

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
July 16, 2014
DRB Comments**

BRT
/
27'

ITEM # 15

PROJECT # 1010148

APPLICATION # 14-70229

RE: Abandoned NM DOT Right of Way.

An application is needed for vacation of right of way within the City. Based on the area of the vacation, final approval must be by City Council.

The City Zoning Code provides for moving City Zone boundaries when a right of way is vacated; however, the existing boundary of the right of way is County A-1. Establishment of City zoning will need to be determined prior to the required replat after City Council action.

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



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): SURV-TEK, INC PHONE: 897-3366
 ADDRESS: 9384 VALLEY VIEW DR NW FAX: 897-3377
 CITY: ALBUQ STATE NM ZIP 87114 E-MAIL: RussHugg@SURVTEK.com

APPLICANT: BLACK DEVELOPMENT ONE PHONE: 899-5800
 ADDRESS: 3613 NM STATE ROAD 528 NW, STE H FAX: _____
 CITY: ALB STATE NM ZIP 87114 E-MAIL: _____

Proprietary interest in site: OWNERS List all owners: _____

DESCRIPTION OF REQUEST: SKETCH PLAT REVIEW

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. UNPLATTED ABANDONED OLD COORS ROAD RIGHT OF WAY Block: _____ Unit: _____
 Subdiv/Addr/TBKA: TRACTS A AND B, LANDS OF BLACK DEVELOPMENT ONE
 Existing Zoning: _____ Proposed zoning: _____ MRGCD Map No N/A
 Zone Atlas page(s): B-14 UPC Code: NONE - UNPLATTED

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? N/A
 No. of existing lots: 0 No. of proposed lots: 1 Total site area (acres): 2.3522
 LOCATION OF PROPERTY BY STREETS: On or Near: COORS ROAD NW
 Between: COORS BYPASS NW and CITA ROAD NW

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

SIGNATURE [Signature] DATE 6/30/14
 (Print Name) RUSS HUGG Applicant: Agent:

FOR OFFICIAL USE ONLY

Revised: 4/2012

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>14 DRB-70229</u>	<u>SP</u>	_____	\$ <u>0</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	_____	_____	_____	\$ _____

Hearing date July 9, 2014

6-30-14
Staff signature & Date

Project # 1010148

FORM S(3): SUBDIVISION - DRB MEETING (UNADVERTISED) - 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.

Russ Hugg
Applicant name (print)
[Signature] 6/30/14
Applicant signature / date



- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
14-DRB-70229

Form revised October 2007
[Signature] 6-30-14
Planner signature / date
Project # 1010148



Supplemental Form (SF)

SUBDIVISION

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

SITE DEVELOPMENT PLAN

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

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

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

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

APPLICATION INFORMATION:

Professional/Agent (if any): SURV-TEK, INC PHONE: 897-3366
 ADDRESS: 9384 VALLEY VIEW DR NW FAX: 897-3377
 CITY: ALBUQ STATE NM ZIP 87114 E-MAIL: RussHugg@SURVTEK.com

APPLICANT: BLACK DEVELOPMENT ONE PHONE: 899-5800
 ADDRESS: 3613 NM STATE ROAD 528 NW, STE H FAX: _____
 CITY: ALB STATE NM ZIP 87114 E-MAIL: _____

Proprietary interest in site: OWNERS List all owners: _____

DESCRIPTION OF REQUEST: SKETCH PLAT REVIEW

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. UNPLATTED ABANDONED OLD COORS Block. _____ Unit. _____
 Subdiv/Addr/TBKA: ROAD RIGHT OF WAY TRACTS A AND B, LANDS OF BLACK DEVELOPMENT ONE
 Existing Zoning. _____ Proposed zoning. _____ MRGCD Map No N/A
 Zone Atlas page(s): B-14 UPC Code: NONE - UNPLATTED

CASE HISTORY:

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

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? N/A
 No. of existing lots: 0 No. of proposed lots: 1 Total site area (acres): 2.3522
 LOCATION OF PROPERTY BY STREETS: On or Near: COORS ROAD NW
 Between: COORS BYPASS NW and CITA ROAD NW
 Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date _____

SIGNATURE [Signature] DATE 6/30/14
 (Print Name) RUSS HUGG Applicant Agent

FOR OFFICIAL USE ONLY

Revised: 4/2012

	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> INTERNAL ROUTING	<u>14 DRB-70229</u>	<u>SP</u>		\$ <u>0</u>
<input checked="" type="checkbox"/> All checklists are complete				\$ _____
<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 rebates				\$ _____
	Hearing date <u>July 9, 2014</u>			Total \$ <u>0</u>

Staff signature & Date: [Signature] 6-30-14 Project # 1010148

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.

Russ Hugo
Applicant name (print)
[Signature] 6/30/14
Applicant signature / date

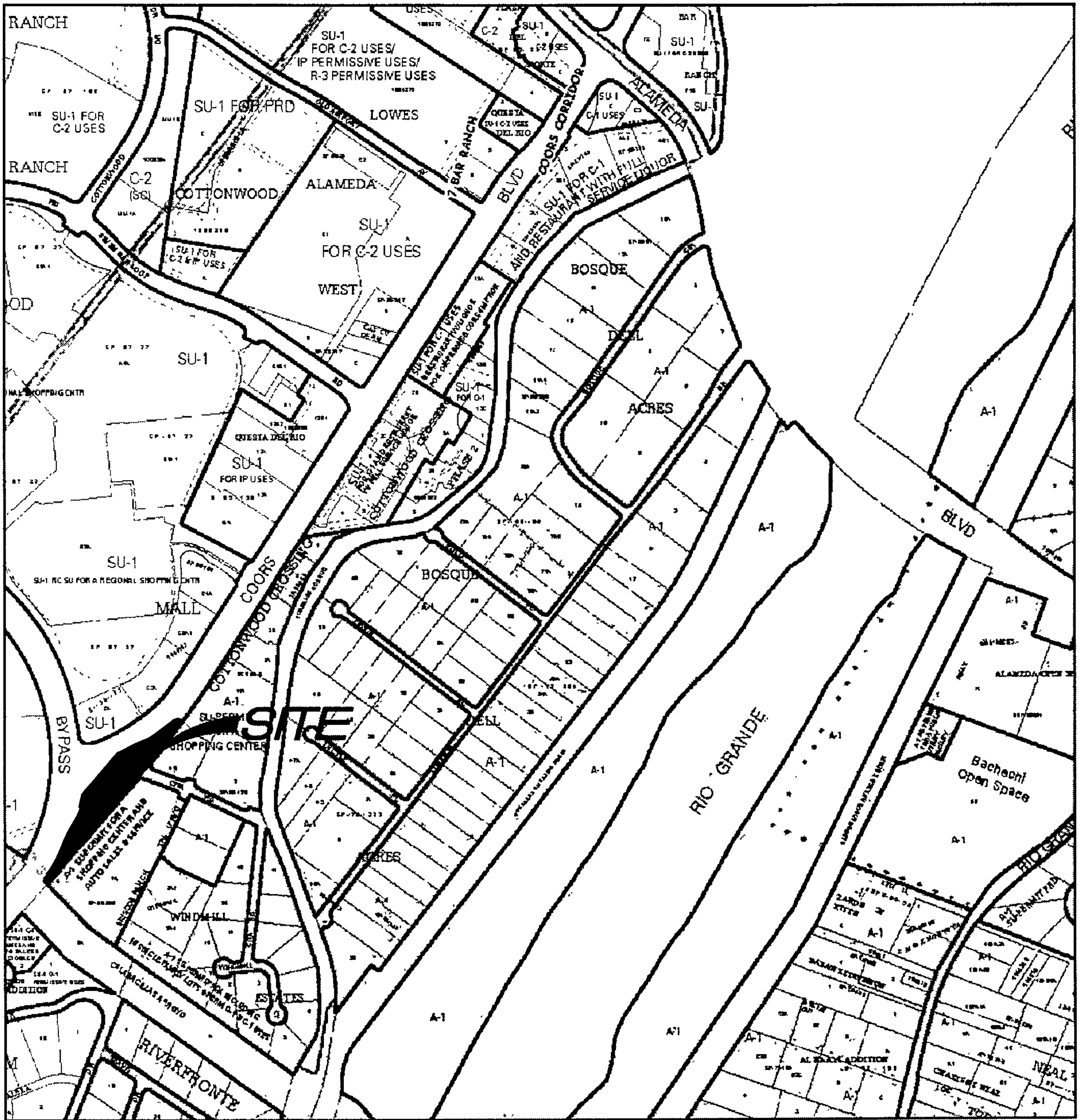


Form revised October 2007

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

Application case numbers
14-DRB-70229

[Signature] 6-30-14
Planner signature / date
Project # 1010148



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

AGIS
Albuquerque Geographic Information System

Map amended through: 6/7/2013

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
B-14-Z

Selected Symbols

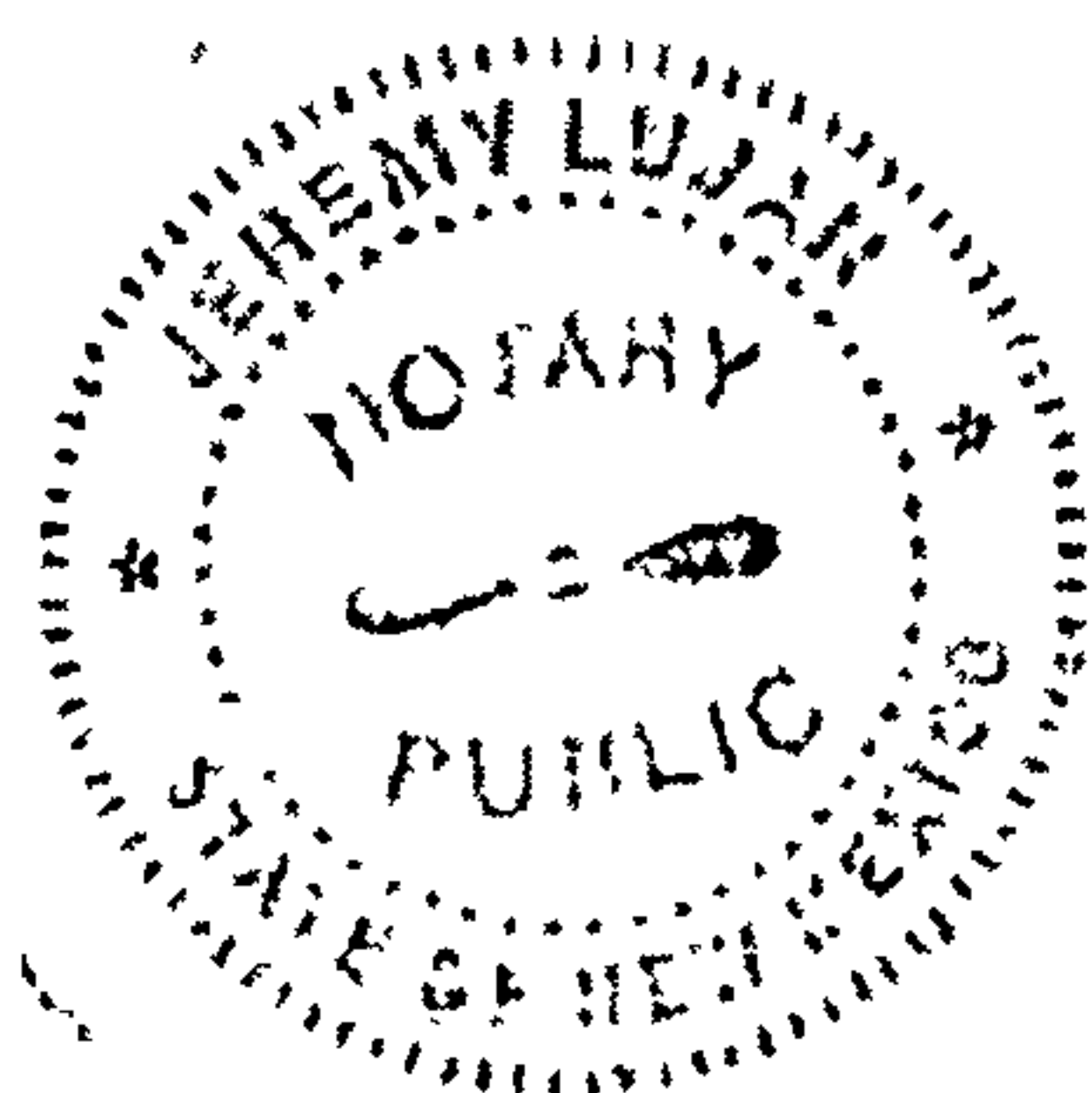
SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
H-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon	

NEW MEXICO DEPARTMENT OF TRANSPORTATION
DECLARATION OF VACATION AND ABANDONMENT

It is hereby declared that the following described property is vacated and abandoned from the New Mexico Department of Transportation highway system approved June 16, 2014.

Parcel A as said parcel is shown and described on Exhibit A (consisting of **3** pages) attached hereto and incorporated herein by reference.

It is further declared that the New Mexico Department of Transportation makes no representation as to title or jurisdiction over the above-described property after this abandonment from the New Mexico Department of Transportation system, and that said abandonment is subject to existing rights of way evidenced by recorded and unrecorded easements or conveyances of any nature.



New Mexico Department of Transportation

By: 
Elias Archuleta, Chief Engineer

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me this 17th day of June, 2014, by Elias Archuleta, in his capacity as Chief Engineer for the New Mexico Department of Transportation.


Notary Public

My commission expires:
March 31, 2018

Doc# 2014050494

06/25/2014 03:39 PM Page 1 of 4
DEC \$25 00 M. Toulouse Oliver, Bernalillo County



LEGAL DESCRIPTION - PARCEL A

That certain parcel of land situate within the Town of Alameda Grant in Projected Section 8, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being and comprising a portion of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200), dated April 1954 more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane, Central Zone (NAD 83) grid bearings and ground distances as follows:

BEGINNING at a point on the original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) whence (1) P.C. Station 450+32.3 on the East Right of Way Line of said NMSHC Project Number S-1309(200) bears S 32°24'58" E, 156.73 feet distant and (2) the Albuquerque Control Survey Monument "7-B13" bears S 58° 04' 26" W, 203.63 feet distant; Thence,

Northeasterly , 62.66 feet along said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) on the arc of a curve to the left (said curve having a radius of 5654.58 feet, a central angle of 00° 38' 06" and a chord which bears N 40° 11' 30" E, 62.66 feet) to a non-tangent point on curve and the Northwest corner of the parcel herein described; Thence,

N 65° 08' 48" E, 39.94 feet to a point; Thence,

N 61° 44' 52" E, 56.08 feet to a point of curvature; Thence,

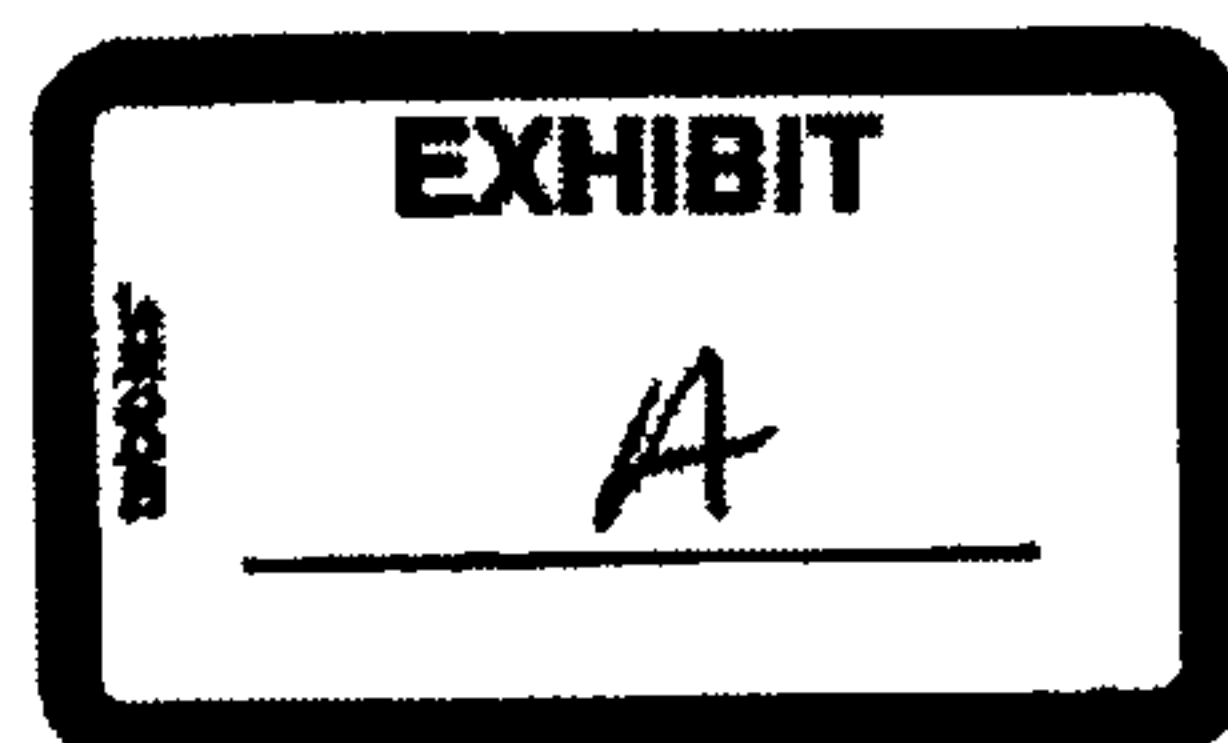
Northeasterly , 36.34 feet on the arc of a curve to the right (said curve having a radius of 188.21 feet, a central angle of 11° 03' 48" and a chord which bears N 67° 17' 01" E, 36.28 feet) to point of reverse curvature; Thence,

Northeasterly , 47.80 feet on the arc of a curve to the left (said curve having a radius of 247.21 feet, a central angle of 11° 04' 46" and a chord which bears N 67° 16' 32" E, 47.73 feet) to a non-tangent point on curve; Thence,

N 57° 21' 52" E, 13.18 feet to a point; Thence,

N 56° 23' 16" E, 21.70 feet to a point of curvature; Thence,

Northeasterly , 106.29 feet on the arc of a curve to the left (said curve having a radius of 1042.49 feet, a central angle of 05° 50' 31" and a chord which bears N 52° 52' 47" E, 106.25 feet) to point of tangency; Thence,



N 49° 32' 57" E, 14.90 feet to a point of curvature; Thence,

Southeasterly , 37.39 feet on the arc of a curve to the right (said curve having a radius of 43.86 feet, a central angle of 48° 50' 51" and a chord which bears N 87° 52' 40" E, 36.27 feet) to point non-tangent point on curve on the original Easterly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200); Thence Southwesterly along said original Easterly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) for the following two (2) courses:

Southwesterly , 449.14 feet on the arc of a curve to the right (said curve having a radius of 5804.58 feet, a central angle of 04° 26' 00" and a chord which bears S 38° 44' 48" W, 449.03 feet) to point of curvature (STA. 450+32.3 PC); Thence,

S 40° 57' 49" W, 629.36 feet to the Southeast corner of the parcel herein described; Thence,

N 49° 02' 11" W, 12.52 feet to a point; Thence,

N 27° 10' 46" E, 51.65 feet to a non-tangent point of curvature; Thence,

Northeasterly , 21.53 feet on the arc of a curve to the left (said curve having a radius of 241.63 feet, a central angle of 05° 06' 15" and a chord which bears N 37° 15' 02" E, 21.52 feet) to point of compound curvature; Thence,

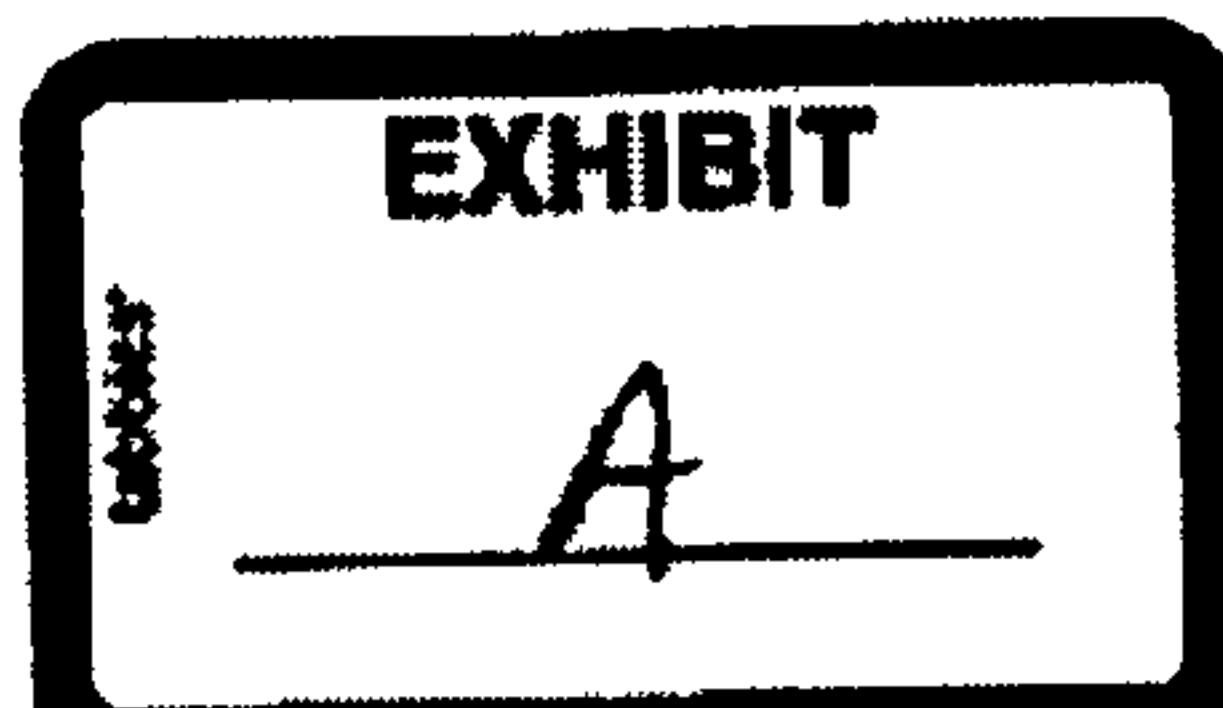
Northeasterly , 56.78 feet on the arc of a curve to the left (said curve having a radius of 360.12 feet, a central angle of 09° 01' 59" and a chord which bears N 30° 10' 54" E, 56.72 feet) to point of compound curvature; Thence,

Northeasterly , 92.88 feet on the arc of a curve to the left (said curve having a radius of 1371.04 feet, a central angle of 03° 52' 54" and a chord which bears N 23° 43' 28" E, 92.86 feet) to point of reverse curvature; Thence,

Northeasterly , 99.39 feet on the arc of a curve to the right (said curve having a radius of 516.70 feet, a central angle of 11° 01' 15" and a chord which bears N 27° 28' 55" E, 99.23 feet) to point of reverse curvature; Thence,

Northeasterly , 99.34 feet on the arc of a curve to the left (said curve having a radius of 535.58 feet, a central angle of 10° 37' 40" and a chord which bears N 27° 02' 47" E, 99.20 feet) to a non-tangent point on curve; Thence,

N 12° 36' 50" E, 2.16 feet to a point; Thence,



N 77° 40' 17" W, 9.36 feet to a point; Thence,

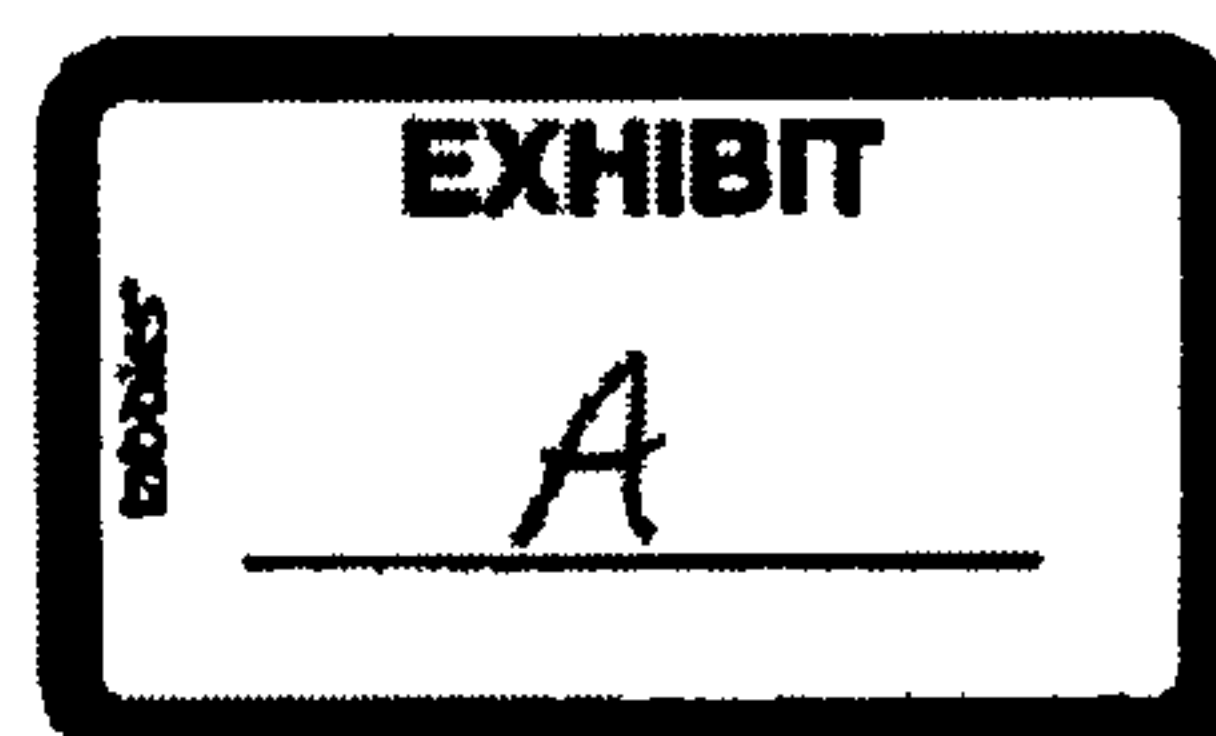
N 12° 35' 04" E, 53.00 feet to a point of curvature; Thence,

Northeasterly , 8.05 feet on the arc of a curve to the left (said curve having a radius of 215.00 feet, a central angle of 02° 08' 40" and a chord which bears N 09° 16' 30" E, 8.05 feet) to point a non-tangent point on said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200); Thence Northeasterly along said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) for the following two (2) courses:

N 40° 57' 49" E, 169.65 feet to a point of curvature; Thence,

Northeasterly , 44.83 feet on the arc of a curve to the left (said curve having a radius of 5654.58 feet, a central angle of 00° 27' 15" and a chord which bears N 40° 44' 10" E, 44.83 feet) to the Northwest corner and point of beginning of the parcel herein described.

Said parcel contains 2.2778 more or less.



SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive, NW Albuquerque, New Mexico 87114
Phone: 505-897-3366 Fax: 505-897-3377 E-mail: russhugg@survtek.com

June 27, 2014

Albuquerque Development Review Board
PO Box 1293
Albuquerque, New Mexico 87103

Attention: Mr. Jack Cloud, Chair

RE: Minor Sketch Plat Review of Proposed Tracts A and B, Lands
Black Development One, City of Albuquerque, Bernalillo
County, New Mexico. City Zone Atlas page A-14.

Dear Mr. Cloud

The owners of the above captioned property, Black Development One, LLC are hereby filing application with the City of Albuquerque Development Review Board for a Sketch Plat Review.

The subject property comprises a portion of abandoned Old Coors Boulevard right of way, New Mexico Project Number S-1309(200) which has been Abandoned and Vacated by the New Mexico State Highway Commission by document entitled "NEW MEXICO DEPARTMENT OF TRANSPORTATION DECLARATION OF VACATION AND ABANDONMENT", filed June 25, 2014 as Document No. 2014050494 and also by Bernalillo County by document entitled "COUNTY OF BERNALILLO, NEW MEXICO DECLARATION OF VACATION AND ABANDONMENT AND DISCLAIMER OF INTEREST", filed June 25, 2014 as Document No. 2014050495. Copies of both documents are attached hereto.

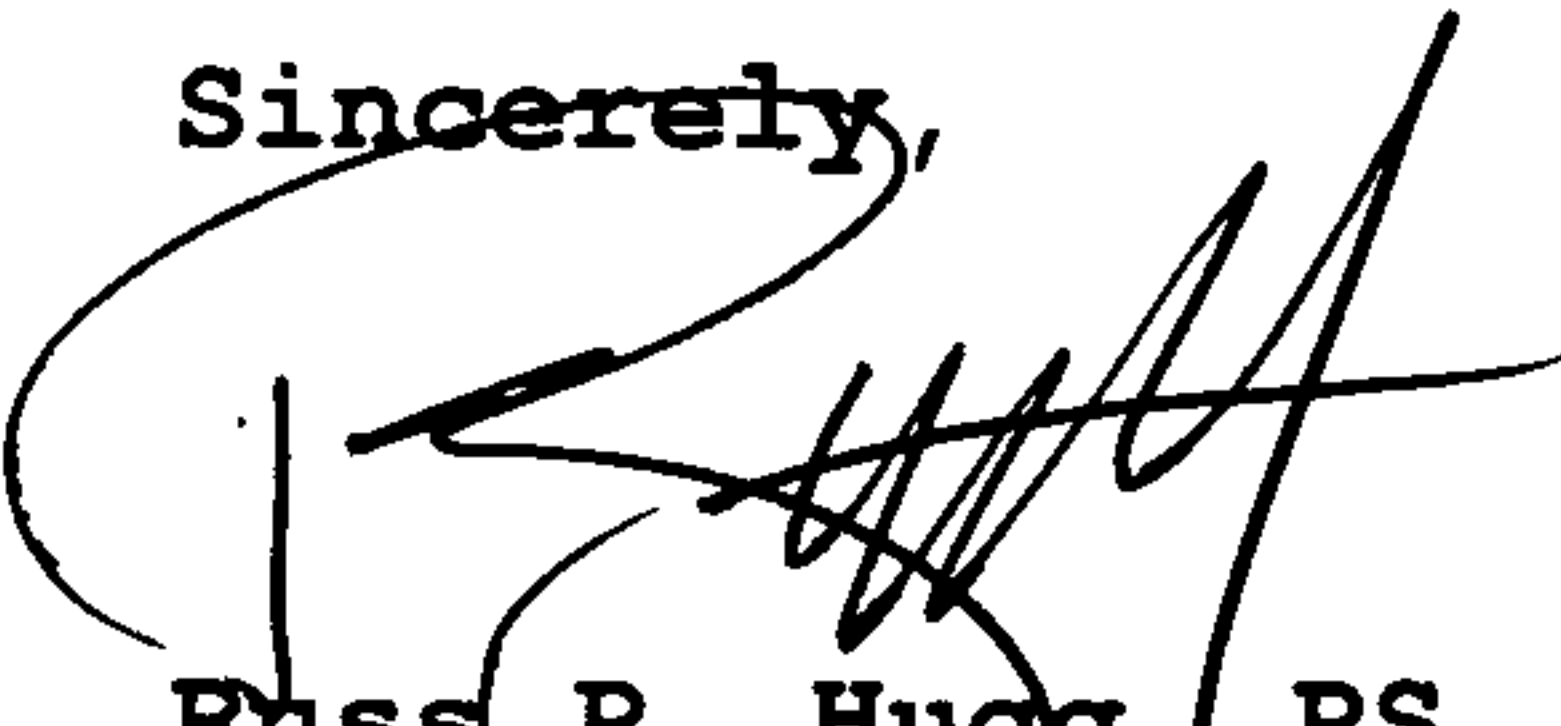
The intent of the owners is to seek future Vacation of the 3' of additional right of way adjacent to the westerly boundaries of Tract 1-A, Windmill Estates and Tract 4B, Cottonwood Crossing which right of way was dedicated to the City of Albuquerque by plats filed September 26, 1996 in Plat Book 96C, Folio 402 and May 19, 1992 in Plat Book 92C, Folio 90 and combine into Parcel A, abandoned by NMSHC and Bernalillo County. A separate Vacation request shall be submitted if comments from the Sketch Plat Review are favorable.

Proposed Tracts A and B, Lands Black Development One
Page 2

Once consolidated and platted into Proposed Tracts A and B, Lands of Black Development One, the Vacated and Abandoned parcels are proposed to be combined into said Tract 1-A, Windmill Estates and Tract 4B, Cottonwood Crossing by a subsequent platting action and the roadway and utility easements adjusted to conform with new development of said Tracts.

If you have any questions concerning this request, please feel free to contact me at your convenience.

Sincerely,



Russ P. Hugg, PS
Surv-Tek, Inc.

Contract No.: D13358

Vendor No.: 54806

ROAD EXCHANGE AGREEMENT

This **Road Exchange Agreement** ("**Agreement**") is made and entered into this 29th day of November, 2010, by and between the **NEW MEXICO DEPARTMENT OF TRANSPORTATION**, ("**Department**"), the **STATE TRANSPORTATION COMMISSION**, and the **CITY OF ALBUQUERQUE** ("**City**").

RECITALS

Whereas, the **Department**, the **State Transportation Commission**, and **City** desire to implement a comprehensive public road and street administration policy in the City of Albuquerque, and,

Whereas, the parties agree that by making an agreement to better define each party's responsibility for improving and maintaining public roads and streets in the City areas, users of both the **State** and **City** road and street system will experience a higher level of service, and,

Whereas, the parties agree that certain public road and street exchanges need to occur to better align the jurisdictional responsibilities of the parties regarding the public roads and streets in the **City**, and,

Whereas, the **City Council** finds in its judgment that the road exchange, transfer and conveyance best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the **City**, and,

Whereas, the **State Transportation Commission**, and the **Department**, looking to the construction and maintenance of a complete system of highways in the state, finds in its judgment that the road exchange, transfer, and conveyance best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the state, and,

Whereas, the parties have the right and power to enter into this **Agreement**;

In consideration of the promises and mutual covenants contained in this **Agreement**, the **Department**, **State Transportation Commission**, and **City** agree as follows:

1. ROAD AND STREET SYSTEM EXCHANGES:

1.1 **Road Transfer from Department**: The Parties agree that the following sections of road shall be deleted from both the **State** highway system and **State** highway

maintenance system and will be the sole jurisdiction of and title shall vest in the **City**:

- 1.1.1 NM 528 (Alameda Boulevard), between the Coors Boulevard/Corrales Road intersection and Cottonwood Drive as shown in Exhibit 1.
 - 1.1.2 Total estimated mileage of Alameda Boulevard is 0.8 miles.
 - 1.1.3 The **City** shall take over roadway ownership of Alameda Boulevard between the Coors Boulevard/Corrales Road intersection and Cottonwood Drive, as shown in Exhibit 1.
 - 1.1.4 The **City** shall assume all maintenance responsibilities associated with said section of roadway. This will include, but not be limited to: Roadway pavement, curb and gutter, drainage, sidewalk/trails, lighting, traffic signalization, landscaping, drainage (over-ground and underground), signing, striping, bus shelters, aesthetics, and any other features within the roadway right-of-way.
 - 1.1.5 The **City** shall continue to maintain the eastside commercial access road (shown in Exhibit 1), on Coors Boulevard (NM 448) between the Coors Bypass and Seven Bar Loop. City maintenance shall include roadway pavement, curb and gutter, drainage, sidewalk/trails, lighting, traffic signalization, landscaping, drainage (over-ground and underground), signing, striping, bus shelters, aesthetics, and any other features within the roadway right-of-way.
 - 1.1.6 The **City** shall continue to maintain and pay for all utilities associated with roadway lighting, traffic signals, bus stops, and landscaping.
- 1.2 **Road Transfer from City:** The Parties agree that the following sections of road or street shall be deleted from the **City** road and street system and **City** maintenance system and will be the sole jurisdiction of and title shall vest in the **Department**.
- 1.2.1 The **Department** shall take over roadway ownership NM 448 (Coors Boulevard) between Coors Bypass and Seven Bar Loop, as shown in Exhibit 1, with the exception of the eastside commercial access road described in section 1.1.5.
 - 1.2.2 Total estimated mileage is 0.5 miles in length.
 - 1.2.3 The **Department** shall assume roadway maintenance responsibilities associated with Coors Boulevard (NM 448) between the Coors Bypass and Seven Bar Loop. Department's maintenance shall include roadway pavement, curb and gutter, drainage (over-ground only), sidewalk, signing, and striping.
 - 1.2.4 The **CITY** shall continue to maintain the traffic signals, roadway lighting, under-ground drainage system(s), trails, bus shelters, and aesthetics.

1.2.5 The **City** shall pay for all utilities associated with roadway lighting, traffic signals, bus stops/shelters, and landscaping.

2. **AUTHORIZATION FOR ROAD EXCHANGE**

2.1 Each individual signing this **Agreement** warrants that he or she has the requisite authority and approval to execute this **Agreement** on behalf of the party appearing above his or her name.

2.2 The road and street exchange, transfer and conveyance provided for herein is being undertaken in conformity with **State Transportation Commission** Policy CP-62.

2.3 The **State Transportation Commission** and the **Department** have approved this **Agreement**, pursuant to and consistent with NMSA 1978, § 67-2-6, § 67-3-2(D), § 67-3-14, § 67-3-16, § 67-3-26, and § 67-3-40, and 23 CFR § 470, as applicable, and found that that the road exchange, transfer and conveyance, and the addition to and deletion of roads from the State highway system, best subserves the interest of the general public, and will best serve the traffic needs and develop the resources of the **State**.

2.4 The exchange adds a road to the **State** highway system of the same or higher functional classification as the road being deleted from the system and transferred to the **City**.

3. **FUTURE ROAD AND STREET SYSTEM EXCHANGES:**

3.1 All parties agree that the public road and street systems in both the **City** and **State** are dynamic systems and that the functional character of a road may change over time. It is agreed that should any party determine that a significant change has taken place, that party shall notify the other party of its desire to commence negotiations to effect the jurisdictional transfer of said road. The parties agree that they each will undertake said negotiations in good faith.

4. **CONVEYANCE OF TITLE:**

4.1 The Parties agree that the documents conveying title by quitclaim deed for all public roads and streets described in Sections 1, 2, and 3, herein, shall be prepared and executed by the appropriate party and delivered to the other party as soon as practical after execution of this **Agreement**, but no longer than two (2) years from the date of execution of this **Agreement**. The **Department** agrees to provide the **City** with any legal description of the right-of-way easements that the **Department** may have associated with NM 528 and NM 448 within two (2) years from the date of transfer and completion of any condition precedents to the conveyance of title. The transfer of maintenance set forth in Sections 1.1.4 and 1.2.3 shall occur when the title to the specific property is conveyed.

5. **PERIODIC REVIEW OF AGREEMENT:**

5.1 The parties agree that this **Agreement** shall be reviewed in its entirety annually from the date of execution to determine if any modifications to the **Agreement** are necessary.

6. **DUTIES SUBJECT TO APPROPRIATION:**

6.1 The Parties recognize and understand that this **Agreement** contemplates indirectly the expenditure of funds, which must be appropriated and allocated by their respective legislative bodies. All parties agree that this **Agreement** and the terms hereof are subordinate to the rights of these legislative bodies and not binding on them. Therefore, both parties agree that the duties and responsibilities imposed on each of them herein are to be performed pursuant to their respective fiscal allocations. Although the parties shall be required to request the necessary appropriations hereunder, a good faith effort to secure funding is sufficient and it shall not constitute a breach of this **Agreement** if such duties are performed to whatever level is possible within the funds actually appropriated and allocated to both parties by their respective legislative bodies.

7. **LEGALITY AND INVALIDITY OF PROVISIONS:**

7.1 The parties agree that in the event any covenant, condition or provision contained in this **Agreement** is held to be invalid by any court of competent jurisdiction, the validity of any such covenant, condition or provision shall not affect the balance of this **Agreement**.

8. **GOVERNMENTAL INTENT:**

8.1 The parties agree that this **Agreement** expresses the intent of the government entities hereto; however, this **Agreement** shall not bind or contract away the discretion of the governmental entities, nor shall this **Agreement** prohibit the entities from acting within the public interest contrary to terms of this **Agreement** and in said event, the parties shall have the right to re-negotiate the terms of this **Agreement**.

9. **NEW MEXICO TORT CLAIMS ACT:**

9.1 Neither of the parties shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this **Agreement**. Any liability incurred in connection with this **Agreement** is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, § 41-4-1, et seq., as amended. This paragraph is intended only to define the liabilities between the Parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act.

9.2 By entering into this **Agreement**, the **City**, and its "employees" as defined in the New Mexico Tort Claims Act, and the **Department** and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and/or do not waive any limitation of liability pursuant to law. No provision in this **Agreement** modifies or waives any provision of the New Mexico Tort Claims Act.

10. **TITLE VI COMPLIANCE:**

10.1 The **Department** and **City** shall comply with all federal, state, and local laws and ordinances applicable to the work called for herein. The **Parties** further agrees to operate under and be controlled by the Civil Rights Act of 1964, Title VI, and Executive Order No. 11246 entitled "Equal Employment Opportunity," as amended by Executive Order 11375, and as supplemented by the Department of Labor regulations (41 CFR Part 60). Accordingly, 49 CFR through Part 21 is applicable to this **Agreement**.

11. **EQUAL OPPORTUNITY COMPLIANCE:**

11.1 The **Department** and **City** agree to abide by all Federal and State Laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, the **Department** and **City** agree that no person in the United States shall, on the grounds of race, religion, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity performed under this contract. If the **Department** or **City** is found to be not in compliance with these requirements during the life of this contract, the Parties agree to take appropriate steps to correct these deficiencies.

12. **THIRD PARTY BENEFICIARY CLAUSE:**

12.1 This **Agreement** is not intended by any of the provisions of any part of the **Agreement** to create in the public, or any member thereof, a third party beneficiary or to authorize anyone not a party to the **Agreement** to maintain a suit for wrongful death, bodily and personal injury to person, damage to property, or any other claim(s) whatsoever pursuant to the provisions of this **Agreement**.

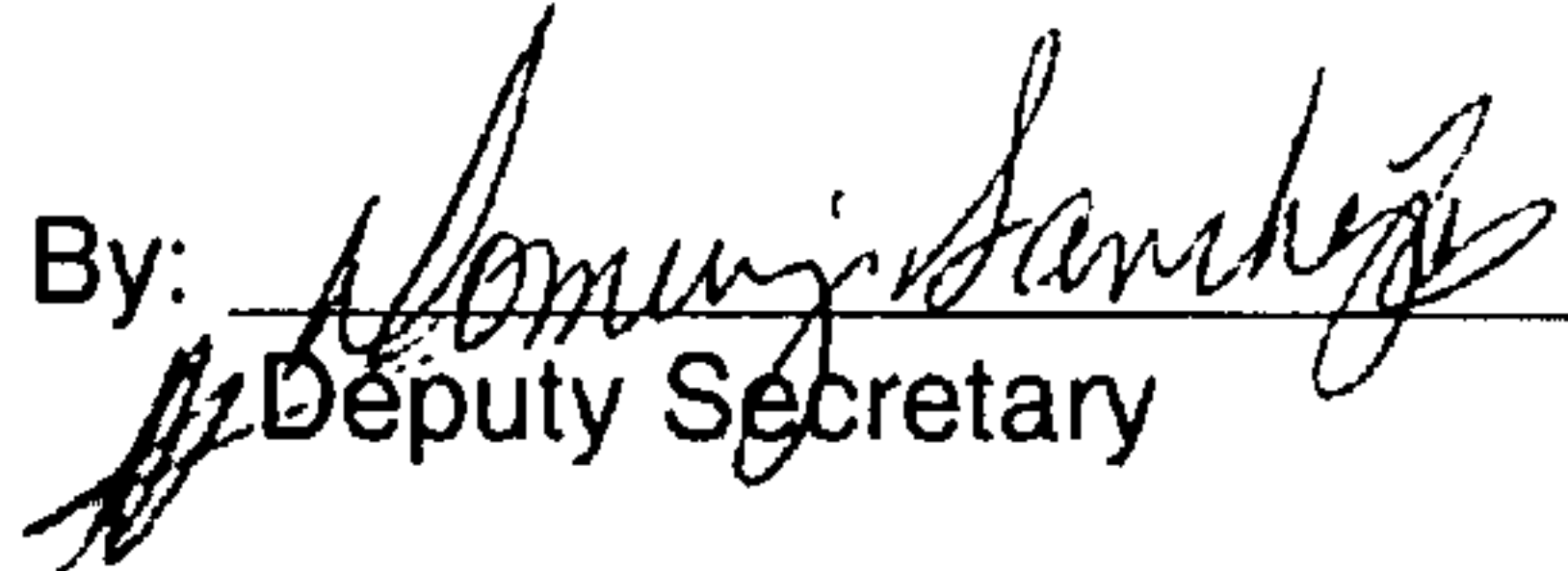
13. **AMENDMENTS:**

13.1 The parties agree that any and all amendments to this **Agreement**, in order to be valid, must be in writing and must be executed by the parties.

The Parties execute this Agreement and agree to be bound by its terms and conditions.

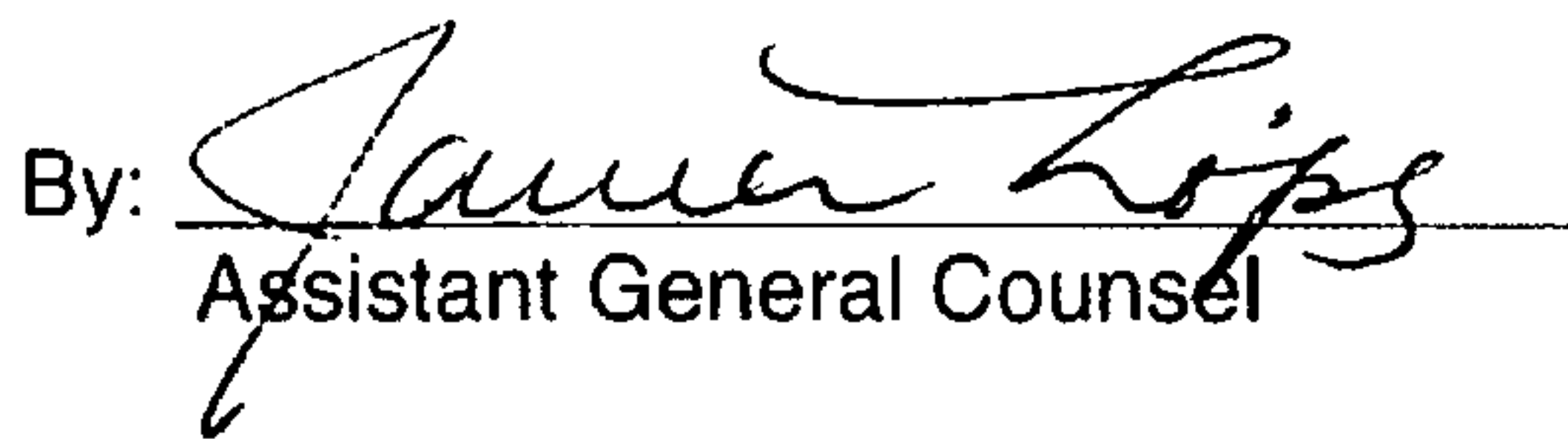
Approved:

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By: 
Deputy Secretary


Date: 11/29/10

APPROVED AS TO LEGAL FORM AND SUFFICIENCY BY THE OFFICE OF GENERAL COUNSEL

By: 
Assistant General Counsel

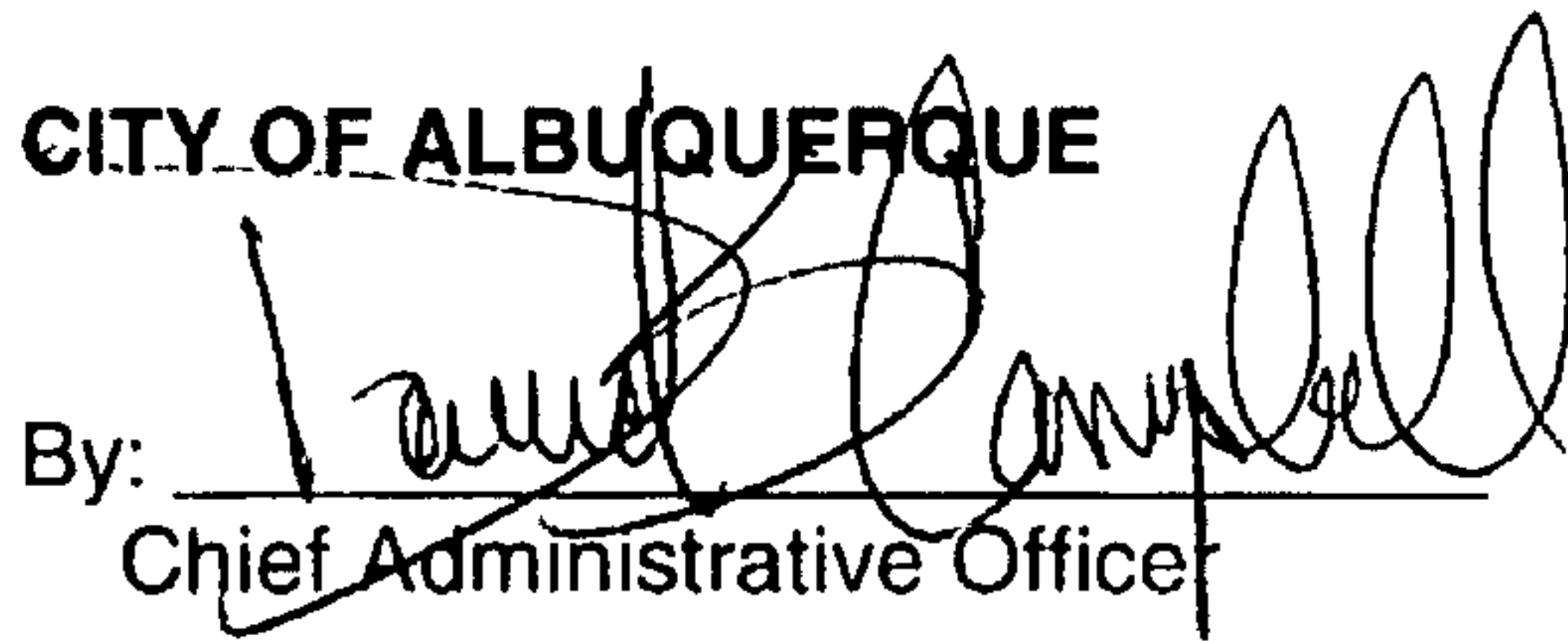
Date: 9.21.2010

NEW MEXICO STATE TRANSPORTATION COMMISSION

By: 
Chairman

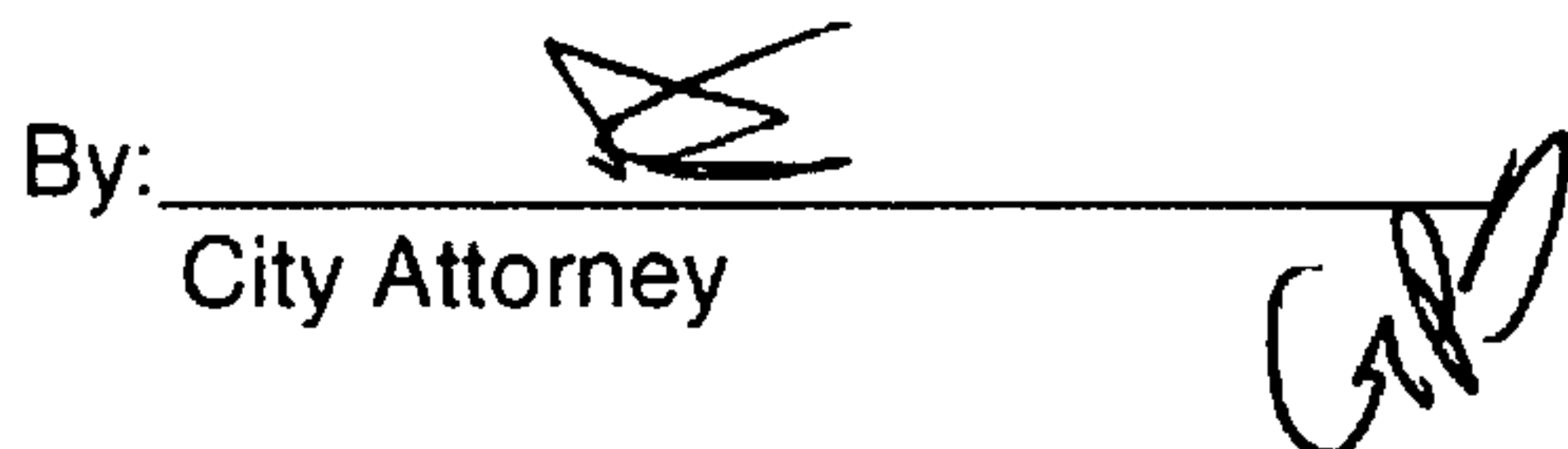
Date: 10.21.10

CITY OF ALBUQUERQUE

By: 
Chief Administrative Officer

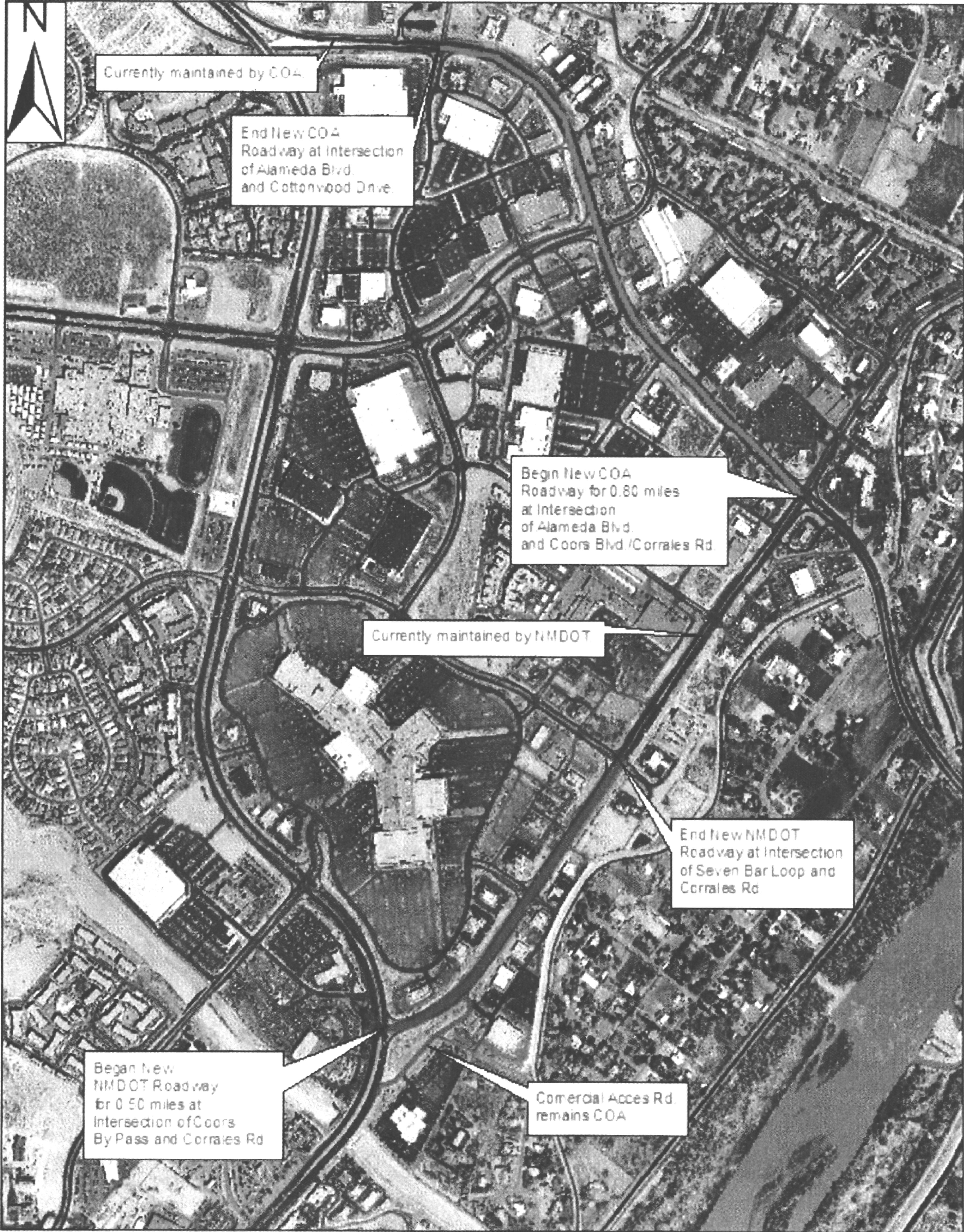
Date: 11/23/10

APPROVED AS TO LEGAL FORM BY THE CITY ATTORNEY'S OFFICE

By: 
City Attorney

Date: 11/19/10

Exhibit 1



———— New CITY OF ALBUQUERQUE Roadway

———— New NMDOT Roadway

COUNTY OF BERNALILLO, NEW MEXICO
DECLARATION OF VACATION AND ABANDONMENT
AND DISCLAIMER OF INTEREST

THIS DECLARATION OF VACATION AND ABANDONMENT AND DISCLAIMER OF INTEREST is made this 31 day of March, 2014, by the County of Bernalillo, New Mexico, a political subdivision of the State of New Mexico (the "County").

WHEREAS, A. F. Black and June Black, husband and wife, and Albert J. Black and Mary Jane Black, husband and wife (collectively the "Grantors") executed a Grant of Right of Way Easement dated April 21, 1960 (the "Easement"), in favor of the County for the construction of Coors Road, which Easement was recorded in the office of the County Clerk of Bernalillo County, New Mexico, on May 21, 1955, in Book D315, Page 325, as Document No. 59979; and

WHEREAS, the successor in title to the Grantors as to the Abandoned Land is the Corrales Office Plaza, Ltd., a New Mexico limited partnership; and

WHEREAS, a portion of the land encumbered by the Easement, which portion is described in Exhibit A attached hereto and incorporated herein by reference (the "Abandoned Land"), is no longer needed for Coors Road and has been abandoned for highway purposes for a continuous period of over five (5) years; and

WHEREAS, pursuant to the express terms of the Easement, the Easement has terminated as to the Abandoned Land due to non-use and the County desires to confirm the abandonment and termination of the Easement herein; and

WHEREAS, the successors to A. F. Black's and June Black's fifty percent (50%) interest in the Abandoned Land are: Gladys Black Smart, as to an undivided twelve and one-half percent (12.5%) interest, the Alta Black Brisco Revocable Trust, as to an undivided six and one-quarter percent (6.25%) interest, Robert B Briscoe II, as to an undivided three and one hundred twenty-five thousandths percent (3.125%) interest, the June Briscoe Groff Trust, as to an undivided three and one hundred twenty-five thousandths percent (3.125%), Sally Black Ruscitti, as to an undivided four and one hundred sixty-seven thousandths percent (4.167%) interest, Randolph E. Black, as to an undivided four and one hundred sixty-seven thousandths percent (4.167%) interest, Amy G. Black, as to an undivided four and one hundred sixty-six thousandths percent (4.166%) interest, Albert J. Black Trust A-2 (Trust #1), as to an undivided six and one-quarter percent (6.25%) interest, A Rolfe Black, as to an undivided two and eighty-four thousandths percent (2.084%) interest, William R. Black as to an undivided two and eighty-three thousandths percent (2.083%) interest, and John F. Black, as to an undivided two and eighty-three thousandths percent (2.083%) interest; and

WHEREAS, the successor to Albert J. Black's and Mary Jane Black's fifty percent (50%) interest in the Abandoned Land is: Black Development One Limited Liability Company, a New Mexico limited liability company, as to the entire undivided fifty percent (50%) interest.

Doc# 2014050495

06/25/2014 03:39 PM Page 1 of 6
DEC R:\$25.00 M. Toulouse Oliver, Bernalillo County



NOW THEREFORE, the County hereby declares that: (i) the Abandoned Land has not been used for highway purposes for over five (5) years; (ii) the Abandoned Land is abandoned pursuant to the terms of the Easement; (iii) the Easement is hereby terminated as to the Abandoned Land only; and (iv) the County hereby quitclaims the Abandoned Land to the tenants in common: Gladys Black Smart, a single woman, as to an undivided twelve and one-half percent (12.5%) interest, Robert B. Briscoe II, as Trustee of the Alta Black Briscoe II, a married man dealing in his sole and separate property, as to an undivided three and one hundred twenty-five thousands percent (3.125%) interest, Richard K. Groff, Lara Ann Groff and Keith Mallory, as Trustees of the June Briscoe Groff Trust, as to an undivided three and one hundred twenty-five thousands percent (3.125%), Sally Black Ruscitti, a married woman dealing in her sole and separate property, as to an undivided four and one hundred sixty-seven thousandths percent (4.167%) interest, Randolph E. Black, a married man dealing in his sole and separate property, as to an undivided four and one hundred sixty-seven thousandths percent (4.167%) interest, Amy G. Black, a married woman dealing in her sole and separate property, as to an undivided four and one hundred sixty-six thousandths percent (4.166%) interest, John F. Black and A. Wade Black, as Trustees of the Albert J. Black Trust A-2 (Trust#1), as to an undivided six and one-quarter percent (6.25%) interest, A Rolfe Black, a married man dealing in his sole and separate property, as to an undivided two and eighty-four thousandths percent (2.084%) interest, William R. Black a married man dealing in his sole and separate property, as to an undivided two and eighty-three thousandths percent (2.083%) interest, John F. Black, a married man dealing in his sole and separate property, as to an undivided two and eighty-three thousandths percent (2.083%) interest, and Black Development One Limited Liability Company, a New Mexico limited liability company, as to an undivided fifty percent (50%) interest.


IN WITNESS WHEREOF, the County has executed and acknowledged this document as of the date first written above.

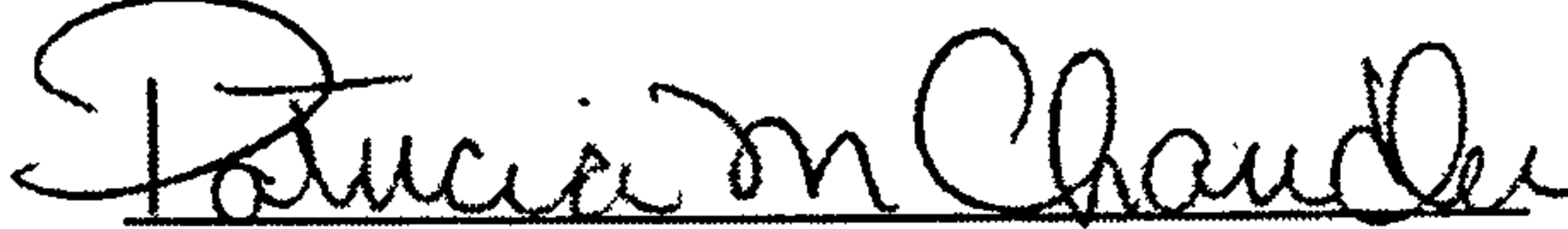
THE COUNTY OF BERNALILLO, NEW MEXICO,
A political subdivision of the State of New Mexico,

By: 
Tom Zdunek, County Manager

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

This instrument was acknowledged before me this 31 day of March, 2014, by Tom Zdunek, in his capacity as County Manager of Bernalillo County, New Mexico, a political subdivision of the State of New Mexico.

 OFFICIAL SEAL
Patricia M. Chandler
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 8/31/15
My commission expires:
8/31/15


Notary Public

LEGAL DESCRIPTION - PARCEL A

That certain parcel of land situate within the Town of Alameda Grant in Projected Section 8, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, being and comprising a portion of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200), dated April 1954 more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane, Central Zone (NAD 83) grid bearings and ground distances as follows:

BEGINNING at a point on the original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) whence (1) P.C. Station 450+32.3 on the East Right of Way Line of said NMSHC Project Number S-1309(200) bears S 32° 24' 58" E, 156.73 feet distant and (2) the Albuquerque Control Survey Monument "7-B13" bears S 58° 04' 26" W, 203.63 feet distant; Thence,

Northeasterly , 62.66 feet along said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) on the arc of a curve to the left (said curve having a radius of 5654.58 feet, a central angle of 00° 38' 05" and a chord which bears N 40° 11' 30" E, 62.66 feet) to a non-tangent point on curve and the Northwest corner of the parcel herein described; Thence,

N 65° 08' 48" E, 39.94 feet to a point; Thence,

N 61° 44' 52" E, 56.08 feet to a point of curvature; Thence,

Northeasterly , 36.34 feet on the arc of a curve to the right (said curve having a radius of 188.21 feet, a central angle of 11° 03' 48" and a chord which bears N 67° 17' 01" E, 36.28 feet) to point of reverse curvature; Thence,

Northeasterly , 47.80 feet on the arc of a curve to the left (said curve having a radius of 247.21 feet, a central angle of 11° 04' 46" and a chord which bears N 67° 16' 32" E, 47.73 feet) to a non-tangent point on curve; Thence,

N 57° 21' 52" E, 13.18 feet to a point; Thence,

N 56° 23' 16" E, 21.70 feet to a point of curvature; Thence,

Northeasterly , 106.29 feet on the arc of a curve to the left (said curve having a radius of 1042.49 feet, a central angle of 05° 50' 31" and a chord which bears N 52° 52' 47" E, 106.25 feet) to point of tangency; Thence,

Exhibit A

N 49° 32' 57" E, 14.90 feet to a point of curvature; Thence,

Southeasterly , 37.39 feet on the arc of a curve to the right (said curve having a radius of 43.86 feet, a central angle of 48° 50' 51" and a chord which bears N 87° 52' 40" E, 36.27 feet) to point non-tangent point on curve on the original Easterly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200); Thence Southwesterly along said original Easterly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) for the following two (2) courses:

Southwesterly , 449.14 feet on the arc of a curve to the right (said curve having a radius of 5804.58 feet, a central angle of 04° 26' 00" and a chord which bears S 38° 44' 48" W, 449.03 feet) to point of curvature (STA. 450+32.3 PC); Thence,

S 40° 57' 49" W, 629.36 feet to the Southeast corner of the parcel herein described; Thence,

N 49° 02' 11" W, 12.52 feet to a point; Thence,

N 27° 10' 46" E, 51.65 feet to a non-tangent point of curvature; Thence,

Northeasterly , 21.53 feet on the arc of a curve to the left (said curve having a radius of 241.63 feet, a central angle of 05° 06' 15" and a chord which bears N 37° 15' 02" E, 21.52 feet) to point of compound curvature; Thence,

Northeasterly , 56.78 feet on the arc of a curve to the left (said curve having a radius of 360.12 feet, a central angle of 09° 01' 59" and a chord which bears N 30° 10' 54" E, 56.72 feet) to point of compound curvature; Thence,

Northeasterly , 92.88 feet on the arc of a curve to the left (said curve having a radius of 1371.04 feet, a central angle of 03° 52' 54" and a chord which bears N 23° 43' 28" E, 92.85 feet) to point of reverse curvature; Thence,

Northeasterly , 99.39 feet on the arc of a curve to the right (said curve having a radius of 516.70 feet, a central angle of 11° 01' 15" and a chord which bears N 27° 28' 55" E, 99.23 feet) to point of reverse curvature; Thence,

Northeasterly , 99.34 feet on the arc of a curve to the left (said curve having a radius of 535.58 feet, a central angle of 10° 37' 40" and a chord which bears N 27° 02' 47" E, 99.20 feet) to a non-tangent point on curve; Thence,

N 12° 36' 50" E, 2.16 feet to a point; Thence,

N 77° 40' 17" W, 9.36 feet to a point; Thence,

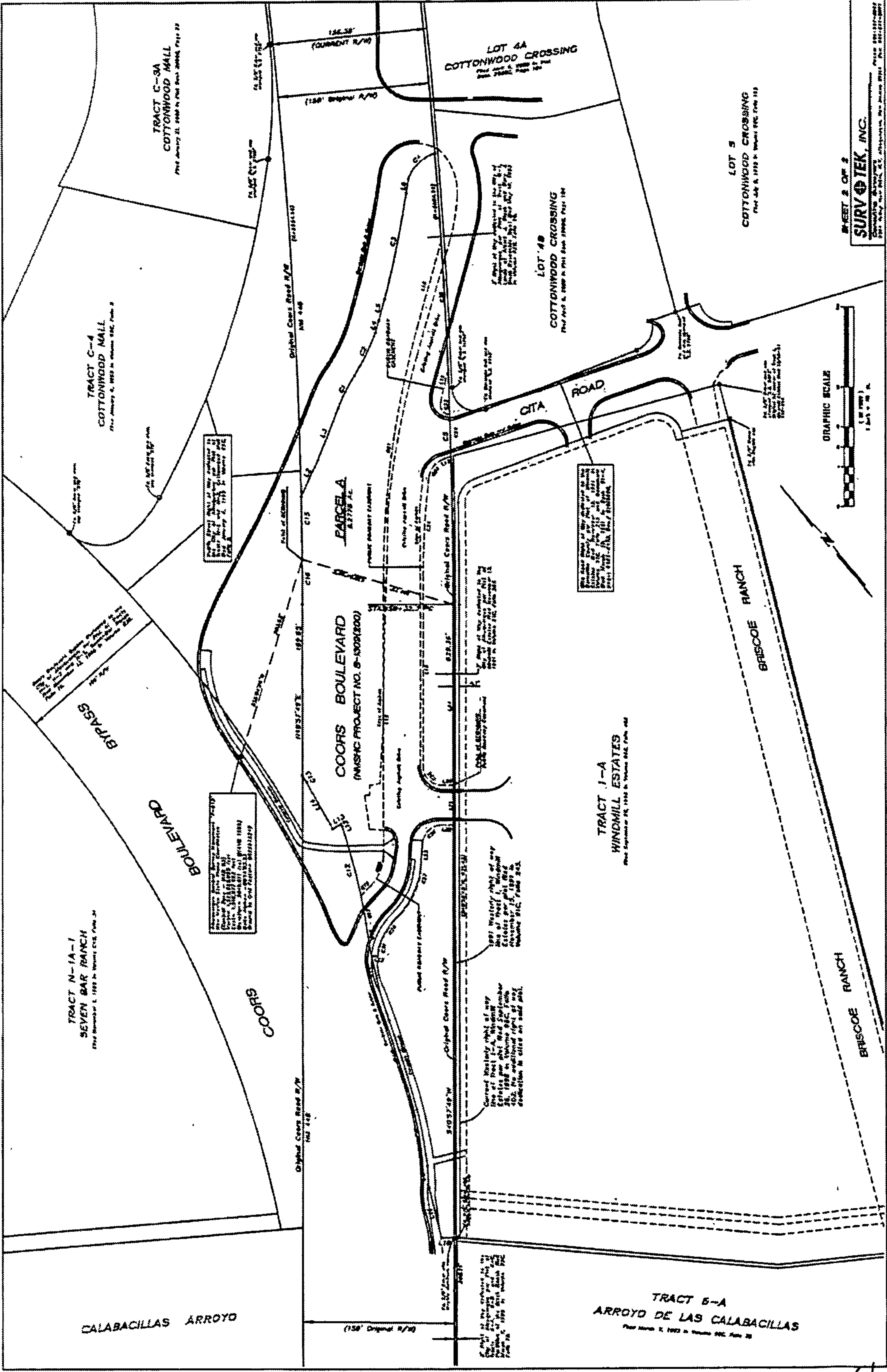
N 12° 35' 04" E, 53.00 feet to a point of curvature; Thence,

Northeasterly, 8.05 feet on the arc of a curve to the left (said curve having a radius of 215.00 feet, a central angle of 02° 08' 40" and a chord which bears N 09° 16' 30" E, 8.05 feet) to point a non-tangent point on said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200); Thence Northeasterly along said original Westerly right of way line of New Mexico State Highway Commission Right of Way Map, New Mexico Project Number S-1309(200) for the following two (2) courses:

N 40° 57' 49" E, 169.65 feet to a point of curvature; Thence,

Northeasterly, 44.83 feet on the arc of a curve to the left (said curve having a radius of 5654.58 feet, a central angle of 00° 27' 15" and a chord which bears N 40° 44' 10" E, 44.83 feet) to the Northwest corner and point of beginning of the parcel herein described.

Said parcel contains 2.2778 more or less.



SHEET 2 OF 2
SURVOTEK, INC.
 10000 W. 10th Ave., Suite 100, Denver, CO 80202
 (303) 751-1000



TRACT N-1A-1
 SEVEN BAR RANCH
 Plat No. 100, 1989 in Volume 100, Page 24

TRACT C-4
 COTTONWOOD MALL
 Plat No. 100, 1989 in Volume 100, Page 24

TRACT C-3A
 COTTONWOOD MALL
 Plat No. 100, 1989 in Volume 100, Page 24

COORS BOULEVARD
 (MINING PROJECT NO. 8-1009200)

PARCEL A
 2.776 AC.

TRACT J-1-A
 WINDMILL ESTATES
 Plat No. 100, 1989 in Volume 100, Page 24

TRACT 5-A
 ARROYO DE LAS CALABACILLAS
 Plat No. 100, 1989 in Volume 100, Page 24

LOT 5
 COTTONWOOD CROSSING
 Plat No. 100, 1989 in Volume 100, Page 24

LOT 4B
 COTTONWOOD CROSSING
 Plat No. 100, 1989 in Volume 100, Page 24

LOT 4A
 COTTONWOOD CROSSING
 Plat No. 100, 1989 in Volume 100, Page 24

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

Original Coors Road R/W
 100' 0" 1989

PROJECT #
84-10101

July 16, 2014

~~X~~