

2. **Project# 1006864**  
 13DRB-70658 EPC APPROVED SDP FOR  
 SUBDIVISION
- 13DRB-70645 BULK LAND VARIANCE  
 13DRB-70646 PRELIMINARY/ FINAL PLAT  
 APPROVAL

CONSENSUS PLANNING and BOHANNAN HUSTON INC agents for PULTE HOMES and WESTERN ALBUQUERQUE LAND HOLDINGS LLC request the referenced/ above actions for Tract N-2 & M, **WATERSHED SUBDIVISION** zoned SU-2/PDA, located on the west side of TIERRA PINTADA BLVD NW between ARROYO VISTA BLVD NW and WEST CREEK PL NW containing approximately 237.7947 acres. (H-8, H-9 & J-8)[Deferred from 8/28/13] **THE SITE DEVELOPMENT PLAN FOR SUBDIVISION WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PARKS AND RECREATION FOR COMMENTS AND TO PLANNING FOR REVISIONS REGARDING MIRE HAVEN ARROYO. THE BULK LAND VARIANCE AND THE PRELIMINARY/FINAL PLAT WERE DEFERRED TO 9/18/13.**

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

3. **Project# 1009814**  
 13DRB-70666 MINOR - PRELIMINARY/  
 FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for PAMELA J SMITH request(s) the above action(s) for all or a portion of Lot(s) 23-A-1-A & 23-B-1-A, **ALVARADO GARDENS**, zoned RA-2, located on HARVEST LANE NW BETWEEN CORIANDA CT NW AND MATTHEW PL NW containing approximately .985 acre(s). (G-13) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR EXHIBIT REVISION AND TO PLANNING FOR UTILITY COMPANY SIGNATURES.**

4. **Project# 1004223**  
 13DRB-70668 MINOR - PRELIMINARY/  
 FINAL PLAT APPROVAL

JACKS HIGH COUNTRY INC agent(s) for THE TORTILLA BLDG LLC request(s) the above action(s) for all or a portion of Lot(s) 6-B, **PARCEL D OF RENAISSANCE 3**, zoned M-2, located on ALEXANDER BETWEEN DESERT SURF CIR AND I-25 containing approximately 8.5238 acre(s). (F-16) **THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO CITY ENGINEER FOR AGREEMENT AND COVENANT, AND TO PLANNING FOR UTILITY COMPANY SIGNATURES.**

11-2  
~~Plan~~  
~~Plans~~

DRB CASE ACTION LOG - BLUE SHEET

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

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

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

Project #: 1009814

Application #: 13DRB-70666

Project Name: ALVARADO GARDENS

Agent: JACK'S HIGH COUNTRY

Phone #:

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

TRANSPORTATION: provide exhibit show adequate  
side walk around

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

PLANNING (Last to sign): attach signatures

**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.

DRB CASE ACTION LOG - BLUE SHEET

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

4:41  
4:42  
4:43  
4:44

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Project #: 1009814

Application #: 13DRB-70666

Project Name: ALVARADO GARDENS

Agent: JACK'S HIGH COUNTRY

Phone #:

\*\*Your request was approved on 9-11-13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed\*\*

OK

TRANSPORTATION:

*provide exhibit, need adequate sidewalk E-mex*

ABCWUA:

CITY ENGINEER / AMAFCA:

PARKS / CIP:

OK

PLANNING (Last to sign):

*city signature*

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: \_\_\_\_\_
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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.

9814

### DXF Electronic Approval Form

DRB Project Case #: 1009814

Subdivision Name: ALVARADO GARDENS UNIT 1 / LOTS 23A1A1, 23A1A2 & 23B1A1

Surveyor: ANTHONY L HARRIS

Contact Person: ANTHONY L HARRIS

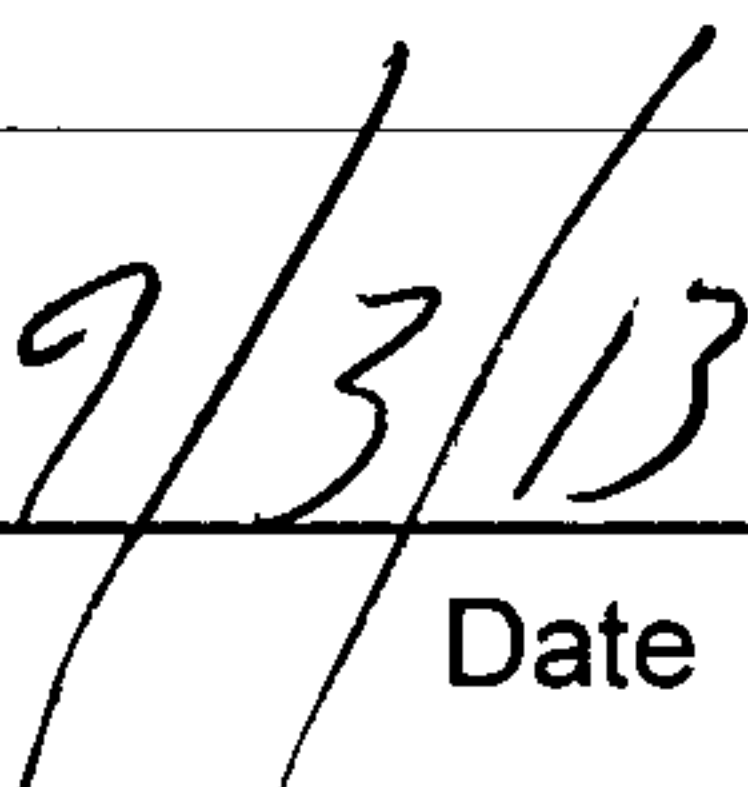
Contact Information: 5058898056

DXF Received: 9/3/2013

Hard Copy Received: 9/3/2013

Coordinate System: NMSP Grid (NAD 83)

  
Approved

  
Date

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

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

#### AGIS Use Only

Copied fc 9814 to agiscov on 9/3/2013 Contact person notified on 9/3/2013

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

### STANDARD APPLICATION, Paper Plans Required

#### DEVELOPMENT REVIEW BOARD

08/30/2013 Issued By: E08375 204843

Category Code **910**  
**2013 070 666**

**Application Number:** 13DRB-70666, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** HARVEST LANE NW BETWEEN CORIANDA CT NW AND MATTHEW PL NW

**Project Number:** 1009814

**Applicant**  
PAMELA J SMITH

**Agent / Contact**  
JACKS HIGH COUNTRY INC

2604 HARVEST LANE NW  
ALBUQUERQUE NM 87104  
262-2600

8953 2ND ST NW  
ALBUQUERQUE NM 87114

#### Application Fees

APN Fee

Conflict Mgmt Fee **\$20.00**

DRB Actions **\$355.00**

**TOTAL: \$375.00**

City of Albuquerque Treasury  
Date: 8/30/2013 Office: ANNEX  
Stat ID: W50000009 Cashier: TRSRMS  
Batch: 2507 Trans #: 35  
Permit: 2013070666  
Receipt Num 00149985  
Payment Total: \$375.00  
0901 Conflict Mgmts. Fee \$20.00  
0903 DRB Actions \$355.00  
VISA Tendered : \$375.00



Supplemental form

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 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): Jack's High Country Inc. (Jack Spilman Pres.) PHONE: 505 878-3707  
 ADDRESS: 8953 2<sup>nd</sup> NW FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE: NM ZIP: 87117 E-MAIL: Jackshighcountry@comcast.net

APPLICANT: Pamela J. Smith PHONE: 505-262-2600  
 ADDRESS: 2604 Harvest Lane NW FAX: \_\_\_\_\_  
 CITY: Albuquerque STATE: NM ZIP: 87104 E-MAIL: \_\_\_\_\_  
 Proprietary interest in site: owner List all owners: Pamela J Smith

DESCRIPTION OF REQUEST: Divide Lot 23-A-1-A into 2 Lots & adjust the West line of Lot 23-B-1-A

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

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

Lot or Tract No. Lots 23-A-1-A & 23-B-1-A Block: N/A Unit: N/A  
 Subdiv/Addn/TBKA: Alvarado Gardens  
 Existing Zoning: RA-2 Proposed zoning: same MRGCD Map No N/A  
 Zone Atlas page(s): G-13 UPC Code: 1013 060 083 075 30617  
1013 060 075 074 30611

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): None

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 2 No. of proposed lots: 3 Total area of site (acres): 0.9850 Ac.  
 LOCATION OF PROPERTY BY STREETS: On or Near: Harvest Lane NW  
 Between: Corianda Ct. NW and Matthew Pl NW

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

SIGNATURE Jack Spilman DATE Aug 30 2013  
 (Print) Jack Spilman Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Form revised 4/07

	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>13DRB</u>	<u>PBF</u>		<u>\$355.00</u>
<input checked="" type="checkbox"/> All checklists are complete	<u>.70666</u>	<u>CMF</u>		<u>\$20.00</u>
<input checked="" type="checkbox"/> All fees have been collected				\$
<input checked="" type="checkbox"/> All case #s are assigned				\$
<input checked="" type="checkbox"/> AGIS copy has been sent				\$
<input checked="" type="checkbox"/> Case history #s are listed				\$
<input type="checkbox"/> Site is within 1000ft of a landfill				\$
<input type="checkbox"/> F.H.D.P. density bonus				\$
<input type="checkbox"/> F.H.D.P. fee rebate				\$
				Total
				<u>\$375.00</u>

Hearing date September 11, 2013

[Signature] 8-30-13  
 Planner signature / date

Project # 1009814

**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.

Jack Spilman  
Applicant name (print)  
Jack Spilman 8/30/2013  
Applicant signature / date



Form revised October 2007

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

Application case numbers  
13DRB - 701616

[Signature] 8-30-13  
Planner signature / date  
Project # 1009814





Supplemental form

**SUBDIVISION**

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

**SITE DEVELOPMENT PLAN**

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

**STORM DRAINAGE (Form D)**

- Storm Drainage Cost Allocation Plan

**S Z ZONING & PLANNING**

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

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

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Lot or Tract No. Lots 23-A-1-A & 23-B-1-A Block: N/A Unit: N/A  
 Subdiv/Addn/TBKA: Alvarado Gardens  
 Existing Zoning: RA-2 Proposed zoning: same MRGCD Map No. N/A  
 Zone Atlas page(s): G-13 UPC Code: 1013 060 083 075 30617  
1013 060 075 074 30611

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.):  
None

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? No  
 No. of existing lots: 2 No. of proposed lots: 3 Total area of site (acres): 0.9850 Ac.  
 LOCATION OF PROPERTY BY STREETS. On or Near: Harvest Lane NW  
 Between: Corianda Ct. NW and Matthew Pl NW

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

SIGNATURE Jack Spilman DATE Aug 30 2013  
 (Print) Jack Spilman Applicant  Agent

**FOR OFFICIAL USE ONLY**

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

Application case numbers	Action	S.F.	Fees
<u>13DRB - 70666</u>	<u>PBF</u>		<u>\$355.00</u>
	<u>CMF</u>		<u>\$20.00</u>
			\$
			\$
			\$
			\$
			Total
			<u>\$375.00</u>

Hearing date September 11, 2013

[Signature] 8-30-13 Project # 1009814

Form revised 4/07

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- 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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  - 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

Jack Spilman  
Applicant name (print)  
Jack Spilman 8/30/2013  
Applicant signature / date

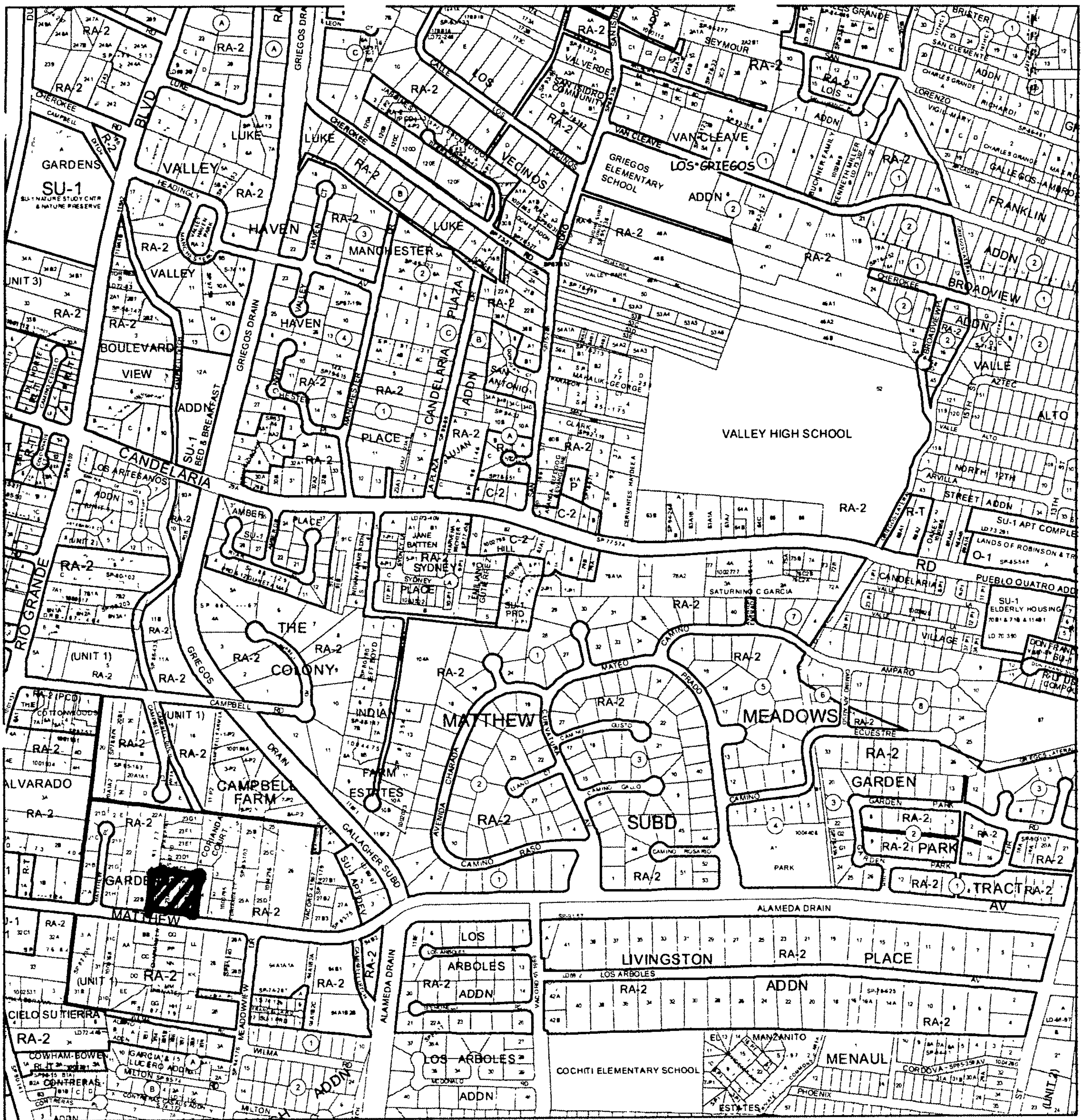


Form revised **October 2007**

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

Application case numbers  
1307B - 70616

[Signature] 8-30-13  
Planner signature / date  
Project # 1009814



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

Zone Atlas Page:

# G-13-Z

Selected Symbols

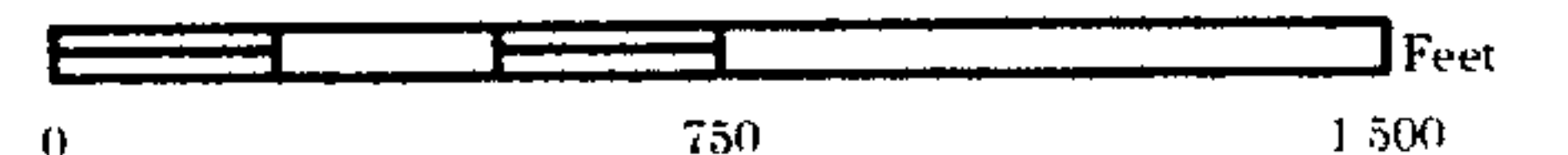
- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone



Albuquerque Geographic Information System

Map amended through: 5/1/2006

Note: Grey Shading Represents Area Outside of the City Limits



XFINITY Connect

jackshighcountry@comcast.net

± Font Size -

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**FW: pdf and dfx for your review**

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**From :** Anthony Harris <tony@harrissurveying.comcastbiz.net>

Tue, Sep 03, 2013 03:55 PM

**Subject :** FW: pdf and dfx for your review**To :** Jack Spillman (jackshighcountry@comcast.net) <jackshighcountry@comcast.net>

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**From:** Sammons, Joshua R. [mailto:jsammons@cabq.gov]**Sent:** Tuesday, September 03, 2013 3:54 PM**To:** Anthony Harris; Gricius, Michelle A.; Gaulden, Tim H.**Subject:** RE: pdf and dfx for your review

Mr. Harris,

The DXF for 1009814 has been approved. I will forward on the approval letter.

Thanks

*Joshua Sammons*  
GIS Coordinator  
AGIS - Planning Department  
City of Albuquerque  
(505) 924-3921

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**From:** Anthony Harris [mailto:tony@harrissurveying.comcastbiz.net]**Sent:** Tuesday, September 03, 2013 9:09 AM**To:** Gricius, Michelle A.; Gaulden, Tim H.; Sammons, Joshua R.**Subject:** pdf and dfx for your review

---

Penels Smith  
DXF approved

Jacks 'Sh Country Line (Agent)  
8953 2nd W  
Albuquerque, NM 87114

To: City of Albuquerque Development Review Authority  
RE: Lot G-B, fore Lots 23-A-1A and 23-B-1-A  
Alvarado Gardens

Subject: The purpose of this plat is to divide lot  
23-A-1-A into 2 lots, and adjust the west  
line of lot 23-B-1-A

Aug. 30, 2013



# VICINITY MAP

...d by zoning,  
... 3/11/87.

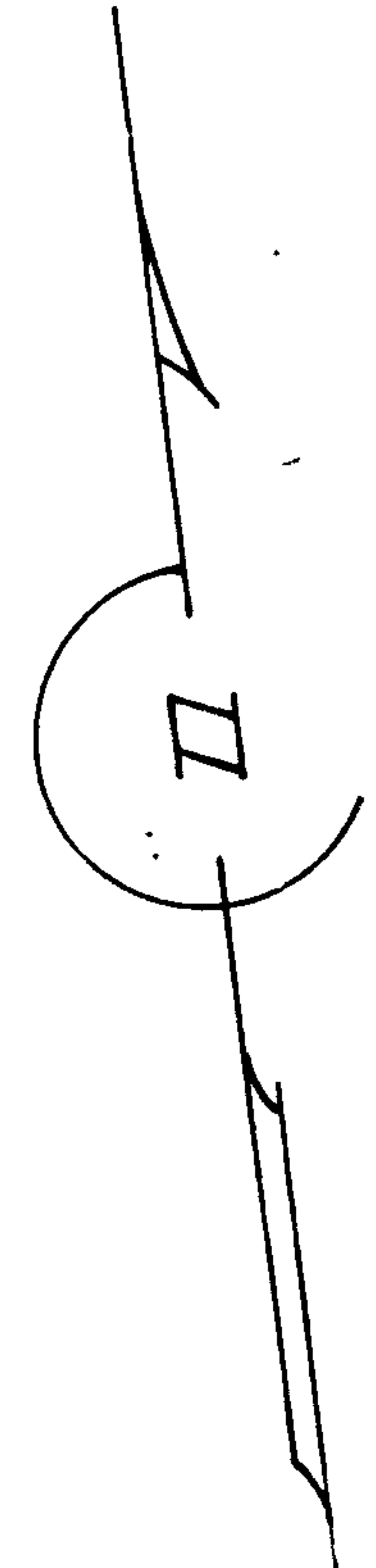
## APPROVALS

- 4-87  
Date
- 4-88  
Date
- 2-87  
Date
- 2-88  
Date
- 1-88  
Date
- 4-87  
Date
- 3-88  
Date
- 6-88  
Date
- 7-10  
Date

...s survey are  
... 1986

...DENS, filed in  
... folio 10.

(Clockwise/)



SCALE 1" = 50'

N. 84° 46' 22" W.  
1072.37'

"3-G12"

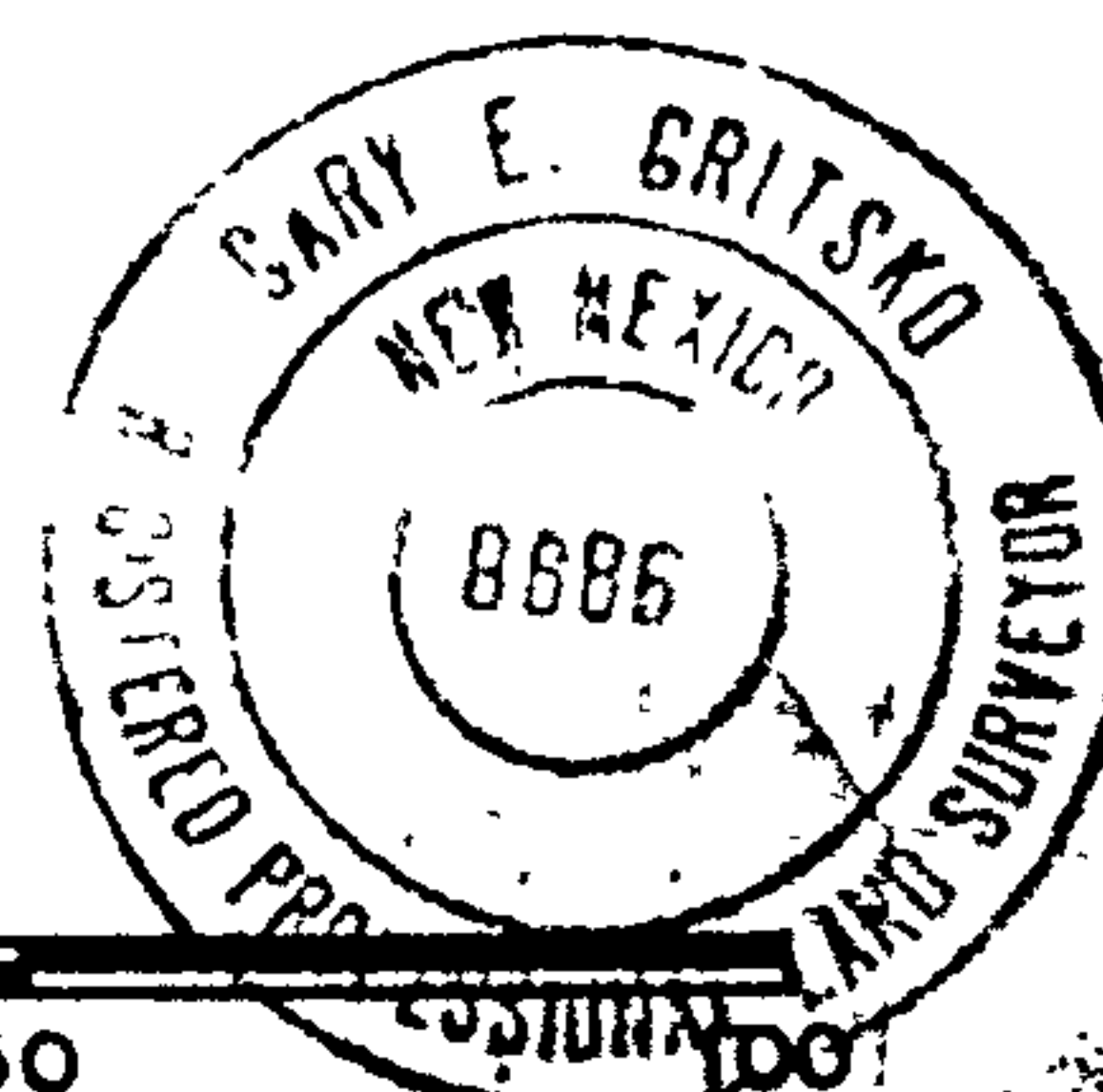
A.C.S. Brass Cap  
 X = 372, 889.43  
 Y = 1, 498, 606.10  
 Central Zone, N.M.  
 TM Projection  
 G/G Factor = 0.9998  
 Delta Alpha = 0° 14' 40"

(GRID)  
(GROUND)

N. 83° 17' 00" W. 200.00'  
(GRID - N. 83° 04' 04" W.)

Matthew Ave.  
(60.00' r.o.w.)

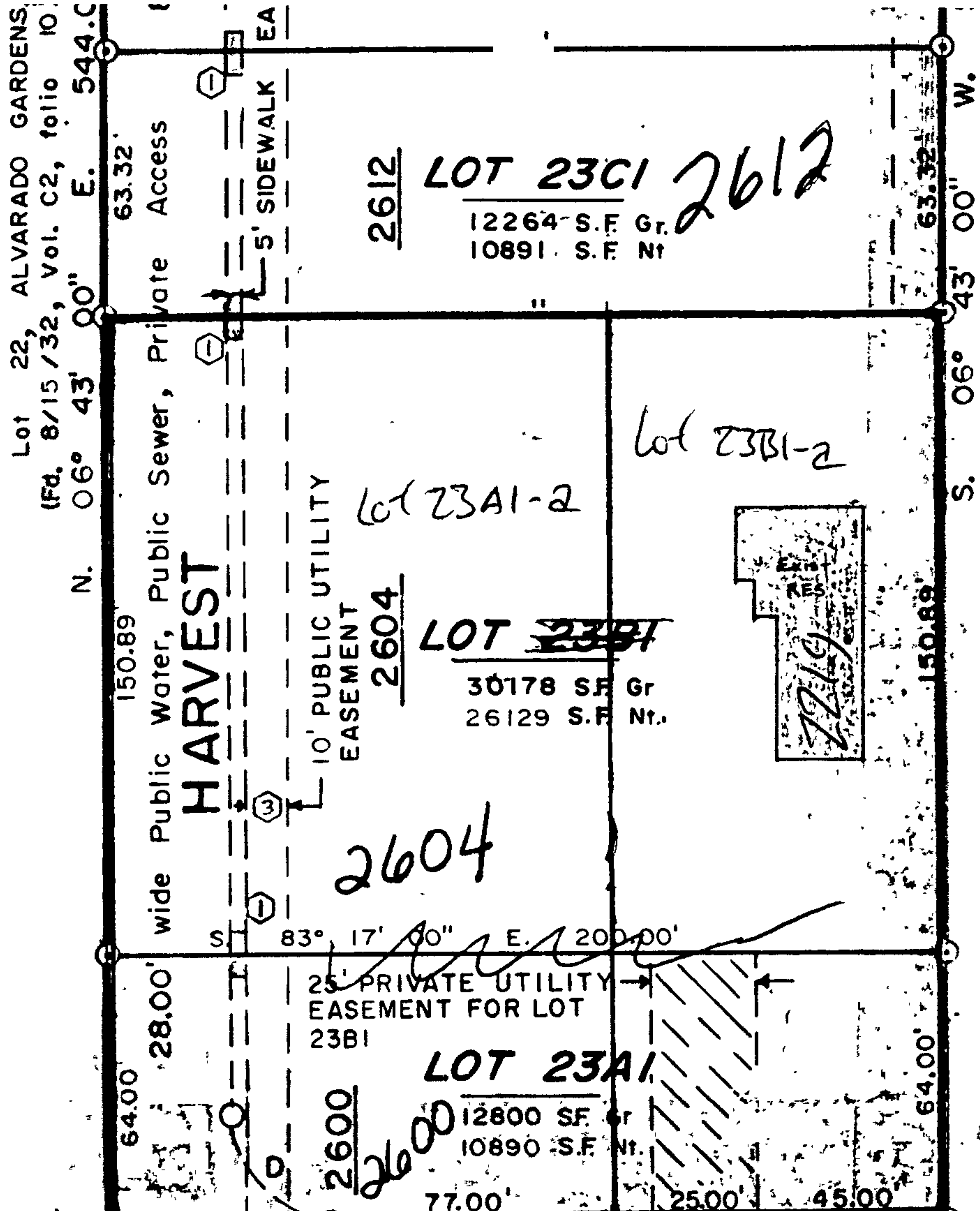
SCALE: 1" = 50'



**CITY ENGINEERS**  
**ADDRESS**  
**VERIFICATION**  
**OFFICE**

## LEGEND

- PROPERTY LINE
- LOT LINE
- ACCESS EASEMENT LINE
- UTILITY & DITCH EASEMENT LINE
- COORDINATE POSITION
- SET REBAR & CAP



11/11/13

DRB Project # \_\_\_\_\_

APS Cluster Valley

EXHIBIT B

FINAL

PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

Pamela J. Smith ("Developer") effective as of this 30th day of August, 2013 and pertains to the subdivision commonly known as Alvarado Gardens Unit 1, and more particularly described as Lots 23-A-1-A-1, 23-A-1-A-2, and 23-B-1-A-1 (use new legal description of subdivision) (the "Subdivision".)

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

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

WHEREAS, DEVELOPER is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance;

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

1. Developer agrees that a facilities fee will be paid to APS for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
  - If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.
  - If the permit is issued on or after August 1, 2011 the fee shall be \$1075 per dwelling
  -

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

Doc# 2013098296

08/30/2013 02:39 PM Page 1 of 3  
AGRE R \$10 00 M Toulouse Oliver, Bernalillo County



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

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

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

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



DRB Project # \_\_\_\_\_

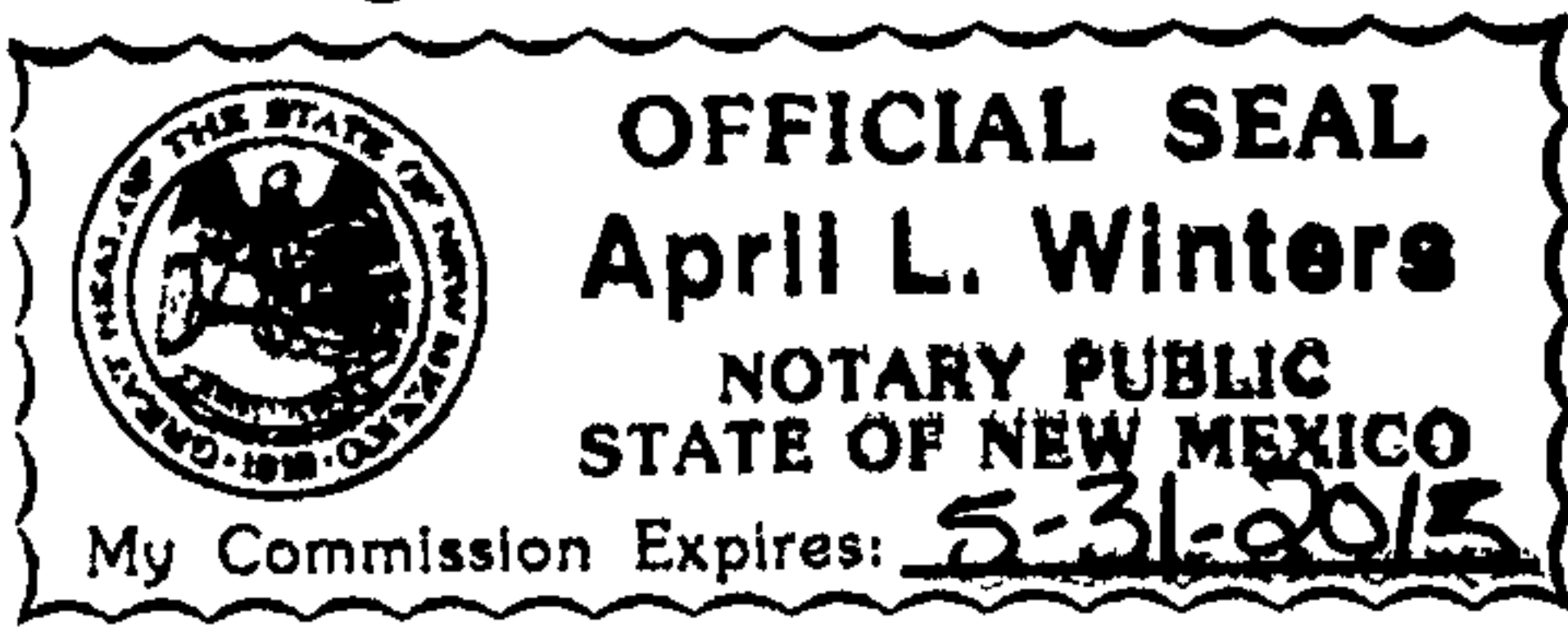
APS Cluster Valley

Pamela J. Smith  
Signature  
Pamela J. Smith  
Name (typed or printed) and title

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 30, 2013, by Pamela J. Smith as Property Owner of Referential Property, a corporation.

(Seal) 

April L. Winters  
Notary Public

My commission expires: May 31, 2015

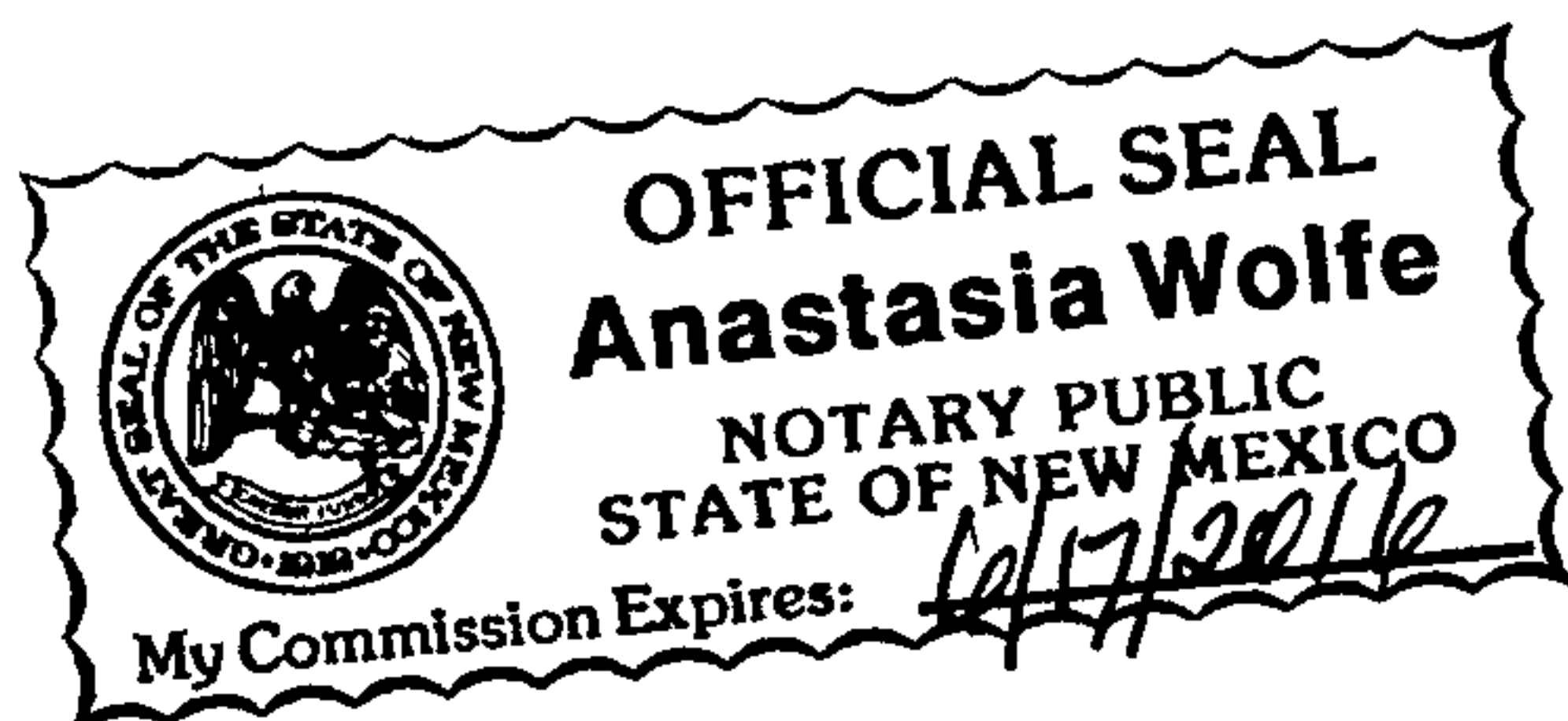
ALBUQUERQUE PUBLIC SCHOOLS

By April L. Winters  
Signature

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

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO

This instrument was acknowledged before me on August 30, 2013 by April L. Winters as Facility Fee Planner of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, and school district organized and existing under the laws of the State of New Mexico.

(Seal) 

Anastasia Wolfe  
Notary Public

My commission expires: 6/17/2016

September-11. 2013