



October 14, 2014

Jack Cloud, Chair,
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

RE: Santa Monica Place Minor Plat Action

**Subject: Vacation of Private Drainage Easement
Deferral of Public Sidewalks**

Dear Mr. Cloud,

Isaacson & Arfman, PA (I&A) is the authorized agent and the civil consulting engineer for the proposed lot split and the development of the four (4) tracts. Consensus Planning is processing the Site Development Plans for Building Permit for both developments on Tracts 3-B & 4 -B through the Development Review Board of the Planning Department. I&A has prepared the Amended Master Drainage Report for the entire site (38 ac.).

A. The justification to vacate the blanket drainage easement is as follows:

- The existing drainage easement allowed for the cross-lot drainage of private storm water flows across the four original tracts
- Tracts 3-A, 4-A & 4-B will no longer require the benefit of the existing private easement since it is being more particularly defined by the Public and private drainage easement being granted by the concurrent plat action covering the same property.
- Tract 4-A & 3-B will have the right to discharge storm waters onto and across Tract 3-A.
- Tract 4-B will have the right to discharge storm waters onto the public right of ways San Vicente Ave.
- The combined public storm waters from San Vicente Ave. & Brentwood Blvd. will release their public storm water onto Tract 3-A which will be covered by a Blanket Public & Private Drainage Easement

The public welfare is in no way served by retaining the right-of-way, private way or easement, or

There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation; and in addition to paragraph a. or b.

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

B. The justification to defer the construction of the public sidewalks:

- The public sidewalks for the two retirement facilities are identified on the Site Development Plans for Building Permits for each development. They are site planned controlled and must be constructed as a condition of securing a Certificate of Occupancy from the City of Albuquerque.
- The sidewalk would be exposed to damage during the construction of the onsite improvements of each facility hereby creating an unnecessary hardship on each development.
- The sidewalks along the future residential subdivisions will be placed on the future Required Infrastructure List of the two subdivisions as the project advance through the DRB process.
- The sidewalks are also subject to damage during the construction of the subdivision public and private improvements hereby causing an unnecessary hardship on the subdivision developers.

Please contact our office if additional information is required to support this request.

Sincerely,

ISAACSON & ARFMAN P.A.



Fred C. Arfman, PE