



Please check the appropriate box(es) and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application.

|  |  |  |
|--|--|--|
| <b>SUBDIVISIONS</b>  | <input type="checkbox"/> Final Sign off of EPC Site Plan(s) (Form P2)      |  |
| <input type="checkbox"/> Major – Preliminary Plat (Form S1)            | <input type="checkbox"/> Major Amendment to Site Plan (Form P2)            | <input type="checkbox"/> Vacation of Public Right-of-way (Form V)    |
| <input type="checkbox"/> Minor – Preliminary/Final Plat (Form S2)      | <b>MISCELLANEOUS APPLICATIONS</b>  | <input type="checkbox"/> Vacation of Public Easement(s) DRB (Form V) |
| <input checked="" type="checkbox"/> Major - Final Plat (Form S2)       | <input type="checkbox"/> Extension of Infrastructure List or IIA (Form S1) | <input type="checkbox"/> Vacation of Private Easement(s) (Form V)    |
| <input type="checkbox"/> Minor Amendment to Preliminary Plat (Form S2) | <input type="checkbox"/> Minor Amendment to Infrastructure List (Form S2)  | <b>PRE-APPLICATIONS</b>  |
| <input type="checkbox"/> Extension of Preliminary Plat (Form S1)       | <input type="checkbox"/> Temporary Deferral of S/W (Form V2)               | <input type="checkbox"/> Sketch Plat Review and Comment (Form S2)    |
|  | <input type="checkbox"/> Sidewalk Waiver (Form V2)                         |  |
| <b>SITE PLANS</b>  | <input type="checkbox"/> Waiver to IDO (Form V2)                           | <b>APPEAL</b>  |
| <input type="checkbox"/> DRB Site Plan (Form P2)                       | <input type="checkbox"/> Waiver to DPM (Form V2)                           | <input type="checkbox"/> Decision of DRB (Form A)                    |
| <b>BRIEF DESCRIPTION OF REQUEST</b>                                    |  |  |
| CREATE 30 LOTS FROM 1 EXISTING TRACT                                   |  |  |
| GRANT PUBLIC & PRIVATE EASEMENTS                                       |  |  |

|  |                               |                                     |   |
|--|-------------------------------|-------------------------------------|---|
| <b>APPLICATION INFORMATION</b>   |                               |                                     |   |
| Applicant: <b>CLEARBROOK INVESTMENTS</b>   |                               | Phone:                              |   |
| Address: <b>8801 JEFFERSON ST. NE - BLDG A</b>   |                               | Email:                              |   |
| City: <b>ALBUQUERQUE</b>   | State: <b>NM</b>              | Zip: <b>87113</b>                   |   |
| Professional/Agent (if any): <b>ARCH+PLAN LAND USE CONSULTANTS</b>   |                               | Phone: <b>505.980.8365</b>          |   |
| Address: <b>P.O. BOX 25911</b>   |                               | Email: <b>arch.plan@comcast.net</b> |   |
| City: <b>ALBUQUERQUE</b>   | State: <b>NM</b>              | Zip: <b>87125</b>                   |   |
| Proprietary Interest in Site:  |                               | List all owners:                    |   |
| <b>SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)</b> |                               |                                     |   |
| Lot or Tract No.: <b>TRACT 4-A</b>   |                               | Block:                              | Unit:                                     |
| Subdivision/Addition: <b>HORIZON VILLAGE</b>   |                               | MRCGD Map No.:                      | UPC Code: <b>1.017.064.015.437.302.30</b> |
| Zone Atlas Page(s): <b>C-17</b>  | Existing Zoning: <b>R-M-L</b> |                                     | Proposed Zoning                           |
| # of Existing Lots: <b>1</b>   | # of Proposed Lots: <b>30</b> |                                     | Total Area of Site (Acres): <b>2.92 ±</b> |
| <b>LOCATION OF PROPERTY BY STREETS</b>   |                               |                                     |   |
| Site Address/Street: <b>HORIZON BLVD</b>   |                               | Between: <b>ALAMEDA BLVD</b>        | and: <b>BALLOON MUSEUM DR</b>             |
| <b>CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)</b>       |                               |                                     |   |
| <b>PR 2018-001842</b>  |                               |                                     |   |

|  |        |   |  |
|--|--------|---|--|
| Signature: <i>Derrick Archuleta</i>    |        | Date: <b>4.2.2021</b>   |  |
| Printed Name: <b>DERRICK ARCHULETA</b> |        | <input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent |  |
| <b>FOR OFFICIAL USE ONLY</b>           |        |   |  |
| Case Numbers                           | Action | Fees  |  |
|  |        |   |  |
|  |        |   |  |
|  |        |   |  |
|  |        |   |  |
| Meeting Date:                          |        | Fee Total:  |  |
| Staff Signature:                       | Date:  | Project #   |  |



**FORM S2. SUBDIVISION OF LAND – MINOR ACTIONS**

Please refer to the DRB minor case schedule for meeting dates and deadlines. Bring original Mylar or paper copy of plat with property owner's and City Surveyor's signatures on it to the meeting. Your attendance is required.

☐ **SKETCH PLAT REVIEW AND COMMENT**

Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_

\_\_\_ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@caba.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.

- \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled
- \_\_\_ Letter describing, explaining, and justifying the request
- \_\_\_ Scale drawing of the proposed subdivision plat (7 copies, folded)
- \_\_\_ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements, if there is any existing land use (7 copies, folded)

☒ **MAJOR SUBDIVISION FINAL PLAT APPROVAL**

Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_

\_\_\_ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@caba.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.

- \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled
- \_\_\_ Proposed Final Plat (7 copies, 24" x 36" folded)
- \_\_\_ Design elevations & cross sections of perimeter walls (3 copies)
- \_\_\_ Copy of recorded IIA
- \_\_\_ Landfill disclosure and EHD signature line on the plat if property is within a landfill buffer
- \_\_\_ DXF file and hard copy of final plat data for AGIS submitted and approved

☐ **SUBDIVISION OF LAND – MINOR (PRELIMINARY/FINAL PLAT APPROVAL)**

Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_

\_\_\_ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@caba.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.

- \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(K)
- \_\_\_ Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)
- \_\_\_ Proposed Preliminary / Final Plat with property owner's and City Surveyor's signatures on the plat prior to submittal. (7 copies, folded)
- \_\_\_ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements (to include sidewalk, curb & gutter with distance to property line noted) if there is any existing land use (7 copies, folded)
- \_\_\_ Sidewalk Exhibit and/or cross sections of proposed streets (3 copies, 11" by 17" maximum)
- \_\_\_ Signed Form DRWS Drainage Report Grading and Drainage Plan, and Water & Sewer Availability submittal information
- \_\_\_ Proposed Infrastructure List, if applicable
- \_\_\_ Required notice with content per IDO Section 14-16-6-4(K)
- \_\_\_ Office of Neighborhood Coordination inquiry response and proof of emailed notice to applicable Neighborhood Association representatives
- \_\_\_ Landfill disclosure and Environmental Health Department signature line on the plat if property is within a landfill buffer
- \_\_\_ DXF file and hard copy of final plat data for AGIS submitted and approved

**Note: Any application that requires major public infrastructure must be processed as a Subdivision of Land - Major. See Form S1.**

☐ **MINOR AMENDMENT TO PRELIMINARY PLAT**

Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_

\_\_\_ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@caba.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.


- \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled
- \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(X)(2)
- \_\_\_ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (7 copies, folded)
- \_\_\_ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (7 copies, folded)
- \_\_\_ Infrastructure List, if applicable

**Note: Any application that does not qualify as a Minor Amendment in IDO Section 14-16-6-4(X) must be processed as a Major Amendment. See Form S1.**

I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.

Signature: Derrick Archuleta Date: 4.2.2021  
 Printed Name: DERRICK ARCHULETA ☐ Applicant or ☒ Agent

**FOR OFFICIAL USE ONLY**

|                  |              |   |
|------------------|--------------|---|
| Project Number:  | Case Numbers |  |
|                  | -            |   |
|                  | -            |   |
|                  | -            |   |
|                  | -            |   |
| Staff Signature: |              |   |
| Date:            |              |   |





**ARCH+PLAN**  
**LAND USE CONSULTANTS**  
**ALBUQUERQUE NM**

April 2, 2021

Jolene Wolfley, Chair  
City of Albuquerque  
Development Review Board  
600 2<sup>nd</sup> St NW  
Albuquerque NM

**RE: LOTS 1 THRU 30, HORIZON VILLAGE**  
**PR 2018-001842 / SD 2019-00165 / SD 2019-00166 / VA 2019-00312**  
**SD 2020-00200 / SD 2020-00201**

Ms. Wolfley and members of the Board:

I would like to request Final Plat review for a major subdivision for the above mentioned property.

Preliminary Plat was presented and approved by the DRB on November 20, 2019. Also included with the preliminary plat were a vacation of private easement and temporary deferral of sidewalk.

On December 2, 2020, the DRB approved the extension of the Preliminary Plat and the extension of Infrastructure Improvements Agreement.

The applicant would like to create a thirty (30) lot subdivision of existing Tract 4-A, Horizon Village. The subdivision will continue to be known as Horizon Village, proposing Lots 1 thru 30 in addition to a HOA to be known as Tract 4-A-1 on a total of 2.9201± net acres on property zoned R-ML (Multi Family – Low Density). The property is currently vacant.

The Final Plat packet includes: proposed final plat, the Horizon Village typical wall exhibit, recorded IIA and Preliminary Plat Notice of Decision for November 20, 2019 and December 2, 2020.

The site is governed by the Area of Consistency of the Albuquerque/Bernalillo County Comprehensive Plan within the North I25 Planning Area.

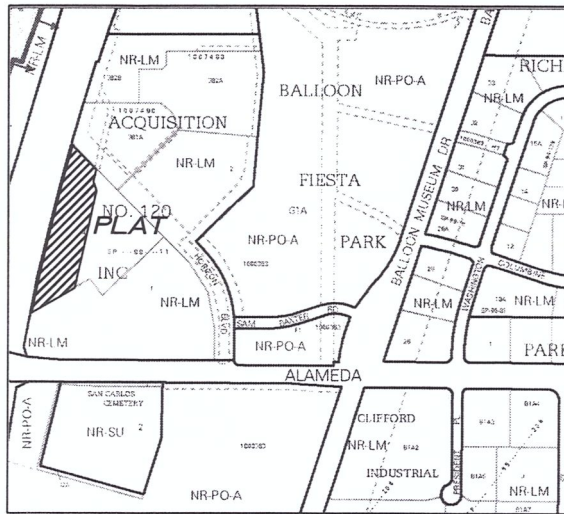
Thank you for your time and consideration of the proposed application.

Sincerely,



Derrick Archuleta, MCRP  
Principal





VICINITY MAP  
Not to Scale

#### GENERAL NOTES

- Bearings are grid and based on the New Mexico State Plane Coordinate System, Central Zone (NAD83).
- Distances are ground. US Survey Feet.
- Distances along curved lines are arc lengths.
- Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ( ).
- All corners found in place and held were tagged with a Aluminum disk stamped "L.S. 11993" unless otherwise indicated hereon.
- All corners that were set are either a 5/8" rebar with Aluminum cap stamped "L.S. 11993" unless otherwise indicated hereon.
- City of Albuquerque Zone Atlas Page C-17.

#### SUBDIVISION DATA

- Total number of existing Tracts: 1
- Total number of Tracts created: 1
- Total number of Lots created: 30
- No Public Street right of way dedicated by this plat
- Gross Subdivision acreage: 2.9201 acres.

APPROVED on the condition that all rights of the Middle Rio Grande Conservancy District in easements, rights of way, assessments and liens, are fully reserved to said District, and that if provision for irrigation source and easements are not provided for by the subdivider for the subdivision, addition, or plat, said District is absolved of all obligations to furnish irrigation waters and services to any portions thereof, other than from existing turnouts

#### TREASURERS CERTIFICATION

This is to certify that taxes are current and paid on the following:

Bernalillo County Treasurer Date

#### PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and 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 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, 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 erected or constructed on said easements, nor shall any 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 this 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) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

#### PURPOSE OF PLAT

The purpose of this plat is to:

- Divide One (1) existing tract into Thirty (30) new Lots and one (1) HOA Tract as shown hereon.
- Grant the Public and Private Easements as shown hereon.

#### SURVEYORS CERTIFICATION

I, Larry W. Medrano, New Mexico Professional Surveyor Number 11993, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my supervision; that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for surveys and monumentation of the Albuquerque Subdivision Ordinance; that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.

*Larry W. Medrano*  
Larry W. Medrano  
NMPS No. 11993

PLAT OF  
LOTS 1 THRU 30  
**HORIZON VILLAGE**  
(BEING A SUBDIVISION OF TRACT 4-A, HORIZON VILLAGE)  
SITUATE WITHIN  
THE ELENA GALLEGOS GRANT  
IN  
PROJECTED SECTIONS 11 AND 14  
TOWNSHIP 11 NORTH, RANGE 3 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
AUGUST, 2019

APPLICATION NUMBER: **SO 2020.00200**

PROJECT NUMBER: **PR 2019.001842**

#### PLAT APPROVAL

##### UTILITY APPROVALS:

|  |                   |
|--|-------------------|
| <i>[Signature]</i><br>Public Service Company of New Mexico       | 2/11/2021<br>Date |
| <i>[Signature]</i><br>New Mexico Gas Company                     | 2/12/2021<br>Date |
| <i>Natalia Antonio</i><br>QWest Corporation d/b/a CenturyLink QC | 2/22/2021<br>Date |
| <i>[Signature]</i><br>Comcast                                    | 2/12/21<br>Date   |

##### CITY APPROVALS:

|  |                   |
|--|-------------------|
| <i>[Signature]</i><br>City Surveyor<br>Department of Municipal Development | 9/4/19<br>Date    |
| Traffic Engineering, Transportation Division                               | Date              |
| ABCWUA   | Date              |
| Publics and Recreation Department<br><i>[Signature]</i><br>MAAFCA          | 2/22/2021<br>Date |
| City Engineer  | Date              |
| Code Enforcement   | Date              |
| DRB Chairperson, Planning Department                                       | Date              |
| M.R.G.C.D.   | Date              |

SHEET 1 OF 3

**SURV TEK**  
Consulting Surveyors  
Albuquerque, New Mexico 87114

Phone: 505-897-3366



PLAT OF  
LOTS 1 THRU 30  
**HORIZON VILLAGE**  
(BEING A SUBDIVISION OF TRACT 4-A, HORIZON VILLAGE)  
SITUATE WITHIN  
THE ELENA GALLEGOS GRANT  
IN  
PROJECTED SECTIONS 11 AND 14  
TOWNSHIP 11 NORTH, RANGE 3 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
AUGUST, 2019

LEGAL DESCRIPTION

Tract numbered Four (4-A) of Horizon Village, as the same is shown and designated on the plat entitled "Plat of Tracts 4-A and 4-B, Horizon Village, within the Elena Gallegos Grant projected Sections 11 & 14, T.11 N., R.3 E., N.M.P.M., City of Albuquerque, Bernalillo County, New Mexico, on July 2, 2019, as Document No. 2019055489, in Plat Book 2019C, page 66.

FREE CONSENT AND DEDICATION

SURVEYED and SUBDIVIDED and now comprising PLAT OF LOTS 1 THRU 30, HORIZON VILLAGE "BEING A SUBDIVIDED OF TRACT 4-A, Horizon Village, within the Elena Gallegos Grant projected Sections 11 & 14, T.11 N., R.3 E., N.M.P.M., City of Albuquerque, Bernalillo County, New Mexico, on July 2, 2019, as Document No. 2019055489, in Plat Book 2019C, page 66," with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby grant the public and private easements as shown hereon. Said owner(s) and proprietor(s) do hereby warrant that they hold among them complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby represent that they are so authorized to act.

OWNER(S)

Clearbrook Investments

By:   
\_\_\_\_\_


By:   
\_\_\_\_\_

ACKNOWLEDGMENT

STATE OF NEW MEXICO

COUNTY OF BERNALILLO SS

The foregoing instrument was acknowledged before me this 28<sup>th</sup>  
day of August, 2019 by Scott Henry

 My commission expires 1-11-21  
Notary Public



DOCUMENTS USED IN THE PREPARATION OF THIS SURVEY

- A. Plat entitled "CORRECTED PLAT FOR TRACT 1, TRACT 2, TRACT 3 AND TRACT 4, LAND OF IHS ACQUISITION NO. 120, INC.", as the same is shown and designated on the corrected plat of said subdivision, filed for record in the office of the County Clerk of Bernalillo County, New Mexico on December 22, 1998 in Book 98C, Page 358.
- B. Plat entitled "TRACTS 3B-1-A, 3B-2-A AND 3B-2-B, LAND OF IHS ACQUISITION NO. 120, INC." a replat of Tracts 3B-1 and 3B-2 as the same is shown and designated on the replat of said subdivision, filed for record in the office of the County Clerk of Bernalillo County, New Mexico on May 10, 2011 in Book 2011C, Page 59.
- C. Plat entitled "TRACTS 3B-1-A, 3B-2-A AND 3B-2-B, LAND OF IHS ACQUISITION NO. 120, INC." a replat of Tracts 3B-1 and 3B-2 as the same is shown and designated on the replat of said subdivision, filed for record in the office of the County Clerk of Bernalillo County, New Mexico on May 10, 2011 in Book 2011C, Page 59.
- D. Plat entitled "PLAT OF TRACTS 4-A, 4-B HORIZON VILLAGE, BEING A REPLAT OF TRACT 4, LAND OF IHS ACQUISITION NO. 120" as the same is shown and designated on the plat of said subdivision, filed for record in the office of the County Clerk of Bernalillo County, New Mexico on July 2, 2019 in Book 2019C, Page 66.

FLOOD ZONE DETERMINATION

The subject property (as shown hereon) appears to lie within Zone "X" (areas determined to be outside 0.2% annual chance floodplain) in accordance with the National Flood Insurance Program Rate Map No. 35001C0128G and 35011C0136G, Effective Date 9-26-2008.

SHEET 2 OF 3

**SURV+TEK**

Consulting Surveyors  
Albuquerque, New Mexico 87114

Phone: 505-897-3366  
Fax: 505-897-3377

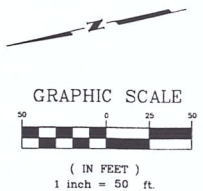


PLAT OF  
**LOTS 1 THRU 30**  
**HORIZON VILLAGE**  
 (BEING A SUBDIVISION OF TRACT 4-A, HORIZON VILLAGE)  
 SITUATE WITHIN  
**THE ELENA GALLEGOS GRANT**  
 IN  
**PROJECTED SECTIONS 11 AND 14**  
**TOWNSHIP 11 NORTH, RANGE 3 EAST**  
**NEW MEXICO PRINCIPAL MERIDIAN**  
**CITY OF ALBUQUERQUE**  
**BERNALILLO COUNTY, NEW MEXICO**  
 AUGUST, 2019

A Private Blanket Access Easement is hereby granted by this plat over Tract 4-A with the exception of those areas covered by future buildings and non-surface water drainage improvements within said tract for the benefit of A.M.A.F.C.A. and Tract 4-B. Maintenance of said easement to be the responsibility of the owner(s) of said Tract 4-A. For the benefit of A.M.A.F.C.A. Said Easement to be vacated when future development occurs.  
 Filed 07-02-2019, Bk. 2019C, Pg. 66

Grantor shall construct drainage facilities in the easement in accordance with standards prescribed by the City and plans and specifications approved by the City Engineer in accordance with the grading and drainage plan, submitted by THE Group on, 06/28/2018 and approved by the Albuquerque City Engineer on July 9, 2018, which report and amendments are on file in the office of the City Engineer. No fence, wall, planting, building or other obstruction may be placed or maintained in easement area without approval of the City Engineer of the City of Albuquerque. There shall be no alteration of the grades or contours in said easement area without the approval of the City Engineer. It shall be the duty of the lot owners of this subdivision to maintain said drainage easement (detention area) and facilities at their cost in accordance with standards prescribed by the City of Albuquerque. The City shall have the right to enter periodically to inspect the facilities. In the event said lot owners fail to adequately and properly maintain drainage easement (detention area) and facilities, at any time following fifteen (15) days written notice to said lot owners, the City may enter upon said area, perform said maintenance, and the cost of performing said maintenance shall be paid by applicable lot owners proportionately on the basis of lot ownership. In the event lot owners fail to pay the cost of maintenance within thirty (30) days after demand for payment made by the City, the City may file a lien against all lots in the subdivision for which proportionate payment has not been made. The obligations imposed herein shall be binding upon the owner, his heirs, and assigns and shall run with all lots within this subdivision.

The Grantor agrees to defend, indemnify, and hold harmless, the City, its officials, agents and employees from and against any and all claims, actions, suits, or proceedings of any kind brought against said parties for or on account of any matter arising from the drainage facility provided for herein or the Grantor's failure to construct, maintain, or modify said drainage facility.



| Curve Table |        |          |         |        |               |           |
|-------------|--------|----------|---------|--------|---------------|-----------|
| CURVE       | LENGTH | RADIUS   | TANGENT | CHORD  | CHORD BEARING | DELTA     |
| C1          | 77.67  | 11304.16 | 38.83   | 77.67  | N15° 28' 42"E | 0°23'37"  |
| C2          | 775.22 | 11304.16 | 387.76  | 775.07 | N13° 21' 38"E | 3°55'45"  |
| C3          | 59.21  | 11304.16 | 29.60   | 59.21  | S15° 31' 31"W | 0°18'00"  |
| C4          | 29.26  | 11304.16 | 14.63   | 29.26  | S15° 15' 04"W | 0°08'54"  |
| C5          | 46.75  | 11304.16 | 23.38   | 46.75  | S15° 03' 30"W | 0°14'13"  |
| C6          | 27.53  | 11304.16 | 13.77   | 27.53  | S14° 52' 13"W | 0°08'22"  |
| C7          | 111.06 | 11304.16 | 55.53   | 111.06 | S14° 31' 08"W | 0°33'46"  |
| C8          | 80.02  | 11304.16 | 40.01   | 80.02  | S14° 02' 05"W | 0°24'20"  |
| C9          | 38.01  | 11304.16 | 19.00   | 38.01  | S13° 44' 08"W | 0°11'33"  |
| C10         | 80.01  | 11304.16 | 40.00   | 80.01  | S13° 26' 11"W | 0°24'20"  |
| C11         | 80.00  | 11304.16 | 40.00   | 80.00  | S13° 01' 52"W | 0°24'20"  |
| C12         | 38.00  | 11304.16 | 19.00   | 38.00  | S12° 43' 55"W | 0°11'33"  |
| C13         | 80.00  | 11304.16 | 40.00   | 80.00  | S12° 25' 58"W | 0°24'20"  |
| C14         | 30.00  | 11304.16 | 15.00   | 30.00  | S12° 09' 15"W | 0°09'07"  |
| C15         | 30.00  | 11304.16 | 15.00   | 30.00  | S12° 00' 07"W | 0°09'07"  |
| C16         | 104.58 | 11304.16 | 52.29   | 104.58 | S11° 39' 39"W | 0°31'48"  |
| C17         | 24.14  | 100.96   | 12.13   | 24.08  | S38° 48' 05"W | 1°34'52"  |
| C18         | 25.56  | 100.96   | 12.85   | 25.49  | S24° 41' 57"W | 14°30'23" |
| C19         | 25.56  | 100.96   | 12.85   | 25.49  | S10° 11' 36"W | 14°30'21" |
| C20         | 13.18  | 100.96   | 6.60    | 13.17  | S0° 48' 00"E  | 7°28'50"  |

| Curve Table |        |          |         |       |               |           |
|-------------|--------|----------|---------|-------|---------------|-----------|
| CURVE       | LENGTH | RADIUS   | TANGENT | CHORD | CHORD BEARING | DELTA     |
| C21         | 27.80  | 19.85    | 16.73   | 25.58 | N35° 58' 16"E | 80°14'22" |
| C22         | 26.52  | 55.85    | 13.51   | 26.27 | S89° 47' 06"E | 27°12'06" |
| C23         | 31.39  | 20.00    | 19.98   | 28.27 | N32° 20' 22"W | 89°55'45" |
| C24         | 31.42  | 20.00    | 20.00   | 28.28 | N57° 41' 45"E | 90°00'00" |
| C25         | 31.42  | 20.00    | 20.00   | 28.28 | N32° 18' 15"W | 90°00'00" |
| C26         | 31.42  | 20.00    | 20.00   | 28.28 | N57° 41' 45"E | 90°00'00" |
| C27         | 31.42  | 20.00    | 20.00   | 28.28 | N32° 18' 15"W | 90°00'00" |
| C28         | 12.44  | 15.00    | 6.60    | 12.09 | N36° 27' 35"E | 47°31'39" |
| C29         | 11.11  | 14.98    | 5.83    | 10.86 | N81° 26' 04"E | 42°29'49" |
| C30         | 15.12  | 25.00    | 7.80    | 14.89 | S4° 37' 58"E  | 34°39'27" |
| C31         | 30.24  | 50.00    | 15.60   | 29.79 | S4° 37' 58"E  | 34°39'27" |
| C32         | 88.44  | 100.96   | 47.28   | 85.64 | S20° 33' 18"W | 50°11'26" |
| C33         | 18.46  | 11304.16 | 9.23    | 18.46 | S15° 19' 42"W | 0°05'37"  |
| C34         | 18.46  | 61.39    | 9.30    | 18.39 | S10° 54' 46"E | 17°33'58" |
| C35         | 16.86  | 11304.16 | 8.43    | 16.86 | S11° 58' 07"W | 0°05'08"  |
| C36         | 18.46  | 11304.16 | 9.23    | 18.46 | S15° 19' 42"W | 0°05'37"  |
| C37         | 34.56  | 11304.16 | 17.28   | 34.56 | S11° 50' 18"W | 0°10'31"  |
| C38         | 70.02  | 11304.16 | 35.01   | 70.02 | S11° 34' 24"W | 0°21'18"  |
| C39         | 10.85  | 61.39    | 5.44    | 10.84 | S24° 35' 40"E | 10°07'51" |

**NOTES:**

A. Tracts 4-A and 4-B together herein mutually grant as Tract 4-A-1, shall be a Private access, parking, utility, drainage, maintenance and benefit easement. The Property Owners Association shall govern and equitably bear the cost of the use as defined above, subject to the Covenants, Conditions and Restrictions governing the tracts herein.

B. Tract 4-A-1 (Horizon Way, Aerialist Place, Aloft Place and Away Place) is Granted to the A.B.C.W.U.A. as a Public Sanitary Sewer and Waterline Easement by this Plat.

C. ENCROACHMENT AND MAINTENANCE EASEMENT. Included is the right of encroachment, between present and future adjoining lot owners, of eaves, overhangs, gutters, walls, common walls and roofing material as are necessary for the construction and habitation of homes within oil Horizon Village lots. Also included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain improvements for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space, 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 (above ground or sub surface) hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements. (Granted by this plat) (See Easement Detail)

25' Sanitary Sewer Easement  
 Filed November 25, 1992, Book 92-26, Page 3166, Document No. 02119335

10' P.U.E. (Granted by this Plat)

30' Private Drainage Easement for the Exclusive Use of Tracts 2 & 3 granted by Plat filed December 22, 1988, Book 98C, Page 356, (Vacated by this Plat)

25' Sanitary Sewer Easement  
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25' Sanitary Sewer Easement  
 Filed November 25, 1992, Book 92-26, Page 3166, Document No. 02119335

Albuquerque Central Survey Monument "NDC-7-1A"  
 New Mexico State Plane Coordinates, Central Zone (NAD 83) as published:  
 N= 1,334,419.502 US Survey feet  
 E= 1,534,923.428 US Survey feet  
 Ground to grid factor: 0.999874775  
 Delta Alpha = -00°12'4.47"  
 TIE= N10°00'50"E, 736.25

Albuquerque Central Survey Monument "NDC-7"  
 New Mexico State Plane Coordinates, Central Zone (NAD 83) as published:  
 Tie 1,533,698.248 US Survey feet  
 E= 1,534,340.591 US Survey feet  
 Ground to grid factor: 0.999874466  
 Delta Alpha = -00°12'16.43"

**PROHIBITION ON PRIVATE RESTRICTIONS  
 ON THE INSTALLATION OF SOLAR COLLECTORS**

"No property within the area of this plat 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 or parcels within the area of proposed plat. The foregoing requirement shall be a condition to approval of this plat."

**SURV TEK**  
 Consulting Surveyors  
 Albuquerque, New Mexico 87114

Phone: 505-897-3366







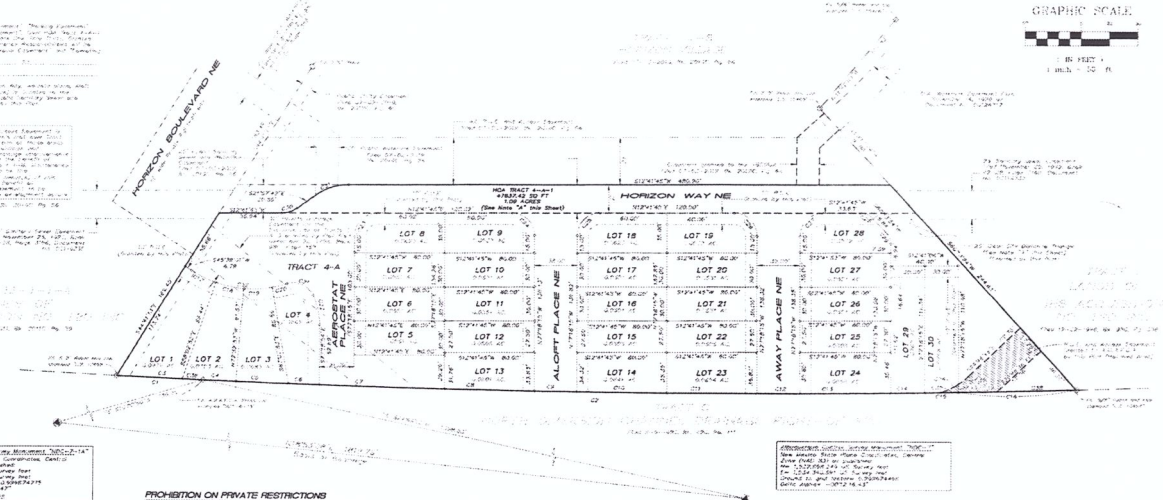




| CHURN | LENGTH | RACING TARGET | CMPS | CMPS BEARING | DELTA |
|-------|--------|---------------|------|--------------|-------|
| 0.0   | 0.00   | 0.00          | 0.00 | 0.00         | 0.00  |
| 0.1   | 0.05   | 0.00          | 0.01 | 0.00         | 0.00  |
| 0.2   | 0.10   | 0.00          | 0.02 | 0.00         | 0.00  |
| 0.3   | 0.15   | 0.00          | 0.03 | 0.00         | 0.00  |
| 0.4   | 0.20   | 0.00          | 0.04 | 0.00         | 0.00  |
| 0.5   | 0.25   | 0.00          | 0.05 | 0.00         | 0.00  |
| 0.6   | 0.30   | 0.00          | 0.06 | 0.00         | 0.00  |
| 0.7   | 0.35   | 0.00          | 0.07 | 0.00         | 0.00  |
| 0.8   | 0.40   | 0.00          | 0.08 | 0.00         | 0.00  |
| 0.9   | 0.45   | 0.00          | 0.09 | 0.00         | 0.00  |
| 1.0   | 0.50   | 0.00          | 0.10 | 0.00         | 0.00  |
| 1.1   | 0.55   | 0.00          | 0.11 | 0.00         | 0.00  |
| 1.2   | 0.60   | 0.00          | 0.12 | 0.00         | 0.00  |
| 1.3   | 0.65   | 0.00          | 0.13 | 0.00         | 0.00  |
| 1.4   | 0.70   | 0.00          | 0.14 | 0.00         | 0.00  |
| 1.5   | 0.75   | 0.00          | 0.15 | 0.00         | 0.00  |
| 1.6   | 0.80   | 0.00          | 0.16 | 0.00         | 0.00  |
| 1.7   | 0.85   | 0.00          | 0.17 | 0.00         | 0.00  |
| 1.8   | 0.90   | 0.00          | 0.18 | 0.00         | 0.00  |
| 1.9   | 0.95   | 0.00          | 0.19 | 0.00         | 0.00  |
| 2.0   | 1.00   | 0.00          | 0.20 | 0.00         | 0.00  |
| 2.1   | 1.05   | 0.00          | 0.21 | 0.00         | 0.00  |
| 2.2   | 1.10   | 0.00          | 0.22 | 0.00         | 0.00  |
| 2.3   | 1.15   | 0.00          | 0.23 | 0.00         | 0.00  |
| 2.4   | 1.20   | 0.00          | 0.24 | 0.00         | 0.00  |
| 2.5   | 1.25   | 0.00          | 0.25 | 0.00         | 0.00  |
| 2.6   | 1.30   | 0.00          | 0.26 | 0.00         | 0.00  |
| 2.7   | 1.35   | 0.00          | 0.27 | 0.00         | 0.00  |
| 2.8   | 1.40   | 0.00          | 0.28 | 0.00         | 0.00  |
| 2.9   | 1.45   | 0.00          | 0.29 | 0.00         | 0.00  |
| 3.0   | 1.50   | 0.00          | 0.30 | 0.00         | 0.00  |
| 3.1   | 1.55   | 0.00          | 0.31 | 0.00         | 0.00  |
| 3.2   | 1.60   | 0.00          | 0.32 | 0.00         | 0.00  |
| 3.3   | 1.65   | 0.00          | 0.33 | 0.00         | 0.00  |
| 3.4   | 1.70   | 0.00          | 0.34 | 0.00         | 0.00  |
| 3.5   | 1.75   | 0.00          | 0.35 | 0.00         | 0.00  |
| 3.6   | 1.80   | 0.00          | 0.36 | 0.00         | 0.00  |
| 3.7   | 1.85   | 0.00          | 0.37 | 0.00         | 0.00  |
| 3.8   | 1.90   | 0.00          | 0.38 | 0.00         | 0.00  |
| 3.9   | 1.95   | 0.00          | 0.39 | 0.00         | 0.00  |
| 4.0   | 2.00   | 0.00          | 0.40 | 0.00         | 0.00  |
| 4.1   | 2.05   | 0.00          | 0.41 | 0.00         | 0.00  |
| 4.2   | 2.10   | 0.00          | 0.42 | 0.00         | 0.00  |
| 4.3   | 2.15   | 0.00          | 0.43 | 0.00         | 0.00  |
| 4.4   | 2.20   | 0.00          | 0.44 | 0.00         | 0.00  |
| 4.5   | 2.25   | 0.00          | 0.45 | 0.00         | 0.00  |
| 4.6   | 2.30   | 0.00          | 0.46 | 0.00         | 0.00  |
| 4.7   | 2.35   | 0.00          | 0.47 | 0.00         | 0.00  |
| 4.8   | 2.40   | 0.00          | 0.48 | 0.00         | 0.00  |
| 4.9   | 2.45   | 0.00          | 0.49 | 0.00         | 0.00  |
| 5.0   | 2.50   | 0.00          | 0.50 | 0.00         | 0.00  |
| 5.1   | 2.55   | 0.00          | 0.51 | 0.00         | 0.00  |
| 5.2   | 2.60   | 0.00          | 0.52 | 0.00         | 0.00  |
| 5.3   | 2.65   | 0.00          | 0.53 | 0.00         | 0.00  |
| 5.4   | 2.70   | 0.00          | 0.54 | 0.00         | 0.00  |
| 5.5   | 2.75   | 0.00          | 0.55 | 0.00         | 0.00  |
| 5.6   | 2.80   | 0.00          | 0.56 | 0.00         | 0.00  |
| 5.7   | 2.85   | 0.00          | 0.57 | 0.00         | 0.00  |
| 5.8   | 2.90   | 0.00          | 0.58 | 0.00         | 0.00  |
| 5.9   | 2.95   | 0.00          | 0.59 | 0.00         | 0.00  |
| 6.0   | 3.00   | 0.00          | 0.60 | 0.00         | 0     |


[illegible]

Arkansas General Survey Monument 2000-7-12  
 near State House Courtyard, Camille  
 from 0.00 to 0.12  
 n = 324,453.7 (12 survey feet)  
 s = 1,548,928.42 (48 survey feet)  
 Distance to top of tower 1,599,747.9  
 Date taken = 0072712 47  
 DE = 4090030N, 73E 25



**PROHIBITION ON PRIVATE RESTRICTIONS  
ON THE INSTALLATION OF SOLAR COLLECTORS**

"No property within the area of this plat shall in any form be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings erected on the lots or parcels within this area of proposed plat. The foregoing requirement shall be a condition to approval of this plat."

**SURV**  **TEK**  
Consulting Surveyors  
4044 N. 11th St., Suite 200, Phoenix, AZ 85018  
Phone: 505-297-3300

| ENGINEER'S SEAL  |      | FIELD NOTES |    | BENCH MARKS                             |      | AS BUILT INFORMATION |      |
|--|------|-------------|----|---|------|----------------------|------|
| NO.  | DATE | REMARKS     | BY | NO.                                     | DATE | NO.                  | DATE |
|                   |      |             |    | *ACS BM 448 448                         |      | CONTRACTOR           |      |
|  |      |             |    | N-15-14,000.43 N-15-17,570.226 (NAD 83) |      | SUPERVISOR           |      |
|  |      |             |    | DATA=2001.671 (NAD 1983)                |      | DRAWN BY             |      |
|  |      |             |    |   |      | CHECKED BY           |      |
| DESIGNED BY REH<br>DATE 10/31/18<br>DRAWN BY REH<br>DATE 12/07/18<br>CHECKED BY REH<br>DATE 02/21/20 |      |             |    | MICRO-FILM INFORMATION                  |      | RECORDED BY          |      |
|  |      |             |    |   |      | DATE                 |      |

[illegible]



**1<sup>st</sup> AMENDMENT TO AGREEMENT**  
**Procedure "B"**

**PROJECT NO. 799782**

This Agreement made this 19<sup>th</sup> day of February, 2021, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of Developer:) **ClearBrook Investments, Inc.** ("Developer"), whose email address is scott@strillbrooke.com, whose address is **8801 Jefferson NE, Albuquerque, NM, 87113** and whose telephone number is **(505) 350-3563**, is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

WHEREAS, the parties agree that the word "Subdivider" used in any previous Agreements is replaced with the word "Developer" for this Agreement. This change has no substantive effect on any other provision of the agreement.

WHEREAS, the City and the Developer entered into an Agreement on the 29<sup>th</sup> day of July, 2020 which was recorded on 26<sup>th</sup> day of August, 2020, pages 1 through 12 as Document No. **2020081825** in the records of Bernalillo County Clerk, State of New Mexico ("Earlier Agreement"), by which the Subdivider agreed to complete the construction of certain infrastructure improvements on or before the 20<sup>th</sup> day of November, 2020; and

WHEREAS, it appears that the Developer will be unable to complete construction of the improvements by the deadline specified in the Earlier Agreement; and

WHEREAS, the Developer requested that the Development Review Board (DRB) issue an extension to submit the preliminary plat identified as **Horizon Village**, and also requested an extension of the IIA's construction completion deadline for the infrastructure improvements; and

WHEREAS, DRB then granted the Developer's request for an extension of the preliminary plat and the Developer's request for an extension of the construction completion deadline in the IIA until December 17, 2021;

NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

1. The required completion date for construction of the improvements, as set forth in the attached **Exhibit A**, is extended (Complete either A or B:)

A. For all improvements, the 17<sup>th</sup> day of December, 2021.

B. On portions of the improvements as follows:

**Doc# 2021024855**

03/02/2021 09:43 AM Page 1 of 7  
AMND R \$25.00 Linda Stover, Bernalillo County





IMPROVEMENTS

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

COMPLETION DATE

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

2. With this Extension Agreement, Developer has provided the City with the following financial guaranty:

Type of Financial Guaranty: None

Amount: \$ \_\_\_\_\_

Name of Financial Institution or Surety providing Guaranty: \_\_\_\_\_

Date City first able to call Guaranty (Construction Completion Deadline):

December 17, 2021

If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_

Additional information: \_\_\_\_\_  
\_\_\_\_\_

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Extension Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion deadline established in the Earlier Agreement and establish a revised financial guaranty for the benefit of the City.

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

DEVELOPER: **Clearbrook Investments, Inc.**

By [signature]:

Name [print] Scott Henry

Title: President

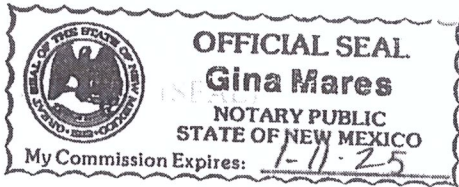
Dated: 1-29-2021



DEVELOPER'S NOTARY

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

This instrument was acknowledged before me on this 29<sup>th</sup> day of January, 2021  
by [name of person:] Scott Henry, [title or capacity, for instance, "President" or "Owner"] President  
of [Developer:] Clearbrook Investments, Inc.



Gina Mares  
Notary Public

My Commission Expires: 1-11-2025

CITY OF ALBUQUERQUE:

DocuSigned by:  
By: Shahab Biyar DS  
Shahab Biyar, P.E., City Engineer amv

Dated: 2/19/2021 | 4:32 PM MST

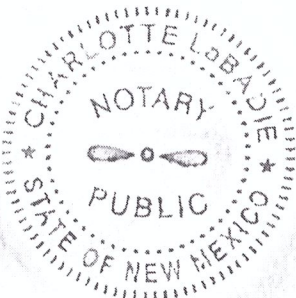
CITY'S NOTARY

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

This instrument was acknowledged before me on this 19<sup>th</sup> day of February, 2021 by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Charlott LaBach  
Notary Public

My Commission Expires: March 15, 2021





PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946

## OFFICIAL NOTIFICATION OF DECISION

Clearbrook Investments  
8801 Jefferson St NE # A  
ABQ, NM 87113

### **Project #PR-2018-001842**

Application#

**VA-2019-00312-** WAIVER Temporary deferral of sidewalk

**SD-2019-00165** – PRELIMINARY PLAT

**SD-2019-00166** – VACATION OF PUBLIC EASEMENT

### **LEGAL DESCRIPTION:**

All or a portion of **TRACT 4-A of PLAT OF TRACTS 4-A AND 4-B HORIZON VILLAGE**, zoned R-ML, located on **HORIZON BLVD NE north of ALAMEDA BLVD NE**, containing approximately 2.9201 acre(s).

On **November 20, 2019**, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the requests, based on the following Findings:

### **VA-2019-00312-** WAIVER Temporary Deferral of Sidewalk

1. This request allows the applicant to construct the sidewalks as the homes are constructed. This waiver is valid for 4 years. The applicant may request an extension under section 14-16-6-6(W)(4).
2. Transportation approved the request.

### **SD-2019-00068-**PRELIMINARY PLAT

1. This Preliminary Plat divides the existing lot into 30 residential lots. The plat dedicates the necessary easements.
2. The property is zoned R-ML. The lots meet the minimum lot requirements for the zoning categories. Future development must be consistent with the underlying zoning.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

4. There is an infrastructure list (IL) for improvements tied to the preliminary plat. This IL was signed by all DRB members at the hearing.

**SD-2019-00067 – VACATION OF PUBLIC EASEMENT**

1. The applicant proposes to vacate a 30' Private Drainage Easement. This easement was granted in 1998 for the use of Tracts 2 and 3.
2. The public welfare does not require that the existing easement be retained because a new easement will be granted. The vacation is shown on the exhibit in the file.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

**Condition:**

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval.

**APPEAL:** If you wish to appeal the decisions for the vacation or final plat (Preliminary Plats cannot be appealed according to the IDO), you must do so within 15 days of the DRB's decision or by **DECEMBER 5TH, 2019**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



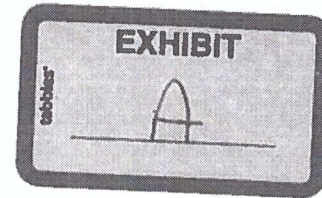
Jolene Wolfley  
DRB Chair

JW/mg

The Group /Ron Hensley 300 Branding Iron RD SE Rio Rancho



PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946



## OFFICIAL NOTIFICATION OF DECISION

Clearbrook Investments, Inc.  
8801 Jefferson St. NE, #A  
Albuquerque, NM 87113

**Project# PR-2018-001842**

**Application#**

**SD-2020-00200** – EXTENSION OF PRELIMINARY  
PLAT (EPP)

**SD-2020-00201** – EXTENSION OF THE  
INFRASTRUCTURE IMPROVEMENTS AGREEMENT  
(IIA)

### LEGAL DESCRIPTION:

For all or a portion of: **TRACT 4A, HIS  
ACQUISITION NO 120 INCORPORATED,**  
zoned R-ML, located on **HORIZON BLVD NE**  
**between ALAMEDA BLVD and**  
**BALLOON MUSEUM DR,** containing  
approximately 2.92 acre(s). (C-17)

On December 2, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the request based on the following Findings:

### **SD-2020-00200 EXTENSION OF PRELIMINARY PLAT (EPP)**

1. This is a request to extend the Preliminary Plat for the above referenced area to allow the completion of the project.
2. The Preliminary Plat was approved by the DRB on November 20, 2019 and would have expired on December 5, 2020.
3. Pursuant to 14-16-6-4(X)(4)(a) The applicant has made this request in writing prior to the expiration of the previous approval and the DRB, the original approving body, has made a decision using the same procedure required for the initial approval.
4. This action will extend the approval of the Preliminary Plat to December 17, 2021. Per Section 14-16-6-4(X)(4)(a), the IDO allows one extension of any approval action so this is the final extension.
5. The proper notice was given as required by the IDO.

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**SD-2020-00201 EXTENSION OF THE INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA)**

6. This is a request to extend the Infrastructure Improvements Agreement for the above referenced area to allow the completion of the project. It is a request for a 1-year extension.
7. The current Infrastructure List was approved on November 20, 2019. The infrastructure improvements are anticipated to be completed in the next several weeks, necessitating the extension of the IIA.
8. Pursuant to 14-16-6-4(X)(4)(a) The applicant has made this request in writing prior to the expiration of the previous approval and the DRB, the original approving body, has made a decision using the same procedure required for the initial approval. The city received the application on November 18, 2020, prior to the expiration of the IIA.
9. This action will extend the approval of the IIA to December 17, 2021.
10. The proper notice was given as required by the IDO.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 17, 2020**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). Appeals should be submitted via email to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) (if files are less than 9MB in size). Files larger than 9MB can be sent to [PLNDRS@CABQ.GOV](mailto:PLNDRS@CABQ.GOV) using <https://wettransfer.com>. A Non-Refundable filing fee will be calculated and you will receive instructions about paying the fee online.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Jolene Wolfley  
DRB Chair

JW/jr



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Ron Hensley/THE Group, 300 Branding Iron Rd. SE, Rio Rancho, NM 87124