



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): Tierra West LLC PHONE: _____
ADDRESS: 5571 Midway Park Place NE FAX: rrb@tierrawestllc.com
CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: _____
APPLICANT: Cimarron Holdings, LLC PHONE: _____
ADDRESS: P.O. Box 40366 FAX: _____
CITY: Denver STATE CO ZIP 80204 E-MAIL: _____
 Proprietary interest in site: Owner **List all owners:** _____

DESCRIPTION OF REQUEST: Vacation of Public Easement

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. Lot 2A Block: 12 Unit: _____
 Subdiv/Addn/TBKA: Monte Vista
 Existing Zoning: CCR-1 Proposed zoning: CCR-1 MRGCD Map No _____
 Zone Atlas page(s): K-16-Z UPC Code: 101605727231411201

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX_, Z_, V_, S_, etc.): _____
1009243

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? _____
 No. of **existing** lots: 1 No. of **proposed** lots: 1 Total site area (acres): 0.3867
LOCATION OF PROPERTY BY STREETS: On or Near: _____
 Between: Girard Blvd and Monte Vista Blvd
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: _____

SIGNATURE

Ronald R Bohannon DATE 12/8/17
 (Print Name) Ronald R Bohannon Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 11/2014

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input type="checkbox"/> All checklists are complete	_____	_____	_____	\$ _____
<input type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input 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				Total
<input type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date _____			

Project # _____

Staff signature & Date _____

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.

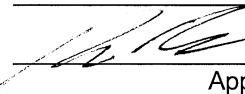
- SEWALK VARIANCE (DRB20)**
 - SEWALK WAIVER (DRB21)**
 - Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance or waiver
 - 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 SEWALK CONSTRUCTION (DRB19)**
 - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SEWALK 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.

Ronald R. Bohannon

 Applicant name (print)
 Applicant signature / date



Form revised 4/07

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

Planner signature / date

Project # _____

SIGN POSTING 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. Waterproofed signs will be provided at the time of application. If the application is mailed, you must still stop at the Planning Division 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 Planning Division at a charge of \$3.00 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 two to seven feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign in order to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs maybe 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 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 _____ To _____.

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 Planning Division staff. I understand (A) my obligation to keep the sign(s) posted for fifteen (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

(Applicant or Agent), 12/8/17
(Date)

I issued _____ signs for this application, _____, _____
(Date) (Staff Member)

November 30, 2017

Ms. Kym Dicome
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: REQUEST FOR VACTION OF PUBLIC EASEMENT
2901 MONTE VISTA NE ALBUQUERQUE NM 87106
ZONE ATLAS PAGE K-16-Z**

Dear Ms. Dicome:

The purpose of this letter is to authorize Tierra West LLC to act as agent on behalf of Cimarron Holdings, LLC pertaining to any and all submittals made to the City of Albuquerque for the above-referenced site.

Robert L. Alvarado

Print Name

Robert Alvarado

Signature

Member

Title

12-1-17

Date

Neighborhood Notification Letters Must Include the Following:

Prior to filing an application with the Planning Department, all applicants requesting approvals through the Environmental Planning Commission (EPC), Development Review Board (DRB), Landmarks & Urban Conservation Commission (LUCC), approval of a Wireless Telecommunication Facility (WTF), or Administrative Approvals (AA) are required to notify any affected neighborhood and/or homeowner associations via certified mail.

1. The street address for the subject property;
2. The currently recorded 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 and detailed description of the action(s) being requested;
5. ***** NEW*** Facilitated Meeting Information** – All notification letters must include the following text:
Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternative Dispute Resolution (ADR) Program by email at stripnett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660.
A facilitated meeting request must be received by ADR by: December 18, 2017 .
6. *****NEW*** Public Hearing Information** - Hearing Date, Start Time and Location.

Neighborhood Notification Checklist

The following information must be included for **each** application packet submitted to the City of Albuquerque Planning Department.

1. ONC's "Notification Inquiry Email" outlining any affected Neighborhood and/or Homeowner Associations.

*Note: If your ONC Correspondence is more than 30 days old, you must contact ONC to ensure that the contact information is still current.

2. Copies of Letters sent to any affected Neighborhood and/or Homeowner Associations.
3. Copies of certified receipts mailed to any affected Neighborhood and/or Homeowner Associations.

Any questions, please feel free to contact our office at (505) 768-3334 or ONC@cabq.gov.

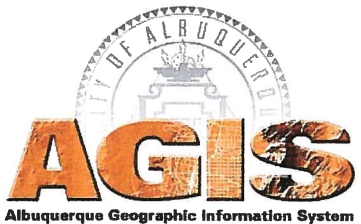
Thank you for your cooperation on this matter.

Association Name	First Name	Last Name	Address Line 1	City	State	Zip
Nob Hill NA	Tim	Ross	401 Amherst Drive NE	Albuquerque	NM	87106
Nob Hill NA	Adrian	Carver	433 Carlisle Boulevard NE	Albuquerque	NM	87106
University Heights NA	Don	Hancock	105 Stanford SE	Albuquerque	NM	87106
University Heights NA	Julie	Kidder	120 Vassar SE	Albuquerque	NM	87106

Mobile Phone	Phone	Email
	5055731042	ross@unm.edu
	5056150879	adrian.carver@gmail.com
5052622053	5052621862	sricdon@earthlink.net
5052693967		juliemkidder@gmail.com



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

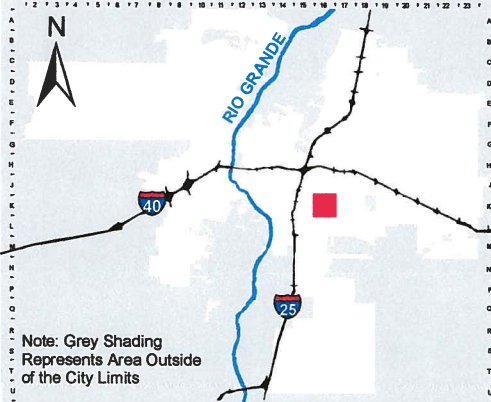


Map amended through: 1/28/2016

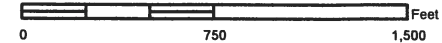
Zone Atlas Page:
K-16-Z

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

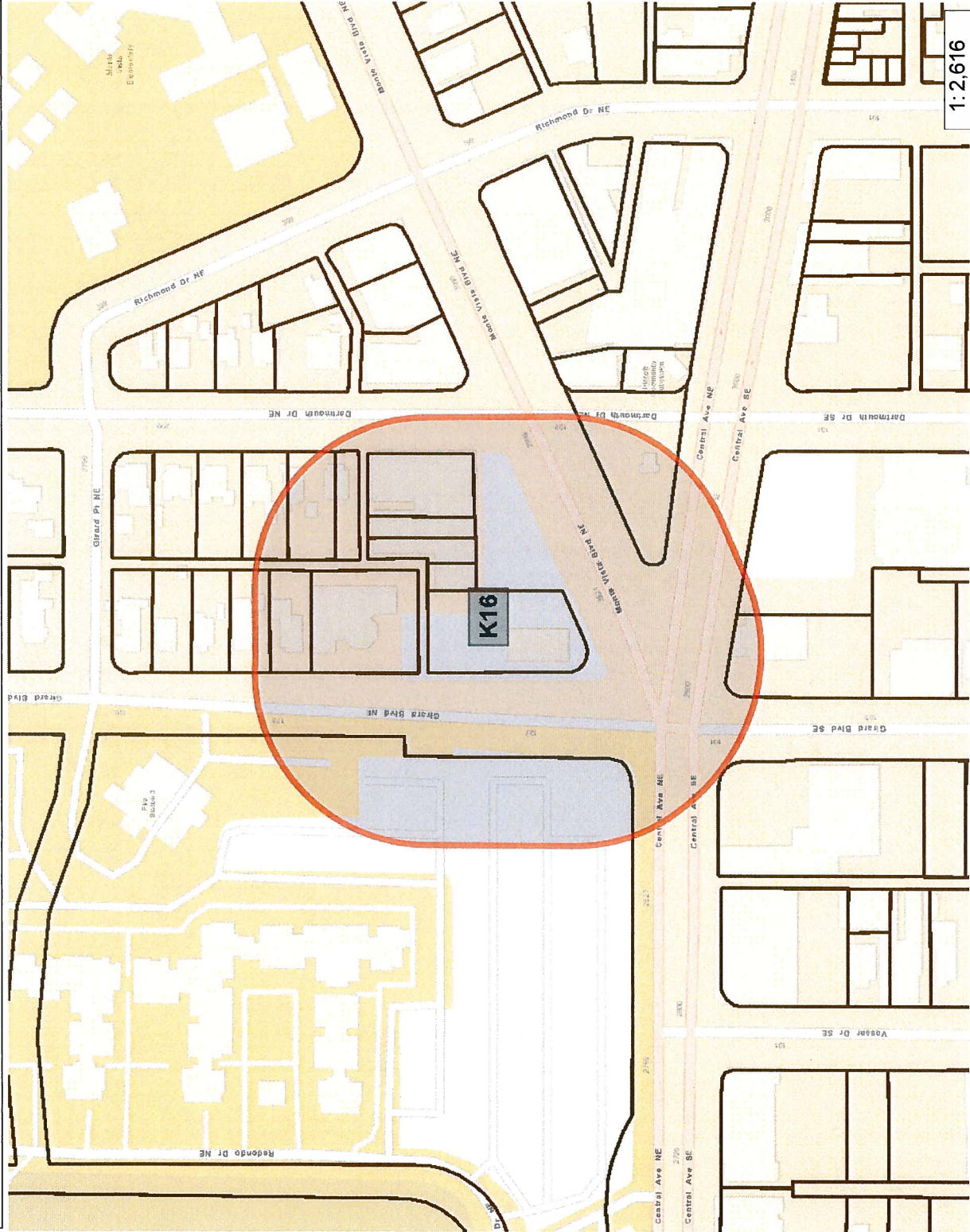


Note: Grey Shading Represents Area Outside of the City Limits



0 750 1,500 Feet

2901 Monte Vista NE



1:2,616

Legend

- Bernalillo County Parcels
- Zone Grid
- Municipal Limits**
- Corrales
- Edgewood
- Los Ranchos
- Rio Rancho
- Tijeras
- UNINCORPORATED
- World Street Map

Notes

Buffer: 210ft.
ROW: Monte Vista Blvd. NE

0.1 Miles
0.04

This map is a user generated static output from www.cabq.gov/gis and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

WGS_1984_Web_Mercator_Auxiliary_Sphere
12/8/2017
© City of Albuquerque

UPC	Owner	Owner Address	Owner Address 2
101605727833211000	BLACKBURN LYNN ALLENE STRONG & STRONG DONN/	1004 JACKSON ST SE	ALBUQUERQUE NM 87108-3526
101605726834111000		130 GIRARD BLVD NE	ALBUQUERQUE NM 87106
101605728027342000	PARKLAND HILLS INC	PO BOX 40142	ALBUQUERQUE NM 87196-0142
101605726835111000	SANDERSON CHRISTINA TRUSTEE SANDERSON LVT	134 GIRARD BLVD NE	ALBUQUERQUE NM 87106-2705
101605727231411000	H & E 22 WEST LLC	PO BOX 40366	DENVER CO 80204
101605728433211000	MATHIS ROBERT KENT & SARA J	4517 SAN ANDRES AVE NE	ALBUQUERQUE NM 87110-1125
101605727532711000	SOLOMON ROY	2929 MONTE VISTA BLVD NE	ALBUQUERQUE NM 87106
101605723633720000	REGENTS OF UNM REAL ESTATE DEPT	MSC06-3595-1 UNIVERSITY OF NM	ALBUQUERQUE NM 87131-0001
101605726628242000	PARKLAND HILLS INC	PO BOX 40142	ALBUQUERQUE NM 87196
101605728234811000	LOPEZ ANTHONY G	PO BOX 3311	TAOS NM 87571
101605728234311000	ENNIS MARTHA L	209 DARTMOUTH DR NE	ALBUQUERQUE NM 87106
101605728235411000	DOWNEY CHRISTIAN B & SARAH K	217 DARTMOUTH DR NE	ALBUQUERQUE NM 87106
101605726835611000	RAEL GLORIA J	136 GIRARD BLVD NE	ALBUQUERQUE NM 87106-2705
101605727733211000	BASSLINE PROPERTIES LLC	315 WASHINGTON ST SE	ALBUQUERQUE NM 87108-2734
101605728830210000	CITY OF ALBUQUERQUE	PO BOX 1293	ALBUQUERQUE NM 87103-2248

SITUS Address	SITUS Address	Tax District	Legal Description	Property Class	Acres
2933 MONTE V	ALBUQUERQUI	A1A	* 021 012MON	C	0.0717
130 GIRARD BL	ALBUQUERQUI	A1A	LOTS 4 5 6 BLK	C	0.404
2950 CENTRAL	ALBUQUERQUI	A1A	TR A-1 PLAT OF	C	1.3742
134 GIRARD BL	ALBUQUERQUI	A1A	* 007 012MON	R	0.1349
2901 MONTE V	ALBUQUERQUI	A1A	LOT 2A BLK 12	C	0.3867
2935 - MONTE	ALBUQUERQUI	A1A	012MONTE VIS	C	0.2152
2929 MONTE V	ALBUQUERQUI	A1A	*3 12 MONTE V	C	0.074
2400 REDONDI	ALBUQUERQUI	A1A	U N M CAMPU	C	0.1148
2900 CENTRAL	ALBUQUERQUI	A1A	TR B-1 PLAT OF	C	0.3981
213 DARTMOU	ALBUQUERQUI	A1A	* 016 012MON	R	0.1435
209 DARTMOU	ALBUQUERQUI	A1A	* 017 012MON	R	0.1435
217 DARTMOU	ALBUQUERQUI	A1A	* 015 012MON	R	0.1435
136 GIRARD BL	ALBUQUERQUI	A1A	* 008 012MON	R	0.1349
2931 MONTE V	ALBUQUERQUI	A1A	* 022 012MON	C	0.0717
2901 CENTRAL	ALBUQUERQUI	A1A	LT 1 PLAT OF L V		0.427



TIERRA WEST, LLC

December 6, 2017

Ms. Kym Dicome, Chair
Development Review Board
P.O. Box 1293
Albuquerque, NM 87102

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Chairwoman Dicome:

Tierra West LLC, on behalf of Cimarron Holdings, LLC, requests vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

The reason for this request is due to a remodel of the current Taco Bell drive-through lane. The current layout of the drive-through lane does not meet adequate standards for vehicular movements through the lane. Customers have very difficult times moving through the drive-thru lane and in some cases have to be towed out of the lane. The remodel of the lane would shift the drive-through entrance and menu order further north to allow for a wider lane and larger turning radius around the northwest corner of the existing building, which is where the issues of traffic movement occur.

The location of the proposed drive-thru entrance would overlay an existing 1-way, 12-foot wide exit drive aisle onto Girard Blvd. The Access Easement is utilized for this drive aisle, as it is intended to be an exit lane for the City-owned parking lot, directly east of the Taco Bell site. Drivers from the City-owned parking lot rarely use this exit aisle and instead prefer to exit through the existing drive aisle and driveway located directly north of the 1-way exit aisle. Our intent is to vacate the existing 12-foot wide Access Easement from its current location and create a new 20-foot wide Access Easement for the northern drive aisle. The new easement would be created through a replat which will be submitted to the Development Review Board concurrently.

The existing Access easement can be seen on the recorded plat dated June 1986, attached with this application package. Bernalillo County Records did not show to have any easement recording documents for this particular easement. Which is why we have included this 1986 Plat and the current Title Commitment that makes mention of this easement (Schedule B, Item 10 of the Title Commitment).

5571 Midway Park Place NE
(505) 858-3100
Albuquerque, NM 87109
Fax (505) 858-1118
tierrawestllc.com
1-800-245-3102

The entire public infrastructure needed to service the lot is currently in place and we only anticipate to add curb/landscaping to Girard to close off the one way exit north of the existing drive-thru lane and the exit curb cut directly west of the drive-thru pickup window.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Bohannon', written in a cursive style.

Ronald R. Bohannon, P.E.

Enclosure/s

cc:

JN: 2017081

RRB/vp/jg

TW

TIERRA WEST, LLC

December 8, 2017

Mr. Tim Ross
Nob Hill NA
401 Amherst Drive NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Mr. Ross:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

The reason for this request is due to a remodel of the current Taco Bell drive-through lane. The current layout of the drive-through lane does not meet adequate standards for vehicular movements through the lane. Customers have very difficult times moving through the drive-thru lane and in some cases have to be towed out of the lane. The remodel of the lane would shift the drive-through entrance and menu order further north to allow for a wider lane and larger turning radius around the northwest corner of the existing building, which is where the issues of traffic movement occur.

The existing 12-foot Access Easement is located right where the shifted drive-through lane will be, this is due to an existing one-way exit drive that is utilizing this Access Easement. Vehicles rarely use this exit aisle and instead use the drive aisle further north of this location. We will be granting a new 20-foot wide Access Easement at that northern drive aisle through a replat process that will be submitted to the City at a date in the very near future.

Please Note: Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternate Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by December 18, 2017.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

cc: Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
JN: 2017081
RRB/vp/jg

TW

TIERRA WEST, LLC

December 8, 2017

Mr. Adrian Carver
Nob Hill NA
433 Carlisle Boulevard NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Mr. Carver:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

The reason for this request is due to a remodel of the current Taco Bell drive-through lane. The current layout of the drive-through lane does not meet adequate standards for vehicular movements through the lane. Customers have very difficult times moving through the drive-thru lane and in some cases have to be towed out of the lane. The remodel of the lane would shift the drive-through entrance and menu order further north to allow for a wider lane and larger turning radius around the northwest corner of the existing building, which is where the issues of traffic movement occur.

The existing 12-foot Access Easement is located right where the shifted drive-through lane will be, this is due to an existing one-way exit drive that is utilizing this Access Easement. Vehicles rarely use this exit aisle and instead use the drive aisle further north of this location. We will be granting a new 20-foot wide Access Easement at that northern drive aisle through a replat process that will be submitted to the City at a date in the very near future.

Please Note: Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternate Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by December 18, 2017.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

cc: Tim Ross, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA

JN: 2017081
RRB/vp/jg

TOWN

TIERRA WEST, LLC

December 8, 2017

Mr. Don Hancock
University Heights NA
105 Stanford SE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Mr. Hancock:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.


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If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Julie Kidder, University Heights NA

JN: 2017081
RRB/vp/jg

TW

TIERRA WEST, LLC

December 8, 2017

Ms. Julie Kidder
University Heights NA
120 Vassar SE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Ms. Kidder:

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Sincerely,



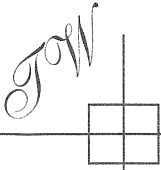
Ronald R. Bohannon, P.E.

Enclosure/s

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Anthony G. Lopez
P.O. Box 3311
Taos, NM 87571

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Anthony G. Lopez:

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(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

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Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
Robert Kent & Sara J. Mathis
Roy Solomon
Regents of UNM Real Estate Dept.
Parkland Hills Inc. (TR- B-1)
Anthony G. Lopez
Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Robert Kent & Sara J Mathis
4517 San Andres Ave NE
Albuquerque, NM 87110

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Robert Kent & Sara J Mathis.:

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Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
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Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081

RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Ms. Gloria J. Rael
136 Girard Blvd NE
Albuquerque, NM 87108

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Ms. Gloria J. Rael:

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Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
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Anthony G. Lopez
Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Ms. Martha L. Ennis
209 Dartmouth Dr. NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Ms. Ennis:

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5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

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Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
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Regents of UNM Real Estate Dept.
Parkland Hills Inc. (TR- B-1)
Anthony G. Lopez
Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Parkland Hills Inc.
P.O. Box 40142
Albuquerque, NM 87196

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Parkland Hills Inc.:

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Enclosure/s

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Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
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Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
Robert Kent & Sara J. Mathis
Roy Solomon
Regents of UNM Real Estate Dept.
Parkland Hills Inc. (TR- B-1)
Anthony G. Lopez
Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Regents of UNM Real Estate Dept.
MSCO6-3595-1 University of New Mexico
Albuquerque, NM 87131

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Regents of UNM Real Estate Dept:

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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Roy Solomon
2929 Monte Vista Blvd NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

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5571 Midway Park Place NE
(505) 858-3100
Albuquerque, NM 87109
Fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

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Ronald R. Bohannon, P.E.

Enclosure/s

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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

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

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
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ZONE ATLAS PAGE K-16-Z**

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Ronald R. Bohannon, P.E.

Enclosure/s

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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Christina Sanderson Trustee Sanderson LVT
134 Girard Blvd. Ne
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Christina Sanderson Trustee Sanderson LVT.:

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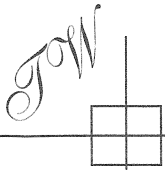


Ronald R. Bohannon, P.E.

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Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
Robert Kent & Sara J. Mathis
Roy Solomon
Regents of UNM Real Estate Dept.
Parkland Hills Inc. (TR- B-1)
Anthony G. Lopez
Martha L. Ennis
Christian B. & Sarah K Downey
Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Christian B. & Sarah K. Downey
217 Dartmouth Dr. NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Christian B. & Sarah K. Downey:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

The reason for this request is due to a remodel of the current Taco Bell drive-through lane. The current layout of the drive-through lane does not meet adequate standards for vehicular movements through the lane. Customers have very difficult times moving through the drive-thru lane and in some cases have to be towed out of the lane. The remodel of the lane would shift the drive-through entrance and menu order further north to allow for a wider lane and larger turning radius around the northwest corner of the existing building, which is where the issues of traffic movement occur.

The existing 12-foot Access Easement is located right where the shifted drive-through lane will be, this is due to an existing one-way exit drive that is utilizing this Access Easement. Vehicles rarely use this exit aisle and instead use the drive aisle further north of this location. We will be granting a new 20-foot wide Access Easement at that northern drive aisle through a replat process that will be submitted to the City at a date in the very near future.

Please Note: Affected Neighborhood Associations and Homeowner Associations may request a Facilitated Meeting regarding this project by contacting the Alternate Dispute Resolution (ADR) Program by email at striplett@cabq.gov, by phone at (505) 768-4712 or (505) 768-4660. A facilitated meeting request must be received by ADR by December 18, 2017.

5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
Robert Kent & Sara J. Mathis
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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Bassline Properties LLC
315 Washington St SE
Albuquerque, NM 87108

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Bassline Properties LLC:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

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Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

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Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
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Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Richard M & Etal Horton, Donna Lousie Strong, &
Allene Strong, Lynn Blackburn
1004 Jackson St SE
Albuquerque, NM 87108

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Richard M & Etal Horton, Donna Lousie Strong, Allene Strong, Lynn Blackburn:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

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(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tim Ross, Nob Hill NA
Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
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Parkland Hills Inc. (TR-A-1)
Christina Sanderson Trustee Sanderson LVT
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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC

December 8, 2017

Parkland Hills Inc.
P.O. Box 40142
Albuquerque, NM 87196

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Parkland Hills Inc.:

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Sincerely,



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Enclosure/s

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Gloria J. Rael
Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg



TIERRA WEST, LLC



December 8, 2017

Christian Students Act Inc.
130 Girard Blvd NE
Albuquerque, NM 87106

**RE: REQUEST FOR VACATION OF PUBLIC EASEMENT
TACO BELL AT NE CORNER OF MONTE VISTA BLVD & GIRARD BLVD
LOT2A, BLOCK 12 MONTE VISTA ADDITION
ZONE ATLAS PAGE K-16-Z**

Dear Christian Students Act Inc.:

Attached for your use is our request to the DRB chair dated December 8, 2017. This request is for a vacation of a public easement for Lot 2A, Block 12 of the Monte Vista Addition Replat. The easement requested to be vacated is a public 12-foot wide Access Easement that benefits the City of Albuquerque through a developed Taco Bell site.

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Albuquerque, NM 87109
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Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

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Adrian Carver, Nob Hill NA
Don Hancock, University Heights NA
Julie Kidder, University Heights NA
Christian Students Act Inc.
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Bassline Properties LLC
City of Albuquerque

JN: 2017081
RRB/vp/jg

NM 6 - COMMITMENT FOR TITLE INSURANCE

Issued By:



Fidelity National Title
Insurance Company

Commitment Number:

SP000032275

FIDELITY NATIONAL TITLE INSURANCE COMPANY, a Florida corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, FIDELITY NATIONAL TITLE INSURANCE COMPANY has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Fidelity National Title Insurance Company

By:

President

Attest:

Secretary

Fidelity National Title of New Mexico Inc.

8500 Menaul Blvd. NE, Suite B-150
Albuquerque, NM 87112

Countersigned By:

Authorized Signature



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NM Form 6: Commitment for Title Insurance (08/01/2008)
ALTA Form Rev. 2006



Pursuant to the New Mexico title insurance law Section 59A-30-4 NMSA 1978, control and supervision by superintendent and title insurance regulation 13.14.18.10 NMAC, no part of any title insurance commitment, policy or endorsement form promulgated by the New Mexico superintendent of insurance may be added to, altered, inserted in or typed upon, deleted or otherwise changed from the title insurance form promulgated by the New Mexico superintendent of insurance, nor issued by a person or company not licensed with regard to the business of title insurance by the New Mexico superintendent of insurance, nor issued by a person or company who does not own, operate or control an approved title abstract plant as defined by New Mexico law and regulations for the county wherein the property is located.

SCHEDULE A

1. Effective Date: November 3, 2017 at 08:00 AM
2. Policy or Policies to be issued:
 - a. Owner's Policy 2006 (NM 1)
Proposed Insured: To Be Determined
Amount: \$0.00
 - b. Loan Policy 2006 (NM 2)
Proposed Insured: To Be Determined
Policy Amount: \$0.00
3. The estate or interest in the land described or referred to in this Commitment is:
Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:
Cimarron Holdings, LLC, a Colorado limited liability company
5. The land referred to in this Commitment is described as follows:

Lot numbered Two-A (2A) in Block numbered Twelve (12), a Replat of Lots 1 - 3, & Tract A, Block 12, of Monte Vista Addition, an Addition to the City of Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the replat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on July 23, 1986, in Plat Book C31, Folio 18.

END OF SCHEDULE A

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NM Form 6: Commitment for Title Insurance (08/01/2008)
ALTA Form Rev. 2006



EXHIBIT "A"
Legal Description

Lot numbered Two-A (2A) in Block numbered Twelve (12), a Replat of Lots 1 - 3, & Tract A, Block 12, of Monte Vista Addition, an Addition to the City of Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the replat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on July 23, 1986, in Plat Book C31, Folio 18.

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NM Form 6: Commitment for Title Insurance (08/01/2008)
ALTA Form Rev. 2006



**SCHEDULE B - SECTION I
REQUIREMENTS**

1. NONE

END OF SCHEDULE B - SECTION I

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NM Form 6: Commitment for Title Insurance (08/01/2008)
ALTA Form Rev. 2006



**SCHEDULE B - SECTION II
EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any lien, claim or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Community property, survivorship or homestead rights, if any, of any spouse of the insured (or vestee in a leasehold or loan policy).
6. Water rights, claims or title to water.
7. Taxes for the year 2017, and thereafter.
8. Reservations and exceptions in the Patent by the United States of America recorded in Book 35, Page 275, records of Bernalillo County, New Mexico.
9. Restrictive covenants affecting the insured premises, but omitting any covenant, conditions or restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons, recorded in Book 99, Page 17 and Book 99, Page 87, records of Bernalillo County, New Mexico.
10. Twelve foot (12') Existing Perpetual Access Easement, reserved across a central portion of the insured premises, as shown on the recorded plat, recorded in Plat Book C31, Page 18, and as declared in that Final Judgment of Cause No. CV-83-7777, and recorded May 24, 1984, in Book Misc. 119A, Page 299, as Doc. No. 84- 38867, records of Bernalillo County, New Mexico.
11. Underground Easement for utilities recorded in Book Misc. 457A, Page 494, as Doc. No. 87-720072, records of Bernalillo County, New Mexico.
12. Lease dated July 20, 1983, by and between Antonio Cristiano and Marie Cristiano, as Lessor, and Frederick A. Tripp and Joyce K. Tripp, as Lessee, as evidenced by that certain Assignment of Lease recorded February 7, 1986, in Book Misc. 319A, Page 576, as Doc. No. 86-11619. records of Bernalillo County, New Mexico, wherein Lessor's interest was assigned to Richard B. Saylor.
13. Mortgage, Security Agreement and Financing Statement dated November 5, 2013 from Cimarron Holdings, LLC, a Colorado limited liability company to RBS Citizens, N.A., as administrative agent, recorded November 6, 2013 as document number 2013-121510, as amended and restated by that certain Amendment and Confirmation of Mortgage, Security Agreement and Financing Statements and Assignment of Leases(s) and Rents recorded August 24, 2017 as document number 2017082046, records of Bernalillo County, New Mexico.

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NM Form 6: Commitment for Title Insurance (08/01/2008)
ALTA Form Rev. 2006



SCHEDULE B - SECTION II
EXCEPTIONS
(continued)

14. Lessor's Assignment of Leases and Rents recorded November 6, 2013 as document number 2013-121511, records of Bernalillo County, New Mexico.
15. Subordination and Attornment Agreement recorded September 19, 2014 as document number 2014-73979, records of Bernalillo County, New Mexico.

In compliance with Subsection D of 13.14.18.10 NMAC, the Company hereby waives its right to demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the Company and the insured.

NOTE: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.

END OF SCHEDULE B - SECTION II

Standard exceptions 1, 2, 3, and or 4, may be deleted from any policy upon compliance with all provisions of the applicable rules, upon payment of all additional premiums required by the applicable rules, upon receipt of the required documents and upon compliance with the company's underwriting standards for each such deletion. Standard exception 5 may be deleted from the policy if the named insured in the case of an owner's policy, or the vestee, in the case of a leasehold or loan policy, is a corporation, a partnership, or other artificial entity, or a person holding title as trustee.

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NM Form 6: Commitment for Title Insurance (08/01/2008)
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CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.*

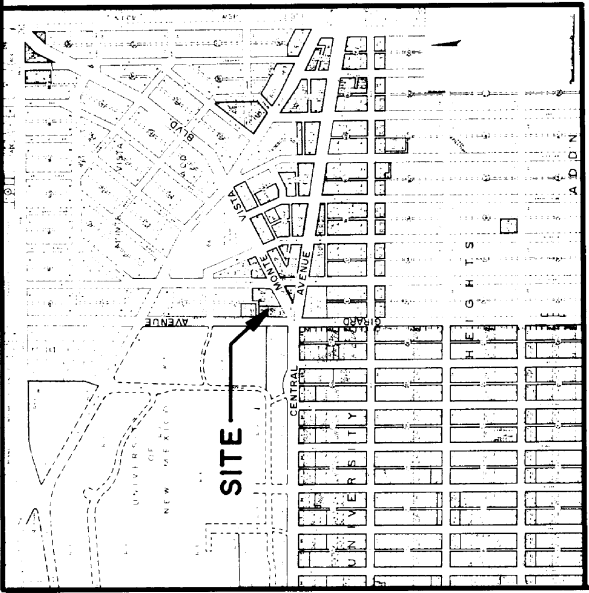
END OF CONDITIONS

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Lot 2A, Block 12, A Replat of Lots 1-3 & Tr. A, Block 12, MONTE VISTA ADDITION, S6 67401, CITY OF ALBUQUERQUE, BERNALILLO CO., N.M.

June 1986

LEGAL DESCRIPTION

A certain tract of land comprising Lot lettered "A", Lots numbered One (1), Two (2) and a portion of Lot numbered Three (3) in Block numbered Twelve (12) of MONTE VISTA, an Addition to 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 October 14, 1926, said tract being more particularly described by metes and bounds as follows:

BEGINNING at the Southwest corner of the tract herein described, being a point on the Easterly right-of-way line of Girard Ave. and the Northerly right-of-way line of Monte Vista Blvd., whence "K16-5", an A.C.S. Brass Cap, bears S. 02° 47' 07" W., 105.16 feet distant; THENCE, from said beginning point,
 N. 00° 00' 00" E., 202.24 feet along said right-of-way line of Girard Ave. to the Northwest corner; THENCE, leaving said right-of-way,
 N. 89° 56' 30" E., 95.15 feet to the Northeast corner of the tract herein described; THENCE,
 S. 00° 10' 10" W., 50.60 feet to an angle point; THENCE,
 S. 00° 00' 00" W., 108.91 feet to the Southeast corner, a point on said Northerly Right-of-way line of Monte Vista Blvd.; THENCE,
 S. 65° 32' 00" W., 104.10 feet along said right-of-way of Monte Vista Blvd. to the Southwest corner and point of beginning, said tract containing 0.3966 acre, more or less.

Description above as per Document recorded June 2, 1970, in Misc. Book 175, Pages 673-676.

FREE CONSENT

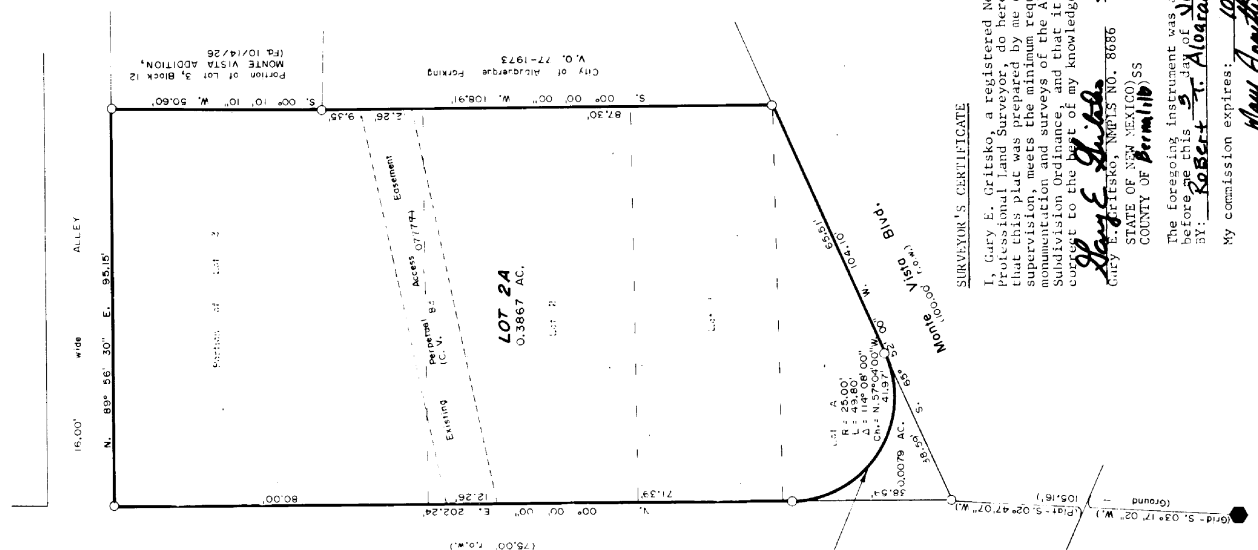
The foregoing Land Division is being made in accordance with the desires of the undersigned owners of the property hereby proposed to be divided, and they hereby consent to all the foregoing and hereby represent that they are authorized to so act.

ROBERT T. ALVARADO
 STATE OF NEW MEXICO
 COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 3 day of July, 1986 by: Robert T. Alvarado, Vice President of Alvarado Construction Co., a Colorado Corp. on behalf of said Corporation.

My commission expires: 10/29/89
 May Anneth Barber
 COUNTY CLERK

ALPHA SURVEYING GROUP, INC.
 623 Anherst Dr. N.E.
 P.O. Box 26193
 Albuquerque, New Mexico 87125
 (505) 265-5538



SCALE: 1" = 20'

LEGEND

- PROPERTY LINE
- OLD LOT LINE
- EXISTING EASEMENT LINE
- FOUND BRASS CAP
- SET REBAR & CAP

Corner radius to be deduced by this plat

DISCLOSURE STATEMENT:

The purpose of this plat is to combine Lot A, Lot 1, Lot 2 and portion of Lot 3 at the location of Lot 2A, into one lot, the MONTE VISTA ADDITION, into One (1) lot.

"K16-5"

A.C.S. Brass Cap
 X: 3,354.55, 78
 Y: 1,484,869.00
 Central Zone, N.M.
 Ohio Alpha = 0°12'30"
 G/G Factor = 0.9996613

CITY OF ALBUQUERQUE DEVELOPMENT REVIEW BOARD APPROVALS

- Traffic Engineering Department: 7-15-86
- Parks and Recreation Department: 7-15-86
- Water Resources Department: 7-15-86
- City Engineering Department: 7-15-86
- A.M.A.F. & A: 07/28/86
- Chief Surveyor: [Signature]
- Property Management Department: 7-24-86
- Planning Department, D.R.B.: 7-17-86

S.P. NO. 86-440

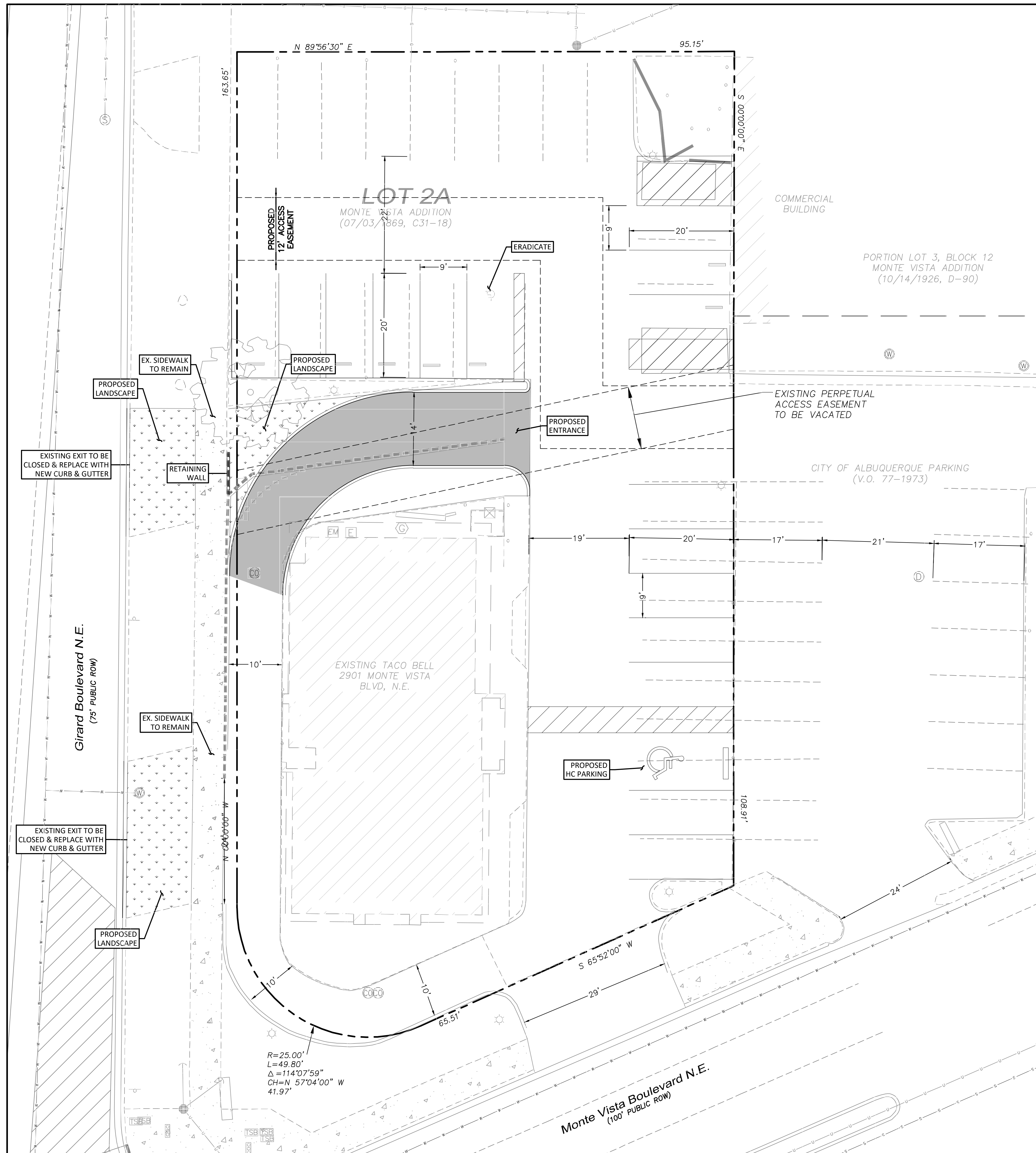
SP 86-251

SURVEY NOTES:

- All property corners indicated as set by this survey are #4 rebar with plastic caps stamped "PLS 8586-1986".
- All distances are ground distances.
- Bearings are based on the Plat of MONTE VISTA, filed 10/14/26.
- Rotate plat bearings 00° 20' 58" Clockwise/Counterclockwise to obtain B.T.D. bearings.

GENERAL NOTES:

- Total acreage: 0.3946 AC.
- Present site zoning: C2.
- Zone Atlas Index No.: K-16-7
- Utility Council Location System Log No.: 06-25-2263
- Total number of lots created by this plat: 1 LOT
- The recording of this plat with the Office of the County Clerk of Bernalillo County, New Mexico, does not affect or vacate existing easements or rights-of-way of record except as shown
- Prison to development. City of Albuquerque Water and Sanitary Sewer service to these lots must be verified and coordinated with the Water Utilities Department, City of Albuquerque, via a written request for a water and sanitary sewer availability statement.

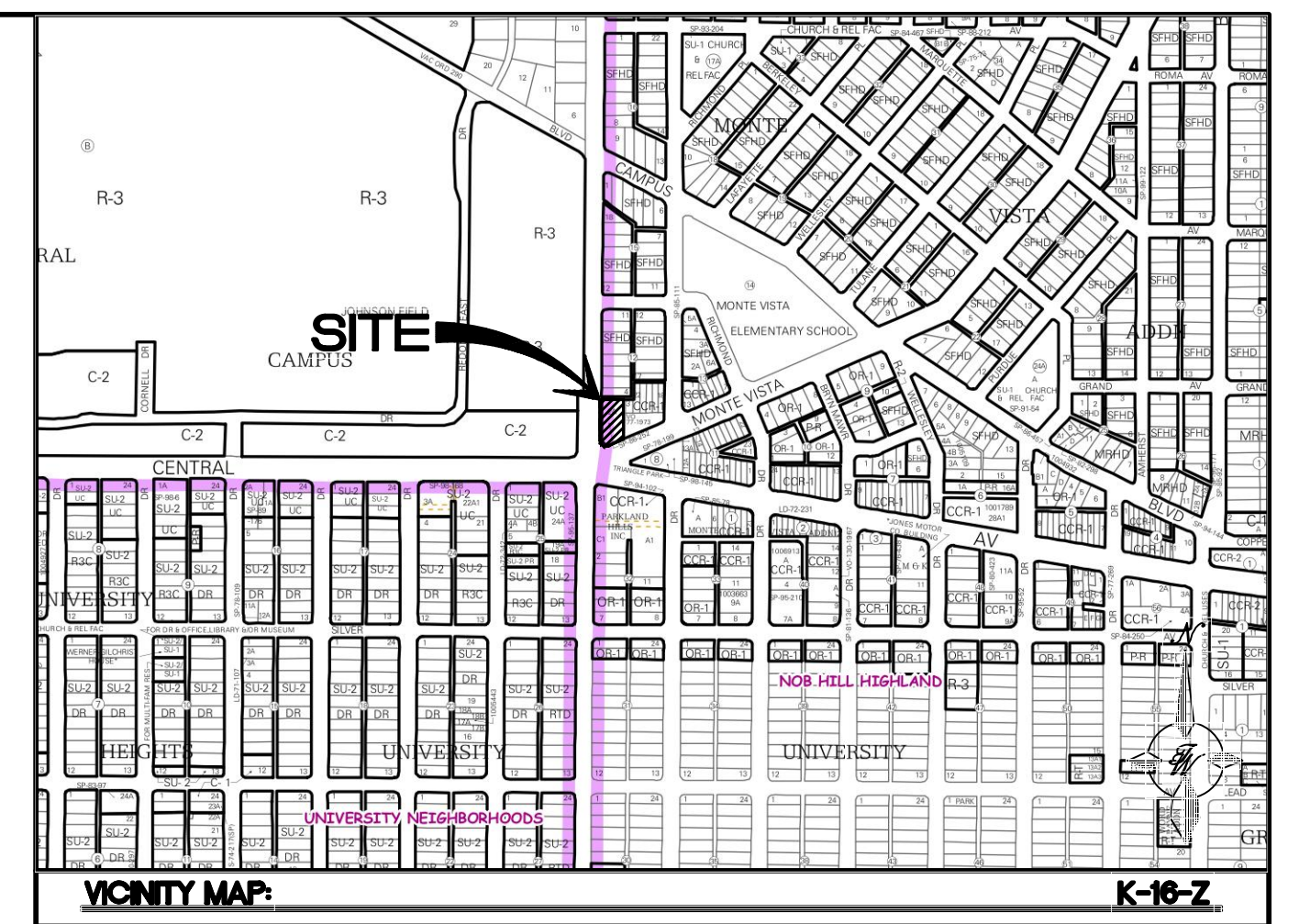


LEGEND

	CURB & GUTTER
	BOUNDARY LINE
	EASEMENT
	CENTERLINE
	BUILDING
	SIDEWALK
	RETAINING WALL
	STREET LIGHTS
	LANE
	STRIPING
	EXISTING CURB & GUTTER
	EXISTING BOUNDARY LINE
	EXISTING SIDEWALK
	EXISTING LANE
	EXISTING STRIPING

SITE DATA

PROPOSED USAGE:	Taco Bell
LOT AREA:	16832 SF (0.38) ACRE
BUILDING AREA:	2590 SF
PARKING REQUIRED:	XX SPACES (5900 SF/1 SPACE PER 200 SF)
PARKING PROVIDED:	26 SPACES
HC PARKING REQUIRED:	1 SPACE
HC PARKING PROVIDED:	1 SPACE VAN ACCESSIBLE
MC PARKING REQUIRED:	x SPACES
MC PARKING PROVIDED:	x SPACES
BICYCLE PARKING REQUIRED:	x SPACES
BICYCLE PARKING PROVIDED:	x SPACES
LANDSCAPE AREA REQUIRED:	XXXX SF
LANDSCAPE AREA PROVIDED:	XXXX SF



LEGAL DESCRIPTION

NOTES

1. ---

PROJECT NUMBER: _____

APPLICATION NUMBER: _____

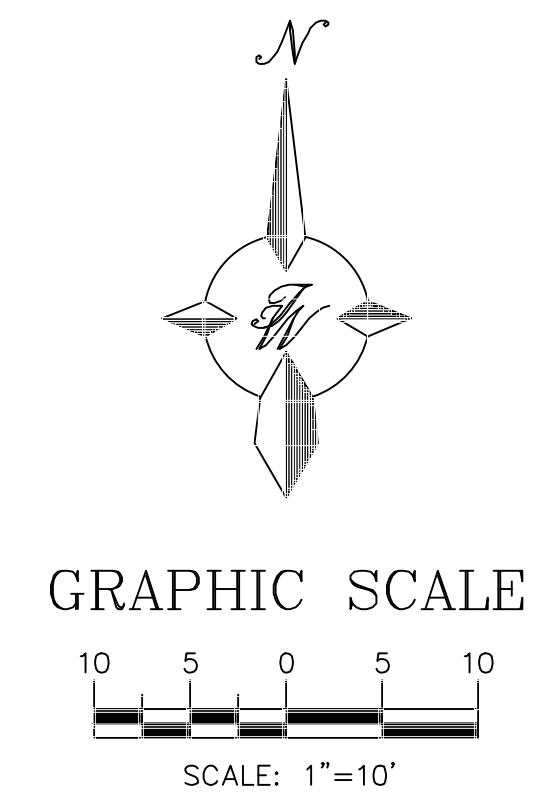
This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated _____ and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? () Yes () No If Yes, then a set of approved DRG plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:

Traffic Engineer, Transportation Division	Date
Water Utility Development	Date
Parks & Recreation Department	Date
City Engineer	Date
* Environmental Health Department (conditional)	Date
Solid Waste Management	Date
DRB Chairperson, Planning Department	Date

* Environmental Health, if necessary



ENGINEER'S SEAL	TACO BELL	DRAWN BY
	GIRARD & MONTE VISTA	DY
	CONCEPTUAL SITE PLAN	DATE
		12/07/17
		2017081-TCL
		SHEET #
		C1
		JOB #
		2017081

TIERRA WEST, LLC
 5571 MIDWAY PARK PLACE NE
 ALBUQUERQUE, NM 87109
 (505) 858-3100
 www.tierrowestllc.com

RONALD R. BOHANNAN
 P.E. #7868