

## 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 this sheet with site plan/plat to obtain signatures 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 #: 1009603

Application #: 13DRB-70580

Project Name: BARON BURY HEIGHTS

Agent: PRECISION SURVEYS INC.

Phone #:

\*\*Your request was approved on 6-19-13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

☒ TRANSPORTATION: provide exhibit

☐ ABCWUA:

☐ CITY ENGINEER / AMAFCA:

☐ PARKS / CIP:

☒ PLANNING (Last to sign): add, verify signatures,  
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.

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

3. **Project# 1002632**  
13DRB-70579 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
PRECISION SURVEYS INC agent(s) for FLASH RESOURCES, LLC request(s) the above action(s) for all or a portion of Lot(s) 24-A, 25-A, 28A-31-A, 61A-A4A, 74A-78A, **THE BOULDERS PHASE II** zoned RLT, located on UNSER BLVD NW BETWEEN UNSER BLVD NW AND PARADISE BLVD NW containing approximately 2.1436 acre(s). (B-10, B-11) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PLANNING FOR UTILITY COMPANY SIGNATURES.**
4. **Project# 1009603**  
13DRB-70580 MINOR - PRELIMINARY/  
FINAL PLAT APPROVAL  
PRECISION SURVEYS INC agent(s) for TOSTA NEW MEXICO LLC request(s) the above action(s) for all or a portion of Lot(s) 1, 2, 3, & 22, 23, 24, Block(s) 8, **BARON BURY HEIGHTS** zoned C-1, located on SAN MATEO BLVD SE BETWEEN ZUNI RD SE AND BELL AVE SE containing approximately .7623 acre(s). (L-17 & L-18) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR DIMENSIONAL EXHIBIT AND TO PLANNING FOR UTILITY COMPANY SIGNATURES, AGIS DXF, AND TO RECORD.**

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

5. **Project# 1009730**  
13DRB-70578 SKETCH PLAT REVIEW  
AND COMMENT  
THE GROUP agent(s) for OAKLAND INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 1, Block(s) 3, **Unit(s) 3 TRACT 2**, zoned RD, located on OAKLAND BETWEEN LOUISIANA AND QUAIL SPRINGS containing approximately .7302 acre(s). (C-19)**THE SKETCH PLAT WAS REVIEWED AND COMMENTS WERE PROVIDED.**
6. Approval of the Development Review Board Minutes for **June 5 & 12, 2013.**  
Other Matters:  
ADJOURNED:

## DRB CASE ACTION LOG - BLUE SHEET

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Agent: PRECISION SURVEYS INC.

Phone #:

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☐ TRANSPORTATION:

\_\_\_\_\_  
\_\_\_\_\_

☐ ABCWUA:

\_\_\_\_\_  
\_\_\_\_\_

☐ CITY ENGINEER / AMAFCA:

\_\_\_\_\_  
\_\_\_\_\_

☐ PARKS / CIP:

\_\_\_\_\_  
\_\_\_\_\_

☒ PLANNING (Last to sign): add, city signatures,  
for record

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- 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

March 27, 2013

**Project# 1009603**

**13DRB-70463 VACATION OF PUBLIC EASEMENTS**

PRECISION SURVEYS INC agents for TOSTA NM LLC request the referenced/ above action for easements on a portion of Lot(s) 1-3 & 22-24, Block 8, **MENDELSBERG'S SUBDIVISION OF BLOCKS 7 & 8, BARON BURG HEIGHTS** zoned C-1, located on the south side of ZUNI RD SE between SAN MATEO BLVD SE and ORTIZ DR SE (K-17& 18, L-17 & 18)

At the March 27, 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.

Findings

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

(B)(1) The public welfare is in no way served by retaining the easement. Alternative easement(s) will be provided on the required replat, and the replat must be acknowledged by franchised utilities to complete the vacation; PNM has provided updated comments acknowledging approval,

(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 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.

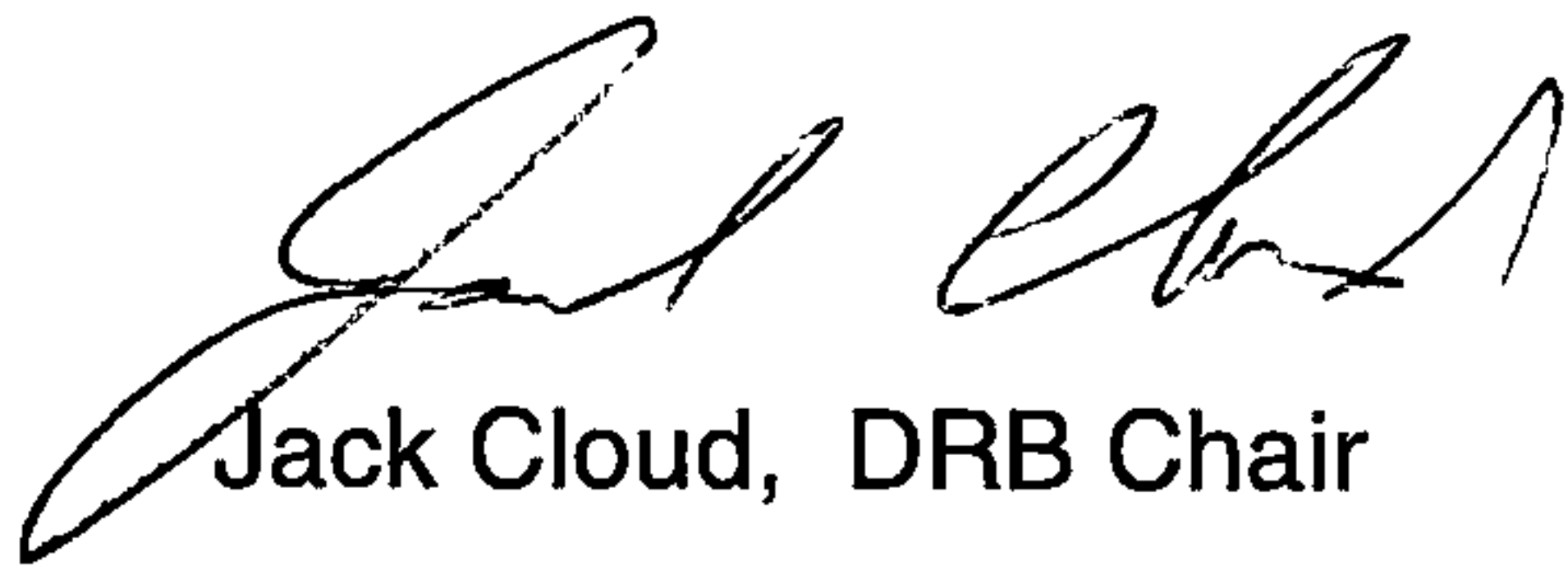
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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.)

A handwritten signature in black ink, appearing to read "Jack Cloud", is positioned above the printed name.

Jack Cloud, DRB Chair

Cc: PRECISION SURVEYS INC  
Marilyn Maldonado  
File



CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

**Project# 1009603**

**13DRB-70463 VACATION OF PUBLIC EASEMENTS**

PRECISION SURVEYS INC agents for TOSTA NM LLC request the referenced/ above action for easements on a portion of Lot(s) 1-3 & 22-24, Block 8, **MENDELSBERG'S SUBDIVISION OF BLOCKS 7 & 8, BARON BURG HEIGHTS** zoned C-1, located on the south side of ZUNI RD SE between SAN MATEO BLVD SE and ORTIZ DR SE (K-17& 18, L-17 & 18)

<b>AMAFCA</b> No comments
<b>COG</b> No comments provided
<b>TRANSIT</b> No comments
<b>ZONING ENFORCEMENT</b>
<b>NEIGHBORHOOD COORDINATION</b> <b>Affected NA/HOAs</b> – South San Pedro NA (R), Highland Business & NA (R), Parkland Hills NA (R)
<b>APS</b> No comments provided
<b>POLICE DEPARTMENT</b> This project is in the Southeast Area Command - No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Easement request at this time.
<b>FIRE DEPARTMENT</b> No comments provided
<b>PNM ELECTRIC &amp; GAS</b> PNM currently has an overhead feeder line in use, located within this easement, PNM does not Support the vacation of this easement.
<b>COMCAST</b> No comments provided
<b>CENTURYLINK</b> No comments provided
<b>ENVIRONMENTAL HEALTH</b> No comments provided

**9603**

## DXF Electronic Approval Form

DRB Project Case #: 1009603

Subdivision Name: LANDS OF TOSTA, TRACT A

Surveyor: LARRY W MEDRANO

Contact Person: LARRY MEDRANO

Contact Information: 856-5700

DXF Received: 7/11/2013

Hard Copy Received: 7/11/2013

Coordinate System: NMSP Grid (NAD 83)

*Catherine Bradley*  
Approved

*7/11/13*  
Date

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

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### AGIS Use Only

Copied fc **9603**

to agiscov on **7/11/2013**

Contact person notified on **7/11/2013**

PROJECT #

1009603

App #

Action

Date

13-70580

P&F  
1

6-19-13



# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

PLANNING  
DEPARTMENT

### STANDARD APPLICATION, Paper Plans Required

#### DEVELOPMENT REVIEW BOARD

06/11/2013 Issued By: E08375 194159

Category Code **910**  
**2013 070 580**

**Application Number:** 13DRB-70580, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** SAN MATEO BLVD SE BETWEEN ZUNI RD SE AND BELL AVE SE

**Project Number:** 1009603

#### Applicant

TOSTA NEW MEXICO LLC  
ANTHONY TOSTA  
781 LA BUENA TIERRA  
SANTA BARBARA CA 93116

#### Agent / Contact

PRECISION SURVEYS INC  
LARRY MEDRANO  
4900 ALAMEDA BLVD NE SUITE A  
ALBUQUERQUE NM 87113

LARRY@PRESURV.COM

#### Application Fees

APN Fee	
Conflict Mgmt Fee	\$20.00
DRB Actions	\$215.00
<b>TOTAL:</b>	<b>\$235.00</b>

City of Albuquerque Treasury  
Date: 6/11/2013 Office: AMNEX  
Stat ID: W8000009 Cashier: TRSCXG  
Batch: 2089 Trans #: 25  
Permit: 2013070580  
Receipt Num 00135086  
Payment Total: \$235.00  
0901 Conflict Mgmt. Fee \$20.00  
0903 DRB Actions \$215.00  
Check Tendered : \$235.00



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 2<sup>nd</sup> 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): Precision Precision Surveys Inc PHONE: 856-5700  
 ADDRESS: PO Box 90036 FAX: 856-7900  
 CITY: Albuquerque STATE NM ZIP 87199 E-MAIL: Larry@presurv.com

APPLICANT: Tosta New Mexico LLC c/o Anthony U. Tosta PHONE: \_\_\_\_\_  
 ADDRESS: 781 La Buena Tierra FAX: \_\_\_\_\_  
 CITY: Santa Barbara STATE CA ZIP 93116 E-MAIL: \_\_\_\_\_

Proprietary interest in site: owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Consolidate the existing 6 lots into 1 new tract, vacate 2 easements and grant an 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. ~~0000~~ 1, 2, 3 & 22, 23, 24 Block: 8 Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Baron Bury Heights

Existing Zoning: C-1 Proposed zoning: C-1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): L17 L18 UPC Code: 101805602352322512 1018056022351522511  
101805601252322513 101805601251522514

### CASE HISTORY:

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

BA-70 Z-1649 Z-79-104 13DRB 70463

### CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO

No. of existing lots: 6 No. of proposed lots: 1 Total site area (acres): 0.7623

LOCATION OF PROPERTY BY STREETS: On or Near: San Mateo Blvd SE

Between: Zuni Rd SE and Bell Ave SE

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

SIGNATURE Marcel Cisneros DATE 6/10/13

(Print Name) Marcel Cisneros Applicant: ☐ Agent: ☒

### FOR OFFICIAL USE ONLY

Revised: 4/2012

#### ☐ INTERNAL ROUTING

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

Application case numbers  
13DRB - 70580  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Action	S.F.	Fees
<u>PBF</u>	_____	\$ <u>215.00</u>
<u>CMF</u>	_____	\$ <u>20.00</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

Hearing date June 19, 2013

Total  
 \$ 235.00

[Signature]  
6-11-13  
 Staff signature & Date

Project # 1009603



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.

Marcel Cisneros  
Applicant name (print)  
Marcel Cisneros 6/10/13  
Applicant signature / date



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

Application case numbers  
13DRB - 70580  
- - -  
- - -

Form revised October 2007  
Vign 6-11-13  
Planner signature / date  
Project # 1009603





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
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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**
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- ☐ 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
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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**
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- ☒ Fee (see schedule)
- ☒ List any original and/or related file numbers on the cover application
- ☒ Infrastructure list if required (**verify with DRB Engineer**)
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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.

Marcel Cisneros  
Applicant name (print)  
Marcel Cisneros 6/11/13  
Applicant signature / date



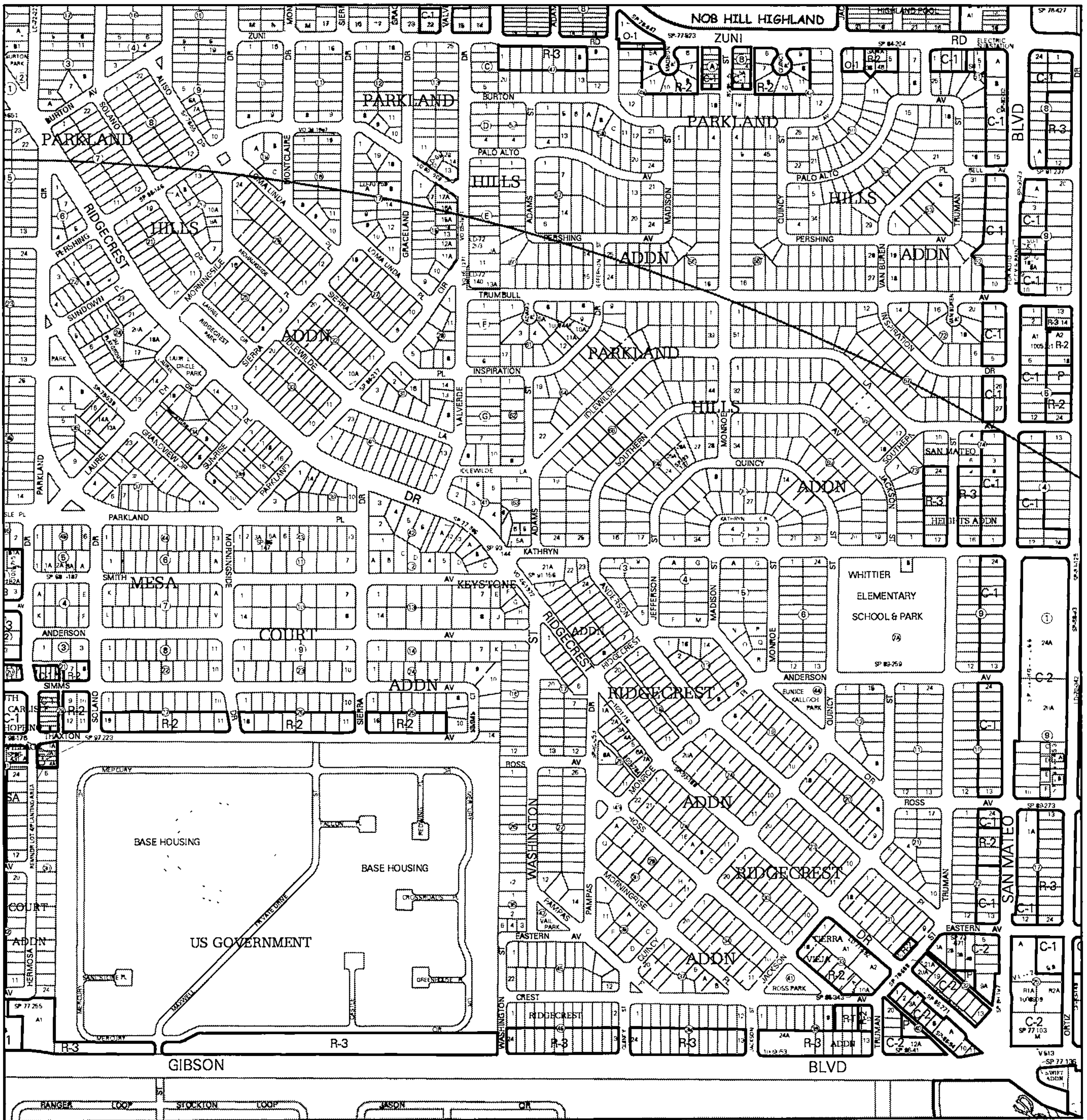
Form revised October 2007

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

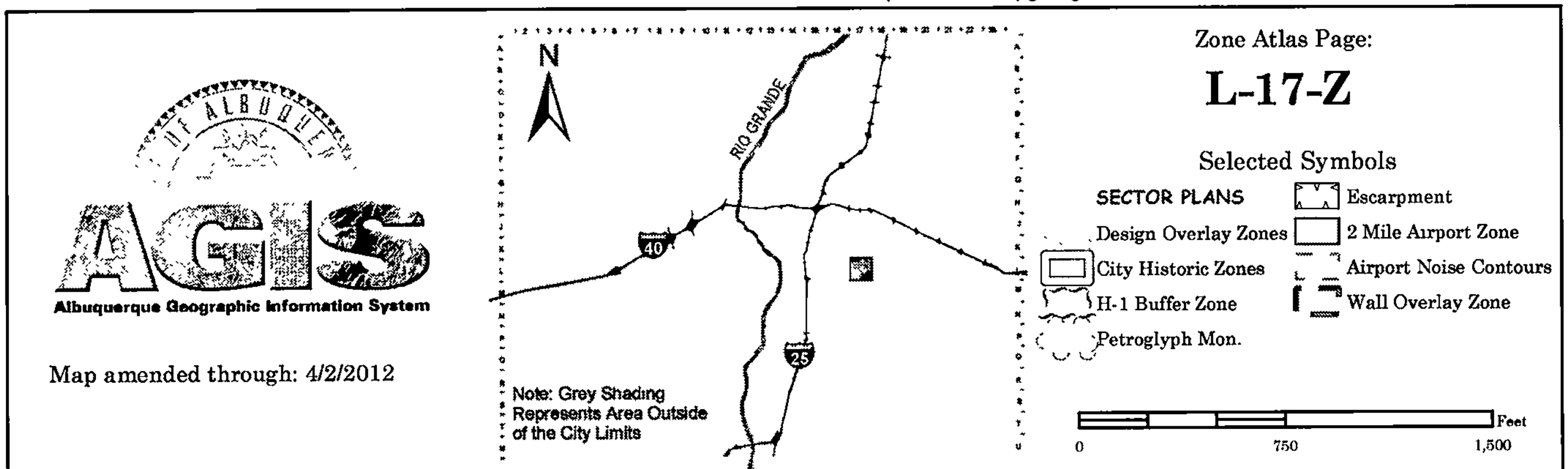
Application case numbers  
3DRB - 70580  
- - -  
- - -

Planner signature / date  
6-11-13  
Project # 1009603

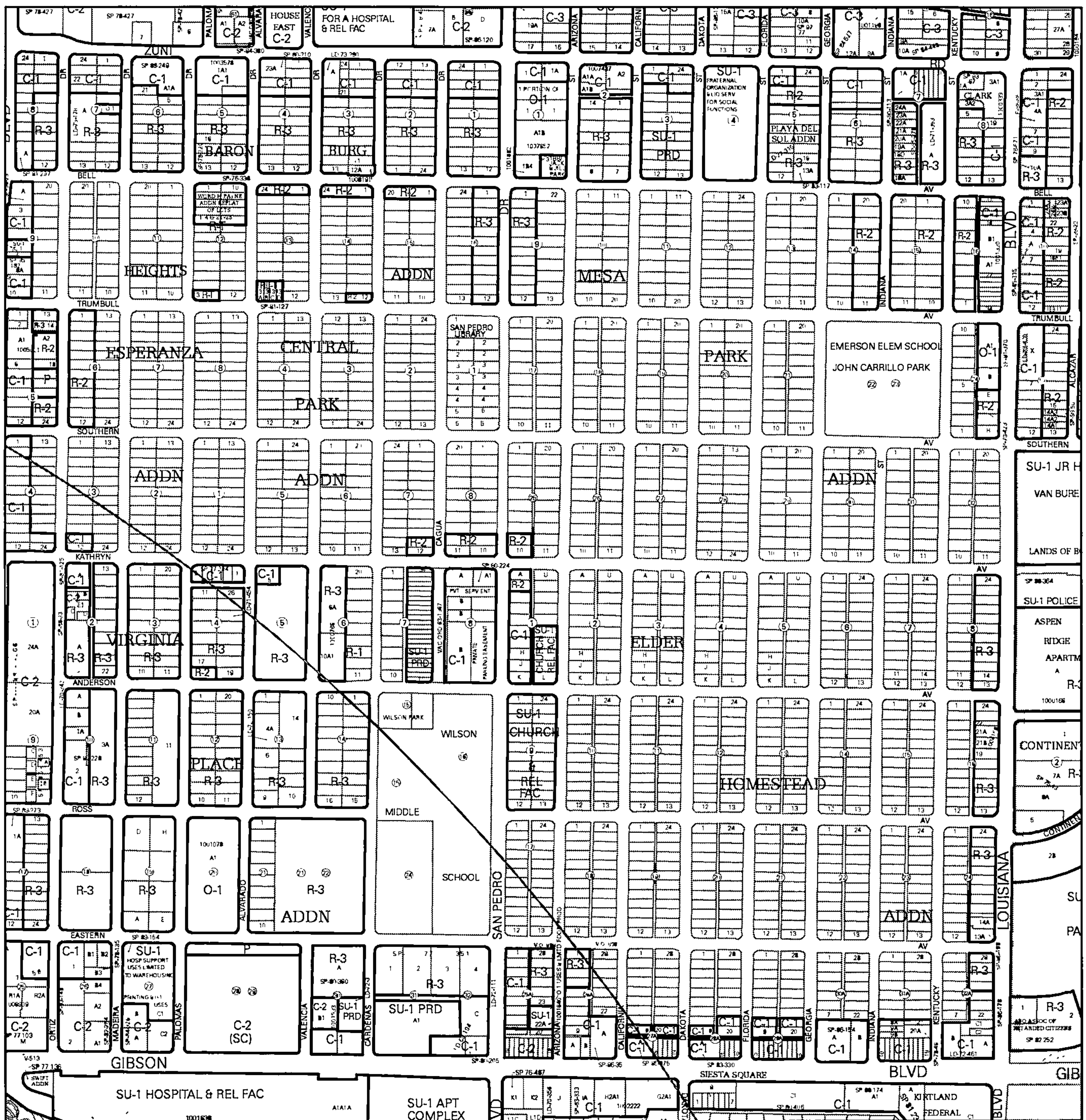




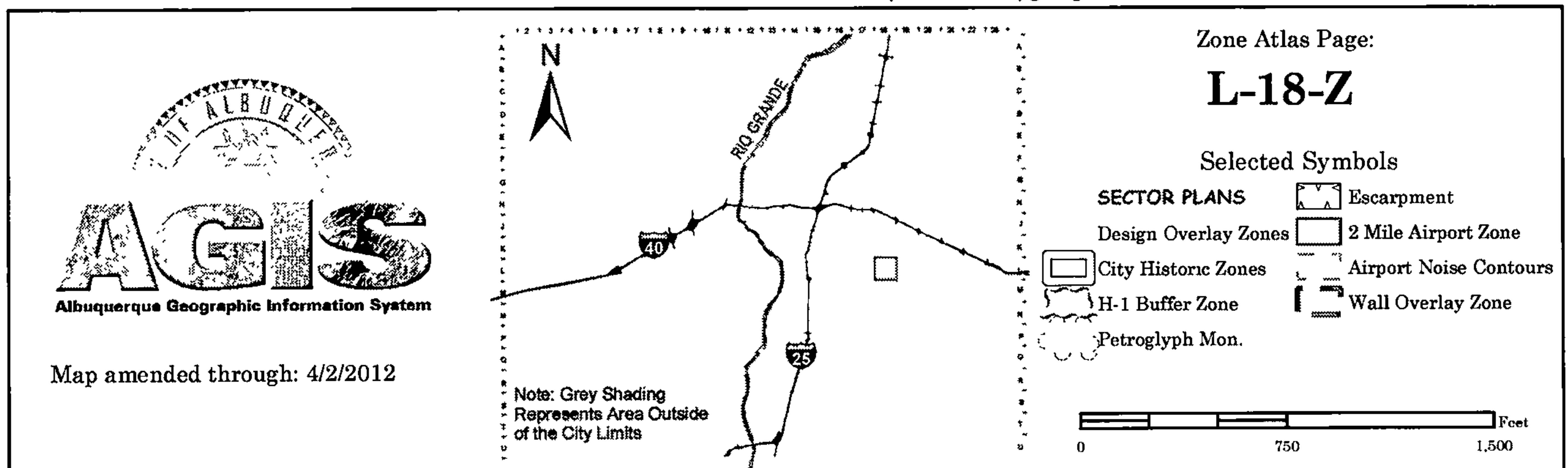
For more current information and details visit: <http://www.cabq.gov/gis>







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





5571 Midway Park Place, NE  
Albuquerque, NM 87109

PO Box 90636  
Albuquerque, NM 87199

866.442.8011  
505.856.5700  
505.856.7900  
[www.precisionsurveys.com](http://www.precisionsurveys.com)

June 10, 2013

Mr. Jack Cloud, Chair  
Development Review Board  
Planning Development Services Division  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

RE: REQUEST TO CONSOLIDATE THE EXISTING 6 LOTS INTO 1 NEW TRACT,  
TO VACATE 2 EASEMENTS AND GRANT AN EASEMENT.

Dear Mr. Cloud,

Precision Surveys, Inc. is agent for the property owner of the referenced tract. The lots are located at the southeast corner of San Mateo Boulevard SE & Zuni Road SE, as shown on the attached zone atlas page.

We will be consolidating the existing six lots into one new tract.

Please call me if you have any questions or if you need additional information.

Thank you for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Larry W. Medrano', is written over the typed name.

Larry W. Medrano, NMPS

June 19. 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

### 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 2<sup>nd</sup> 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): Precision Surveys, Inc PHONE: (505) 856-5700  
 ADDRESS: P.O. Box 90636 FAX: (505) 856-7900  
 CITY: Alb. STATE NM ZIP 87199 E-MAIL: Larry@presurv.com

APPLICANT: Tosta NM LLC c/o Anthony M. Tosta PHONE: \_\_\_\_\_  
 ADDRESS: 781 La Buena Tierra FAX: \_\_\_\_\_  
 CITY: Santa Barbara STATE CA ZIP 93116 E-MAIL: \_\_\_\_\_

Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Request for vacation of public utility 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. 1, 2, 3, 22, 23 & 24 Block: 8 Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Mendelsberg's Subdivision of Baron Burg Heights

Existing Zoning: C1 Proposed zoning: C1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): K17, K18, L17, L18 UPC Code: 101805602352322512 101805602351522511  
101805601252322513 101805601251522514

### CASE HISTORY:

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

BA-70 Z-1649 Z-79-104

### CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO

No. of existing lots: 6 No. of proposed lots: 1 Total site area (acres): \_\_\_\_\_

LOCATION OF PROPERTY BY STREETS: On or Near: San Mateo Blvd SE

Between: Zuni Rd SE and Bell Ave SE

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

SIGNATURE Marcel Cisneros DATE 2/28/13

(Print Name) Marcel Cisneros Applicant: ☐ Agent: ☒

### FOR OFFICIAL USE ONLY

Revised: 4/2012

#### ☒ INTERNAL ROUTING

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

Application case numbers

13 DRB - 70463

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Action

VPE

CMF

ADU

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

S.F.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Fees

\$ \_\_\_\_\_

\$ 20.00

\$ 75.00

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Hearing date March 27, 2013

3-1-13

Project #

1009603

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.

Marcel Cisneros  
Applicant name (print)  
Marcel Cisneros 3/1/13  
Applicant signature / date



- ☒ Checklists complete
- ☒ Fees collected
- ☒ Case #s assigned
- ☒ Related #s listed
- Application case numbers  
13 - DRB - 70463

Form revised 4/07

Planner signature / date  
3-1-13

Project # 1009603

# 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 March 12, 2013 To March 27, 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.

Marco Chiu  
(Applicant or Agent)

3/1/13  
(Date)

I issued 2 signs for this application, 3-1-13  
(Date)

[Signature]  
(Staff Member)

DRB PROJECT NUMBER: 1009603





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  
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- ☐ Street Name Change (Local & Collector)

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### APPLICATION INFORMATION:

Professional/Agent (if any): Precision Surveys, Inc PHONE: (505) 856-5700

ADDRESS: P.O. Box 90636 FAX: (505) 856-7900

CITY: Alb. STATE NM ZIP 87199 E-MAIL: Larry@presurv.com

APPLICANT: Tosta NM LLC c/o Anthony M. Tosta PHONE: \_\_\_\_\_

ADDRESS: 781 La Buena Tierra FAX: \_\_\_\_\_

CITY: Santa Barbara STATE CA ZIP 93116 E-MAIL: \_\_\_\_\_

Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Request for vacation of public utility 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. 1, 2, 3, 22, 23 & 24 Block: 8 Unit: \_\_\_\_\_

Subdiv/Addn/TBKA: Mendelberg's Subdivision of Baron Burg Heights

Existing Zoning: C1 Proposed zoning: C1 MRGCD Map No \_\_\_\_\_

Zone Atlas page(s): K17, K18, L17, L18 UPC Code: 101805602352322512 101805602351522511  
101805601252322513 101805601251522514

### CASE HISTORY:

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

BA-70 Z-1649 Z-79-104

### CASE INFORMATION:

Within city limits? ☒ Yes Within 1000FT of a landfill? NO

No. of existing lots: 6 No. of proposed lots: 1 Total site area (acres): \_\_\_\_\_

LOCATION OF PROPERTY BY STREETS: On or Near: San Mateo Blvd SE

Between: Zuni Rd SE and Bell Ave SE

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

SIGNATURE Marcel Cisneros DATE 2/28/13

(Print Name) Marcel Cisneros Applicant: ☐ Agent: ☒

### FOR OFFICIAL USE ONLY

- ☒ INTERNAL ROUTING  
☒ All checklists are complete  
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Application case numbers

13 DRB - 70463

Action

VPE

CMF

ADV

S.F.

Fees

\$ \_\_\_\_\_

\$ 20.00

\$ 75.00

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Total

\$ \_\_\_\_\_

Hearing date March 27, 2013

3-1-13

Staff signature & Date

Project # 1009603

Revised: 4/2012

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)  
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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**  
— Zone Atlas map with the entire property(ies) clearly outlined  
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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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☐ **VACATION OF RECORDED PLAT (DRB29)**  
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— Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**  
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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.

Marcel Cisneros  
Applicant name (print)  
Marcel Cisneros 3/1/13  
Applicant signature / date



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

Application case numbers  
13 - DRB - 70463  
- - -  
- - -

Form revised 4/07  
Planner signature / date  
Project # 1009603



# SIGN POSTING AGREEMENT

## REQUIREMENTS

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- 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 March 12, 2013 To March 27, 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.

Marco Chino  
(Applicant or Agent)

3/11/13  
(Date)

I issued 2 signs for this application, 3-1-13  
(Date)

[Signature]  
(Staff Member)

DRB PROJECT NUMBER: 1009603



## Larry Medrano

---

**From:** Bryan Reid <BryanReid@gallowayus.com>  
**Sent:** Tuesday, March 26, 2013 8:57 AM  
**To:** Larry Medrano  
**Subject:** RE: Murphy - Abq (San Mateo & Zuni) - Repla  
**Attachments:** SCAN\_\_20130326\_085720.pdf

Larry,

I just got off the phone with Dan Aragon at PNM and we need to add a 10' PNM easement on the south side of our property extending from the existing power poll, east to Ortiz street. This will be the route of the new overhead power line. I've attached a sketch for your reference. Let me know if there are any questions.

## Galloway

Planning Architecture Engineering

### BRYAN REID, PE, CIVIL PROJECT ENGINEER

5300 DTC Parkway, Suite 100  
Greenwood Village, CO 80111  
303.770.8884 O  
303.770.3636 F  
[bryanreid@gallowayUS.com](mailto:bryanreid@gallowayUS.com)  
[www.gallowayUS.com](http://www.gallowayUS.com)

Please consider the environment before printing this e-mail.

This message and any attachments are intended only for the recipient named. If you are not the intended recipient you are notified that any dissemination, disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited. Galloway & Company, Inc. considers any design data to be in final form only when plotted, stamped & signed. Galloway & Company, Inc. assumes no responsibility for the unauthorized use of this data.

**From:** Larry Medrano [<mailto:larry@presurv.com>]  
**Sent:** Tuesday, March 26, 2013 8:52 AM  
**To:** Bryan Reid  
**Subject:** FW: Murphy - Abq (San Mateo & Zuni) - Repla

**From:** Donna Medina [<mailto:Donna@presurv.com>]  
**Sent:** Tuesday, March 26, 2013 8:49 AM  
**To:** 'Larry Medrano'  
**Subject:** Murphy - Abq (San Mateo & Zuni) - Repla

Attached is the pdf with the updated change



## **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 # 10009603

**Wednesday, March 27, 2013**

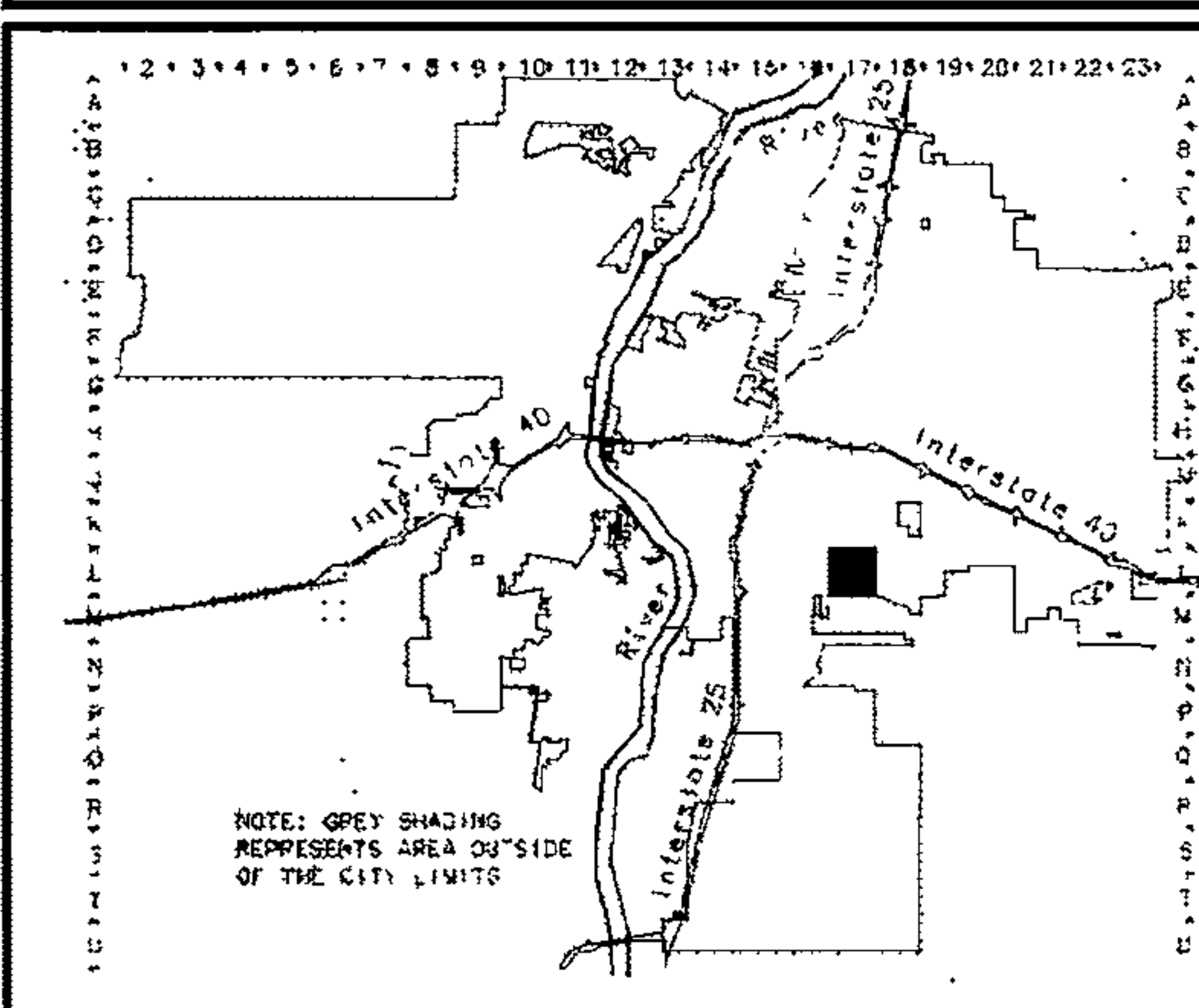
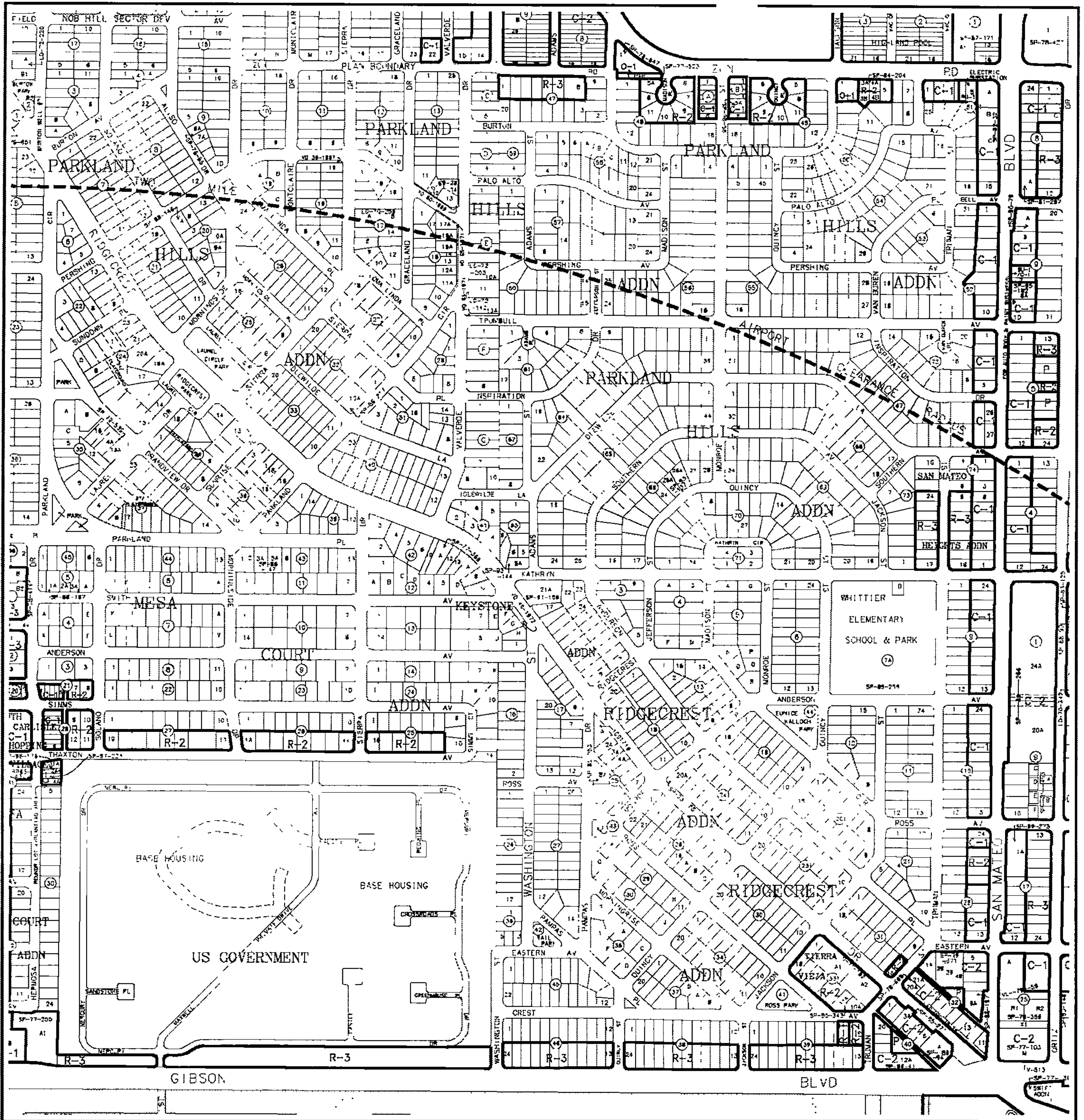
Comments must be received by:

**Wednesday, March 20, 2013**

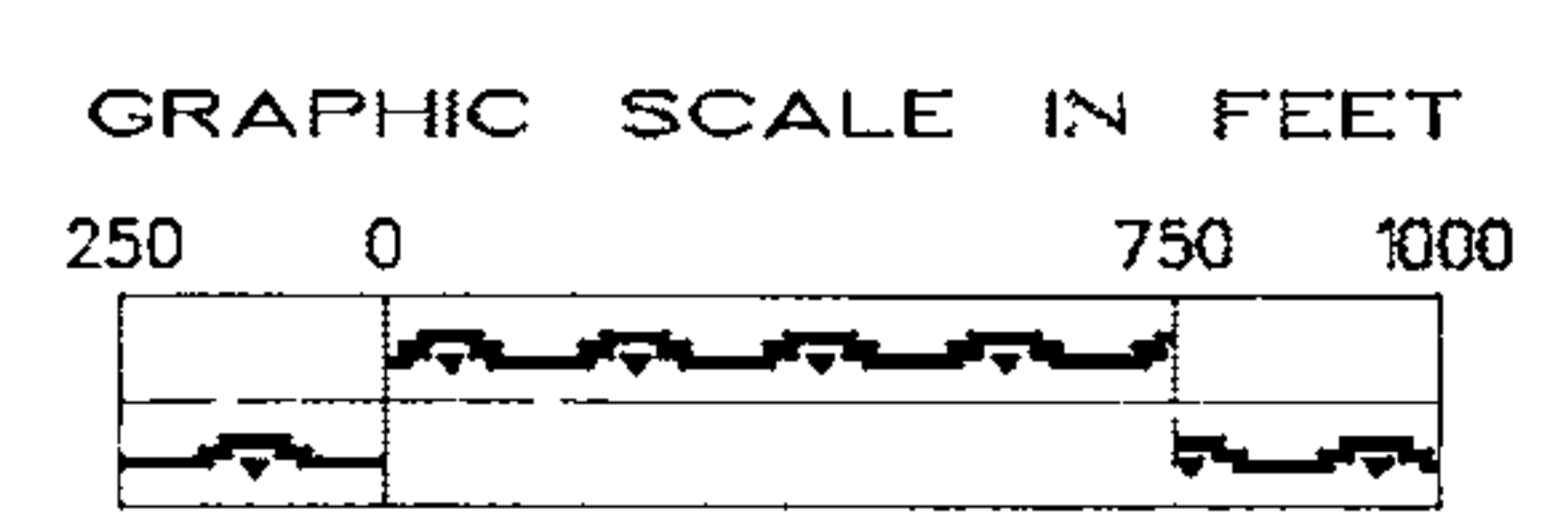
If comments are not received by this date, "no comments" will be listed on the staff report. Attached are copies of the requests.

**If you have any questions, please contact me at 924-3946 or [agomez@cabq.gov](mailto:agomez@cabq.gov)**





CITY OF  
Albuquerque  
Albuquerque Geographic Information System  
PLANNING DEPARTMENT  
© Copyright 2003



Zone Atlas Page  
**L-17-Z**  
Map Amended through August 01, 2003



5571 Midway Park Place, NE  
Albuquerque, NM 87109

PO Box 90636  
Albuquerque, NM 87199

866.442.8011  
505.856.5700  
505.856.7900  
[www.precisionsurveys.com](http://www.precisionsurveys.com)

February 28, 2013

Mr. Jack Cloud, Chair  
Development Review Board  
Planning Development Services Division  
600 2<sup>nd</sup> Street NW  
Albuquerque, NM 87102

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Mr. Cloud,

Precision Surveys, Inc. is agent for the property owner of the referenced tract. The lots are located at the southeast corner of San Mateo Boulevard SE & Zuni Road SE, as shown on the attached zone atlas page.

We will be consolidating the existing six lots into one new tract. Although these 2 easements, which generally overlay each other, were granted by documents, the owner desires to go through the City process to make sure that everything is vacated properly.

Please call me if you have any questions or if you need additional information.

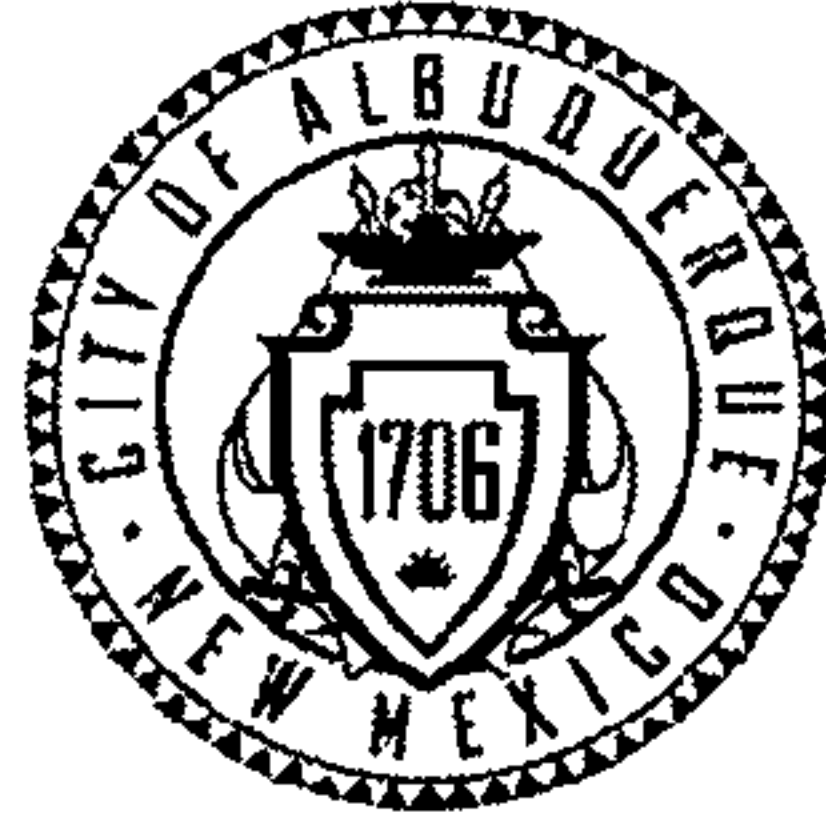
Thank you for your consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Larry W. Medrano', is written over the typed name.

Larry W. Medrano, NMPS





**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.

February 28, 2013

Larry Medrano or Marco Cisneros  
Precision Surveys, Inc.  
P.O. Box 90636/87199  
Phone: 505-856-5700/Fax: 505-856-7900  
E-mail: [larry@presurv.com](mailto:larry@presurv.com) or [marco@presurv.com](mailto:marco@presurv.com)

Dear Larry or Marco:

Thank you for your inquiry of **February 28, 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) – LOTS 1,2,3,22,23 AND 24 OF MENDELSBERG'S SUBDIVISION OF BLOCKS 7 AND 8 OF BARON BURG HEIGHTS, LOCATED ON SAN MATEO BOULEVARD SE BETWEEN ZUNI ROAD SE AND BELL AVENUE SE zone map L-17.**

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

**SEE "ATTACHMENT A" FOR THE NAMES OF THE NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS THAT NEED TO BE CONTACTED IN REGARDS TO THIS DRB SUBMITTAL – please attach this letter and Attachment A to your application packet – siw.**

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](mailto: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**  
**NEIGHBORHOOD AND/OR HOMEOWNER**  
**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 neighborhood and/or homeowner associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT.** Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

### WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

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

## Information from the Office of Neighborhood Coordination

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

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

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

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

Thank you for your cooperation on this matter.

\*\*\*\*\*  
(below this line for ONC use only)

Date of Inquiry: **02/28/13** Time Entered: **9:30 a.m.** ONC Rep. Initials: **siw**

# **“ATTACHMENT A”**

Larry Medrano or Marco Cisneros  
Precision Surveys, Inc.  
P.O. Box 90636/87199  
Phone: 505-856-5700/Fax: 505-856-7900  
E-mail: [larry@presurv.com](mailto:larry@presurv.com) or [marco@presurv.com](mailto:marco@presurv.com)

## **SOUTH SAN PEDRO N.A. “R”**

**\*Reynaluz Jurarez**  
816 San Pedro SE/87108  
Donna Orozco-Geist  
933 San Pedro SE/87108 265-2511 (h)

## **HIGHLAND BUSINESS & N.A., INC. “R”**

**\*Olivia Jaramillo**  
437 Jefferson NE/87108 255-0364 (h)  
Claude Lewis  
465 Jefferson NE/87108 266-1597 (h)

## **PARKLAND HILLS N.A. “R”**

**\*Jennifer Brower**  
4601 Burton Ave. SE/87108 401-6899 (c)  
Daniel Spanogle  
4911 Pershing Ave. SE/87108 453-5999 (c)

**\* President of Neighborhood and/or Homeowner Association**



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Albuquerque, NM 87109

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[www.precisionsurveys.com](http://www.precisionsurveys.com)

February 28, 2013

Daniel Spanogle  
Parkland Hills N.A.  
4911 Pershing Ave. SE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Mr. Spanogle,

Precision Surveys, Inc. is agent for the property owner of the referenced tract. The lots are located at the southeast corner of San Mateo Boulevard SE & Zuni Road SE, as shown on the attached zone atlas page.

We will be consolidating the existing six lots into one new tract. Although these 2 easements, which generally overlay each other, were granted by documents, the owner desires to go through the City process to make sure that everything is vacated properly.

Please call me if you have any questions or if you need additional information.

Thank you for your consideration.

Best regards,

Larry W. Medrano, NMPS



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February 28, 2013

Jennifer Brower  
Parkland Hills N.A.  
4601 Burton Ave. SE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Ms. Brower,

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Thank you for your consideration.

Best regards,

Larry W. Medrano, NMPS





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Albuquerque, NM 87109

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February 28, 2013

Donna Orozco-Geist  
South San Pedro N.A.  
933 San Pedro, SE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Ms. Orozco-Geist,

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Larry W. Medrano, NMPS



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February 28, 2013

Reynaluz Juarez  
South San Pedro N.A.  
816 San Pedro, SE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Ms. Juarez,

Precision Surveys, Inc. is agent for the property owner of the referenced tract. The lots are located at the southeast corner of San Mateo Boulevard SE & Zuni Road SE, as shown on the attached zone atlas page.

We will be consolidating the existing six lots into one new tract. Although these 2 easements, which generally overlay each other, were granted by documents, the owner desires to go through the City process to make sure that everything is vacated properly.

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Thank you for your consideration.

Best regards,

Larry W. Medrano, NMPS



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[www.precisionsurveys.com](http://www.precisionsurveys.com)

February 28, 2013

Claude Lewis  
Highland Business & N.A., Inc.  
465 Jefferson St. NE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Mr. Lewis,

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Please call me if you have any questions or if you need additional information.

Thank you for your consideration.

Best regards,

Larry W. Medrano, NMPS





5571 Midway Park Place, NE  
Albuquerque, NM 87109

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505.856.7900  
[www.precisionsurveys.com](http://www.precisionsurveys.com)

February 28, 2013

Olivia Jaramillo  
Highland Business & N.A., Inc.  
437 Jefferson St. NE.  
Albuquerque, NM. 87108

RE: REQUEST FOR VACATION OF A PUBLIC UTILITY EASEMENT WITHIN LOTS  
1, 2, 3, 22, 23 & 24, BLOCK 8, MENDELSBERG'S SUBDIVISION OF BLOCKS 7  
& 8 OF BARON BURG HEIGHTS.

Dear Ms. Jaramillo,

Precision Surveys, Inc. is agent for the property owner of the referenced tract. The lots are located at the southeast corner of San Mateo Boulevard SE & Zuni Road SE, as shown on the attached zone atlas page.

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Thank you for your consideration.

Best regards,

Larry W. Medrano, NMPS

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.11

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Street, Apt. No., or PO Box No. **4911 Pershing Ave SE**  
City, State, ZIP+4 **Alb NM 87108**

PS Form 3800, August 2006 See Reverse for Instructions

Postmark Here  
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Sent To **Ruynaluz Juarez**  
Street, Apt. No., or PO Box No. **816 San Pedro SE**  
City, State, ZIP+4 **Alb. NM 87108**

PS Form 3800, August 2006 See Reverse for Instructions

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Sent To **Jennifer Brower**  
Street, Apt. No., or PO Box No. **4601 Burton Ave SE**  
City, State, ZIP+4 **Alb NM 87108**

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Street, Apt. No., or PO Box No. **465 Jefferson St. NE**  
City, State, ZIP+4 **Alb NM 87108**

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Sent To **Donna Orozco-Geist**  
Street, Apt. No., or PO Box No. **933 San Pedro SE**  
City, State, ZIP+4 **Alb NM 87108**

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Sent To **Olivia Jaramillo**  
Street, Apt. No., or PO Box No. **437 Jefferson St NE**  
City, State, ZIP+4 **Alb NM 87108**

PS Form 3800, August 2006 See Reverse for Instructions

Postmark Here  
FEB 28 2013  
ALBUQUERQUE NM 87108



77-33312

EASEMENT

15011A

343

THIS INSTRUMENT made this 26th day of May 1977, by and between

Manuel M. Tosta  
First Parties, and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado corporation, authorized to do business in New Mexico, Second Parties, their successors and assigns,

WITNESSETH:

That the said First Parties, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid, and other valuable considerations, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto said Second Parties, an easement to build, construct, operate and maintain an electric power transmission and communications line on, over, beneath and across the lands hereinafter described, and to erect all necessary poles, guy wires and other equipment, fixtures and structures necessary to maintain the said power and communications line on, over, beneath and across said lands at or near the points hereinafter designated as the course of said power and communications line on, over, beneath and across said lands; together with free ingress and egress in, from, and over said easement with rights and privileges of going upon, over and across said lands for the purpose of maintaining said line, and trimming any trees which interfere with the operation of said line; said lands being situated in the County of Bernalillo, State of New Mexico, and more particularly described as follows, to-wit:

An easement within a tract of land, comprising Lots 1, 2, 3, 22, 23 and 24, Block 8 of plat of MENDELBERG'S SUBDIVISION of Blocks 7 and 8 of BARON BURG HEIGHTS, situate in Section 25, T.10N., R.3E., E.M.P.M., Bernalillo County, New Mexico, filed for record in the office of the county clerk in Bernalillo County in Plat Book A, page 29 on January 22, 1945 and being more particularly described as follows:

An easement ten (10) feet wide being five (5) feet on each side of the following described centerline. Beginning at a point in the north boundary line of said tract, whence the northeast corner of said tract bears S. 89° 07' 33" E., 138.30 feet distant; running thence as an easement S. 1° 19' 45" E., 148.05 feet to junction No. 1; continuing thence S. 1° 19' 45" E., 2.00 feet to the south boundary line of said tract.

Also an anchor easement five (5) feet wide being two and one-half (2½) feet on each side of the following described centerline. Beginning at above mentioned junction No. 1; running thence as an easement S. 89° 07' 33" E., 15.00 feet.

This easement for overhead pole type purposes only.

First parties shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that First Parties shall not erect or construct any building, pool, or other structure thereon, nor drill or operate any well thereon.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

WITNESS my hand and seal this 26th day of May 1977

Manuel M. Tosta (SEAL)

(SEAL) (SEAL)

CALIFORNIA  
STATE OF ~~NEW MEXICO~~

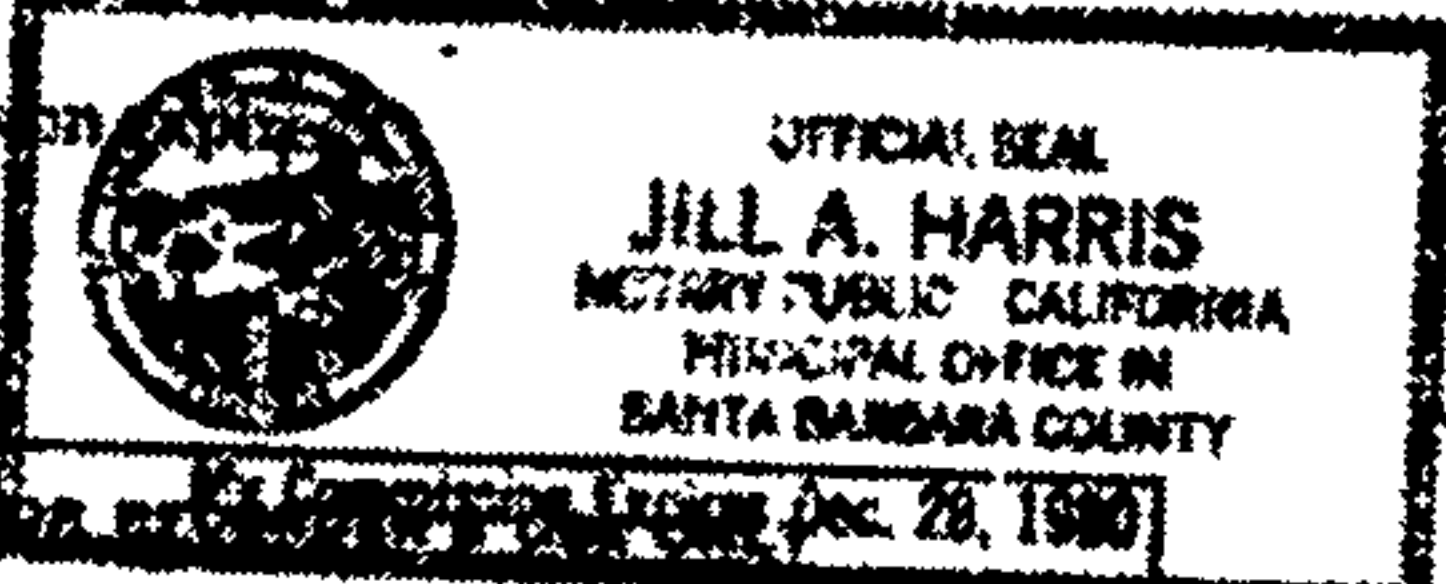
ACKNOWLEDGMENT FOR NATURAL PERSONS

RIGHT OF WAY DEPT.  
PUBLIC SERVICE COMPANY OF NEW MEXICO  
ALBUQUERQUE, NEW MEXICO 87103

COUNTY OF Santa Barbara

The foregoing instrument was acknowledged before me this 26th day of May 1977, by Manuel M. Tosta

My commission expires (Seal)



Jill A. Harris  
Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this day of 19

by

(Name of Officer)

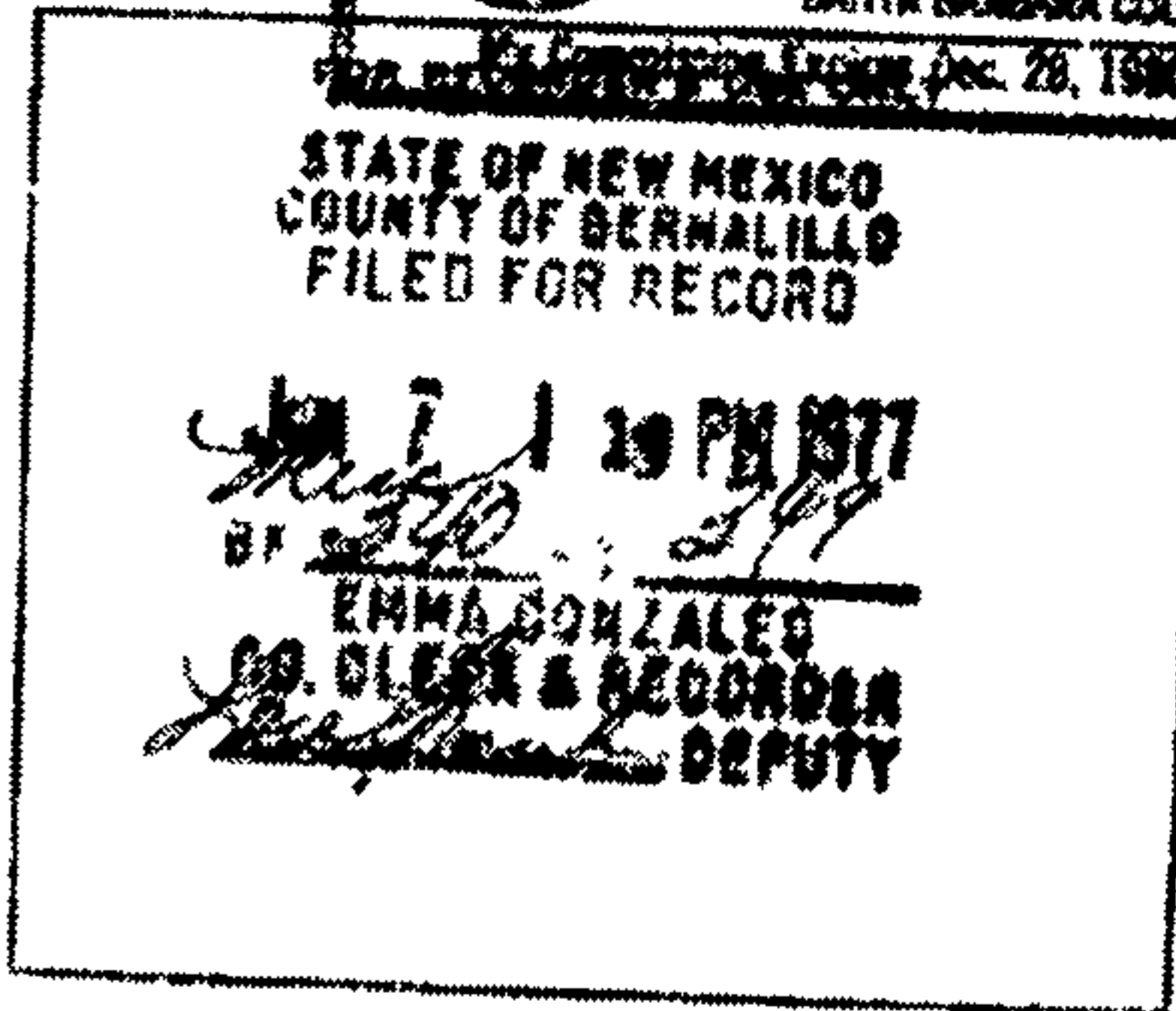
of

(Title of Officer) (Corporation or Acknowledging) a corporation, on behalf of said corporation

My commission expires

(Seal)

Notary Public





220/123

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS that JACK MENDELSBERG and ROSALIE MENDELSBERG, his wife, the owners of MENDELSBERG REPLAT of Blocks 7, 8, 12 and 14 of BARON BURG HEIGHTS SUBDIVISION to the City of Albuquerque, New Mexico, as shown and designated on the Maps of said plats filed in the office of the County Clerk of Bernalillo County, New Mexico, on the 22nd day of January, 1945, do hereby declare the creation and existence of certain restrictions in the above named Replat, which said restrictions are as follows:

A. All of the lots in said Replat are divided into three zones, which zones are described as follows:

Zone one: Shall include lots No. 13 through 24 of Block 8, which shall be known as a business block.

Zone two: Shall include all corner lots, excepting those in Zone one, which shall be known as duplex lots.

Zone three: Shall include all lots not otherwise designated as being included in Zone one or two and shall be known as single dwelling lots.

B. All lots in Zone one shall be used as business lots, however, nothing contained herein shall prohibit the use of these lots for residential purposes in addition to business purposes.

C. Zones two and three shall be used exclusively for single residential structures, except those corner lots designated as Zone two, upon which may be erected duplex apartments.

D. No building shall be located on any lot in Zone three nearer than thirty-five feet to the front lot line nor nearer than five feet from any side lot line, except that the side line restriction will not apply to a detached garage or other building located seventy feet or more from the front lot line.

E. No building shall be located on any lot in Zone two nearer than thirty-five feet to the front lot line nor nearer than five feet to the side lot line, nor nearer than ten feet to any side street line except that the side line restriction will not apply to a detached garage or other buildings located seventy feet or more from the front lot line.

G. No noxious or offensive trade or activity shall be carried on upon lots nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

H. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the addition shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

I. No dwelling costing less than Three Thousand dollars, exclusive of a garage, shall be permitted on any lot in Zones two or three.

J. All buildings in Zone one shall conform to the front line and general appearance of the other business lots in said zone.

FIRST TITLE GUARANTEE AND TRUST COMPANY

DECLARATION OF RESTRICTIONS

PAGE NO. 2

K. An easement is reserved over the rear five feet of each lot for utility installations, garbage collection and maintenance.

L. That all adobe buildings must be cement-finished on the exterior within six (6) months after construction.

M. That no building erected on any lot shall be used as a sanatorium (being defined as any building harboring four or more people afflicted with tuberculosis).

N. That these covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1975, at which time said covenants and restrictions shall terminate.

O. That if the parties hereto, or any of them, or their heirs or assigns, shall violate any of the covenants or restrictions herein before January 1, 1975, it shall be lawful for any other person or persons owning any other lots in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions and either to prevent him or them from so doing or to recover damages or other dues for such violation.

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

IN WITNESS WHEREOF, the said owners have hereunto set their hands and seals; this 19th day of March, 1945.

Jack Mendelsberg

Rosalie Mendelsberg

(DULY VERIFIED AND ACKNOWLEDGED)

Filed for record April 13, 1945 at 1:47  
Recorded Book 220, page 123  
Records Bernalillo County, New Mexico

FIRST TITLE GUARANTEE AND TRUST COMPANY



THIS INSTRUMENT made this 26th day of May 1977, by and between  
Manuel M. Tosta

First Parties, and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado corporation, authorized to do business in New Mexico, Second Parties, their successors and assigns.

## WITNESSETH:

That the said First Parties, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid, and other valuable considerations, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto said Second Parties, an easement to build, construct, operate and maintain an electric power transmission and communications line on, over, beneath and across the lands hereinafter described, and to erect all necessary poles, guy wires and other equipment, fixtures and structures necessary to maintain the said power and communications line on, over, beneath and across said lands at or near the points hereinafter designated as the course of said power and communications line on, over, beneath and across said lands; together with free ingress and egress in, from, and over said easement with rights and privileges of going upon, over and across said lands for the purpose of maintaining said line, and trimming any trees which interfere with the operation of said line; said lands being situate in the County of Bernalillo, State of New Mexico, and more particularly described as follows, to-wit:

An easement within a tract of land, comprising Lots 1, 2, 3, 22, 23 and 24, Block 8 of plat of ~~RENDERSBERG'S~~ SUBDIVISION of Blocks 7 and 8 of BARON BURG HEIGHTS, situate in Section 25, T.10N., R.2E., E.M.P.M., Bernalillo County, New Mexico, filed for record in the office of the county clerk in Bernalillo County in Plat Book A, page 29 on January 22, 1945 and being more particularly described as follows:

An easement ten (10) feet wide being five (5) feet on each side of the following described centerline. Beginning at a point in the north boundary line of said tract, whence the northeast corner of said tract bears S. 89° 07' 33" E., 138.30 feet distant; running thence as an easement S. 1° 19' 45" E., 148.05 feet to junction No. 1; continuing thence S. 1° 19' 45" E., 2.00 feet to the south boundary line of said tract.

Also an anchor easement five (5) feet wide being two and one-half (2½) feet on each side of the following described centerline. Beginning at above mentioned junction No. 1; running thence as an easement S. 89° 07' 33" E., 15.00 feet.

This easement for overhead pole type purposes only.

First parties shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that First Parties shall not erect or construct any building, pool, or other structure thereon, nor drill or operate any well thereon.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

WITNESS my hand and seal this 26th day of May 1977

Manuel M. Tosta (SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

CALIFORNIA  
STATE OF ~~NEW MEXICO~~

## ACKNOWLEDGMENT FOR NATURAL PERSONS

RIGHT-OF-WAY DEPT.  
PUBLIC SERVICE COMPANY OF NEW MEXICO  
ALBUQUERQUE, NEW MEXICO 87103

COUNTY OF Santa Barbara

The foregoing instrument was acknowledged before me this 26th day of May 1977, by Manuel M. Tosta

My commission expires (Seal)



OFFICIAL SEAL  
JILL A. HARRIS  
NOTARY PUBLIC, CALIFORNIA  
MUNICIPAL OFFICE IN  
SANTA BARBARA COUNTY

My commission expires Dec. 28, 1980

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

JUN 7 1 29 PM 1977  
BY ENMA GONZALEZ  
CLERK & RECORDER  
DEPUTY

Jill A. Harris  
Notary Public

## ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this day of 19

by

(Name of Officer)

of

(Title of Officer) (Corporate Acknowledging)  
a corporation, on behalf of said corporation

My commission expires

(Seal)

Notary Public



4/14/11  
220/123

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS that JACK MENDELSBERG and ROSALIE MENDELSBERG, his wife, the owners of MENDELSBERG REPLAT of Blocks 7, 8, 12 and 14 of BARON BURG HEIGHTS SUBDIVISION to the City of Albuquerque, New Mexico, as shown and designated on the Maps of said plats filed in the office of the County Clerk of Bernalillo County, New Mexico, on the 22nd day of January, 1945, do hereby declare the creation and existence of certain restrictions in the above named Replat, which said restrictions are as follows:

A. All of the lots in said Replat are divided into three zones, which zones are described as follows:

- Zone one: Shall include lots No. 13 through 24 of Block 8, which shall be known as a business block.
- Zone two: Shall include all corner lots, excepting those in Zone one, which shall be known as duplex lots.
- Zone three: Shall include all lots not otherwise designated as being included in Zone one or two and shall be known as single dwelling lots.

B. All lots in Zone one shall be used as business lots, however, nothing contained herein shall prohibit the use of these lots for residential purposes in addition to business purposes.

C. Zones two and three shall be used exclusively for single residential structures, except those corner lots designated as Zone two, upon which may be erected duplex apartments.

D. No building shall be located on any lot in Zone three nearer than thirty-five feet to the front lot line nor nearer than five feet from any side lot line, except that the side line restriction will not apply to a detached garage or other building located seventy feet or more from the front lot line.

E. No building shall be located on any lot in Zone two nearer than thirty-five feet to the front lot line nor nearer than five feet to the side lot line, nor nearer than ten feet to any side street line except that the side line restriction will not apply to a detached garage or other buildings located seventy feet or more from the front lot line.

G. No noxious or offensive trade or activity shall be carried on upon lots nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

H. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the addition shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

I. No dwelling costing less than Three Thousand dollars, exclusive of a garage, shall be permitted on any lot in Zones two or three.

J. All buildings in Zone one shall conform to the front line and general appearance of the other business lots in said zone.

FIRST TITLE GUARANTEE AND TRUST COMPANY

DECLARATION OF RESTRICTIONS

PAGE NO. 2

K. An easement is reserved over the rear five feet of each lot for utility installations, garbage collection and maintenance.

L. That all adobe buildings must be cement-finished on the exterior within six (6) months after construction.

M. That no building erected on any lot shall be used as a sanatorium (being defined as any building harboring four or more people afflicted with tuberculosis).

N. That these covenants and restrictions are to run with the land and shall be binding on all the parties and all persons claiming under them until January 1, 1975, at which time said covenants and restrictions shall terminate.

O. That if the parties hereto, or any of them, or their heirs or assigns, shall violate any of the covenants or restrictions herein before January 1, 1975, it shall be lawful for any other person or persons owning any other lots in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants or restrictions and either to prevent him or them from so doing or to recover damages or other dues for such violation.

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

IN WITNESS WHEREOF, the said owners have hereunto set their hands and seals, this 19th day of March, 1945.

Jack Mendelsberg

Rosalie Mendelsberg

(DULY VERIFIED AND ACKNOWLEDGED)

Filed for record April 13, 1945 at 1:47  
Recorded Book 220, page 123  
Records Bernalillo County, New Mexico

FIRST TITLE GUARANTEE AND TRUST COMPANY



ACR'S MONUMENT "A, K11A"  
FOUND IN PLACE, BRASS DISC  
NEW MEXICO STATE PLANE COORDINATES  
(CENTRAL ZONE-NAD 1983)  
N=144,816.713  
E=154,840.400  
PUBLISHED EL.=5548.888 (NAVD 1988)  
OROUND TO GRID FACTOR=0.999842442  
DELTA ALPHA ANGLE=-07156.807

ACR'S MONUMENT "B, K11A"  
STANDARD ACR'S BRASS DISC  
NEW MEXICO STATE PLANE COORDINATES  
(CENTRAL ZONE-NAD 1983)  
N=144,816.713  
E=154,840.400  
PUBLISHED EL.=5548.888 (NAVD 1988)  
OROUND TO GRID FACTOR=0.999842442  
DELTA ALPHA ANGLE=-07156.807

RECORDING STAMP

R=35.00' (88.00)  
L=55.22' (88.23)  
Δ=90°23'57" (87°24'33")  
CH=N 45°38'51" E  
49.67'

San Mateo Boulevard, SE  
(ROW VARIES)

Zuni Road, SE  
(ROW VARIES)

Ortiz Street, SE  
(60' ROW)

Point of Beginning



Legend

- N 90°00'00" E MEASURED BEARING AND DISTANCES  
(74 90°00'00" E)  
○ RECORD BEARINGS AND DISTANCES  
○ FOUND AND USED MONUMENT  
○ AS DESIGNATED  
○ DESIGNATED NO. 4 BEARS WITH YELLOW  
PLASTIC CAP "S" TRAIL SET THIS SURVEY  
○ FOUND ALTHOUGH AGES MONUMENT  
○ AS DESIGNATED  
○ FOUND RIGHT OF WAY WALKER N.M.S.H.D.  
○ AS DESIGNATED

02/27/2013 2 08 04 PM

**PRECISION**  
SURVEYING, INC.

OFFICE LOCATION:  
5571 Redway Park Place, NE  
Albuquerque, NM 87109  
MAILING ADDRESS:  
PO Box 30035  
Albuquerque, NM 87139

TELL FUNK  
505.854.5700 PHONE  
505.854.7900 FAX

INDEXING INFORMATION FOR COUNTY CLERK  
OWNER TOSTA NEW MEXICO, LLC  
SECTIONS 25 & 26, TOWNSHIP 10 N, RANGE 3 E,  
SUBDIVISION LANDS OF TOSTA NEW MEXICO



March 27. 2013