

**site data:**

LOCATION:	4001 MASTHEAD ST NE ALBUQUERQUE, NM	PROJECT NUMBER:	1010685
LEGAL DESCRIPTION:	LOT 1 JOURNAL CENTER 2 PHASE 2	APPLICATION NUMBER:	
UPC #:	101706319026630415	Is an infrastructure list required? ( ) yes ( ) no	If yes, then a set of approved DRC plans with a work order is required for any construction within public right-of-way or for construction of public improvements.
CURRENT ZONING:	IP	DRB SITE DEVELOPMENT PLAN SIGNOFF APPROVAL:	
SETBACK REQUIREMENTS:	20' FRONT, 10' SIDES, 10' REAR	<i>Raymond M. ...</i>	1/6/16
ZONE ATLAS PAGE:	D-17	TRAFFIC ENGINEERING, TRANSPORTATION DIVISION	DATE
BUILDING CONSTRUCTION:	2B (NON-SPRINKLED)	<i>Christy ...</i>	02/03/16
APPLICABLE CODE:	2009 IBC	WATER UTILITY AUTHORITY	DATE
TOTAL LOT AREA:	C.O.A. ZONING ORDINANCE 46,809 SF (1.0746 AC.)	<i>Carol S. Dumont</i>	1-6-16
BUILDING FOOTPRINT AREA:	9800 SF	PARKS AND RECREATION DEPARTMENT	DATE
NET LOT AREA (LOT AREA-BLD. FOOTPRINT):	37,009 SF	<i>Al ...</i>	1-6-16
FLOOR AREA RATIO (GROSS BLD. AREA/LOT AREA):	21%	CITY ENGINEER	DATE
PAVED AREA:	16,114 S.F.	SOLID WASTE MANAGEMENT	DATE
LANDSCAPE AREA:	20,895 S.F.	<i>Chris ...</i>	2-3-16
LANDSCAPE % NET LOT AREA:	56%	DRB CHAIRPERSON, PLANNING DEPARTMENT	DATE
LANDSCAPE TO PAVED AREA RATIO:	1.29		
REQUIRED PARKING:	50 SPACES		
OFFICE:	1 SPACE PER 200 SF (9000 SF)=45 SPACES		
RESTAURANT:	1 SPACE PER 4 SEATS (20 SEATS)=5 SPACES		
PARKING PROVIDED:	61 SPACES		
REQUIRED H.C. PARKING:	3 SPACES		
H.C. PARKING PROVIDED:	3 SPACES		
BICYCLE PARKING PROVIDED:	4 SPACES		
REQUIRED MOTORCYCLE PARKING:	2 SPACES		
MOTORCYCLE PARKING PROVIDED:	2 SPACES		

- keyed notes:**
- REMOVE EXISTING CURB, GUTTER AND PORTION OF SIDEWALK AND INSTALL NEW DRIVEWAY AND SIDEWALK PER C.O.A. STD. DWG.
  - ELECTRICAL TRANSFORMER LOCATION: SEE ELECTRICAL DRAWINGS
  - LIGHT POLE: SEE ELECTRICAL SHEETS
  - EXISTING 6' WIDE CONC. WALK
  - ASPHALT PAVING: REFER TO SOILS REPORT FOR PAVING SECTION
  - 8' WIDE CONC. WALK
  - ADA ACCESSIBLE RAMP: SEE 16
  - NEW HCP RAMP W/ TRUNCATED DOMES @ SLOPED SURFACES: SEE C.O.A. STD. DWG 2441.
  - 4" THK. CONC. PAVING W/ CONTROL JOINTS AS SHOWN
  - 4' WIDE CONC. WALK
  - 20' BUILDING SETBACK LINE
  - 10' BUILDING SETBACK LINE
  - 4" WIDE WHITE PAINTED PARKING STRIPES
  - INTERNATIONAL HCP SYMBOL: PAINTED BLUE ON ASPHALT
  - 2' WHITE PAINTED BLOCKS-WIDTH AS SHOWN
  - "MOTORCYCLE PARKING" PAINTED WHITE
  - HCP. PARKING SIGN: SEE 17
  - MOTORCYCLE PARKING SIGN: SEE 17
  - NEW CURB AND GUTTER: SEE 10
  - DUMPSTER ENCLOSURE: SEE 13
  - 6' WIDE CONC. WALK
  - CONC. WALK FLUSH WITH ASPHALT HERE
  - STL. BOLLARD: SEE 15
  - MONUMENT SIGN: SEE 12
  - BIKE RACK: SEE 8
  - LANDSCAPE: SEE LANDSCAPE PLAN
  - REMOVE EXISTING CURB AND GUTTER AND LANDSCAPE THIS AREA AND INSTALL NEW ASPHALT PAVING PER SOILS REPORT PAVING SECTION RECOMMENDATION
  - EXISTING ASPHALT PAVING TO REMAIN
  - 5' WIDE CONC. WALK
  - 10' WIDE PUBLIC UTILITY EASEMENT
  - EXISTING STORM SEWER INLET TO REMAIN
  - CONCRETE STAIRS SEE FLOOR PLAN AND 16
  - CONCRETE CULVERTS, RUNDOWNS, AND DRAINAGE FILTERS: SEE GRADING PLAN AND 11
  - RETAINING WALL: SEE GRADING PLAN AND 18
  - NEW FIRE HYDRANT PER C.O.A. STD.
  - CONCRETE STAIRS SEE FLOOR PLAN AND 17
  - CLEAR SIGHT TRIANGLE: LANDSCAPING AND SIGNAGE WILL NOT INTERFERE WITH CLEAR SIGHT REQUIREMENTS. THEREFORE SIGNS, WALLS, TREES, AND SHRUBBERY BETWEEN 3 AND 8 FEET TALL (AS MEASURED FROM THE GUTTER PAN) WILL NOT BE ACCEPTABLE IN THIS AREA.
  - CONCRETE PARKING BUMPER

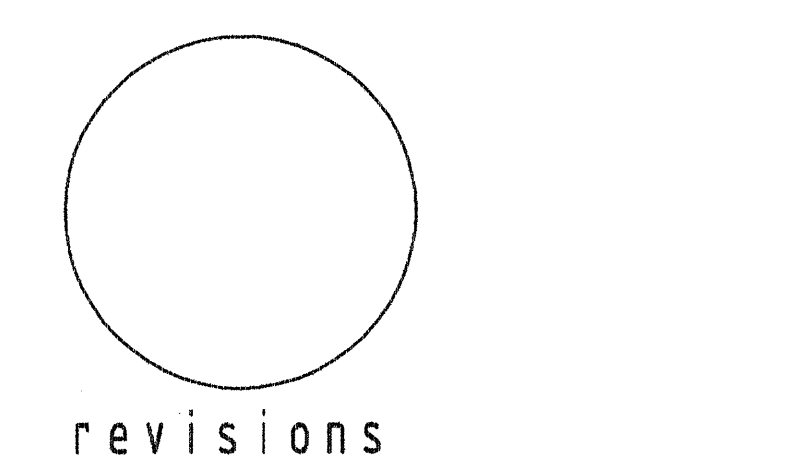
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4001 masthead st ne  
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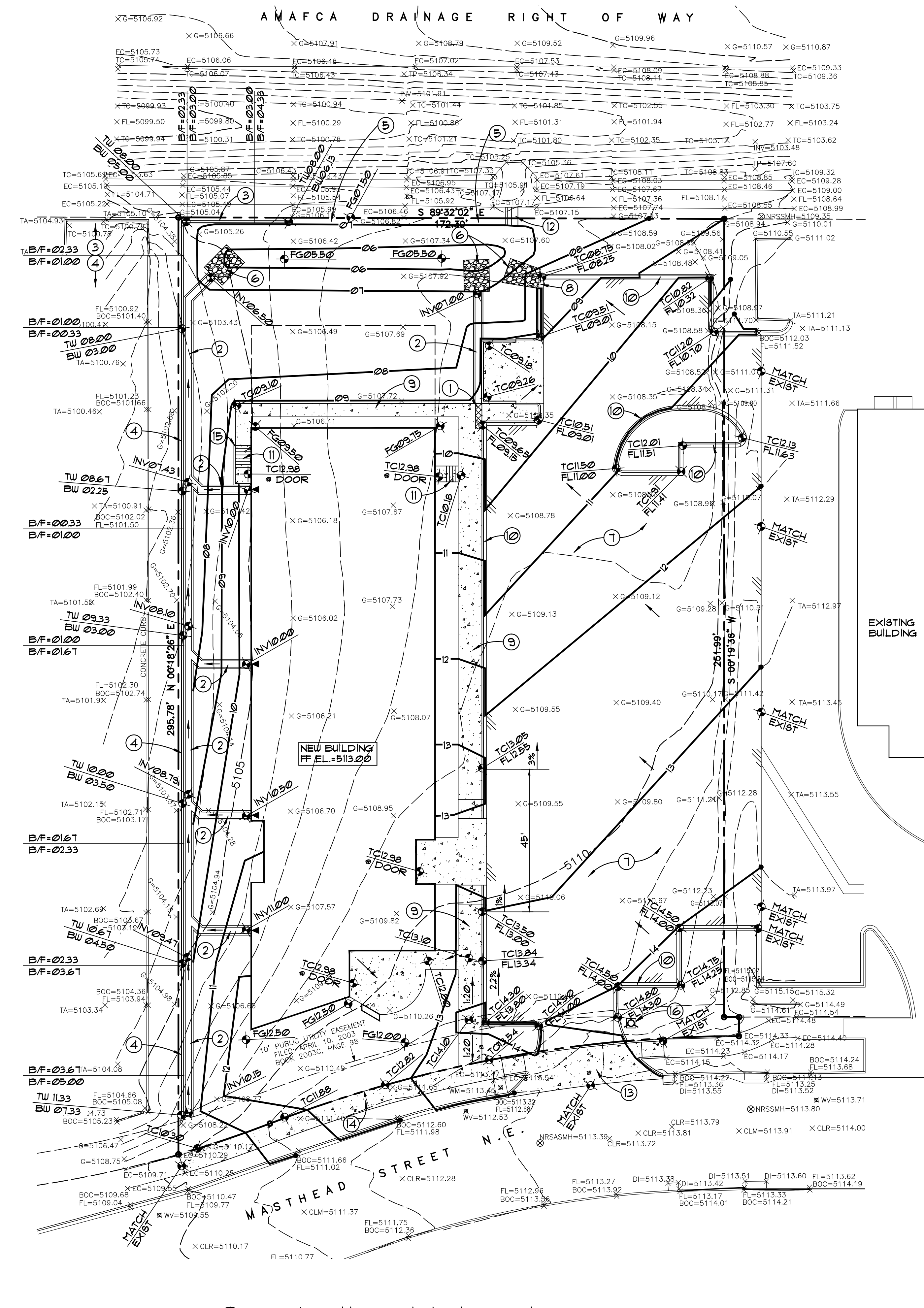
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slagleherarchitects  
413 second st sw  
albuquerque nm  
87102  
5052460870  
slagleher.com

**SITE PLAN  
SITE DETAILS**



date  
**1-6-16**  
sheet  
**A001**



### KEYED NOTES

- 1 2'-0" WIDE SIDEWALK CULVERT PER COA STANDARD DRAWING 2236
- 2 2'-0" WIDE CONCRETE RUNDOWN PER 1/2C101
- 3 SITE RETAINING WALL PER 3/2C101
- 4 SITE RETAINING WALL PER 4/2C101
- 5 PROVIDE DIRT BERM AT NORTH EDGE OF POND
- 6 8'-0" WID. x 10'-0" LONG 4" TO 6" RIPRAP PAD AT CHANNEL OUTLET PER 5/2C101
- 7 3" THICK ASPHALT PAVING PER 2/2C101
- 8 2'-0" WIDE BREAK IN CURB FOR DRAINAGE OUTLET
- 9 4" 4000 PSI, AIR-ENTRAINED CONCRETE SIDEWALK W/ MAXIMUM 2% CROSS SLOPE
- 10 4000 PSI, AIR-ENTRAINED CONCRETE CURB AND GUTTER PER 6/2C101
- 11 4000 PSI, AIR-ENTRAINED CONCRETE STAIR PER 1/2C101
- 12 SAWCUT EXISTING CURB AND REMOVE AS REQUIRED FOR NEW POND OUTLET - CONSTRUCT INFILTRATION/DISSIPATION CHANNEL PER 9/2C101
- 13 CONCRETE DRIVE PAD PER C.O.A. STANDARD DRAWING 2425
- 14 CONCRETE SIDEWALK IN CITY ROW. PER C.O.A. STANDARD DRAWING 2430
- 15 CONCRETE RETAINING WALL AT STAIR AND LANDING PER 8/2C101
- 16 NEW FIRE HYDRANT PER ABCUWA STANDARD DRAWING 2340

### LEGEND

- PROPERTY LINE
- NEW BUILDING LINE
- - - 5110 - - - EXISTING CONTOUR
- NEW CONTOUR
- X G=5109.55 EXISTING SPOT ELEVATION
- 1050 NEW SPOT ELEVATION
- NEW FLOW DIRECTION ARROW
- TA TOP OF ASPHALT
- TC TOP OF CONCRETE OR CURB
- FG FINISHED GRADE
- EC EDGE OF CONCRETE
- DI DROP INLET
- FL FLOW LINE
- TG TOP OF GRATE
- TW TOP OF WALL
- BW BOTTOM OF WALL
- B/F BOTTOM OF FOOTING
- INV INVERT
- BOC BACK OF CURB
- NR88MH NORTH RIM SANITARY SEWER MANHOLE
- [Pattern] NEW CONCRETE PAVING
- [Pattern] NEW AC PAVING
- [Symbol] ROOF DRAIN LOCATION
- [Symbol] SWALE

### HYDROLOGY CALCULATIONS

PRECIPITATION ZONE 2  
DESIGN STORM: (IN)

	1hr	6hr	24hr	4day	10day
	2.01	2.35	2.75	3.30	3.95

EXISTING CONDITIONS

LAND TRTMT	AREA (ACRE)	AREA %	F6 (CFS/AC)	Q (CFS)	V6 (CF)	V24 (CF)	V4DAY (CF)	V10DAY (CF)
A	0.000	0%	0.53	156	0.00	0	0	0
B	0.000	0%	0.78	228	0.00	0	0	0
C	1.074	100%	1.13	3.14	3.31	4.401	4.401	4.401
D	0.000	0%	2.12	4.10	0.00	0	0	0
<b>TOTALS</b>	<b>1.074</b>	<b>100%</b>		<b>3.31</b>	<b>4.401</b>	<b>4.401</b>	<b>4.401</b>	<b>4.401</b>

PROPOSED CONDITIONS

LAND TRTMT	AREA (ACRE)	AREA %	F6 (CFS/AC)	Q (CFS)	V6 (CF)	V24 (CF)	V4DAY (CF)	V10DAY (CF)
A	0.000	0%	0.53	156	0.00	0	0	0
B	0.382	36%	0.78	228	0.81	1.082	1.082	1.082
C	0.000	0%	1.13	3.14	0.00	0	0	0
D	0.692	64%	2.12	4.10	3.25	5.325	6.330	7.112
<b>TOTALS</b>	<b>1.074</b>	<b>100%</b>		<b>4.12</b>	<b>6.401</b>	<b>7.412</b>	<b>8.793</b>	<b>10.426</b>

FIRST FLUSH: 30130 SF x 0.44"/2 IN PER FT = 1105 CF  
POND VOLUME: 2205 SF x 125"/2 = 1378 CF

### LEGAL DESCRIPTION

LOT NUMBERED ONE (1) IN PHASE 2 UNIT2, JOURNAL CENTER, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

### BENCHMARK

ELEVATIONS ARE BASED ON CITY OF ALBUQUERQUE STATION NO. "13-ET", HAVING AN ELEVATION OF 5141.036, NAVD 1988

### DESIGN NARRATIVE

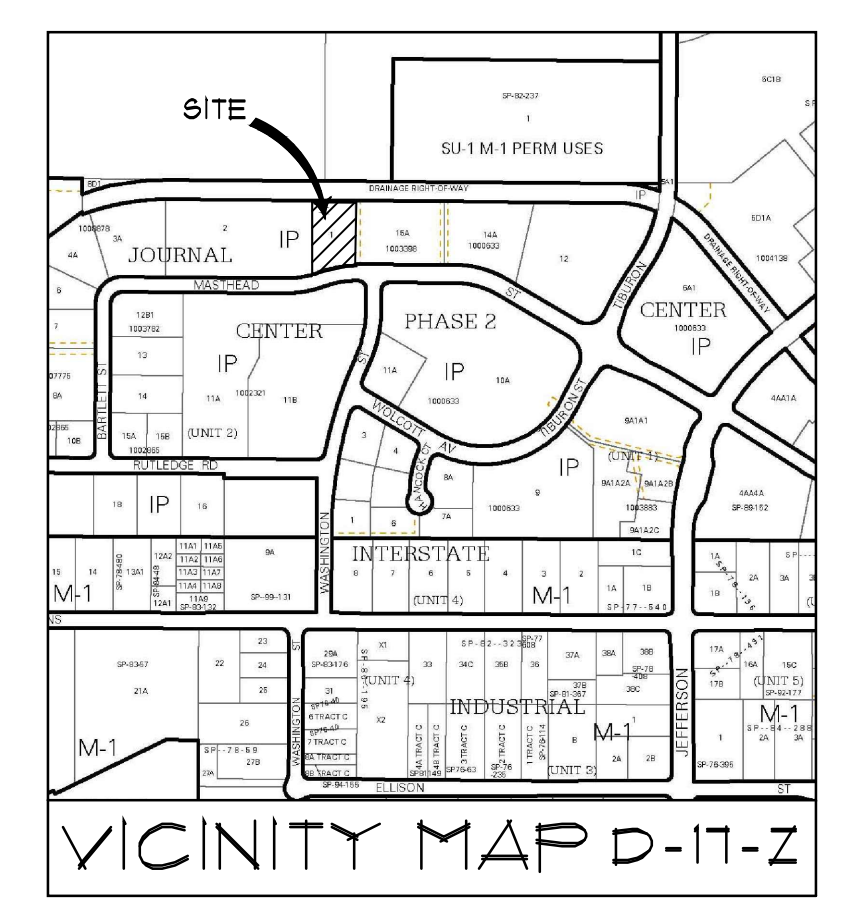
THE SUBJECT PROJECT IS A 9800 SF BUILDING AND PARKING LOT TO BE CONSTRUCTED ON AN UNIMPROVED 1/4 ACRE SITE. THE EXISTING SITE SLOPES FROM SOUTHEAST TO NORTHWEST AND BORDERS AN EXISTING CONCRETE PAVED AMAFCA DRAINAGE CHANNEL LOCATED ALONG THE NORTH PROPERTY LINE. THE EAST EDGE OF THE NEW PARKING LOT WILL BE CONSTRUCTED TO MEET THE ELEVATION OF THE ADJACENT DEVELOPMENT PARKING LOT. HOWEVER, NO SIGNIFICANT OFFSITE RUNOFF AFFECTS THE SUBJECT SITE, EITHER PRE-DEVELOPMENT OR POST DEVELOPMENT, DUE TO A VALLEY GUTTER IN THE PAVED AREA ON THE PROPERTY TO THE EAST WHICH DIRECTS DEVELOPED RUNOFF TO THE AMAFCA CHANNEL. THE NEW PROJECT IS DESIGNED TO COLLECT DEVELOPED ROOF RUNOFF IN A CONCRETE CHANNEL WEST OF THE BUILDING AND DIRECT IT TO A POND AT THE NORTH END OF THE SITE. THE PARKING LOT RUNOFF WILL SIMILARLY FLOW TO THIS POND WHICH HAS CAPACITY TO STORE THE "FIRST FLUSH" VOLUME BEFORE RUNOFF EXITS THE SITE VIA A CONCRETE INFILTRATION TRENCH TO THE AMAFCA CHANNEL. A RETAINING WALL WILL BE CONSTRUCTED ALONG THE WESTERN EDGE OF THE PROPERTY TO FACILITATE A GRADE CHANGE BETWEEN THE SUBJECT SITE AND THE MUCH LOWER DEVELOPED SITE TO THE WEST.

### EROSION CONTROL PLAN

- 1 CONTRACTOR IS RESPONSIBLE FOR OBTAINING A TOPSOIL DISTURBANCE PERMIT PRIOR TO BEGINNING WORK.
- 2 CONTRACTOR IS RESPONSIBLE FOR CLEANING ALL SEDIMENT OUT OF EXISTING RIGHT-OF-WAY.
- 3 CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ALL STORM RUN OFF ON SITE.
- 4 REPAIR OF DAMAGED FACILITIES AND CLEAN-UP OF SEDIMENT ACCUMULATION ON ADJACENT PROPERTIES AND IN PUBLIC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.
- 5 ALL EXPOSED EARTH SURFACES MUST BE PROTECTED FROM WIND AND WATER EROSION PRIOR TO FINAL ACCEPTANCE OF ANY PROJECT.
- 6 CONTRACTOR IS RESPONSIBLE FOR OBTAINING NPDES PERMIT FOR THE SITE, IF NECESSARY.

### DRAINAGE FACILITIES WITHIN CITY RIGHT-OF-WAY NOTICE TO CONTRACTOR

1. AN EXCAVATION PERMIT WILL BE REQUIRED BEFORE BEGINNING ANY WORK WITHIN CITY RIGHT-OF-WAY.
2. ALL WORK ON THIS PROJECT SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL LAWS, RULES AND REGULATIONS CONCERNING CONSTRUCTION SAFETY AND HEALTH.
3. TWO WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR MUST CONTACT THE LINE LOCATING SERVICE, NEW MEXICO ONE CALL 260-1982 (N.M. ONE CALL "811") FOR THE LOCATION OF EXISTING UTILITIES.
4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE LOCATIONS OF ALL OBSTRUCTIONS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL NOTIFY THE ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.
5. BACKFILL COMPACTION SHALL BE ACCORDING TO TRAFFIC/STREET USE. MAINTENANCE OF THE FACILITY SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY BEING SERVED.
7. WORK ON ARTERIAL STREETS SHALL BE PERFORMED ON A 24-HOUR BASIS.



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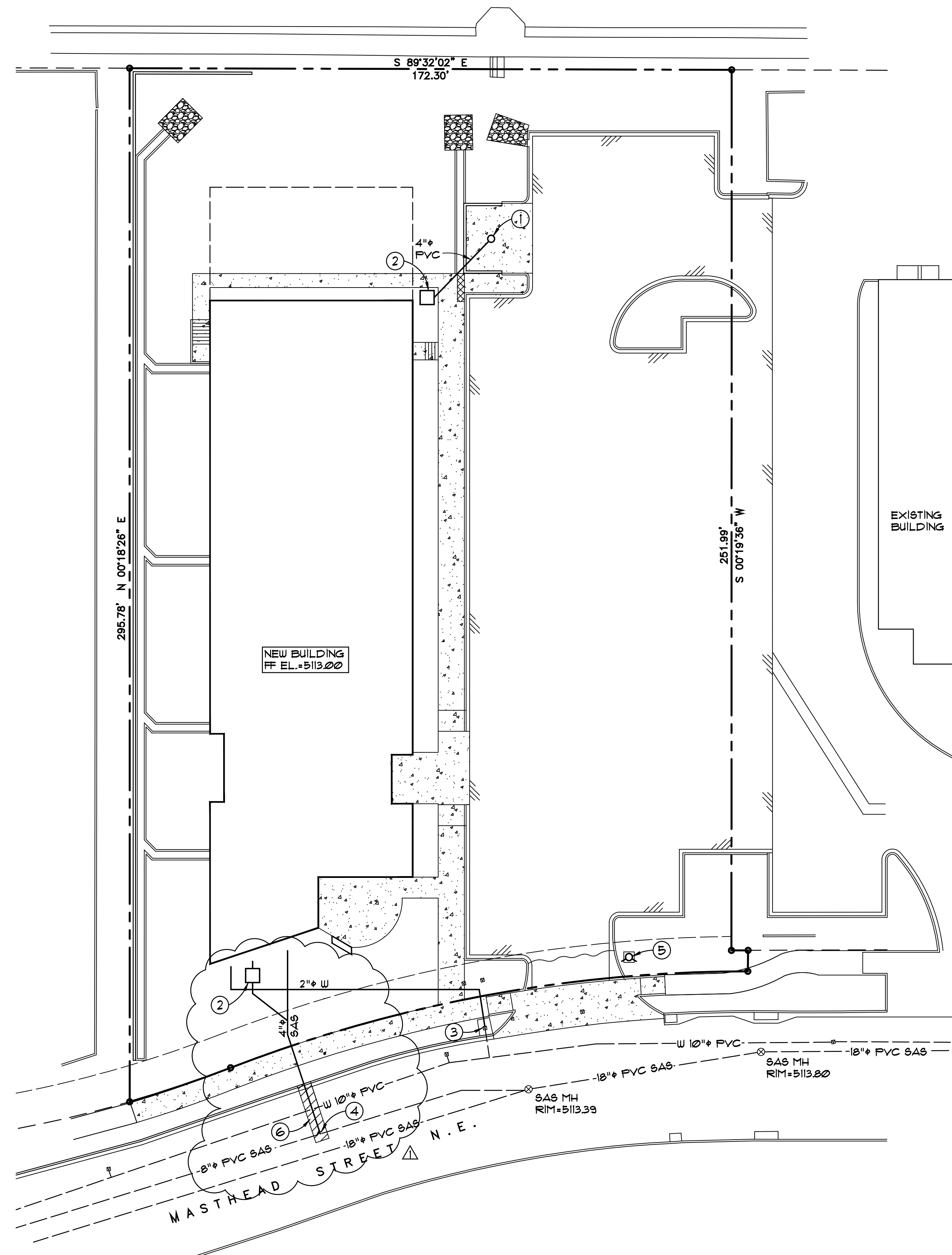
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### GRADING AND DRAINAGE PLAN



revisions

date  
**11-30-15**  
sheet  
**C101**

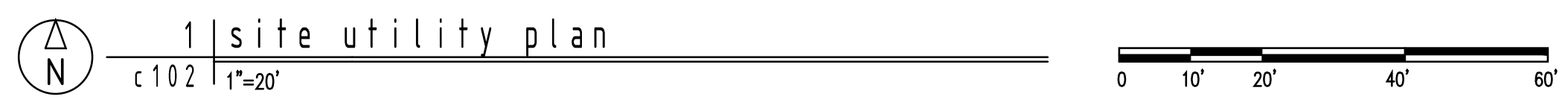


**KEYED NOTES**

- 1 ZURN AREA DRAIN
- 2 GREASE TRAP - SEE MECHANICAL
- 3 EXISTING WATER METER SADDLE AND BOX
- 4 SANITARY SEWER SERVICE CONNECTION
- 5 NEW FIRE HYDRANT PER ABCUWA STANDARD DRAWING #2340
- 6 SAWCUT, REMOVE AND REPLACE CURB AND GUTTER AND ASPHALT PAVING AT UTILITY CUT PER CITY OF ALBUQUERQUE STANDARD DRAWINGS #245A AND #246B

**LEGEND**

- SAS --- EXISTING SANITARY SEWER LINE
- SAS — SANITARY SEWER LINE
- W --- EXISTING WATER LINE
- W — WATER LINE
- WM WATER METER
- P.L. --- PROPERTY LINE
- CO SEWER CLEAN OUT
- MH --- EXISTING MANHOLE
- INV. INVERT ELEVATION



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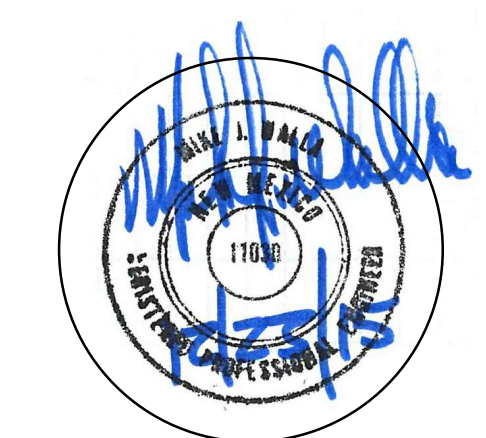


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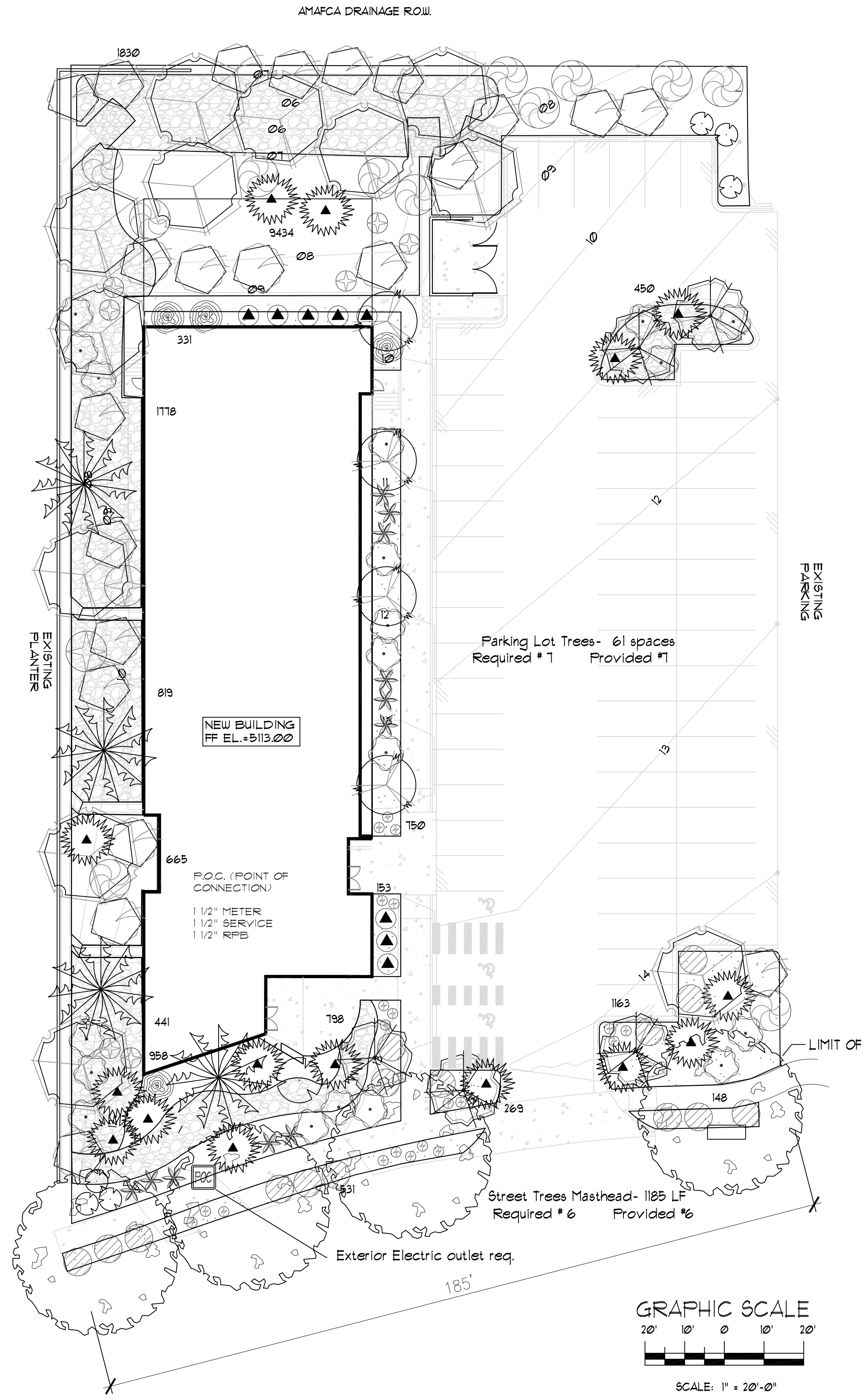
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 87102  
 5052460870  
 slagleherr.com

**SITE UTILITY PLAN**



revisions  
 ABCUWA COMMENTS 12-23-15

date  
**11-30-15**  
 sheet  
**C102**



**LANDSCAPE LEGEND**

QTY	SIZE	COMMON/BOTANICAL	MATURE SIZE	H2O USE
<b>TREES</b>				
4	2" Cal.	Berinda Ash Fraxinus velutina 'Berinda'	30' x 30'	1600 6400 L
3	4 - 6'	Pinon Pinus edulis	30' x 20'	400 1200 M
4	2" Cal.	Purple Leaf Plum Prunus virginiana 'Krater Vesuvius'	20' x 20'	400 1600 L
4	15 Gal.	Spring Snow Crabapple Malus 'Spring Snow'	25' x 22'	484 2420 M 11620
<b>SHRUBS &amp; GROUNDCOVERS</b>				
13	1 Gal	Desert Willow Chilopsis linearis	20'x25'	625 8125 M
11	1 Gal	Maiden Grass Miscanthus sinensis	5'x3'	9 99 M
4	1 Gal	Purple Leaf Sand Cherry Prunus cistina	5x6 36	144 M
8	1 Gal	Oregon Grape Holly Mahonia aquifolium 'compacta'	4x4 16	128 M
11	1 Gal	Winter Jasmine Jasminum nudiflorum	4x12 144	1584 M
19	1 Gal	Halls Honeysuckle Lonicera japonica	6x12 36	684 M
11	1 Gal	Cherry Sage Salvia greggii	2x3 9	99 M
12	1 Gal	Chamae Chrysothamnus nauseosus	5x10 100	1200 L
15	1 Gal	Blue Mist Caryopteris x clandonensis	3x3 9	135 M
22	1 Gal	Apache Plume Fallugia paradoxa	6x7 49	1078 L
7	1 Gal	Tree Leaf Sumac Rhus trilobata	4x6 36	252 L
9	1 Gal	Japanese Barberry Barbaris thunbergii 'Atropurpurea'	4x4 16	1296 L 14824

13398	Landscape Gravel / Filter Fabric
679	off site 3/4" minus Gray Crushed Gravel
6331	Oversize Landscape Gravel / Filter Fabric Rounded Cobbles 2" to 4"

**LANDSCAPE NOTES:**  
Landscape maintenance shall be the responsibility of the Property Owner. The Property Owner shall maintain street trees in a living, healthy, and attractive condition.

It is the intent of this plan to comply with the City Of Albuquerque Water Conservation Landscaping and Water Waste Ordinance planting restriction approach. Approval of this plan does not constitute or imply exemption from water waste provisions of the Water Conservation Landscaping and Water Waste Ordinance.

Water management is the sole responsibility of the Property Owner. All landscaping will be in conformance with the City of Albuquerque Zoning Code, Street Tree Ordinance, Follen Ordinance, and Water Conservation Landscaping and Water Waste Ordinance. In general, water conservative, environmentally sound landscape principles will be followed in design and installation.

Plant beds shall achieve 75% live ground cover at maturity.

Gravel Mulch over Filter Fabric to a minimum depth of 3" shall be placed in all landscape areas which are not designated to receive native seed.

**IRRIGATION NOTES:**  
Irrigation shall be a complete underground system with Trees to receive 1 Netafim spiral (50' length) with 3 loops at a final radius of 4.5' from tree trunk, pinned in place. Netafim shall have emitters 12" o.c. with a flow of 6 gph. Shrubs to receive (2) 1/2" GPH Drip Emitters. Drip and Bubbler systems to be tied to 1/2" poly pipe with flush caps at each end. Trees and shrubs shall be on separate valves.

Run time per each shrub drip valve will be approximately 15 minutes per day. Tree drip valve shall run 15 hours, 3 times per week. Run time will be adjusted according to the season.

Point of connection for irrigation system is unknown at current time and will be coordinated in the field. Irrigation will be operated by automatic controller.

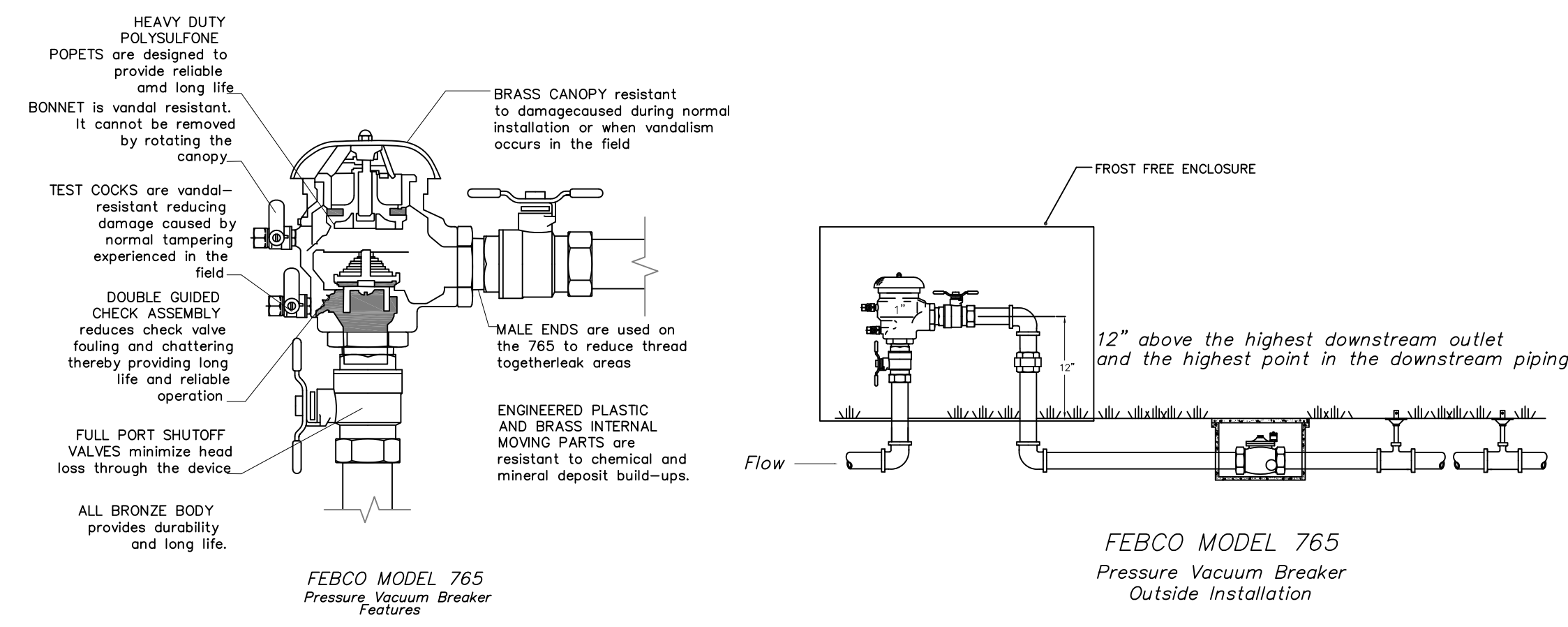
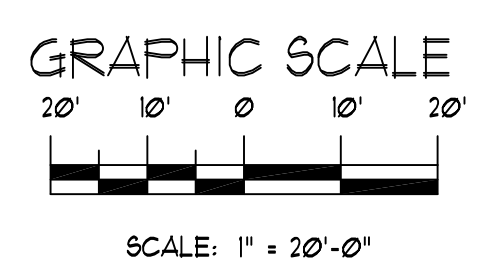
Location of controller to be field determined and power source for controller to be provided by others.

Irrigation maintenance shall be the responsibility of the Property Owner.

Water and Power source shall be the responsibility of the Developer/Builder.

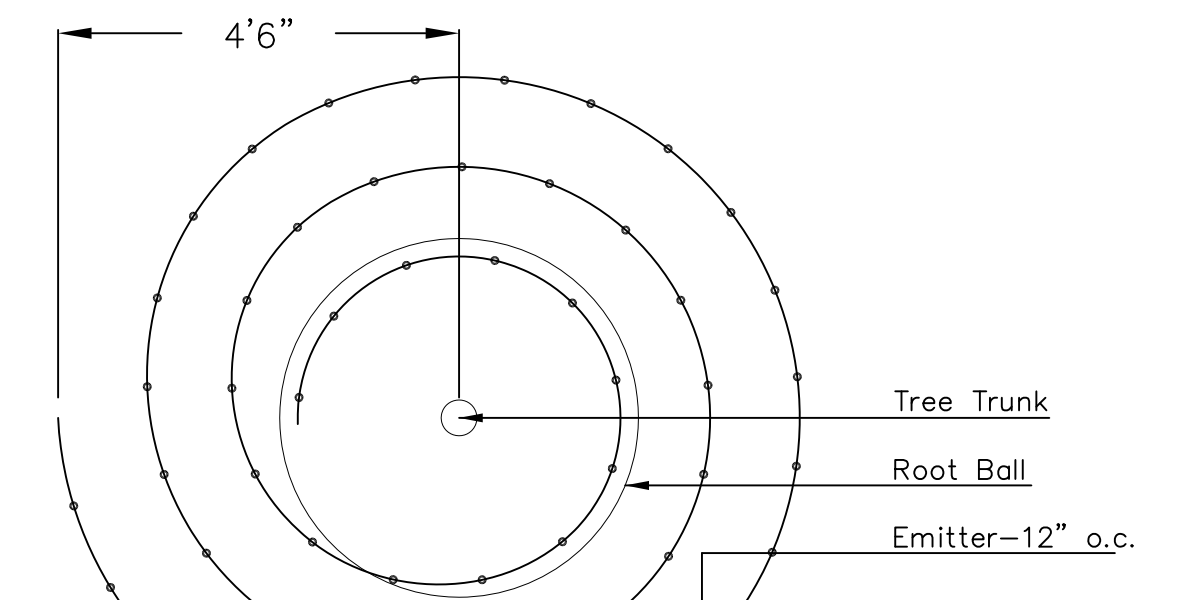
**LANDSCAPE CALCULATIONS**

TOTAL LOT AREA (sf)	46,809
TOTAL BUILDING AREA (sf)	9,800
NET LOT AREA (sf)	37,009
LANDSCAPE REQUIREMENT	X .15
TOTAL LANDSCAPE REQUIRED ( 15% )	5551
TOTAL ON-SITE LANDSCAPE PROVIDED ( 56% )	19129
TOTAL LIVE GROUNDCOVER REQUIRED ( 15% )	14796
TOTAL LIVE GROUNDCOVER PROVIDED ( 75% )	14824
TOTAL LIVE COVER PROVIDED ( 154% )	26444



**BACKFLOW PREVENTER DETAILS**

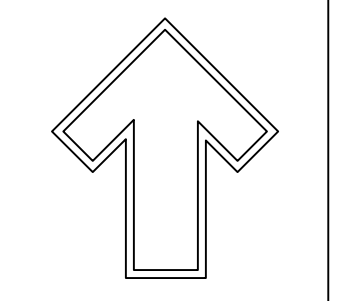
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**Netafim Spiral Detail**

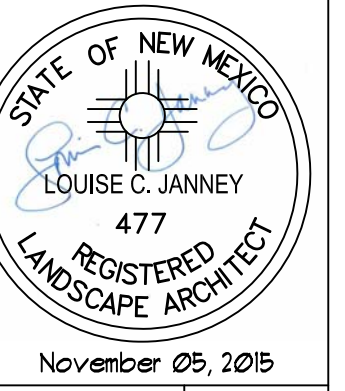
**TREE IRRIGATION DETAIL**

not to scale



The Hilltop  
1809 Edith Ave  
Albuquerque, NM 87104  
C: (505) 889-3668  
F: (505) 889-3690  
G: (505) 889-7137  
dcm@hilltoplandscaping.com

Landscape Architect



KENESIO  
4001 Masthead St. NE.  
Albuquerque, NM

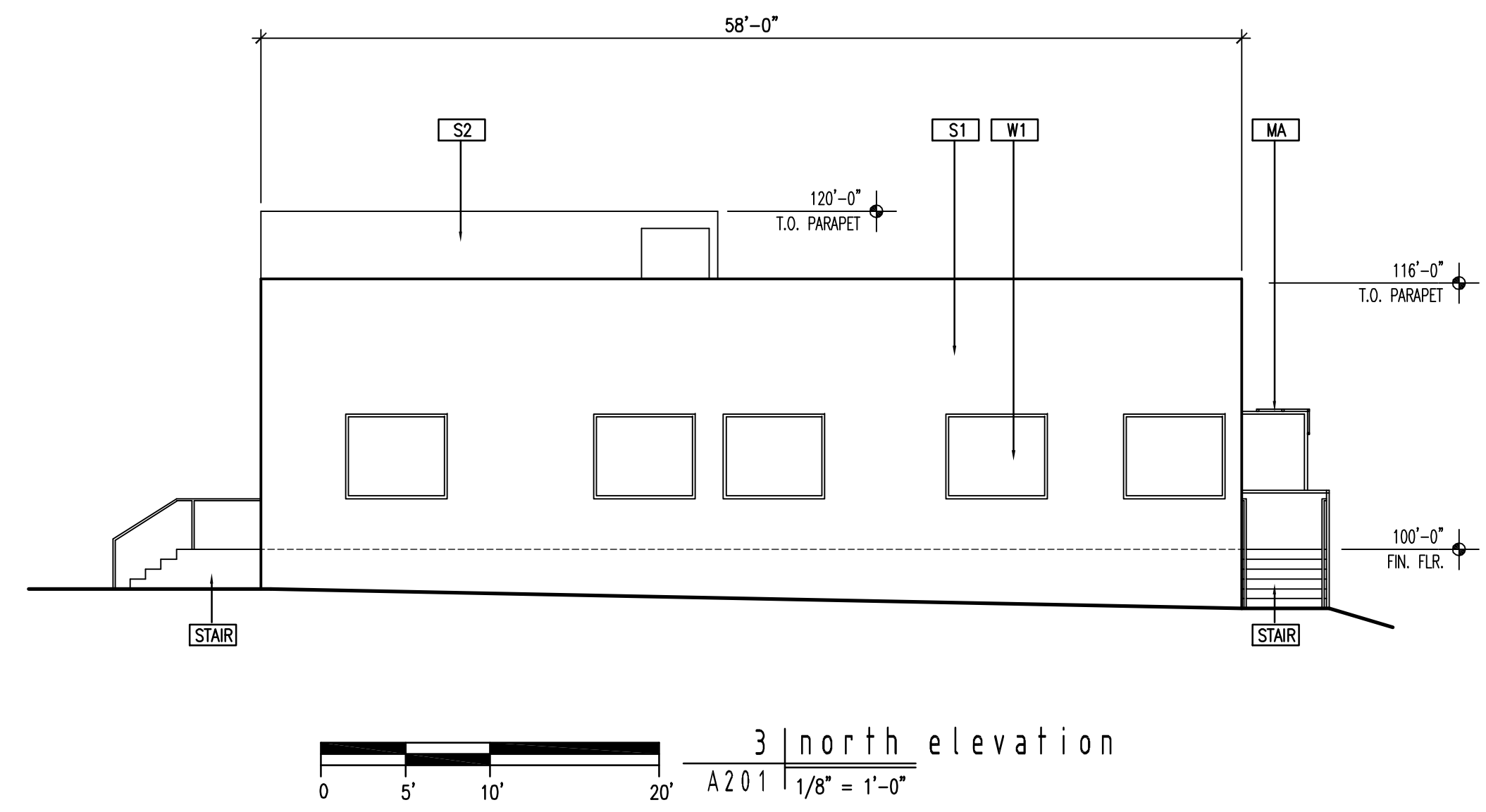
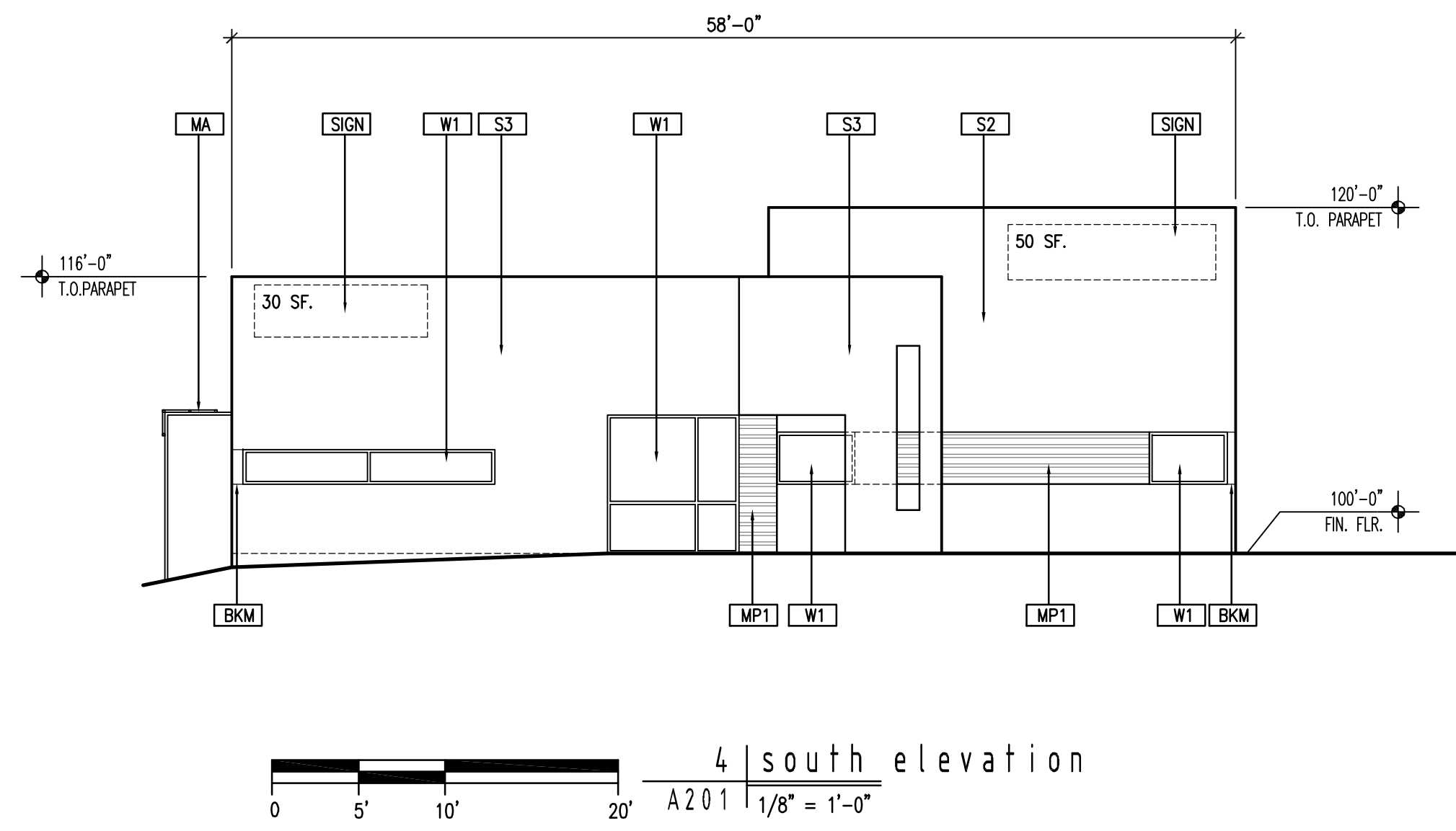
LANDSCAPE PLAN

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DRAWN BY U  
REVISION 11-11-2015  
DATE 11/5/2015

SHEET \*  
LS-101



- KEYED NOTES:**
- [S1] NEW SYNTHETIC STUCCO SYSTEM OVER EXISTING WALL. STUCCO COLOR: MEDIUM DARK GRAYISH GREEN
  - [S2] NEW SYNTHETIC STUCCO SYSTEM OVER NEW FRAMING. STUCCO COLOR: WHITE
  - [S3] NEW SYNTHETIC STUCCO SYSTEM OVER NEW FRAMING. STUCCO COLOR: TAN
  - [W1] ALUM. STOREFRONT WINDOW PER SCHEDULE
  - [DOOR] DOOR PER SCHEDULE
  - [BKM] ALUM. BREAK METAL TO MATCH WINDOW FRAMES
  - [MSS] METAL SHADE SCREEN: SEE 1 1
  - [MA] METAL AWNING: SEE 2 A303 A304
  - [MP1] METAL PANELS: MFC PBC PANEL, GALVALUME PLUS FINISH. ALL TRIM TO MATCH. INSTALL W RIBS HORIZ. PER MFRS INSTALLATION INSTRUCTIONS
  - [SB] EXPOSED STEEL STRUCTURE: SEE STRUCTURAL
  - [EE] ELECTRICAL EQUIPMENT: MOP AND METER
  - [GM] GAS METER LOCATION
  - [DS] LEADERHEAD AND DOWNSPOUT: GALVALUME TO MATCH WTL. PANELS. SEE ROOF PLAN FOR LOCATIONS
  - [SIGN] INTERNALLY LIT INDIVIDUAL LETTERS AND LOGO. SIGNAGE TO BE DETERMINED. BY SIGN MFR.
  - [STAIR] CONCRETE STAIR AND GUARDRAIL/HANDRAIL: SEE FLOOR PLAN

a new headquarters for:

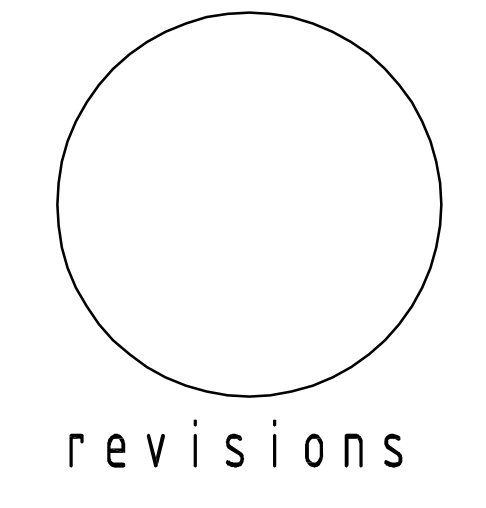


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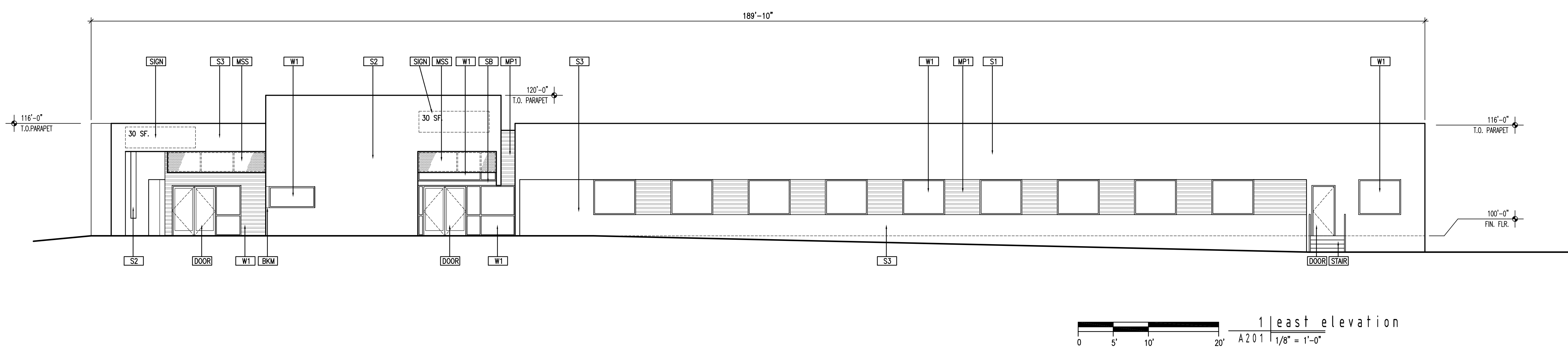
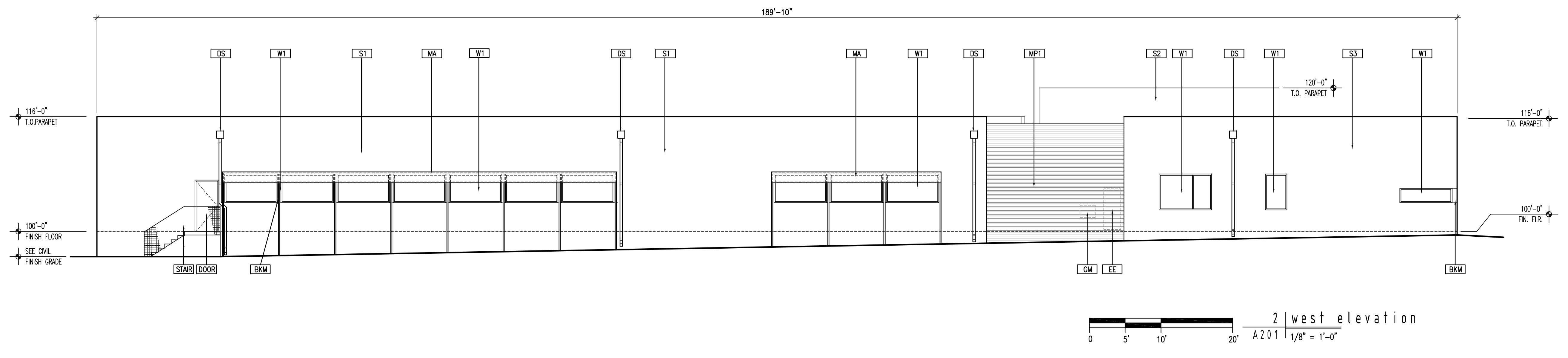


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413 second st sw  
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**ELEVATIONS**



date  
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sheet  
**A201**



**GRANT OF RECIPROCAL PARKING EASEMENTS, ACCESS EASEMENTS AND DRAINAGE EASEMENTS  
AND MUTUAL MAINTENANCE AND REPAIR DECLARATION**

This Grant of Reciprocal Parking Easements, Access Easements and Drainage Easements and Mutual Maintenance and Repair Declaration ("Declaration") is made January \_\_, 2016, by KMK LLC, a New Mexico limited liability company ("KMK") and MKK LLC, a New Mexico limited liability company ("MKK") (KMK and MKK are collectively the "Grantors").

*Recitals:*

- A. MKK owns the real property located at 4001 Masthead Street NE, Albuquerque, New Mexico, more fully described as Lot 1, Journal Center, Phase 2, Unit 2, as shown on the replat of Tract 8A-1 Journal Center Phase 2 Unit 1 in the records of the County Clerk of Bernalillo County, New Mexico ("Lot 1").
- B. KMK owns the real property located at 4111 Masthead Street NE, Albuquerque, New Mexico, more fully described as Lot 16, Journal Center, Phase 2 Unit 2, as shown on the replat of Tract 8A-1 Journal Center Phase 2 Unit 1 in the records of the County Clerk of Bernalillo County, New Mexico ("Lot 16") (Lot 1 and Lot 16 are collectively referred to herein as "the Lots").
- C. There are an existing building and improvements on Lot 16 and MKK is in the process of constructing a building onto Lot 1. Grantors wish to grant reciprocal easements over portions of Lot 1 and Lot 16, for the mutual benefit of the Lots, for (1) parking; (2) ingress and egress; and (3) drainage (collectively "Easements"). The Easements will be defined by the designated areas in Exhibit A, which is attached hereto and defined as the "Easement Areas."
- D. Grantors desire to specify the terms of the Easements for the benefit of the Grantors, the successor owners of the Lots and the future tenants thereof. (Grantors and the successor owners of the Lots are collectively referred to herein as "Lot Owners.")

NOW THEREFORE, in consideration of the mutual covenants contained in this Declaration, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor declares as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein by reference.
2. Grant of Easements for Parking. Grantors hereby grant and convey for the benefit of the Lots and the Lot Owners a perpetual, non-exclusive easement for the purpose of parking vehicles over those areas of each of the Lots upon which parking spaces are located or will be located in the future ("Parking Easements").
3. Cross Access Easements. Grantors hereby grant and convey for the benefit of the Lots and the Lot Owners a perpetual, non-exclusive, mutual cross access easement for purposes of vehicular and pedestrian ingress and egress on, over, upon, and across the areas on Lot 1 and Lot 16 defined in the Easement Areas ("Cross Access Easements").
4. Drainage Easements. Grantors declare that the areas of the Parking Easements and Cross Access Easements on the Lots are subject to perpetual and non-exclusive easements for drainage for the mutual benefit of the Lots and the Lot Owners ("Drainage Easements").

5. Maintenance, Repair, Replacement and Improvements. All maintenance, repair, replacement and improvements of the Parking Easements, Cross Access Easements and Drainage Easements will be the responsibility of and will be paid by each Lot Owner with respect to the easements located on such Lot Owner's Lot. Each respective Lot Owner will also be responsible for the maintenance, repair, replacement and improvement of lighting fixtures and electric service charges for such fixtures located within the Easements on such Lot Owner's Lot.

6. Negligent or Intentional Damage. Notwithstanding anything else to the contrary in this Declaration, in the event the property subject to the Easements granted herein (and/or the improvements upon such property) is damaged in any way by the negligence or intentional act of any Lot Owner or the tenants, agents or invitees of such Lot Owner, as among the Lot Owners, the damaging party shall be solely responsible for the restoration, repair or replacement of the damaged property or improvements. This shall not limit such responsible Lot Owner's claims against persons who caused or negligently permitted such damage.

7. Covenants to Run. All provisions of this Declaration, including the benefits and burdens, run with the Lots and are binding upon and inure to the benefit of the Grantor and the successor owners of the Lots.

8. Amendments. This Declaration may be amended by the mutual written consent of the Lot Owners to clarify the areas of the Easements and the maintenance and repair obligations of the Lot Owners.

9. Enforcement. Any party, its successors or assigns, may enforce this instrument against another, its successors or assigns, by appropriate action.

10. Governing Law. This Declaration shall be governed by and enforced in accordance with the laws of the State of New Mexico.

IN WITNESS WHEREOF, Grantor has executed this Amendment effective as of the date set forth above.

GRANTORS:

KMK LLC

By: 

Kenzo Kase, Manager

MKK LLC

By: 

Kenzo Kase, Manager

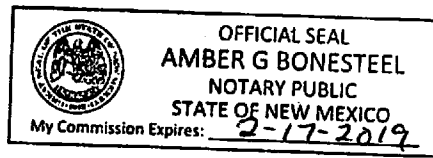
Acknowledgements

State of New Mexico )  
                                  ) ss.  
County of Bernalillo )

This instrument was acknowledged before me on January 20, 2016, by Kenzo Kase, manager of KMK LLC, a New Mexico limited liability company, on behalf of said company.

Amber G Bonesteel  
Notary Public

State of New Mexico )  
                                  ) ss.  
County of Bernalillo )



This instrument was acknowledged before me on January 20, 2016, by Kenzo Kase, manager of MKK LLC, a New Mexico limited liability company, on behalf of said company.

Amber G Bonesteel  
Notary Public

