limited liability company.

(SEAL)
ANDREA MARQUEZ
Notary Public
State of Colorado

My Commission Expires:
12/14/2013

Notary Public

CITY'S NOTARY

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 14th day of February, 2012, by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public

My Commission Expires:

10-07-12

LINDA C. EVANS
NOTARY
PUBLIC
STATE OF NEW MEXICO

RECEIVED AUG 23 2011

FINANCIAL GUARANTY AMOUNT

08/23/2011

Type of Estimate: SIA Extension B [redacted] w/F.G.

Project Description:

Project ID #: 730075, Tierra Vista Unit 1 @ the Trails Unit 2, Phase/Unit #:

Requested By: **Scott Steffen, PE with BHI**

Approved estimate amount:		$546,111.12
Contingency Amount:	10.00%	$54,611.11
Subtotal:		$600,722.23
NMGRT	7.00%	$42,050.56
Subtotal:		$642,772.79
Engineering Fee	6.60%	$42,423.01
Testing Fee	2.00%	$12,855.46
Subotal:		$698,051.28
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$872,564.10**

APPROVAL: A Woodall DATE: 8/23/11

Notes: 10% Contingency, Plans and Eng Estimate have not been approved, Cert of G&D is required prior to release of FG.

FIGURE 16

SUBDIVISION BOND
(PROCEDURE B)

Bond No. [Surety's No:] 5048905

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] RCS-Trails 9-A, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] A Colorado Limited Liability Company as "Principal", and [name of surety:] Bond Safeguard Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois and authorized to do business in the State of New Mexico, as "Surety", are held and firmly bound unto the CITY OF ALBUQUERQUE ("City") in penal sum of [written amount:] Eight Hundred Seventy Two Thousand Five hundred Sixty * Dollars, ([amount in figures:] $ 872,564.10), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City's Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

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

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of subdivision:] Tierra Vista Unit 1 (Onsite, Procedure B) ("Subdivision"), City Project No. 730075; and

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

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:]

Onsite Improvements

("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider;] RCS-Trails 9-A, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on November 3, 2011 as Document Number 2011100472, as amended by change orders or amendments to the agreement.

*Four and 10/100ths

Bond No. [Surety's No:] 5048905

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein_above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] November 1, ,20 12 . ("the Construction Completion Deadline "), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 29th day of December , 20 11 .

SUBDIVIDER

RCS-Trails 9-A, LLC
By [signature:] Sharon K Eshima
Name: Sharon K. Eshima
Title: Manager
Dated: December 30, 2011

SURETY

Bond Safeguard Insurance Company
By [signature:] Victoria M Campbell
Name: Victoria M Campbell
Title: Attorney-in-Fact
Dated: December 29, 2011

*NOTE: Power of Attorney for Surety must be attached.

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 30th day of December, 2011, by Sharon K. Eshima as Manager of RCS – Trails 9 - A, LLC, a Colorado limited liability company.

WITNESS my hand and official seal.

My commission expires: 12/14/2013

Notary Public

ANDREA MARQUEZ
Notary Public
State of Colorado

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On DEC 29 2011 (DATE) before me, Kim Heredia, Notary Public (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared Victoria M Campbell, who proved to me on the basis of satisfactory evidence to be the person(s) whose names (s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

KIM HEREDIA
Commission # 1946397
Notary Public - California
Orange County
My Comm. Expires Jul 24, 2015

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☒ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER: Authorized Representative

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

Bond Safeguard Insurance Company

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DEC 29 2011

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

POWER OF ATTORNEY AO 42555

Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Woodridge, Illinois, does hereby constitute and appoint: Lisa Clark, Victoria M. Campbell, ******** Kim Heredia, Erik Johansson, Shirley Bauman **********

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

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 6,500,000.00 Six million fivehundred thousand dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

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

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY

BY _____
David E. Campbell
President

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/13

_____
Maureen K. Aye
Notary Public

CERTIFICATE

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

Signed and Sealed at Woodridge, Illinois this 29th Day of December, 2011

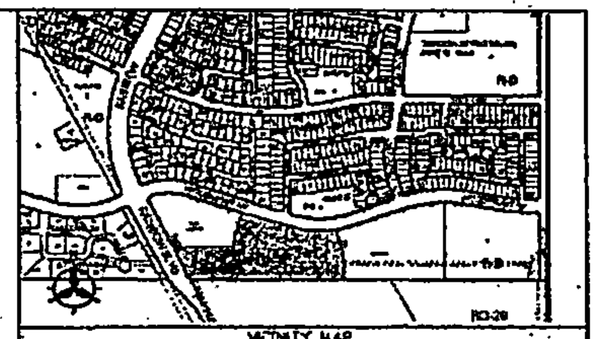
BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Philip G. Lauer
Assistant Secretary

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

BS2

CONSTRUCTION PLANS
FOR
TIERRA VISTA UNIT 1 at the TRAILS
ALBUQUERQUE, NEW MEXICO



VICINITY MAP
C-20-Z

INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	PRELIMINARY PLAT
3	OVERALL GRADING PLAN
4	GRADING AND DRAINAGE DETAILS
5	OVERALL PAVING PLAN
6 - 8	PAVING PLAN AND PROFILE SHEETS
9	OVERALL UTILITY PLAN
10 - 12	UTILITY PLAN AND PROFILE SHEETS
13	MISCELLANEOUS PAVING DETAILS
14	MISCELLANEOUS UTILITY DETAILS

PAVING PLANS

SHEET NO.	DESCRIPTION
6	INDIAN HILLS STREET / KINGMAN STREET
7	TOMBSTONE ROAD
8	TEMPE AVENUE

UTILITY PLANS

SHEET NO.	DESCRIPTION
10	KINGMAN STREET/UNIVERSE STORM DRAIN
11	TOMBSTONE ROAD
12	TEMPE AVENUE

NOTICE TO CONTRACTORS

1. AN EXCAVATION/CONSTRUCTION PERMIT MUST BE OBTAINED BEFORE COMMENCING ANY WORK WITHIN THE CITY RIGHT-OF-WAY.

2. ALL WORK DETAILED ON THESE PLANS TO BE PERFORMED UNDER STANDARD SPECIFICATIONS, EXCEPT AS OTHERWISE DETAILED OR PROVIDED FOR HEREIN, BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF ALBUQUERQUE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1986 EDITION AS REVISED THROUGH CURRENT JOB.

3. NO UNDERGROUND WORK SHALL BE DONE UNTIL ALL UTILITY COMPANIES HAVE BEEN CONTACTED FOR LOCATION OF EXISTING UTILITIES.

4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES CROSSED OR CONNECTED. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY IN WRITING OF ANY CONFLICTS WITH THE PROPOSED CONSTRUCTION.

5. SEVEN (7) WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL CONTACT THE CONSTRUCTION COORDINATION BRANCH, A DESIGNATED CONSTRUCTION SCHEDULER, TWO (2) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN A BARRICADING PERMIT FROM THE CONSTRUCTION COORDINATION BRANCH. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION COORDINATION BRANCH (768-3446) PRIOR TO ACCEPTANCE OF CONSTRUCTION. REFER TO SECTION 1.5 OF THE GENERAL CONDITIONS OF THE STANDARD SPECIFICATIONS.

6. ALL TRAFFIC CONTROL MATERIAL, INCLUDING BARRICADES, SHALL CONFORM TO THE MUTCD LATEST EDITION.

7. ALL STREET SIGNING AND/OR PAVEMENT MARKING SHALL BE REPLACED WITH PLASTIC REFLECTORIZED PAVEMENT MARKING BY CONTRACTOR TO THE SAME LOCATIONS AS WERE EXISTING, OR AS DIRECTED BY THIS PLAN SET.

8. CONTRACTOR SHALL NOTIFY THE ENGINEER NOT LESS THAN SEVEN (7) DAYS PRIOR TO STARTING WORK IN ORDER THAT THE CITY SURVEYOR MAY MAKE NECESSARY RECORDINGS IN ADVANCE. THE PRESERVATION OF SURVEY MONUMENTS. CONTRACTOR SHALL NOT DISTURB MONUMENTATION WITHOUT THE CONSENT OF THE CITY SURVEYOR AND SHALL NOTIFY THE CITY SURVEYOR AND BEAR THE EXPENSE OF REPLACING ANY THAT MAY BE DISTURBED WITHOUT PERMISSION. REPLACEMENT SHALL BE DONE ONLY BY THE CITY SURVEYOR. WHEN A CHANGE IN GRADE OR THE CHANGE ALIGNMENT OF THE ROADWAY OR ANY DRAINAGE OR WHICH A PERMANENT SURVEY MONUMENT IS LOCATED, CONTRACTOR SHALL, AT HIS OWN EXPENSE, REFERENCE SAME TO THE NEAREST STREET MONUMENTS SATISFACTORY TO THE CITY SURVEYOR. WHEN A CHANGE IN GRADE OR THE CHANGE ALIGNMENT OF THE ROADWAY OR ANY DRAINAGE OR WHICH A PERMANENT SURVEY MONUMENT IS LOCATED, CONTRACTOR SHALL, AT HIS OWN EXPENSE, REFERENCE SAME TO THE NEAREST STREET MONUMENTS SATISFACTORY TO THE CITY SURVEYOR. REFER TO SECTION 6.4 OF THE GENERAL CONDITIONS OF THE STANDARD SPECIFICATIONS.

9. CONTRACTOR SHALL REMOVE BARK ON ALL TIMBER LINES AND ACCESSORIES AS REQUIRED BY NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT, FOREST MANAGEMENT BUREAU.

10. CONTRACTOR SHALL MAINTAIN A GRAVEL-FREE WORK ZONE. CONTRACTOR SHALL PERIODICALLY REMOVE ANY DEBRIS FROM ALL TRAVELWAYS, BICYCLE FACILITIES OR SIDEWALKS.

11. THE CONTRACTOR SHALL COORDINATE WITH THE WATER AUTHORITY SEVEN (7) DAYS IN ADVANCE OF PERFORMING WORK THAT WILL AFFECT THE PUBLIC WATER OR SANITARY SEWER INFRASTRUCTURE. THIS INCLUDING SHUTOFF OF VALVE DISCONNECTS, DISCONNECTION LINES, OR FACILITIES DESIGNATED AS MASTER PLAN FACILITIES MUST BE COORDINATED WITH THE WATER AUTHORITY 14 DAYS IN ADVANCE OF PERFORMING SUCH WORK. ONLY WATER AUTHORITY CREWS ARE AUTHORIZED TO OPERATE PUBLIC VALVES. DISTRICT BOUNDARIES MAY BE VIEWED ONLINE AT http://ptscmaps.org/basins/Map/full/2dy/.

THE FOLLOWING NOTES ALSO APPLY WHEN CHECKED

- [X] ALL UTILITIES AND UTILITY SERVICE LINES SHALL BE INSTALLED PRIOR TO PAVING.
- [X] ENCROACHMENT CONTRACTOR SHALL BE ADVISED TO SPECIFIED SUBJECT USE.
- [X] CROSSPANS AND WHEELCHAIR RAMPS WITHIN THE CURB RETURNS SHALL BE CONSTRUCTED WHETHER A NEW CURB RETURN IS CONSTRUCTED.
- [X] IF CURB IS REMOVED FOR A DRIVEWAY, THE REMAINING SHALL BE CONSTRUCTED PRIOR TO ACCEPTANCE OF SLAB AND GUTTER.
- [X] ANY SIGNAL DAMAGE FAILURES SHALL BE REMEDIATED PRIOR TO FINAL ACCEPTANCE.
- [X] THE DESIGNER OR ENGINEER SHALL BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ALL CURB AND GUTTER OR SIDEWALK DAMAGED AFTER APPROVAL BY THE CITY ENGINEER OF WORK COMPLETED BY THE CONTRACTOR.

CONSTRUCTION NOTES:

1. THE CONTRACTOR SHALL ABIDE BY ALL LOCAL, STATE, AND FEDERAL LAWS, RULES AND REGULATIONS WHICH APPLY TO THE PERFORMANCE OF THESE IMPROVEMENTS.

2. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL POTENTIAL CROSSINGS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OR CONSTRUCTION ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.

3. ALL ELECTRICAL, TELEPHONE CABLE TV, GAS AND OTHER UTILITY LINES, DUCTS AND APPURTENANCES ENCOUNTERED DURING CONSTRUCTION THAT REQUIRE RELOCATION, SHALL BE COORDINATED WITH THAT UTILITY BY CONTRACTOR. SHALL BE RESPONSIBLE FOR COORDINATION OF ALL RELOCATED UTILITY APPURTENANCES. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR DELAYS OR INCONVENIENCES CAUSED BY UTILITY COMPANY WORK EFFORTS. THE CONTRACTOR MAY BE REQUIRED TO RESCHEDULE HIS ACTIVITIES TO ALLOW UTILITY CREWS TO PERFORM THEIR REQUIRED WORK.

4. IMPACT SITE FOR ALL CROSS EXCAVATION MATERIAL AND UNSUITABLE MATERIAL SHALL BE DISPOSED BY THE CONTRACTOR IN CONFORMANCE WITH APPLICABLE ENVIRONMENTAL REGULATIONS AND APPROVED BY THE CONSTRUCTION ENGINEER. ALL COSTS INCURRED IN OBTAINING A DISPOSAL SITE AND HAUL INCLUDED SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT AND NO SEPARATE REIMBURSEMENT OR PAYMENT SHALL BE MADE.

5. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING THE EXISTING UTILITY LINES WITHIN THE CONSTRUCTION AREA. ANY DAMAGE TO EXISTING FACILITIES CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE AND APPROVED BY THE CONSTRUCTION ENGINEER.

6. CONSTRUCTION ACTIVITY SHALL BE LIMITED TO ARE PROPERTY AND/OR PROJECT LIMITS, ANY DAMAGE TO ADJACENT PROPERTIES RESULTING FROM THE CONSTRUCTION PROCESS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY CLAIMS INCURRED FOR REPAIRS SHALL BE THE COST OF THE CONTRACTOR.

7. NORMAL PERIODS OF CONSTRUCTION EQUIPMENT SHALL NOT OBSTRUCT DRIVEWAYS OR DESIGNATED TRAFFIC LANES. THE CONTRACTOR SHALL NOT STORE ANY EQUIPMENT OR MATERIAL WITHIN THE PUBLIC RIGHT-OF-WAY.

8. THE CONTRACTOR SHALL BREAK ALL THE NECESSARY PERMITS FOR THE PROJECT PRIOR TO COMMENCING CONSTRUCTION (I.E. BARRICADE, STREET ENCUMBRANCE).

9. THE CONTRACTOR SHALL BE RESPONSIBLE TO REPLACE AT HIS EXPENSE ANY AND ALL PROPERTY CORNERS DESTROYED DURING CONSTRUCTION. ALL PROPERTY CORNERS SHALL BE RESET BY A REGISTERED LAND SURVEYOR.

10. ALL PERMANENT PAVEMENT MARKING AND TRAFFIC SIGNS SHALL BE FURNISHED AND PLACED BY THE CONSTRUCTION PER PLAN.

11. THE CONTRACTOR SHALL COORDINATE WITH THE CITY OF ALBUQUERQUE, AND CONSTRUCTION COMBINATION BRANCH, PRIOR TO INTERFERE ANY CONSTRUCTION WORK WITH OR ADJACENT TO EXISTING STREETS.

12. ALL BARRICADES AND CONSTRUCTION SIGNS SHALL CONFORM TO APPLICABLE SECTIONS OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD) LATEST EDITION.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING ANY MAINTENANCE CONSTRUCTION WORK UNTIL THE PROJECT HAS BEEN ACCEPTED BY THE CITY OF ALBUQUERQUE. THE CONTRACTOR SHALL VERIFY THE PROPER INCREMENT OF ALL SURROUNDING AT THE END AND BEGINNING OF EACH DAY.

14. ALL SIGNING PAVEMENT SHALL HAVE A MINIMUM LIFE AND BE INSTALLED IN NO LATER.

15. SIGN MARKING PER CURB AND GUTTER TO EXISTING PAVEMENT, A 1" WIDE SECTION OF EXISTING PAVEMENT ADJACENT TO THE CURB AND GUTTER SHALL BE CLEANED, ROUGHED, AND REPLACED AS PER THE STANDARD SPECIFICATIONS.

16. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DAMAGE TO EXISTING PAVEMENTS, PAVEMENT MARKINGS, CURB & GUTTER, HMAC PATH, ASPHALT RAMPS, AND CONCRETE SIDING CONSTRUCTION, APART FROM SAME SECTIONS INDICATED FOR REMOVAL ON THE PLANS AND SHALL REPAIR OR REPLACE PER DOT STANDARDS, AT NO COST TO THE OWNER.

12. AN SAD TO PERMIT IS REQUIRED TO PLACE ANY MATERIAL OR BE APPLIED A CERTAIN DRAIN INLET IN THE CITY RIGHT-OF-WAY THAT WOULD INTERFERE WITH THE INLET RECEIVING STORM WATER PER THE ENGINEER'S DESIGN. CITY PERSONNEL MAY REMOVE THIS MATERIAL AT ANY TIME WITHOUT NOTICE. THE PROPOSED MAP IS TO ABSOLVE RESPONSIBILITY/LIABILITIES ON THE PROPERTY WHERE CONSTRUCTION ACTIVITY IS OCCURRING.

13. ALL EXCAVATION, BACKFILL AND COMPACTION ACTIVITIES SHALL BE CARRIED OUT IN ACCORDANCE WITH GEOTECHNICAL REPORT BY.

DRB #1008799

REVI.	SHEETS	CITY ENGINEER	DATE	USER DEPARTMENT	DATE	USER DEPARTMENT	DATE

ENGINEERS STAMP & SIGNATURE	APPROVALS	ENGINEER	DATE
	DRC Chairman		9/15/11
	Transportation		9/9/11
	Water/Wastewater		9-15-11
	Hydrology		9/9/11
	Parks		
	Const. Coord.		

APPROVED FOR CONSTRUCTION

City Engineer — Date 11-4-11

City Project No. 730075

Sheet 1 of 14

Bohannan ▲ Huston

SHEET 1 OF 14

SHEETS

\\BHA\Civil\Projects\Tierra Vista\Tierra_TRAILS_01.dwg
September 02, 2011 - 1:30pm

SRR JOB NO. 2011-0368

AUGUST 2011

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Developer

11/04/2011 16:38:03

Page 1

Figure 22

WORK ORDER ISSUANCE CHECKLIST DETAILS

Project ID #: 730075, Tierra Vista Unit 1 @ the Trails Unit 2, Phase/Unit #: 1

	Public	PRIVATE
INSPECTION:	WESTERN TECHNOLOGIES	
SURVEYING:	Surv-Tek	
AS BUILTS:	Surv-Tek	
TESTING:	WESTERN TECHNOLOGIES	

WORK ORDER AMOUNTS: (Includes NM Gross Receipts Tax)

Public: $355,643.95 + Private: $.00 = Total Construction Cost: $355,643.95

FEES: Engineering: Public: 6.60% = $11,558.43

Private: = $.00 = $11,558.43

- Design Deposit: $3,296.65 - Credit Applied: $.00
+ Recording Fee: $50.00 = Total: $8,311.78

BONDS AND INSURANCE:

Performance/Warranty: ● Y ○ N Insurance Certificate: ● Y ○ N

Materials/Labor: ● Y ○ N Policy Expr Date: 02/27/2012

Construction Deadline: 06/29/2012

PERMITS:

Excavation Ordinance:	$2,184.00	Permit Number:	Date: 00/00/0000
Sidewalk Ordinance - (Staking):	$.00	NOTE: Lane Closure/Barricading Fees will be calculated and collected by the Permits Section.	
Street Restoration Fee:	$2,695.00		
Total Fees:	$4,879.00		

ATTACHMENTS:

Engineering Fees Deposit Slip:	● Y ○ N	Generate Pro-Rata:	○ Y ● N
City Approved Estimate:	● Y ○ N	Easements:	○ Y ● N
Contractor's Proposal:	● Y ○ N	Drainage Covenants:	○ Y ● N
Paid Outstanding Pro-Rata:	○ Y ● N	Other:	

Remarks:

Date "Work Order" to Construction: 11/04/2011

Date Fees Collected: 11/04/2011

REMARKS: The date of work order issuance will govern the date of effective specification and amendments.

Developer: RCS-Trails 9-A, LLC Phone: (303)466-2500
Street: 1450 Infinite Drive City: Louisville State: CO ZIP: 80027

Construction Company: Salls Brothers Construction Phone: (505)873-8780
Street: N/A P.O. Box 66239 City: Albuquerque State: NM ZIP: 87193

Engineering Firm: BOHANNAN-HUSTON Phone: (505)823-1000
Street: 7500 JEFFERSON ST NE City: Albuquerque State: NM ZIP: 87109

25

No. of Units: 50
Nearest Major Streets:
Woodmont Ave. / Oakridge St.

FIGURE 12

SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
Project No. 730075, Tierra Vista Unit 1 at The Trails
(Onsite, Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 1st day of November, 2011, 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 RCS-Trails 9-A, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] Colorado Limited Liability Corporation, whose address is 1450 Infinite Drive, Suite N2, Louisville, Colorado, 80027 and whose telephone number is 303-466-2500 is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tract 9A at The Trails Unit 2, recorded on 03-07-06 in the records of the Bernalillo County Clerk at Document # 2006032746, pages 1 through 4 (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] RCS-Trails 9-A, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Tierra Vista Unit 1 at The Trails describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the 29th day of June, 20 12 ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 730075.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

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11/03/2011 02:43 PM Page: 1 of 8
RGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

EXHIBIT
C

the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As per required City - approved estimate. (Figure 7)

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by SurvTek, and construction surveying of the private Improvements shall be performed by SurvTek. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Western technologies, Inc., and inspection of the private Improvements shall be performed by Western technologies, Inc., both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Western Technologies, Inc., and field testing of the private Improvements shall be performed by Western Technologies, Inc., both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

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

Type of Financial Guaranty: N/A
Amount: $ N/A Name of Financial Institution or Surety providing Guaranty: _____
Date City first able to call Guaranty: N/A
[Construction Completion Deadline]: N/A 20__
If Guaranty other than a Bond, last day City able to call Guaranty is:
N/A, 20__.
Additional information: Not Requesting Final Plat

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

8. Conveyance of Property Rights. When the Improvements are completed, if the

City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. 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 defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent 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; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. 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.

11. Assignment. This Agreement shall not be assigned without the prior written

consent of the City and the Subdivider and the express written concurrence of any financial institution or surety, which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

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

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

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

15. 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.

16. 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.

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

18. 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.

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

20. 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.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

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

SUBDIVIDER: RCS-Trails 9-A LLC

By [Signature]: Shaun K. Eshima
Name: Shaun K. Eshima
Title: manager
Dated:

CITY OF ALBUQUERQUE

City Engineer
Dated: 10/31/11

10-24-11

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 15th day of September, 20 11 by [name of person:] Shaun K. Eshima, [title or capacity, for instance, "President" or "Owner":] Manager of [Subdivider:] RCS-Trails 9-A, LLC

Notary Public

My Commission Expires:

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

CITY'S NOTARY

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

This instrument was acknowledged before me on 1st day of November, 20 11 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA S. EVANS
NOTARY PUBLIC
STATE OF NEW MEXICO

Case 1:12-cv-00357 Document 1-3 Filed 04/06/12 Page 38 of 51

Current DRC Project No. _____

ORIGINAL

Figure 12

INFRASTRUCTURE LIST

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

TIERRA VISTA UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF TRACT 9A AT THE TRAILS UNIT 2)

Date Submitted: July 21, 2011
Date Site Plan for Bldg Permit Appvd: _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 7-27-11
Date Preliminary Plat Expires: 7-27-12
DRB Project No. 1008799

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 enhancement items have not been included in the Infrastructure Listing, the DRC Chair may include these items in the listing and related financial guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, these items may be deleted or void on 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, those revisions to the listing will be incorporated administratively. In addition, any enhancement items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	DRC/DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES	INDIAN HILLS STREET	TOMBSTONE ROAD	TEMPE AVENUE	/	/	/
730075		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	INDIAN HILLS STREET	WOODMONT AVENUE	TOMBSTONE ROAD	/	/	/
730075		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD	INDIAN HILLS STREET	LOT 9/10	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD	LOT 9/10	APPROX. 135 LF EAST OF KINGMAN STREET	/	/	/
730075		12' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, 14' DIA ROLL MEDIAN CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TOMBSTONE ROAD (TRAFFIC CIRCLE FOR TRAFFIC CALMING)	LOTS 8-9	LOTS 22-23	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TEMPE AVENUE	INDIAN HILLS STREET	APPROX. 135 LF EAST OF KINGMAN STREET	/	/	/
730075		12' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, 14' DIA ROLL MEDIAN CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	TEMPE AVENUE (TRAFFIC CIRCLE FOR TRAFFIC CALMING)	LOTS 41-42	LOTS 23-58	/	/	/
730075		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KINGMAN STREET	TOMBSTONE ROAD	TEMPE AVENUE	/	/	/
730050		4'	PCC SIDEWALK	PEDESTRIAN ACCESS EASEMENT (TRACT A)	TEMPE AVENUE	RAINBOW BLVD	/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
730075		18" - 30" DIA	RCP W/ MH & INLETS	TEMPE AVENUE	VARIOUS LOCATIONS IN TEMPE AVENUE	TIE TO EXISTING 54" STORM DRAIN IN TEMPE AVENUE	/	/	/
730075		18" - 24" DIA	RCP W/ MH & INLETS	TOMBSTONE AVENUE	30' EAST OF KINGMAN STREET	KINGMAN STREET	/	/	/
730677		54" DIA	8' RCP w/MH	UNIVERSE BLVD	EXISTING 54" STORM DRAIN (COA 730084)	EXISTING SD IN UNIVERSE (COA 730084)	/	/	/
730675		24" DIA	RCP W/ MH & INLETS	KINGMAN STREET	TOMBSTONE AVENUE	TEMPE AVENUE (COA 730084)	/	/	/
730677		9.9 ac-ft	PERMANENT DETENTION POND WAIVER/EMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127300 (BK-A102 PF 7016)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
	730084	EX 12" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	INDIAN HILLS STREET	BUILT UNDER COA 730084		/	/	/
	730084	EX 12" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TEMPE AVENUE	BUILT UNDER COA 730084		/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TOMBSTONE ROAD	INDIAN HILLS STREET	KINGMAN STREET	/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	TOMBSTONE ROAD	KINGMAN STREET	EAST BOUNDARY	/	/	/
730075		8" DIA	WATERLINE W/ NEC. VALVES FH'S, M/S & R/S	KINGMAN STREET	TEMPE AVENUE	TOMBSTONE ROAD	/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
	730084	EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	INDIAN HILLS STREET	BUILT UNDER COA 730084		/	/	/
	730084	EX 18" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	TEMPE AVENUE	BUILT UNDER COA 730084		/	/	/
730075		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	TOMBSTONE ROAD	APPROX. 40 LF EAST OF INDIAN HILLS STREET	EAST BOUNDARY	/	/	/
730075		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KINGMAN STREET	TOMBSTONE ROAD	TIE TO EXISTING SANITARY SEWER IN TEMPE AVENUE	/	/	/

DEVELOPMENT REVIEW BOARD REPORT APPROVAL

PARKS & GENERAL SERVICES — DATE 7/27/11

AMAFCA — DATE 07-27-11

CITY ENGINEER — DATE 07-27-11

DATE 7-27-9

DATE 07/27/11

DATE 07/27/11

DATE

DIVISION REVIEW COMMITTEE REVIEWS

USER DEPARTMENT — DATE

ARCHITECT/ENGINEER — DATE

DIVISION REVIEW COMMITTEE

DRC CHAIR

DATE

AGENDA OWNER

DATE 7/21/2011

SCOTT STEPHEN

PREPARED BY: PRINT NAME

SIGNATURE

MAXIMUM TIME ALLOWED TO CONSTRUCT

Page 2 of 3

1st AMENDMENT TO AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS

City Project # 730075 Tierra Vista Unit 1 (Onsite. Procedure B)

2-14-2012

WHEREAS, the City and the Subdivider entered into an Agreement to Construct Public and/or Private Subdivision Improvements ("Original Agreement") on November 1. 2011 which was recorded on November 3. 2011, in the records of the Bernalillo County Clerk in Document No. 2011100472, pages 1 to 9, wherein the Subdivider agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Subdivider has requested 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":

DocH 2012014226
02/14/2012 09:25 AM Page: 1 of 3
AMND R:$25.00 M. Toulouse Oliver, Bernalillo County

Type of Financial Guaranty: Bond # 5048905

Amount: $872.564.10

Name of Financial Institution or Surety providing Guaranty: Bond Safeguard Liability Company

Date City first able to call Guaranty (Construction Completion Deadline): November 1, 2012

If Guaranty other than a Bond, last day City able to call Guaranty is: N/A

Additional information:

2. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

SUBDIVIDER: RCS-Trails 9-A, LLC

By [signature]:
Name [print]: Sharon K. Eshima
Title: Manager
Dated: December 30, 2011

CITY OF ALBUQUERQUE:

By:
Richard Dourte, City Engineer
Dated: 2-1-12

2-3-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss
COUNTY OF Boulder)

This instrument was acknowledged before me on this 30th day of December, 2011 by [name of person] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner"] Manager of ("Subdivider") RCS-Trails 9-A, LLC, a Colorado Limited liability company.

(SEAL)
ANDREA MARQUEZ
Notary Public
State of Colorado

My Commission Expires:
12/14/2013

Notary Public

CITY'S NOTARY

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 14th day of February, 2012, by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public

My Commission Expires:

10-17-12

LINDA G. EVANS
NOTARY
PUBLIC
STATE OF NEW MEXICO

RECEIVED AUG 23 2011

FINANCIAL GUARANTY AMOUNT

08/23/2011

Type of Estimate: SIA Extension B [redacted] w/F.G.

Project Description:

Project ID #: 730075, Tierra Vista Unit 1 @ the Trails Unit 2, Phase/Unit #:

Requested By: **Scott Steffen, PE with BHI**

Approved estimate amount:		$546,111.12
Contingency Amount:	10.00%	$54,611.11
Subtotal:		$600,722.23
NMGRT	7.00%	$42,050.56
Subtotal:		$642,772.79
Engineering Fee	6.60%	$42,423.01
Testing Fee	2.00%	$12,855.46
Subotal:		$698,051.28
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$872,564.10**

APPROVAL: DATE:

D Woodall 8/23/11

Notes: 10% Contingency, Plans and Eng Estimate have not been approved, Cert of G&D is required prior to release of FG.

FIGURE 16

SUBDIVISION BOND
(PROCEDURE B)

Bond No. [Surety's No:] 5048905

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] RCS-Trails 9-A, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] A Colorado Limited Liability Company as "Principal", and [name of surety:] Bond Safeguard Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois and authorized to do business in the State of New Mexico, as "Surety", are held and firmly bound unto the CITY OF ALBUQUERQUE ("City") in penal sum of [written amount:] Eight Hundred Seventy Two Thousand Five hundred Sixty * Dollars, ([amount in figures:] $ 872,564.10), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City's Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

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

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of subdivision:] Tierra Vista Unit 1 (Onsite, Procedure B) ("Subdivision"), City Project No. 730075; and

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

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision: [list the improvements, e.g., water, sewer, pavement, sidewalks:]

Onsite Improvements

("Improvements")

All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider;] RCS-Trails 9-A, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on November 3, 2011 as Document Number 2011100472, as amended by change orders or amendments to the agreement.

*Four and 10/100ths

Bond No. [Surety's No:] 5048905

NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein_above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] November 1, ,20 12 . ("the Construction Completion Deadline "), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 29th day of December , 20 11 .

SUBDIVIDER

RCS-Trails 9-A, LLC
By [signature:] Sharon K Eshima
Name: Sharon K. Eshima
Title: Manager
Dated: December 30, 2011

SURETY

Bond Safeguard Insurance Company
By [signature:] Victoria M Campbell
Name: Victoria M Campbell
Title: Attorney-in-Fact
Dated: December 29, 2011

*NOTE: Power of Attorney for Surety must be attached.

STATE OF COLORADO)
) ss
COUNTY OF BOULDER)

The foregoing instrument was acknowledged before me this 30th day of December, 2011, by Sharon K. Eshima as Manager of RCS – Trails 9 - A, LLC, a Colorado limited liability company.

WITNESS my hand and official seal.

My commission expires: 12/14/2013

Notary Public

ANDREA MARQUEZ
Notary Public
State of Colorado

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On DEC 2 9 2011 (DATE) before me, Kim Heredia, Notary Public (NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC")

personally appeared Victoria M Campbell, who proved to me on the basis of satisfactory evidence to be the person(s) whose names (s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(ies), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

KIM HEREDIA
Commission # 1946397
Notary Public - California
Orange County
My Comm. Expires Jul 24, 2015

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☒ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER: Authorized Representative

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

Bond Safeguard Insurance Company

DESCRIPTION OF ATTACHED DOCUMENT

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DEC 2 9 2011

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

POWER OF ATTORNEY AO 42555

Bond Safeguard INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, that **BOND SAFEGUARD INSURANCE COMPANY**, an Illinois Corporation with its principal office in Woodridge, Illinois, does hereby constitute and appoint: Lisa Clark, Victoria M. Campbell, ********* Kim Heredia, Erik Johansson, Shirley Bauman **********

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

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **BOND SAFEGUARD INSURANCE COMPANY** on the 7th day of November, 2001 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond, $ 6,500,000.00 Six million fivehundred thousand dollars **********

which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

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

IN WITNESS THEREOF, **BOND SAFEGUARD INSURANCE COMPANY** has caused this instrument to be signed by its President, and its Corporate seal to be affixed this 7th day of November, 2001.

BOND SAFEGUARD INSURANCE COMPANY

BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

BY _____
David E. Campbell
President

ACKNOWLEDGEMENT

On this 7th day of November, 2001, before me, personally came David E. Campbell to me known, who being duly sworn, did depose and say that he is the President of **BOND SAFEGUARD INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.

"OFFICIAL SEAL"
MAUREEN K. AYE
Notary Public, State of Illinois
My Commission Expires 09/21/13

_____
Maureen K. Aye
Notary Public

CERTIFICATE

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

Signed and Sealed at Woodridge, Illinois this 29th Day of December, 2011

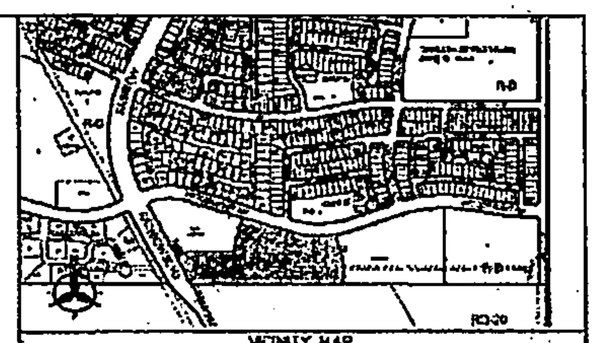
BOND SAFEGUARD INSURANCE COMPANY AN ILLINOIS INSURANCE COMPANY

_____
Philip G. Lauer
Assistant Secretary

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

BS2

CONSTRUCTION PLANS
FOR
TIERRA VISTA UNIT 1 at the TRAILS
ALBUQUERQUE, NEW MEXICO



VICINITY MAP
C-09-Z

INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	PRELIMINARY PLAT
3	OVERALL GRADING PLAN
4	GRADING AND DRAINAGE DETAILS
5	OVERALL PAVING PLAN
6 - 8	PAVING PLAN AND PROFILE SHEETS
9	OVERALL UTILITY PLAN
10 - 12	UTILITY PLAN AND PROFILE SHEETS
13	MISCELLANEOUS PAVING DETAILS
14	MISCELLANEOUS UTILITY DETAILS

PAVING PLANS

SHEET NO.	DESCRIPTION
6	INDIAN HILLS STREET / KINGMAN STREET
7	TOMBSTONE ROAD
8	TEMPE AVENUE

UTILITY PLANS

SHEET NO.	DESCRIPTION
10	KINGMAN STREET/~~UNIVERSE STORM DRAIN~~
11	TOMBSTONE ROAD
12	TEMPE AVENUE

NOTICE TO CONTRACTORS

1. AN EXCAVATION/CONSTRUCTION PERMIT WILL BE REQUIRED BEFORE BEGINNING ANY WORK WITHIN THE CITY RIGHT-OF-WAY.

2. ALL WORK DETAILED ON THESE PLANS TO BE PERFORMED UNDER STANDARD SPECIFICATIONS, EXCEPT AS OTHERWISE STATED OR PROVIDED FOR HEREON, BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF ALBUQUERQUE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1986 EDITION AS REVISED THROUGH UPDATE 3R.

3. TWO WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR MUST CONTACT NEW MEXICO ONE CALL SYSTEM (260-1990) FOR LOCATION OF EXISTING UTILITIES.

4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL CROSSINGS, SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OR CONSTRUCTION ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.

5. SEVEN (7) WORKING DAYS PRIOR TO BEGINNING CONSTRUCTION, THE CONTRACTOR SHALL SUBMIT TO CONSTRUCTION COORDINATION DIVISION A DETAILED CONSTRUCTION SCHEDULE. TWO (2) WORKING DAYS PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL OBTAIN A DISTURBANCE PERMIT FROM THE CONSTRUCTION COORDINATION SECTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION COORDINATION (SUNSHINE) PRIOR TO BEGINNING OF CONSTRUCTION. REFER TO SECTION 19 OF THE GENERAL CONDITIONS OF THE STANDARD SPECIFICATIONS.

6. ALL WORK AFFECTING ARTERIAL TRAFFIC SHALL BE PERFORMED DURING OFF-PEAK HOUR CONSTRUCTION.

7. ALL STREET SIGNING AND/OR PAVEMENT MARKING THAT IS REMOVED OR DESTROYED DURING CONSTRUCTION SHALL BE REPLACED WITH PERMANENT MARKING BY CONTRACTOR TO THE SAME LOCATION AS WAS EXISTING, OR AS INDICATED BY THIS PLAN SET.

8. CONTRACTOR SHALL NOTIFY THE ENGINEER NOT LESS THAN SEVEN (7) DAYS PRIOR TO STAKING WORK IN ORDER THAT THE CITY SURVEYOR MAY TAKE NECESSARY REFERENCES AS NEEDED. SEE THE STANDARDS OF SURVEY TECHNICIAN. CONTRACTOR SHALL NOT DISTURB MONUMENTS, SURVEY BENCHMARKS OR MARKERS THAT ARE CONTROL OF THE CITY SURVEYOR AND SHALL NOTIFY THE CITY SURVEYOR AND BEAR THE EXPENSE OF REPLACING ANY THAT MAY BE DISTURBED WITHOUT PERMISSION. REFERENCES SHALL BE MADE ONLY BY THE CITY SURVEYOR. WHEN A CHANGE IS MADE IN THE ORIGINAL ALIGNMENT OR THE PLACEMENT OF ANY MONUMENT OR WHEN A PERMANENT SURVEY MONUMENT IS LOCATED, CONTRACTOR SHALL, AT HIS OWN EXPENSE, REPORT THE LOCATION CHECK TO THE NEW CONTROL UNLESS OTHERWISE SPECIFIED. REFER TO SECTION 1.4 OF THE GENERAL CONDITIONS OF THE STANDARD SPECIFICATIONS.

9. CONTRACTOR SHALL RECORD DATA ON ALL UTILITY LINES AND ACCESSORIES AS REQUIRED BY NEW MEXICO STATUTES FOR THE PREPARATION OF "AS CONSTRUCTED" DRAWINGS. CONTRACTOR SHALL NOT COVER UTILITY LINES AND ACCESSORIES UNTIL ALL DATA HAS BEEN RECORDED.

10. CONTRACTOR SHALL MAINTAIN A GRAVEL-FREE WORK SITE. CONTRACTOR SHALL PROMPTLY REMOVE AND CONTROL MUD, TRACKING, DEBRIS FOREMOST OR WINDBLOWN.

11. THE CONTRACTOR SHALL COORDINATE WITH THE WATER AUTHORITY SEVEN (7) DAYS IN ADVANCE OF PERFORMING WORK THAT WILL AFFECT THE PUBLIC WATER OR SANITARY SEWER INFRASTRUCTURE. WORK INCLUDING SHUTOFF OF VALVE, DISINFECTION, TRANSMISSION LINES, OR FACILITIES DESIGNATED AS MASTER PLAN FACILITIES MUST BE COORDINATED WITH THE WATER AUTHORITY 14 DAYS IN ADVANCE OF PERFORMING SUCH WORK. ONLY WATER AUTHORITY CREWS ARE AUTHORIZED TO OPERATE PUBLIC VALVES. SHUTOFF REQUESTS MUST BE MADE ONLINE AT http://documents/forms/wa/163/229/.

THE FOLLOWING NOTES ALSO APPLY WHEN CHECKED

- ☒ ALL VALVES AND UTILITY SERVICE LINES SHALL BE ACCEPTED PRIOR TO PAVING.
- ☒ BACKFILL COMPACTION SHALL BE ACCORDING TO SPECIFIED STREET USE.
- ☒ CROSSPANS AND HANDICAP RAMPS WITHIN THE CURB RETURNS SHALL BE CONSTRUCTED WHENEVER A KEY CURB RETURN IS CONSTRUCTED.
- ☒ IF CURB IS DEPRESSED FOR A DRIVEWAY, THE DEPRESSED SHALL BE CONSTRUCTED PRIOR TO ACCEPTANCE OF CURB AND GUTTER.
- ☒ ALL STORM DRAINAGE FACILITIES SHALL BE INSTALLED PRIOR TO FINAL ACCEPTANCE.
- ☒ THE SUBDIVIDER OR DEVELOPER SHALL BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF ALL CURB AND GUTTER OR SIDEWALK DAMAGED AFTER APPROVAL BY THE CITY ENGINEER OF WORK COMPLETED BY THE CONTRACTOR.

CONSTRUCTION NOTES:

1. THE CONTRACTOR SHALL ABIDE BY ALL LOCAL, STATE, AND FEDERAL LAWS, RULES AND REGULATIONS WHICH APPLY TO THE CONSTRUCTION OF THESE IMPROVEMENTS.

2. PRIOR TO EXCAVATION, CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL POTENTIAL OBSTRUCTIONS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OR CONSTRUCTION ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.

3. ALL ELECTRICAL, TELEPHONE, CABLE TV, GAS AND OTHER UTILITY LINES, SERVICE AND APPURTENANCES ENCOUNTERED DURING CONSTRUCTION THAT REQUIRE RELOCATION, SHALL BE COORDINATED WITH THAT UTILITY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ALL NECESSARY UTILITY ADJUSTMENTS. NO ADDITIONAL COMPENSATION WILL BE ALLOWED FOR ANY AND ALL INCONVENIENCES CAUSED BY UTILITY COMPANY WORK EFFORTS. THE CONTRACTOR MAY BE REQUIRED TO RESCHEDULE HIS ACTIVITIES TO ALLOW UTILITY CREWS TO PERFORM THEIR REQUIRED WORK.

4. ALL SPECIAL SITE PREP, ALL EXCESS EXCAVATION MATERIAL, AND UNUSABLE MATERIAL SHALL BE DISPOSED OF BY THE CONTRACTOR IN COMPLIANCE WITH APPLICABLE ENVIRONMENTAL REGULATIONS AND APPROVED BY THE CONSTRUCTION ENGINEER. ALL COSTS INCURRED IN OBTAINING A DISPOSAL SITE AND HAUL HAZARD SHALL BE CONSIDERED INCIDENTAL TO THE PROJECT AND NO SEPARATE REIMBURSEMENT OR PAYMENT SHALL BE MADE.

5. THE CONTRACTOR IS RESPONSIBLE FOR PROTECTING THE EXISTING UTILITY LINES WITHIN THE CONSTRUCTION AREA. ANY DAMAGE TO EXISTING FACILITIES CAUSED BY CONSTRUCTION ACTIVITY SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE AND APPROVED BY THE CONSTRUCTION ENGINEER.

6. CONSTRUCTION ACTIVITY SHALL BE LIMITED TO THE PROPERTY AND/OR PROJECT LIMITS. ANY DAMAGE TO ADJACENT PROPERTIES RESULTING FROM THE CONSTRUCTION PROCESS IS THE RESPONSIBILITY OF THE CONTRACTOR. ANY CURBS DAMAGED FOR REPAIRS SHALL BE AT THE COST OF THE CONTRACTOR.

7. MAXIMUM PERIODS OF CONSTRUCTION EQUIPMENT SHALL NOT OBSTRUCT DRIVEWAYS OR INTERSECTED TRAFFIC LANES. THE CONTRACTOR SHALL NOT STORE ANY EQUIPMENT OR MATERIAL WITHIN THE PUBLIC RIGHT-OF-WAY.

8. THE CONTRACTOR SHALL OBTAIN ALL THE NECESSARY PERMITS FOR THE PROJECT PRIOR TO COMMENCING CONSTRUCTION (I.E. EXCAVATION, SURFACE DISTURBANCE).

9. THE CONTRACTOR SHALL BE RESPONSIBLE TO REPLACE AT HIS EXPENSE ANY AND ALL PROPERTY CORNERS DISTURBED DURING CONSTRUCTION. ALL PROPERTY CORNERS MUST BE RESET BY A REGISTERED LAND SURVEYOR.

10. ALL PERMANENT PAVEMENT MARKING AND TRAFFIC SIGNAGE SHALL BE FURNISHED AND PLACED BY THE CONTRACTOR PER PLANS.

11. THE CONTRACTOR SHALL COORDINATE WITH THE CITY OF ALBUQUERQUE, AND CONSTRUCTION COORDINATION DIVISION, PRIOR TO BEGINNING ANY CONSTRUCTION WORK ON ANY ALIGNMENT IN DEDICATED STREETS.

12. ALL BARRICADES AND CONSTRUCTION SIGNAGE SHALL CONFORM TO APPLICABLE SECTIONS OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD) U.S. DEPARTMENT OF TRANSPORTATION, LATEST EDITION.

13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING CONSTRUCTION SURFACE WATER. THE PROJECT HAS BEEN ACCEPTED BY THE CITY OF ALBUQUERQUE. THE CONTRACTOR SHALL VERIFY THE PROPER LOCATION OF ALL BENCHMARKS AS THE ELEV AND LOCATION OF EXIST BMS.

14. ALL SIGNAGE PAVEMENT SHALL HAVE A UNIFORM LINE AND BE SWEEPED WITH BACK.

15. WHEN JOINTING NEW CURB AND GUTTER TO EXISTING PAVEMENT, A 1" VICE SECTION OF EXISTING PAVEMENT ADJACENT TO THE CURB AND GUTTER SHALL BE SAWCUT, REMOVED AND REPLACED AS PER THE STANDARD SPECIFICATIONS.

16. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DAMAGE TO EXISTING PAVEMENTS, PAVEMENT MARKINGS, CURB & GUTTER, CURB RAMPS, SIDEWALKS RAMPS, AND SIDEWALK DURING CONSTRUCTION, UPON FINAL INSPECTION DAMAGED ITEM REQUIRED ON THE PLANS AND SHALL REPAIR OR REPLACE PER CITY STANDARDS, AT HIS OWN EXPENSE.

17. AN EXCAVATION PERMIT IS REQUIRED TO PLACE ANY MATERIAL ON OR AROUND A CITY/STATE RIGHT OF WAY. THE CITY RIGHT-OF-WAY SHALL INCLUDE ROADWAY WITHIN THE VALLEY RECEIVING STORM RUNOFF FROM THE SUBDIVISION'S PERIMETER. CITY PERSONNEL MAY REMOVE THIS MATERIAL AT ANY TIME WITHOUT NOTICE. THE PROPOSED MAP IS TO REMOVE SEDIMENT/POLLUTANTS ON THE PROPERTY WHERE CONSTRUCTION ACTIVITY IS OCCURRING.

18. ALL EXCAVATION, BACKFILL AND GRADING ACTIVITIES MUST BE CARRIED OUT IN ACCORDANCE WITH CITY OF ALBUQUERQUE STANDARD SPECIFICATIONS.

DRB #1008799

REV.	SHEETS	CITY ENGINEER	DATE	USER DEPARTMENT	DATE	USER DEPARTMENT	DATE

ENGINEERS STAMP & SIGNATURE

APPROVALS	ENGINEER	DATE
DRC Chairman		9/15/11
Transportation		9/9/11
Water/Wastewater		9/16/11
Hydrology		9/9/11
Parks		
Const. Coord.		

APPROVED FOR CONSTRUCTION -

City Engineer — Date 11-4-11

City Project No. 730075

Sheet 1 of 14

Bohannan ▲ Huston

BHI JOB NO. 20110369

AUGUST 2011

\\BHINMSRV\Projects\Tierra Vista\20110369_SHEET_01.dwg
September 02, 2011 - 1:39pm

Case 1:12-cv-00357 Document 1-3 Filed 04/06/12 Page 50 of 51

Developer

11/04/2011 16:38:03

Page 1

Figure 22

WORK ORDER ISSUANCE CHECKLIST DETAILS

Project ID #: 730075, Tierra Vista Unit 1 @ the Trails Unit 2, Phase/Unit #: 1

	Public	PRIVATE
INSPECTION:	WESTERN TECHNOLOGIES	
SURVEYING:	Surv-Tek	
AS BUILTS:	Surv-Tek	
TESTING:	WESTERN TECHNOLOGIES	

WORK ORDER AMOUNTS: (Includes NM Gross Receipts Tax)

Public: $355,643.95 + Private: $.00 = Total Construction Cost: $355,643.95

FEES: Engineering: Public: 6.60% = $11,558.43

Private: = $.00 = $11,558.43

- Design Deposit: $3,296.65 - Credit Applied: $.00
+ Recording Fee: $50.00 = Total: $8,311.78

BONDS AND INSURANCE:

Performance/Warranty: ● Y ○ N Insurance Certificate: ● Y ○ N

Materials/Labor: ● Y ○ N Policy Expr Date: 02/27/2012

Construction Deadline: 06/29/2012

PERMITS:

Excavation Ordinance: $2,184.00 Permit Number: Date: 00/00/0000

Sidewalk Ordinance - (Staking): $.00

Street Restoration Fee: $2,695.00

Total Fees: $4,879.00

NOTE: Lane Closure/Barricading Fees will be calculated and collected by the Permits Section.

ATTACHMENTS:

Engineering Fees Deposit Slip: ● Y ○ N Generate Pro-Rata: ○ Y ● N

City Approved Estimate: ● Y ○ N Easements: ○ Y ● N

Contractor's Proposal: ● Y ○ N Drainage Covenants: ○ Y ● N

Paid Outstanding Pro-Rata: ○ Y ● N Other:

Remarks:

Date "Work Order" to Construction: 11/04/2011

Date Fees Collected: 11/04/2011

REMARKS: The date of work order issuance will govern the date of effective specification and amendments.

Developer: RCS-Trails 9-A, LLC Phone: (303)466-2500
Street: 1450 Infinite Drive City: Louisville State: CO ZIP: 80027

Construction Company: Salls Brothers Construction Phone: (505)873-8780
Street: N/A P.O. Box 66239 City: Albuquerque State: NM ZIP: 87193

Engineering Firm: BOHANNAN-HUSTON Phone: (505)823-1000
Street: 7500 JEFFERSON ST NE City: Albuquerque State: NM ZIP: 87109

February 17, 2012

Jerry Lovato
Executive Engineer
Albuquerque Metropolitan
Arroyo Flood Control Authority
2600 Prospect Ave., N.E.
Albuquerque, New Mexico, 87107

Jannelle Speake
KB Home Phoenix
4127 E. Van Buren Street, Suite 150
Phoenix, AZ 85008

Michael Riordan
Director, Department of Municipal Development
City Of Albuquerque
P.O. box 1293
Albuquerque, New Mexico, 87102

Re: Boca Negra Dam - Request to Amend Agreement

Dear Project Partners:

The purpose of this letter is to inform the partners of our concerns and challenges due to the Boca Negra Dam Project (BND). We believe that the project is not progressing in the spirit and intent of the original agreement and for several reasons needs to be amended. At some time, possibly March, we would like to present our concerns to the AMAFCA Board and formally pursue amending the agreement.

When the contract was executed in 2005, it was anticipated that the project would be completed by the end of 2006. With direction from Wilson Engineering, The Trails purchased 8.8 acres of land for dedication to AMAFCA at the proposed dam location in 2004 (appraised at $880,000) and paid Wilson Engineering approximately $140,000 in engineering design fees with the understanding that the City would reimburse The Trails on a timely basis with impact fees credits according to the Impact Fee Ordinance in place at the time of the execution of the Agreement. At that time, the average roadway and drainage impact fees for a single family home was approximately $3,700 per house.

EXHIBIT 2

Since we executed the Agreement in 2005, over six years have passed, with a new dam construction estimate that requires The Trails to pay an additional $600,000, not in a small part due to several redesigns initiated by AMAFCA and the City. Also, The City delayed giving us any impact fee credits until November 2011, over six years after we acquired the property for AMAFCA's use. Additionally, since the Agreement was executed, the impact fee credits that were granted to the Trails have been devalued by 50% because of the reduction by 50% by the City for any new impact fees by other builders.

Also, because of the six year delay in the dam completion, The Trails redesigned its drainage outflow to the Unser Blvd. watershed, and we have spent hundreds of thousands of dollars in other drainage facilities to detain and retain developed flows on site and to redirect the flow to the new watershed.

When the Agreement was executed in 2005, there were no other parties to share the benefit and cost with. Since then, the City has created several Sector Plans and Special Assessment Districts in the Boca Negra Dam area, Unser Blvd., Rainbow Blvd. and Paseo Del Norte Blvd. were extended, and the Volcano Vista school complex has been completed. The characteristics of the area have changed substantially since 2005. Many new and eventual users of storm drainage facilities now have the ability to pay for any regional public improvements, including the dam through Sector Plan PIDs and new SADs that are being created in the area.

The Trails contributes less than 3% of the total storm water drainage into the dam, but is expected to pay for over 30% of the total cost. The vast majority of the land owners have no requirement to pay any amount to the project. I suggest that we meet with the City, locate all the beneficiaries of the dam, quantify the flows generated by the properties, and use the Sector Plans and SADs to more uniformly measure equitable amounts to be charged to each beneficiary.

We recently met with the City Department of Municipal Development to discuss our concerns. The City has requested that we suggest what we consider an appropriate amendment to the agreement. We are currently working on that effort. Mr. Lovato has offered to support a meeting of the partners to consider our concerns and proposal. In the near future we will coordinate such a meeting.

We have contracted the services of our attorney to review our opinion. Attached is a copy of Mr. Leverick's letter on the subject.

6330 Riverside Plaza Lane NW, Ste. 160 ♦ Albuquerque, NM 87120 ♦ t 505.761.9911 ♦ f 505.761.9922

Should you have any questions or need any additional information I can be contacted at 761-9911.

Sincerely,

Rick Beltramo
The Trails, LLC

Attachments

Cc: John Murtagh, The Trails
Kurt Wagner, AMAFCA
Richard Dourte, City Of Albuquerque
Curtis Cherne, City of Albuquerque
Richard M. Leverick, Leverick and Musselman, LLC

LEVERICK & MUSSELMAN, L.L.C.

ATTORNEYS AND COUNSELORS AT LAW

5120 SAN FRANCISCO, NE
ALBUQUERQUE, NM 87109
(505)858-3303
FAX: (505) 858-3201

A LAW FIRM
COMPOSED OF
PROFESSIONAL
CORPORATIONS

February 9, 2012

VIA ELECTRONIC MAIL

Mr. John Murtagh
Longford Group, Inc.
3077 E. Warm Springs Road,
Las Vegas, Nevada 89120

Mr. Rick Beltramo
Director of Engineering
Galway Construction, Inc.
6330 Riverside Plaza Lane NW
Albuquerque, New Mexico 87120

Re: Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements dated September 23, 2005

Dear John and Rick:

I have reviewed the above-referenced Agreement and a project schedule chart prepared by Rick tracking certain key events occurring with respect to the project following the execution of the Agreement. I have also given some consideration to the discussions we have had relative to the Agreement and the project, and to some of the supplemental information provided to me by Rick concerning the project.

You have asked for some bullet points relative to my initial legal conclusions concerning the Agreement. This short letter is provided with the understanding that we were just recently engaged to represent The Trails LLC with respect to its legal rights and obligations under the Agreement and have not spent as much time as necessary to complete our review of documents including correspondence we deem necessary to give final opinions relative to the above.

Based on the foregoing and our initial review of the Agreement and the matters identified above, we are of the opinion that:

- The scope of work was substantially changed on or after fall 2006. This appears to have occurred without approval in writing by The Trails LLC. Section 6.11 of the Agreement provides that it may be modified only in writing

signed by all parties. This change in the scope of work is not unenforceable. Further, per Restatement of the Law, Second, Contracts, § 265, Where, after a contract is made, a party's principal purpose is substantially frustrated without his fault by the occurrence of an event the non-occurrence of which was a basic assumption on which the contract was made, his remaining duties to render performance are discharged, unless the language or the circumstances indicate the contrary."

- The cost of work has substantially increased based in part on the change in the scope of work ("additions to the scope of the project" including "a master planned sanitary sewer interceptor" and "paving the full four lane section of Unser Blvd. for the entire project reach," cost increases "region wide" and "incomplete estimate that was used during the development of the Agreement." Letter of John P. Kelly dated November 2006). These increased costs are not chargeable to The Trails for (a) changes in the scope of work not agreed to, or (b) increased costs in the project (now pending advertisement for bids) for over 5 years based on the initial assumption, Section 22 of the Agreement, that the time to plan, permit, bid and award the construction contract for this project would take only 5 months ending February 2006.

- Delay of the project, as noted in November 2006 letter from John P. Kelly, had by then already resulted in substantial cost increases. There has now been an additional five year delay in the project, resulting in, as we understand it, further substantial projected cost increases. Restatement of the Law, Second, Contracts, § 261, "Where, after a contract is made, a party's performance is made impracticable without his fault by the occurrence of an event the non-occurrence of which was a basic assumption on which the contract was made, his duty to render that performance is discharged, unless the language or the circumstances indicate the contrary."

- Value of the excess impact fee credits to The Trails LLC (acting essentially as a bank for part of the project costs in consideration of the excess credits) substantially undermined by the City's enactment and continuing resolutions implementing and continuing its impact fee ordinance moratorium, raising the issue of failure of consideration. See, City Ordinance amending SECTION 14-19-1-12 R.O.A. 1994, effective July 1, 2009, and thereafter: "When there is a failure of consideration, a contract, valid when formed, becomes unenforceable because the performance bargained for has not been rendered."

- Project delays outside the control of The Trails LLC have resulted in project delays well in excess of the estimated project time of one year. At this point in time, the advertisement for bids has still not occurred and the construction contract has not been let. This was to have occurred by February 2006. See, Section 2.2 of the Agreement. The project time scope was one year. At a minimum, this raises the issue of whether the Agreement is valid given the underlying expectations of the parties that this would be a one year project. It

raises a host of failed underlying implied conditions (best example, the economy when the Agreement was executed). It also raises other issues such as the New Mexico Bateman Act which generally renders void any public contract committing a city, county or local body from committing public funds to a project beyond one year. Per §6-6-11 New Mexico Statutes Annotated, "It is unlawful for any board of county commissioners, municipal governing body or any local school board, for any purpose whatever to become indebted or contract any debts of any kind or nature whatsoever during any current year which, at the end of such current year, is not and cannot then be paid out of the money actually collected and belonging to that current year, and any indebtedness for any current year which is not paid and cannot be paid, as above provided for, is void." We believe that this would render void the Agreement beyond the City's fiscal year ending June 30, 2006 and may render void the Agreement if (a) the Bateman Act applies to AMAFCA (no case law on this point, but we believe it does) and AMAFCA had not sold bonds sufficient to fund its share of the cost of work by the end of its fiscal year following the execution of the Agreement.

The Agreement calls for arbitration of any dispute. Calling The Trails LLC's bond will result in a demand for arbitration, with the bonding company being directed to not honor the demand on the bond pending completion of the arbitration. Worse case, the bonding company would interplead the bond into an arbitrator's trust account or the Second Judicial District Court pending a final award or decision in the arbitration.

The suggestion by the City of calling the bond would only frustrate The Trails LLC's stated intention of wanting to sit down with the parties involved, including the City and AMAFCA and all new parties benefitted by the proposed project, to revisit the Agreement especially in light of the undeniably long project delays, large cost increases, and substantial changes to the scope of work.

Respectfully yours,

Leverick and Musselman, LLC

By_____
Richard Leverick

2005-31

Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements

THIS AGREEMENT is made and entered into this 22nd day of September, 2005, by and among the Albuquerque Metropolitan Arroyo Flood Control Authority, a political subdivision of the State of New Mexico ("AMAFCA"), the City of Albuquerque, a New Mexico municipal corporation, ("CITY"), Vista Vieja Investments LLC, a New Mexico Limited Liability Corporation ("VISTA"), and The Trails LLC, a Nevada Limited Liability Company ("TRAILS"), all collectively referred to as the "PARTIES".

1. **WHEREAS,** the Boca Negra Watershed Drainage Management Plan, by Resource Technology, Inc., May 2005, adopted by the AMAFCA Board of Directors via Resolution 2005-7, "Boca Negra Drainage Management Plan", on May 26, 2005, ("DMP") calls for a flood control dam to be constructed near the top of Boca Negra Canyon just upstream of the future Unser Blvd.; and

2. **WHEREAS,** the Record of Decision for the Final Environmental Impact Statement dated December, 1993, for the Unser Middle Transportation Corridor, by the City of Albuquerque in cooperation with the U.S. Department of the Interior, National Park Service, dated December 20, 1993, identified that the existing Unser Blvd crossing through Boca Negra Canyon would be limited in use to "utility, drainage and trail purposes", and the City currently plans to build a grade separated multi-use trail connection near this location and a parking area for trail users, to serve the Boca Negra Unit of the Petroglyph National Monument, as well as areas to the west, and to use the existing Unser crossing through Boca Negra Canyon for the Boca Negra Detention Dam Outfall Pipe; and

3. **WHEREAS,** the CITY desires to construct this as a multi-use trail underpass and also desires to construct the two lane section of Unser Blvd., as well as related utility work coincident with the Boca Negra Dam and Outfall Pipe Project; and

4. **WHEREAS**, the CITY Open Space Division, in its capacity as land owner and management agency for the Boca Negra Unit of Petroglyph National Monument, has requested that the Boca Negra Canyon continue to experience flood flow events while being protected from the more frequent runoff events resulting from development in the Boca Negra watershed, and while allowing a portion of the frequent runoff events to be used by the riparian vegetation in Boca Negra Canyon; and

5. **WHEREAS**, the Boca Negra Detention Dam can be designed to allow this flow regime by use of a dual stage outlet system, where low flows will be directed to a outlet pipe running from the Dam to the Boca Negra Arroyo right of way at Atrisco Blvd, with trickle flows diverted from this outlet pipe to locations within the Boca Negra Canyon, and higher outlet flows will pass through the multi-use trail underpass and be directed to the Boca Negra Canyon in the historic arroyo flow path; and

6. **WHEREAS,** VISTA is currently developing the "Vista Vieja" subdivision, which is southwest of the site of the proposed Boca Negra Detention Dam, and for which the dam will serve as the subdivision's primary storm water outfall; and

7. **WHEREAS**, TRAILS is currently developing the "Trails" subdivision, which is north of the site of the proposed Boca Negra Detention Dam, and for which the dam will serve as the subdivision's only storm water outfall; and

8. **WHEREAS**, AMAFCA, the CITY, VISTA and TRAILS desire to establish an Agreement for construction of the Boca Negra Dam and Outfall Pipe as described in the DMP, for the construction of the multi-use trail underpass/high flow outlet and the two lane section of Unser Blvd, collectively the "PROJECT"; as generally shown on Exhibit A; and

9. **WHEREAS,** AMAFCA, the CITY, VISTA and TRAILS are willing to share in the costs of the design, construction, construction engineering services, right of way, and

FEMA flood map revisions on a percentage basis, as described herein and summarized at Exhibit B; and

10. **WHEREAS**, AMAFCA is agreeable to assumption of maintenance of the completed Boca Negra Detention Dam and Outfall Pipe after acceptance of same by AMAFCA; and

11. **WHEREAS**, the CITY is agreeable to assumption of maintenance of the completed Unser Blvd., multi-use trail underpass/high flow outlet and multi use trails included in the PROJECT after acceptance of same by CITY; and

12. **WHEREAS,** the CITY has enacted a Drainage Facilities Impact Fees Ordinance (0-04-72) under which VISTA and TRAILS may receive credits for their share of construction of the PROJECT, if eligible for impact fee credits, against impact fees otherwise due; and

13. **WHEREAS**, AMAFCA's "District Wide Drainage Facility and Planning Review," prepared by ASCG, Inc., June 2004, identified this PROJECT as a Class "D" project, indicating a project needed in conjunction with other development in the area; and

14. **WHEREAS,** AMAFCA's FY 2005 Project Schedule, adopted by the AMAFCA Board of Directors on August 26, 2004, recognized the need and regional impact of the PROJECT and identified $1,000,000 (One Million Dollars) in funding in FY-06 for the PROJECT; and

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the PARTIES agree as follows:

Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements

SECTION 1. The purpose of the Agreement is to:

1.1. Provide for the design of the PROJECT, dedication of right of way, and submittal of a FEMA Conditional Letter of Map Revision ("CLOMR") and Letter of Map Revision ("LOMR") and payment of FEMA review fees, to be funded by VISTA and TRAILS.

1.2 Provide for cash contributions by the CITY, VISTA and TRAILS to AMAFCA to pay for each party's share of construction of and construction engineering services for the PROJECT.

1.3 Provide for AMAFCA's cash contribution for AMAFCA's share of construction and construction engineering services for the project.

1.4. Provide for AMAFCA to act as contracting agency for the PROJECT and related construction engineering services.

1.5 Provide for AMAFCA to accept the Boca Negra Detention Dam and Outfall for maintenance and for the CITY to accept maintenance of the Multi-use trail underpass and high flow outlet, the low flow trickle pipes, as well as Unser Blvd and all multi-use trails built as part of the PROJECT.

1.6 Outline the CITY process by which VISTA and TRAILS may receive credits for the value of the construction of the PROJECT, if eligible for impact fee credits, and, if eligible, the value of the dedication of the land for the PROJECT by VISTA and TRAILS.

SECTION 2. AMAFCA agrees to:

2.1 Review and, if appropriate, approve plans and specifications for PROJECT, as prepared by VISTA's and TRAILS' engineer. It is understood by the PARTIES that the plans and specifications for the PROJECT will include four bid lots with separate bid proposals and separate quantity take-offs as follows:

1. The Boca Negra Detention Dam and Outfall Pipe Bid Lot (the "Dam Bid Lot"), to include site clearing and grubbing, relocation of the existing 24-inch water line that runs from the well site to 81st Street, foundation treatment, key trench, rock excavation, dam embankment, dual stage principal spillway outlet structure with concrete cylinder pipe principal spillway outfall pipes with anti-seep collars through the dam embankment to include the 42-inch diameter RCP outfall pipe down to the Boca Negra Arroyo each of Atrisco Blvd, appurtenant manholes, transition structure, energy dissipater and plunge pool at the end of the outfall pipe, and three trickle flow diversions from the outfall pipe to the Boca Negra Canyon at locations to be determined during design, necessary junction box(es) and other appurtenances, the emergency spillway, the 72-inch Unser Blvd storm drain penetration of sufficient length to prevent further disturbance to the dam embankment when the storm drain is installed, native revegetative seeding with gravel mulch on the dam embankment, and native revegetative seeding with straw mulch in all other disturbed areas, access control fencing and gates, and grading of future parking areas and recreation fields within the reservoir area.

2. The Multi-Use Trail Underpass/High Flow Outlet Bid Lot (the "Trail/ Outlet Bid Lot", to include the twenty five foot wide multi-use trail underpass and dual crossing structure, including concrete wing walls, appurtenant guardrail, necessary backfill over the structure, the multi-use trail within the Unser Blvd. right of way, the high flow outlet channel to its transition to the existing arroyo at the head of Boca Negra Canyon, way, and related traffic control for the Bid Lot.

3. The Unser Blvd. Roadway Bid Lot (the "Unser Bid Lot", to include clearing and grubbing, the 21-inch master planned sanitary sewer line, the 24-inch master planned water line and the 42-inch storm drain within the Unser Blvd. right of way which will connect to the Boca Negra Detention Dam Outfall Pipe, roadway embankment, curb and gutter, subgrade preparation, base course, two lanes of arterial paving, native revegetative seeding with gravel mulch on the roadway embankment, and native revegetative seeding with straw mulch in all other disturbed areas, repaving one lane of the existing roadway in Atrisco Blvd over the alignment of the principal spillway outlet pipe, and any multi-use trail included within the project beyond that in the Trail/Outlet Bid Lot.

4. The General Project Bid Lot (the "General Bid Lot"), to include items of the contract that are applicable to the entire PROJECT, rather than any of the three above Bid Lots, including, but not limited to, bid items for mobilization, surveying and construction staking, storm water pollution prevention plan, care and diversion of water and project signage. For purposes of allocating project cost, items in the General Bid Lot will be allocated among the first three Bid Lots based on their respective construction costs.

2.2 Within the October 2005 to February 2006 timeframe, and upon receipt of certified and stamped ready-to-bid construction plans from VISTA and TRAILS, advertise, accept bids and award the construction contract for the PROJECT, with the actual costs of the PROJECT (design, construction engineering and construction, right of way, and FEMA CLOMR/LOMR analysis, submittal and review fees) to be split by AMAFCA, VISTA, TRAILS and the CITY as summarized in Exhibit B. Advertisement and bidding shall be according to the normal AMAFCA procedures for public bidding of public infrastructure projects.

2.3 Establish and administer a separate interest bearing checking account for the PROJECT ("Project Account"). All contributions for the PROJECT from AMAFCA, CITY, VISTA and TRAILS will be deposited in the Project Account. PROJECT expenses for construction, construction engineering, and any other related construction expenses, will be disbursed from the Project Account. The account will be invested by AMAFCA in the New Mexico State Short Term Fund, with any interest accrued to be first used on any overruns in the construction engineering or construction costs and as further described in Section 6.3.

2.4 Invoice VISTA, TRAILS and the CITY for their respective initial contributions for construction engineering services and construction of the PROJECT, as described in Sections 3.6, 4.2, and 5.2.

2.5 Provide $993,167.00 to the Project Account as AMAFCA's primary portion of its funding for the PROJECT. This amount is an estimated amount based on 25% of the total cost of the Dam Bid Lot and 50% of the Trail/Outlet Bid Lot (including design, construction engineering, right of way and construction). The amount described above for the AMAFCA share of construction is adjustable at the discretion of AMAFCA based on the final approved engineer's estimate for the PROJECT. Any adjustment shall be done prior to advertisement for construction bids and in accordance with Exhibit B.

2.6 Provide full time inspection of the PROJECT including administration, testing, and inspection or other supervision of construction and certification thereof, by a registered engineer and testing firm procured via request for proposals for engineering services by AMAFCA to assure construction is in conformance with the plans and specifications. AMAFCA will invite the CITY to assign up to two members to the Selection Advisory Committee for the evaluation of the proposals received.

2.7 Accept the Boca Negra Detention Dam and Outfall Pipe and related storm water quality structures, if applicable, for continuous maintenance upon satisfactory completion of

construction and confirm acceptance of same in writing by AMAFCA's Executive Engineer.

2.8 Require its contractor to provide liability insurance during the period of construction naming CITY, VISTA and TRAILS as an additional insured's. The amount of the liability insurance shall be at least $1,000,000.00.

2.9 Upon approval of the final pay estimates for the PROJECT and for AMAFCA's engineering consultant providing the construction engineering services, AMAFCA will invoice VISTA, TRAILS and the CITY for any overruns (after applying interest earned in the Project Account as described in Section 6.3) in the construction and construction engineering costs of the PROJECT, or will reimburse VISTA, TRAILS and the CITY for any under runs in the construction and construction engineering costs of the PROJECT, with the provision that the design amount of $186,880.00, the right of way amount of $1,026,436.00, and the FEMA CLOMR/LOMR analysis, submittal and review fees amount of $27,400.00 are fixed. Final actual costs of the projects will be split among the parties in accordance with Exhibit B.

2.10 Provide to VISTA's and TRAILS' engineer the PROJECT record drawings, certifications, geotechnical testing results, and written acceptance of the Boca Negra Detention Dam and Outfall Pipe for use in the FEMA LOMR submittal.

2.11 Accept dedication of all required rights-of-way for the Boca Negra Detention Dam in fee simple with warranty covenants, free and clear of liens, claims and encumbrances, and subject to title exceptions acceptable to AMAFCA. Dedication of all rights of way shall be due at the same time or earlier as the initial funding contributions from VISTA and TRAILS.

2.12 License use of the AMAFCA right of way at the Boca Negra Detention Dam to the City of Albuquerque for recreational uses, with the form of the license to be substantially the

same as was approved by AMAFCA on April 21, 2005 for the CITY's recreational use of Kinney Dam. Multi-use trails installed within the AMAFCA right-of-way will be licensed via and subject to the terms and conditions of the existing "First Amendment to License Agreement City Trails Systems on AMAFCA R/W", between AMAFCA and the CITY, dated May 13th, 2003.

SECTION 3. VISTA, at its sole expense and liability, agrees to:

3.1 In conjunction with TRAILS and using the same engineering consultant, provide to AMAFCA the following:

a. The design of the PROJECT, including separate design analysis report, geotechnical investigation report and ready-to-bid, construction plans, contract documents and specifications, approved by AMAFCA, the New Mexico Office of the State Engineer Dam Safety Bureau and the CITY Development Review Committee.

b. All necessary submittals and Agency approvals for the PROJECT, including but not limited to CITY Development Review Board and Design Review Committee, New Mexico Office of the State Engineer Dam Safety Bureau, U.S. Army Corps of Engineers Section 404 permit and New Mexico State Historic Preservation Officer Cultural and Archaeological Clearances. Applicable New Mexico Office of the State Engineer review and permitting fees shall be paid by VISTA.

c. The plans and specifications for the PROJECT shall include four bid lots with separate bid proposals and separate quantity take-offs as described in Section 2.1.

3.2 In conjunction with TRAILS and using the same engineering consultant, submit to (and pay all required review fees) the FEMA CLOMR showing the revised floodplain to be contained within the PROJECT and transition section.

3.3 In conjunction with TRAILS and using the same engineering consultant, provide final plans and specifications for construction of the PROJECT to the CITY and AMAFCA for review and, if appropriate, approval prior to construction.

3.4 In conjunction with TRAILS, dedicate to AMAFCA, the Boca Negra Detention Dam site in fee simple with warranty covenants, free and clear of liens, claims and encumbrances, and subject to title exceptions acceptable to AMAFCA. Dedication of all rights of way shall be due at the same time or earlier as the initial funding contributions from VISTA.

3.5. In conjunction with TRAILS and using the same engineering consultant, upon final approval of the PROJECT design, provide stamped, certified plans and specifications to AMAFCA in hard copy (mylar for the plans) and digital format, for AMAFCA's use in procuring construction of the PROJECT.

3.6 Pay to AMAFCA the amount of $321,500.00 seven (7) days prior to award of a construction contract, which amount shall be VISTA's primary portion of its funding for the PROJECT. This amount is an estimated amount based on 33.5% of the total cost of the Dam Bid Lot, (including design, construction engineering, construction, right of way) and 50% of the FEMA CLOMR/LOMR analysis, submittal and review fees, less a credit in the amount of $93,440.00 representing VISTA'S design costs, less a credit in the amount of $644,471.00 representing VISTA's right of way costs, and less a credit in the amount of $13,700.00 representing VISTA'S costs for the FEMA CLOMR/LOMR analysis, submittal and review fees. The amount described above for the VISTA share of construction is adjustable at the discretion of AMAFCA based on the final approved engineer's estimate for the PROJECT. Any adjustment shall be done prior to advertisement for construction bids and in accordance with Exhibit B.

3.7 Subject to AMAFCA approval of a grading and drainage plan, VISTA shall excavate approximately 40,000 cubic yards from the Boca Negra Detention Dam reservoir area for

use on the adjacent Vista Vieja subdivision. This material shall be removed by a date no later than 30 days prior to AMAFCA's intended award of bids for construction of the PROJECT, in order to allow sufficient time for survey of cross sections to establish final quantities for the Dam Bid Lot. Should VISTA not remove at least 75% of this material by this time, VISTA's contribution shall be increased by the lump sum of $80,000.00, and the material shall become the property of AMAFCA

3.8 Pay to AMAFCA, within 30 days of receipt of invoice from AMAFCA, VISTA's share of any overruns in the Dam Bid Lot, based on VISTA providing 33.5% of the Dam Bid Lot costs, as described in Section 3.6, with the provision that AMAFCA's actual construction engineering costs will be allocated between the Bid Lots by the relative costs of these Bid Lots and that interest accrued in the Project Account will be applied as described in Section 6.3. Final actual costs of the projects will be split among the parties in accordance with Exhibit B.

3.9 In conjunction with TRAILS and using the same engineering consultant, upon completion of construction and receipt of project certifications, geotechnical testing results and record drawings from AMAFCA, submit to FEMA a LOMR to revise the 100-year floodplain to show that it is contained within the constructed PROJECT.

3.10 VISTA acknowledges and agrees that the PROJECT and the dedication of land for the PROJECT shall not be eligible for drainage impact fee credit until and unless the PROJECT is listed on the CITY's CCIP.

3.11 Install the Vista Vieja storm drain from the Vista Vieja subdivision to the Boca Negra Detention Dam, designed to accept upstream flows per the DMP, with construction to include the outlet to the Dam reservoir area, appropriate storm water quality facilities and energy dissipater.

3.12 VISTA agrees to install storm water quality debris removal structures on any and all current and future storm drain connections to the PROJECT as related to the Vista Vieja Subdivision. Design of structure(s) shall be coordinated with AMAFCA, and may be located within the Boca Negra Detention Dam right of way. If the debris removal structure is a manhole type facility within the PROJECT right of way, AMAFCA will maintain such structure.

SECTION 4. TRAILS at its sole expense and liability, agrees to:

4.1 In conjunction with VISTA and using the same engineering consultant, provide to AMAFCA the following:

a. The design of the PROJECT, including separate design analysis report, geotechnical investigation report and ready-to-bid, construction plans, contract documents and specifications, approved by AMAFCA, the New Mexico Office of the State Engineer Dam Safety Bureau and the CITY Development Review Committee.

b. All necessary submittals and Agency approvals for the PROJECT, including but not limited to CITY Development Review Board and Design Review Committee, New Mexico Office of the State Engineer Dam Safety Bureau, U.S. Army Corps of Engineers Section 404 permit and New Mexico State Historic Preservation Officer Cultural and Archaeological Clearances. Applicable New Mexico Office of the State Engineer review and permitting fees shall be paid by VISTA.

c. The plans and specifications for the PROJECT shall include four bid lots with separate bid proposals and separate quantity take-offs as described in Section 2.1.

4.2 In conjunction with VISTA and using the same engineering consultant, submit to (and pay all required review fees) the FEMA CLOMR showing the revised floodplain to be contained within the PROJECT and transition section.

4.3 In conjunction with VISTA and using the same engineering consultant, provide final plans and specifications for construction of the PROJECT to the CITY and AMAFCA for review and, if appropriate, approval prior to construction.

4.4 In conjunction with VISTA, dedicate to AMAFCA, the Boca Negra Detention Dam site in fee simple with warranty covenants, free and clear of liens, claims and encumbrances, and subject to title exceptions acceptable to AMAFCA. . Dedication of all rights of way shall be due at the same time or earlier as the initial funding contribution from TRAILS.

4.5 Pay to AMAFCA the amount of $520,757.00 seven (7) days prior to award of a construction contract, which amount shall be TRAILS' primary portion of its funding for the PROJECT. This amount is an estimated amount based on 31.5% of the total cost of the Dam Bid Lot (including design, construction engineering, construction, right of way) and 50% of the FEMA CLOMR/LOMR analysis, submittal and review fees, less a credit in the amount of $93,440.00 representing TRAILS' share of design costs, less a credit in the amount of $381,965.00 representing TRAILS' right of way costs, and less a credit in the amount of $13,700.00 representing TRAILS' share of the costs for the FEMA CLOMR/LOMR analysis, submittal and review fees. The amount described above for the TRAILS share of construction is adjustable at the discretion of AMAFCA based on the final approved engineer's estimate for the PROJECT. Any adjustment shall be done prior to advertisement for construction bids and in accordance with Exhibit B.

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4.6 After completion of the PROJECT, pay to AMAFCA, within 30 days of receipt of invoice from AMAFCA, TRAILS' share of any overruns in the Dam Bid Lot, based on TRAILS providing 31.5% of the Dam Bid Lot Costs as described in Section 4.2, with the provision that AMAFCA's actual construction engineering costs will be allocated

between the Bid Lots by the relative costs of these Bid Lots and that interest accrued in the Project Account will be applied as described in Section 6.3. Final actual costs of the projects will be split among the parties in accordance with Exhibit B.

4.7 In conjunction with VISTA and using the same engineering consultant, upon completion of construction and receipt of project certifications, geotechnical testing results and record drawings from AMAFCA, submit to FEMA a LOMR to revise the 100-year floodplain to show that it is contained within the constructed PROJECT.

4.8 Install the Universe Storm Drain, from the Trails Subdivision to the Boca Negra Detention Dam, designed to accept upstream flows per the DMP, with construction to include the inlet to the Dam reservoir area and appropriate storm water quality facilities and energy dissipater.

4.9 TRAILS agrees to install storm water quality debris removal facilities on any and all current and/or future storm drain connections to the PROJECT,. as related to the Trails Subdivision. Design of structure(s) shall be coordinated with AMAFCA, and may be located within the Boca Negra Detention Dam right of way. If the debris removal structure is a manhole type facility within the PROJECT right of way, AMAFCA will maintain such structure.

4.10 TRAILS acknowledges and agrees that the PROJECT and dedication of land for the PROJECT shall not be eligible for drainage impact fee credits until and unless the Project is listed on the CITY's CCIP.

SECTION 5. CITY agrees to:

5.1. Review and, if appropriate, approve plans and specifications for PROJECT, as prepared by VISTA's and TRAILS' engineer.

5.2 Dedicate a drainage easement suitable to AMAFCA and generally in the form attached at Exhibit C for the Boca Negra Detention Dam Outfall Pipe and energy dissipater.

5.3. Pay to AMAFCA the amount of $979,197.00 within 45 days of receipt of invoice from AMAFCA, which invoice may be submitted anytime after award of bids for construction of the PROJECT. This amount shall be the CITY's primary portion of its funding for the PROJECT. This amount is an estimated amount based on 10% of the total cost of the Dam Bid Lot, 50% of the Trail/Outlet Bid Lot and 100% of the Unser Bid Lot (including design, construction engineering, right of way and construction). The amount described above for the CITY share of construction is adjustable at the discretion of AMAFCA based on the final approved engineer's estimate for the PROJECT. Any adjustment shall be done prior to advertisement for construction bids and in accordance with Exhibit B.

5.4 Pay to AMAFCA, within 45 days of receipt of invoice from AMAFCA, CITY's share of any overruns in the PROJECT, based on CITY providing 10% of the total cost of the Dam Bid Lot, 50% of the Trail/Outlet Bid Lot and 100% of the Unser Bid Lot, including design, construction engineering, right of way and construction costs, as described in Section 5.2, with the provision that AMAFCA's actual construction engineering costs will be allocated between the Bid Lots by the relative costs of these Bid Lots and that interest accrued in the Project Account will be applied as described in Section 6.3. Final actual costs of the projects will be split among the parties in accordance with Exhibit B.

5.5. Grant impact fee credits to VISTA and to TRAILS for the value of the construction of the PROJECT, only if the PROJECT, or portions thereof, and the value of the dedication of the land for the PROJECT by VISTA and TRAILS are eligible for impact fee credits, against drainage facilities impact fees pursuant to the CITY's Drainage Facilities Impact Fees Ordinance. If the PROJECT or portions thereof become eligible for impact fee credits, the impact fee credits shall be granted pursuant to the following terms and conditions:

1. Credits shall only be granted to VISTA and TRAILS for the value of the construction of the PROJECT and the value of the dedication of the land for the PROJECT by VISTA and TRAILS;

2. The value of the dedication of the land for the PROJECT shall be based on the fair market value of the property prior to any increase in value resulting from subdivision or development approval and shall be demonstrated by an appraisal prepared by an appraiser acceptable to the CITY;

3. The value of the construction of the PROJECT shall at the option of the VISTA and TRAILS be based on:

A. The fair market value of the completed PROJECT at the time of acceptance by AMAFCA and the CITY demonstrated by an appraisal prepared by an appraiser acceptable to the CITY, less AMAFCA's and the CITY's share of the cost PROJECT; or

B. The actual design and construction cost of the completed PROJECT, including testing, surveying, construction management and inspection demonstrated by documentation acceptable to the CITY, less AMAFCA's and the CITY's share of the cost of the PROJECT; and

C. The PARTIES agree that the estimated value of the credits will be based on the actual design and construction cost of the PROJECT, less AMAFCA's and the CITY's share of the cost of the PROJECT, and the fair market value of the dedication of the land for the PROJECT by VISTA and TRAILS.

4. Credits shall first be applied against drainage impact fees imposed on the Vista Vieja Subdivision being developed by VISTA and the Trails Subdivision being developed by TRAILS.

5. If the value of the credits exceeds the amount of drainage impact fees otherwise due, the excess credits shall become the property of VISTA and TRAILS subject to the following conditions for disposition:

A. Excess credits shall only be applied to offset impact fees for the same category of improvement and for projects within the same service area for which the credits were granted;

B. Excess credits shall not be used to offset impact fees for other categories of improvements other than drainage improvements;

C. Excess credits shall be freely assignable by VISTA and TRAILS subject to prior written notice to the CITY;

D. VISTA and TRAILS may request cash reimbursement for excess credits from the CITY; however, the CITY shall not be obligated to reimburse VISTA or TRAILS for any such excess credits;

E. Excess credits shall not accrue interest and shall not be considered public money or constitute a liability of the CITY for any purpose whatsoever, except to offset impact fees as set forth in this Agreement, and

F. Excess credits shall expire if not used or redeemed within seven (7) years after issuance.

6. The credits shall be granted and become effective on the date of acceptance of the PROJECT by AMAFCA and the CITY, in accordance with the Drainage Impact Fee Ordinance.

7. In the event the City does not assess impact fees against the Vista Vieja Subdivision being developed by VISTA and the Trails Subdivision being developed by TRAILS, VISTA and TRAILS shall not be eligible to receive impact fee credits pursuant to this Agreement.

8. Grant impact fee credits to CITY and to AMAFCA for the value of their actual funding for the construction of the PROJECT, only if the PROJECT, or portions thereof, are eligible for impact fee credits, against drainage facilities impact fees pursuant to the CITY's Drainage Facilities Impact Fees Ordinance. If the PROJECT or portions thereof become eligible for impact fee credits, the impact fee credits shall be granted pursuant to the Ordinance.

5.6 Accept the multi-use trail underpass and high flow outlet, the low flow trickle pipes, as well as Unser Blvd and all multi-use trails built as part of the PROJECT, for continuous maintenance upon satisfactory completion of construction and confirm acceptance of same in writing by CITY.

SECTION 6. All PARTIES agree:

6.1 That they are splitting the project costs as provided herein to include design, construction engineering, construction, right of way, FEMA CLOMR/LOMR and FEMA review fees, in accordance with Exhibit C. For purposes of allocating the costs, the design fee of $186,880.00, the right of way value of $1,026,436.00, and the FEMA CLOMR/LOMR analysis, submittal and review fees of $27,400.00 are considered fixed.

6.2 This Agreement does not relieve the VISTA or TRAILS of the requirement to construct (or financially guarantee construction of) such facilities that AMAFCA and the CITY may deem necessary for the Vista Vieja Subdivision and the Trails Subdivision.

6.3 Any interest accrued on monies collected by AMAFCA for the PROJECT shall be first used on any overruns in the construction engineering or construction costs of the PROJECT. If the interest earned on the Project Account is greater than the total over runs, the interest will be applied without prorating it to each Bid Lot. Any remaining interest earned on the Project Account will then be disbursed to AMAFCA, CITY, VISTA and TRAILS in a prorated manner based on the initial contributions made to the Project Account. If the interest earned on the Project Account is less that the total over runs, the interest will be applied in a prorated manner based on the relative costs of each PROJECT Bid Lot, prior to determining additional payments due by the PARTIES.

6.4 All PARTIES will strive for prompt action and timely response.

6.5 If any situation arises which adversely affects any PARTY's participation in this Agreement, or meeting the construction bid schedule identified in Section 2.2, said PARTY will immediately notify the other PARTIES in writing.

6.6 Any circumstance, including the above, which materially affects this Agreement will be promptly and equitably resolved by all PARTIES, and, if necessary, an amendment to this Agreement shall be executed.

6.7 Unresolvable differences shall be referred to binding arbitration under the provisions of the New Mexico Uniform Arbitration Act.

6.8. All storm drainage facilities will be designed and constructed to current CITY, AMAFCA and New Mexico Office of the State Engineer Dam Safety Bureau standards and, as constructed, shall meet all applicable codes.

6.9 All trail and roadway facilities will be designed and constructed to current City standard specifications and, as constructed, shall meet all applicable codes.

6.10. This Agreement shall inure to the benefit of and be binding upon the undersigned PARTIES and their respective successors and assigns. Whenever in this Agreement a reference to VISTA or TRAILS is made, such references shall be deemed to include a reference to successor owners of the MESA or TRAILS property that is subject to he terms of this Agreement.

6.11. This Agreement may be modified only by mutual written agreement of the PARTIES hereto.

6.12. Each individual signing for each of the PARTIES hereunder warrants and represents that he/she is and authorized agent or officer of such PARTY, on whose behalf he/she is executing this Agreement and is authorized to execute the same.

6.13 The PARTIES understand and agree that the obligation of each PARTY under this Agreement shall be performed in compliance with the applicable laws, statutes and ordinances. Nothing herein is intended to constitute any agreement for the PARTIES to perform any activity in violation of the Constitution or Laws of the State of New Mexico.

6.14. All notices with respect to this Agreement shall be in writing and shall be delivered personally, sent via confirmed fax, or sent postage prepaid by United States Mail, certified mail, return receipt requested, to the addresses set forth below or such other addresses as hereafter specified in writing by one PARTY to the other:

Albuquerque Metropolitan Arroyo
Flood Control Authority
2600 Prospect Ave NE
Albuquerque, NM 87107
Fax: (505) 884-0214

Vista Vieja Investments LLC
8300 Carmel Dr., N.E.
Albuquerque, NM 87122
Fax (505) 828-9901
Attn: Scott Schiabor

City of Albuquerque
Director, Dept. Municipal Development
P.O. Box 1293
Albuquerque, NM 87102
Fax: (505) 768-2310

The Trails LLC
3077 E. Warm Springs Rd.
Las Vegas, Nevada 89120
Fax (702) 454-8715
Attn: John Murtagh

With copy to:
City of Albuquerque
City Engineer
600 2nd Street NW, Suite 201
Albuquerque, NM 87102
Fax: (505) 924-3864

6.15 If any clause or provision in this Agreement is illegal, invalid, or unenforceable, under present or future laws effective during the term of this Agreement, then and in that event, it is the intention of the PARTIES hereto that the remainder of this Agreement shall not be affected thereby.

6.16 It is specifically agreed among the PARTIES executing this Agreement that this Agreement does not and is not intended to create in the public, or any member thereof, any rights whatsoever, such as, but not limited to, the rights of a third party beneficiary, or to authorize anyone not a party to this Agreement to maintain a suit(s) for wrongful death(s), bodily and/or personal injury(ies) to person(s), damage(s), and/or any other claim(s) whatsoever pursuant to the provisions of this Agreement.

6.17. As between the CITY and AMAFCA, each party acknowledges that it will be responsible for claims or damages arising from personal injury or damage to persons or tangible property to the extent they result from negligence of its employees. The liability of the CITY and AMAFCA shall in all cases be subject to the limitations and immunities of the New Mexico Tort Claims Act, Section 44-4-1, et. seq., NMSA 1978, as amended.

6.18. In the event of a dispute between VISTA and/or TRAILS and AMAFCA, or VISTA and/or TRAILS and the CITY, regarding this Agreement, the prevailing PARTY shall be entitled to reimbursement of its costs and reasonable attorney's fees. In the event of a dispute between the CITY and AMAFCA, each PARTY shall be responsible for its own costs and attorney's fees.

6.19 Funds for this project are contingent upon AMAFCA's successful sale of General Obligation Bonds.

IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed as of the day and year set forth above.

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY, a political subdivision of the State of New Mexico

Ronald D. Brown, Chair
Board of Directors

ATTEST:

5/26/05

Tim Eichenberg, Secretary/Treasurer (date)
Board of Directors

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

This instrument was acknowledged before me on May 26, 2005 by Ronald D. Brown, Chair of the Albuquerque Metropolitan Arroyo Flood Control Authority, a political subdivision of the State of New Mexico.

Pamela S. Woodruff
Notary Public

My commission expires:

9-22-08

OFFICIAL SEAL
PAMELA S. WOODRUFF
Notary Public
State of New Mexico
My Commission Expires 9-22-08

Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements

City of Albuquerque

James Lewis, Chief Administrative Officer — Date 9/21/05

John R. Castillo, P.E., Director
Department of Municipal Development — Date 9/9/5

Reviewed as to Form:

City Attorney — Date 9-20-5

Attest:

City Clerk — Date 9.22.05

ACKNOWLEDGMENT

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

This instrument was acknowledged before me on September 21, 2005, by James Lewis, Chief Administrative Officer for the City of Albuquerque, a New Mexico municipal corporation.

Notary Public

My Commission Expires:
11-27-06

Agreement to Provide Design, Construction and Maintenance for
Boca Negra Detention Dam and Outfall Pipe
and Adjacent Unser Blvd. Improvements

Vista Vieja Investments LDC

By: _____
Scott Schiabor, Managing Member

Date: 6/22/05

ACKNOWLEDGEMENT FOR CORPORATION

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

This instrument was acknowledged before me on June 22, 2005 by Scott Schiabor, as Managing Member of Vista Vieja Investments LLC, on behalf of said New Mexico Limited Liability Corporation.

Notary Public

My Commission Expires:

5/19/06

The Trails LLC

By: _____ Date: 6/16/05

Name: John K. Murtagh, Managing Member

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)

) ss.

COUNTY OF BERNALILLO)

OFFICIAL SEAL
DONNA LAWSON
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires: 12-1-08

This instrument was acknowledged before me on June 16th, 2005 by John K. Murtagh, Managing Member of The Trails LLC on behalf of said Limited Liability Company.

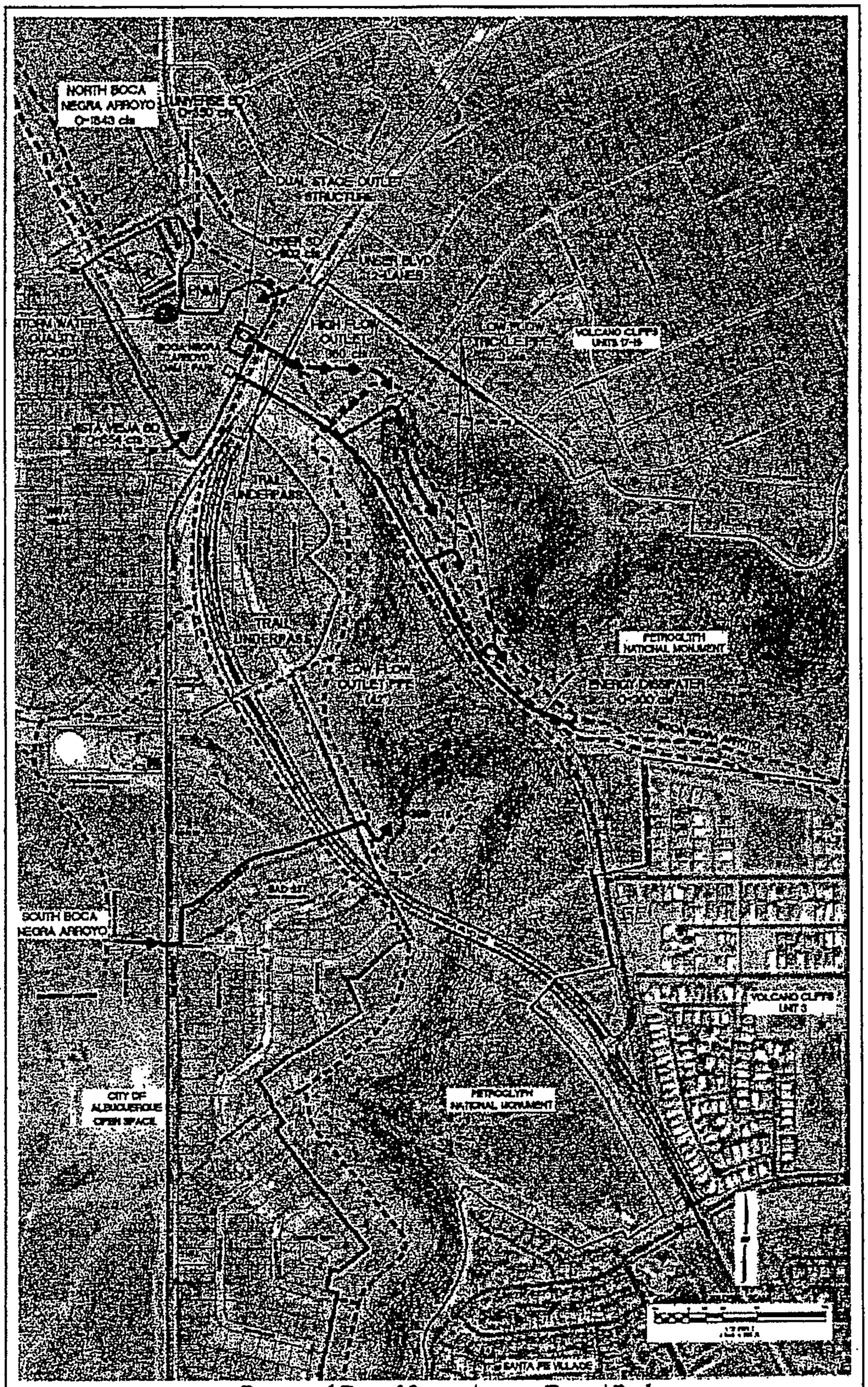
Donna Lawson
Notary Public

My Commission Expires:

12-1-08

Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements

Exhibit A



Proposed Boca Negra Arroyo Dam / Park

Agreement to Provide Design, Construction and Maintenance for Boca Negra Detention Dam and Outfall Pipe and Adjacent Unser Blvd. Improvements

Exhibit B

Boca Negra Detention Dam and Outfall Pipe

Cost Sharing Allocation Based on Project Elements
May 18, 2005

Project Elements					Total Cost	AMAFCA	MESA	LONGFORD	City
Boca Negra Detention Dam & Outlet Pipe									
25% 33.5% 31.5% 10% AMAFCA/Mesa/Longford/City									
Dam & Outlet Pipe	1	LS	1,900,000		1,900,000	475,000	636,500	598,500	190,000
Design, 7.22%					137,180	33,250	44,555	41,895	13,300
Construction Management, 8%					152,000	38,000	50,920	47,880	15,200
Right of Way					977,420	244,355	327,436	307,887	97,742
Subtotal					3,166,600	790,605	1,059,411	996,162	316,242
Bike Trail Underpass and Hi Flow Outlet									
50% 0.0% 0.0% 50% AMAFCA/Mesa/Longford/City									
Crossing Structure	1	LS	340,000		340,000	170,000	0	0	170,000
Design, 7%					23,800	11,900	0	0	11,900
Construction Management, 8%					27,200	13,600	0	0	13,600
Right of Way					14,123	7,062	0	0	7,062
Subtotal					405,123	202,562	0	0	202,562
Unser Blvd in Front of Dam - Full cross Section, two lanes paved									
0% 0.0% 0.0% 100% AMAFCA/Mesa/Longford/City									
Roadway and Trail	1	LS	370,000		370,000	0	0	0	370,000
Design, 7%					25,900	0	0	0	25,900
Construction Management, 8%					29,600	0	0	0	29,600
Right of Way					34,893	0	0	0	34,893
Subtotal					460,393	0	0	0	460,393
FEMA LOMR									
0% 50.0% 50.0% 0% AMAFCA/Mesa/Longford/City									
Engineering Design & Submittal for FEMA CLOMR/LOMR					20,000	0	10,000	10,000	0
FEMA Review Fees					7,400	0	3,700	3,700	0
					27,400	0	13,700	13,700	0
Total Project Costs					4,059,516	993,167	1,073,111	1,009,862	979,197
						24.5%	26.4%	24.9%	24.1%

Project Cost Sharing Elements		Project Cost Contributions by Party AMAFCA	MESA	LONGFORD	City	
Construction	2,610,000	784,367	321,500	520,757	979,197	Cash for Construction
Design	186,880	0	93,440	93,440		Design by Private
Constr. Mgt.	208,800	208,800				Cash for CM services
Right of Way	1,026,436		644,471	381,965		Right of Way Dedication
FEMA Analysis and Submtl	20,000		10,000	10,000		FEMA Analysis and Submtl
FEMA Fees	7,400		3,700	3,700		FEMA Fees
	4,059,516	993,167	1,073,111	1,009,862	979,197	

Exhibit C, Page 1 of 2

GRANT OF PERMANENT EASEMENT FOR STORM DRAINAGE WORKS

Grant of Permanent Easement, between the City of Albuquerque, a New Mexico municipal corporation ("Grantor"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103 and the Albuquerque Metropolitan Arroyo Flood Control Authority, a political subdivision of the State of New Mexico ("AMAFCA"), whose address is 2600 Prospect Ave. NE, Albuquerque, New Mexico, 87107, collectively ("the Parties").

Grantor grants to AMAFCA, and its successors and assigns, an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of storm drainage improvements associated with the Boca Negra Detention Dam Outfall Pipe, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if AMAFCA determines they interfere with the appropriate use of this Easement.

Grantor hereby reserves for itself and its successors and assigns the right to construct, operate and maintain roadway improvements and related appurtenances, including bicycle trails, within the Property subject to the review and written approval by AMAFCA, said approval not to be unreasonably withheld. In the event Grantor constructs any improvements ("Improvements") within the Property, AMAFCA has the right to enter upon the Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate.

The grant and other provisions of this Easement constitute covenants running with the Property for the benefit of the AMAFCA and its successors and assigns until terminated.

To have and to hold the said right and Easement for the uses and purposes aforesaid unto the AMAFCA, its successors and assigns, forever, as specifically provided herein. Any portion of the Easement granted herein shall revert to the Grantor, its successors or assigns, as and to the extent said portion of Easement is declared unnecessary for storm drainage purposes by AMAFCA, its successors and assigns. Any reversion shall be conveyed by Quitclaim Deed.

This Easement shall not be effective until approved by the City Engineer in the signature block below

Revised Exhibit C Acknowledged:

Party Name	Initial	Date
AMAFCA	JPK	9-6-05
CITY		9/9/5
VISTA		9-8-05
TRAILS	Dm	9/9/05

WITNESS my hand and seal this _____ day of _____, 2005.

Approved:

_____ _____
City Engineer Date

Approved As To Form

_____ _____
City Attorney Date

Reviewed By:

_____ _____
John R. Castillo, Director, Department of Municipal Development Date

GRANTOR: City of Albuquerque

By: _____
James B. Lewis, Chief Administrative Officer

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on ____ day of _____, 2005, by James B. Lewis as Chief Administrative Officer of the City Of Albuquerque, a municipal corporation, on behalf of said corporation.

_____
Notary Public

My Commission Expires:

_____

DRAINAGE REPORT

for

TRACT 9A AT THE TRAILS UNIT II
Albuquerque, New Mexico

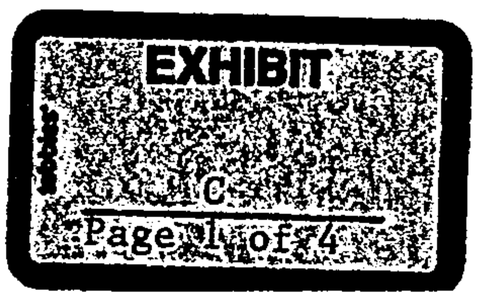
JULY 2006

I, Steve J. Salazar, do hereby certify that this report was prepared by me or under my direction and that I am a duly registered Professional Engineer under the laws of the State of New Mexico.

Steve J. Salazar, P.E.
NM No. 16241

7/12/06
Date

C9/D001F



Introduction

Wilson & Company prepared this drainage report under contract to Longford Homes. The document provides a basis for the design of storm water conveyance systems within Tract 9A of the Trails Unit II (subject property). The objective of this report is to analyze the hydrologic characteristics associated with the existing and developed conditions.

Tract 9A of the Trails Unit II is a single-family residential subdivision with 114 total lots within The Trails master planned community. The "Master Drainage Study for The Trails Subdivision", dated December 2003, prepared by Bohannan-Huston, Inc (BHI Study) outlines the major drainage requirements for the entire Trails development. This DMP covers a large area surrounding the subject property. The master planned area will drain through a series of detention surge ponds to the southeast corner of the Trails project to reduce flows. As established in the "Amendment to The Trails Subdivision Master Drainage Study", dated May 5, 2004 and prepared by Wilson & Company, a future storm drain system (currently under design, COA#761281) is scheduled to carry developed flows from the southeast corner of the Trails south to the Boca Negra Detention Dam. Wilson & Company has revised the BHI Study as the project progresses to more accurately model the drainage conditions. This revised Drainage Master Plan is included in this report as Plate 2 (also referred to as the Overall Pond Grading & Drainage Plan for Future Developed Conditions). The Drainage Master Plan establishes revised Basin, Pond and Hydrologic summary data. Tract 9A of The Trails Unit II drains to the South Easement storm drain system of The Trails Unit II COA # 730084, which ultimately drains to the Universe Blvd. storm drain system to the Boca Negra dam scheduled to be built with Trails Unit II COA # 761281 as outlined in the BHI Drainage Master Plan.

Project Description

The proposed development is located within the city limits of Albuquerque, New Mexico. The subject property consists of approximately 17.34 acres of undeveloped land on the west side of Albuquerque, south of Ventana Ranch subdivision. The Trails Subdivision is located on Albuquerque's Northwest Mesa, west of Universe Boulevard and south of Paseo Del Norte. The subject property is bound by Tract 8 at The Trails Unit II to the east, Tract 9A at the Trails to the west, Town of Alameda Grant to the south, and Tract 6 at the Trails Unit II to the north. See Exhibit A. Vicinity Map.

There are currently seven other tracts within the Trails Subdivision that are developed or under construction - Santa Fe at the Trails (Tract C of the Trails), Taos at the Trails (Tract D of the Trails), Heritage at the Trails Units I and II (Tract A & B of the Trails respectively), The Reserve at the Trails (Tract F of the Trails), and Santa Fe at the Trails Unit II (Tract 6 of the Trails Unit II) and Valle Vista at The Trails Unit II (Tract 11 of Trails Unit II). The Trails Unit II (COA #730084) is also currently under construction, which includes the development of Woodmont Avenue, Oakridge Street, Rainbow

WILS
&COM
EXHIBIT
Page 2 of 4

In the future developed conditions, all ponds will be detention surge ponds. According to the "Amendment to the Trails Subdivision Master Drainage Study", a maximum of flowrate of 200 cfs is allowed from the Trails Subdivision. According to the revised Drainage Master Plan, a maximum flowrate of 198 cfs will enter the Universe Blvd. storm drain system to the Boca Negra Dam. See Plate 2 for the Overall Pond Grading & Drainage Plan for Developed Conditions.

Once the storm drain from The Trails to the Boca Negra Detention Dam is completed, all of the plugs in the ponds within The Trails Unit II can be removed, creating detention facilities and eliminating the need to retain runoff from the Trails.

The hydrologic analysis for the interim and developed condition was completed using the Arid Lands Hydrologic Model (AHYMO) Version 1997.02. The 100-year 24-hour return frequency storm was used as the basis of analysis. (See Appendices A & B for input and output data). Methodology outlined in Section 22.2 of the City of Albuquerque Development Process Manual was also incorporated into this analysis. Street flows have been evaluated using Flow Master by Haested Methods. Street flows were analyzed for the use of roll type curb where capacities permitted. Inlets are located to prevent exceeding the street flow capacities per the DPM. See Appendix C for street capacity analysis. Storm Drain design and analysis was performed using *Hydraflow*. See Appendix D for *Hydraflow* output.

Grading Plan

The Tract 9A of Trails Unit II Grading Plan is attached as Plate 3. It illustrates the overall grading concept for the Tract 9A of Trails Unit 2 as well as the proposed storm drain.

Conclusion

The analysis performed for this report demonstrates that the proposed system of streets and storm drainage improvements will safely convey and adequately detain the 100-year storm runoff from the offsite and the onsite basins contributing to the site development. Wilson & Company recommends that the proposed storm drain system undergo regular maintenance activities. This should include removing debris from grate inlets, as well as removing sediment buildup within the pipe system. The Future area contributing flow to the Tract 9A storm drainage system should be analyzed in greater detail at the time of development to ensure that the runoff is within the constraints of this design.

Per The Trails Unit II Construction Plans, plugs at Pond E, Pond G and Pond K are scheduled to be installed. As a result of the interim conditions analysis, Wilson & Company recommends also installing temporary plugs at Pond D and Pond F to retain runoff from the 100-year, 10-day event, until the Universe storm drain to the Boca Negra Detention Dam is constructed.

EXHIBIT
C
Page 4 of 4

Current DRC
Project No. _____

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS ~~UNIT 2~~ SJS
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	SJS STUB STREET (END) (S/W TO OAKRIDGE)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END) (S/W TO UNIVERSE SJS 11/30/11)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	55' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

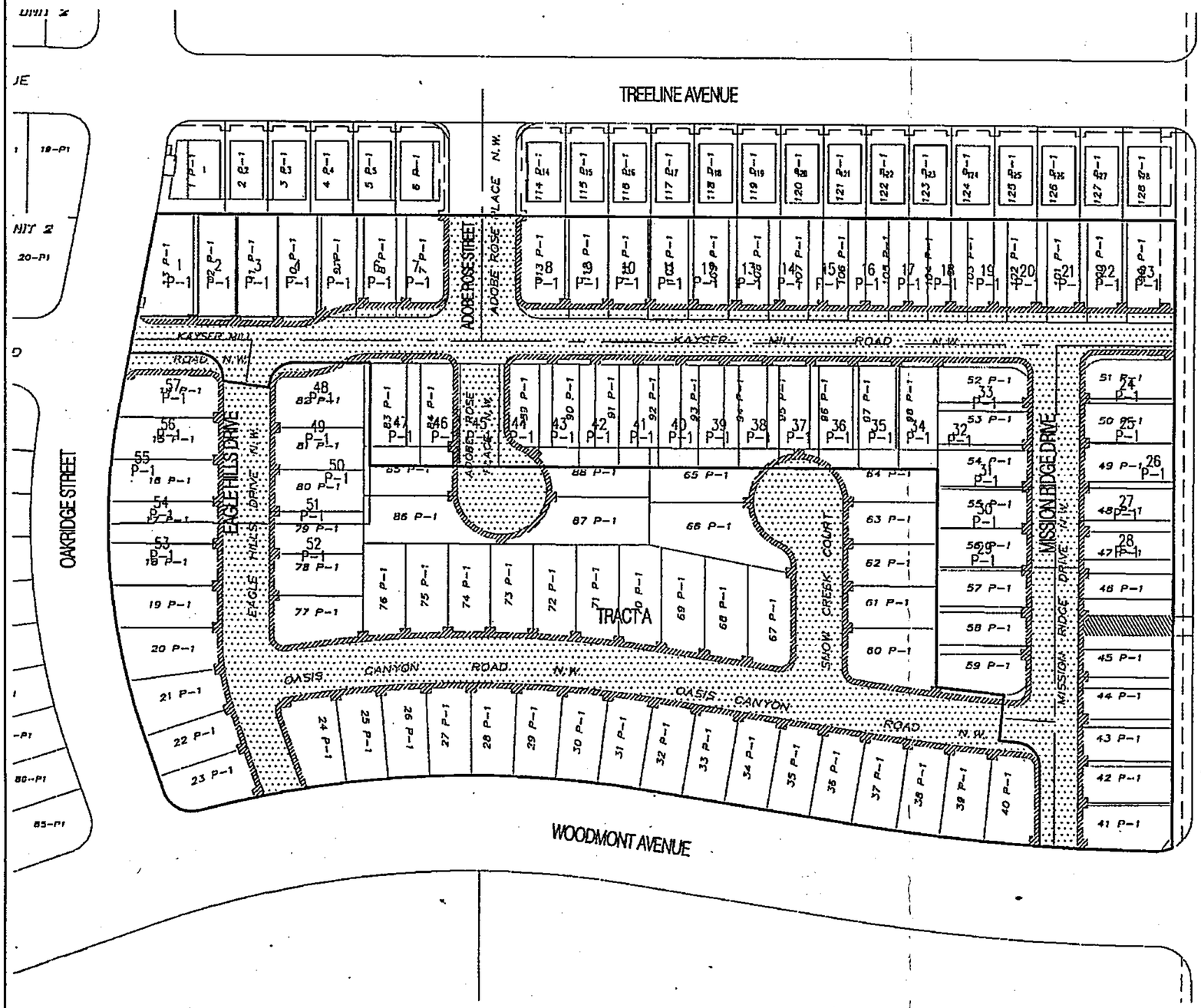
* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		~~4" DIA~~ SJS	~~WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S~~ SJS	~~TRACT A, TAOS UNIT 1 WATERLINE EASEMENT~~ SJS	~~MISSION RIDGE DRIVE~~ SJS	~~UNIVERSE BLVD~~ SJS	/	/	/
			~~RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION~~ SJS 11/30/11				/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE	6/28/2011		6-29-11	C Sandoval csd 11/30/11	6/29/11
PREPARED BY: PRINT NAME	DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.		11-30-11	06-29-11		
FIRM:		TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
Scott J Steffen	11/30/11	A Patea	06/29/11	Curtis a Chan cc 11-30-11	6-29-11
SIGNATURE		ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION					DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER



N

NOT TO SCALE

EXISTING PUBLIC UTILITY EASEMENT TO BE VACATED WITH THIS PLAT.

PORTION OF EXISTING DRAINAGE EASEMENT TO BE VACATED WITH THIS PLAT.

EXISTING RIGHT-OF-WAY TO BE VACATED BY THIS PLAT.

REASON FOR VACATION

THE EXISTING TAOS AT THE TRAILS UNIT 2 SUBDIVISION IS BEING RESUBDIVIDED TO CHANGE THE LOT SIZES. NEW EASEMENTS AND RIGHT-OF-WAY WILL BE GRANTED AND DEDICATED RESPECTIVELY, WITH THE NEW PLAT.

EXHIBIT "C"
TAOS UNIT 1
at the TRAILS
VACATION EXHIBIT
MAY, 2011

Bohannan Huston

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — **S**
- _X_ Major Subdivision action
- ____ Minor Subdivision action
- ____ Vacation — **V**
- ____ Variance (Non-Zoning)

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

STORM DRAINAGE (Form D) — **A**
- ____ Storm Drainage Cost Allocation Plan

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

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: RCS-Taos, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6330 Riverside Plaza Lane #160 FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: rbeltramo@gcinm.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Final Plat – Taos Unit 1 at the Trails

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1008797, 11DRB-70119, 11DRB-70323

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 56 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J. Steffen DATE 3/12/12

(Print) SCOTT J. STEFFEN Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers	Action	S.F.	Fees
12DRB - ____ - 70096	FP	___	$ 0
____ - ____ - ____	CMF	___	$ 20.00
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
____ - ____ - ____	____	___	$ ____
			Total $ 20.00

Hearing date April 11, 2012

3-12-12
Planner signature / date

Project # 1008797

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

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

❑ **SKETCH PLAT REVIEW AND COMMENT (DRB22)** **Your attendance is required.**
- __ Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) 6 **copies**
- __ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the request
- __ List any original and/or related file numbers on the cover application

❑ **EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** **Your attendance is required.**
- __ Preliminary Plat reduced to 8.5" x 11"
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the request
- __ Copy of DRB approved infrastructure list
- __ Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
- __ List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

☒ **MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** **Your attendance is required.**
- X Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- X Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- X Design elevations & cross sections of perimeter walls **3 copies**
- X Zone Atlas map with the entire property(ies) clearly outlined
- X Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- X Copy of recorded SIA
- N/A Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- X List any original and/or related file numbers on the cover application
- __ DXF file and hard copy of final plat data for AGIS is required.

❑ **MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** **Your attendance is required.**
- __ 5 Acres or more: Certificate of No Effect or Approval
- __ Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
- __ Signed & recorded Final Pre-Development Facilities Fee Agreement for **Residential** development only
- __ Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- __ Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the request
- __ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- __ Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- __ Fee (see schedule)
- __ List any original and/or related file numbers on the cover application
- __ Infrastructure list if required **(verify with DRB Engineer)**
- __ DXF file and hard copy of final plat data for AGIS is required.

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

PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- __ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- __ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
- __ Zone Atlas map with the entire property(ies) clearly outlined
- __ Letter briefly describing, explaining, and justifying the request
- __ Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- __ List any original and/or related file numbers on the cover application

Amended preliminary plat approval expires after one year

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

Scott J Steffen
Applicant name (print)

Scott J Steffen 3/12/12
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
12DRB - ____ - 70096
____ - ____ - ____
____ - ____ - ____

Vuf 3-12-12
Planner signature / date

Project # 1008797

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

March 12, 2012

Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Final Plat (DRB 1008797)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) review and comment are copies of the following information:

- Application for Development Review
- Six (6) copies of the final plat
- Copy of Recorded Final APS Pre-Development Facilities Fee Agreement
- Three (3) copies of the perimeter wall exhibit
- Certificate of No Effect
- Zone Atlas page
- Copy of Recorded SIA

This final plat is being presented to the Development Review Board for the purpose of obtaining City review and approval. The project is a resubdivision of existing lots 7-P1 through 113-P1, together with vacated Kayser Mill Road, Eagle Hills Drive, Mission Ridge Drive, Oasis Canyon Road, Snow Creek Court and a portion of Adobe Rose Place, Taos at the Trails Unit 2, and consists of 57 lots and 1 tract. Access to the site will be from Tree Line Avenue.

Please place this item on the DRB Agenda to be heard on March 21, 2012. Please feel free to contact me at 823-1000 with questions or comments.

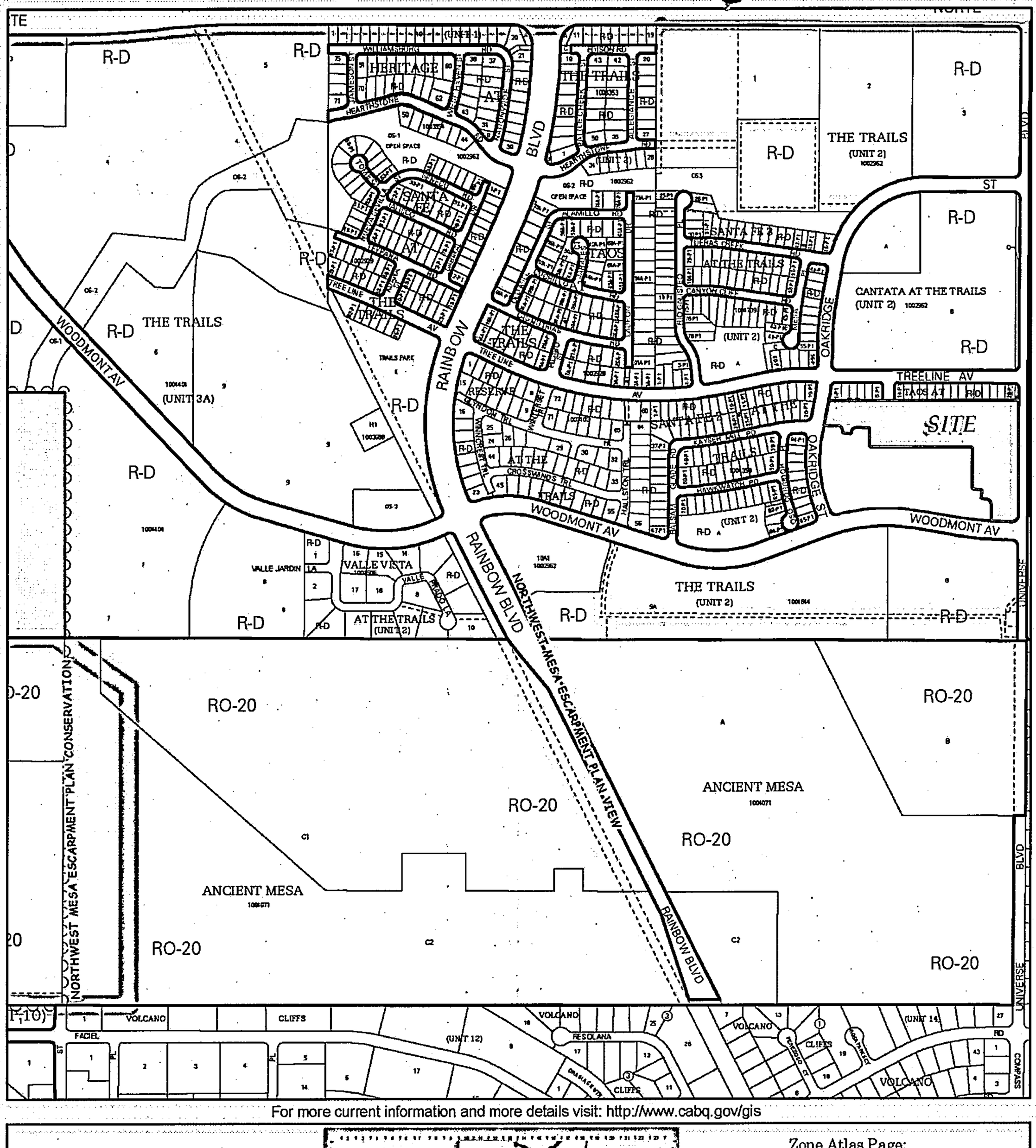
Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning

Enclosures

cc: Rick Beltramo, Galway Construction

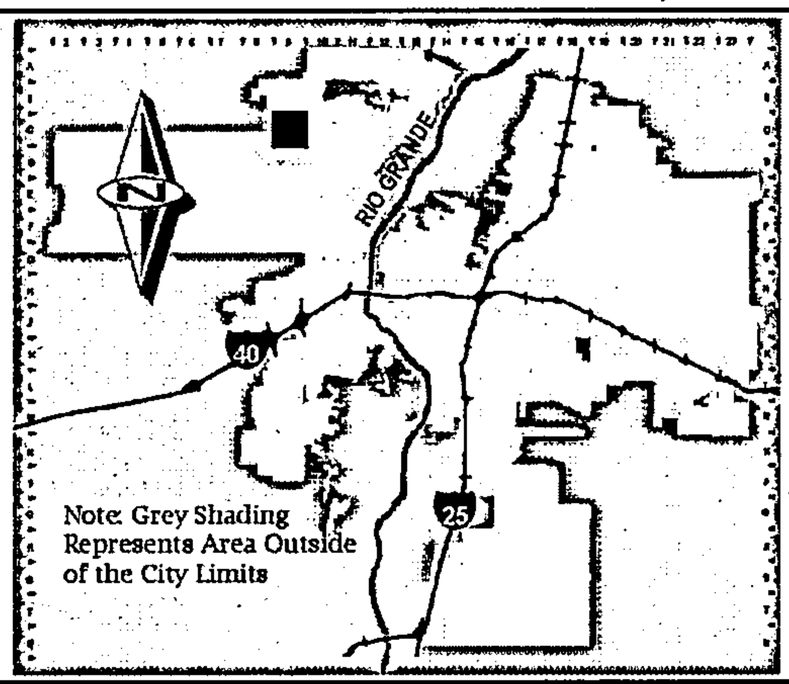
P:\20110333\Correspondence\Submittals\Plat\Unit 1\Taos Unit 1 Plat DRB Cover Letter.Docx



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

Albuquerque Geographic Information System

Map amended through: 2/4/2010



Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 750 1,500 Feet

City of Albuquerque

P.O. Box 1293 Albuquerque, New Mexico 87103

Planning Department

Deborah Stover, Director

Richard J. Berry, Mayor **Robert J. Perry, CAO**

May 4, 2011

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation

Project Number(s): 1003973
Case Number(s):
Agent: Bohannan Huston Inc.
Applicant: Taos at The Trails, Inc.
Legal Description: Lots 7-113, Taos at The Trails, Unit 2
Zoning: R-D
Acreage: Approximately 14.63 acres
Zone Atlas Page: C-9

CERTIFICATE OF NO EFFECT: Yes __X__ No _____

SUPPORTING DOCUMENTATION:

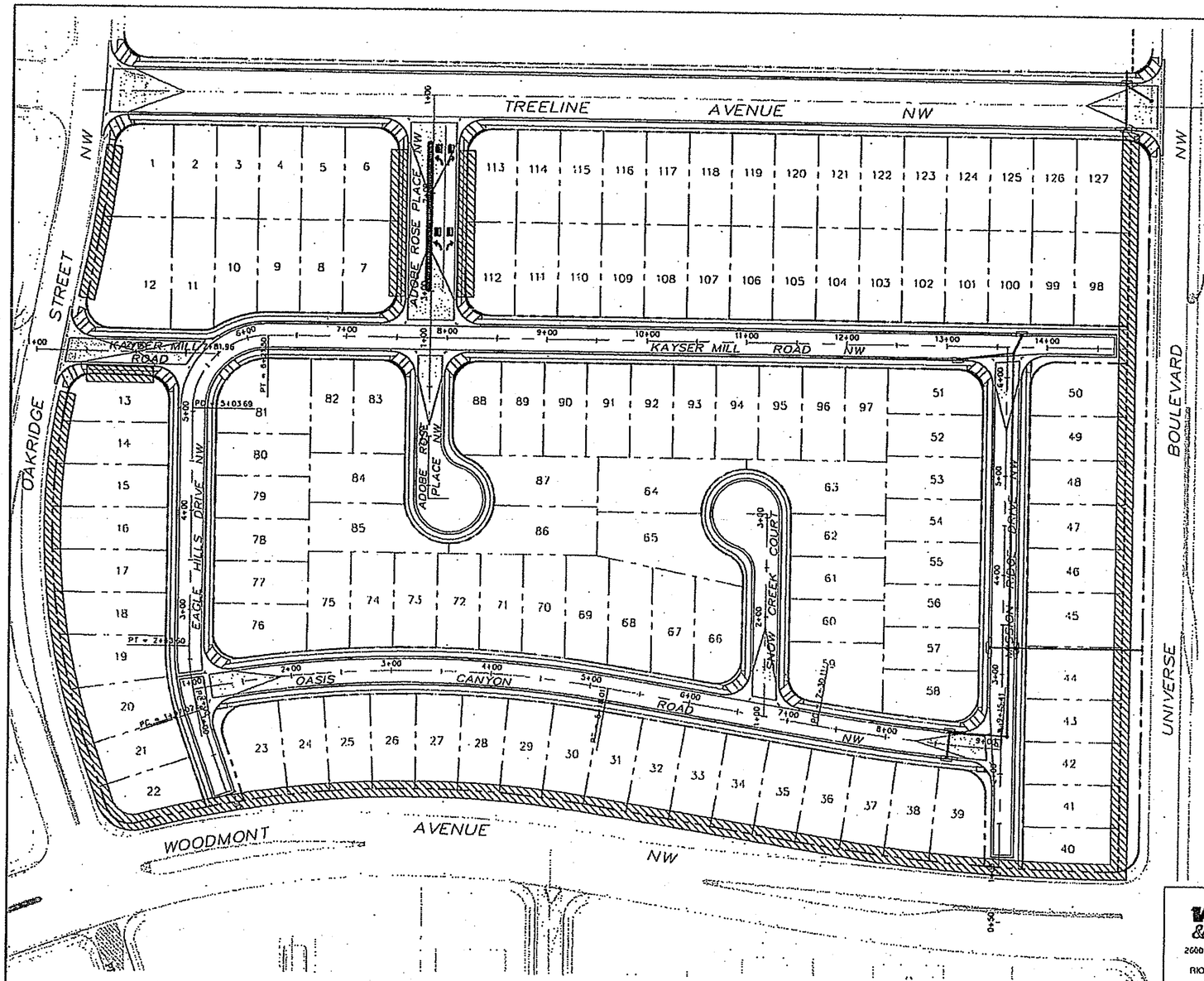
"Cultural Resource Survey for The Trails Unit 2 Housing Development" by Amador Minjares of TRC (Howard Higgins, P.I.) dated December 2006, NMCRIS #102424. Project was approved for Preliminary Plat in 2007. Project was mass graded in 2007 prior to enactment of the Archaeological Ordinance, with 4' to 6' of fill material imported to the site. Project was platted in October of 2007. Construction of a portion of the project was started in 2007. Tree Line Ave. was completed, and has been accepted by the city.

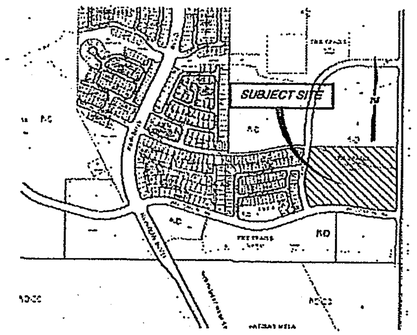
RECOMMENDATION(S):

- ***CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)-- no significant sites in project area)***
- ***(ref O-07-72 Section 4B(2)—extensive previous land disturbance)***

SUBMITTED:

Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PERIMETER WALL

DRB #_____

NEAREST INTERSECTION:
WOODMONT AVE./
OAKRIDGE STREET

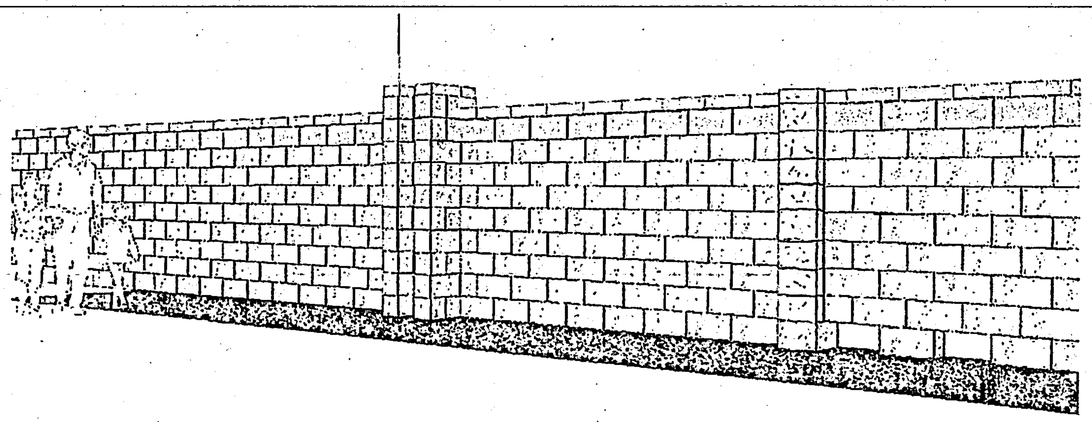
N
NTS

WILSON & COMPANY 2600 THE AMERICAN ROAD SE SUITE 100 RIO RANCHO, NEW MEXICO 87124 (505) 896-8021	TAOS AT THE TRAILS UNIT 2 WALL PLAN EXHIBIT

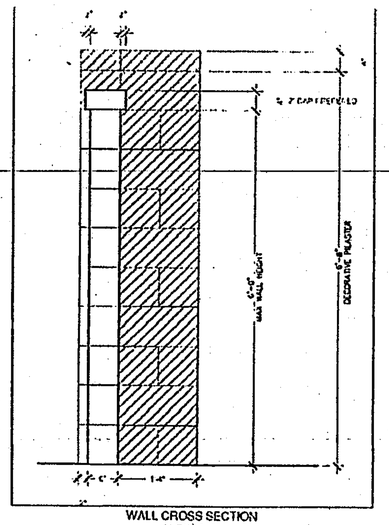
REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 2 OF 2
CHECK	SJS		

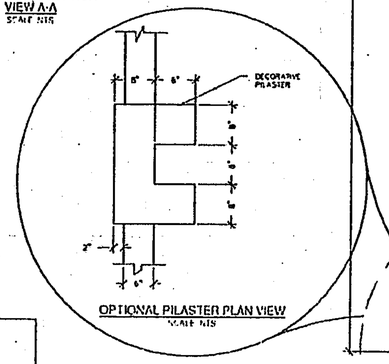
AGENT'S COPY



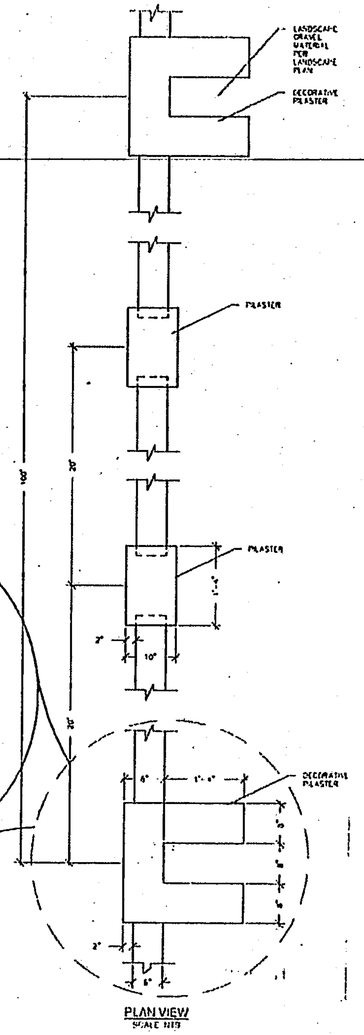
PERSPECTIVE WALL RENDERING
SCALE: NTS



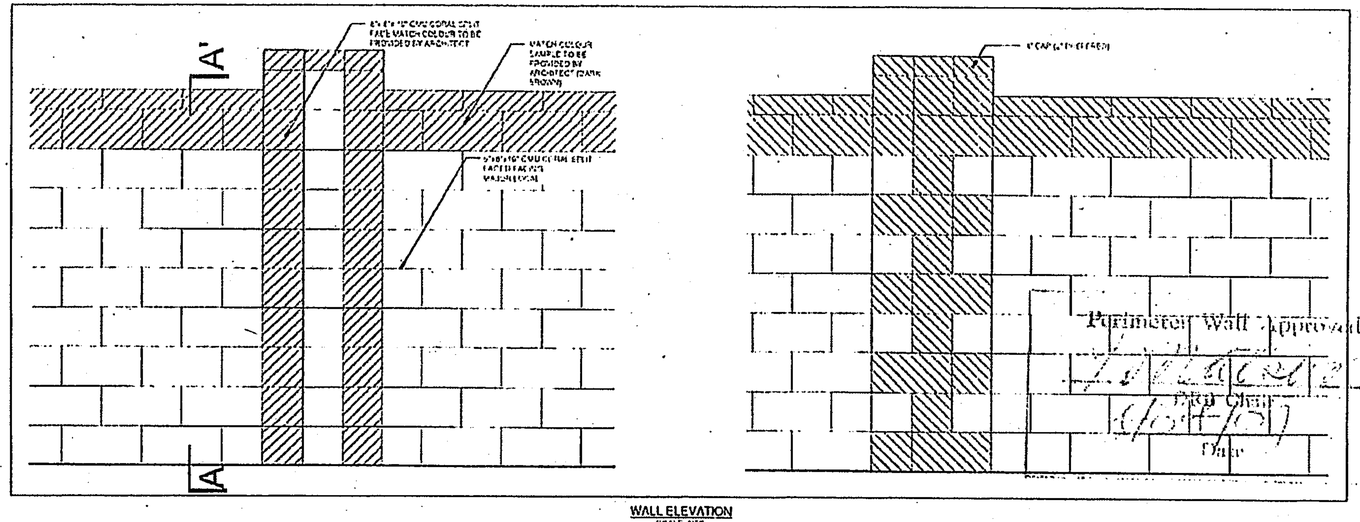
WALL CROSS SECTION
VIEW A-A
SCALE: NTS



OPTIONAL PILASTER PLAN VIEW
SCALE: NTS



PLAN VIEW
SCALE: NTS



WALL ELEVATION
SCALE: NTS

DRG # 97

NEAREST INTERSECTION:
WOODMONT AVE./
UNIVERSE BLVD

ZONE ATLAS:
C-9-Z

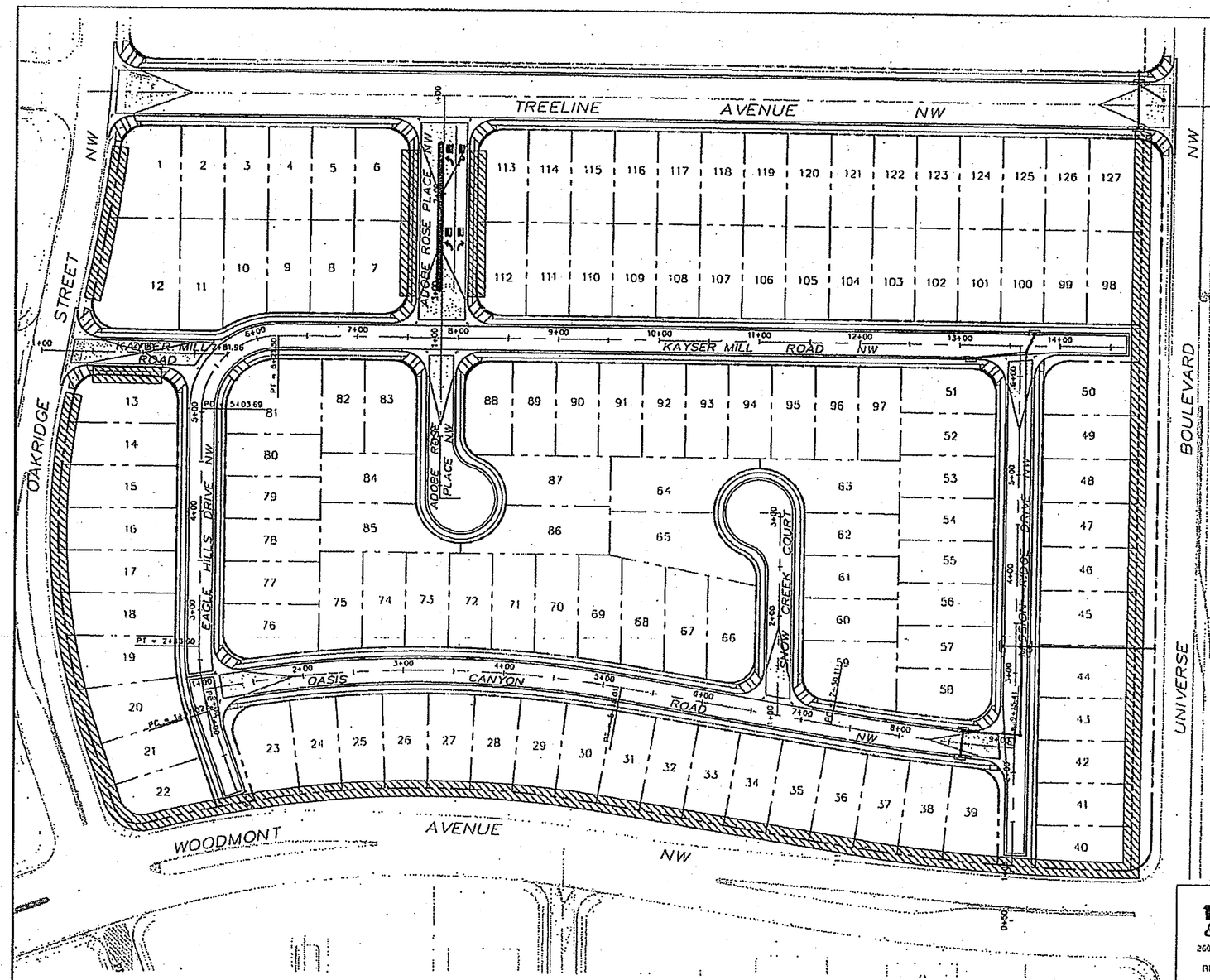
WILSON & COMPANY
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 893 0021

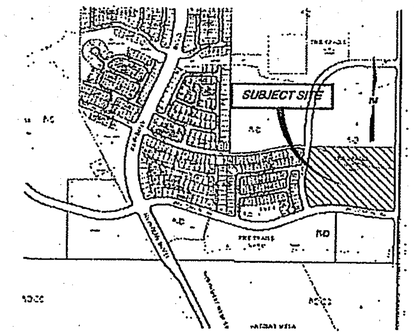
TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 1 OF 2
CHECK	SJS		





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PEREMETER WALL

DRB #

NEAREST INTERSECTION:
WOODMONT AVE./
OAKRIDGE STREET

N

NTS

WILSON & COMPANY
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 896-8021

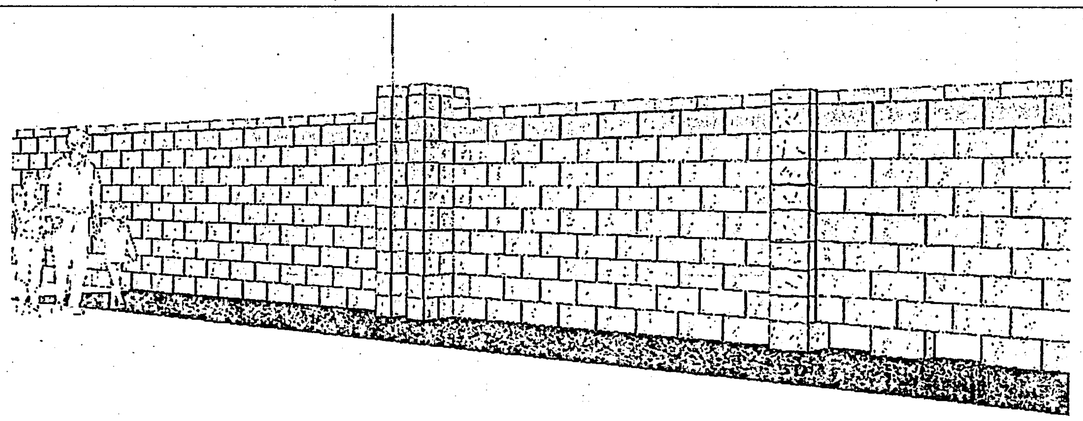
TAOS AT THE TRAILS
UNIT 2

WALL PLAN EXHIBIT

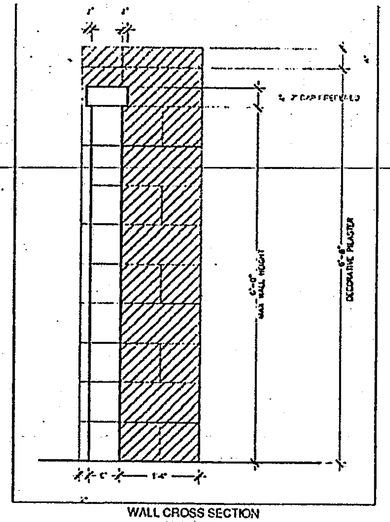
REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 2 OF 2
CHECK	SJS		

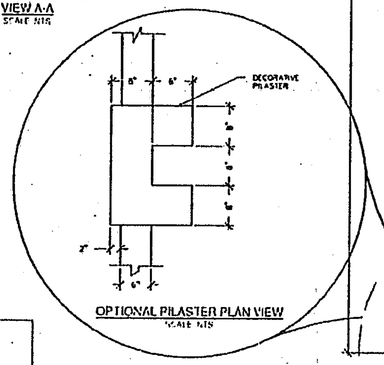
AGENT'S COPY



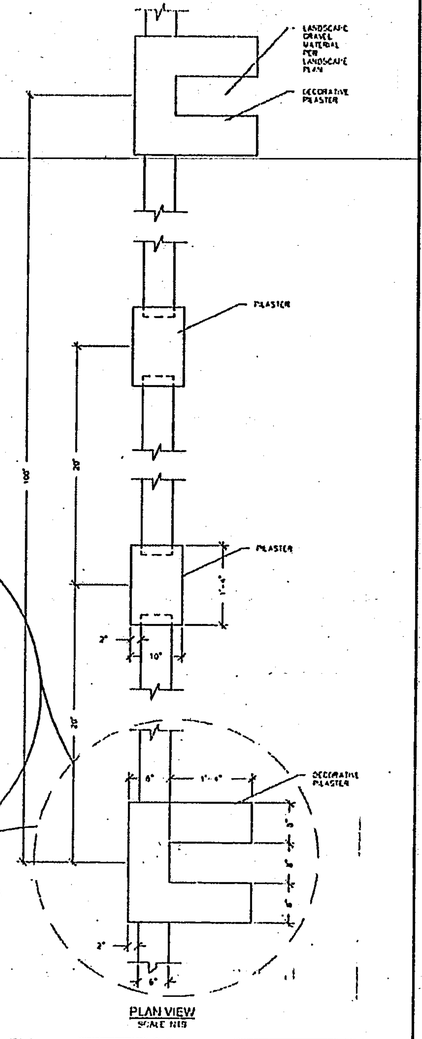
PERSPECTIVE WALL RENDERING
SCALE: NTS



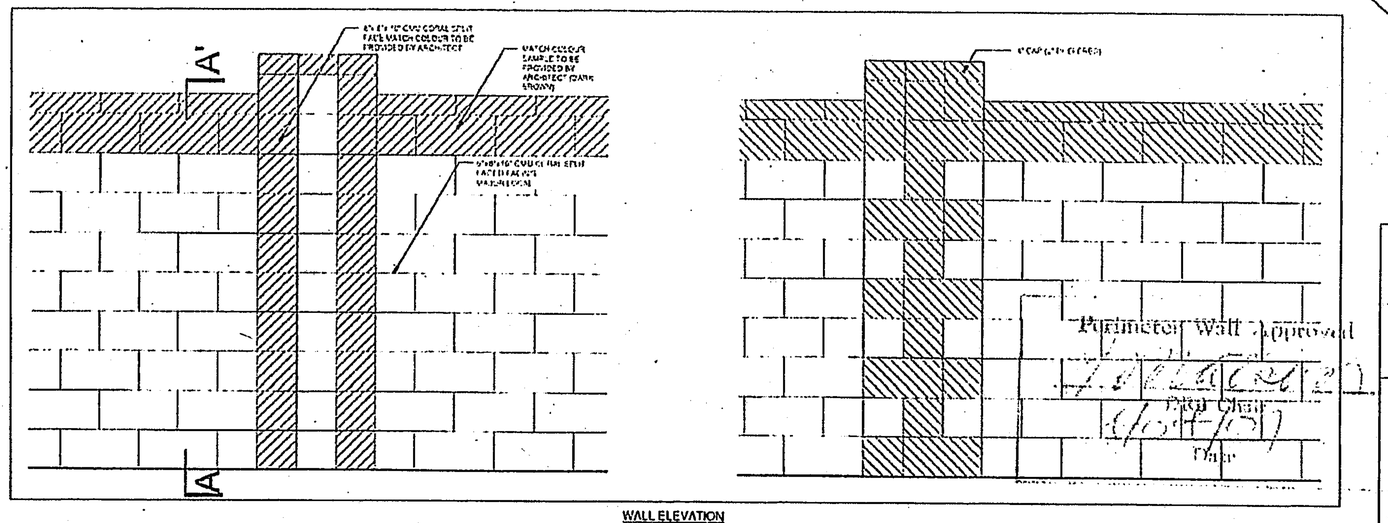
WALL CROSS SECTION
VIEW A-A
SCALE: NTS



OPTIONAL PILASTER PLAN VIEW
SCALE: NTS



PLAN VIEW
SCALE: NTS



WALL ELEVATION
SCALE: NTS

DRB # 1009707

NEAREST INTERSECTION:
WOODMONT AVE. / UNIVERSE BLVD

ZONE ATLAS:
C-9-Z

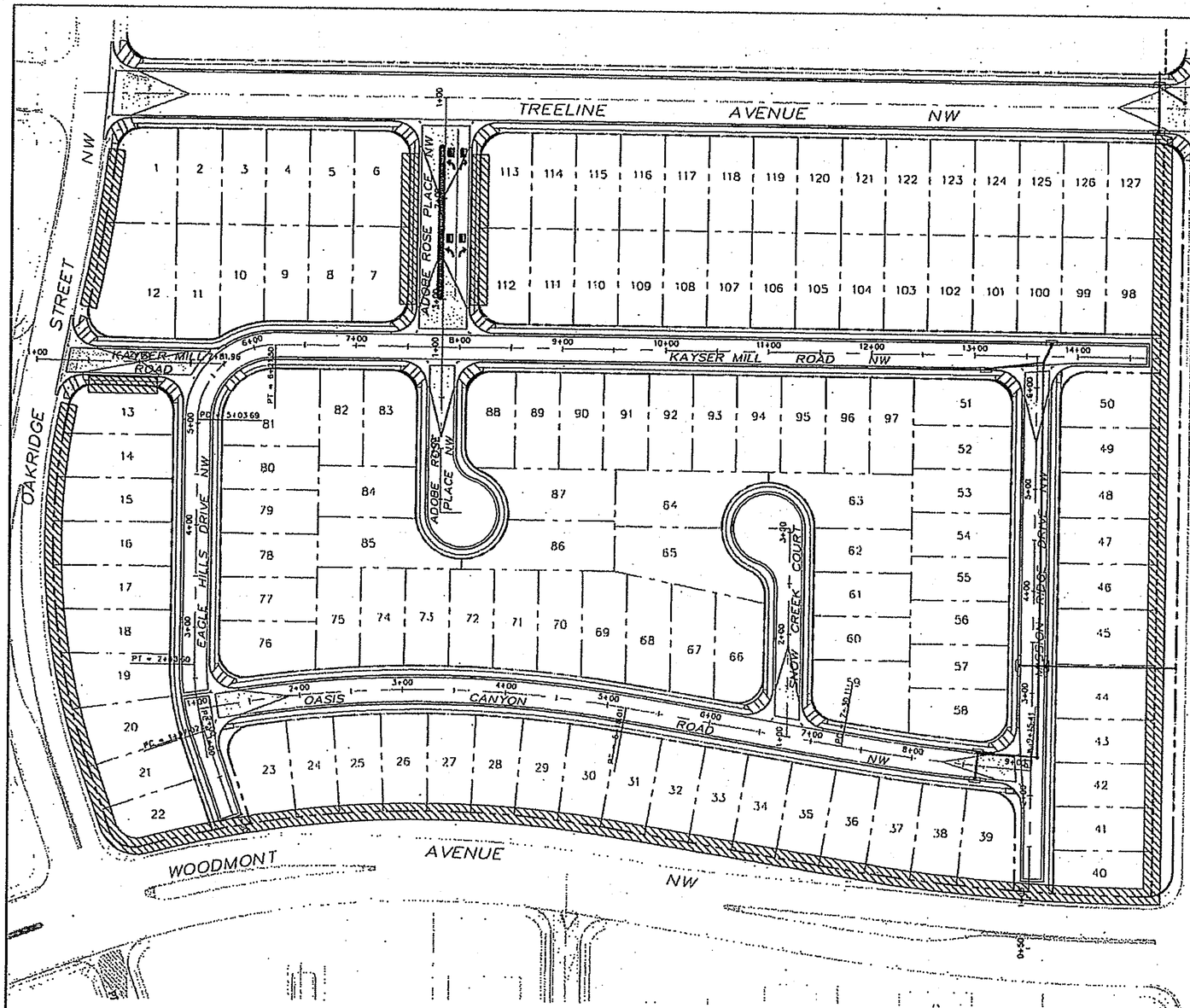
WILSON &COMPANY
2600 THE AMERICAN ROAD SE
SUITE 105
RIO RANCHO, NEW MEXICO
87124
(505) 893 8021

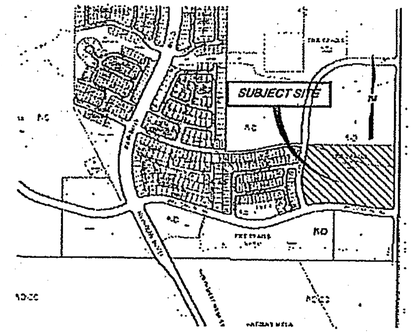
TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 1 OF 2
CHECK	SJS		





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PERIMETER WALL

DRB #

NEAREST INTERSECTION:
WOODMONT AVE./
OAKRIDGE STREET

N

NTS

WILSON & COMPANY
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 896-8021

TAOS AT THE TRAILS UNIT 2

WALL PLAN EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 2 OF 2
CHECK	SJS		

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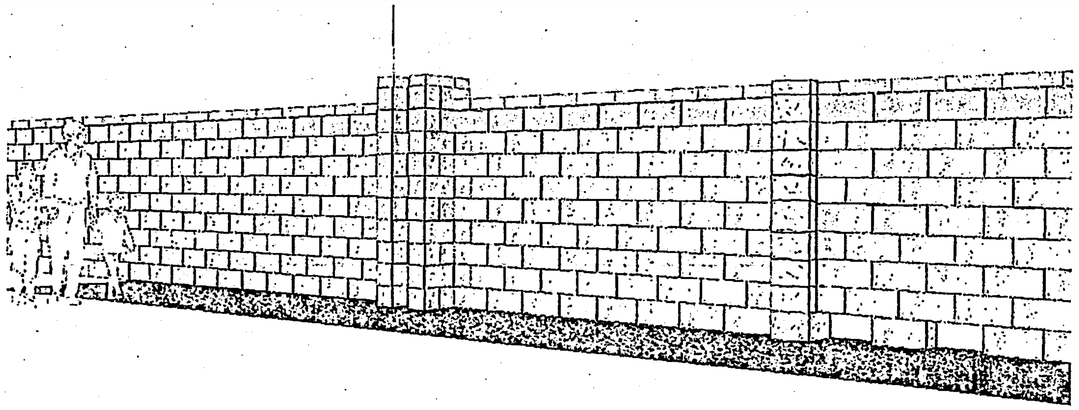
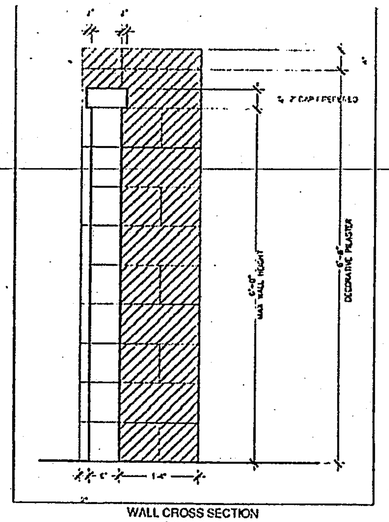
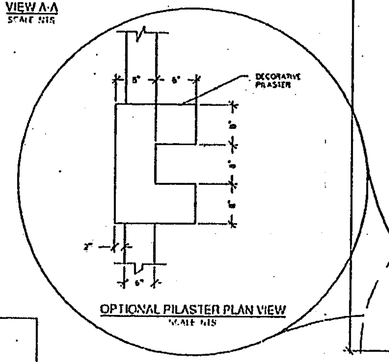


PERSPECTIVE WALL RENDERING
SCALE: N.T.S.



WALL CROSS SECTION
VIEW A-A
SCALE N.T.S.



OPTIONAL PILASTER PLAN VIEW
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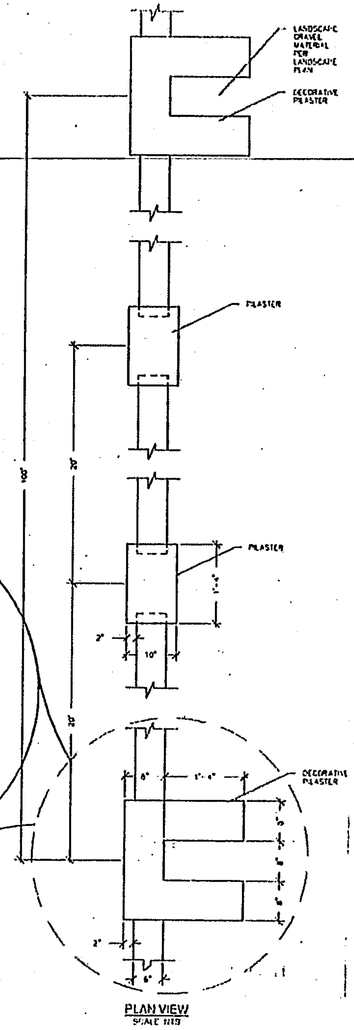
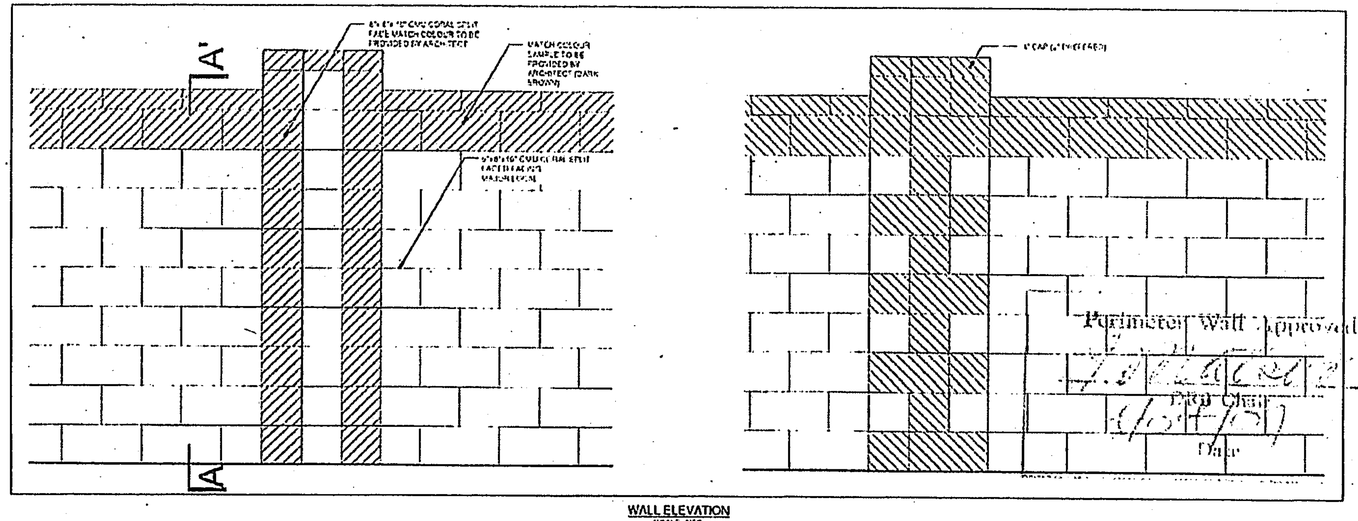


PLAN VIEW
SCALE: N.T.S.



WALL ELEVATION
SCALE: N.T.S.

Perimeter Wall Approval
Dep Clerk
Date

DRB #

NEAREST INTERSECTION:
WOODMONT AVE./
UNIVERSE BLVD

ZONE ATLAS:
C-9-Z

WILSON &COMPANY
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 893 8021

TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 1 OF 2
CHECK	SJS		

DRB Project # 1008797

APS Cluster Volcano Vista

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 Galway Construction, Inc. ("Developer") effective as of this 16 day of February, 2012, and pertains to the subdivision commonly known as Taos Unit 1 at The Trails, and more particularly described as Taos Unit 1 at The Trails, Lots 1-56

(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.]

See Attached

Doc# 2012019669
02/27/2012 04:38 PM Page: 1 of 13
AGRE R:$25.00 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 # 1008797

APS Cluster Volcano Vista

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 Project # 1008797

APS Cluster Volcano Vista

2/16/12
Signature Date

Kelly Calhoun, President
Name (typed or printed) and title

Galway Construction, Inc.
Developer

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on 02/16/2012, by Kelly Calhoun

_____ as President of Galway Construction, Inc a corporation.

OFFICIAL SEAL
Jacqueline Vargas
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 10-1-2012

(Seal)

Notary Public

My commission expires: 10-1-2012

ALBUQUERQUE PUBLIC SCHOOLS

By: _____
Signature

Kizito Wijenje, Director, Capital Master Plan

Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on Feb. 24, 2012, by Kizito Wijenje

_____ as Director of Capital Master of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

OFFICIAL SEAL
April L. Winters
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 5-31-2015

Notary Public

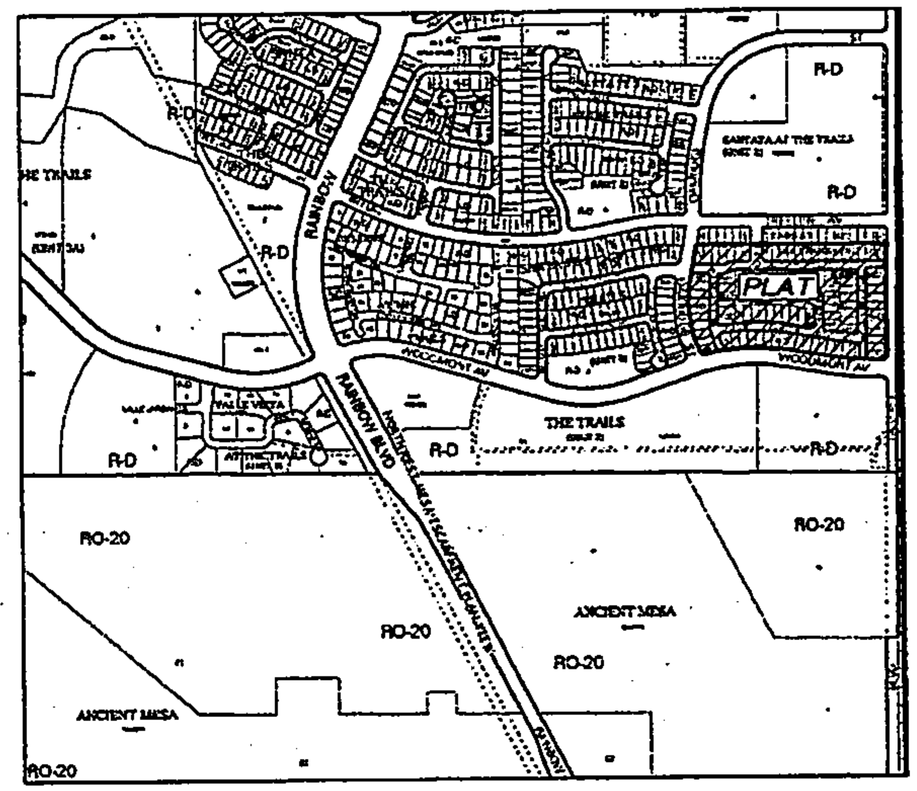
My commission expires: May 31, 2015

DRB Project # 1008797
APS Cluster: Volcano Vista

Lot	Address	Legal Description
1	6847 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 1
2	6843 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 2
3	6839 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 3
4	6835 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 4
5	6831 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 5
6	6827 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 6
7	6823 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 7
8	6815 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 8
9	6811 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 9
10	6809 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 10
11	6805 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 11
12	6801 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 12
13	6739 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 13
14	6735 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 14
15	6731 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 15
16	6727 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 16
17	6723 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 17
18	6719 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 18
19	6715 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 19
20	6711 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 20
21	6709 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 21
22	6705 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 22
23	6701 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 23
24	8944 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 24
25	8940 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 25
26	8936 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 26
27	8932 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 27
28	8928 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 28
29	8924 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 29
30	8920 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 30
31	8916 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 31
32	8912 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 32
33	8908 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 33
34	8904 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 34
35	8915 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 35
36	8919 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 36
37	8923 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 37
38	8927 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 38
39	8931 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 39
40	8935 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 40
41	8939 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 41
42	8943 Mission Ridge Drive NW	Taos Unit 1 at The Trails, Lot 42
43	6724 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 43
44	6728 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 44
45	6732 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 45
46	6736 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 46

DRB Project # 1008797
APS Cluster: Volcano Vista

Lot	Address	Legal Description
47	6740 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 47
48	6744 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 48
49	6800 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 49
50	6804 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 50
51	6808 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 51
52	6812 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 52
53	6816 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 53
54	6820 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 54
55	6824 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 55
56	6828 Kayser Mill Road NW	Taos Unit 1 at The Trails, Lot 56



VICINITY MAP
Not to Scale

GENERAL NOTES

1. Bearings are grid and based on the New Mexico State Plane Coordinate System, Central Zone (NAD83).
2. Distances are ground.
3. Distances along curved lines are arc lengths.
4. Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ( ).
5. All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
6. All corners that were set are either a 5/8" rebar with cap stamped "HUGG L.S. 9750" or a concrete nail with brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
7. All street centerline monumentation shall be installed at all centerline PC's, PT's, angle points and street intersections and shown thus ⊙. All centerline monumentation will be set using the standard four (4") aluminum monument stamped "City of Albuquerque Centerline Monument— Do not disturb, PS Number 9750" and will be set flush with the final asphalt lift.
8. Manholes will be offset at all points of curvature, points of tangency, street intersections, and all other angle points to allow use of centerline monumentation.
9. City of Albuquerque Zone Atlas Page C-9.

SUBDIVISION DATA

1. Total number of existing Lots: 107
2. Total number of Lots created: 56
3. Total number of Tracts created: 2
4. Public Street right of way vacated by 11DRB-70116 3.6483 Ac.
5. Public Street right of way dedicated by this plat 1.8080 Ac.
6. Gross Subdivision acreage: 14.6337 acres.
7. Mileage of streets created: 0.33 mile

SHEET INDEX

SHEET 1 Approvals, General Notes, Purpose of plat
SHEET 2 Legal Description, Free consent and dedication
SHEET 3 Vacated Public streets, easements and Lots
SHEET 4 New Lots, Streets and easements created
SHEET 5 Curve and Line Tables

TREASURERS CERTIFICATION

This is to certify that taxes are current and paid on the following:

Bernalillo County Treasurer — Date

PUBLIC UTILITY EASEMENTS

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

A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.

B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.

C. Qwest Corporation d/b/a CenturyLink QC. for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.

D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

DISCLAIMER

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

PURPOSE OF PLAT

The purpose of this plat is to:

1. Show the Public right of ways Vacated by 11DRB-70116 and the Public Utility easements Vacated by 11DRB-70114.
2. Show the existing Lots vacated by this plat.
3. Create 56 New Lots, 2 New Tracts and dedicate the New Public Street right of ways as shown hereon.
4. Grant the New Public Utility Easements as shown hereon.
5. Tract B will be conveyed to The Trails Community Association by a separate document. Said tract shall be maintained by said Trails Community Association.

SURVEYORS CERTIFICATION

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my supervision; that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for surveys and monumentation of the Albuquerque Subdivision Ordinance; that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.

Russ P. Hugg
NMPS No. 9750
December 4, 2011

PLAT OF
TAOS UNIT 1
AT THE TRAILS

(BEING A REPLAT OF LOTS 7 P-1 THRU 113 P-1; TOGETHER WITH VACATED KAYSER MILL ROAD N.W., EAGLE HILLS DRIVE N.W., OASIS CANYON ROAD N.W., SNOW CREEK COURT N.W., MISSION RIDGE DRIVE N.W. AND A PORTION OF ADOBE ROSE PLACE N.W., TAOS AT THE TRAILS, UNIT 2)

WITHIN
THE TOWN OF ALAMEDA GRANT
IN
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
DECEMBER, 2011

PROJECT NUMBER: _____

Application Number: _____

PLAT APPROVAL

UTILITY APPROVALS:

Public Service Company of New Mexico	Date
New Mexico Gas Company	Date
Qwest Corporation d/b/a CenturyLink QC.	Date
Comcast	Date

CITY APPROVALS:

City Surveyor, Department of Municipal Development	Date
Real Property Division	Date
Environmental Health Department	Date
Traffic Engineering, Transportation Division	Date
ABCWUA	Date
Parks and Recreation Department	Date
AMAFCA	Date
City Engineer	Date
DRB Chairperson, Planning Department	Date

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3368
Fax: 505-897-3377

110145_UNIT 1 PLAT.dwg

PLAT OF

TAOS UNIT 1

AT THE TRAILS

(BEING A REPLAT OF LOTS 7 P-1 THRU 113 P-1; TOGETHER WITH VACATED KAYSER MILL ROAD N.W., EAGLE HILLS DRIVE N.W., OASIS CANYON ROAD N.W., SNOW CREEK COURT N.W., MISSION RIDGE DRIVE N.W. AND A PORTION OF ADOBE ROSE PLACE N.W., TAOS AT THE TRAILS, UNIT 2)

WITHIN

THE TOWN OF ALAMEDA GRANT

IN

PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST

NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

DECEMBER , 2011

LEGAL DESCRIPTION

All of Lots 7 P-1 thru 113 P-1; Together with vacated Kayser Mill Road N.W., Eagle Hills Drive N.W., Oasis Canyon Road N.W., Snow Creek Court N.W., Mission Ridge Drive N.W. And a portion of Adobe Rose Place N.W, Taos At The Trails Unit 2, within the Town of Alameda Grant in projected Section 16, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico as the same is shown and designated on the plat entitled "SUBDIVISION PLAT OF TAOS AT THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on October 26, 2007, in Plat Book 2007C, Page 314, as Document No. 2007149698 more patriularly described as follows:

BEGINNING at the Northwest corner of the parcel herein described, a point on the Easterly right of way line of Oakridge Street N.W. and the Southwest corner of Lot 1-P1, Taos at The Trails Unit 2 whence the Albuquerque Control Survey Monument "UNION" bears N 69° 03' 01" W, 3160.16 feet distant; Thence,

S 89° 43' 50" E , 1024.85 feet to a point on the Westerly line of Tract B, Taos At The Trails Unit 2, said point also being the Southeast corner of Lot 128 P-1, Taos At the Trails Unit 2; Thence,

S 00° 16' 10" W , 643.53 feet along said Westerly line of Tract B to the Southwest corner of said Tract B and a point on the Northerly right of way line of Woodmont Avenue N.W; Thence Southwesterly and Northwesterly along said Northerly right of way line of Woodmont Avenue N.W. for the following five (5) courses:

Southwesterly , 15.63 feet on the arc of a curve to the right (said curve having a radius of 35.00 feet, a central angle of 25° 35' 38" and a chord which bears S 77° 41' 22" W, 15.50 feet) to a point of compound curvature; Thence,

Northwesterly , 307.92 feet on the arc of a curve to the right (said curve having a radius of 1951.00 feet, a central angle of 09° 02' 34" and a chord which bears N 84° 59' 32" W, 307.60) feet to a point of tangency; Thence,

N 80° 28' 15" W , 212.10 feet to a point of curvature; Thence,

Southwesterly , 451.64 feet on the arc of a curve to the left (said curve having a radius of 1049.00 feet, a central angle of 24° 40' 08" and a chord which bears S 87° 11' 42" W, 448.16 feet) to a point of reverse curvature; Thence,

Northwesterly , 45.20 feet on the arc of a curve to the right (said curve having a radius of 30.00 feet, a central angle of 86° 20' 01" and a chord which bears N 61° 58' 20" W, 41.05 feet) to a point of tangency on the Easterly right of way line of Oakridge Street N.W; Thence Northwesterly and Northeasterly along said Easterly right of way line of Oakridge Street N.W. for the following four (4) courses:

N 18° 48' 20" W , 64.66 feet to a point of curvature; Thence,

Northwesterly , 342.48 feet on the arc of a curve to the right (said curve having a radius of 681.00 feet, a central angle of 29° 41' 11" and a chord which bears N 03° 57' 45" W, 338.68 feet) to a point of tangency; Thence,

N 10° 52' 50" E , 179.63 feet to a point of curvature; Thence,

Northeasterly , 17.15 feet on the arc of a curve to the left (said curve having a radius of 1239.00 feet, a central angle of 00° 47' 35" and a chord which bears N 10° 29' 03" E, 17.15 feet) to the point of beginning of the parcel herein described.

Said parcel contains 14.6337 acres, more or less.

FREE CONSENT AND DEDICATION

SURVEYED AND REPLATTED and now comprising "PLAT OF TAOS UNIT 1 AT THE TRAILS (BEING A REPLAT OF LOTS 7 P-1 THRU 113 P-1; TOGETHER WITH VACATED KAYSER MILL ROAD N.W., EAGLE HILLS DRIVE N.W., OASIS CANYON ROAD N.W., SNOW CREEK COURT N.W., MISSION RIDGE DRIVE N.W. AND A PORTION OF ADOBE ROSE PLACE N.W, TAOS AT THE TRAILS UNIT 2) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", is with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietors(s). Said owner(s) and proprietor(s) do hereby dedicate the public street right of ways as shown hereon to the City of Albuquerque in fee simple with warranty covenents. Said owner(s) and proprietor(s) do hereby warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby grant to the use of the public forever, the public utility easements as shown hereon. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby certify that they are so authorized to act.

OWNER(S)

RCS-Taos, LLC, a Colorado limited liability company

By: _____

Sharon K. Eshima, Manager

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____ SS

The foregoing instrument was acknowledged before me this _____

day of _____, 2011, by Sharon K. Eshima, Manager

of RCS-Taos, LLC.

_____ My commission expires _____

Notary Public

SECTION 14-14-4-7 PROHIBITION ON PRIVATE RESTRICTIONS ON THE INSTALLATION OF SOLAR COLLECTORS

"No property within the area of this plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat."

APS AGREEMENT

The Property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools recorded in the office of the County Clerk of Bernalillo County, New Mexico on _____, 2011 in Book _____ Page _____

110146_UNIT 1 PLAT.dwg

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

VACATED PUBLIC STREETS, EASEMENTS AND LOTS

Existing Public Street right of way Vacated by 11DRB-70116 (Cross hatched area- 3.6483 Ac.)

All Existing Public Utility Easements within the plat boundaries as shown hereon are Vacated by 11DRB-70114.

All Existing Lots and interior lot lines within the plat boundaries as shown hereon are hereby Vacated by this plat.

PLAT OF

TAOS UNIT 1 AT THE TRAILS

(BEING A REPLAT OF LOTS 7 P-1 THRU 113 P-1; TOGETHER WITH VACATED KAYSER MILL ROAD N.W., EAGLE HILLS DRIVE N.W., OASIS CANYON ROAD N.W., SNOW CREEK COURT N.W., MISSION RIDGE DRIVE N.W. AND A PORTION OF ADOBE ROSE PLACE N.W., TAOS AT THE TRAILS, UNIT 2)

WITHIN

THE TOWN OF ALAMEDA GRANT

IN

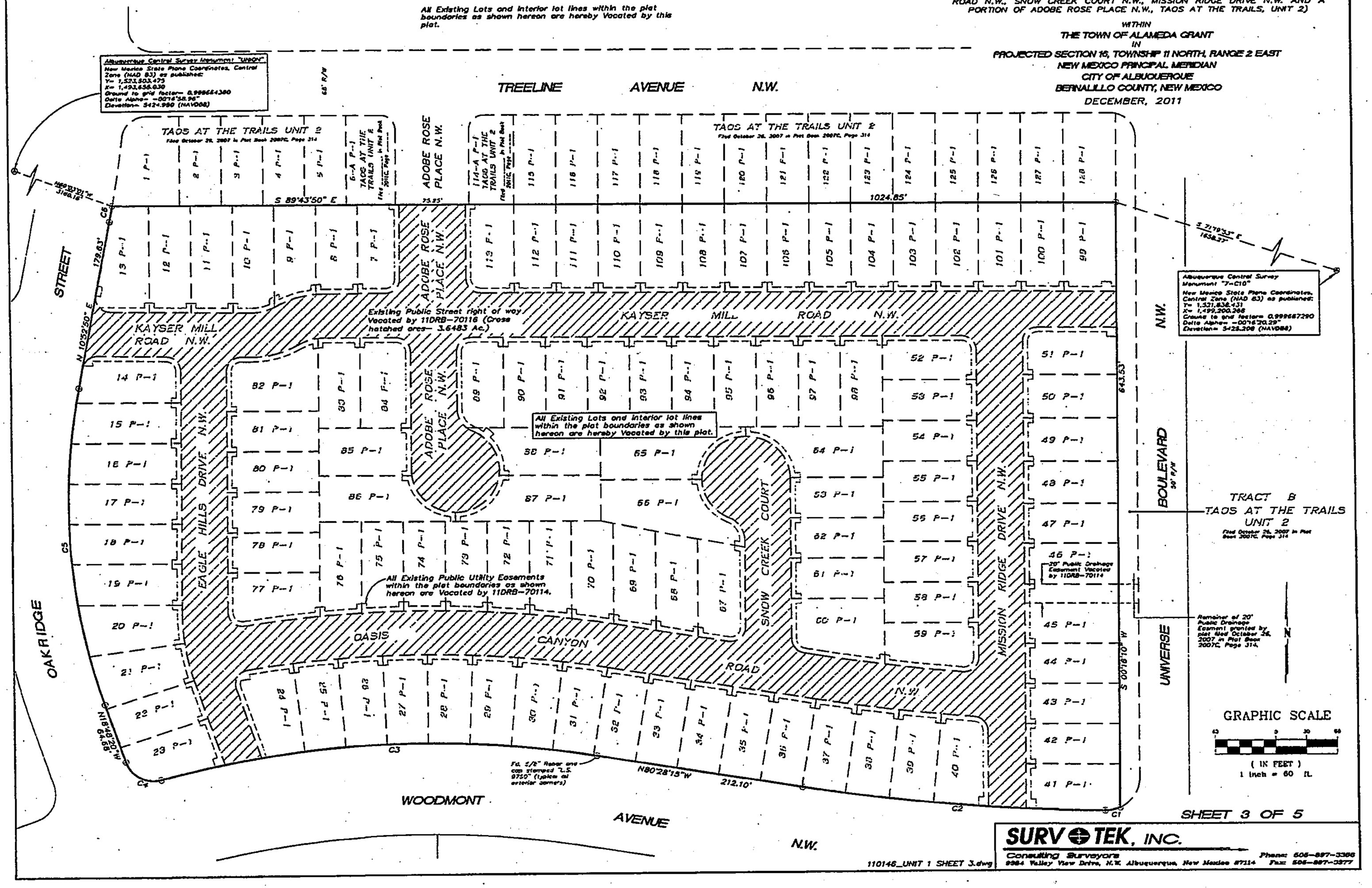
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST

NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

DECEMBER, 2011



SHEET 3 OF 5

110146_UNIT 1 SHEET 3.dwg

SURVOTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

TREELINE AVENUE

Albuquerque Control Survey Monument "UNION"
New Mexico State Plane Coordinates, Central Zone (NAD 83) as published:
Y= 1,513,503.475
X= 1,493,623.030
Ground to grid factor= 0.999664368
Delta Alpha= -0°16'58.98"
Elevation= 5424.950 (NAVD88)

An Existing Centerline Monumentation "at" Trevino Avenue, Dorlego Street and Woodmont Avenue as shown hereon are 3-1/2" aluminum centerline monuments found in place and stamped "L.S. 9750"

TREELINE AVENUE N.W.

TAOS AT THE TRAILS UNIT 2
Filed October 26, 2007 in Plat Book 2007C, Page 314

SANTA FE 2 AT THE TRAILS UNIT 2
2006C-322

STREET

KAYSER MILL ROAD

EAGLE HILLS DRIVE N.W.

ADOBE ROSE STREET N.W.

KAYSER MILL ROAD N.W.

PROJECTED SECTION 16
PROJECTED SECTION 15

Existing 100' Public Electric Easement

Fd. 5/8" Rebar and cap stamped "L.S. 9750" typical at exterior corners

Existing 35' Public Waterline and Sanitary Sewer Easement granted to NMGS by Document filed Sept. 12, 2007, Doc. No. 2007131218.

10' Public Service Co. Easement granted by Document # 2004121843 filed August 27, 2004 in Book A83 page 1318.

BOULEVARD N.W. 50' R/W

DRIVE N.W.

RIDGE

MISSION

UNIVERSE

TRACT B
TAOS AT THE TRAILS UNIT 2
Filed October 26, 2007 in Plat Book 2007C, Page 314

Remainer of 20' Public Drainage Easement granted by plat filed October 26, 2007 in Plat Book 2007C, Page 314.

Existing 50' Reserved and Underground Public and Private Utility Easement filed October 8, 2002 in Book A43, page 258.

OAKRIDGE

OASIS CANYON ROAD N.W.

SANTA FE 2 AT THE TRAILS UNIT 2
2006C-322

WOODMONT AVENUE N.W.

WOODMONT AVENUE N.W.

Set 5/8" Rebar and cap stamped "L.S. 9750" typical at interior Lot corners

Fd. 5/8" Rebar and cap stamped "L.S. 9750" typical at exterior corners

Set 5/8" Rebar and cap stamped "L.S. 9750" typical at interior Lot corners

TRACT A
7.3596 Ac.

TRACT 9A
THE TRAILS UNIT 2
Filed March 7, 2008 in Plat Book 2008C, Page 75

TRACT B
THE TRAILS UNIT 2
Filed October 18, 2004 in Plat Book 2004C, Page 332

1 P-1 0.1254 Ac. | 2 P-1 0.0964 Ac. | 3 P-1 0.0961 Ac. | 4 P-1 0.0961 Ac. | 5 P-1 0.0964 Ac. | 6 P-1 0.0964 Ac. | 7 P-1 0.1160 Ac.
8 P-1 0.1031 Ac. | 9 P-1 0.0964 Ac. | 10 P-1 0.0961 Ac. | 11 P-1 0.0961 Ac. | 12 P-1 0.0964 Ac. | 13 P-1 0.0964 Ac. | 14 P-1 0.0961 Ac. | 15 P-1 0.0961 Ac. | 16 P-1 0.0964 Ac. | 17 P-1 0.0964 Ac. | 18 P-1 0.0964 Ac. | 19 P-1 0.0961 Ac. | 20 P-1 0.0961 Ac. | 21 P-1 0.0961 Ac. | 22 P-1 0.0964 Ac. | 23 P-1 0.1373 Ac.
24 P-1 0.0951 Ac. | 25 P-1 0.0872 Ac. | 26 P-1 0.0872 Ac. | 27 P-1 0.0872 Ac. | 28 P-1 0.0872 Ac. | 29 P-1 0.0872 Ac. | 30 P-1 0.1358 Ac. | 31 P-1 0.0872 Ac. | 32 P-1 0.0872 Ac. | 33 P-1 0.0872 Ac. | 34 P-1 0.0872 Ac.
35 P-1 0.1018 Ac. | 36 P-1 0.0872 Ac. | 37 P-1 0.0872 Ac. | 38 P-1 0.0872 Ac. | 39 P-1 0.0872 Ac. | 40 P-1 0.0872 Ac. | 41 P-1 0.0872 Ac. | 42 P-1 0.0951 Ac.
43 P-1 0.0964 Ac. | 44 P-1 0.0964 Ac. | 45 P-1 0.0964 Ac. | 46 P-1 0.0964 Ac. | 47 P-1 0.0964 Ac. | 48 P-1 0.0964 Ac. | 49 P-1 0.0964 Ac. | 50 P-1 0.0964 Ac. | 51 P-1 0.0964 Ac. | 52 P-1 0.0964 Ac. | 53 P-1 0.0964 Ac. | 54 P-1 0.0964 Ac. | 55 P-1 0.0964 Ac. | 56 P-1 0.1229 Ac.
TRACT B 0.0571 Ac.

NOTE

Tract B will be conveyed to The Trails Community Association by a separate document. Said tract shall be maintained by said Community Association.

EASEMENT LEGEND

- (A) = 10' Public Utility Easement granted by this plat.
- (B) = 20' Public Drainage Easement granted to the City of Albuquerque by this plat.
- (C) = Public Pedestrian Access and Landscape Easement granted to the City of Albuquerque by this plat.
- (D) = Public Sanitary Sewer Easement granted to the A.B.C.W.U.A. by this plat.
- (E) = Private Access Easement for the benefit and use of Lot 1 P-1 granted by this plat. Maintenance of driveway improvements within said easement shall be the responsibility of the owner(s) of said benefitted Lot.

PROPERTY CORNER LEGEND

- ⊕ = Fd. 5/8" Rebar and cap stamped "L.S. 9750"
- ⊙ = Set 3-1/2" Aluminum Monument set flush in the pavement stamped "L.S. 9750"
- ● = Set 5/8" Rebar and cap stamped "L.S. 9750"

(IN FEET)
1 inch = 60 ft.

Albuquerque Control Survey Monument "7-C10"
New Mexico State Plane Coordinates, Central Zone (NAD 83) as published:
Y= 1,521,438.431
X= 1,499,200.268
Ground to grid factor= 0.999667290
Delta Alpha= -0°16'20.29"
Elevation= 5425.208 (NAVD88)

SHEET 4 OF 5

110146_UNIT 1 PLAT.dwg

SURVTEK, INC.
Consulting Surveyors
9384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

PLAT OF

TAOS UNIT 1
AT THE TRAILS

(BEING A REPLAT OF LOTS 7 P-1 THRU 113 P-1; TOGETHER WITH VACATED KAYSER MILL ROAD N.W., EAGLE HILLS DRIVE N.W., OASIS CANYON ROAD N.W., SNOW CREEK COURT N.W., MISSION RIDGE DRIVE N.W. AND A PORTION OF ADOBE ROSE PLACE N.W., TAOS AT THE TRAILS, UNIT 2)

WITHIN

THE TOWN OF ALAMEDA GRANT

IN

PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST

NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

DECEMBER, 2011

LINE TABLE

LINE	LENGTH	BEARING
L1	90.63'	N00°16'10"E
L2	55.88'	N07°44'57"E
L3	38.00'	S00°16'10"W
L4	9.67'	S07°44'57"W
L5	47.00'	S82°15'03"E
L6	13.33'	N07°44'57"E
L7	47.00'	N05°31'08"E
L8	44.81'	S00°16'10"W
L9	38.00'	S89°43'50"E
L10	54.90'	S89°43'50"E
L11	14.50'	N00°16'10"E
L12	23.50'	N00°16'10"E
L13	14.50'	S89°43'50"E
L14	23.50'	S89°43'50"E
L15	23.50'	N05°31'08"E
L16	23.50'	N05°31'08"E
L17	23.50'	N00°16'10"E
L18	14.50'	N00°16'10"E
L19	37.95'	S00°16'05"W
L21	39.39'	N00°16'10"E
L22	37.32'	N00°16'10"E
L23	0.80'	S89°43'50"E
L24	61.86'	N89°43'50"W

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	15.63'	35.00'	7.95'	15.50'	S77°41'22"W	25°35'38"
C2	307.92'	1851.00'	154.28'	307.60'	N84°59'32"W	9°02'34"
C3	451.64'	1049.00'	229.37'	448.16'	S87°11'42"W	24°40'06"
C4	45.20'	30.00'	28.14'	41.05'	N61°58'20"W	86°20'01"
C5	342.48'	661.00'	175.18'	338.66'	N03°57'45"W	29°41'11"
C6	17.15'	1239.00'	8.58'	17.15'	N10°29'03"E	0°47'35"
C7	76.74'	1822.40'	38.38'	76.73'	S85°02'23"E	2°24'46"
C8	37.26'	25.00'	23.02'	33.91'	N42°25'38"W	85°23'36"
C9	41.45'	1845.90'	20.72'	41.45'	S84°28'51"E	1°17'11"
C10	44.61'	1798.90'	22.30'	44.60'	S83°07'08"E	1°25'15"
C11	23.56'	1798.90'	11.78'	23.56'	N84°12'16"W	0°45'01"
C12	41.52'	25.00'	27.35'	36.91'	N47°50'42"E	95°09'03"
C13	39.27'	25.00'	25.00'	35.36'	S45°16'10"W	90°00'00"
C14	39.27'	25.00'	25.00'	35.36'	N44°43'50"W	90°00'00"
C15	39.27'	25.00'	25.00'	35.36'	S44°43'50"E	90°00'00"
C16	39.27'	25.00'	25.00'	35.36'	N45°16'10"E	90°00'00"
C17	36.01'	25.00'	21.93'	32.97'	S49°00'33"W	82°31'13"
C18	42.53'	25.00'	28.50'	37.59'	N40°59'27"W	97°28'47"

SURVTEK, INC.
Consulting Surveyors
8384 Valley View Drive, N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3077

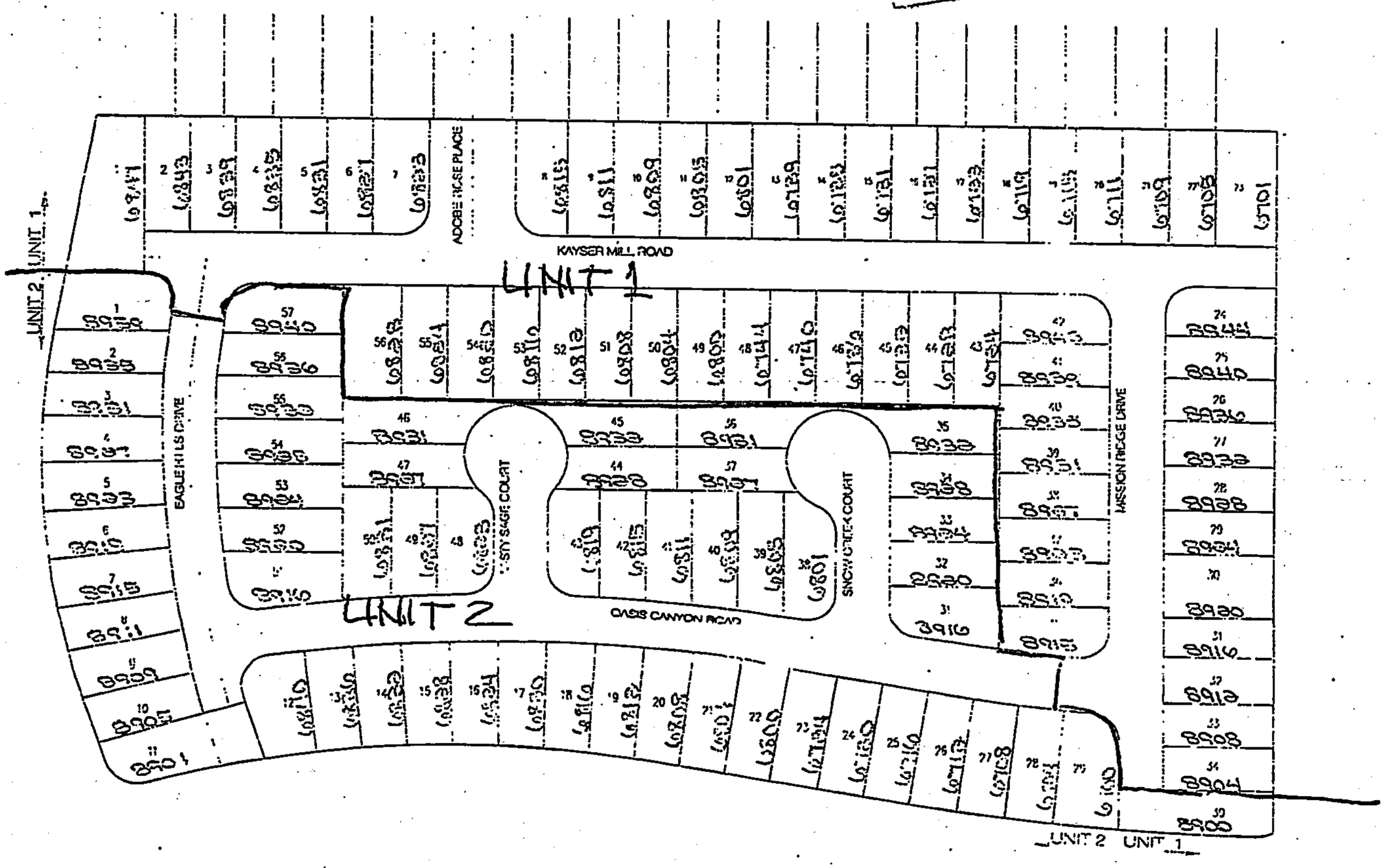
110146_UNIT 1 PLAT.dwg

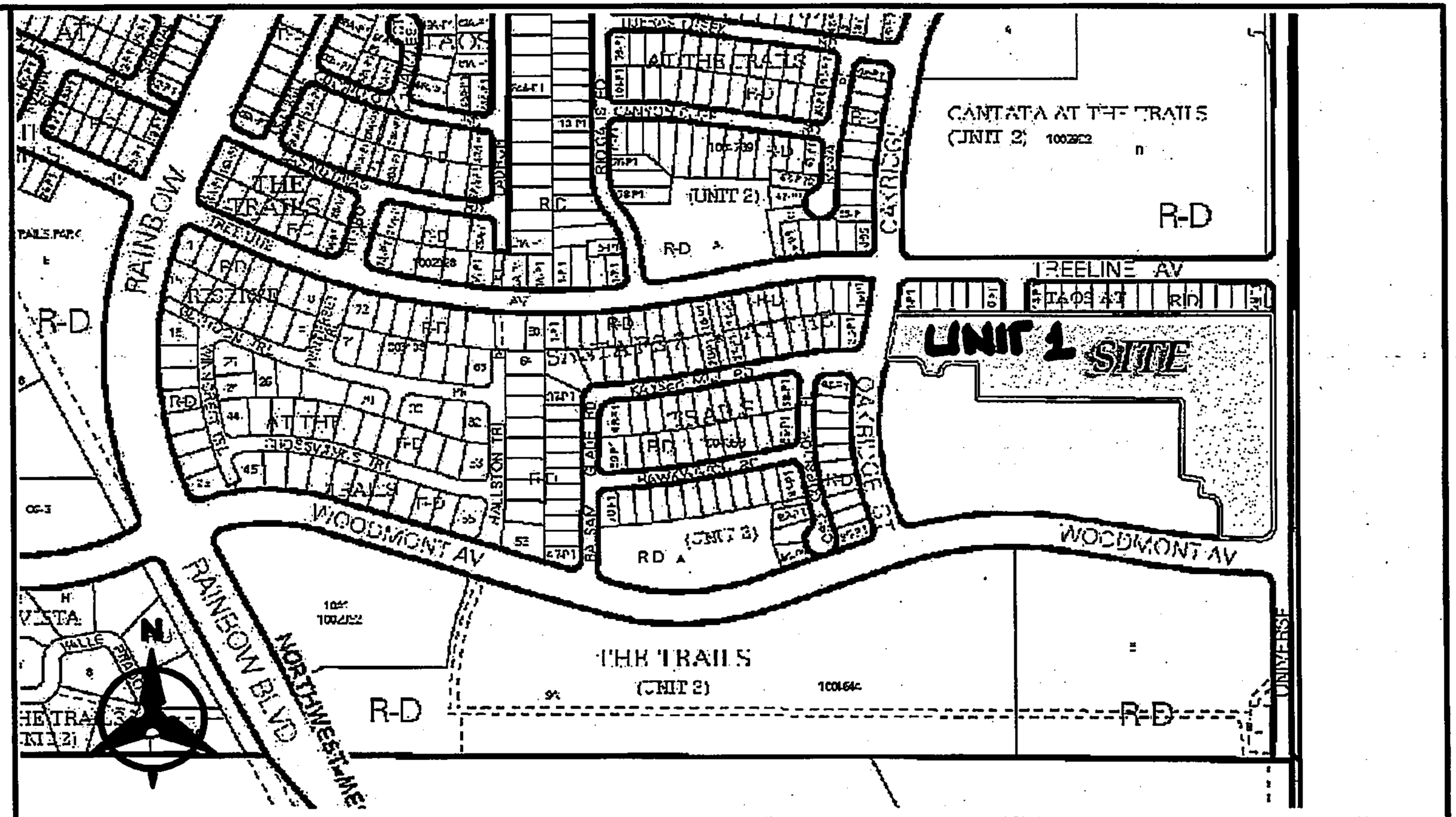
TAOS UNITS 1 AND 2 AT THE TRAILS UNIT 2

STREET ADDRESS EXHIBIT

AUGUST 24, 2011

ZONING ENFORCEMENT
ADDRESS
VERIFICATION
CITY OF ALBUQUERQUE





VICINITY MAP

ALBUQUERQUE PUBLIC SCHOOLS

Capital Master Plan
Expect Great Things!

Winston Brooks
SUPERINTENDENT

Pre-Development Facilities Fee (PDFF)
Cover Sheet

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan offices. The office is located in Suite 9, 2nd Floor of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: http://apsfacilities.org/capital/map.php

Project # (if already assigned by DRB) 1008797

Please check one:

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

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

☐ Waiver/Deferral
(Must provide reason for Waiver/deferral)

Project Information

Subdivision Name: Taos Unit 1
Legal Description: Taos Unit 1 at The Trails
Location of Project (address or major cross streets): Paseo Del Norte and Universe
Proposed Number of Units 56 Single-Family 0 Multi-Family 56 Total Units
Note: A single-family unit is a single-family, detached dwelling unit.
Comments:

Waiver Information - N/A

Property Owner: _____ Legal Description: _____ Zoning:
Reason for Waiver/Deferral: _____

Contact Information

Name: Rick Beltramo
Company: Galway Construction, Inc.
Phone: 505-761-9911 x 202
E-Mail: RBeltramo@gcinm.com

Please include with your submittal:

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

1ST

AMENDMENT TO AGREEMENT TO CONSTRUCT SUBDIVISION IMPROVEMENTS

2-9-2012

City Project # 730077 Taos Unit 1 At The Trails (Onsite, Procedure B)

WHEREAS, the City and the Subdivider entered into an Agreement to Construct Public and/or Private Subdivision Improvements ("Original Agreement") on October 28, 2011 which was recorded on October 31, 2011, in the records of the Bernalillo County Clerk in Document No. 2011098762, pages 1 to 9, wherein the Subdivider agreed to satisfactorily construct certain infrastructure improvements.

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Original Agreement was amended by a NA Extension Agreement dated _____ recorded on _____, in Book Misc. _____, pages _____ through _____, as Document No. _____ in the records of Bernalillo County, New Mexico, extending the construction deadline to _____; and

WHEREAS, the Subdivider has requested 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":

Doc# 2012022647

03/06/2012 09:44 AM Page: 1 of 3
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

Type of Financial Guaranty: Bond # 5048901

Amount: $1,138,595.94

Name of Financial Institution or Surety providing Guaranty:
Bond Safeguard Insurance Co.

Date City first able to call Guaranty (Construction Completion Deadline):
June 29, 2013

If Guaranty other than a Bond, last day City able to call Guaranty is:

Additional information:

2. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

SUBDIVIDER: RCS-Taos, LLC

By [signature]:
Name [print]: Sharon K. Eshima
Title: Manager
Dated: 1/19/12

CITY OF ALBUQUERQUE:

By:
Richard Dourte, City Engineer
Dated: 2-9-12

lyl 2/7/12

kn
02-02-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss
COUNTY OF Boulder)

This instrument was acknowledged before me on this 19TH day of January, 2012 by [name of person] Sharon K. Eshima, [title or capacity, for instance, "President" or "Owner"] Manager of ("Subdivider") RCS - TAOS, LLC, a Colorado limited liability company

(SEAL)

Notary Public

My Commission Expires:
12/10/2013

ANDREA MARQUEZ
Notary Public
State of Colorado

CITY'S NOTARY

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 9th day of February, 2012, by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

Notary Public

My Commission Expires:

10-07-12

LINDA C. EVANS
NOTARY PUBLIC
STATE OF NEW MEXICO

FINANCIAL GUARANTY AMOUNT

08/02/2011

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

Project Description:

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

Requested By: **Scott Steffen with BHI**

Approved estimate amount:		$712,612.32
Contingency Amount:	10.00%	$71,261.23
Subtotal:		$783,873.55
NMGRT	7.00%	$54,871.15
Subtotal:		$838,744.70
Engineering Fee	6.60%	$55,357.15
Testing Fee	2.00%	$16,774.89
Subotal:		$910,876.75
FINANCIAL GUARANTY RATE		1.25
Retainage Amount:		$.00
TOTAL FINANCIAL GUARANTY REQUIRED		**$1,138,595.94**

APPROVAL: DATE:

JWoodall 8-2-11

Notes: 10% Contingency, Final Plans and Engineers Estimate Have Not Been Approved, G&D Cert Is Required Prior to Release of F.G.

No. of Units: 56
Nearest Major Streets: Tree line & Universe Blvd.

FIGURE 12

SUBDIVISION IMPROVEMENTS
AGREEMENT-PUBLIC AND/OR PRIVATE
Project No. 730077 Taos Unit 1 at The Trails
(Offsite Traffic Signal, Procedure B-1)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 9th day of February, 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 **RCS Taos, LLC** ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:] **Colorado Limited Liability Corporation**, whose address is **1450 Infinite Drive, Suite E2, Louisville, Colorado, 80027** and whose telephone number is **303-466-2500** is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] **Lots 7 thru 113, Taos At The Trails Unit 2**, recorded on **10-26-07** in the records of the Bernalillo County Clerk at Document # **2007149699**, pages **1** through **6** (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] **RCS-Taos, LLC** ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as **Taos Unit 1 at The Trails** describing Subdivider's Property.

As a result of the development of the Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private Improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat of, or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the **29th** day of **June**, 20**13** ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. **730077**.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See Subdivision Ordinance Section 14-14-3.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the Development Review Board ("DRB"), unless

Doc# 2012022645
03/06/2012 09:44 AM Page: 1 of 12
AGRE R:$25 00 M. Toulouse Oliver, Bernalillo County

the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See Subdivision Ordinance Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual, Volume 1, Chapter 5, Work Order Process, and figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured or has caused to be procured public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that, if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25% of Actual Construction Cost
Excavation And Sidewalk Ordinance, Street Restoration Fees	As per required City - approved estimate. (Figure 7)

(Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

4. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by **SurvTek**, and construction surveying of the private Improvements shall be performed by **SurvTek**. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by **Western technologies, Inc.**, and inspection of the private Improvements shall be performed by **Western technologies, Inc.**, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider

shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by **Western Technologies, Inc.**, and field testing of the private Improvements shall be performed by **Western Technologies, Inc.**, both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field-testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field-testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefor.

5. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

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

Type of Financial Guaranty: **Subdivision Bond # 5048902**
Amount: $ **69,000.00** Name of Financial Institution or Surety providing Guaranty: **Bond Safeguard Insurance Company**
Date City first able to call Guaranty: **June 29, 2013**
[Construction Completion Deadline]: **June 29** 20 **13**
If Guaranty other than a Bond, last day City able to call Guaranty is: **N/A**, 20__.
Additional information: **N/A**

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

7. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the Subdivision Ordinance. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

8. Conveyance of Property Rights. When the Improvements are completed, if the

City does not own the real property upon or in which the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

9. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the Development Process Manual, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guarantee other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the Subdivision Ordinance.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

10. 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 defend, indemnify and hold harmless the City and its officials, agents and employees from any claims, actions, suits or other proceedings arising from or out of the negligent 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; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give directions or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. 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.

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

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

13. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to engineering, legal and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

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

15. 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.

16. 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.

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

18. 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.

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

20. 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.

21. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

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

SUBDIVIDER: RCS-Taos, LLC

By [Signature]: Shawn K. Eshuma
Name: Shawn K. Eshuma
Title: Manager
Dated:

CITY OF ALBUQUERQUE

City Engineer
Dated: 2-9-12

01-17-2012

SUBDIVIDER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 15th day of September, 20 12 by [name of person:] Shawn K. Eshuma, [title or capacity, for instance, "President" or "Owner":] Manager of [Subdivider:] RCS-Taos, LLC

Notary Public

My Commission Expires:
8/6/2012

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

CITY'S NOTARY

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

This instrument was acknowledged before me on 9th day of, February, 20 12 by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA C. EVANS
NOTARY PUBLIC
STATE OF NEW MEXICO

Current DRC Project No. 730076
730077

ORIGINAL

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 2 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv
Date Site Plan for Sub. Approved:
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-15

DRB Project No. 1008798

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 these 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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
730077		48' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
730077			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
730077		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	ADOBE ROSE STREET	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE	KAYSER MILL ROAD	LOT 50/51	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE	LOT 50/51	OASIS CANYON ROAD	/	/	/
730076 B-1; SDWK		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON ONE SIDE*	EAGLE HILLS DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730076 B-1 SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISTY SAGE COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730076 B-1; SDWK		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	SNOW CREEK COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730077j		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE (HAMMERHEAD TURNAROUND)	60' NORTH OF OASIS CANYON ROAD	OASIS CANYON ROAD	/	/	/
730077d		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON ONE SIDE*	MISSION RIDGE DRIVE (HAMMERHEAD TURNAROUND)	OASIS CANYON ROAD	60' SOUTH OF OASIS CANYON ROAD	/	/	/
730077i			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

Unit 2 can't be built until Unit 1 has been constructed and accepted by the COA

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

730016

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
730077		18" - 24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	APPROX. 40 LF WEST OF MISSION RIDGE DRIVE	MISSION RIDGE DRIVE	/	/	/
730077		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
730077		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
730077		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
730076 B-1		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S 280	EAGLE HILLS DRIVE	KAYSER MILL ROAD, UNIT 1	OASIS CANYON ROAD	/	/	/
730076 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S 50	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH END OF EAGLE HILLS DRIVE	/	/	/
730076 B-1		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S 745	OASIS CANYON ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
730076 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S 150	MISTY SAGE COURT	OASIS CANYON ROAD	END OF CUL DE SAC	/	/	/
730076 B-1		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S 180	SNOW CREEK COURT	OASIS CANYON ROAD	END OF CUL DE SAC	/	/	/
730076 B-1		4" DIA	REMOVE 4" WATERLINE	LOT 30, TAOS UNIT 2 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
730076 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES 345	EAGLE HILLS DRIVE	KAYSER MILL ROAD	APPROX. 90 LF SOUTH OF OASIS CANYON RD	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES 725	OASIS CANYON ROAD	EAGLE HILLS DRIVE	TIE TO EXISTING SANITARY SEWER IN MISSION RIDGE DRIVE	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES 175	MISTY SAGE COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/
730076 B-1		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES 205	SNOW CREEK COURT	OASIS CANYON ROAD	CUL DE SAC	/	/	/

1450

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730010

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 6/28/2011	[signature]	6-29-11	C Sandoval	6/29/11
PREPARED BY: PRINT NAME DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.	[signature]	06-29-11		
FIRM:	TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
[signature]	A Porter	06/29/11	Curtis A Cherne	6-29-11
SIGNATURE	ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION				DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC Project No. 730077

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv
Date Site Plan for Sub. Approved:
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS ~~UNIT 2~~ SJS
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	SJS STUB STREET (END) (S/W TO OAKRIDGE)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END) (S/W TO UNIVERSE SJS 11/30/12)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		~~4" DIA~~ SJS	~~WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S~~ SJS	~~TRACT A, TACO UNIT 1 WATERLINE EASEMENT~~ SJS	~~MISSION RIDGE DRIVE~~ SJS	~~UNIVERSE BLVD~~ SJS	/	/	/
		~~RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION~~ SJS 11/30/11					/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER		DEVELOPMENT REVIEW BOARD MEMBER APPROVALS					
SCOTT STEFFEN, PE	6/28/2011		6-29-11	Sandoval csd	11/30/11		
PREPARED BY: PRINT NAME	DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE		
BOHANNAN HUSTON, INC.		11-30-11	06-29-11				
FIRM:		TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	cc 11-30-11 DATE		
Scott J Steffen		11/30/11	06/29/11		6-29-11		
SIGNATURE		ABCWUA	DATE	CITY ENGINEER	DATE		
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION					DATE		

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

FINANCIAL GUARANTY AMOUNT

08/02/2011

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

Project Description:

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

Requested By: **Scott Steffen @ BHI**

TOTAL FINANCIAL GUARANTY REQUIRED **$69,000.00**

APPROVAL: DATE:

J Woodall 8-2-11

Notes: 1/4 Traffic Signal At Intersection of Woodmont and Universe

No. of Lots: 56
Nearest Major Streets
Tree Line Ave. / Universe Blvd.

FIGURE 19

SIDEWALK DEFERRAL AGREEMENT

PROJECT NO. 730077 Taos Unit 1 at The Trails

THIS AGREEMENT is made this 9th day of February, 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 RCS-Taos, LLC ("Developer"), whose address is 1450 Infinite Drive, Suite E2, Louisville, Colorado, 80027 and whose telephone number is (303) 466-2500 , a (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:) Colorado Limited Liability Corporation , is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Developer is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description): Lots 7 thru 113, Taos at The Trails Unit 2 (the "Subdivision"); and

WHEREAS, the Developer has submitted and the City has approved Developer's development plans and (state "preliminary" or "final":) Preliminary plat, to be identified as (state name of plat): Taos Unit 1 at The Trails ; and

WHEREAS, Developer has requested and the City has determined that it is acceptable for the Developer 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 Developer must execute and deliver to the City an Agreement and an acceptable financial guaranty to provide funds for construction of the sidewalk improvements in case the Developer does not complete the construction as required.

THEREFORE, the City and the Developer agree:

1.A. Sidewalk Construction Deadline. Developer 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. Developer agrees to utilize the City's sidewalk permit process and complete the sidewalk to the satisfaction of the City by **June 29 , 2013** ("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 Developer may request an extension from the Project 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 Developer requests an extension. If the Developer will need more than four (4) years after execution of the Subdivision Improvements Agreement to construct the sidewalks, the Developer 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.

DocH 2012022646
03/06/2012 09:44 AM Page: 1 of 4
AGRE R:$25.00 M. Toulouse Oliver, Bernalillo County

2. Financial Guaranty. Developer will provide a financial guaranty in an amount of not less that 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 Developer has provided the following "Financial Guaranty":

Type of Financial Guaranty: **Subdivision Bond # 5048903**
Amount: **$ 56,676.74**
Name of Financial Institution or Surety providing Guaranty: **Bond Safeguard Insurance Company**
Date City first able to call Guaranty (Sidewalk Construction Deadline): **June 29, 2013** .
If Guaranty other than a Bond, last day City able to call Guaranty is: **N/A**, 20___.
Additional Information: _____

3. Completion, Acceptance and Release. The Developer 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 Sidewalk Deferral Agreement.

4. 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 Developer 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 Variance Agreement. Conveyance may be by dedication on the final plat of the Subdivision.

5. Indemnification. Until the sidewalks are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the sidewalks are being constructed in a safe condition. The Developer agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from and against all suits, actions or claims of any kind brought because of any injury or damage arising out of the design or construction of the sidewalks, or by reason of any act, omission or misconduct of the Developer, its agents or employees. 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. Provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the City, or the agents or employees of the City; or (2) the giving of or the failure to give directions or instructions by the City, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

6. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Developer 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.

7. Release. If the subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Developer from its obligations under this Agreement and will continue to hold the Developer responsible for all Improvements until a successor in interest to the Developer has posted a suitable financial guaranty and entered into a Sidewalk Improvements Agreement with the City. Thereafter, when the Developer'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.

8. Payment for Incomplete Improvements. If the Developer 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 Developer 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 Developer'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 Developer 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.

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

10. Notice. For purposes of giving formal written notice, including notice of change of address, the Developer'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.

11. 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.

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

13. 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.

14. 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.

15. Form not Changes. Developer agrees that changes to this form are not binding unless initialed by the Developer and signed by the City's Legal Department on this form.

16. Authority to Execute. If the Developer 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.

DEVELOPER: RCS-Taos, LLC

By (Signature): Sharon K Eshima
Name: Sharon K. Eshima
Title: manager
Dated:

CITY OF ALBUQUERQUE:

City Engineer
Dated: 2-9-12

Vfe 2/7/12

2-17-2012

DEVELOPER'S NOTARY

STATE OF Colorado)
) ss.
COUNTY OF Boulder)

This instrument was acknowledged before me on 15th day of September, 2011 by (name of person:) Sharon K. Eshima, (title or capacity, for instance, "President" or "Owner":) manager of (Developer:) RCS-Taos LLC.

Notary Public

My Commission Expires:
8/6/2012

VALERIE J TAYLOR
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 8/6/2012

CITY'S NOTARY

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo

This instrument was acknowledged before me on 9th day of February, 2012 by Richard Dineen, City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
10-07-12

LINDA C. EVANS
NOTARY PUBLIC
STATE OF NEW MEXICO

EXHIBIT "A" ATTACHED

FINANCIAL GUARANTY AMOUNT

08/02/2011

Type of Estimate: Sidewalk Deferral

Project Description:

Project ID #: 730077, Taos Unit 1 @ the Trails, Phase/Unit #: 1

Requested By: **Scott Steffen @ BHI**

Approved estimate amount:		$42,375.13
NMGRT	7.00%	$2,966.26
Subtotal:		$45,341.39
125% FINANCIAL GUARANTY RATE		1.25
TOTAL FINANCIAL GUARANTY REQUIRED		**$56,676.74**

APPROVAL: S Woodall DATE: 8-2-11

Notes: SDWK Deferral

Bohannan Huston Inc.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CLIENT/COURIER/TRANSMITTAL

☐ To: Jack Cloud
DRB Chair
City of Albuquerque
Plaza del Sol 2nd Floor West
600 Second St

Phone: 924-3880

☐ To: Kristal Metro
Transportation Section
City of Albuquerque
Plaza del Sol 2nd Floor West

Phone: 924-3991

☐ To: Carol Dumont
Parks and Recreation
City of Albuquerque
Plaza del Sol 2nd Floor West

Phone: 768-5387

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

Date: November 23, 2011

Job No.: 20110333.002.01.cdp

Requested By: Scott Steffen

Project: Taos Unit 1 & 2 at the Trails
DRB #1008797 & 1008798

DELIVER VIA

☒ Courier	☐ Federal Express	☐ Pickup
☐ Mail	☐ UPS	Item:
☐ Other		

TIME DUE:

☐ This AM	☐ By Tomorrow
☒ This PM	☐ Rush

ITEM NO	QUANTITY	DESCRIPTION

COMMENTS / INSTRUCTIONS

Enclosed is supplemental information for the Taos Unit 1 and 2 preliminary plat amendments per comments received at DRB on 11/16/11. Please see the description on the attached supplemental submittal form.

REC'D BY: _____ DATE: _____ TIME: _____

"SDWK ERASED" VERSION

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9))

At the June 29, 2011 Development Review Board meeting, the Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. The Board recommends APPROVAL to the City Council of the proposed vacations as shown on Exhibit C in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Findings

(A)(1) The public road vacation and easement vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacations.

(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

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

PROTEST: IT I S NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY July 15, 2011.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

In other actions at the June 29, 2011 Development Review Board meeting, the sidewalk waiver and the temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'B' in the planning file. The subdivision design variance was approved as shown on Exhibit 'D' in the planning file. With an approved grading and drainage plan engineer stamp dated 6/21/11 and with the signing of the infrastructure list dated 6/29/11 the site development plan for subdivision and the preliminary plat were approved subject to the following conditions:

CONDITIONS:

1. Proposed Lot 35 and the abutting Mission Ridge Drive NW right of way shall be shown as part of Tract A/ Unit 2, and the former right of way shall include a landscape and pedestrian easement and public sewer easement.
2. Adobe Rose Place NW shall have equivalent 75 foot Roadway/ Easement.
3. The right of way for the turnaround for the western end of Kayser Mill Road NW shall terminate at the east boundary of Lot 1, and the remainder shall be incorporated into Lot 1, to include a landscape and pedestrian easement.
4. Open Space Note No. 9 of the Site Development Plan for Subdivision shall be included on the Final Plat.
5. An updated Grading and Drainage Plan and Site Development Plan for Subdivision shall incorporate the revisions to the Preliminary Plat.

If you wish to appeal the other actions within this decision, you must do so by July 15, 2011 in the manner described below.

The site development plan for subdivision was delegated to Planning for final sign-off, to address comments and for expiration of the appeal period.

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

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

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

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

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc. – Courtyard 1, 7500 Jefferson St NE – Albuquerque, NM 87109
Cc: Taos At the Trails LLC – 6840 Treeline Ave – Albuquerque, NM 87114
Marilyn Maldonado
file

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

		SUBDIVISION
		___ Major Subdivision action
		___ Minor Subdivision action
		___ Vacation
V		___ Variance (Non-Zoning)
		SITE DEVELOPMENT PLAN
		___ for Subdivision
		___ for Building Permit
		___ Administrative Amendment (AA)
		___ IP Master Development Plan
		___ Cert. of Appropriateness (LUCC)
		STORM DRAINAGE (Form D)
		___ Storm Drainage Cost Allocation Plan

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6330 Riverside Plaza Lane #160 FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87120 E-MAIL: rbeltramo@gcinm.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Taos Unit 1 at the Trails preliminary plat amendment

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1008797 11DRB-70119

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE DATE 11/8/11

(Print) SCOTT J STEFFEN Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

☒	**INTERNAL ROUTING**	Application case numbers	Action	S.F.	Fees
☒	All checklists are complete	11DRB - - 70323	APP		$ 50.00
☒	All fees have been collected	- -	CMF		$ 20.00
☒	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				Total
☐	F.H.D.P. fee rebate	Hearing date Nov. 16, 2011			$ 70.00

11-8-11
Planner signature / date

Project # 1008797

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

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

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

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

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

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

Extension of preliminary plat approval expires after one year.

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

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

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

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

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

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

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

Scott J Steffen
Applicant name (print)

Scott S 11/8/11
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
11DRB - 70323
- -
- -

11-8-11
Planner signature / date

Project # 1008797

Bohannan Huston Inc.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CLIENT/COURIER/TRANSMITTAL

☐ To: Jack Cloud
DRB Chair
City of Albuquerque
Plaza del Sol 2nd Floor West
600 Second St

Phone: 924-3880

Date: November 8, 2011

Job No.: 20110333.008.01.cdp

Requested By: Scott Steffen

Project: Taos Unit 1 at the Trails
DRB #1008797

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

DELIVER VIA

☒ Courier	☐ Federal Express	☐ Pickup
☐ Mail	☐ UPS	Item:
☐ Other		

TIME DUE:

☒ This AM	☐ By Tomorrow
☐ This PM	☐ Rush

ITEM NO	QUANTITY	DESCRIPTION
1	1	Amended Preliminary Plat submittal package

COMMENTS / INSTRUCTIONS

REC'D BY: _____ DATE: _____ TIME: _____

Bohannan Huston

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

November 7, 2011

Mr. Jack Cloud, DRB Chair
City of Albuquerque, Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Amended Preliminary Plat and Infrastructure List (DRB 1008797)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) review and comment are copies of the following information:

- Application for Development Review
- Six (6) copies of the Amended Preliminary Plat
- Six (6) copies of the original DRB approved Preliminary Plat
- Six (6) copies of the Amended Infrastructure List
- Six (6) copies of the original DRB approved Infrastructure List
- Zone Atlas map
- Submittal Fees

The original DRB approval of the Taos Unit 1 preliminary plat required that the west end of the Kayser Mill Road right-of-way stop at the Lot 1/2 property line and that Lot 1 extend south to Tract A, that the south end of the Mission Ridge Drive right-of-way stop at the Lot 34/35 property line and that Lot 35 be moved to Taos Unit 2 due to the location of a temporary waterline easement within Lot 35. The amended preliminary plat includes the renumbering of the Lots due to the moving of Lot 35 to Taos Unit 2, the removal of the temporary waterline easement and the creation of a new HOA tract south of Lot 1. The temporary waterline easement is no longer necessary as an alternative water layout was agreed upon with the ABCWUA. The HOA tract (Tract B) was created between the west end of Kayser Mill Road and Oakridge Street at the request of the homebuilder that is purchasing the lots. Tract B will be owned and maintained by the Trails HOA and will have a public pedestrian access easement and a private access easement for the use and benefit of Lot 1.

The infrastructure list has been amended to remove the 4-inch water line on Tract A from Mission Ridge Drive to Universe Boulevard. The note referring to the relocation of the existing fire hydrant in Universe Boulevard for the 4-inch waterline connection has also been removed. In addition, the subdivision name on the infrastructure list has been changed to match the preliminary plat.

Please place this item on the DRB Agenda to be heard on November 16, 2011. Please feel free to contact me at 823-1000 with questions or comments.

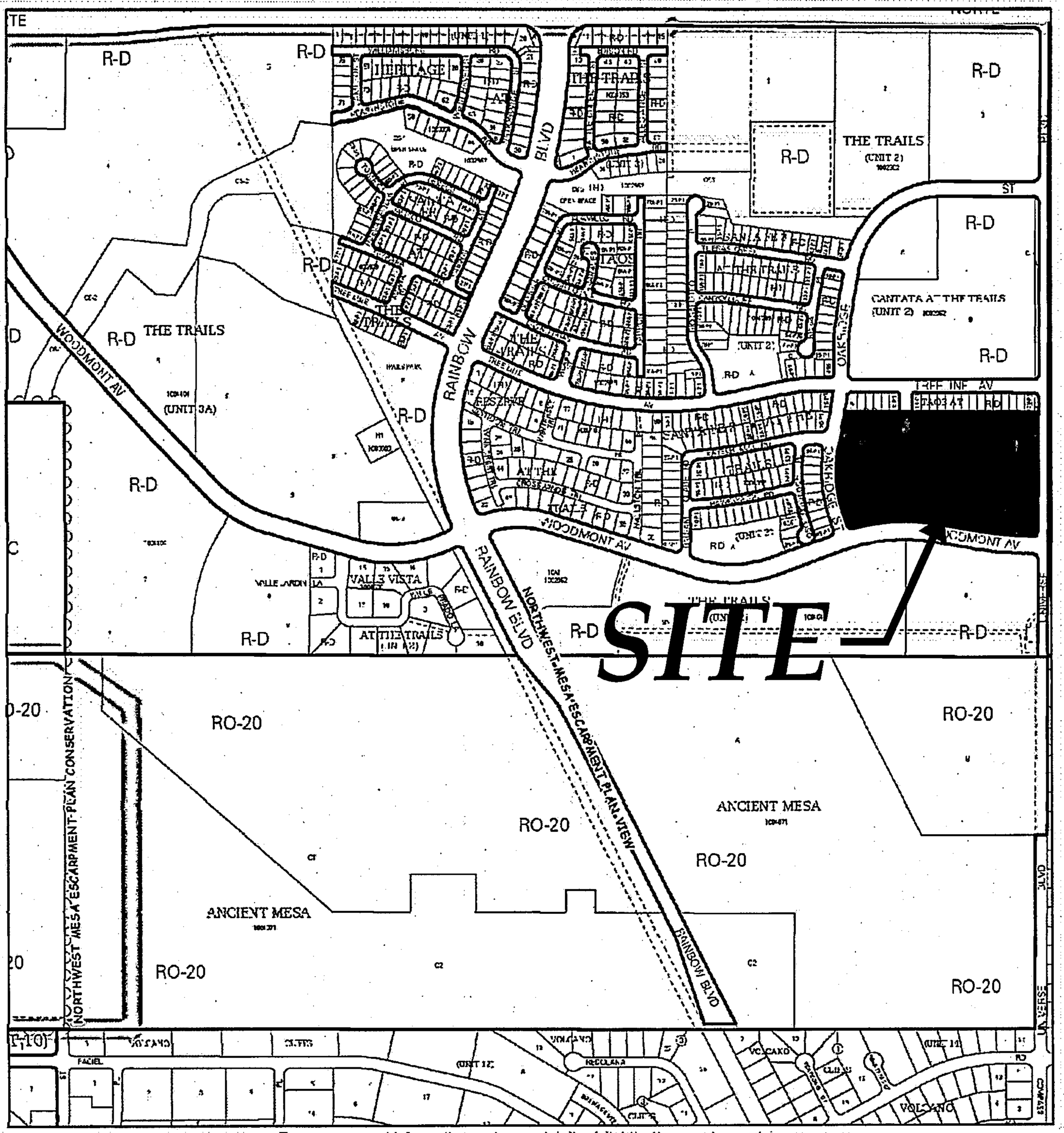
Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development & Planning

SJS/tms
Enclosures

cc: Rick Beltramo, Longford Homes

P:\20110333\Correspondence\Submittals\Amend Pre Plat\Unit 1 Amend Pre Plat DRB Cover Letter.docx



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011

Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 750 1,500 Feet

Note: Grey Shading Represents Area Outside of the City Limits

Current DRC
Project No. _____

Date Submitted: November 8, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No. _____

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC STORM DRAIN IMPROVEMENTS						
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
			PUBLIC WATERLINE IMPROVEMENTS						
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 11/8/2011				
PREPARED BY: PRINT NAME DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.				
FIRM:	TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
SIGNATURE	ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION				DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC
Project No. _____

ORIGINAL

Date Submitted: June 28, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____
Date Preliminary Plat Approved: 6-29-11
Date Preliminary Plat Expires: 6-29-12

DRB Project No. 1008797

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL (MAJOR LOCAL) PAVING W/PCC CURB & GUTTER, PCC 6' WIDE SIDEWALK ON BOTH SIDES W/ 4' MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
			MODIFICATION OF EX MEDIAN FROM 4' WIDE TO 2' WIDE; REM & REPLACE EX SIDEWALK W/6' SIDEWALK (BOTH SIDES)	ADOBE ROSE STREET	TREE LINE AVENUE	~20' NORTH OF NORTH PROPERTY LINE OF TAOS UNIT 1	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL (NORMAL LOCAL) PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	LOT 30/31	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	MISSION RIDGE DRIVE	LOT 30/31	OASIS CANYON ROAD	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
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		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" DIA	RCP W/ MH & INLETS	OASIS CANYON ROAD	LOT 28	MISSION RIDGE DRIVE	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE STREET	KAYSER MILL RD	/	/	/
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		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		8" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
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		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	TRACT A, TAOS UNIT 1 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
		*	RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION				/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 6/28/2011		6-29-11		6/29/11
PREPARED BY: PRINT NAME DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC.		06-29-11		
FIRM:	TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
		06/29/11		6-29-11
SIGNATURE	ABCWUA	DATE	CITY ENGINEER	DATE
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DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC
Project No. _____

Date Submitted: November 8, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No. _____

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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		28' F-F	RESIDENTIAL (NORMAL LOCAL)PAVING W/PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
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			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE				/	/	/

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		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 11/8/2011				
PREPARED BY: PRINT NAME DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
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DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

1

2

16'
DRIVEWAY

4'
SW

2.0%

TRACT B

R5'

R8'

16'
DRIVEWAY

ROLL CURB

KAYSER MILL ROAD

1

N

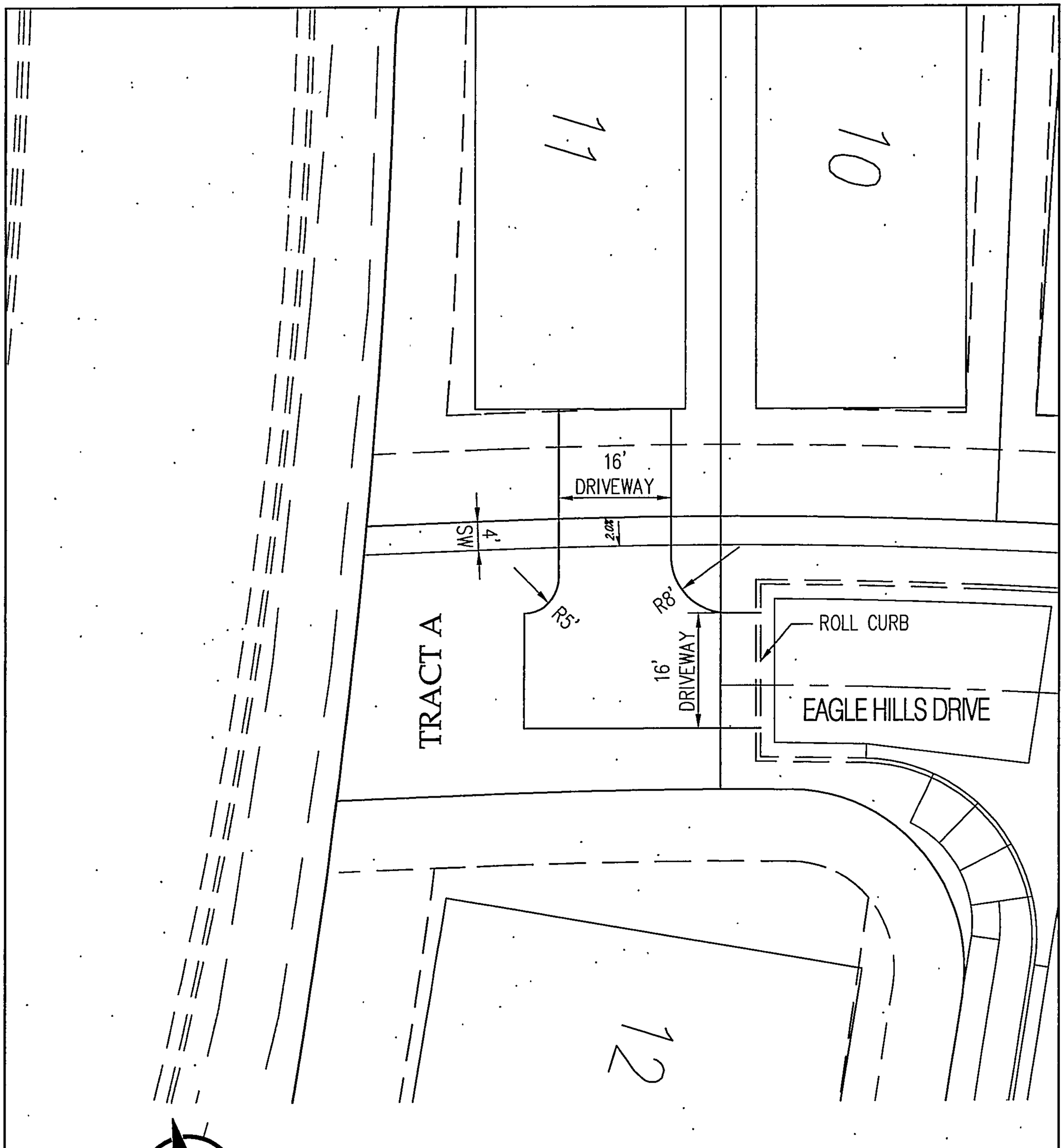
20 10 0 20

1" = 20'

Thu, 17-Nov-2011 - 4:39:pm, Plotted by: DHUERTA
P:\20110333\CDP\Plans\General\Exhibits\End lot_HOA Driveway Exhibits.dwg

LOT 1 OF TAOS UNIT 1 AT THE TRAILS DRIVEWAY EXHIBIT

Bohannan Huston



LOT 11 OF TAOS UNIT 2 AT THE TRAILS DRIVEWAY EXHIBIT

Bohannan Huston

Thu, 17-Nov-2011 - 4:39:pm, Plotted by: DHUERTA
P:\20110333\CDP\Plans\General\Exhibits\End lot_HOA Driveway Exhibits.dwg

33

34

30

16'
DRIVEWAY

2.0%

4'
SW

R8'

R5'

ROLL CURB

16'
DRIVEWAY

MISSION RIDGE DRIVE

TRACT B

29

N

20 10 0 20

1" = 20'

LOT 30 OF TAOS UNIT 2 AT THE TRAILS DRIVEWAY EXHIBIT

Bohannan Huston

Thu, 17-Nov-2011 - 4:39:pm, Plotted by: DHUERTA

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City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION — **S**

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

SITE DEVELOPMENT PLAN — **P**

- X for Subdivision
- ___ for Building Permit
- ___ Administrative Amendment (AA)
- ___ IP Master Development Plan — **D**
- ___ Cert. of Appropriateness (LUCC) — **L**

STORM DRAINAGE (Form D) — **A**

- ___ Storm Drainage Cost Allocation Plan

Z ZONING & PLANNING

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

APPEAL / PROTEST of...

- ___ Decision by: DRB, EPC, LUCC, Planning Director or Staff, ~~Z~~HE, Zoning Board of Appeals

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

APPLICATION INFORMATION:

Professional/Agent (if any): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6840 Treeline Avenue FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: rbeltramo@longfordhomes.com

Proprietary interest in site: Owner **List all owners**:

DESCRIPTION OF REQUEST: Sketch Plat Review

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1003973, 07DRB-70213, 07DRB-00365, 07DRB-00366, 07DRB-00367

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J. Steffen DATE 5/6/11

(Print) Scott J. Steffen Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

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

Application case numbers

11DRB - - 70114
11DRB - - 70116
11DRB - - 70117
11DRB - - 70118
11DRB - - 70119
11DRB 70120

Hearing date

Action	S.F.	Fees
VPE		$ 255.00
VROW		$ 2,100.00
SW		$ 0
TDS		$ 0
PP		$ ~~1665.00~~ 2445.00
SPS		$ ~~385.00~~
ADV/CMF		Total ~~75.00~~ +29.00
		$ ~~4,700.00~~ 5,280.00

5-6-11
Planner signature / date

Project # 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

☒ **VACATION OF PUBLIC EASEMENT (DRB27)** 5

☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** 7
- ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- ✓ Zone Atlas map with the entire property(ies) clearly outlined
- ✓ Letter briefly describing, explaining, and justifying the request
- ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ✓ Sign Posting Agreement
- ✓ Fee (see schedule)
- ✓ List any original and/or related file numbers on the cover application

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

☐ **SIDEWALK VARIANCE (DRB20)**

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

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

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

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

☒ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

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

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

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

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

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

SCOTT STEFFEN
Applicant name (print)

Applicant signature / date 5/6/11

Form revised 4/07

Planner signature / date 5-6-11

Project # 1008292

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

Application case numbers
11DRB - - 70114
11DRB - - 70116
11DRB - - 70117
11DRB 70118

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
- S/A **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. _____
- ___ 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.

Scott J. Sheffey
Applicant name (print)

Scott J Sheffey 5/6/11
Applicant signature / date

Form revised **October 2007**

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

Application case numbers
11DRB - _____ - 70119
_____ - _____ - _____
_____ - _____ - _____

V Wolfe 5-6-11
Planner signature / date

Project # 1008797

FORM P(2): SITE DEVELOPMENT PLAN REVIEW - D.R.B. PUBLIC HEARING

☒ **SITE DEVELOPMENT PLAN FOR SUBDIVISION (DRB15)** **Maximum Size: 24" x 36"**

- ✓ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- ✓ Scaled site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **24 copies**
- ✓ Zone Atlas map with the entire property(ies) clearly outlined
- ✓ Letter briefly describing, explaining, and justifying the request
- ✓ Letter of authorization from the property owner if application is submitted by an agent
- ✓ Copy of the document delegating approval authority to the DRB
- ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ✓ Sign Posting Agreement
- ✓ Completed Site Plan for Subdivision Checklist
- ✓ 6 copies of the Infrastructure List, if relevant to the site plan
- ✓ Traffic Impact Study (TIS) form with required signature
- ✓ Fee (see schedule)
- ✓ List any original and/or related file numbers on the cover application

DRB hearings are approximately 30 DAYS after the filing deadline. **Bring the original** to the meeting.
Your attendance is required.

❑ **SITE DEVELOPMENT PLAN FOR BUILDING PERMIT (DRB14)** **Maximum Size: 24" x 36"**

- ___ 5 Acres or more & zoned SU-1, IP, SU-2, PC, or Shopping Center: Certificate of No Effect or Approval
- ___ Site plan and related drawings (folded to fit into an 8.5" by 14" pocket) **24 copies**
- ___ Site Plan for Subdivision, if applicable, previously approved or simultaneously submitted. (Folded to fit into an 8.5" by 14" pocket.) **24** copies for DRB public hearings
- ___ Solid Waste Management Department signature on Site Plan
- ___ Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Copy of the document delegating approval authority to the DRB
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ Completed Site Plan for Building Permit Checklist
- ___ 6 copies of the Infrastructure List, if relevant to the site plan
- ___ Traffic Impact Study (TIS) form with required signature
- ___ Copy of Site Plan with Fire Marshal's stamp
- ___ Fee (see schedule)
- ___ List any original and/or related file numbers on the cover application

D.R.B. hearings are approximately 30 DAYS after the filing deadline. **Bring the original** to the meeting.
Your attendance is required.

❑ **AMEND SITE DEV PLAN FOR SUBDIVISION or BUILDING PERMIT (DRB10) Maximum Size: 24" x 36"**

- ___ Proposed amended Site Plan (folded to fit into an 8.5" by 14" pocket) **24 copies**
- ___ DRB signed Site Plan being amended (folded to fit into an 8.5" by 14" pocket) **24 copies**
- ___ DRB signed Site Plan for Subdivision, if applicable (required when amending SDP for Building Permit) **24 copies**
- ___ Zone Atlas map with the entire property(ies) clearly outlined
- ___ Letter briefly describing, explaining, and justifying the request
- ___ Letter of authorization from the property owner if application is submitted by an agent
- ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ___ Sign Posting Agreement
- ___ Completed Site Plan for Building Permit Checklist (not required for amendment of SDP for Subdivision)
- ___ 6 copies of the Infrastructure List, if relevant to the site plan
- ___ Traffic Impact Study (TIS) form with required signature
- ___ Fee (see schedule)
- ___ List any original and/or related file numbers on the cover application

D. R. B. hearings are approximately 30 DAYS after the filing deadline. **Bring the original** to the meeting.
Your attendance is required.

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

SCOTT J STEFFEN
Applicant name (print)

Scott J Stef 6/6/11
Applicant signature / date

Form revised **November 2010**

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

Application case numbers
11DRB-_____-70120
_____-_____-_____
_____-_____-_____

5-6-11
Planner signature / date

Project #: 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

☐ **BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**

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

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

☐ **VACATION OF PUBLIC EASEMENT (DRB27)**

☐ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**

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

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

☐ **SIDEWALK VARIANCE (DRB20)**

☐ **SIDEWALK WAIVER (DRB21)**

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

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

SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)

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

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

☐ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

☐ **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**

___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
___ Zone Atlas map with the entire property(ies) clearly outlined
___ Letter briefly describing, explaining, and justifying the deferral or extension
___ List any original and/or related file numbers on the cover application

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

☐ **VACATION OF RECORDED PLAT (DRB29)**

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

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

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

Rick Bolterstein
Applicant name (print)

Applicant signature / date 6/20/11

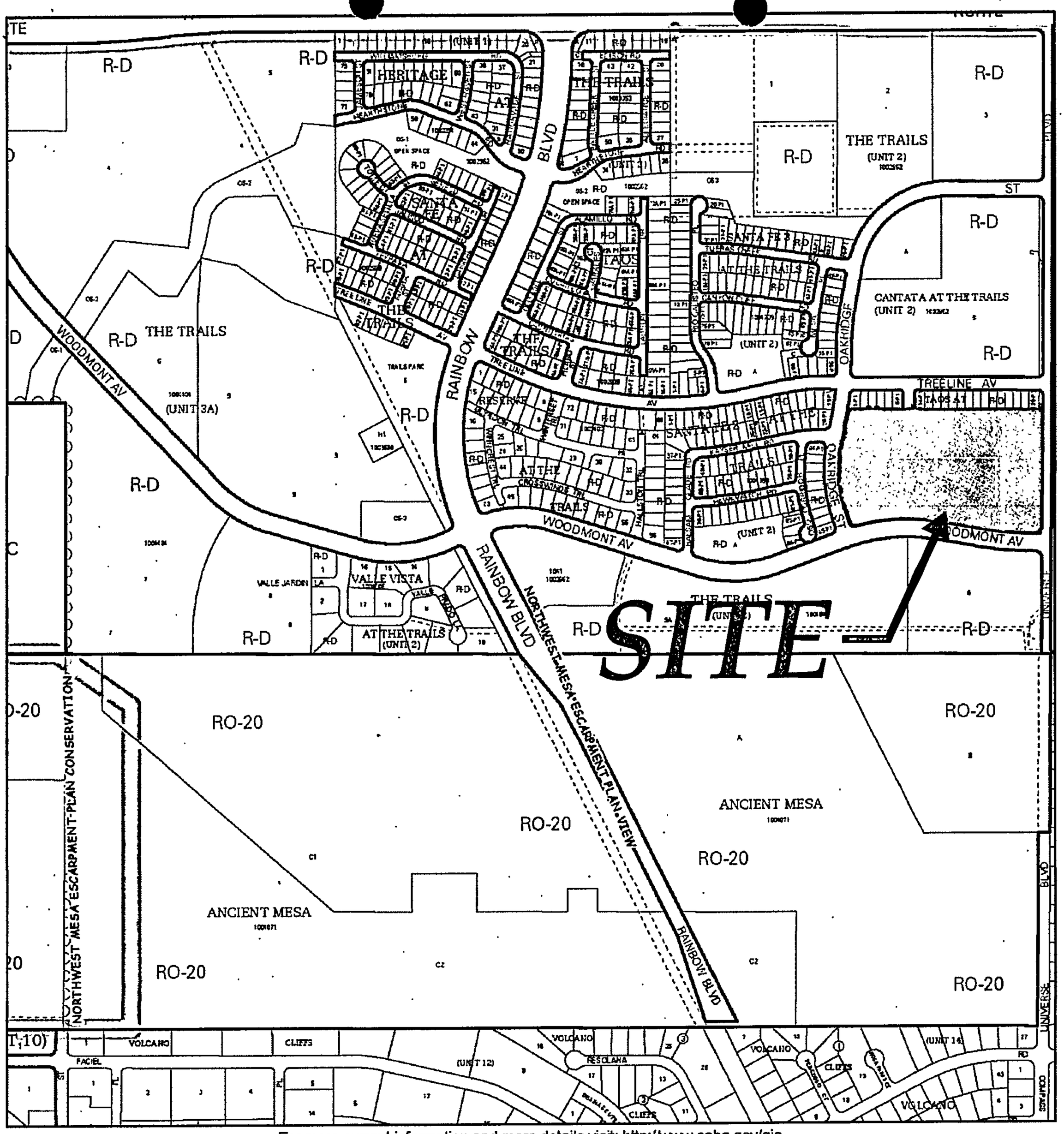
Form revised 4/07

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

Application case numbers
11DRB - ____ - 70176
____ - ____ - ____
____ - ____ - ____

6-28-11
Planner signature / date

Project # 1008797



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 750 1,500 Feet

Bohannan ▲ Huston Inc.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 6, 2011

Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Preliminary Plat, Vacation of Public Easement, Sidewalk Deferral/Waiver, and Design Variance (DRB 1003973)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) preliminary plat review and comment are copies of the following information:

- Application for Development Review
- Twenty-four (24) copies of each of the Preliminary Plat and Grading Plan
- Twenty-four (24) copies of the Infrastructure List
- Six (6) copies of Sidewalk Deferral and Waiver (Exhibit B)
- Twenty-four (24) copies of Vacation Action Exhibit (Exhibit C)
- Certificate of No Effect
- Preliminary Pre-Development Facilities Fee Agreement
- Letter from the Office of Neighborhood Coordination
- DR/WS and TIS forms
- Traffic Distribution Layout (Exhibit D)
- Three (3) copies of the previously approved perimeter wall plan
- Submittal Fees

This preliminary plat is being presented to the Development Review Board for the purpose of obtaining City review and approval. The project is a resubdivision of existing lots 7-P1 through 113-P1, together with vacated Kayser Mill Road, Eagle Hills Drive, Mission Ridge Drive, Oasis Canyon Road, Snow Creek Court and a portion of Adobe Rose Place, Taos at the Trails Unit 2, and consists of 57 lots, with a minimum dimension of 40 feet wide by 90 feet deep. Access to the site will be from Tree Line Avenue.

Please place this item on the DRB Agenda to be heard on June 1, 2011. Please feel free to contact me at 823-1000 with questions or comments.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning

Enclosures

cc: Rick Beltramo, Longford Homes

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

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

May 2, 2011

Becky Gauna
Bohannan Huston Inc.
7500 Jefferson NE/87109
Phone: 505-823-1000/Fax: 505-798-7988

Dear Becky:

Thank you for your inquiry of **May 2, 2011** 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 88-P1 SUBDIVISION PLAT OF TAOS AT THE TRAILS, UNIT 2 (A REPLAT OF TRACTS 5 & 7, THE TRAILS, UNIT 2), LOCATED ON OAKRIDGE STREET NW BETWEEN TREELINE AVENUE NW AND WOODMONT AVENUE NW** zone map **C-9.**

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

VOLCANO TRAILS N.A. (VTT) "R"
***Bill Ek**
8931 Winncrest Trail NW/87114 792-0255 (h)
Esther Torrez
6909 Tree Line Ave. NW/87114 269-1541

*** denotes president of association.**

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 I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

planningrnaform(12/06/07)

Bohannan △ Huston Inc.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 6, 2011

Bill Elk
8931 Winncrest Trail NW
Albuquerque, NM 87114

Re: Preliminary Plat Approval, Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Design Variance, Taos at the Trails Unit 2 and Tract 9A at the Trails Unit 2

Dear Mr. Elk:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Preliminary Plat, Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2; and for a Preliminary Plat, Vacation of Public Easements and Design Variance for Tract 9A at the Trails Unit 2. See the attached Zone Atlas Page for locations of each project.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Tract 9A is a proposed 114-lot subdivision south of Woodmont Avenue, near the intersection of Oakridge Street and Woodmont Avenue. There is existing public sewer, storm drain and water lines on the site within public easements. These lines will be within public ROWs after the platting of Tract 9A, making the easements unnecessary. The internal street block lengths are greater than the 600' allowed by the City Development Process Manual, therefore a variance to this design criteria is being requested.

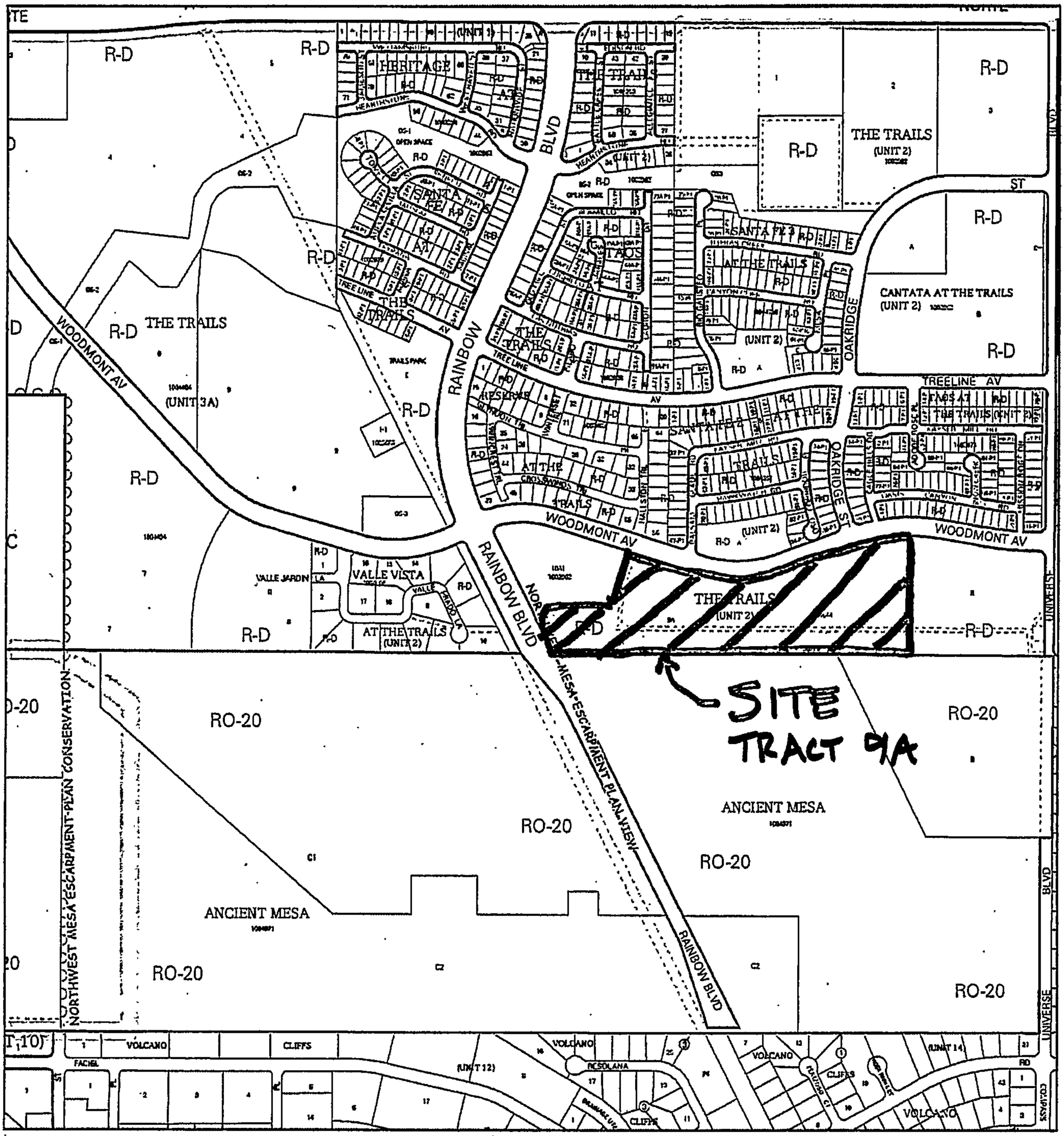
Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

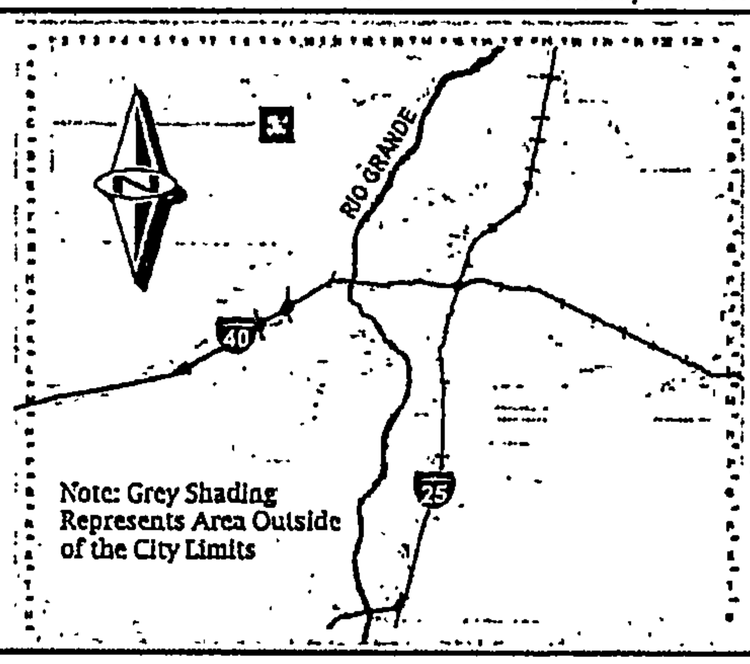
P:\20110333\Correspondence\Submittals\Pre Plat\-NA Notice LTR-Plats.doc



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011



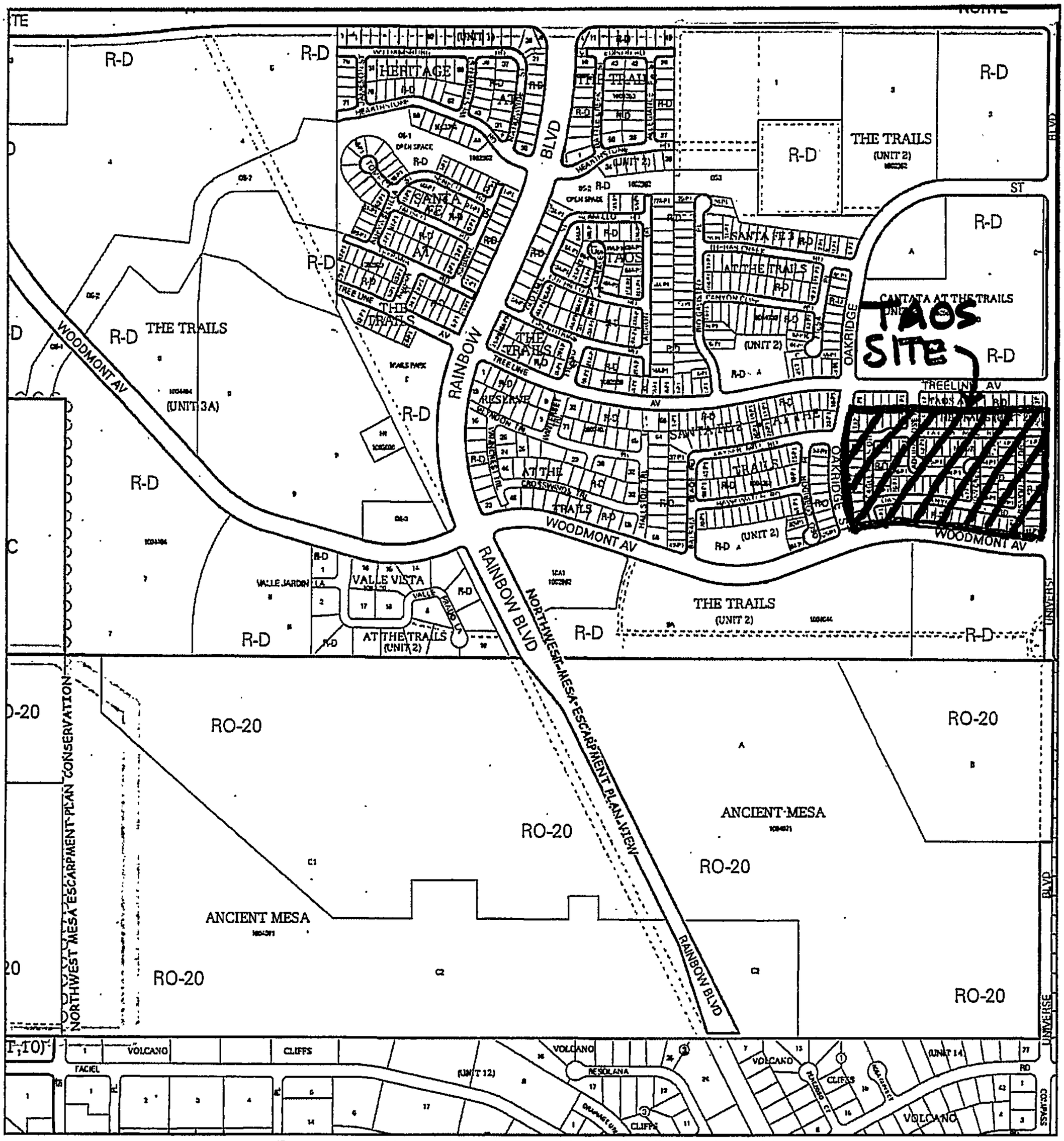
Zone Atlas Page:

C-09-Z

Selected Symbols

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

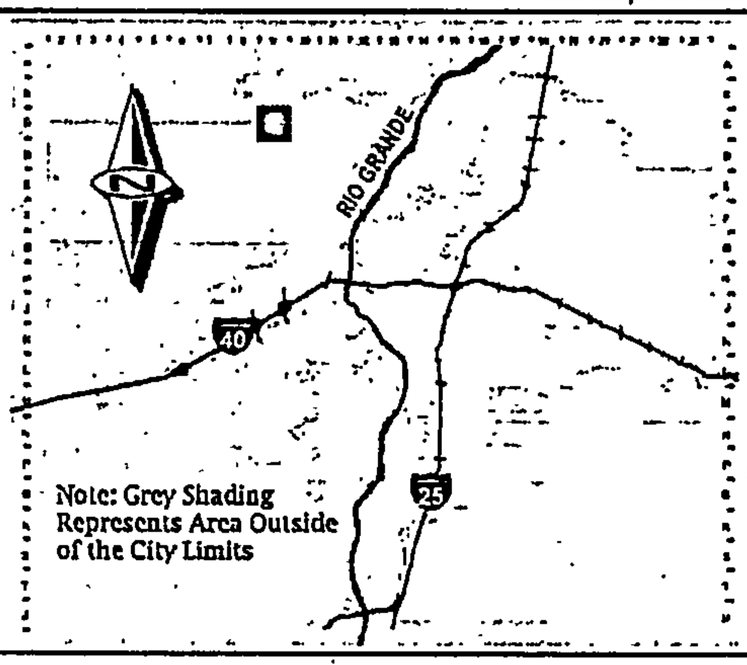
Feet: 0 — 750 — 1,500



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011



Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 — 750 — 1,500 Feet

CERTIFIED MAIL

91 7108 2133 3935 6712 7550

UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 006.23⁰
0003100114 MAY 06 2011
MAILED FROM ZIP CODE 87109

Bohannan △ Huston INC.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BILL ELK
8931 WINNICREST TRAIL NW
ALBUQ, NM 87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3935 6712 7550

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Bohannan △ Huston Inc.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 6, 2011

Esther Torrez
6909 Tree Line NW
Albuquerque, NM 87114

Re: Preliminary Plat Approval, Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Design Variance, Taos at the Trails Unit 2 and Tract 9A at the Trails Unit 2

Dear Mr. Torrez:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Preliminary Plat, Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2; and for a Preliminary Plat, Vacation of Public Easements and Design Variance for Tract 9A at the Trails Unit 2. See the attached Zone Atlas Page for locations of each project.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Tract 9A is a proposed 114-lot subdivision south of Woodmont Avenue, near the intersection of Oakridge Street and Woodmont Avenue. There is existing public sewer, storm drain and water lines on the site within public easements. These lines will be within public ROWs after the platting of Tract 9A, making the easements unnecessary. The internal street block lengths are greater than the 600' allowed by the City Development Process Manual, therefore a variance to this design criteria is being requested.

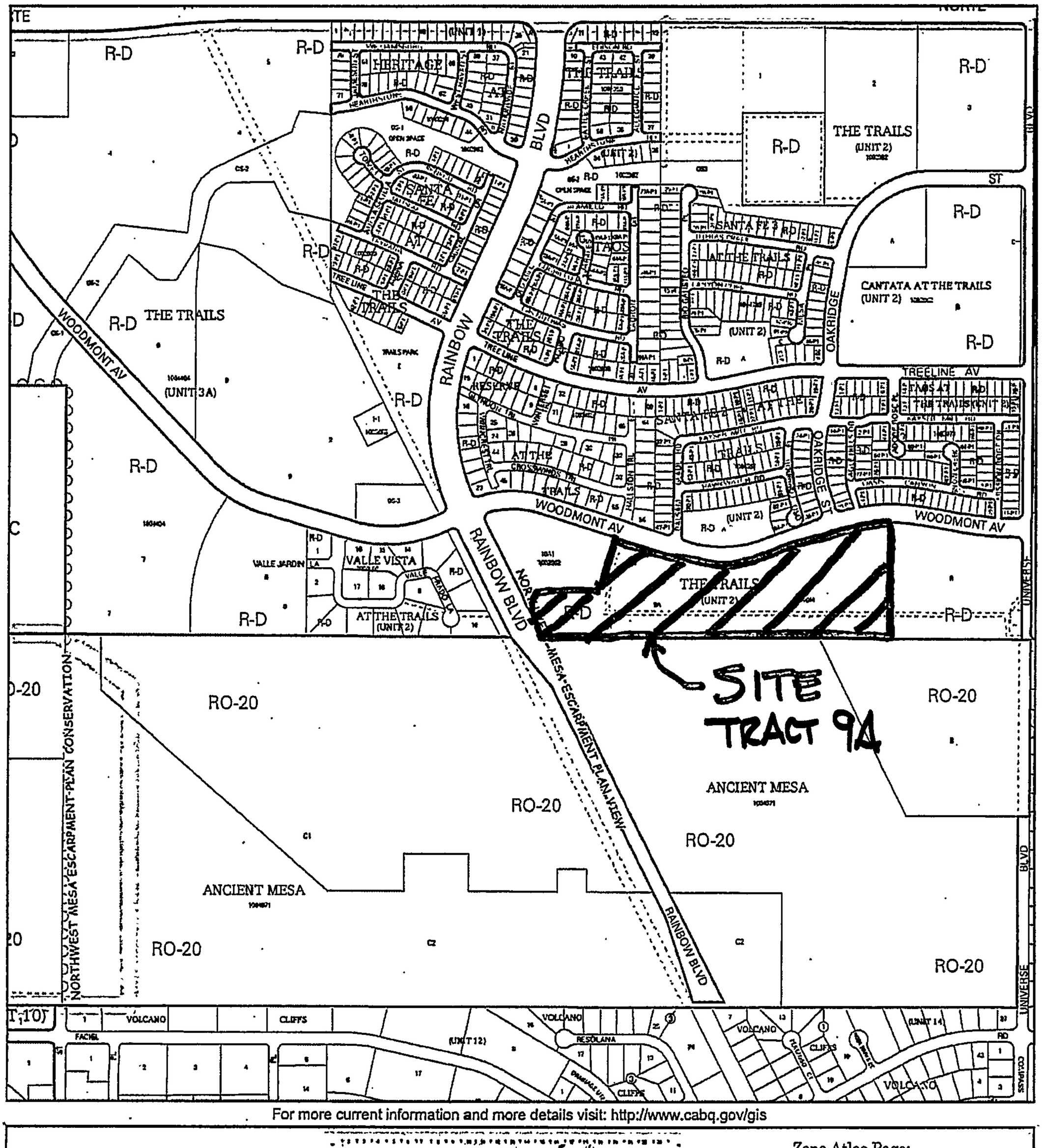
Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

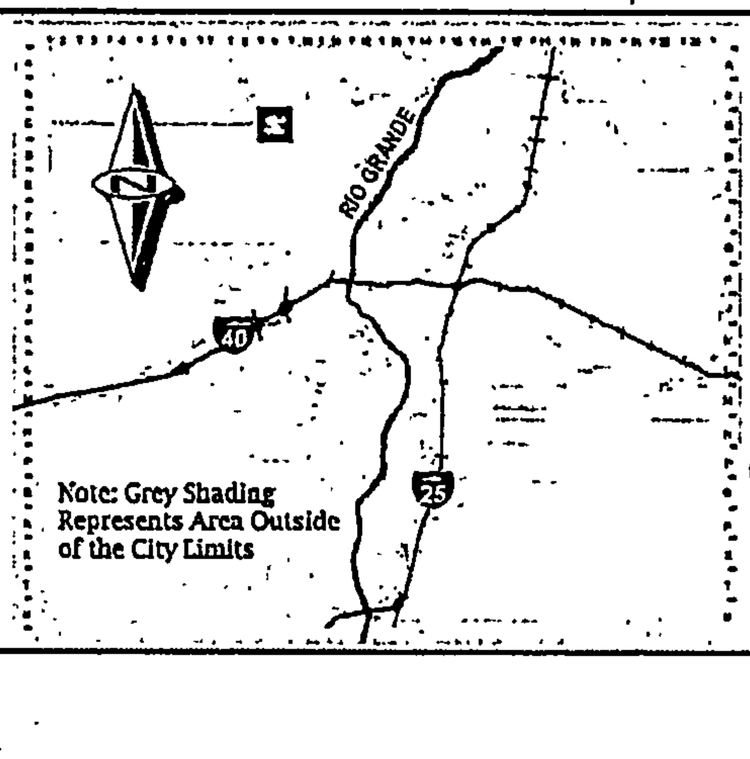
ENGINEERING △
SPATIAL DATA △
ADVANCED TECHNOLOGIES △



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011



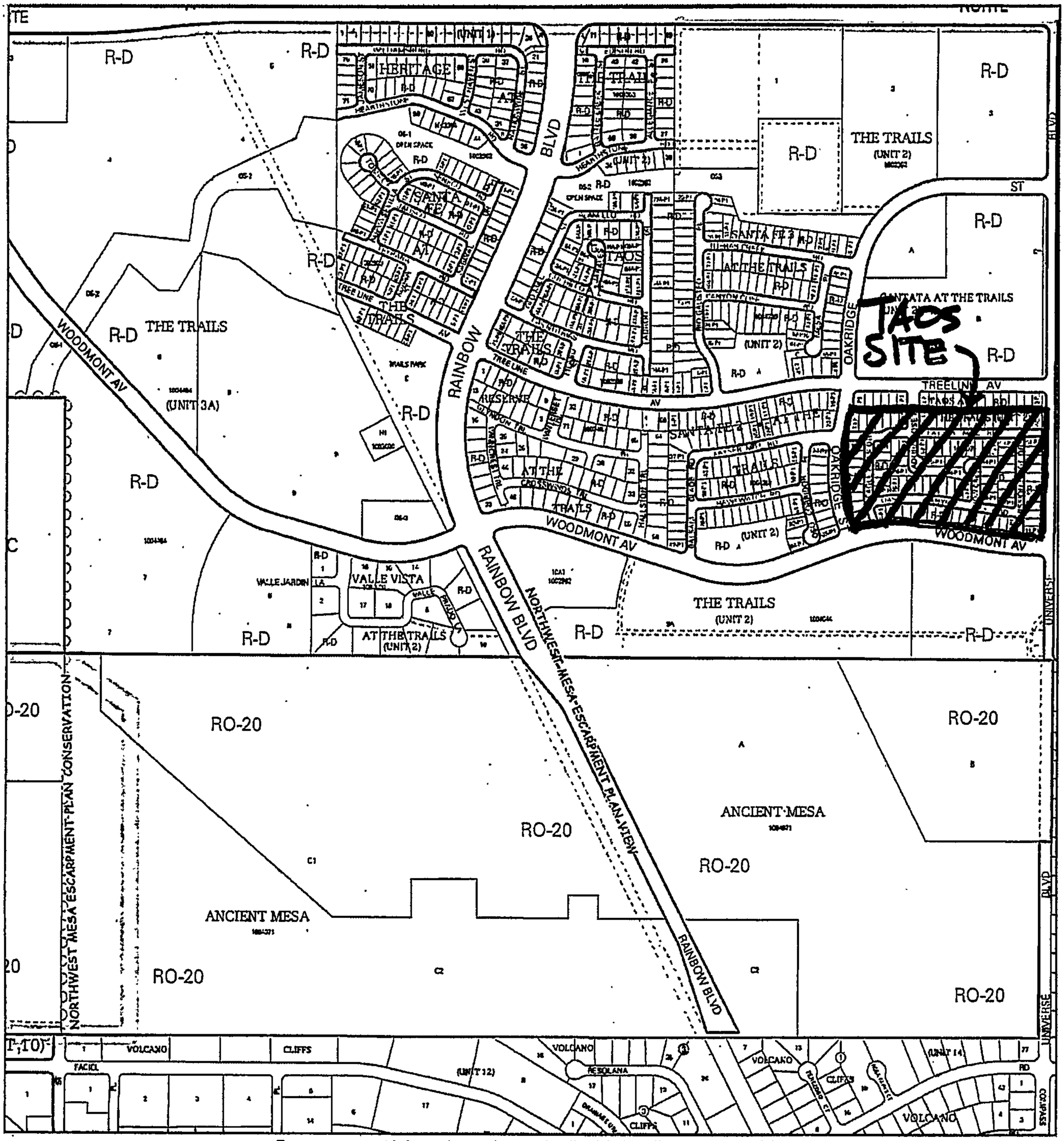
Zone Atlas Page:

C-09-Z

Selected Symbols

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

Feet: 0 — 750 — 1,500



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

C-09-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
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- 2 Mile Airport Zone
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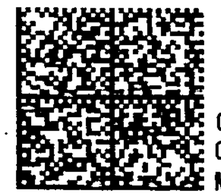
0 750 1,500 Feet

CERTIFIED MAIL

91 7108 2133 3935 6712 7826



UNITED STATES POSTAGE
PITNEY BOWES
02 1P $ 006.23⁰
0003100114 MAY 06 2011
MAILED FROM ZIP CODE 87109

Bohannan △ Huston INC.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ESTER TORREZ
6909 TREELINE NW
ALBUQ, NM
87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 91 7108 2133 3935 6712 7826

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

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 May 17, 2011 To June 1, 2011

5. REMOVAL

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

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

Ricky Garner for BAI — (Applicant or Agent) 5/6/11 — (Date)

I issued 2 signs for this application, 5-6-11 (Date) — (Staff Member)

DRB PROJECT NUMBER: 10008797

Rev. 1/11/05

SITE DEVELOPMENT PLAN FOR SUBDIVISION *CHECKLIST*

This checklist will be used by the Planning Department to verify the completeness of site plans submitted for review by the Environmental Planning Commission (EPC) and Development Review Board (DRB). Since development proposals vary in type and scale, there may be application requirements that are not included here and others that may not be necessary. Nonetheless, it is the applicant's responsibility to provide a complete submittal. The EPC and DRB will not consider incomplete submittals. Incomplete submittals run the risk of not being scheduled for hearing until they are made complete. Site development plans should ordinarily be composed of the following plan sheets:

1. **Site Plan** (required)
2. **Conceptual Utility Plan** (required)
3. **Design requirements for future site development plans for building permit** (optional, but STRONGLY recommended)

The following checklist describes the minimum information necessary for each sheet. Most of the site plan requirements for *Sheet #1* are taken from the definition for "SITE DEVELOPMENT PLAN For Subdivision" as outlined in the Zoning Code (§ 14-16-1-5). **The Applicant shall include and check off all items shown on the site plan or write in "n/a" if not applicable.**

NOTE: MAXIMUM SIZE FOR SUBMITTAL IS 24" X 36".

SHEET # 1 – SITE PLAN (Required)

✓ 1. Scale: at least 1" = 100'
✓ 2. Bar Scale
✓ 3. North Arrow
✓ 4. Scaled Vicinity Map
✓ 5. The Site (property lines)
✓ 6. Proposed Use(s) and List of Applicable Plans
✓ 7. Pedestrian Ingress and Egress (Access)
✓ 8. Vehicular Ingress and Egress (Access)
✓ 9. Any Internal Circulation Requirements
✓ 10. For each lot:
- ✓ a. Maximum Building Height
- ✓ b. Minimum Building Setback
- ✓ c. Maximum Total Dwelling Units and / or
- NA d. Maximum Floor Area Ratio (F.A.R.) for Nonresidential Uses

Accompanying Material

✓ A. Fee payment
✓ B. Complete application
✓ C. Written Summary of Request including a narrative describing compliance with applicable plans and/or zoning requirements per *§14-16-3-11(B)* of the Comprehensive Zoning Code.
✓ D. 8-1/2" x 11" reductions

City of Albuquerque
P.O. Box 1293 Albuquerque, New Mexico 87103
Planning Department
Deborah Stover, Director

Richard J. Berry, Mayor **Robert J. Perry, CAO**
May 4, 2011

SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation
Project Number(s): 1005031
Case Number(s):
Agent: Bohannan Huston Inc.
Applicant: The Trails, LLC.
Legal Description: Tierra Vista (formerly Tract 9A, The Trails, Unit 2)
Zoning: R-D
Acreage: Approximately 17.44 acres
Zone Atlas Page: C-9

CERTIFICATE OF NO EFFECT: Yes __X__ No _____

SUPPORTING DOCUMENTATION:
"Cultural Resource Survey for The Trails Unit 2 Housing Development," by Amador Minjares of TRC (Howard Higgins, P.I.) dated December 2006, NMCRIS #102424. For reference only, survey did not include Tract 9A but did include tracts adjacent to Tract 9A, showing relevant information.

Project was approved for Preliminary Plat in 2007. Project was mass graded in 2007 prior to enactment of the Archaeological Ordinance, with 4' to 6' of fill material imported to the site. In 2006, approximately 2 acres of the site has been constructed as a drainage pond and park, portions of the site have been improved with a 54" storm drain, 10" water line, 12" sanitary sewer, all as public improvements, accepted by and now owned by the city.

RECOMMENDATION(S):
- ***CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(1)-- no significant sites in project area)***
- ***(ref O-07-72 Section 4B(2)—extensive previous land disturbance)***

SUBMITTED:
Matthew Schmader, PhD
Superintendent, Open Space Division
City Archaeologist

May 6, 2011

Re: Taos Unit 1 at the Trails

To whom it may concern,

I hereby authorize Bohannan Huston, Inc. and Consensus Planning staff to act as our agent in all matters associated with the Preliminary Plat and Site Plan for Subdivision applications for the above referenced subject project.

Sincerely,

Kelly Calhoun
Vice President
Longford Homes

DATE August 5, 2011

Originating Department/Division Planning

Departments affected by this Legislation Development Review Board

Contact for Content Jack Cloud, Development Review Board Chair 924-3880

Contact for Routing Dora Henry **Phone** 924-3883

Legislation Type (circle one) **Resolution** **Ordinance** EC

Legislation Title (as per subject line from cover memo)

Project #1008797/11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY-BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9)

If requiring immediate action, please state reason _____

For Resolutions & Ordinances: **Fiscal Impact Analysis** _____ **&** **Disk** _____

For ALL Legislation: **Cover Analysis** _____

For Legislation with large attachments:

Duplicating & Supply Requisition with Activity No. and authorized signature _____

Please insure that the following departments/individuals have signed legislation before it reaches the Mayor's office for signature:

Originating department(s) director(s)
Budget Officer (if needed)
City Attorney's Office

For further information, call Gilbert Montano, 768-3317 or gmontano@cabq.gov

City of Albuquerque
PLANNING DEPARTMENT

Richard J. Berry, Mayor

Interoffice Memorandum **July 29, 2011**

To: **Don Harris, President, City Council**

From: **Richard J. Berry, Mayor**

Subject: **Project# 1008797/ 11DRB-70116** VACATION OF PUBLIC RIGHT-OF-WAY - BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9)

Request: This is a request for vacation of public right of way for the interior streets of Taos at the Trails Subdivision Unit 2, which are platted roads that have not been built and are wholly within the boundaries of the property owned by the applicant. The platted right of way is not needed to serve abutting property or to provide public access; the applicant is in the process of replatting the subdivision, and will have slightly different public street alignments wich will serve the new lots.

At an advertised public hearing, the Development Review Board concurred to recommend APPROVAL to the City Council of the proposed vacation as shown on the Exhibit "C" in the Planning file, based on the recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Per section 14-14-7-2(F)(3)(b) of the Subdivision Ordinance, this matter is being forwarded to the City Council to be placed on the consent agenda to determine if the vacation shall occur.

Title/ Subject of Legislation: The Trails Vacation: **Project 1008797 – 11-DRB-70116, DRB RECOMMENDATION FOR APPROVAL**

Approved:

Robert J. Perry **Date**
Chief Administrative Officer

Approved as to Legal Form:

Robert D. Kidd **Date**
Interim City Attorney

Recommended:

8/5/11

Deborah L. Stover **Date**
Planning Department Director

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9))

At the June 29, 2011 Development Review Board meeting, the Board concluded an advertised public hearing on the proposed vacations per section 14-14-7-2(F) of the Subdivision Ordinance. The Board recommends APPROVAL to the City Council of the proposed vacations as shown on Exhibit C in the Planning file, based on the following recommended Findings per sections 14-14-7-2(A)(1), (B)(1), and (B)(3) of the Subdivision Ordinance, and subject to the following recommended Conditions of Approval per sections 14-14-7-2(F)(3)(c) and 14-14-7-2(F)(4) of the Subdivision Ordinance.

Findings

(A)(1) The public road vacation and easement vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacations.

(B)(1) The public welfare is in no way served by retaining the public right of way. The City of Albuquerque does not need to utilize the platted rights of way for roadway or other purposes based on the ownership and proposed replat.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing; no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

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

PROTEST: IT I S NOT POSSIBLE TO APPEAL DRB RECOMMENDATIONS TO CITY COUNCIL; RATHER, A FORMAL PROTEST OF THE DRB's RECOMMENDATION CAN BE FILED WITHIN THE 15 DAY PERIOD FOLLOWING THE DRB's DECISION, WHICH IS BY July 15, 2011.

Protest is to the City Council. Any person aggrieved with this determination of the Development Review Board may file a protest 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 protest. You will receive notice if any other person files a protest.

Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

In other actions at the June 29, 2011 Development Review Board meeting, the sidewalk waiver and the temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit 'B' in the planning file. The subdivision design variance was approved as shown on Exhibit 'D' in the planning file. With an approved grading and drainage plan engineer stamp dated 6/21/11 and with the signing of the infrastructure list dated 6/29/11 the site development plan for subdivision and the preliminary plat were approved subject to the following conditions:

CONDITIONS:

1. Proposed Lot 35 and the abutting Mission Ridge Drive NW right of way shall be shown as part of Tract A/ Unit 2, and the former right of way shall include a landscape and pedestrian easement and public sewer easement.
2. Adobe Rose Place NW shall have equivalent 75 foot Roadway/ Easement.
3. The right of way for the turnaround for the western end of Kayser Mill Road NW shall terminate at the east boundary of Lot 1, and the remainder shall be incorporated into Lot 1, to include a landscape and pedestrian easement.
4. Open Space Note No. 9 of the Site Development Plan for Subdivision shall be included on the Final Plat.
5. An updated Grading and Drainage Plan and Site Development Plan for Subdivision shall incorporate the revisions to the Preliminary Plat.

If you wish to appeal the other actions within this decision, you must do so by July 15, 2011 in the manner described below.

The site development plan for subdivision was delegated to Planning for final sign-off, to address comments and for expiration of the appeal period.

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

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

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

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

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

Jack Cloud, DRB Chair

Cc: Bohannan Huston Inc. – Courtyard 1, 7500 Jefferson St NE – Albuquerque, NM 87109
Cc: Taos At the Trails LLC – 6840 Treeline Ave – Albuquerque, NM 87114
Marilyn Maldonado
file

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 1, 2011

Project# 1008797
11DRB-70114 VACATION OF PUBLIC EASEMENT
11DRB-70116 VACATION OF PUBLIC RIGHT-OF-WAY
11DRB-70117 SIDEWALK WAIVER
11DRB-70118 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
11DRB-70119 PRELIMINARY PLAT
11DRB-70120 SITE DEVELOPMENT PLAN FOR SUBDIVISION

BOHANNAN HUSTON INC agent(s) for TAOS AT THE TRAILS, LLC request(s) the referenced/ above action(s) for Lot(s) 7-P1 thru 113-P1, **TAOS AT THE TRAILS UNIT 2** [T.B.K.A: TAOS UNIT 1 at the TRAILS] zoned R-D (proposed SU-2/ VTSL), located on the west side of UNIVERSE BLVD NW between TREE LINE AVE NW and WOODMONT AVE NW containing approximately 18.8023 acre(s). (C-9)

AMAFCA
No comments.

COG
No comments.

TRANSIT
Project # 1008797
11DRB-70114
VACATION OF PUBLIC EASEMENT.
11DRB-70116
VACATION OF PUBLIC RIGHT-OF-WAY.
11DRB-70117
SIDEWALK WAIVER.
11DRB-70118
TEMPORARY DEFFERAL OF SIDEWALK CONSTRUCTION.
11DRB-70119
PRELIMINARY PLAT.
11DRB-70120
SITE DEVELOPMENT PLAN FOR SUBDIVISION.

Adjacent and nearby routes
Route #162,Ventana Ranch Commuter route passé the site on Rainbow Blvd.

Adjacent bus stops
None

Site plan requirements
None.

Large site TDM suggestions
None.

Other information
None.

ZONING ENFORCEMENT

No comments.

NEIGHBORHOOD COORDINATION

APS

Taos at the Trails Unit 2, Lots 7-P1 thru 113-P1 Taos at the Trails Unit 1, is located on the west side of Universe Blvd NW between Tree Line Ave NW and Woodmont Ave NW. The owner of the above property requests approval of a Preliminary Plat, Vacation of Public Easement, Sidewalk Deferral/Waiver, and Design Variance for a development that will consist of 57 single family units. This development will have impacts to Ventana Ranch Elementary School, James Monroe Middle School, and Cibola High School. Currently, Ventana Ranch Elementary School is exceeding capacity, James Monroe Middle School and Cibola High School have excess capacity.

Loc No	School	2010-11 40th Day	2010-11 Capacity	Space Available
264	VENTANA RANCH ES	753	730	-23
490	JAMES MONROE MS	1001	1015	14
580	CIBOLA HS	1857	2100	243

Residential Units: 57

Est. Elementary School Students: 15

Est. Middle School Students: 7

Est. High School Students: 7

Est. Total # of Students from Project: 29

*The estimated number of students from the proposed project is based on an average student generation rate for the entire APS district.

Tierra Antigua and Sunset View Elementary Schools have opened, they will relieve overcrowding at Ventana Ranch. Tony Hillerman Middle School opened fall of 2009, and has relieved overcrowding at James Monroe.

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

- Provide new capacity (long term solution)
  - Construct new schools or additions
  - Add portables
  - Use of non-classroom spaces for temporary classrooms
  - Lease facilities
  - Use other public facilities
- Improve facility efficiency (short term solution)
  - Schedule Changes
    - Double sessions
    - Multi-track year-round
  - Other
    - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
  - Boundary Adjustments / Busing
  - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

On May 10, 2011, The Trails LLC, entered into a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools to pay a facility fee for each residential unit that will be constructed in the subdivision. These fees will help with the construction and maintenance of new and existing schools within the APS district.

POLICE DEPARTMENT No comments.
FIRE DEPARTMENT No comments.
PNM ELECTRIC & GAS No comments.
COMCAST No comments.
QWEST No comments.
ENVIRONMENTAL HEALTH No comments.
M.R.G.C.D No adverse comments.
OPEN SPACE DIVISION No adverse comments.
CITY ENGINEER Comments, if any, will be provided at the meeting
TRANSPORTATION DEVELOPMENT Clarify the extents of the proposed vacation of right of way; if only a portion of the existing right of way is to be vacated, the exhibit must reflect this. The platting action must specify Tract A as a separate entity; remove the right of way lines from this area. The previous infrastructure list included roadway improvements and traffic signal contributions that are no longer included on the infrastructure list. Provide as-built information for these items or include them on the infrastructure list. Provide a trip distribution exhibit. Provide additional geometric information (width of all right of way, radii, etc.). Infrastructure List: add a note to the IL stating that the sidewalk will be built/deferred in accordance with the approved sidewalk exhibit.
PARKS AND RECREATION No comments.
ABCWUA Comment: Infrastructure list needs to be modified to include the temporary 4 inch water line across Lot 35 P-1 that connects the 8 inch line in Mission Ridge to the 12 inch line in Universe.
PLANNING DEPARTMENT Refer to comments from franchised utilities plus any public hearing comments regarding proposed vacation of public utility easement(s). Refer to comments from Hydrology plus any public hearing comments regarding proposed vacation of drainage easement; vacation of this easement is dependent on proposed plat, however the proposed new easement needs to be entirely on one lot. If there is no objection to the vacation of public right of way at DRB, final approval would be by the City Council.

No comment on Sidewalk Variances for waiver or temporary deferral as depicted on Exhibit "B."

Compliance with Open Space requirements must be demonstrated/ documented – Note 9 of the site plan for subdivision needs to be supplemented with calculations. Street trees on Oakmont, Woodmont, and Universe need to be addressed on the site plan as well as pedestrian access to Oakmont and Universe. Please make the dividing line more prominent and label as Units 1 and 2 instead of Phases. Rights of way and pavement widths need to be consistent with Preliminary Plats and Infrastructure Lists.

Subdivison Design Variances need to be requested for 1) more than 50 dwelling units served by a single point of access (up to 100 dwelling units could be served with a strategically located emergency access); 2) block lengths greater than 600 feet on the south side of Kayser Mill Road and Oasis Canyon Road; 3) less than 49 foot right of way widths for Mission Ridge Drive and Eagle Hill Drive (the northern portions are Normal Local streets not Access Local) and Kayser Mill Road – justifications must be provided per § 14-14-6-1(A).

Lots on the north side of Kayser Mill need to be adjusted to provide a minimum 50 foot lot width for proposed Lot 23 in order to eliminate the encroachment of the pad development from the public water and sewer easement. Lots on the east side of Mission Ridge need to be adjusted to provide a minimum 55 foot lot width for proposed Lot 30 in order to accommodate the full width of the public drainage easement and eliminate any encroachment of the pad development or a property line fence.

Temporary turnarounds need to be included on the Infrastructure List. Turnaround easements need to be provided for western terminus of Kayser Mill Road and for Mission Ridge Drive, as well as any easement which may be needed for waterline looping – refer to comments from Transportation Development and the Water Authority.

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

City of Albuquerque

DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

S	Z	
		SUBDIVISION
X		Major Subdivision action
		Minor Subdivision action
X		Vacation
	V	Variance (Non-Zoning)
		SITE DEVELOPMENT PLAN
X		for Subdivision
		for Building Permit
	P	Administrative Amendment (AA)
		IP Master Development Plan
	D	Cert. of Appropriateness (LUCC)
		STORM DRAINAGE (Form D)
	L	Storm Drainage Cost Allocation Plan

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Bohannan Huston, Inc (Scott Steffen) PHONE: (505) 823-1000

ADDRESS: Courtyard I, 7500 Jefferson St NE FAX: (505) 798-7988

CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: ssteffen@bhinc.com

APPLICANT: Taos at the Trails, LLC (Rick Beltramo) PHONE: (505) 761-9911

ADDRESS: 6840 Treeline Avenue FAX: (505) 761-9922

CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: rbeltramo@longfordhomes.com

Proprietary interest in site: Owner **List all owners:**

DESCRIPTION OF REQUEST: Sketch Plat Review

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

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

Lot or Tract No. Lots 7-P1 through 113-P1 Block: Unit:

Subdiv/Addn/TBKA: Taos at the Trails Unit 2

Existing Zoning: RD Proposed zoning: RD MRGCD Map No

Zone Atlas page(s): C9 UPC Code: 100906445332011007

CASE HISTORY:

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

1003973, 07DRB-70213, 07DRB-00365, 07DRB-00366, 07DRB-00367

CASE INFORMATION:

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

No. of **existing** lots: 107 No. of **proposed** lots: 58 Total area of site (acres): 14.63

LOCATION OF PROPERTY BY STREETS: On or Near: Tree Line Avenue

Between: Oakridge Street and Universe Boulevard

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

SIGNATURE Scott J. Steffen DATE 5/6/11

(Print) Scott J. Steffen Applicant: ☐ Agent: ☒

FOR OFFICIAL USE ONLY Form revised 4/07

☐	**INTERNAL ROUTING**	Application case numbers	Action	S.F.	Fees
☒	All checklists are complete	11DRB - - 70114	YPE		$ 255.00
☒	All fees have been collected	11DRB - - 70116	YROW		$ 2,100.00
☒	All case #s are assigned	11DRB - - 70117	SW		$ 0
☒	AGIS copy has been sent	11DRB - - 70118	TDS		$ 0
☒	Case history #s are listed	11DRB - - 70119	PP		$ ~~1665.00~~ 2445.00
☐	Site is within 1000ft of a landfill	11DRB 70120	SPS		$ ~~389.00~~
☐	F.H.D.P. density bonus	Hearing date	ADV/CMF		Total 75.00 +20.00
☐	F.H.D.P. fee rebate				$ ~~4,700.00~~ 5,280.00

5-6-11
Planner signature / date

Project # 1008797

FORM V: SUBDIVISION VARIANCES & VACATIONS

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

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

✓ ☒ **VACATION OF PUBLIC EASEMENT (DRB27)** 5

✓ ☒ **VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)** 7
- ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.** (Not required for City owned public right-of-way.)
- ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
- ✓ Zone Atlas map with the entire property(ies) clearly outlined
- ✓ Letter briefly describing, explaining, and justifying the request
- ✓ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- ✓ Sign Posting Agreement
- ✓ Fee (see schedule)
- ✓ List any original and/or related file numbers on the cover application

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

✓ ☐ **SIDEWALK VARIANCE (DRB20)**

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

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

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

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

✓ ☒ **TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**

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

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

☐ **VACATION OF PRIVATE EASEMENT (DRB26)**

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

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

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

SCOTT STEFFEN
Applicant name (print)

Applicant signature / date 5/6/11

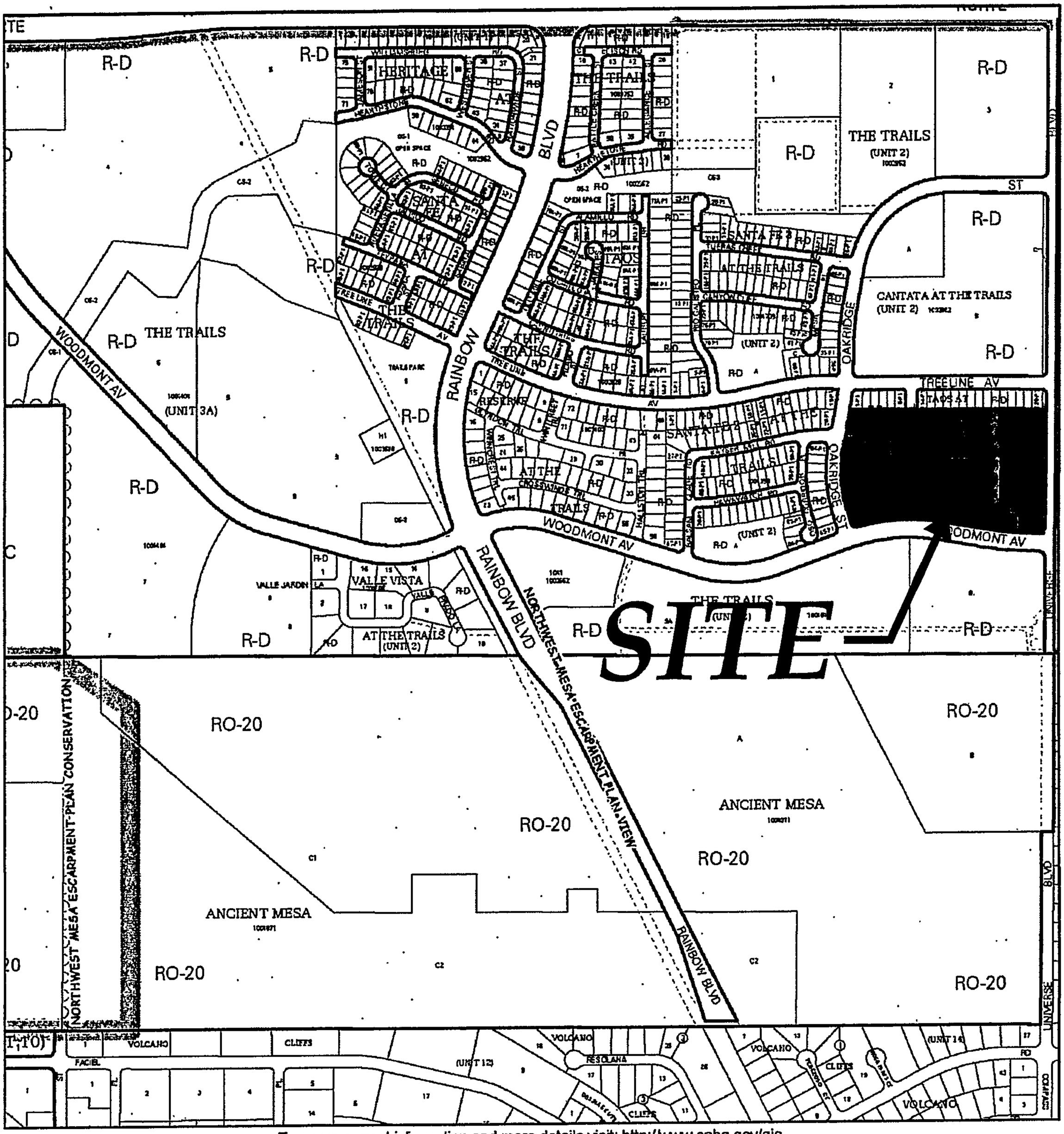
Form revised 4/07

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

Application case numbers
11DRB - 70114
11DRB - 70116
11DRB - 70117
11DRB 70118

5-6-11
Planner signature / date

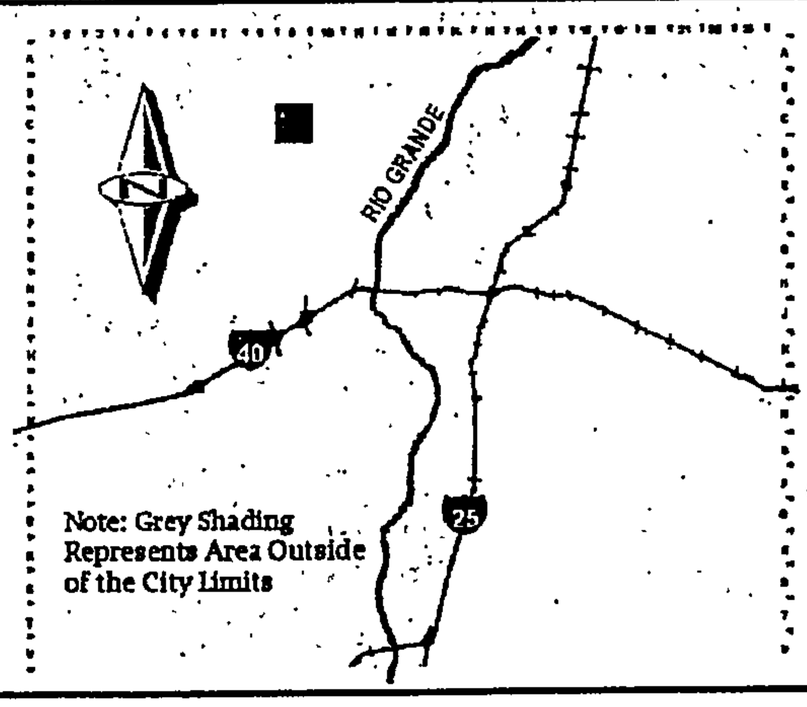
Project # 1008792



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

C-09-Z

Selected Symbols

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

0 — 750 — 1,500 Feet

BOHANNAN ▲ HUSTON INC.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

May 6, 2011

Mr. Jack Cloud, DRB Chair
City of Albuquerque
Planning Department
600 2nd Street NW
Albuquerque, NM 87103

Re: Taos Unit 1 at the Trails – Preliminary Plat, Vacation of Public Easement, Sidewalk Deferral/Waiver, and Design Variance (DRB 1003973)

Dear Mr. Cloud:

Enclosed for Development Review Board (DRB) preliminary plat review and comment are copies of the following information:

- Application for Development Review
- Twenty-four (24) copies of each of the Preliminary Plat and Grading Plan
- Twenty-four (24) copies of the Infrastructure List
- Six (6) copies of Sidewalk Deferral and Waiver (Exhibit B)
- Twenty-four (24) copies of Vacation Action Exhibit (Exhibit C)
- Certificate of No Effect
- Preliminary Pre-Development Facilities Fee Agreement
- Letter from the Office of Neighborhood Coordination
- DR/WS and TIS forms
- Traffic Distribution Layout (Exhibit D)
- Three (3) copies of the previously approved perimeter wall plan
- Submittal Fees

This preliminary plat is being presented to the Development Review Board for the purpose of obtaining City review and approval. The project is a resubdivision of existing lots 7-P1 through 113-P1, together with vacated Kayser Mill Road, Eagle Hills Drive, Mission Ridge Drive, Oasis Canyon Road, Snow Creek Court and a portion of Adobe Rose Place, Taos at the Trails Unit 2, and consists of 57 lots, with a minimum dimension of 40 feet wide by 90 feet deep. Access to the site will be from Tree Line Avenue.

Please place this item on the DRB Agenda to be heard on June 1, 2011. Please feel free to contact me at 823-1000 with questions or comments.

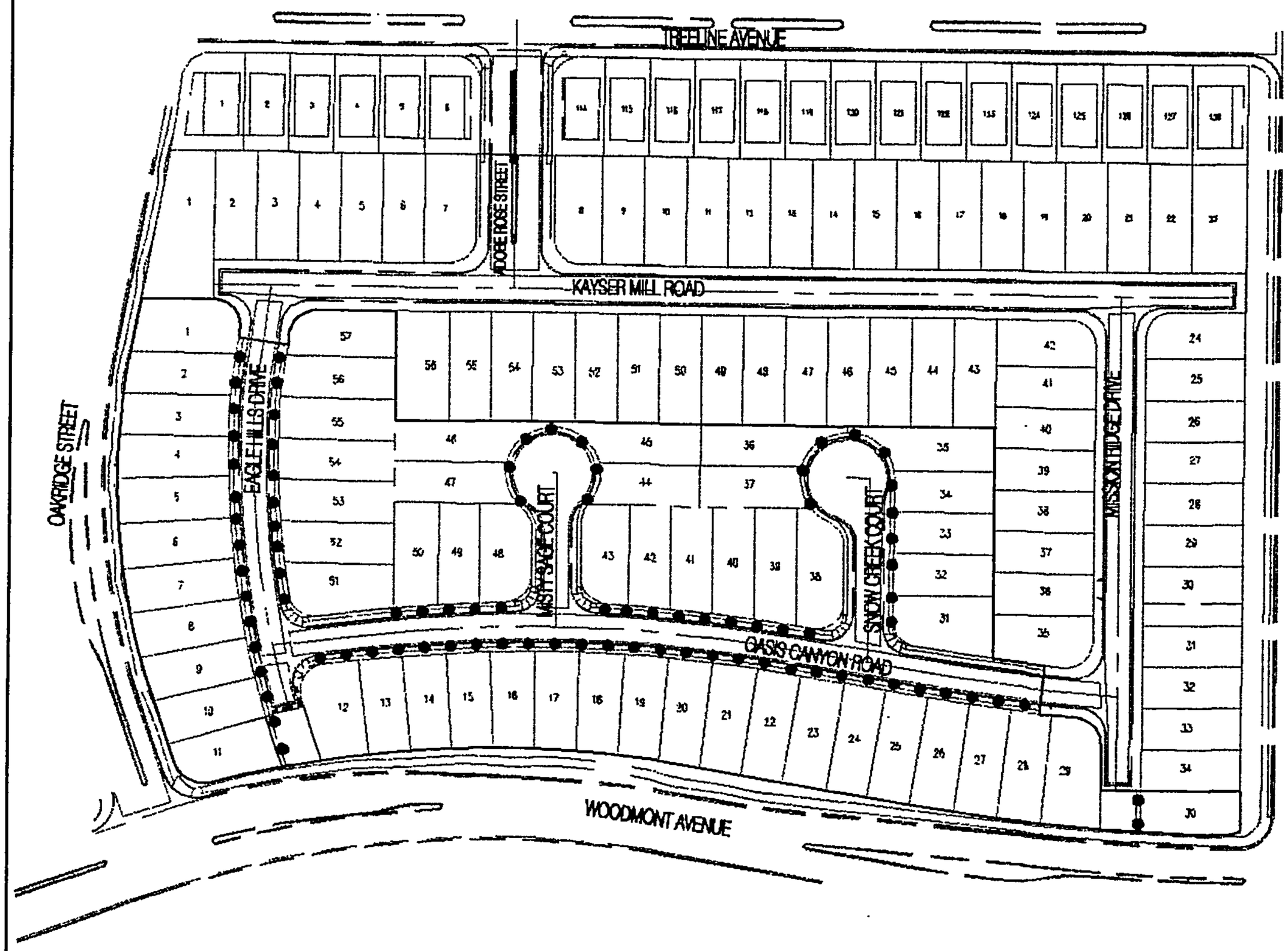
Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning

Enclosures

cc: Rick Beltramo, Longford Homes

P:\20110333\Correspondence\Submittals\Pre Plat\Unit 1 Pre Plat DRB Cover Letter.Docx



N

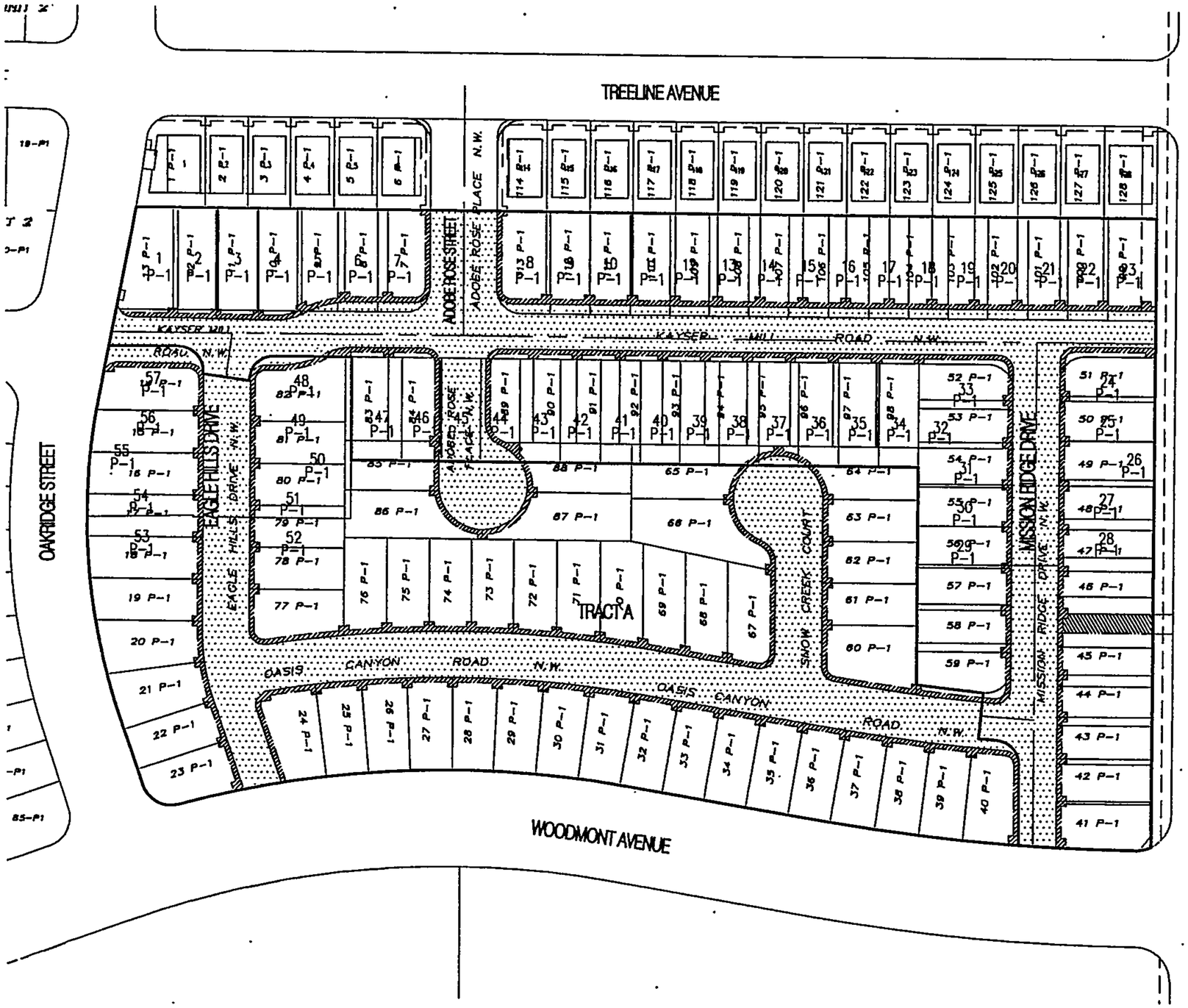
NOT TO SCALE

● ● ● ● DEFERRED sidewalks to be built on a lot-by-lot basis as home construction is completed. The deferral is requested to reduce damage to sidewalks due to building construction activities.

- - - - - - - - WAIVED sidewalks are requested

EXHIBIT "B"
TAOS UNIT 2
at the TRAILS
SIDEWALK DEFERRAL/WAIVER
JULY, 2011

Bohannan ▲ Huston



N

NOT TO SCALE

EXISTING PUBLIC UTILITY EASEMENT TO BE VACATED WITH THIS PLAT.

PORTION OF EXISTING DRAINAGE EASEMENT TO BE VACATED WITH THIS PLAT.

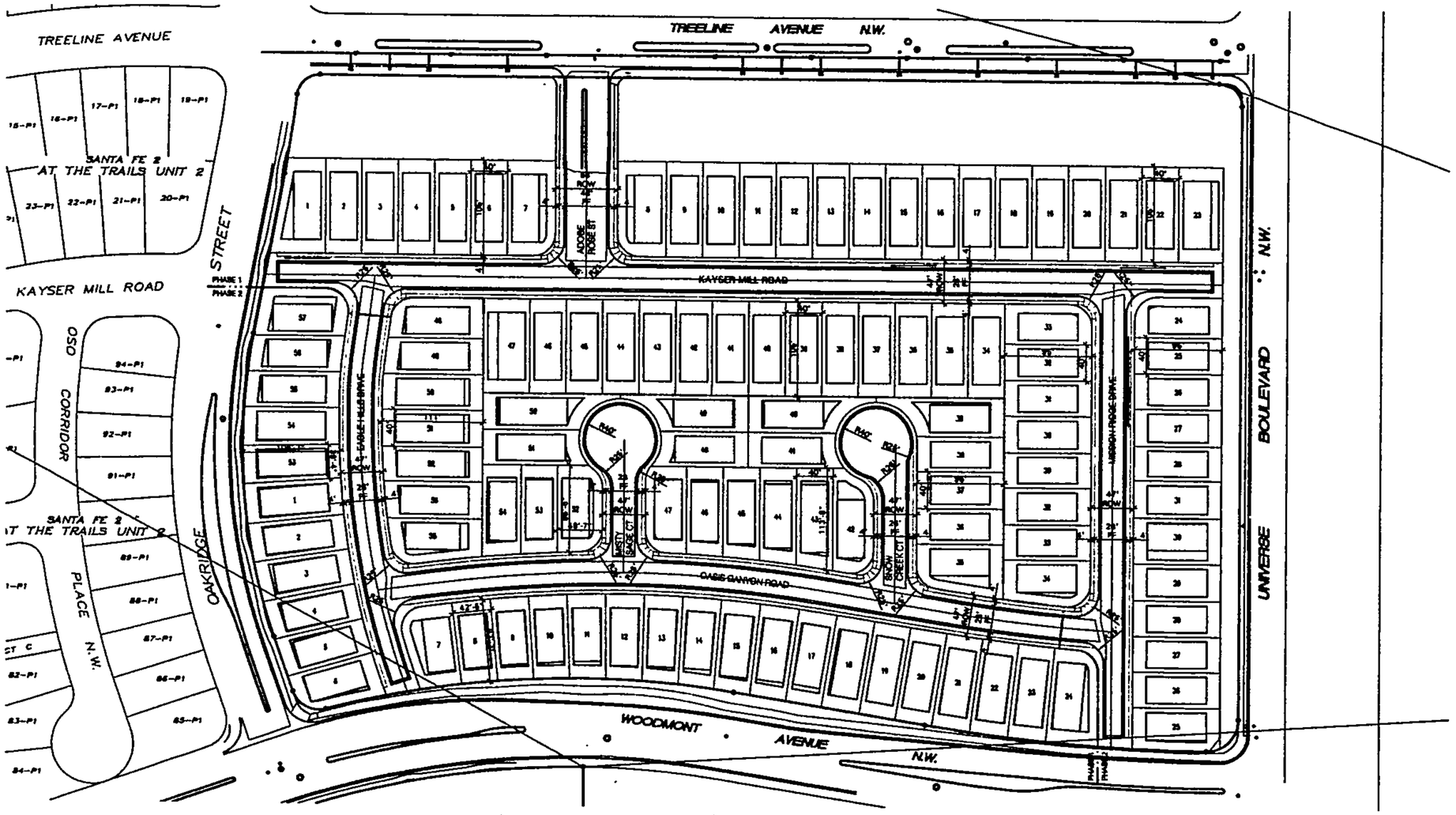
EXISTING RIGHT-OF-WAY TO BE VACATED BY THIS PLAT.

REASON FOR VACATION

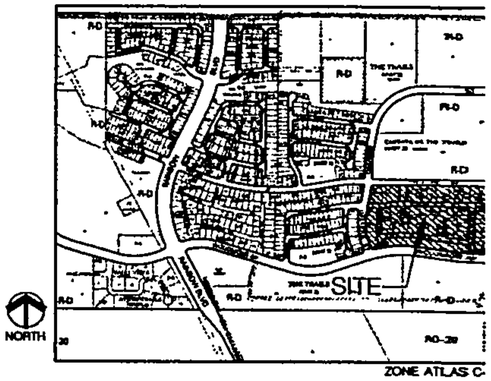
THE EXISTING TAOS AT THE TRAILS UNIT 2 SUBDIVISION IS BEING RESUBDIVIDED TO CHANGE THE LOT SIZES. NEW EASEMENTS AND RIGHT-OF-WAY WILL BE GRANTED AND DEDICATED RESPECTIVELY, WITH THE NEW PLAT.

EXHIBIT "C"
TAOS UNIT 1
at the TRAILS
VACATION EXHIBIT
MAY, 2011

Bohannan Huston



SITE VICINITY



PROJECT NUMBER:	XXXXXX
APPLICATION NUMBER:	XXXXXX

IS AN INFRASTRUCTURE LIST REQUIRED? ( ) YES ( ) NO IF YES, THEN A SET OF APPROVED DRC PLANS WITH A WORK ORDER IS REQUIRED FOR ANY CONSTRUCTION WITHIN PUBLIC RIGHT-OF-WAY OR FOR CONSTRUCTION OF PUBLIC IMPROVEMENTS.

DRB SITE DEVELOPMENT PLAN APPROVAL

TRAFFIC ENGINEERING, TRANSPORTATION DIVISION	DATE
ABCWUA	DATE
PARKS AND RECREATION DEPARTMENT	DATE
CITY ENGINEER	DATE
*ENVIRONMENTAL HEALTH DEPARTMENT-(CONDITIONAL)	DATE
SOLID WASTE MANAGEMENT	DATE
DRB CHAIRPERSON, PLANNING DEPARTMENT	DATE

GENERAL NOTES:

1. THE SITE PLAN CONCEPT AND REQUIREMENTS HAVE BEEN BASED ON THE "TRAILS PHASE 1" SITE DEVELOPMENT PLAN FOR SUBDIVISION, DATED 10-22-03, PROJECT NUMBER 1002962, 03DRB-01530.
2. EXISTING ZONING: RD, PROPOSED ZONING: NO CHANGE.
3. LOT SIZE, SETBACKS AND WIDTHS FOR INDIVIDUAL SUBDIVISION PARCELS SHALL CONFORM TO THE R-T ZONING REGULATION.
4. AS DESCRIBED AND PERMITTED IN CHAPTER 23 OF THE CITY OF ALBUQUERQUE DEVELOPMENT PROCESS MANUAL, OFF STREET PARKING WILL BE PROVIDED IN ACCORDANCE WITH THE P-1 INTERMITTENT PARKING DESIGN STANDARDS. THIS IS APPLICABLE WHERE THE ROADWAY RIGHT-OF-WAY AND PAVEMENT WIDTHS WITHIN INDIVIDUAL SUBDIVISIONS EQUAL 47' AND 28' RESPECTIVELY.
5. PEDESTRIAN ACCESS: SITE INGRESS/EGRESS IS PROVIDED BY PUBLIC SIDEWALKS TO WOODMONT AVENUE.
6. VEHICULAR ACCESS: SITE INGRESS/EGRESS IS PROVIDED BY PUBLIC STREETS TO WOODMONT AVENUE.
7. ALL INTERNAL SUBDIVISION RESIDENTIAL ROADS ARE PROPOSED TO BE 47' RIGHT-OF-WAY WITH 28' F-F PAVEMENT SECTION.
8. SUBDIVISION LOT LAYOUTS DEPICTED ARE FOR GENERAL INFORMATION ONLY. EXACT LOT SIZE, CONFIGURATION, QUANTITY AND INTERNAL ROADWAY CONFIGURATION MAY VARY, AND SHALL BE DETERMINED WITH PRELIMINARY AND FINAL PLATS.
9. THE MAXIMUM ON-LOT USEABLE OPEN SPACE REQUIREMENT WILL BE MET PER THE R-D ZONE IN THE CITY COMPREHENSIVE ZONING CODE. THE REMAINING REQUIREMENTS HAVE BEEN MET PREVIOUSLY PER SECTION 14-16-3-8 DETACHED OPEN SPACE REGULATIONS. OFF-SITE OPEN SPACE AREAS HAVE BEEN ESTABLISHED CONSISTENT WITH THE TRAILS PHASE I SITE DEVELOPMENT PLAN FOR SUBDIVISION.
11. WATER AND SEWER PROVIDED BY ABCWUA PURSUANT TO THE WATER AND SEWER AVAILABILITY LETTER.
12. PERIMETER WALLS: THE SUBDIVISION PERIMETER GARDEN WALL WILL BE DESIGNED AND SUBMITTED IN CONJUNCTION WITH THE PRELIMINARY PLAT, AND SHALL BE CONSISTENT WITH THE TRAILS PHASE I SITE DEVELOPMENT PLAN FOR SUBDIVISION. SOME OF THE PERIMETER WALLS ARE EXISTING.
13. MAXIMUM BUILDING HEIGHT WILL BE 26 FEET IN COMPLIANCE WITH THE COMPREHENSIVE CITY ZONING CODE.
14. THERE ARE CURRENTLY NO TRANSIT OPERATIONS IN THE VICINITY. TRANSIT MAY OCCUR AT A LATER DATE PER CITY OF ALBUQUERQUE TRANSIT.
15. BICYCLE LANES ARE EXISTING WITHIN WOODMONT AVE. AND RAINBOW BLVD ROADWAYS AS DETERMINED BY THE CITY OF ALBUQUERQUE DESIGN REVIEW COMMITTEE.

SITE DATA:

TOTAL DEVELOPED AREA: 19.3582 AC.
ZONING: R-D
PROPOSED DWELLING UNITS:

PHASE 1	57
PHASE 2	56
TOTAL	113

LEGAL DESCRIPTION:
LOTS 7-P1 THRU 113-P1, TOGETHER WITH VACATED KAYSER MILL ROAD, EAGLE HILLS DRIVE, MISSION RIDGE DRIVE, OASIS CANYON ROAD, SNOW CREEK COURT, AND A PORTION OF ADOBE ROSE PLACE, OF TAOS AT THE TRAILS UNIT 2 SUBDIVISION, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "SUBDIVISION PLAT OF TAOS AT THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS 5 AND 7, THE TRAILS, UNIT 2) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON OCTOBER 26, 2007, IN PLAT BOOK 2007C, PAGE 314 AS DOCUMENT NO. 2007149599

Site Plan for Subdivision

Taos Unit 1 at the Trails Unit 2
Taos Unit 2 at the Trails Unit 1

Prepared for:
The Trails, LLC
6640 Treeline Avenue NW
Albuquerque, NM 87114

Prepared by:
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102

Scale: 1" = 60'

north 30 0 60 120

CONSENSUS PLANNING
May, 2011
SHEET 1

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

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

May 2, 2011

Becky Gauna
Bohannan Huston Inc.
7500 Jefferson NE/87109
Phone: 505-823-1000/Fax: 505-798-7988

Dear Becky:

Thank you for your inquiry of **May 2, 2011** 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 88-P1 SUBDIVISION PLAT OF TAOS AT THE TRAILS, UNIT 2 (A REPLAT OF TRACTS 5 & 7, THE TRAILS, UNIT 2), LOCATED ON OAKRIDGE STREET NW BETWEEN TREELINE AVENUE NW AND WOODMONT AVENUE NW** zone map **C-9.**

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

VOLCANO TRAILS N.A. (VTT) "R"
***Bill Ek**
8931 Winncrest Trail NW/87114 792-0255 (h)
Esther Torrez
6909 Tree Line Ave. NW/87114 269-1541

*** denotes president of association.**

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 I. Winklepleck
Neighborhood Liaison
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION.

planningrnaform(12/06/07)

BOHANNAN HUSTON INC.

Courtyard
7500 Jefferson St. NE
Albuquerque, NM
87109-433

www.bhinc.com

voice: 505.823.100
facsimile: 505.798.798
toll free: 800.877.533

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 6, 2011

Bill Elk
8931 Winncrest Trail NW
Albuquerque, NM 87114

Re: Preliminary Plat Approval, Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Design Variance, Taos at the Trails Unit 2 and Tract 9A at the Trails Unit 2

Dear Mr. Elk:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Preliminary Plat, Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2; and for a Preliminary Plat, Vacation of Public Easements and Design Variance for Tract 9A at the Trails Unit 2. See the attached Zone Atlas Page for locations of each project.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Tract 9A is a proposed 114-lot subdivision south of Woodmont Avenue, near the intersection of Oakridge Street and Woodmont Avenue. There is existing public sewer, storm drain and water lines on the site within public easements. These lines will be within public ROWs after the platting of Tract 9A, making the easements unnecessary. The internal street block lengths are greater than the 600' allowed by the City Development Process Manual, therefore a variance to this design criteria is being requested.

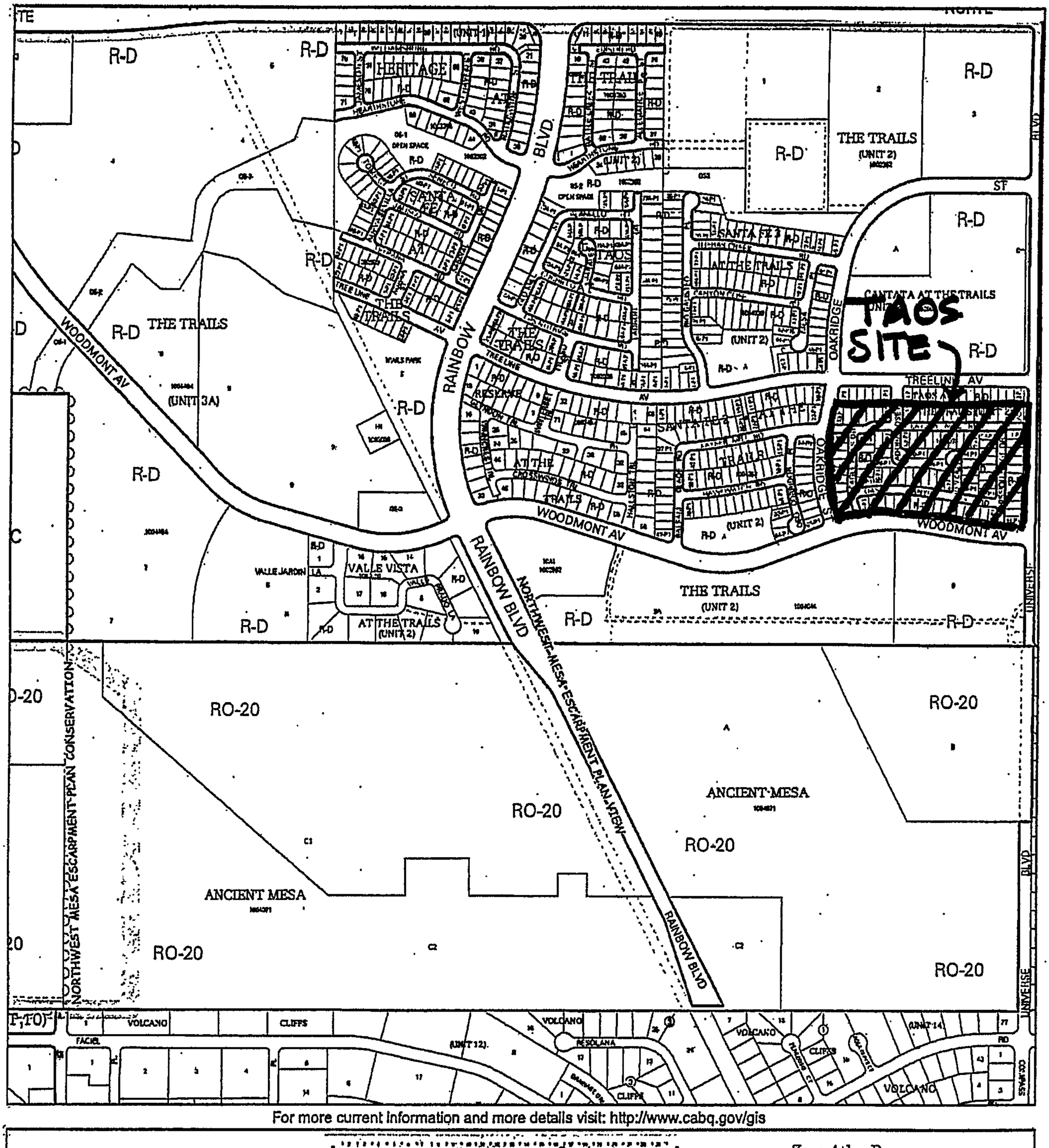
Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

P:\20110333\Correspondence\Submittals\Pre Plat\-NA Notice LTR-Plats.doc



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

Albuquerque Geographic Information System

Map amended through: 1/24/2011

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:

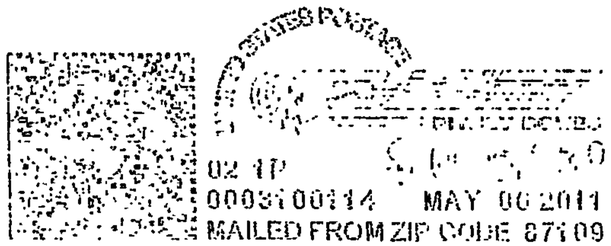
C-09-Z

Selected Symbols

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

0 750 1,500 Feet

91 7108 2133 3935 6712 7550



Bohannan · Huston.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

BILL ELK
8931 WINNCREST TRAIL NW
ALBUQ, NM 87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number
(Transfer from service label) 91 7108 2133 3935 6712 7550

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

Bohannan Huston INC.

Courtyarc
7500 Jefferson St. N
Albuquerque, N
87109-43

www.bhinc.co

voice: 505.823.10
facsimile: 505.798.798
toll free: 800.877.533

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

May 6, 2011

Esther Torrez
6909 Tree Line NW
Albuquerque, NM 87114

Re: Preliminary Plat Approval, Vacation of Public Easements & Vacation of Public Right of Ways (ROWs), Design Variance, Taos at the Trails Unit 2 and Tract 9A at the Trails Unit 2

Dear Mr. Torrez:

The City of Albuquerque's Office of Neighborhood Coordination has informed us that you are a representative of the VOLCANO TRAILS N.A.

This letter is to advise you that Bohannan Huston, Inc., agent for Longford Homes, is seeking approval for a Preliminary Plat, Vacation of Public Easements and Vacation of Public Rights-of-Way (ROWs) for Taos at the Trails Unit 2; and for a Preliminary Plat, Vacation of Public Easements and Design Variance for Tract 9A at the Trails Unit 2. See the attached Zone Atlas Page for locations of each project.

Taos at the Trails is an existing 128-lot subdivision that is being replatted with different lots sizes to meet homebuilder needs. There are 21-lots facing Treeline Avenue that are not part of the replatting. The replatting requires the vacation of the public easements and the vacation of public ROWs. New easements will be granted and new ROWs will be dedicated to the City of Albuquerque by the new plat.

Tract 9A is a proposed 114-lot subdivision south of Woodmont Avenue, near the intersection of Oakridge Street and Woodmont Avenue. There is existing public sewer, storm drain and water lines on the site within public easements. These lines will be within public ROWs after the platting of Tract 9A, making the easements unnecessary. The internal street block lengths are greater than the 600' allowed by the City Development Process Manual, therefore a variance to this design criteria is being requested.

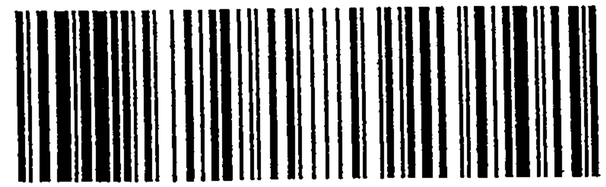
Please feel free to contact me if you have any questions regarding this matter or need information as to the date and time of the public hearing.

Sincerely,

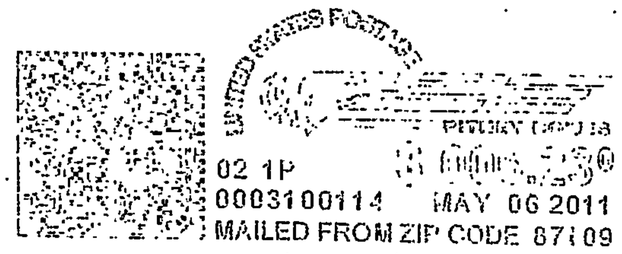
Scott J. Steffen, P.E.
Vice President
Community Development and Planning Group

Enclosure

ENGINEERING
SPATIAL DATA
ADVANCED TECHNOLOGIES



91 7108 2133 3935 6712 7826



Bohannan · Huston Inc.

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ESTER TORREZ
6909 TREELINE NW
ALBUQ, NM
87114

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery

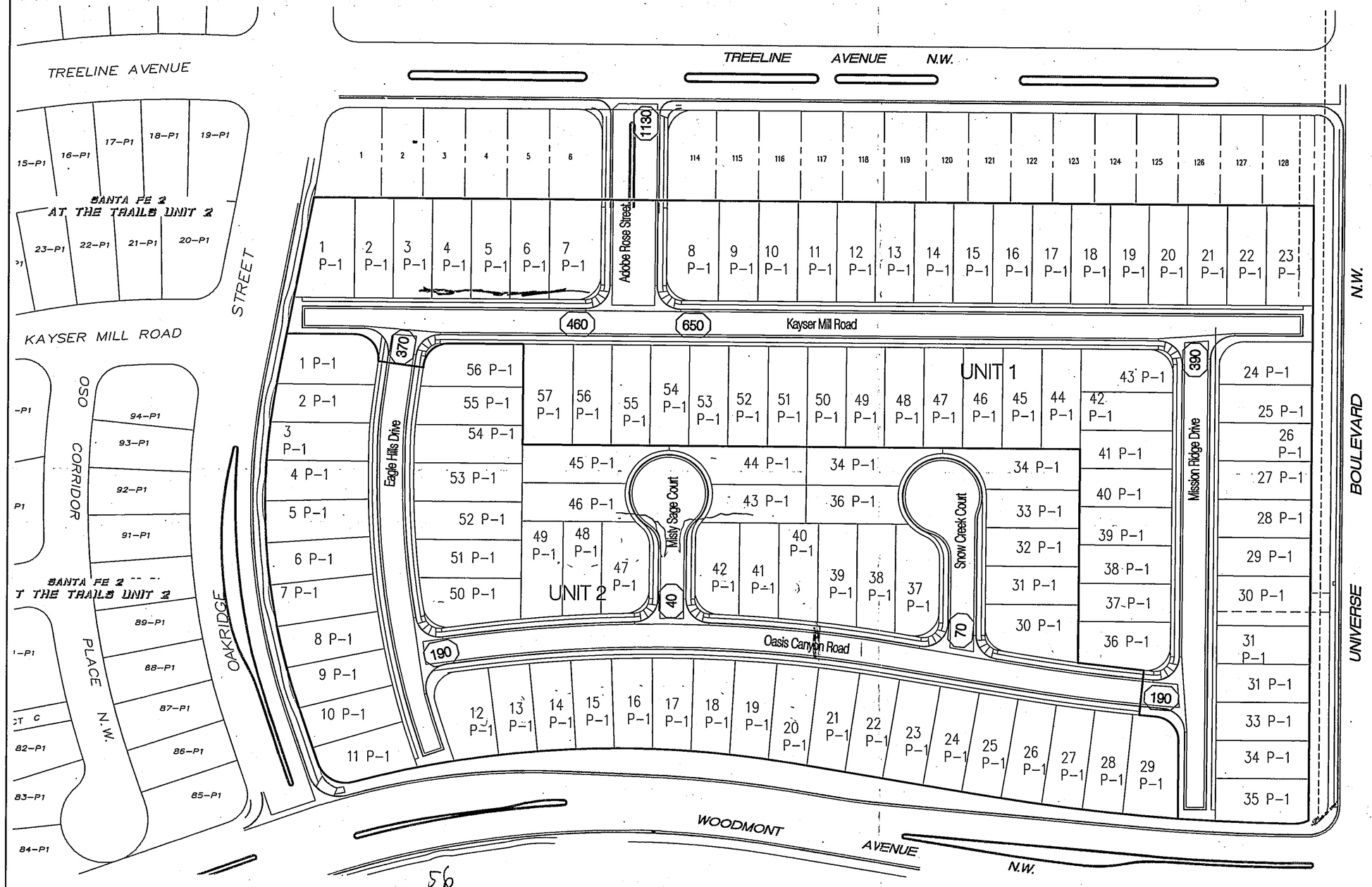
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Transfer from service label)* 91 7108 2133 3935 6712 7826

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540



GENERAL NOTES

1. ASSUME 10 TRIPS PER DAY PER LOT.

LEGEND

(XXX) INDICATES NUMBER OF TRIPS APPROACHING OR LEAVING THE INTERSECTION.

N

50 25 0 50
1" = 50'

EXHIBIT D

TRAFFIC DISTRIBUTION ANALYSIS FOR

TAOS at the TRAILS SUBDIVISION

Bohannan Huston

P:\20110333\CDP\Plans\General\20110333_traffic circulation.dwg
May 05, 2011 - 8:11pm

Bohannan Huston INC.

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.877.5332

CLIENT/COURIER/TRANSMITTAL

☐ To: Jack Cloud
DRB Chair
City of Albuquerque
Plaza del Sol 2nd Floor West
600 Second St

Phone: 924-3880

☐ To: Kristal Metro
Transportation Section
City of Albuquerque
Plaza del Sol 2nd Floor West

Phone: 924-3991

☐ To: Allen Porter
ABCWUA
City of Albuquerque
Plaza del Sol 2nd Floor West

Phone: 924-3989

☐ To: Christina Sandoval
Parks and Design Division
City of Albuquerque
Plaza del Sol 2nd Floor West

Phone: 768-2638

☐ To:

Phone:

☐ To:

Phone:

☐ To:

Phone:

Date: June 22, 2011

Job No.: 20110333.002.01.cdp

Requested By: Scott Steffen

Project: Taos Unit 1 at the Trails
DRB #1008797

DELIVER VIA

☒ Courier	☐ Federal Express	☐ Pickup
☐ Mail	☐ UPS	Item:
☐ Other		

TIME DUE:

☐ This AM	☐ By Tomorrow
☒ This PM	☐ Rush

ITEM NO	QUANTITY	DESCRIPTION
1	1	Revised Preliminary Plat
2	1	Revised Infrastructure List

COMMENTS / INSTRUCTIONS

The preliminary plat has been revised to increase the length of Eagle Hills Drive in Unit 1 for the hammerhead turnaround.

The infrastructure list has been revised to incorporate Hydrology comments.

REC'D BY: _____ DATE: _____ TIME: _____

Current DRC
Project No. _____

Date Submitted: June 21, 2011
Date Site Plan for Bldg Permit Approv.: _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No. _____

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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 which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PAVING							
		49' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES W/ MEDIAN CURB & GUTTER	ADOBE ROSE STREET ENTRANCE	TERMINUS OF EXISTING ADOBE ROSE STREET	KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	SOUTH STUB TERMINUS	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	EAGLE HILLS DRIVE (HAMMERHEAD TURNAROUND)	KAYSER MILL ROAD	66' SOUTH OF KAYSER MILL ROAD	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4' WIDE SIDEWALK ON BOTH SIDES*	OASIS CANYON ROAD (HAMMERHEAD TURNAROUND)	MISSION RIDGE DRIVE	66' WEST OF MISSION RIDGE DRIVE	/	/	/
			TRAFFIC SIGNAL AT WOODMONT/ RAINBOW FINANCIAL GUARANTEE W/COA #730084				/	/	/
			1/4 TRAFFIC SIGNAL AT WOODMONT/ UNIVERSE "B" MODIFIED SIA				/	/	/

* SIDEWALKS TO BE BUILT/DEFERRED IN ACCORDANCE W/APPROVED SIDEWALK EXHIBIT

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PUBLIC STORM DRAIN IMPROVEMENTS						
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE DRIVE	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		24" - 36" DIA	RCP W/ MH & INLETS	MISSION RIDGE DRIVE	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		9.9 ac-ft	PERMANENT DETENTION POND W/AGREEMENT AND COVENANT (POND K)	DRAINAGE EASEMENT NO. 2005127389 (BK-A102 PF 7018)	EAST SIDE OF UNIVERSE BLVD		/	/	/
		24" - 54" DIA	RCP W/ MH & INLETS	UNIVERSE BLVD	OAKRIDGE ST (POND J)	WOODMONT AVENUE (POND K)	/	/	/
		NOTE:	CERTIFICATION OF THE GRADING AND DRAINAGE PLAN IS REQUIRED FOR RELEASE OF FINANCIAL GUARANTEES						
			PUBLIC WATERLINE IMPROVEMENTS						
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE PLACE	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		6" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE DRIVE	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	OASIS CANYON DRIVE	MISSION RIDGE DRIVE	WEST STUB END	/	/	/
		4" DIA *	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	LOT 35, TAOS UNIT 1 WATERLINE EASEMENT	MISSION RIDGE DRIVE	UNIVERSE BLVD	/	/	/
		*	RELOCATE EXISTING FIRE HYDRANT IN UNIVERSE BLVD FOR TEMPORARY 4" WATERLINE CONNECTION				/	/	/
			PUBLIC SANITARY SEWER IMPROVEMENTS						
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE DRIVE	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	WEST STUB END	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	OASIS CANYON ROAD	MISSION RIDGE DRIVE	WEST STUB END	/	/	/

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
SCOTT STEFFEN, PE 6/21/2011 PREPARED BY: PRINT NAME DATE	DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
BOHANNAN HUSTON, INC. FIRM:	TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
SIGNATURE	ABCWUA	DATE	CITY ENGINEER	DATE
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION				DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

Current DRC
Project No. _____

Date Submitted: May 6, 2011
Date Site Plan for Bldg Permit Approv _____
Date Site Plan for Sub. Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No. _____

Figure 12

INFRASTRUCTURE LIST

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

TAOS UNIT 1 AT THE TRAILS UNIT 2
(REPLAT OF LOTS 7 THRU 113, TAOS AT THE TRAILS UNIT 2)

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SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
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		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4" WIDE SIDEWALK ON BOTH SIDES*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	MISSION RIDGE DRIVE	/	/	/
		28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4" WIDE SIDEWALK ON BOTH SIDES*	MISSION RIDGE DRIVE	KAYSER MILL ROAD	SOUTH STUB TERMINUS	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4" WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	EAGLE HILLS DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4" WIDE SIDEWALK ON NORTH SIDE*	KAYSER MILL ROAD	MISSION RIDGE DRIVE	STUB STREET (END)	/	/	/
		24' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER, PCC 4" WIDE SIDEWALK ON EAST SIDE*	MISSION RIDGE DRIVE	OASIS CANYON ROAD	STUB STREET (END)	/	/	/

* SIDEWALKS TO BE DEFERRED

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		PUBLIC STORM DRAIN IMPROVEMENTS							
		18" - 30" DIA	RCP W/ MH & INLETS	KAYSER MILL ROAD	MISSION RIDGE ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		18" - 30" DIA	RCP W/ MH & INLETS	MISSION RIDGE ROAD	OASIS CANYON ROAD	UNIVERSE BLVD. EXISTING TIE IN (COA 730084)	/	/	/
		PUBLIC WATERLINE IMPROVEMENTS							
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	ADOBE ROSE STREET	EXISTING WATERLINE STUB IN ADOBE ROSE PLACE	KAYSER MILL RD	/	/	/
		12" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	TIE TO EXISTING WL IN UNIVERSE BLVD.	/	/	/
		8" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	ADOBE ROSE STREET	EAGLE HILLS DRIVE	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	KAYSER MILL RD	EAGLE HILLS DRIVE	WEST END OF KAYSER MILL ROAD	/	/	/
		8" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	MISSION RIDGE ROAD	KAYSER MILL RD	OASIS CANYON ROAD	/	/	/
		4" DIA	WATERLINE W/ NEC. VALVES FH'S, MJ'S & RJ'S	EAGLE HILLS DRIVE	OASIS CANYON ROAD	SOUTH STUB END	/	/	/
		PUBLIC SANITARY SEWER IMPROVEMENTS							
		EX 8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	MISSION RIDGE ROAD	BUILT UNDER COA 730084		/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MH'S & SERVICES	KAYSER MILL RD	EAGLE HILLS DRIVE	TIE TO EXISTING SANITARY SEWER MH IN MISSION RIDGE ROAD	/	/	/

AGENT/OWNER

SCOTT STEFFEN, PE — 5/5/2011
PREPARED BY: PRINT NAME — DATE

BOHANNAN HUSTON, INC.
FIRM

SIGNATURE

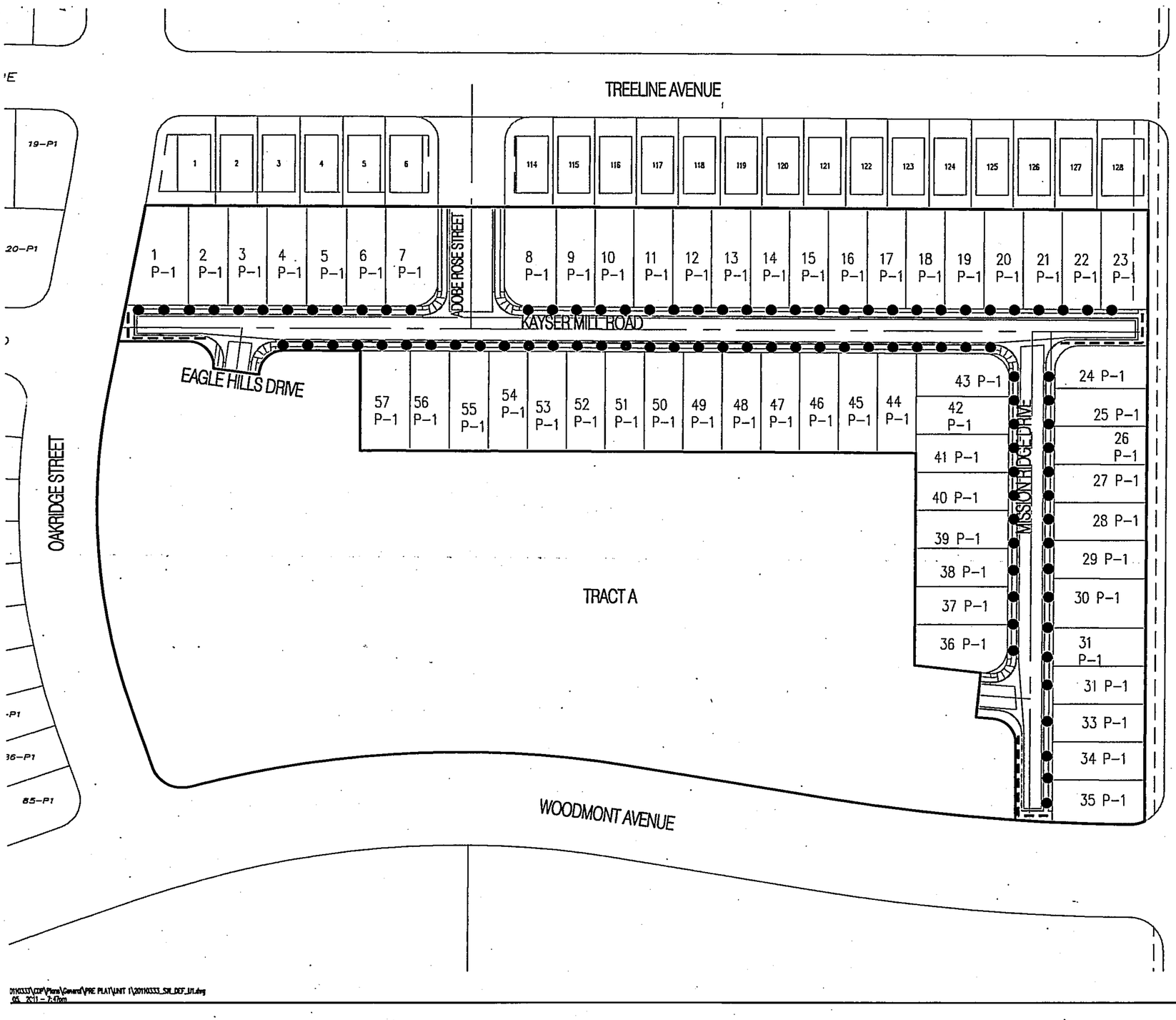
MAXIMUM TIME ALLOWED TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR	DATE	PARKS & GENERAL SERVICES	DATE
TRANSPORTATION DEVELOPMENT	DATE	AMAFCA	DATE
ABCWUA	DATE	CITY ENGINEER	DATE
			DATE

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER



N

NOT TO SCALE

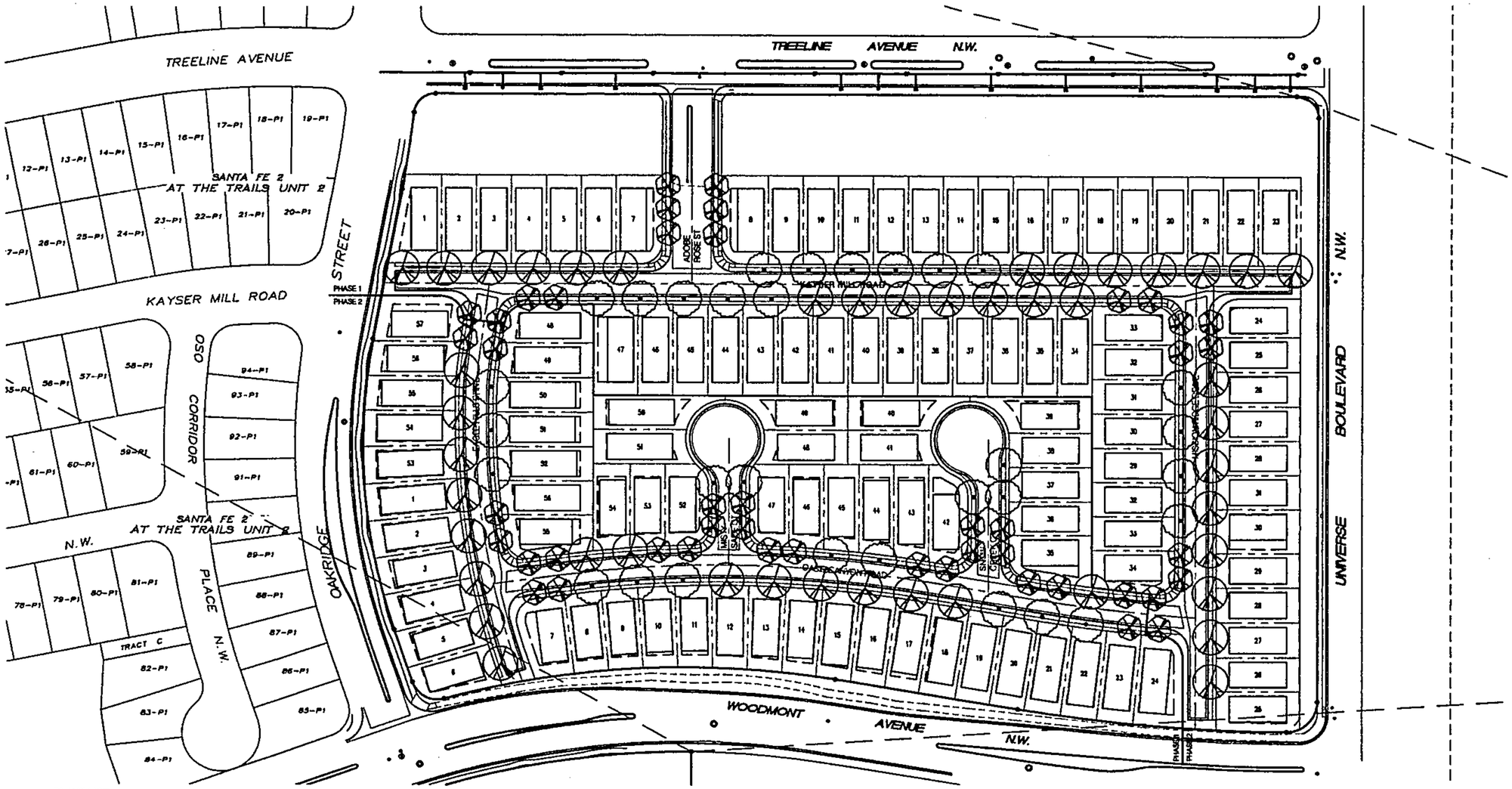
DEFERRED sidewalks to be built on a lot-by-lot basis as home construction is completed. The deferral is requested to reduce damage to sidewalks due to building construction activities.

WAIVED sidewalks are requested

EXHIBIT "B"
TAOS UNIT 1
at the TRAILS
SIDEWALK DEFERRAL/WAIVER
MAY, 2011

Bohannan Huston

D1X0333\CDP\Plans\Covered\PRE PLAT\UNIT 1\20110333_SW_DEF_U1.dwg
05, 2011 - 7:47am



PLANT LIST

COMMON NAME	BOTANICAL NAME	SIZE	WATER USE
STREET TREES			
CHITALPA	CHITALPA TASHKENTENSIS 'PINK DAWN'	2.0" CAL.	MEDIUM
MODESTO ASH	FRAXINUS VELUTINA 'MODESTO'	2.0" CAL.	MEDIUM
IMPERIAL HONEYLOCUST	GLEDITSIA TRIACANTHOS 'IMPERIAL'	2.0" CAL.	MEDIUM
FRONT YARD PLANT LIST TYPICAL			
EVERGREEN TREES			
AUSTRIAN PINE	PINUS NIGRA	6 FT. HT.	MEDIUM
TREES			
DESERT WILLOW	CHILOPSIS LINEARIS	2.0" CAL.	LOW+
GOLDENRAIN TREE	KOELREUTERIA PANICULATA	2.0" CAL.	MEDIUM
NEW MEXICO OLIVE	FORESTIERA NEOMEXICANA	15 GAL	LOW
NEWPORT FLOWERING PLUM	PRUNUS C. 'NEWPORT'	2.0" CAL.	MEDIUM
WESTERN REDBUD	CERCIS OCCIDENTALIS	2.0" CAL.	MEDIUM
RAYWOOD ASH	FRAXINUS OXYCARPA 'RAYWOOD'	2.0" CAL.	MEDIUM+
CACTI / AGAVES / ALOES / YUCCAS			
BROADLEAF YUCCA	YUCCA BACCATA	5 GAL	LOW
CHOLLA	OPUNTIA SPP.	5 GAL	LOW
PARRY AGAVE	AGAVE PARRYII	5 GAL	LOW
RED FLOWERING ALOE	HESPERALOE PARVIFLORA	5 GAL	LOW+
SHRUBS			
BLUE MIST SPIREA	CARYOPTERIS X. CLANDONENSIS	5 GAL	MEDIUM
BIG SAGE	ARTEMISIA TRIDENTATA	5 GAL	LOW
WESTERN SAND CHERRY	PRUNUS BESSEYI	5 GAL	MEDIUM
RUSSIAN SAGE	PEROVSKIA ATRIPLICIFOLIA	5 GAL	LOW
CHERRY SAGE	SALVIA GREGGII	5 GAL	LOW
PROSTRATE ROSEMARY	ROSMARINUS O. 'PROSTRATUS'	5 GAL	LOW+
TURPENTINE BUSH	ERICAMERIA LARICIFOLIA 'AGUIRRE'	5 GAL	LOW+

COMMON NAME	BOTANICAL NAME	SIZE	WATER USE
GRASSES			
BEARGRASS	NOLINA MICROCARPA	5 GAL	LOW+
KARL FOERSTER REED GRASS	CALAMAGROSTIS 'KARL FOERSTER'	5 GAL	MEDIUM
REGAL MIST DEERGRASS	MUHLENBERGIA C. 'REGAL MIST'	5 GAL	MEDIUM
SILVER FEATHER MAIDEN GRASS	MISCANTHUS S. 'SILVER FEATHER'	5 GAL	MEDIUM+
THREADGRASS	NASSELLA TENUISSIMA	1 GAL	LOW+
YAKUSHIMA MAIDEN GRASS	MISCANTHUS S. 'YAKUSHIMA'	5 GAL	MEDIUM+
FOUNTAIN GRASS	PENNISETUM ALOPECUROIDES	5 GAL	MEDIUM

NOTES.
1. ALL PLANTS WITHIN 6' OF CURB MUST BE MAINTAINED AT A MAX. HEIGHT OF 3'.
2. TREES IN SIGHTLINES AND WITHIN 6' OF A CURB MUST HAVE LOWER BRANCHES PRUNED UP TO 7'.
3. BOULDERS WITHIN 6' OF CURB MAY NOT EXCEED 8" IN HEIGHT, THOSE WITHIN 12' MAY NOT EXCEED 16".

GENERAL NOTES:
1. THIS PLAN IS INTENDED TO COMPLY WITH THE NORTHWEST MESA ESCARPMENT PLAN.
2. LANDSCAPE DESIGN IS CONCEPTUAL. LANDSCAPE WITHIN R.O.W. SHALL BE ACCOMPLISHED WITH A LANDSCAPE MAINTENANCE AGREEMENT BETWEEN THE HOMEOWNER'S ASSOCIATION AND THE CITY OF ALBUQUERQUE.
3. ALL DISTURBED AREAS WILL BE REVEGETATED WITH NATIVE SEED MIX.

ALL SHRUB PLANTING AREAS SHALL BE TOP DRESSED WITH 3/4" SANTA FE BROWN ROCK MULCH AND 2" - 4" SANTA ANA TAN COBBLE (3:1 RATIO). MINIMUM DEPTH OF MULCH SHALL BE 3".

IRRIGATION SYSTEM
IRRIGATION SYSTEM STANDARDS OUTLINED IN THE WATER CONSERVATION LANDSCAPING AND WATER WASTE ORDINANCE SHALL BE STRICTLY ADHERED TO. A FULLY AUTOMATED IRRIGATION SYSTEM WILL BE USED TO IRRIGATE TREE, SHRUB AND GROUNDCOVER PLANTING AREAS.

IRRIGATION SHALL BE A COMPLETE UNDERGROUND SYSTEM WITH TREES TO RECEIVE (6) 2.0 GPH DRIP EMITTERS AND SHRUBS TO RECEIVE (2) 1.0 GPH DRIP EMITTERS.

RUN TIME PER DRIP VALVE WILL BE APPROXIMATELY 60 MINUTES PER DAY, TO BE ADJUSTED ACCORDING TO THE SEASON.

POINT OF CONNECTION FOR IRRIGATION SYSTEM IS UNKNOWN AT CURRENT TIME AND WILL BE COORDINATED IN THE FIELD.

IRRIGATION WILL BE OPERATED BY AUTOMATIC CONTROLLER. LOCATION OF CONTROLLER TO BE FIELD DETERMINED AND POWER SOURCE FOR CONTROLLER TO BE PROVIDED BY OTHERS.

MAINTENANCE RESPONSIBILITY
MAINTENANCE OF THE LANDSCAPING AND IRRIGATION SYSTEM, INCLUDING THOSE AREAS WITHIN THE PUBLIC R.O.W., SHALL BE THE RESPONSIBILITY OF THE HOME OWNERS ASSOCIATION.

STATEMENT OF WATER WASTE
THE LANDSCAPE PLAN FOR THIS SITE SHALL LIMIT THE PROVISION OF HIGH WATER USE TURF TO A MAXIMUM OF 20 PERCENT OF THE REQUIRED LANDSCAPE AREA.

Landscape Plan

Taos Unit 1 at the Trails Unit 2/ Taos Unit 2 at the Trails Unit 2

Prepared for:
The Trails, LLC
6840 Treeline Avenue NW
Albuquerque, NM 87114

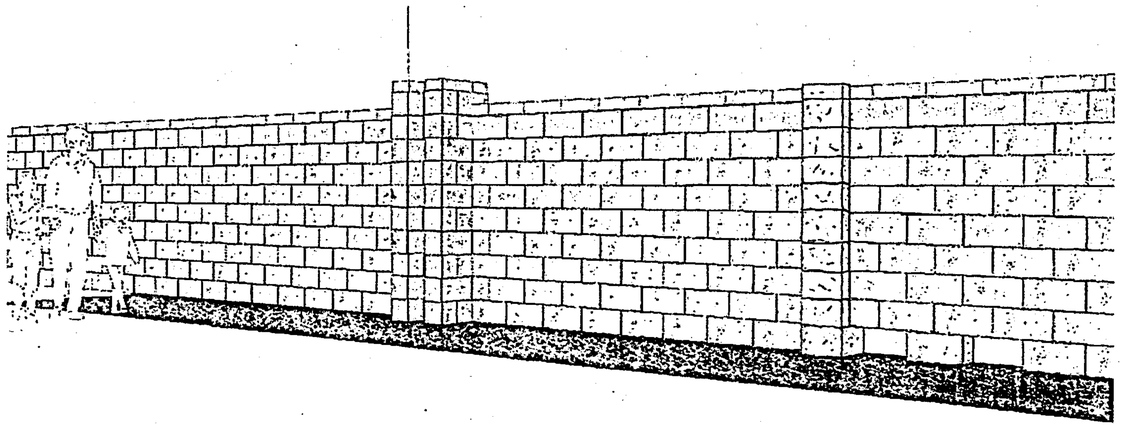
Prepared by:
Consensus Planning, Inc.
302 Eighth Street NW
Albuquerque, NM 87102

Scale: 1" = 60'

north 30 0 60 120

CONSENSUS PLANNING
May, 2011
SHEET 2

AGENT'S COPY



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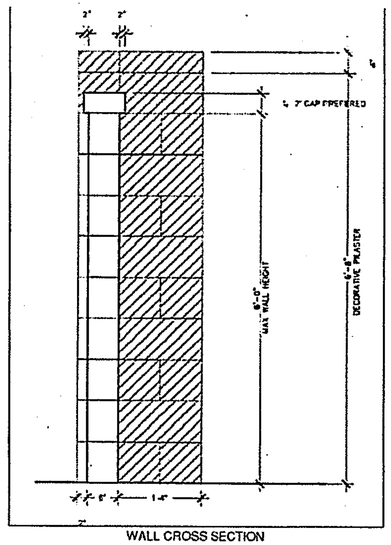
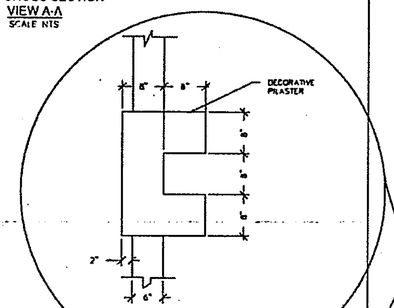
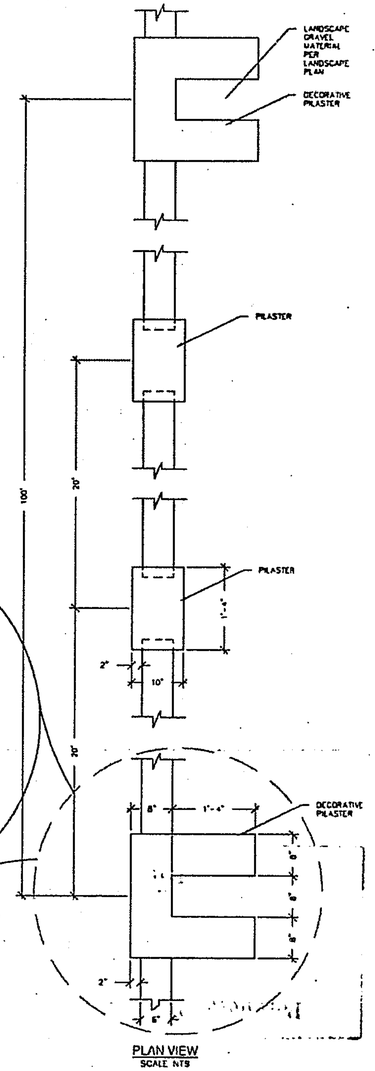
SCALE: NTS



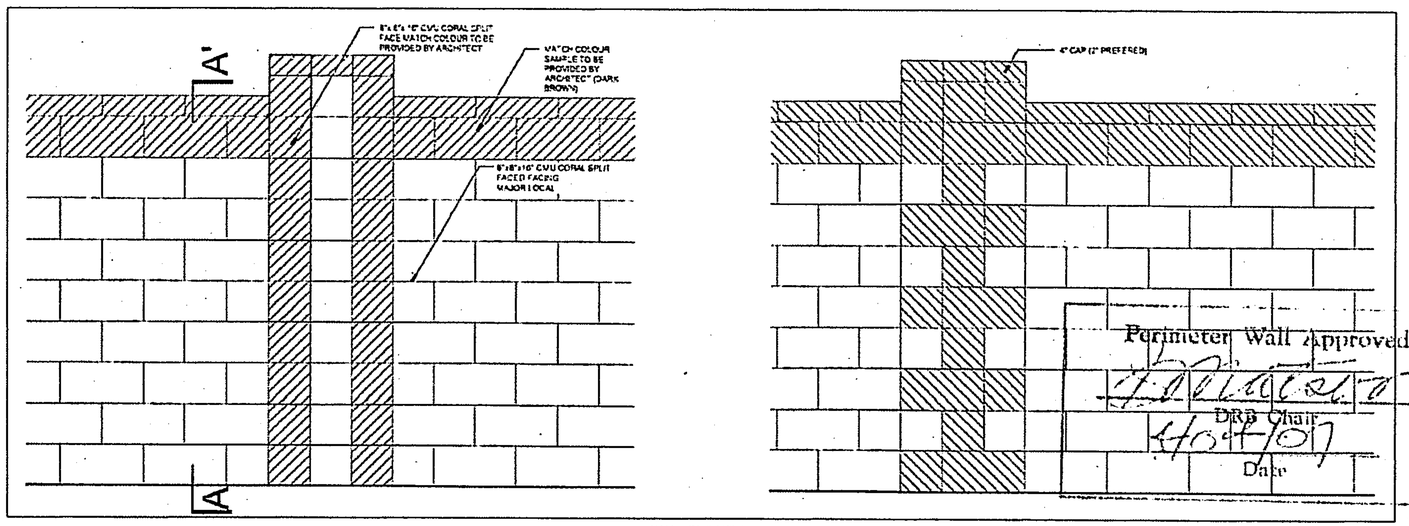
WALL CROSS SECTION
VIEW A-A
SCALE: NTS



OPTIONAL PILASTER PLAN VIEW
SCALE: NTS



PLAN VIEW
SCALE: NTS



WALL ELEVATION
SCALE: NTS

DRB # 1003973

NEAREST INTERSECTION:
WOODMONT AVE./
UNIVERSE BLVD.

ZONE ATLAS:
C-9-Z

Perimeter Wall Approved
DRB Chair
4/04/07
Date

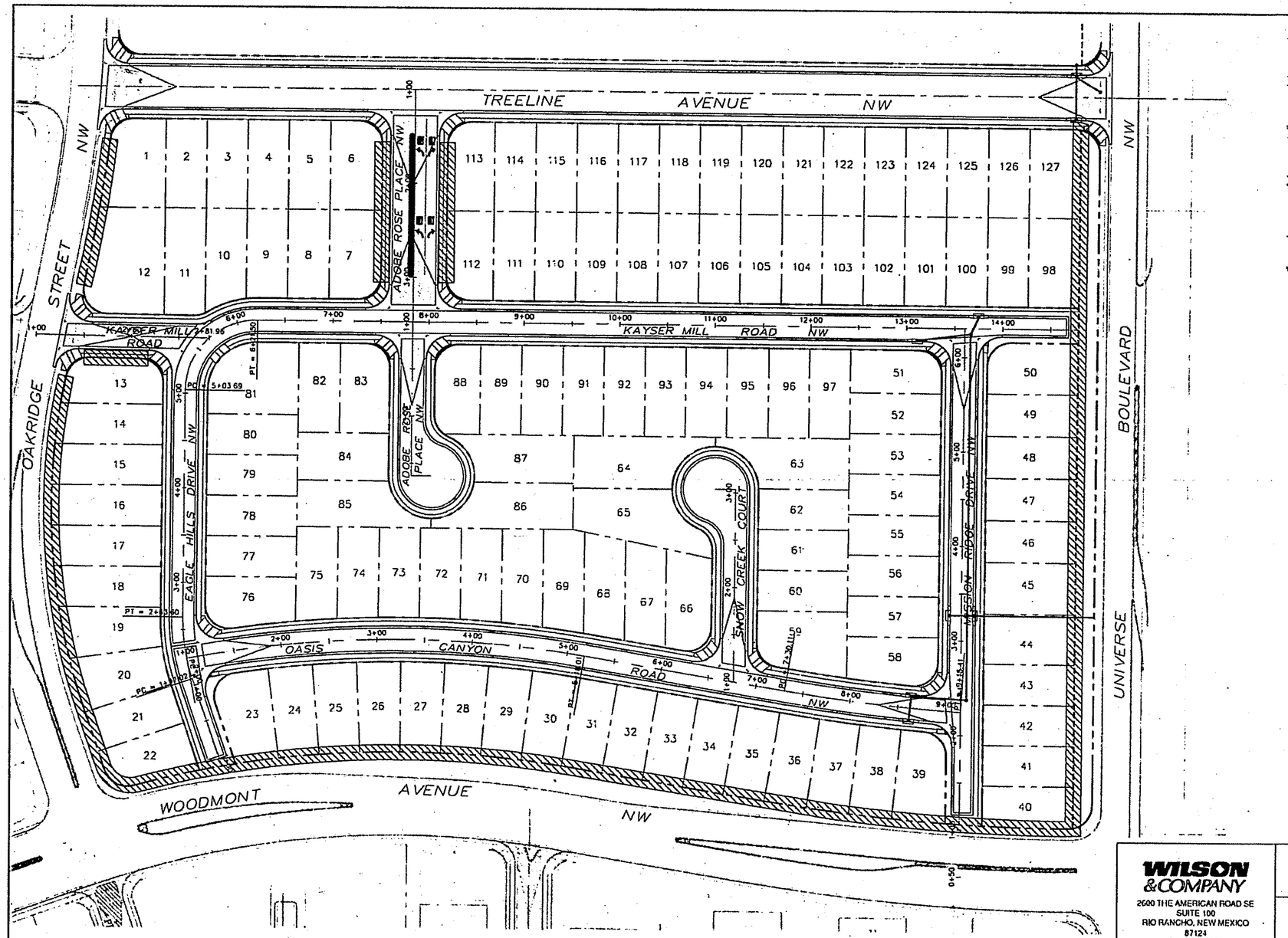
WILSON &COMPANY
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 898-8021

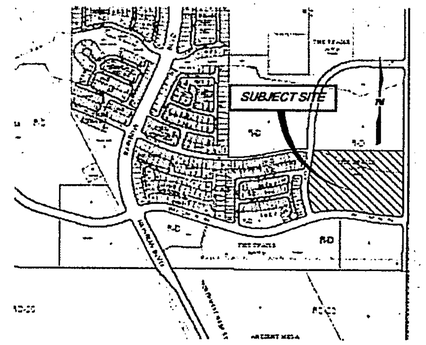
TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 1 OF 2
CHECK	SJS		





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PEREMETER WALL

DRB #

NEAREST INTERSECTION:
WOODMONT AVE./
OAKRIDGE STREET

N

NTS

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SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 898-8021

TAOS AT THE TRAILS
UNIT 2

WALL PLAN EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 2 OF 2
CHECK	SJS		

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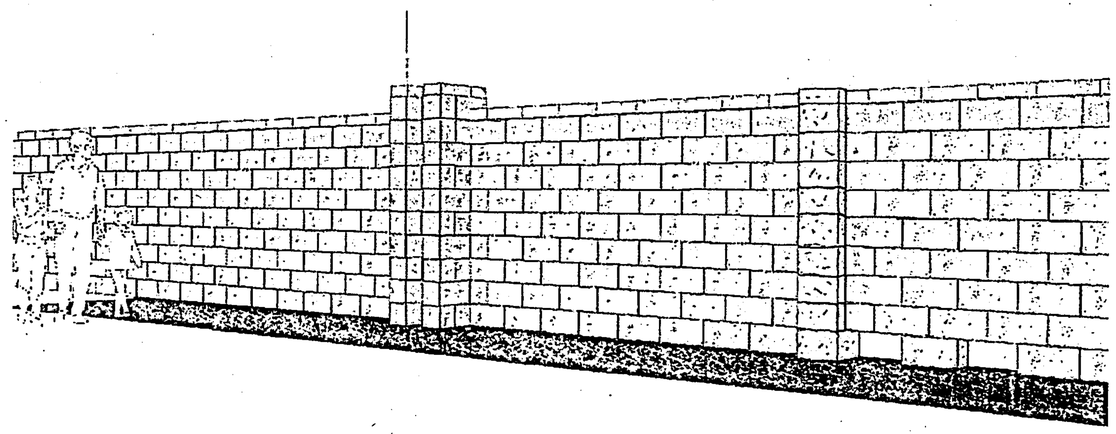
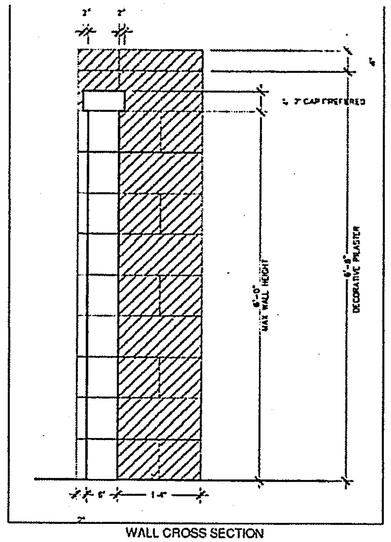
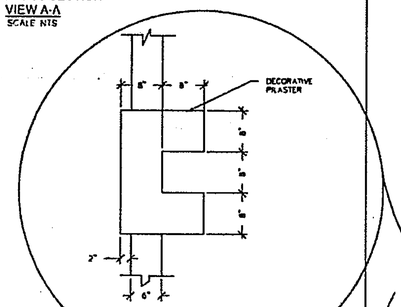


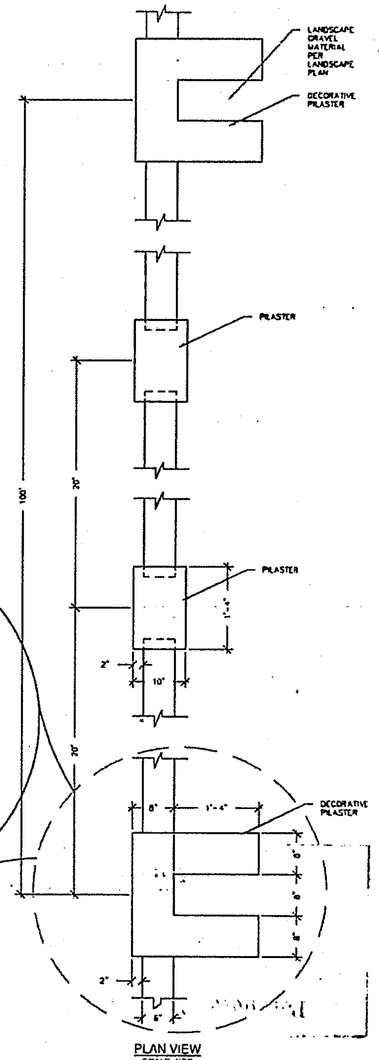
PERSPECTIVE WALL RENDERING
SCALE: NTS



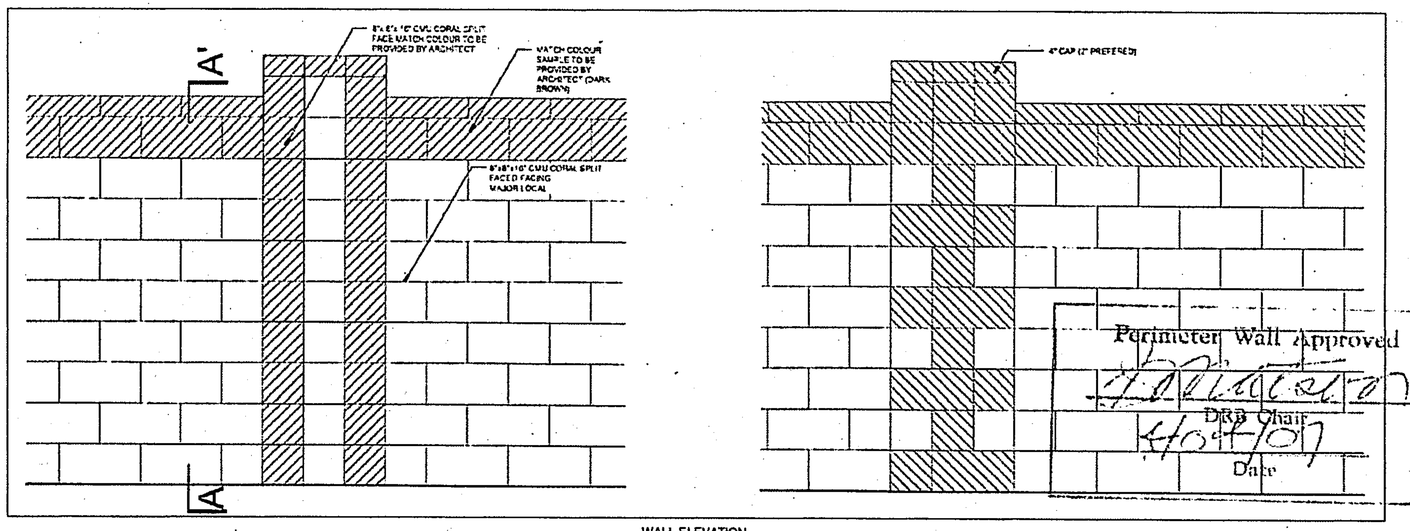
WALL CROSS SECTION
VIEW A-A
SCALE: NTS



OPTIONAL PILASTER PLAN VIEW
SCALE: NTS



PLAN VIEW
SCALE: NTS



WALL ELEVATION
SCALE: NTS

DRB # 1003973

NEAREST INTERSECTION:
WOODMONT AVE./
UNIVERSE BLVD.

ZONE ATLAS:
C-9-Z

Perimeter Wall Approved
4/04/07
DRB Chair
4/04/07
Date

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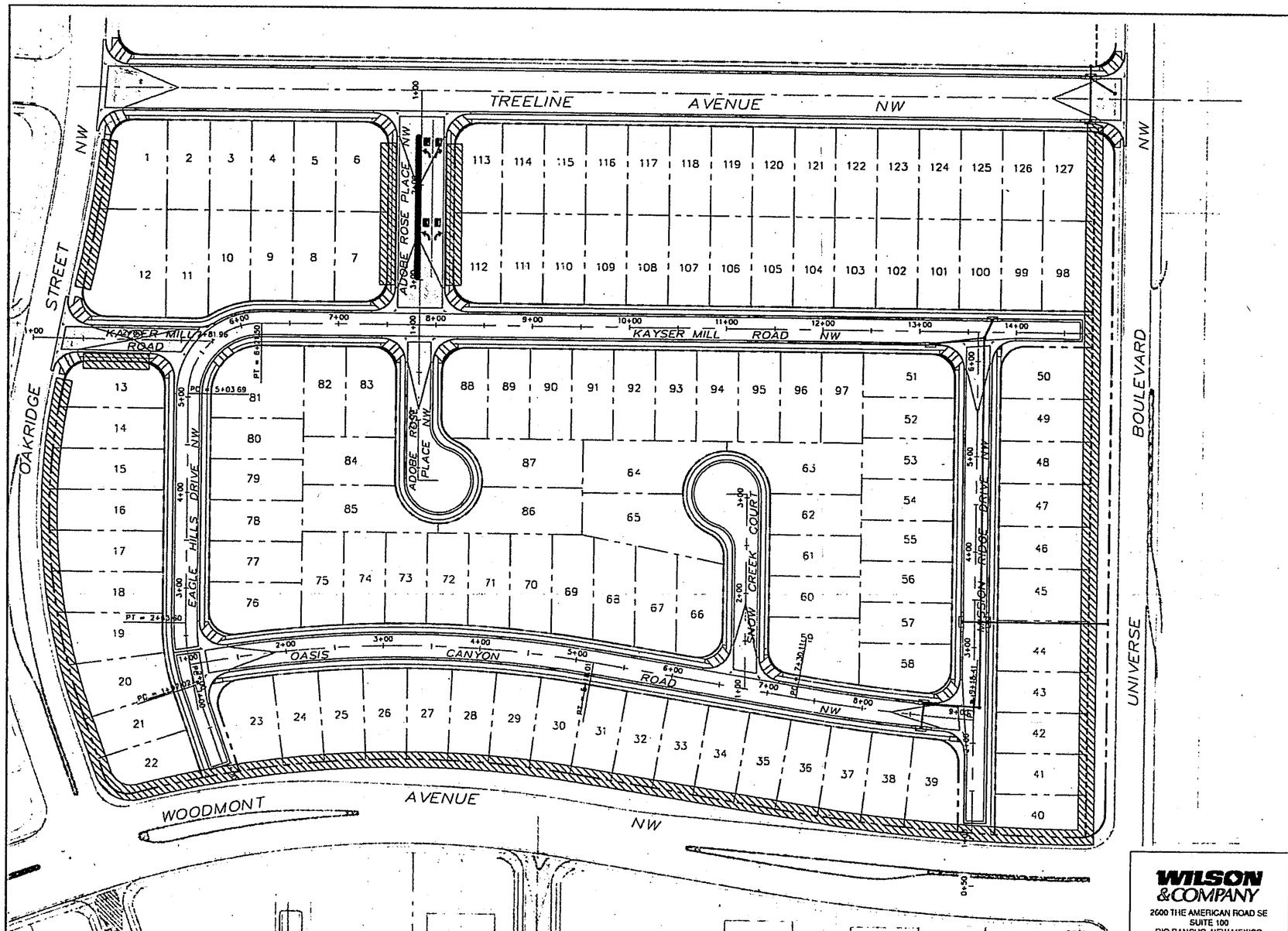
2600 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 898-8021

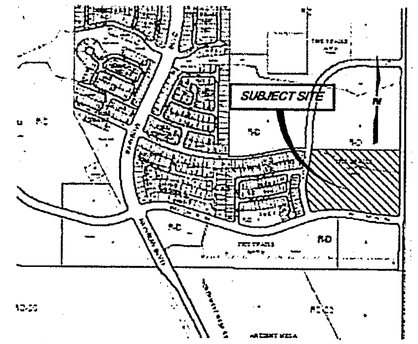
TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 1 OF 2
CHECK	SJS		





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PEREMETER WALL

DRB #

NEAREST INTERSECTION:
WOODMONT AVE./
OAKRIDGE STREET

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TAOS AT THE TRAILS UNIT 2

WALL PLAN EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN	SJS	WCEA NO. 0760000100	DATE MARCH 2007
DRAWN	RM	PROJECT NO. N/A	SHEET NO. 2 OF 2
CHECK	SJS		

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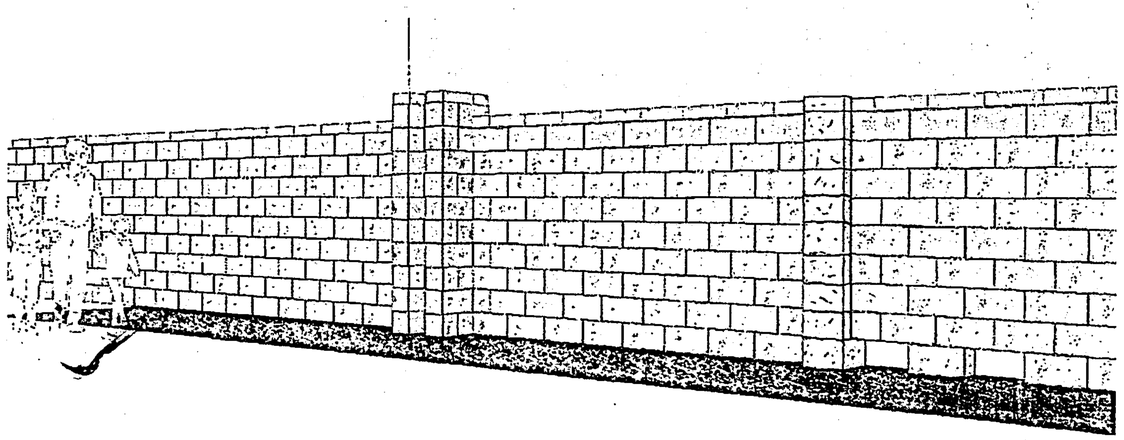
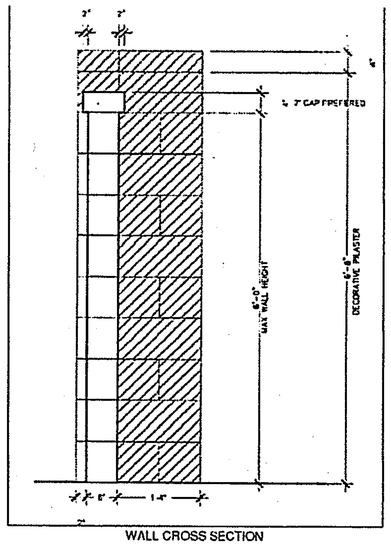
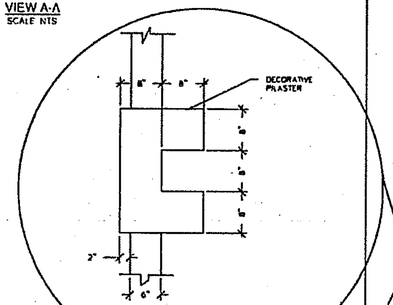


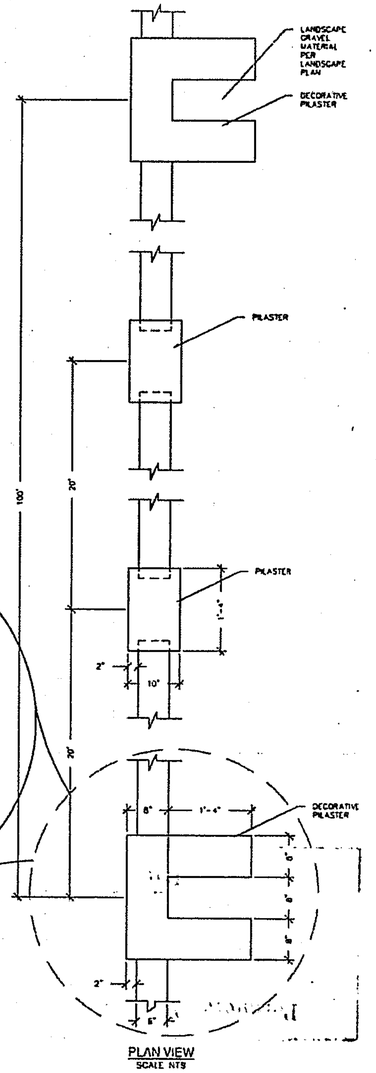
PERSPECTIVE WALL RENDERING
SCALE: NTS



WALL CROSS SECTION
VIEW A-A
SCALE: NTS



OPTIONAL PILASTER PLAN VIEW
SCALE: NTS

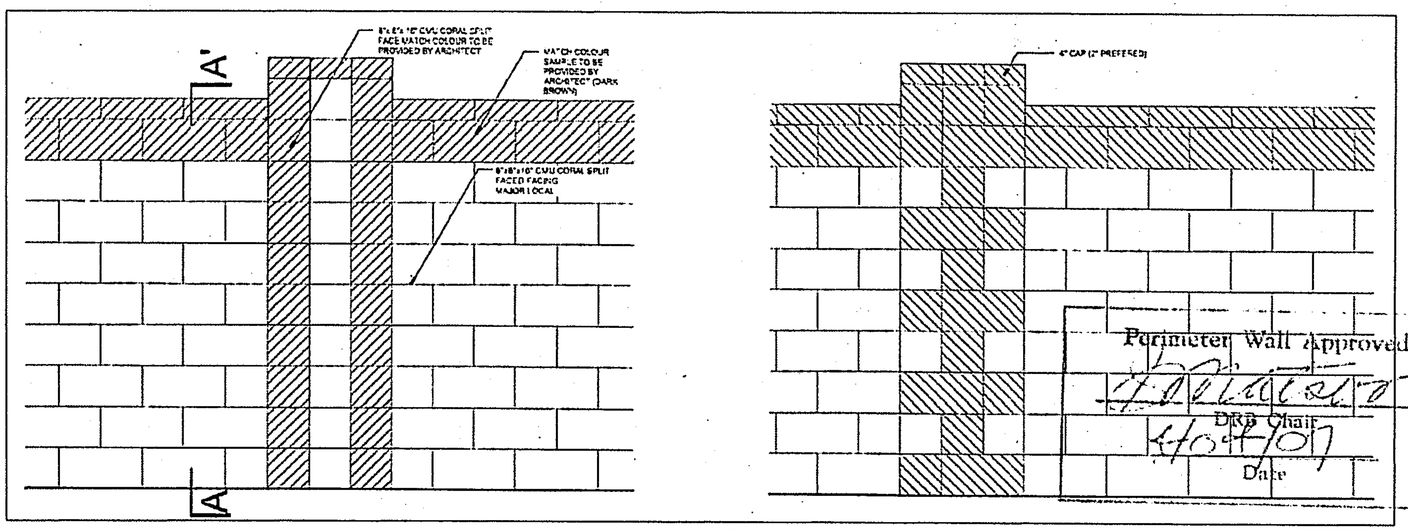


PLAN VIEW
SCALE: NTS

DRB # 1-03970

NEAREST INTERSECTION:
WOODMONT AVE. / UNIVERSE BLVD.

ZONE ATLAS:
C-9-Z



WALL ELEVATION
SCALE: NTS

Perimeter Wall Approved
DRB Chair
Date

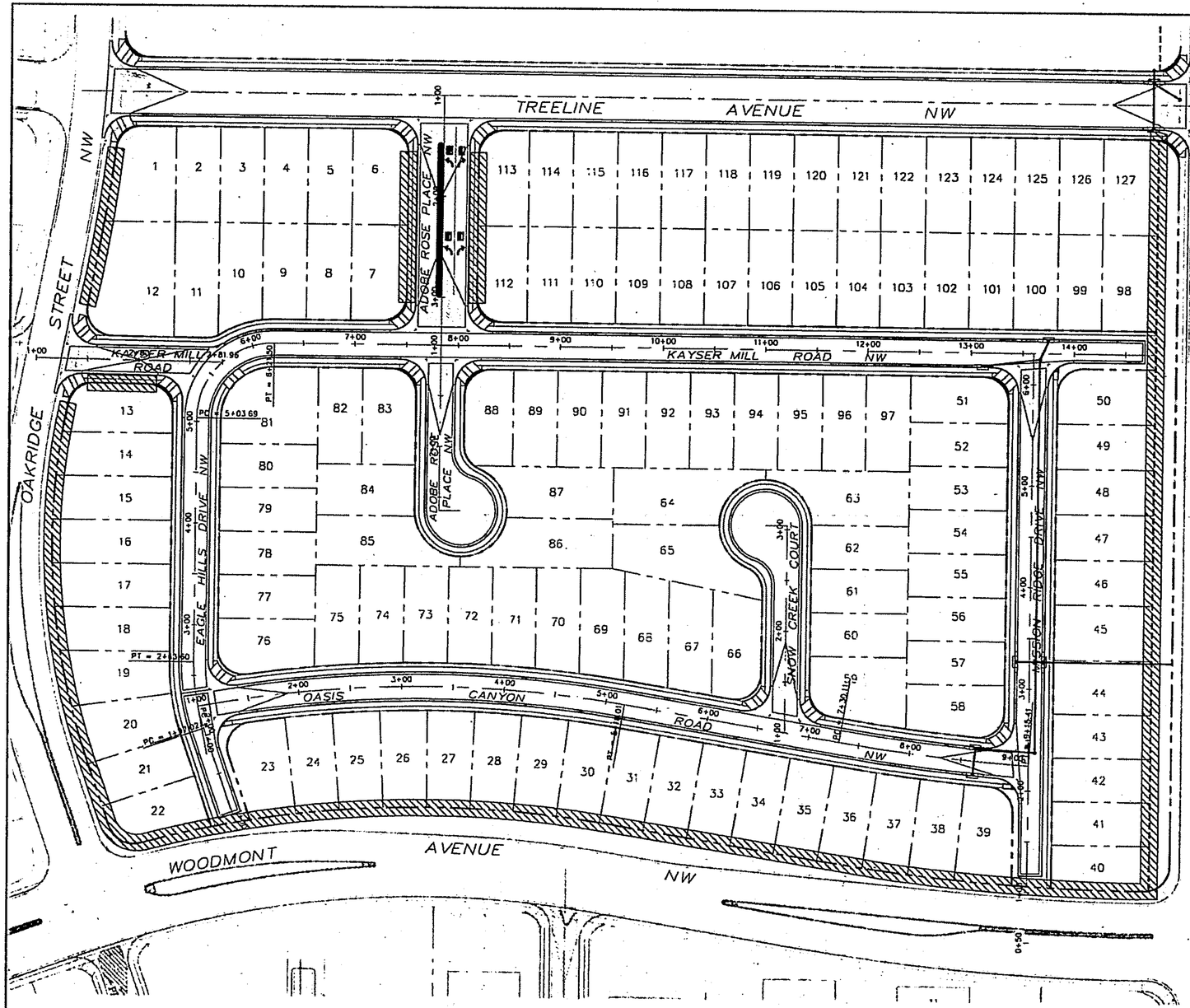
WILSON & COMPANY
2500 THE AMERICAN ROAD SE
SUITE 100
RIO RANCHO, NEW MEXICO
87124
(505) 898-8021

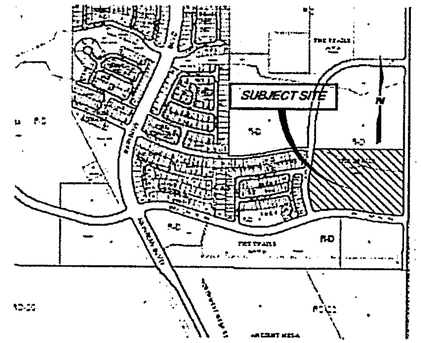
TAOS AT THE TRAILS UNIT 2

TYPICAL WALL EXHIBIT

REVISIONS	NO.	DATE	REMARKS	BY

DESIGN SJS	WCEA NO. 0760000100	DATE MARCH 2007	
DRAWN RM	PROJECT NO. N/A	SHEET NO. 1 OF 2	
CHECK SJS			





VICINITY MAP
ZONE ATLAS PAGE
C-9-Z

LOCATION OF PEREMETER WALL

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WALL PLAN EXHIBIT

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CHECK SJS			

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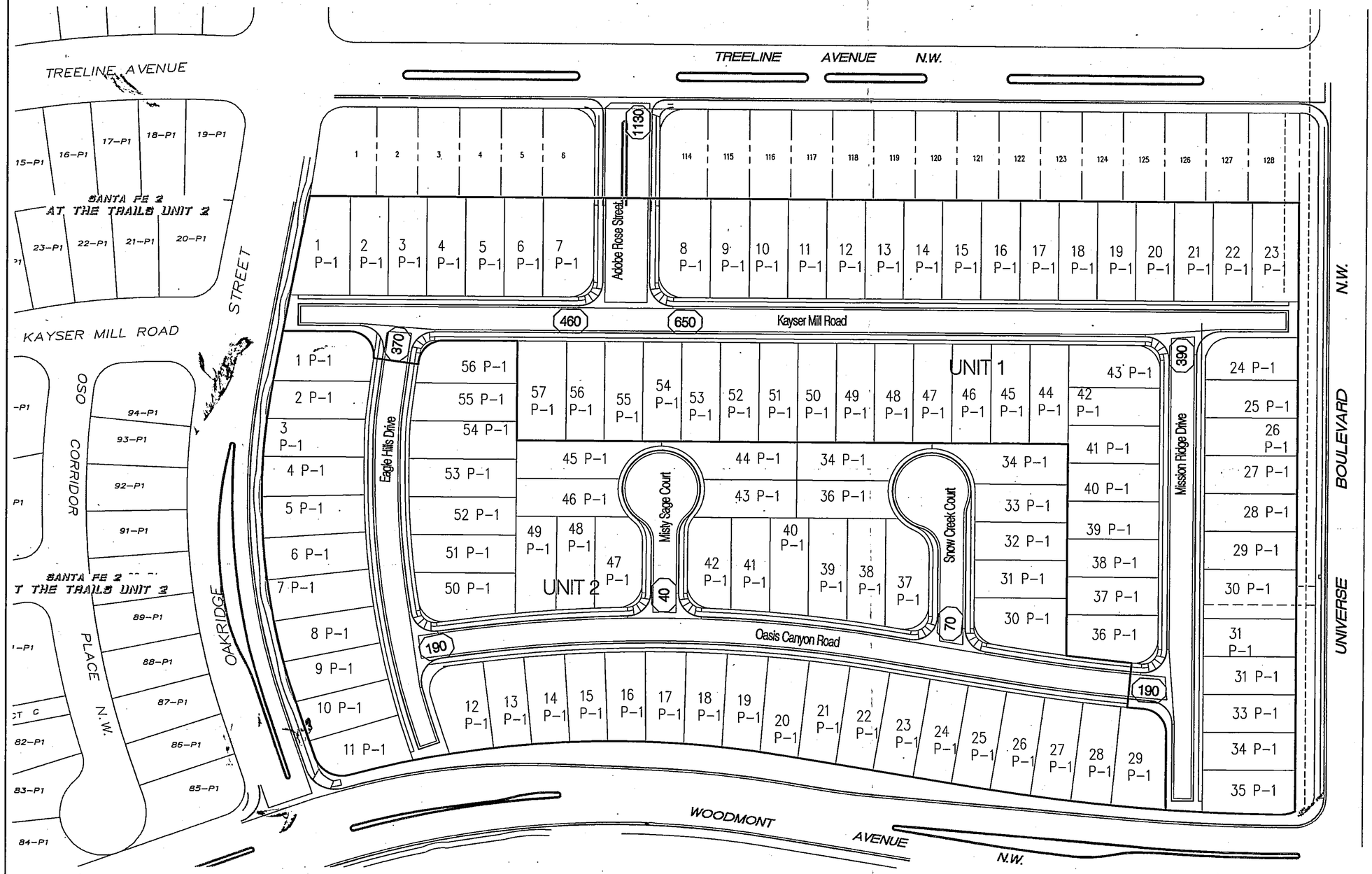

GENERAL NOTES

1. ASSUME 10 TRIPS PER DAY PER LOT.

LEGEND

(XXX) INDICATES NUMBER OF TRIPS APPROACHING OR LEAVING THE INTERSECTION.

N

50 25 0 50
1" = 50'

EXHIBIT

TRAFFIC DISTRIBUTION ANALYSIS FOR
TAOS at the TRAILS SUBDIVISION

Bohannan Huston

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May 05, 2011 - 12:11pm