



6. **Project# 1002202**
15DRB-70070 – SITE DEVELOPMENT
PLAN FOR BUILDING PERMIT
15DRB-70120 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

MODULUS ARCHITECTS & HUITT-ZOLLARS, INC. agents for WINROCK PARTNERS LLC requests the referenced/ above action for a portion of Parcel A-1-A-1-A, **WINROCK CENTER ADDITION** zoned SU-3, located on the east side of LOUISIANA BLVD NE between I-40 and INDIAN SCHOOL RD NE. (J-19) [Deferred from 2/25/15, 3/11/15] **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO WATER AUTHORITY AND TO PLANNING FOR TRANSPORTATION, PARKS AND PLANNING COMMENTS. THE PRELIMINARY/FINAL PLAT WAS DEFERRED TO 4/8/15.**


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

7. **Project# 1010205**
15DRB-70110 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL  

ARCH & PLAN LAND USE CONSULTANTS agent(s) for HPH FUND 1 D7 LLC request(s) the above action(s) for all or a portion of Block(s) 85-D, **PRINCESS JEANE ADDITION** zoned O-1, located on LOMAS BLVD BETWEEN BETTS ST AND MORRIS ST containing approximately 2.75 acre(s). (J-21)) [Deferred from 3/18/15] **INDEFINITELY DEFERRED.**

8. **Project# 1009046**
15DRB-70117 MAJOR - FINAL PLAT
APPROVAL 

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of Tract(s) B, **SWMILL CROSSING** zoned SU-2, located on ASPEN BETWEEN 12TH AND RIO GRANDE containing approximately 4.2 acres. (H-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR NOTATION OF OWNERSHIP AND MAINTENANCE OF TRACTS 'E' AND 'F'.**

9. **Project# 1004589**
15DRB-70122 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

PRECISION SURVEYS INC agent(s) for ONEIDA REALTY CORPORATION request(s) the above action(s) for all or a portion of Block(s) 79, Tract(s) B, **SNOW HEIGHTS ADDITION** zoned C-1, located on JUAN TABO NE BETWEEN CANDELARIA RD NE AND CLAREMONT AVE NE containing approximately 1.298 acre(s). (H-21) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND SIDEWALK COMMENTS, AND TO PLANNING FOR PARKING CALCULATIONS, JOINT SIGN PREMISES AGREEMENT, DRAINAGE EASEMENT AND VERIFICATION OF SEPARATE WATER ACCOUNTS.**

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat (P&F)
- Site Plan for Subdivision (SPS)
- Site Plan for Building Permit (SBP)

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

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

Project# 1009046 - 15DRB-70117 MAJOR - FINAL PLAT APPROVAL

PROJECT NAME: SAWMILL CROSSING

AGENT: MARK GOODWIN AND ASSOCIATES, P.A

Your request was approved on 3-25-15 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed as follows:

Transportation:

ABCWUA:

City Engineer:

Parks and Recreation :

Planning:

call out ownership/maintenance-tracker P & F

PLATS:

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

-The original plat and a mylar copy for the County Clerk.

-Tax certificate from the County Treasurer.

-Recording fee (checks payable to the County Clerk). **RECORDED DATE:**

-Tax printout from the County Assessor.

-County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

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

AGIS DXF File approval required.

Copy of recorded plat for Planning.

ALL SITE PLANS:

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



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 29, 2014

Project# 1009046

14DRB-70273 VACATION OF PUBLIC WATERLINE & SEWER EASEMENTS
14DRB-70274 SIDEWALK WAIVER
14DRB-70275 - TEMP DEFR SWDK
14DRB-70276 - PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSING, LLC request the referenced/ above actions for all or a portion of Tract B, SAWMILL CROSSING Unit 1, zoned SU-2/ SU-1 for PRD, located on the south side of ASPEN AVE NW west of 12TH ST NW containing approximately 4.247 acres. (H-13) *[Deferred from 8/27/14, 9/17/14, 9/24/14, 10/1/14, 10/8/14, 10/15/14, 10/22/14]*

At the October 29, 2014 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B)(1)(3) of the Subdivision Ordinance. The sidewalk waiver was approved as shown on exhibit 'C' in the planning file. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit in the planning file. With the signing of the infrastructure list dated 10/29/14, and with an approved grading and drainage plan engineer stamp dated 9/25/14 the preliminary plat was approved.

Findings

The request was submitted by the owner of a majority of the frontage of the proposed vacation.

Based on the proposed replat and alternate easement/ right of way, the public welfare is in no way served by retaining the way or easement.

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. The DRB received written concurrence with the Vacation from the adjacent user of the improvements within the easement. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

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

If you wish to appeal this decision, you must do so by November 13, 2014 in the manner described below.

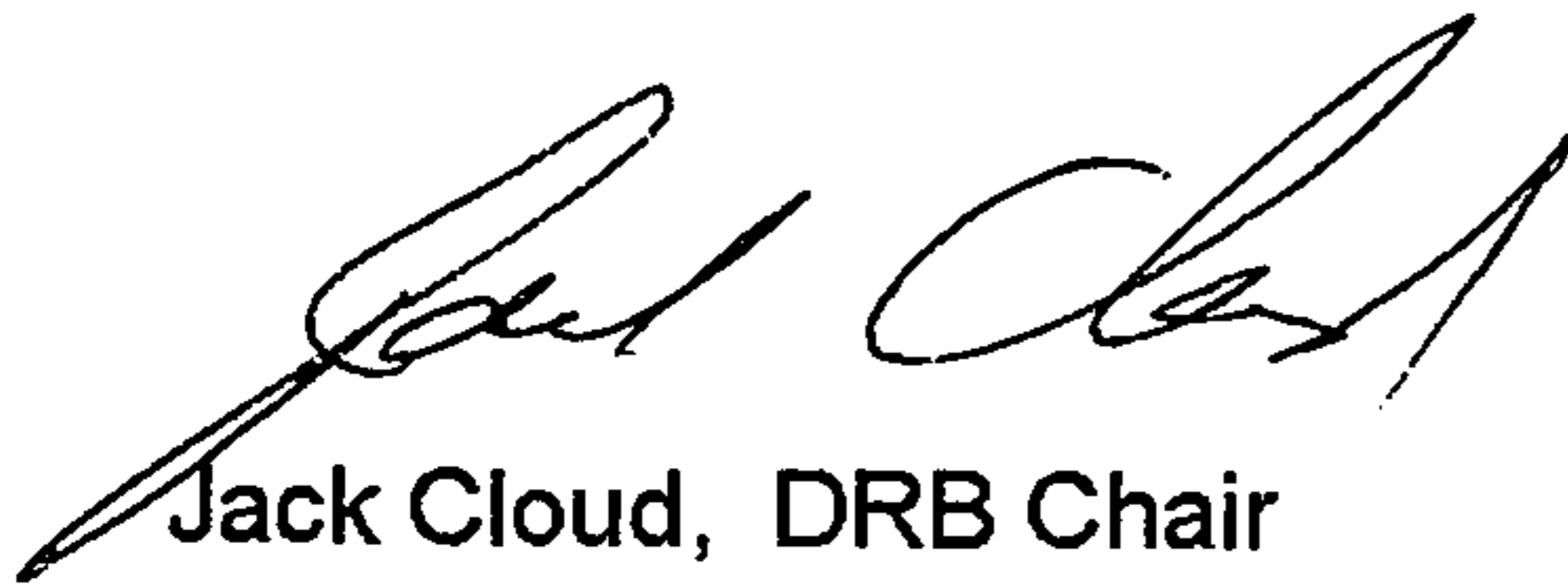
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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: MARK GOODWIN AND ASSOCIATES, P.A.

2. **Project# 1010144**
14DRB-70350 EPC APPROVED SDP
FOR BUILD PERMIT
14DRB-70352 EPC APPROVED SDP
FOR BUILD PERMIT
14-70356 - MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
14DRB-70354 – TEMPORARY
DEFERRAL OF SIDEWALK CONST.



CONSENSUS PLANNING and ISAACSON & ARFMAN, P.A. agent(s) for TITAN SENIOR LIVING - SANTA MONICA and DEL REY INVESTMENTS LLC request(s) the above action(s) for all or a portion of TRACTS 3 AND 4, **SANTA MONICA PLACE**, zoned R-LT AND R-T (EPC approved SU-1), located on SANTA MONICA BETWEEN LOUISIANA AND SAN PEDRO containing approximately 34.9419 acre(s). (D-18) [*Deferred from 10/22/14*] **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT 14DRB-70350 WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER AND TO PLANNING FOR COMMENTS. THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT 14DRB-70352 WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER AND TO PLANNING FOR COMMENTS. WITH AN APPROVED GRADING AND DRAINAGE PLAN ENGINEER STAMP DATED 10/24/14 AND WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/14, THE PRELIMINARY PLAT WAS APPROVED. THE FINAL PLAT WAS INDEFINITELY DEFERRED FOR THE SUBDIVISION IMPROVEMENTS AGREEMENT. THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT 'C' IN THE PLANNING FILE.**

3. **Project# 1007059**
14DRB-70332 SITE DEVELOPMENT
PLAN FOR BUILDING PERMIT

INTEGRATED DESIGN agent(s) for QUATRO DEVELOPMENT request(s) the above action(s) for all or a portion of Lot(s) 1-12, Block(s) 2, **PARIS ADDITION** zoned C-2 OR SU-2 NFTOD, located on ON 4TH BETWEEN KINLEY & SUMMER containing approximately .978 acre(s). (J14) [*Deferred from 10/1/14, 10/8/14, 10/15/14, 10/22/14*] **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 10/29/14 THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR SUBDIVISION IMPROVEMENTS AGREEMENT (SIA) AND TO PLANNING FOR RECORDING OF REVOCABLE PERMIT OF AIR RIGHTS ON 4TH STREET AND REVISIN OF LANDSCAPE PLAN TO PROVIDE APPROPRIATE TREES AS RECOMMENDED BY PNM.**



DEVELOPMENT REVIEW BOARD

Agenda

Plaza del Sol Building
Basement Hearing Room

September 24, 2014


MEMBERS:

- Jack Cloud..... DRB Chair
- Kristal Metro..... Transportation Development
- Allan Porter..... ABCWUA
- Curtis Cherne.....City Engineer
- Carol Dumont..... Parks & Recreation


Angela Gomez ~ Administrative Assistant

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

- 1. **Project# 1010178**
14DRB-70304 VACATION OF PUBLIC
WATERLINE EASEMENT 

CARTESIAN SURVEYS INC agents for MOTOR LODGE OPERATORS requests the referenced/ above action for a portion of PARCELS 4-A(1A), 4-A(2) AND 4A(3A), **HORNE DEVELOPMENT ADDITION** zoned SU-1 PLANNED COMMERCIAL DEVELOPMENT, located on the south side of HOTEL AVE NE between EUBANK BLVD NE and HOTEL CIRCLE NE containing approximately 5.2173 acres. (K-21) **THE VACATION WAS APPROVED AS SHOWN ON EXHIBIT B IN THE PLANNING FILE PER SECTION 14-14-7-2(A) (1) AND (B) (1)(3) OF THE SUBDIVISION ORDINANCE.**

- 2. **Project# 1009046**
14DRB-70273 VACATION OF PUBLIC
WATERLINE & SEWER EASEMENTS
14DRB-70274 SIDEWALK WAIVER
14DRB-70275 - TEMP DEFR SWDK
14DRB-70276 - PRELIMINARY PLAT


MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSING, LLC request the referenced/ above actions for all or a portion of Tract B, **SAWMILL CROSSING Unit 1**, zoned SU-2/ SU-1 for PRD, located on the south side of ASPEN AVE NW west of 12TH ST NW containing approximately 4.247 acres. (H-13) [Deferred from 8/27/14, 9/17/14] **DEFERRED TO 10/1/14**

DEVELOPMENT REVIEW BOARD MEETING – November 13, 2013

PARKS & RECREATION DEPARTMENT COMMENTS

Item #7

Project#1009046 Duke City Lumber Co (Sawmill Crossing)
13DRB-70735 Amendment to Preliminary Plat

It is our recommendation that the play equipment and park furniture be situated outside limits of drainage ponding areas for safety and maintenance concerns. Maintenance and replacement can become a burden to the HOA. ADA access must be provided per Federal Title 2 Guidelines and compliance with ASTM materials must be followed by the Developer/HOA.



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

August 27, 2014

Project# 1009046

14DRB-70273 VACATION OF PUBLIC WATERLINE & SEWER EASEMENTS
 14DRB-70274 SIDEWALK WAIVER
 14DRB-70275 - TEMP DEFR SWDK CONST
 14DRB-70276 - PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSING, LLC request the referenced/ above actions for all or a portion of Tract B, **SAWMILL CROSSING Unit 1**, zoned SU-2/SU-1 for PRD, located on the south side of ASPEN AVE NW west of 12TH ST NW containing approximately 4.247 acres. (H-13)

<p>AMAFCA No comments provided <i>Lynn Mazur</i></p>
<p>COG No comments provided <i>Kendra Watkins/Andrew Gingerich</i></p>
<p>TRANSIT Adjacent and nearby routes None. Adjacent bus stops None. Site plan requirements None Large site TDM suggestions None. Other information None. <i>Shabih Rizvi</i></p>
<p>ZONING ENFORCEMENT No comments provided</p>
<p>NEIGHBORHOOD COORDINATION Affected NA/HOA's: Sawmill Area NA (R), Sawmill Community Land Trust <i>Stephani Winklepleck</i></p>
<p>APS This will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. Currently, all three schools have excess capacity.</p>

Loc No	School	2013-14 40th Day	Capacity	Space Available
330	Reginald Chavez ES	308	292	-16
465	Washington MS	476	600	124
590	Albuquerque HS	1724	1800	76

Residential Units: 27
 Est. Elementary School Students: 7
 Est. Middle School Students: 3
 Est. High School Students: 3
 Est. Total # of Students from Project: 27

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

On March 29th 2012, Sawmill Crossing 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 the construction and maintenance of new and existing schools within the APS district.

April Winters

POLICE DEPARTMENT

This project is in the Valley Area Command.

- No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement; Sidewalk Waiver; Temporary Deferral of Sidewalk Construction; or Major Subdivision Preliminary Plat Approval requests at this time.

Steve Sink

FIRE DEPARTMENT

No comments provided

Antonio Chinchilla

PNM ELECTRIC

No comments provided

Daniel Aragon

NMGCO

No comments provided

Patrick Sanchez

COMCAST

No comments provided

Mike Mortus

CENTURYLINK

No comments provided

ENVIRONMENTAL HEALTH

No comments provided

Paul Olson

M.R.G.C.D

No comments provided

Ray Gomez

OPEN SPACE DIVISION

No comments provided

Kent Reed Swanson

CITY ENGINEER

Curtis Cherne

TRANSPORTATION DEVELOPMENT

Kristal Metro

TRANSPORTATION PLANNING (DMD)

Reviewed, but there are no comments regarding roadways, on-street bicycle lanes, or multi-use trails.

John MacKenzie

PARKS AND RECREATION

Project #1009046—all or a portion of Tract B, Sawmill Crossing, Unit 1

14DRB-70273 Vacation of Public Waterline and Sewer Easements

No comments

14DRB-70274 Sidewalk Waiver

Please provide status of sidewalks connecting Band Saw Place NW along south side of Tract C to Cheshire Court and status of sidewalk from Tract D to north side of Tract E. The Exhibit does show constructed sidewalk along both sides of entry at Timber Dr. NW but does not show sidewalks along south side of Tract C or sidewalk from Tract D to Tract E.

Please remove 4' sidewalk along east side of Lot 48 to south property line and continuing along Lumberton Drive NW cul de sac from this waiver request. This section of sidewalk connects all sidewalks within the entire development and provides for pedestrian "loops" for residents walking for exercise in "small loops" or significantly larger loops". To not construct this with the other sidewalks while waiting to see what happens in the future to a proposed connection to Bellamah Avenue NW, which may or may not happen, leaves the residents of this development walking in the street.

14DRB-70275 Temporary Sidewalk Waiver Construction

No objection to temporary waiver of sidewalk along east side of Lot 27 as shown on the Sidewalk Waiver Exhibit.

14DRB-70276 Preliminary Plat

Please show 6' sidewalk within HOA Tracts E & F on infrastructure list. Also Parks and Recreation prefers that the sidewalks mentioned in the Sidewalk Waiver Request comment above be constructed, not deferred with this phase of development if not already built at this time. It would be better if it could be extended and connected to the cul de sac through Tract G. This was previously referred to as the "central trail" in the development. As 6' is the width of a sidewalk intended to be constructed of concrete it does not meet City trail standards so it should be referred to as a sidewalk.

Per the 2/1/2012 Amended Design Standards, the landscaping along the south side of Aspen and east side of the development including Street Trees are required every thirty feet on center and should be situated within the property owners lots as shown on Note 27 and Note 32. Please add these landscape areas as necessary with maintenance responsibility stated.

Carol Dumont

ABCWUA

Allan Porter

PLANNING DEPARTMENT

Refer to comments from ABCWUA and any public hearing comments regarding proposed vacation. Refer to comments from Transportation Development regarding proposed sidewalk variances; 'Waivers' and 'Temporary Deferral' should be on the same exhibit, with a third legend symbol for 'Sidewalks to be Built.' Sideyard sidewalks (Lots 52 & 80) typically are built and not deferred.

Based on the EPC approved site development plan and adjacent platting to the south, the right of way for Lumberton Drive needs to be extended to connect to for east-west access out of the subdivision. Given the need for street extension, a waiver of sidewalk for this section would not be appropriate.

Sidewalk in Tracts E & F needs to be identified on Infrastructure List; Castillo Peak Rd is unidentified.

Jack Cloud

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

DRB CASE ACTION LOG - BLUE SHEET

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

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

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

Project #: 1009046 Application #: 14DRB-70030

Project Name: SAWMILL CROSSING UNIT 1

Agent: MARK GOODWIN & ASSOC. Phone #:

Your request was approved on 2-26-14 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION: _____

ABCWUA: _____

CITY ENGINEER / AMAFCA: Letter of Acceptance / Close Out

PARKS / CIP: _____

PLANNING (Last to sign): handrail it to record

PLATS:

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

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

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

AGIS DXF File approval required.

Copy of recorded plat for Planning.

ALL SITE PLANS:

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

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 12, 2014
DRB Comments**

ITEM # 8

PROJECT # 1009046

APPLICATION # 14-70030

RE: Sawmill Crossing Unit 1

Engineer's Certification & Inspection or Letter of Acceptance is required for Final Plat approval.

Maintenance and beneficiaries for common Tracts need to be noted on the plat, along with blank reference lines for recording information of Covenant/ Agreement on Tract C.

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

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
February 12, 2014
DRB Comments**

ITEM # 8

PROJECT # 1009046

APPLICATION # 14-70030

RE: Sawmill Crossing Unit 1


Engineer's Certification & Inspection or Letter of Acceptance is required for Final Plat approval.


Maintenance and beneficiaries for common Tracts need to be noted on the plat, along with blank reference lines for recording information of Covenant/ Agreement on Tract C.



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

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

4. **Project# 1004360**
14DRB-70046 EXT OF SIA FOR TEMP DEFR
SDWK CONST 
RIO GRANDE ENGINEERING agent(s) for ALFELD LLC request(s) the above action(s) for all or a portion of Lot(s) 1-17, **ENTRADA DEL BOSQUE Unit(s) 2**, zoned RA2, located on MOUNTAIN ROAS BETWEEN GABALDON AND RIO GRANDE containing approximately 3 acre(s). (J-11) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

5. **Project# 1003684**
14DRB-70042 EXT OF SIA FOR TEMP DEFR
SDWK CONST 
MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for PAUL ALLEN HOMES request(s) the above action(s) for all or a portion of **ANAXAZI RIDGE Unit(s) 1 & 2**, zoned R-1, located on MCMAHON BETWEEN ANASAZI AND WESTSIDE containing approximately 40.349 acre(s). (A-10) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**


6. **Project# 1002739**
14DRB-70041 EXT OF SIA FOR TEMP DEFR
SDWK CONST
MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for KB HOME OF NEW MEXICO request(s) the above action(s) for all or a portion of **ANDERSON HEIGHTS Unit(s) 1**, zoned R-D, located on 118TH ST BETWEEN BOLOBEL AND GENTRY containing approximately 248 acre(s). (N-8) **A TWO YEAR EXTENSION TO THE AGREEMENT FOR THE DEFERRAL OF SIDEWALKS WAS APPROVED.**

7. **Project# 1009046**
14DRB-70030 MAJOR - FINAL PLAT
APPROVAL
MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of **SAWMILL CROSSING Unit(s) 1**, zoned SU-2, located on ASPEN AVE 12TH ST AND RIO GRANDE BLVD containing approximately 6.9323 acre(s). (H-13) *[deferred from 2/12/14]* **THE FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO CITY ENGINEER FOR LETTER OF ACCEPTANCE AND TO PLANNING FOR INSTALLATION OF HAND RAIL AND TO RECORD.**


6. **Project# 1000650**
13DRB-70763- SITE DEVELOPMENT
PLAN FOR BUILDING PERMIT 

MODULUS ARCHITECTS INC agents for LAMONICA SHOPS LLC request the referenced/ above actions for Tracts 1-A-2-B AND 1-A-2-C, **LANDS OF LAMONICA AND WENK** zoned SU-1/ C-1 PERMISSIVE USES W/ LIQUOR SALES, located on the northeast corner of COORS BLVD SW and LAMONICA RD SW containing approximately 1.192 acres. (P-10) [*Deferred 12/4/13, 12/11/13, 1/8/14, 1/22/14, 1/29/14, 2/15/14*] **THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR VERIFICATION FROM ZONING FOR COMPLIANCE WITH ZONING REGULATIONS, AND 15 DAY APPEAL PERIOD.**


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

7. **Project# 1006902**
14DRB-70031 MAJOR - FINAL PLAT
APPROVAL 

BORDENAVE DESIGNS agent(s) for LAS VENTANAS HOMES, LLC request(s) the above action(s) for all or a portion of Tract(s) K-1, **LA LUZ DEL OESTE Unit(s) 4**, zoned SU-1 (PRD), located on COORS BETWEEN DELLYNE AND SEVILLA containing approximately 2.59 acre(s). (F-11) **THE FINAL PLAT WAS APROVED WITH FINAL SIGN-OFF DELEGATED TO ABCWUA FOR VERIFICATION AND ACCEPTANCE OF ENCROACHMENT AGREEMENT AND TO PLANNING FOR TRANSPORTATION COMMENTS, UTILITY COMPANY SIGNATURES AND TO RECORD.**

8. **Project# 1009046**
14DRB-70030 MAJOR - FINAL PLAT
APPROVAL 

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of **SAWMILL CROSSING Unit(s) 1**, zoned SU-2, located on ASPEN AVE 12TH ST AND RIO GRANDE BLVD containing approximately 6.9323 acre(s). (H-13) **DEFERRED TO 2/26/14.**

9. **Project# 1005133**
13DRB-70691 PRELIMINARY/ FINAL
PLAT APPROVAL 

ISAACSON AND ARFMAN PA agents for SED DEVELOPMENT, LLC request the referenced/ above actions for Tract N-1-B-2-A, **SEVSN BAR RANCH** zoned SU-1/ C-2 PERMISSIVE USES, located on the south side of COORS BLVD BYPASS NW west of EAGLE RANCH RD NW containing approximately 1.9788 acres. (B-13) [*deferred from 10/23/13, 2/5/14*] **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF.**

3. **Project# 1003613**
13DRB-70669 MAJOR - 2YR SUBDIVISION
IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)

RIO GRANDE ENGINEERING agents for JOE R. HAHN request the referenced/ above action for **SUNSET VILLA SUBDIVISION**, zoned SU-1/PRD, located on the south side of SUNSET GARDENS RD SW between ATRISCO RD SW and THE ARENAL DITCH containing approximately 14.71 acre(s). (K-17)[*Deferred from 10/2/13, 10/16/13, 10/30/13*] **DEFERRED TO 12/11/13.**

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

4. **Project# 1009886**
13DRB-70745 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL


ARCH & PLAN LAND USE agent(s) for ABENICIO & AVELINA GALLEGOS TRUST request(s) the above action(s) for all or a portion of Lot(s) 6B, 82A1A, 82A1B & B2A2, **MRGCD MAP #40** zoned SU-2/MR, located on JOHN ST BETWEEN WILLIAMS AND BROADWAY containing approximately .34 acre(s). (K-14) **DEFERRED TO 11/21/13.**

5. **Project# 1009887**
13DRB-70746 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

ARCH & PLAN LAND USE CONSL. agent(s) for ISMAEL & MARTHA ARAGON request(s) the above action(s) for all or a portion of Tract(s) 317-A-1, **TOWN OF ATRISCO GRANT. UNIT 3** zoned R-1, located on EUCARIZ BETWEEN BRIDGE AND OLD COORS containing approximately 1.4 acre(s). (L-11) **DEFERRED TO 11/21/13.**

6. **Project# 1006009**
13DRB-70732 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 24, **MESA DEL SOL INNOVATION PARK** zoned PC, located on STRYKER BETWEEN UNIVERSITY EAST AND UNIVERSITY WEST containing approximately 5.4454 acre(s). (R-16 & S-16) [*Deferred from 10/30/13 and 11/6/13*] **DEFERRED TO 11/21/13.**

7. **Project# 1009046**
13DRB-70735 AMENDMENT TO
PRELIMINARY PLAT 

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-A-2, **DUKE CITY LUMBER CO.** zoned SU-2/SU-1/PRD, located on ASPEN BETWEEN 12YH ST AND RIO GRANDE containing approximately 7 acre(s). (H-13) [*Deferred from 11/6/13*]**WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/13/13 AND WITH AN APPROVED GRADING PLAN STAMP DATED 11/8/13, THE AMENDMENT TO THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITION THAT BUILDING CODE COMPLIANCE FOR ZERO LOT LINE ON PROPOSED LOT ONE.**



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 15, 2013

Project# 1009046

13DRB-70518 VACATION OF PUBLIC EASEMENT

13DRB-70519 EXTENSION OF MAJOR PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSINGS, LLC request the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/SU-1 PRD, located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acres.

At the May 15, 2013 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. A one-year extension of the preliminary plat was approved.

Findings

(A)(1) The public easement vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the easement, because alternative easement(s) will be provided on the required 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 approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The Railway Crossing must be approved and document prior to Final Plat.
2. The tri-party agreement(s) between the developer, the City of Albuquerque and NMDOT must be approved and document prior to Final Plat.
3. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year

If you wish to appeal this decision, you must do so by May 30, 2013 in the manner described below.

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

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

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

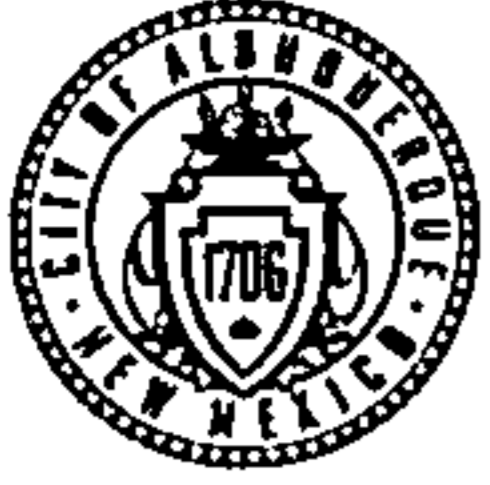
You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

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



Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A.
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 16, 2013

Project# 1009046
13DRB-70403 SIDEWALK WAIVER
13DRB-70404 AMENDMENT TO PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-A-Z, **DUKE CITY LUMBER CO.** zoned SU-2/SU-1 PRD, located on ASPEN BETWEEN RIO GRANDE AND 12TH ST containing approximately 7 acre(s). (H-13)

At the January 16, 2013 Development Review Board meeting, a sidewalk variance for waiver of the sidewalk was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by January 31, 2013 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).

A handwritten signature in black ink, appearing to read "Richard Dourte".

Richard Dourte, Acting DRB Chair

Cc: Mark Goodwin & Assoc. P.A.
Marilyn Maldonado
file



DEVELOPMENT REVIEW BOARD MEETING – January 16, 2013

PARKS & RECREATION DEPARTMENT COMMENTS

Item #4

Project #1009046

13DRB-70403 Sidewalk Waiver

13DRB-70404 Amendment to Preliminary Plat

The Parks & Recreation Department has no objections to the Sidewalk Waiver and Amendment to Preliminary Plat. It is understood that the applicant will enter into a Streetscape Maintenance Agreement with the City for the areas of landscaping to be installed in the City Right-of-Way. .

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
January 16, 2012
DRB Comments**

ITEM # 5

PROJECT # 1009046

APPLICATION # 13-70403/ 70404

RE: tract B-1-A-2, Duke City Lumber Co. Subdivision

It has not been demonstrated why a sidewalk cannot be built along south side of Aspen, but outside of RR easement. Such a sidewalk would not 'deadend' but rather could align for the sidewalk on the east side of the driveway on the adjoining lot.

With or without the sidewalk on the south side of Aspen, the sidewalk on the east side of Timber should not be waived. There will be significant number of dwellings on the east side of Timber Drive, and the out of direction travel and the extra street crossing which would be required for pedestrians would not be appropriate.

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

See AA -
★

Complete

Done 8-22-12

DRB CASE ACTION LOG - BLUE SHEET

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

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

Project #: 1009046 Application #: 12DRB-70126
 Project Name: Duke City Lumber Co Addn
 Agent: Mark Gooding Assoc. Phone #:

Your request was approved on 6-6-12 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION:

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): Revise "connection" to Bellanck
Note

PLATS:

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

ALL SITE PLANS:

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



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: _____
 CITY: Albuquerque STATE nm ZIP 87199 E-MAIL: kbrashear@goodwinengineers.com
 APPLICANT: Sawmill Crossing, LLC PHONE: 797-9589
 ADDRESS: 7400 Hancock Ct. 122 FAX: _____
 CITY: Albuquerque STATE nm ZIP 87109 E-MAIL: Keithc@cheshire.comcastbiz.com
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Final Plat Approval for Sawmill Unit 2.

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

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

Lot or Tract No. Tract B Block: _____ Unit: 2
 Subdiv/Addn/TBKA: Sawmill Crossing
 Existing Zoning: SU-2 Proposed zoning: n/a MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): 1009046
14DRB 70273 14DRB 70274 14DRB 70275 14DRB 70276

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 Tract No. of proposed lots: _____ Total site area (acres): 4.24 Ac.
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave
 Between: 12th Street and Rio Grande Blvd.

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

SIGNATURE Diane Hoelzer DATE 3-17-15
 (Print Name) Diane Hoelzer Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>15 DRB - 70117</u>	<u>FPA</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CME</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date <u>March 25, 2015</u>				Total
				\$ <u>20.00</u>

[Signature]
 Staff signature & Date 3-17-15

Project # 1009046

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

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

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

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

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

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

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

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

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

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

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

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

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

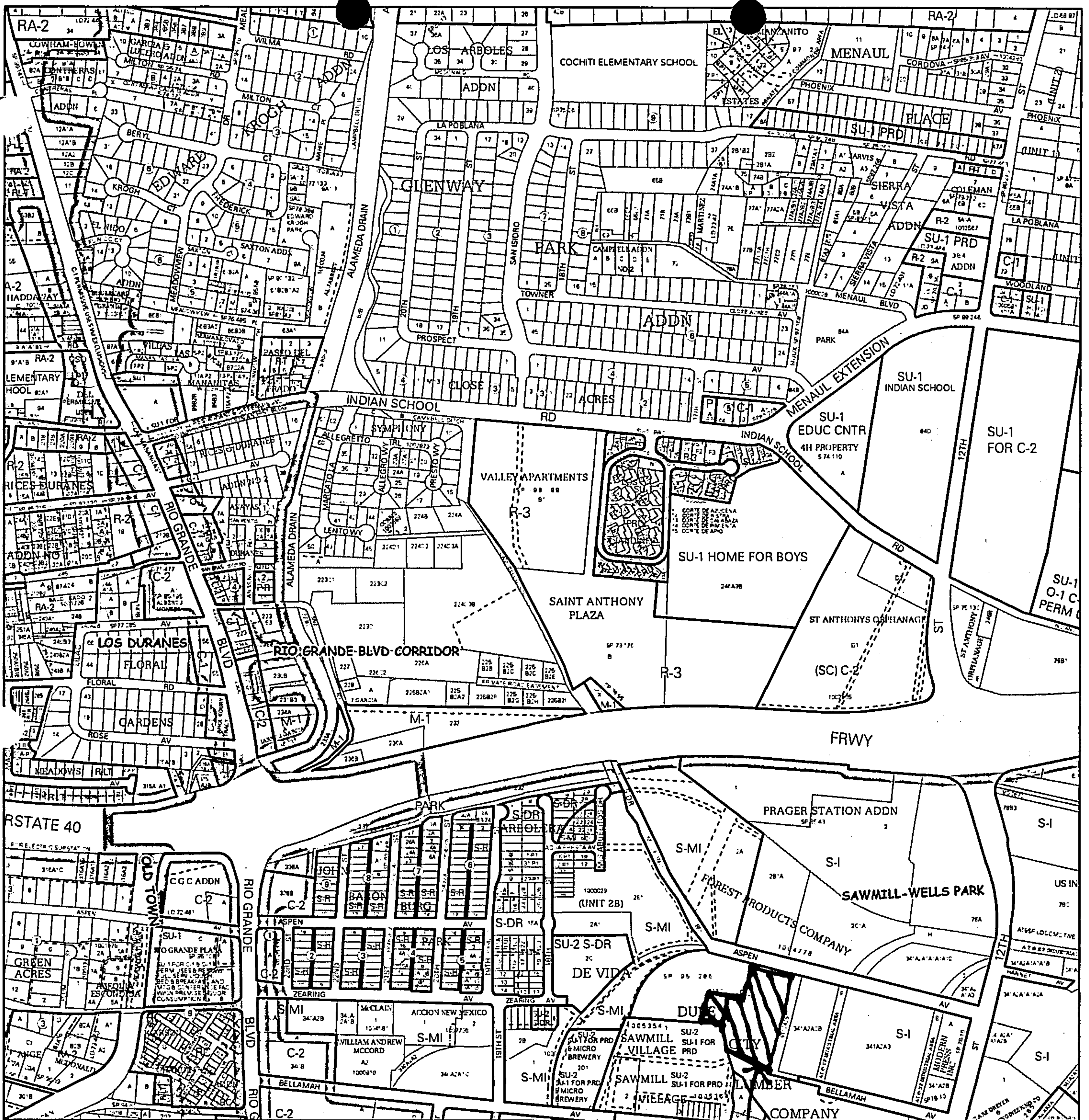
Diane Hoelzer
 Applicant name (print)
Diane Hoelzer 3-17-15
 Applicant signature / date



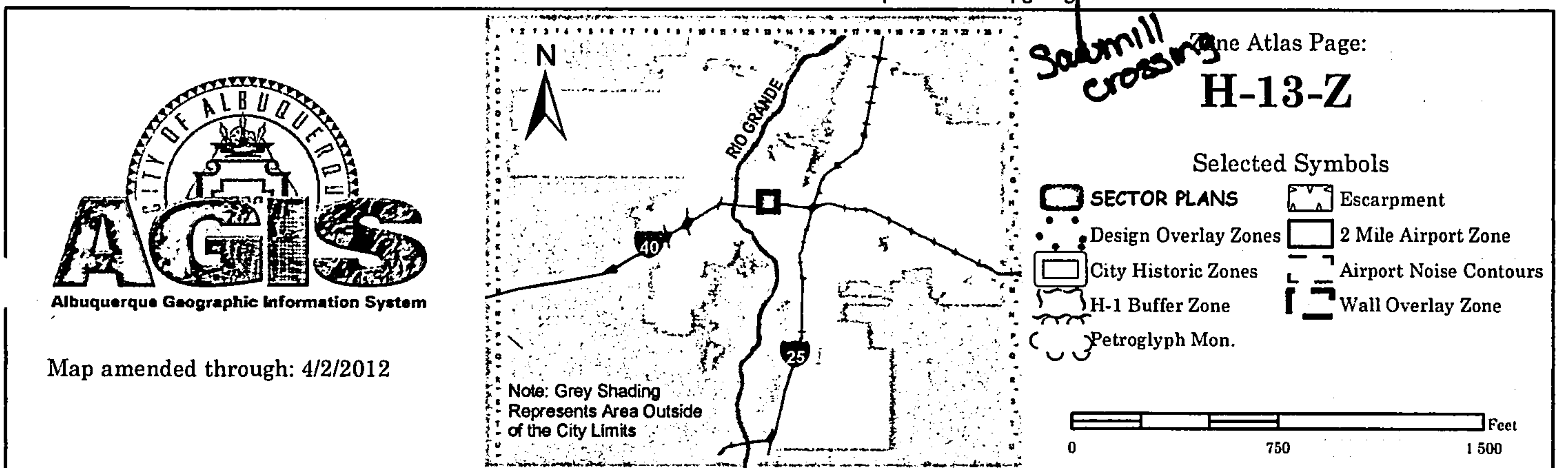
Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
15 - DRB - 70117

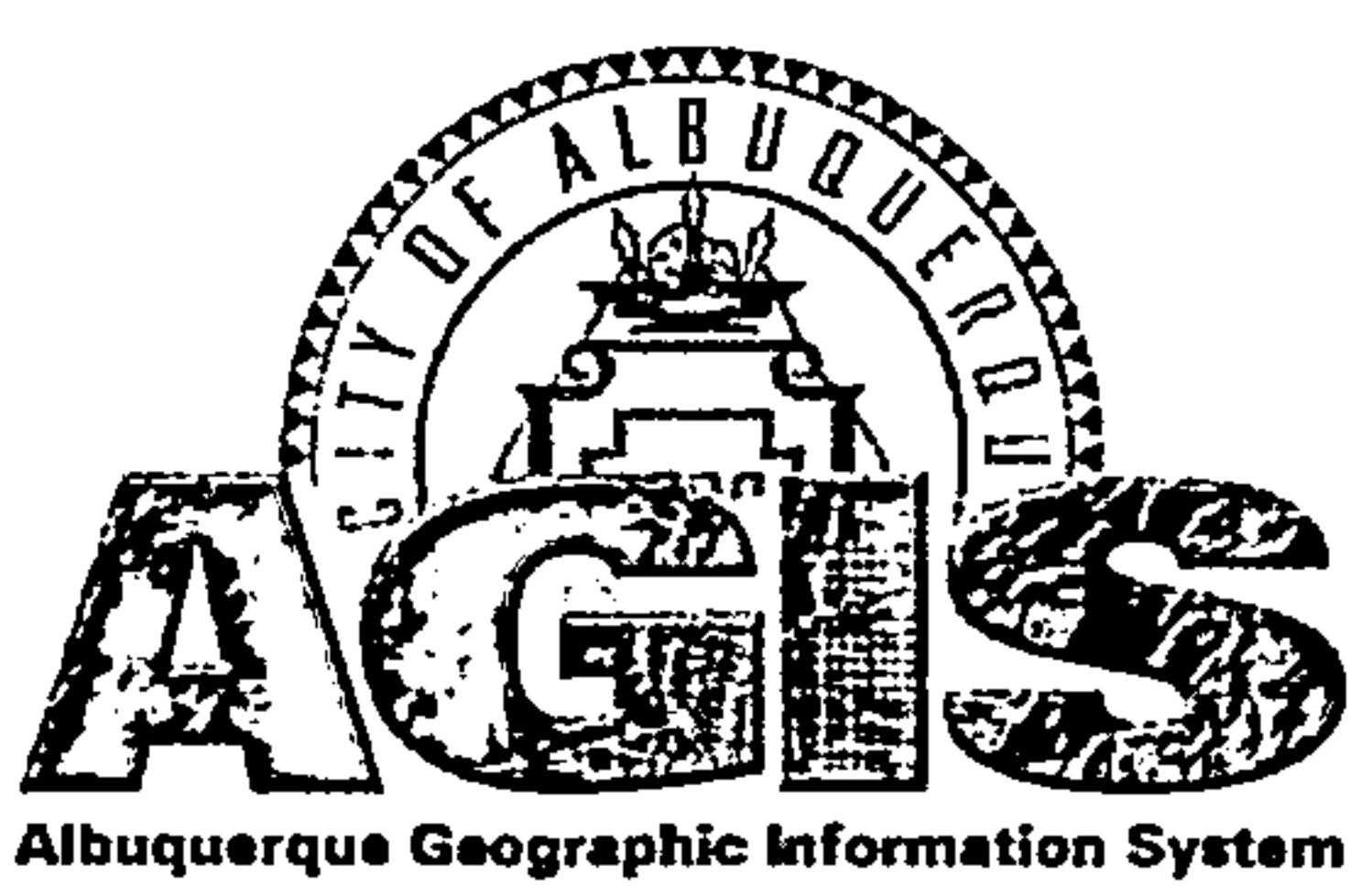
[Signature] 3-17-15
 Planner signature / date
 Project # 1009046



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



See Atlas Page: **H-13-Z**



Kay Brashear

From: Stephen Stasiewicz
Sent: Tuesday, March 17, 2015 9:06 AM
To: Catherine Bradley ; Gaulden, Tim H.; m gricius
Cc: Kay Brashear
Subject: sawmill unit 2
Attachments: Final Plat for Signature.pdf; Zone Atlas Map.pdf; 1009046.dxf

DXF file rotated and scaled to New Mexico state plane coordinates grid system NAD 83, Central zone.

Stephen Stasiewicz
Mark Goodwin and Associates

Figure 19

Nearest Major Streets: 12th & Aspen
No. of Lots: 53

SIDEWALK DEFERRAL AGREEMENT

PROJECT NO. 617588

THIS AGREEMENT is made this 3rd day of March, 2015, 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 Sawmill Crossing, LLC ("Subdivider"), whose address is 7400 Hancock Ct. NE, Albuquerque, NM 87109 and whose telephone number is (505) 797-8589, a (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.): New Mexico Limited Liability Company, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Subdivider is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description) Tract B, Sawmill Crossing Unit 1 recorded on (Date) March 11, 2014, in Book 2014C, pages 0015 through --, as Document No. 2014019749 in the records of Bernalillo County Clerk, State of New Mexico ("Subdivision"); and

WHEREAS, the Subdivider has submitted and the City has approved Subdivider's development plans and (state "preliminary" or "final":) Final plat, to be identified as (state name of plat:) Sawmill Crossing; and

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

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

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

Doc# 2015019752

03/10/2015 03:24 PM Page 1 of 8
AGRE R \$25.00 M Toulouse Oliver, Bernalillo County



THEREFORE, the City and the Subdivider agree:

1. A. Sidewalk Construction Deadline. Subdivider has obtained a sidewalk deferral, as shown in the attached **Exhibit "A"**, which is a copy of the Development Review Board's decision regarding the deferral granted. Subdivider agrees to utilize the City's sidewalk permit process and complete the sidewalks to the satisfaction of the City by January 30, 20 19 ("Sidewalk Construction Deadline").

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

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

Type of Financial Guaranty: Bond # CNB-18991-00
Amount: \$ 35,818.41
Name of Financial Institution or Surety providing Guaranty: Insurors Indemnity
Date City first able to call Guaranty (Construction Completion Deadline): January 30, 2019
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: _____
Additional information: _____

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

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

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

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

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

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

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

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

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

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

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

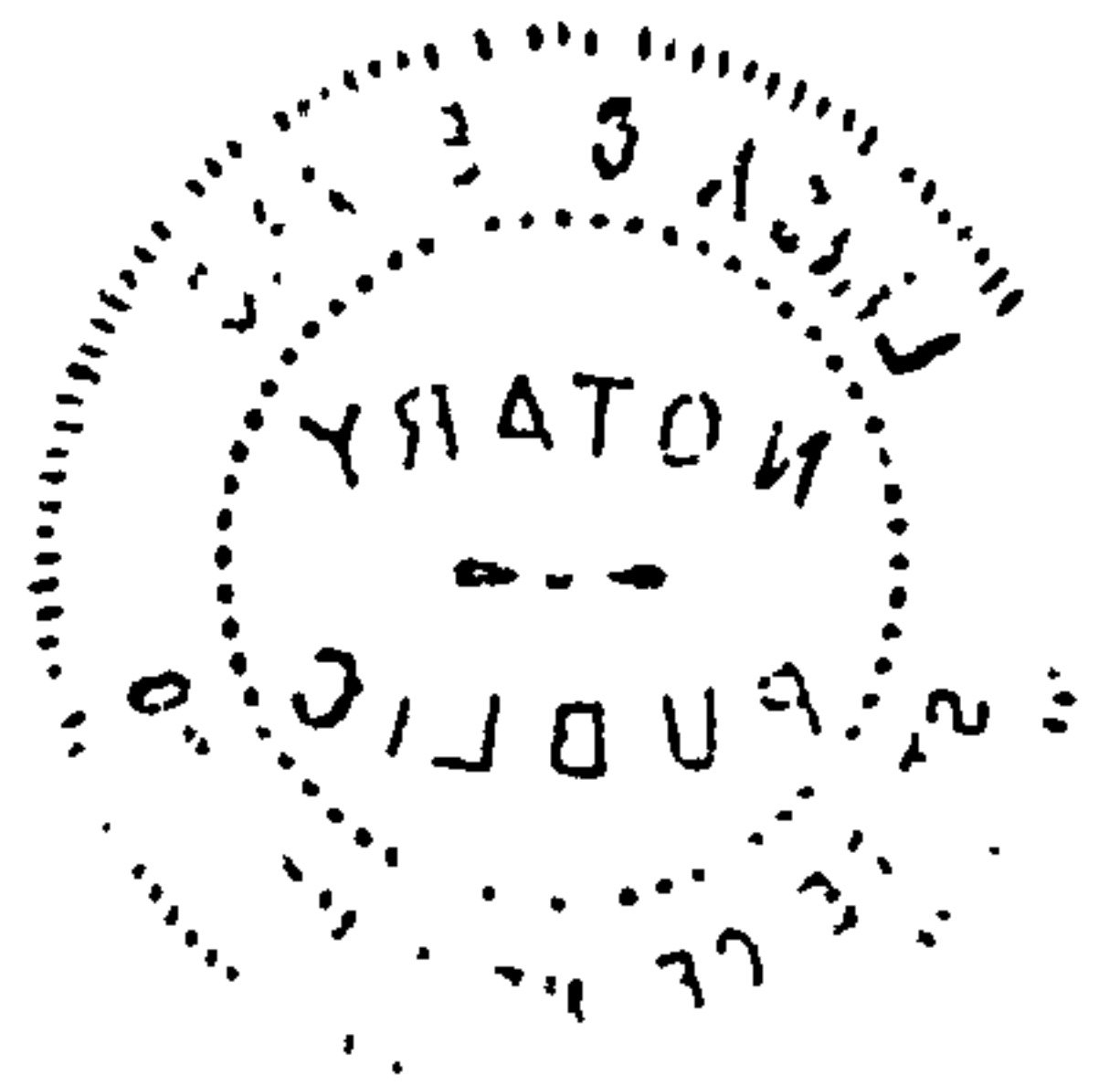
13. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

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

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

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

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





OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

Project# 10090-46

1-HDRB-70273 VACATION OF PUBLIC WALKWAY, JIC WALKWAY, & SIDEWALK ASSESSMENTS
1-HDRB-70274 SIDEWALK WAIVER
1-HDRB-70275 - TEMP DEFER SWDK
1-HDRB-70276 - PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSING, JIC request the referenced above actions for all of a portion of Tract B, SAWMILL CROSSING Unit 1, zoned SU-2 SU-1 for PRD, located on the south side of ASPEN AVE NW west of 12TH ST NW containing approximately 4.247 acres (II-13) *[Deferred from 3-14-91 to 9-24-14, 10-1-14, 10-5-14, 10-15-14, 10-22-14]*

At the meeting on 10/29/14 Development Review Board meeting the vacation was approved as shown on Exhibit B in the Planning file per section 14.14-7-2(A)(1) and (B)(1)(3) of the Subdivision Ordinance. The sidewalk waiver was approved as shown on exhibit C in the planning file. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit in the planning file. With the signing of the infrastructure list dated 10/29/14 and with an approved grading and drainage plan engineer stamp dated 9/25/14 the preliminary plat was approved.

Findings

The request was submitted by the owner of a majority of the frontage of the proposed vacation

Based on the proposed replat and alternate easement/ right of way the public welfare is in no way served by retaining the way or easement

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. The DRB received written concurrence with the Vacation from the adjacent user of the improvements within the easement. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS

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

If you wish to appeal this decision you must do so by November 13, 2014 in the manner described below

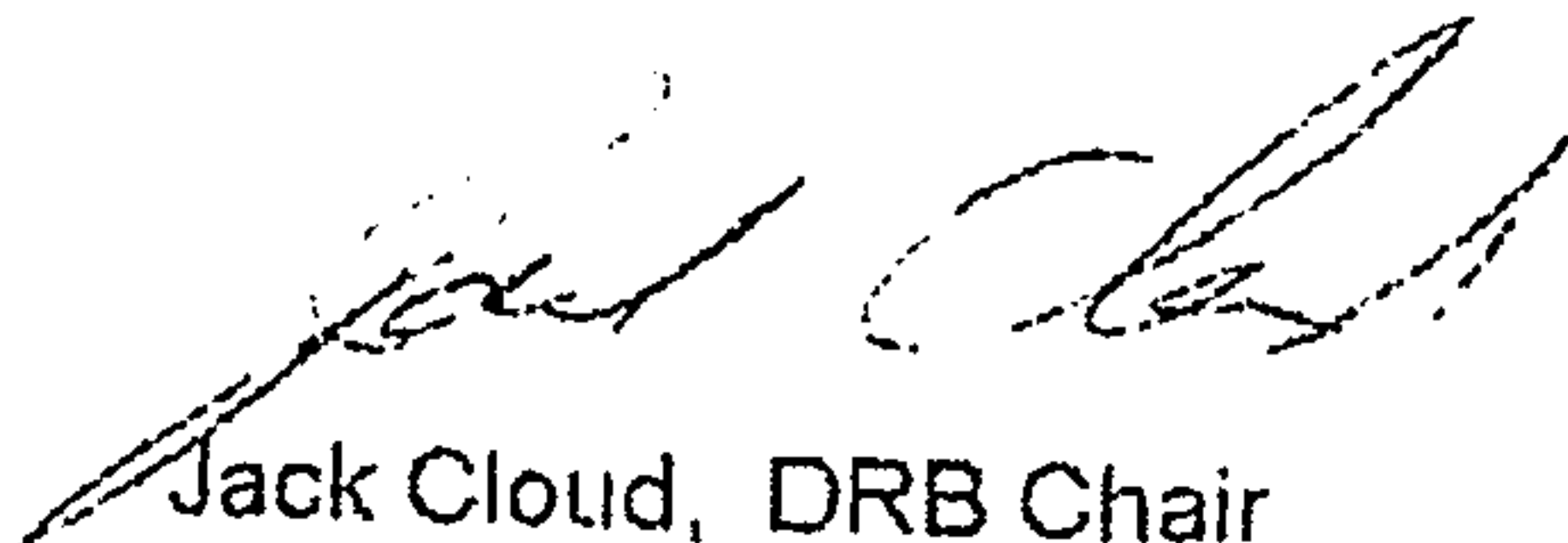
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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)



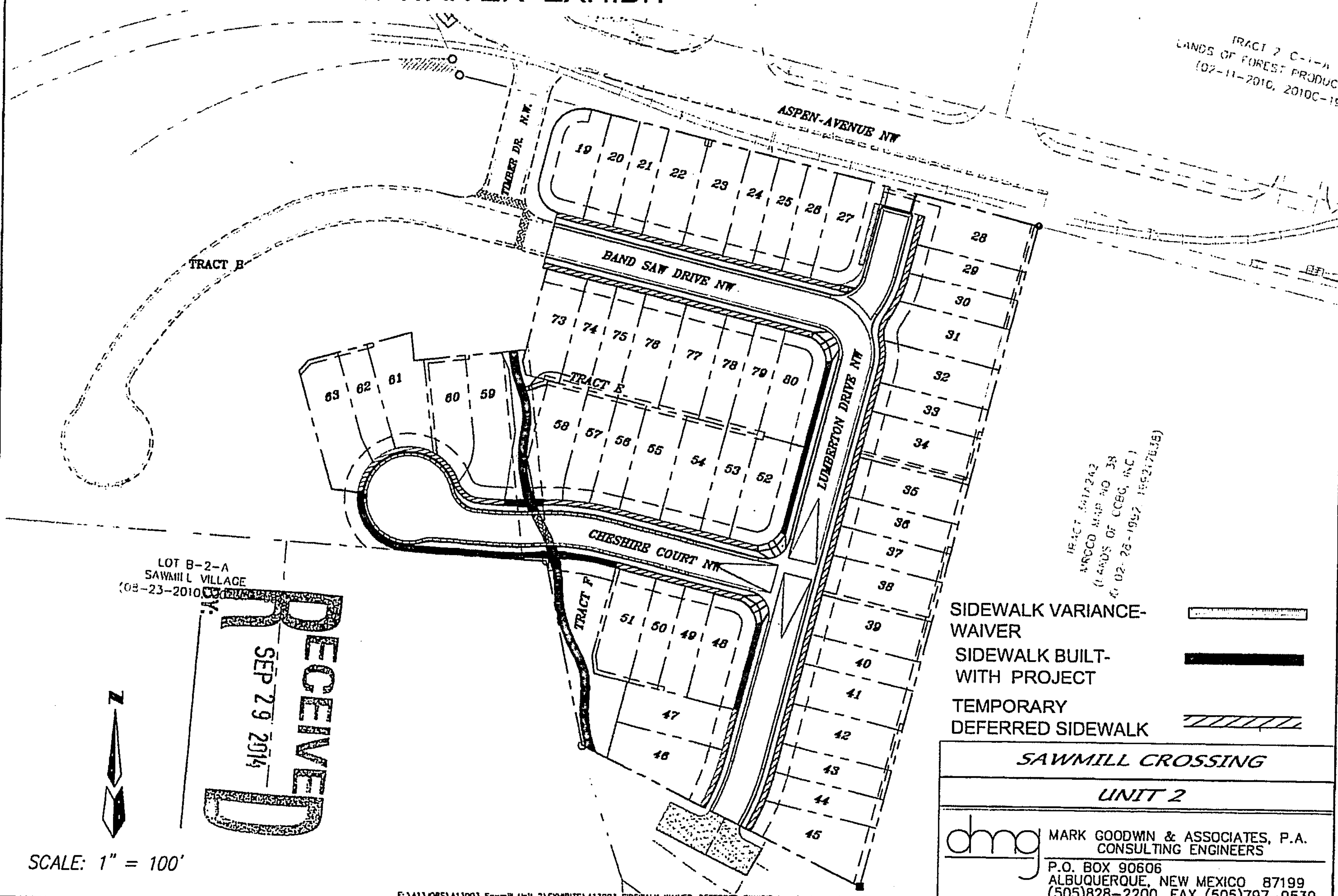
Jack Cloud, DRB Chair

Cc: MARK GOODWIN AND ASSOCIATES, P.A.

TEMPORARY SIDEWALK DEFERRAL AND SIDEWALK VARIANCE / WAIVER EXHIBIT

TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO
(02-11-2010, 2010C-19)

TRACT 2 C-1-A
LANDS OF FOREST PRODUC
(02-11-2010, 2010C-19)



TRACT 2B1242
MRCCD MAP NO 38
02-26-1997 155217636

LOT B-2-A
SAWMILL VILLAGE
(08-23-2010, 2010C-19)

RECEIVED
SEP 29 2014



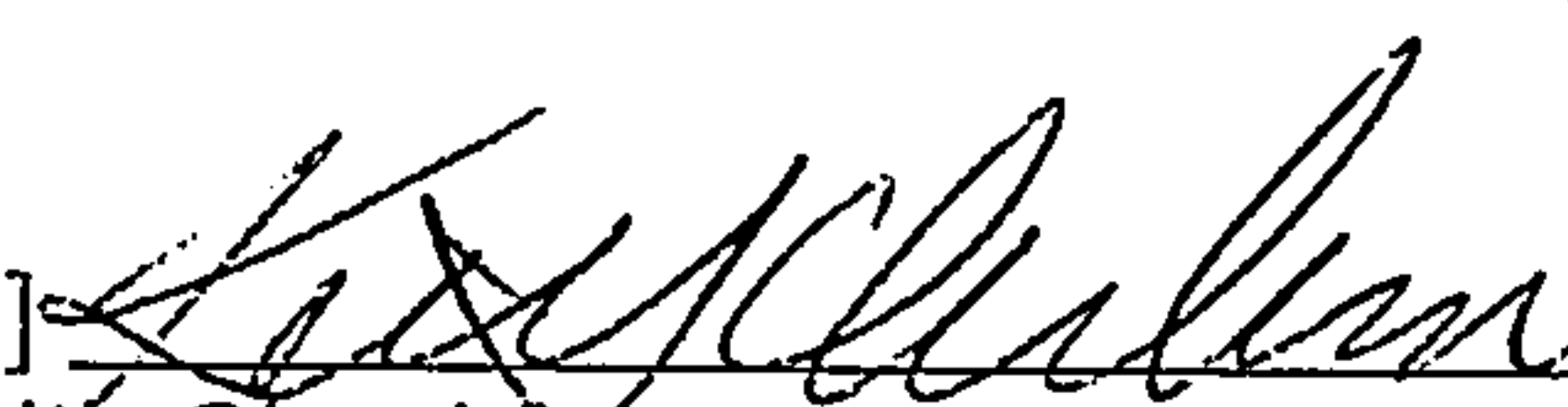
SCALE: 1" = 100'

Bond No. [Surety's No:] CNB-18991-00

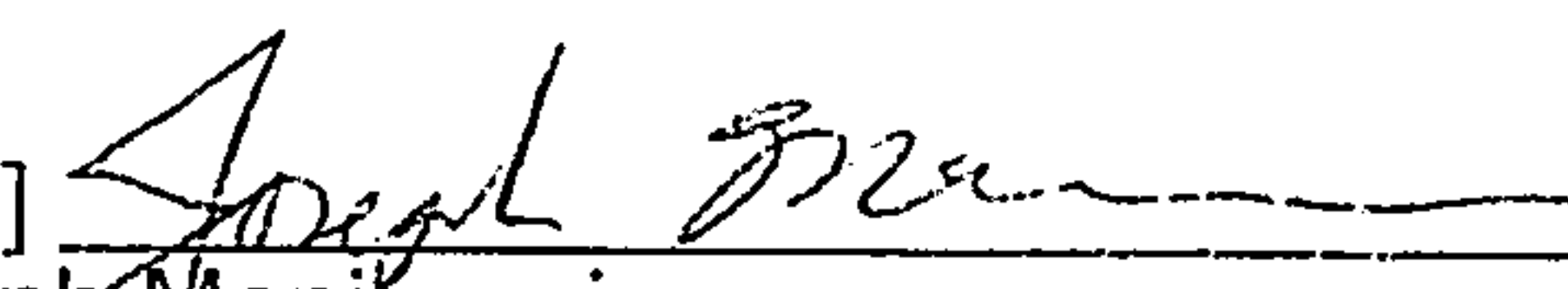
NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] January 30, 2017. ("the Construction Completion Deadline"), 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 28th day of January, 2015.

SUBDIVIDER

By [signature:] 
Name: Keith Cheshire
Title: Principal
Dated: 1-28-15

SURETY

By [signature:] 
Name: Joseph Menicucci
Title: Attorney-In-Fact
Dated: January 28, 2015

*NOTE: Power of Attorney for Surety must be attached.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY
Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-18991-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

Joseph Menicucci of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

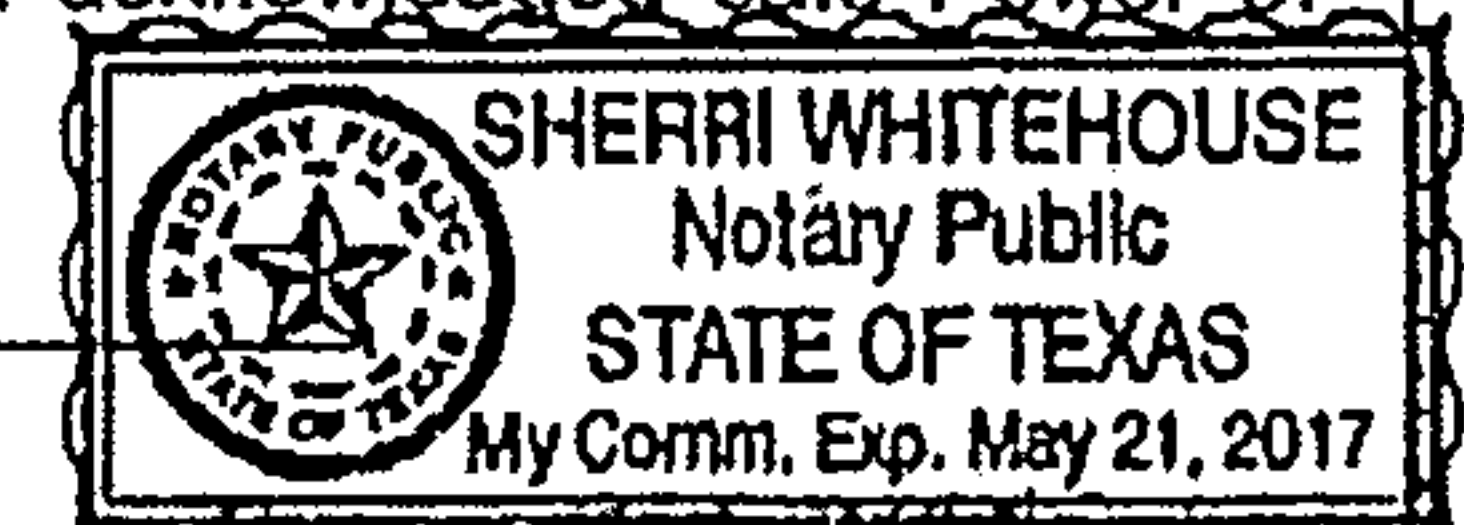
Attest: Tammy Tieperman
Tammy Tieperman, Secretary

By: Dave E. Talbert
Dave E. Talbert, President

State of Texas
County of McLennan

On the 11th day of November, 2014, before me a Notary Public in the State of Texas, personally appeared Dave E. Talbert and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as President and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.

Sherri Whitehouse
Notary Public, State of Texas



Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on November 11, 2014:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on November 11, 2014, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 28th day of January, 2015.

Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 2683, WACO, TEXAS 76702-2683 OR EMAIL US AT CONFIRMATION@INSURORSINDEMNITY.COM.



PBC 877 282 1625
Bonds 800 933 7444

225 South Fifth Street
PO Box 2683
Waco, Texas 76702-2683

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-800-933-7444

You may also write to Insurors Indemnity Company at:

P.O. Box 2683
Waco, TX 76702-2683
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-800-933-7444

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 2683
Waco, TX 76702-2683
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

Figure 12

Nearest Major Streets: Aspen/12th Street
No. of Lots: 53

SUBDIVISION IMPROVEMENTS AGREEMENT PUBLIC AND/OR PRIVATE
(Procedure B-2)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 3rd day of March, 2015, 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 Sawmill Crossing, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:], New Mexico Limited Liability Company, whose address is 7400 Hancock Ct. NE, Suite B, Albuquerque, NM 87109 and whose telephone number is 505-797-8589, 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 B Sawmill Crossing Unit 1, recorded on March 11, 2014 in Book 2014C, pages 0015 as Document No. 2014019749 in the records of the Bernalillo County Clerk, State of New Mexico (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:] Sawmill Crossing, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Sawmill Crossing, Unit 2 describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's 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, building permit 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 30th Day of January 2017, ("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. 617588.
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 S.O. 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 City's 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 S.O. 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. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. 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 ("DPM"), 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. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. 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 thirty (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%
Street Excavation and Barricading Ordinance and street restoration fees	As required per 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.

5. 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 ALS, Inc., and construction surveying of the private Improvements shall be performed by ALS, Inc. 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 Mark Goodwin & Associates, PA and inspection of the private Improvements shall be performed by Mark Goodwin & Associates, PA, 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 Vinyard & Associates, and field testing of the private Improvements shall be performed by Vinyard & Associates 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 therefore.

6. 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 City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Bond # CNB-18992-00
Amount: \$ 48061.09
Name of Financial Institution or Surety providing Guaranty: Insurors Indemnity
Date City first able to call Guaranty (Construction Completion Deadline):
January 30, 2017
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: _____
Additional information: B-2, Rear & Side Yard Channels, 15% Contingency, Requires G&D Cert prior to release of FG

7. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange for a preconstruction conference and all required inspections.

8. 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 S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. 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.

10. 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 DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty 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 S.O.

(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.

11. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the

Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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 (6) days after the notice is mailed if there is no actual evidence of receipt.

17. 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.

18. Changes to Agreement. Changes to this Agreement are not binding unless made in

writing, signed by both parties.

19. 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.

20. 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.

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

22. 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: Sawmill Crossing, LLC

CITY OF ALBUQUERQUE

By [Signature]: [Signature]

By: [Signature]

Name [Print]: Keith Cheshire

Shahab Biazar, PE City Engineer

Title: Managing Member

Dated: 3/3/15

Dated: 1-29-15

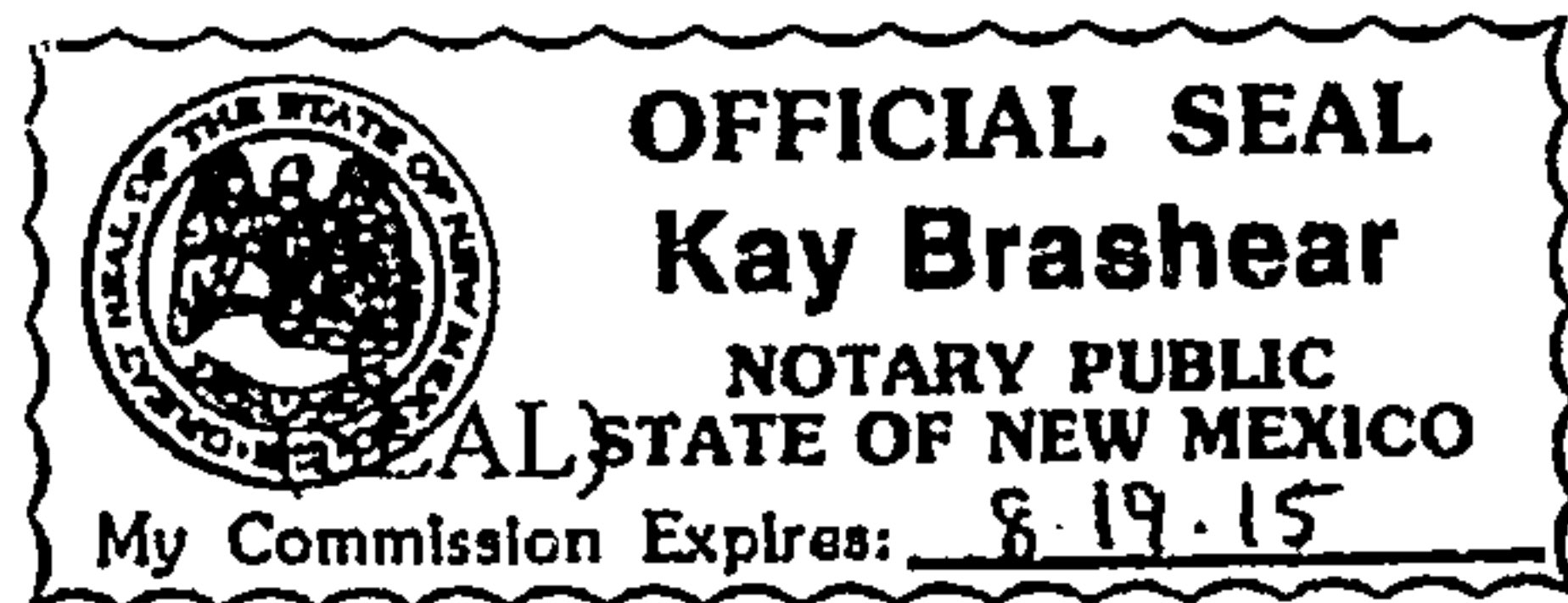
2-25-15

03/02/15

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on this 29 day of January, 20 15,
by [name of person:] Keith Cheshire, [title or capacity, for instance, "President" or
"Owner":] Managing Member of [Subdivider:] Sawmill Crossing, LLC.



Kay Brashear
Notary Public

My Commission Expires: 8-19-15

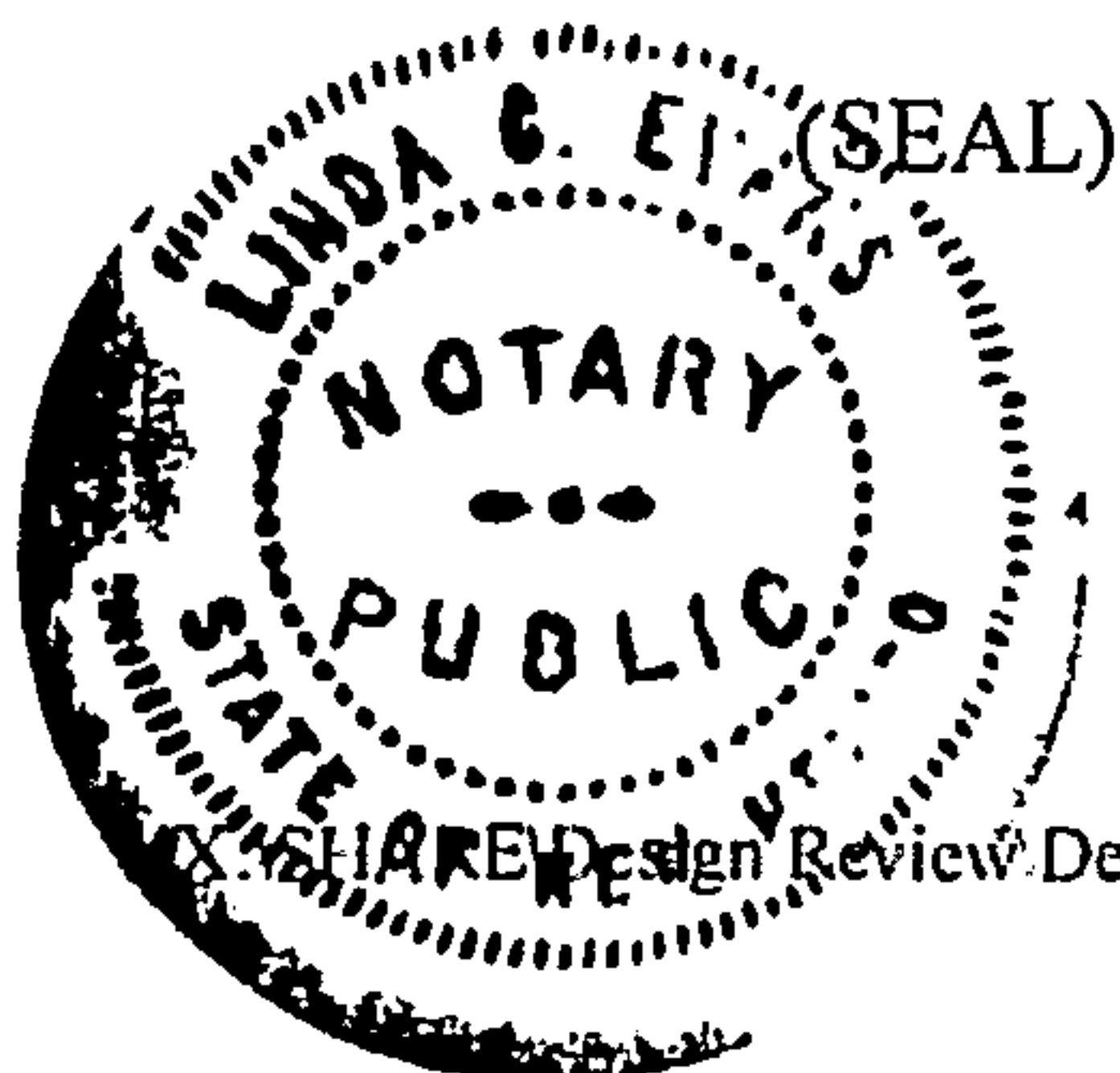
CITY'S NOTARY

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

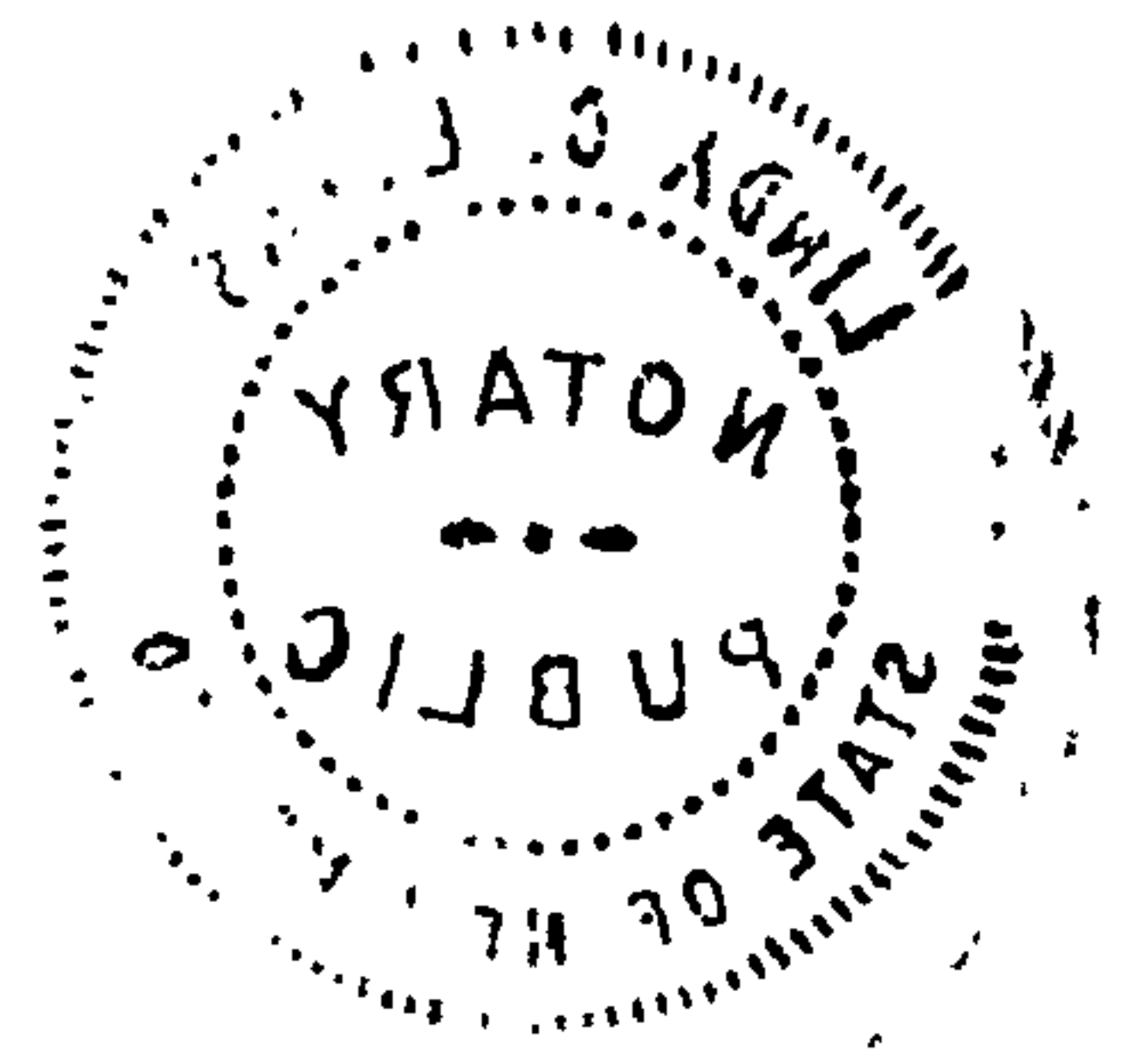
This instrument was acknowledged before me on this 3RD day of March,
20 15, by Shahab Biazar, City Engineer of the City of Albuquerque, a municipal corporation,
on behalf of said corporation.

Linda G. El
Notary Public

My Commission Expires: 10-17-16



1111



DRC Chair

Current DRC
Project Number:

ORIGINAL

FIGURE 12

INFRASTRUCTURE LIST

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

Sawmill Crossing Unit 2

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B, Sawmill Crossing Unit 1

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: October 1, 2014
Date Site Plan Approved: _____
Date Preliminary Plat Approved: 10.29.14
Date Preliminary Plat Expires: 10.29.15
DRB Project No.: 1009046
DRB Application No.: 14-20276

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 guarantees. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	CDA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		24" H	Perm Pavt PAVING	Hand Saw Drive	Timber Drive	Lumberlon Drive	/	/	/
		4'	C&G (both sides) sidewalk (both sides) (1)						
		76" H	Perm Pavt PAVING	Lumberlon Drive	Hand Saw Drive	South Prop. Line	/	/	/
		4'	C&G (both sides) sidewalk (both sides) (1)						
		4'	Sidewalk (west side) PAVING	Lots 48-52, 80			/	/	/
			Hammerhead Temp Pavmt PAVING	Tract C Public Access Easmt			/	/	/
		24" H	Perm Pavt PAVING	Lumberlon Drive Stub	Hand Saw Drive	End Stub	/	/	/
		4'	C&G (both sides) sidewalk (east side only) (1)						
		26" H	Perm Pavt PAVING	Chestnut Court	Lumberlon Drive	End of Cul-de-sac	/	/	/
		4'	C&G (both sides) sidewalk (both sides) (1)						
		6'	Sidewalk PAVING	Tract D	Tract D	Chestnut Court	/	/	/
		6'	Sidewalk PAVING	Tract E	Chestnut Court	South Prop. Line	/	/	/
		12"	Waterline WATERLINE	Hand Saw Drive	East 12" WL @ Timber	Lumberlon Drive	/	/	/

Size	Material	Location	Notes	Prop. Line
12"	Waterline	Lumbermen Drive		South Prop. Line at lot 45
4"	Waterline	Lumbermen Drive Slight		Lot 58
10"	Waterline	Chesnut Court		Exist 10" WL (from Lot 51)
6"	Waterline	Chesnut Court		Exist 6" WL
12"	Waterline	Tract C		Exist 12" WL
SANITARY SEWER				
8"	Sanitary Sewer	Lumbermen Drive		Lot 45
8"	Sanitary Sewer	Chesnut Court		Lot 60
8"	Sanitary Sewer	Aspen Ave		New M.I. to West
Sanitary Sewer Service Line Connections				
STORM DRAIN				
Type I, Inlet				
12"	Sidewalk Culvert	HOW Tract L		
12"	Sidewalk Culvert	HOW Lot 60		
12"	Sidewalk Culvert	HOW Lot 51		
12"	Sidewalk Culvert	ROW Lot 38		
12"	Sidewalk Culvert	HOW Lot 34		
12"	Rear Yard Channel	Lot 28 33		
12"	Rear Yard Channel	Lot 36 38		
12"	Rear Yard Channel	Lot 39 40		
12"	Rear Yard Channel	Lot 41-44		
12"	Rear Yard Channel	Lot 49 51		
12"	Rear Yard Channel	Lot 52 58		
12"	Rear Yard Channel	Lot 59-60		
12"	Rear Yard Channel	Lot 61 63		
12"	Rear Yard Channel	Lot 73 80		
12"	Side Yard Channel	Lot 38 51, 60		
12"	Side Yard Channel	Tract B, Tract C		

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

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

- 1 Sidewalks to be Deferred as per Sidewalk Exhibit
- 2 Street Lights Per DPM
- 3 Water Infrastructure includes Valves, Fittings, Valve Boxes, Fire Hydrants, and Appurtenances.
- 4 Sanitary Sewer includes manholes and service connection to property line
- 5 Grading & Drainage certification per DPM for release of SIA & Financial Guaranty's. Financial Guaranty's are not required for grading.
- 6
- 7

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
Diane Hoelzer, P.E. NAME (print)	<i>Jack Chen</i> 10-29-14 DRB CHAIR - date	<i>Carol S. Dumont</i> 10-29-14 PARKS & GENERAL SERVICES - date
MARK GOODWIN & ASSOCIATES FIRM	<i>Al Porter</i> 10-29-14 TRANSPORTATION DEVELOPMENT - date	AMAFCA - date
<i>Diane Hoelzer</i> 9-24-14 SIGNATURE date	<i>Arthur Chen</i> 10-29-14 UTILITY DEVELOPMENT - date	- date
MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB EXTENSION: N/A	CITY ENGINEER - date	- date
DESIGN REVIEW COMMITTEE REVISIONS		

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

FIGURE 16

SUBDIVISION BOND
(PROCEDURE B)

Bond No. [Surety's N CNB-18992-00

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] Sawmill Crossing, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] New Mexico Liability Corporation as "Principal", and [name of surety:] Insurors Indemnity, a corporation organized and existing under and by virtue of the laws of the State of Texas and authorized to do business in the State of New Mexico, as "Surety", are held and firmly bound unto the CITY OF ALBUQUERQUE in penal sum of [written amount:] Forty Eight Thousand and sixty one dollars 09/100 cents Dollars, ([amount in figures:] \$ 48,061.09), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City 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:] Sawmill Crossing, Tract B Sawmill Crossing Unit 1 ("Subdivision"), City Project No. 617588; 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:]

Subdivision improvements agreement, B-2, Rear & Side yard channels, 15% Contingency Requires G&D Cert Prior to release of FG
("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:] Sawmill Crossing, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on , 20 as Document Number , as amended by change orders or amendments to the agreement.

Bond No. [Surety's No:] CNB-18992-00

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:] January 30, 2017. ("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 28th day of January, 2015.

SUBDIVIDER

By [signature:] *Keith Cheshire*
Name: Keith Cheshire
Title: Principal
Dated: _____

SURETY

By [signature:] *Joseph Menicucci*
Name: Joseph Menicucci
Title: Attorney-In-Fact
Dated: January 28, 2015

*NOTE: Power of Attorney for Surety must be attached.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY
Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-18992-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

Joseph Menicucci of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

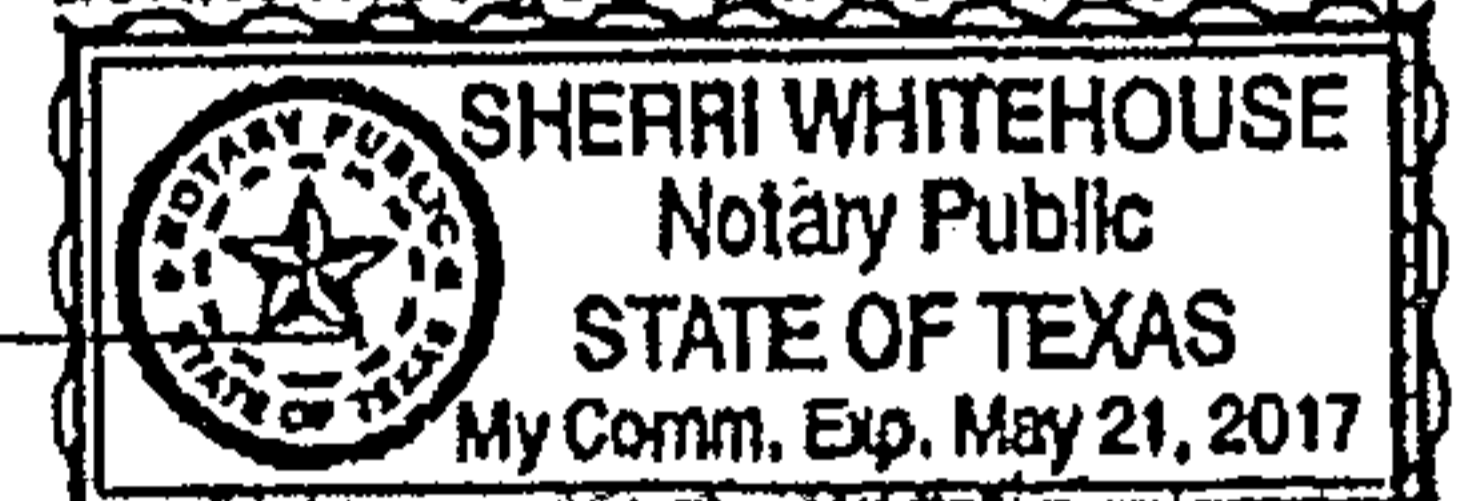
Attest: Tammy Tieperman
Tammy Tieperman, Secretary

By: Dave E. Talbert
Dave E. Talbert, President

State of Texas
County of McLennan

On the 11th day of November, 2014, before me a Notary Public in the State of Texas, personally appeared Dave E. Talbert and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as President and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.

Sherri Whitehouse
Notary Public, State of Texas



Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on November 11, 2014:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on November 11, 2014, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 28th day of January, 2015.

Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 2683, WACO, TEXAS 76702-2683 OR EMAIL US AT CONFIRMATION@INSURORSINDEMNITY.COM.

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-800-933-7444

You may also write to Insurors Indemnity Company at:

P.O. Box 2683
Waco, TX 76702-2683
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-800-933-7444

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 2683
Waco, TX 76702-2683
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

1609046

Figure 12

Nearest Major Streets: Aspen/12th Street
No. of Lots: 53

SUBDIVISION IMPROVEMENTS AGREEMENT PUBLIC AND/OR PRIVATE
(Procedure B-1)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 3rd day of March, 2015, 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 Sawmill Crossing, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.], New Mexico Limited Liability Company, whose address is 7400 Hancock Ct. NE, Suite B, Albuquerque, NM 87109 and whose telephone number is 505-797-8589, 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 B Sawmill Crossing Unit 1, recorded on March 11, 2014 in Book 2014C, pages 0015 as Document No. 2014019749 in the records of the Bernalillo County Clerk, State of New Mexico (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:] Sawmill Crossing, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Sawmill Crossing, Unit 2 describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's 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, building permit 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 30th Day of January 2017, ("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. 617588. 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 S.O. Section 14-14-3.) If a

10/16/2012

Doc# 2015019751

03/10/2015 03 24 PM Page 1 of 11
AGRE R \$25 00 M Toulouse Oliver, Bernalillo County

1
CPN 617586



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 City's 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 S.O. 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. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. 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 ("DPM"), 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. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. 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 thirty (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%
Street Excavation and Barricading Ordinance and street restoration fees	As required per 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.

5. 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 ALS, Inc., and construction surveying of the private Improvements shall be performed by ALS, Inc. 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 Mark Goodwin & Associates, PA and inspection of the private Improvements shall be performed by Mark Goodwin & Associates, PA, 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 Vinyard x8e & Associates , and field testing of the private Improvements shall be performed by Vinyard x8e & Associates 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 therefore.

6. 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 City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Bond # CNB-18990-00
Amount: \$ 525,146.80
Name of Financial Institution or Surety providing Guaranty: Insurors Indemnity
Date City first able to call Guaranty (Construction Completion Deadline):
January 30, 2017
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: _____
Additional information: B-1, No Contingency, Requires G&D Cert Prior to Release of FG

7. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange for a preconstruction conference and all required inspections.

8. 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 S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. 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.

10. 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 DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty 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 S.O.

(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.

11. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the

Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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 (6) days after the notice is mailed if there is no actual evidence of receipt.

17. 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.

18. Changes to Agreement. Changes to this Agreement are not binding unless made in

writing, signed by both parties.

19. 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.

20. 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.

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

22. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

VKC UNLAW

Current DRC
Project Number

FIGURE 12

INFRASTRUCTURE LIST

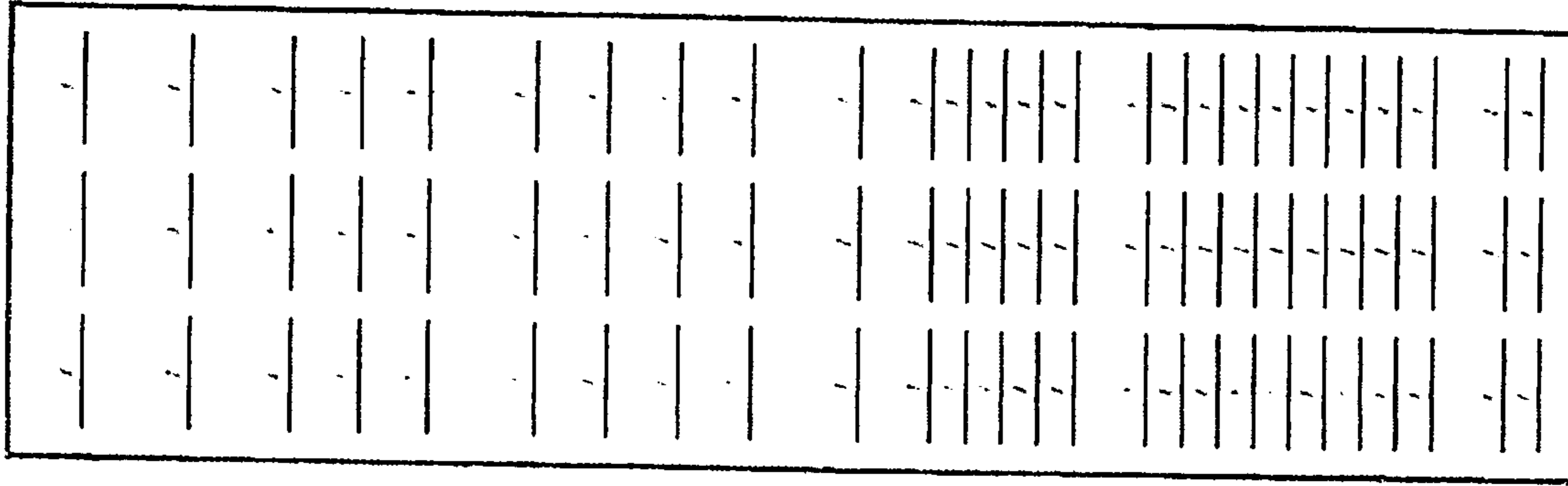
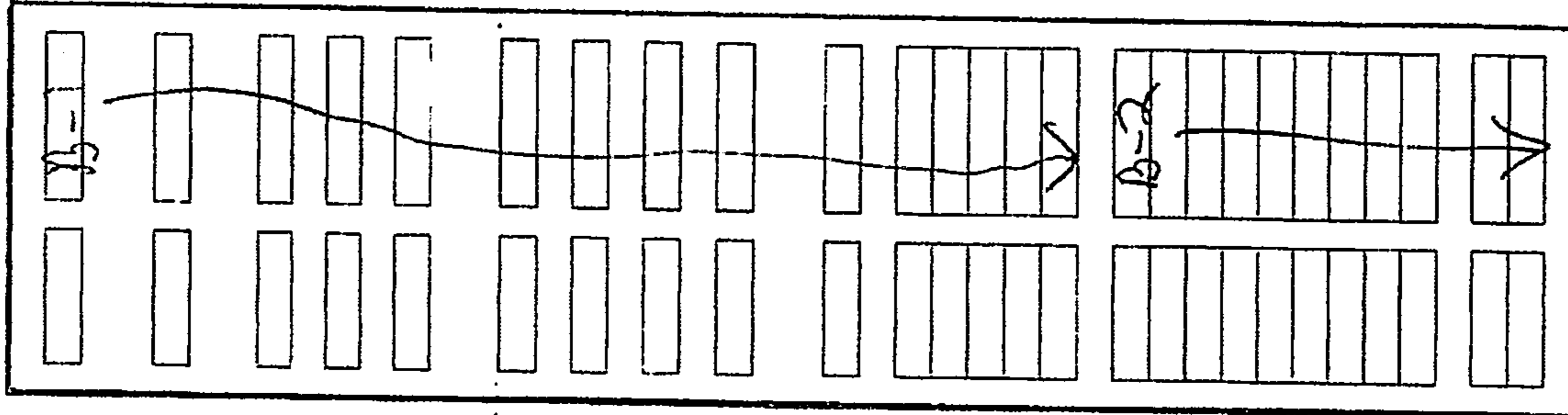
EXHIBIT "A"
TO SUBDIVISION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
Sawmill Crossing Unit 2
PROPOSED NAME OF PLAT AND/OR THE DEVELOPMENT PLAN
Tract B, Sawmill Crossing Unit 1
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: October 1, 2014
Date Site Plan Approved: 10-29-14
Date Preliminary Plat Approved: 10-29-14
Date Preliminary Plat Expires: 10-29-15
DRB Project No.: 1009046
DRB Application No.: 14-70276

ORIGINAL

Following is a summary of PUBLIC/Private Infrastructure required 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 guarantees. 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, those revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Enst Engineer
	B-1	24" FF	PAVING Pavim Pavnt	Hand Saw Drive	Lumber Drive	Lumber Drive	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		24" FF	Pavim Pavnt	Lumber Drive	Hand Saw Drive	South Prop. Line	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		4'	Sidewalk (west side) Handwritten Top Pavnt	Lots 4th, 52, 80 Tract C Public Access Point			/	/	/
		24" FF	Pavim Pavnt	Lumber Drive Hub	Hand Saw Drive	End Stop	/	/	/
		4'	C&G (both sides) Sidewalk (east side only) (1)						
		24" FF	Pavim Pavnt	Cheshire Court	Lumber Drive	End of Cheshire	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		6'	Sidewalk	Tract E	Tract D	Traverse Court	/	/	/
		6'	Sidewalk	Tract E	Cheshire Court	South Prop. Line	/	/	/
		12"	WATERLINE Waterline	Hand Saw Drive	East 12" WL @ Timber	Lumber Drive	/	/	/



12"	Waterline	Lumbermen Drive	Band Saw Drive	South Prop. Line at lot 45
4"	Waterline	Lumbermen Drive	Band Saw Drive	Lot 28
10"	Waterline	Christine Court	Lumbermen Drive	East 10' WL from Lot 51
4"	Waterline	Christine Court	10' WL	East 10' WL
12"	Waterline	Tract C	Chickadee Lumbermen Dr	East 12' WL

SANITARY SEWER

8"	Sanitary Sewer	Lumbermen Drive	East SAS Band Saw Dr	Lot 45
8"	Sanitary Sewer	Tract C	Lumbermen Drive	Lot 43
8"	Sanitary Sewer	Aspen Ave	East 10' MH East P-1	New M-1 to West
	Sanitary Sewer Service Line	Lot 34		

STORM DRAIN

12"	Sidewalk Culvert	Row Tract C	Connect to 12" and 10" pipe	
12"	Sidewalk Culvert	ROW Lot 40		
12"	Sidewalk Culvert	ROW Lot 51		
12"	Sidewalk Culvert	ROW Lot 38		
12"	Sidewalk Culvert	ROW Lot 34		
12"	Rear Yard Channel	Lots 28-31		
12"	Rear Yard Channel	Lots 36-38		
12"	Rear Yard Channel	Lots 39-40		
12"	Rear Yard Channel	Lots 41-44		
12"	Rear Yard Channel	Lot 40-41		
12"	Rear Yard Channel	Lots 42-58		
12"	Rear Yard Channel	Lots 59-60		
12"	Rear Yard Channel	Lots 61-63		
12"	Rear Yard Channel	Lots 73-80		
12"	Side Yard Channel	Lot 38-51, 60		
3"	Side Yard Channel	Tract C		

Bond No. [Surety's No:] CNB-18990-00

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:] January 30, 2017. ("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 28th day of January, 2015.

SUBDIVIDER

By [signature:] *Keith Cheshire*
Name: Keith Cheshire
Title: Principal
Dated: _____

SURETY

By [signature:] *Joseph Menicucci*
Name: Joseph Menicucci
Title: Attorney-in-Fact
Dated: January 28, 2015

*NOTE: Power of Attorney for Surety must be attached.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY
Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-18990-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

Joseph Menicucci of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

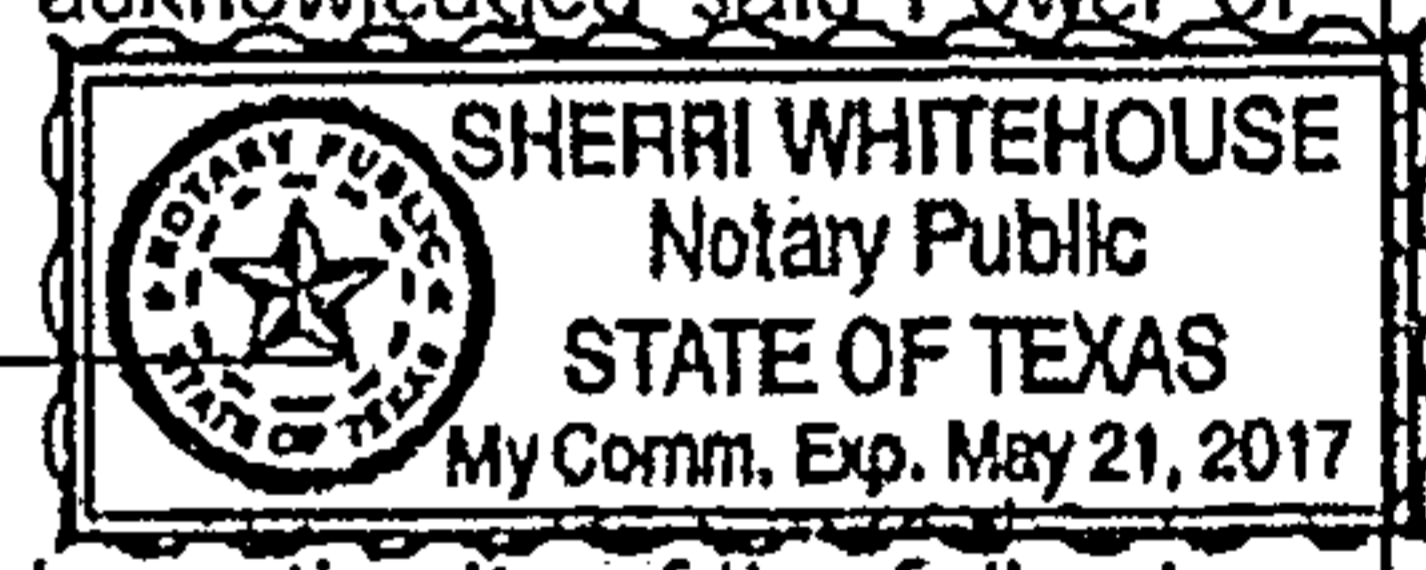
Attest: Tammy Tieperman
Tammy Tieperman, Secretary

By: Dave E. Talbert
Dave E. Talbert, President

State of Texas
County of McLennan

On the 11th day of November, 2014, before me a Notary Public in the State of Texas, personally appeared Dave E. Talbert and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as President and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.

Sherril Whitehouse
Notary Public, State of Texas



Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on November 11, 2014:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on November 11, 2014, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 28th day of January, 2015.

Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 2683, WACO, TEXAS 76702-2683 OR EMAIL US AT CONFIRMATION@INSURORSINDEMNITY.COM.

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-800-933-7444

You may also write to Insurors Indemnity Company at:

P.O. Box 2683
Waco, TX 76702-2683
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-800-933-7444

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 2683
Waco, TX 76702-2683
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto.

PROJECT #

1009046

March 25. 2015

FF



INTER-OFFICE MEMORANDUM

COMMENTING AGENCIES

TRANSPORTATION DEVELOPMENT*John MacKenzie*
TRANSIT & PARKING DEPARTMENT*Shabih Rizvi*
COUNCIL OF GOVERNMENTS.....*Kendra Watkins/Andrew Gingerich*
AMAFCA.....*Lynn Mazur*
APD CRIME PREVENTION.....*Steve Sink*
OPEN SPACE DIVISION.....*Kent Reed Swanson*
FIRE DEPARTMENT.....*Antonio Chinchilla*
ZONING ENFORCEMENT INSPECTOR.....*David Kilpatrick*
NEIGHBORHOOD COORDINATION.....*Stephani Winklepleck*
PNM.....*Daniel Aragon*
NEW MEXICO GAS COMPANY.....*Patrick Sanchez*
ALBUQUERQUE PUBLIC SCHOOLS.....*April Winters*
COMCAST CABLE.....*Mike Mortus*
Mid.Rio Grande Conserv. Dist. (MRGCD).....*Ray Gomez*
ENVIRONMENTAL HEALTH.....*Paul Olson*

Your comments on the following case(s) are requested.

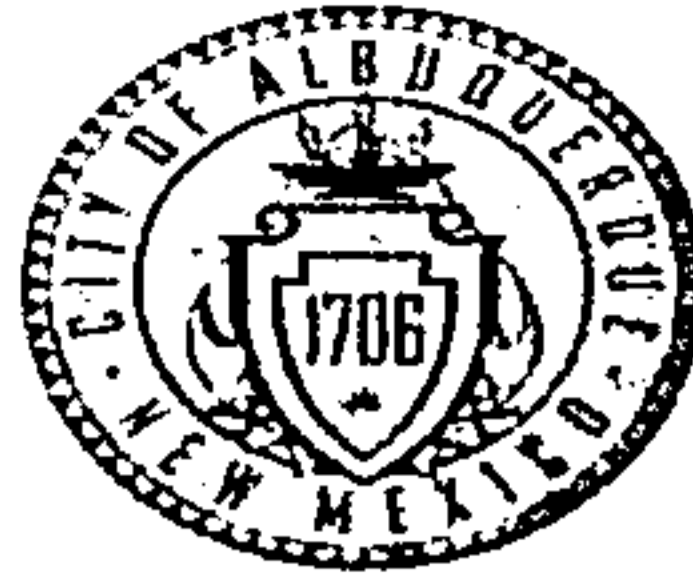
PROJECT # 1009046

Board hearing date:

WEDNESDAY, August 27, 2014

Comments must be received by:

August 20, 2014



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**


Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, August 27, 2014, beginning at 9:00 a.m.** and proceeding according to that day's agenda for the purpose of considering the following items. The Development Review Board will hold a Pre-Hearing Discussion in the Conference Room of Suite 201, Lobby Level, Plaza del Sol Building, 600 2nd St NW, Albuquerque, NM on Tuesday, **August 26, 2014, beginning at 3:00 p.m.** for the purpose of reviewing these items prior to the public hearing; no action or public comments will be taken at this Discussion.

Project# 1009046

14DRB-70273 VACATION OF PUBLIC
WATERLINE & SEWER EASEMENTS
14DRB-70274 SIDEWALK WAIVER
14DRB-70275 - TEMP DEFR SWDK CONST
14DRB-70276 - PRELIMINARY PLAT

MARK GOODWIN AND ASSOCIATES, P.A. agents for SAWMILL CROSSING, LLC request the referenced/above actions for all or a portion of Tract B, **SAWMILL CROSSING Unit 1**, zoned SU-2/ SU-1 for PRD, located on the south side of ASPEN AVE NW west of 12TH ST NW containing approximately 4.247 acres. (H-13)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays **INDIVIDUALS WITH DISABILITIES** who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.



Jack Cloud, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, August 11, 2014.



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin & Associates PA PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: _____
 CITY: Albuquerque STATE nm ZIP 87199 E-MAIL: lcrasheare@goodwinengineers.com

APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock Ct - NE FAX: _____
 CITY: Albuquerque STATE nm ZIP 87109 E-MAIL: keith@cheshire.comcastbiz.com

Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Approval of Preliminary Plat, Temporary Sidewalk Deferral, Sidewalk waiver and Vacation Request

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

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

Lot or Tract No. Tract B Block: _____ Unit: 2
 Subdiv/Addn/TBKA: Sawmill Crossing
 Existing Zoning: SU-2 Proposed zoning: n/a MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1009046

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 Tract No. of proposed lots: 51/3 tracts Total site area (acres): 4.24 AC
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave.
 Between: 12th Street and Rio Grande Blvd.

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

SIGNATURE Diane Hoelzer DATE July 30, 2014
 (Print Name) Diane Hoelzer Applicant: Agent:

FOR OFFICIAL USE ONLY

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

Application case numbers

14DRB - 70273
14DRB - 70274
14DRB - 70275
14DRB - 70276

Action

YPE
SH
JDS
PD
ADV
CMF

S.F.

Fees

\$ 90.00
 \$ 0
 \$ 0
 \$ 1565.00
 \$ 75.00
 Total 20.00
 \$ 1750.00

Hearing date August 27, 2014

[Signature]

7-31-14
 Staff signature & Date

Project # 10091046

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE) 24 copies
- Application for Minor Plat on FORM S-3, including those submittal requirements.
 - Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 - Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
- VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies. (Not required for City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") 24 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire. DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
- SIDEWALK WAIVER (DRB21)** 6 copies
- Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14")
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance or waiver
 - List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
- 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.

Diane Hoelzer
 Applicant name (print)
Diane Hoelzer 7-30-14
 Applicant signature / date



Form revised 4/07

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

Application case numbers
 14DRB - 70273
 14DRB - 70274
 14DRB - 70275

[Signature] 7-31-14
 Planner signature / date
 Project # 1004016

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)

- ~~N/A~~ 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
- ~~N/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.

Diane Hoelzer
 Applicant name (print)
Diane Hoelzer 7-30-14
 Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 14DRB-70276

[Signature] 7-31-14
 Planner signature / date
 Project # 1009046

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 August 12, 14 To August 27, 14

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.

Kay Bras
(Applicant or Agent)

8-1-14
(Date)

I issued 2 signs for this application, 7-31-14
(Date)

[Signature]
(Staff Member)

PROJECT NUMBER: 1009046



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

July 30, 2014

Mr. Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**Re: Sawmill Crossing Unit 2 – (DRB 1009046) Zone Atlas H-13
Request approval of preliminary plat, sidewalk waiver and deferral,
and vacation of easements.**

Dear Mr. Cloud:

On behalf of our client, Sawmill Crossing LLC, we are requesting the above actions from the DRB.

Sawmill Unit 1 infrastructure has been constructed, The client is now ready to proceed with Unit 2.

The existing sanitary sewer along the east boundary is to be abandoned and the existing services will be connected to the new sanitary sewer line within our project as designed at DRC. This will eliminate the need for this easement for which we are seeking to be vacated at this time.

A portion of the existing waterline located within our project site will be abandoned and re-routed through our subdivision. This will eliminate the need for this easement for which we are seeking to be vacated at this time.

The sidewalk waiver along the south culdesac is being requested because at some later date there is a planned connection to the south which would eliminate the culdesac which would also completely change the sidewalk alignment. As a result, we are asking for a waiver with the intent that the permanent sidewalk be built at a later date when the road is reconfigured to connect.

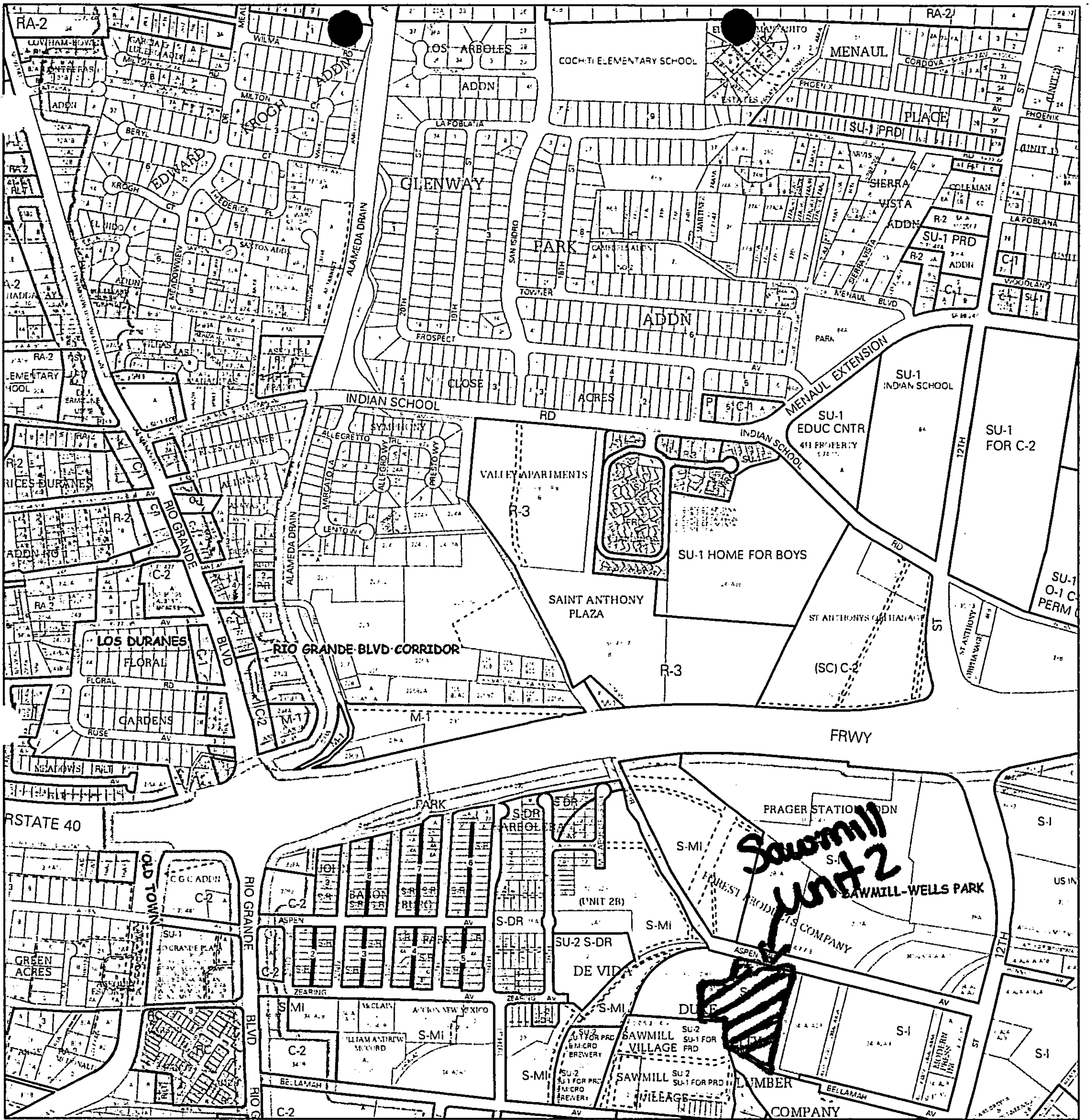
Please contact our office if you have any questions or comments.

Sincerely,

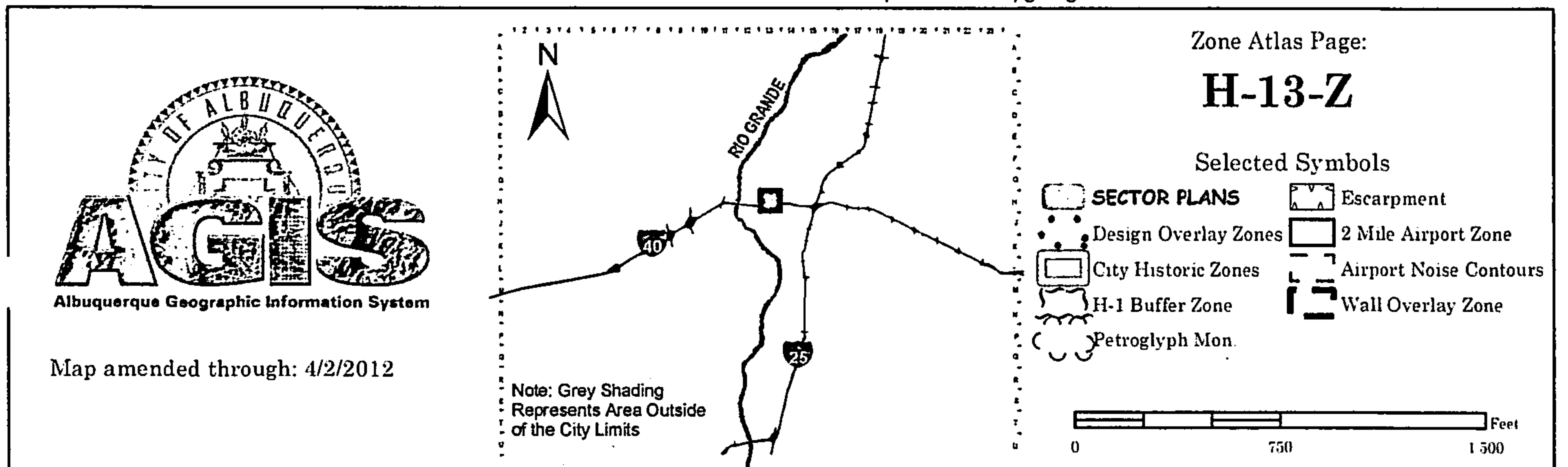
MARK GOODWIN & ASSOCIATES, PA

Diane Hoelzer, PE
Senior Engineer

DLH/dlh
Attachments



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





DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

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

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

Private Development EPC DRB LUCC Liquor Submittal

Administrative Amendments (AA's)

City Project

Special Exception Application (ZHE)

CONTACT NAME: Kay Brashear

COMPANY NAME: Mark Goodwin & Associates, PA

ADDRESS/ZIP: P.O. Box 90606, Albuquerque, NM 87199

PHONE: (505) 828-2200 FAX: (505) 797-9539

LEGAL DESCRIPTION INFORMATION

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

LEGAL DESCRIPTION

Tract B - Sawmill Crossing Unit 1

LOCATED ON Aspen Ave NW

Street Name or Other Identifying Landmark

BETWEEN 12th Street NW AND Street

Name or Other Identifying Landmark

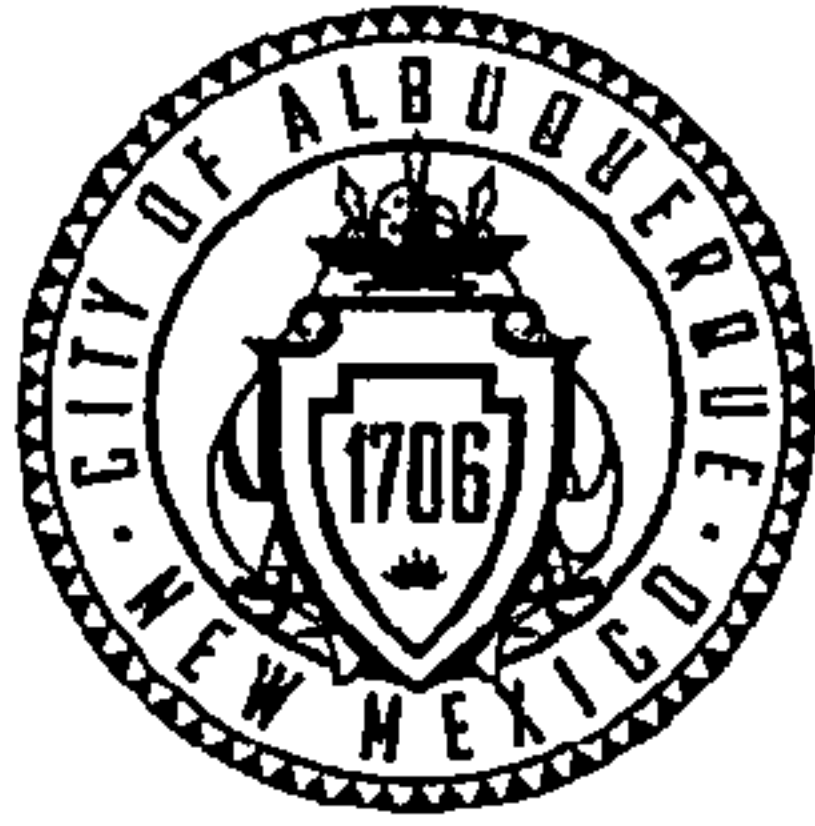
Rio Grande Blvd.

Street Name or Other Identifying Landmark

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (H-13).

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

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



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

July 22, 2014

Kay Brashear
Mark Goodwin & Associates, PA
P.O. Box 90606/87199
Phone: 505-828-2200 Fax: 505-797-9539

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

Dear Kay:

Thank you for your inquiry of July 22, 2014 requesting the names of ALL Neighborhood and/or Homeowners Associations who would be affected under the provisions of O-92 by your proposed project at **(DRB SUBMITTAL) TRACT B- SAWMILL CROSSING, UNIT 1 LOCATED ON ASPEN AVE. NW BETWEEN 12TH STREET NW AND RIO GRANDE BLVD.** zone map H-13.

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

SEE ATTACHMENT "A" FOR THE NAMES OF THE NA/HOA'S THAT NEED TO BE CONTACTED IN REGARDS TO THIS PLANNING SUBMITTAL - please attach this letter and "Attachment A" to your Application Packet ALONG with copies of the letters and certified mail receipts to the NA/HOA's.

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) 924-3906 or via an e-mail message at dlcarmona@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Dalaina Carmona

Senior Administrative Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

LETTERS MUST BE SENT TO BOTH CONTACTS OF EACH NEIGHBORHOOD ASSOCIATION.

!!! 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 recognized neighborhood 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 describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.>").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
 - d) The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

Information from the Office of Neighborhood Coordination

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

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

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

Copies of Letters to Neighborhood Associations (if there are associations). A copy must be submitted with application packet.

Copies of the certified receipts to Neighborhood 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 Dalaina at 924-3906 or via an e-mail message at dlcarmona@cabq.gov.

Thank you for your cooperation on this matter.

(below this line for ONC use only)

Date of Inquiry: **7/22/14** Time Entered: **4:30 p.m.** ONC Rep. Initials: **DC**

ATTACHMENT "A"

July 22, 2014

Kay Brashear
Mark Goodwin & Associates, PA
P.O. Box 90606/87199
Phone: 505-828-2200 Fax: 505-797-9539

SAWMILL AREA N.A. (SMA) "R"

Beth Lehman
1215 Summer NW/87104
Andrew Monie
1500 15th St. NW/87104

SAWMILL COMMUNITY LAND TRUST (SCL)

Wade Patterson
P.O. Box 25181/87125
Annette Montoya
P.O. Box 25181/87125



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

July 31, 2014

Mr. Wade Patterson
Sawmill Community Land Trust
PO BOX 25181
Albuquerque, NM 87125

Ms. Annette Montoya
Sawmill Community Land Trust
PO BOX 25181
Albuquerque, NM 87125

Re: Preliminary Plat Application for Sawmill Crossing Unit 2

Dear Mr. Patterson and Ms. Montoya:

Enclosed please find a copy of the DRB Application requesting Preliminary Plat, Vacation of Public Easement, Sidewalk Waiver, and Temporary Deferral of Sidewalk Construction for the referenced project. The anticipated date to be heard is August 27, 2014. Please contact Diane Hoelzer of our office if you have any questions or concerns.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Kay Brashear
Office Manager

/kb

Enclosure



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

July 31, 2014

Ms. Beth Lehman
Sawmill Area N.A.
1215 Summer NW
Albuquerque, NM 87104

Mr. Andrew Monie
Sawmill Area N.A.
1500 15th Street
Albuquerque, NM 87104

Re: Preliminary Plat Application for Sawmill Crossing Unit 2

Dear Ms. Lehman and Mr. Monie:

Enclosed please find a copy of the DRB Application requesting Preliminary Plat, Vacation of Public Easement, Sidewalk Waiver, and Temporary Deferral of Sidewalk Construction for the referenced project. The anticipated date to be heard is August 27, 2014. Please contact Diane Hoelzer of our office if you have any questions or concerns.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Kay Brashear
Office Manager

/kb

Enclosure

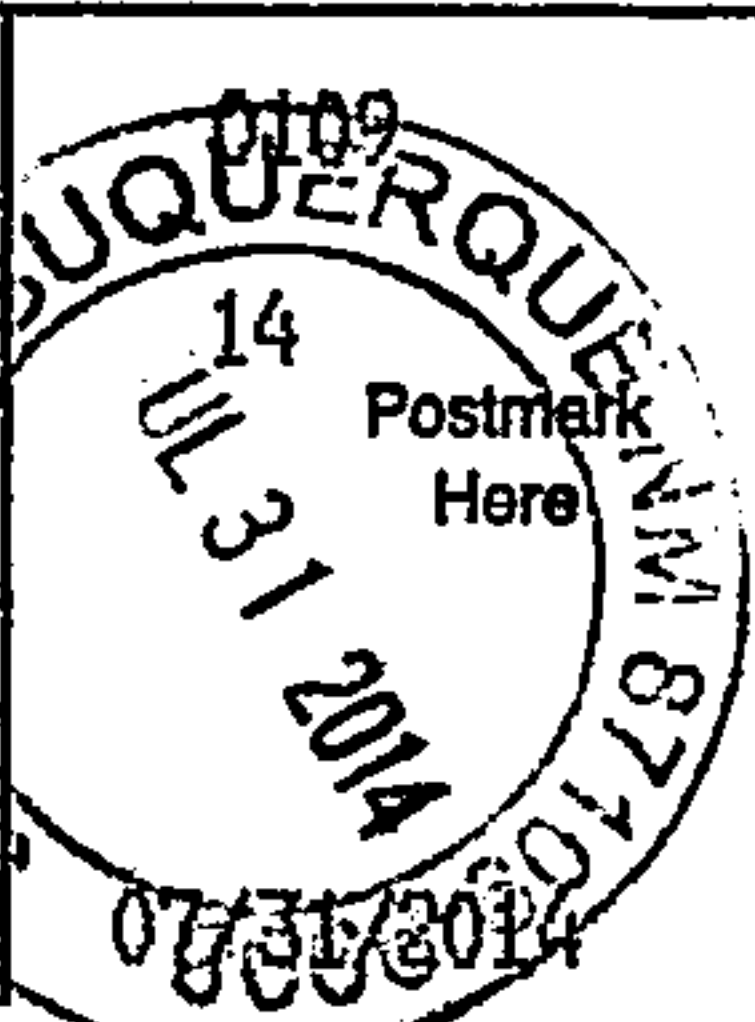
7006 0810 0004 6708 6441

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

ALBUQUERQUE NM 87104 **OFFICIAL USE**

Postage	\$ 1.82
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82



Sent To Beth Lehman
 Street, Apt. No., or PO Box No. 1215 Summer NW
 City, State, ZIP+4 ABQ NM 87104

PS Form 3800, June 2002 See Reverse for Instructions

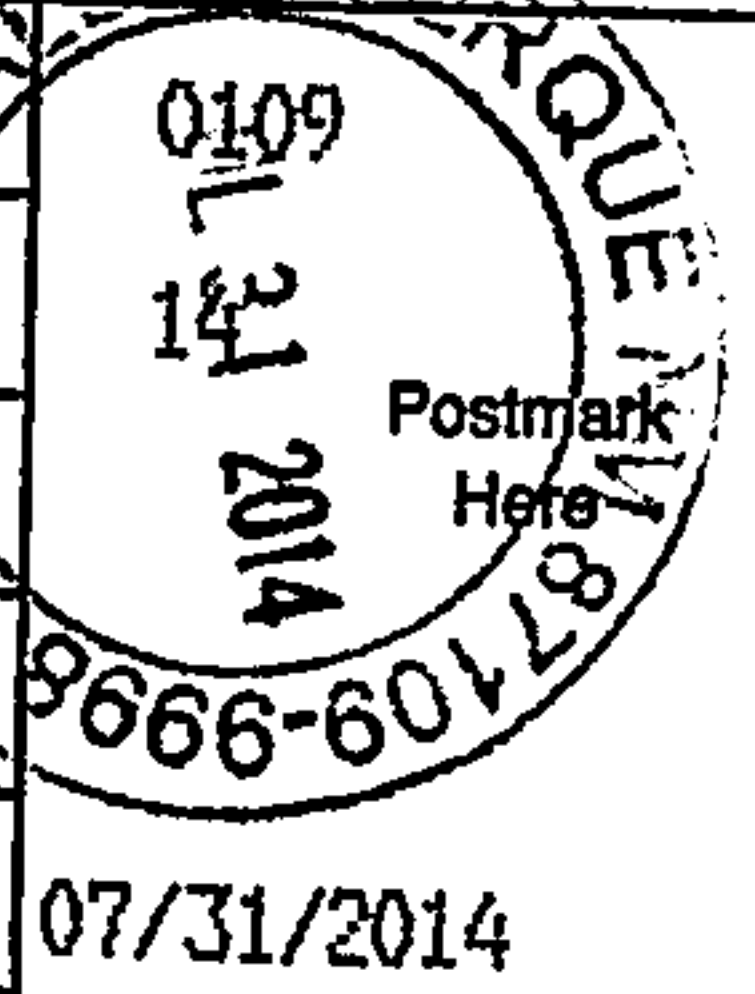
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Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82



Sent To Andrew Monie
 Street, Apt. No., or PO Box No. 1500 15th Street
 City, State, ZIP+4 ABQ NM 87104

PS Form 3800, June 2002 See Reverse for Instructions

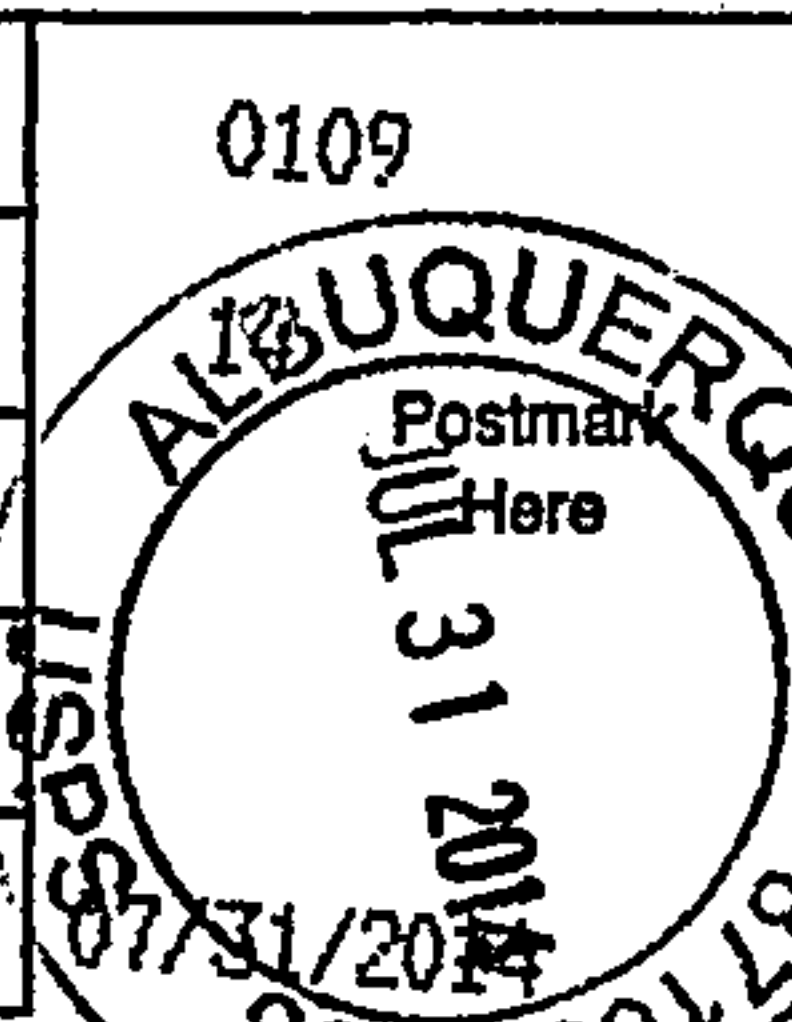
7006 0810 0004 6708 6410

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Postage	\$ 1.82
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82



Sent To Wade Patterson
 Street, Apt. No., or PO Box No. PO Box 25181
 City, State, ZIP+4 ABQ NM 87125

PS Form 3800, June 2002 See Reverse for Instructions

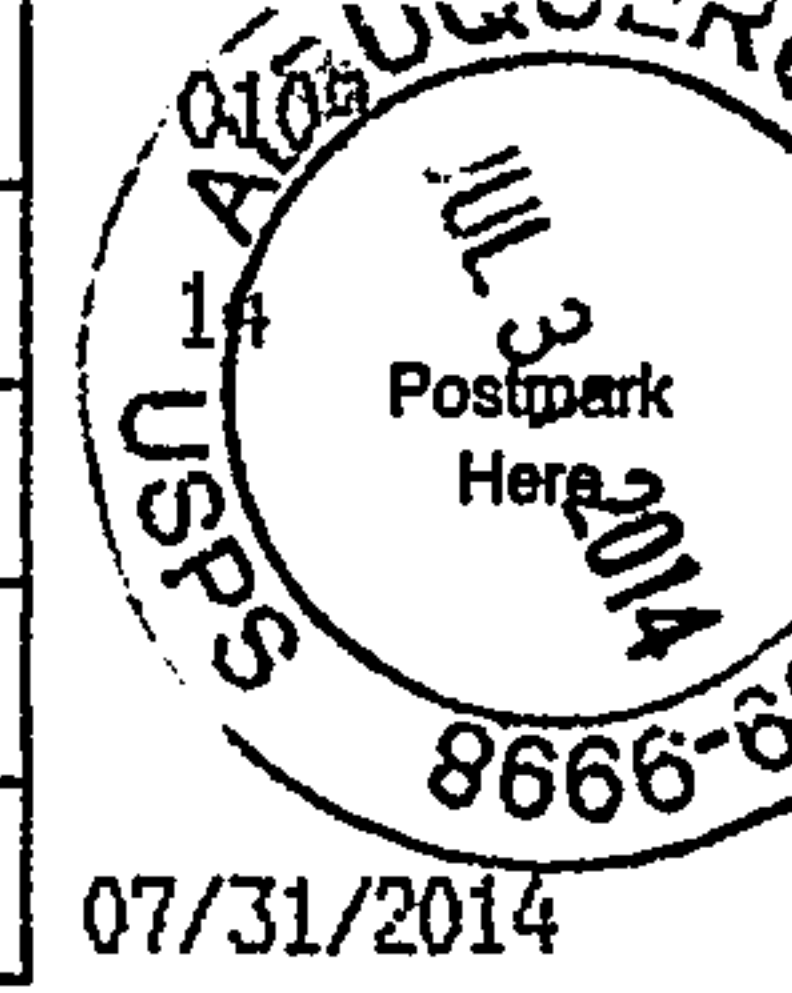
7006 0810 0004 6708 6427

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

ALBUQUERQUE NM 87125 **OFFICIAL USE**

Postage	\$ 1.82
Certified Fee	\$3.30
Return Receipt Fee (Endorsement Required)	\$2.70
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.82



Sent To Annette Montoya
 Street, Apt. No., or PO Box No. PO Box 25181
 City, State, ZIP+4 ABQ NM 87125

PS Form 3800, June 2002 See Reverse for Instructions



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) 1009046

Please check one:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Preliminary PDFF
(Preliminary PDFF are required for preliminary plat submittals.) | <input type="checkbox"/> Final PDFF
(Final PDFF are required for final plat submittals and must be recorded prior to DRB hearing) | <input type="checkbox"/> Waiver/Deferral
(Must provide reason for waiver/deferral) |
|--|---|---|

Project Information

Subdivision Name Sawmill Crossing, Unit 2

Location of Project (address or major cross streets) West End of Aspen Ave. west of 12 th St. NW

Proposed Number of Units: Single-Family 51 Multi-Family

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

Waiver Information

Property Owner Sawmill Crossing, LLC Legal Description Tract B, Sawmill Crossing Unit 1 Zoning SU-2

Reason for Waiver/Deferral n/a

Contact Information

Name Kay Brashear

Company Mark Goodwin & Associates, PA

Phone (505) 828-2200

E-mail kbrashear@goodwinengineers.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 OFFICE USE ONLY

APS Cluster ABQ

929

Date Submitted 7-28-2014

Date Completed 7-29-2014

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 Sawmill Crossing, LLC, ("Developer") effective as of this 20th day of July, 2012, and pertains to the subdivision commonly known as SAWMILL CROSSING Unit 2, and more particularly described as Tract B, Sawmill Crossing Unit 1, recorded in the office of the County Clerk of Bernalillo County, March 11, 2013, in book 2014C Page 0015, (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 residential 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; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools:

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.

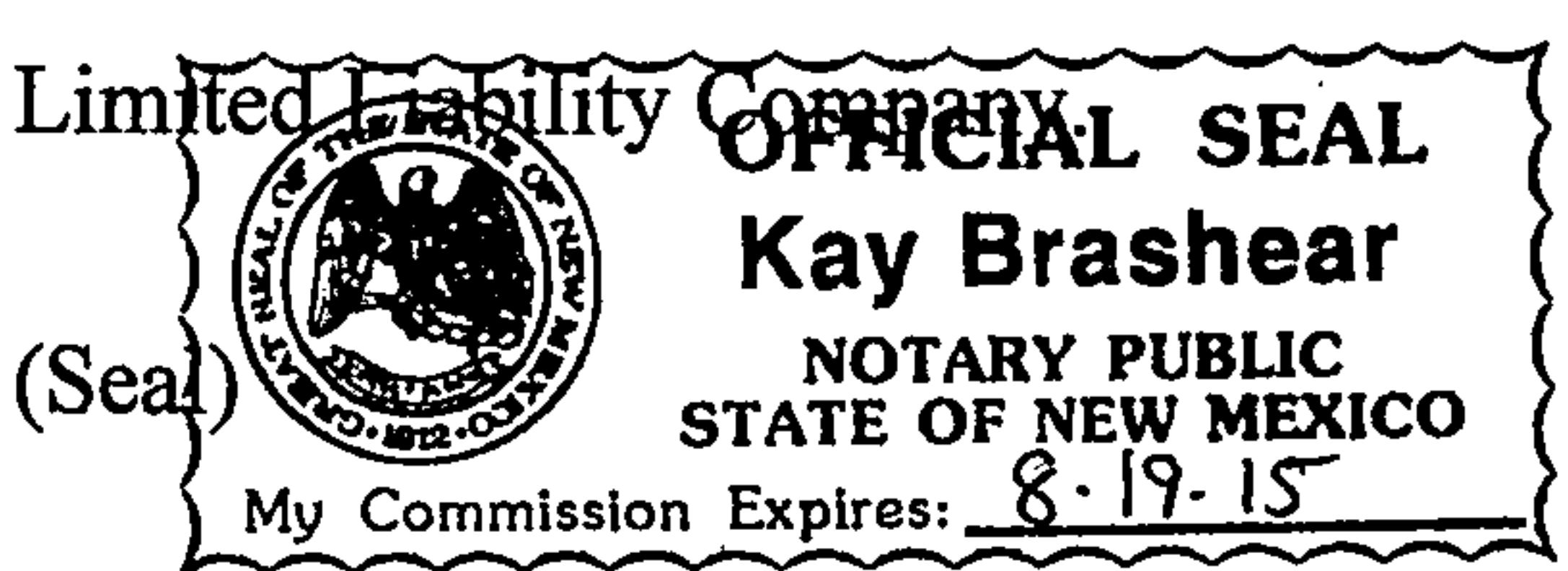
Keith Cheshire 7/25/14
Signature Date

Keith Cheshire
Name (typed or printed) and title

Sawmill Crossing, LLC
Developer

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on the 25 day of July, 2014,
by Keith Cheshire as Managing Member of Sawmill Crossing, LLC, a New Mexico



Kay Brashear
Notary Public

My commission expires: 8-19-2015

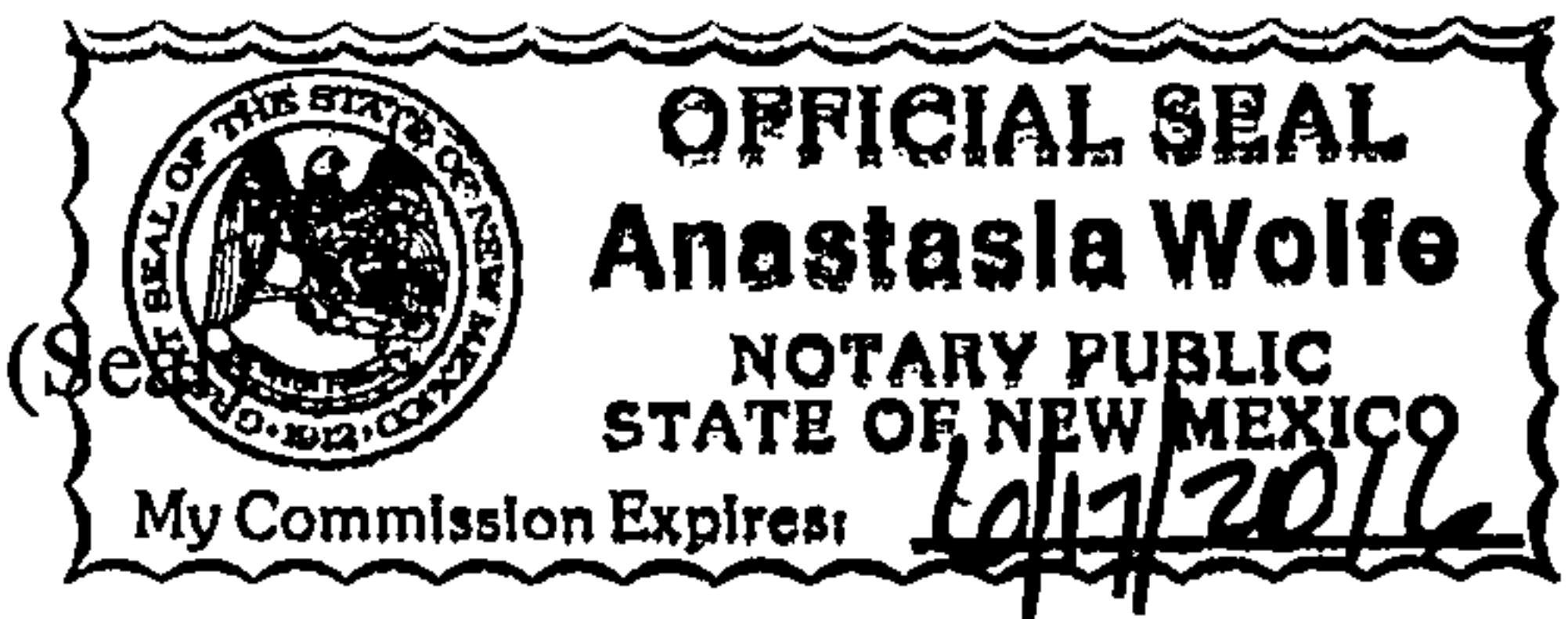
ALBUQUERQUE PUBLIC SCHOOLS

By: April L. Winters
Signature

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

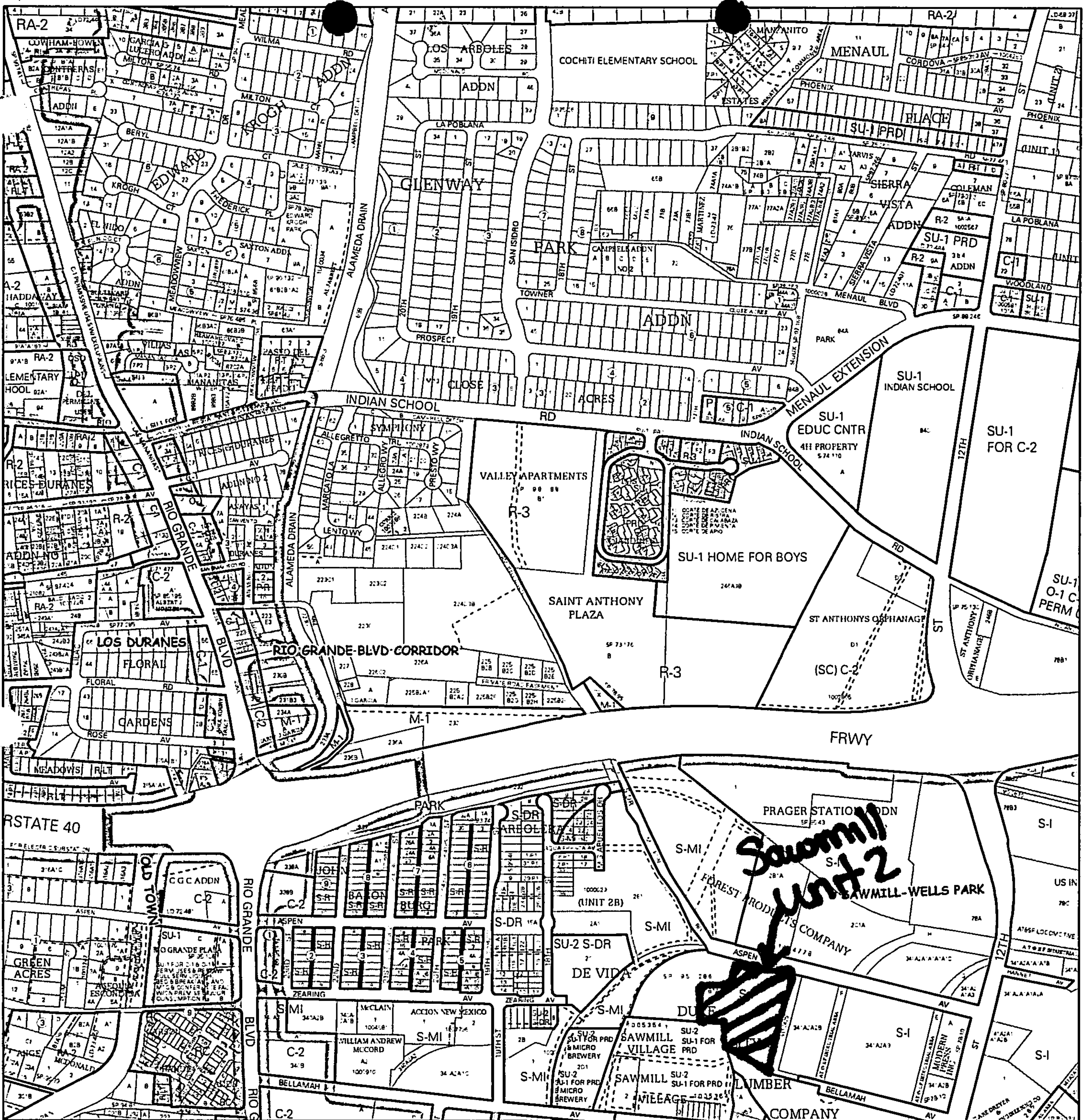
STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on July 29, 2014, by April L. Winters
as Facility Fee Planner of the Albuquerque Municipal
School District No. 12, Bernalillo and Sandoval Counties, a school district organized and
existing under the laws of the State of New Mexico.

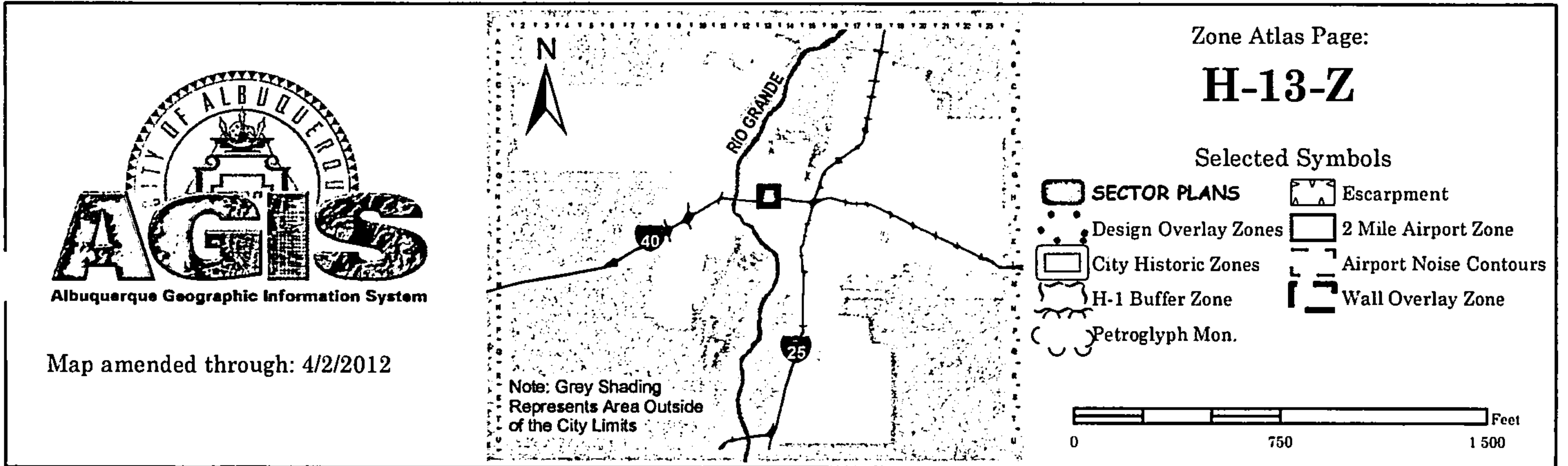


Anastasia Wolfe
Notary Public

My commission expires: 6/17/2016



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



PROJECT #

1009046

AUGUST 27. 2014

1735
SFA

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

02/04/2014 Issued By: E08375 224299

Category Code **910**
2014 070 030

Application Number: 14DRB-70030, Major - Final Plat Approval

Address:

Location Description: ASPEN AVE 12TH ST AND RIO GRANDE BLVD

Project Number: 1009046

Applicant

SAWMILL CROSSING, LLC

7400 HANCOCK CT NE
ALBUQUERQUE NM 87109
797-8589

Agent / Contact

MARK GOODWIN AND ASSOCIATES, P.A.

P.O. BOX 90606
ALBUQUERQUE NM 87199

Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions

TOTAL: \$20.00

City of Albuquerque Treasury
Date: 2/4/2014 Office: AMEX
Stat ID: W50000003 Cashier: TR50003
Batch: 3205 Trams #: 0
Permit: 2014070030
Receipt Num 00176743
Payment Total: \$20.00
0501 Conflict Mgmt Fee
Check Tendered :

\$20.00
\$20.00

9046

DXF Electronic Approval Form

DRB Project Case #: 1009046

Subdivision Name: SAWMILL CROSSING UNIT 1

Surveyor: TIMOTHY ALDRICH

Contact Person: TIMOTHY ALDRICH

Contact Information: 505/884-1990

DXF Received: 1/29/2014

Hard Copy Received: 1/29/2014

Coordinate System: NMSP Grid (NAD 83)

Catherine Bradley
Approved

Jan 29 2014
Date

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

AGIS Use Only

Copied fc 9046 to agiscov on 1/29/2014 Contact person notified on 1/29/2014

Kay Brashear

From: Stephen Stasiewicz
Sent: Wednesday, January 29, 2014 1:02 PM
To: Kay Brashear
Subject: FW: Project# 1009046 sawmill crossing, unit 1

From: Bradley, Catherine P. [mailto:cbradley@cabq.gov]
Sent: Wednesday, January 29, 2014 11:34 AM
To: Stephen Stasiewicz; Gaulden, Tim H.; Gricius, Michelle A.
Subject: RE: Project# 1009046 sawmill crossing, unit 1

The above mentioned .dxf has been approved.

Catherine Bradley
GIS Coordinator
AGIS, Planning Department
600 2nd St NW
Albuquerque, NM 87102

(505)924-3929
(505)924-3812 (fax)

From: Stephen Stasiewicz [mailto:Stephen@goodwinengineers.com]
Sent: January 29, 2014 9:43 AM
To: Bradley, Catherine P.; Gaulden, Tim H.; Sammons, Joshua R.; Gricius, Michelle A.
Cc: Kay Brashear
Subject: Project# 1009046 sawmill crossing, unit 1

DXF file rotated and scaled to New Mexico state plane coordinates grid system NAD 83, Central zone.

Stephen Stasiewicz
Mark Goodwin and Associates



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Gordon & Associates, PA PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: 797-9539
 CITY: Albuquerque STATE nm ZIP 87199 E-MAIL: kbrashear@gordonengineers.com

APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock Ct. NE FAX: _____
 CITY: Albuquerque STATE nm ZIP 87109 E-MAIL: Keith.cheshire.comcastbiz.com
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Final Plat Approval

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

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

Lot or Tract No. _____ Block: _____ Unit: 1
 Subdiv/Addn/TBKA: Sawmill Crossing
 Existing Zoning: SU-2 Proposed zoning: SU-2 MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_, V_, S_, etc.): 1009046

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 27 Total site area (acres): 6.9323
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave.
 Between: 12th Street and Rio Grande Blvd.
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE Kay Brashear DATE 2-4-14
 (Print Name) Kay Brashear Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14 DRB - 70030</u>	<u>FP</u>	_____	\$ <u>2</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ <u>20.00</u>

Hearing date Feb 12, 2014

[Signature]
 Staff signature & Date 2-5-14

Project # 1009046

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**
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- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

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

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
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 - 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.

Kay Brashear
Applicant name (print)
Kay Brashear 2-4-14
Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
14 DRB - 70030

[Signature] 2-5-14
Planner signature / date
Project # 1009046



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) 617568

Please check one:

- | | | |
|---|--|---|
| <input type="checkbox"/> Preliminary PDFF
(Preliminary PDFF are required for preliminary plat submittals.) | <input checked="" type="checkbox"/> Final PDFF
(Final PDFF are required for final plat submittals and must be recorded prior to DRB hearing) | <input type="checkbox"/> Waiver/Deferral
(Must provide reason for waiver/deferral) |
|---|--|---|

Project Information

Subdivision Name Sawmill Crossing
Location of Project (address or major cross streets) West End of Aspen Ave. west of 12 th St. NW
Proposed Number of Units: Single-Family Multi-Family
Note: A single-family unit is a single-family, detached dwelling unit.

Waiver Information

Property Owner _____ Legal Description _____ Zoning _____
Reason for Waiver/Deferral N/A

Contact Information

Name Kay Brashear
Company Mark Goodwin & Associates, PA
Phone (505) 828-2200
E-mail kbrashear@goodwinengineers.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 OFFICE USE ONLY

APS Cluster ABQ

Date Submitted 11-22-2013

Date Completed 11-22-2013



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Gordon & Associates, PA PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: 797-9539
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: kbrashear@gordonengineers.com

APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock Ct. NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: keithe.cheshire.comcastbiz.com
 Proprietary interest in site: owner List all owners: _____

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

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 Subdiv/Addn/TBKA: Sawmill Crossing
 Existing Zoning: SU-2 Proposed zoning: SU-2 MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101 305 936 4025 40210

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 Between: 12th Street and Rio Grande Blvd.
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE Katy Brashear DATE 2-4-14
 (Print Name) Katy Brashear Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14 DRB - 10030</u>	<u>FP</u>	—	<u>\$ 2</u>
<input checked="" type="checkbox"/> All fees have been collected	—	<u>CMF</u>	—	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	—	—	—	\$ —
<input checked="" type="checkbox"/> AGIS copy has been sent	—	—	—	\$ —
<input checked="" type="checkbox"/> Case history #s are listed	—	—	—	\$ —
<input type="checkbox"/> Site is within 1000ft of a landfill	—	—	—	\$ —
<input type="checkbox"/> F.H.D.P. density bonus	—	—	—	\$ —
<input type="checkbox"/> F.H.D.P. fee rebate	—	—	—	\$ —
	Hearing date <u>Feb 12, 2014</u>			Total <u>\$ 20.00</u>

Staff signature & Date: [Signature] 2-5-14 Project # 1009046

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

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- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies
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- 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
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- Amended preliminary plat approval expires after one year

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

Kay Brashear
Applicant name (print)
Kay Brashear 2-4-14
Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
14DRB-70030

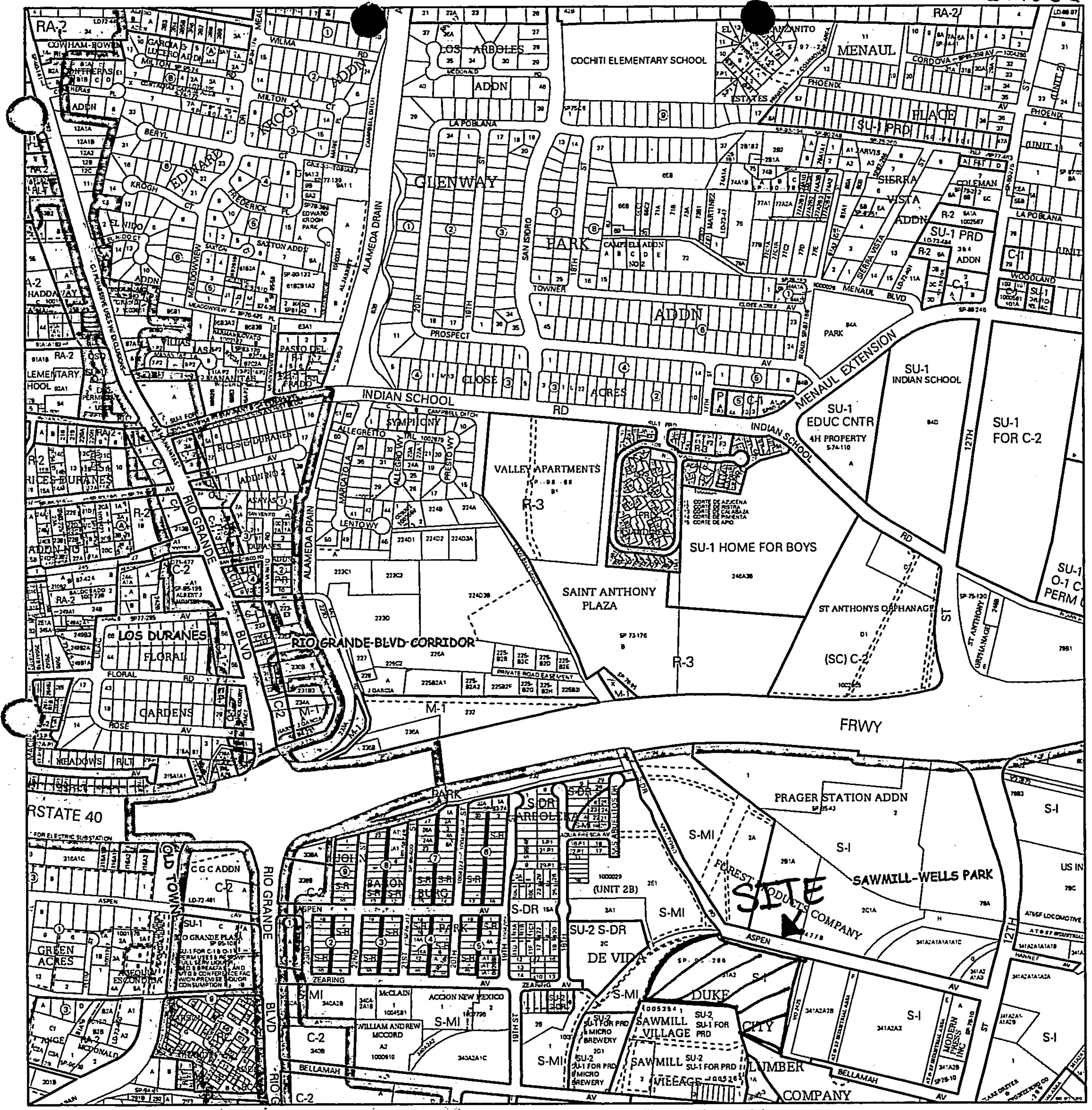
[Signature] 2-5-14
Planner signature / date
Project # 1009046

Sawmill Crossing Proposed Address

Address: 7400 Hancock Ct NE Suite B, Albuquerque nm 87109 4592

LEGAL DESCRIPTION: TR B-1-A-2 OF LTS B-1-A-1, B-1-A-2 & B-1-A-3 (BEING A REPLOF LT B-1-A) DUKE CITY LUMBER CO ADDN CONT 6.9292 AC M/L OR301,836 SF M/L

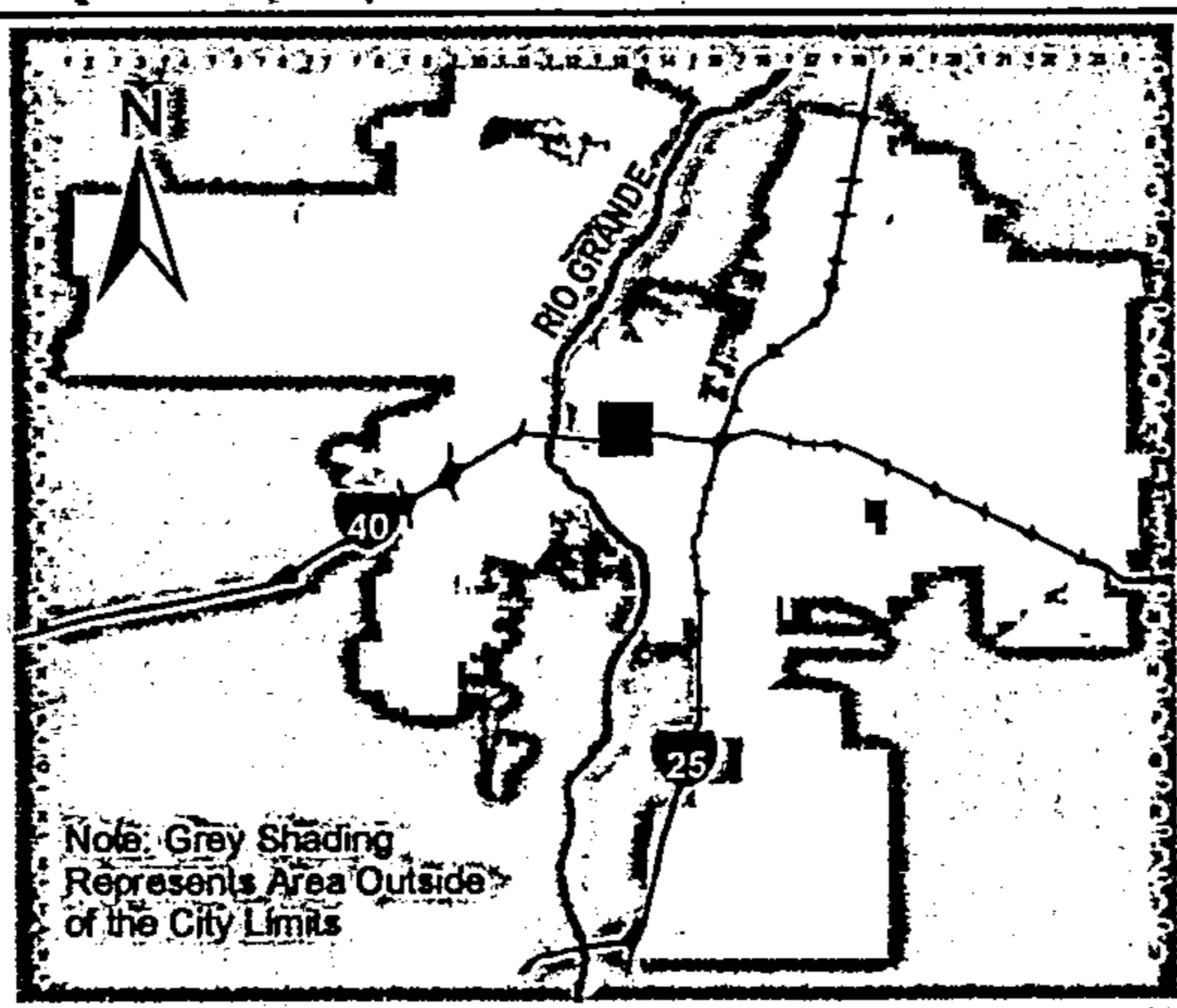




For more current information and details visit: <http://www.cabq.gov/gis>



Map amended through: 4/2/2012

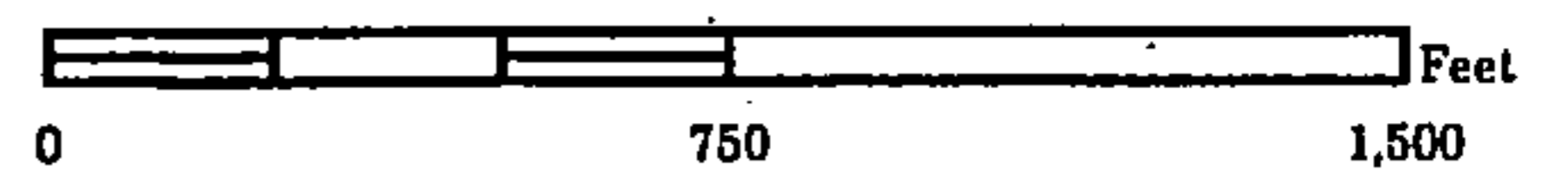


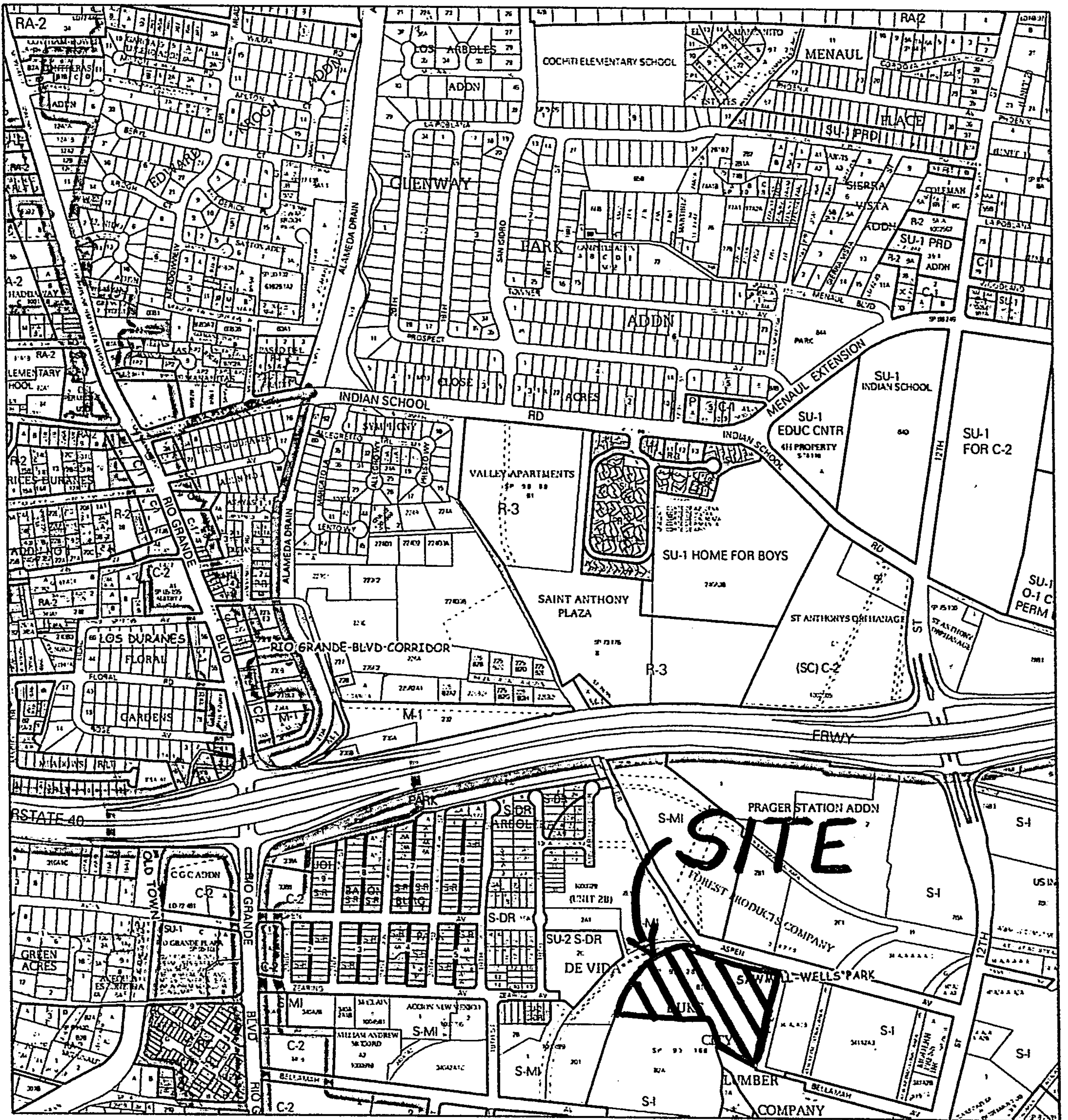
Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-13-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





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

Map amended through: 2/1/2010

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-13-Z

Selected Symbols

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

0 750 1500 Feet

EXHIBIT BFINAL
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 Sawmill Crossing, LLC ("Developer") effective as of this 22 day of November, 2013, and pertains to the subdivision commonly known as Tract B1A2, Duke City Lumber, recorded in the office of the County Clerk of Bernalillo County, 12/15/1995, Volume 95C, Folio 451 (the "Subdivision".) The following individual lots comprise the subdivision:

7400 HANCOCK CT NE SUITE B, ALBUQUERQUE NM 87109

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 residential 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; and

WHEREAS, APS has determined that the amount of the facilities fee is reasonably related to the impact the subdivision will have on the operation of the area schools.

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 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.

[Handwritten Signature]

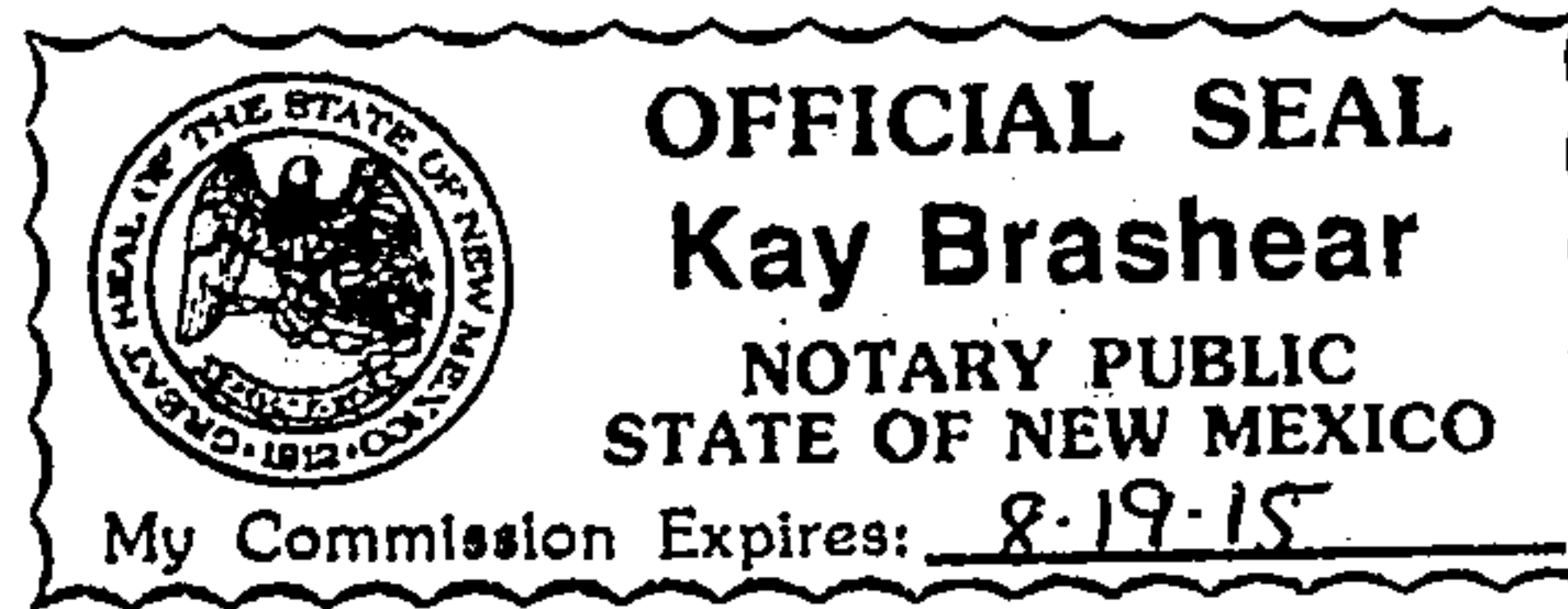
Signature

Keith Cheshire

Name (typed or printed) and title

Sawmill Crossing, LLC

Developer



STATE OF NEW MEXICO }

COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Nov 21, 13, by Keith Cheshire, as Managing Member of Sawmill Crossing, LLC, a New Mexico limited liability company.

Kay Brashear
Notary Public

My commission expires:

8-19-15

ALBUQUERQUE PUBLIC SCHOOLS

By: *[Handwritten Signature]*

Signature

CMP Planner / Demographer

Name (typed or printed) and title

STATE OF NEW MEXICO }

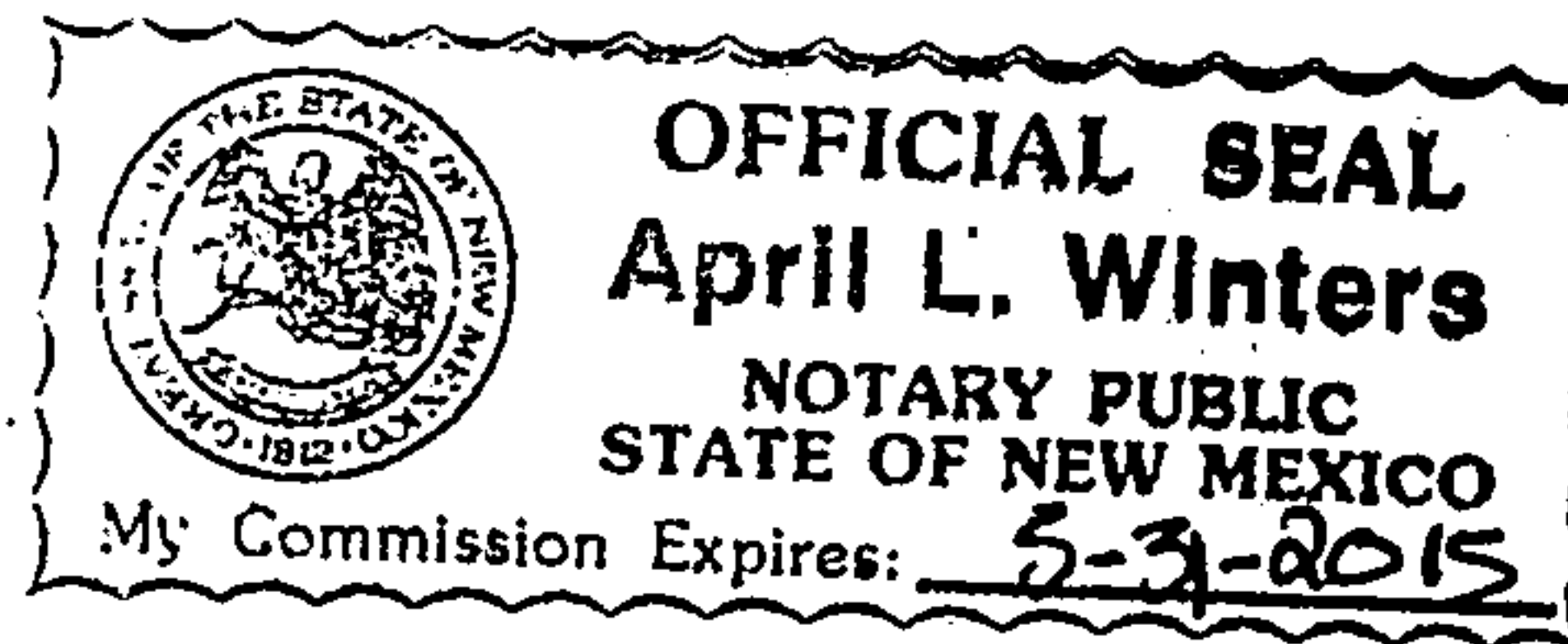
COUNTY OF BERNALILLO }

This instrument was acknowledged before me on Nov. 22, 2013, by Elvira Lopez as CMP Planner / Demographer 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.

[Handwritten Signature]
Notary Public

My commission expires:

5-31-2015



SIDEWALK DEFERRAL AGREEMENTPROJECT NO. 617586

THIS AGREEMENT is made this 15th day of January, 2014, 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 Sawmill Crossing, LLC ("Subdivider"), whose address is 7400 Hancock Ct. NE, Albuquerque, NM 87109 and whose telephone number is (505) 797-8589, a (state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.): New Mexico Limited Liability Company, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Subdivider is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description) Tract B-1-A-2, Duke City Lumber recorded on (Date) December 15, 1995, in Book 95C, pages 451 through --, as Document No. _____ in the records of Bernalillo County Clerk, State of New Mexico ("Subdivision"); and

WHEREAS, the Subdivider has submitted and the City has approved Subdivider's development plans and (state "preliminary" or "final":) Final plat, to be identified as (state name of plat:) Sawmill Crossing; and

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

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

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



THEREFORE, the City and the Subdivider agree:

1. **A. Sidewalk Construction Deadline.** Subdivider has obtained a sidewalk deferral, as shown in the attached **Exhibit "A"**, which is a copy of the Development Review Board's decision regarding the deferral granted. Subdivider agrees to utilize the City's sidewalk permit process and complete the sidewalks to the satisfaction of the City by November 11, 20 17 ("Sidewalk Construction Deadline").

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

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

Type of Financial Guaranty: Bond # CNB-16742-00
Amount: \$ 18,391.79
Name of Financial Institution or Surety providing Guaranty: Insurors Indemnity
Date City first able to call Guaranty (Construction Completion Deadline): November 11, 2017
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: _____
Additional information: _____

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Exhibit "A"

OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 6, 2012

Project# 1009046

12DRB-70094 – VACATION OF RAILROAD EASEMENTS
12DRB-70114 MAJOR - VACATION OF PUBLIC EASEMENTS
12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL
12DRB-70116 SUBDIVISION DESIGN VARIANCE FROM DPM STANDARDS
12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION
12DRB-70126 EPC APPROVED SDP FOR SUBDIVISION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19th ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12*]

At the June 6, 2012 Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. The Site Development Plan for Subdivision was approved with final sign-off delegated to Planning Department for revisions. The subdivision design variance(s) from minimum DPM design standards were approved based on the EPC site plan approval. The Preliminary Plat and Temporary Deferral of Sidewalk Construction requests were deferred to 6/13/12 at the agent's request.

Findings

The public welfare is in no way served by retaining the way or easement; Based on the proposed development and the existing adjacent railroad line, the City of Albuquerque does not anticipate any need to utilize the existing easements for utility or railroad purposes.

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

CONDITIONS:

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

If you wish to appeal this decision, you must do so by June 21, 2012 in the manner described below.

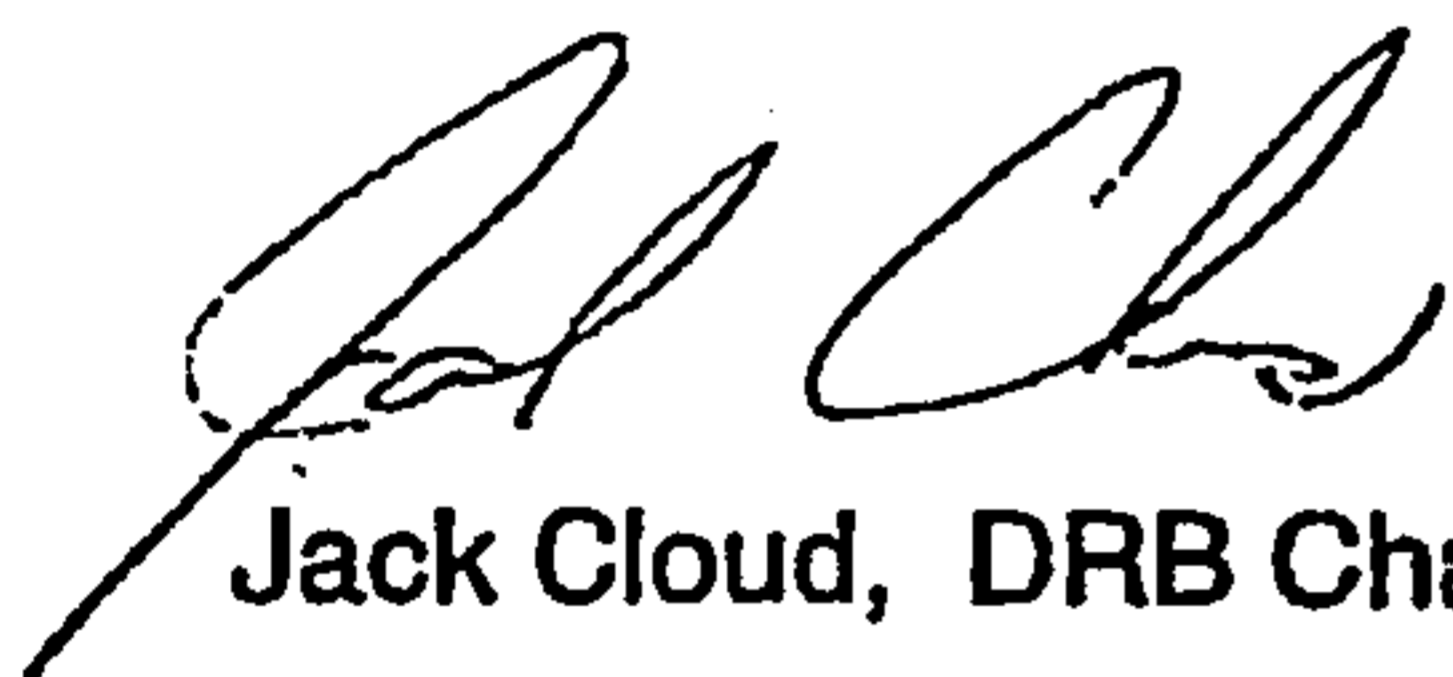
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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).

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: Mark Goodwin & Associates P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 13, 2012

Project# 1009046

12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL

12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12, 6/6/12*]

At the June 13, 2012 Development Review Board meeting, based on the approved Grading Plan, engineer stamp dated 5-23-12 and with the signing of the infrastructure list dated 6/11/12 the Board Conditionally Approved the Preliminary Plat. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit 'B' dated 6-13-2012 in the Planning file.

Conditions of Final Plat:

- The Tri-Party Agreement between the developer, the City of Albuquerque, and the NMDOT is required prior to Final Plat.
- The railway crossing must be approved prior to Final Plat.
- Note 9: Show the 3 foot easement on Tract B and it will also be required to be shown on Tract C on the Final Plat.
- Note 10: The sidewalk culverts should be maintained by the property owner on the lot where the sidewalk culvert is built. Change the note by ending the sentence after the word "...owner" on the Final Plat
- A recorded SIA is required prior to applying for Final Plat.

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.)

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

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

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

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

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



Jack Cloud, DRB Chair

Cc: Mark Goodwin & Associates, P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file

F:\A113085\A11047 Sawmill Crossing\EXHIBIT\A11047 SW & VARIANCE-R1.dwg, 6/12/2012 4:19:33 PM, DER

ARBOLERA DE VIDA UNIT 2B
(04-14-2008, 2008C-70)
N 18°25'02" E 87.82'

ASPEN AVENUE

TIMBER DR. N.W.

BAND SAW PLACE N.W.

TEMPORARY DEFERRAL OF SIDEWALK EXHIBIT

TRACT C

Tract B

TRACT D

SIDEWALK DEFERRED
THIS PROJECT

SAWMILL CROSSING
UNIT 1

N 86°05'42" W 488.67'

LOT B-2-A

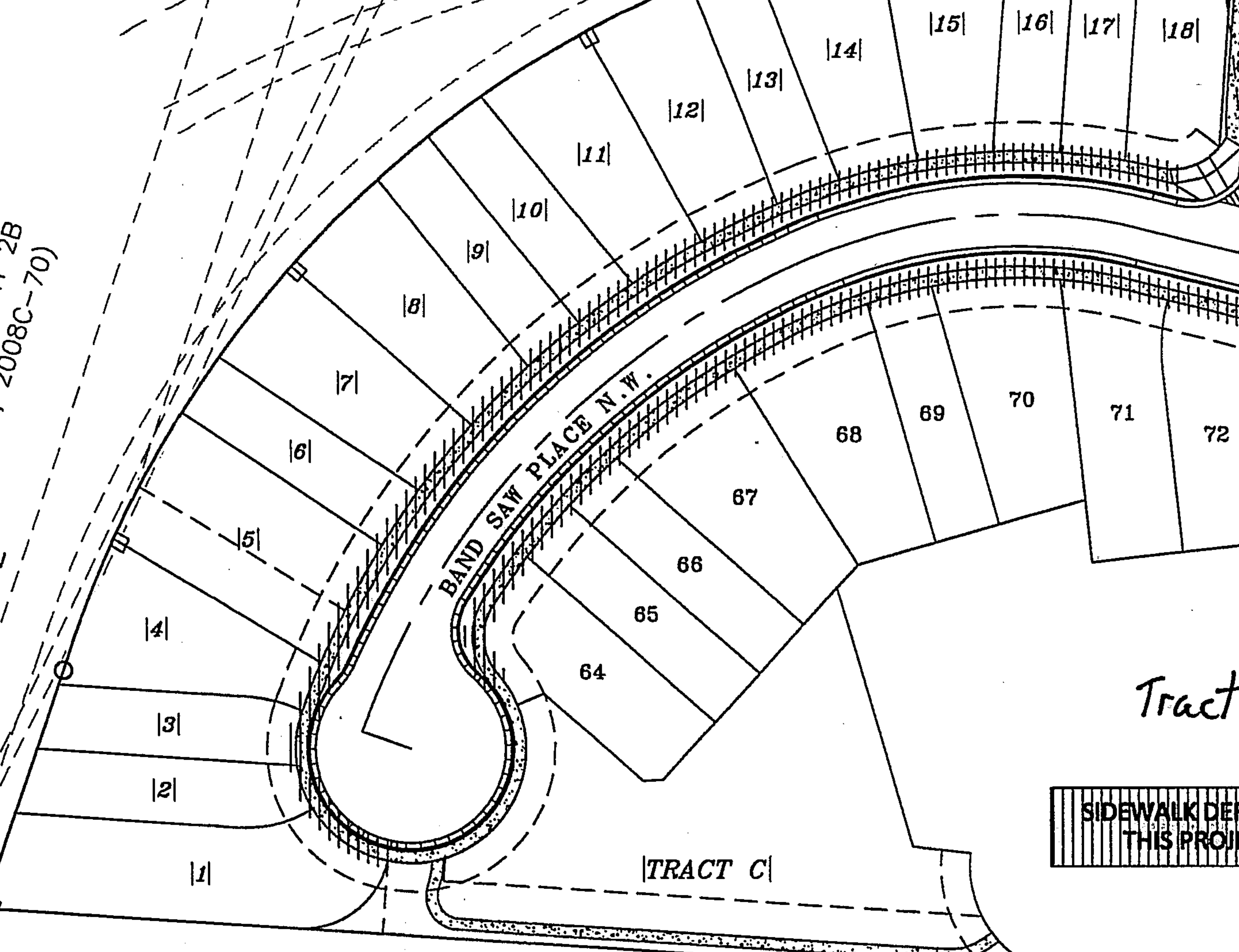


FIGURE 16

**SUBDIVISION BOND
(PROCEDURE B)**

Bond No. [Surety's No:] CNB-16742-00

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] Sawmill Crossing, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] New Mexico Liability Corporation as "Principal", and [name of surety:] Insurors Indemnity, a corporation organized and existing under and by virtue of the laws of the State of Texas 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:] Nineteen Thousand Three Hundred Eighty-One & 79/100 Dollars, ([amount in figures:] \$ 18,391.79), 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:] Sawmill Crossing, Unite 1, Phase/Unit #: 1 ("Subdivision"), City Project No. 617586; 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:]

SDWK Deferral

("Improvements")

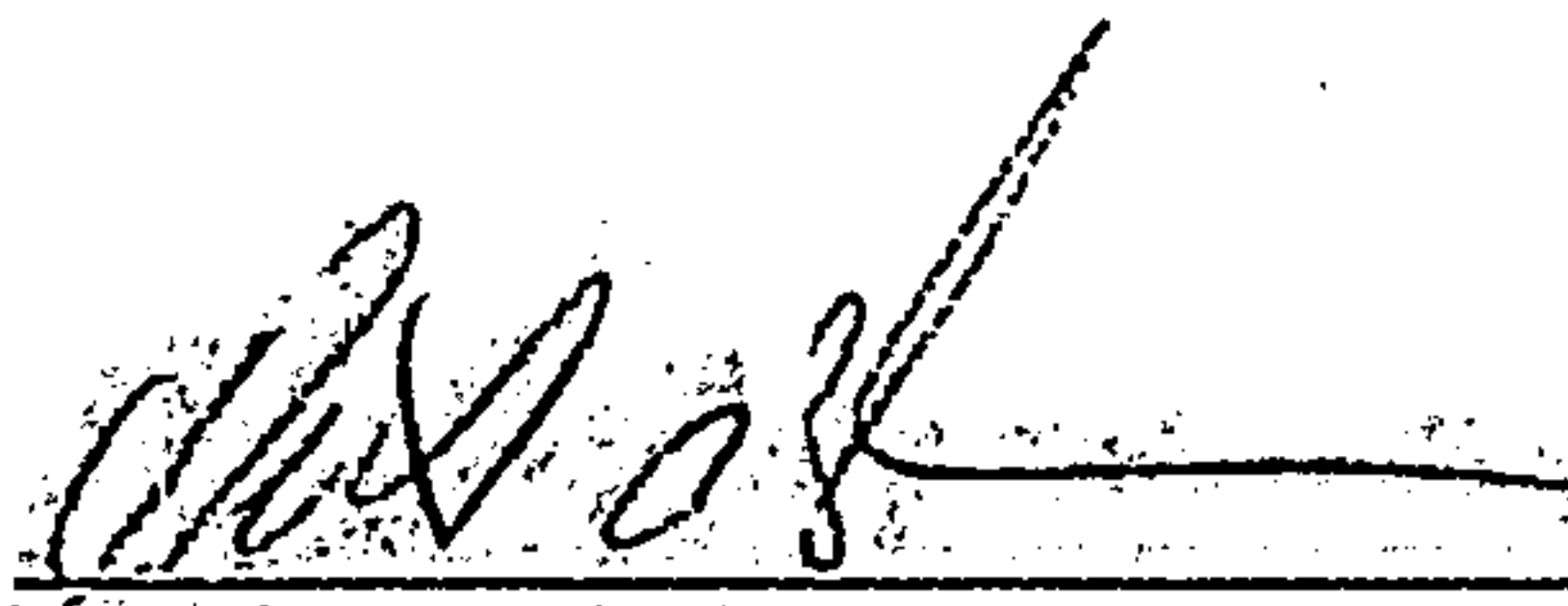
All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider:] Sawmill Crossing, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on December 15, 2019 as Document Number _____, as amended by change orders or amendments to the agreement.

Bond No. [Surety's No:] CNB-16742-00

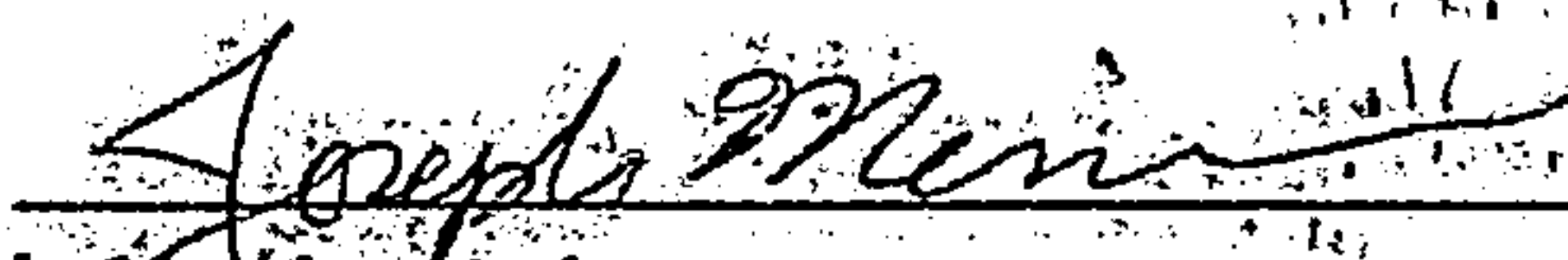
NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work herein above specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] November 11, 2017. ("the Construction Completion Deadline"), 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.

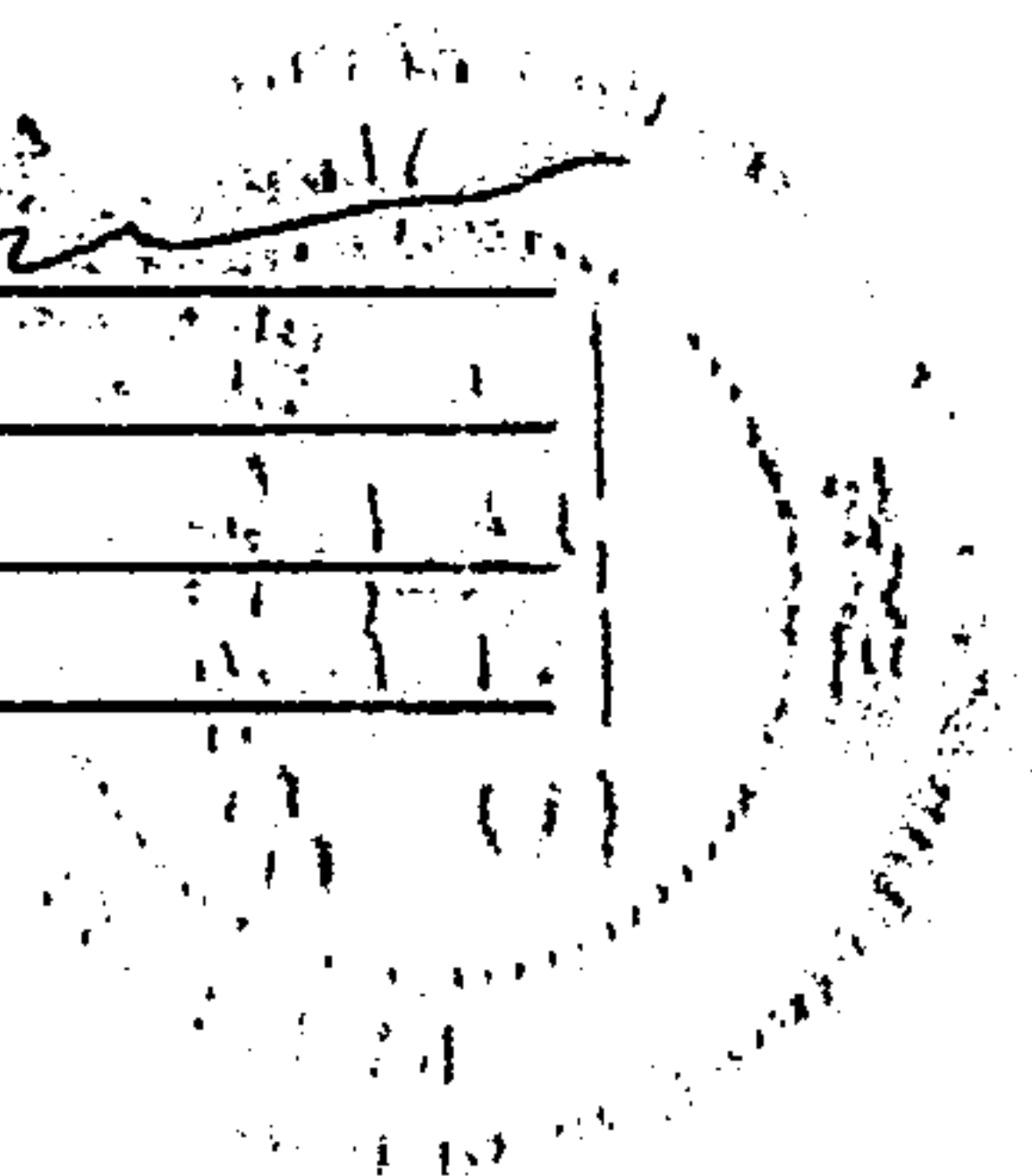
IN WITNESS WHEREOF, this bond has been executed 20th day of December, 2013.

SUBDIVIDER

By [signature:] 
Name: Keith Cheshire
Title: Principal
Dated: _____

SURETY

By [signature:] 
Name: Joseph Menicucci
Title: Attorney-In-Fact
Dated: 12/20/2013



*NOTE: Power of Attorney for Surety must be attached.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY
Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-16742-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint Joseph Menicucci of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

Attest: Tammy Tieperman
Tammy Tieperman, Secretary

INSURORS INDEMNITY COMPANY
By: Thomas G. Chase
Thomas G. Chase, Jr, Chairman and CEO

State of Texas
County of McLennan

On the 8th day of July, 2009, before me a Notary Public in the State of Texas, personally appeared Thomas G. Chase, Jr. and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as Chairman and Chief Executive Officer, and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.



Sherrri Whitehouse
Notary Public, State of Texas

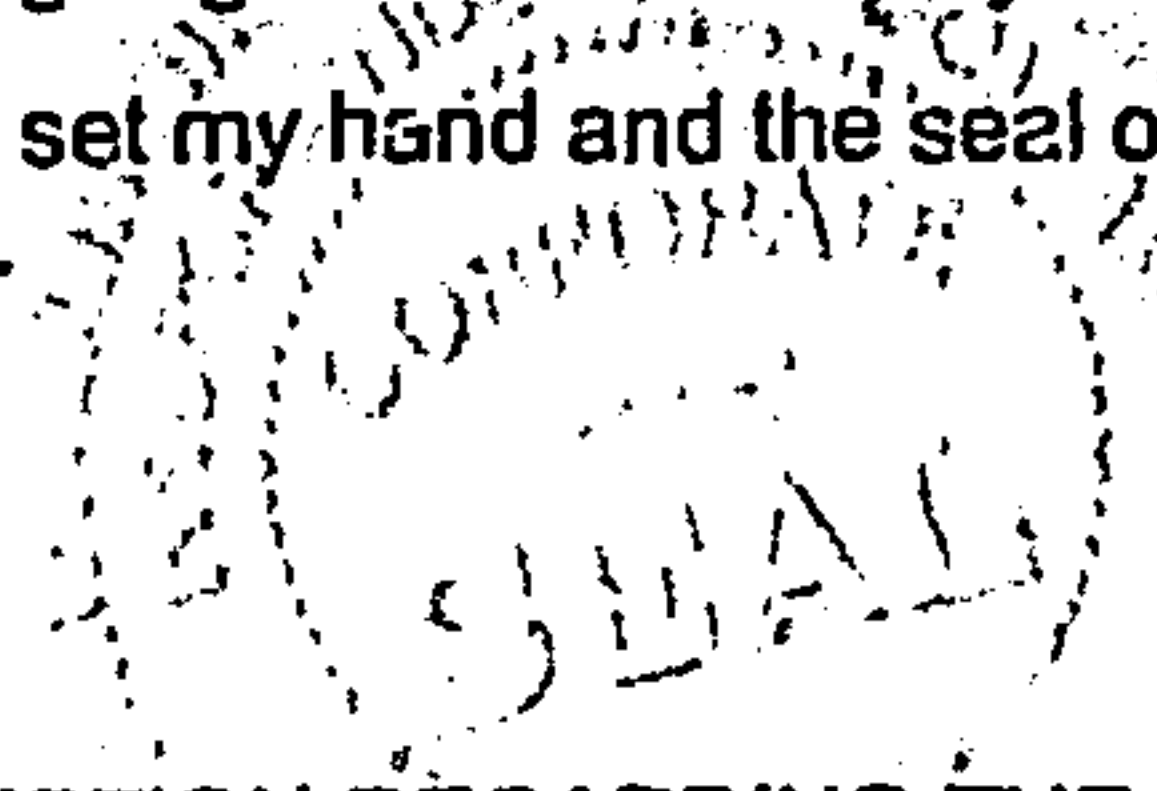
Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on July 8, 2009:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on July 8, 2009, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 18th day of December, 2013.



Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 2683, WACO, TEXAS 76702-2683 OR EMAIL US AT CONFIRMATION@INSURORS.COM.

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-800-933-7444

You may also write to Insurors Indemnity Company at:

P.O. Box 2683
Waco, TX 76702-2683
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-800-933-7444

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 2683
Waco, TX 76702-2683
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto y esta dado para acatar con Section 2253.021 Government Code y Section 53.202, Property Code efectivo, Septiembre 1, 2001.

FINANCIAL GUARANTY AMOUNT

11/18/2013

Type of Estimate: Sidewalk Deferral

Project Description:

Project ID #: 617586, Sawmill Crossing, Unit 1, Phase/Unit #: 1

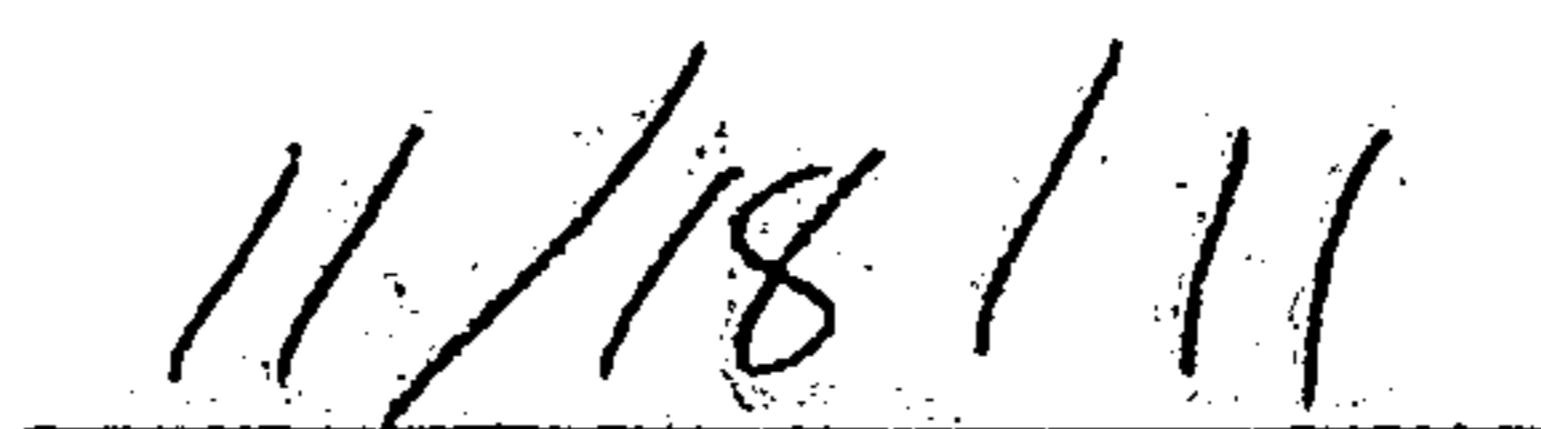
Requested By: **John MacKenzie, P.E.**

Approved estimate amount:		\$13,750.87
NMGRT	7.00%	\$962.56
Subtotal:		\$14,713.43
125% FINANCIAL GUARANTY RATE		1.25
TOTAL FINANCIAL GUARANTY REQUIRED		\$18,391.79

APPROVAL:

DATE:





Notes: SDWK Deferral

SUBDIVISION IMPROVEMENTS AGREEMENT PUBLIC AND/OR PRIVATE
(Procedure B)**AGREEMENT TO CONSTRUCT**
PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS

THIS AGREEMENT is made this 15th day of January, 2014, 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 Sawmill Crossing, LLC ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:], New Mexico Limited Liability Company, whose address is 7400 Hancock Ct. NE, Suite B, Albuquerque, NM 87109 and whose telephone number is 505-797-8589, 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 B-1-A-2 Duke City Lumber Company Addition, recorded on December 15, 1995 in Book 95C, pages 451 through _____, as Document No. 95128368 in the records of the Bernalillo County Clerk, State of New Mexico (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:] Sawmill Crossing, LLC ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Sawmill Crossing, U1 describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's 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, building permit 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 13th Day of November, 20 15, ("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. 617586.
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 S.O. Section 14-14-3.) If a



Type of Fee	Amount
Engineering Fee	3.25%
Street Excavation and Barricading Ordinance and street restoration fees	As required per 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.

5. 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 Doug Smith Surveying, and construction surveying of the private Improvements shall be performed by Doug Smith Surveying. 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 Mark Goodwin & Associates, PA and inspection of the private Improvements shall be performed by Mark Goodwin & Associates, PA, 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 Vinyard x8e & Associates, and field testing of the private Improvements shall be performed by Vinyard x8e & Associates 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

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 City's 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 S.O. 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. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. 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 ("DPM"), 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. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. 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 thirty (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:

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 therefore.

6. 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 City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Bond # CNB-16741-00
Amount: \$ 28,462.51
Name of Financial Institution or Surety providing Guaranty: Insurors Indemnity
Date City first able to call Guaranty (Construction Completion Deadline):
November 13, 2015
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: _____
Additional information: Side and Rear Yard Channels

7. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange for a preconstruction conference and all required inspections.

8. 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 S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. 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.

10. 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 DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty 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 S.O.

(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.

11. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the

Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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 (6) days after the notice is mailed if there is no actual evidence of receipt.

17. 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.

18. Changes to Agreement. Changes to this Agreement are not binding unless made in

writing, signed by both parties.

19. 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.

20. 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.

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

22. 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: Sawmill Crossing, LLC

CITY OF ALBUQUERQUE

By [Signature]: [Signature]

By: [Signature]

Name [Print]: Keith Cheshire

Bryan Wolfe, City Engineer

Title: Managing Member

Dated: 1/15/2014

Dated: 1/08/14

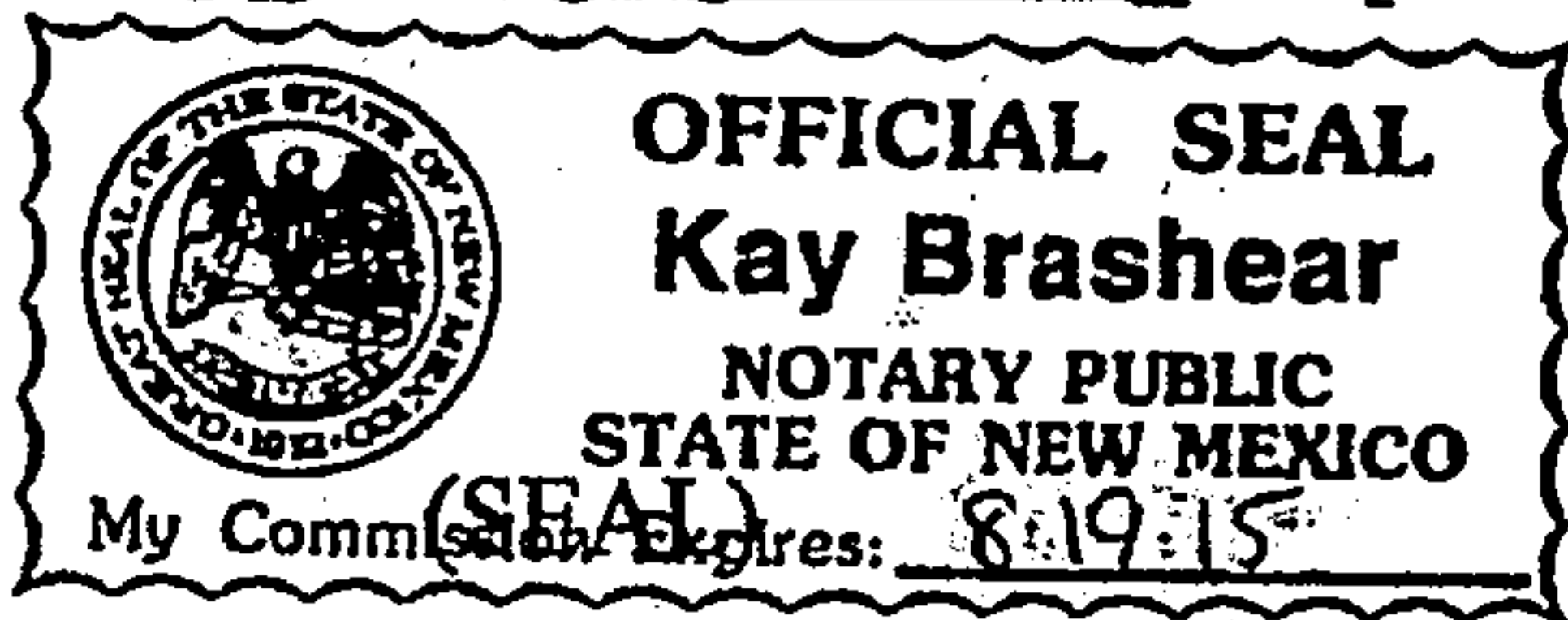
[Handwritten mark]
1-14-14

[Handwritten mark]
1-9-14

SUBDIVIDER'S NOTARY

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

This instrument was acknowledged before me on this 8 day of January, 2014,
by [name of person:] Keith Cheshire, [title or capacity, for instance, "President" or
"Owner":] Managing Member of [Subdivider:] Sawmill Crossing, LLC.



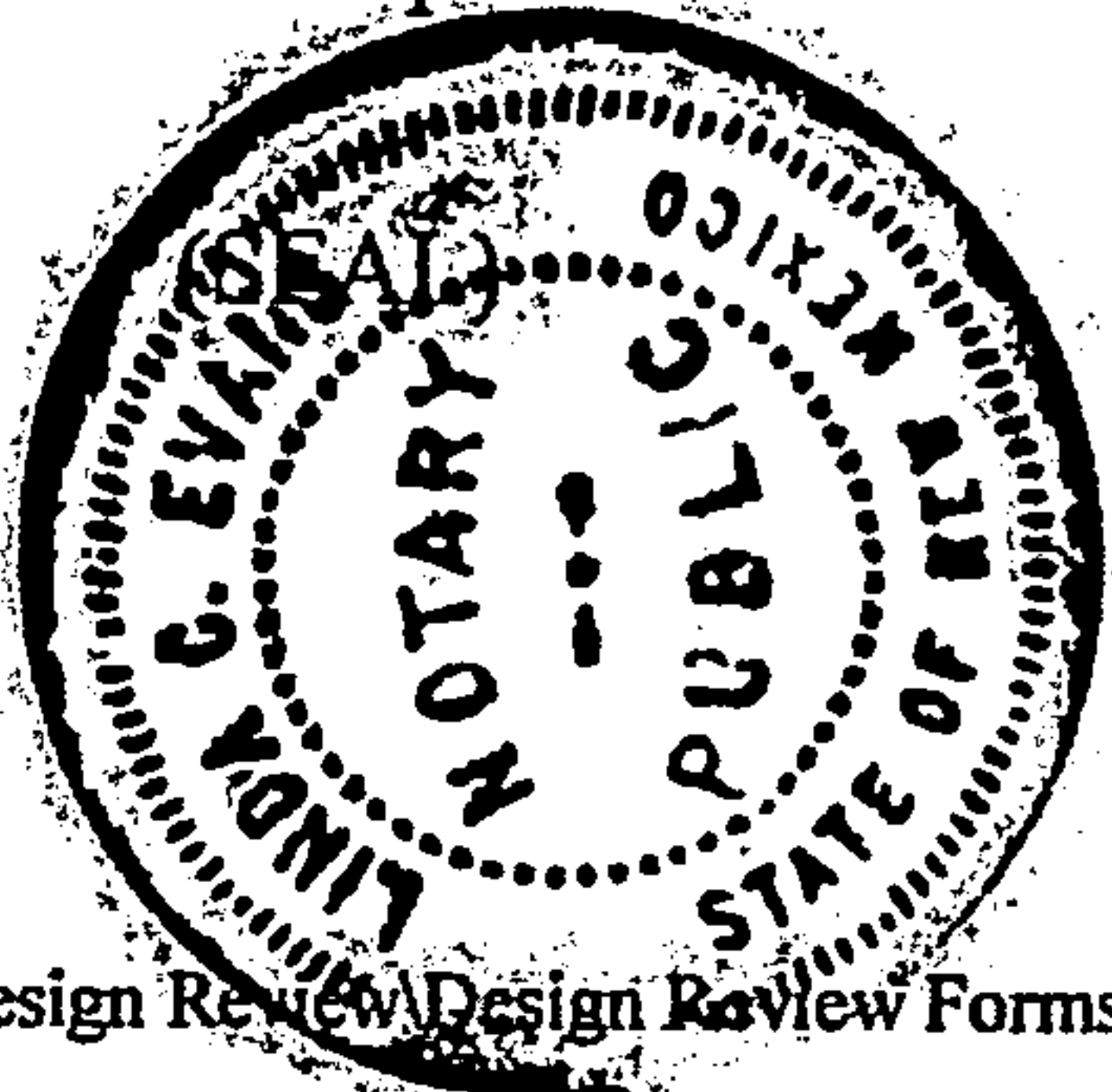
[Signature]
Notary Public

My Commission Expires: 8-19-15

CITY'S NOTARY

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

This instrument was acknowledged before me on this 15th day of January,
20 14, by Bryan Wolfe, City Engineer of the City of Albuquerque, a municipal corporation,
on behalf of said corporation.



[Signature]
Notary Public

My Commission Expires: 10-17-16

CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT SERVICE / HYDROLOGY SECTION

DATE: 9-13-13
CONFERENCE RECAP

ZONE ATLAS PAGE NO: H-13
 DRAINAGE FILE: H13D057
 ZONING: _____
 DRB: _____
 SUBJECT: Financial guarantee of side yard channels
 STREET ADDRESS (IF KNOWN): _____
 SUBDIVISION NAME: Summit Crossing

APPROVAL REQUESTED:

ATTENDANCE: John McKusie

FINDINGS:

It is acceptable to Financially Guarantee
 the side yard channels in lieu of building
 them prior to building permit approval,
 an Engineer's certification is required for
 release of Financial Guarantee.
 TO be Financially Guaranteed prior to Final
 plat approval

THE UNDERSIGNED AGREES THAT THE ABOVE FINDINGS ARE SUMMARIZED ACCURATELY AND ARE SUBJECT TO CHANGE IF FURTHER INVESTIGATION REVEALS THAT THEY ARE NOT REASONABLE OR THAT THEY ARE BASED ON INACCURATE INFORMATION.

SIGNED: Curtis A. Cherne
 NAME (PRINT): Curtis A. Cherne

SIGNED: John McKusie
 NAME (PRINT): John McKusie

NOTE PLEASE PROVIDE A COPY OF THIS RECAP WITH YOUR DRAINAGE SUBMITTAL.



DEVELOPMENT REVIEW BOARD
Action Sheet

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

November 13, 2013 9:00 am
MEMBERS:


Jack Cloud, DRB Chair
Angela Gomez, Administrative Assistant


Kristal Metro, Transportation Development
Curtis Cherne, City Engineer

Allan Porter, ABCWUA
Carol Dumont, Parks & Recreation

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1006539**
13DRB-70717 BULK LAND VARIANCE
13DRB-70718 PRELIMINARY/FINAL
PLAT APPROVAL 
BOHANNAN HUSTON INC agents for MESA DEL SOL, LLC request the referenced/ above actions for all or a portion of Tract A-1, **MESA DEL SOL INNOVATION PARK** zoned PC, located on the south side of STRYKER RD SE between HAWKING DR SE and BOBBY FOSTER RD SE containing approximately 1764.7655 acres. (R15-17, S14-17, & T16-17)[*Deferred from 11/6/13*]**DEFERRED TO 11/21/13.**

2. **Project# 1004772**
13DRB-70693 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT
13DRB-70747 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 
ISAACSON & ARFMAN PA agents for APPLE INVESTORS GROUP request the referenced/ above action for Lot 20, Block 18, Tract A. Unit B, **NORTH ALBUQUERQUE ACRES & Tract B, HOLLY PLACE** zoned SU-2/M-1 OR SU-2/RC, located on the south side of HOLLY AVE NE between SAN PEDRO DR NE and I-25 containing approximately 1.5709 acres. (C-18) [*Deferred from 10/23/13, 10/30/13*]**THE SITE PLAN FOR BUILDING PERMIT AND THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR AGIS DXF, UTILITY COMPANY SIGNATURES AND CLARIFICATION OF EASEMENTS.**

3. **Project# 1003613**
13DRB-70669 MAJOR - 2YR SUBDIVISION
IMPROVEMENT AGREEMENT
EXTENSION (2YR SIA)

RIO GRANDE ENGINEERING agents for JOE R. HAHN request the referenced/ above action for **SUNSET VILLA SUBDIVISION**, zoned SU-1/PRD, located on the south side of SUNSET GARDENS RD SW between ATRISCO RD SW and THE ARENAL DITCH containing approximately 14.71 acre(s). (K-17)[*Deferred from 10/2/13, 10/16/13, 10/30/13*] **DEFERRED TO 12/11/13.**

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

4. **Project# 1009886**
13DRB-70745 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL


ARCH & PLAN LAND USE agent(s) for ABENICIO & AVELINA GALLEGOS TRUST request(s) the above action(s) for all or a portion of Lot(s) 6B, 82A1A, 82A1B & B2A2, **MRGCD MAP #40** zoned SU-2/MR, located on JOHN ST BETWEEN WILLIAMS AND BROADWAY containing approximately .34 acre(s). (K-14) **DEFERRED TO 11/21/13.**

5. **Project# 1009887**
13DRB-70746 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

ARCH & PLAN LAND USE CONSL. agent(s) for ISMAEL & MARTHA ARAGON request(s) the above action(s) for all or a portion of Tract(s) 317-A-1, **TOWN OF ATRISCO GRANT. UNIT 3** zoned R-1, located on EUCARIZ BETWEEN BRIDGE AND OLD COORS containing approximately 1.4 acre(s). (L-11) **DEFERRED TO 11/21/13.**

6. **Project# 1006009**
13DRB-70732 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL


BOHANNAN HUSTON INC agent(s) for MESA DEL SOL, LLC request(s) the above action(s) for all or a portion of Tract(s) 24, **MESA DEL SOL INNOVATION PARK** zoned PC, located on STRYKER BETWEEN UNIVERSITY EAST AND UNIVERSITY WEST containing approximately 5.4454 acre(s). (R-16 & S-16) [*Deferred from 10/30/13 and 11/6/13*] **DEFERRED TO 11/21/13.**

7. **Project# 1009046**
~~13DRB-70735-AMENDMENT TO~~
~~PRELIMINARY PLAT~~ 

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSING, LLC request(s) the above action(s) for all or a portion of Lot(s) B-1-A-2, **DUKE CITY LUMBER CO.** zoned SU-2/SU-1/PRD, located on ASPEN BETWEEN 12YH ST AND RIO GRANDE containing approximately 7 acre(s). (H-13) [*Deferred from 11/6/13*]**WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 11/13/13 AND WITH AN APPROVED GRADING PLAN STAMP DATED 11/8/13, THE AMENDMENT TO THE PRELIMINARY PLAT WAS APPROVED WITH THE CONDITION THAT BUILDING CODE COMPLIANCE FOR ZERO LOT LINE ON PROPOSED LOT ONE.**

8. **Project# 1009730**
13DRB-70741 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
13DRB-70742 SUBDN DESIGN VARIANCE
FROM MIN DPM STDS


THE GROUP agent(s) for NAVISH LLC request(s) the above action(s) for all or a portion of Lot(s) 1, Block(s) 3, Tract 2, Unit 3, **NORTH ALBUQUERQUE ACRES** zoned R-D, located on OAKLAND AVE BETWEEN LOUISIANA BLVD AND QUAIL SPRINGS PLACE containing approximately .7302 acre(s). (C-19) [Deferred from 11/6/13] **DEFERRED TO 11/21/13.**

9. **Project# 1002202**
13DRB-70696 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

TIERRA WEST LLC agent(s) for WINROCK PARTNERS LLC C/O GOODMAN REALTY GROUP request(s) the above action(s) for all or a portion of Lot(s) A-1-A-1 & E-1, **WINROCK CENTER ADDN** zoned SU-3 MU-UPT, located on INDIAN SCHOOL RD NE BETWEEN LOUISIANA BLVD AND PENNSYLVANIA ST NE containing approximately 61.09 acre(s). (J-19) [deferred from 10/09/13, 11/6/13] **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING FOR CLARIFICATION OF COMMON AREAS, AGIS DXF AND UTILITY COMPANY SIGNATURES.**

10. **Project# 1008630**
13DRB-70682 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

HUITT-ZOLLARS, INC., agents for CITY OF ALBUQUERQUE request(s) the above action(s) for all or a portion of Tract(s) C, **MANZANO MESA** zoned C-2, located on ON JUAN TABO SE BETWEEN SOUTHERN BLVD AND HORSESHOE TRL SE containing approximately 3 acre(s). (L-21) [deferred from 9/25/13, 10/23/13, 11/6/13] **DEFERRED TO 11/21/13.**

11. **Project# 1009542**
13DRB-70694 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL 

WILSON AND COMPANY INC agent(s) for CITY OF ALBUQUERQUE/DMD request(s) the above action(s) for all or a portion of Lot(s) BA-1A, 8A-2A & 8A-1, PORTION OF LOTS 24-39, Block(s) 6, **TRACTION PARK & CITY ELECTIRC ADDITION & WESTPARK ADDITION** zoned C-2, located on INTERSECTION OF NEW YORK AND CENTRAL SE containing approximately 2.7094 acre(s). (J-12) [deferred from 10/9/13, 10/23/13, 11/6/13] **DEFERRED TO 11/21/13.**

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

12. **Project# 1009880**
13DRB-70743 SKETCH PLAT REVIEW
AND COMMENT 

YOUR HOME BUYERS LLC request(s) the above action(s) for all or a portion of Lot(s) 6E1C, **MONTGOMERY HEIGHTS** zoned R-1, located on DELAMAR BETWEEN LAFAYETTE AND WELLESLEY (G-16) **THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**

13. Other Matters: **Project # 1002632** – Amended infrastructure list was approved.

ADJOURNED: 9:50

FIGURE 16

SUBDIVISION BOND
(PROCEDURE B)

Bond No. [Surety's No:] CNB-16741-00

SUBDIVISION IMPROVEMENTS BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of subdivider:] Sawmill Crossing, LLC ("Subdivider") a [state type of business entity, for instance, "New Mexico corporation", "general partnership", "joint venture", "individual", etc.] New Mexico Liability Corporation as "Principal", and [name of surety:] Insurors Indemnity, a corporation organized and existing under and by virtue of the laws of the State of Texas 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:] Twenty Eight Thousand Four Hundred Sixty-Two & 51/100 Dollars, ([amount in figures:] \$ 28,462.51), 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:] Sawmill Crossing, Unit 1, Phase/Unit #: 1 ("Subdivision"), City Project No. 617586; 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:]

B-2, Side & Rear Yard Channels
("Improvements")

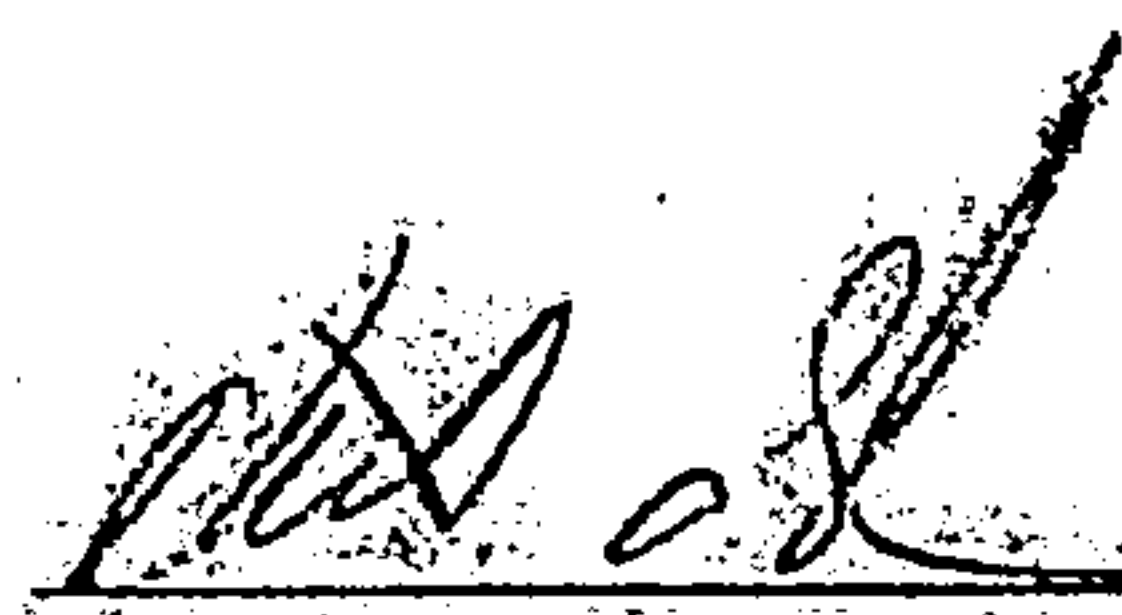
All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Subdivision Improvements Agreement entered into between [name of Subdivider:] Sawmill Crossing, LLC and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on December 15, 2019 as Document Number 95128368, as amended by change orders or amendments to the agreement.

Bond No. [Surety's No:] CNB-16741-00


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 18, 2015. ("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.

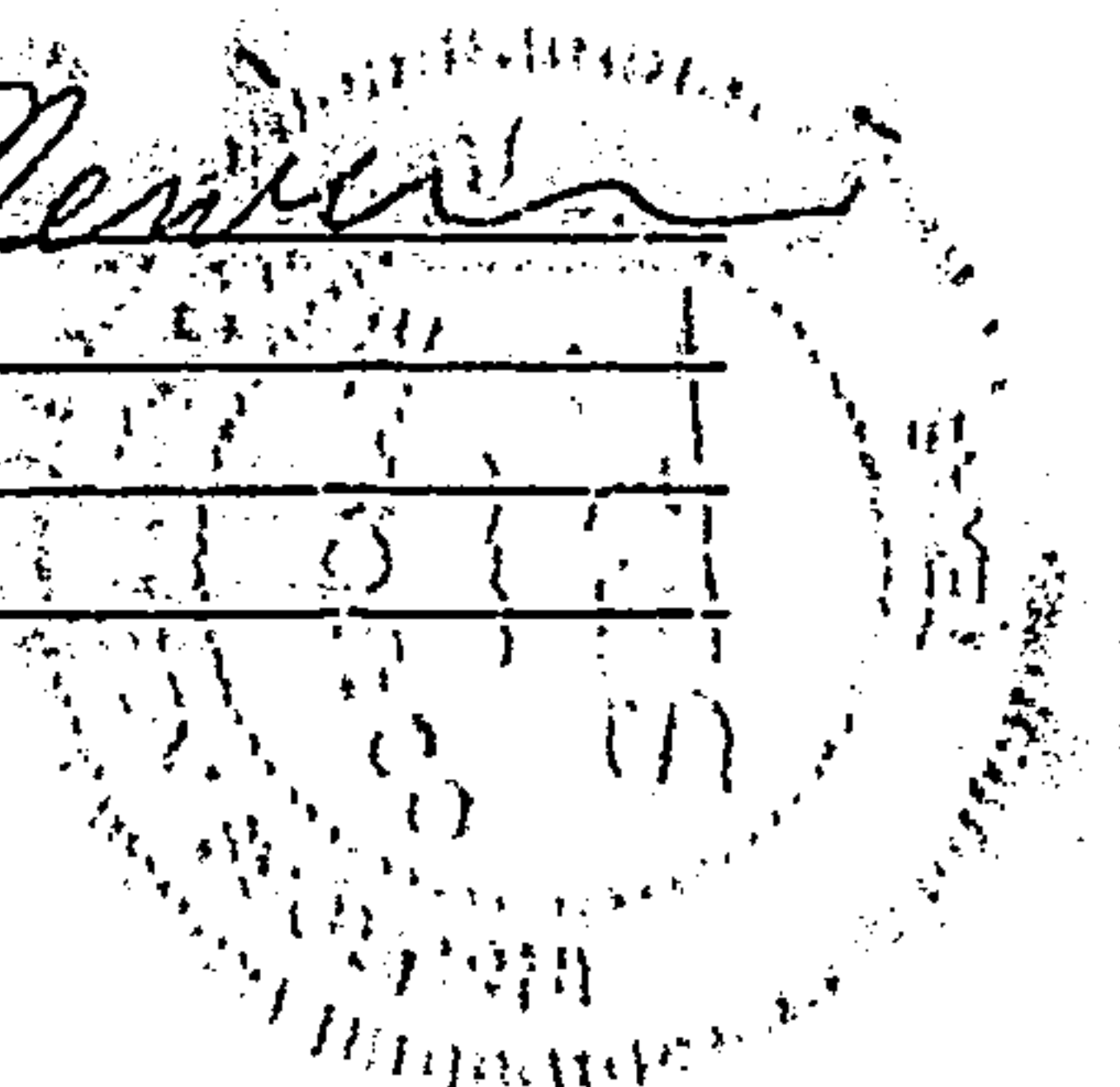
IN WITNESS WHEREOF, this bond has been executed 20th day of December, 2013.

SUBDIVIDER

By [signature:] 
Name: Keith Cheshire
Title: Principal
Dated: _____

SURETY

By [signature:] 
Name: Joseph Menicucci
Title: Attorney-In-Fact
Dated: 12/20/2013



*NOTE: Power of Attorney for Surety must be attached.

POWER OF ATTORNEY of INSURORS INDEMNITY COMPANY
Waco, Texas

KNOW ALL PERSONS BY THESE PRESENTS:

Number: CNB-16741-00

That INSURORS INDEMNITY COMPANY, Waco, Texas, organized and existing under the laws of the State of Texas, and authorized and licensed to do business in the State of Texas and the United States of America, does hereby make, constitute and appoint

Joseph Menicucci of the City of Albuquerque, State of NM

as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of document, to-wit:

Indemnity, Surety and Undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity; Indemnity in all cases where indemnity may be lawfully given and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company.

INSURORS INDEMNITY COMPANY

Attest: Tammy Tieperman
Tammy Tieperman, Secretary

By: Thomas G. Chase, Jr.
Thomas G. Chase, Jr., Chairman and CEO

State of Texas
County of McLennan

On the 8th day of July, 2009, before me a Notary Public in the State of Texas, personally appeared Thomas G. Chase, Jr. and Tammy Tieperman, who being by me duly sworn, acknowledged that they executed the above Power of Attorney in their capacities as Chairman and Chief Executive Officer, and Corporate Secretary, respectively, of Insurors Indemnity Company, and acknowledged said Power of Attorney to be the voluntary act and deed of the Company.



Sherri Whitehouse
Notary Public, State of Texas

Insurors Indemnity Company certifies that this Power of Attorney is granted under and by authority of the following resolutions of the Company adopted by the Board of Directors on July 8, 2009:

RESOLVED, that all bonds, undertakings, contracts or other obligations may be executed in the name of the Company by persons appointed as Attorney in Fact pursuant to a Power of Attorney issued in accordance with these Resolutions. Said Power of Attorney shall be executed in the name and on behalf of the Company either by the Chairman and CEO or the President, under their respective designation. The signature of such officer and the seal of the Company may be affixed by facsimile to any Power of Attorney, and, unless subsequently revoked and subject to any limitation set forth therein, any such Power of Attorney or certificate bearing such facsimile signature and seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signature and seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached.

RESOLVED, that Attorneys in Fact shall have the power and authority, subject to the terms and limitations of the Power of Attorney issued to them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and any such instrument executed by such Attorneys in Fact shall be binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary or Assistant Secretary of the Company.

I, Tammy Tieperman, Secretary of Insurors Indemnity Company, do hereby certify that the foregoing is a true excerpt from the Resolutions of the said Company as adopted by its Board of Directors on July 8, 2009, and that this Resolution is in full force and effect. I certify that the foregoing Power of Attorney is in full force and effect and has not been revoked.

In Witness Whereof, I have set my hand and the seal of INSURORS INDEMNITY COMPANY on this 18th day of December, 2013.

Tammy Tieperman
Tammy Tieperman, Secretary

NOTE: IF YOU HAVE ANY QUESTION REGARDING THE VALIDITY OR WORDING OF THIS POWER OF ATTORNEY, PLEASE CALL 800 933 7444 OR WRITE TO US AT P. O. BOX 2683, WACO, TEXAS 76702-2683 OR EMAIL US AT CONFIRMATION@INSURORS.COM.

IMPORTANT NOTICE - AVISO IMPORTANTE

To obtain information or make a complaint:

You may call Insurors Indemnity Company's toll-free telephone number for information or to make a complaint at:

1-800-933-7444

You may also write to Insurors Indemnity Company at:

P.O. Box 2683
Waco, TX 76702-2683
Or
225 South Fifth Street
Waco, TX 76701

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at

1-800-252-3439

You may write the Texas Department of Insurance at:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the agent or the company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.

Para obtener informacion o para someter una queja:

Usted puede llamar al numero de telefono gratis de Insurors Indemnity Company's para informacion o para someter una queja al

1-800-933-7444

Usted tambien puede escribir a Insurors Indemnity Company:

P.O. Box 2683
Waco, TX 76702-2683
O
225 South Fifth Street
Waco, TX 76701

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companias, coberturas, derechos o quejas al

1-800-252-3439

Puede escribir al Departamento de Seguros de Texas:

P.O. Box 149104
Austin, TX 78714-9104
Fax: 512-475-1771

Web: <http://www.tdi.state.tx.us>

E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concemiente a su prima o a un reclamo, debe comunicarse con el agente o la compania primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA:

Este aviso es solo para proposito de informacion y no se convierte en parte o condicion del documento adjunto y esta dado para acatar con Section 2253.021 Government Code y Section 53.202, Property Code efectivo, Septiembre 1, 2001.

February 12, 2014

City of Albuquerque Planning Department

DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

DEVELOPMENT REVIEW BOARD

10/28/2013 Issued By: BLDAVM 213057

Category Code **910**
2013 070 735

Application Number: 13DRB-70735, Amendment To Preliminary Plat

Address:

Location Description: ASPEN BETWEEN 12YH ST AND RIO GRANDE

Project Number: 1009046

Applicant

SAWMILL CROSSING, LLC

7400 HANCOCK NE STE B
ALBUQUERQUE NM 87109

Agent / Contact

MARK GOODWIN AND ASSOCIATES, P.A.

JOHN MACKENZIE

P.O. BOX 90606

ALBUQUERQUE NM 87199

Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions **\$50.00**

TOTAL: \$70.00

City of Albuquerque Treasury
Date: 10/28/2013 Office: ANNEX
Stat ID: 480000007 Cashier: TRSDLF
Batch: 2766 Trans #: 17
Permit: 2013070735
Receipt Num 00159549
Payment Total: \$70.00
0901 Conflict Mgmt. Fee \$20.00
0903 DRB Actions \$50.00
Check Tendered : \$70.00



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin & Assoc, PA PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: 797-89539
 CITY: Albug. STATE NM ZIP 87199 E-MAIL: john@goodwinengineers.com
 APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock NE Ste B FAX: 797-1134
 CITY: Albug STATE NM ZIP 87109 E-MAIL: _____
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Amended Infrastructure List to add concrete channel

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

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

Lot or Tract No. B-1-A-2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Duke City Lumber Co.
 Existing Zoning: SU-2/SU-1 PRD Proposed zoning: No Change MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX,Z, V, S, etc.):
Project 1009046

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 78 Total site area (acres): 7
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave
 Between: 12th St. and Rio Grande Blvd.
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 10-11-11

SIGNATURE John MacKenzie DATE 10.28.13
 (Print Name) John MacKenzie Applicant: Agent:

FOR OFFICIAL USE ONLY

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>13 DRB - 70735</u>	<u>APP</u>	_____	\$ <u>50.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
Hearing date <u>Nov. 6, 2013</u>				Total
Staff signature & Date <u>10-28-13</u>				\$ <u>70.00</u>
Project # <u>1009046</u>				

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**
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- Fee (see schedule)
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AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) Your attendance is required.

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

John Mackenzie
Applicant name (print)
John Mackenzie 10-28-13
Applicant signature / date



Form revised October 2007

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

Application case numbers
13 - DRB -

[Signature] 10-28-13
Planner signature / date
Project # 1009046



Supplemental Form (SF)

<input checked="" type="checkbox"/> Major subdivision action	S	Z	ZONING & PLANNING
<input type="checkbox"/> Minor subdivision action			Annexation
<input type="checkbox"/> Vacation	V		Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			
SITE DEVELOPMENT PLAN	P		Adoption of Rank 2 or 3 Plan or similar Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input type="checkbox"/> for Subdivision			
<input type="checkbox"/> for Building Permit			
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STORM DRAINAGE (Form D)			Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			

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 (Print Name) John MacKenzie Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
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[Signature] 10-28-13 Project # 1009046
 Staff signature & Date

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John Mackenzie
Applicant name (print)
John Mackenzie 10-28-13
Applicant signature / date



Form revised October 2007

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

[Signature] 10-28-13
Planner signature / date
Project # 1009046



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

October 28, 2013

Mr. Jack Cloud, Chairman
City of Albuquerque DRB
P.O. Box 1293
Albuquerque, NM 87103

Re: Sawmill Crossing Subdivision, Unit I (Project 1009046), Amended Infrastructure List


Dear Mr. Cloud:

On behalf of Sawmill Crossings, LLC, I am requesting approval of an amended infrastructure list covering the referenced case. The preliminary plat for this subdivision was extended for one year by the DRB on May 15, 2013, and the infrastructure list was last amended on January 16, 2013.

Since the preliminary plat extension nearly all of Unit I's infrastructure has been installed. During the last part of construction it was discovered that elevations on the adjoining property's grading plan were not off the same benchmark as the on-site topography, so a change to the on-site pond's spillway had to be made. Upon consultation with City Hydrology it was agreed that a new channel had to be installed in order to overcome the change in grade that was discovered. This new channel is designed to convey spillage from Sawmill Crossing's on-site pond to an alternative spillway location at the southwest corner of the site where an off-site public drainage easement currently exists. The spillway from the pond on Tract C will be used only if there is on-site runoff generated in excess of the 100-year, 6-hour storm, the volume for which is contained on-site. The channel will be located within Tract C and installed along the south boundary of the subdivision, running 80 feet east of its southwest corner. This new channel has been added to the infrastructure list at the bottom of page 3 along with other drainage improvements already on the list. It replaces the side yard channel on Lot 1 that had been listed five rows above it.

Please contact me if I can be of further assistance.

Sincerely,
MARK GOODWIN & ASSOCIATES, PA


John MacKenzie, PE
Senior Engineer

JMM/kb



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

AGIS
Albuquerque Geographic Information System

Map amended through: 2/4/2010

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-13-Z

Selected Symbols

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

0 750 1500 Feet

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

Franchise	Constructed	Under	DRC #	DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
										Private Inspector	City Inspector	City Civil Engineer
										/	/	/

Project name: Sawmill Crossing

1. Schedule to be delivered per schedule attached.
2. Utility Infrastructure to include water, sewer, and fiber optic.
3. SAS hydrology to include methods and data connections.
4. Storm Drain Infrastructure to include manholes and pipes.
5. Gravel and Driveway Construction and materials required prior to release of SA and Financial Guaranty. (Financial Guaranty not required for Gravel and Driveway Pav.)
6. Permit Agreement and Contract required for Tract C.
- 7.
- 8.

AGENT / OWNER
 John M. Mackenzie, P.E.
 NAME (print)
 Mark Goodwin & Associates
 FRM
John Mackenzie
 SIGNATURE - date
 01-14-13

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
 CAROL S. DUNN
 PARKS & GENERAL RECREATION - date
Carol S. Dunn
 1-16-13

FRM CHAIR
 DATE
Carol S. Dunn
 01/16/13

UTILITY DEVELOPMENT - date
 CITY ENGINEER - date
Carol E. Chan
 1-16-13

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRM CHAIR	USER DEPARTMENT	AGENCY COMMENTS

INFRASTRUCTURE LIST

Date Site Plan Approved: 08/22/12
Date Preliminary Plat Approved: 05/15/13
Date Preliminary Plat Expires: 05/15/14
DRB Project No.: 1009046
DRB Application No.: _____

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

Sawmill Crossing, Unit I

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B-1-A-2, Duke City Lumber Company

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
		0'-12' F-E	Perm Pvmt (South Side) C&G (South Side)	Aspen Ave	W. Terminus of Aspen	NE corner Tract B	/	/	/
		6'	Sidewalk (S.Side)	Aspen Ave	Mill Pond	RR	/	/	/
		6'	Sidewalk (N.Side)	Aspen Ave	W. Terminus of Aspen	SE Corner Tract 2-A, Land of Forest Products	/	/	/
			C&G (N.Side)	Aspen Ave	Tract 2-A Driveway (E.Side)	SE Corner Tract 2A, Land of Forest Products	/	/	/
		26' FF	Res Pvmt C&G (both sides)	Band Saw Dr.	W. Terminus Band Saw	Timber Dr.	/	/	/
		4'	Sidewalk (both sides Deferred) (1)						
		30' FF	Res Pvmt C&G (both sides)	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		6'	Sidewalk (west side only)						
		4'	Sidewalk	South Side of Tract C	Bandsaw Pl. Terminus	Tract B	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 1	Lot 64	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 72	Tract B	/	/	/

12"	Rear Yard Channel	Lots 12-14	Lot 12	Lot 14
12"	Rear Yard Channel	Lots 15-18	Lot 15	Lot 18
12"	Rear Yard Channel	Lots 68-69 & Tract B	Tract C	Lot 70
12"-24"	Pipe and Side/Front Yard Channel	Tract C	80' east Site's SW corner	Upper Part of Tr. C Pond
12"	Side Yard Channel	Lot 5	Rear Lot 5 Boundary	Band Saw Pl.
12"	Side Yard Channel	Lot 8	Rear Lot 8 Boundary	Band Saw Pl.
12"	Side Yard Channel	Lot 12	Rear Lot 12 Boundary	Band Saw Pl.
12"	Side Yard Channel	Lot 15	Rear Lot 15 Boundary	Band Saw Pl.
5'	Concrete Channel	Tract C	SW Corner of Site	80' east of SW corner of site

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

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

Project name: Sawmill Crossing

- 1 Sidewalks to be deferred per sidewalk exhibit.
- 2 Water Infrastructure to include valves, fittings, and firehydrants.
- 3 SAS Infrastructure to include manholes and service connections.
- 4 Storm Drain Infrastructure includes manholes and inlets.
- 5 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)
- 6 Pond Agreement and Covenant required for Tract C
- 7
- 8

AGENT / OWNER

John M. MacKenzie, P.E.
NAME (print)

Mark Goodwin & Associates

FIRM

John MacKenzie 10-25-13
SIGNATURE date

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR - date

PARKS & GENERAL RECREATION - date

TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

UTILITY DEVELOPMENT - date

- date

CITY ENGINEER - date

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

November 6, 2013

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin & Assoc. PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: _____
 CITY: Albuq STATE NM ZIP 87199 E-MAIL: john@goodwinengineers
 APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock Ct. NE Ste B FAX: _____
 CITY: Albuq STATE NM ZIP 87109 E-MAIL: reith@cheshire.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Pret. Plat Extension, Vacation of Public Easements

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

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

Lot or Tract No. Tract B-1-A-2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Duke City Lumber Co.
 Existing Zoning: SU-2/SU-1 PRD Proposed zoning: N/C MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z_V_S_, etc.): 1009046
12DRB-70094, 12DRB-70115, 12DRB-70114 & 13DRB-70403

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 31 Total area of site (acres): 6.9
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave
 Between: 12th St. and 18th St.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 10-11-11

SIGNATURE John MacKenzie DATE 04-18-13
 (Print) John MacKenzie Applicant: Agent:

FOR OFFICIAL USE ONLY

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

Application case numbers
13DRB - 70518
13DRB - 70518

Action	S.F.	Fees
<u>VPE</u>	_____	\$ <u>270.00</u>
<u>EPP</u>	_____	\$ <u>50.00</u>
<u>ADV</u>	_____	\$ <u>75.00</u>
<u>CMF</u>	_____	\$ <u>20.00</u>
		\$ _____
		Total
		\$ <u>415.00</u>

Hearing date May 15, 2013

Yag
 Planner signature / date 4-19-13

Project # 1009046

Form revised 4/07

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.

John MacKenzie (agent)
 Applicant name (print)
John MacKenzie 4/18/13
 Applicant signature / date



Form revised 4/07

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

Application case numbers
 13 DRB - 70518
 - - -
 - - -

Yuf 4-19-13
 Planner signature / date
 Project # 1009046

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 *(6 provided)*
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application

Extension of preliminary plat approval expires after one year.

- MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12)** Your attendance is required.
 - Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations & cross sections of perimeter walls 3 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Copy of recorded SIA
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - List any original and/or related file numbers on the cover application
 - DXF file and hard copy of final plat data for AGIS is required.

- MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16)** Your attendance is required.
 - 5 Acres or more: Certificate of No Effect or Approval
 - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) 6 copies for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
 - Design elevations and cross sections of perimeter walls (11" by 17" maximum) 3 copies
 - Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) 6 copies
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
 - Infrastructure list if required (verify with DRB Engineer)
 - DXF file and hard copy of final plat data for AGIS is required.

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

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

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

Amended preliminary plat approval expires after one year

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

John MacKenzie
Applicant name (print)
John MacKenzie 4/18/13
Applicant signature / date



Form revised October 2007

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

Application case numbers
13DRB - 705179

Vog 4-19-13
Planner signature / date
Project # 1009046

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

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

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

1. LOCATION

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

2. NUMBER

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

3. PHYSICAL POSTING

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

4. TIME

Signs must be posted from April 30, 2013 To May 15, 2013

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.

Walter
(Applicant or Agent)

04/19/13
(Date)

I issued 1 signs for this application, 4-19-13 [Signature]
(Date) (Staff Member)

DRB PROJECT NUMBER: 1009046



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 # 10009046

Wednesday, May 15, 2013

Comments must be received by:

Wednesday, May 8, 2013

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

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION	Supplemental form	S	Z	ZONING & PLANNING
<input checked="" type="checkbox"/> Major Subdivision action				Annexation
<input type="checkbox"/> Minor Subdivision action				County Submittal
<input checked="" type="checkbox"/> Vacation		V		EPC Submittal
<input type="checkbox"/> Variance (Non-Zoning)				Zone Map Amendment (Establish or Change Zoning)
SITE DEVELOPMENT PLAN		P		Sector Plan (Phase I, II, III)
<input type="checkbox"/> for Subdivision				Amendment to Sector, Area, Facility or Comprehensive Plan
<input type="checkbox"/> for Building Permit				Text Amendment (Zoning Code/Sub Regs)
<input type="checkbox"/> Administrative Amendment (AA)		D		Street Name Change (Local & Collector)
<input type="checkbox"/> IP Master Development Plan		L	A	APPEAL / PROTEST of...
<input type="checkbox"/> Cert. of Appropriateness (LUCC)				Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
STORM DRAINAGE (Form D)				
<input type="checkbox"/> Storm Drainage Cost Allocation Plan				

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin & Assoc. PHONE: 828-2200
 ADDRESS: PO Box 90606 FAX: _____
 CITY: Albuq STATE NM ZIP 87199 E-MAIL: john@goodwinengineers
 APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock Ct. NE Ste B FAX: _____
 CITY: Albuq STATE NM ZIP 87109 E-MAIL: reith@cheshire.com
 Proprietary interest in site: Owner List all owners: _____

DESCRIPTION OF REQUEST: Pret. Plat Extension, Vacation of Public Easements

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

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

Lot or Tract No. Tract B-1-A-2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Duke City Lumber Co.
 Existing Zoning: SU-2/SU-1 PRD Proposed zoning: N/C MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_Z, V, S, etc.): 1009046
12DRB-70094, 12DRB-70115, 12DRB-70114 & 13DRB-70403

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? NO
 No. of existing lots: 1 No. of proposed lots: 31 Total area of site (acres): 6.9
 LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave
 Between: 12th St. and 18th St.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 10-11-11

SIGNATURE John MacKenzie DATE 04-18-13
 (Print) John MacKenzie Applicant: Agent:

FOR OFFICIAL USE ONLY

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>13DRB - 70518</u>	<u>VPE</u>	_____	\$ <u>270.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u>13DRB - 70518</u>	<u>EPP</u>	_____	\$ <u>50.00</u>
<input checked="" type="checkbox"/> All case #'s are assigned	_____	<u>ADK</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> Case history #'s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input type="checkbox"/> F.H.D.P. fee rebate	Hearing date <u>May 15, 2013</u>	_____	_____	\$ <u>415.00</u>
<u>Yag</u>	4-19-13	Project # <u>1009046</u>	_____	_____
Planner signature / date				

Form revised 4/07

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

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 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
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 Letter briefly describing, explaining, and justifying the request
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- 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
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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
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- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
 EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)
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 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
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 ___ Letter/documents briefly describing, explaining, and justifying the vacation 6 copies
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
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John MacKenzie (agent)
 Applicant name (print)
John MacKenzie 4-18-13
 Applicant signature / date



Form revised 4/07

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Application case numbers
 13 DRB - 70518
 - - -
 - - -

Yafu 4-19-13
 Planner signature / date
 Project # 1009046

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
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- EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08)** Your attendance is required.
 - Preliminary Plat reduced to 8.5" x 11"
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 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
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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
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 - Zone Atlas map with the entire property(ies) clearly outlined
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 - 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.

John MacKenzie
Applicant name (print)
John MacKenzie 4/18/13
Applicant signature / date



Form revised October 2007

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

Application case numbers
13DRB - 705119

Vog 4-19-13
Planner signature / date
Project # 1009046

**PRELIMINARY PLAT FOR
SAWMILL CROSSING
UNIT 1**
WITHIN THE
TOWN OF ALBUQUERQUE GRANT
PROJECTED SECTION 7
TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M.
CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO
MARCH, 2012

LINE	BEARING	DISTANCE
L1	S 24°39'11" E	13.34'
	(S24°39'11"E)	(13.34')

SUBDIVISION DATA

GROSS ACREAGE	6.9323 AC
ZONE ATLAS NO.	H-13-Z
NO. OF LOTS EXISTING	1 LOTS
NO. OF LOTS/TRACTS CREATED	27 LOTS/4 TRACTS
DATE OF SURVEY	JANUARY, 2012

DESCRIPTION

A tract of land situate within the Town of Albuquerque Grant, projected Section 7, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being all of LOT B-1-A-2, DUKE CITY LUMBER COMPANY ADDITION, as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 15, 1995 in Volume 95C, Folio 451, and containing 6.9323 acres more or less.

PURPOSE OF PLAT

- SUBDIVIDE LOT B-1-A-2, DUKE CITY LUMBER COMPANY ADDITION INTO 27 RESIDENTIAL LOTS, AND 4 TRACTS.
- GRANT NEW EASEMENTS AS SHOWN.
- VACATE EASEMENTS AS SHOWN.

NOTES

- BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE).
- DISTANCES ARE GROUND DISTANCES.
- BEARINGS AND DISTANCES IN PARENTHESIS ARE RECORD.
- BASIS OF BOUNDARY IS FROM THE PLAT OF RECORD ENTITLED:

"DUKE CITY LUMBER COMPANY ADDITION", (12-15-1995, 95C-451)
 "DUKE CITY LUMBER COMPANY ADDITION", (05-17-1996, 96C-204)
 "DUKE CITY LUMBER COMPANY ADDITION", (09-17-1990, 90C-222)
 "DUKE CITY LUMBER COMPANY ADDITION", (04-04-1978, 08-102)
 "DUKE CITY LUMBER COMPANY ADDITION", (12-22-1971, 04-177)
 "SAWMILL VILLAGE", (08-23-2010, 2010C-103)
 "LANDS OF FOREST PRODUCTS CO.", (05-25-1990, 90C-135)
 "LANDS OF FOREST PRODUCTS CO.", (02-11-2010, 2010C-19)
 "ARBOLERA DE VIDA UNIT 2B", (04-14-2008, 2008C-70)
 "SPECIAL WARRANTY DEED", (02-28-1992, 199217638)
 "LANDS OF OTTO SCHEER", (Dated 09-09-1943)
 "INDUSTRIAL PROPERTY & LEAD TRACK", (Dated 04-28-1947)

ALL BEING RECORDS OF BERNALILLO COUNTY, NEW MEXICO.

- FIELD SURVEY PERFORMED IN JANUARY, 2012.
- CITY OF ALBUQUERQUE, NEW MEXICO ZONE: S-1
- 100 YEAR FLOOD ZONE DESIGNATION: ZONE X AND ZONE X (AREAS PROTECTED BY DIKES AND LEVEES), AS SHOWN ON PANEL 331 OF 825, FLOOD INSURANCE RATE MAP, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, DATED SEPTEMBER 28, 2008.
- AS NECESSARY, EACH REAR YARD SHALL CONTAIN A PRIVATE DRAINAGE EASEMENT TO CONVEY REAR YARD RUNOFF FROM ADJOINING LOTS, TO BE FURTHER DETAILED ON THE FINAL PLAT. SIDE YARDS THAT ARE NOT PART OF AN ATTACHED DWELLING SHALL ALSO CONTAIN A PRIVATE DRAINAGE EASEMENT TO CONVEY REAR YARD FLOWS TO THE STREET.
- TRACT B SHALL CONTAIN A 3-FOOT PRIVATE DRAINAGE EASEMENT ALONG THE REAR YARD BOUNDARY OF LOT 67 FOR THE BENEFIT OF LOTS 68 AND 69.
- SIDEWALK CULVERTS AT THE STREET AND OTHER IMPROVEMENTS WITHIN PRIVATE DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) WHO BENEFIT FROM THE EASEMENTS.

LEGEND

- LIMITS OF VACATION
- RIGHT OF WAY VACATION
- CENTER LINE MONUMENT OF PUBLIC ROADWAY.
- SET 5/8 REBAR WITH CAP "LS 7719".

SURVEYOR

ALDRICH LAND SURVEYING
 P.O. BOX 30701
 ALBUQUERQUE, N.M. 87190
 (505) 884-1990

OWNERS

SAWMILL CROSSING LLC
 7400 HANCOCK CT. NE
 ALBUQUERQUE, NM 87109
 PH: (505) 797-1134
 FAX: (505) 797-8580

ENGINEERS

D. MARK GOODWIN &
 ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 P.O. BOX 90605
 ALBUQUERQUE, NM 87199
 (505) 828-2200

APPROVED

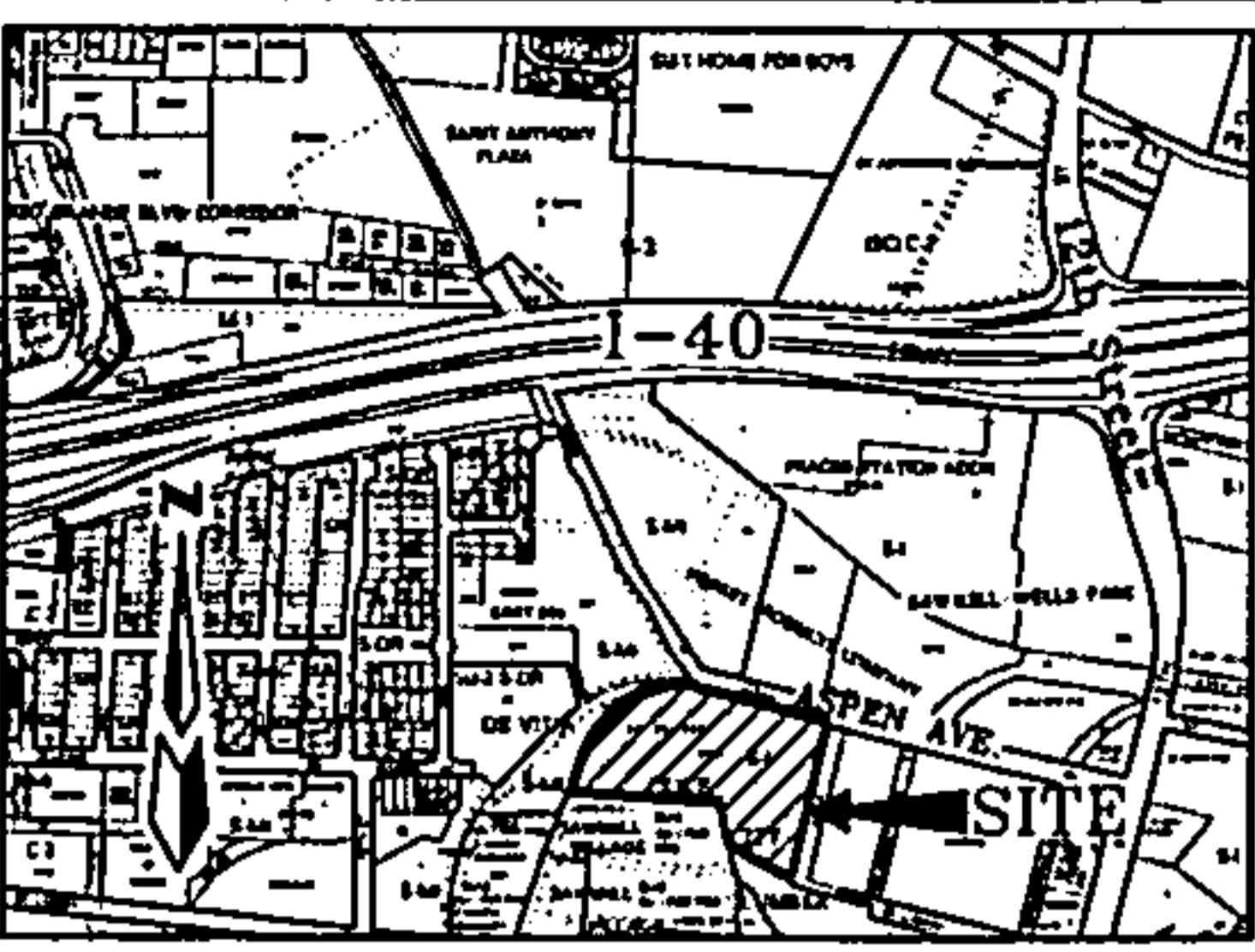
CITY SURVEYOR, CITY OF ALBUQUERQUE, N.M.

5/17/12
 DATE

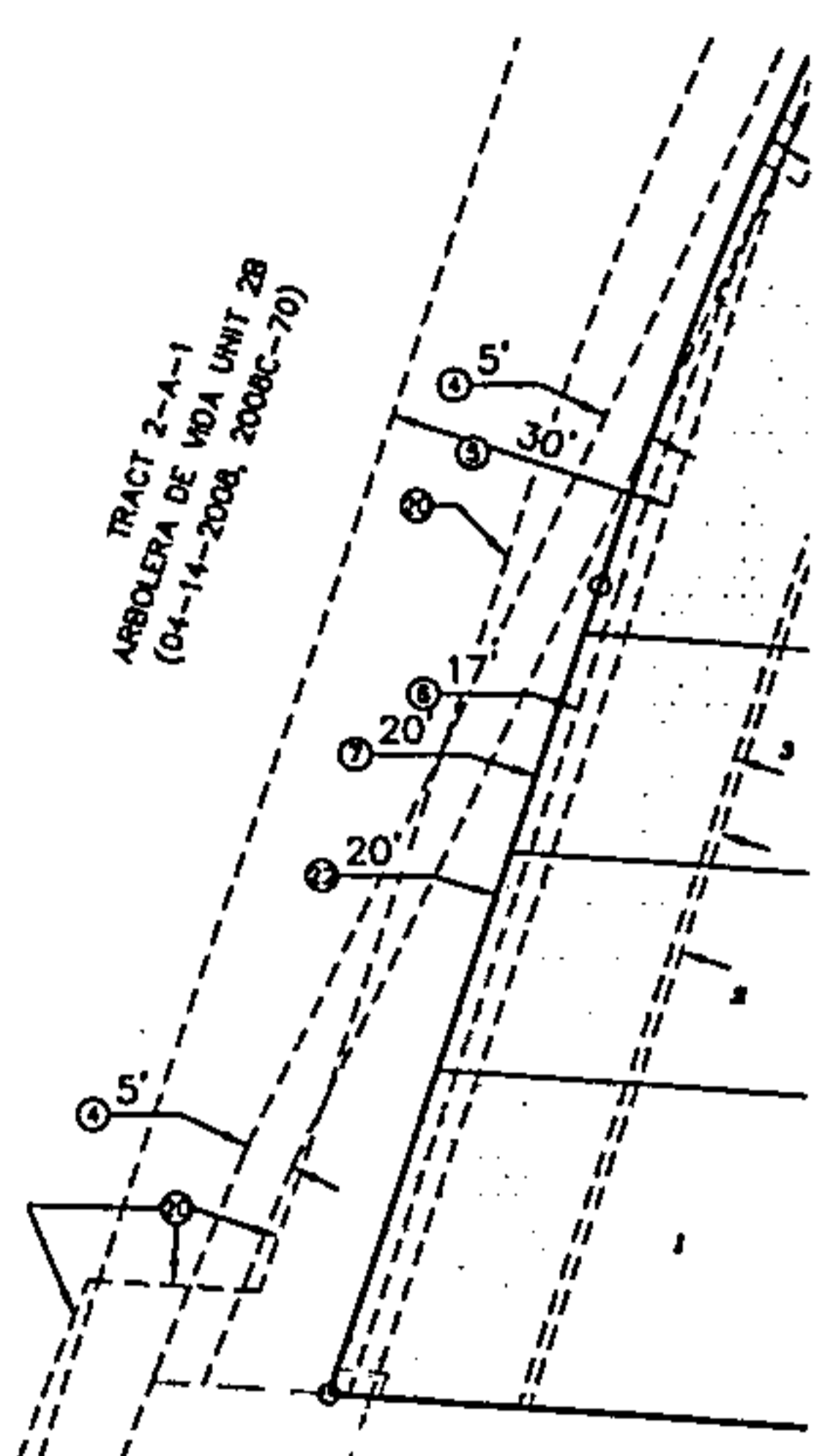
SAWMILL CROSSING LLC,
 OWNER OF TRACT B-1-A-2

 KEITH CHESHIRE, MANAGER

5/16/12
 DATE



VICINITY MAP
 SCALE: 1"=760'
 ZONE ATLAS PAGE: H-13



SW CORNER EASEMENT DETAIL
 SCALE: 1"=20'

NOTES

TRACT B
 OWNED BY SAWMILL CROSSING LLC AND RESERVED FOR FUTURE RESIDENTIAL SUBDIVISION (SAWMILL CROSSING, UNIT 2)

TRACT C
 OPEN SPACE AREA AND BLANKET PUBLIC DRAINAGE EASEMENT OWNED AND MAINTAINED BY THE HOA.

TRACT D
 OPEN SPACE AREA OWNED AND MAINTAINED BY THE HOA.

LOT B-2-A
 SAWMILL VILLAGE
 (08-23-2010, 2010C-103)

AGRS MONUMENT
 "S-J13A"
 N=1491318.377
 E=1515633.327
 G-C=0.999684462
 Δα=00°14'23.54"
 CENTRAL ZONE
 ELEVATION=4960.499
 (NAD83/NAVD88)

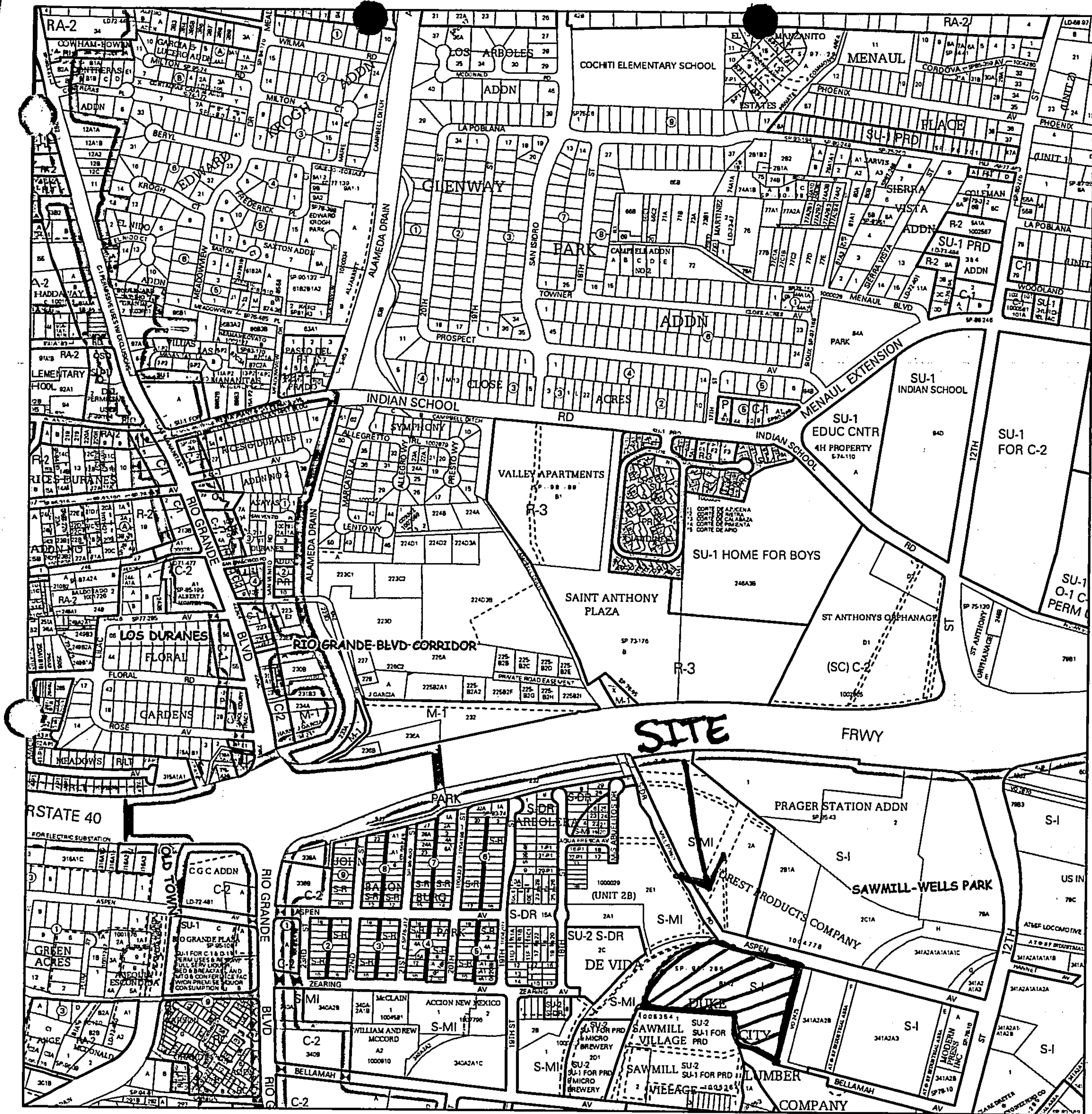
EASEMENTS

- | | | |
|---|---|---|
| 1 75' RESERVED FOR PUBLIC UTILITIES BY VACATION ORDINANCE NO. 2425 (03-18-1985, BK. MISC 50, PG. 848-854) (HATCHED PORTION TO BE VACATED) | 11 20' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) | 21 10' PNM ANCHOR EASEMENT (04-11-2005, 2005C-106) |
| 2 20' SANITARY SEWER EASEMENT BY VACATION ORDINANCE NO. 2425 (03-18-1985, BK. MISC 50, PG. 848-854) | 12 20' COA PUBLIC ACCESS EASEMENT MAINTAINED BY OWNERS OF SAWMILL VILLAGE (08-23-2010, 2010C-103) | 22 20' RAILROAD TRACK EASEMENT (12-02-2003, BK. A63, PG. 5318) (TO BE VACATED) |
| 3 10' PNM EASEMENT (06-25-1988, BK. MISC 107, PG. 297-30) 10' PNM EASEMENT BY JUDGEMENT (06-25-1988, BK. MISC 107, PG. 301-304) (HATCHED PORTION TO BE VACATED) | 13 17.4' X 35' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) | 23 68' COA FLOATING PUBLIC ROADWAY EASEMENT (12-15-1995, 95C-451) (TO BE VACATED) |
| 4 5' PNM EASEMENT (03-18-1950, BK. D135, PG. 547-549) | 14 10' PNM EASEMENT (01-07-1953, BK. D228, PG. 93-96) | 24 NEW 10' PUBLIC UTILITY EASEMENT GRANTED WITH THIS PLAT. |
| 5 30' COA PERMANENT UTILITY EASEMENT BY JUDGEMENT (04-09-1968, BK. MISC 99, PG. 778-780) | 15 COA PUBLIC TEMPORARY TURN-AROUND EASEMENT (05-25-1990, 90C-135) | 25 NEW 20' PNM EASEMENT GRANTED WITH THIS PLAT. |
| 6 17' RAILROAD EASEMENT (10-24-2003, BK. A87, PG. 4653) (HATCHED PORTION TO BE VACATED) | 16 10' PUE (05-17-1998, 96C-204) | 26 NEW 20 FOOT PUBLIC SANITARY SEWER EASEMENT GRANTED WITH THIS PLAT. |
| 7 20' NON-EXCLUSIVE RAILWAY EASEMENT (01-24-1980, BK. D113A, PG. 278-280) (HATCHED PORTION TO BE VACATED) | 17 5' PNM ANCHOR EASEMENT (05-17-1998, 96C-204) | 27 NEW 5x5 FOOT WIDE LANDSCAPE EASEMENT GRANTED TO AND TO BE JOINTLY MAINTAINED BY ADJACENT PROPERTY OWNERS |
| 8 20' COA PUBLIC WATERLINE UTILITY EASEMENT LOCATION IS APPROXIMATE (09-17-1990, 90C-222) (HATCHED PORTION TO BE VACATED) | 18 7' UTILITY EASEMENT (04-04-1978, 08-102) | 28 NEW 20 FOOT PUBLIC WATER LINE EASEMENT GRANTED BY THIS PLAT. |
| 9 10' OWEST EASEMENT (08-08-2003, BK. A81, PG. 8569) | 19 20' COA PUBLIC EMERGENCY ACCESS EASEMENT (10-08-2005, 2005C-325) | |
| | 20 30' BN & SF RAILWAY COMPANY EASEMENT (04-11-2005, 2005C-106) | |
| | 21 COA PUBLIC DRAINAGE EASEMENT (04-11-2005, 2005C-106) | |

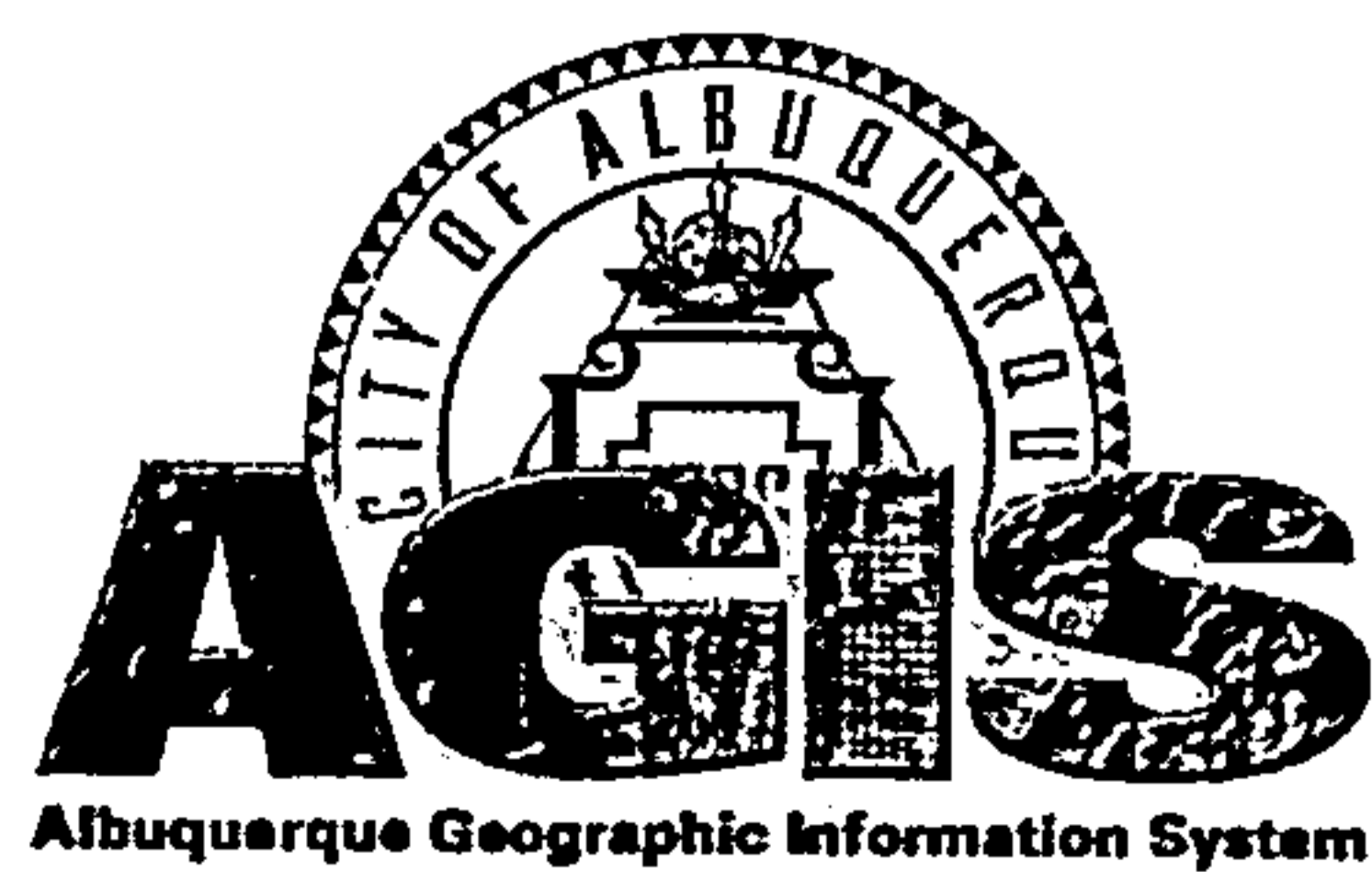
Lot#	Area
1	0.1005 Ac.
2	0.0499 Ac.
3	0.0455 Ac.
4	0.0665 Ac.
5	0.0920 Ac.
6	0.0440 Ac.
7	0.0664 Ac.
8	0.0676 Ac.
9	0.0440 Ac.
10	0.0440 Ac.
11	0.0878 Ac.
12	0.0684 Ac.
13	0.0440 Ac.
14	0.0690 Ac.

Lot#	Area
15	0.0731 Ac.
16	0.0471 Ac.
17	0.0485 Ac.
18	0.0629 Ac.
19	0.0653 Ac.
20	0.0485 Ac.
21	0.0485 Ac.
22	0.0784 Ac.
23	0.0757 Ac.
24	0.0457 Ac.
25	0.0708 Ac.
26	0.0703 Ac.
27	0.0602 Ac.

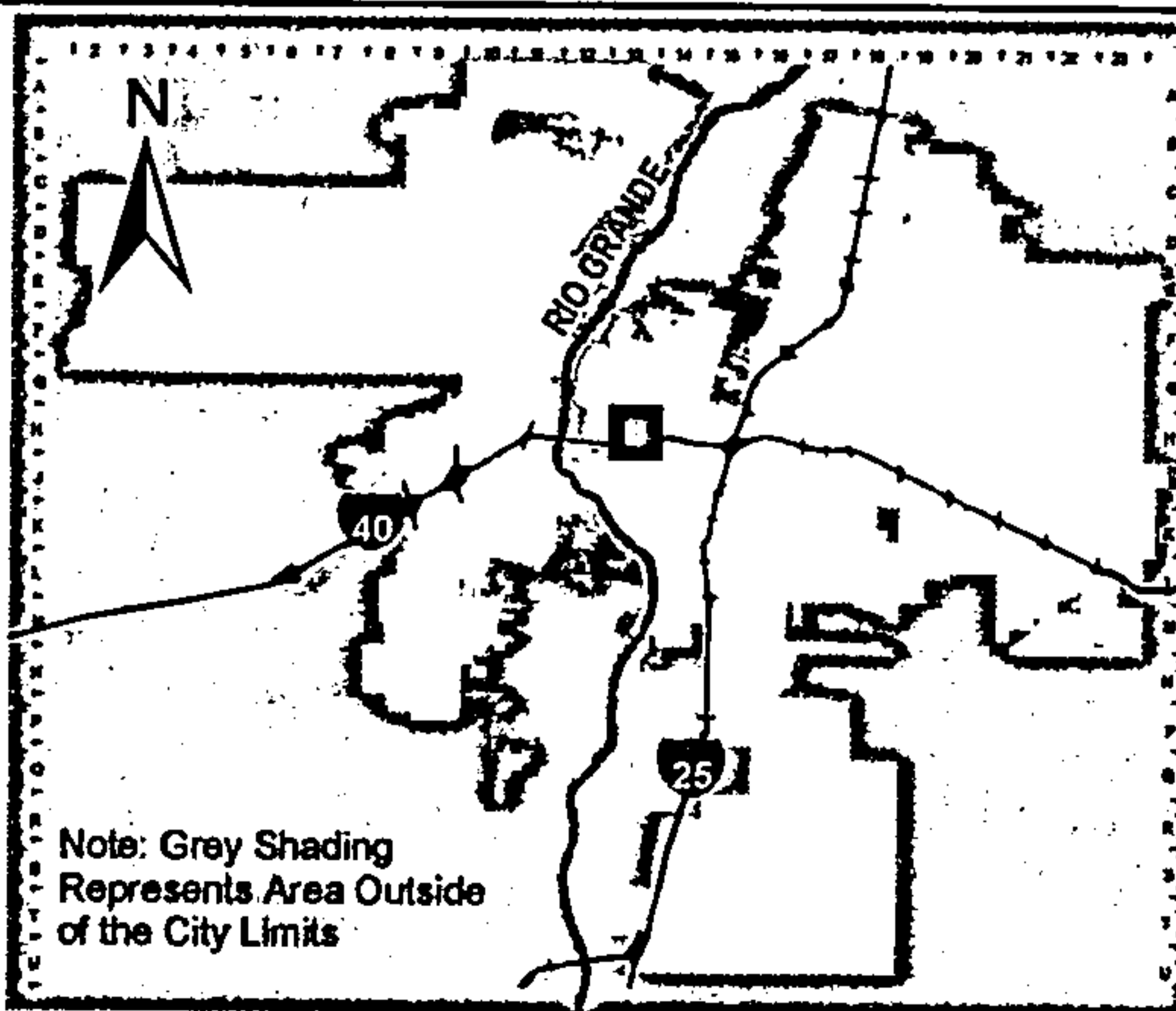
Tract Name	Area
Tract B	4.2470 Ac.
Tract C	0.3330 Ac.
Tract D	0.0547 Ac.
ROW	0.6285 Ac.



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



Map amended through: 4/2/2012



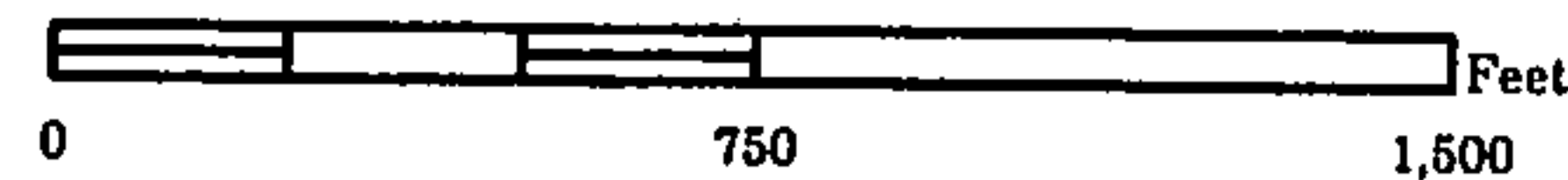
Note: Gray Shading Represents Area Outside of the City Limits

Zone Atlas Page:

H-13-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





D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

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~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

April 18, 2013

Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**Re: Preliminary Plat Extension and Vacation of Associated On-site Easements for
Sawmill Crossing, Unit I - Project #1009046 (Tract B1A2, Duke City Lumber Co.)**

Dear Mr. Cloud:

On behalf of Sawmill Crossing, LLC, I am requesting a one-year preliminary plat extension on the subdivision's first unit, including vacation of power, water, railroad and sewer line easements that now exist on the property. A separately prepared Vacation Memo and Vacation Exhibit have been attached to help explain what and where the easements are, in addition to why they are being vacated. The preliminary plat and vacation of easements were originally approved on June 6, 2012. The reason for this extension is to give the applicant more time to install required public infrastructure. Nothing with respect to the vacations of these easements has changed since they were approved by DRB last year. DRB's findings of fact recorded at the time still apply in that the public welfare is no longer served by maintaining the easements, nor is there any convincing evidence otherwise to indicate that any substantial property right is being abridged against the will of the owner of that right. A copy of that approval is attached.

Since the original preliminary plat and vacation approval, the DRB approved an amended infrastructure list and granted a sidewalk waiver along the railroad track that exists on south side of Aspen Ave. (January 16, 2013). A copy of that approval is also attached.

Please contact me if you have any questions or concerns.

Sincerely,
MARK GOODWIN & ASSOCIATES, P.A.

John M. MacKenzie, P.E.
Senior Engineer

JMM/kb

Enclosure

MARK GOODWIN & ASSOCIATES, PA

MEMORANDUM

TO: JACK CLOUD, DRB CHAIR
FROM: JOHN MACKENZIE *JMM*
SUBJECT: TRACT B-1-A-2, DUKE CITY LUMBER CO. (SAWMILL CROSSING SUBD., UNIT I) PROJECT 1009046
DATE: 4/17/2013

The following on-site easements are to be vacated- numbers refer to identification on Exhibit:

1. West half of 75-foot reservation for public utilities created by Vacation Ordinance No. 2425 (formerly 15th Street), filed 03-16-1965, Bk. Misc. 50, Pg. 848-854
3. 10' PNM easement created by Judgment (06-16-1968, Bk. Misc. 107, Pg. 297-304)
6. 17' Railroad Easement created by document (10-24-2003, Bk. A67, Pg. 4653)
7. 20' Non-exclusive Railway Easement by document (01-24-1980, Bk. D113A, Pg. 278-280)
8. 20' Public Waterline Easement created by Plat of Lots B-1-A and B-2-A, Duke City Lumber Company, filed 09-17-1990, 90C-222 (cross-hatched portion only)
22. Railroad Track Easement created by document (12-02-2003, Bk. A63, Pg. 5318)
28. Floating 68' Public Roadway Easement by Plat of Lots B-1-A-1, B-1-A-2 and B-1-A-3, Duke City Lumber Co., filed 12-15-1995

Explanation for Vacations

1 - With the vacation of 15th Street in 1965, a reservation for public utilities was maintained over the area of former right-of-way. A separate 20-foot sanitary sewer easement was granted through this reservation area in 1990 by the Plat of Lots B-1-A and B-1-A, Duke City Lumber. There is no need for any other utilities to be placed within this easement now or in the future. Any utilities located there now will be removed in connection with proposed redevelopment of this property, except for the existing SAS that will be removed with Unit II.

3 - Existing 10-foot wide PNM easement is being vacated. New 20-foot easement will be granted in its place as shown on preliminary plat.

6, 7 & 22 - Existing railroad track has been removed thru the site and they are no longer used.

8 - The existing 20-foot public waterline easement running through the site contains an existing 12" waterline that will be removed and relocated into the new on-site public streets.

28 - Floating 68' public roadway easement from Bellamah Ave. westerly was granted across Tracts B-1-A-1 and B-1-A-2, Duke City Lumber Co. in 2008 according to the LRMSP. The west portion of this easement was vacated across Lot B-1-A-1 by the plat of Arbolera de Vida, Unit 2B (04-14-2008), since it was not shown on the LRMSP at that time.



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.

April 16, 2013

Kay Brashear
Mark Goodwin and Associates, PA
P.O. Box 90606/87199
Phone: 828-2200/Fax: 797-9539
E-mail: kbrashear@goodwinengineers.com

Dear Kay:

Thank you for your inquiry of **April 16, 2013** 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) – TRACT B1A2, DUKE CITY LUMBER COMPANY, LOCATED ON ASPEN AVENUE NW BETWEEN 12TH STREET NW AND RIO GRANDE BOULEVARD NW** zone map **H-13**.

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

SAWMILL AREA N.A. "R"

Betsy Najjar, 916 19th St. NW/87104 242-4646 (h)

SAWMILL COMMUNITY LAND TRUST

Wade Patterson, P.O. Box 25181/87125 764-0359 (w)

Wendy Statkus, P.O. Box 25181/87125

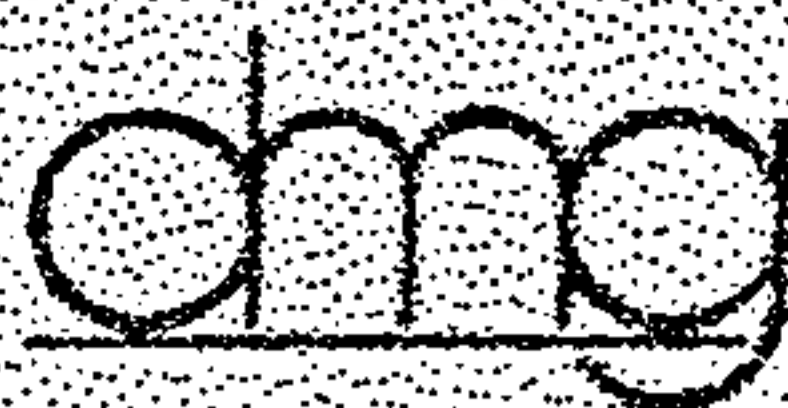
Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred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

Sincerely,

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

Letters must be sent to BOTH contacts of each NA/HOA's for this Planning Submittal

planningrnaform(03/20/12)



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

PO BOX 90606, ALBUQUERQUE, NM 87199
(505) 826-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

April 18, 2013

Mr. Wade Patterson
Sawmill Community Land Trust
PO BOX 25181
Albuquerque, NM 87125

Ms. Wendy Statkus
Sawmill Community Land Trust
PO BOX 25181
Albuquerque, NM 87125

Re: Preliminary Plat Extension for Sawmill Crossing Subdivision (Tract B1A2, Duke City Lumber Co.) and Re-Vacation of Associated On-site Easements

Dear Mr. Patterson and Ms. Statkus:

On behalf of Sawmill Crossing, LLC, I am requesting approval from the city of a preliminary plat extension on the subdivision's first unit, including re-vacation of the power, water, railroad and sewer line easements that now exist on the property. This is essentially a reiteration of what was requested and then approved about one year ago. These approvals are typically issued for a one-year term each time.

As you know from your involvement in the site development plan process for this project, Sawmill Crossing consists of a maximum of 80 townhomes on 6.9 acres of land situated at the western terminus of Aspen Avenue on its south side. The property is now zoned SU-2/SU-1 for PRD.

Please contact me if you have any questions or concerns.

Sincerely,
MARK GOODWIN & ASSOCIATES, P.A.

John M. MacKenzie, P.E.
Senior Engineer

JMM/kb

Enclosure



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

April 18, 2013

Ms. Betsy Najjar
Sawmill Area N.A.
916 19th Street NW
Albuquerque, NM 87104

Re: Preliminary Plat Extension for Sawmill Crossing Subdivision (Tract B1A2, Duke City Lumber Co.) and Re-Vacation of Associated On-site Easements

Dear Ms. Najjar:

On behalf of Sawmill Crossing, LLC, I am requesting approval from the city of a preliminary plat extension on the subdivision's first unit, including re-vacation of the power, water, railroad and sewer line easements that now exist on the property. This is essentially a reiteration of what was requested and then approved about one year ago. These actions are typically issued for a one-year term each time.

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Please contact me if you have any questions or concerns.

Sincerely,
MARK GOODWIN & ASSOCIATES, P.A.

John M. MacKenzie, P.E.
Senior Engineer

JMM/kb

Enclosure



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

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April 18, 2013

Jack Cloud, Chair
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**Re: Preliminary Plat Extension and Vacation of Associated On-site Easements for
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Sincerely,
MARK GOODWIN & ASSOCIATES, P.A.

John M. MacKenzie, P.E.
Senior Engineer

JMM/kb

Enclosure

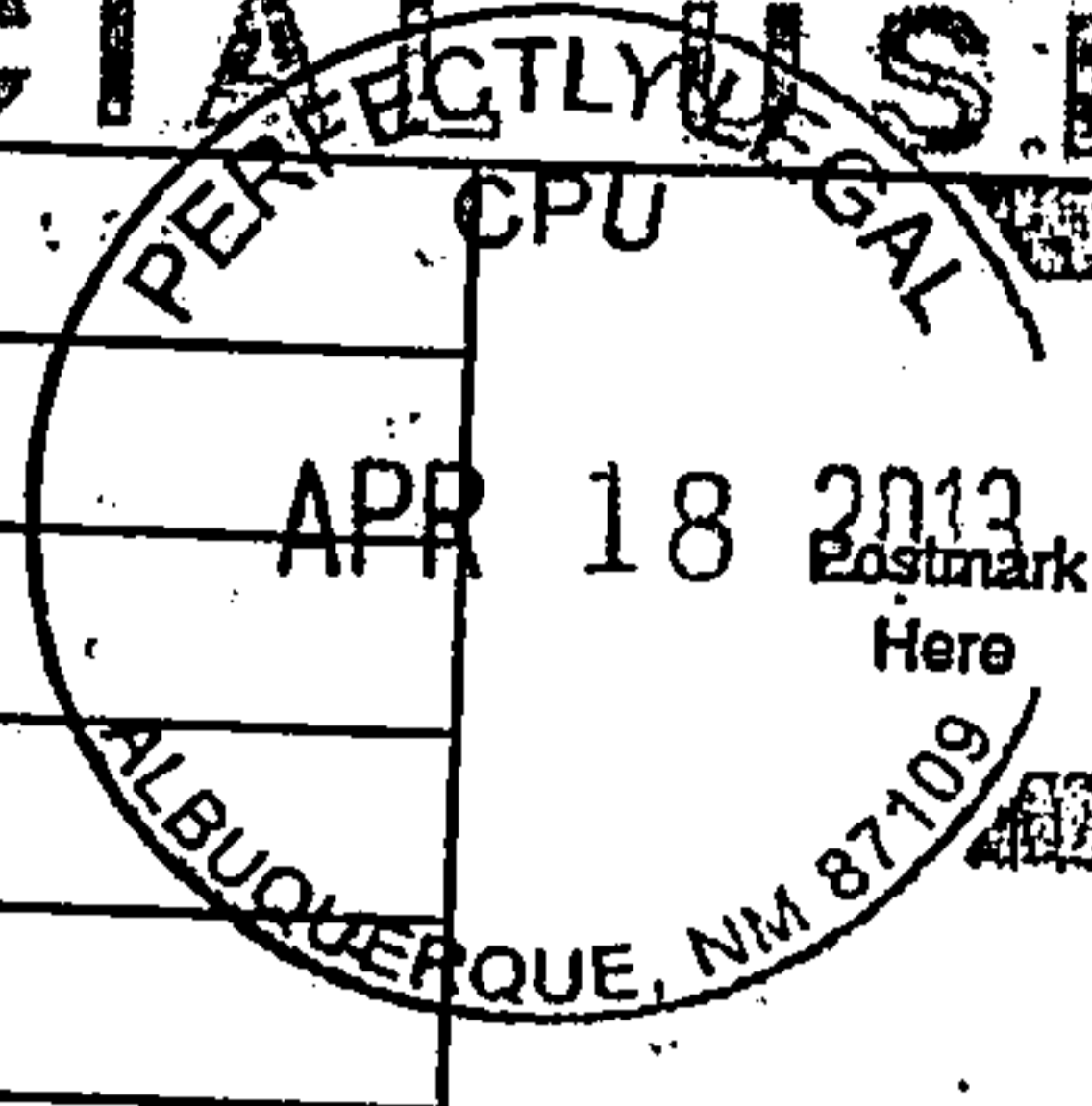
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Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	



Sent To
 ms. Betsy Najar
 Street, Apt. No.;
 or PO Box No. 916 19th Street SW
 City, State, ZIP+4
 Albuquerque, nm 87104

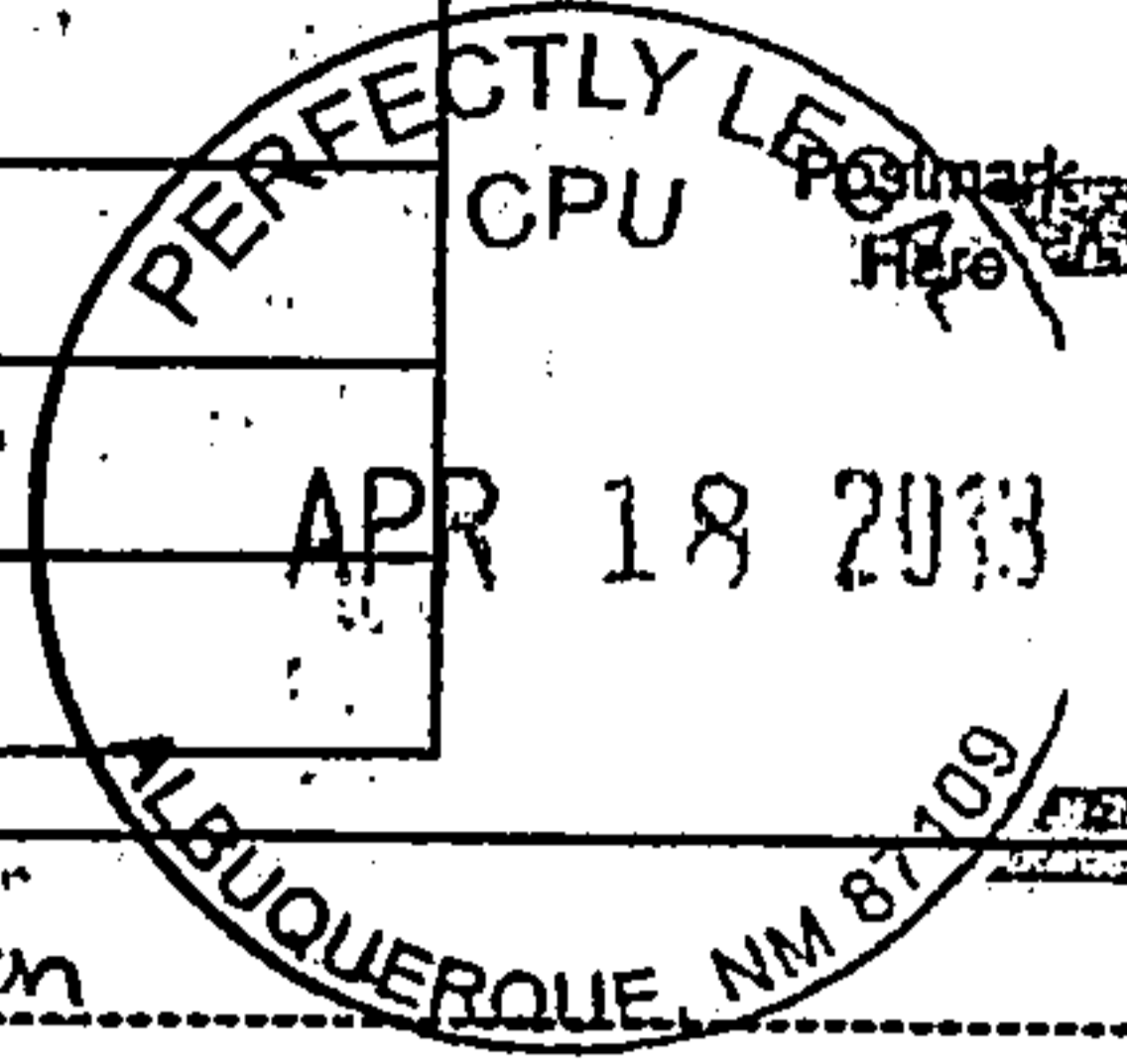
9500 9208 2000 005E FT02

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OFFICIAL USE

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



Sent To
 Mr. Wade Patterson
 Street, Apt. No.;
 or PO Box No. PO Box 25181
 City, State, ZIP+4
 Albuquerque, NM 87105

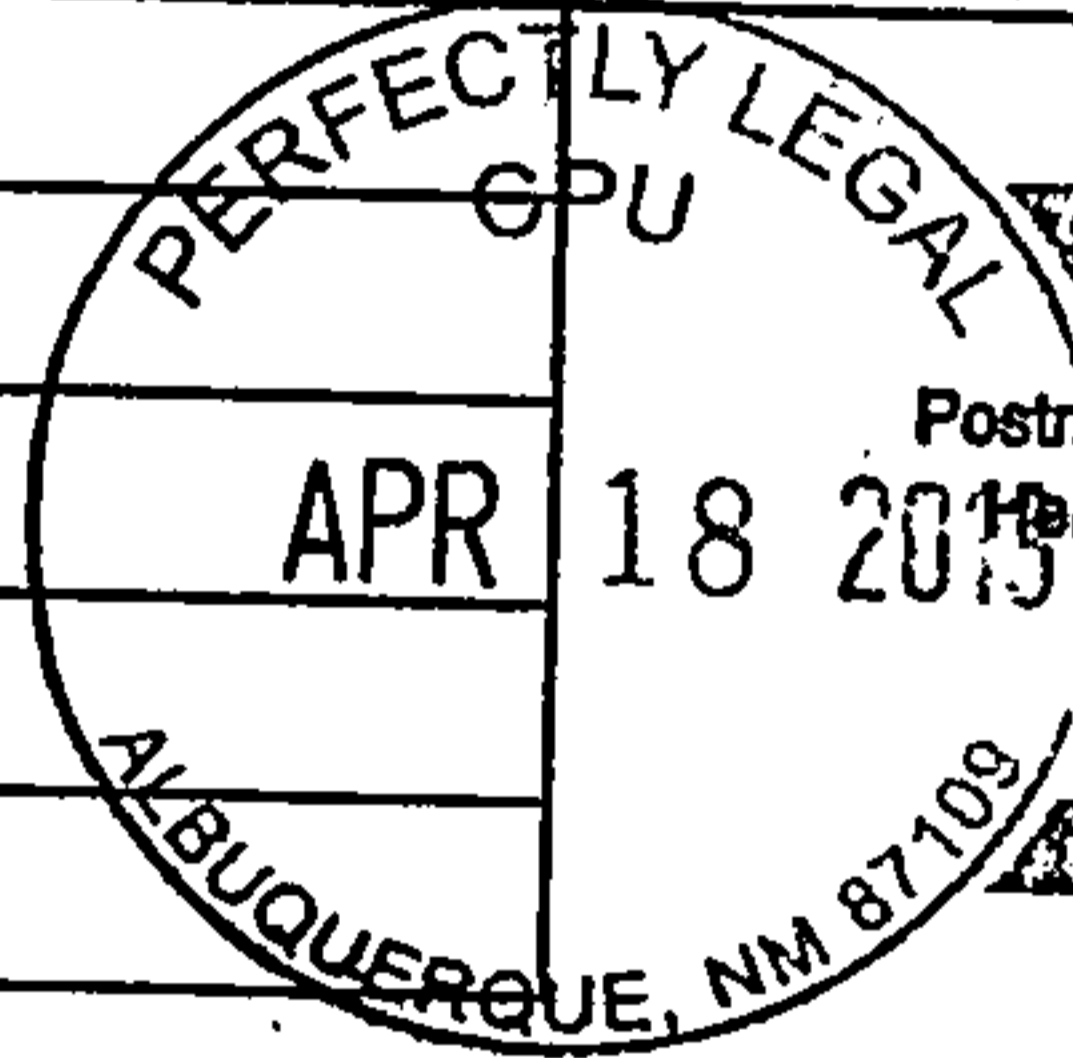
6400 9208 2000 005E FT02

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



Sent To
 Ms. Wendy Statkus
 Street, Apt. No.;
 or PO Box No. PO Box 25181
 City, State, ZIP+4
 Albuquerque, NM 87105



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 13, 2012

Project# 1009046

12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL

12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12, 6/6/12*]

At the June 13, 2012 Development Review Board meeting, based on the approved Grading Plan, engineer stamp dated 5-23-12 and with the signing of the infrastructure list dated 6/11/12 the Board Conditionally Approved the Preliminary Plat. The temporary deferral of construction of sidewalks on the interior streets was approved as shown on exhibit 'B' dated 6-13-2012 in the Planning file.

Conditions of Final Plat:

- The Tri-Party Agreement between the developer, the City of Albuquerque, and the NMDOT is required prior to Final Plat.
- The railway crossing must be approved prior to Final Plat.
- Note 9: Show the 3 foot easement on Tract B and it will also be required to be shown on Tract C on the Final Plat.
- Note 10: The sidewalk culverts should be maintained by the property owner on the lot where the sidewalk culvert is built. Change the note by ending the sentence after the word "...owner" on the Final Plat
- A recorded SIA is required prior to applying for Final Plat.

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.)

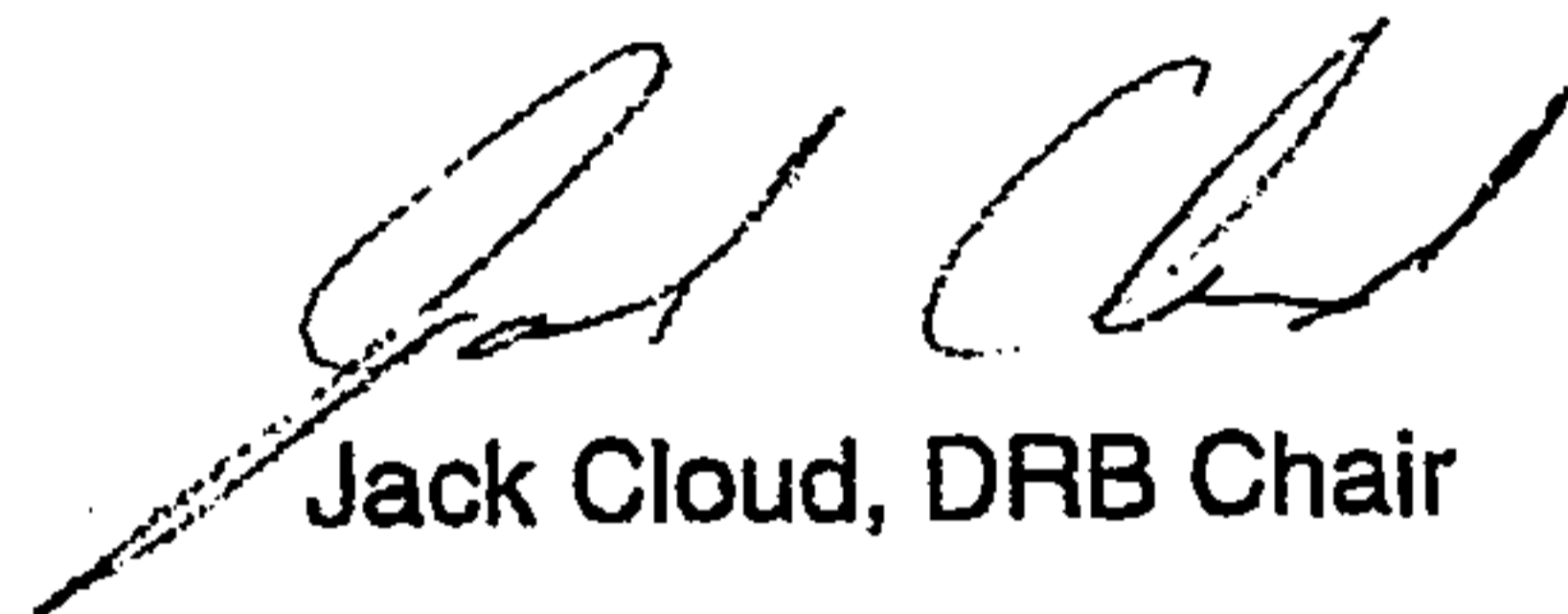
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

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

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

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



Jack Cloud, DRB Chair

Cc: Mark Goodwin & Associates, P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 6, 2012

Project# 1009046

12DRB-70094 – VACATION OF RAILROAD EASEMENTS
12DRB-70114 MAJOR - VACATION OF PUBLIC EASEMENTS
12DRB-70115 MAJOR - PRELIMINARY PLAT APPROVAL
12DRB-70116 SUBDIVISION DESIGN VARIANCE FROM DPM STANDARDS
12DRB-70117 MINOR - TEMP DEFERRAL SIDEWALK CONSTRUCTION
12DRB-70126 EPC APPROVED SDP FOR SUBDIVISION

MARK GOODWIN AND ASSOCIATES, P.A. agent(s) for SAWMILL CROSSINGS, LLC request(s) the referenced/ above action(s) for Tract B1A2, **DUKE CITY LUMBER CO ADDITION**, zoned SU-2/S-I (proposed SU-2/ SU-1 PRD), located on the south side of ASPEN AVE NW between 12TH ST NW and 19TH ST NW containing approximately 6.9292 acre(s). (H-13)[*Deferred from 5/2/12, 5/23/12*]

At the June 6, 2012 Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. The Site Development Plan for Subdivision was approved with final sign-off delegated to Planning Department for revisions. The subdivision design variance(s) from minimum DPM design standards were approved based on the EPC site plan approval. The Preliminary Plat and Temporary Deferral of Sidewalk Construction requests were deferred to 6/13/12 at the agent's request.

Findings

The public welfare is in no way served by retaining the way or easement; Based on the proposed development and the existing adjacent railroad line, the City of Albuquerque does not anticipate any need to utilize the existing easements for utility or railroad purposes.

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

CONDITIONS:

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

If you wish to appeal this decision, you must do so by June 21, 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).

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: Mark Goodwin & Associates P.A.
Sawmill Crossings LLC
Marilyn Maldonado
file

Current DRC
Project Number 617594

FIGURE 12
INFRASTRUCTURE LIST

EXHIBIT "A"
TO SUBMISSION IMPROVEMENTS AGREEMENT
DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
Sawmill Crossing, Unit 1
PROPOSED NAME OF PLAT Aspen/Aspen/Aspen/Aspen/Aspen
TRACT B-1-A-2, Duke City Lumber Company
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Stamp: 01/07/13
Date Site Plan Approved: 09/22/12
Date Preliminary Plat Approved: 09/13/12
Date Preliminary Plat Expires: 09/13/13
DRC Project No.: 1000024
DRC Application No.:

Following is a summary of PUBLIC UTILITIES 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 equipment items and/or underseal 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 equipment or non-equipment items can be deleted from the listing, those 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 engineering. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any underseal items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
			PAVING						
		0-12 F-E	Pave Pmtl (South Side) C&G (South Side)	Aspen Ave	W. Terminus of Aspen	NE corner Tract B	/	/	/
		6'	Sidewalk (S. Side)	Aspen Ave	N&P Pond	RR	/	/	/
		6'	Sidewalk (N. Side)	Aspen Ave	W. Terminus of Aspen	SE Corner Tract 2-A, Land of Forest Products	/	/	/
			C&G (N. Side)	Aspen Ave	Tract 2-A Driveway (E. Side)	SE Corner Tract 2A, Land of Forest Products	/	/	/
		26 FF	Ras Pmtl C&G (both sides)	Bard Saw Dr.	W. Terminus Bard Saw	Timber Dr.	/	/	/
		4'	Sidewalk (west side only)	Timber Dr	Aspen Ave.	Bard Saw Pl.	/	/	/
		30 FF	Ras Pmtl C&G (both sides)	Timber Dr	Aspen Ave.	Bard Saw Pl.	/	/	/
		4'	Sidewalk	South Side of Tract C	Bardlaw Pl, Terminus	Tract B	/	/	/
		4'	Sidewalk	Bard Saw Pl.	Lot 1	Lot 64	/	/	/
		4'	Sidewalk	Bard Saw Pl.	Lot 72	Tract B	/	/	/
		6'	Sidewalk	Tract D	Bardlaw Pl.	Tract B	/	/	/
			RR Crossing per NMDOT S&L. A tri-party agreement (Developer, City of Albuquerque, and DOT) is required for RR crossing	Aspen Ave. @ Timber Drive			/	/	/
			WATER						
		12"	Waterline	Timber Dr	Aspen Ave	Bard Saw Pl.	/	/	/
		6"	Waterline	Bard Saw Pl.	W. Terminus Bard Saw	Timber Dr.	/	/	/
		6"	Waterline	S. Side of Tract C	Bard Saw Pl, Terminus	Tract B	/	/	/
			SAWNTARY SEWER						
		6"	Sewer	Lot 5 SAS Easement	40' Off-Site Interceptor	Bard Saw Pl.	/	/	/
		6"	Sewer	Bard Saw Pl.	Lot 5 SAS Easement	Lumberton Dr.	/	/	/
		6"	Sewer	Lumberton Dr.	Bard Saw Pl.	Aspen Ave.	/	/	/
		6"	Remove Existing SAS	Aspen Ave.	Lumberton Dr	NE Corner of Site	/	/	/

09/13/12

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

Franchise	Constructed	Site	Type of Improvement	Location	From	To	Construction Certification
Quarantined DRC #	Under DRC #						Private City City Dept Inspector Inspector Engineer / / /

Project name: Sawmill Crossing

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

- Schedule to be defined per schedule attach.
- Water Infrastructure to include valves, fittings, and hydrants.
- SAS Infrastructure to include methods and service connections.
- Storm Drain Infrastructure includes manholes and inlets.
- Grading and Discharge Certification and permitter seal construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Discharge Plan.)
- Pond Assessment and Consent required for Tract C
-
-
-

AGENT/OWNER **DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

John M. Mackenzie, P.E.
 NAME (print)
 Mark Goodwin & Associates
 PRP
 Signature: *John M. Mackenzie*
 SIGNATURE - date
 01-14-13

Development Review Board Member Approvals:
 Signature: *[Signature]* Date: 01/16/13
 Signature: *[Signature]* Date: 01/16/13
 Signature: *[Signature]* Date: 1-16-13
 Signature: *[Signature]* Date: 1-16-13

DESIGN REVIEW COMMITTEE MEMBERS

MEMBER	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

MAY 15, 2013

INFRASTRUCTURE LIST

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

Sawmill Crossing, Unit I

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B-1-A-2, Duke City Lumber Company

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
		0'-12' F-E	Perm Pmnt (South Side) C&G (South Side)	Aspen Ave	W. Terminus of Aspen	NE corner Tract B	/	/	/
		6'	Sidewalk	Aspen Ave	W. Terminus of Aspen	SE Corner Tract 2-A, Land of Forest Products	/	/	/
		26' FF	Res Pmnt C&G (both sides)	Band Saw Dr.	W. Terminus Band Saw	Timber Dr.	/	/	/
		4'	Sidewalk (both sides Deferred) (1)				/	/	/
		30' FF	Res Pmnt C&G (both sides)	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		6'	Sidewalk (west side only)				/	/	/
		4'	Sidewalk	South Side of Tract C	Bandsaw Pl. Terminus	Tract B	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 1	Lot 64	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 72	Tract B	/	/	/
		6'	Sidewalk	Tract D	Bandsaw Pl.	Tract B	/	/	/
			RR Crossing per NMDOT Stds. A tri-party agreement (Developer, City of Albuquerque, and DOT) is required for RR crossing	Aspen Ave. @ Timber Drive			/	/	/
			WATER						
		12"	Waterline	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		6"	Waterline	Band Saw Pl.	W. Terminus Band Saw	Timber Dr.	/	/	/
		6"	Waterline	S. Side of Tract C	Band Saw Pl. Terminus	Tract B	/	/	/
			SANITARY SEWER						
		8"	Sanitary Sewer	Lot 5 SAS Easement	60" Off-Site Interceptor	Band Saw Pl.	/	/	/
		8"	Sanitary Sewer	Band Saw Pl.	Lot 5 SAS Easement	Lumberton Dr.	/	/	/
		8"	Sanitary Sewer	Lumberton Dr.	Band Saw Pl.	Aspen Ave.	/	/	/
		8"	Remove Existing SAS	Aspen Ave.	Lumberton Dr.	NE Corner of Site	/	/	/

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Private Inspector	City Inspector	City Cnst Engineer
							/	/	/
Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

Project name: Sawmill Crossing

- 1 Sidewalks to be deferred per sidewalk exhibit.
- 2 Water Infrastructure to include valves, fittings, and firehydrants.
- 3 SAS Infrastructure to include manholes and service connections.
- 4 Storm Drain Infrastructure includes manholes and inlets.
- 5 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)
- 6 Pond Agreement and Covenant required for Tract C
- 7 _____
- 8 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS		
John M. MacKenzie, P.E. <small>NAME (print)</small>	_____ <small>DRB CHAIR - date</small>	_____ <small>PARKS & GENERAL RECREATION - date</small>	
Mark Goodwin & Associates <small>FRM</small>	_____ <small>TRANSPORTATION DEVELOPMENT - date</small>	_____ <small>AMAFCA - date</small>	
_____ <small>SIGNATURE - date</small>	_____ <small>UTILITY DEVELOPMENT - date</small>	_____ <small>- date</small>	
	_____ <small>CITY ENGINEER - date</small>	_____ <small>- date</small>	

DESIGN REVIEW COMMITTEE REVISIONS				
REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



Supplemental form

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Mark Goodwin et Assoc PHONE: 978-2200
 ADDRESS: PO Box 90606 FAX: 797-9539
 CITY: Albuq STATE NM ZIP 87199 E-MAIL: john@goodwinengineers.com
 APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589
 ADDRESS: 7400 Hancock NE Ste B FAX: 797-1134
 CITY: Albuq STATE NM ZIP 87109 E-MAIL: reith@cheshire.com
 Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Revised Sidewalk Deferral Exhibit, Amended Infrastructure List, Sidewalk Waiver Request

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

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

Lot or Tract No. B-1-A-2 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Duke City Lumber Co.
 Existing Zoning: SU-2 / SU-1 PRD Proposed zoning: No change MRGCD Map No _____
 Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

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

Project 1009046

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? no
 No. of existing lots: 1 No. of proposed lots: 78 Total area of site (acres): 7

LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave.
 Between: Rio Grande and 1²th St.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team Date of review: 10-11-11

SIGNATURE: John Mackenzie DATE: 1-7-13
 (Print) John Mackenzie Applicant: _____ Agent:

FOR OFFICIAL USE ONLY

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

Application case numbers

13 - DRB-70403
13 - DRB-70404

Action

SW
APP

Form revised 4/07

S.F.

Fees

\$ 20.00
 \$ 50.00

Total

\$ 70.00

Hearing date Jan. 16, 2013

1-7-13
 Planner signature / date

Project # 1009046

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.

John Mackenzie
 Applicant name (print)
John Mackenzie 01-07-13
 Applicant signature / date



Form revised 4/07

- Checklists complete
 Fees collected
 Case #s assigned
 Related #s listed
- Application case numbers
13 - DRB - 70403

[Signature] 1-7-13
 Planner signature / date
 Project # 1009046

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.

** IL - Prel. Plat provided for information only*

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 *No change*
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies *No change*
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 - 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.

John MacKenzie
Applicant name (print)
John MacKenzie 01-07-13
Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
13 - DRB - 70404

[Signature] 1-7-13
Planner signature / date
Project # 1009046

Mr. Jack Cloud
December 31, 2012
Page 2

Meeting participants thought, and the applicant agreed, that landscaping within the DOT's RR easement could be relocated into the backyards of residences along the south side of Aspen, much like way it was proposed along the east boundary of the property. The west portion of the project's landscaping in Aspen around the project entrance will remain since it's outside of the RR easement. The applicant will also be adding more landscaping around the entry to compensate for sidewalk that's being removed. With landscaping being shifted into backyards, and additional landscaping being added at the entrance, there will be a net increase in project landscaping compared to what was originally approved.


In summary, here are the changes needed to address the existence of a 17' RR easement in Aspen Ave.:

1. Sidewalk is to be eliminated on the south side of Aspen Ave. and the east side of Timber Dr.
2. The final face to face street width of Aspen Ave. is to be narrowed from 40' to 32'.
3. New sidewalk will be added on the north side of Aspen Ave. across from the site entry where it's presently missing.
4. Landscaping originally along the south side Aspen Ave. over the east half of the site is now to be shifted south into the rear yards of Lots 23 thru 27 and the side yard of Lot 28.
5. More landscaping will be added in areas where sidewalk is to be removed and on both sides of the site entry with Aspen Ave. R/W.

An Administrative Amendment on the Site Development Plan has been previously submitted to the Planning Director.

With your concurrence on these issues, I request that you approve these proposed infrastructure list changes and the waiving of required sidewalk along the south side of Aspen and the east side of Timber Dr.

Sincerely,
MARK GOODWIN & ASSOCIATES, PA


John M. MacKenzie, PE
Senior Engineer

JMM/kb



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

December 31, 2012

Mr. Jack Cloud, DRB Chair
City Planning Department
600 2nd Street NW
Albuquerque, NM 87102

Re: Sawmill Crossing (Project No. 1009046)

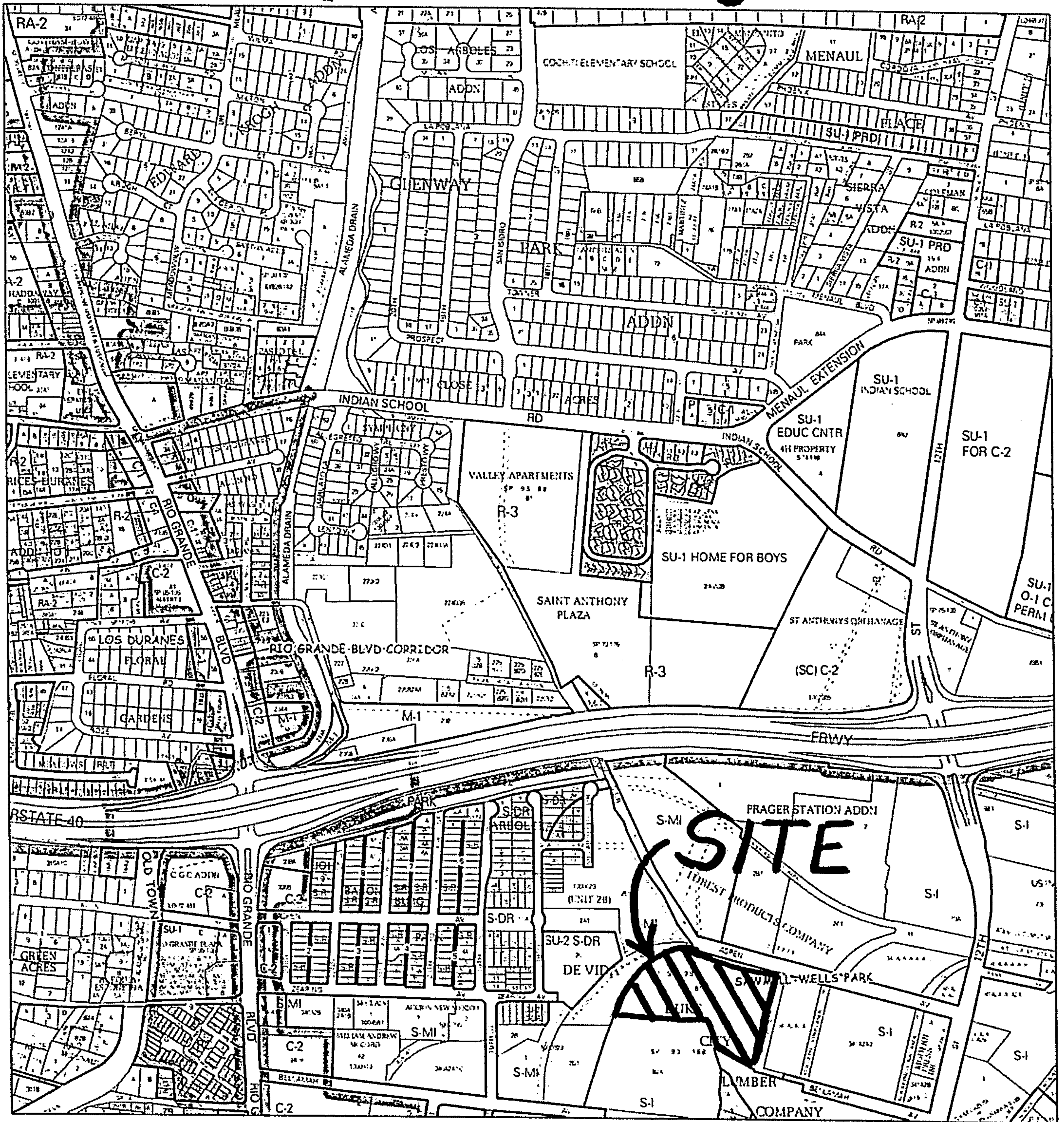
Dear Mr. Cloud:

On August 22, 2012, the site development plan for subdivision covering this project was approved when you signed the original mylar. Since that time we have been working with the City's Design Review Committee on approval of construction plans for Phase 1 of the project.


In order to obtain approval of construction plans by the City it is also necessary for us to also obtain approval from the New Mexico Department of Transportation on a new street crossing of the existing railroad tracks running in Aspen Ave. along the north side of the project. During design of the construction plans we were notified by the DOT that it owns a railroad easement within the southerly 17 feet of the Aspen Ave. RW, which abuts the north boundary of the subject property. As reported by the DOT's Rail Facilities & Permitting Manager, Robert Fine, they will not permit any above ground obstructions or sidewalks to be within the limits of their RR easement (see attached email). He has also voiced a concern about the possibility of vehicles parking along the south side of Aspen, directly adjacent to the easement.

These concerns were also received by Blake Whitcomb of City Legal and Jane Rael of the City's Design Review and Construction Section. During a subsequent meeting in Ms. Rael's office on November 9, 2012, it was agreed by Mr. Whitcomb and Ms. Rael, including members of the DRC team present at the meeting (including DRB's Traffic Engineer Kristal Metro) that the proposed sidewalk on the south side of Aspen should be eliminated from Timber Drive to the east end of the project. If this sidewalk were to have been installed, it would have dead-ended at the project's NE corner. To compensate for this loss of connectivity, it was decided by meeting participants that a short stretch of missing sidewalk on the north side Aspen across from the Timber/Aspen intersection would instead be built by the applicant to provide an alternative east-west link. Without new sidewalk being installed along the south side of Aspen Ave. meeting participants further agreed that construction of new sidewalk along the east side of Timber Drive also appears unnecessary, due the fact that it would result in a south to north dead-end at Aspen. The proposed north-south pedestrian crossing of the RR tracks west of the Aspen/Timber intersection would be retained, with a special ADA-compliant design that has been approved by the DOT. It was also decided at the meeting that the ultimate Aspen Ave. street width should be reduced from 40' to not more than 32' of paving along the project's site frontage (a 24-foot half-street exists there now) to help keep parked cars away from the tracks.

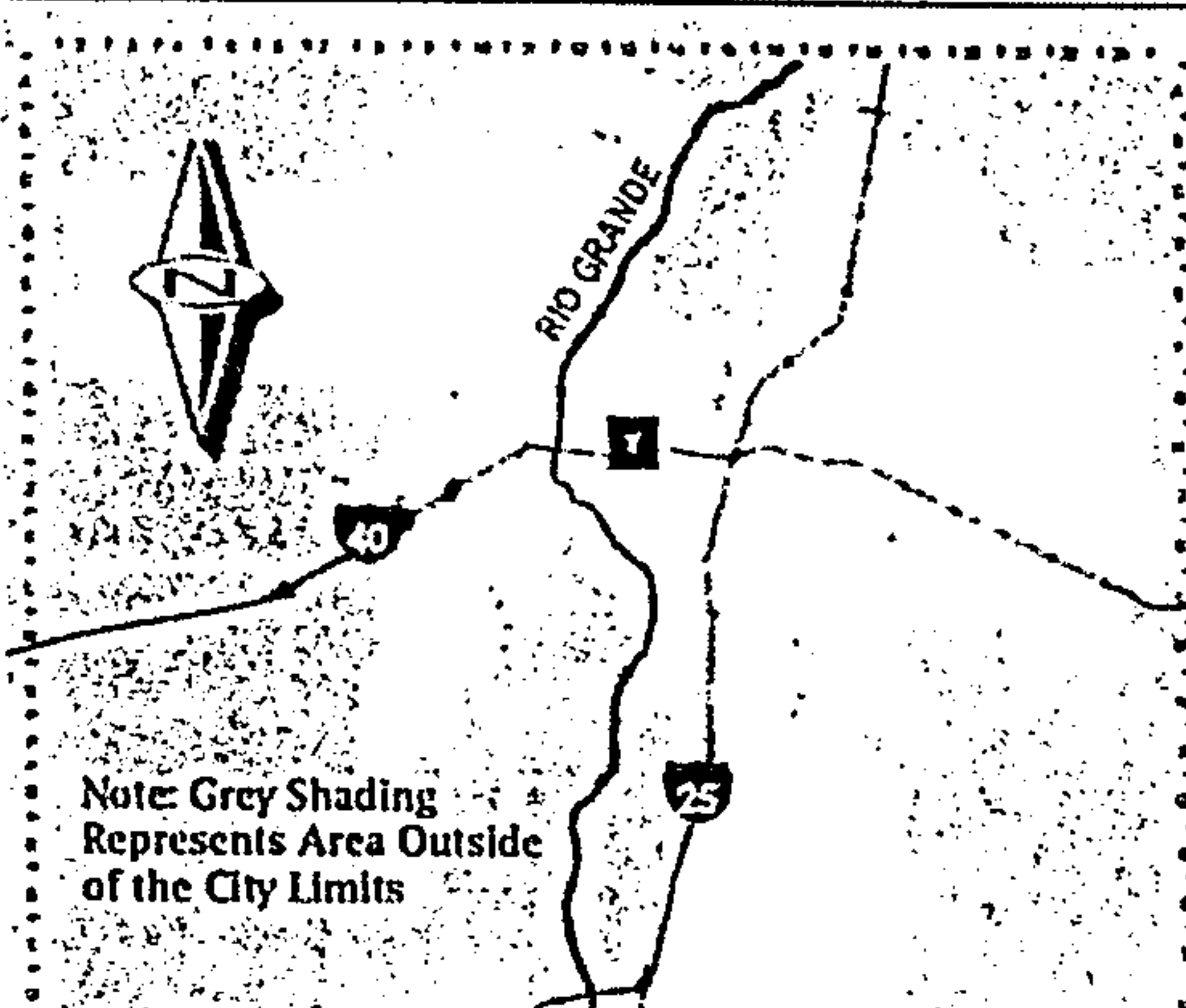
The DOT mandate to exclude potential obstructions also affects the east half of the applicant's proposed landscaping within Aspen along the north side of the project, which now has to be removed or relocated.



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



Map amended through: 2/1/2010



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
H-13-Z

Selected Symbols

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

0 750 1500 Feet

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

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) required.

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.

** IL - Prel. Plat provided for information only*

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 *No change*
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) 6 copies *No change*
 - 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.

John MacKenzie
Applicant name (print)
John MacKenzie 01-07-13
Applicant signature / date



Form revised October 2007

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
13 - DRB - 70404

[Signature] 1-7-13
Planner signature / date
Project # 1009046

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.

John Mackenzie
Applicant name (print)
John Mackenzie 01-07-13
Applicant signature / date



Form revised 4/07

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

Application case numbers
13 - DRB - 70403

[Signature] 1-7-13
Planner signature / date
Project # 1009046



SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- 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): Mark Goodwin et Assoc PHONE: 978-2200

ADDRESS: PO Box 90606 FAX: 797-9539

CITY: Albuq STATE NM ZIP 87199 E-MAIL: johnagoodwin@engineers.com

APPLICANT: Sawmill Crossing, LLC PHONE: 797-8589

ADDRESS: 7400 Hancock NE Ste B FAX: 797-1134

CITY: Albuq STATE NM ZIP 87109 E-MAIL: reith@cheshire.com

Proprietary interest in site: owner List all owners: _____

DESCRIPTION OF REQUEST: Revised sidewalk Deferal Exhibit, Amended Infrastructure List, Sidewalk Waiver Request

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

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

Lot or Tract No. B-1-A-2 Block: _____ Unit: _____

Subdiv/Addn/TBKA: Duke City Lumber Co.

Existing Zoning: SU-2 / SU-1 PRD Proposed zoning: No change MRGCD Map No. _____

Zone Atlas page(s): H-13 UPC Code: 101305936402540210

CASE HISTORY:

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

Project 1009046

CASE INFORMATION:

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

No. of existing lots: 1 No. of proposed lots: 78 Total area of site (acres): 7

LOCATION OF PROPERTY BY STREETS: On or Near: Aspen Ave.

Between: Pio Grande and 12th St.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team Date of review: 10-11-11

SIGNATURE John Mackenzie DATE 1-7-13

(Print) John Mackenzie Applicant: _____ Agent:

FOR OFFICIAL USE ONLY

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

Application case numbers
13 . DRB . 70403
13 . DRB . 70404

Hearing date Jan. 16, 2013

Action	S.F.	Fees
<u>SW</u>	_____	\$ <u>20.00</u>
<u>APP</u>	_____	\$ <u>50.00</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____
Total		\$ <u>70.00</u>

Form revised 4/07

1-7-13
Planner signature / date

Project # 1009046

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: 6/11/12

ORIGINAL

INFRASTRUCTURE LIST

Date Site Plan Approved: 6-13-12
Date Preliminary Plat Approved: 6-13-12
Date Preliminary Plat Expires: 6-13-13
DRB Project No: 1009046
DRB Application No.: _____

A 11-2-12

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

Sawmill Crossing, Unit I

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B-1-A-2, Duke City Lumber Company

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
		16' F-E	Perm Pvmnt (South Side) C&G (South Side) 4' Sidewalk (South Side)	Aspen Ave	W. Terminus of Aspen	NE corner Tract B	/	/	/
		26' FF	Res Pvmnt C&G (both sides) 4' Sidewalk (both sides Deferred) (1)	Band Saw Dr.	W. Terminus Band Saw	Timber Dr.	/	/	/
		30' FF	Res Pvmnt C&G (both sides) 4' Sidewalk (both sides)	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		4'	Sidewalk	South Side of Tract C	Bandsaw Pl. Terminus	Tract B	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 1	Lot 64	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 72	Tract B	/	/	/
		6'	Sidewalk	Tract D	Bandsaw Pl.	Tract B	/	/	/
			RR Crossing per NMDOT Stds. A tri-party agreement (Developer, City of Albuquerque, and DOT) is required for RR crossing	Aspen Ave. @ Timber Drive			/	/	/
			WATER						
		12"	Waterline	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		6"	Waterline	Band Saw Pl.	W. Terminus Band Saw	Timber Dr.	/	/	/
		6"	Waterline	S. Side of Tract C	Band Saw Pl. Terminus	Tract B	/	/	/
			SANITARY SEWER						
		8"	Sanitary Sewer	Lot 5 SAS Easement	60" Off-Site Interceptor	Band Saw Pl.	/	/	/
		8"	Sanitary Sewer	Band Saw Pl.	Lot 5 SAS Easement	Lumberton Dr.	/	/	/
		8"	Sanitary Sewer	Lumberton Dr.	Band Saw Pl.	Aspen Ave.	/	/	/
		8"	Remove Existing SAS	Aspen Ave.	Lumberton Dr.	NE Corner of Site	/	/	/

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

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

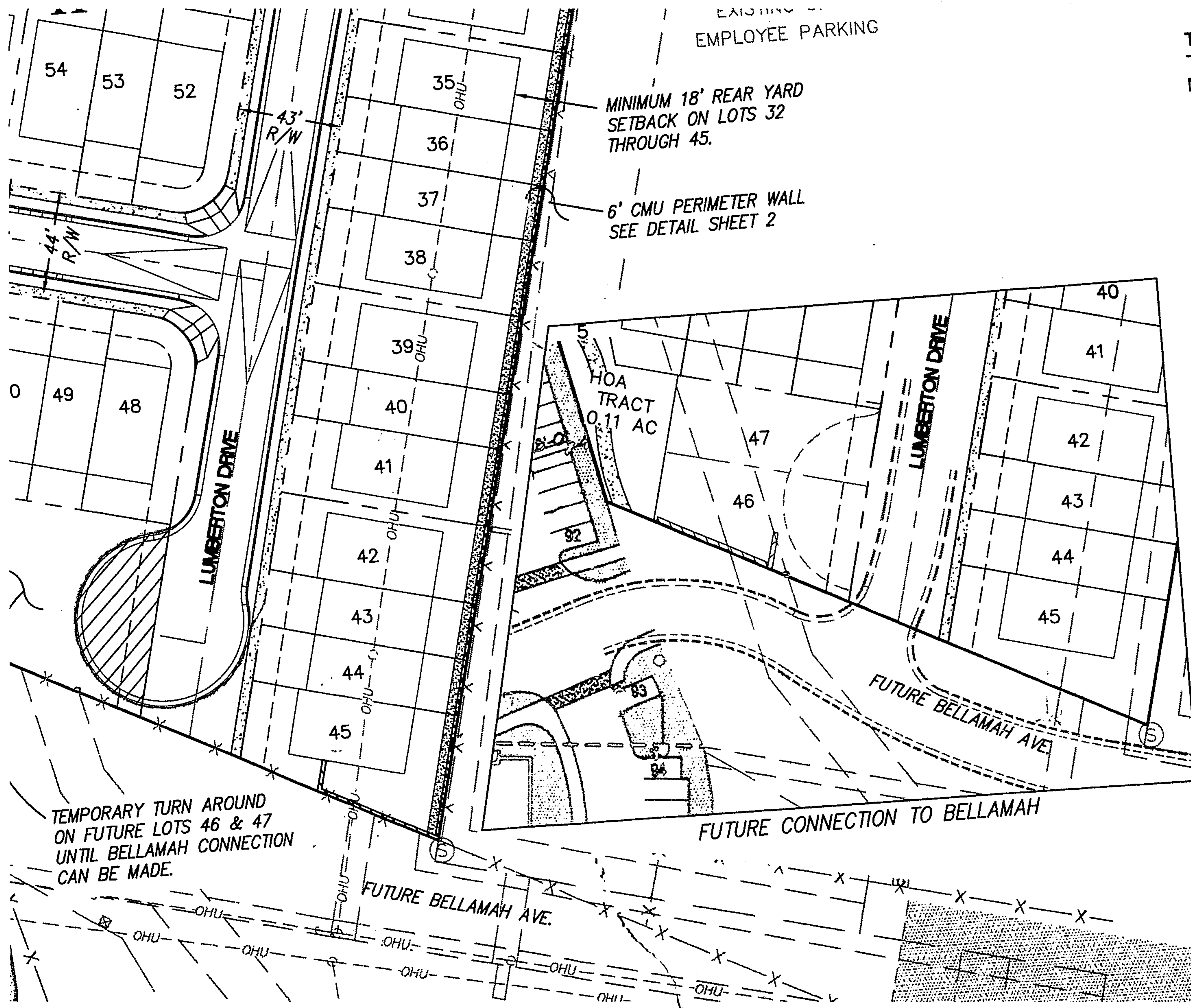
Project name: Sawmill Crossing

- 1 Sidewalks to be deferred per sidewalk exhibit.
- 2 Water Infrastructure to include valves, fittings, and firehydrants.
- 3 SAS Infrastructure to include manholes and service connections.
- 4 Storm Drain Infrastructure includes manholes and inlets.
- 5 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)
- 6 Pond Agreement and Covenant required for Tract C
- 7
- 8

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
John M. MacKenzie, P.E. NAME (print)	<u>[Signature]</u> 6-13-12 DRB CHAIR - date	<u>Carol S. Dumont</u> 6-13-12 PARKS & RECREATION - date
Mark Goodwin & Associates FIRM	<u>[Signature]</u> 06-13-12 TRANSPORTATION DEVELOPMENT - date	AMAFCA - date
<u>[Signature]</u> 6-13-12 SIGNATURE - date	<u>[Signature]</u> 06/13/12 UTILITY DEVELOPMENT - date	- date
	<u>[Signature]</u> 6/13/12 CITY ENGINEER - date	- date

DESIGN REVIEW COMMITTEE REVISIONS				
REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER
1	11-2-12	<u>[Signature]</u>	<u>[Signature]</u>	<u>[Signature]</u>

January 16, 2013



THE SITE:
The site area
Metropolitan R

PROPOSED U
The property i

PEDESTRIAN
Vehicular Ac
Sawmill Villag
Lumber Com

Pedestrian,
Sawmill Vill;
pedestrian s

Transit Ac

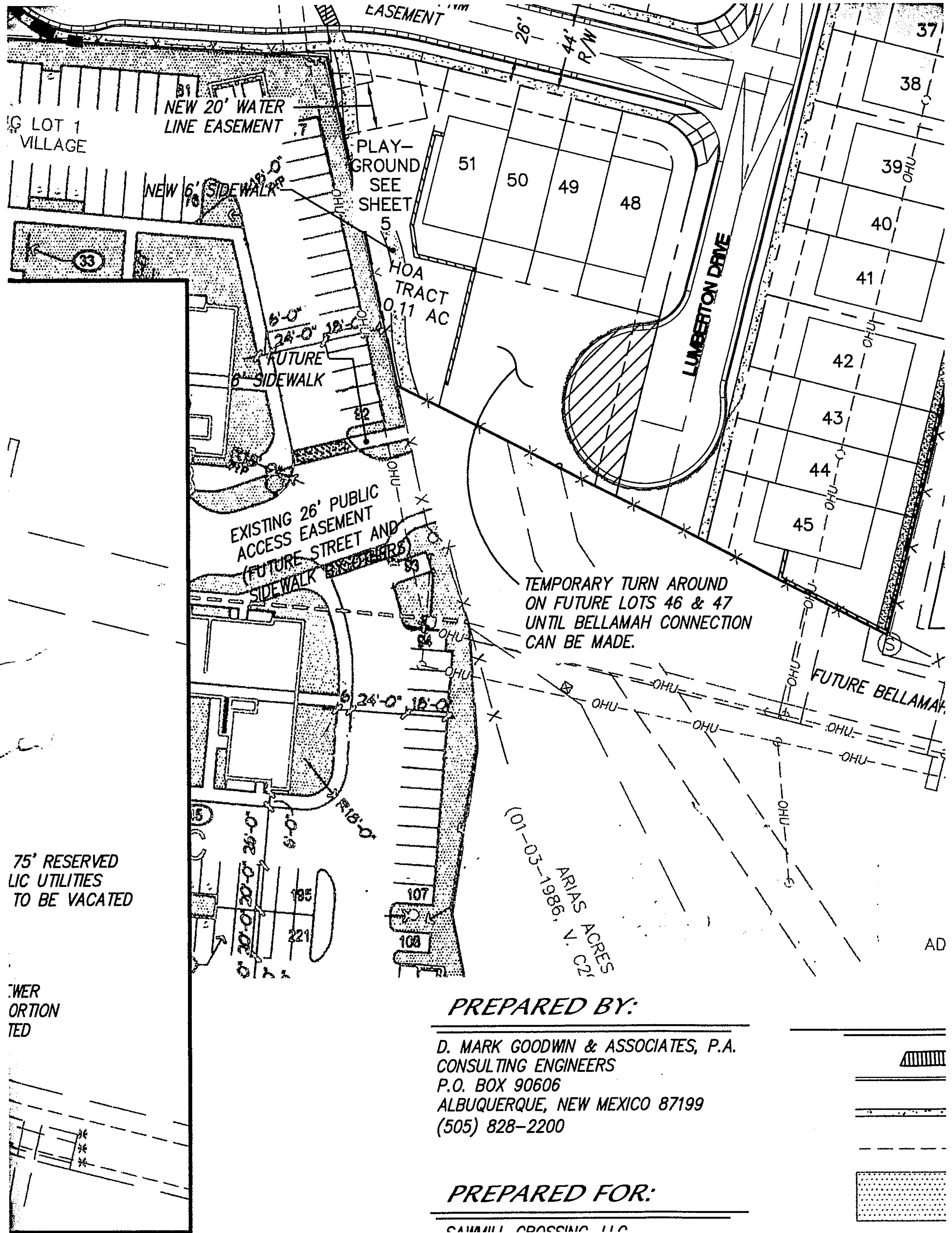
INTERNAL
Internal circ

BUILDING
Maximum

MAXIMUM
Maximum

LANDSC
For Land

PHASIN
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be comp

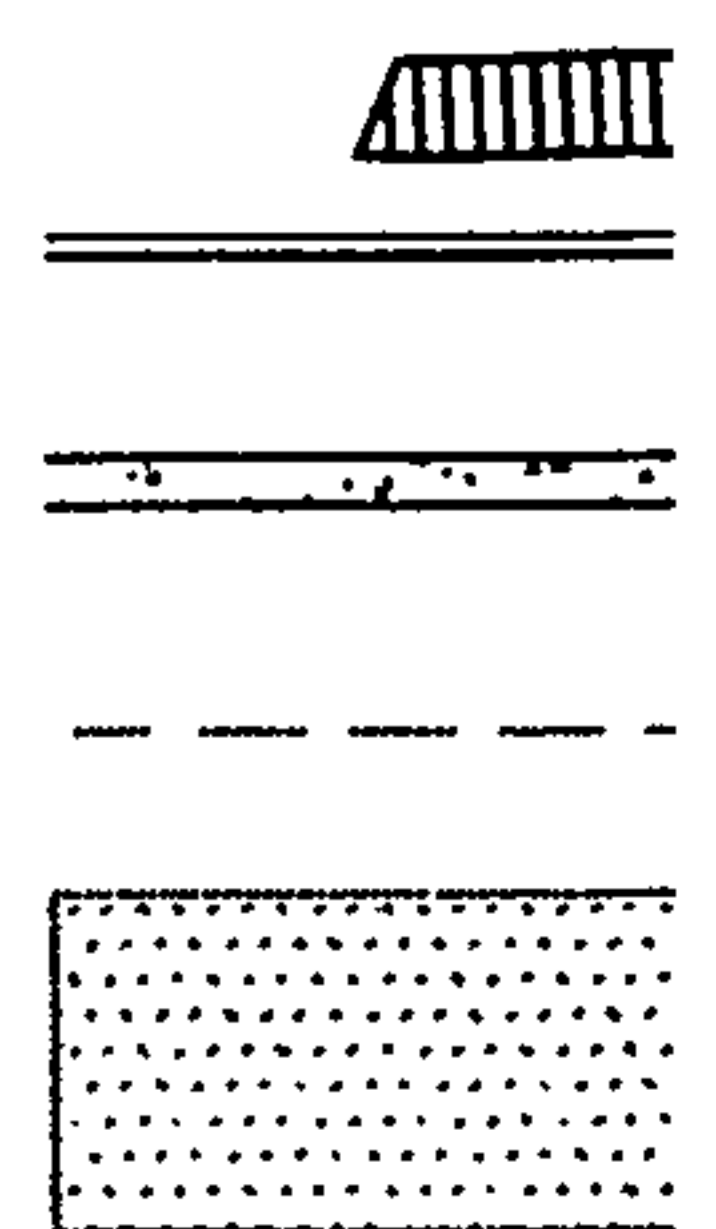


PREPARED BY:

D. MARK GOODWIN & ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 P.O. BOX 90606
 ALBUQUERQUE, NEW MEXICO 87199
 (505) 828-2200

PREPARED FOR:

CAMMILL CROSSING LLC





DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1009046

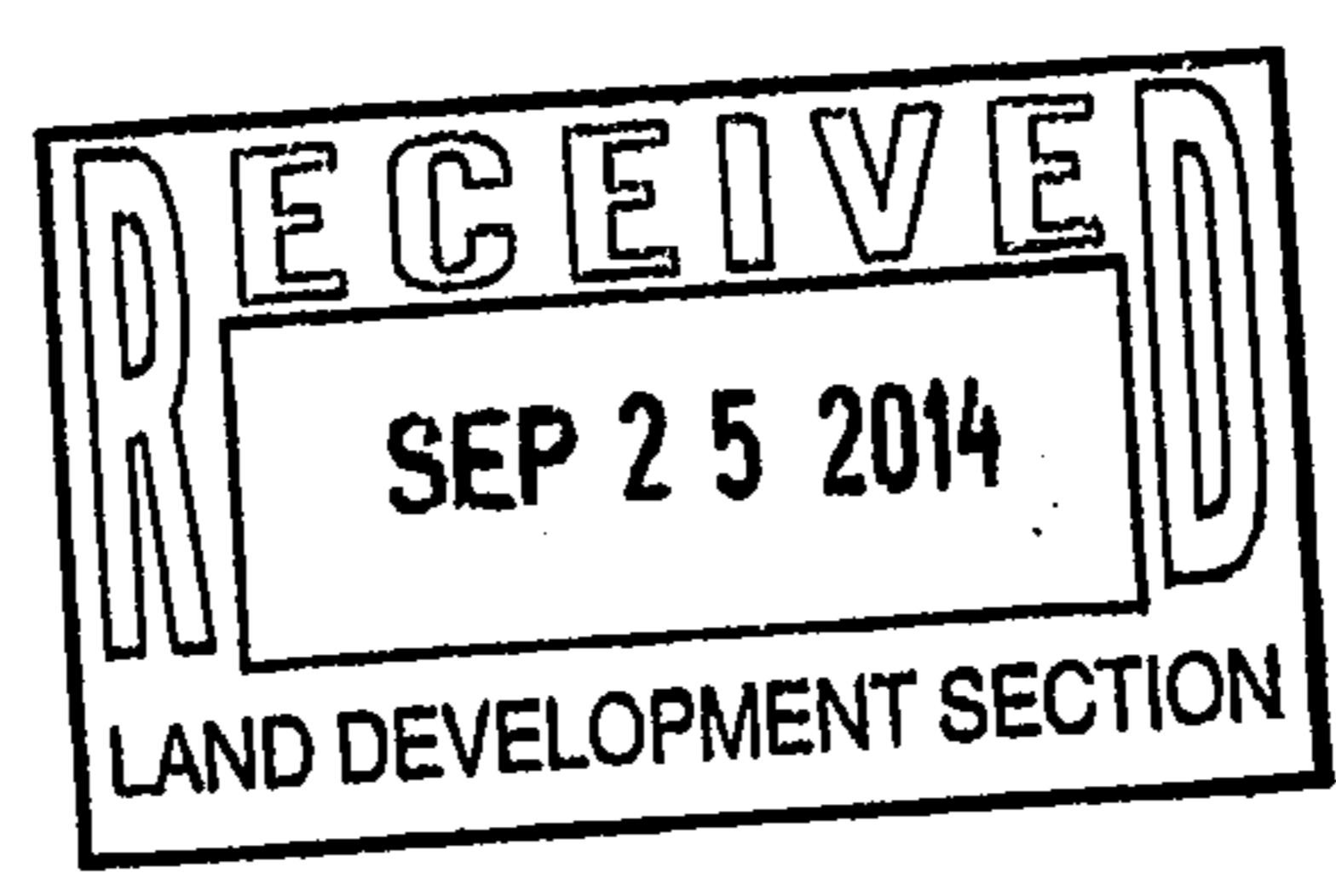
TO: ALL MEMBERS Application No. _____

- ALL MEMBERS
- Jack Cloud, DRB Chairman, Planning Department
- Curtis Cherne, P.E., Hydrology
- Kristal Metro, P.E., Transportation Development
- Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA
- Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: Oct. 1, 2014

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: resubmittal revised P.P. Sidewalk deferral exhibit, explanation letter, GFD Plan, Infrastructure List



CONTACT NAME: Diane Hoelzer

TELEPHONE: 828-2200 EMAIL: diane@goodwinengineers.com



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~

September 26, 2014

Mr. Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Sawmill Crossing Unit 2 – (DRB 1009046)
Request approval of preliminary plat, temporary sidewalk deferral, sidewalk waiver and vacation of easements

Dear Mr. Cloud:

In response to comments received at the September 24 DRB hearing:

1. The conflict between the 5' sanitary (private) sewer service easement and 3' drainage easement on Lot 34 has been resolved. The drainage easement and side yard channel on this lot has been eliminated.
2. The sidewalk exhibit has been updated and revised and the keyed note (1) on the Infrastructure list has been revised.
3. A drainage easement note for Tract C, D and E has been added to the plat.
4. A separate maintenance note for all the private drainage channels located in the private drainage easements has been added to the plat.
5. The infrastructure list has been revised to reflect channels on lots 61-62.
6. A sidewalk waiver is requested along the east side of Lot 27. The justification for this request is that a sidewalk along the east side of Lot 27 would abruptly end at a wall, therefore serving no pedestrian or practical purpose. A wheelchair ramp at the corner of Lot 27 will allow pedestrians to cross over to the other side where there is a sidewalk in the right of way adjacent to the front yards.

To reflect the above change, a revised preliminary plat, grading plan (dated 9-25-14), infrastructure list and sidewalk exhibit are being re-submitted.

Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Diane Hoelzer, PE
Senior Engineer
DLH/dlh
Attachments

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: October 1, 2014
Date Site Plan Approved: _____
Date Preliminary Plat Approved: _____
Date Preliminary Plat Expires: _____
DRB Project No.: 1009046
DRB Application No.: _____

INFRASTRUCTURE LIST

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

Sawmill Crossing Unit 2

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

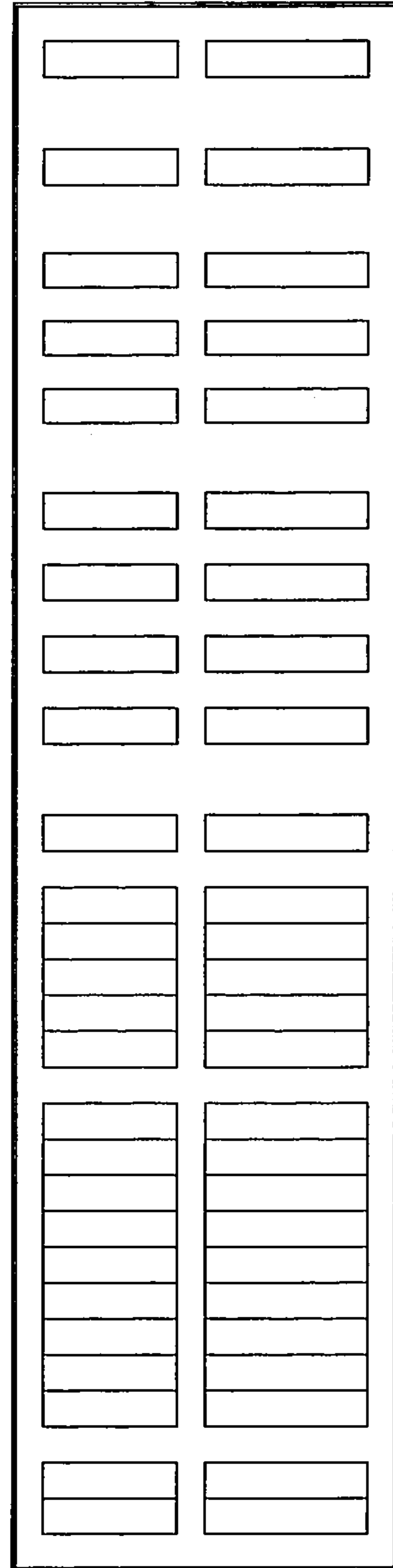
Tract B, Sawmill Crossing Unit 1

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

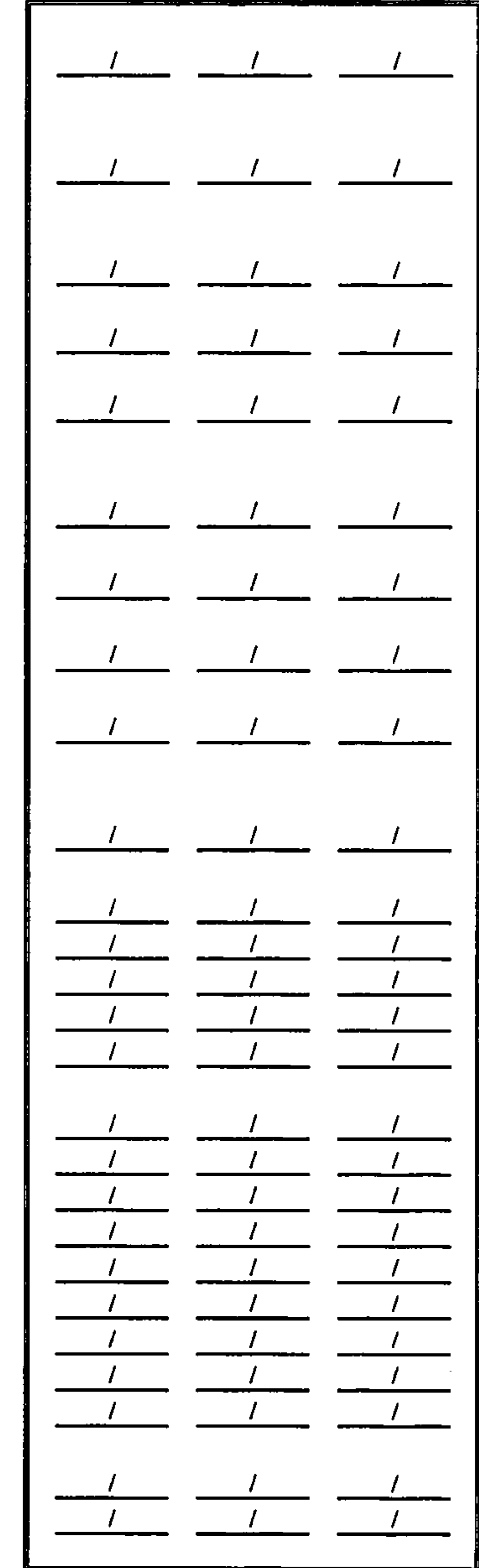
Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
		26' FF	PAVING Perm Pvmt	Band Saw Drive	Timber Drive	Lumberton Drive	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		26' FF	Perm Pvmt	Lumberton Drive	Band Saw Drive	South Prop. Line	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		4'	Sidewalk (west side) Hammerhead - Temp Pavmt	Lots 48, 52, 80 Tract C-Public Access Esmt			/	/	/
		24' FF	Perm Pvmt	Lumberton Drive Stub	Band Saw Drive	End Stub	/	/	/
		4'	C&G (both sides) Sidewalk (east side only) (1)						
		26' FF	Perm Pvmt	Cheshire Court	Lumberton Drive	End of Culdesac	/	/	/
		4'	C&G (both sides) Sidewalk (both sides) (1)						
		6'	Sidewalk	Tract E	Tract D	Cheshire Court	/	/	/
		6'	Sidewalk	Tract F	Cheshire Court	South Prop. Line	/	/	/
		12"	WATERLINE Waterline	Band Saw Drive	Exist 12" WL @ Timber	Lumberton Drive	/	/	/





12"	Waterline	Lumberton Drive	Band Saw Drive	South Prop.Line at lot 45
4"	Waterline	Lumberton Drive Stub	Band Saw Drive	Lot 28
10"	Waterline	Cheshire Court	Lumberton Drive	Exist 10" WL (near Lot 51)
6"	Waterline	Cheshire Court	10" WL	Exist/ 6" WL
12"	Waterline	Tract G	Culdesac Lumberton Dr.	Exist 12" WL
SANITARY SEWER				
8"	Sanitary Sewer	Lumberton Drive	Exist SAS Band Saw Dr	Lot 45
8"	Sanitary Sewer	Cheshire Court	Lumberton Drive	Lot 63
8"	Sanitary Sewer	Aspen Ave	Existing MH East P.L.	New M.H. to West
	Sanitary Sewer Service Line Extension	Lot 34		
STORM DRAIN				
	Type C Inlet	Culdesac Cheshire Court	Connect to Exist. 18" pipe	
12"	Sidewalk Culvert	ROW Tract E		
12"	Sidewalk Culvert	ROW Lot 60		
12"	Sidewalk Culvert	ROW Lot 51		
12"	Sidewalk Culvert	ROW Lot 38		
12"	Sidewalk Culvert	ROW Lot 34		
12"	Rear Yard Channel	Lots 28-33		
12"	Rear Yard Channel	Lots 36-38		
12"	Rear Yard Channel	Lots 39-40		
12"	Rear Yard Channel	Lots 41-44		
12"	Rear Yard Channel	Lots 49-51		
12"	Rear Yard Channel	Lots 52-58		
12"	Rear Yard Channel	Lots 59-60		
12"	Rear Yard Channel	Lots 61-63		
12"	Rear Yard Channel	Lots 73-80		
12"	Side Yard Channel	Lot 38, 51, 60		
12"	Side Yard Channel	Tract E, Tract C		



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

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

- 1 Sidewalks to be Deferred as per Sidewalk Exhibit
- 2 Street Lights Per DPM
- 3 Water Infrastructure includes Valves, Fittings, Valve Boxes, Fire Hydrants, and Appurtenances.
- 4 Sanitary Sewer includes manholes and service connection to propoerty line
- 5 Grading & Drianage certification per DPM for releast of SIA & Financial Guaranty's. Financial Guaranty's are not required for grading.
- 6
- 7

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
Diane Hoelzer, P.E. NAME (print) MARK GOODWIN & ASSOCIATES FIRM <i>Diane Hoelzer</i> 9-24-14 SIGNATURE date MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB EXTENSION: <u>N/A</u>	DRB CHAIR - date TRANSPORTATION DEVELOPMENT - date UTILITY DEVELOPMENT - date CITY ENGINEER - date	PARKS & GENERAL SERVICES - date AMAFCA - date _____ - date _____ - date
DESIGN REVIEW COMMITTEE REVISIONS		

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

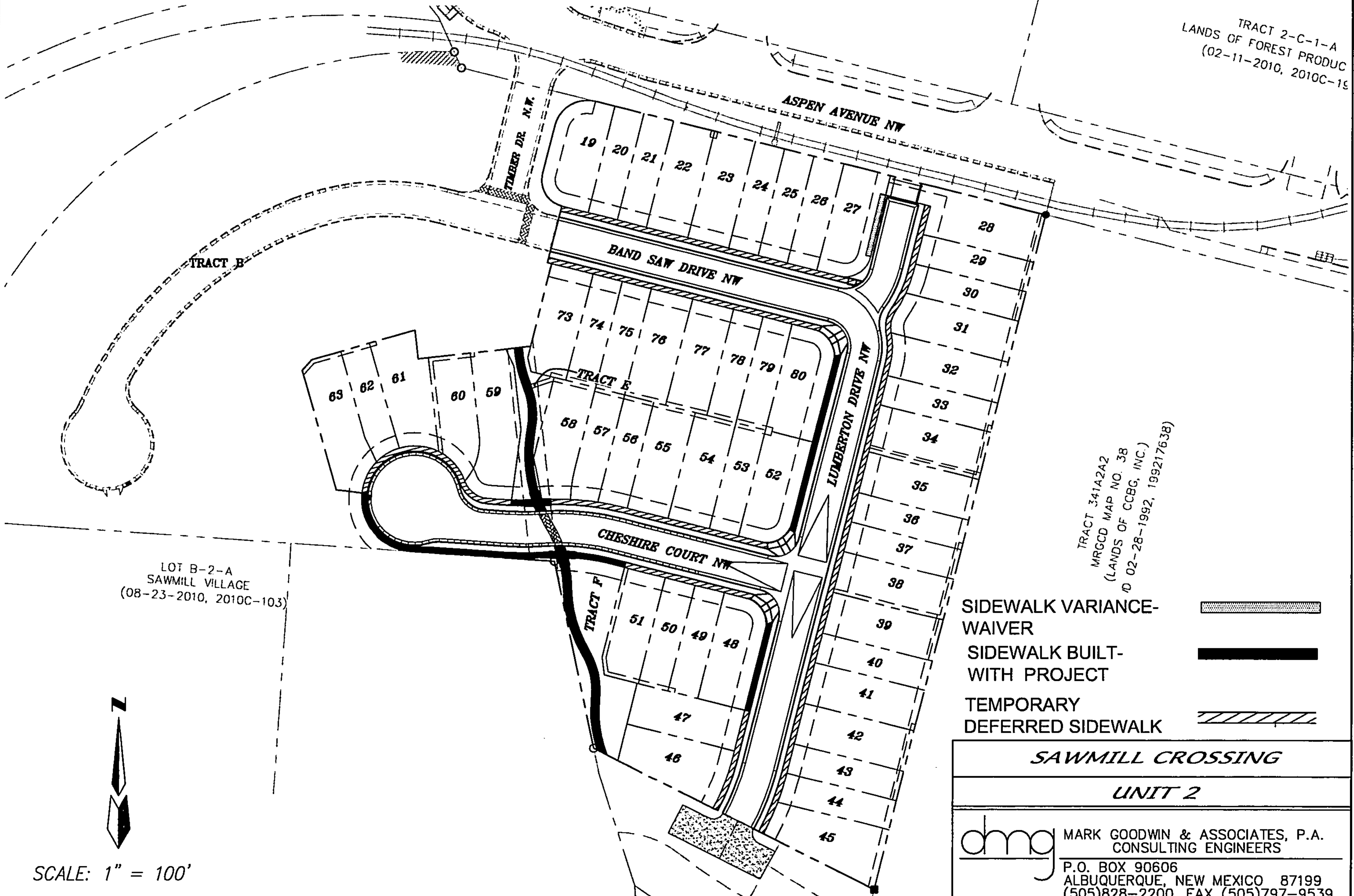


TEMPORARY SIDEWALK DEFERRAL AND SIDEWALK VARIANCE / WAIVER EXHIBIT

TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO.
(02-11-2010, 2010C-19)

TRACT 2-C-1-A
LANDS OF FOREST PRODUC
(02-11-2010, 2010C-19)

F:\A13003S\A13003 Sawm Unit 2\FX-B TS\A13003 SDFWA < WA VFR-DFFPRFD FX-B T.dwg, 9/24/2014 3:33:32 PM, DFR



LOT B-2-A
SAWMILL VILLAGE
(08-23-2010, 2010C-103)

TRACT 341A2A2
MRGCD MAP NO. 38
(LANDS OF CCBG, INC.)
D 02-28-1992, 199217638)

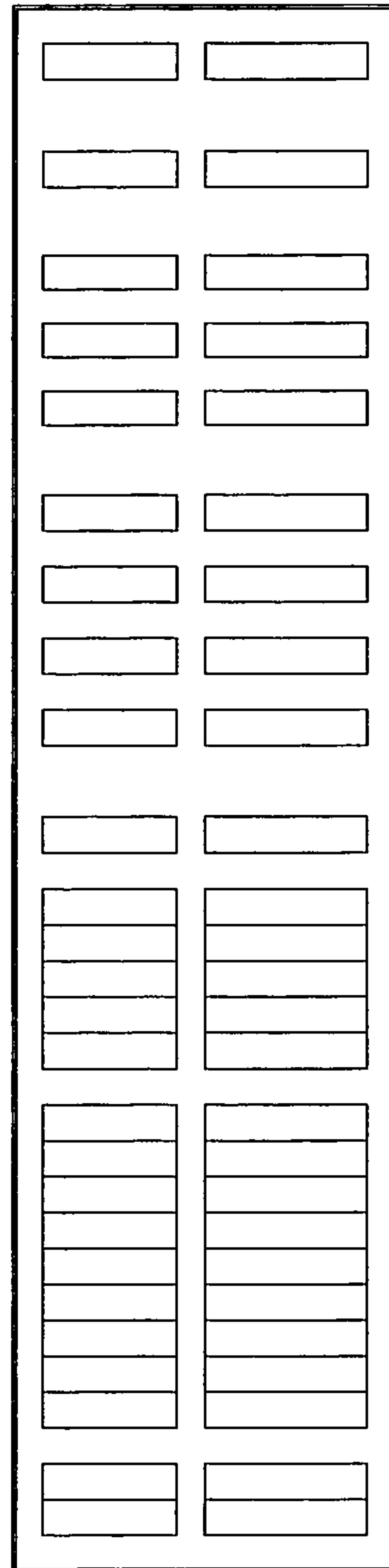
- SIDEWALK VARIANCE-WAIVER
- SIDEWALK BUILT-WITH PROJECT
- TEMPORARY DEFERRED SIDEWALK

SAWMILL CROSSING
UNIT 2

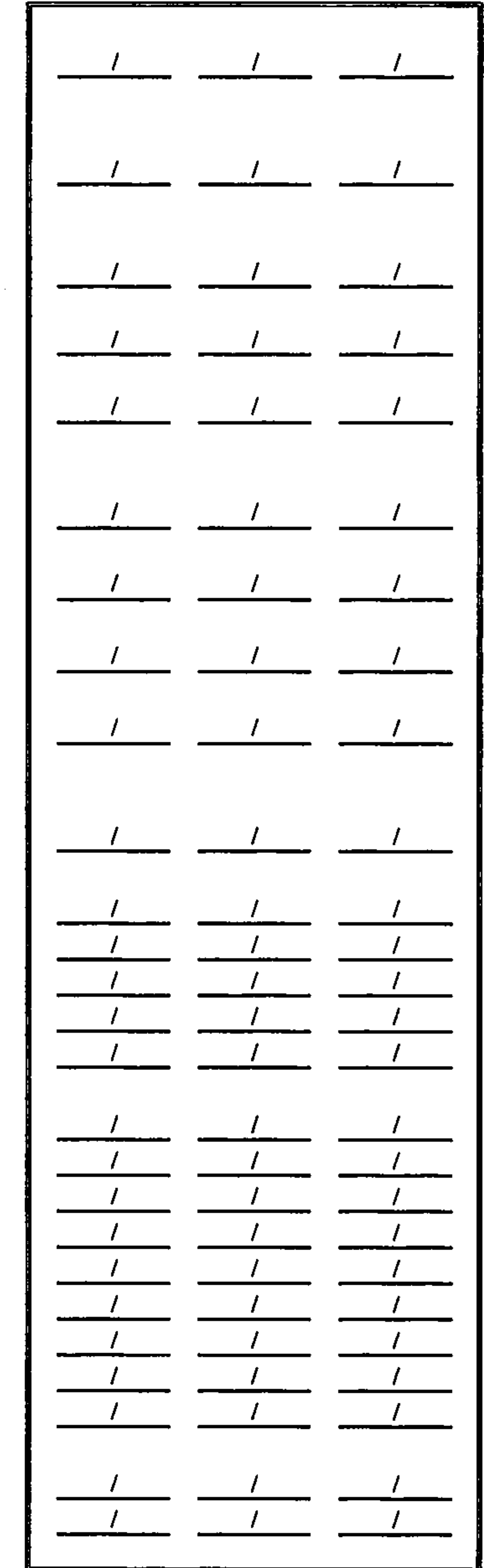
dmg MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539



SCALE: 1" = 100'



12"	Waterline	Lumberton Drive	Band Saw Drive	South Prop.Line at lot 45
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Approval of Creditable Items:							Approval of Creditable Items:		
Impact Fee Administrator Signature Date							City User Dept. Signature Date		

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- 7

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS
---------------	---

<p><u>Diane Hoelzer, P.E.</u> NAME (print)</p> <p><u>MARK GOODWIN & ASSOCIATES</u> FIRM</p> <p><i>Diane Hoelzer</i> 9-24-14 SIGNATURE date</p> <p>MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB EXTENSION: <u>N/A</u></p>	<p>_____ DRB CHAIR - date</p> <p>_____ TRANSPORTATION DEVELOPMENT - date</p> <p>_____ UTILITY DEVELOPMENT - date</p> <p>_____ CITY ENGINEER - date</p>	<p>_____ PARKS & GENERAL SERVICES - date</p> <p>_____ AMAFCA - date</p> <p>_____ - date</p> <p>_____ - date</p>
---	--	---

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER





D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
~ 2008 ACEC/NM Award Winner for Engineering Excellence ~*

September 26, 2014

Mr. Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**Re: Sawmill Crossing Unit 2 – (DRB 1009046)
Request approval of preliminary plat, temporary sidewalk deferral, sidewalk waiver and vacation of easements**

Dear Mr. Cloud:

In response to comments received at the September 24 DRB hearing:

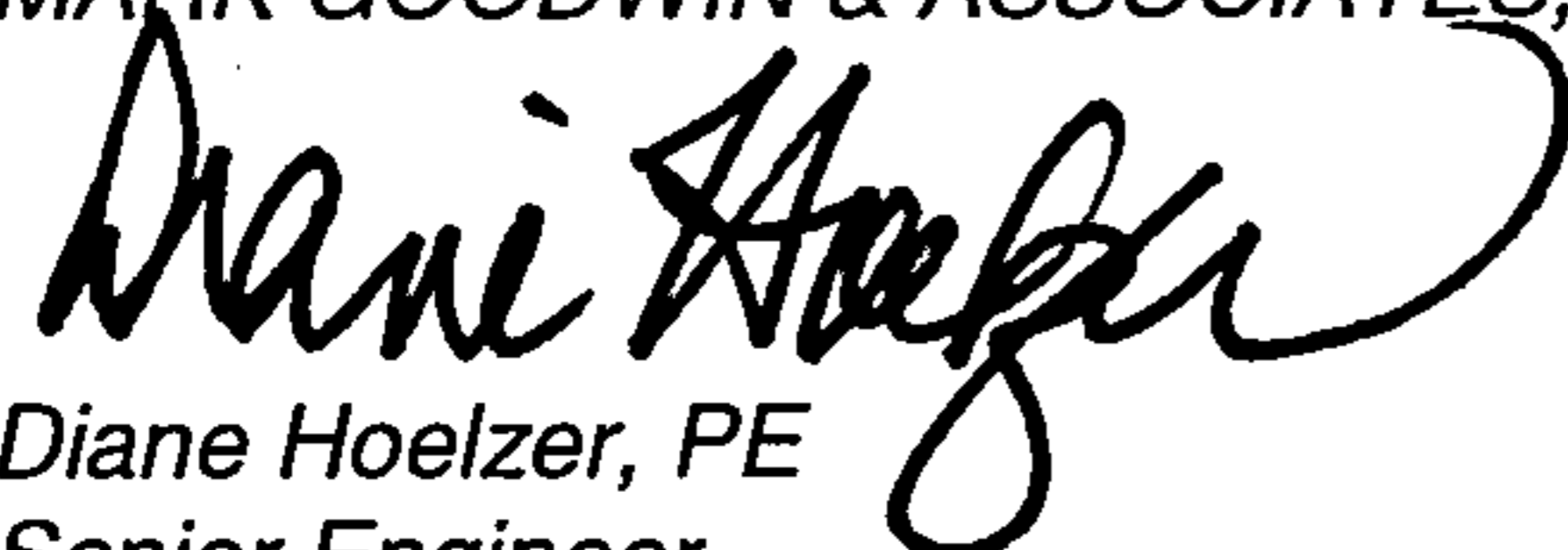
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To reflect the above change, a revised preliminary plat, grading plan (dated 9-25-14), infrastructure list and sidewalk exhibit are being re-submitted.

Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA


Diane Hoelzer, PE
Senior Engineer
DLH/dlh
Attachments

✂
✂
✂

MARK GOODWIN & ASSOCIATES, PA

LETTER OF TRANSMITTAL

TO: Jack Cloud
DRB
One Stop 1th Floor
Plaza del Sol

DATE: September 24, 2014
DRB # 1009046
RE: Sawmill Crossing Unit 2

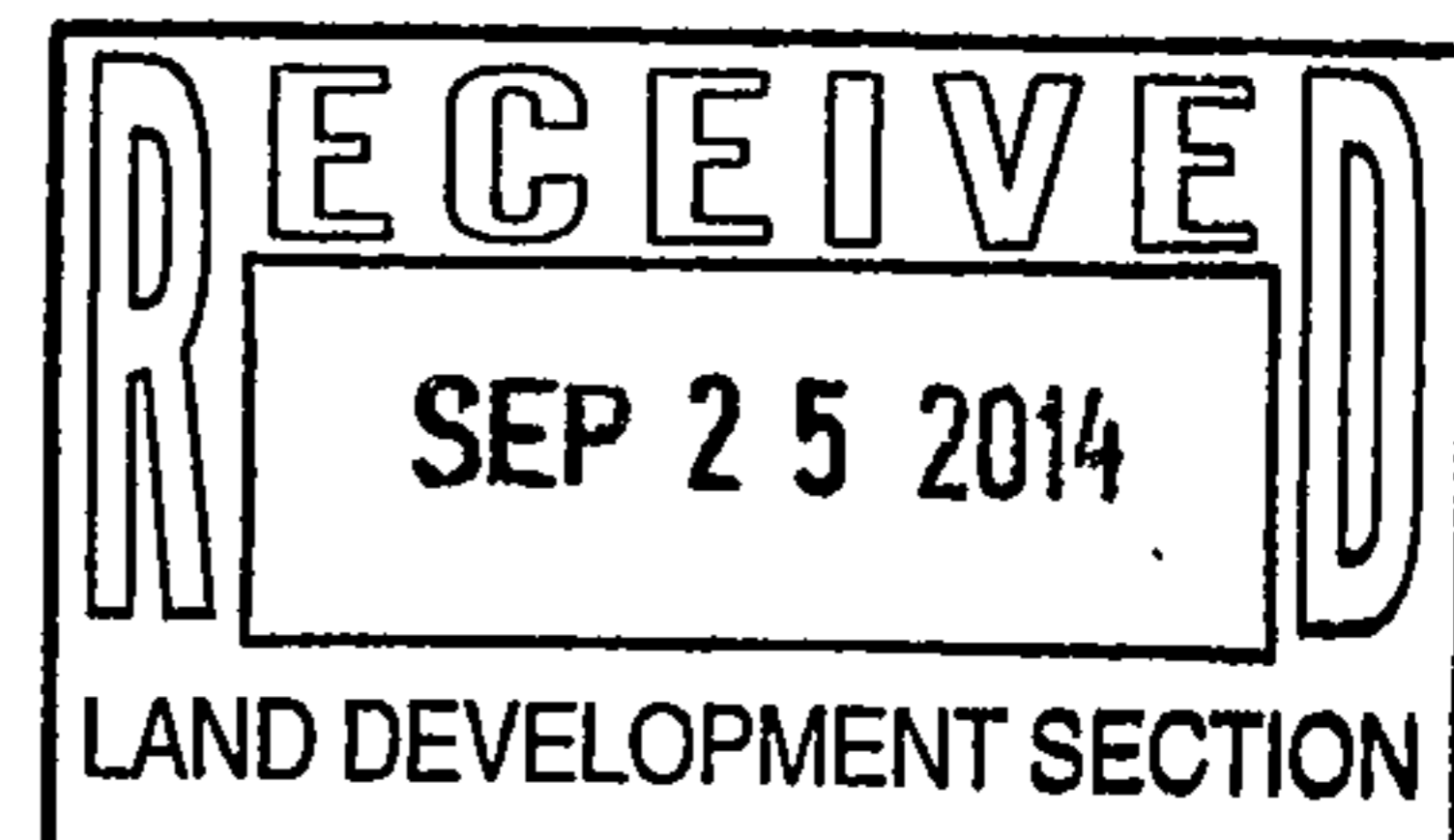
ITEMS BEING TRANSMITTED

6	Explanation Letter
6	Preliminary Plat
6	Grading and Drainage Plan
6	Infrastructure List
6	Sidewalk Deferral Exhibit

X For distribution prior to anticipated DRB hearing on October 1.

Thanks,

PROJECT ENGINEER: *Diane Hoelzer*
Diane Hoelzer, PE





DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 1009046

TO: Application No. _____

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

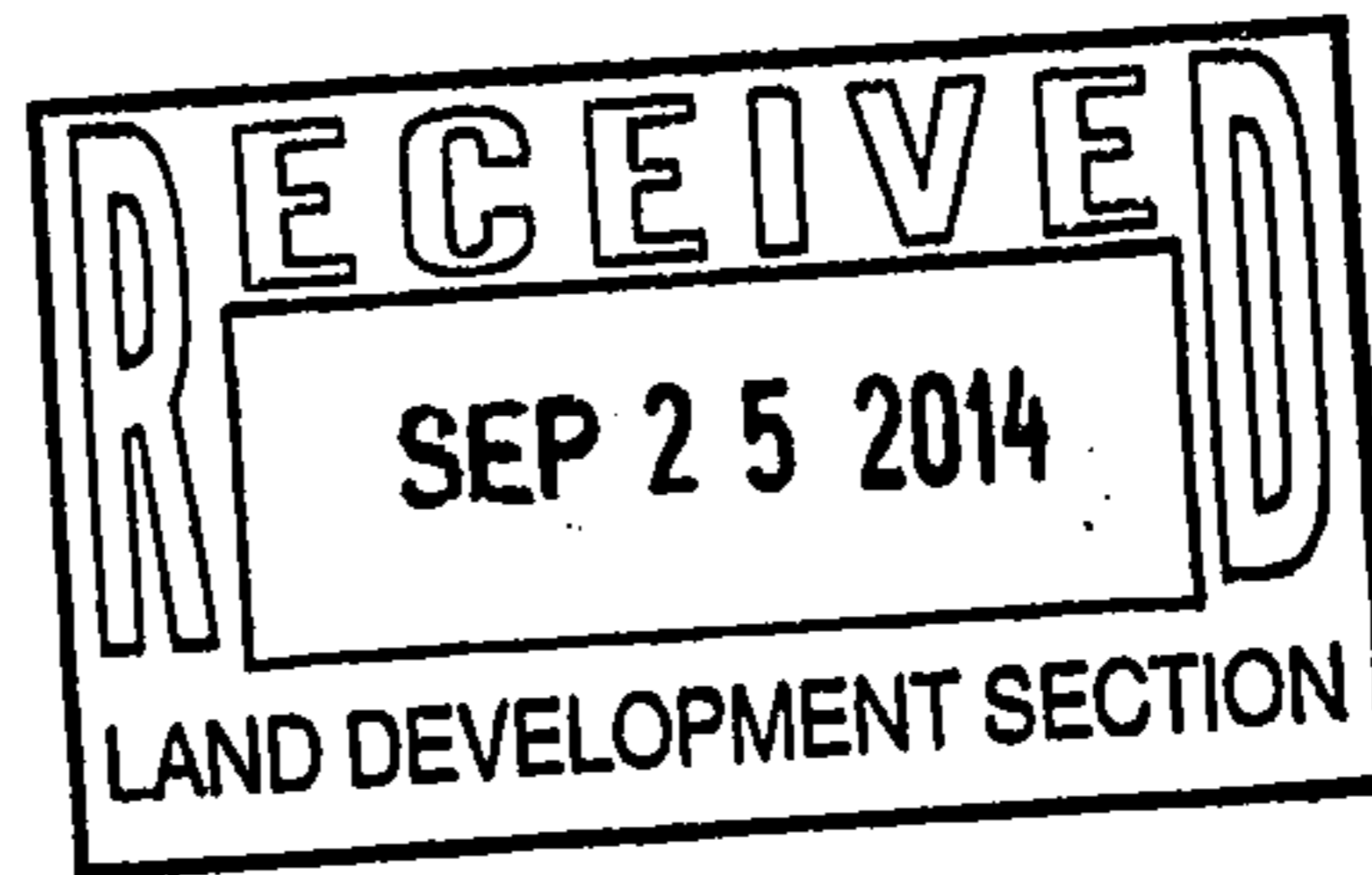
Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: Oct. 1, 2014

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: resubmitted revised P.P., Sidewalk deferral
exhibit, explanation letter, GUD Plan, Infrastructure, List



CONTACT NAME: Diane Hoelzer

TELEPHONE: 828-2200 EMAIL: diane@goodwinengineers.com




TEMPORARY SIDEWALK DEFERRAL AND SIDEWALK VARIANCE / WAIVER EXHIBIT

TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO.
(02-11-2010, 2010C-19)

TRACT 2-C-1-A
LANDS OF FOREST PRODUC
(02-11-2010, 2010C-19)

LOT B-2-A
SAWMILL VILLAGE
(08-23-2010, 2010C-103)

TRACT 341A2A2
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- SIDEWALK VARIANCE-WAIVER 
- SIDEWALK BUILT-WITH PROJECT 
- TEMPORARY DEFERRED SIDEWALK 

SAWMILL CROSSING

UNIT 2



MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539



SCALE: 1" = 100'

F:\A\3003 Sawmill Unit 2\FX-B\TS\A\3003 S.DFWA.dwg WA VFP-DEFERRED EXHIBIT.dwg 9/24/2014 3:33:32 PM. DEF



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 10090246

TO: Application No. _____

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtis Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co. WUA

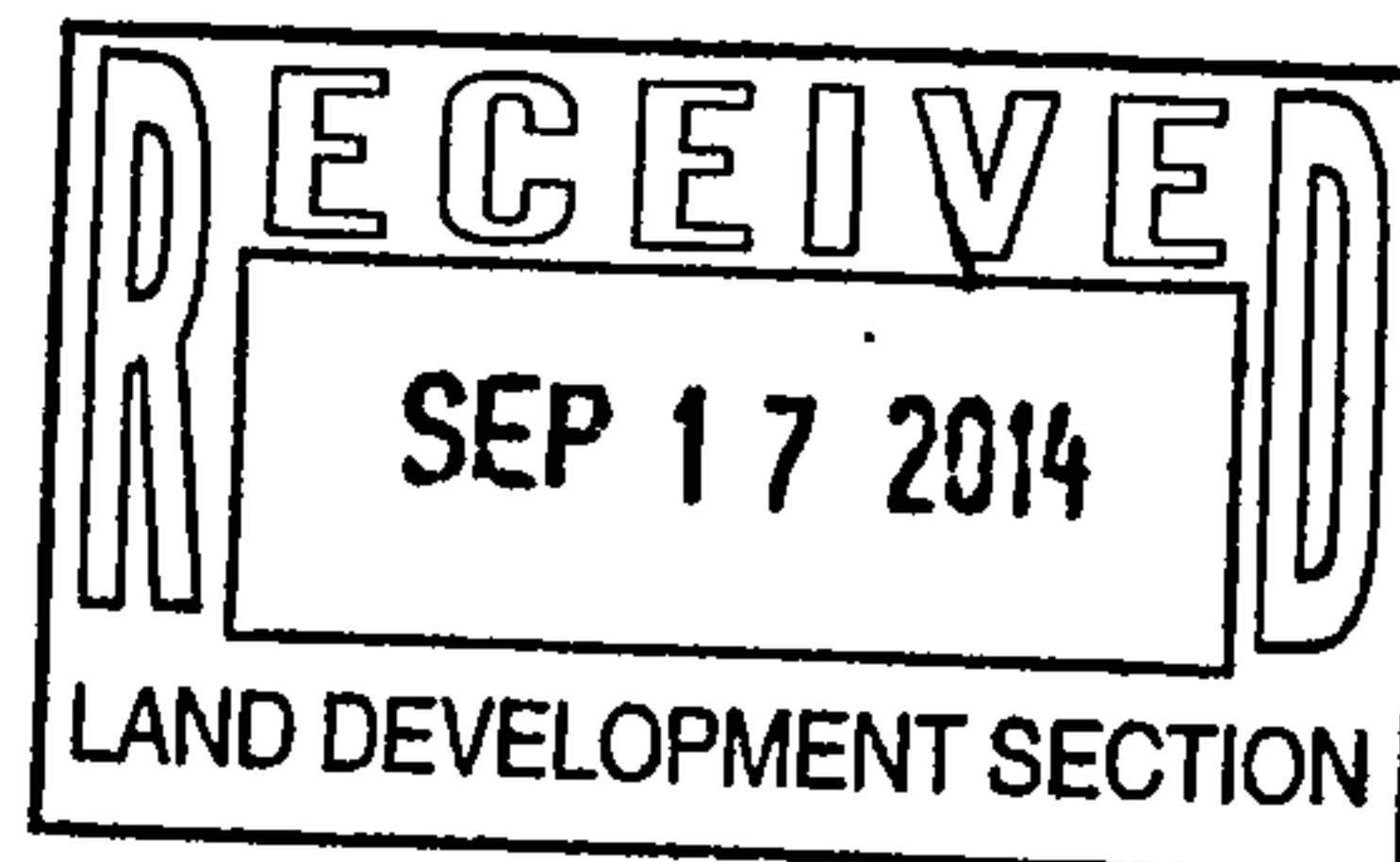
Carol Dumont, Parks/Municipal Development

NEXT HEARING DATE: 09/24/14

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: preliminary plat, grading & drainage plan,

infrastructure list



CONTACT NAME: Diane Huetzer, Mark Goodwin & Assoc.

TELEPHONE: 505 828 2200 EMAIL: diane@goodwineengineers.com

MARK GOODWIN & ASSOCIATES, PA

LETTER OF TRANSMITTAL

TO: Jack Cloud
DRB
One Stop 1th Floor
Plaza del Sol

DATE: September 16, 2014
DRB # 1009046
RE: Sawmill Crossing Unit 2

ITEMS BEING TRANSMITTED

6	Preliminary Plat
6	Grading and Drainage Plan
6	Infrastructure List
1	Cover letter

X For distribution prior to anticipated DRB hearing on September 24.

Thanks,

PROJECT ENGINEER: *Diane Hoelzer*
Diane Hoelzer, PE



D. Mark Goodwin & Associates, P.A.
Consulting Engineers

P.O. BOX 90606, ALBUQUERQUE, NM 87199
(505) 828-2200 FAX 797-9539

*~ 2012 ACEC/NM Award Winner for Engineering Excellence ~
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September 17, 2014

Mr. Jack Cloud
DRB Chair
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

**Re: Sawmill Crossing Unit 2 – (DRB 1009046)
Request approval of preliminary plat, temporary sidewalk deferral, sidewalk waiver and vacation**

Dear Mr. Cloud:

In response to comments received at the July 30 DRB hearing:

1. The required right of way for Lumberton Drive has been extended to our south property line. The temporary culdesac has been eliminated and a hammerhead configuration has been added to the infrastructure list to be contained within the public access easement in Tract C which was dedicated and recorded 3-24-14.

To reflect the above change, revised preliminary plat, grading plan (dated 9-16-14) and infrastructure list are also being submitted.

Please contact our office if you have any questions or comments.

Sincerely,

MARK GOODWIN & ASSOCIATES, PA

Diane Hoelzer, PE
Senior Engineer

DLH/dlh
Attachments

SITE DESIGN STANDARDS

The purpose of these design standards is to enhance the developed surface appearance so that new residents and their visitors can experience a positive visual feel within their new home environment. These standards establish the basis from which the new home builder will use to create an inviting and vibrant community that when combined with distinctive identities can be unique to the Sawmill Area. The Sawmill Sector Development Plan has been utilized as the foundation from which key aesthetic elements have been generated, but the ultimate goal is to enhance the minimums so that a recognizable difference can be perceived by all observers within Sawmill Crossing. Development shall comply with the general regulations of the Zoning Code and the Sawmill/Wells Park Sector Development Plan, except where otherwise noted herein. Where there is a conflict between the regulations and these design standards, the more restrictive shall apply.

I. BUILDING FORMS

All new dwellings shall be attached townhomes and joined together as two units, three units, or in a four-unit building, with each home being on its own lot. As detailed on this sheet, the townhomes located on the outside shall have minimum typical lot dimensions of at least 32 feet by 83 feet and the buildings will be 27 feet by 48 feet. With the three and four unit buildings, either one or two slightly smaller inside units (minimum 23 foot by 83 foot lot and 23 foot by 45 foot dwelling) will be combined with the outside units. Facades of inside units shall be recessed at least 3 feet behind the facades of exterior units. Interior dwelling areas will range from 880 SF up to 1000 SF (up to 10% of site max).

- A. The maximum number of connected dwelling units shall be five.
- B. All buildings shall be two stories.

II. ARCHITECTURAL STANDARDS

- A. The exterior building materials utilized in construction of the homes, including colors, window and door styles, and roof slope and materials, shall be the same or similar on all parts of the structure.
- B. Typical building styles within this development shall be Southwest or New Mexico Vernacular, Pueblo, Territorial, or Northern New Mexico. Minor variations to these typical appearances may be allowed in order to customize individual homeowner preferences, provided the fundamental characteristics of the particular style are maintained. Courtyards and their walls shall also be consistent with the theme of the main building.
- C. Inside townhome facades shall be recessed in at least 5 feet or protrude out at least 5 feet from their garage front.
- D. Roofs may be flat, pitched, or combination of both, and they may be metal with colors being limited to earth-toned browns, grays, gavalume, and greens. When not flat, roof slopes shall be 4:12 or greater.
- E. All front doors of dwellings shall face the street.
- F. The garage doors on outside townhomes shall not be wider than 16 feet and on inside townhomes not wider than 8 feet. With four connected units the maximum allowed garage door width shall be 50% of total building width. With three connected units the maximum allowed width shall be 52%, and with two connected units the maximum allowed width shall be 59%.
- G. Exterior finishes on all new homes shall be stucco that is limited to earth-toned shades of brown, tan or sage green. Standard, untextured 8-inch by 16-inch CMU block is not allowed as a finish material for buildings. Where more than one dwelling unit is attached, the stucco color of the inside unit(s) shall be of a different color than the outside units.
- H. Accent materials shall consist of rock, tile, or brick in the entry porches, front doors, window frames and related trim. These elements shall be limited to shades of white, blue, brown, or green.
- I. Exterior doors and garage doors shall be composed of painted metal, stained wood or painted wood, all of which shall match the architectural theme of the dwelling.
- J. Not less than 12.5% of a building facade facing public R/W shall be windows (to include garage door windows). New windows shall be recessed at least 2 inches or surrounded by a casing not less than 2 inches wide. Reflective glass is not permitted.

III. PEDESTRIAN ACCESS AND CIRCULATION

- A. Running north to south through the middle of Sawmill Crossing is a proposed 6-foot sidewalk that shall connect directly between Aspen Avenue and Bellamah Avenue. This sidewalk shall also connect to where a new sidewalk is stubbed out by the adjoining Sawmill Village. North of the subject property the new on-site pedestrian route shall be extended to tie into the existing sidewalk along the west side of Hill Pond Road. Inside the site benches shall be provided every 100 feet along the route.
- B. New sidewalks shall be installed in front of all new dwellings and along the south side of the on-site ponding area.
- C. All pedestrian improvements shall be handicap accessible and constructed according to the ADA regulations. New handicap ramps shall be installed at all street intersections and wherever a sidewalk has to cross a street, with pavement markings to identify the cross-walk.
- D. Lot 27 shall contain a handicap accessible dwelling with interior design features intended to accommodate handicapped individuals. It shall be eligible to be converted to a conventional dwelling if it is not sought after by a handicapped individual. Handicapped accessible units may be less than two stories.

IV. OPEN SPACE

- A. Minimum area of usable open space for outside townhomes shall be 100 SF while minimum usable area for inside townhomes shall be at least 400 SF (except for irregular shapes).
- B. At least 10,000 SF of additional open space shall be provided on the pedestrian route running through the middle of the site and in the picnic area.

V. LIGHTING STANDARDS

- A. Lighting on public streets shall be in accordance with the City's DPM and Regulation 14-16-3-9 of the Zoning Code.
- B. The use of low-profile, spread-lighting fixtures may be used to accent and provide illumination of landscaped walkways, provided that up-lighting fixtures are not used.
- C. Building mounted lighting shall be shielded and designed to minimize fugitive lighting across property lines, and not projecting upward so that dark skies can be preserved.

VI. LANDSCAPE STANDARDS

- A. **Front Yard Minimum**
 - 1. Accent tree of least 2" caliper or 10 feet high at the time of planting
 - 4. Shrubs (minimum 5 gallon)
 - 4. Shrubs (minimum 1 gallon)
 - 2. Landscape Boulders (3' x 3' minimum, with only one being placed in middle units)
- B. Accentuating "river rock" (max. 25% of area) and bark mulch (tree wells only) is as permitted in front yard landscaping.
- C. At a minimum, all front yard landscaping and common area landscaping shall be required to contain 1/2" to 3/4" diameter Santa Ana Tan, Santa Fe Brown, or Pueblo Rose (or similar) rock over filter fabric in all front yard areas that are not covered with living vegetative groundcover.
- D. Automatic underground irrigation systems are required to support all landscaped areas and its design shall be in accordance with the City's Water Conservation Landscaping Ordinance.
- E. Within individual lots landscaping and irrigation system maintenance shall be the responsibility of the homeowner including that which is between the curb and sidewalk. Landscaping shall be maintained in a healthy and attractive condition.
- F. Irrigation and landscaping maintenance outside of individual lots shall be the responsibility of the HOA.
- G. Xerisc principles are to be employed when designing landscaped areas and they shall include the use of water harvesting areas to the extent possible.
- H. Shade trees spaced at least 30 feet on center shall be installed along the site's north boundary within the rear yards of selected homes along Aspen Ave. Trees located with Aspen Ave. R/W will be maintained by the HOA, while those within individual rear yards will be maintained by those particular home owners. A minimum of 75% of the ground in this area shall be covered with live plant material using anticipated mature tree and plant sizes.

VII. SCREENING / WALLS & FENCES

- A. Perimeter walls around the property shall be designed in accordance with Section 14-16-3-19 (B) of the City Zoning Code. Walls shall be colored, consist of a patterned scheme, and be constructed of split-face concrete masonry topped with a continuous cap (see detail on this sheet).
- B. Side and courtyard walls shall be limited to 5 feet high.
- C. Unfinished gray block, barbed wire, chain-link, and vinyl fencing are prohibited.
- D. Maximum rear yard and perimeter wall heights shall be 6 feet, unless noted otherwise.

VIII. SETBACKS

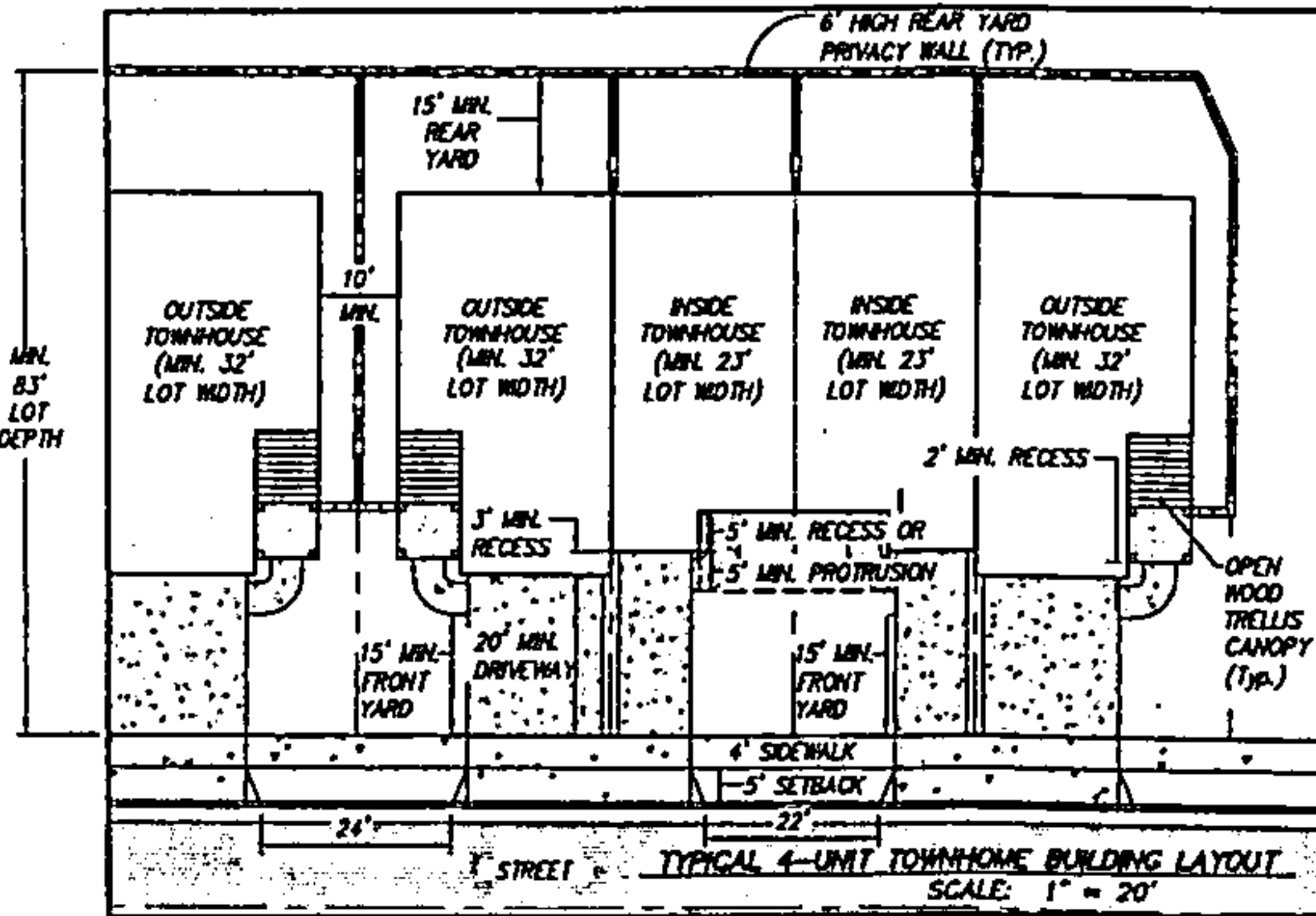
- A. Minimum Front Yard: 15 feet, except for lot 60, which contains a minimum 10' setback
- B. Minimum Rear Yard: 15 feet, unless noted otherwise in the setback variance detail on this sheet. Lots 32 thru 45 shall contain a minimum 18' rear yard setback.
- C. Minimum Side Yard: No required setback, although there shall be at least 10 feet on the street side of corner lots (except Lots 18 and 45).
- D. There shall also be a minimum of 10 feet between residential buildings.
- E. Building portions over 15 feet high shall be setback not less than 25 feet from the front property line, except for the fronts of inside townhomes over the garage, which shall be setback not less than 23 feet from the front property line (see Lot 60, where there is a 10-foot front yard setback and the 23-foot setback may not be obtained).

IX. OFF-STREET PARKING

- A. For townhomes located on the outside of each building the minimum number of off-street parking spaces provided shall be four (except for the 160 SF outside unit, which shall be provided a minimum of 2 spaces) and a maximum of 10% of the site's dwellings (or 8 units). For townhomes located on the inside of buildings the minimum number of off-street parking spaces provided shall be two.
- B. Driveways shall not be less than 20 feet long.
- C. No more than 50% of each front, side, or rear yard setback area off a street shall be used for parking and/or driveway (except not more than 33% on outside units).

X. UTILITIES

- A. All new electric distribution, telecommunication, and cable TV lines associated with the project shall be placed underground. Refer to additional information provided on Sheet 5 regarding protection of existing on-site transmission line.
- B. Primary cable boxes, transformers, switch gear, and main-line telephone distribution cabinets shall be screened with walls and vegetation to the extent possible, provided they are still compliant with the standards of all dry utility companies. Vertical clearance from the transmission line to building roofs not accessible to pedestrians shall be at least 13 feet. Any structure not meeting horizontal clearance shall meet the vertical clearance.



XI. SIGNAGE

- A. Signage allowed with the site shall be as illustrated on the wall below with two signs being located at the entry.

NOISE

- A. New dwellings on Lot 19 through Lot 45 shall use sound insulation and other noise attenuation measures to allow for an indoor sound level of no more than 45 dBA. Building plans for dwellings on these lots shall be reviewed and certified by a qualified acoustical consultant to check for this limitation.

XIII. APPROVAL PROCESS

- A. Being less than 10 acres in size, the Environmental Planning Commission shall be the final authority for the request approval, with final Site Development Plan for Subdivision sign-off being delegated to the Development Review Board. Upon DRB approval of this Site Development Plan for Subdivision, building permit applications shall be checked for compliance to these design standards and approved by city Building Permit officials if they comply.
- B. In accordance with the Zoning Code, the Planning Director shall have the discretion to approve minor amendments to this site development plan, whereas major amendments shall be approved by the EPC.

SAWMILL/WELLS PARK SECTOR DEVELOPMENT PLAN
(with the General Regulations only those that apply to residential uses are listed below)

General RS-2 Regulations

3. RESIDENTIAL BUILDING DESIGN:

- 3.a. Building exterior materials (stucco, brick, wood, etc.), color, window and door styles, and roof slope and materials shall be the same or similar on all parts of a structure and on all detached dwelling units on one lot.

THIS PLAN COMPLES (REFER TO STANDARD I.D. AND I.L.G.)

- 3.b. Buildings shall not exceed 26 feet in height. Building portions over 15 feet high shall be setback from the front property line, except for the fronts of inside townhomes over the garage, which shall be setback not less than 23 feet from the front property line (see Lot 60, where there is a 10-foot front yard setback and the 23-foot setback may not be obtained).

- 3.c. Sawmill/Wells Park homes are predominantly small and one-story. Regulation 2.3 allows two-story homes and second story additions to be built if the second story is set back. The set back should prevent these larger homes from dominating and obscuring the small-scale character of the neighborhood.

The Zoning Code measures the height of a building with a pitched roof at or in the roof peak between the top plate and the roof ridge.



THIS PLAN COMPLES WITH MAXIMUM BUILDING HEIGHT LIMIT (REF. SHEET 1)

EXCEPTION

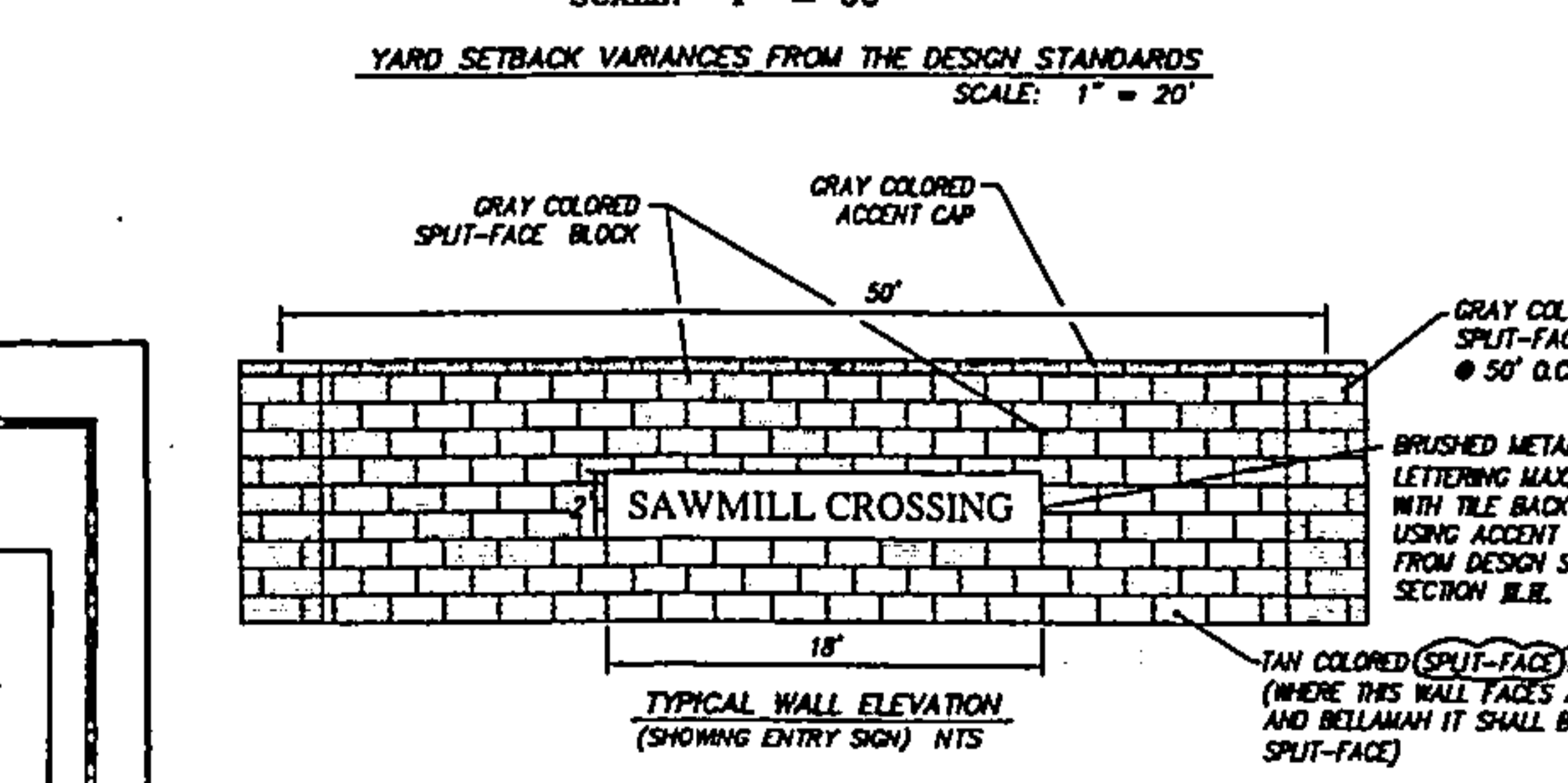
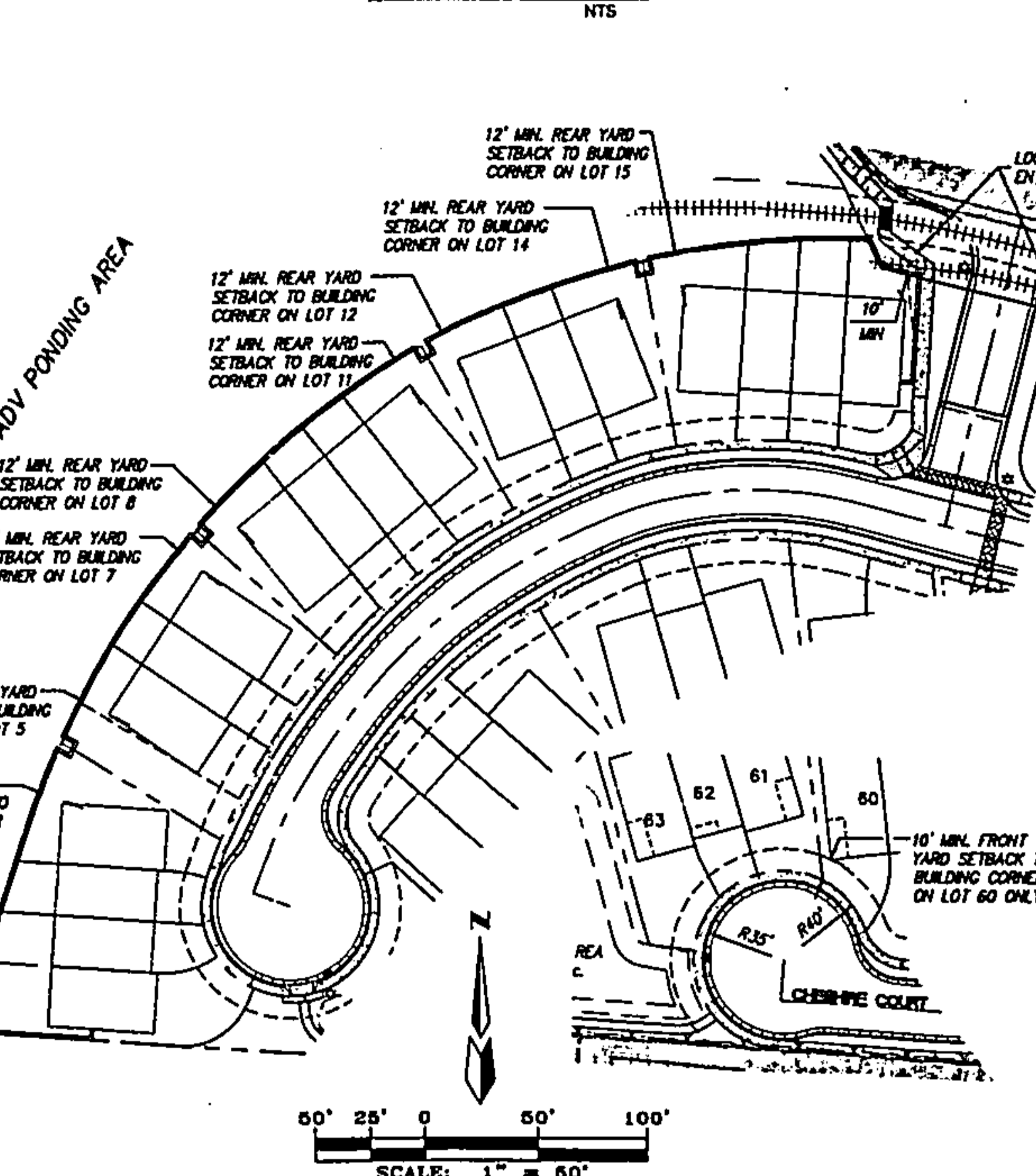
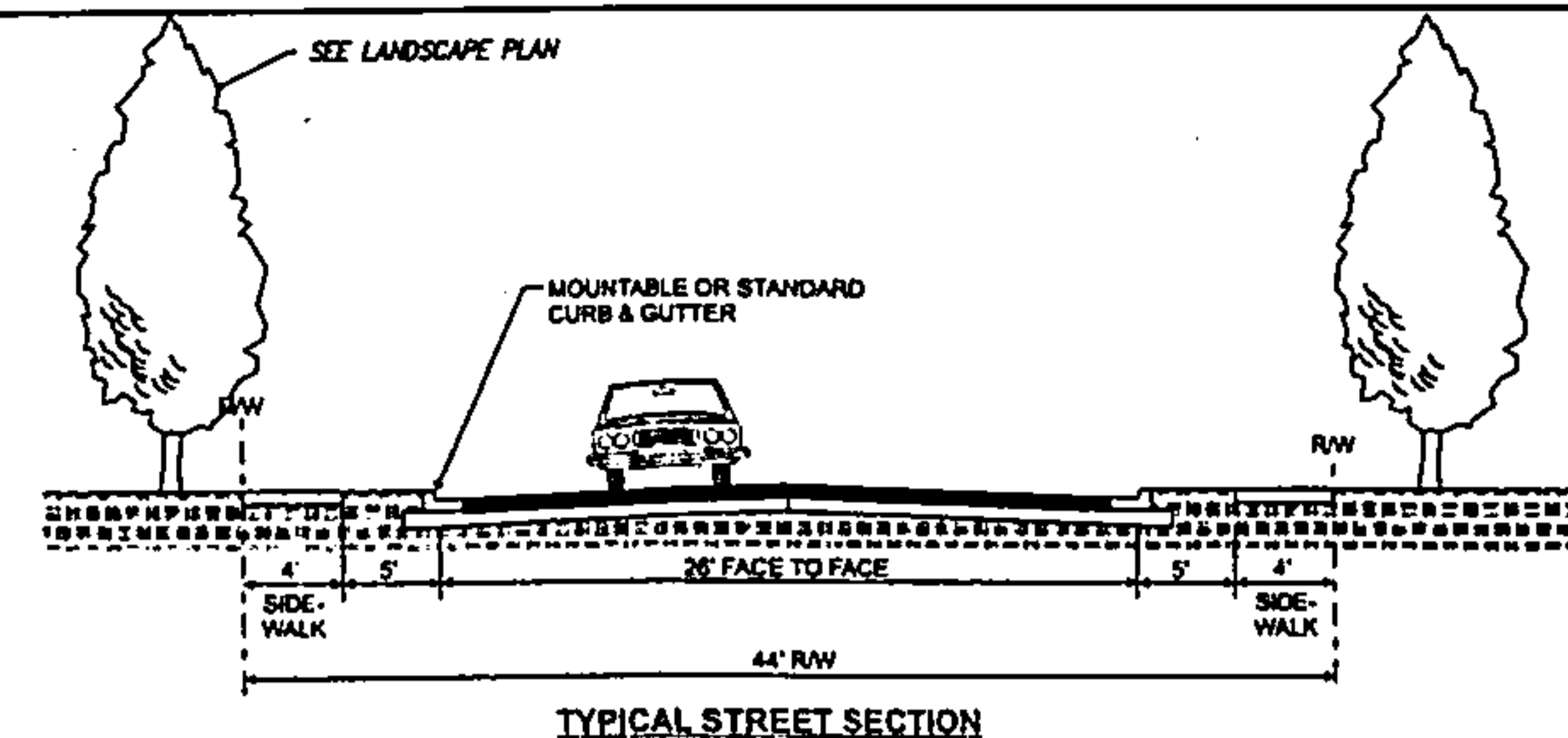
This plan also complies with minimum second story front setbacks (Standard I.H.E.), except for one-half of the facades on inside units, which are setback at least 23 feet from the street R/W. This variance from the regulation is designed to counteract the appearance of multiple second story facades at 25 feet back from the R/W (on outside units). The other half of the inside unit is setback at least 28 feet from the R/W (see below) to provide supplemental facade articulation.

Regarding the 10 foot setback from interior side property lines, this regulation was created to lessen the apparent impact of 2nd story buildings upon adjoining single-story homes (as indicated in the regulatory notes). This would not be the case in Sawmill Crossing since all the homes are planned to be two-story and there are no other single-story homes in the vicinity of the subject site (the three-story Sawmill Village is directly to the south).

- 3.c. The slope of new roofs shall range from flat to not more than a 4:5 degree angle.

THIS PLAN COMPLES

SEE CONTINUATION ON SHEET 3



SAWMILL CROSSING-AMENDED
DESIGN STANDARDS

dmg MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS

P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

Designed: JM	Drawn: SPS	Checked: DMG	Sheet 2 of 6
Scale: 1" = 50'	Date: 2/1/2012	Job: A11047	

SITE DESIGN STANDARDS

The purpose of these design standards is to enhance the developed surface appearance so that new residents and their visitors can experience a positive visual feel within their new home environment. These standards establish the basic form which the new home builder will use to create an inviting and vibrant community that when combined with distinctive identities can be unique to the Sawmill Area. The Sawmill Sector Development Plan has been utilized as the foundation from which key aesthetic and architectural standards can be derived. The standards are intended to be consistent with the Sawmill Sector Development Plan, except where otherwise noted herein. Where there is a conflict between the regulations and these design standards, the more restrictive shall apply.

BUILDING FORMS

- All new dwellings shall be attached townhomes and joined together as two units, three units, or in a four-unit building, with each home being on its own lot. As detailed on the sheet, the townhomes located on the outside shall have minimum typical lot dimensions of at least 32 feet by 83 feet and the buildings will be 27 feet by 48 feet. With the three and four unit buildings, either one or two slightly smaller scale units (minimum 23 foot by 83 foot lot and 23 foot by 45 foot dwelling) will be combined with the outside unit. Facades of inside units shall be recessed at least 3 feet beyond the facade of the outside unit. Interior dwelling areas will range from 860 sq ft up to 1,000 sq ft (see plan).
- The maximum number of connected dwelling units shall be two.
- All buildings shall be two stories.

ARCHITECTURAL STANDARDS

- The exterior building materials used in construction of the homes, including cabinetry, window and door styles, and roof slope and materials, shall be the same or similar on all parts of the structure.
- Typical building styles within this development shall be Southwest or New Mexico Vernacular, Pueblo, Territorial or Northern New Mexico. Minor variations to these typical appearances may be allowed in order to customize individual homeowner preferences, provided the fundamental characteristics of the particular style are maintained. Contrasts and their walls shall also be consistent with the theme of the main building.
- Inside townhome facades shall be recessed in at least 5 feet or protrude out at least 5 feet from their garage front.
- Roofs may be flat, pitched, or combination of both, and they may be metal with colors being limited to earth-tone browns, grays, green, and white. When not flat, roof slopes shall be 12:12 or steeper.
- All front doors of dwellings shall face the street.
- Garage doors on outside townhomes shall not be wider than 16 feet and on inside townhomes not wider than 12 feet. With four connected units the maximum allowed garage door width shall be 50% of total building width. With three connected units the maximum allowed width shall be 52%, and with two connected units the maximum allowed width shall be 59%.
- Exterior finishes on all new homes shall be stucco that is finished to earth-toned shades of brown, tan or sage green. Standard, untextured 8-inch by 16-inch CMU block is not allowed as a finish material for buildings. Where more than one dwelling unit is attached, the stucco color of the main units shall be a different color than the outside units.
- Accent materials shall consist of rock, tile, or brick in the entry portico, front doors, window frames and related trim. These elements shall be limited to shades of white, blue, brown, or green.
- Exterior doors and garage doors shall be composed of painted metal, stained wood or painted wood, all of which shall match the architectural theme of the dwelling.
- Not less than 12.5% of a building facade facing public R/W shall be windows. It shall include garage door windows. New windows shall be recessed at least 2 inches or surrounded by a casing not less than 2 inches wide. Reflective glass is not permitted.

PEDESTRIAN ACCESS AND CIRCULATION

- Running north to south through the middle of Sawmill Crossing is a proposed 6-foot sidewalk that shall connect directly between Aspen Avenue and Siblebach Avenue. The sidewalk shall also connect to where a new sidewalk is established out by the adjoining Sawmill Village. North of the subject property, the sidewalk shall continue from the sidewalk along the west side of Hill Road. Roadside site benches shall be provided every 100 feet along the route.
- New sidewalks shall be installed in front of all new dwellings and along the south side of the on-site ponding area.
- All pedestrian improvements shall be handicap accessible and constructed according to the ADA regulations. New handicap ramps shall be installed at all street intersections and wherever a sidewalk has to cross a street, with pavement markings to identify the cross-walk.
- Lot 27 shall contain a handicap accessible dwelling with interior design features intended to accommodate handicapped individuals. It shall be eligible to be converted to a conventional dwelling if it is not sought after by a handicapped individual. Handicapped accessible units may be less than two stories.

OPEN SPACE

- Minimum area of usable open space for outside townhomes shall be 100 sq ft. The maximum usable area for inside townhomes shall be at least 600 sq ft (see plan).
- At least 10,000 sq ft of additional open space shall be provided on the pedestrian route running through the middle of the site and in the picnic area.

LIGHTING STANDARDS

- Lighting on public streets shall be in accordance with the City's OPM and Regulation 14-16-3.9 of the Zoning Code.
- The use of low-profile, spread-lighting fixtures may be used to accent and provide illumination of landscaped walkways, provided that up-lighting fixtures are not used.
- Building mounted lighting shall be shielded and designed to minimize light spill across property lines, and not projecting upward so that dark skies can be preserved.

SIGNAGE

- Signage allowed within the site shall be as illustrated on the wall below with two signs being located at the entry.
- New signage on Lot 19 through Lot 45 shall use sound insulation and other noise abatement techniques to ensure that the sound level is no more than 45 dBA (L) at the property line. For details on these standards, see the site plan reviewed and certified by a qualified acoustics consultant to check for this limitation.

APPROVAL PROCESS

- Being less than 10 acres in size, the Environmental Planning Commission shall be the final authority for this request approval, with final Site Development Plan for Subdivision approval being delegated to the Development Review Board. All design standards and conditions shall be checked for compliance to these design standards and approved by city Building Permit officials if they comply.
- In accordance with the Zoning Code, the Planning Director shall have the discretion to approve minor amendments to this site development plan, whereas major amendments shall be approved by the EPC.

SAWMILL CROSSING PARK SECTOR DEVELOPMENT PLAN

(with) the General Regulations only those that apply to residential uses are listed below)

General SUDS Regulations

- RESIDENTIAL BUILDING DESIGN:**
 - Building exterior materials shall be consistent with the theme of the main building and shall be consistent with the theme of the main building.
 - Buildings shall not exceed 28 feet in height, including porches, overhangs, and roof structures. The maximum height of any building shall be limited to the height of the adjacent lot. The maximum height of any building shall be limited to the height of the adjacent lot.

THIS PLAN COMPLEX (REFER TO STANDARD I.D. AND I.G.)

- Buildings shall not exceed 28 feet in height, including porches, overhangs, and roof structures. The maximum height of any building shall be limited to the height of the adjacent lot. The maximum height of any building shall be limited to the height of the adjacent lot.

NOTES AND ILLUSTRATIONS

THIS PLAN COMPLEX WITH MAXIMUM BUILDING HEIGHT LIMIT (SEE SHEET 1)

EXCEPTION

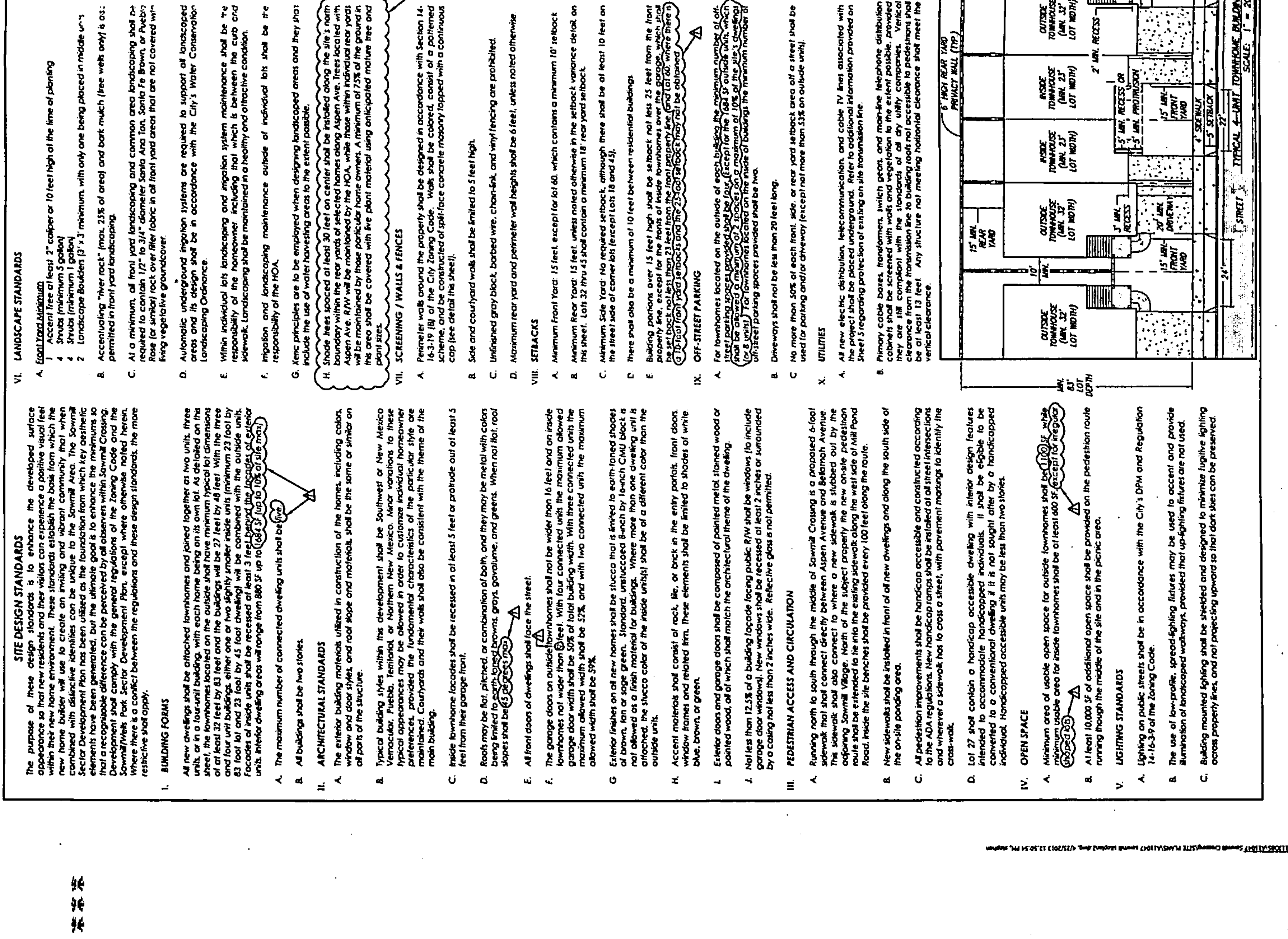
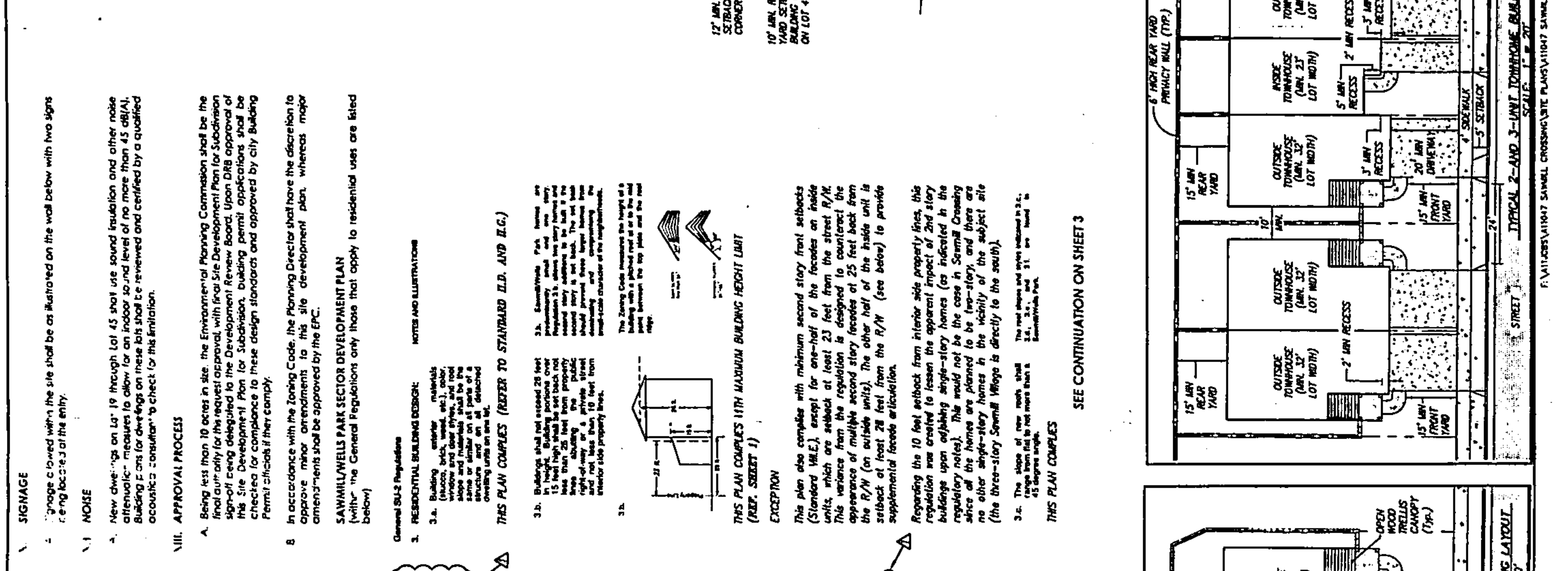
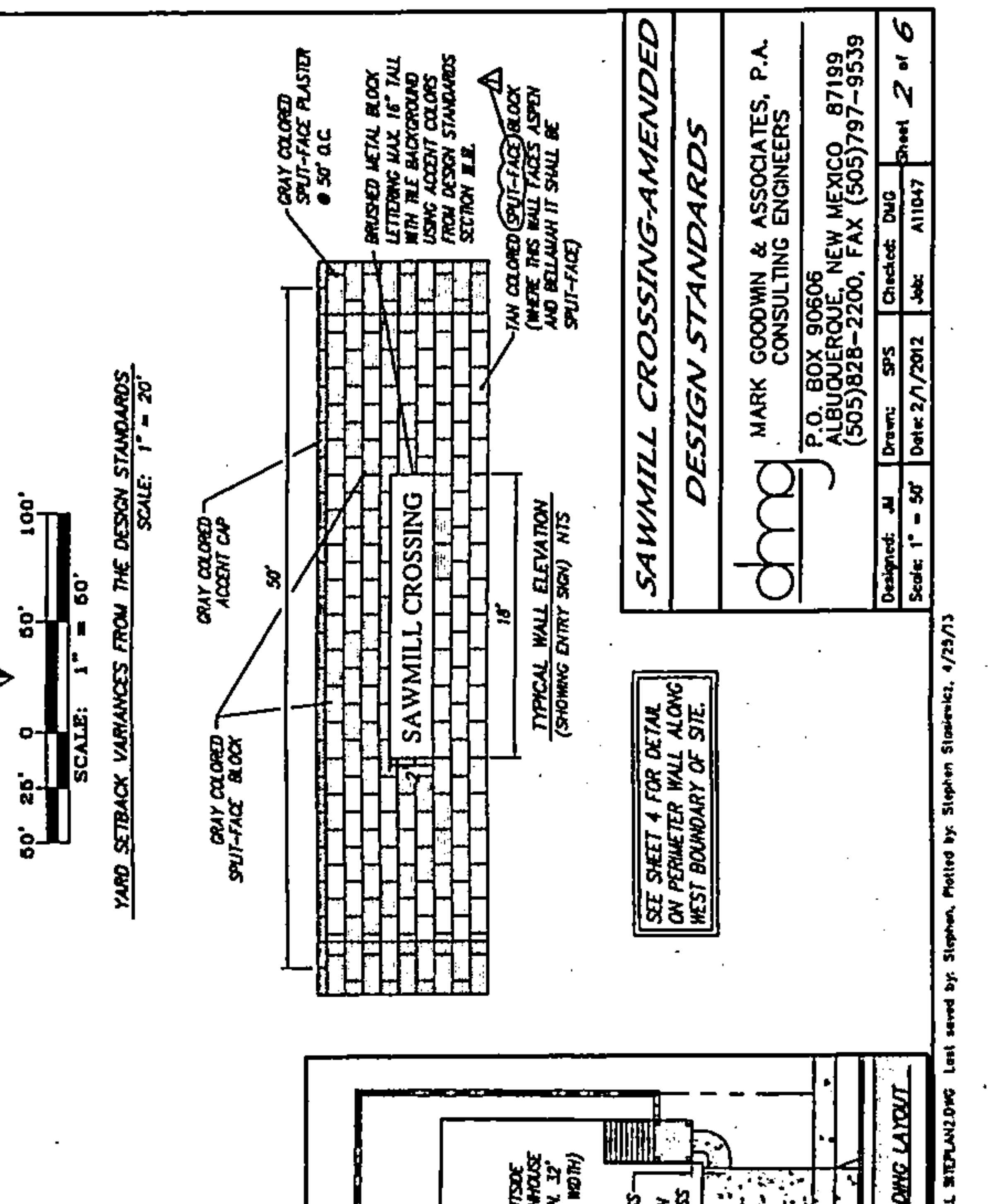
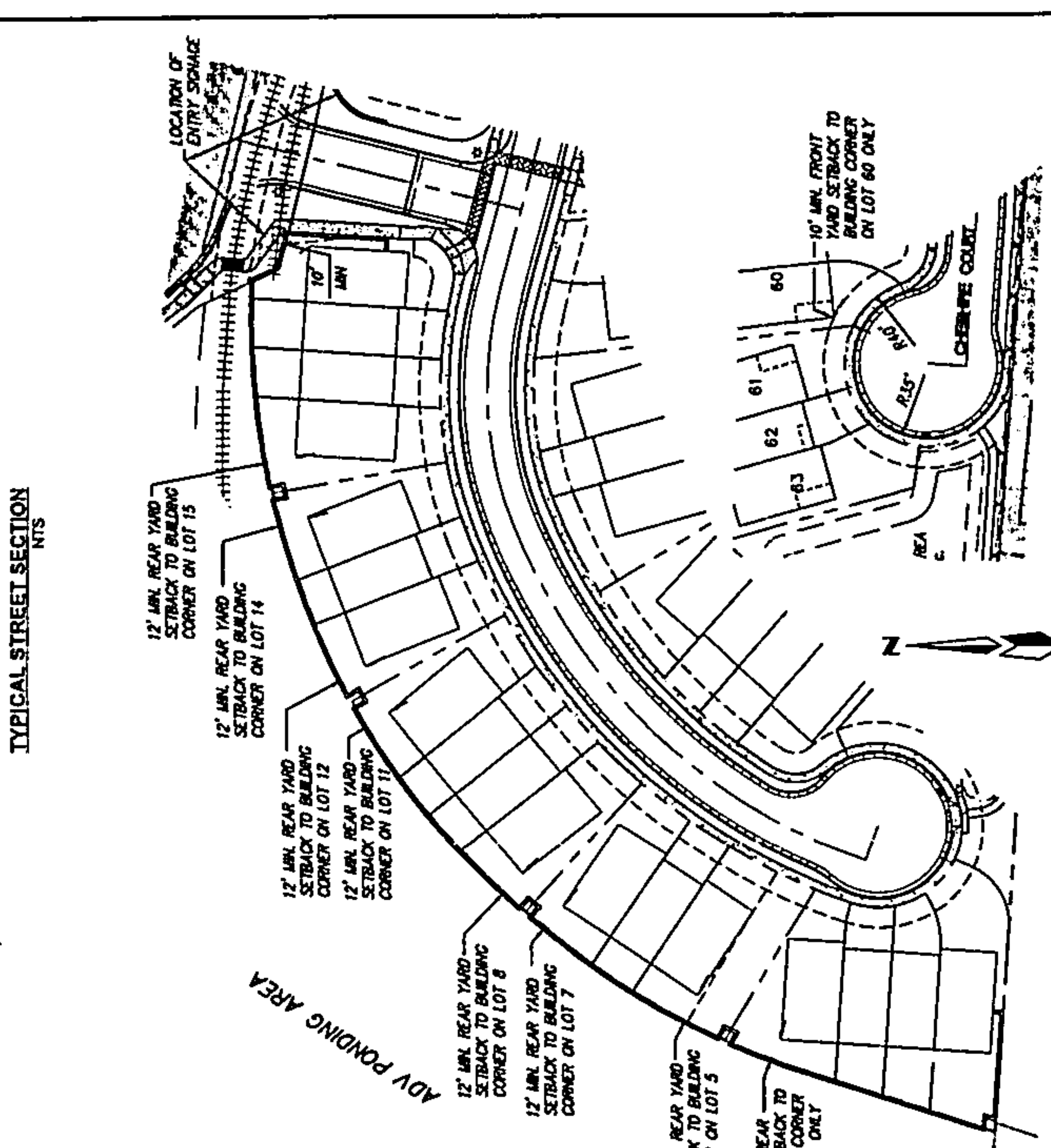
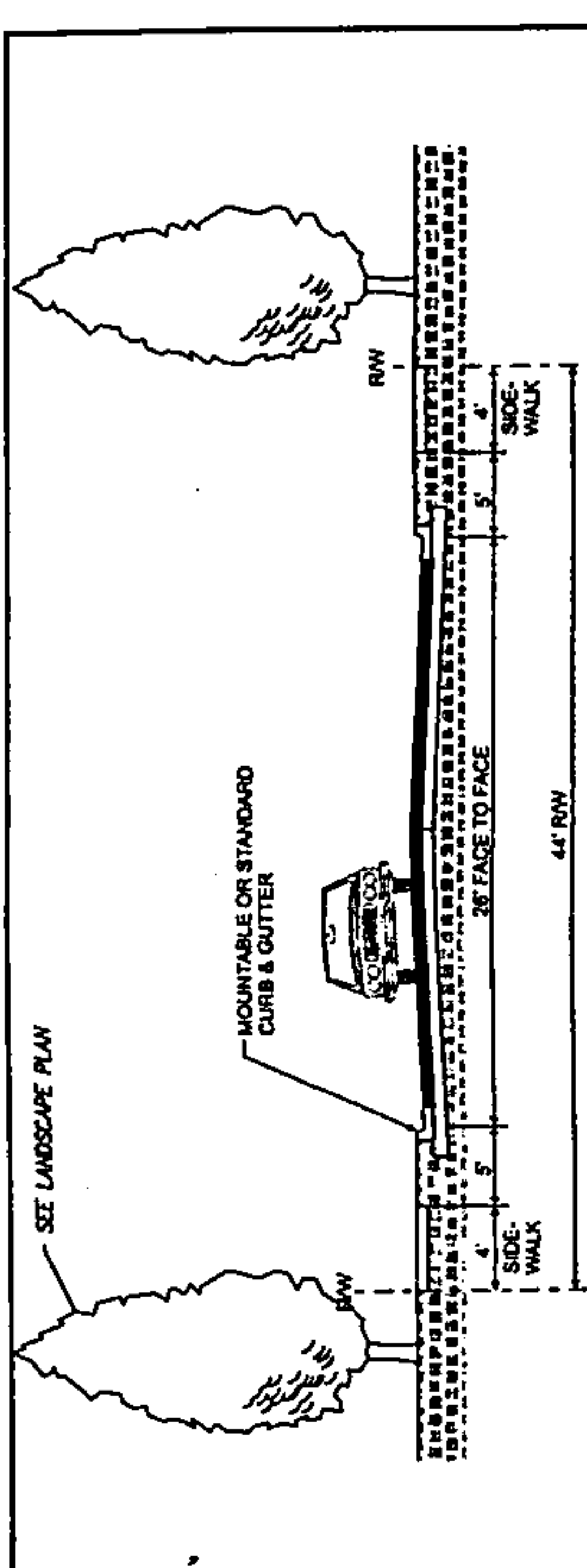
This plan also complies with minimum second story front setbacks (Standard I.E.), except for one unit on Lot 27. This unit is located on the corner of Hill Road and Siblebach Avenue. The setbacks for this unit are as follows: 25 feet from the R/W on the outside units. The other half of the inside unit is setback of least 28 feet from the R/W (see below) to provide supplemental levels of elevation.

Regarding the 10 foot setback from interior side property lines, this regulation was enacted to lessen the apparent impact of 2nd story buildings upon adjoining single-story homes (as indicated in the regulatory notes). This would not be the case in Sawmill Crossing as no other single-story homes in the vicinity of the subject site (the three-story Sawmill Village is directly to the south).

THIS PLAN COMPLEX

- The slope of new roof shall be at least 1/2" per foot. The slope shall be at least 1/4" per foot.

SEE CONTINUATION ON SHEET 3



TEMPORARY SIDEWALK DEFERRAL EXHIBIT

TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO.
(02-11-2010, 2010C-19)

TRACT 2-C-1-A
LANDS OF FOREST PRODUC
(02-11-2010, 2010C-15)

TRACT 341A2A2
MRGCD MAP NO. 38
(LANDS OF CCBG, INC.)
(SWD 02-28-1992, 199217638)

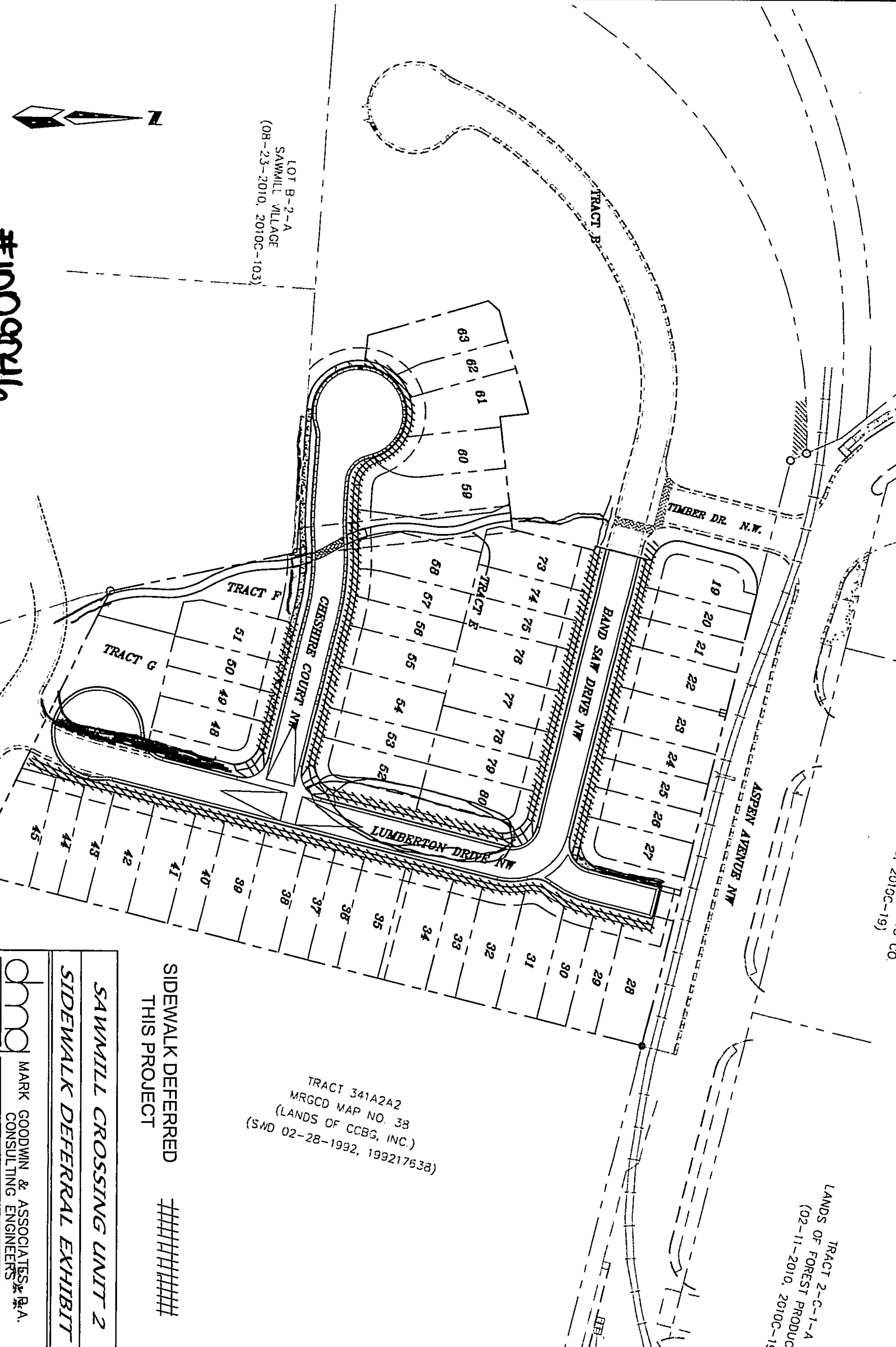
LOT B-2-A
SAWMILL VILLAGE
(08-23-2010, 2010C-103)



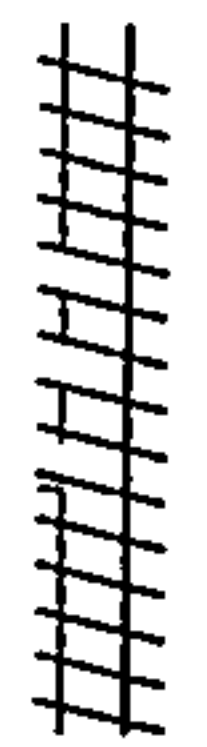
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8-27-14

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SIDEWALK DEFERRED
THIS PROJECT



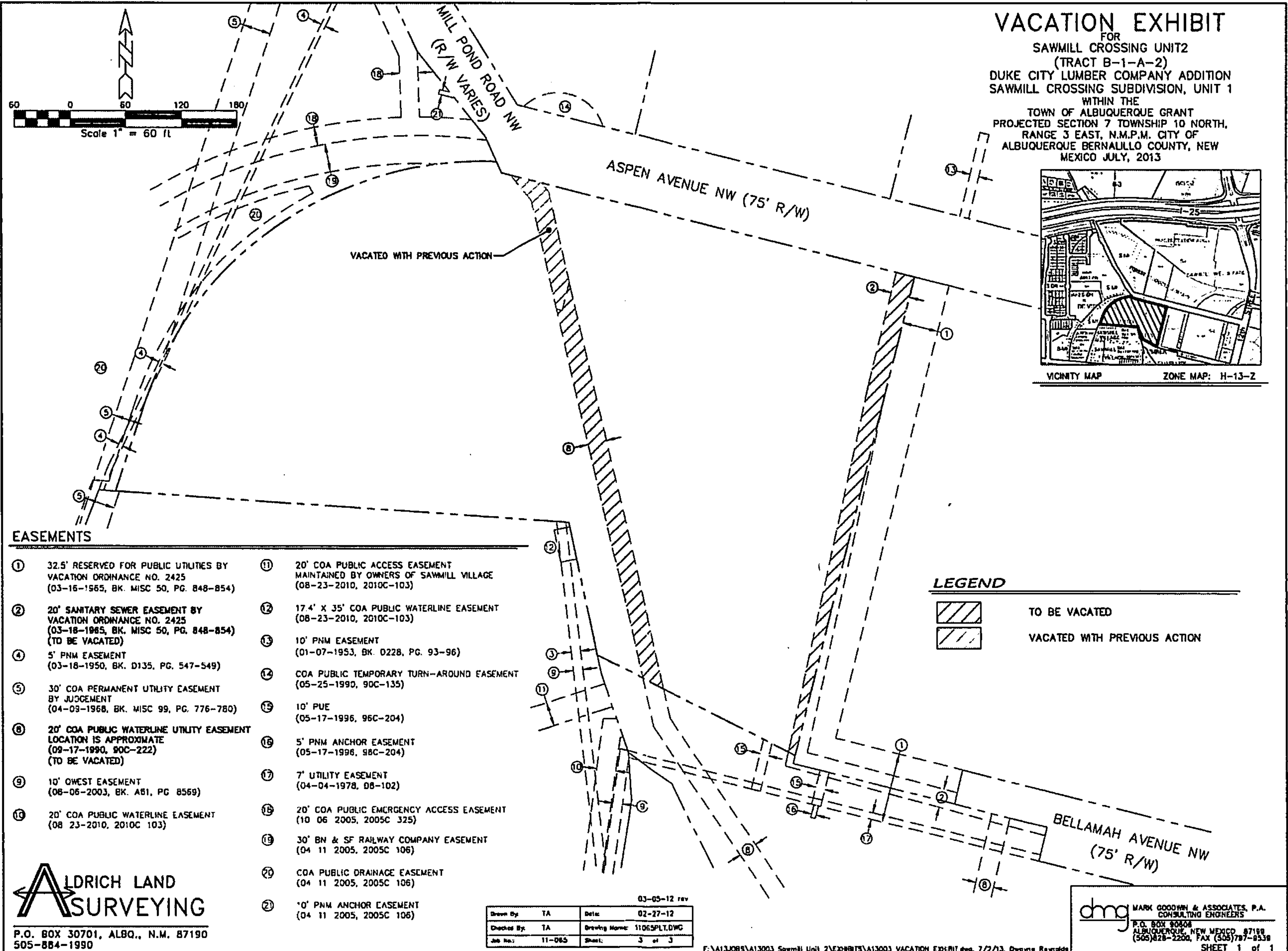
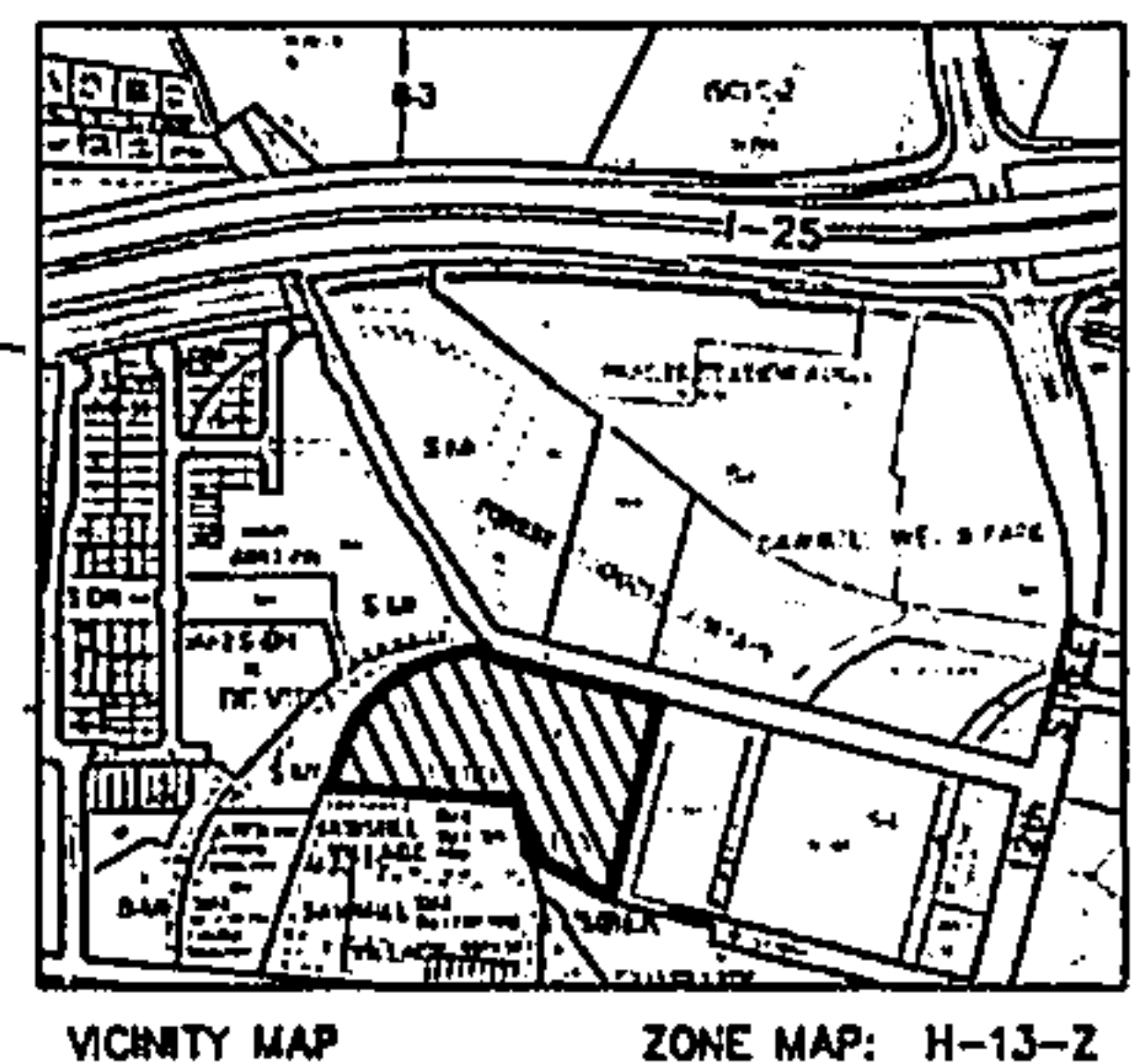
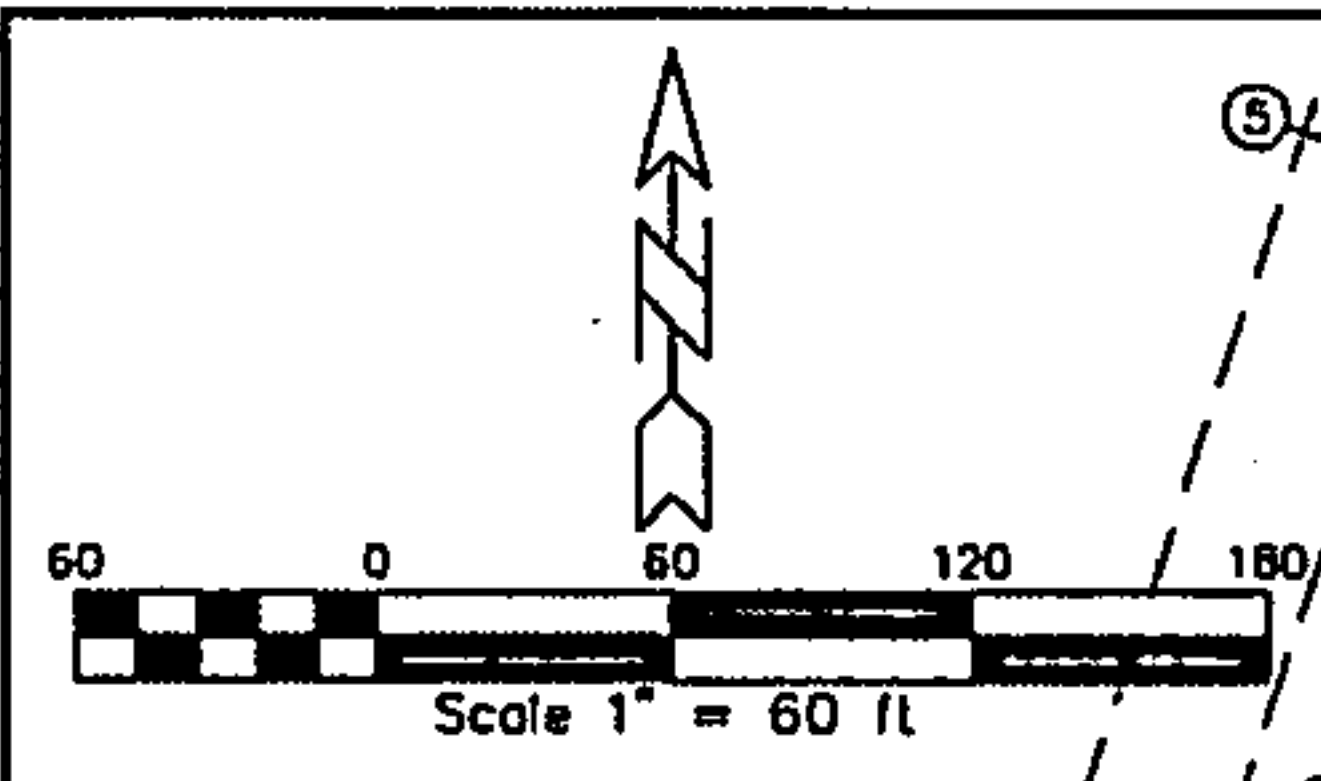
SAWMILL CROSSING UNIT 2
SIDEWALK DEFERRAL EXHIBIT

dmj MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

PROJECT: 1009046
 DATE: 8-27-14

VACATION EXHIBIT

FOR
 SAWMILL CROSSING UNIT2
 (TRACT B-1-A-2)
 DUKE CITY LUMBER COMPANY ADDITION
 SAWMILL CROSSING SUBDIVISION, UNIT 1
 WITHIN THE
 TOWN OF ALBUQUERQUE GRANT
 PROJECTED SECTION 7 TOWNSHIP 10 NORTH,
 RANGE 3 EAST, N.M.P.M. CITY OF
 ALBUQUERQUE BERNALILLO COUNTY, NEW
 MEXICO JULY, 2013



EASEMENTS

- | | |
|---|--|
| ① 32.5' RESERVED FOR PUBLIC UTILITIES BY VACATION ORDINANCE NO. 2425 (03-16-1965, BK. MISC 50, PG. 848-854) | ⑪ 20' COA PUBLIC ACCESS EASEMENT MAINTAINED BY OWNERS OF SAWMILL VILLAGE (08-23-2010, 2010C-103) |
| ② 20' SANITARY SEWER EASEMENT BY VACATION ORDINANCE NO. 2425 (03-18-1985, BK. MISC 50, PG. 848-854) (TO BE VACATED) | ⑫ 17.4' X 35' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) |
| ④ 5' PNM EASEMENT (03-18-1950, BK. D135, PG. 547-549) | ⑬ 10' PNM EASEMENT (01-07-1953, BK. D228, PG. 93-96) |
| ⑤ 30' COA PERMANENT UTILITY EASEMENT BY JUDGEMENT (04-03-1968, BK. MISC 99, PG. 776-780) | ⑭ COA PUBLIC TEMPORARY TURN-AROUND EASEMENT (05-25-1990, 90C-135) |
| ⑥ 20' COA PUBLIC WATERLINE UTILITY EASEMENT LOCATION IS APPROXIMATE (09-17-1990, 90C-222) (TO BE VACATED) | ⑮ 10' PUE (05-17-1996, 96C-204) |
| ⑨ 10' QWEST EASEMENT (08-06-2003, BK. A81, PG. 8569) | ⑯ 5' PNM ANCHOR EASEMENT (05-17-1996, 96C-204) |
| ⑩ 20' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) | ⑰ 7' UTILITY EASEMENT (04-04-1978, 08-102) |
| | ⑱ 20' COA PUBLIC EMERGENCY ACCESS EASEMENT (10-06-2005, 2005C-325) |
| | ⑲ 30' BN & SF RAILWAY COMPANY EASEMENT (04-11-2005, 2005C-106) |
| | ⑳ COA PUBLIC DRAINAGE EASEMENT (04-11-2005, 2005C-106) |
| | ㉑ 10' PNM ANCHOR EASEMENT (04-11-2005, 2005C-106) |

LEGEND

- TO BE VACATED
- VACATED WITH PREVIOUS ACTION

ALDRICH LAND SURVEYING

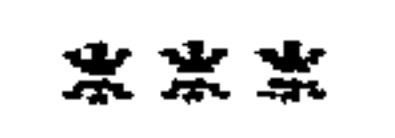
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 505-864-1990

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Checked By: TA	Drawing Name: 11065PL1.DWG
Job No.: 11-063	Sheet: 3 of 3

dmj MARK GOODWIN & ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 P.O. BOX 80404
 ALBUQUERQUE, NEW MEXICO 87189
 (505)828-2200, FAX (505)797-9338

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SIDEWALK WAIVER EXHIBIT

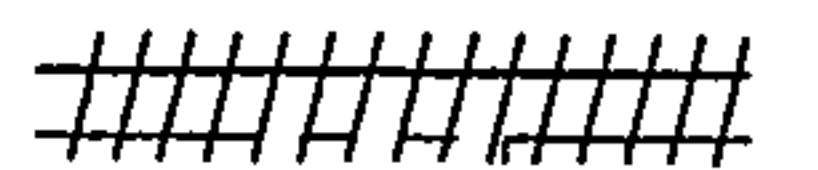
TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO
(02-11-2010, 2010C-19)

TRACT 2-C-1-A
LANDS OF FOREST PRODUC
(02-11-2010, 2010C-19)

LOT B-2-A
SAWMILL VILLAGE
(08-23-2010, 2010C-103)

TRACT 341A2A2
MRCGD MAP NO. 38
(LANDS OF CCBG, INC.)
(SVD 02-28-1992, 199217638)

SIDEWALK WAIVER
THIS PROJECT



SAWMILL CROSSING UNIT 2

SIDEWALK WAIVER EXHIBIT



MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

#1009046
8-27-14

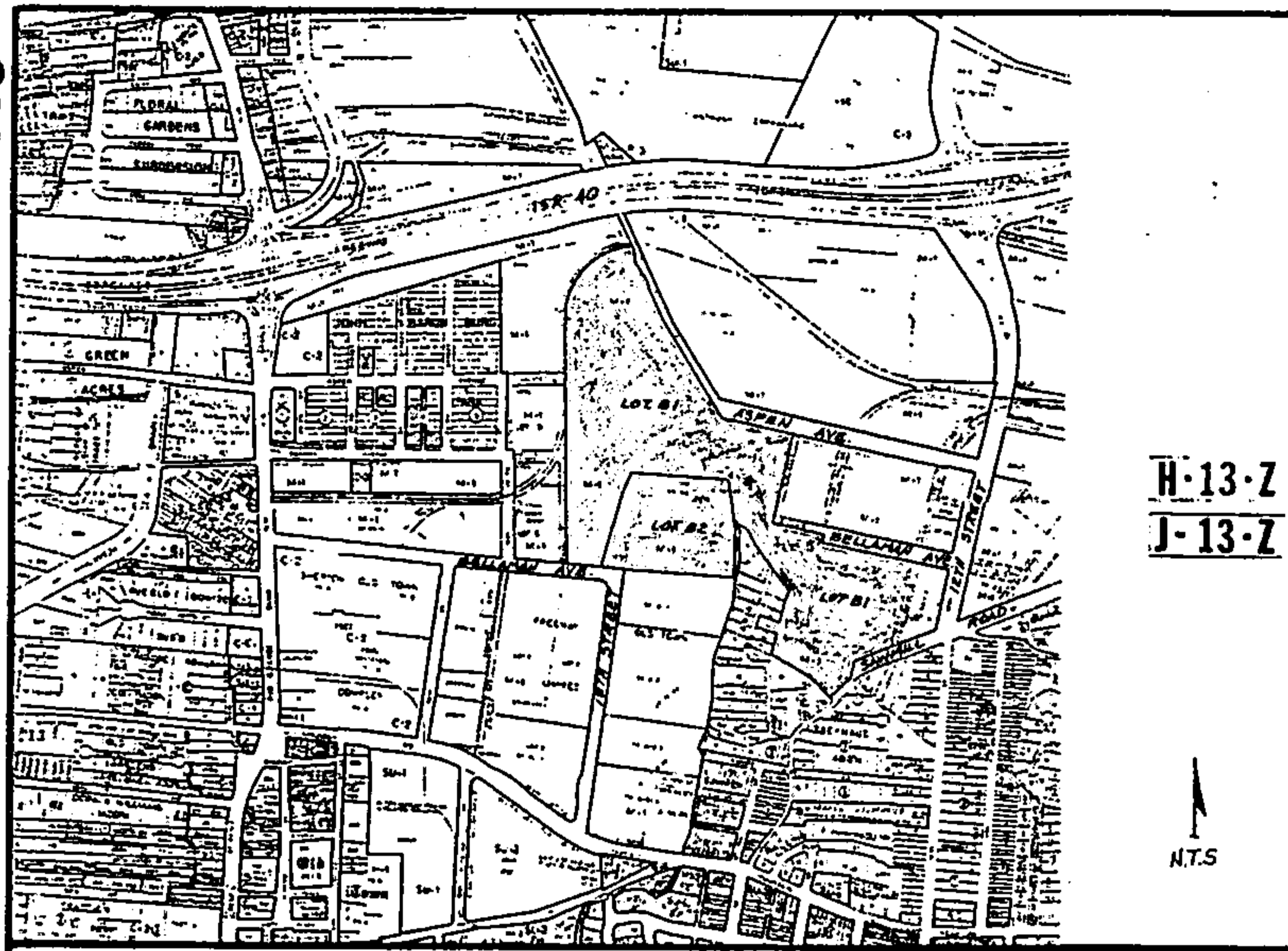
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90C-222(1)



9072703
PLAT OF
LOTS B-1-A AND B-2-A
DUKE CITY LUMBER COMPANY ADDITION
IN THE CITY OF ALBUQUERQUE, NEW MEXICO
PROJECTED SECTIONS 7 AND 18, T.10 N., R.3 E., N.M.P.M.
MAY 1990
SHEET 1 OF 2

State of New Mexico } SS
County of Bernalillo }
This instrument was filed for record on
13th SEP 17 1990
At _____ o'clock P.M. recorded in Vol. 90C
of records of said County Folio 522

Notary Public

LEGAL DESCRIPTION AND FREE CONSENT

The undersigned owner(s) of the land hereon shown do hereby consent to the Replat of the land hereon shown: Lots lettered B-1 and B-2 Replat of Lot "B" DUKE CITY LUMBER COMPANY ADDITION, in the City of Albuquerque, New Mexico as the same is shown and designated on said Replat thereof filed in the office of the County Clerk of Bernalillo County, New Mexico on April 4, 1978, in Book D8, page 102 and is with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s) thereof, and hereby grants additional easements as shown hereon, and hereby dedicates additional right-of-way as shown.

Owner(s) Duke City Lumber Co Date 5-17-90

ACKNOWLEDGEMENT LOT B-1-A

STATE OF NEW MEXICO }
COUNTY OF BERNALILLO } ss.

The foregoing instrument was acknowledged before me this 17
day of May, 1990, By: Carlos Sanchez

My Commission Expires: April 12, 1994 Harold Steward
Notary Public

Owner(s) RONDEROSA PRODUCTS Inc. Date 5/17/90

ACKNOWLEDGEMENT LOT B-2-A

STATE OF NEW MEXICO }
COUNTY OF } ss.

The foregoing instrument was acknowledged before me this 17
day of May, 1990, By: ED STEWART

My Commission Expires: April 12, 1994 Harold Steward
Notary Public

CITY/COUNTY APPROVALS:

- Property Management: N/A Date
- City Surveyor: Nick Chalk Date 062540
- City Water Resources: Robert W. Kane Date 9-7-90
- City Engineer: Willard Alby Date 07-03-90
- A.M.A.F.C.A.: Frank J. Caproni Date 9-7-90
- Traffic Engineer: Michael W. White Date 7-03-90
- Parks and Recreation: Doris M. Stone Date 7/3/90
- City Planning Director: Jack Chalk Date 9/13/90

DISCLOSURE STATEMENT: The purpose of this plat is to adjust lot lines between two (2) existing lots and create two (2) new lots.

GENERAL NOTES:

- 1) Bearings Based upon DUKE CITY LUMBER COMPANY ADDITION filed April 14, 1978 in Book D8, page 102.
- 2) Plat shows easements of record.
- 3) All distances and bearings are ground unless otherwise noted.
- 4) All distances and bearings in () are per the Replat of Lot "B" DUKE CITY LUMBER COMPANY ADDITION, filed April 4, 1978, Volume D8, Folio 102.
- 5) All property corners identified as "set", are set with 1/2" rebar and cap stamped "L.S. 6446", unless otherwise indicated.
- 6) Rotate bearings clockwise 00 12'28" to adjust to New Mexico State Plane Coordinate System.

SURVEYOR'S CERTIFICATION

I, Franklin E. Wilson, a registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat was prepared by me or under my supervision, meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, and that it is true and correct to the best of my knowledge and belief.

Franklin E. Wilson Date 6/23/90
Franklin E. Wilson, No. 6446

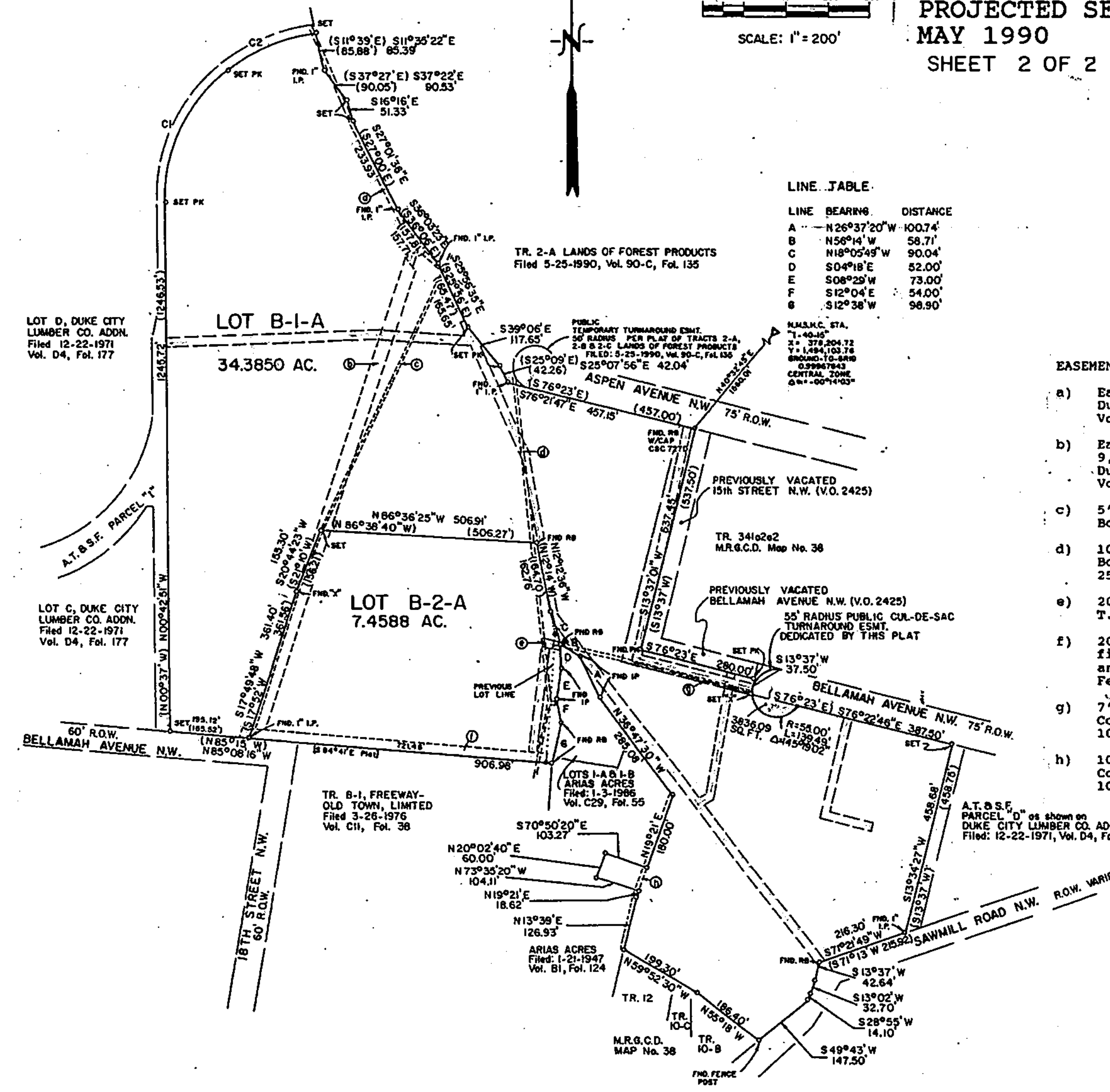
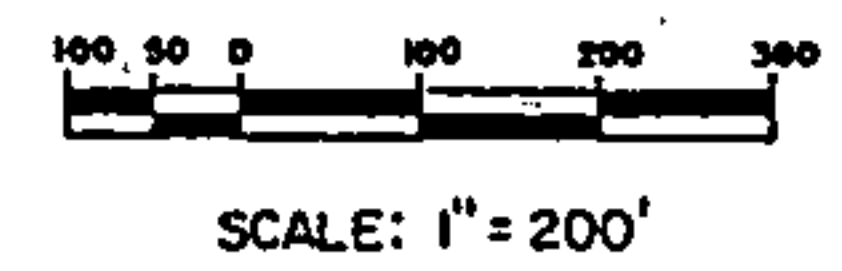
THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC# 14-70273-415-12070
PROPERTY OWNER OF RECORD:
Duke City Lumber + Ronderosa Products
BERNALILLO COUNTY TREASURER'S OFFICE:
Chris Simpson 9-11-90
1-013-658-333-515-12010

SOUTHWEST SURVEYING CO., INC.
333 Lomas Blvd, N.E., Albuquerque, New Mexico 87102
(505) 247-4444

PROJECT: 1009046
DATE: 8-27-14
APP: 14-70273 (CURE)
14-70274 (SW)
14-70275 (TDS)
14-70276 (PA)

90C-222(2)

PLAT OF 9072703
 LOTS B-1-A AND B-2-A
 DUKE CITY LUMBER COMPANY ADDITION
 IN THE CITY OF ALBUQUERQUE, NEW MEXICO
 PROJECTED SECTIONS 7 AND 18, T.10 N., R.3 E., N.M.P.M.
 MAY 1990
 SHEET 2 OF 2



LINE TABLE

LINE	BEARING	DISTANCE
A	N26°37'20"W	100.74
B	N56°14'W	58.71
C	N18°05'49"W	90.04
D	S04°18'E	52.00
E	S08°28'W	73.00
F	S12°04'E	54.00
G	S12°38'W	98.90

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE	DELTA
C1	344.37	386.20	N24°55'4"E	333.07	51°05'22"
C2	227.33	400.28	N66°44'34"E	224.29	32°32'24"

- EASEMENT TABLE
- Easement to the City of Albuquerque per plat of Lot "B" Duke City Lumber Company Addition filed on April 4, 1978; Volume D8, Folio 102.
 - Easement to the City of Albuquerque per document filed April 9, 1968; Book Misc. 99, Pages 776-781, and per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.
 - 5' P.N.M. easement per document filed March 18, 1950; Book D135, Page 547.
 - 10' P.N.M. easement per document filed June 25, 1968; Book Misc. 107, Pages 297-300 and per document filed June 25, 1968; Book Misc. 107, Pages 301-304.
 - 20' x 20' substation easement to P.N.M. and M.S.T. and T. Company filed June 2, 1969; Book Misc. 139, Page 478.
 - 20' easement to the City of Albuquerque per document filed September 24, 1969; Book Misc. 151, Pages 32-34 and 20' easement to Southern Union Gas Company filed February 6, 1970; Book Misc. 163, Pages 779-780.
 - 7' utility easement per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.
 - 10' ditch easement per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.

All easements shown as are 20' public waterline utility easements granted by this plat.
 The locations of the "granted" easements are approximate.

State of New Mexico } SS
 County of Bernalillo }
 This instrument was filed for record on
 SEP 17 1990
 of records of said County Folio 90C-222
 Deputy Clerk

90C-222(2)

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MILL POND ROAD NW

TRACT 2-A
LANDS OF FOREST PRODUCTS CO.
(05-25-1990, 90C-135)

TRACT 2-B-1-A
LANDS OF FOREST PRODUCTS CO.
(02-11-2010, 2010C-19)

EXISTING DRIVEWAY

NEW 6' SIDEWALK
(THIS PROJECT)

EXISTING RAILROAD

ASPEN AVENUE NW

SEE SIDEWALK DEFERRAL EXHIBIT
FOR DEFERRED SIDEWALK

EXISTING 6' SIDEWALK

13 14 15 16 17 18

75' R/W

32' F-F

SIDEWALK TO BE WAIVED
ALONG EAST SIDE OF
TIMBER DRIVE

SIDEWALK TO BE WAIVED
ALONG SOUTH SIDE OF
ASPEN AVENUE

BAND SAW PLACE

TIMBER DR. N.W.

TRACT B

67

68

69

70

71

72

TRACT D

TRACT B

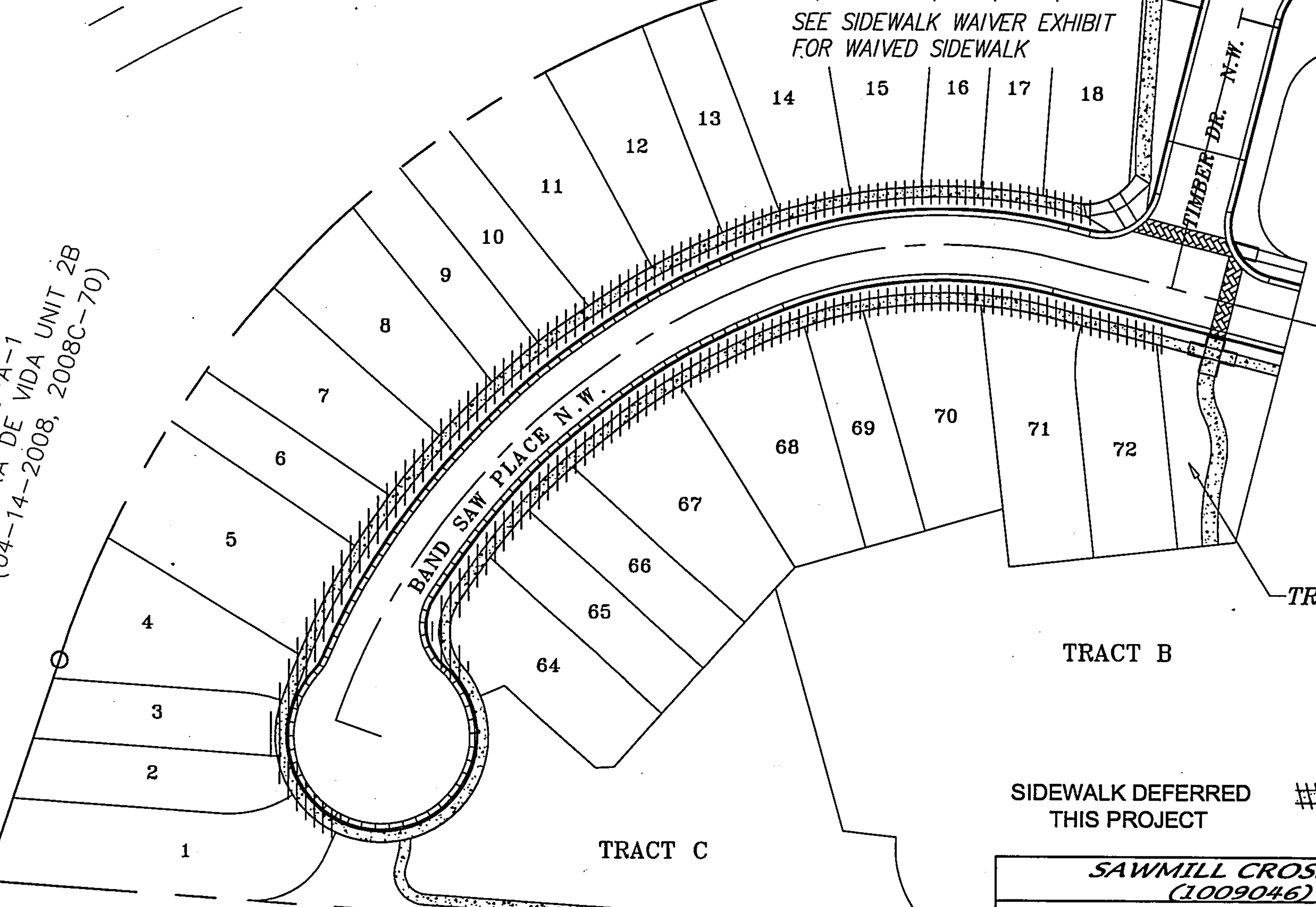
SAWMILL CROSSING (1009046)	
SIDEWALK WAIVER EXHIBIT	
	MARK GOODWIN & ASSOCIATES, P.A. CONSULTING ENGINEERS
	P.O. BOX 90606 ALBUQUERQUE, NEW MEXICO 87199
	(505)828-2200, FAX (505)797-9539

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TEMPORARY DEFERRAL OF SIDEWALK EXHIBIT

TRACT 2-A-1
ARBOLERA DE VIDA UNIT 2B
(04-14-2008, 2008C-70)



SEE SIDEWALK WAIVER EXHIBIT
FOR WAIVED SIDEWALK

LOT B-2-A
SAWMILL VILLAGE

SIDEWALK DEFERRED
THIS PROJECT 

SAWMILL CROSSING
(1009046)
SIDEWALK DEFERRAL EXHIBIT

 **MARK GOODWIN & ASSOCIATES, P.A.**
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539

INFRASTRUCTURE LIST

Date Site Plan Approved: 08/22/12
Date Preliminary Plat Approved: 05/15/13
Date Preliminary Plat Expires: 05/15/14
DRB Project No: 1009046
DRB Application No.: _____

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

Sawmill Crossing, Unit I

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

Tract B-1-A-2, Duke City Lumber Company

EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
			PAVING						
		0'-12' F-E	Perm Pvmt (South Side) C&G (South Side)	Aspen Ave	W. Terminus of Aspen	NE corner Tract B	/	/	/
		6'	Sidewalk (S.Side)	Aspen Ave	Mill Pond	RR	/	/	/
		6'	Sidewalk (N.Side)	Aspen Ave	W. Terminus of Aspen	SE Corner Tract 2-A, Land of Forest Products	/	/	/
			C&G (N.Side)	Aspen Ave	Tract 2-A Driveway (E.Side)	SE Corner Tract 2A, Land of Forest Products	/	/	/
		26' FF	Res Pvmt C&G (both sides)	Band Saw Dr.	W. Terminus Band Saw	Timber Dr.	/	/	/
		4'	Sidewalk (both sides Deferred) (1)						
		30' FF	Res Pvmt C&G (both sides)	Timber Dr.	Aspen Ave.	Band Saw Pl.	/	/	/
		6'	Sidewalk (west side only)						
		4'	Sidewalk	South Side of Tract C	Bandsaw Pl. Terminus	Tract B	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 1	Lot 64	/	/	/
		4'	Sidewalk	Band Saw Pl.	Lot 72	Tract B	/	/	/

12"	Rear Yard Channel (deferred)	Lots 12-14	Lot 12	Lot 14
12"	Rear Yard Channel (deferred)	Lots 15-18	Lot 15	Lot 18
12"	Rear Yard Channel (deferred)	Lots 68-69 & Tract B	Tract C	Lot 69
12"-24"	Pipe and Side/Front Yard Channel	Tract C	80' E. of Site's SW corner	Upper Part of Tr. C Pond
12"	Side Yard Channel (deferred)	Lot 5	Rear Lot 5 Boundary	Band Saw Pl.
12"	Side Yard Channel (deferred)	Lot 8	Rear Lot 8 Boundary	Band Saw Pl.
12"	Side Yard Channel (deferred)	Lot 12	Rear Lot 12 Boundary	Band Saw Pl.
12"	Side Yard Channel (deferred)	Lot 15	Rear Lot 15 Boundary	Band Saw Pl.
5'	Concrete Channel	Tract C	SW Corner of Site	80' east of SW corner of Site

/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

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

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
<input type="text"/>	<input type="text"/>						/	/	/
<input type="text"/>	<input type="text"/>								

Approval of Creditable Items:
 Impact Fee Administrator Signature _____ Date _____
 Signature _____ Date _____

Project name: Sawmill Crossing

- 1 Sidewalks to be deferred per sidewalk exhibit.
- 2 Water Infrastructure to include valves, fittings, and firehydrants.
- 3 SAS Infrastructure to include manholes and service connections.
- 4 Storm Drain Infrastructure includes manholes and inlets.
- 5 Grading and Drainage Certification and perimeter wall construction required prior to release of SIA and Financial Guaranty. (Financial Guaranty not required for Grading and Drainage Plan.)
- 6 Pond Agreement and Covenant required for Tract C
- 7
- 8

AGENT / OWNER

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

John M. MacKenzie, P.E.
 NAME (print)
Mark Goodwin & Associates
 FIRM
John MacKenzie 11.11.13
 SIGNATURE - date

 DRB CHAIR - date

 TRANSPORTATION DEVELOPMENT - date

 UTILITY DEVELOPMENT - date

 CITY ENGINEER - date

 PARKS & GENERAL RECREATION - date

 AMAFCA - date
 _____ - date
 _____ - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER

**PRELIMINARY PLAT FOR
SAWMILL CROSSING
UNIT 1**
WITHIN THE
TOWN OF ALBUQUERQUE GRANT
PROJECTED SECTION 7
TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M.
CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO
OCTOBER, 2012

SUBDIVISION DATA

GROSS ACREAGE 6.9323 AC
ZONE ATLAS NO. H-13-Z
NO. OF LOTS EXISTING 1 LOTS
NO. OF LOTS/TRACTS CREATED 27 LOTS/3 TRACTS
DATE OF SURVEY JANUARY, 2012

DESCRIPTION

A tract of land situate within the Town of Albuquerque Grant, projected Section 7, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being all of LOT B-1-A-2, DUKE CITY LUMBER COMPANY ADDITION, as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 15, 1995 in Volume 95C, Folio 451, and containing 6.9323 acres more or less.

PURPOSE OF PLAT

- SUBDIVIDE LOT B-1-A-2, DUKE CITY LUMBER COMPANY ADDITION INTO 27 RESIDENTIAL LOTS, AND 3 TRACTS.
- GRANT NEW EASEMENTS AS SHOWN.
- VACATE EASEMENTS AS SHOWN.

NOTES

- BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE).
- DISTANCES ARE GROUND DISTANCES.
- BEARINGS AND DISTANCES IN PARENTHESIS ARE RECORD.
- BASIS OF BOUNDARY IS FROM THE PLAT OF RECORD ENTITLED:
 "DUKE CITY LUMBER COMPANY ADDITION", (12-15-1995, 95C-451)
 "DUKE CITY LUMBER COMPANY ADDITION", (05-17-1996, 96C-204)
 "DUKE CITY LUMBER COMPANY ADDITION", (09-17-1990, 90C-222)
 "DUKE CITY LUMBER COMPANY ADDITION", (04-04-1978, 08-102)
 "DUKE CITY LUMBER COMPANY ADDITION", (12-22-1971, 04-177)
 "SAWMILL VILLAGE", (08-23-2010, 2010C-103)
 "LANDS OF FOREST PRODUCTS CO.", (05-25-1990, 90C-135)
 "LANDS OF FOREST PRODUCTS CO.", (02-11-2010, 2010C-19)
 "ARBOLERA DE VIDA UNIT 2B", (04-14-2008, 2008C-70)
 "SPECIAL WARRANTY DEED", (02-28-1992, 199217638)
 "LANDS OF OTTO SCHEER", (Dated 09-09-1943)
 "INDUSTRIAL PROPERTY & LEAD TRACK", (Dated 04-28-1947)
 ALL BEING RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
- FIELD SURVEY PERFORMED IN JANUARY, 2012.
- 100 YEAR FLOOD ZONE DESIGNATION: ZONE X AND ZONE X (AREAS PROTECTED BY DIKES AND LEVEES), AS SHOWN ON PANEL 331 OF 825, FLOOD INSURANCE RATE MAP, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, DATED SEPTEMBER 26, 2008.
- AS NECESSARY, EACH REAR YARD SHALL CONTAIN A PRIVATE DRAINAGE EASEMENT TO CONVEY REAR YARD RUNOFF FROM ADJOINING LOTS, TO BE FURTHER DETAILED ON THE FINAL PLAT. SIDE YARDS THAT ARE NOT PART OF AN ATTACHED DWELLING SHALL ALSO CONTAIN A PRIVATE DRAINAGE EASEMENT TO CONVEY REAR YARDS FLOWS TO THE STREET.
- TRACT B SHALL CONTAIN A 3-FOOT PRIVATE DRAINAGE EASEMENT ALONG THE REAR YARD BOUNDARY OF LOT 67 FOR THE BENEFIT OF LOTS 68 AND 69.
- SIDEWALK CULVERTS AT THE STREET AND OTHER IMPROVEMENTS WITHIN PRIVATE DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) WHO BENEFIT FROM THE EASEMENTS.

LEGEND

- LIMITS OF VACATION
- RIGHT OF WAY VACATION
- CENTER LINE MONUMENT OF PUBLIC ROADWAY.
- SET 5/8 REBAR WITH CAP "LS 7719".

SURVEYOR

ALDRICH LAND SURVEYING
P.O. BOX 30701
ALBUQUERQUE, NM 87109
(505) 884-1990

OWNERS

SAWMILL CROSSING, LLC
7400 HANCOCK CT. NE
ALBUQUERQUE, NM 87109
PH: (505) 797-1134
FAX: (505) 797-8589

ENGINEERS

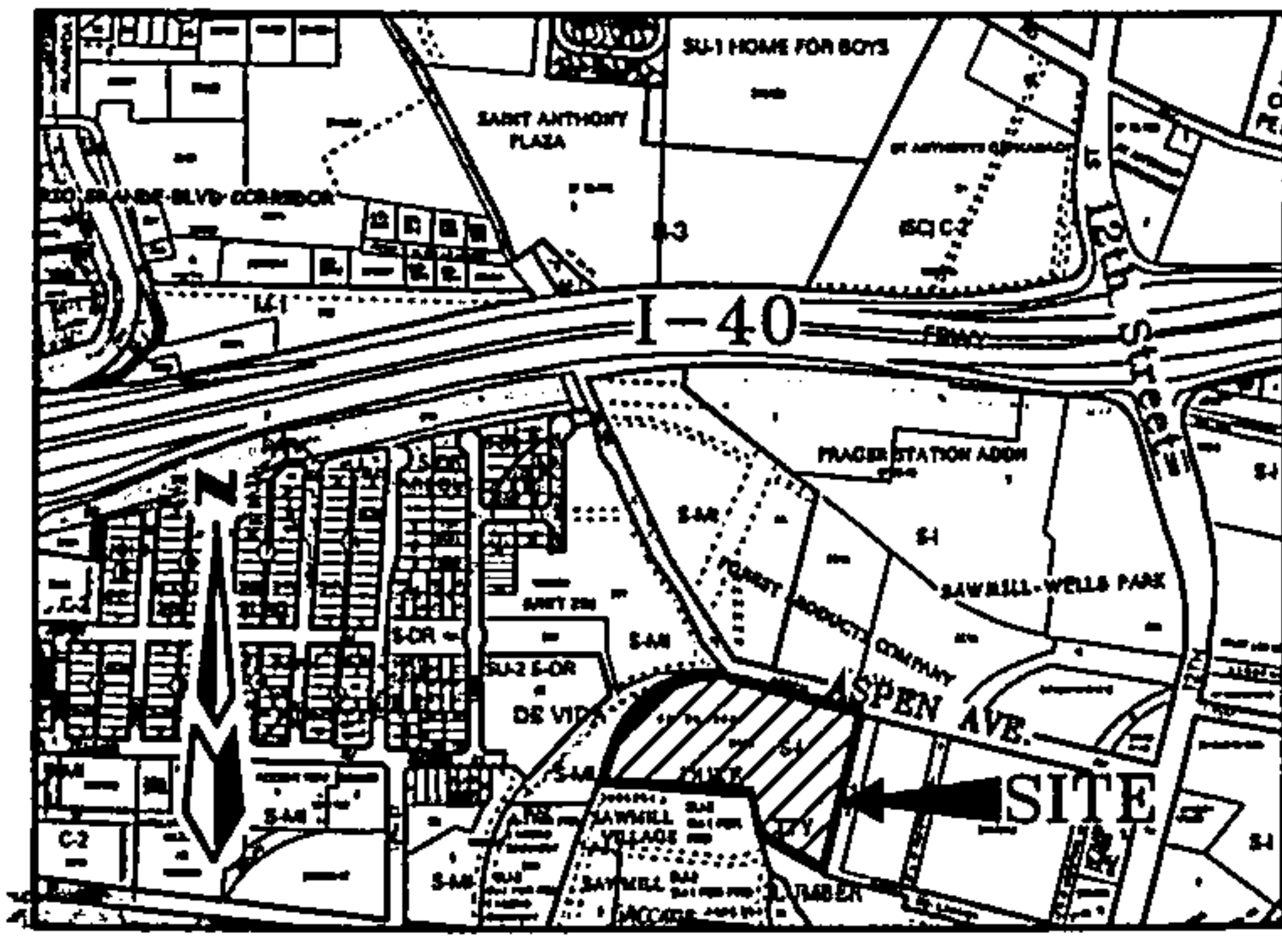
D. MARK GOODWIN &
ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90806
ALBUQUERQUE, NM 87199
(505) 828-2200

APPROVED

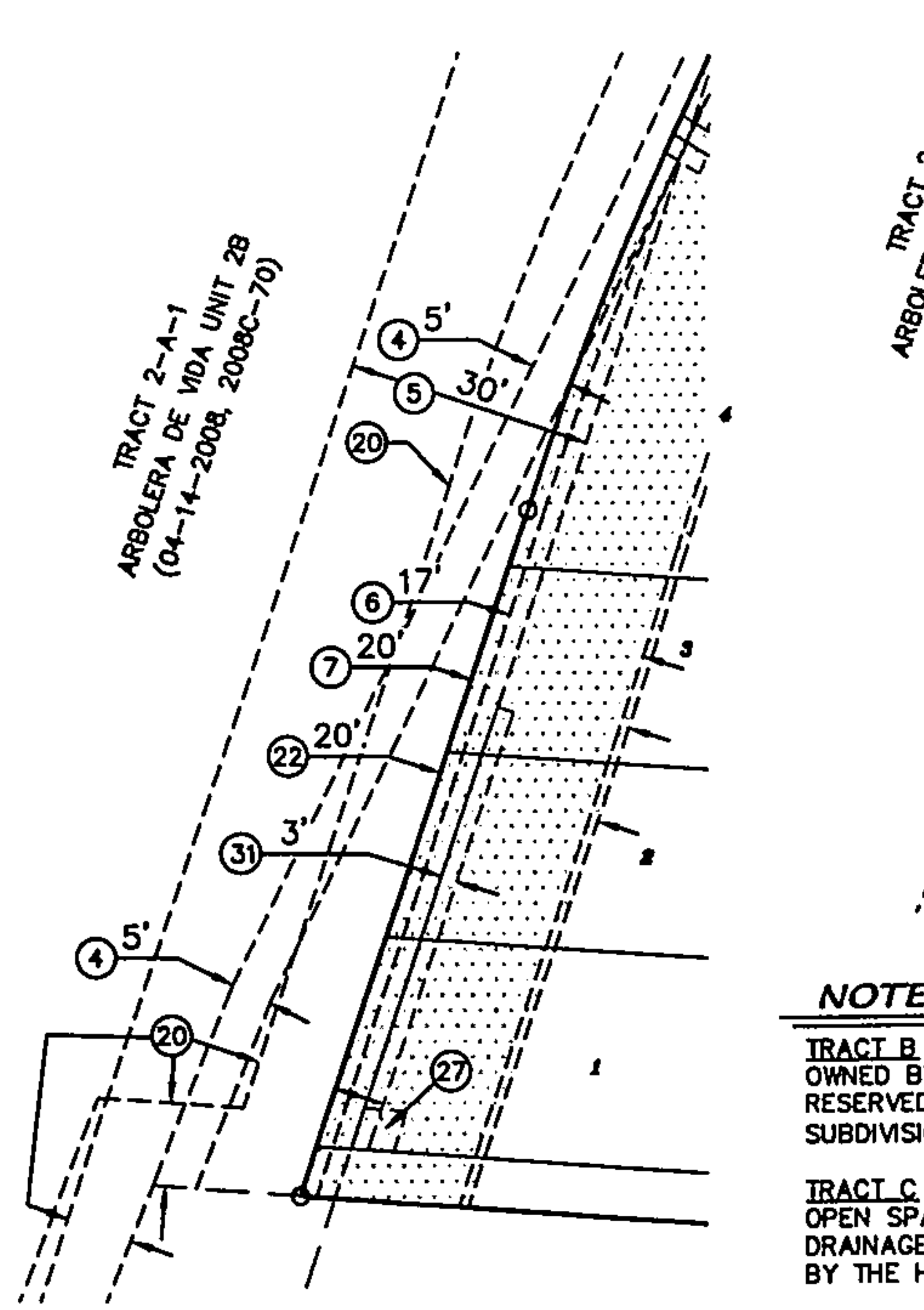
CITY SURVEYOR, CITY OF ALBUQUERQUE, N.M. _____ DATE _____

SAWMILL CROSSING LLC,
OWNER OF TRACT B-1-A-2

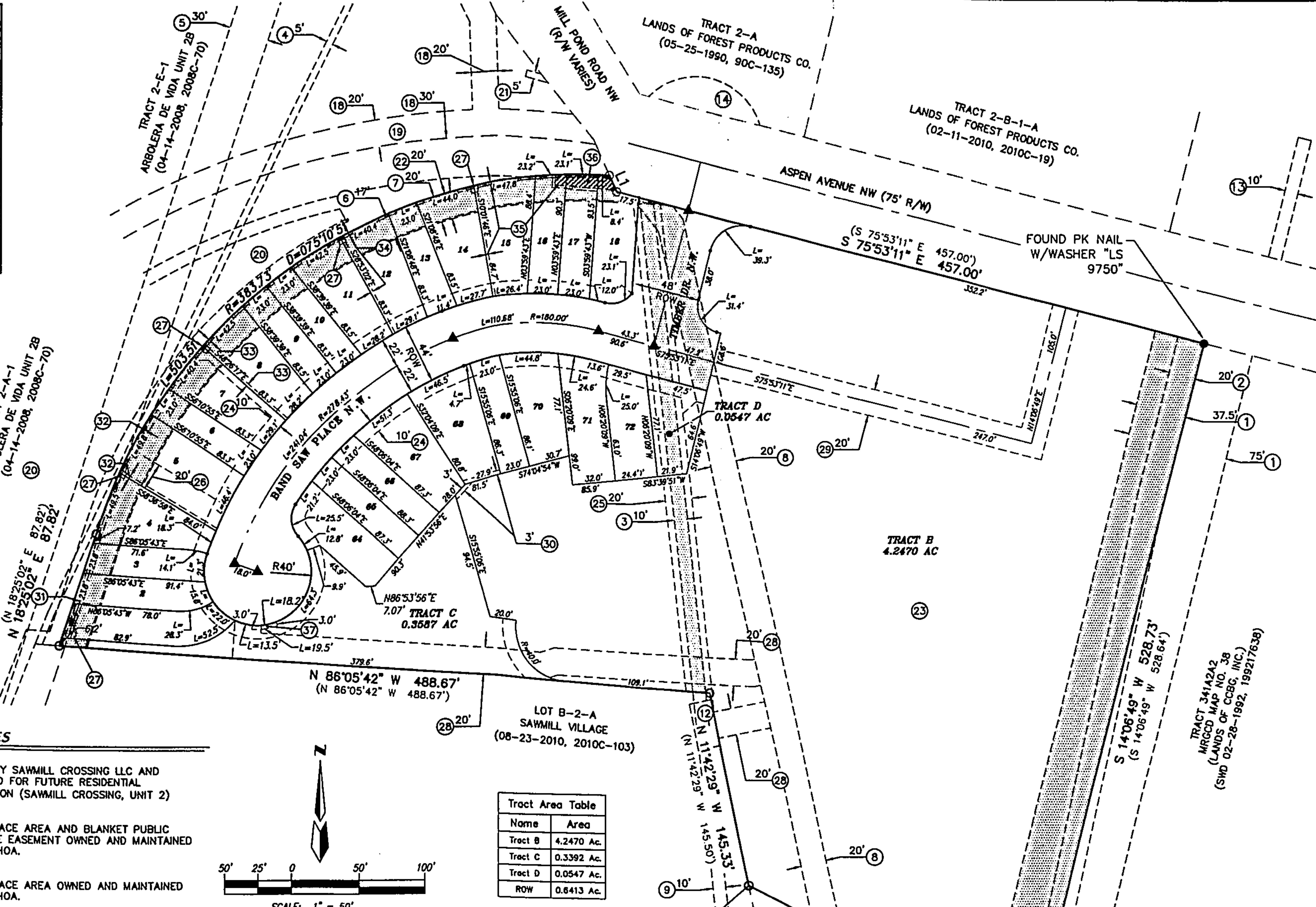
KEITH CHESHIRE, MANAGER _____ DATE _____



VICINITY MAP
SCALE: 1"=750'
ZONE ATLAS PAGE: H-13

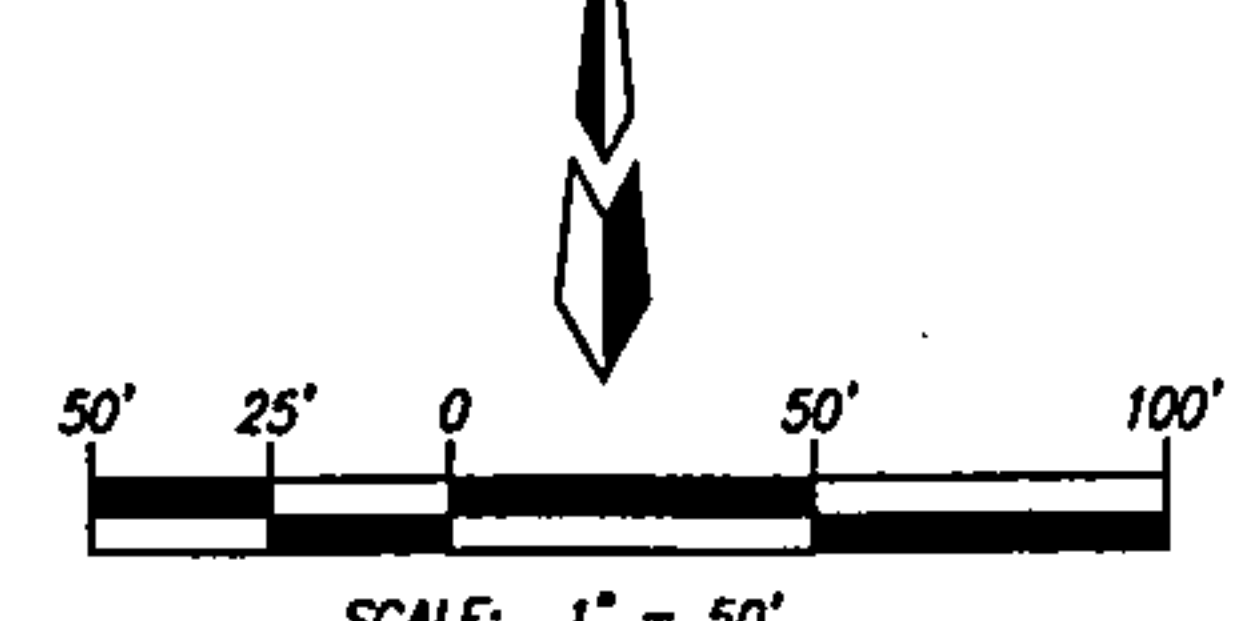


SW CORNER EASEMENT DETAIL
SCALE: 1"=20'



NOTES

- TRACT B**
OWNED BY SAWMILL CROSSING LLC AND RESERVED FOR FUTURE RESIDENTIAL SUBDIVISION (SAWMILL CROSSING, UNIT 2)
- TRACT C**
OPEN SPACE AREA AND BLANKET PUBLIC DRAINAGE EASEMENT OWNED AND MAINTAINED BY THE HOA.
- TRACT D**
OPEN SPACE AREA OWNED AND MAINTAINED BY THE HOA.



Tract Area Table	
Name	Area
Tract B	4.2470 Ac.
Tract C	0.3392 Ac.
Tract D	0.0547 Ac.
ROW	0.6413 Ac.

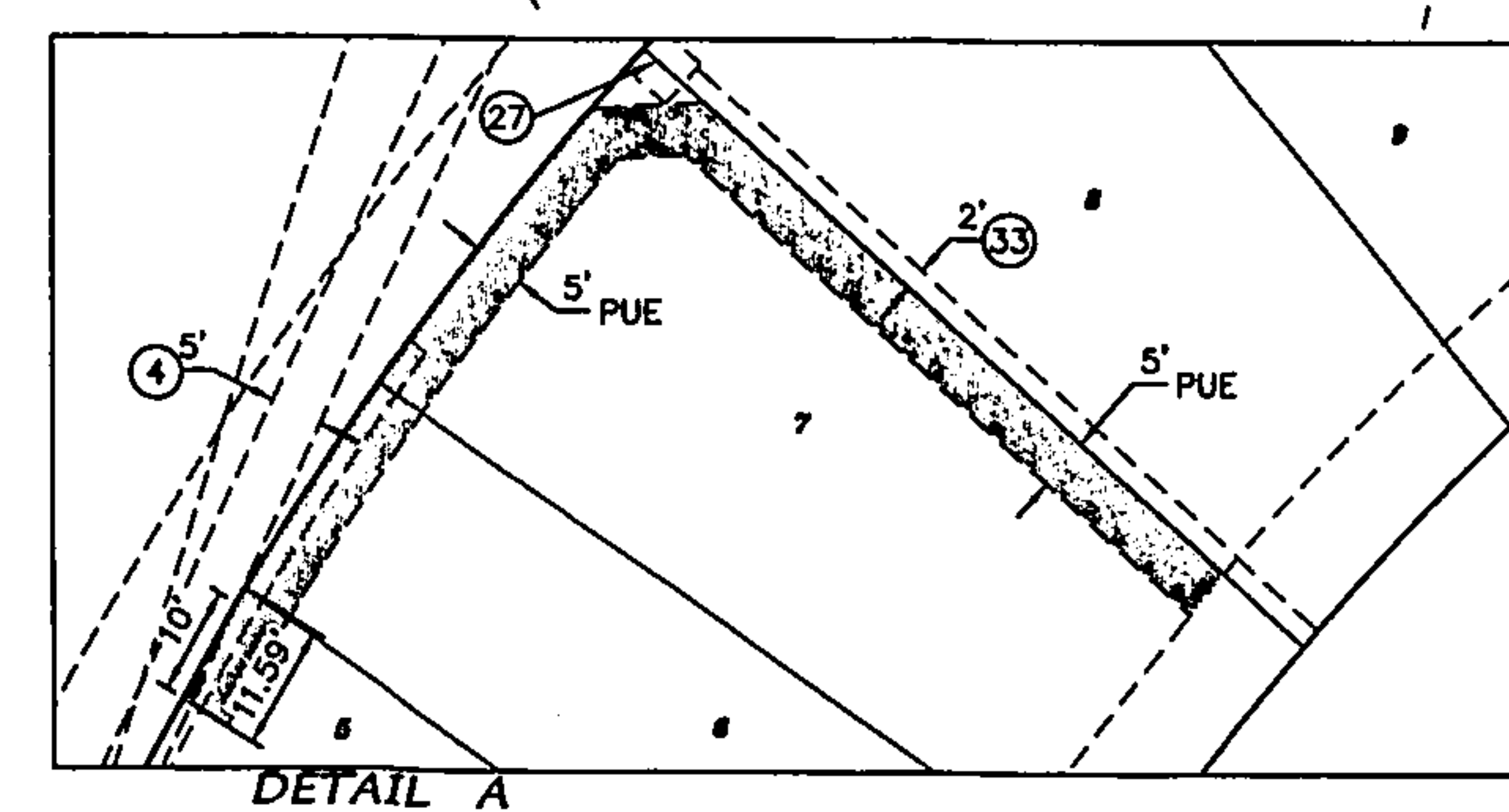
EASEMENTS

- | | | |
|--|--|---|
| 1 75' RESERVED FOR PUBLIC UTILITIES BY VACATION ORDINANCE NO. 2425 (03-16-1965, BK. MISC 50, PG. 848-854) (HATCHED PORTION TO BE VACATED) | 12 17.4' X 35' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) | 26 NEW 20 FOOT PUBLIC SANITARY SEWER EASEMENT GRANTED WITH THIS PLAT. |
| 2 20' SANITARY SEWER EASEMENT BY VACATION ORDINANCE NO. 2425 (03-16-1965, BK. MISC 50, PG. 848-854) | 13 10' PNM EASEMENT (01-07-1953, BK. D228, PG. 93-96) | 27 NEW 5x5 FOOT WIDE LANDSCAPE EASEMENT GRANTED TO AND TO BE JOINTLY MAINTAINED BY ADJACENT PROPERTY OWNERS |
| 3 10' PNM EASEMENT (08-25-1968, BK. MISC 107, PG. 297-30)
10' PNM EASEMENT BY JUDGEMENT (06-25-1968, BK. MISC 107, PG. 301-304) (HATCHED PORTION TO BE VACATED) | 14 COA PUBLIC TEMPORARY TURN-AROUND EASEMENT (05-25-1990, 90C-135) | 28 NEW 20 FOOT PUBLIC WATER LINE EASEMENT GRANTED BY THIS PLAT. |
| 4 5' PNM EASEMENT (03-18-1950, BK. D135, PG. 547-549) | 15 10' PUE (05-17-1996, 96C-204) | 29 NEW 20 FOOT PUBLIC SAS EASEMENT GRANTED BY THIS PLAT. |
| 5 30' COA PERMANENT UTILITY EASEMENT BY JUDGEMENT (04-09-1968, BK. MISC 99, PG. 776-780) | 16 5' PNM ANCHOR EASEMENT (05-17-1996, 96C-204) | 30 NEW 3 FOOT PRIVATE DRAINAGE EASEMENT GRANTED TO AND FOR THE BENEFIT OF THE OWNERS OF LOTS 1-4. |
| 6 17' RAILROAD EASEMENT (10-24-2003, BK. A67, PG. 4653) (HATCHED PORTION TO BE VACATED) | 17 7' UTILITY EASEMENT (04-04-1978, 08-102) | 31 NEW 3' PRIVATE DRAINAGE EASEMENT GRANTED TO AND FOR THE BENEFIT OF THE OWNERS OF LOTS 5-7. |
| 7 20' NON-EXCLUSIVE RAILWAY EASEMENT (01-24-1980, BK. D113A, PG. 278-280) (HATCHED PORTION TO BE VACATED) | 18 20' COA PUBLIC EMERGENCY ACCESS EASEMENT (10-06-2005, 2005C-325) | 32 NEW 3' PRIVATE DRAINAGE EASEMENT GRANTED TO AND FOR THE BENEFIT OF THE OWNERS OF LOTS 8-11. |
| 8 20' COA PUBLIC WATERLINE UTILITY EASEMENT LOCATION IS APPROXIMATE (09-17-1990, 90C-222) (HATCHED PORTION TO BE VACATED) | 19 30' BN & SF RAILWAY COMPANY EASEMENT (04-11-2005, 2005C-106) | 33 NEW 3' PRIVATE DRAINAGE EASEMENT GRANTED TO AND FOR THE BENEFIT OF THE OWNERS OF LOTS 12-14. |
| 9 10' QWEST EASEMENT (08-06-2003, BK. A61, PG. 8569) | 20 COA PUBLIC DRAINAGE EASEMENT (04-11-2005, 2005C-106) | 34 NEW 3' PRIVATE DRAINAGE EASEMENT GRANTED TO AND FOR THE BENEFIT OF THE OWNERS OF LOTS 15-18. |
| 10 20' COA PUBLIC WATERLINE EASEMENT (08-23-2010, 2010C-103) | 21 10' PNM ANCHOR EASEMENT (04-11-2005, 2005C-106) | 35 NEW PUBLIC WATERLINE EASEMENT GRANTED BY THIS PLAT TO THE WATER UTILITY AUTHORITY. |
| 11 20' COA PUBLIC ACCESS EASEMENT MAINTAINED BY OWNERS OF SAWMILL VILLAGE (08-23-2010, 2010C-103) | 22 20' RAILROAD TRACK EASEMENT (12-02-2003, BK. A63, PG. 5318) (TO BE VACATED) | 36 NEW 3' SIDEWALK EASEMENT BY THIS PLAT TO THE CITY OF ALBUQUERQUE |
| | 23 68' COA FLOATING PUBLIC ROADWAY EASEMENT (12-15-1995, 95C-451) (TO BE VACATED) | |
| | 24 NEW 10' PUBLIC UTILITY EASEMENT GRANTED WITH THIS PLAT (5' ON THE SIDE & BACKS OF LOTS 5, 6 AND 7-SEE DETAIL "A" THIS SHEET). | |
| | 25 NEW 20' PNM EASEMENT GRANTED WITH THIS PLAT. | |

LINE	BEARING	DISTANCE
L1	S 24°39'11" E	13.34'
	(S24°39'11"E)	(13.34')

Lot Area Table	
LOT#	Area
1	0.0505 Ac.
2	0.0460 Ac.
3	0.0701 Ac.
4	0.0920 Ac.
5	0.0440 Ac.
6	0.0664 Ac.
7	0.0676 Ac.
8	0.0676 Ac.
9	0.0440 Ac.
10	0.0440 Ac.
11	0.0676 Ac.
12	0.0664 Ac.
13	0.0440 Ac.
14	0.0690 Ac.
15	0.0731 Ac.

Lot Area Table	
LOT#	Area
16	0.0471 Ac.
17	0.0485 Ac.
18	0.0629 Ac.
19	0.0653 Ac.
20	0.0465 Ac.
21	0.0485 Ac.
22	0.0784 Ac.
23	0.0757 Ac.
24	0.0457 Ac.
25	0.0708 Ac.
26	0.0703 Ac.
27	0.0602 Ac.



DETAIL A
SCALE: 1"=20'

SITE DESIGN STANDARDS

The purpose of these design standards is to enhance the developed surface appearance so that new residents and their visitors can experience a positive visual feel within their new home environment. These standards establish the basis from which the new home builder will use to create an inviting and vibrant community that when combined with distinctive identities can be unique to the Sawmill Area. The Sawmill Sector Development Plan has been utilized as the foundation from which key aesthetic elements have been generated, but the ultimate goal is to enhance the minimums so that a recognizable difference can be perceived by all observers within Sawmill Crossing. Development shall comply with the general regulations of the Zoning Code and the Sawmill/Wells Park Sector Development Plan, except where otherwise noted herein. Where there is a conflict between the regulations and these design standards, the more restrictive shall apply.

I. BUILDING FORMS

All new dwellings shall be attached townhomes and joined together as two units, three units, or in a four-unit building, with each home being on its own lot. As detailed on this sheet, the townhomes located on the outside shall have minimum typical lot dimensions of at least 32 feet by 83 feet and the buildings will be 27 feet by 48 feet. With the three and four unit buildings, either one or two slightly smaller inside units (minimum 23 foot by 83 foot lot) and 23 foot by 45 foot dwellings will be combined with the outside units. Facades of inside units shall be recessed at least 3 feet behind the facades of exterior units. Interior dwelling areas will range from 880 SF up to 1650 SF.

- A. The maximum number of connected dwelling units shall be four.
- B. All buildings shall be two stories.

II. ARCHITECTURAL STANDARDS

A. The exterior building materials utilized in construction of the homes, including colors, window and door styles, and roof slope and materials, shall be the same or similar on all parts of the structure.

B. Typical building styles within this development shall be Southwest or New Mexico Vernacular, Pueblo, Territorial, or Northern New Mexico. Minor variations to these typical appearances may be allowed in order to customize individual homeowner preferences, provided the fundamental characteristics of the particular style are maintained. Courtyards and their walls shall also be consistent with the theme of the main building.

C. Inside townhome facades shall be recessed in at least 5 feet or protrude out at least 5 feet from their garage front.

D. Roofs may be flat, pitched, or combination of both, and they may be metal with colors being limited to earth-toned browns, grays, golvulume, and greens. When not flat, roof slopes shall be 30 to 45 degrees.

E. All front doors of dwellings shall face the street.

F. The garage doors on outside townhomes shall not be wider than 16 feet and on inside townhomes not wider than 8 feet. With four connected units the maximum allowed garage door width shall be 50% of total building width. With three connected units the maximum allowed width shall be 52%, and with two connected units the maximum allowed width shall be 59%.

G. Exterior finishes on all new homes shall be stucco that is limited to earth-toned shades of brown, tan or sage green. Standard, unsluccoed 8-inch by 16-inch CMU block is not allowed as a finish material for buildings. Where more than one dwelling unit is attached, the stucco color of the inside unit(s) shall be of a different color than the outside units.

H. Accent materials shall consist of rock, tile, or brick in the entry portals, front doors, window frames and related trim. These elements shall be limited to shades of white, blue, brown, or green.

I. Exterior doors and garage doors shall be composed of painted metal, stained wood or painted wood, all of which shall match the architectural theme of the dwelling.

J. Not less than 12.5% of a building facade facing public R/W shall be windows (to include garage door windows). New windows shall be recessed at least 2 inches or surrounded by a casing not less than 2 inches wide. Reflective glass is not permitted.

III. PEDESTRIAN ACCESS AND CIRCULATION

A. Running north to south through the middle of Sawmill Crossing is a proposed 6-foot sidewalk that shall connect directly between Aspen Avenue and Bellamah Avenue. This sidewalk shall also connect to where a new sidewalk is stubbed out by the adjoining Sawmill Village. North of the subject property the new on-site pedestrian route shall be extended to tie into the existing sidewalk along the west side of Mill Pond Road. Inside the site benches shall be provided every 100 feet along the route.

B. New sidewalks shall be installed in front of all new dwellings and along the south side of the on-site ponding area.

C. All pedestrian improvements shall be handicap accessible and constructed according to the ADA regulations. New handicap ramps shall be installed at all street intersections and wherever a sidewalk has to cross a street, with pavement markings to identify the cross-walk.

D. Lot 27 shall contain a handicap accessible dwelling with interior design features intended to accommodate handicapped individuals. It shall be eligible to be converted to a conventional dwelling if it is not sought after by a handicapped individual. Handicapped accessible units may be less than two stories.

IV. OPEN SPACE

A. Minimum area of usable open space for outside townhomes shall be 1200 SF, while minimum usable area for inside townhomes shall be at least 600 SF.

B. At least 10,000 SF of additional open space shall be provided on the pedestrian route running through the middle of the site and in the picnic area.

V. LIGHTING STANDARDS

A. Lighting on public streets shall be in accordance with the City's DPM and Regulation 14-16-3-9 of the Zoning Code.

B. The use of low-profile, spread-lighting fixtures may be used to accent and provide illumination of landscaped walkways, provided that up-lighting fixtures are not used.

C. Building mounted lighting shall be shielded and designed to minimize fugitive lighting across property lines, and not projecting upward so that dark skies can be preserved.

VI. LANDSCAPE STANDARDS

- A. Front Yard Minimum
 - 1. Accent Tree at least 2" caliper or 10 feet high at the time of planting
 - 4. Shrubs (minimum 5 gallon)
 - 4. Shrubs (minimum 1 gallon)
 - 2. Landscape Boulders (3' x 3' minimum, with only one being placed in middle units)

B. Accentuating "river rock" (max. 25% of area) and bark mulch (three wells only) is also permitted in front yard landscaping.

C. At a minimum, all front yard landscaping and common area landscaping shall be required to contain 1/2" to 3/4" diameter Santa Ana Tan, Santa Fe Brown, or Pueblo Rose (or similar) rock over filter fabric in all front yard areas that are not covered with living vegetative groundcover.

D. Automatic underground irrigation systems are required to support all landscaped areas and its design shall be in accordance with the City's Water Conservation Landscaping Ordinance.

E. Within individual lots landscaping and irrigation system maintenance shall be the responsibility of the homeowner, including that which is between the curb and sidewalk. Landscaping shall be maintained in a healthy and attractive condition.

F. Irrigation and landscaping maintenance outside of individual lots shall be the responsibility of the HOA.

G. Xeric principles are to be employed when designing landscaped areas and they shall include the use of water harvesting areas to the extent possible.

H. Shade trees spaced at least 30 feet on center shall be installed along the site's north boundary within Aspen Ave. and maintained by the HOA. A minimum of 75% of the ground in this area shall be covered with live plant material using anticipated mature tree and plant sizes.

VII. SCREENING / WALLS & FENCES

A. Perimeter walls around the property shall be designed in accordance with Section 14-16-3-19 (B) of the City Zoning Code. Walls shall be colored, consist of a patterned scheme, and be constructed of split-face concrete masonry topped with a continuous cap (see detail this sheet).

B. Side and courtyard walls shall be limited to 5 feet high.

C. Unfinished gray block, barbed wire, chain-link, and vinyl fencing are prohibited.

D. Maximum rear yard and perimeter wall heights shall be 6 feet, unless noted otherwise.

VIII. SETBACKS

A. Minimum Front Yard: 15 feet, except for lot 60, which contains a minimum 10' setback

B. Minimum Rear Yard: 15 feet, unless noted otherwise in the setback variance detail, on this sheet. Lots 32 thru 45 shall contain a minimum 18' rear yard setback.

C. Minimum Side Yard: No required setback, although there shall be at least 10 feet on the street side of corner lots (except Lots 18 and 45).

D. There shall also be a minimum of 10 feet between residential buildings.

E. Building portions over 15 feet high shall be set back not less 25 feet from the front property line, except for the fronts of inside townhomes over the garage, which shall be set back not less than 23 feet from the front property line.

IX. OFF-STREET PARKING

A. For townhomes located on the outside of each building the minimum number of off-street parking spaces provided shall be four. For townhomes located on the inside of buildings the minimum number of off-street parking spaces provided shall be two.

B. Driveways shall not be less than 20 feet long.

C. No more than 50% of each front, side, or rear yard setback area off a street shall be used for parking and/or driveway (except not more than 53% on outside units).

X. UTILITIES

A. All new electric distribution, telecommunication, and cable TV lines associated with the project shall be placed underground. Refer to additional information provided on Sheet 3 regarding protection of existing on site transmission line.

B. Primary cable boxes, transformers, switch gears, and main-line telephone distribution cabinets shall be screened with walls and vegetation to the extent possible, provided they are still compliant with the standards of all dry utility companies. Vertical clearance from the transmission line to building roofs not accessible to pedestrians shall be at least 13 feet. Any structure not meeting horizontal clearance shall meet the vertical clearance.

XI. SIGNAGE

A. Signage allowed within the site shall be as illustrated on the wall below with two signs being located at the entry.

XII. NOISE

A. New dwellings on Lot 19 through Lot 45 shall use sound insulation and other noise attenuation measures to allow for an indoor sound level of no more than 45 dBA. Building plans for dwellings on these lots shall be reviewed and certified by a qualified acoustical consultant to check for this limitation.

XIII. APPROVAL PROCESS

A. Being less than 10 acres in size, the Environmental Planning Commission shall be the final authority for this request approval, with final Site Development Plan for Subdivision sign-off being delegated to the Development Review Board. Upon DRB approval of this Site Development Plan for Subdivision, building permit applications shall be checked for compliance to these design standards and approved by city Building Permit officials if they comply.

B. In accordance with the Zoning Code, the Planning Director shall have the discretion to approve minor amendments to this site development plan, whereas major amendments shall be approved by the EPC.

SAWMILL/WELLS PARK SECTOR DEVELOPMENT PLAN

(within the General Regulations only those that apply to residential uses are listed below)

General SU-2 Regulations

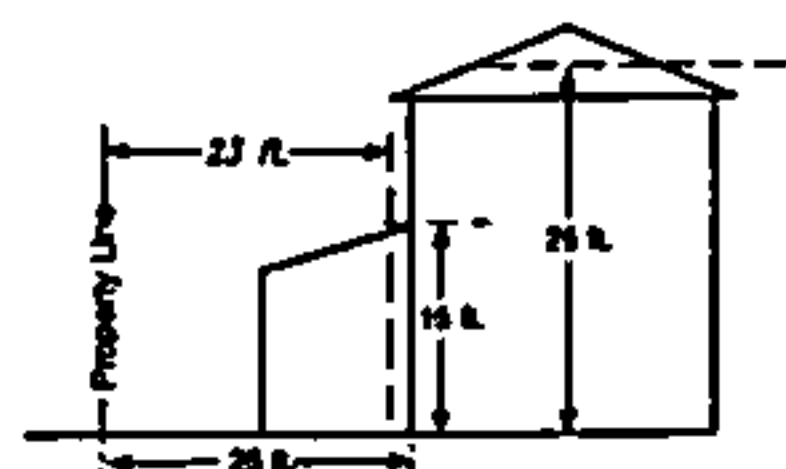
3. RESIDENTIAL BUILDING DESIGN:

3.a. Building exterior materials (stucco, brick, wood, etc.), color, window and door styles, and roof slope and materials shall be the same or similar on all parts of a structure and on all detached dwelling units on one lot.

THIS PLAN COMPLIES (REFER TO STANDARD I.I.D. AND I.I.G.)

3.b. Buildings shall not exceed 26 feet in height. Building portions over 15 feet high shall be set back not less than 25 feet from property lines abutting the public right-of-way or a private street and not less than 10 feet from interior side property lines.

3.c.



THIS PLAN COMPLIES WITH MAXIMUM BUILDING HEIGHT LIMIT (REF. SHEET 1)

EXCEPTION

This plan also complies with minimum second story front setbacks (Standard VII.E.), except for one-half of the facades on inside units, which are setback at least 23 feet from the street R/W. This variance from the regulation is designed to counteract the appearance of multiple second story facades at 25 feet back from the R/W (on outside units). The other half of the inside unit is setback at least 20 feet from the R/W (see below) to provide supplemental facade articulation.

Regarding the 10 foot setback from interior side property lines, this regulation was created to lessen the apparent impact of 2nd story buildings upon adjoining single-story homes (as indicated in the regulatory notes). This would not be the case in Sawmill Crossing since all the homes are planned to be two-story, and there are no other single-story homes in the vicinity of the subject site (the three-story Sawmill Village is directly to the south).

3.c. The slope of new roofs shall range from flat to not more than a 45 degree angle.

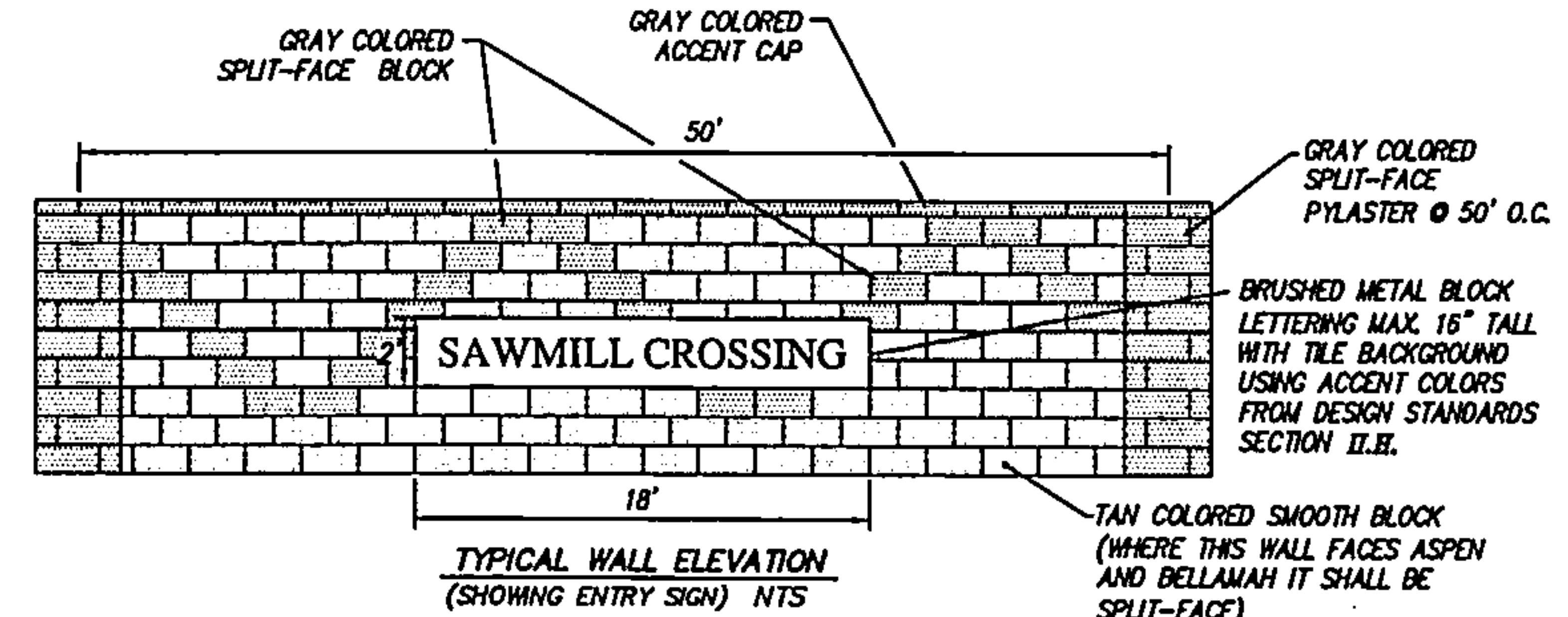
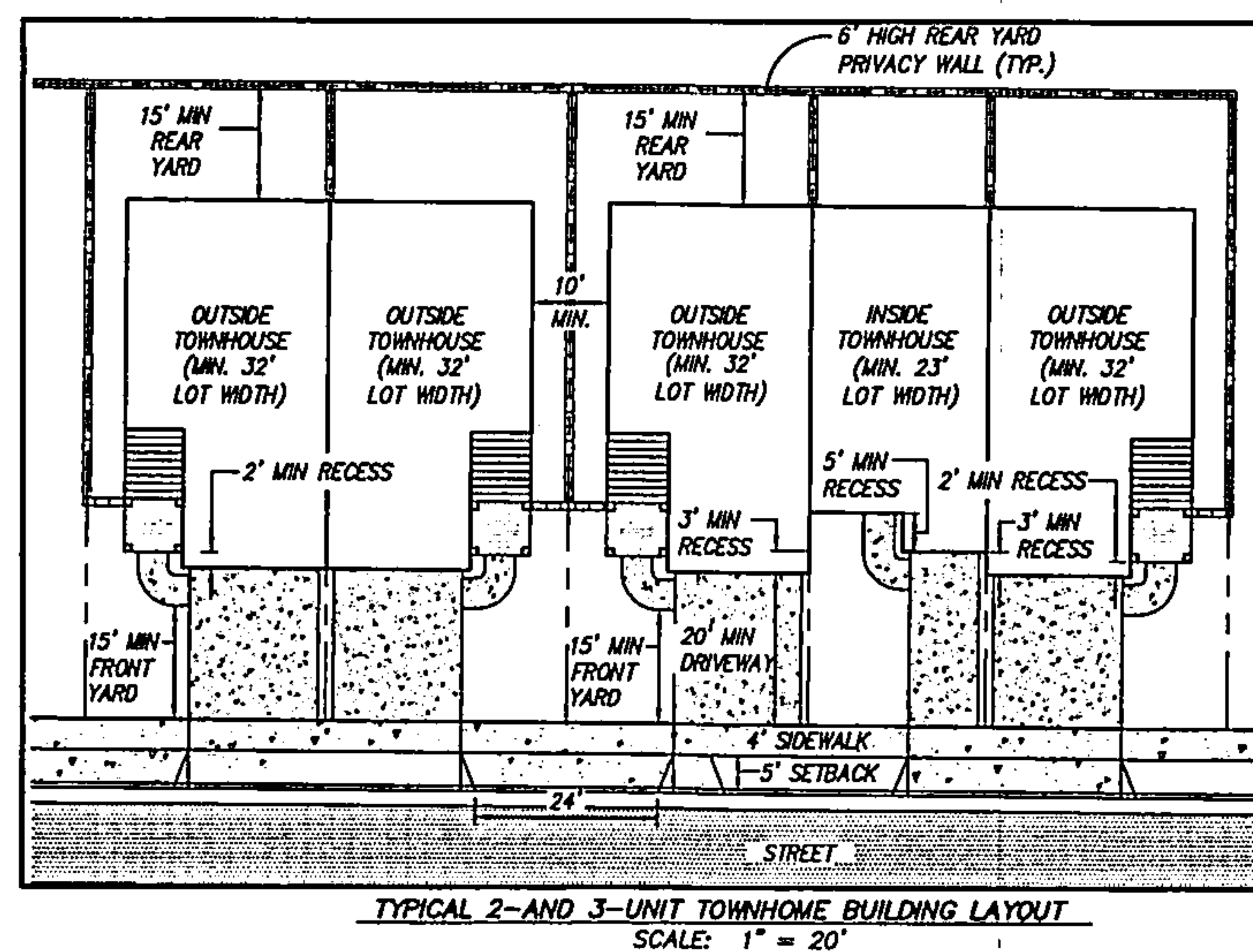
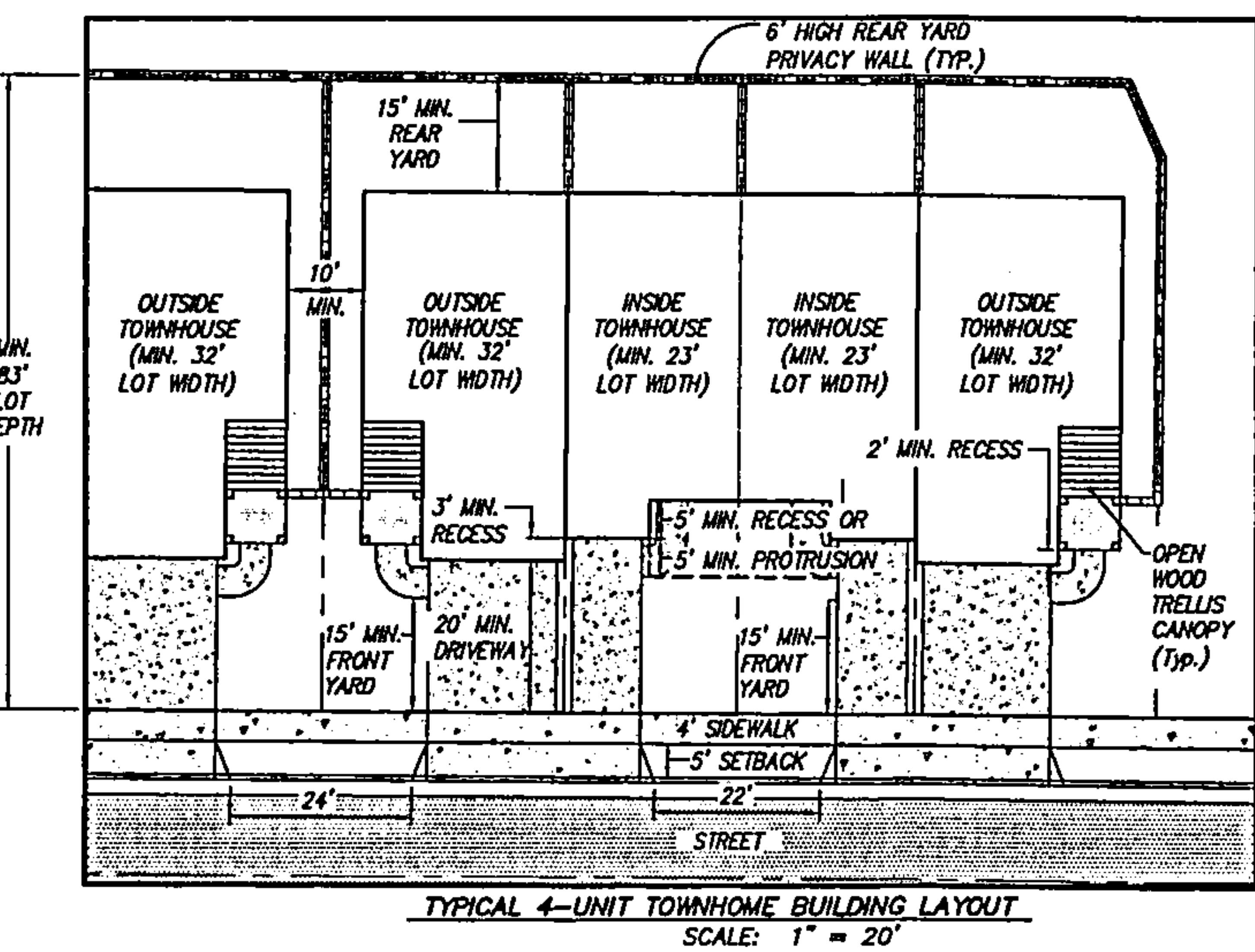
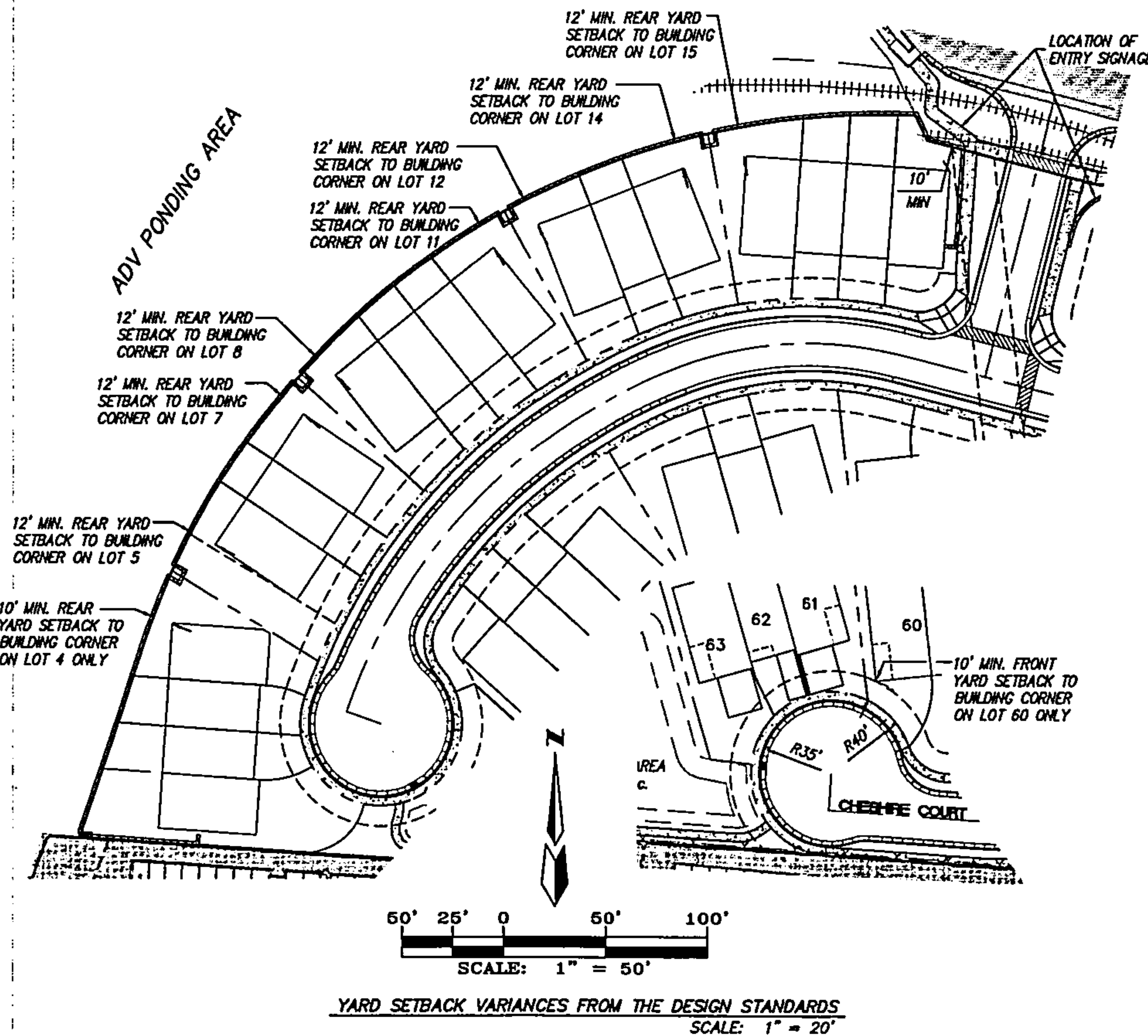
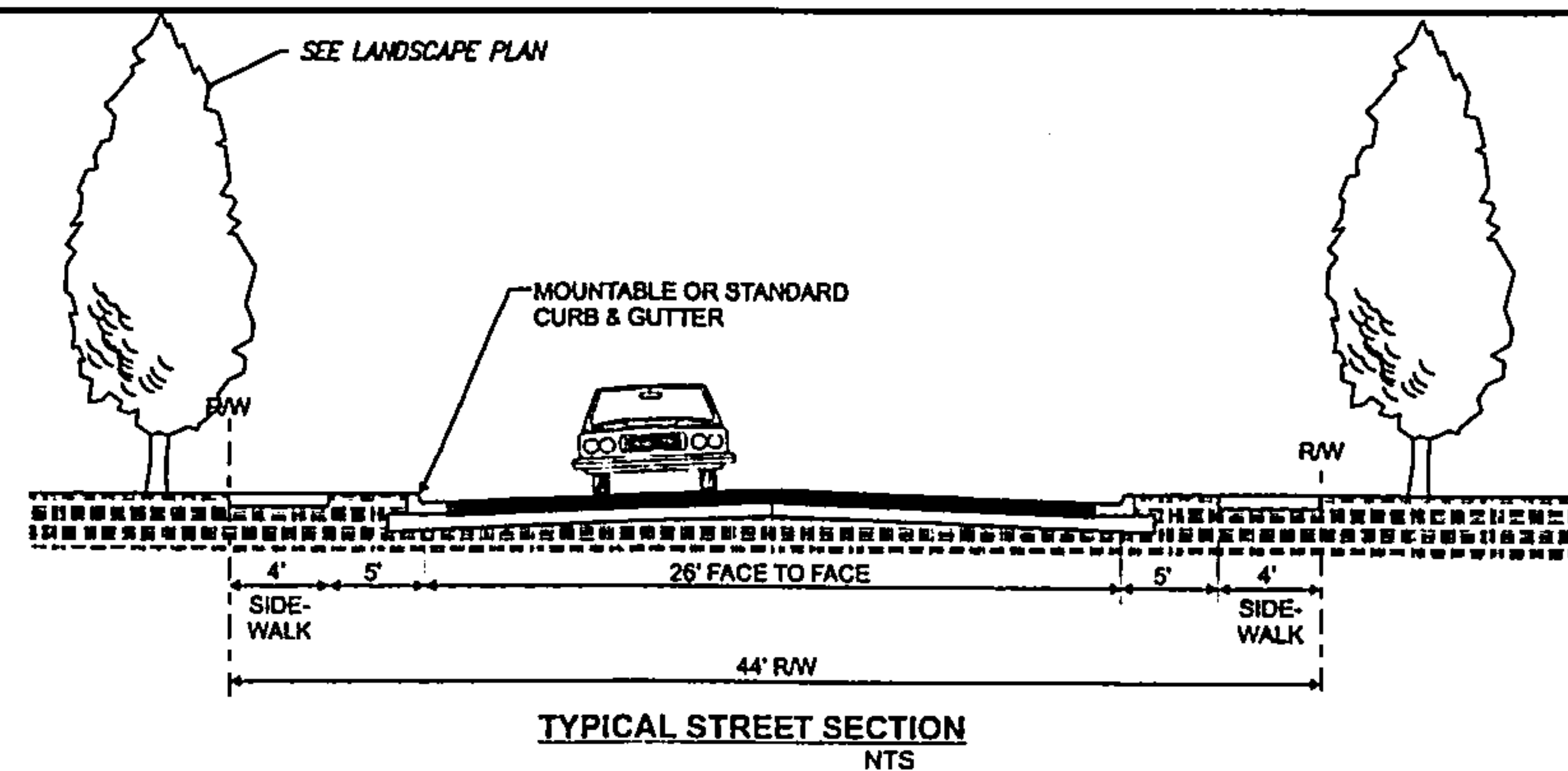
THIS PLAN COMPLIES

NOTES AND ILLUSTRATIONS

3.b. Sawmill/Wells Park homes are predominantly small and one story. Regulation 3.b. allows two story homes and second story additions to be built if the second story is set back. The set back should prevent these larger homes from dominating and compromising the small-scale character of the neighborhoods.

The Zoning Code measures the height of a building with a pitched roof at or to the ridge point between the top plate and the roof ridge.

The roof slopes and styles indicated in 3.c., 3.d., 3.e., and 3.f. are found in Sawmill/Wells Park.



SEE SHEET 4 FOR DETAIL ON PERIMETER WALL ALONG WEST BOUNDARY OF SITE.

SAWMILL CROSSING DESIGN STANDARDS

MARK GOODWIN & ASSOCIATES, P.A.
CONSULTING ENGINEERS
P.O. BOX 90606
ALBUQUERQUE, NEW MEXICO 87199
(505)828-2200, FAX (505)797-9539



DEVELOPMENT REVIEW BOARD SUPPLEMENTAL SUBMITTAL

PROJECT NO. 617586

TO: Application No. 1009046

ALL MEMBERS

Jack Cloud, DRB Chairman, Planning Department

Curtls Cherne, P.E., Hydrology

Kristal Metro, P.E., Transportation Development

Allan Porter, P.E., Albuquerque/ Bernalillo Co.WUA

Carol Dumont, Parks/Municipal Development

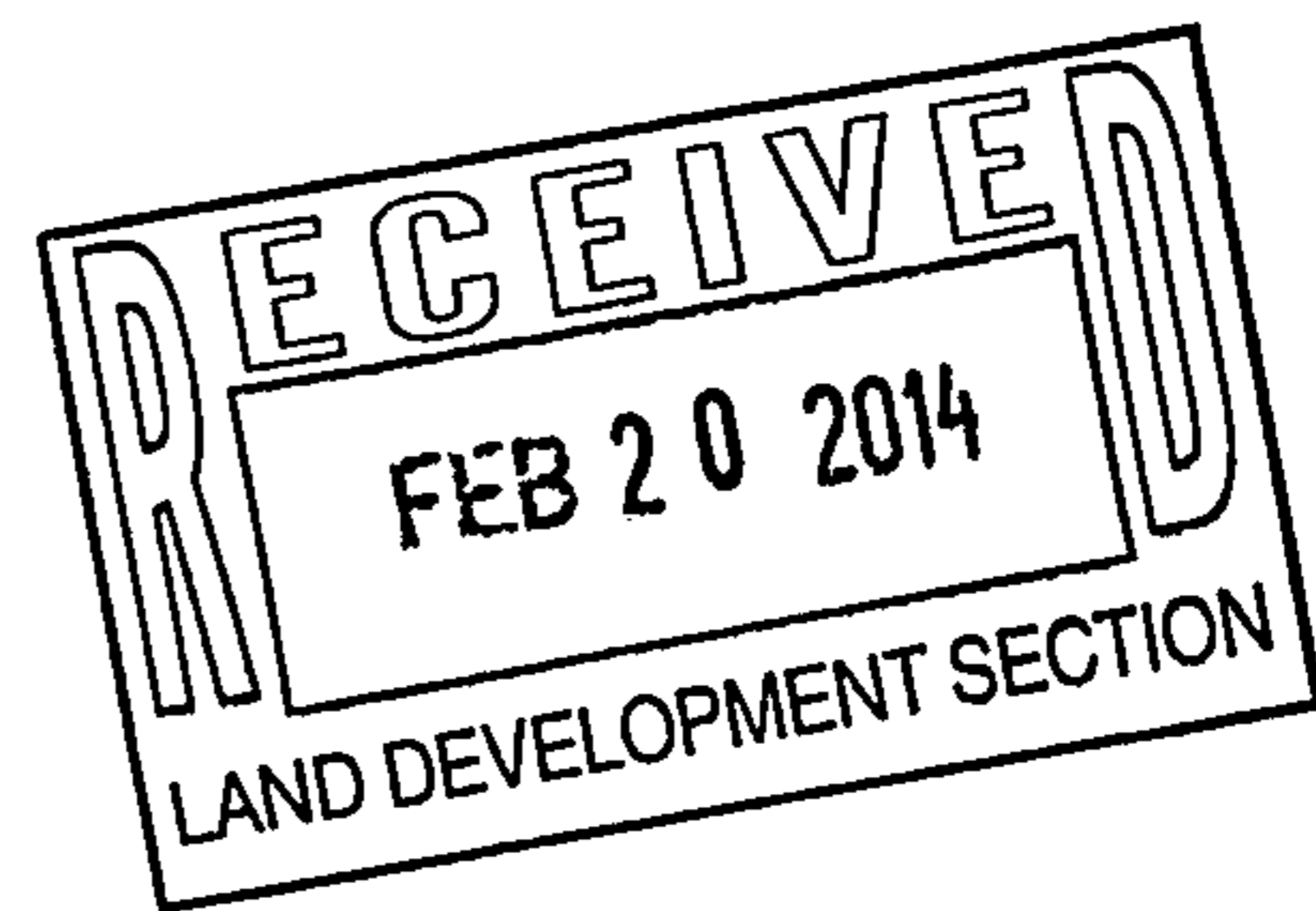
NEXT HEARING DATE: Feb 26, 14

NOTE: REQUESTS FOR DEFERRAL OF CASES WILL BE DISCUSSED BY THE BOARD AND THE APPLICANT AND/OR AGENT AT THE BEGINNING OF THE AGENDA. BOTH PARTIES MUST AGREE UPON THE DATE OF DEFERRAL. IF THE APPLICANT/AGENT IS NOT PRESENT, THE ADMINISTRATIVE ASSISTANT MUST RECEIVE A LETTER, PRIOR TO THE HEARING DATE, REQUESTING A SPECIFIC DEFERRAL DATE. THE BOARD WILL DISCUSS AND MAKE A DECISION AT THE HEARING. THE APPLICANT/AGENT WILL THEN BE INFORMED OF THE DEFERRAL DATE AND REASON. IF THE APPLICANT IS NOT PRESENT WHEN THEIR REQUEST IS CALLED, THEN THE REQUEST MAY BE INDEFINITELY DEFERRED ON A NO SHOW.

SUBMITTAL DESCRIPTION: 6 copies of Final Plat for Plat Deferral

to be heard at the 2/26/14 DRB meeting for Sawmill

Crossing Subdivision



CONTACT NAME: Doug Hughes

TELEPHONE: 828-2200 EMAIL: douge.goodwin@engineers.com

MARK GOODWIN & ASSOCIATES, PA

LETTER OF TRANSMITTAL

TO: Jack Cloud
DRB Chair, Planning Division

DATE: February 20, 2014

RE: Sawmill Crossing, Unit 1
CPN 617586/ DRB 1009046

ITEMS BEING TRANSMITTED

2	Plat for DRB Hearing on 2/26/14

FOR YOUR USE

FOR YOUR RECORDS

AS REQUESTED

FOR YOUR COMMENTS

Notes:

Submitted by:
JDH/kb

Received By:

(Please Print)

Date

CITY COMMISSION
March 9, 1965
V-428

To
No 44256

ORDINANCE NO. 2425

848

AN ORDINANCE VACATING PORTIONS OF 15TH STREET NW AND BELLAMAH AVENUE NW, AND DECLARING AN EMERGENCY.

WHEREAS there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico certain easements for street purposes as described below; and

WHEREAS said portions of these streets are not needed for public use except for easements reserved by Section 2 hereof,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALBUQUERQUE, NEW MEXICO:

SECTION 1. The portion of Fifteenth Street NW extending from the northeasterly right-of-way line of Millpond Road NW to the southerly right-of-way line of Aspen Avenue NW, and the portion of Bellamah Avenue NW extending from the northeasterly right-of-way line of Millpond Road NW to a point 80 ft. west of the westerly boundary of the AT&SF Railway Parcel F shall be and the same are hereby closed and vacated subject to easements reserved by Section 2 hereof.

SECTION 2. The City hereby reserves all of the vacated streets described in Section 1 as easements for public utilities, whether municipally or privately owned, which may be necessary for public use and benefit at the present time or in the future, including an easement 20 ft. in width and centered on the existing sanitary sewer line in the above-described portions of Bellamah Avenue and Fifteenth Street.

SECTION 3. Immediately upon the effective date of this ordinance, the land above-described shall be effectively vacated, and the City of Albuquerque by this ordinance disclaims from such date any further interest therein except for easements reserved in Section 2 hereof.

SECTION 4. This ordinance is an emergency measure because of urgent public need and will be effective upon passage and publication according to law.

ADOPTED March 9, 1965

[Signature]
Chairman, City Commission, Albuquerque, N.M.

ATTEST: *[Signature]*, City Clerk

State of New Mexico
County of Bernalillo
This instrument was filed for record on
9:21 MAR 16 1965
At 10:42 a.m. Recorded in Vol. 58
of records of said County Folio 248
[Signature] Clerk & Recorder
[Signature] Deputy Clerk

15th St.
Public Utility
Easement
Reservation

APPROVED AS TO FORM
Date: 3-1-65
[Signature]
FRANK MORAN, CITY ATTORNEY

APPROVED AS TO DESCRIPTION
Date: 3-5-65
[Signature]
WILLIAM T. STEVENS, CITY ENGINEER

98293

7110 Flores
1st N.M. Pl. Bldg.
West

297

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That First National Bank in Albuquerque, Trustee under Declaration of Trust dated November 17, 1967, hereinafter called the "Grantor", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to the Grantor in hand paid by Public Service Company of New Mexico, a corporation organized and existing under the laws of the State of New Mexico, hereinafter called the "Grantee" the receipt of which consideration is hereby acknowledged by the Grantor, hereby grants unto the Grantee, its successors and assigns, an easement as follows:

A perpetual easement in and to the premises herein described with the right to construct, erect, maintain and repair such poles, structures, conduits and transmission lines as may be required to furnish electrical service, together with the right of egress and ingress for the purpose of making needed repairs and in the interest of safety, which easement includes and is subject to the following rights and limitations:

(A) The transmission of substantially more than 115,000 volts through any transmission lines constructed within the easement area is prohibited unless a right to do so is first acquired by purchase or condemnation from the grantee, its successors, assigns, or their heirs, executors, administrators and assigns.

(B) The erection and construction of buildings by the grantee, its successors, assigns, or their heirs and assigns, within the easement area is prohibited, provided that fences and the open storage of personal property not exceeding eight (8) feet in height are permitted.

(C) Overhead and underground distribution lines and conduits may be placed within the easement area by the petitioner.

The easement granted herein is over, upon and along a strip of land owned by Grantor, situate in Bernalillo County, State of New Mexico as is described as follows:

An easement within Tract 235 and 236 as shown on M.R.G.C.D. Map No. 38 and in Sections 7 and 18, T.10N., R.3E., N.M.P.M., Bernalillo County, New Mexico and more particularly described as follows: An easement ten (10) feet wide being five (5) feet on each side of the following described center-line survey: Beginning at survey station 92+83.72, a point in the Easterly boundary line of Tract 235, whence the Southeasterly corner of Tract 235 bears S. 7°33'30"W., 0.52 feet distant, and running thence as the herein described easement

N. 68°25'W., 7.28 feet to P. I. station 92+91.0; thence N. 11°01'00"E., 882.32 feet to station 101+73.32, a point in the Easterly Boundary line of Tract 236, whence an angle point in said Easterly boundary line bears S. 0°45'20"E., 39.85 feet distant; continuing thence as a traverse line, across adjoining lands, N. 11°0'00"E., 247.07 feet to survey station 104+20.39, the point of re-entry to Tract 236, whence an angle point in the Easterly boundary line of Tract 236 bears S. 24°14'W., 36.58 feet distant; continuing thence as the herein described easement N. 11°01'00"E., 465.01 feet to P.I. station 108+85.40; thence N. 6°23'00" W., 755.5 feet to station 116+40.9, the terminus point of this easement, whence an angle point in the Easterly boundary line of Tract 236 bears S. 29°09'E., 80.69 feet distant, the side line of said easement shortening or lengthening so as to terminate at the property lines; together with the necessary down guy and anchor easements bearing N. 68°25'W. from P.I. 92+91.0, 60.0 feet distant; and from P.I. 108+85.40, S. 87°47'E. to the property line, said easement containing 0.485 acres more or less, all as shown on Public Service Company of New Mexico Drawing No. A-716-D attached hereto and made a part hereof, and marked for identification as EXHIBIT "A".

IN WITNESS whereas the undersigned has caused these presents to be executed this 17th day of June, 1968.

FIRST NATIONAL BANK IN ALBUQUERQUE

By *H. M. Knight*

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

The foregoing instrument was acknowledged before me this 17 day of June, 1968, by *H. M. Knight*, VICE PRESIDENT of First National Bank in Albuquerque, a National banking corporation, on behalf of said corporation.

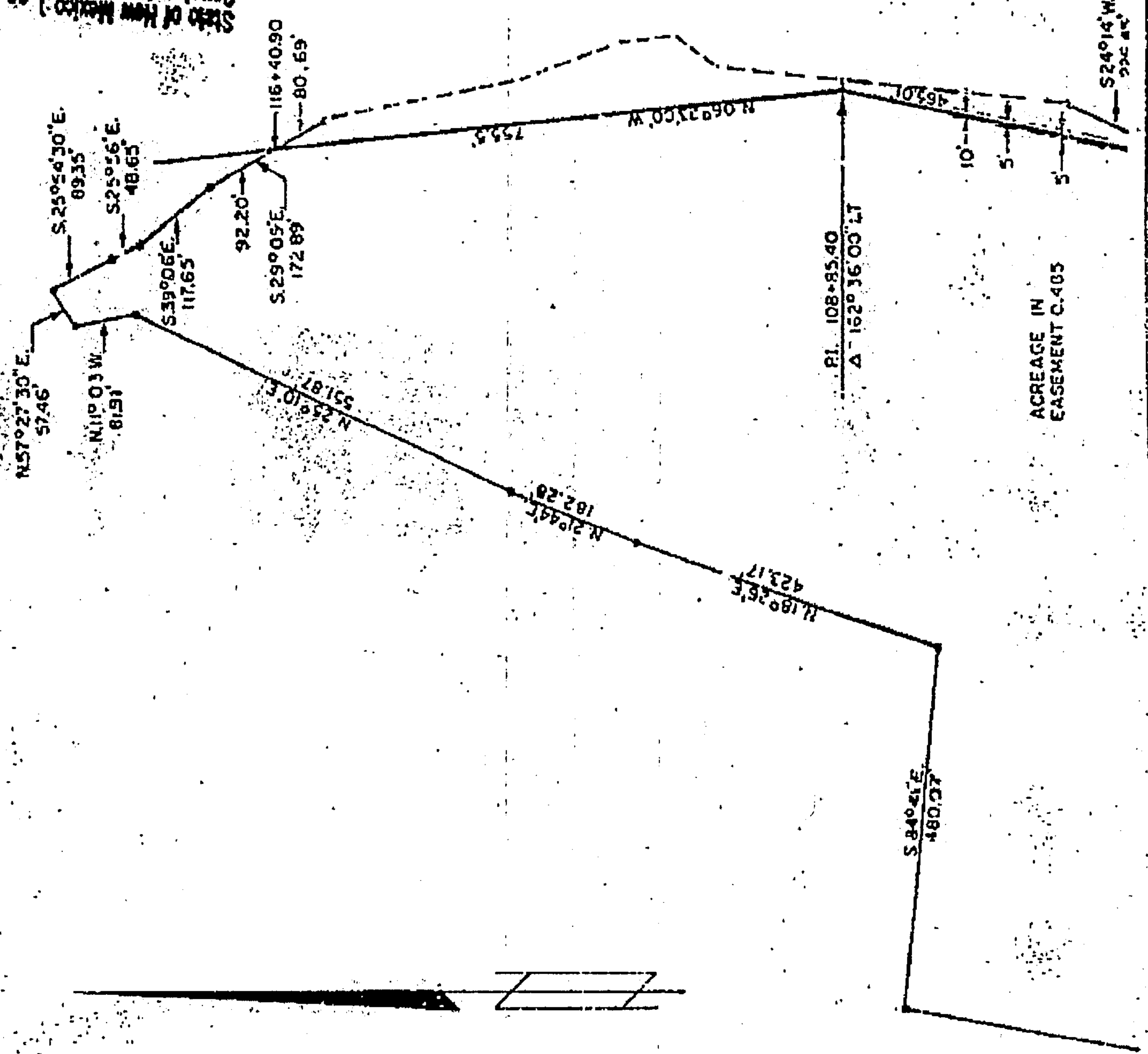
James M. Evans
 Notary Public

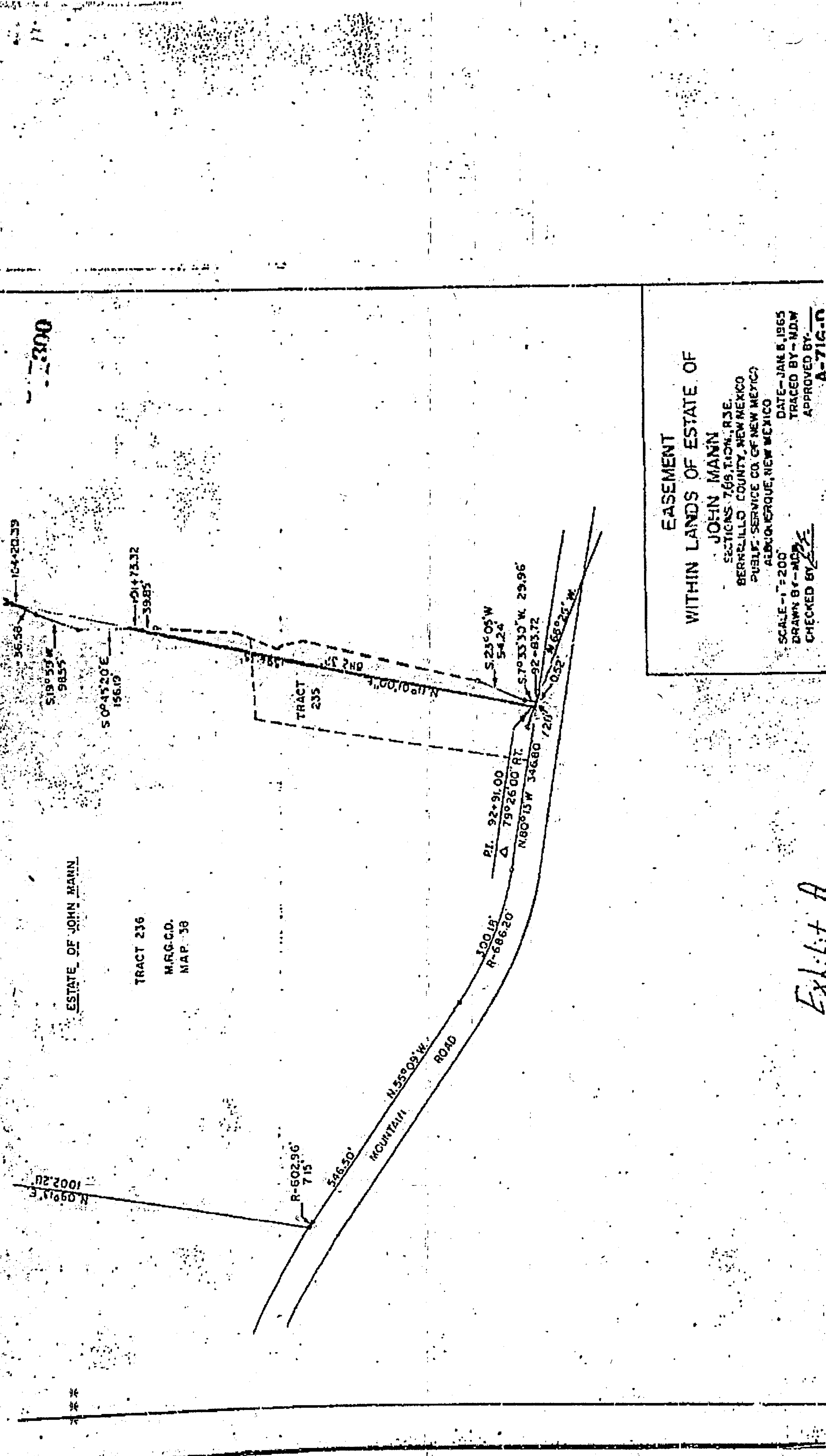
My commission expires:
 My Comm. Exp. April 7, 1972

299



State of New Mexico
 County of Bernalillo
 This instrument was filed for record on
 JUN 25 1968
 At 10:00 AM, Recorded in Vol. 107
 of records of said County Folio 17-300
 Clerk & Recorder
 LARRY L. LAMAR





ESTATE OF JOHN MANN

TRACT 236

M.R.G.C.D.
MAP 38

EASEMENT
WITHIN LANDS OF ESTATE OF
JOHN MANN
SECTIONS 769, 710N, R3E,
BERNILLO COUNTY, NEW MEXICO
PUBLIC SERVICE CO. OF NEW MEXICO
ALBUQUERQUE, NEW MEXICO

DATE - JAN 8, 1965
TRACED BY - M.D.W.
APPROVED BY -
A-716-0

SCALE - 1" = 200'
DRAWN BY - M.D.W.
CHECKED BY -

Exhibit A

PROJECT

1009046

<i>App #</i>	<i>Action</i>	<i>Date</i>
<u>13-70518</u>	<u>VPE</u>	<u>5-15-13</u>
<u>13-70519</u>	<u>EPP</u>	<u>5-15-13</u>
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Railroad Track Easement

This Easement is made by GE Capital Small Business Finance Corporation, a Delaware corporation ("GE"), as grantor, whose address is 635 Maryville Centre Drive, Suite 120, St. Louis, MO 63141, to the Sawmill Community Land Trust ("SCLT"), a New Mexico non-profit corporation, as grantee, whose address is P.O. Box 25181, Albuquerque, New Mexico 87125.

1. Recitals.

A. Industry Railroad Track 598 is located (i) within the street right of way for Aspen Avenue, NW ("Aspen Ave."), which is owned by the City of Albuquerque; (ii) within Tract B-1-A-2 ("ABQ Property"), as shown and designated on the plat of Lots B-1-A-1, B-1-A-2 and B-1-A-3, Duke City Lumber Company Addition, City of Albuquerque, Bernalillo County, New Mexico, filed on December 15, 1995 in Volume 95C, Folio 451 of the records of Bernalillo County, New Mexico, which is owned by ABQ Real Estate, L.L.C., a New Mexico limited liability Company; and (iii) within Lot B-2-A ("GE Property") as shown and designated on the plat of Lots B-1-A and B-2-A, filed on September 17, 1990 in Volume 90C, Folio 222 of the records of Bernalillo County, New Mexico, which is owned by GE.

B. Track 598 was constructed pursuant to (i) that certain Contract for Industry Track Number 96955, dated December 1, 1949, between the Atchison, Topeka and Santa Fe Railway Company ("ATSF") and Transit Remanufacturing Corporation and (ii) that certain Contract for Industry Track Number 133667, dated June 28, 1969, between ATSF and Mexwood Products, Inc.

C. The segment of Track 598 that was constructed pursuant to Contract Number 96955 ("Aspen Track") is approximately 842.2 feet long and was constructed within Aspen Avenue.

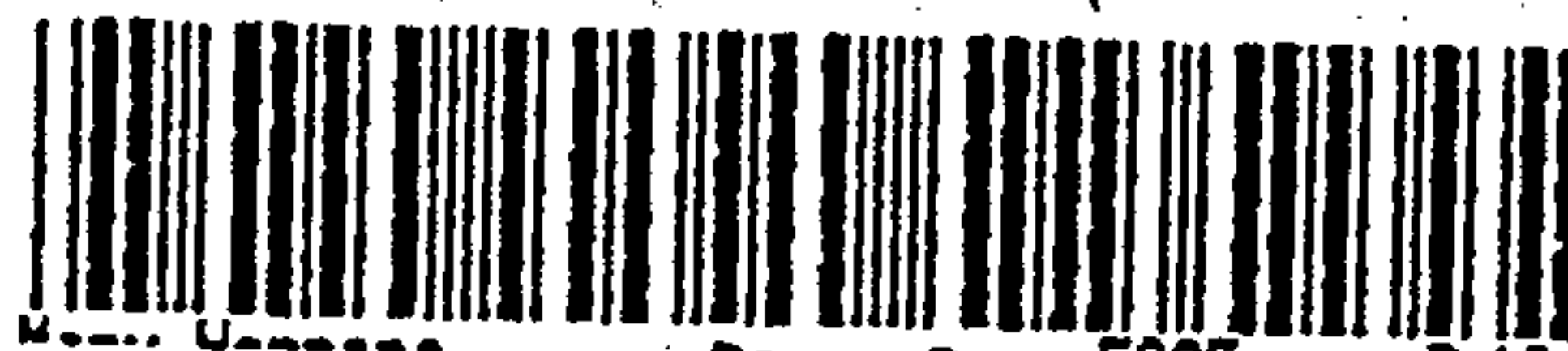
D. The segment of Track 598 that was constructed pursuant to Contract Number 133667 ("GE Track") is approximately 1,106.5 feet long and was constructed within the ABQ Property and the GE Property.

E. Transit Remanufacturing Corporation became Duke City Lumber Company and was succeeded by USI Realty Corp., a Delaware corporation ("USI"). USI is the owner of the Aspen Track.

F. Contract Number 133667 was assigned by Mexwood Products, Inc., with the consent of ATSF, to Ponderosa Products, Inc.

G. GE is the successor, through mortgage foreclosure, of the GE Property and property rights of Ponderosa Products, Inc.. GE is the owner of the GE Track.

Housing/GE Track easement



2883215766
598888
Page: 1 of 3
12/02/2003 02:22P
DL-020 0-5210

H. On September _____, 2003, ABQ Real Estate, LLC granted the City an easement ("Railroad Easement") for a railroad track within that part of the ABQ Property that is described and shown on Exhibit A attached to this Easement. The Railroad Easement was filed on September _____, 2003 in Book _____, Page _____ of the records of Bernalillo County, New Mexico. The GE Track is partially located within the Railroad Easement.

I. The SCLT wishes to acquire an easement to use that part of the GE Track that lies within the Railroad Easement.

2. Grant of Easement. GE, for consideration paid, hereby grants to the SCLT, and to the successors, assigns and transferees of the SCLT, a nonexclusive easement to use that part of the GE Track that lies within the Railroad Easement ("Easement Track Segment") for all lawful uses connected with or incidental to a railroad track. This easement includes, without limitation, the right, privilege and easement to construct, maintain, repair, renew, use, and operate the Easement Track Segment and to run, switch, load, and unload of rail cars over and upon the Easement Track Segment, but expressly does not include the storage of rail cars. The benefits of this easement shall inure to the SCLT and to the successors, assigns and transferees of the SCLT forever.

3. Maintenance. The SCLT, the successors, assigns and transferees of the SCLT, and any other parties who use the Easement Track Segment shall have the responsibility for maintaining and repairing the Easement Track Segment in accordance with such terms and conditions as they may agree among themselves and otherwise in accordance with the terms and conditions of the Contracts for Industry Track and other private agreements for use of the Easement Track Segment and applicable law.

4. Assignment. The SCLT's right, title and interest in and to this easement is freely and fully assignable and transferable by the SCLT without the consent of GE or the successors, assigns or transferees of GE.

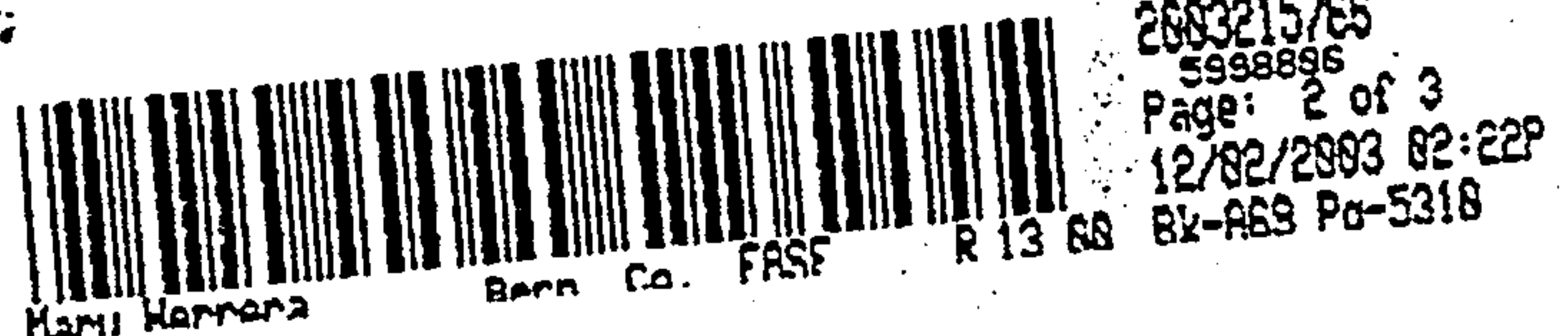
6. Binding Effect. This Agreement shall be binding upon GE, the SCLT, and their respective successors, assigns and transferees.

Witness my hand and seal this 12th day of November, 2003.

GE Capital Small Business Finance Corporation, a Delaware Corporation

By Cheryl Pinson
Cheryl Pinson
Asset Management Specialist

Housing/GE Track easement



Railroad Easement

This Railroad Easement is made by and between ABQ Real Estate, L.L.C., a New Mexico limited liability company, as Grantor, and the City of Albuquerque, a New Mexico municipal corporation, whose address is P.O. Box 1293, Albuquerque, New Mexico 87103, as Grantee.

1. Recital. Grantor is the owner of Tracts B-1-A-2 ("Property") as shown and designated on the Replat of Lot B-1-A, Duke City Lumber Company Addition In Albuquerque, Bernalillo County, New Mexico.

2. Grant of Easement. Grantor, for consideration paid, hereby grants to Grantee, its successors and assigns, a railroad easement, including, without limitation, the right, privilege and easement to construct, maintain, repair, renew, use, operate over, replace or remove railroad tracks, drainage facilities and appurtenances thereto in, along, over, upon or across that portion of the Property as shown or described on attached Exhibit "A";

To have and to hold the easement for so long as it is used or required for railroad purposes and until the Grantee, its successors or assigns, shall remove all such facilities from the premises with the intent to abandon the easement.

3. Warranty of Title. Grantor covenants and warrants that Grantor is the owner in fee simple of the Property and that Grantor has a good lawful right to grant this easement and that the Grantor will forever warrant and defend that title to the Property against all claims from all persons or entities.

4. Grade Crossing. If the City of Albuquerque or the Burlington Northern Santa Fe Railway requires that a grade crossing ("Grade Crossing") be installed on Industry

Hercules/Sawmill Railroad easement

2003195659
5978891
Page: 1 of 5
10/24/2003 10:22A
Mary Herrera Bern. Co. ERSE R 17.69 Bk-667-Pg-4653

[Signature]
Grantee

[Signature]
Grantor

10/24/03

Track Number 598 to provide ingress and egress to and from the Property and Aspen Avenue, Grantee shall, upon the written request of Grantor and at Grantee's cost and expense, construct or cause to be constructed the Grade Crossing. The Grade Crossing shall be constructed within six (6) months after the date of Grantor's written request to the Grantee, at a location that is agreed upon by the Grantor and the Grantee, by a contractor that is New Mexico licensed and approved by Burlington Northern Santa Fe Railway, and in accordance with the standards and specifications approved by Burlington Northern Santa Fe Railway. Notwithstanding the above, whether or not Grantor gives Grantee a written request to construct the Grade Crossing, Grantee shall construct the Grade Crossing as provided in this paragraph within twenty-four (24) months after the date of this Easement.


Witness my hand and seal this 19 day of September, 2003.

ABQ Real Estate, L.L.C.

By 
David Zimpleman, President

Accepted:
City of Albuquerque

 By 
Jay Czar, Chief Administrative Officer

Housing/Sawmill Railroad easement  Mary Herrera
Bern. Co. ERSE R 17.89
2003195553
5078931
Page: 2 of 5
10/24/2003 10:22A
Bk-667 Pg-4653

STATE OF NEW MEXICO)

COUNTY OF BERNALILLO)

) ss
)

This instrument was acknowledged before me on September 19, 2003,
2003, by David Zimpleman, president of ABQ Real Estate, L.L.C..

Shirley F. Burns

Notary Public

My Commission Expires:

March 28th 2005

Housing/Sawmill Railroad easement



Mary Herrera

Bern. Co. ERSE

R 17.69

2003195059

5978691

Page: 3 of 5

10/24/2003 10:22A

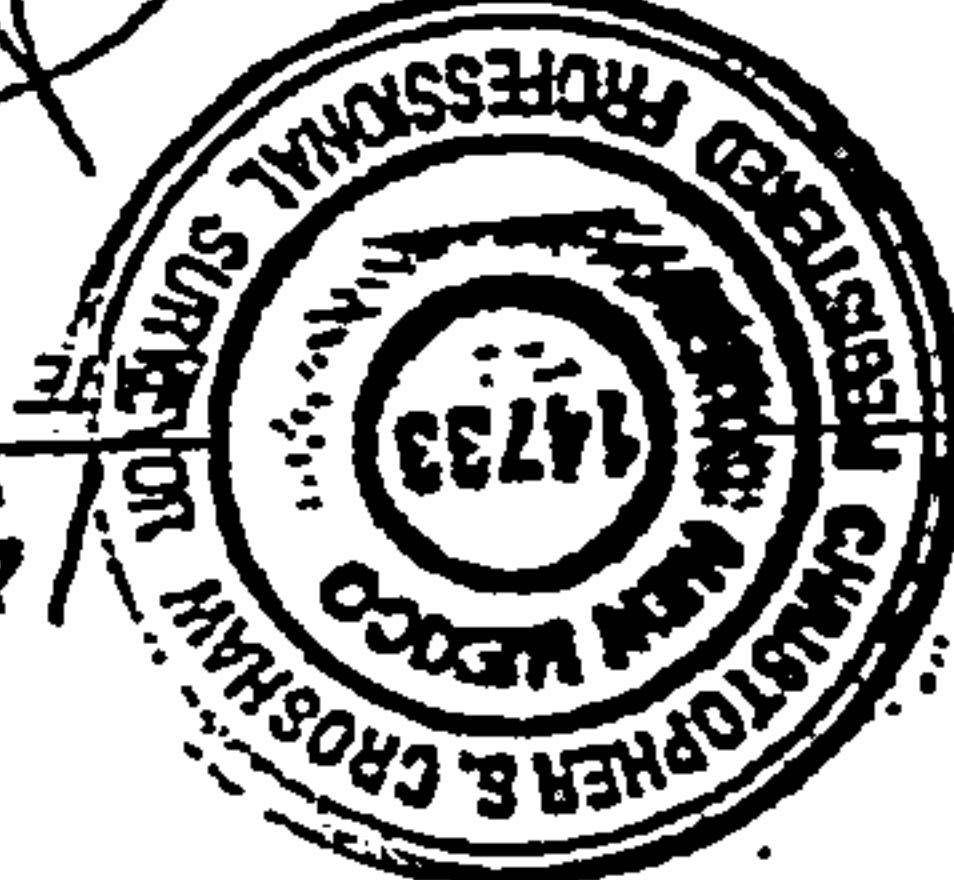
Bk-657 Fg-4653

96
96
96

Exhibit "A"

SHEET 1 OF 2

CHRISTOPHER S. CROSHAW, N.M.R.P.S. No. 14733



Christopher S. Croshaw
15 August 2003

SURVEYORS CERTIFICATION
I, Christopher S. Croshaw, New Mexico Registered Professional Surveyor No. 14733, do hereby certify that this Legal Description and Exhibit were prepared by me or under my supervision and direction, meets the Minimum Requirements for Land Surveys in the State of New Mexico, and is true and correct to the best of my knowledge and belief.

Barcode and tracking information:
2593155859
Page: 4 of 5
18/24/2003 18:22A
Bx-R67 Pg-453
New Mexico State Surveyors Board
Berm. Co. EISE R 17.99
Harry Herrera

SEE ATTACHED EXHIBIT "A"

Being that certain strip of land situate within the Town of Albuquerque Grant in projected Section 7, Township 10 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico comprised of a portion of Tract B-1-A-2, Duke City Lumber Company Addition, plot of which was filed in the Office of the County Clerk of Bernalillo County, New Mexico, on December 15, 1995, in Volume 95G, Folio 451, and said strip of land being also 8.5 feet on either side of the following described centerline:
BEGINNING at a point on the northerly boundary line of said Tract B-1-A-2 whence the most northerly corner of said Tract B-1-A-2 bears N. 24°39'11" W., a distance of 11.70 feet thence,
N. 87°36'27" W., a distance of 5.32 along the centerline of the strip of land herein described to a point of curvature; thence,
Along the arc of a curve to the left a distance of 490.08 feet (said arc having a radius of 373.31 feet, a central angle of 75°13'04"; and a chord which bears S. 54°47'02" W., 455.64 feet) to a Point of Tangency; thence,
S. 18°25'02" W., a distance of 30.68 feet distance to a point being the end of the centerline of the strip of land herein described; prolonging or shortening to the boundary lines of the grantor, and said strip of land containing 9,050 square feet (0.2078 acre), more or less.

LEGAL DESCRIPTION
FOR
A 17' WIDE RAILROAD EASEMENT
WITHIN
A PORTION OF TRACT B-1-A-2
DUKE CITY LUMBER COMPANY ADDITION

LOT B-1-A-1
DUKE CITY LUMBER
COMPANY ADDITION
FILED: 12-15-1995
VOLUME: 95C
FOLIO: 451

(R=383.73')
(L=503.51')
(Δ=75°10'50")
(CH=S.54°51'24"W.)
(468.16')

(S.24°3' .. 42.26')
D. REBAR
W/CAP STAMPED
"LS 11808"

ASPEN AVENUE, N.W.
(S.75°53'11"E., 457.00')

E EXISTING
R/R TRACKS
598 CLIC-0555
N.87°36'27"W.,
5.32'

EXISTING 20' WIDE "NON-EXCLUSIVE
EASEMENT FOR RAILWAY PURPOSES"
BY SPECIAL WARRANTY DEED
FILED: 01-24-1980
BK. 0113-A, PG. 278

R=373.31'
L=490.08'
Δ=75°13'04"
T=287.58'
CH=S.54°47'02"W.,
455.64'

CENTERLINE OF 17' WIDE
RAILROAD EASEMENT

LOT B-1-A-2
DUKE CITY LUMBER
COMPANY ADDITION
FILED: 12-15-1995
VOLUME: 95C
FOLIO: 451



SCALE: 1" = 100'

(87.82')
(S.18°25'02"W.)

S.18°25'02"W.,
85.22'

(488.26')
(S.86°09'28"E., 506.18')

FND. REBAR
W/CAP STAMPED
"LS 9750"
FND. 5/8" REBAR

FND. 1/2"
REBAR

(N.11°43'08"W., 162.76')
(145.50')

FND. REBAR
W/CAP STAMPED
"LS 11808"

LOT B-2-A
DUKE CITY LUMBER
COMPANY ADDITION
FILED: 09-17-1990
VOLUME: 90C
FOLIO: 222

(N.18°03'00"W.)
(92.29')

FND. 5/8"
REBAR

LOT B-1-A-3
DUKE CITY LUMBER
COMPANY ADDITION
FILED: 12-15-1995
VOLUME: 95C
FOLIO: 451

(S.04°18'E.)
(52.00')

FND. 5/8"
REBAR

(S.08°29'W.)
(73.00')

FND. 5/8"
REBAR

(S.12°04'E.)
(54.00')

FND. 5/8"
REBAR

FND. 5/8"
REBAR
(LINE ONLY)

(S.12°38'W.)
(98.90')

**WILSON
& COMPANY**
4800 LANG AVENUE N.E.
ALBUQUERQUE, NEW MEXICO
87109
(505) 348-4000
SHEET 2 OF 2

FND. 5/8"
REBAR (rejected)

(N.85°08'16"W., 721.45')



2693195659
5976591
Page: 5 of 5
18/24/2003 19:22R
Blk-R67 Pg-4553

Mary Herrera Bern. Co. ERSE R 17.69

80 5096

278

SPECIAL WARRANTY DEED

DUKE CITY LUMBER COMPANY, INC., a New Mexico corporation, whose address is 1224 Bellamah Avenue, N.W., Albuquerque, New Mexico, for consideration paid grants to PONDEROSA PRODUCTS, INC., a New Mexico corporation, whose address is Post Office Box 25506 (1701 Bellamah Avenue, N.W.), Albuquerque, New Mexico, 87125, the following described real property in Bernalillo County, New Mexico:

Lot B-2 as shown on the Replat of Lot "B" Duke City Lumber Company Addition in the City of Albuquerque, New Mexico, as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of Bernalillo County, New Mexico on the 4th day of April, 1978.

Excluding from the Above Premises the following tract:

A certain tract of land situate in Section 18, Township 10 North, Range 3 East, N.M.P.M., within the City of Albuquerque, New Mexico, being and comprising a portion of Lot "B-2" of "REPLAT OF LOT "B" DUKE CITY LUMBER COMPANY ADDITION in the City of Albuquerque, New Mexico, as the same is shown and designated on the plat of said Addition filed in the office of the County Clerk of Bernalillo County, New Mexico, on the 4th day of April, 1978 and being more particularly described as follows:

BEGINNING at the Southeast corner No. 1 of the tract herein set forth, whence the Southeast corner of said Lot "B-2" of the above mentioned DUKE CITY LUMBER COMPANY ADDITION bears S.49°08'40"E., 180.37 feet distant; and running thence

N.72°13'W., 11.24 feet to corner No. 2 of the tract herein set forth; thence
 S.17°47'W., 9.92 feet to corner No. 3 of the tract herein set forth; thence
 N.72°13'W., 15.75 feet to corner No. 4 of the tract herein set forth; thence
 N.17°47'E., 9.92 feet to corner No. 5 of the tract herein set forth; thence
 N.72°13'W., 12.39 feet to corner No. 6 of the tract herein set forth; thence
 N.17°47'E., 9.92 feet to corner No. 7 of the tract herein set forth; thence
 N.72°13'W., 9.16 feet to corner No. 8 of the tract herein set forth; thence
 N.17°47'E., 20.50 feet to corner No. 9 of the tract herein set forth; thence
 S.72°13'E., 9.16 feet to corner No. 10 of the tract herein set forth; thence
 N.17°47'E., 19.83 feet to corner No. 11 of the tract herein set forth; thence

S.72°13'E., 12.20 feet to corner No. 12 of the tract herein set forth; thence
 N.17°47'E., 9.85 feet to corner No. 13 of the tract herein set forth; thence
 S.72°13'E., 16.00 feet to corner No. 14 of the tract herein set forth; thence
 S.17°47'W., 9.85 feet to corner No. 15 of the tract herein set forth; thence
 S.72°13'E., 2.10 feet to corner No. 16 of the tract herein set forth; thence
 S.17°47'W., 8.92 feet to corner No. 17 of the tract herein set forth; thence
 S.72°13'E., 9.08 feet to corner No. 18 of the tract herein set forth; thence
 S.17°47'W., 41.33 feet to the Southeast corner No. 1 and place of beginning. Containing Two-Thousand Three-Hundred Ninety-nine and Five-tenths (2,399.5) square feet, more or less.

SUBJECT to taxes and MRGCD assessment for the year 1980 and subsequent years, easements, restrictions, and reservations of record, and subject further to the easement for ingress and egress hereinafter described.

TOGETHER with a non-exclusive easement for railway purposes only across the property of Grantor (Lot B-1 as shown on the Replat of Lot "B" Duke City Lumber Company Addition in the City of Albuquerque, New Mexico, as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of Bernalillo County, New Mexico, on the 4th day of April, 1978), which easement is for the purpose of the continued operation for railway purposes of the track presently located upon the lands of Grantor and constructed under that certain Contract for Industry Track dated as of June 28, 1969, between the Atchison, Topeka & Santa Fe Railway Company and Mexwood Products, Inc., (assigned by Mexwood Products, Inc., to Ponderosa Products, Inc.) and bearing Railway Company Secretary's No. 133667. The use of such easement for railway purposes shall include the switching and storage of cars only, and not for loading or unloading. In the event the existing railway right-of-way is abandoned and no longer used for such purposes, the non-exclusive easement herein granted shall terminate.

SUBJECT FURTHER to Contract for Industry Track between Mexwood Products, Inc. and The Atchison, Topeka and Santa Fe Railway Company, dated June 28, 1969; and Agreement dated August 26, 1974, between Ponderosa Products, Inc., Duke City Lumber Company, Inc., Freeway Old Town Limited, a limited partnership, and Blueher Lumber Company, Inc.

THERE IS HEREBY EXCEPTED AND RESERVED in favor of Grantor and its assigns an easement of ingress and egress across the property herein conveyed, to and from the parcel excluded from the property herein conveyed as such excluded parcel is above described, for purposes of exercise of the rights of Grantor under the Sanderdust Boiler Agreement entered into by Grantor and Grantee March 7, 1977, as amended by First Amendment to Sanderdust Boiler Agreement dated September 26, 1977, for purposes of ownership, maintenance, repair, use, inspection, and

95128368

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
(BEING A REPLAT OF LOT B-1-A)
DUKE CITY LUMBER COMPANY ADDITION
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
JULY, 1995

State of New Mexico } SS
County of Bernalillo }
This instrument was filed for record on
3-25-DEC 15 1995
at the office of the County Clerk
of records of said County. *[Signature]*
Notary Public, Clerk & Recorder
Albuquerque, New Mexico

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Albuquerque Grant in proffered Section 7 Township 30 North, Range 3 East, New Mexico, being and comprising Lot 12 of Block 4, Duke City Lumber Company Addition, as the same is shown and described in the plat entitled "PLAT OF LOTS B-1-A AND B-2-A, DUKE CITY LUMBER COMPANY ADDITION IN THE CITY OF ALBUQUERQUE, NEW MEXICO, PROJECTED SECTIONS 7 AND 8, T. 30 N., R. 3 E., N.M.P.M.", filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 17, 1990, in Volume 90C folio 222, more particularly described by survey performed by Gary P. Hugg, New Mexico Professional Surveyor Number 5823, using New Mexico State Plane Coordinate System, Central Zone (NAD27), grid bearings and ground distances as follows:

- S 11' 09' 17" E, 85.88 feet to a point (a 1" rebar found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- S 36' 57' 11" E, 90.05 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 15' 46' 11" E, 51.33 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 26' 30' 11" E, 233.93 feet to a point (a 1" rebar found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- S 35' 36' 11" E, 157.81 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 25' 26' 11" E, 165.47 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 38' 36' 11" E, 117.65 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 24' 39' 11" E, 42.26 feet to a point on the southerly right of way line of Aspen Avenue N.W. (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 75' 53' 11" E, 457.00 feet along solid southerly right of way line of Aspen Avenue N.W. to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 14' 06' 49" W, 537.50 feet along solid northeasterly line of Lot "B-1-A" to a point (a PK nail and brass disc stamped "LS 5823" set); Thence,
- S 75' 53' 11" E, 280.00 feet along solid northeasterly line of Lot "B-1-A" to a point on the southerly right of way line of said Bellomah Avenue N.W. (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 13' 24' 25" W, 37.50 feet along solid southerly right of way line of said Bellomah Avenue N.W. and said 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 75' 53' 34" E, 492.50 feet along solid southerly right of way line of said Bellomah Avenue N.W. and said northeasterly line of Lot "B-1-A" to the most easterly corner of said Lot "B-1-A" (a 1/2" rebar and cap stamped "LS 6446" found in place); Thence,
- S 14' 04' 26" W, 458.71 feet along the easterly line of said Lot "B-1-A" to a point on the northwesterly right of way line of Sawmill Road N.W. (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823" set); Thence southerly to the most northerly right of way line of said Lot "B-1-A" and said northeasterly right of way line of Sawmill Road N.W. on the following five (5) courses:
- S 71' 50' 06" W, 216.51 feet to a point (a 1/2" rebar found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- S 14' 27' 29" W, 42.50 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 13' 29' 29" W, 32.70 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 29' 22' 28" W, 14.10 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 50' 10' 28" W, 147.50 feet to the most southerly corner of said Lot "B-1-A" and the southerly corner of the parcel herein described (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 52' 50' 32" W, 186.40 feet along solid southerly line of Lot "B-1-A" to a point (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence,

- N 59' 25' 02" W, 199.62 feet along solid southerly line of Lot "B-1-A" to the southeast corner of Lot 12 of Aras Acres, as the same is shown in the Plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on January 21, 1947, in Volume B1, folio 124 (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence northerly along the line common to said Aras Acres, and Aras Acres, to the southeast corner of the plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on January 3, 1986, in Volume C29, folio 55 and said Lot "B-1-A" on the following nine courses:
- N 14' 09' 38" E, 126.66 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 19' 50' 40" E, 18.62 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 73' 05' 40" W, 104.11 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 20' 32' 20" E, 60.00 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- S 70' 20' 40" E, 103.27 feet to a point (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- N 19' 50' 40" E, 180.06 feet to a point (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- N 36' 17' 41" W, 285.08 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 26' 14' 10" W, 100.74 feet to a point (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- N 55' 33' 26" W, 58.59 feet to a point on the line common to said Lots "B-1-A" and "B-2-A" (a 1" iron pipe found in place and tagged with a brass disc stamped "LS 5823"); Thence along said line common to Lots "B-1-A" and "B-2-A" on the following five (5) courses:
- N 18' 03' 00" W, 92.29 feet to a point (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 11' 43' 06" W, 162.76 feet to a point (a 1/2" rebar found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- N 86' 09' 28" W, 506.18 feet to a point (a 5/8" rebar found in place and tagged with a brass disc stamped "LS 5823"); Thence,
- S 21' 31' 49" W, 156.24 feet to a point (a PK nail and brass disc stamped "LS 5823" set in a chiseled scribe found in place); Thence,
- S 18' 24' 11" W, 361.70 feet to the southeast corner of said Lot "B-1-A", a point on the northerly right of way line of Bellomah Avenue N.W. (a 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 84' 45' 09" W, 185.52 feet along solid northerly right of way line of Bellomah Avenue N.W. and the southerly line of said Lot "B-1-A" to the southwest corner of said Lot "B-1-A", a point on said Easterly 5/8" rebar and cap stamped "LS 5823" set); Thence,
- N 00' 07' 11" W, 1246.53 feet along the line common to said Lot "B-1-A" and said Railroad Spur to a point of curvature (a 5/8" rebar and cap stamped "LS 5823" set); Thence,

Northeasterly 344.37 feet along the line common to said Lot B-1-A and said Railroad Spur on the arc of a curve to the right (said curve having a radius of 386.20 feet, a central angle of 51' 05" 22" and a chord which bears N 25' 25' 30" E, 333.07 feet) to a point of compound curvature (a 5/8" rebar and cap stamped "LS 5823" set); Thence,

227.33 feet along the line common to said Lot B-1-A and said Railroad Spur on the arc of a curve to the right (said curve having a radius of 400.28 feet, a central angle of 32' 32" 25" and a chord which bears N 67' 06" 12" E, 224.26 feet) to a point on the Northeast corner and point of beginning of the parcel herein described.

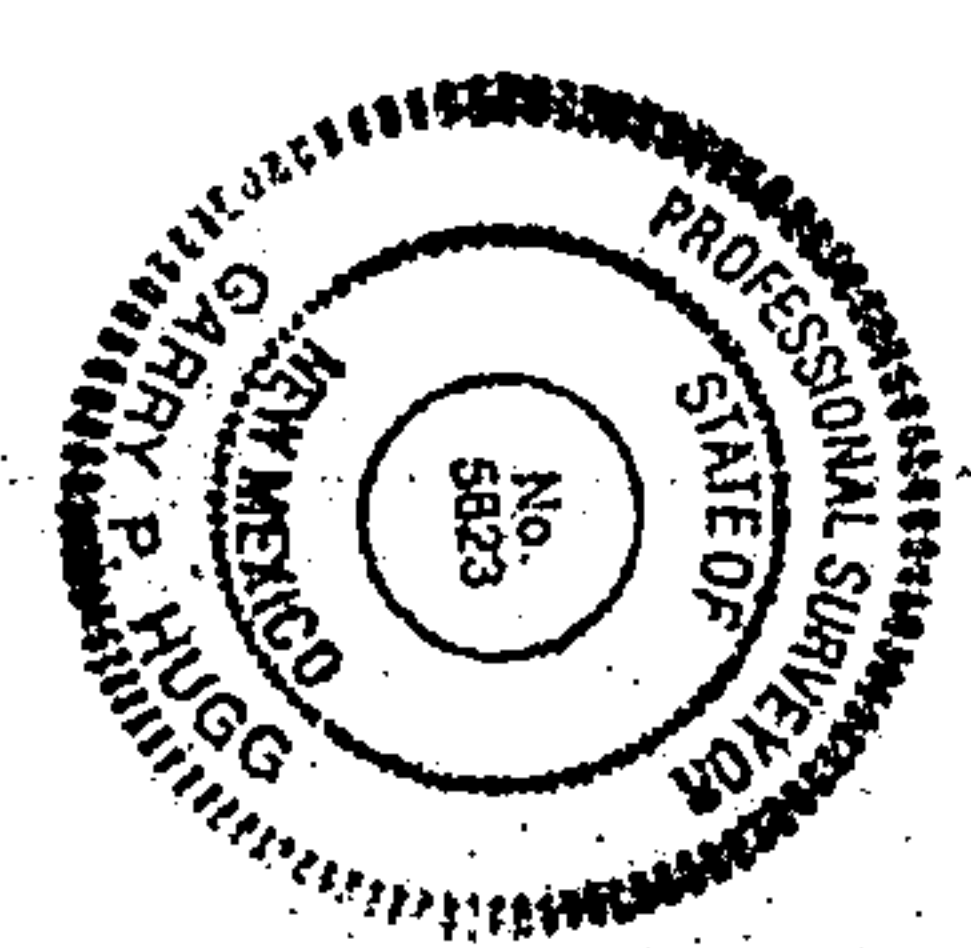
Sold parcel contains 34.2484 acres, more or less.

USI REALTY CORP., a Delaware corporation
[Signature]
Jeffrey Horland, Vice President

ACKNOWLEDGEMENT

STATE OF GEORGIA
COUNTY OF FULTON
SS
This instrument was acknowledged before me on this 21 day of _____, 1995, by Jeffrey Horland.

Notary Public
Nancy Public Cobb County, Georgia
My Commission Expires March 17, 1997

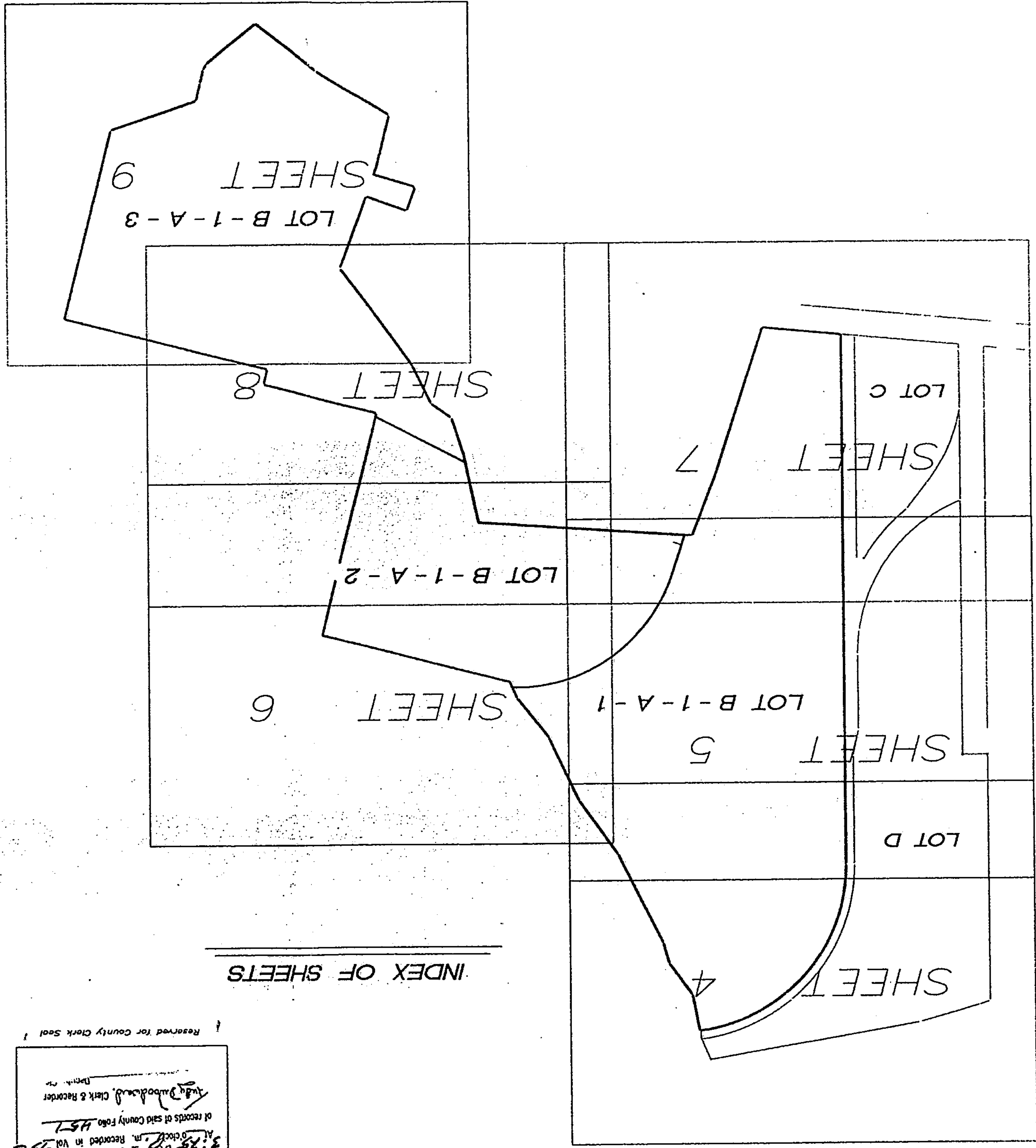


SURVTEK, INC.
Consulting Surveyors
6645 Paradise Blvd., N.W. Albuquerque, New Mexico 87114
Phone: 505-897-5368
Fax: 505-897-8372

950158P2
95C-451(2)

95C-451(3)

95C-451(3)



INDEX OF SHEETS

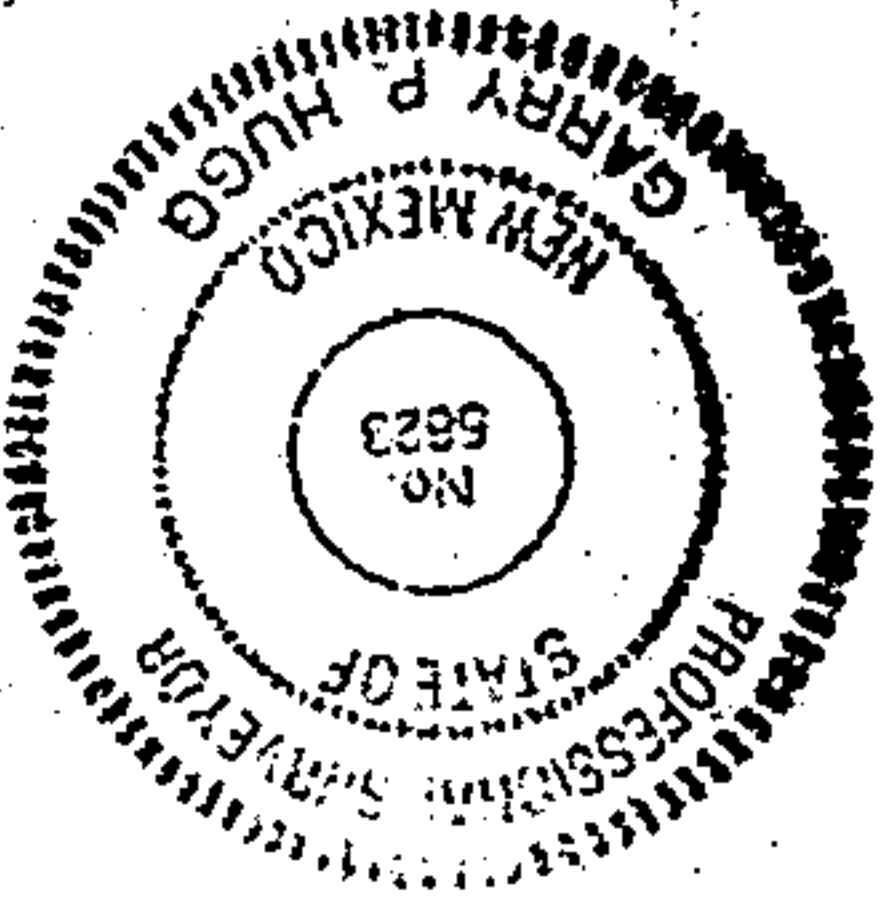
State of New Mexico }
 County of Bernalillo } SS
 This instrument was filed for record on
 DEC 15 1995
 at _____ m. Recorded in Vol. 95C
 of records of said County Folio HST
 by _____ Clerk & Recorder

 Reserved for County Clerk Seal

95128368

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
 (BEING A REPLAT OF LOT B-1-A)
 DUKE CITY LUMBER COMPANY ADDITION
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO

JULY, 1995

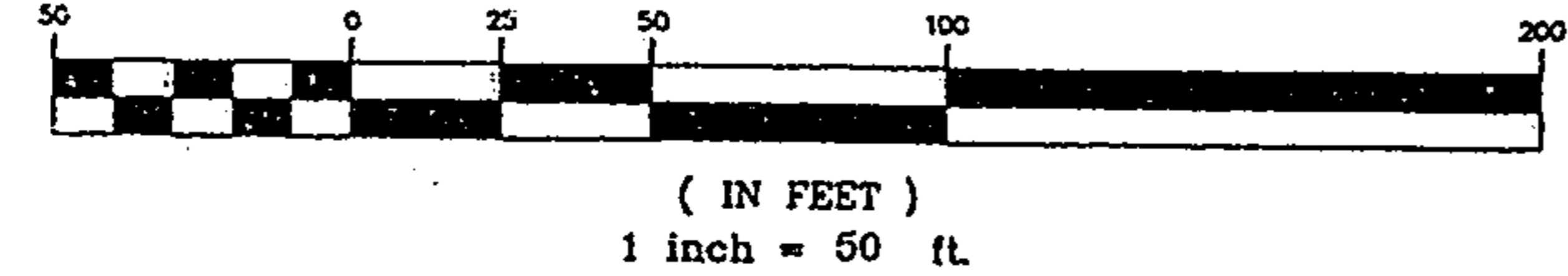


SHEET 3 OF 9

SURV TEK, INC.
 Consulting Surveyors
 5543 Paradise Blvd, N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3346 Fax: 505-897-3377

950158R.DWG

95C-451(5)



CORNER LEGEND

- UNLESS OTHERWISE INDICATED:
- Found 1" Iron Pipe / tagged w/ brass disc LS 5823
 - Found 1/2" Rebar w/ Cop LS 6448 tagged w/ brass disc LS 5823
 - ⊕ Found Chisled "X" in concrete tagged w/ brass disc LS 5823
 - ▲ Set 5/8" Rebar w/ Cop LS 5823
 - ✕ Set nail w/ brass disc LS 5823

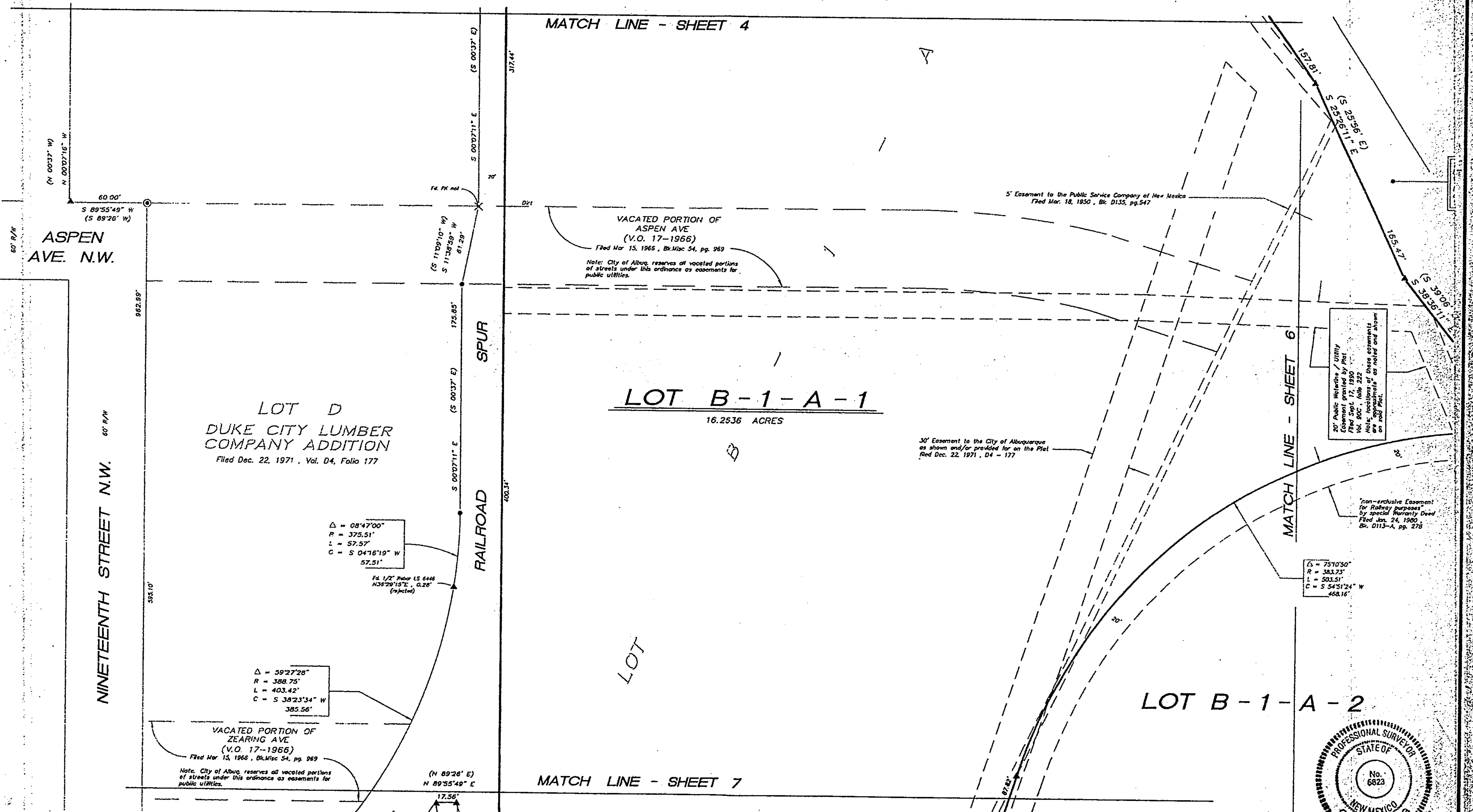
95128368

State of New Mexico } SS
 County of Bernalillo }
 This instrument was filed for record on
 3:25 DEC 15 1995 95C
 At 10:00 a.m. Recorded in Vol. _____
 of records of said County Folio 451
 Judy Dabrowski, Clerk & Recorder

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
 (BEING A REPLAT OF LOT B-1-A)
DUKE CITY LUMBER COMPANY ADDITION
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 JULY, 1995

Reserved for County Clerk Seal

MATCH LINE - SHEET 4



50' Public Highway / Utility Corridor
 Filed Sept. 17, 1980, Vol. 900, Folio 222
 Note: Locations of these easements are noted and shown on plat.

$\Delta = 75^{\circ}10'50''$
 $R = 383.73'$
 $L = 503.51'$
 $C = S 54^{\circ}51'24'' W 468.16'$



SHEET 5 OF 9

MATCH LINE - SHEET 7

SURVOTEK, INC.
 Consulting Surveyors

950158R.DWG

6643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3386
 Fax: 505-897-3377

95C-451(5)

95C-451(G)

95C-451(G)

CORNER LEGEND

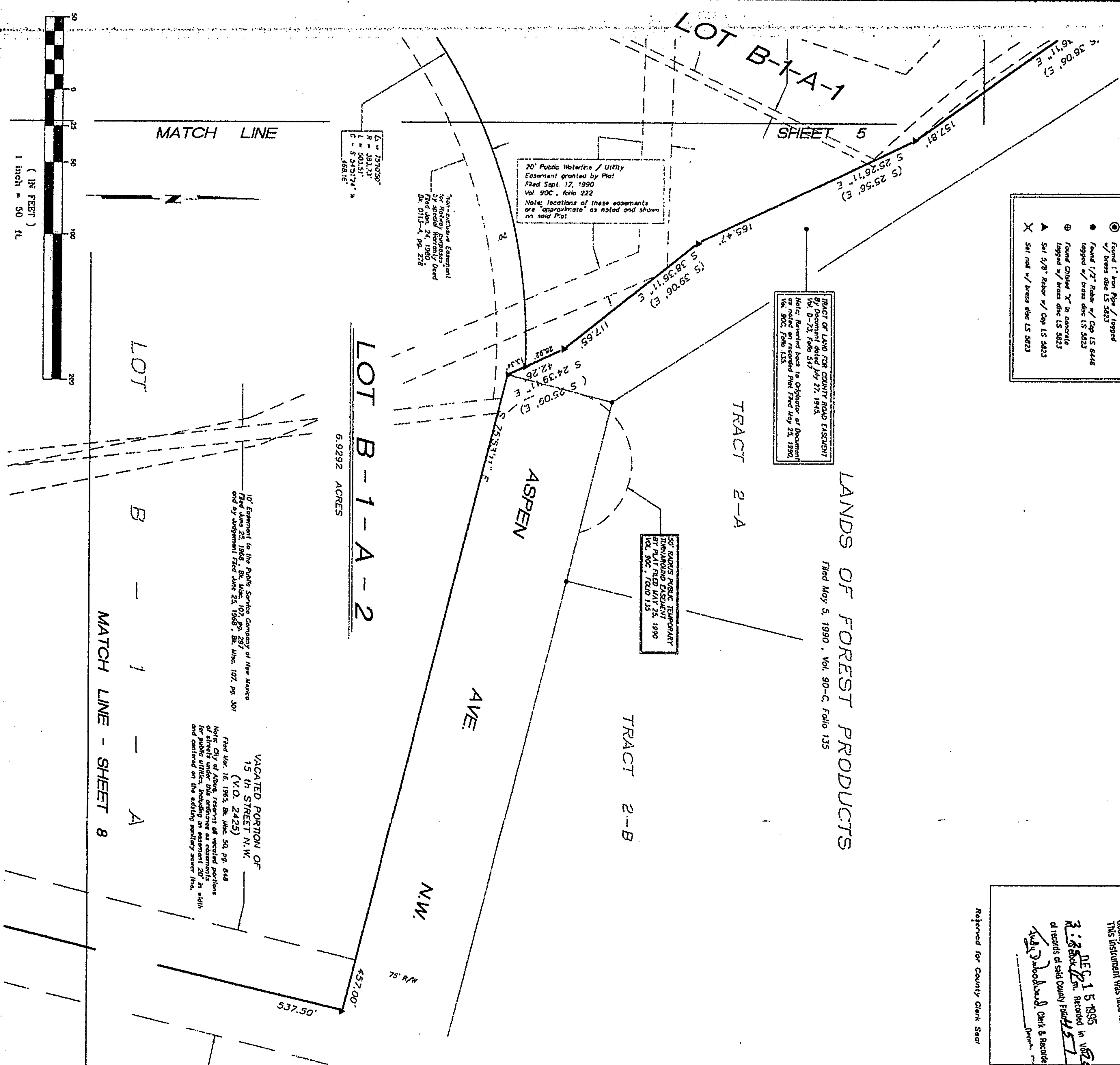
UNLESS OTHERWISE INDICATED:

- Found 1" Iron Pipe / Lapped
- Found 1/2" Rubber w/ Cap LS 5823
- ⊕ Found Old "X" in concrete
- ⊙ Found w/ brass die LS 5823
- ⊙ Found 3/8" Rubber w/ Cap LS 5823
- ⊙ Set nail w/ brass die LS 5823
- ✕ Set nail w/ brass die LS 5823

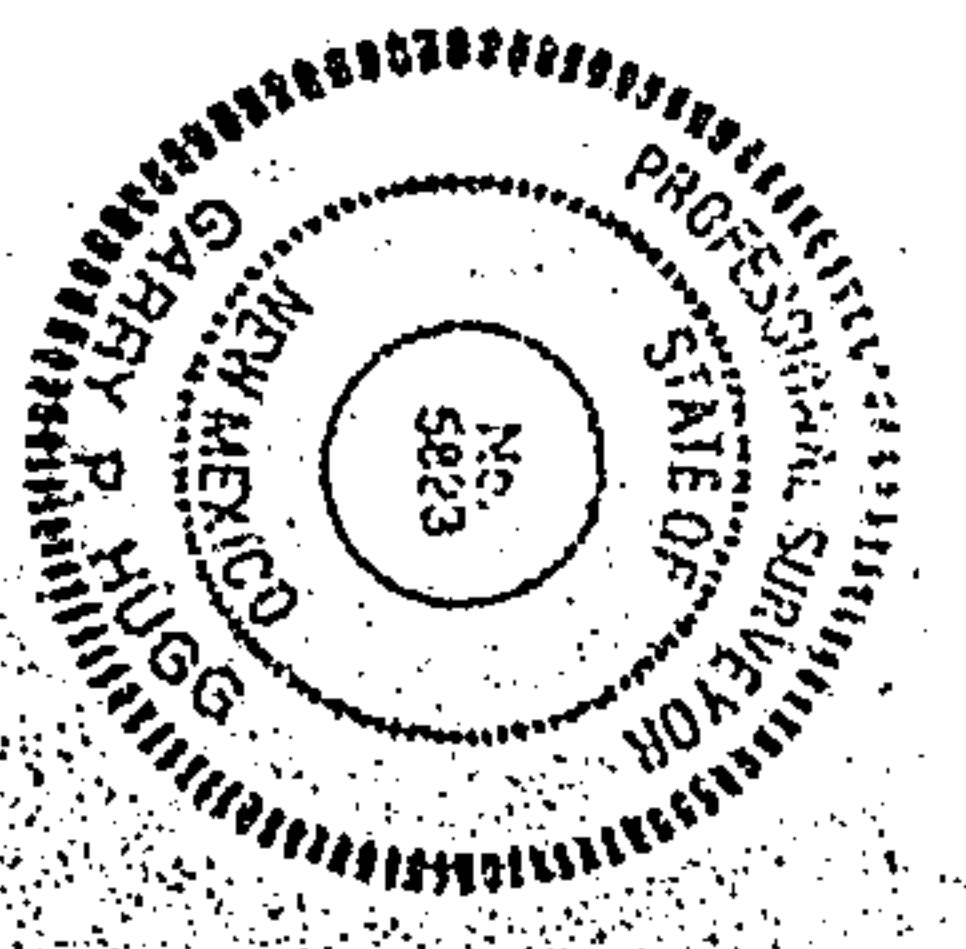
State of New Mexico) SS
 County of Bernalillo)
 This instrument was filed for record on
 DE 15 1995
 R. Brock, Clerk
 at records of said County Filed 15
 July 15 1995
 Clerk & Recorder
 R. Brock

Reserved for County Clerk Seal

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
 (BEING A REPLAT OF LOT B-1-A)
DUKE CITY LUMBER COMPANY ADDITION
 CITY OF ALBUQUERQUE
 BERNALLILLO COUNTY, NEW MEXICO
 JULY, 1995



NOTE:
 A floating 68' Public Roadway Easement is granted to the City of Albuquerque from Bellamah Street N.W. westerly in accordance with the Long Range Major Street Plan, Sawmill/Ogala/Bellamah Corridor Area. This easement is across Lots B-1-A-1 and B-1-A-2. Refer to the City of Albuquerque Transportation Planning Section for alignment prior to any additional development of these tracts.



950158RDWG

SURVOTEK, INC.
 Consulting Surveyors
 5043 Parkside Blvd. N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3366
 Fax: 505-897-3377

95C-451(8)

95C-451(8)

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
 (BEING A REPLAT OF LOT B-1-A)
DUKE CITY LUMBER COMPANY ADDITION

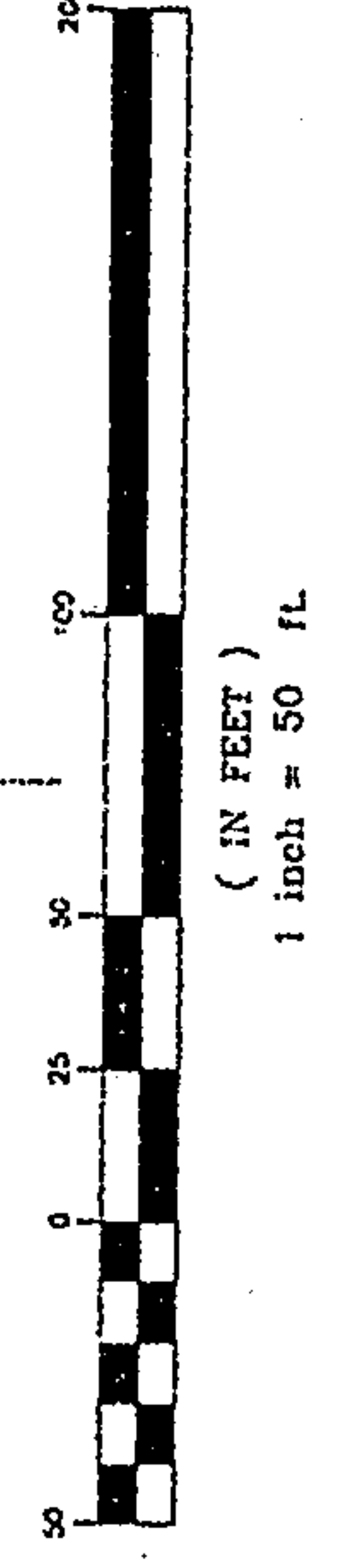
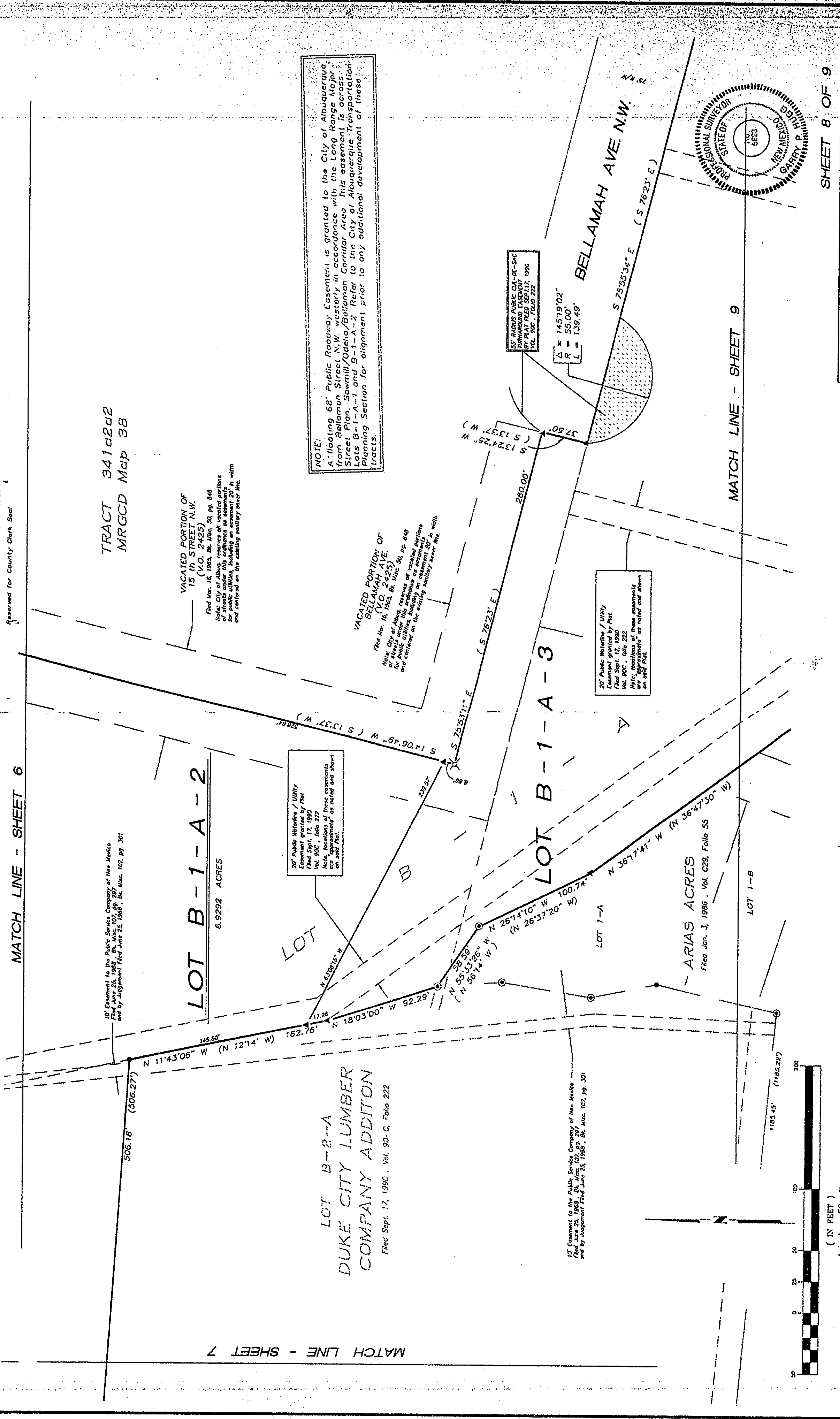
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
 JULY, 1995

CORNER LEGEND

UNLESS OTHERWISE INDICATED:

- ⊙ Found 1" Iron Pipe / Logged w/ brass disc LS 5823
- Found 1/2" Rebar w/ Cap LS 6146
- ⊙ Found Chisel "X" In concrete
- ⊙ Found w/ brass disc LS 5823
- ▲ Set 5/8" Rebar w/ Cap LS 5823
- ✕ Set nail w/ brass disc LS 5823

State of New Mexico } SS
 County of Bernalillo }
 This instrument was filed for record on
DEC 15 1995
 at **3:42 PM** in **Vol. 90-C, Folio 222**
 of records of said County. **WST**
 (Audrey Woodhead, Clerk & Recorder)



SURV-TEK, INC.
 Consulting Surveyors
 6543 Paradise Blvd. N.E., Albuquerque, New Mexico 87114
 Phone: 505-897-3366
 Fax: 505-897-3377

950158R.DWG

95C-451(9)

CORNER LEGEND

- UNLESS OTHERWISE INDICATED:
- Found 1" Iron Pipe / logged w/ brass disc LS 5823
 - Found 1/2" Rebar w/ Cap LS 6446 logged w/ brass disc LS 5823
 - ⊕ Found Chisled "X" in concrete logged w/ brass disc LS 5823
 - ▲ Set 5/8" Rebar w/ Cap LS 5823
 - ✕ Set nail w/ brass disc LS 5823

State of New Mexico) SS
 County of Bernalillo)
 This instrument was filed for record on
 3:25 DEC 15 1995
 at 10:00 a.m. Recorded in Vol. 95C
 of records of said County Folio 151
 Judy Woodward, Clerk & Recorder

95128368

LOTS B-1-A-1, B-1-A-2 AND B-1-A-3
 (BEING A REPLAT OF LOT B-1-A)
DUKE CITY LUMBER COMPANY ADDITION

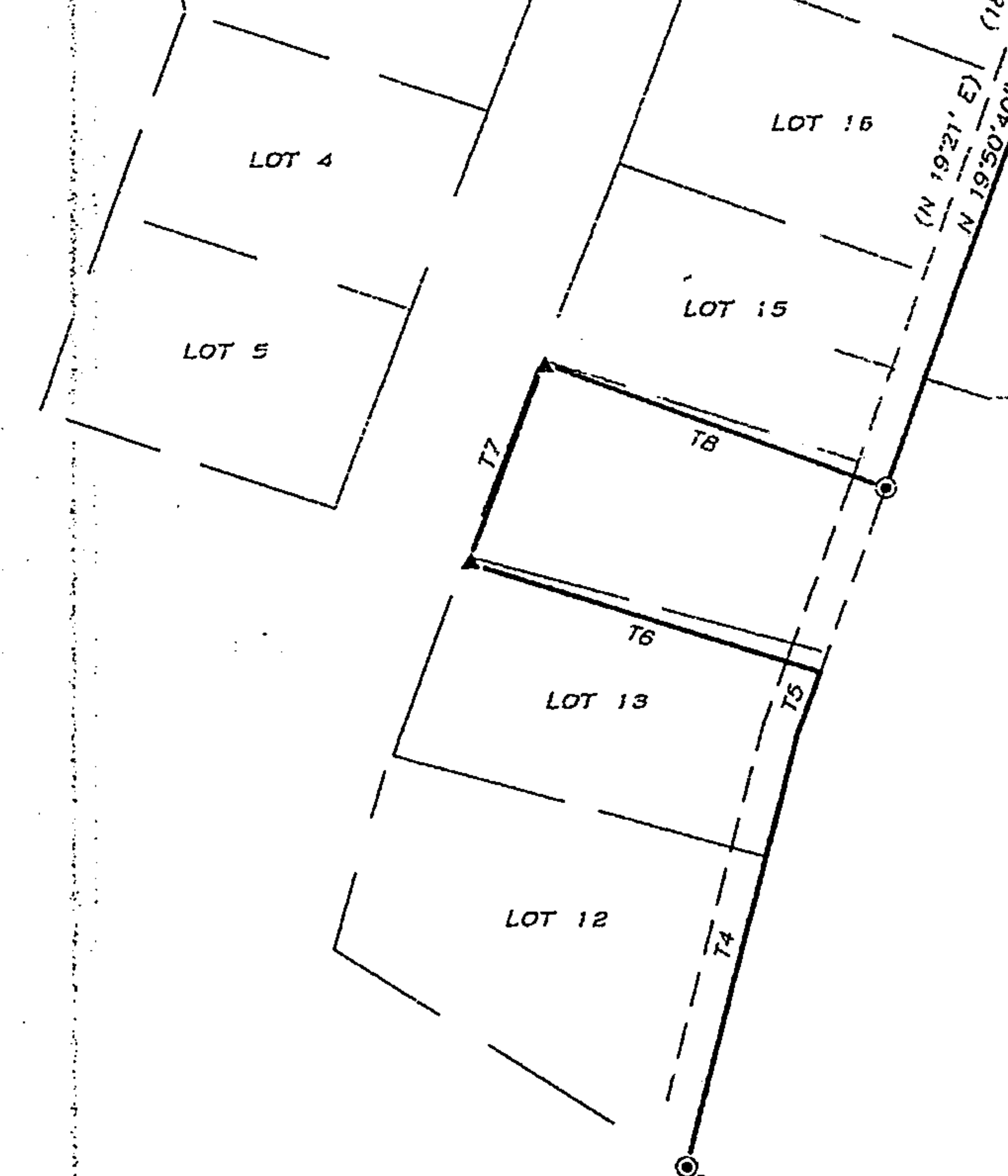
CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO

JULY, 1995

ARIAS ACRES
 Filed Jan. 3, 1986, Vol. C29, Folio 55

LOT 1-B
 LOT 2
 LOT 3
 LOT 4
 LOT 5

ARIAS ACRES
 Filed Jan. 21, 1947, Vol. B1, Folio 124



LINE TABLE

FIELD		
LINE	DIRECTION	DISTANCE
T4	N 14°09'38" E	126.66'
T5	N 19°50'40" E	18.62'
T6	N 73°05'40" W	104.11'
T7	N 20°32'20" E	60.00'
T8	S 70°20'40" E	103.27'

RECORD		
LINE	DIRECTION	DISTANCE
T4	N 13°39' E	126.93'
T5	N 19°21' E	18.62'
T6	N 73°35'80" W	104.11'
T7	N 20°02'40" E	60.00'
T8	S 70°56'20" E	103.27'

MATCH LINE - SHEET 8

20' Public Waterline / Utility Easement granted by Plat Filed Sept. 17, 1990 Vol. 90C, Folio 222
 Note: locations of these easements are "approximate" as noted and shown on said Plat.

5' Easement to the Public Service Company of New Mexico and Mountain States Telephone & Telegraph Co. Filed June 20, 1955, Bt. D 318, pg. 640

LOT B-1-A-3
 11.0556 ACRES

LOT B - 1 - A

20' Public Waterline / Utility Easement granted by Plat Filed Sept. 17, 1990 Vol. 90C, Folio 222
 Note: locations of these easements are "approximate" as noted and shown on said Plat.

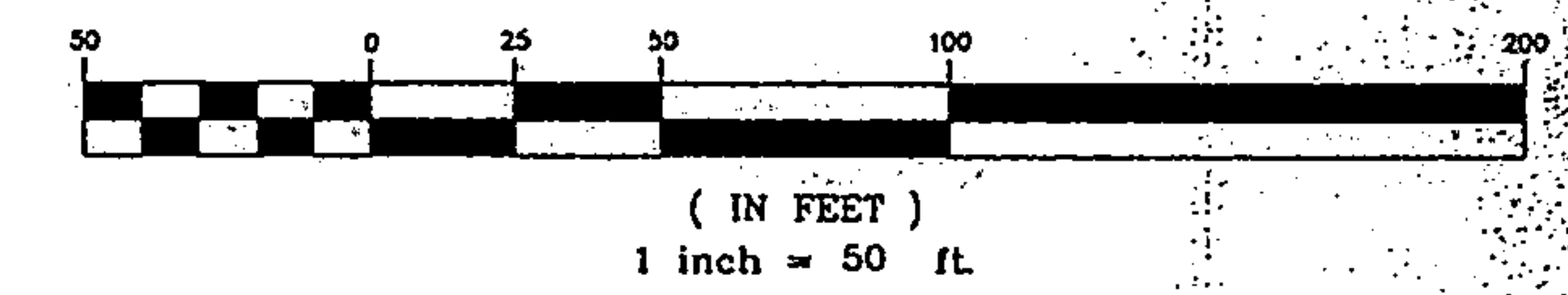
SAWMILL ROAD N.W.
 S 71°50'06" W . 216.15' (S 71°13' W . 215.92')

LINE TABLE

FIELD		
LINE	DIRECTION	DISTANCE
T1	S 14°07'29" W	42.50'
T2	S 13°29'28" W	32.70'
T3	S 29°22'28" W	14.10'

RECORD		
LINE	DIRECTION	DISTANCE
T1	S 13°37' W	42.64'
T2	S 13°02' W	32.70'
T3	S 28°55' W	14.10'

LOT A
 DUKE CITY LUMBER COMPANY ADDITION
 Filed Dec. 29, 1971, Vol. D4, Folio 177



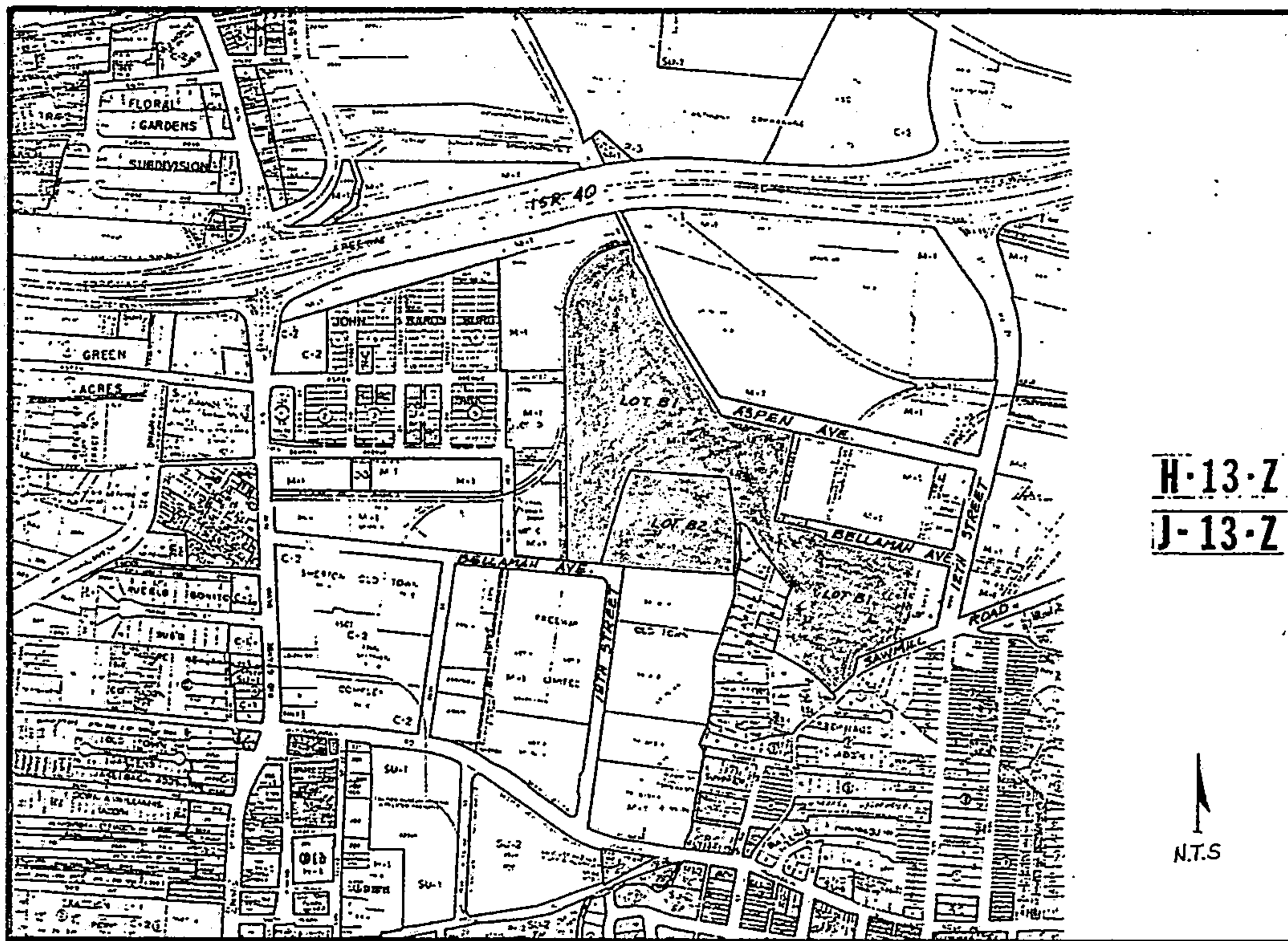
SHEET 9 OF 9

SURV+TEK, INC.
 Consulting Surveyors
 5643 Paradise Blvd. N.W., Albuquerque, New Mexico 87114
 Phone: 505-897-3388
 Fax: 505-897-3377

95C-451(9)

950158R.DWG

90C-222(1)



H-13-Z
J-13-Z

VICINITY MAP

DISCLOSURE STATEMENT: The purpose of this plat is to adjust lot lines between two (2) existing lots and create two (2) new lots.

GENERAL NOTES:

- 1) Bearings Based upon DUKE CITY LUMBER COMPANY ADDITION filed April 14, 1978 in Book D8, page 102.
- 2) Plat shows easements of record.
- 3) All distances and bearings are ground unless otherwise noted.
- 4) All distances and bearings in () are per the Replat of Lot "B" DUKE CITY LUMBER COMPANY ADDITION, filed April 4, 1978, Volume D8, Folio 102.
- 5) All property corners identified as "set" are set with 1/2" rebar and cap stamped "L.S. 6446", unless otherwise indicated.
- 6) Rotate bearings clockwise 00 12'28" to adjust to New Mexico State Plane Coordinate System.

9072703

PLAT OF
 LOTS B-1-A AND B-2-A
 DUKE CITY LUMBER COMPANY ADDITION
 IN THE CITY OF ALBUQUERQUE, NEW MEXICO
 PROJECTED SECTIONS 7 AND 18, T.10 N., R.3 E., N.M.P.M.
 MAY 1990
 SHEET 1 OF 2

State of New Mexico }
 County of Bernalillo } SS
 This instrument was filed for record on
 11:34 SEP 27 1990
 90C
 522
 of records of said County Folio
 Deputy Clerk & Recorder

LEGAL DESCRIPTION AND FREE CONSENT

The undersigned owner(s) of the land hereon shown do hereby consent to the Replat of the land hereon shown: Lots lettered B-1 and B-2 Replat of Lot "B" DUKE CITY LUMBER COMPANY ADDITION, in the City of Albuquerque, New Mexico as the same is shown and designated on said Replat thereof filed in the office of the County Clerk of Bernalillo County, New Mexico on April 4, 1978, in Book D8, page 102 and is with the free consent and in accordance with the desires of the undersigned owner(s) and proprietor(s) thereof, and hereby grants additional easements as shown hereon and hereby dedicates additional right-of-way as shown.

Owner(s) Duke City Lumber Co Date 5-17-90
 ACKNOWLEDGEMENT LOT B-1-A

STATE OF NEW MEXICO }
 COUNTY OF BERNALILLO } SS.

The foregoing instrument was acknowledged before me this 17th day of May, 1990, By: Carlos Sanchez

My Commission Expires: April 12, 1994 Harold A. Stewart
 Notary Public

Owner (s) Ponderosa Products Inc. Date 5/17/90
 ACKNOWLEDGEMENT LOT B-2-A

STATE OF NEW MEXICO }
 COUNTY OF } SS.

The foregoing instrument was acknowledged before me this 17th day of May, 1990. By: ED STEWART

My Commission Expires: April 12, 1994 Harold A. Stewart
 Notary Public

CITY/COUNTY APPROVALS:

N/A
 Property Management Date
Neil Clark 062590
 City Surveyor Date
Robert W. Kane 9-7-90
 City Water Resources Date
Harold Alby 07-03-90
 City Engineer Date
Fred J. Caponi 9-7-90
 A.M.A.F.C.A. Date
Michael White 7-03-90
 Traffic Engineer Date
Janis M. Stone 7/3/90
 Parks and Recreation Date
Jack Clark 9/13/90
 City Planning Director Date

SURVEYOR'S CERTIFICATION

I, Franklin E. Wilson, a registered Professional Land Surveyor under the laws of the State of New Mexico, do hereby certify that this plat was prepared by me or under my supervision, meets the minimum requirements for monumentation and surveys of the Albuquerque Subdivision Ordinance, and that it is true and correct to the best of my knowledge and belief.

Franklin E. Wilson 6/22/90
 Franklin E. Wilson, P.L.S. No. 6446 Date

SOUTHWEST SURVEYING CO., INC.
 333 Lomas Blvd, N.E., Albuquerque, New Mexico 87102
 (505) 247-4444

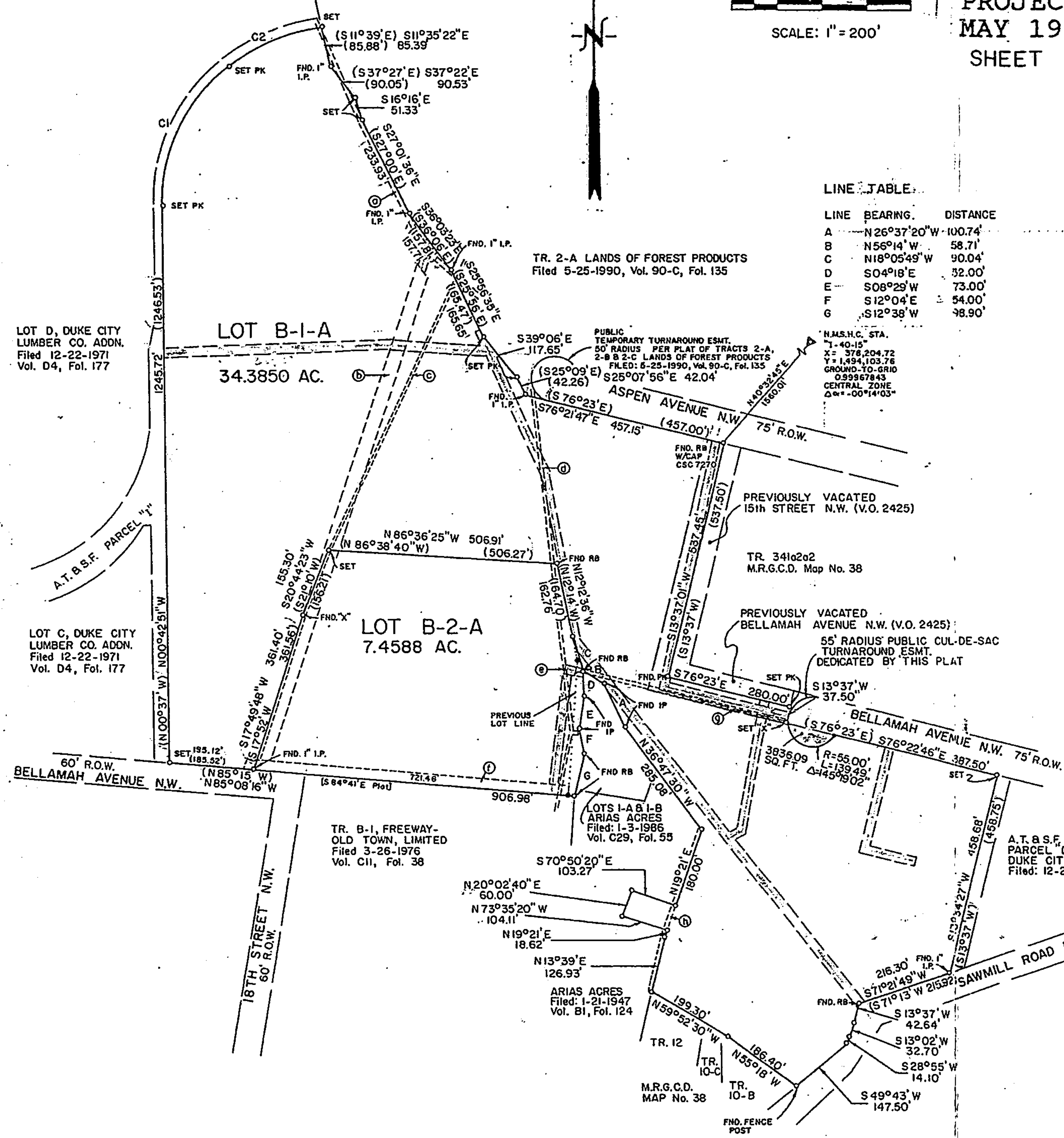
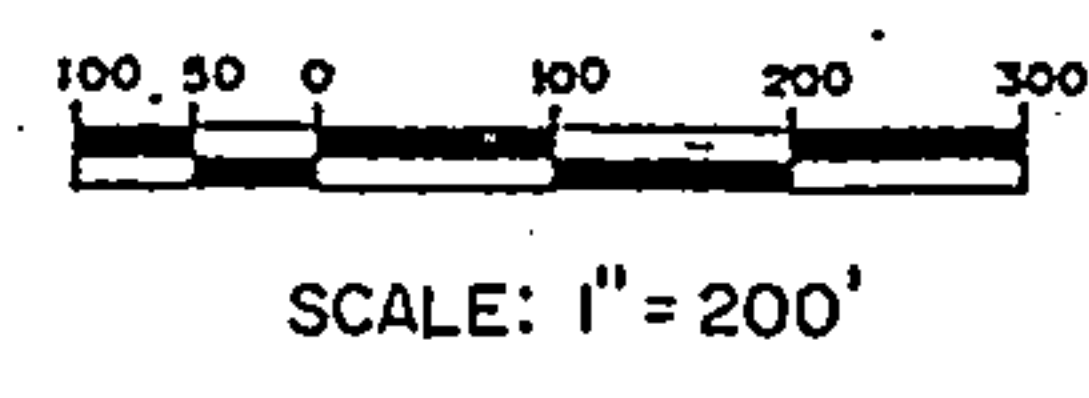
THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC's: Lot 1-22-435-425-12070
 PROPERTY OWNER OF RECORD:
Duke City Lumber + Ponderosa Products
 BERNALILLO COUNTY TREASURER'S OFFICE:
Chris Sampson 9-11-90
1-013-058-333-515-12010

90C-222(1)

90C-222(1)

90C-222(2)

PLAT OF **5072103**
 LOTS B-1-A AND B-2-A
 DUKE CITY LUMBER COMPANY ADDITION
 IN THE CITY OF ALBUQUERQUE, NEW MEXICO
 PROJECTED SECTIONS 7 AND 18, T.10 N., R.3 E., N.M.P.M.
 MAY 1990
 SHEET 2 OF 2



LINE TABLE

LINE	BEARING	DISTANCE
A	N26°37'20"W	100.74
B	N56°14'W	58.71
C	N18°05'49"W	90.04
D	S04°18'E	32.00
E	S08°29'W	73.00
F	S12°04'E	54.00
G	S12°38'W	98.90

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE	DELTA
C1	344.37	386.20	N24°55'41"E	333.07	51°05'22"
C2	227.33	400.28	N66°44'34"E	224.29	32°32'24"

- EASEMENT TABLE
- Easement to the City of Albuquerque per plat of Lot "B" Duke City Lumber Company Addition filed on April 4, 1978; Volume D8, Folio 102.
 - Easement to the City of Albuquerque per document filed April 9, 1968; Book Misc. 99, Pages 776-781, and per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.
 - 5' P.N.M. easement per document filed March 18, 1950; Book D135, Page 547.
 - 10' P.N.M. easement per document filed June 25, 1968; Book Misc. 107, Pages 297-300 and per document filed June 25, 1968; Book Misc. 107, Pages 301-304.
 - 20' x 20' substation easement to P.N.M. and M.S.T. and T. Company filed June 2, 1969; Book Misc. 139, Page 478.
 - 20' easement to the City of Albuquerque per document filed September 24, 1969; Book Misc. 151, Pages 32-34 and 20' easement to Southern Union Gas Company filed February 6, 1970; Book Misc. 163, Pages 779-780.
 - 7' utility easement per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.
 - 10' ditch easement per plat of Lot "B" Duke City Lumber Company Addition filed April 4, 1978; Volume D8, Folio 102.

All easements shown as are 20' public waterline utility easements granted by this plat.
 The locations of the "granted" easements are approximate.

State of New Mexico } SS
 County of Bernalillo }
 This instrument was filed for record on
 93rd SEPT 7 1990
 of records of said County Folio 90C
 Deputy Clerk

90C-222(2)