



<b>SUBDIVISION</b>		Supplemental Form (SF)		<b>ZONING &amp; PLANNING</b>	
<input type="checkbox"/>	Major subdivision action	<b>S</b>	<b>Z</b>	<input type="checkbox"/>	Annexation
<input checked="" type="checkbox"/>	Minor subdivision action	<b>V</b>		<input type="checkbox"/>	Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/>	Vacation	<b>P</b>		<input type="checkbox"/>	Adoption of Rank 2 or 3 Plan or similar
<input type="checkbox"/>	Variance (Non-Zoning)	<b>D</b>		<input type="checkbox"/>	Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<b>SITE DEVELOPMENT PLAN</b>		<b>L</b>	<b>A</b>	<b>APPEAL / PROTEST of...</b>	
<input checked="" type="checkbox"/>	for Subdivision			Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other	
<input type="checkbox"/>	for Building Permit				
<input type="checkbox"/>	Administrative Amendment (AA)				
<input type="checkbox"/>	Administrative Approval (DRT, URT, etc.)				
<input type="checkbox"/>	IP Master Development Plan				
<input type="checkbox"/>	Cert. of Appropriateness (LUCC)				
<b>STORM DRAINAGE (Form D)</b>					
<input type="checkbox"/>	Storm Drainage Cost Allocation Plan				

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): Tierra West LLC PHONE: 505-858-3100  
 ADDRESS: 5571 Midway Park Place, NE FAX: 505-858-1118  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: rrb@tierrawestllc.com  
 APPLICANT: W & M Company- Bill Gunther PHONE: 505-296-4146  
 ADDRESS: 8220 La Mirada Rd. NE, Suite 300 FAX: 505-296-0907  
 CITY: Albuquerque STATE NM ZIP 87109 E-MAIL: billg5469@aol.com  
 Proprietary interest in site: Owner List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: Minor Subdivision Preliminary/Final Plat Approval and Vacation of Private 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. Tracts A-1-C-1, A-1-D-1, & A-1-E-1 Block: \_\_\_\_\_ Unit: \_\_\_\_\_  
 Subdiv/Addn/TBKA: Los Pastores Shopping Center  
 Existing Zoning: C-2 Proposed zoning: N/A MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): F-19-Z/ G-19-Z UPC Code: 101906149805240507

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1010550  
Z-1238/ S-1214, 15EPC-40032/16EPC-40040, 16DRB-70420

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? N/A  
 No. of existing lots: 3 No. of proposed lots: 3 Total site area (acres): 4.1885 +/-  
 LOCATION OF PROPERTY BY STREETS: On or Near: Wyoming Blvd. NE  
 Between: Montgomery Blvd. NE and \_\_\_\_\_  
 Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE [Signature] DATE 03/21/2017  
 (Print Name) Ronald R. Bohannon, P.E. Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 11/2014

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

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

Staff signature & Date \_\_\_\_\_

**FORM 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
- 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.

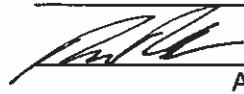
PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.

- 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.

Ronald R. Bohannon

 Applicant name (print)  
3/21/17  
Applicant signature / date



Form revised October 2007

- |  |                          |
|--|--------------------------|
| <input type="checkbox"/> Checklists complete | Application case numbers |
| <input type="checkbox"/> Fees collected      | _____ - _____ - _____    |
| <input type="checkbox"/> Case #s assigned    | _____ - _____ - _____    |
| <input type="checkbox"/> Related #s listed   | _____ - _____ - _____    |

Project # \_\_\_\_\_  
Planner 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.**

- 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  
 \_\_\_ 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 SIDEWALK CONSTRUCTION (DRB19)**  
 **EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**  
 \_\_\_ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**  
 \_\_\_ Zone Atlas map with the entire property(ies) clearly outlined  
 \_\_\_ Letter briefly describing, explaining, and justifying the deferral or extension  
 \_\_\_ List any original and/or related file numbers on the cover application  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**  
 **VACATION OF RECORDED PLAT (DRB29)**  
 The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**  
 Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**  
 Zone Atlas map with the entire property(ies) clearly outlined  
 Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**  
 Letter of authorization from the grantors and the beneficiaries (private easement only)  
 Fee (see schedule)  
 List any original and/or related file numbers on the cover application  
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.  
**DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Ronald R. Bohannon

\_\_\_\_\_  
 Applicant name (print)  
 3/23/12  
 Applicant signature / date



Form revised 4/07

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

\_\_\_\_\_  
 Planner signature / date  
 Project # \_\_\_\_\_

9/11

# TIERRA WEST, LLC

March 20, 2017

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

**RE: 15EPC-40032/16EPC-40040; CITY PROJECT# 1010550  
PRELIMINARY/FINAL PLAT (MINOR SUB), EASEMENT VACATION REQUEST  
LOS PASTORES SHOPPING CENTER**

Dear Mr. Cloud:

Tierra West, LLC, on behalf of W&M Company, requests DRB review and approval of the Minor Subdivision Preliminary/Final plat and Request for Vacation of Easement. The purpose of the plat is to document the vacation of an existing private access easement and to grant an additional 6-foot wide private access easement (adjacent to an existing 30-foot wide private access easement previously dedicated) to correlate with a proposed 30-foot private access driveway as shown on the Site Development Plan for Building Permit for Tract A-1-D-1 (Starbucks Development, 16EPC-40040).

The site is located on the northwest corner of Montgomery Boulevard NE and Wyoming Boulevard NE and encompasses Tracts A-1-C-1, A-1-D-1, and A-1-E-1, Los Pastores Shopping Center, recorded October 14, 2016. The reason for the Vacation of Easement request is to vacate an antiquated easement alignment granted on 01/20/2010 "over existing asphalt pavement", for which the physical driveway improvements are being removed and reconstructed over the newly dedicated private access easements which correlate with the approved Site Development Plan for Subdivision and Site Development Plan for Building permit referenced above. A Subdivision Improvements Agreement for the approved Infrastructure List was recorded for the public infrastructure deemed necessary for this development.

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

Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

cc: Tom Bonham  
Bill Gunther  
Mark Manuey

JN: 2014052  
RRB/jdh/jg

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

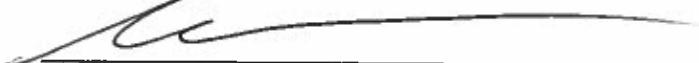
March 16, 2017

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

**RE: MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL  
VACATION OF PRIVATE EASEMENT  
TRACTS A-1-Z-1, A-1-D-1 & A-1-E-1 LOS PASTORES SHOPPING CENTER  
ZONE ATLAS PAGE F-19-Z**

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

\_\_\_\_\_  
Marc Mauney

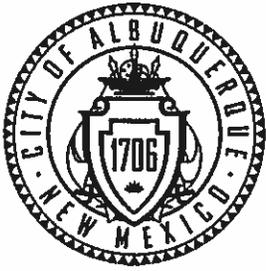
  
\_\_\_\_\_  
Signature

Manager of Mauney Investments, LLC  
General Partner of W & M Co.

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

3/17/2017



City of Albuquerque  
P.O. Box 1293 Albuquerque, New Mexico 87103  
**Planning Department**  
Suzanne Lubar, Director

Richard J. Berry, Mayor  
Administrative Officer  
July 2, 2015

Robert J. Perry, Chief

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**SUBJECT: ALBUQUERQUE ARCHAEOLOGICAL ORDINANCE—Compliance Documentation**

**Project Number(s):** Z-1238 (1963), Z-77-165 (1977)  
**Case Number(s):**  
**Agent:** Tierra West, LLC  
**Applicant:**  
**Legal Description:** Tract A-1, Los Pastores Shopping Center  
**Zoning:** C-2  
**Acreage:** 5.75 Acres  
**Zone Atlas Page:** F-19

**CERTIFICATE OF NO EFFECT:** Yes  No

**CERTIFICATE OF APPROVAL:** Yes  No

**TREATMENT PLAN REVIEW:**  
**DISCOVERY:**

**SUPPORTING DOCUMENTATION:**

**SITE VISIT:** YES, July 2, 2015. Tract extensively graded and large areas covered by 3 top 4 feet of modern fill.

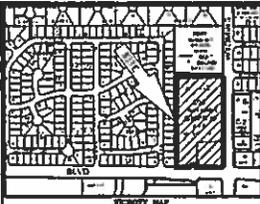
**RECOMMENDATION(S):**

- *CERTIFICATE OF NO EFFECT IS ISSUED (ref O-07-72 Section 4B(2)—extensive previous land disturbance) .*

MFSchmader

Matthew Schmader, PhD  
Superintendent, Open Space Division  
City Archaeologist





**EASEMENT SURVEY**  
FOR  
**TRACTS 1, 2 AND A-1**  
**LOS PASTORES SHOPPING CENTER**  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO

RECORDING INFORMATION

1. OFFICE OF RECORD: BERN COUNTY & LAND & WATER POL. RECORDS/PROPERTY TAX SERVICES
2. PROPERTY IS WITHIN SECTION 31, T. 11 N., R. 4 E., N.M.P.M.
3. THIS IS A SURVEY OF AN EXISTING TRACT OF LAND, NO PROPERTY LINES ARE BEING ADDED, COLETED OR MOVED.

CLERKS RECORDING STAMP

DOC# 2010004789  
 1/20/2010 09:26 AM Page 1 of 2  
 Volume 9 313 00 0 2010 9 0004 R Toulson 011000 Bernalillo Co  
 [Barcode]

LEGAL DESCRIPTION A.

A CERTAIN TRACT OF LAND BEING AN EASEMENT OVER THE EXISTING ASPHALT PAVEMENT BEING LOCATED WITHIN TRACT LETTERED A-1 OF THE REVISIONS OF TRACT "F" LOS PASTORES SHOPPING CENTER, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESCRIBED IN THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON NOVEMBER 8, 1999 IN VOLUME 99-C, FOLD 079 SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF THE MEXICAN RESOURCES EASEMENT, WHENCE THE NORTHEAST CORNER OF SAID TRACT A-1 BEARS S 89°29'47" E, A DISTANCE OF 324.53 FEET RUNNING THENCE AS AN EASEMENT ALONG THE WEST LINE OF VYDING BOLLINGER FOR THE HEAT 3 CALLS:  
 1. S 89°29'47" E, A DISTANCE OF 140.75 FEET;  
 2. S 89°29'47" E, A DISTANCE OF 183.78 FEET TO A POINT;  
 THENCE LEAVING THE WEST LINE OF VYDING BOLLINGER, S 89°29'47" E, A DISTANCE OF 148.80 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 324.53 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE NORTHEAST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 148.80 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO A POINT;  
 THENCE N 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING.

LEGAL DESCRIPTION B.

A CERTAIN TRACT OF LAND BEING AN EASEMENT LOCATED WITHIN THE STRIP PARCEL, WHICH IS LOCATED WITHIN TRACT 1, LOS PASTORES SHOPPING CENTER, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESCRIBED IN THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JANUARY 16, 1983 IN VOLUME 83-143 IN VOLUME CAPTULO 146, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF THE MEXICAN RESOURCES EASEMENT, BEING A POINT ON THE WEST LINE OF SAID TRACT 1, WHENCE THE NORTHEAST CORNER OF SAID TRACT 1 BEARS S 89°29'47" E, A DISTANCE OF 126.74 FEET RUNNING THENCE AS AN EASEMENT S 44°27'43" E, A DISTANCE OF 324.53 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE NORTHEAST CORNER;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING.

LEGAL DESCRIPTION C.

A CERTAIN TRACT OF LAND BEING AN EASEMENT LOCATED WITHIN THE STRIP PARCEL, WHICH IS LOCATED WITHIN TRACT 1, LOS PASTORES SHOPPING CENTER, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESCRIBED IN THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JANUARY 16, 1983 IN VOLUME 83-143 IN VOLUME CAPTULO 146, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF THE MEXICAN RESOURCES EASEMENT, BEING A POINT ON THE WEST LINE OF SAID TRACT 1, WHENCE THE NORTHEAST CORNER OF SAID TRACT 1 BEARS S 89°29'47" E, A DISTANCE OF 324.53 FEET RUNNING THENCE AS AN EASEMENT S 44°27'43" E, A DISTANCE OF 324.53 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE NORTHEAST CORNER;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING.

LEGAL DESCRIPTION D.

A CERTAIN TRACT OF LAND BEING AN EASEMENT LOCATED WITHIN THE STRIP PARCEL, WHICH IS LOCATED WITHIN TRACT 1, LOS PASTORES SHOPPING CENTER, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESCRIBED IN THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JANUARY 16, 1983 IN VOLUME 83-143 IN VOLUME CAPTULO 146, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHEAST CORNER OF THE MEXICAN RESOURCES EASEMENT, BEING A POINT ON THE NORTH LINE OF SAID TRACT 1, WHENCE THE NORTHEAST CORNER OF SAID TRACT 1 BEARS N 89°29'47" E, A DISTANCE OF 324.53 FEET RUNNING THENCE AS AN EASEMENT S 89°29'47" E, A DISTANCE OF 324.53 FEET TO A POINT;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE SOUTHWEST CORNER;  
 THENCE N 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE NORTHEAST CORNER;  
 THENCE S 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE NORTHEAST CORNER AND PLACE OF BEGINNING.

LEGAL DESCRIPTION E.

A CERTAIN TRACT OF LAND BEING AN EASEMENT LOCATED WITHIN TRACT LETTERED A-1 OF THE REVISIONS OF TRACT "F" LOS PASTORES SHOPPING CENTER, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO AS THE SAME IS SHOWN AND DESCRIBED IN THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON NOVEMBER 8, 1999 IN VOLUME 99-C, FOLD 079 SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF THE MEXICAN RESOURCES EASEMENT, WHENCE THE SOUTHWEST CORNER OF SAID TRACT A-1 BEARS S 79°47'27" E, A DISTANCE OF 324.53 FEET RUNNING THENCE AS AN EASEMENT S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE S 89°29'47" E, A DISTANCE OF 148.80 FEET TO THE SOUTHWEST CORNER;  
 THENCE S 89°29'47" E, A DISTANCE OF 324.53 FEET TO THE SOUTHWEST CORNER AND PLACE OF BEGINNING.

- GENERAL NOTES:
1. OFFICE OF RECORD FOR THE BERNALILLO COUNTY AMERICAS OFFICE IS BERN COUNTY & LAND & WATER POL. RECORDS/PROPERTY TAX SERVICES
  2. LEGAL DESCRIPTION AND EASEMENTS SHOWN ARE BASED ON THE PLATS OF RECORD AND FIELD INFORMATION.
  3. PLAT USED TO ESTABLISH BOUNDARY:
  4. LOS PASTORES SHOPPING CENTER FILED JANUARY 16, 1983 IN VOLUME C, FOLD 40
  5. FIELD WORK PERFORMED ON RECORDS 3008.



*Anthony L. Hays* 1-17-10

**EASEMENT SURVEY**  
 FOR  
**TRACTS 1, 2 AND A-1**  
**LOS PASTORES SHOPPING CENTER**  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO

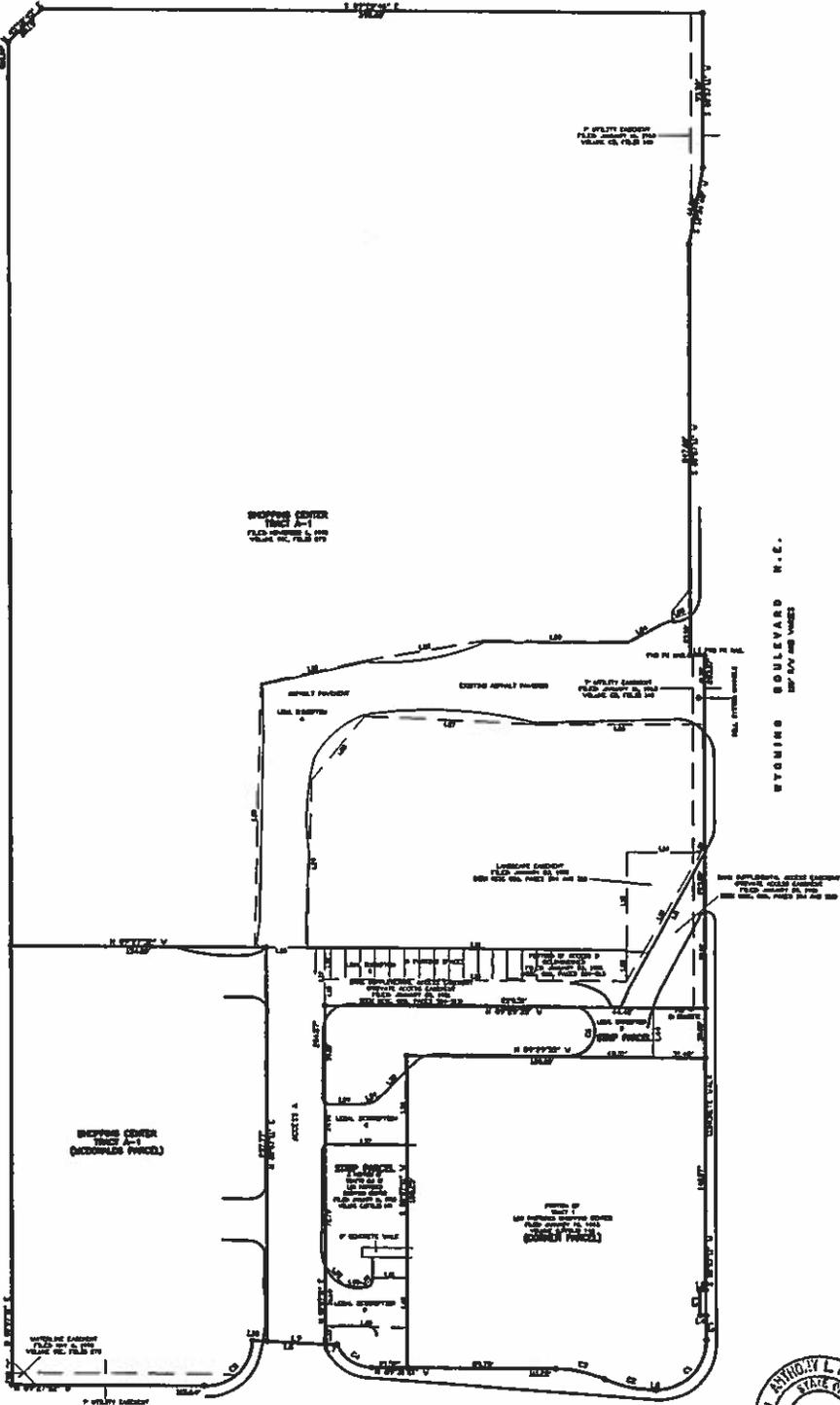
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 11/11/2010 11:20 AM Page 2 of 2  
 11/11/2010 11:20 AM Page 2 of 2

20' PUBLIC ALLEY



20' PUBLIC ALLEY

WYOMING BOULEVARD N.E.  
 100' R/W AND 10' W/2



MONTGOMERY BOULEVARD N.E.  
 100' R/W



*Anthony L. Harris* 1-17-10

NO.	DESCRIPTION	BEARING	DISTANCE	AREA
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## AMENDMENT TO EASEMENT AGREEMENT

THIS AMENDMENT TO EASEMENT AGREEMENT is dated effective this 17th day of February, 2017, and amends that certain Easement Agreement dated effective February, 16, 2010, and filed for record with the Bernalillo County Clerk on February 22, 2010, as Document 2010014901, which was entered into by and between W & M Co., a New Mexico general partnership, of the First Part, Raymond C. Matteucci joined by Mary Elizabeth Matteucci, his wife, and Paul J. Matteucci joined by Judith L. Matteucci, his wife, of the Second Part, Helen Louise Mauney, Trustee of Trust A-1, and Marc Mauney, Trustee of Trust A-1, of the Charles Vance Mauney and Helen Louise Mauney Revocable Trust under Agreement dated August 31, 1984, of the Third Part, Paul J. Matteucci and Judith L. Matteucci, husband and wife, of the Fourth Part, and Linda A. Smith, a married woman as her sole and separate property, of the Fifth Part, (hereinafter referred to as the Easement Agreement).

WHEREAS, Mauney Investments, LLC, a New Mexico limited liability company, by various assignments is the successor to Helen Louise Mauney, Trustee of Trust A-1, and Marc Mauney, Trustee of Trust A-1, of the Charles Vance Mauney and Helen Louise Mauney Revocable Trust under Agreement dated August 31, as General Partner of W & M Co., a New Mexico general partnership, Party of the First Part under the Easement Agreement, and

WHEREAS, Mauney Investments, LLC, a New Mexico limited liability company, by various conveyances is the successor in interest to Helen Louise Mauney, Trustee of Trust A-1, and Marc Mauney, Trustee of Trust A-1, of the Charles Vance Mauney and Helen Louise Mauney Revocable Trust under Agreement dated August 31, 1984, Party of the Third Part under the Easement Agreement; and

WHEREAS, Paul J. Matteucci and Judith L. Matteucci, Trustees of the Paul J. Matteucci and Judith L. Matteucci Revocable Trust under Agreement dated September 24, 1996, as amended, as grantee is the successor in interest to Paul J. Matteucci and Judith L. Matteucci, husband and wife, Party of the of the Second Part and Party of the Fourth Part under the Easement Agreement; and

WHEREAS, Harold G. Field, Trustee of the Harold G. Field Trust is the grantee and successor in interest to Linda A. Smith, a married woman as her sole and separate property, Party of the Fifth Part under the Easement Agreement, and

Doc# 2017017029

02/24/2017 10:48 AM Page 1 of 8  
EASE R \$25.00 Linda Stover, Bernalillo County



WHEREAS, that certain realty described as Parcel 1 in the Easement Agreement, therein referred to as the "Shopping Center" has been subdivided and is now described as Tracts A-1-A, A-1-B, A-1-C, A-1-D, A-1-E, & A-1-F of Los Pastores Shopping Center as shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on October 14, 2016, in Plat Volume 2016C, folio 124 as Document 2016097396, (hereinafter referred to as the Los Pastores Shopping Center Plat);

WHEREAS, M-M Co., a general partnership, executed a Grant of Easement in favor of First National Bank of Albuquerque, a national banking association (now Wells Fargo Bank, NA) dated January 8, 1981, and recorded January 23, 1981 in Book Misc. 826 pages 304-313, records of Bernalillo County, New Mexico (hereinafter referred to as the Bank Grant of Easement).

WHEREAS the Parties wish to amend the Easement Agreement, it is now, THEREFORE, agreed by and between the Parties that the Easement Agreement is amended as follows:

1. The landscaping easement over the realty subject to the Bank Landscaping Easement, as provided in paragraph 4 of the Easement Agreement, is hereby amended to allow the encroachment thereon of any improvement(s) shown on any site development plan now or hereafter approved by the City of Albuquerque on or for Tract A-1-D of the Los Pastores Shopping Center Plat. The site development plan attached hereto as Exhibit A has been approved by the City of Albuquerque for Tract A-1-D.

2. The non-exclusive easement for access, ingress and egress and underground utility lines over the Existing Asphalt Pavement, as provided in paragraph 5 of the Easement Agreement, is hereby changed by the owner of the Shopping Center (Parcel 1) as to such easement's location and dimensions to coincide with the boundaries of that portion of the 30' Private Access Easement shown on the Los Pastores Shopping Center Plat that is between Tracts A-1-C and A-1-D and/or between Tracts A-1-D and A-1-E and/or between Tracts A-1-E and the southerly most 15' of A-1-C.

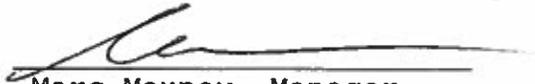
3. The landscaping easement granted in section 11 of the Bank Grant of Easement in favor of Wells Fargo Bank NA was relinquished by Wells Fargo Bank, NA pursuant to the following unrecorded Leases, to wit: (i) Lease dated April 20, 2012 for certain premises designated therein as the "Corner Parcel" by and between by and between Raymond C. Matteucci, and Mary Elizabeth Matteucci, his wife, and Paul J. Matteucci and Judith L. Matteucci, his wife, as Lessor, and Wells Fargo Bank, NA, a national banking

association, as Lessee; and (ii) Lease dated April 20, 2012 for certain premises designated therein as the "Strip Parcel" by and between Helen Louise Mauney, Trustee of Trust A-1, and Marc Mauney, Trustee of Trust A-1, of the Charles Vance Malmey and Helen Louise Mauney Revocable Trust under Agreement dated August 31, 1984, Paul J. Matteucci and Judith L. Matteucci, husband and wife, and Linda A. Smith, a married woman as her sole and separate property, as Lessor, and Wells Fargo Bank, NA, a national banking association, as Lessee.

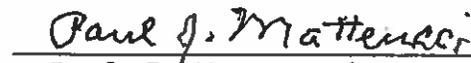
In Witness Whereof, the parties hereto execute this Amendment to Easement Agreement effective the date first hereinabove set forth.

**OWNER OF PARCEL 1 - SHOPPING CENTER**

W&M Co.,  
a New Mexico general partnership

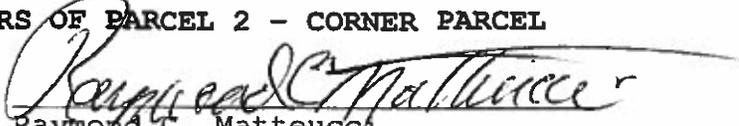
By: 

Marc Mauney, Manager,  
Mauney Investments, LLC,  
a New Mexico limited liability company,  
General Partner

By: 

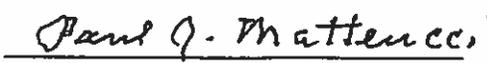
Paul J. Matteucci,  
Trustee of the Paul J. Matteucci  
Generation Skipping Trust, under Agreement  
dated May 10, 1989, as amended,  
General Partner

**OWNERS OF PARCEL 2 - CORNER PARCEL**

  
Raymond C. Matteucci

Joined by:

  
Mary Elizabeth Matteucci, his wife

  
Paul J. Matteucci,

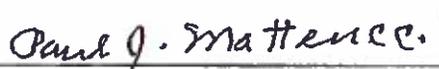
Trustee of the Paul J. Matteucci  
and Judith L. Matteucci Revocable Trust  
(Under Agreement dated September 24, 1996  
as amended)

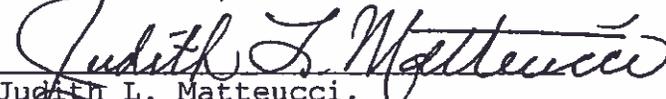
  
Judith L. Matteucci,  
Trustee of the Paul J. Matteucci  
and Judith L. Matteucci Revocable Trust  
(Under Agreement dated September 24, 1996  
as amended)

**OWNERS OF PARCEL 3 STRIP PARCEL**

Mauney Investments, LLC,  
a New Mexico limited liability company

  
By: Marc Mauney, Manager

  
Paul J. Matteucci,  
Trustee of the Paul J. Matteucci  
and Judith L. Matteucci Revocable Trust  
(Under Agreement dated September 24, 1996  
as amended)

  
Judith L. Matteucci,  
Trustee of the Paul J. Matteucci  
and Judith L. Matteucci Revocable Trust  
(Under Agreement dated September 24, 1996  
as amended)

  
Harold G. Field, Trustee of the  
Harold G. Field Trust

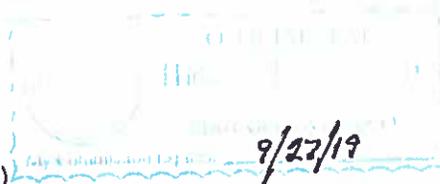


STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2017, by Raymond C. Matteucci and Mary Elizabeth Matteucci, husband and wife.

  
NOTARY PUBLIC

My Commission Expires:  
9/27/19

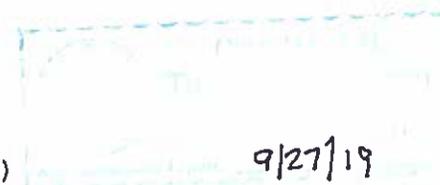


STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of February, 2010, by Paul J. Matteucci and Judith L. Matteucci, Trustees of the Paul J. Matteucci and Judith L. Matteucci Revocable Trust (under Agreement dated September 24, 1996, as amended).

  
NOTARY PUBLIC

My Commission Expires:  
9/27/19



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

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of February, 2017, by Harold G. Field, Trustee of the Harold G. Field Trust.

  
NOTARY PUBLIC

My Commission Expires:  
9/27/19

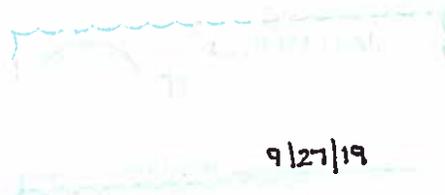


EXHIBIT A

Architectural Site Plan Sheet Number A-1001 last revised  
02/14/17 attached hereto.

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**SUBDIVISION IMPROVEMENTS AGREEMENT PUBLIC AND/OR PRIVATE**  
**(Procedure B)**

**AGREEMENT TO CONSTRUCT**  
**PUBLIC AND/OR PRIVATE SUBDIVISION IMPROVEMENTS**

THIS AGREEMENT is made this 20<sup>th</sup> day of September, 2016, by and between the City of Albuquerque, New Mexico ("City"), a municipal corporation, whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and W & M CO, a General Partnership, ("Subdivider"), a [state the type of business entity, for instance, "New Mexico corporation," "general partnership," "joint venture," "individual," etc.:], whose address is 8220 La Mirada Rd. NE, Suite 300, Albuquerque, NM 87109 and whose telephone number is (505) 296-4146, is made in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Subdivider is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] Tract A-1 Redivision of Tract A (now comprising Tracts A1 & A2), recorded on November 06, 1990 in volume 90C, folio 275, in the records of the Bernalillo County Clerk, State of New Mexico (the "Subdivision"). The Subdivider certifies that the Subdivision is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title in the Subdivision to the present owner:] W & M CO a General Partnership ("Owner").

The Subdivider has submitted and the City has approved a preliminary plat or Site Development Plan identified as Los Pastores Shopping Center describing Subdivider's Property ("Subdivider's Property").

As a result of the development of the City's Subdivision, the Subdivision Ordinance ("S.O.") and/or the Zoning Code, Section 14-16-3-11, require the Subdivider, at no cost to the City, to install certain public and/or private improvements, which are reasonably related to the development of the Subdivision, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat, building permit or the Site Development Plan for the Subdivision.

2. Improvements and Construction Deadline. The Subdivider agrees to install and complete the public and/or private improvements described in Exhibit A, the required infrastructure listing ("Improvements"), to the satisfaction of the City, on or before the September 15, 20 17, ("Construction Completion Deadline"), at no cost to the City. The Improvements are shown in greater detail on the Subdivider's proposed and approved plans, which have been filed with the City Engineer and are identified as Project No. 719880.  
Note: To compute the Construction Completion Deadline: If a final plat will be filed after Subdivider meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See S.O. Section 14-14-3.) If a



final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the City's Development Review Board ("DRB"), unless the DRB grants an extension, not to exceed one additional year per extension, and the Subdivider processes an amendment to the Agreement. (See S.O. Section 14-14-3.) If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Subdivider may obtain an extension of the Construction Completion Deadline if Subdivider shows adequate reason for the extension.

3. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. Work Order Requirements. The City agrees to issue a Work Order after:

A. The Subdivider causes to be submitted all documents, and meets all requirements listed in Development Process Manual ("DPM"), Volume 1, Chapter 5, Work Order Process, and Figure 1, including submitting a Certificate of Insurance in a form acceptable to the City. The certificate must establish that the Subdivider has procured, or has caused to be procured, public liability insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage as a result of any condition of the Subdivision, the Improvements, or the Subdivider's construction activities within, or related to the Subdivision. The insurance policy must name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. If the Improvements include water and wastewater infrastructure, the insurance policy must name the ABCWUA, its employees, officers and agents, as their interest may appear, as additional insureds. The Subdivider must maintain the insurance until the City accepts the public Improvements and/or approves the private Improvements. The cancellation provision must provide that if the policy is either canceled prior to the expiration date of the policy or is materially changed or not renewed, the issuing company will mail thirty (30) days written notice to the City, attention City Engineer.

B. The Subdivider complies with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pays the following required engineering, staking, testing fees, and other related City fees and County Clerk recording fees:

Type of Fee	Amount
Engineering Fee	3.25%
Street Excavation and Barricading Ordinance and street restoration fees	As required per City-approved estimate (figure 7)

Note: The Subdivider must pay the City all City fees which have been incurred during construction before the City will accept the public Improvements.

5. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the public Improvements shall be performed by Surv-Tek, and construction surveying of the private Improvements shall be performed by Surv-Tek. If the construction surveying is performed by an entity other than the City, the City may monitor the construction surveying and the Subdivider shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey. The Subdivider shall pay the City a reasonable fee for any construction surveying performed by the City.

B. Construction Inspection Methods. Inspection of the construction of the public Improvements shall be performed by Tierra West, LLC and inspection of the private Improvements shall be performed by Tierra West, LLC, both New Mexico Registered Professional Engineers. If the inspection is performed by an entity other than the City, the City may monitor the inspection and the Subdivider shall ensure that the inspecting entity provides all inspection results, reports and related data to the City which the City requires for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the Improvements, if deemed necessary or advisable by the City Engineer. The Subdivider shall pay the City a reasonable fee for the level of inspection performed by the City.

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Terracon, and field testing of the private Improvements shall be performed by Terracon both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the Subdivider shall ensure that the field testing entity provides

all field testing results, reports and related data to the City which the City requires for review. The Subdivider shall pay the City a reasonable fee for any field testing performed by the City.

D. Additional Testing. The City retains the right to perform all additional testing which the City Engineer deems is necessary or advisable, and the Subdivider shall pay the City a reasonable fee therefore.

6. Financial Guaranty. If final plat approval is not requested prior to construction of the Subdivision, a financial guaranty is not required. If final plat approval is requested, the Subdivider must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit, or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the City's S.O. requirements, the Subdivider has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Check # 3789  
Amount: \$311,400.60  
Name of Financial Institution or Surety providing Guaranty: \_\_\_\_\_  
Date City first able to call Guaranty (Construction Completion Deadline):  
09/15/2017  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is:  
11/15/2017  
Additional information: \_\_\_\_\_

7. Notice of Start of Construction. Before construction begins, the Subdivider shall deliver an acceptable Notice to Proceed to the City and shall arrange for a preconstruction conference and all required inspections.

8. Completion, Acceptance and Termination. When the City receives Subdivider's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Volume 1, Chapter 5, Work Order Process, Step 9.) If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the public Improvements and a Certificate of Completion for the private Improvements. Thereafter, the Subdivider's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Subdivider has provided to assure the materials and workmanship, as required by the S.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon, or in which, the public Improvements are constructed, the Subdivider will convey to the City all real and personal property rights which the City deems reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat of the Subdivision.

10. Reduction of Financial Guaranty Upon Partial Completion. The Subdivider shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Subdivider must follow the procedures and meet the requirements detailed in the DPM, Volume 1, Chapter 5.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed, and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the Subdivider must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the S.O.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

11. Indemnification. Until the Improvements are accepted by the City, the Subdivider shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Subdivider agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Subdivider, its agents, representatives, contractors or subcontractors or arising from the failure of the Subdivider, its agents, representatives, contractors or subcontractors to perform any act or duty required of the

Subdivider herein. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

12. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Subdivider and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

13. Release. If the Subdivision or any part thereof is sold, conveyed or assigned, the City will not release the Subdivider from its obligations under this Agreement and will continue to hold the Subdivider responsible for all Improvements until a successor in interest to the Subdivider has entered into a Subdivision Improvements Agreement with the City. Thereafter, if the Subdivider's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

14. Payment for Incomplete Improvements. If the Subdivider fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Subdivider shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to, engineering, legal, and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Subdivider's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Subdivider shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

15. Binding on Subdivider's Property. The provisions of this Agreement constitute covenants running with Subdivider's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Subdivider and the Owner and their heirs, successors and assigns.

16. Notice. For purposes of giving formal written notice, including notice of change of address, the Subdivider's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six (6) days after the notice is mailed if there is no actual evidence of receipt.

17. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

18. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

19. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

20. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

21. Form not Changed. Subdivider agrees that changes to this form are not binding unless initiated by the subdivider and signed by the City Legal Department on this form.

22. Authority to Execute. If the Subdivider signing below is not the Owner of the Subdivision, the Owner must execute the Power of Attorney below.

Executed on the date stated in the first paragraph of this Agreement.



Date Submitted 6-1-16  
 Date Site Plan Approved 6-1-16  
 Date Preliminary Plat Approved 6-1-16  
 Date Preliminary Plat Expires 6-1-17  
 DRB Project No. 1010550  
 DRB Application No.

INFRASTRUCTURE LIST

EXHIBIT "A"  
 TO SUBDIVISION IMPROVEMENTS AGREEMENT  
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

LOS PASTORES SHOPPING CENTER  
 PROPOSED NAME OF PLAT

Tract A-1 Redivision of TR A (Now Comprising TRS A1&A2) Los Pastores Shopping Center  
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Following is a summary of PUBLIC-PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This Listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantees. Likewise if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair in the User Department and agent/owner. If such approvals are obtained, those revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Crst Engineer
		24' EP-EP	Alley Paving	Public Alley	Wyoming Blvd	265 ft North of Montgomery		
		20'	Exist Alley Paving Remove and Replace	Public Alley	Montgomery Blvd	265 ft North of Montgomery		
		24' EP-EP	Driveway Modification	Wyoming Blvd	SE Property BDY			
			Approach & Left Turn Lane Re-striping	Pennsylvania St	Wyoming Blvd	200 ft South of Wyoming		
			Approach & Left Turn Lane Re-striping	Pennsylvania St	Wyoming Blvd	225 ft North of Wyoming		
			Approach & Left Turn Lane Re-striping	Osuna Road	Western end of center-line transition	Wyoming Blvd		

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		Approval of Creditable Items:	City User Dept. Signature	Date
							Inspector	P.E. Engineer			

**NOTES**

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA. Street lights per City requirements.

- 
- 
- 

**AGENT / OWNER**

Ronald R. Bohannon  
NAME (print)

Tierra West, LLC  
FIRM

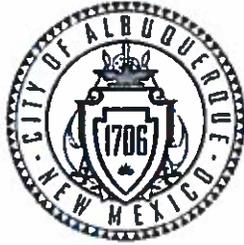
SIGNATURE - date

**DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

DRB CHAIR - date 6-1-16  
 TRANSPORTATION DEVELOPMENT - date 6/1/16  
 UTILITY DEVELOPMENT - date 6/1/16  
 CITY ENGINEER - date 6/1/16  
 AMAFCA - date \_\_\_\_\_  
 PARKS & RECREATION - date \_\_\_\_\_

**DESIGN REVIEW COMMITTEE REVISIONS**

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER



City of Albuquerque Treasury  
 J-24 Deposit  
 Date: 9/14/2016 Office: ANHEV  
 Station: 100500012 Counter: TRSKRS  
 Batch: 7497 Transit: 29  
 Fund: 110 Account ID:  
 Account: 233100 Project ID:  
 Dept ID: 7000110  
 Phone: 505.311.4006  
 Fax: 505.311.4006  
 E-mail: 311.200.60

**TREASURY DIVISION DAILY DEPOSIT**

Transmittals for:  
**NON PROJECTS Only**

CASH COUNT	AMOUNT	ACCOUNT NUMBER	FUND NUMBER	DEPARTMENT ID	LOCATION	AMOUNT
X 100's =						\$
X 50's =						\$
X 20's =						\$
X 10's =						\$
X 5's =						\$
X 1's =						\$
TOTAL CURRENCY	\$					\$
TOTAL COINS	\$					\$
TOTAL CHECKS	\$311,400.60	233100	110	7000110	N/A	\$311,400.60
						\$
TOTAL AMOUNT					TOTAL DEPOSIT	\$ 311,400.60

\*\*SEE TAPE ATTACHMENT

CPN#: 719880 Name: Los Pastores Shopping Center  
 FINANCIAL GUARANTY

DEPARTMENT NAME: Planning Department/Construction Services

PREPARED BY Charlotte LaBadie PHONE 924-3996

BUSINESS DATE 09/14/2016

DUAL VERIFICATION OF DEPOSIT Charlotte LaBadie  
 EMPLOYEE SIGNATURE

AND BY [Signature]  
 EMPLOYEE SIGNATURE

REMITTER: W. & M. Co.

AMOUNT: \$311,400.60

BANK: BANK OF AMERICA

CHECK #: 3789 DATE ON CHECK: 9/7/16



**DESIGN STANDARDS**

**I. PURPOSE & INTENT**

The purpose of these Design Standards is to provide a framework for designers to understand the vision and development goals for the property, and assist them in decision making to achieve the vision and goals. The intent of these standards is to create an aesthetically pleasing, pedestrian friendly, mixed use development that adds office, retail and restaurant amenities to the NW corner of Montgomery and Wyoming. Intended uses includes an office building, with retail, and restaurant establishments along Wyoming Boulevard.

**a. Goals:**

- i. Aesthetic treatments and material selection that provides consistency in design across the entire property.
- ii. A pedestrian friendly environment that provides pleasant outdoor spaces for users and achieves a park, once and walk outcome.

b. Existing buildings adjacent to Montgomery will remain.

c. Buildings proposed for this site to comply with C-2 regulations in the City of Albuquerque Code of Ordinances 14-16-2-17-C-2 Community Commercial Zone.

d. All Design Standards are intended to meet or exceed the requirements of the City of Albuquerque's Code of Ordinances.

**II. SETBACKS & BUILDING HEIGHT LIMITATIONS**

There is no lot size requirement for a lot in C-2 zone. Maximum FAR is 1.0.

a. All building setbacks shall be compliant with the C-2 zoning requirements in the City of Albuquerque Code of Ordinances 14-16-2-17 C-2 Community Commercial Zone, except as noted below.

- i. Building heights are regulated by the City of Albuquerque Code of Ordinances Section 14-16-2-15(C)(1) O-1 Office and Institution Zone which allows a maximum building height of 26', however, any structure over 26' must fall within 45 degree angle planes drawn from the horizontal at the mean grade along each internal boundary of the premises and each adjacent public right-of-way centerline. Additionally, structures shall not exceed 26' within 85' of a lot zoned specifically for houses.
- ii. Buildings on lots along Wyoming Boulevard shall be setback not more than 90 feet from the public right-of-way in order to limit the amount of parking between buildings and the street.

b. Landscape setbacks shall conform to the requirements of the City of Albuquerque's Code of Ordinances Section 14-16-3-10 Landscaping Regulations, except as noted below.

- i. Parking areas along Wyoming Boulevard shall be setback 15 feet from the public right-of-way to provide space for screening of parked cars through the use of plant materials or low walls. Where parking areas or driveways are not parallel with the street, the setback shall be an average of at least 15 feet.

c. Building overhangs, patio walls, and patios / plazas and other private amenities intended for use by patrons shall be permitted within this setback to allow for public and/or private nodes for building tenants.

**III. PARKING**

In order to support the goal of creating a pedestrian friendly environment, careful attention shall be given to parking area design. To lessen its visual impact, parking shall be broken into a series of smaller areas, and views of parking from on-site shall be interrupted with screening materials.

- a. Off-street parking areas, including space size, aisle widths, pedestrian pathways, and screening shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-10(L) Street Parking Regulations.
- i. Parking areas shall be designed to include a 6 foot wide minimum pedestrian connection to buildings.

- ii. Parking shall be placed behind buildings or screened from surrounding neighborhoods by means of 2.5 to 3 foot high walls and / or landscaping. Walls shall be architecturally cohesive with surrounding buildings.

b. Bicycle parking shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-1(B) Off-Street Parking Regulations.

- i. To encourage non-vehicular travel, provisions for near building entrances.

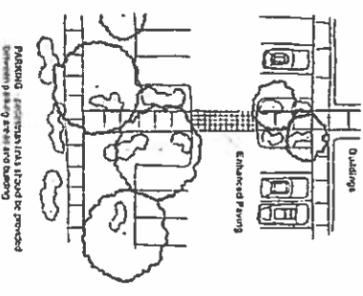
c. Motorcycle parking shall comply with Section 14-16-3-1(C) of the City of Albuquerque's Code of Ordinances.

d. Building orientation shall allow for clear visibility of the main entry from parking areas and pedestrian connections.

e. Grading & drainage design of parking areas shall comply with Chapter 22 of the City of Albuquerque's Code of Ordinances, and shall incorporate low impact development principles.

- i. All off-street parking areas shall comply with all First Flush Drainage Ordinance requirements.
- ii. Parking islands shall allow flow of water as a water harvesting device and as required to maintain proper drainage of the site.

f. All designated disabled parking spaces shall conform to the City of Albuquerque Code of Ordinances Section 14-16-3-1 (F)(9)(a)-(c) Off-Street Parking Regulations.



**IV. PEDESTRIAN CONNECTIONS & AMENITIES**

Pedestrian connectivity plays a major role in providing a pleasing environment. The following requirements are intended to help meet the property's goal of creating a pedestrian friendly atmosphere.

a. Pedestrian connections within parking lots shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-1(H) Off-Street Parking Regulations.

- i. Pedestrian movement from off-site and between buildings shall be encouraged by providing continuous pedestrian connections through parking areas and at the site's perimeter.

ii. Parking areas shall include pedestrian connections to all buildings within the approximately six and three quarter (6.75) acre site.

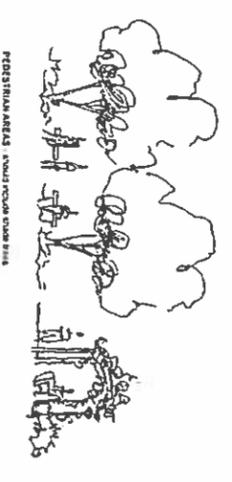
iii. Shade provided with trees or shade structures shall be provided at pedestrian connections to enhance the pedestrian experience.

b. A minimum 200 square feet of public space shall be provided at each restaurant establishment for outdoor seating or gathering. Public spaces for multiple restaurant establishments may be combined into one with a total area equal to 200 square feet per establishment.

- i. Public space or outdoor seating shall have areas of shade and be adjacent to landscape areas including trees or shrubs per the City of Albuquerque's Code of Ordinances Section 14-16-3-10(C)(4) General Building and Site Design Regulations.

ii. Shade provided may include shade sails, canopies, canvas umbrellas at tables, trees, or planting materials significant enough to provide shade and refuge from the sun.

- iii. Areas designated for public space or seating shall be defined with landscape elements, low seat walls, benches, planters, paving patterns, or materials distinguishable from the pedestrian sidewalk and parking areas.



**V. LANDSCAPING**

The site development landscape shall serve to enhance the visual aesthetic of the site and aid in reinforcing the street presence and pedestrian experience. The intent is to provide year round color and interest and reflect the natural environment of New Mexico landscape. A clear theme and image for the development shall be enforced throughout by consistent paving materials, plantings, signage, etc.

a. Street trees shall be provided as per the Street Tree Ordinance of the City of Albuquerque's Code of Ordinances Section 6-6-2-1 et seq. Street Tree Ordinance.

b. A minimum of 15% of the net site area shall be devoted to landscape materials.

c. Gravel mulch, cobble, bark, and other similar materials are acceptable as a top dressing for the landscape areas.

d. Gravel shall be a 1-1/2" maximum, the color to be consistent with across the entire property.

e. All plant material shall be maintained by the Owner in a living attractive condition. All areas shall be free of weeds.

f. Minimum plant material sizes at the time of installation shall be:

- i. Canopy Trees - 2" Caliper
- ii. Evergreen Trees - 10' Minimum height
- iii. Accent Trees - 2" Caliper
- iv. Shrubs and Groundcovers - 1 gallon minimum

g. Landscape plans shall comply with the City's Water Conservation Ordinance and Pollen Ordinance.

h. Drought tolerant species shall be used at landscape areas. Live plant materials shall cover a minimum of 75% of landscape areas at maturity.

i. An automatic underground irrigation system is required to support all site landscaping. The system shall be designed to avoid over-spraying onto wall, buildings, fences, sidewalks, etc. Irrigation components shall be checked periodically to ensure maximum efficiency.

j. The irrigation system serving landscaped areas shall be a fully automated system with centralized computer controls.

k. Landscape beds shall be at grade to promote water harvesting.

l. Landscape Plans shall be designed using plants selected from the following palette:

- LARGE TREES**
- Accolade Elm
- Alghan Pine
- Austrain Pine
- Chinese Pistache
- Escarpment Oak
- Japanese Pagoda Tree
- Kobusio Ash
- Purple Robb Locust
- Raywood Ash
- Rio Grande Cottonwood
- Texas Red Oak
- SMALL TREES**
- Chaste Tree
- Desert Willow
- Golden Rain Tree
- New Mexico Olive
- Oklahoma Redbud
- Sensation Maple
- Viregnus-castus
- Chilopsisarizans
- Koeleruterpanicalata
- Forestieranemox-cana
- Cercisxifloromis
- Acer regundo "Sensation"
- Ulmus hybrid "Accolade"
- Pinusbaltica
- Pinusinsigna
- Pistachachinensis
- Quercus lasiformis
- Sophora japonica
- Fraxinusvelutina "Molodtso"
- Robinopsedococcica "Purple Robe"
- Fraxinusvelutina "Raywood"
- Populusalbertiana
- Quercusbuckleyi

SCREENING OF LESS ATTRACTIVE AREAS SUCH AS PARKING AND UTILITY ITEMS, AS WELL AS MANAGEMENT OF GRADE CHANGES THAT EXCEED SIMPLE SLOPES, SHALL BE ACCOMPLISHED THROUGH THE USE OF WALLS AND FENCES THAT ARE DESIGNED TO BE AN INTEGRAL PART OF THE PROJECT'S OVERALL AESTHETIC.

**VI. WALLS, FENCES & SCREENING**

SCREENING OF LESS ATTRACTIVE AREAS SUCH AS PARKING AND UTILITY ITEMS, AS WELL AS MANAGEMENT OF GRADE CHANGES THAT EXCEED SIMPLE SLOPES, SHALL BE ACCOMPLISHED THROUGH THE USE OF WALLS AND FENCES THAT ARE DESIGNED TO BE AN INTEGRAL PART OF THE PROJECT'S OVERALL AESTHETIC.

- a. Parking shall be screened from public rights-of-way by means of 2.5 to 3 foot high walls and / or landscaping. These walls shall be architecturally cohesive with surrounding buildings.

- b. Trash receptacles, mechanical equipment, and loading docks shall be screened from public streets through the use of solid walls, solid fences, berms, or dense evergreen foliage.
- i. Trash enclosures shall be consistent with the architectural theme and materials of adjacent buildings.

Blonde Ambition Blue Grama Grass

Blue Arena Grass

Deegrass

Giant Satcaon

Indian Grass

Karl Foerster Feather Reed Grass

Native Wonder Grass Blend

Mexican Feathergrass

Prarie Droopseed

The Blues Bluestem

Variegated Reed Grass

Bouteloua "Blond Ambition"

Helictotrichonsenperivirans

Muhlenbergargans

Sporoboluswrightii

Sergipastunulans

Calamagrostiscutiflora Karl Foerster"

50% Buchloerachloides/ 50% Boutelougracilis

Nasellaflourensina

Sporobolusstictolepis

Schizachyriumscoparium "The Blues"

Calamagrostiscutiflora "Overdam"

Bouteloua "Blond Ambition"

Helictotrichonsenperivirans

Muhlenbergargans

Sporoboluswrightii

Sergipastunulans

**NW CORNER**  
**MONTGOMERY & WYOMING**  
ALBUQUERQUE, NM  
Project Location

REVISIONS

4/27/2016	EPC CONDITIONS

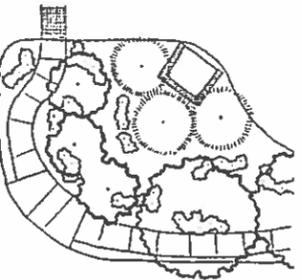
DRAWN BY	GC
REVIEWED BY	CC
DATE	08/02/2016
PROJECT NO	14-0077
DRAWING NAME	

**SITE DEVELOPMENT**  
**PLAN FOR**  
**SUBDIVISION**  
**DESIGN STANDARDS**

SHEET NO  
**DS01**

**DESIGN STANDARDS (continued)**

- ii. Trash enclosures shall be constructed utilizing materials such as stucco over concrete masonry units (CMU), split face block, brick, or stone.
- iii. All outdoor refuse containers shall be screened within a minimum 6 foot tall enclosure which is large enough to contain all trash generated between collections.
- iv. Trash enclosures shall have solid, opaque gates as tall as the enclosure.
- c. Walls and fences shall be at least as tall as the objects they are intended to screen and shall not exceed 8 feet high
- d. All screening devices shall be in compliance with the City of Albuquerque DPM's Clear Sight Triangle regulations.
- e. All mechanical equipment shall meet the screening requirements of the City of Albuquerque's Code of Ordinances Section 14-16-3-18(C)(6) General Building and Site Design Regulations.
  - i. All mechanical equipment shall be screened from public view by materials of the same nature as the adjacent buildings.
- f. Walls and fences shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-19 General Height and Design Regulations for Walls, Fences, and Retaining Walls
- g. Perimeter walls shall include openings at all pedestrian connections to ensure convenient access to adjacent tracts
- h. The use of razor ribbon, razor wire, barbed wire, chain link fencing with or without slats, cyclone fencing or unfinished solid CMU is prohibited.
- i. Acceptable wall & fence materials include but are not limited to:
  - i. stucco over concrete masonry units (CMU)
  - ii. split face block
  - iii. brick
  - iv. stone
  - v. curved interlock blocks
  - vi. tubular steel, wrought iron bars, or other grill work
- j. The finish of walls & fences shall be attractive and compatible with the building materials of adjacent buildings on the site.
- k. The site slopes slightly from Wyoming Blvd. to the west to provide a fairly level site.
  - i. Retaining walls are permitted, but they must be shown and approved on the Site Development Plan for Building Permit.
  - ii. Retaining walls, seal walls, or elements intended to compensate for a slope in the site, shall avoid long unarticulated expanses of wall. Walls shall have varied setbacks of at least one foot with planes not running in one continuous direction for more than fifty feet without a change in height or setback
  - iii. Pedestrian sidewalks and landscape shall be integrated into these locations where applicable to allow for pedestrian access through elevation changes within the site.
- l. Grading and Drainage plans must comply with the City of Albuquerque's Code of Ordinances Section 14-5-2 Drainage Control, & Development Process Manual Volume II, Chapter 22 Drainage, Flood Control, and Erosion Control.
  - i. All measures shall be taken to provide public safety at pond locations.
  - ii. Site ponding shall be integrated with the landscape plan.



REFUSE CONTAINERS - shall be screened by a 6 foot tall enclosure and built in stucco

**VII. UTILITIES**

To ensure the overall aesthetic quality of the property and natural environment, the visual impact of utilities and equipment should be minimized by the following:

- a. All new electrical distributions lines shall be placed underground.
- b. Transformers, utility pads, and telephone boxes shall be appropriately screened with walls and/or vegetation when viewed from the public right-of-way.
- c. When an above-ground backflow prevention device is required, the heated enclosure shall be constructed of materials compatible with the architectural materials used on the adjacent buildings. If prefabricated enclosures are used, they shall be appropriately screened from view with walls and/or landscaping.



MECHANICAL SCREENING - should be screened from public view

**VIII. ARCHITECTURE**

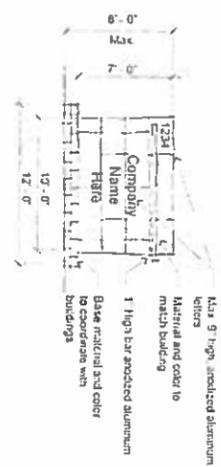
Architectural design of buildings and site features shall demonstrate a high quality aesthetic character throughout the property and shall respond to climate, views, solar access, and aesthetic considerations.

- a. All development shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-18 General Building and Site Design Regulations.
- b. The maximum FAR (Floor Area Ratio) for all tracts within this development is 1.0.
- c. Architectural Style
  - i. The development shall provide a cohesive material and color palette among all buildings.
  - ii. All buildings shall be "modern" in design.
  - iii. Historical references to traditional New Mexico styles shall be a modern interpretation of those styles. Literal duplications of historic buildings are prohibited.
  - iv. Generic franchise architecture is prohibited.
- d. Articulation
  - i. Buildings shall have a variety of structural forms to create visual character and interest.
  - ii. Long unarticulated facades shall be avoided. Facades shall have varied front setbacks, with wall planes not running in one continuous direction for more than 100 feet without a change in architectural treatment such as offset, material or fenestration.
  - iii. Massing elements shall be reinforced with color variation or material distinctions.
- e. Materials
  - i. The architectural expression of all buildings shall reflect modern design with the use of materials appropriate to the New Mexico climate
  - ii. Individual building elements shall be of excellent design and quality materials such as:
    1. Metal wall panels
    2. Porcelain tile
    3. Natural stone panels
    4. Concrete
    5. Rammed earth
    6. Glass

**X. SIGNAGE**

Signage and graphics should create a sense of arrival to the development and provide visual continuity between the various lots and their uses.

- a. Signage shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-5 General Sign Regulations.
- b. Free standing signs shall be designed so as not to require any external bracing, angle supports, guy wires or similar devices for support.
- c. No signage is allowed that uses moving parts, makes audible sounds, or has blinking or flashing lights.
- d. Signs shall not overhang into the public right of way or extend above the building roof line.
- e. Off-premise signs and portable signs are prohibited.
- f. Monument signs shall comply with the City of Albuquerque's Code of Ordinances Section 14-16-3-2(B)(4) Shopping Center Regulations. Free-standing monument signs shall be limited to one on premise sign per 300 feet of street frontage on arterial or collector streets.
- g. Building mounted signs shall have contrasting colors from the background and text height and font that ensures readability.
- h. No building mounted sign shall intrude upon architectural features including windows, columns, or canopies or decorative features

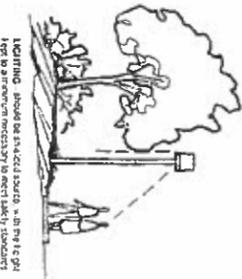


SIGNAGE - should be coordinated with building and form

**IX. LIGHTING**

To enhance safety, security and visual aesthetics, daytime and night-time appearance of lighting design and fixtures shall be considered. The primary design objective of site lighting shall be to maximize public safety without impacting the adjacent properties, buildings, or roadways with unnecessary glare or reflection.

- a. All lighting shall comply with The City of Albuquerque's Code of Ordinances Section 14-16-3-9 Area Lighting Regulations.
- b. Lighting fixtures shall conform to the requirements of the State of New Mexico Night Sky Protection Act
- c. All free-standing lights shall be of consistent design throughout the site.
- d. High pressure sodium & cobra-head type lighting fixtures are not permitted.
- e. Lighting plan details shall be located on Site Development Plans for Building Permit
- f. The height of street lights and off street parking areas lights shall not exceed 26 feet.
- g. All lights shall be a shielded source to prevent spillage onto adjoining properties or the public right-of-way.
- h. Pedestrian lighting shall not exceed 12 feet in height.
- i. Tree canopy lighting may be used to accent and enhance pedestrian connections
- j. Exterior elevations of buildings fronting the public right of way



LIGHTING - should be shielded source to prevent spillage onto adjoining properties or the public right-of-way

**DEKKER**  
**PERICH**  
**SABATINI**

7601 JEFFERSON NE, SUITE 100  
ALBUQUERQUE, NM 87109  
505.761.9700 / DP@DSIGN.ORG

**PROJECT**

**NW CORNER**  
**MONTGOMERY & WYOMING**  
ALBUQUERQUE, NM  
Project Location

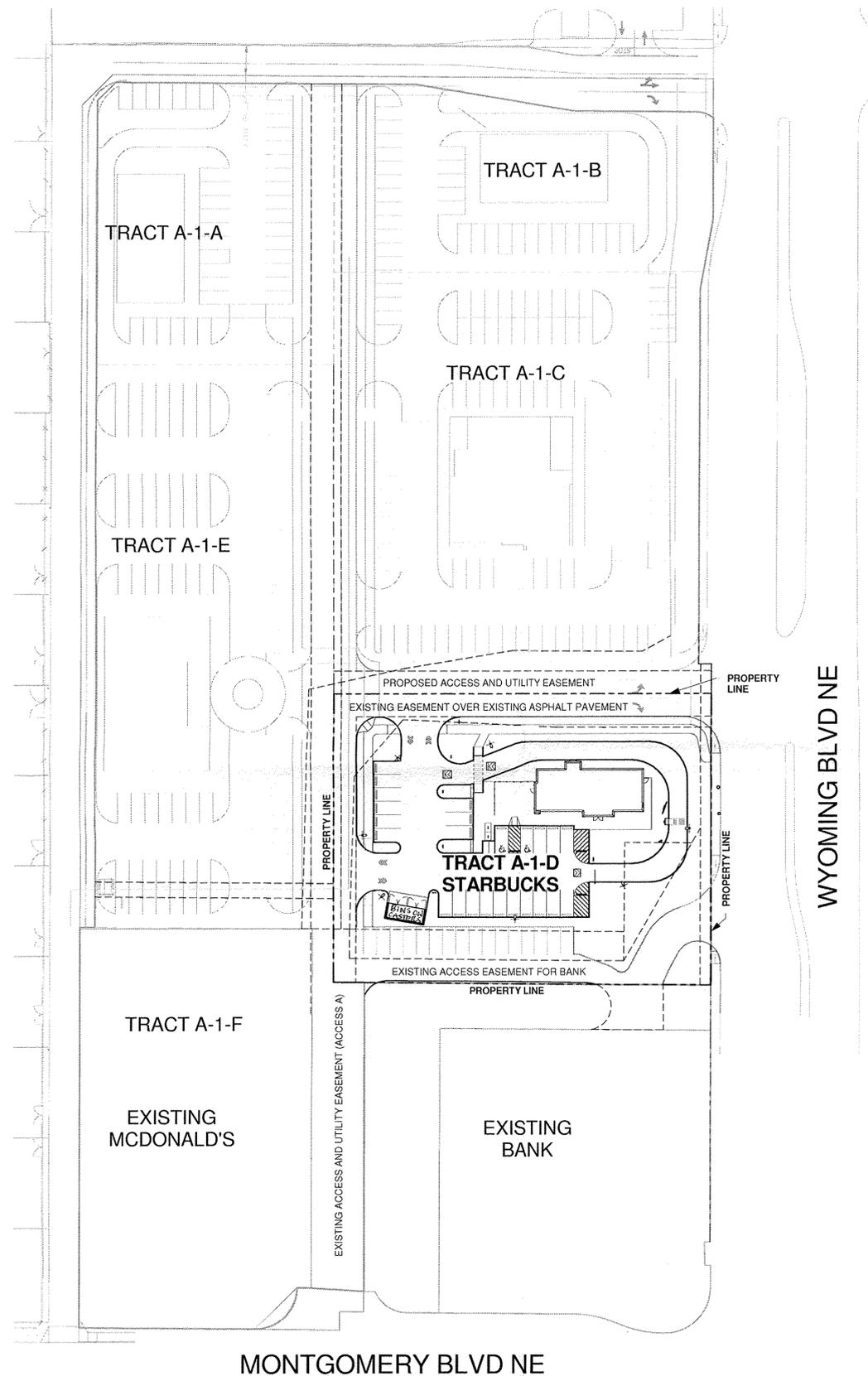
**REVISIONS**

NO.	DATE	DESCRIPTION
1	4/7/2016	ERC COMMENTS
2		
3		
4		
5		

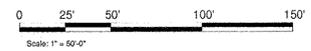
BRANDY HAUGE  
**SITE DEVELOPMENT**  
**PLAN FOR**  
**SUBDIVISION**  
**DESIGN STANDARDS**

SHEET NO  
**DS02**

11/23/2016 11:33:30 AM W:\1 - Project Files\2016-IDC-Projects\16017-Starbucks Montgomery Wyoming DT NM DD CD\01\_Drawings\66697-001\_ALB\_Mont\_Wyom\_NM\_EPC.rvt



1 SITE PLAN - OVERALL  
Scale: 1" = 50'-0"



**GENERAL OVERALL SITE NOTES**

- A. OVERALL SITE SHOWN FOR REFERENCE ONLY. FOR AREAS SHOWN BEYOND PROPERTY LINES REFER TO LANDLORD DEVELOPMENT PLANS UNDER SEPERATE PERMIT.
- B. CURRENT PHASE INCLUDES WORK INSIDE TRACT A-1-D PROPERTY LINES WITH THE EXCEPTION OF LANDLORD PROVIDED CURB CUTS, RAMPS, ACCESS AISLES AND SIDEWALKS NOTED ON SHEET A-1002.
- C. DEVELOPER IS RESPONSIBLE FOR PERMANENT IMPROVEMENTS TO THE TRANSPORTATION FACILITIES ADJACENT TO THE PROPOSED DEVELOPMENT SITE PLAN, AS REQUIRED BY THE DEVELOPMENT REVIEW BOARD (DRB).
- D. WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CITY OF ALBUQUERQUE REQUIREMENTS, INCLUDING THE DEVELOPMENT PROCESS MANUAL AND CURRENT ADA CRITERIA.

**GENERAL OVERALL PROJECT INFORMATION**

TRACT A-1-D (LOT 1): 1.1084 ACRES  
 ZONING: C-2  
 ZONE ATLAS MAP: F-19-Z  
 RETAIL SALES AND SERVICES  
 A-2 OCCUPANCY  
 V-B (NON SPRINKLERED) CONSTRUCTION  
 2200 SF PROPOSED BUILDING GROSS SQUARE FOOTAGE



**STARBUCKS COFFEE COMPANY**  
 2401 UTAH AVENUE SOUTH  
 SEATTLE, WASHINGTON 98134  
 (206) 318-1575

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STARBUCKS TEMPLATE VERSION | 2015-10-23

**ARCHITECT OF RECORD**

**the design COLLECTIVE**  
 architects • planners • dreamers  
 2303 West Commodore Way, Suite 205  
 Seattle, WA 98199  
 206.282.2720 p | 206.282.2739 f | www.thedc-c.com



PROJECT NAME:  
**MONTGOMERY & WYOMING**

PROJECT ADDRESS:  
 4601 WYOMING BLVD NE  
 ALBUQUERQUE, NM 87109  
 BERNALILLO COUNTY

STORE #: 29571  
 PROJECT #: 66697-001  
 CASEWORK CONCEPT: MCS  
 ISSUE DATE: NOVEMBER 23, 2016  
 DESIGN MANAGER: LAURA KULIS  
 LEED® AP  
 PRODUCTION DESIGNER: IDC  
 CHECKED BY: LAURA KULIS  
 TDC#: 16017

**Revision Schedule**

Rev	Date	By	Description

SHEET TITLE:  
**OVERALL SITE**

SCALE: AS SHOWN

SHEET NUMBER:  
**SP-1**

PROJECT NUMBER: 1010550 / 16EPC-40040  
 APPLICATION NUMBER: \_\_\_\_\_  
 DIR. SITE DEVELOPMENT PLAN APPROVAL: *[Signature]* 12/11/16  
 TRAFFIC ENGINEERING, TRANSPORTATION DIVISION DATE  
 UTILITIES DEVELOPMENT: *[Signature]* 01-17-17  
 DATE  
 PUBLIC AND REGULATION DEPARTMENT: *[Signature]* 12-7-16  
 DATE  
 CITY ENGINEER: *[Signature]* 1-17-17  
 DATE  
 ENVIRONMENTAL HEALTH DEPARTMENT: *[Signature]* 11-29-16  
 SOLID WASTE MANAGEMENT DATE  
 DRB CHAIRPERSON, PLANNING DEPARTMENT: *[Signature]* 1-17-17  
 DATE

*Bio on Coasters*

VICINITY MAP



LEGAL DESCRIPTION

LOT 1 OF TRACT A-1 REDIVISION OF TRA (NOW COMPRISING TRS A1 AND A2) LOS PASTORES SHOPPING CENTER EXC SLWY PORT AND PORT OUT TO RW CONT 5.77AC +

**PHASING**  
EXTENT OF CURRENT PHASE WITHIN PROPERTY LINES WITH THE EXCEPTION OF SIDEWALKS, CURB CUTS, ACCESS AND RAMPS NOTED TO BE PROVIDED BY LANDLORD

**PARKING CALCULATION**  
1 SPACE PER 4 SEATS - CHAPTER 16  
74 SEATS / 4 = 18.5  
19 PARKING SPACES REQUIRED  
24 TOTAL PROVIDED  
2 ADA SPACES PROVIDED  
22 STANDARD PARKING SPACES PROVIDED  
2 MOTORCYCLE SPACES PROVIDED

ARCHITECTURAL SITE PLAN NOTES

- A. REFER TO EXTERIOR ELEVATIONS ON SHEET A-2001 & A-2002 FOR BUILDING SIGNAGE LOCATION AND DESIGN ID. REFER TO ELECTRICAL PLANS FOR ELECTRICAL REQUIREMENTS.
- B. LANDSCAPING TO BE PROVIDED PER ZONING CODE AND LEED REQUIREMENTS.
- C. DRIVE-THRU EQUIPMENT INCLUDING VEHICLE DETECTION LOOP, WIRELESS COMMUNICATION AND MONITORS COORDINATED BY STARBUCKS CONSTRUCTION MANAGER. REFER TO ELECTRICAL SPECIFICATIONS FOR ELECTRICAL REQUIREMENTS.
- D. PROVIDE 6" (150MM) THICK CONCRETE PAVING THE LENGTH OF THE DRIVE-THRU LANE. EXTENT TO INCLUDE DRIVE-THRU WINDOW STANDING PAD. REFER TO CIVIL DRAWINGS.
- E. GENERAL CONTRACTOR TO APPLY CONCRETE SEALER TO ALL EXTERIOR CONCRETE PAVEMENT AND WALKWAY SURFACES.
- F. REFER TO SIGNAGE SUBMITTAL BY SIGNAGE VENDOR FOR FURTHER SIGNAGE INFORMATION.

SHEET NOTES

- 1. STANDARD PARKING STALLS. (9' X 18').
- 2. ADA PARKING STALL WITH ADA LOGO AND LOADING AREA STRIPING
- 3. PATIO EXTERIOR SEATING AREA: 572 SF.
- 4. PATIO RAILING. INSTALL PER MFR. INSTRUCTIONS ON CUT SHEETS.
- 5. ADA CURB RAMP.
- 6. PEDESTRIAN BUILDING ENTRY.
- 7. BUILDING SERVICE ENTRY.
- 8. REFUSE ENCLOSURE.
- 9. 6" CONCRETE CURB, TYP.
- 10. DRIVE THRU CLEARANCE BAR.
- 11. DRIVE THRU PRE MENU BOARD.
- 12. DRIVE THRU ORDER POINT & CANOPY.
- 13. DRIVE THRU MENU BOARD.
- 14. BOLLARD - NON ILLUMINATED
- 15. BOLLARD - ILLUMINATED
- 16. DRIVE THRU DIRECTIONAL SIGN
- 17. DRIVE THRU WAYFINDING STRIPING.
- 18. REFER TO LANDSCAPE DRAWINGS FOR SCREENING AT DT ORDER POINT.
- 19. WHEEL STOP.
- 20. 20'-0" TALL POLE LIGHT. PROPOSED DEVELOPMENT SHALL CONFORM TO THE REQUIREMENTS OF SECTION 14-16-3-9 OF THE ZONING CODE (AREA LIGHTING REGULATIONS) AS WELL AS THE STATE OF NEW MEXICO NIGHT SKY PROTECTION ACT (74-12-1 TO 74-12-10 NMSA 1978).
- 21. HATCH AREA INDICATES PRIVATE WATER AND FIRE LINE UTILITY EASEMENT ACROSS TRACT A-1-C FOR THE BENEFIT OF TRACT A-1-E TO BE MAINTAINED BY THE OWNER OF TRACT A-1-E.
- 22. 30' PRIVATE ACCESS EASEMENT FOR THE BENEFIT OF TRACTS A-1-A, A-1-B, A-1-C, A-1-D, A-1-E AND A-1-F TO BE MAINTAINED EQUALLY BY THE OWNER OF EACH TRACT AND PUBLIC UTILITY EASEMENT.
- 23. EXISTING LEGAL DESCRIPTION "A" EASEMENT "OVER EXISTING ASPHALT PAVEMENT (01/20/2010, 2010S-0004)
- 24. EXISTING 7' UTILITY EASEMENT (01/16/1963, C5-140)
- 25. EXISTING LANDSCAPE EASEMENT (01/23/1961, BK. 826, PG. 304-313)
- 26. EXISTING BANK SUPPLEMENTAL ACCESS EASEMENT (PRIVATE ACCESS EASEMENT) (BK. MISC. 826, PGS. 304-313)
- 27. LEGAL DESCRIPTION "E" LOCATED WITHIN TRACT LETTERED A-1 OF THE REDIVISION OF TRACT "A" LOS PASTORES SHOPPING CENTER (01/20/2010, 2010S-0004)
- 28. STRIP PARCEL (PORTION OF TRACT 1 CORNER PARCEL) LOS PASTORES SHOPPING CENTER (01/16/1963, C5-140)
- 29. EXISTING LEGAL DESCRIPTION "D" EASEMENT LOCATED WITHIN STRIP PARCEL (01/20/2010, 2010S-0004)
- 30. 10' PRIVATE UTILITY EASEMENT GRANTED BY THIS PLAT FOR THE BENEFIT OF TRACTS A-1-A, A-1-B, A-1-C, AND A-1-D TO BE MAINTAINED BY THE OWNER OF TRACT A-1-E.
- 31. FIRE HYDRANT LOCATION PENDING FINAL UTILITY CONNECTION AND FIRE MARSHAL APPROVAL.
- 32. CONCRETE ACCESSIBLE PEDESTRIAN CROSSWALK.
- 33. LANDSCAPE AREA. REFER TO LANDSCAPE DRAWINGS FOR FURTHER INFORMATION.
- 34. 2 BIKE RACKS = 4 BIKE SPACES.
- 35. REQUIRED PER ZONING CODE 14-16-3-1(H)(4).
- 36. ADA ACCESS AISLES SHALL HAVE THE WORDS "NO PARKING" IN CAPITAL LETTERS, EACH OF WHICH SHALL BE AT LEAST ONE FOOT HIGH AND AT LEAST TWO INCHES WIDE, PLACED AT THE REAR OF THE PARKING SPACE SO AS TO BE CLOSE TO WHERE AND ADJACENT VEHICLE'S REAR TIRE WOULD BE PLACED. (66-1-4.1.B NMSA 1978)

GENERAL CITY NOTES

- 1. 2 SPACES MOTORCYCLE REQUIRED PER ZONING CODE 14-16-3-1(C)
- 2. 6'-0" CLEAR PEDESTRIAN PATH REQUIRED PER ZONING CODE 14-16-3-1(H)(4)
- 3. FIRE HYDRANT LOCATION TO BE DETERMINED. FIRE HYDRANT TO BE PLACED PER CITY OF ALBUQUERQUE FIRE CODE.



**STARBUCKS COFFEE COMPANY**  
2401 UTAH AVENUE SOUTH  
SEATTLE, WASHINGTON 98134  
(206) 318-1575

THESE DRAWINGS AND SPECIFICATIONS ARE CONFIDENTIAL AND SHALL REMAIN THE SOLE PROPERTY OF STARBUCKS CORPORATION, WHICH IS THE OWNER OF THE COPYRIGHT IN THIS WORK. THEY SHALL NOT BE REPRODUCED (IN WHOLE OR IN PART), SHARED WITH THIRD PARTIES OR USED IN ANY MANNER ON OTHER PROJECTS OR EXTENSIONS TO THIS PROJECT WITHOUT THE PRIOR WRITTEN CONSENT OF STARBUCKS CORPORATION. THESE DRAWINGS AND SPECIFICATIONS ARE INTENDED TO EXPRESS DESIGN INTENT FOR A PROTOTYPICAL STARBUCKS STORE (WHICH IS SUBJECT TO CHANGE AT ANYTIME) AND DO NOT REFLECT ACTUAL SITE CONDITIONS. NEITHER PARTY SHALL HAVE ANY OBLIGATION NOR LIABILITY TO THE OTHER (EXCEPT STATED ABOVE) UNTIL A WRITTEN AGREEMENT IS FULLY EXECUTED BY BOTH PARTIES.

STARBUCKS TEMPLATE VERSION i2015-10-23

**ARCHITECT OF RECORD**  
**the design COLLECTIVE**  
architects • planners • dreamers  
2303 West Commodore Way, Suite 205  
Seattle, WA 98199  
206 282 2790 p | 206 282 2799 f | www.thed-c.com



**PROJECT NAME:**  
MONTGOMERY & WYOMING

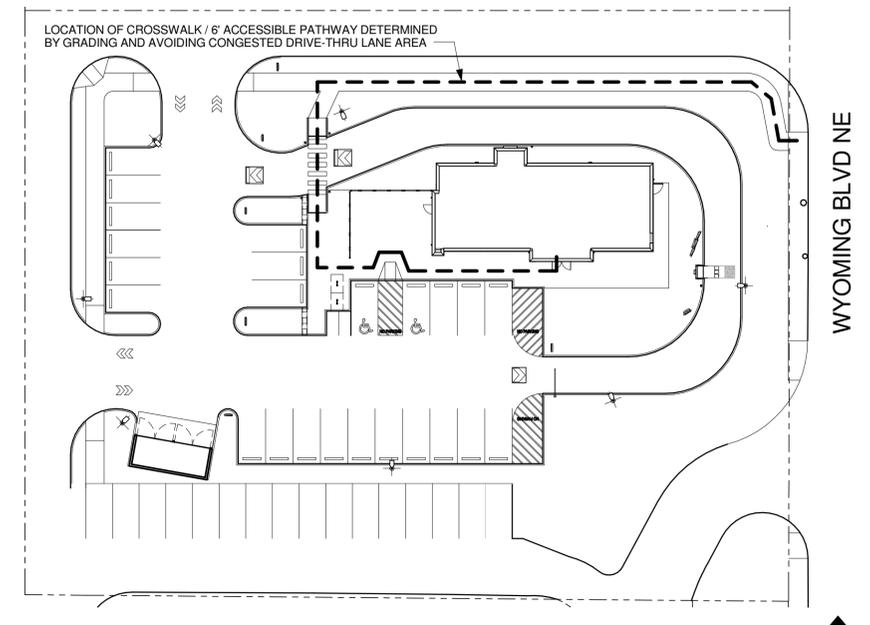
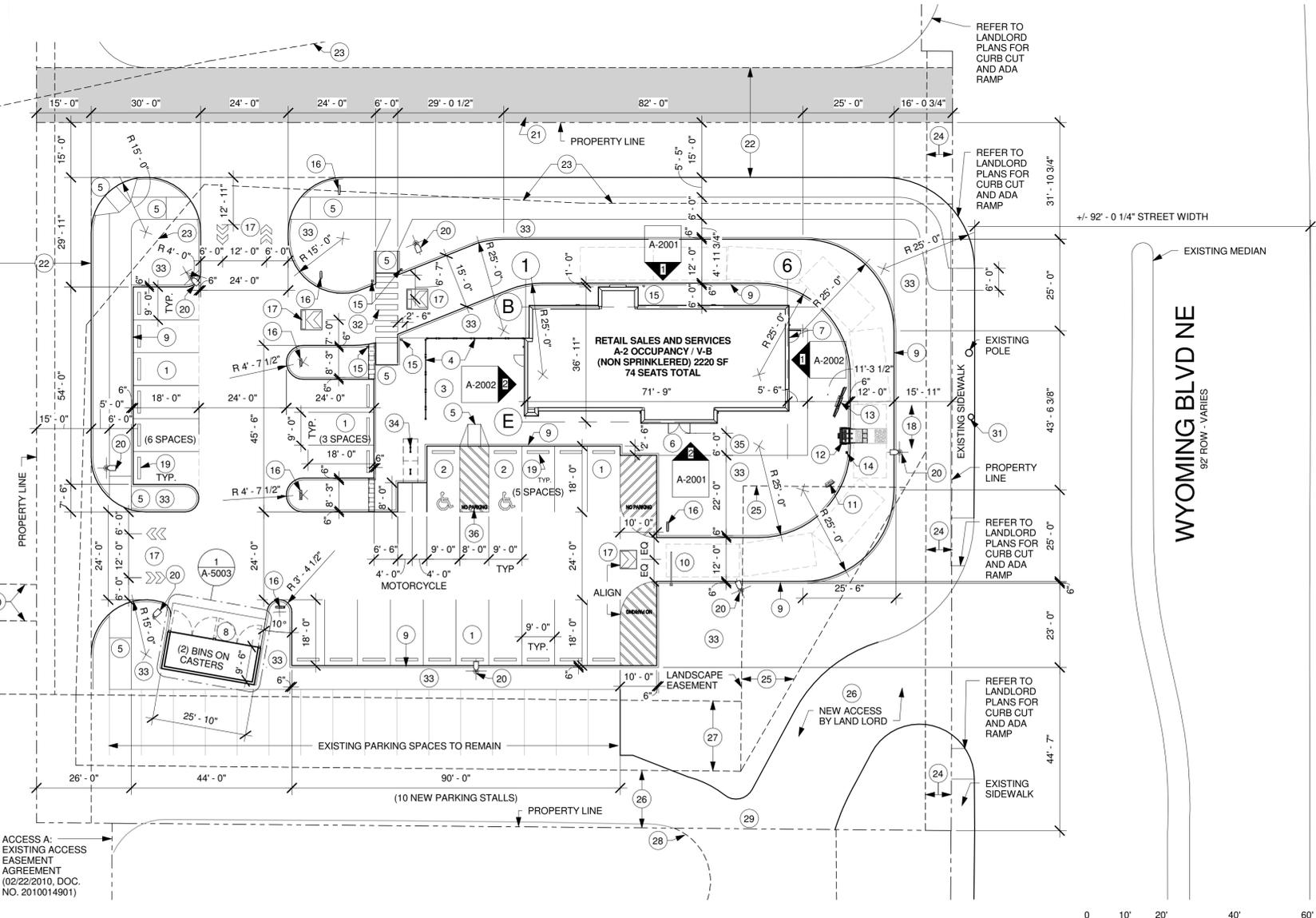
**PROJECT ADDRESS:**  
4601 WYOMING BLVD NE  
ALBUQUERQUE, NM 87109  
BERNALILLO COUNTY

**STORE #:** 29571  
**PROJECT #:** 66697-001  
**CASEWORK CONCEPT:** MCS  
**ISSUE DATE:** NOVEMBER 23, 2016  
**DESIGN MANAGER:** LAURA KULIS  
**LEED® AP:**  
**PRODUCTION DESIGNER:** IDC  
**CHECKED BY:** LAURA KULIS  
**TDC#:** 16017

Revision Schedule			
Rev	Date	By	Description

**SHEET TITLE:**  
SITE PLAN EPC/DRB

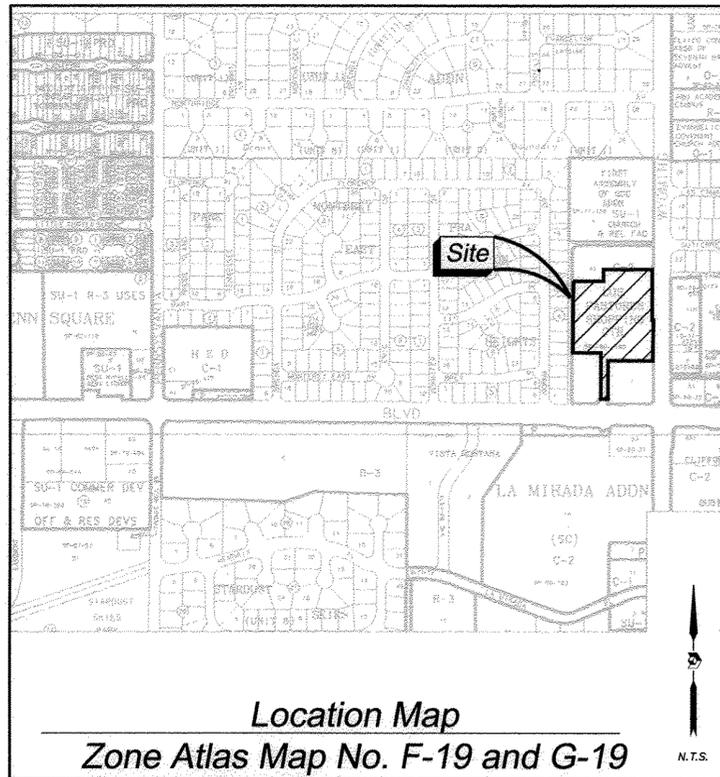
**SCALE:** AS SHOWN  
**SHEET NUMBER:** A-1002



**1 SITE PLAN**  
Scale: 1" = 20'-0"

**2 PEDESTRIAN CONNECTION**  
Scale: 1" = 30'-0"

11/23/2016 11:33:29 AM W:\1. Project Files\2016-IDC-Projects\16017-Starbucks Montgomery Wyoming DT NM DD CD01\_Drawings\66697-001 ALB\_Mont\_Wyom\_NM\_EPC.rvt



**Subdivision Data:**

ZONING: C-2  
 GROSS SUBDIVISION ACREAGE: 4.1873 ACRES±  
 ZONE ATLAS INDEX NO: F-19-Z AND G-19-Z  
 NO. OF TRACTS CREATED: 3  
 NO. OF LOTS CREATED: 0  
 MILES OF FULL-WIDTH STREETS CREATED: 0  
 DATE OF SURVEY: MARCH 2017

**Purpose of Plat**

THE PURPOSE OF THIS PLAT IS TO REPLAT THREE EXISTING TRACTS INTO THREE NEW TRACTS, TO VACATE AN EXISTING PRIVATE EASEMENT AND TO GRANT A PRIVATE ACCESS EASEMENT.

**Notes:**

- BEARINGS SHOWN ARE GRID BEARINGS (NEW MEXICO STATE PLANE CENTRAL ZONE - NAD 1983).
- ALL DISTANCES ARE GROUND DISTANCES-US SURVEY FOOT.
- THIS PROPERTY LIES WITHIN THE ELENA GALLEGOS GRANT, PROJECTED SECTION 31, TOWNSHIP 11 NORTH, RANGE 4 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.
- PLAT SHOWS ALL EASEMENTS OF RECORD.
- EASEMENT BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD AND EASEMENTS HAVE BEEN ROTATED TO MATCH BASIS OF BEARINGS AND BOUNDARY UNLESS OTHERWISE INDICATED.

**Public Utility Easements**

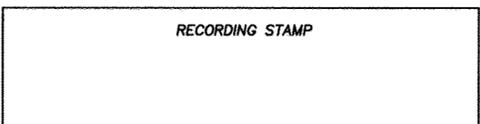
- PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON JOINT USE OF:
- PUBLIC SERVICE COMPANY OF NEW MEXICO ("PNM"), A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
  - NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
  - QWEST CORPORATION D/B/A CENTURYLINK QC FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.
  - CABLE TV FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE, AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE WITHIN THE EASEMENT CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON PLAT.

EASEMENTS FOR ELECTRIC TRANSFORMER/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

**Disclaimer**

IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), QWEST CORPORATION D/B/A CENTURYLINK QC AND NEW MEXICO GAS COMPANY (NMGC) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM, QWEST CORPORATION D/B/A CENTURYLINK QC AND NMGC DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SHOWN SPECIFICALLY DESCRIBED AND ON THIS PLAT.



**Legal Description**

A TRACT OF LAND LYING AND SITUATE WITHIN THE ELENA GALLEGOS GRANT, PROJECTED SECTION 31, TOWNSHIP 11 NORTH, RANGE 4 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF TRACTS "A-1-C, A-1-D AND A-1-E" OF LOS PASTORES SHOPPING CENTER, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY ON OCTOBER 14, 2016, IN VOLUME 2016C, FOLIO 124, BEING MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID BEARINGS (CENTRAL ZONE-NAD 1983) AND BY GROUND DISTANCES (US SURVEY FOOT) AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF DESCRIBED TRACT, LYING ON THE WEST RIGHT OF WAY LINE OF WYOMING BOULEVARD N.E., MARKED BY A FOUND CHISELED "X", FROM WHENCE A TIE TO AGRS MONUMENT B\_G20 BEARS S 26°13'12" E, A DISTANCE OF 3271.18 FEET;

THENCE N 89°30'13" W, A DISTANCE OF 230.04 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 00°06'33" W, A DISTANCE OF 204.34 FEET TO AN ANGLE POINT MARKED BY A FOUND CHISELED "X" LYING ON THE NORTH RIGHT OF WAY LINE OF MONTGOMERY BOULEVARD, NE;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S 89°59'33" W, A DISTANCE OF 0.45 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE ALONG SAID NORTH RIGHT OF WAY LINE, N 86°28'18" W, A DISTANCE OF 34.93 FEET TO AN ANGLE POINT MARKED BY A FOUND CHISELED "X";

THENCE LEAVING SAID NORTH RIGHT OF WAY LINE N 00°06'22" E, A DISTANCE OF 237.56 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE N 89°29'27" W, A DISTANCE OF 144.00 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE N 00°06'33" E, A DISTANCE OF 372.86 FEET TO THE NORTHWEST CORNER OF DESCRIBED TRACT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE N 90°00'00" E, A DISTANCE OF 157.39 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE N 00°00'00" W, A DISTANCE OF 61.00 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE N 90°00'00" E, A DISTANCE OF 242.93 FEET TO THE NORTHEAST CORNER OF DESCRIBED TRACT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

11.89 FEET, A DELTA ANGLE OF 03°53'30", A CHORD BEARING OF S 03°36'09" W, A CHORD LENGTH OF 11.88 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 00°06'33" W A DISTANCE OF 205.39 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 8.73 FEET, AN ARC LENGTH OF 4.25 FEET, A DELTA ANGLE OF 27°55'37", A CHORD BEARING OF S 11°06'31" W, A CHORD LENGTH OF 4.21 FEET MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 52.30 FEET, ARC LENGTH OF 15.41 FEET, A DELTA ANGLE OF 16°52'53", A CHORD BEARING OF S 38°51'56" W, A CHORD LENGTH OF 15.35 FEET MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 08°07'38" E A DISTANCE OF 6.06 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 16.94 FEET, HAVING AN ARC LENGTH OF 11.52 FEET, WITH A DELTA ANGLE OF 38°56'59", A CHORD BEARING OF N 69°05'43" E, A CHORD LENGTH OF 11.30 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 00°06'33" W, A DISTANCE OF 24.17 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 89°42'55" E, A DISTANCE OF 8.43 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993";

THENCE S 00°06'33" W, A DISTANCE OF 212.99 FEET TO THE POINT OF BEGINNING, CONTAINING 4.1873 ACRES (182,399 SQUARE FEET), MORE OR LESS, NOW COMPRISING OF TRACTS A-1-C-1, A-1-D-1, AND A-1-E-1.

**Solar Note:**

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BINDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OF PARCELS WITHIN THE AREA OF THIS PLAT.

**Free Consent and Dedication**

SEE SHEET 2 OF 3 FOR FREE CONSENT AND DEDICATION

**Acknowledgment**

SEE SHEET 2 OF 3 FOR ACKNOWLEDGEMENT

Subdivision  
 Tracts A-1-C-1, A-1-D-1, & A-1-E-1  
**Los Pastores Shopping Center**  
 Elena Gallegos Grant, Projected Section 31, Township 11 North, Range 4 East, N.M.P.M  
 Albuquerque, Bernalillo County, New Mexico  
 March 2017

Project No. 1010550  
 Application No. 17DRB-  
Utility Approvals

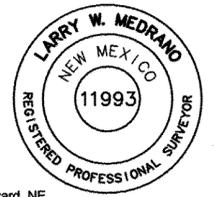
PNM	DATE
NEW MEXICO GAS COMPANY	DATE
QWEST CORPORATION D/B/A CENTURYLINK QC	DATE
COMCAST	DATE
<b>City Approvals</b>	
<i>Soren M. Rosenhoover</i> P.S. 3/20/17	DATE
CITY SURVEYOR	DATE
TRAFFIC ENGINEERING, TRANSPORTATION DEPARTMENT	DATE
A.B.C.W.U.A.	DATE
PARKS AND RECREATION DEPARTMENT	DATE
AMAFCA	DATE
CITY ENGINEER	DATE
DRB CHAIRPERSON, PLANNING DEPARTMENT	DATE



**Surveyor's Certificate**

I, LARRY W. MEDRANO, A REGISTERED NEW MEXICO PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND OF THE MINIMUM STANDARDS FOR LAND SURVEYS AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE, AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

*Larry W. Medrano* 3/16/17  
 LARRY W. MEDRANO  
 N.M.P.S. No. 11993  
 DATE



OFFICE LOCATION:  
 9200 San Mateo Boulevard, NE  
 Albuquerque, NM 87113  
 505.856.5700 PHONE  
 505.856.7900 FAX

INDEXING INFORMATION FOR COUNTY CLERK  
 OWNER W & M CO. A NEW MEXICO GENERAL PARTNERSHIP  
 OWNER G & L INVESTMENT CO. A NEW MEXICO CORPORATION  
 SECTION 31, TOWNSHIP 11 N, RANGE 4 E,  
 SUBDIVISION LOS PASTORES SHOPPING CENTER

RECORDING STAMP

Subdivision  
Tracts A-1-C-1, A-1-D-1, & A-1-E-1  
**Los Pastores Shopping Center**  
Elena Gallegos Grant, Projected Section 31, Township 11 North, Range 4 East, N.M.P.M  
Albuquerque, Bernalillo County, New Mexico  
March 2017

**Free Consent**

THE REPLAT SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER. EXISTING PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUITS, AND PIPES FOR UNDERGROUND UTILITIES WHERE SHOWN OR INDICATED, AND INCLUDING THE RIGHT OF INGRESS AND EGRESS FOR CONSTRUCTION AND MAINTENANCE, AND THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. SAID OWNER DOES HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED. SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND SUBDIVIDED.

SAID OWNER DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

SAID OWNER DOES HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS OF WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS.

W & M CO., A NEW MEXICO GENERAL PARTNERSHIP

  
MARC MAUNEY, MANAGER  
MAUNEY INVESTMENTS, LLC  
GENERAL PARTNER

3/17/2017  
DATE

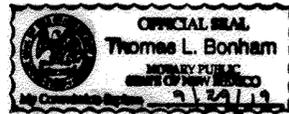
G & L INVESTMENT CO., INC., A NEW MEXICO CORPORATION

  
DAVID MATTEUCCI  
VICE PRESIDENT

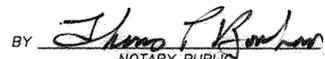
3-16-17  
DATE

**Acknowledgment**

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO) SS



THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 17<sup>TH</sup> DAY OF March 2017 BY MARC MAUNEY, MANAGER OF MAUNEY INVESTMENTS, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY, GENERAL PARTNER OF W & M CO., ON BEHALF OF SAID W & M CO., A NEW MEXICO GENERAL PARTNERSHIP.

BY  MY COMMISSION EXPIRES: September 29, 2019  
NOTARY PUBLIC

**Acknowledgment**

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO) SS



THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 16<sup>TH</sup> DAY OF March 2017 BY DAVID MATTEUCCI, VICE PRESIDENT OF G & L INVESTMENT CO., INC, A NEW MEXICO CORPORATION, ON BEHALF OF SAID CORPORATION.

BY  MY COMMISSION EXPIRES: November 30, 2020  
NOTARY PUBLIC



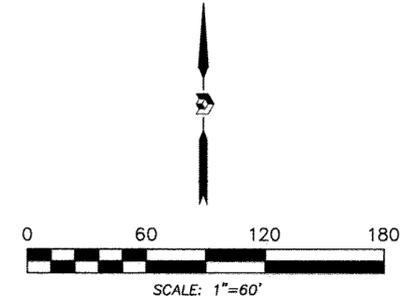
OFFICE LOCATION:  
9200 San Mateo Boulevard, NE  
Albuquerque, NM 87113

505.856.5700 PHONE  
505.856.7900 FAX

INDEXING INFORMATION FOR COUNTY CLERK  
OWNER W & M CO. A NEW MEXICO GENERAL PARTNERSHIP  
OWNER G & L INVESTMENT CO. A NEW MEXICO CORPORATION  
SECTION 31, TOWNSHIP 11 N., RANGE 4 E.  
SUBDIVISION LOS PASTORES SHOPPING CENTER

RECORDING STAMP

Subdivision  
 Tracts A-1-C-1, A-1-D-1, & A-1-E-1  
**Los Pastores Shopping Center**  
 Elena Gallegos Grant, Projected Section 31, Township 11 North, Range 4 East, N.M.P.M  
 Albuquerque, Bernalillo County, New Mexico  
 March 2017



**Legend**

N 90°00'00" E	MEASURED BEARING AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
⊙	DENOTES FOUND NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993"
△	FOUND AGRS MONUMENT AS DESIGNATED
⊥	FOUND RIGHT OF WAY T-RAIL AS DESIGNATED

**Line Table**

LINE	BEARING	DISTANCE
L1	S 89°59'33" W	0.45'
L2	N 86°25'32" W	34.48'
L3	S 89°42'55" E	8.43'
L4	S 00°06'33" W	19.49'

**Curve Table**

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	175.00'	11.89'	3°53'30"	11.88'	S 03°36'09" W
C2	8.73'	4.25'	27°55'37"	4.21'	N 11°06'31" E
C3	52.30'	15.41'	16°52'53"	15.35'	N 38°51'56" E
C4	16.94'	11.52'	38°56'59"	11.30'	S 69°05'43" W

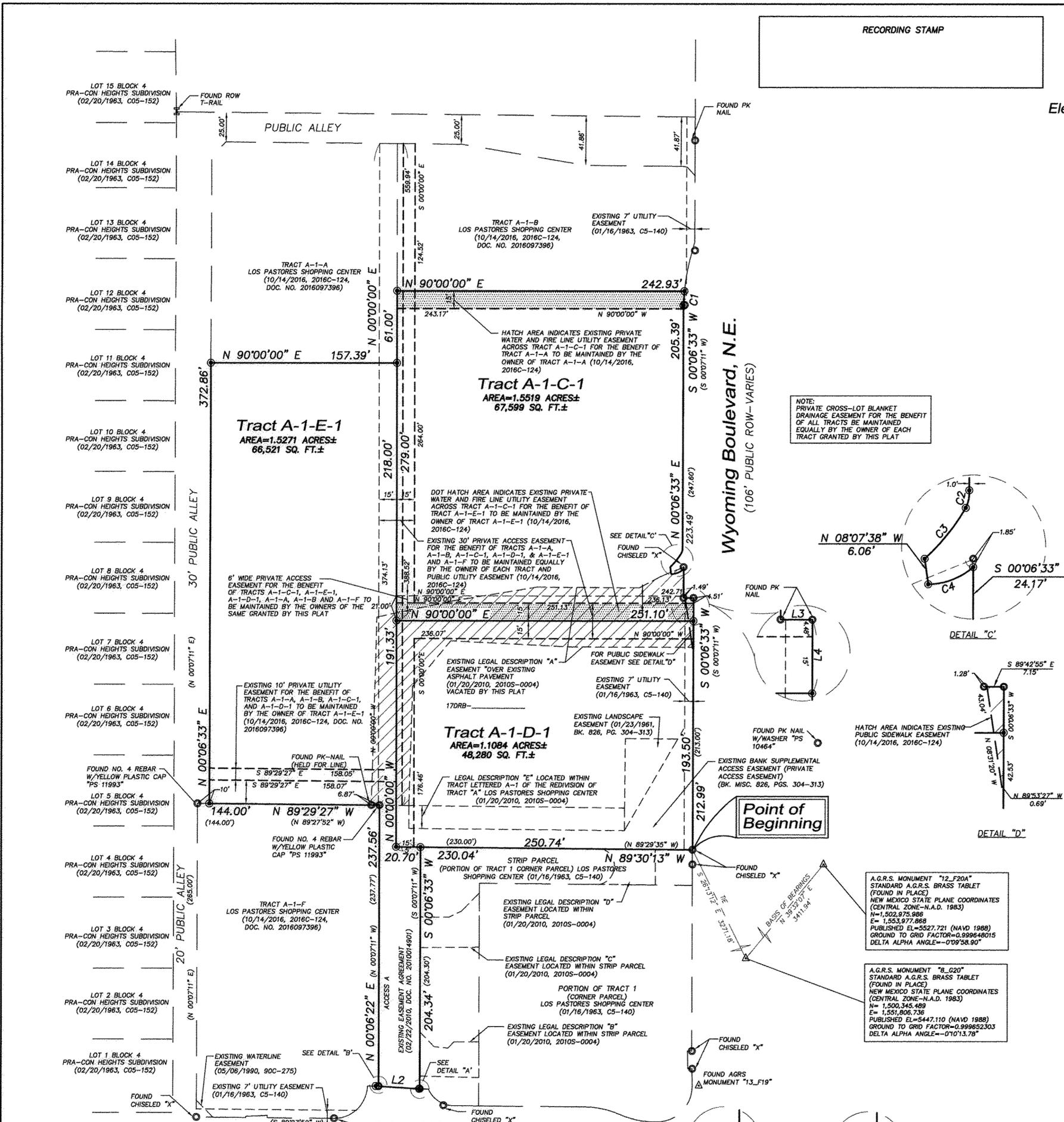
Wyoming Boulevard, N.E.  
(106' PUBLIC ROW-VARIES)

Montgomery Boulevard, NE  
(106' PUBLIC ROW)

INDEXING INFORMATION FOR COUNTY CLERK  
 OWNER W & M CO. A NEW MEXICO GENERAL PARTNERSHIP  
 OWNER G & L INVESTMENT CO. A NEW MEXICO CORPORATION  
 SECTION 31, TOWNSHIP 11 N, RANGE 4 E,  
 SUBDIVISION LOS PASTORES SHOPPING CENTER

OFFICE LOCATION:  
 9200 San Mateo Boulevard, NE  
 Albuquerque, NM 87113

505.856.5700 PHONE  
 505.856.7900 FAX



NOTE:  
 PRIVATE CROSS-LOT BLANKET  
 DRAINAGE EASEMENT FOR THE BENEFIT  
 OF ALL TRACTS BE MAINTAINED  
 EQUALLY BY THE OWNER OF EACH  
 TRACT GRANTED BY THIS PLAT

A.G.R.S. MONUMENT "12\_F20A"  
 STANDARD A.G.R.S. BRASS TABLET  
 (FOUND IN PLACE)  
 NEW MEXICO STATE PLANE COORDINATES  
 (CENTRAL ZONE-N.A.D. 1983)  
 N=1,502,975.868  
 E=1,553,977.868  
 PUBLISHED EL=5527.721 (NAVD 1988)  
 GROUND TO GRID FACTOR=0.999848015  
 DELTA ALPHA ANGLE=-0°09'58.90"

A.G.R.S. MONUMENT "8\_G20"  
 STANDARD A.G.R.S. BRASS TABLET  
 (FOUND IN PLACE)  
 NEW MEXICO STATE PLANE COORDINATES  
 (CENTRAL ZONE-N.A.D. 1983)  
 N=1,500,345.489  
 E=1,551,806.736  
 PUBLISHED EL=5447.110 (NAVD 1988)  
 GROUND TO GRID FACTOR=0.999652303  
 DELTA ALPHA ANGLE=-0°10'13.78"

