



MODULUS ARCHITECTS & LAND USE PLANNING, INC.

8220 San Pedro Drive NE, Suite 520

Albuquerque, NM 87113

Phone (505) 338-1499

www.modulusarchitects.com

PLAT DOCUMENTATION COVER SHEET (PDF Files in this section)

1. DHO Application
2. Form S1
3. Form PLT
4. Zone Atlas Map
5. Preliminary Plat
 - a. Hydrology Letter of Approval
 - b. Grading & Drainage Plan
 - c. ABCWUA Serviceability Letter
 - d. ABCWUA Development Agreement
6. Sidewalk Exhibit
7. Site Sketch
8. Infrastructure List
 - a. Infrastructure Improvements Agreement
 - b. COA Financial Guarantee Amount
 - c. Letter of Credit



Please check the appropriate box(es) and refer to supplemental forms for submittal requirements. All fees must be paid at the time of application. Please note that these applications are not reviewed in a public meeting.

SUBDIVISIONS	MISCELLANEOUS APPLICATIONS
<input type="checkbox"/> Major – Preliminary Plat (Forms PLT & S1)	<input type="checkbox"/> Sidewalk Waiver (Form V2)
<input type="checkbox"/> Major – Bulk Land Plat (Forms PLT & S1)	<input type="checkbox"/> Waiver to IDO (Form V2)
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input type="checkbox"/> Waiver to DPM (Form V2)
<input type="checkbox"/> Minor Amendment - Preliminary Plat (Forms PLT & S2)	<input type="checkbox"/> Vacation of Public Right-of-way (Form V)
<input type="checkbox"/> Minor - Final Plat (Forms PLT & S2)	<input type="checkbox"/> Vacation of Public Easement(s) DHO (Form V)
<input type="checkbox"/> Minor – Preliminary/Final Plat (Forms PLT & S2)	<input type="checkbox"/> Vacation of Private Easement(s) (Form V)
	APPEAL
	<input type="checkbox"/> Decision of DHO (Form A)

BRIEF DESCRIPTION OF REQUEST

APPLICATION INFORMATION		
Applicant/Owner:	Phone:	
Address:	Email:	
City:	State:	Zip:
Professional/Agent (if any):	Phone:	
Address:	Email:	
City:	State:	Zip:
Proprietary Interest in Site:	List <u>all</u> owners:	

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)		
Lot or Tract No.:	Block:	Unit:
Subdivision/Addition:	MRGCD Map No.:	UPC Code:
Zone Atlas Page(s):	Existing Zoning:	Proposed Zoning
# of Existing Lots:	# of Proposed Lots:	Total Area of Site (Acres):

LOCATION OF PROPERTY BY STREETS		
Site Address/Street:	Between:	and:

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Signature: <i>Regina Ghoya</i>	Date:
Printed Name:	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FORM S1: SUBDIVISION OF LAND – MAJOR

Please refer to the DHO public meeting schedule for meeting dates and deadlines. Your attendance is required.

_ MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL**_ MAJOR AMENDMENT TO PRELIMINARY PLAT****_ BULK LAND SUBDIVISION**

A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. *The PDF shall be organized in the number order below.* Divide the PDF with a title sheet for each of the three documentation sections in **bold** below.

PLAT DOCUMENTATION

- ___ 1) DHO Application form completed, signed, and dated
- ___ 2) Form S1 with all the submittal items checked/marked
- ___ 3) Form PLT with signatures from Hydrology, Transportation, and ABCWUA
- ___ 4) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 5) Preliminary Plat including the Grading and Drainage Plan with the surveyor's, property owner's, and City Surveyor's signatures on the Plat. If submitting a Bulk Land Plat, the Plat must also include utility and AMAFCA signatures
- ___ 6) Sidewalk Exhibit and/or cross sections of proposed streets
- ___ 7) 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
- ___ 8) Infrastructure List, if required for building of public infrastructure
- ___ 9) Sensitive Lands Site Analysis for new site design in accordance with IDO Section 5-2(C)
(The Sensitive Lands Site Analysis form can be obtained online at):
https://documents.cabq.gov/planning/development-review-board/Sensitive_lands_analysis_form.pdf

SUPPORTIVE DOCUMENTATION

- ___ 10) Letter of authorization from the property owner if application is submitted by an agent
- ___ 11) Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(L)(3)
- ___ 12) Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)
(not required for Extension)

- 13) Proof of Sketch Plat per IDO Section 14-16-6-6(L)(2)(b)
- 14) Landfill disclosure statement per IDO Section 14-16-6-4(S)(5)(d)(2)(d) if site is within a designated landfill buffer zone

PUBLIC NOTICE DOCUMENTATION

- 15) Sign Posting Agreement
- 16) Required Content of Notice at Submittal per IDO Section 14-16-6-4(K)(1)
- Office of Neighborhood Coordination notice inquiry response
- Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by the Planning Department
- Completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b)
- Proof of emailed notice to affected Neighborhood Association representatives
- Proof of first class mailing to affected Neighborhood Association representatives and property owners within 100 feet
- 17) Interpreter Needed for Hearing? if yes, indicate language: _____

_ EXTENSION OF PRELIMINARY PLAT

A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.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 to City Staff using other online resources such as Dropbox or FTP. *The PDF shall be organized in the number order below.*

- 1) DHO Application form completed, signed, and dated
- 2) Form S1 with all the submittal items checked/marked
- 3) Zone Atlas map with the entire site clearly outlined and labeled
- 4) Preliminary Plat
- 5) Copy of DRB approved infrastructure list
- 6) Letter of authorization from the property owner if application is submitted by an agent
- 7) Letter describing, explaining, and justifying the request per IDO Section 14-16-6-4(X)(4)
- 8) Interpreter Needed for Hearing? if yes, indicate language: _____

Please refer to the DHO public meeting schedule for meeting dates and deadlines. Your attendance is required.

Legal/Request Descriptions & Location: 99999 PASEO DEL NORTE NW

SE corner Paseo Del Norte and Kimmick

Hydrology:

- Sensitive Lands Analysis (5-2(C)) Approved X NA
- Grading and Drainage Plan X Approved NA
- AMAFCA Approved X NA
- Bernalillo County Approved X NA
- NMDOT Approved X NA
- MRGCD Approved X NA

 5/16/2024
Hydrology Department Date

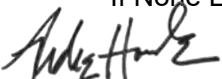
Transportation:

- Traffic Circulations Layout (TCL) Approved X NA
- Traffic Impact Study (TIS) Approved X NA
- Neighborhood Impact Analysis (NIA) Approved X NA
- Bernalillo County Approved X NA
- NMDOT Approved X NA

 5/13/2024
Transportation Department Date

Albuquerque Bernalillo County Water Utility Authority (ABCWUA):

- Availability Statement: X Approved NA
- Development Agreement: X Approved NA
- ~~If None Explain:~~ Availability Letter 220512 w/ DA R-22-25 -

 05/13/24 Date
ABCWUA

- Infrastructure Improvements Agreement (IIA*) X Approved
- AGIS (DXF File**) Approved

Signatures on Plat:

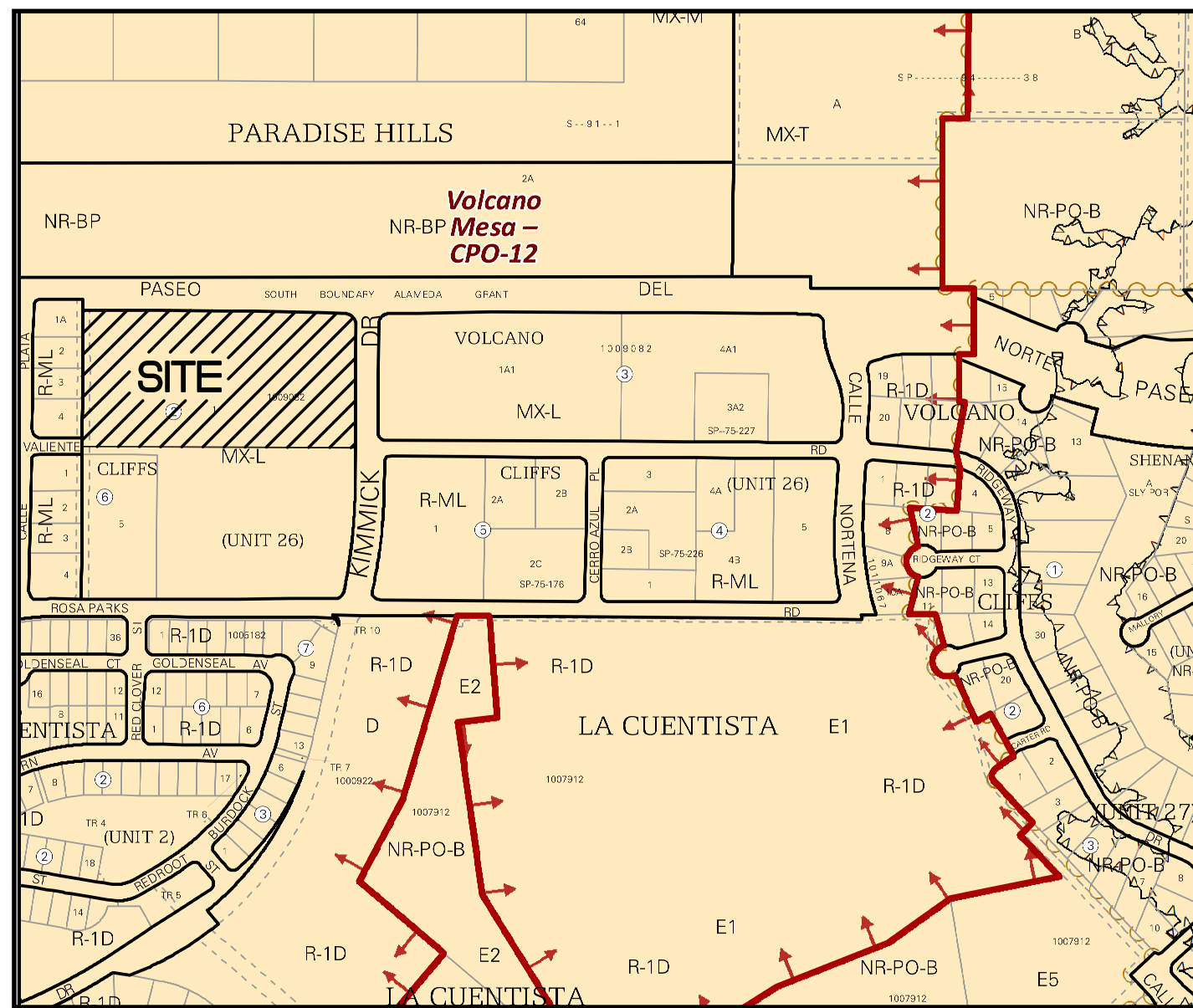
- Owner(s) X Yes
- City Surveyor X Yes
- AMAFCA*** Yes NA
- NM Gas*** Yes
- PNM *** Yes
- COMCAST*** Yes
- MRGCD*** Yes NA

* Prior to **Final Plat** submittals (include a copy of the recorded IIA)

** DXF file required for **Preliminary/Final Plat** and **Final Plat** approval submittals and not required for **Preliminary Plat** application

*** Signatures required for **Preliminary/Final Plat** and **Final Plat** applications and not required for **Preliminary Plat** application

**Site Sketch for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
Being Comprised of
Tract 1-A, Block 2, Volcano
Cliffs Subdivision, Unit 26
City of Albuquerque
Bernalillo County, New Mexico
March 2024**



Vicinity Map - Zone Atlas C-11-Z

N.T.S.

Easement Notes

- 1 EXISTING 10' P.U.E. (8/12/2013, 2013C-92)
- 2 EXISTING DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 3 EXISTING PRIVATE BLANKET CROSS LOT PUBLIC DRAINAGE AND ACCESS EASEMENT, BENEFITING TRACTS 1-A AND 1-B (8/12/2013, 2013C-92), (3/04/2024, BK. 2024C, PG. 18)
- 4 EXISTING 7' DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 5 EXISTING 12.5' PUBLIC WATER AND PUBLIC SEWER EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 6 EXISTING 10' UTILITY EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 7 EXISTING PRIVATE DRAINAGE EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 8 PUBLIC WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT
- 9 PRIVATE ACCESS EASEMENT BENEFITING TRACTS 1-A-1 THRU 1-A-5 AND TRACT 1-B, MAINTAINED BY THE UNDERLYING OWNERS, GRANTED WITH THE FILING OF THIS PLAT

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.

Legal Description

TRACT ONE-A (1-A) IN BLOCK NUMBERED TWO (2), VOLCANO CLIFFS SUBDIVISION, UNIT 26, BEING A REPLAT OF TRACT 1, BLOCK 2 & LOT 5, BLOCK 6, OF VOLCANO CLIFFS SUBDIVISION, UNIT 26, WITHIN SECTIONS 14 & 15, T. 11 N., R. 2 E., N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON MARCH 4, 2024 AS PLAT BOOK 2024C, PAGE 18.

Line Table		
Line #	Direction	Length (ft)
L1	N 01°58'45" E	17.82'
L2	S 89°37'16" E	20.06'
L3	N 00°22'44" E	46.44'
L4	N 89°40'55" W	33.06'
L5	S 00°22'44" W	12.07'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	18.24' {18.25'}	36.78' {36.78'}	28°25'17"	18.06'	S 16°29'49" E

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES (6/23/1971, D4-133)
[N 90°00'00" E]	RECORD BEARINGS AND DISTANCES (08/12/2013, 2013C-92)
{N 90°00'00" E}	RECORD BEARINGS AND DISTANCES (03/04/2024, 2024C-18)
⊙	FOUND 5/8" REBAR UNLESS OTHERWISE NOTED
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED
■	CONCRETE
☆	LIGHT POLE
⊙	ELECTRIC METER
T	TRANSFORMER
EC	ELECTRIC CABINET
P	PULL BOX
SB	SIGNAL BOX
TM	TRAFFIC MAST
WV	WATER VALVE
⊙	WATER METER
⊙	FIRE HYDRANT
⊙	SANITARY SEWER MANHOLE
⊙	SAS CLEANOUT
⊙	STORM DRAIN MANHOLE
■	STORM DRAIN INLET
— OR —	SIGN
□	UTILITY PEDESTAL
—w—	UNDERGROUND WATER UTILITY LINE
—sas—	UNDERGROUND SANITARY SEWER LINE
—e—	UNDERGROUND ELECTRIC UTILITY LINE
—sd—	UNDERGROUND STORM DRAIN UTILITY LINE
—c—	UNDERGROUND CABLE UTILITY LINE

Documents

1. PLAT FOR TRACTS 1-A AND 1-B, BLOCK 2, VOLCANO CLIFFS, UNIT 26, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 4, 2024, IN BOOK 2024C, PAGE 18.
2. SPECIAL WARRANTY DEED FOR SUBJECT PROPERTY, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 19, 2013, AS DOCUMENT NO. 2013030244.
3. WARRANTY DEED FOR DEDICATED ADDITIONAL RIGHT-OF-WAY TO PASEO DEL NORTE, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 7, 2024, AS DOCUMENT NO. 2024015270.

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE "X" WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35001C0112G, DATED SEPTEMBER 26, 2008.

CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
cartesianbrian@gmail.com

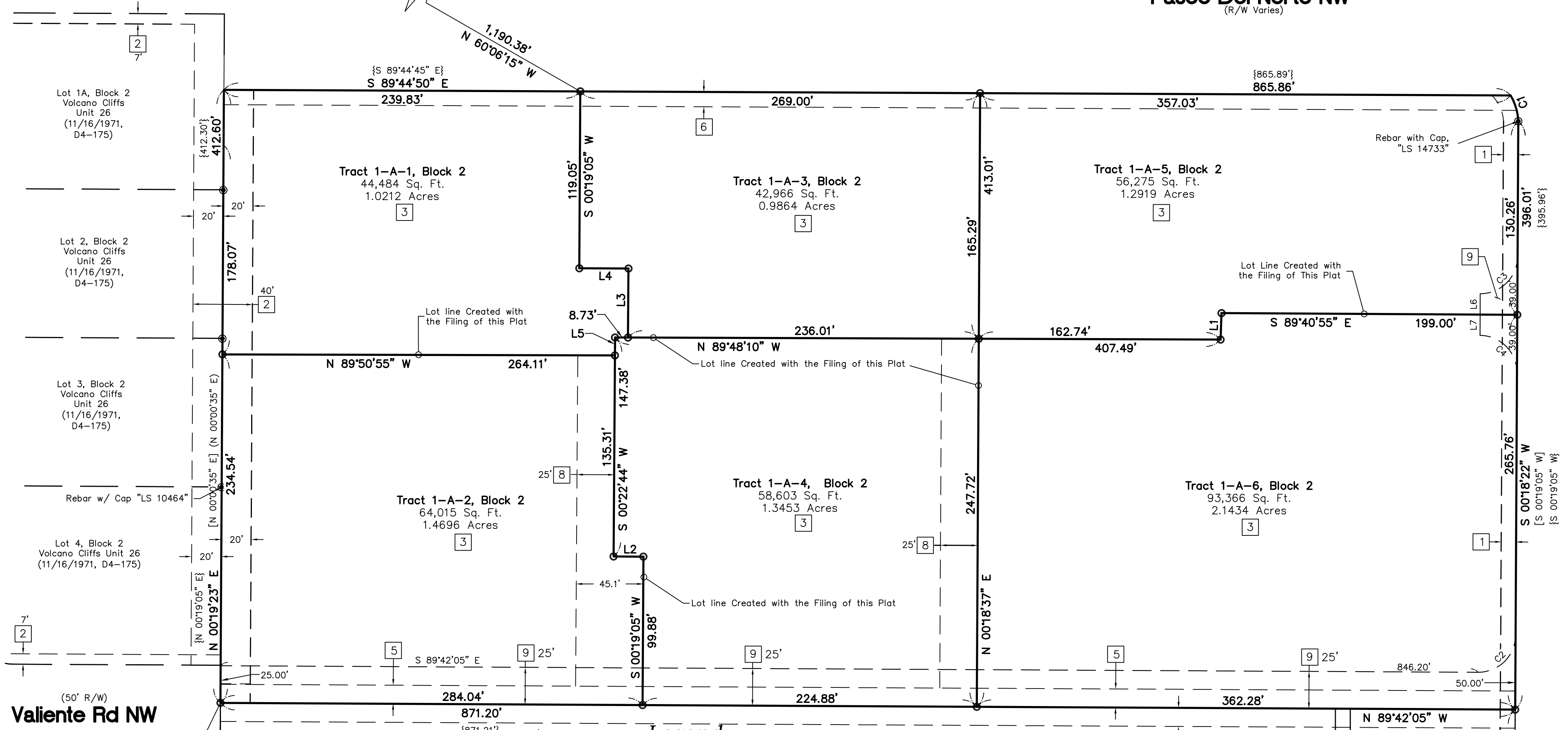
Plat for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
Being Comprised of
Tract 1-A, Block 2, Volcano
Cliffs Subdivision, Unit 26
City of Albuquerque
Bernalillo County, New Mexico
May 2024

Easement Notes

- 1 EXISTING 10' P.U.E. (8/12/2013, 2013C-92)
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- 7 EXISTING PRIVATE DRAINAGE EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 8 PRIVATE WATERLINE AND SEWER EASEMENTS BENEFITING TRACTS 1-A-1 AND 1-A-3, GRANTED WITH THE FILING OF THIS PLAT
- 9 PRIVATE ACCESS EASEMENT BENEFITING TRACTS 1-A-1 THRU 1-A-5, MAINTAINED BY THE UNDERLYING OWNERS, GRANTED WITH THE FILING OF THIS PLAT

ACS Monument "8_C10"
 NAD 1983 CENTRAL ZONE
 X=1502106.697 *
 Y=1521538.71 *
 Z=5392.936* (NAVD 1988)
 G-G=0.999667901
 Mapping Angle=-0°16'00.09"
 *U.S. SURVEY FEET

Paseo Del Norte NW
 (R/W Varies)



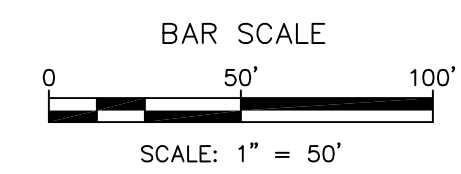
Valiente Rd NW
 (50' R/W)

Kimmick Dr NW
 (89' R/W)

Lot 1A-1, Block 3
 Volcano Cliffs Unit 26
 (8/12/2013, 2013C-94)

Legend

- N 90°00'00" E MEASURED BEARINGS AND DISTANCES
- (N 90°00'00" E) RECORD BEARINGS AND DISTANCES (6/23/1971, D4-133)
- [N 90°00'00" E] RECORD BEARINGS AND DISTANCES (08/12/2013, 2013C-92)
- {N 90°00'00" E} RECORD BEARINGS AND DISTANCES (03/04/2024, 2024C-18)
- FOUND 5/8" REBAR UNLESS OTHERWISE NOTED
- SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED



ACS Monument "3_E10"
 NAD 1983 CENTRAL ZONE
 X=1499059.808 *
 Y=1512627.946 *
 Z=5318.888* (NAVD 1988)
 G-G=0.999672416
 Mapping Angle=-0°16'20.35"
 *U.S. SURVEY FEET

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 Phone (505) 896-3050 Fax (505) 891-0244
 cartesianbrian@gmail.com

CITY OF ALBUQUERQUE

Planning Department
Alan Varela, Director



Mayor Timothy M. Keller

September 9, 2022

Jeremy Shell, P.E.
Respec
5971 Jefferson St. NE
Albuquerque, NM 8710

**RE: Paseo & Kimmick Development
Conceptual Grading & Drainage Plans
Engineer's Stamp Date: 07/2022
Hydrology File: C11D004A**

Dear Mr. Shell:

Based upon the information provided in your submittal received 08/08/2022, the Conceptual Grading & Drainage Plans are preliminary approved for action by the DRB for Site Plan for Building Permit and Platting action.

PRIOR TO BUILDING PERMIT:

1. Provide more detailed design as needed in order to obtain Hydrology's approval.

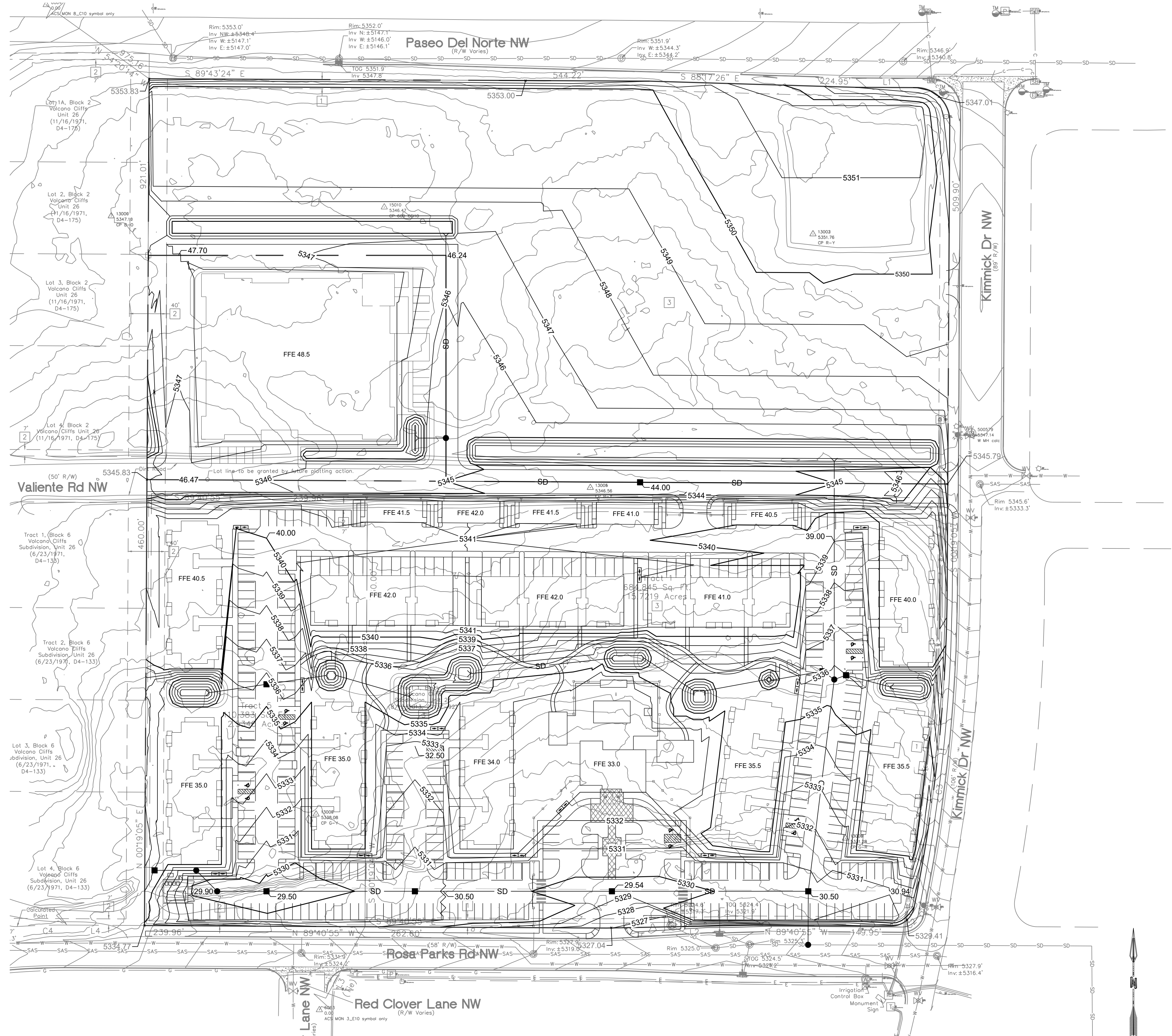
As a reminder, if the project total area of disturbance (including the staging area and any work within the adjacent Right-of-Way) is 1 acre or more, then an Erosion and Sediment Control (ESC) Plan and Owner's certified Notice of Intent (NOI) is required to be submitted to the Stormwater Quality Engineer (Doug Hughes, PE, jhughes@cabq.gov, 924-3420) 14 days prior to any earth disturbance.

If you have any questions, please contact me at 924-3995 or rbrissette@cabq.gov.

Sincerely,

Renée C. Brissette, P.E. CFM
Senior Engineer, Hydrology
Planning Department

NAME: N:\Projects\W0262-Aleem Hasham\W0262.01 Hasham Paseo & Kimmick\3_DWG_Sheets\W0262.01 GRADING.dwg PLOT DATE: Jul 27, 2022 10:27am



- LEGEND:**
- — — — — PROPERTY BOUNDARY
 - 5270 — PROPOSED MAJOR CONTOUR
 - 5272 — PROPOSED MINOR CONTOUR
 - - - - - EXISTING MAJOR CONTOUR
 - - - - - EXISTING MINOR CONTOUR
 - ~ ~ ~ ~ ~ PROPOSED HIGH POINT
 - — — — — PROPOSED RETAINING WALL
 - SD — PROPOSED STORM DRAIN
 - PROPOSED DROP INLET
 - PROPOSED STORM DRAIN MH

City of Albuquerque
Planning Department
Development Review Services
HYDROLOGY SECTION
PRELIMINARY APPROVED
DATE: 09/09/22
BY: *Ronald C. Brunsell*
HydroTeam # C11D004A

THESE PLANS AND/OR REPORT ARE
CONCEPTUAL ONLY. MORE INFORMATION MAY
BE NEEDED IN THEM AND SUBMITTED TO
HYDROLOGY FOR BUILDING PERMIT APPROVAL.

DESIGNED	DRAWN	CHECKED	DATE
JS	JS	JS	7.27.2022

REVISION

STAMP

JEREMY W SHELL
NEW MEXICO
26341
PROFESSIONAL ENGINEER

PRELIMINARY
NOT FOR CONSTRUCTION
7/2022

THIS DRAWING IS INCOMPLETE
AND NOT TO BE USED FOR
CONSTRUCTION UNLESS IT IS
STAMPED, SIGNED AND DATED

nm811
Know what's below.
Call before you dig.
PROJ. #: W0262.01

PROJECT NAME:
PASEO & KIMMICK

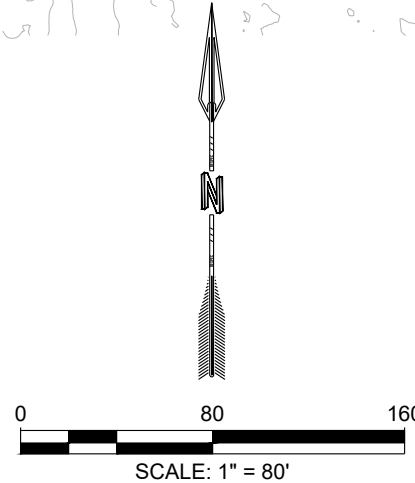
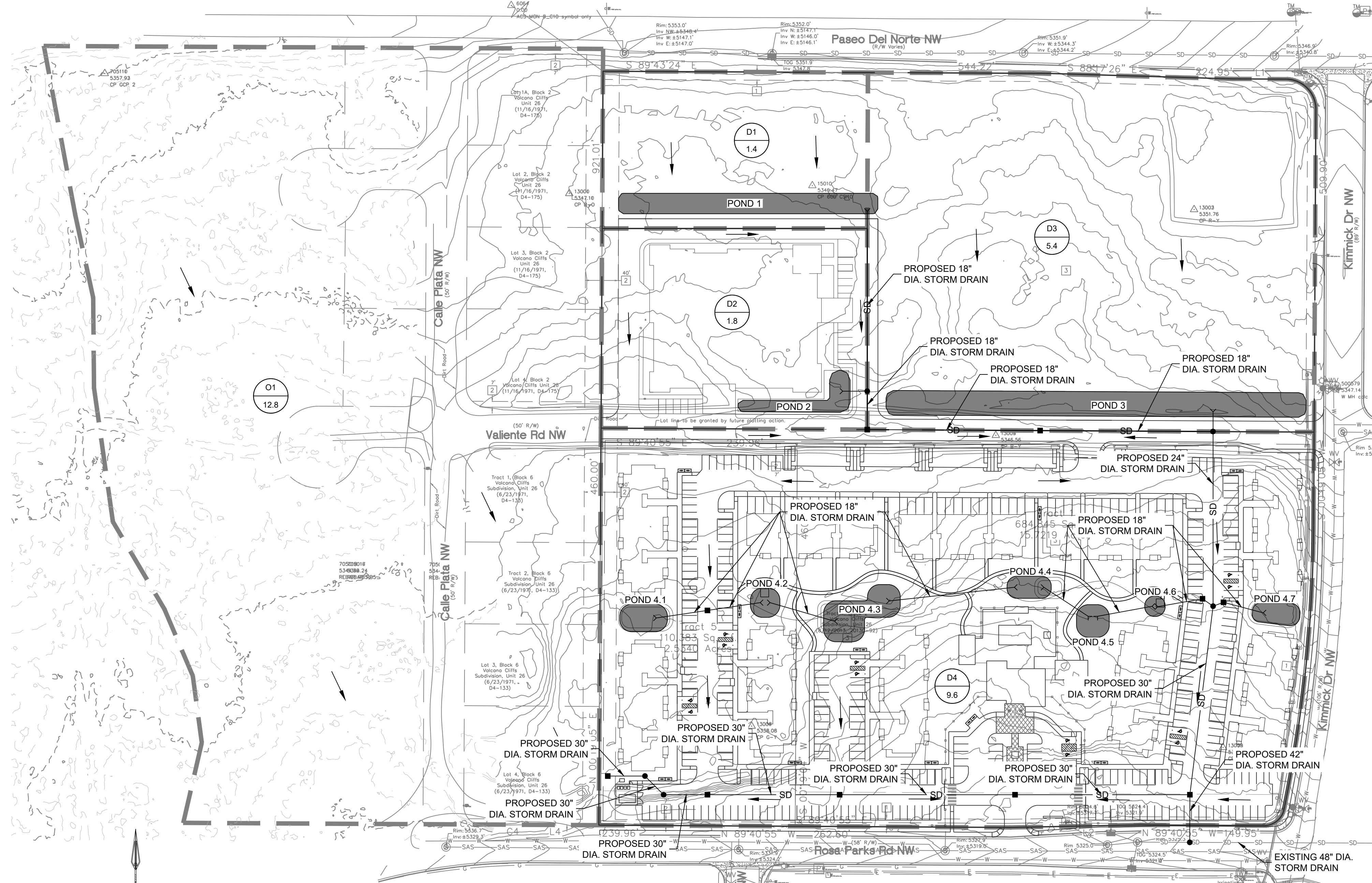
SHEET TITLE:
**CONCEPT GRADING
PLAN**

SUBMITTED FOR:
DRB SITE PLAN

SHEET NUMBER:
C-101

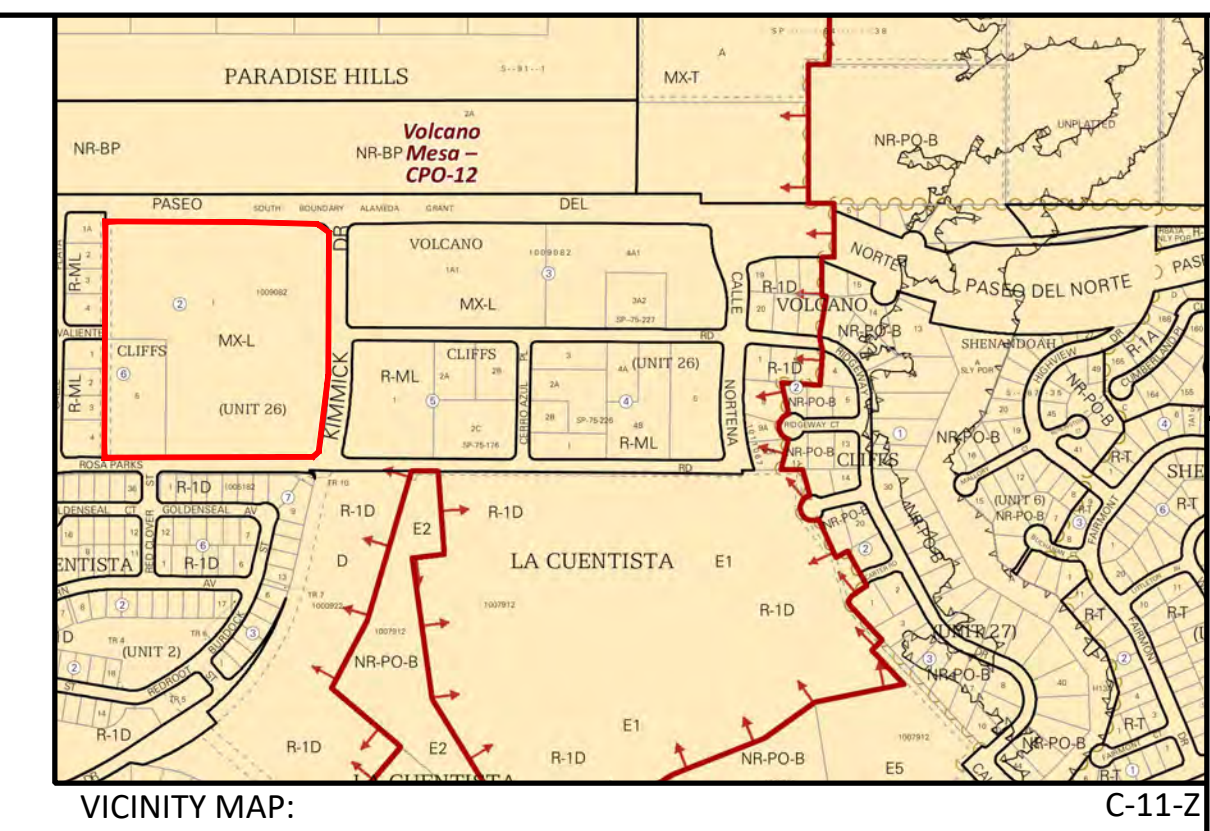
NAME: N:\Projects\W0262-Aleem Hasham\W0262-01 Hasham Paseo & Kimmick3_DWG_Sheets\W0262-01 Drainage.dwg PLOT DATE: Sep 08, 2022 3:51pm

- LEGEND:**
- XX BASIN DESIGNATION
 - XX BASIN AREA, ACRES
 - SUB-BASIN BOUNDARY
 - SD PROPOSED STORM DRAIN
 - PROPOSED DROP INLET
 - PROPOSED STORM DRAIN MH
 - PROPOSED FLOW ARROW
 - PROPOSED POND



City of Albuquerque
 Planning Department
 Development Review Services
HYDROLOGY SECTION
PRELIMINARY APPROVED
 DATE: 09/09/22
 BY: *Rose Benitez*
 HydroTeam # C11D004A

THESE PLANS AND/OR REPORT ARE
 CONFIDENTIAL ONLY. MORE INFORMATION MAY
 BE NEEDED IN THEM AND SUBMITTED TO
 HYDROLOGY FOR BUILDING PERMIT APPROVAL.



BACKGROUND

TRACT 1, BLOCK 2 AND TRACT 5, BLOCK 6, VOLCANO CLIFFS SUBDIVISION, UNIT 26 CONTAINS APPROXIMATELY 18.2 ACRES IN THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO. THE PROPERTY IS BOUNDED BY PASEO DEL NORTE TO THE NORTH, KIMMICK DRIVE TO THE EAST, ROSA PARKS ROAD TO THE SOUTH, AND RESIDENTIAL LOTS TO THE WEST. SEE VICINITY MAP ABOVE. THE PROPOSED DEVELOPMENT IS MIXED USE CONTAINING APARTMENTS, SELF-STORAGE, AND FUTURE COMMERCIAL. THE SAD 228 DRAINAGE REPORT COMPLETED BY WILSON & COMPANY IN JANUARY 2012 RESTRICTS THE DISCHARGE FROM THE PROJECT SITE TO THE HISTORIC RATE. WILSON & COMPANY SUBSEQUENTLY COMPLETED A CONCEPTUAL GRADING AND DRAINAGE PLAN THAT WAS APPROVED IN JULY 2017.

METHODOLOGY

HYDROLOGY CALCULATIONS FOR THE SITE ARE PERFORMED IN ACCORDANCE WITH THE ALBUQUERQUE DEVELOPMENT PROCESS MANUAL (DPM) ARTICLE 6.2 USING THE RATIONAL METHOD TO CALCULATE PEAK FLOW RATES TO ENSURE ALL FLOW PATHS ARE SUFFICIENT TO CARRY FLOWS. THE REQUIRED WATER QUALITY VOLUME WAS CALCULATED BY MULTIPLYING THE IMPERVIOUS AREA BY THE FIRST FLUSH RUNOFF VALUE OF 0.42" FOR NEW DEVELOPMENT. ALL HYDROLOGIC AND HYDRAULIC CALCULATIONS CAN BE FOUND ON THIS SHEET.

EXISTING CONDITIONS

THE SITE IS CURRENTLY UNDEVELOPED. THE EXISTING SITE TERRAIN GENERALLY SHEET DRAINS FROM NORTH TO SOUTH AT VARYING SLOPES BETWEEN 1%-4%. THERE IS NO DESIGNATED 100-YEAR FLOODPLAIN SHOWN ON THE PROPERTIES. RUNOFF GENERATED BY THE SITE IS COLLECTED IN AN EXISTING PILL BOX MANHOLE NEAR THE SOUTHWEST CORNER OF THE SITE AND ENTERS THE EXISTING STORM DRAIN IN ROSA PARKS ROAD.

DEVELOPED CONDITIONS

THE DRAINAGE INTENTION OF THE DEVELOPED CONDITIONS IS TO ADHERE TO THE FOREMENTIONED DRAINAGE STUDIES COMPLETED BY WILSON & COMPANY AND REDUCE THE DEVELOPED FLOW RATES TO THE HISTORIC RATE. EACH LOT MAY DEVELOP INDEPENDENTLY OF THE OTHER LOTS. THE FINAL LOT DEVELOPMENT PLANS WILL ADDRESS THE DETAILS OF THE GRADING AND DRAINAGE WITHIN THE LIMITS OF THIS MASTER PLAN. THE SITE HAS BEEN SPLIT INTO 5 SUB-BASINS AND ARE DESCRIBED BELOW.

SUB-BASIN O1 CONTAINS 12.8 ACRES. THIS OFFSITE SUB-BASIN LOCATED WEST OF THE SUBJECT SITE ENTERS SUB-BASIN D4 IN THE EXISTING CONDITION AND WILL BE ACCOMMODATED BY SUB-BASIN D4. RUNOFF WILL BE COLLECTED BY A DROP INLET LOCATED AT THE SOUTHEAST CORNER OF SUB-BASIN D4. THESE OFFSITE FLOWS WILL BE ROUTED ALONG THE SOUTHERN PORTION OF SUB-BASIN D4 IN A PRIVATE STORM DRAIN UNTIL REACHING ITS ULTIMATE OUTFALL INTO THE EXISTING ROSA PARKS STORM DRAIN NEAR THE SOUTHEAST CORNER OF SUB-BASIN D4.

SUB-BASIN D1 CONTAINS 1.4 ACRES AND WILL BE DEVELOPED IN THE FUTURE AS A COMMERCIAL USE. UNTIL SUCH TIME THIS SUB-BASIN DEVELOPS, FLOWS GENERATED BY THE SUB-BASIN WILL BE COLLECTED IN POND 1 ALONG THE SOUTHERN PORTION OF THE SUB-BASIN. A PRIVATE STORM DRAIN WILL BE STUBBED INTO THE POND TO ROUTE FLOWS ULTIMATELY TO THE ROSA PARKS EXISTING STORM DRAIN.

SUB-BASIN D2 CONTAINS 1.8 ACRES AND WILL BE A SELF-STORAGE DEVELOPMENT. RUNOFF WILL BE COLLECTED IN POND 2 AT THE SOUTHEAST CORNER OF THE SUB-BASIN. POND 2 IS INTENDED TO SERVE AS BOTH STORM WATER QUALITY VOLUME AS WELL AS FLOW REDUCTION TO THE HISTORICAL RATE. RUNOFF WILL THEN BE ROUTED INTO A PRIVATE STORM DRAIN THAT ULTIMATELY OUTFALLS TO THE ROSA PARKS EXISTING STORM DRAIN.

SUB-BASIN D3 CONTAINS 5.4 ACRES AND WILL DEVELOPED IN THE FUTURE AS A COMMERCIAL USE. UNTIL SUCH TIME THIS SUB-BASIN DEVELOPS, FLOWS GENERATED BY THE SUB-BASIN WILL BE COLLECTED IN POND 3 ALONG THE SOUTHERN PORTION OF THE SUB-BASIN. A PRIVATE STORM DRAIN WILL BE STUBBED INTO THE POND TO ROUTE FLOWS ULTIMATELY TO THE ROSA PARKS EXISTING STORM DRAIN.

SUB-BASIN D4 CONTAINS 9.6 ACRES AND WILL BE AN APARTMENT DEVELOPMENT. RUNOFF WILL BE COLLECTED IN A SERIES OF PONDS (4.1 THROUGH 4.7) ALONG THE CENTER OF THE SUB-BASIN IN THE WEST-EAST DIRECTION. THESE PONDS ARE INTENDED TO SERVE AS BOTH STORM WATER QUALITY VOLUME FOR THE NORTH HALF OF THE APARTMENT SITE AS WELL AS FLOW REDUCTION TO THE HISTORICAL RATE. RUNOFF WILL THEN BE ROUTED INTO A PRIVATE STORM DRAIN THAT ULTIMATELY OUTFALLS TO THE ROSA PARKS EXISTING STORM DRAIN. THE PRIVATE STORM DRAIN ALONG THE SOUTHERN PORTION OF THE SUB-BASIN WILL SERVE TWO PURPOSES. THE FIRST IS TO CONVEY NOT ONLY THE FLOWS GENERATED BY THE APARTMENTS, BUT ALSO THE OFFSITE FLOWS FROM SUB-BASIN O1. THE SECOND IS TO SERVE AS STORM WATER QUALITY VOLUME FOR THE SOUTHERN HALF OF THE APARTMENT SITE.

THE MAIN TRUNK LINE IN THE PRIVATE STORM DRAIN EASEMENT ON THE PLAT WILL REQUIRE THE NECESSARY PRIVATE DRAINAGE DOCUMENTATION SHOWING THE MAINTENANCE RESPONSIBILITY.

<p>DESIGNED: JS</p> <p>DRAWN: JS</p> <p>CHECKED: JS</p> <p>DATE: 9.08.2022</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">REVISION</td> <td style="width: 50%;"></td> </tr> <tr> <td style="width: 50%;"></td> <td style="width: 50%;"></td> </tr> </table>	REVISION			
REVISION					
<p>RESPEC COMMUNITY DESIGN SOLUTIONS 7770 JEFFERSON STREET, SUITE 200 ALBUQUERQUE, NM 87117 WWW.RESPEC.COM PHONE: (505) 253-9718</p>					
<p>STAMP: JEREMY W. SHELL, PROFESSIONAL ENGINEER, NEW MEXICO, 26341</p>					
<p style="color: red; font-weight: bold;">PRELIMINARY NOT FOR CONSTRUCTION 9/2022</p> <p>THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED.</p>					
<p>Know what's below. Call before you dig. PROJ. #: W0262.01</p>					
<p>PROJECT NAME: PASEO & KIMMICK</p>					
<p>SHEET TITLE: CONCEPT DRAINAGE PLAN</p>					
<p>SUBMITTED FOR: DRB SITE PLAN</p>					
<p>SHEET NUMBER: C-100</p>					

June 20, 2022

Chair

Klarissa J. Peña
City of Albuquerque
Councilor, District 3

Vice Chair

Debbie O'Malley
County of Bernalillo
Commissioner, District 1

Tammy Fiebelkorn
City of Albuquerque
Councilor, District 7

Trudy E. Jones
City of Albuquerque
Councilor, District 8

Timothy M. Keller
City of Albuquerque
Mayor

Charlene Pyskoty
County of Bernalillo
Commissioner, District 5

Steven Michael Quezada
County of Bernalillo
Commissioner, District 2

Ex-Officio Member
Gilbert Benavides
Village of Los Ranchos
Board Trustee

Executive Director
Mark S. Sanchez

Website
www.abcwua.org

Jeremy Shell
RESPEC
7770 Jefferson Street NE
Suite 200
Albuquerque, NM 87109

RE: Water and Sanitary Sewer Serviceability Letter #220512

Project Name: Paseo & Kimmick

Project Address: N/A

Legal Description: Tract 1, and Lot 3, Block 2, Volcano Cliffs, Unit 26

UPC: 101106404014530102 and 101106400611830101

Zone Atlas Map: C-11

Dear Mr. Shell:

Project Description: The subject site is located west of Kimmick Drive between Paseo del Norte and Rosa Parks Road within the City of Albuquerque. The proposed development consists of approximately 18.25 acres and the property is currently zoned MX-L for mixed-use, low intensity. The property lies within the Pressure Zone 3WR in the Volcano Trunk. The request for availability indicates plans for Mixed use commercial development including approximately ten acres of apartments (~250 units), two acres of self-storage (~100k SF), and the remaining six acres will be commercial pad sites.

Adopted Service Area - Development Agreement: Pursuant to the System Expansion Ordinance, this property is outside of the Water Authority service area and the Water Authority Board must approve a Development Agreement to serve this property and establish requirements as a condition of service. Contact Utility Development in regards to Development Agreements.

Existing Conditions: Water infrastructure in the area consists of the following:

- Eight-inch PVC distribution line (project #26-6933.91-15) along Kimmick Drive.
- 12-inch PVC distribution line or transmission line (project #26-7097.84-15) along Rosa Parks Road.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC sanitary sewer collector (projects # 26-7097.84-15 and 26-6933.91-15) along Rosa Parks Road.
- Eight-inch PVC sanitary sewer collector (project #26-6933.91-15) along Valiente Road to the east.
- 15-inch PVC sanitary sewer interceptor (project #26-7050.02-05) along Paseo del Norte, east of Calle Nortena.

Water Service: New metered water service to the property can be provided contingent upon a developer funded project to extend eight-inch lines to create a looped system along city right-of-way or along dedicated Water Authority easement. The proposed

plan to have public mains within parking of the apartment complex and the self-storage facilities shall be prohibited. If the proposed plan to keep the alignment of Valiente Road and to have a water main extending along its length then extensions along Paseo del Norte along the frontage of the site is not required given the roadway classification and the Pressure Zone boundary. Upon completion of the infrastructure construction, the development may receive service via routine connection to the proposed eight-inch distribution main along Valiente Road, interior to the site. The engineer is responsible for determining pressure losses and sizing of the service line(s) downstream of the public water line to serve the proposed development.

Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service. Each legally platted property shall have individual, independent water services. No property shall share a water service with any other property.

Existing service lines and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main. For fire lines, the line shall be capped near the public valve and valve access shall be grouted and collar removed.

Non-Potable Water Service: Currently, there is no non-potable infrastructure available to serve the subject property.

Sanitary Sewer Service: New sanitary sewer service to the property can be provided contingent upon a developer funded project to extend the eight-inch sanitary sewer line along Valiente Road from manhole C11-620. No property shall share a private sewer service with any other property. The engineer is responsible for sizing the service line(s) upstream of the public sanitary sewer line to serve the proposed development.

Additionally, there is a planned 15-inch sanitary sewer interceptor proposed along the Paseo del Norte / Avenida De Jaimito alignment. This interceptor shall be on the infrastructure list for this project for the entire property frontage along Paseo Del Norte / Avenida De Jaimito.

Fire Protection: From the Fire Marshal's requirements, the largest instantaneous fire flow requirements for the project is 3,375 gallons-per-minute for the proposed self-storage facility. Four fire hydrants are required. There are three existing hydrants available and nine new hydrants are proposed with this project. As modeled using InfoWater™ computer software, the fire flow can be met. Analysis was performed by simulating the required fire flow at the proposed fire line servicing the proposed self-storage facility along Valiente Road.

The fire one plan calls for a looped system through the parking of the proposed apartment building. Instead the public mains were modeled to go through Calle Plata to avoid onsite mains. Additionally, all proposed fire hydrants should be behind private fire lines, considered private and, painted safety orange.

Any changes to the proposed connection points shall be coordinated through Utility Development. All new required hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

The engineer is responsible for determining pressure losses and sizing of the fire line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system.

Cross Connection Prevention: Per the Cross-Connection Ordinance, all new non-residential premises must have a reduced pressure principle backflow prevention assembly approved by the Water Authority installed at each domestic service connection at a location accessible to the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the reduced principle backflow prevention assembly and the service connection unless protected by a backflow prevention assembly. These requirements also apply to all remodeled non-residential premises when the work area of the building undergoing repairs, alterations or rehabilitation, as defined in the International Existing Building Code, exceeds 50 percent of the aggregate area of the building regardless of the costs of repairs, alteration or rehabilitation.

All non-residential irrigation water systems connected to the public water system shall have a pressure vacuum breaker, spill-resistant pressure vacuum breaker or a reduced pressure principle backflow prevention assembly installed after the service connection. Such devices shall be approved by the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection.

All non-residential customers connected via piping to an alternative water source or an auxiliary water supply and the public water system shall install a containment reduced pressure principle backflow prevention assembly approved by the Water Authority after the potable service connection.

All new services to private fire protection systems shall be equipped with a containment reduced pressure principal backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction installed after the service connection. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection. A double check valve assembly approved by the Water Authority and Fire Marshal having jurisdiction may be installed instead of a reduced pressure backflow prevention assembly provided the private fire protection system meets or exceed ANSI/NSF Standard 60 61 throughout the entire private fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections nor connections from auxiliary water supplies.

The Water Authority requests that all backflow (containment) devices be located above ground just outside the easement or roadway right-of-way. Contact Cross Connection at (505) 289-3454 for more information.

Easements and Property: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to

approval of service. A Warranty Deed shall be required when a property will be transferred to the Water Authority for the installation of Water Authority owned facilities such as pump stations, reservoirs, wells, lift stations, or any other facility.

Pro Rata: As described in this statement, the extension of public water and sanitary sewer lines may be eligible for partial reimbursement through the Pro Rata process as detailed in the Water Authority Water and Wastewater System Expansion Ordinance.

Pro Rata has been assessed for this property in the amount of \$8,192.72 for water infrastructure and \$10,683.07 for Sewer infrastructure for a total amount of \$18,875.79. The project(s) that assessed the subject property pro rata is under project #709784. These charges are assessed to the property due to its ability to benefit from and/or take service from the previously installed infrastructure. Payment will be required as a condition of approvals from the Water Authority.

Design and Construction: Design and construction of all required improvements will be at the developer/property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be performed by a licensed, New Mexico registered, professional engineer. Construction must be performed by a licensed and bonded public utility contractor.

Utility Expansion Charge (UEC): In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. Per the Rate Ordinance, each customer classification on the same premise requires a separate meter.

UECs associated with multi-family are determined by the criteria set forth in the Water Authority Rate Ordinance, which is amended from time to time. These specific UECs take into account the number of units within the multi-family development. If the multi-family development includes other amenities such as a clubhouse, fitness center or leasing office that will be metered separately, UECs for these amenities will not be charged as they are included in the multi-family UEC calculation. UECs associated with irrigation meters are not included in the multi-family calculation and shall be paid accordingly.

The Rate Ordinance does provide an opportunity for UEC discounts for low income housing developments. If the development qualifies for these discounts, the developer will be required to provide documentation as stated in the Rate Ordinance. Furthermore, if the development includes both low income and market rate apartments, the same requirements set forth in the Rate Ordinance shall be adhered to.

Water Resource Charge (WRC): All developments located outside of the Water Authority's Adopted Service Area will be assessed a Water Resource Charge (WRC) as provided in the Water Authority's Water and Sewer Rate Ordinance for the development of new water resources, rights and supplies necessary to serve the development. The WRC shall not be used for reimbursement except pursuant to a Water Authority Governing Board approved development agreement allowing reimbursement to offset the cost of regional master planned water, wastewater, and reuse supply projects necessary to the Water 2120 planning strategy.

Contact Customer Service at (505) 842-9287 (option 3) for more information regarding account fees.

Water Use: All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Reduction Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

Closure: This serviceability letter does not provide a commitment from the Water Authority to provide services to the development. It only provides details of infrastructure that is available and potential precursors for the proposed development.

For service to be provided, an approved development agreement must be supplemented by this serviceability letter. The serviceability letter will remain in effect for a period of one (1) year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at kcadena@abcwua.org if you have questions regarding the information presented herein or need additional information.

Sincerely,





Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps
f/ Serviceability Letter #220512




220512 - Water



Legend

-  Project Location
-  Hydrant

Pipe SUBTYPE

-  Distribution Line
-  Hydrant Leg
-  Pressure Zone Boundary

 --- General Map Keyed Notes

1 --- Proposed Public Water Line Extension

 --- Fire Flow Analysis Points

1 --- Analysis Point



0 490 980 Feet



220512 - Sanitary Sewer




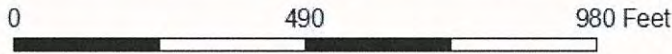
Legend

-  Project Location
-  Sewer Manhole



Sewer Pipe

SUBTYPE

-  COLLECTOR



 -- General Map Keyed Notes

- 1 -- Proposed Public Sewer Gravity Line 
- 2 -- Proposed Public Sewer Interceptor Line 



DEVELOPMENT AGREEMENT
Paseo & Kimmick

Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision, (“Water Authority”) and Jubilee Developments, LLC, a New Mexico limited liability corporation, (“Developer”) (together, “Parties”), agree as follows:

1. Recitals

- A.** Jubilee Developments, LLC is the “Developer” and owner of certain real property located in Tract 1 Block 2 and Tract 5, Block 6 of Volcano Cliffs Subdivision, Unit 26 (collectively, the “Property”). The Property is shown on **Exhibit A** attached hereto and incorporated herein by reference. The Property is located outside of the Water Authority’s currently adopted Water Service Area.
- B.** The legal description for the property is: Tract 1, Block 2 and Tract 5, Block 6 of Volcano Cliffs Subdivision, Unit 26. The Property is more particularly described and shown on **Exhibit B** attached hereto and incorporated herein by reference.
- C.** The Property will develop as a mixed-use development in phases. Apartments (approximately 250 units) and self-storage are intended to be developed with the first phase. Retail will be developed in future phases.
- D.** The Property is located in Pressure Zone 3WR of the Volcano Trunk.
- E.** A Development Agreement was previously approved for Special Assessment District 228 (SAD 228), which did include this property which was identified as Area 228-C (R-13-20, authorizing an Agreement with SAD 228 for Water and Sewer Service); however, the previous development agreement did not establish all of the master plan infrastructure needed to serve this area or UEC reimbursement to the developer for that infrastructure. The Developer is a different party than the party associated with the aforementioned SAD 228 development agreement as that party was the City of Albuquerque.
- F.** The Parties desire to agree upon terms and conditions pursuant to which the Water Authority will provide water and sanitary sewer service to the Property. As a condition of such service, the Developer shall construct, or cause to be constructed, extensions of existing public water and sanitary sewer lines and other necessary infrastructure improvements (collectively, “Facility Improvements”) under all applicable plans, specifications, requirements, and standards of the Water Authority. The Serviceability Letter for the Property reflecting necessary Facility Improvements referred to in this Agreement is attached hereto as **Exhibit C** and incorporated herein by reference and made a term of this Agreement.

- G. The expansion of the existing water, sanitary sewer, water treatment systems and wastewater treatment systems to serve the Property will require, in addition to the Facility Improvements detailed in the Serviceability Letter, additional water storage capacity and future extension of a required 15 inch sanitary sewer interceptor along Paseo Del Norte/Avenida De Jaimito alignment. As such, the Property will be assessed a Facility Fee that reflects its proportional costs of the required additional system capacities and property frontages.
- H. The Facility Improvements referenced in this Agreement are not considered Master Plan improvements by the Water Authority. As such, reimbursement of construction costs associated with their construction will not be available through water and sewer UEC (defined below in Section 3.B) reimbursements.

2. Design and Construction of the Facility Improvements

- A. The Developer will cause definitive designs and plans of the Facility Improvements to be produced which will include estimates of all costs and expenses. The Developer will not take service from the Facility Improvements until the Water Authority has approved the Facility Improvements. The Developer will obtain all necessary permits, assurances, and approvals from the Water Authority and City, and the Developer will deliver a copy of such permits, assurances, and approvals to the Water Authority prior to the start of construction. Construction will be handled through the City work order process.
- B. The Developer will complete, or cause to be completed, construction of the Facility Improvements as approved by the City of Albuquerque Design Review Committee and the Water Authority, and in conformance with all applicable plans, specifications, and standards of the City and the Water Authority. The Water Authority shall provide service to the Property only after the Water Authority has accepted the Facility Improvements. The Water Authority shall accept, operate and maintain the Facility Improvements after the Developer conveys, at no expense to the Water Authority, all the Facility Improvements together with all real and personal property rights which the Water Authority deems reasonably necessary which shall be free and clear of all claims, encumbrances and liens for the construction, operation and maintenance. The provisions of this Agreement constitute covenants running with the referenced Property for the benefit of the Water Authority and its successors and assigns until terminated, and are binding on the Developer and their heirs, successors and assigns.
- C. The contractor's one (1) year warranty period shall commence upon final project acceptance by the City. The Developer shall be responsible for conducting an 11 month warranty inspection. Developer shall be responsible for correcting any deficiencies found during the inspection to the satisfaction of the Water Authority.

- D. The Developer will be responsible for close coordination of the project with the Water Authority during the design and construction phases, including review of design details, during the design process, and the approval of specifications and contract documents. The Water Authority will review and approve in a timely manner the design plans for construction and estimated cost, to ensure the designs meet Water Authority standards and follow the guidance provided in the City's Development Process Manual ("DPM") and/or applicable Water Authority Design Manuals.
- E. To the extent relevant and applicable and to the extent there is no conflict with the terms of this Agreement, the usual procedures and documentation, including the Procedure "B", as defined in the Development Process Manual (DPM) of the City and Section 14-16-5-4(G) of the City IDO, will be followed and used for the Facility Improvements.
- F. Upon completion of all Work Order projects, the Developer shall provide to the Water Authority a completed Asset Data Table of the assets installed/constructed or any other asset information required of the Water Authority.

3. Service

- A. The Developer shall comply with the Water Authority's Water and Sewer System Expansion Ordinance, as amended from time to time. Connection for water service shall require the concurrent connection of sanitary sewer service to the Water Authority's wastewater system.
- B. The Developer or its successor shall pay Utility Expansion Charges (UEC) and the Water Resource Charges (WRCs) at the rates that are imposed at the time of a service connection, as provided in the Water Authority's Water and Sewer Rate Ordinance, as amended from time to time.
- C. **Water Facility Fee** - The Developer shall pay a Facility Fee to the Water Authority in the amount of **\$65,512** for the development's proportional cost associated with the increase of reservoir storage capacity which consists of a new 2.5MG reservoir for Pressure Zone 4W of the Volcano Trunk. This reservoir will also provide service to Pressure Zone 3WR of the Volcano Trunk.
- D. **Sanitary Sewer Facility Fee** - The Developer shall pay a Facility Fee to the Water Authority in the amount of **\$302,974** for the development's proportional cost associated with the extension of the required 15 inch sanitary sewer interceptor along the Paseo Del Norte/Avenida De Jaimito alignment.
- E. Facility Fees are in lieu of a developer requirement to build the entire Master Plan Infrastructure. No utility services will be sold to the Property until the Facility Fees are paid in whole. As the expansion of system capacity is classified as Master Plan Facility Improvements, these Facility Fees are

reimbursable by the Water and Sanitary Sewer UEC's, respectively, collected as services are established within the Property. Water UECs will be used for reimbursement of the Water Facility Fee and Sanitary Sewer UECs will be used for reimbursement of the Sanitary Sewer Facility Fee. The UEC reimbursements will total no more than the respective Facility Fee amount. The Developer may not receive 100% reimbursement of the Facility Fees as the UECs generated from the development may be less than the Facility Fees. Reimbursement will be on a Calendar Year basis. The Reimbursement request must be initiated by the Developer or its successor.

- F. Pursuant to Water Authority Resolution No. R-05-13, the Developer agrees that it will incorporate water conservation guidelines that will seek to achieve water usage of no more than 180 gallons per household which is equivalent to seventy-five (75) gallons per capita per day.
4. **Financial Guarantee** - For any Master Plan Infrastructure required to be constructed by Developer herein, the Developer shall provide a financial guarantee in the form of a property lien that is acceptable to the Water Authority as assurance that the Master Plan Infrastructure will be completed and placed in service.
 5. **Termination.** If construction of the Facility Improvements by the Developer has not been completed and accepted by the Water Authority within seven years of the effective date of this Agreement, this Agreement shall automatically terminate, and the Water Authority and the Developer shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.
 6. **Water for Construction.** During the construction of the Facility Improvements, the Developer agrees to utilize alternative methods as approved by the City of Albuquerque's Air Quality Division for dust abatement and control including compost from the Water Authority, if economically feasible. The Developers may purchase water for construction from the Water Authority from the nearest approved fire hydrant in accordance with the Water Authority's Water and Sewer Rate Ordinance. Water purchased from the Water Authority shall be used only for construction.
 7. **Indemnification.** Until final acceptance of the Facility Improvements by the Water Authority, the Developer shall be solely responsible for the condition and maintenance of the Facility Improvements and the premises upon which the Facility Improvements are constructed. The Developer agrees to indemnify and hold harmless the Water Authority and its officials, agents, and employees from and against all suits, actions or claims of any character brought because of any injury or damage arising out of the design or construction of the Facility Improvements, or by reason of any act or omission, or misconduct of the Developer, its agents, employees or the Engineer or Contractor or its agents or employees. The indemnity required hereunder shall not be limited by reason of the specification of any particular insurance coverage in this Agreement. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico. The indemnification by the Developer herein does not extend to the negligent acts of the Water Authority.

8. Representations and Warranties of Developer. The Developer represents and warrants that:

- A. Developer is a validly existing limited liability company under the laws of the State of New Mexico.
- B. Developer has all the requisite power and authority to enter into this Agreement and bind the Developer under the terms of the Agreement; and
- C. The undersigned officer of the Developer is fully authorized to execute this Agreement on behalf of the Developer.

9. Notices. Any notice to be given under this Agreement will be in writing and will be deemed to have been given when deposited with the United States Postal Service, postage prepaid and addressed as follows:

If to the Water Authority:

Mark S. Sanchez
Executive Director
Albuquerque Bernalillo County
Water Utility Authority
One Civic Plaza, Room 5012
Albuquerque, New Mexico 87102

If to Developer:

Jaymini Hasham
Managing Member
Jubilee Developments, LLC
4590 Paradise Blvd. NW
Albuquerque, NM 87114

10. Assignment. This Agreement will not be assigned without the prior written consent of the Water Authority and the Developer. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

11. Miscellaneous. This Agreement will be governed by and interpreted in accordance with the laws of the State of New Mexico. The headings used in this Agreement are for convenience only and shall be disregarded in interpreting the substantive provisions of the Agreement. This Agreement binds and benefits the Water Authority and their successors, assigns, and transferees and the Developer and their successors, assigns and transferees. Time is of the essence of each term of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be void, invalid,

illegal, or unenforceable, that portion will be severed from this Agreement and the remaining parts will remain in full force as though the invalid, illegal, or unenforceable portion had never been a part of this Agreement.

12. Integration; Interpretation. This Agreement contains or expressly incorporates by reference the entire agreement of the parties with respect to the matters contemplated by this Agreement and supersedes all prior negotiations. This Agreement may only be modified in writing executed by both parties.

13. Approval. This Agreement is subject to the approval of the Board of Directors of the Water Authority and will not become effective until approved by the Water Authority.

14. Effective Date. The effective date of this Agreement is the date last entered below.

In Witness Whereof, the parties hereto have executed this Agreement on the dates entered below.

**Albuquerque Bernalillo County
Water Utility Authority**

**Developer
Jubilee Developments, LLC,
a New Mexico limited liability
corporation**

By: _____
Mark S. Sanchez
Executive Director

By: Jaymini Hasham
Jaymini Hasham
Managing Member

Date: _____

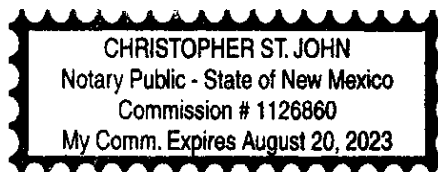
Date: 09/26/2022

ACKNOWLEDGEMENTS

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 26 day of September 2022, by Jaymini Hasham [name] Managing Member, [title] of Jubilee Developments LLC, [company name], a Limited Liability Corp. [type of entity], on behalf of said company.

Christopher St. John



Notary Public

My Commission Expires:

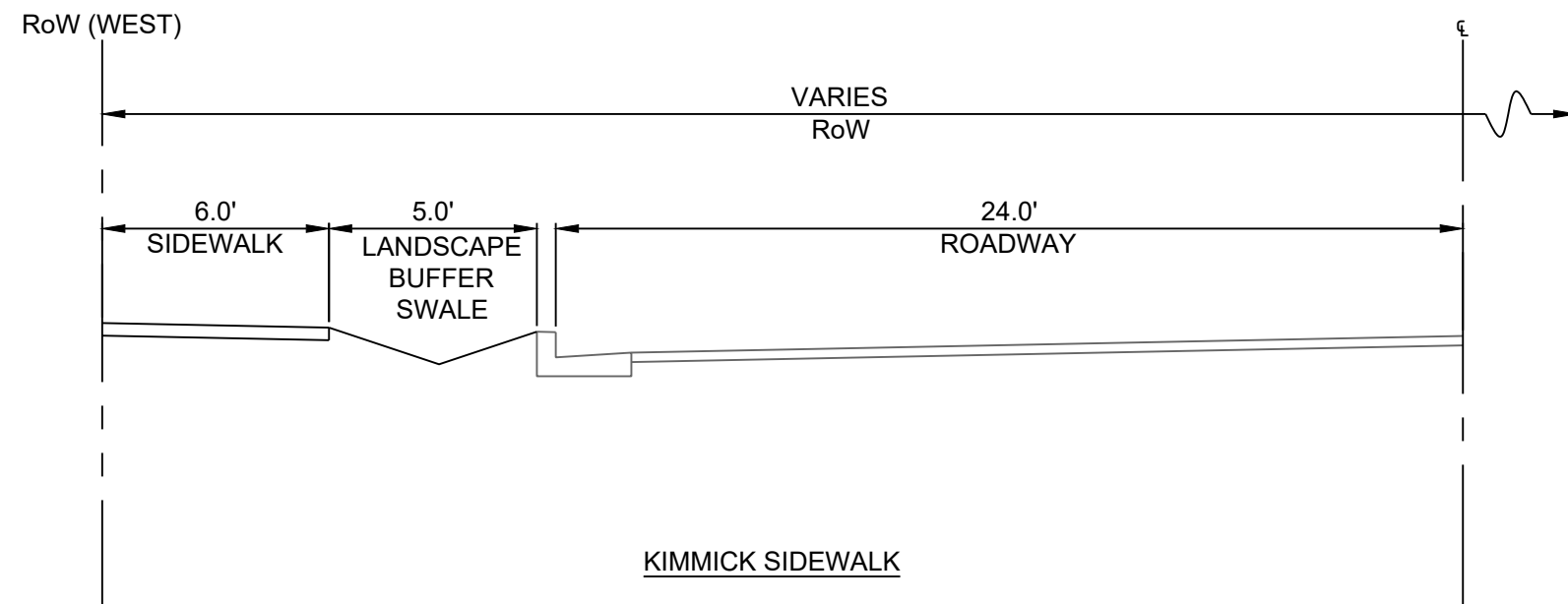
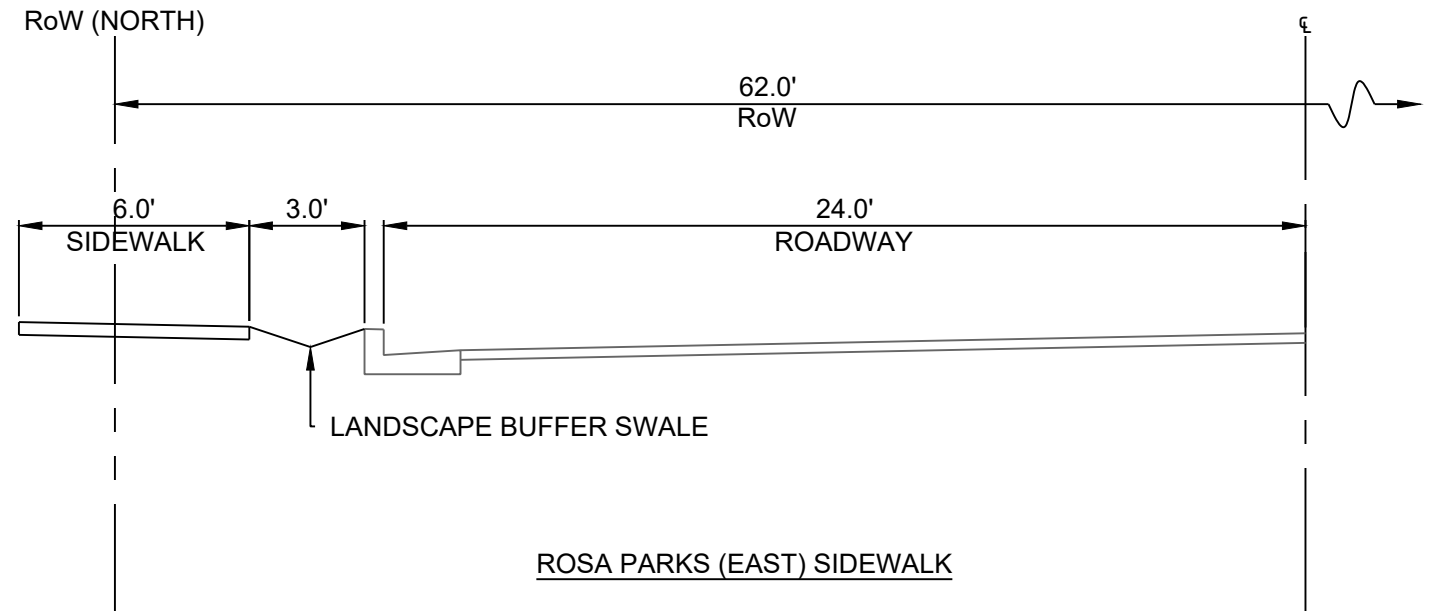
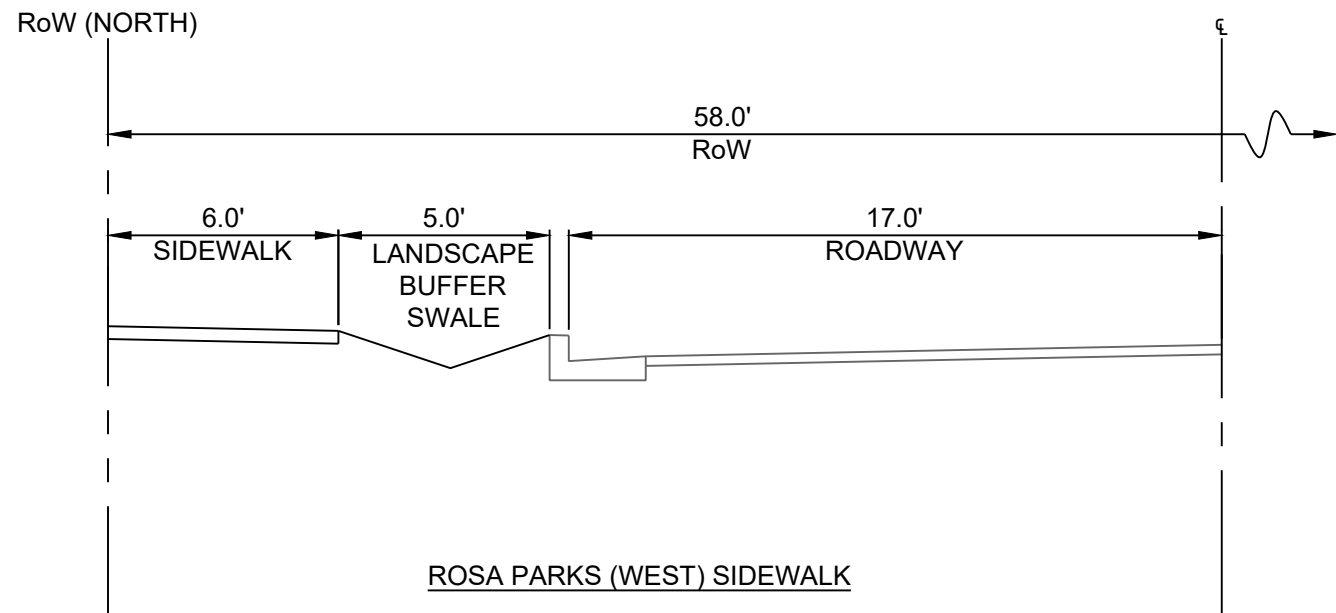
STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on _____, 20__ by Mark S. Sanchez, Executive Director of the Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision.

Notary Public

My Commission Expires:

NAME: N:\Projects\W0262-Aleem Hasham\Hasham\W0262.01 Hasham Paseo & Kimmick\3_DWG\Exhibits\SDWLK EXHIBT.dwg PLOT DATE: Sep 30, 2022 11:37am



PdN & KIMMICK SIDEWALK EXHIBIT

SEPTEMBER 30, 2022



RESPEC

COMMUNITY DESIGN SOLUTIONS
7770 JEFFERSON STREET SUITE 200
ALBUQUERQUE, NEW MEXICO 87109
WWW.RESPEC.COM PHONE: (505) 253-9718

Site Sketch for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
Being Comprised of
Tract 1-A, Block 2, Volcano
Cliffs Subdivision, Unit 26
City of Albuquerque
Bernalillo County, New Mexico
March 2024

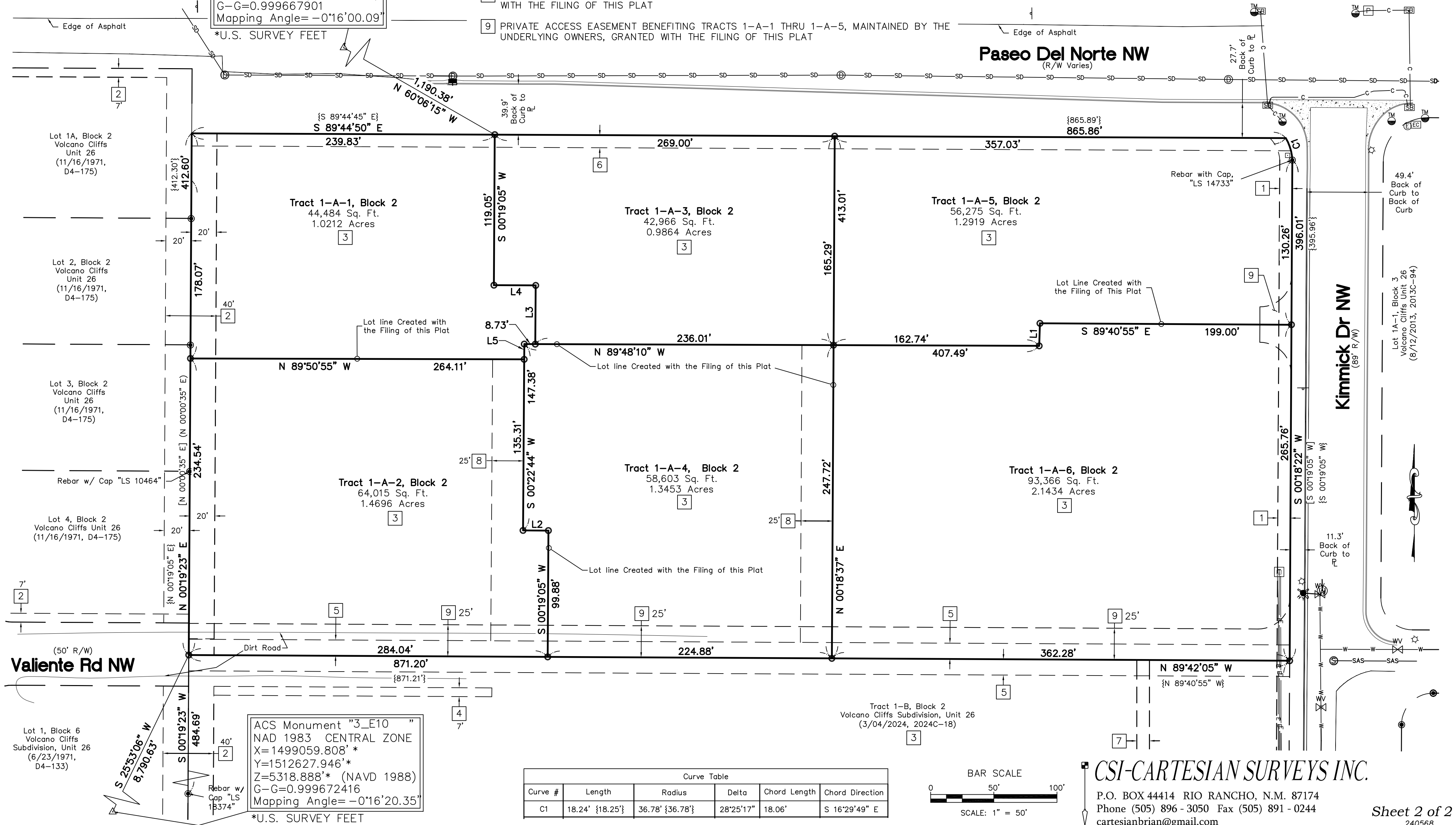
Line Table		
Line #	Direction	Length (ft)
L1	N 01°58'45" E	17.82'
L2	S 89°37'16" E	20.06'
L3	N 00°22'44" E	46.44'
L4	N 89°40'55" W	33.06'
L5	S 00°22'44" W	12.07'

Easement Notes

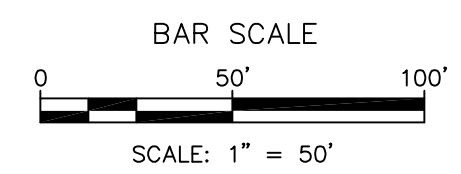
- 1 EXISTING 10' P.U.E. (8/12/2013, 2013C-92)
- 2 EXISTING DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 3 EXISTING PRIVATE BLANKET CROSS LOT PUBLIC DRAINAGE AND ACCESS EASEMENT, BENEFITING TRACTS 1-A AND 1-B (8/12/2013, 2013C-92), (3/04/2024, BK. 2024C, PG. 18)
- 4 EXISTING 7' DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 5 EXISTING PUBLIC 12.5' WATER AND PUBLIC SEWER EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 6 EXISTING 10' UTILITY EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 7 EXISTING PRIVATE DRAINAGE EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 8 PRIVATE WATERLINE AND SEWER EASEMENTS BENEFITING TRACTS 1-A-1 AND 1-A-3, GRANTED WITH THE FILING OF THIS PLAT
- 9 PRIVATE ACCESS EASEMENT BENEFITING TRACTS 1-A-1 THRU 1-A-5, MAINTAINED BY THE UNDERLYING OWNERS, GRANTED WITH THE FILING OF THIS PLAT

ACS Monument "8_C10"
 NAD 1983 CENTRAL ZONE
 X=1502106.697 *
 Y=1521538.71 *
 Z=5392.936* (NAVD 1988)
 G-G=0.999667901
 Mapping Angle=-0°16'00.09"
 *U.S. SURVEY FEET

ACS Monument "3_E10"
 NAD 1983 CENTRAL ZONE
 X=1499059.808 *
 Y=1512627.946 *
 Z=5318.888* (NAVD 1988)
 G-G=0.999672416
 Mapping Angle=-0°16'20.35"
 *U.S. SURVEY FEET

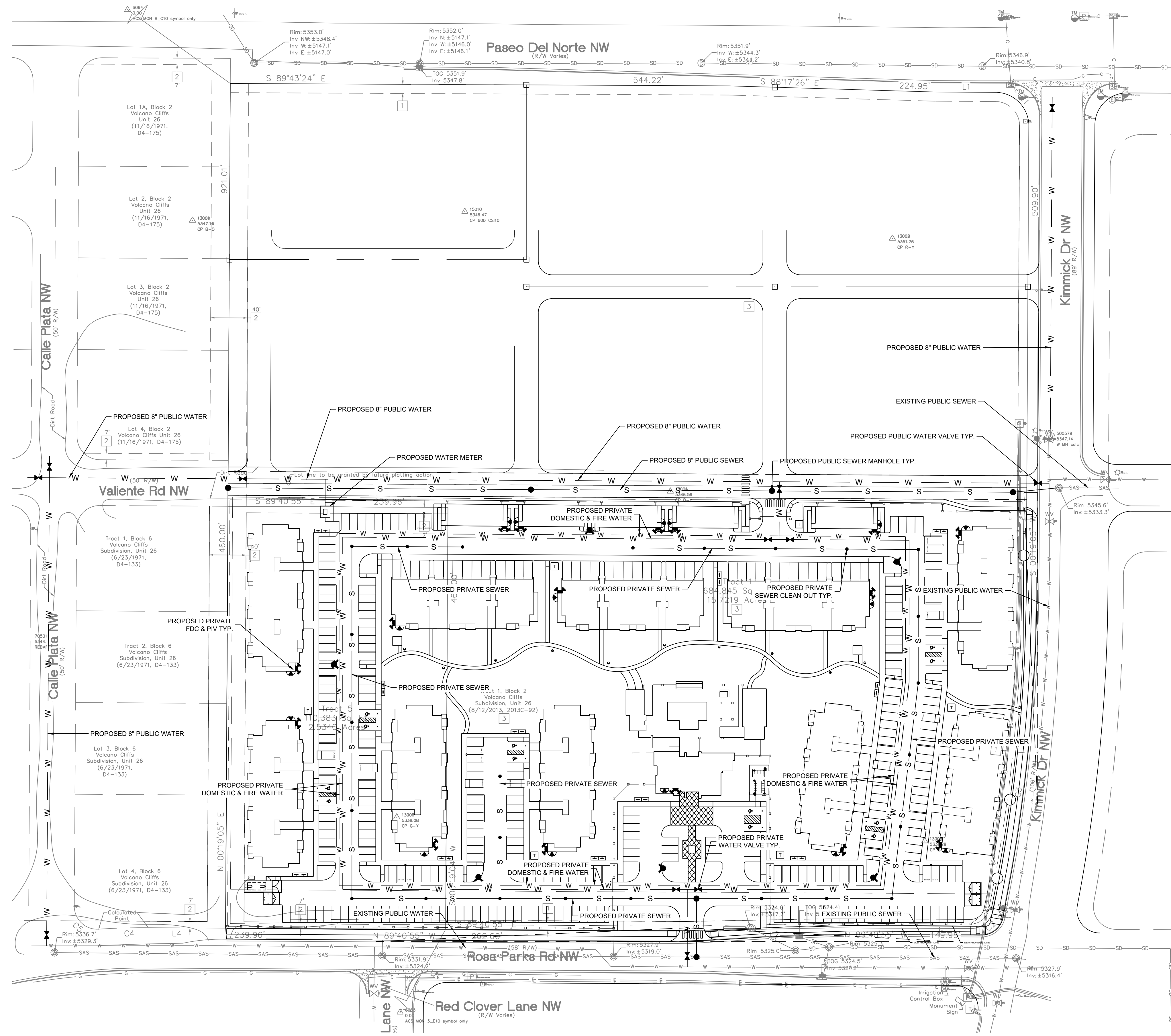


Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	18.24' {18.25'}	36.78' {36.78'}	28°25'17"	18.06'	S 16°29'49" E



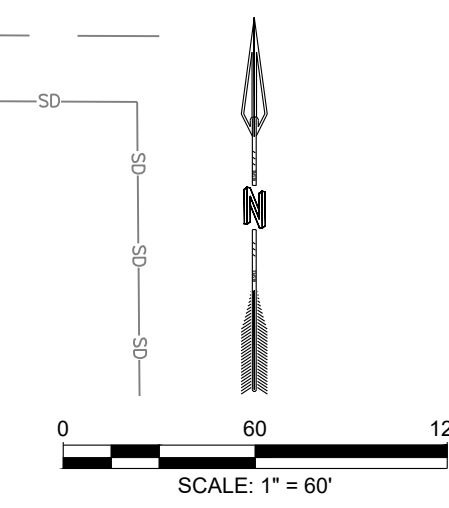
CSI-CARTESIAN SURVEYS INC.
 P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896 - 3050 Fax (505) 891 - 0244
 cartesianbrian@gmail.com

NAME: N:\Projects\W0262-01 Hasham Paseo & Kimnick3.DWG; Sheets\W0262-01 UTILITY.dwg PLOT DATE: Dec 04, 2023 4:00pm



LEGEND

- PROPERTY BOUNDARY
- W NEW WATERLINE
- NEW WATER VALVE TYP.
- NEW WALL INDICATOR VALVE TYP.
- NEW FIRE DEPARTMENT CONNECTION TYP.
- NEW HYDRANT TYP.
- S NEW SEWER LINE
- NEW SEWER CLEAN OUT TYP.
- NEW SEWER MANHOLE TYP.
- EXISTING WATERLINE
- SAS EXISTING SEWER LINE



<p>DESIGNED: _____</p> <p>DRAWN: _____</p> <p>CHECKED: _____</p> <p>DATE: 12.04.2023</p>	<p>REVISION</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; height: 20px;"> </td> <td style="width: 50%; height: 20px;"> </td> </tr> <tr> <td style="width: 50%; height: 20px;"> </td> <td style="width: 50%; height: 20px;"> </td> </tr> </table>				
<p>RESPEC</p> <p>COMMUNITY DESIGN SOLUTIONS</p> <p>7770 JEFFERSON STREET SUITE 200</p> <p>ALBUQUERQUE, NM 87111</p> <p>WWW.RESPEC.COM PHONE (505) 253-9718</p>					
<p>STAMP</p> <p>PRELIMINARY</p> <p>NOT FOR CONSTRUCTION</p> <p>12/2023</p> <p>THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED.</p> <p>PROJ. #: W0262.01</p>					
<p>PROJECT NAME: PASEO & KIMNICK</p>					
<p>SHEET TITLE: CONCEPT UTILITY PLAN</p>					
<p>SUBMITTED FOR: DRB SITE PLAN</p>					
<p>SHEET NUMBER: C-102</p>					

Existing IIA, IL, FG and Letter of Credit that is tied to the Subject Site
(PR-2022-007712/SD-2022-00143)

Current DRC
Project Number: _____

FIGURE 12

Date Submitted: November 4, 2022

INFRASTRUCTURE LIST

(Rev. 2-18-18)

EXHIBIT "A"

Date Site Plan Approved: _____

Date Preliminary Plat Approved: _____

Date Preliminary Plat Expires: _____

DRB Project No.: PR-2022-007712

DRB Application No.: SD-2022-00143

TO SUBDIVISION IMPROVEMENTS AGREEMENT

DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST

TRACTS 1-A & 1-B, BLOCK 2, VOLCANO CLIFFS SUBDIVISION, UNIT 26

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

TRACT 2, BLOCK 2 & TRACT 5, BLOCK 6, VOLCANO CLIFFS SUBDIVISION, UNIT 26

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 guarantee. 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, the User Department and agent/owner. If such approvals are obtained, these 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		
							Private Inspector	P.E.	City Cnst Engineer
		PAVING							
		6' WIDE	480 LF PCC SIDEWALK WITH LANDSCAPE BUFFER (NORTH SIDE ONLY)	ROSA PARKS RD	KIMMICK DR	WEST PROPERTY BOUNDARY	/	/	/
		26' WIDE	PRIVATE ENTRANCE WITH VALLEY GUTTER & ADA RAMPS	ROSA PARKS RD APPROXIMATELY 370' WEST OF KIMMICK DR			/	/	/
		6' WIDE	730 LF PCC SIDEWALK WITH LANDSCAPE BUFFER (WEST SIDE ONLY)	KIMMICK DR	ROSA PARKS RD	PASEO DEL NORTE	/	/	/
		34' WIDE	PRIVATE ENTRANCE WITH VALLEY GUTTER & ADA RAMPS	INTERSECTION OF KIMMICK DR AND VALIENTE RD			/	/	/
		26' WIDE	PRIVATE ENTRANCE WITH VALLEY GUTTER & ADA RAMPS	KIMMICK DR APPROXIMATELY 220' NORTH OF VALIENTE RD			/	/	/
		5' WIDE	RESTRIPE TO INCLUDE BIKE LANES	KIMMICK DR	VALIENTE RD	PASEO DEL NORTE	/	/	/
		10' WIDE *	770 LF ASPHALT TRAIL (SOUTH SIDE ONLY)	PASEO DEL NORTE	KIMMICK DR	WEST PROPERTY BOUNDARY	/	/	/
		WATER							
		8"	510 LF PVC WATER MAIN	CALLE PLATA	ROSA PARKS RD	VALIENTE RD	/	/	/
		8"	1,040 LF PVC WATER MAIN	VALIENTE RD & PUBLIC UTILITY EASEMENT	CALLE PLATA	KIMMICK DR	/	/	/

* PROCEDURE C AGREEMENT

Financially Guaranteed DRC #	Constructed Under DRC #

Size	Type of Improvement	Location	From	To
8"	400 LF PVC WATER MAIN	KIMMICK DR	VALIENTE RD	PASEO DEL NORTE
	SEWER			
8"	900 LF PVC SEWER MAIN	PUBLIC UTILITY EASEMENT	KIMMICK DR	WEST PROPERTY BOUNDARY

Construction Certification		
Private		City Cnst Engineer
Inspector	P.E.	
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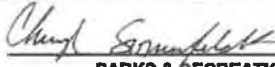
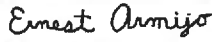


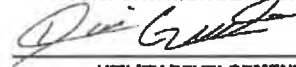


The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification			
							Private Inspector	P.E.	City Cnst Engineer	
<input type="text"/>	<input type="text"/>						/	/	/	
<input type="text"/>	<input type="text"/>						/	/	/	
Approval of Creditable Items:							Approval of Creditable Items:			
Impact Fee Administrator Signature							Date	City User Dept. Signature		Date

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.

- 1 _____
- 2 _____
- 3 _____

AGENT / OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS	
JEREMY SHELL NAME (print)	 Nov 9, 2022 DRB CHAIR - date	 Nov 9, 2022 PARKS & RECREATION - date
RESPEC FIRM	 Nov 9, 2022 TRANSPORTATION DEVELOPMENT - date	 Nov 9, 2022 AMAFCA - date
 10/31/2022 SIGNATURE - date	 Nov 9, 2022 UTILITY DEVELOPMENT - date	 Nov 9, 2022 CODE ENFORCEMENT - date
	 Nov 9, 2022 CITY ENGINEER - date	_____- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT /OWNER



INFRASTRUCTURE IMPROVEMENTS AGREEMENT
(Procedure B)

AGREEMENT TO CONSTRUCT
PUBLIC AND/OR PRIVATE INFRASTRUCTURE IMPROVEMENTS

Project Name: Paseo & Kimmick Development
Project Number: 705083

THIS AGREEMENT is made upon the date of the latest signature below, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **Jubilee Developments** ("Developer"), a **New Mexico Limited Liability Company**, (state the type of business entity e.g. "New Mexico corporation," "general partnership," "individual," etc.), whose email address is **jayminih@yahoo.com**, whose address is **4590 Paradise Blvd. NW** (Street or PO Box) **Albuquerque, NM** (City, State), **87114** (Zip Code) and whose telephone number is **(505) 435-4335**, in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. **Recital**. The Developer is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as [existing legal description:] **Tract 1, Block 2, Volcano Cliffs Subdivision, Unit 26** recorded on **August 12, 2013**, attached, pages **1** through **4**, as Document No. **2013089890** and **Lot 5, Block 6, Unit 26, Volcano Cliffs** recorded on **June 23, 1971**, attached, in **Book D4, Page 133** in the records of the Bernalillo County Clerk, State of New Mexico (the "Developer's Property"). The Developer certifies that the Developer's Property is owned by [state the name of the present real property owner exactly as shown on the real estate document conveying title for the Developer's Property to the present owner:] **Group II U26, LLC a New Mexico Limited Liability Company (Tract 1) and Tract 5 U26, LLC a New Mexico Limited Liability Company (Tract 5)** ("Owner").

The Developer has submitted and the City has approved a Preliminary Plat or Site Plan identified as **Tracts 1-A and 1-B, Block 2, Volcano Cliffs Subdivision, Unit 26** describing Developer's Property ("Developer's Property"). If this Agreement is for a "Phase" as identified on the Infrastructure List, then the Phase shall be added to the Preliminary Plat or Site Plan identified above.

As a result of the development of the Developer's Property, the Integrated Development Ordinance ("I.D.O.") requires the Developer, at no cost to the City, to install certain public and/or private improvements, which are reasonably related to the development of the Developer's Property, 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 Plan.

2. **Improvements and Construction Deadline**. The Developer agrees to install and complete the public and/or private improvements described in **Exhibit A**, the required Infrastructure List ("Improvements"), to the satisfaction of the City, on or before the Construction Completion Deadline as shown in paragraph 6, at no cost to the City. All of the

improvements on Exhibit A are to be included in this Agreement, unless the Development Review Board (DRB) has approved phasing of the improvements, or the DRB has approved them as “Deferred” and they are shown in greater detail on the Developer's proposed and approved plans, which have been filed with the City Engineer.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Developer meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See DPM, Chapter 5.) 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 Developer processes an amendment to the Agreement. If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Developer may obtain an extension of the Construction Completion Deadline if the Developer shows adequate reason for the extension.

3. Albuquerque Bernalillo County Water Utility Authority (“ABCWUA”) and Albuquerque Metropolitan Arroyo Flood Control Authority (“AMAFCA”). Pursuant to the Memorandum of Understanding between the City of Albuquerque and ABCWUA dated March 21, 2007, and the Memorandum of Understanding with AMAFCA dated February 6, 2013, the City is authorized to act on behalf of the ABCWUA and AMAFCA 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 Developer causes to be submitted all documents, and meets all requirements listed in Development Process Manual (“DPM”), Chapter 2, Work Order Process.

B. The Developer 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	3.6%
Street Excavation and Barricading Ordinance and street restoration fees	As required per City-approved estimate (Figure 4)

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

C. The Developer must procure a New Mexico licensed Contractor to construct the improvements per the specifications contained in the City-approved construction drawings. The Contractor shall provide proof of proper licensure to complete the improvements. If the Contractor that has been identified by the Developer does not possess all of the proper licenses for the improvements then proof of proper licensure of the subcontractors must be provided. The Developer's Contractor shall obtain a Performance & Warranty bond and a Labor & Materials bond utilizing the bond templates provided and approved by the City. The mandatory bonds obtained by the Contractor are independent of, and in addition to, the Financial Guaranty provided by the Developer. If the Developer or the City determines that the Contractor failed to faithfully construct or maintain the specified and warranted work, the Developer and the City shall each have standing to make claim on the applicable bonds.

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 Improvements shall be performed by New Mexico Registered Surveyor. The City may monitor the construction surveying and the Developer 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.

B. Construction Inspection Methods. Inspection of the construction of the Improvements shall be performed by a New Mexico Registered Professional Engineer with the ability to make in-person observations of the improvements. The City may monitor the inspection and the Developer shall ensure that the inspecting entity provides all inspection results, reports and related data as required for project close out, and a Certification of Substantial Compliance for the project to the City, which the City requires for review and approval. The City retains the right to perform its own general overall inspection of the construction project at any time prior to/and including final acceptance of the Improvements.

C. Field Testing. Field testing of the construction of the Improvements shall be performed by a certified testing laboratory under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. The City may monitor the field testing and the Developer 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.

D. Additional Testing. The City retains the right to request additional testing which the City Engineer deems is necessary or advisable, and the Developer shall pay the cost for the additional testing.

6. Financial Guaranty. If final plat approval is not requested prior to construction of the Developer's Property, a financial guaranty is not required. If final plat approval is requested, the Developer 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 I.D.O. requirements, the Developer has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: **Letter of Credit**

Amount: **\$468,810.56**

Name of Financial Institution or Surety providing Guaranty: **Sandia Laboratory
Federal Credit Union**

Date City first able to call Guaranty (Construction Completion Deadline): **March 1, 2025**

If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: **May 1, 2025**

Additional information: _____

7. Notice of Start of Construction. Before construction begins, the Developer shall arrange for a preconstruction conference and all required inspections.

8. Completion, Acceptance and Termination. When the City receives Developer's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Chapter 2). 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 Developer's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Developer has provided to assure the materials and workmanship, as required by the I.D.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 Developer 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.

10. Reduction of Financial Guaranty Upon Partial Completion. The Developer 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 Developer must follow the procedures and meet the requirements

detailed in the DPM, Chapter 2.

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 Developer 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 I.D.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 Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer 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 Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer 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 Developer 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 Developer's Property or any part thereof is sold, conveyed or assigned, the City will not release the Developer from its obligations under this Agreement and will continue to hold the Developer responsible for all Improvements until a successor in interest

to the Developer has entered into an Infrastructure Improvement Agreement with the City. Thereafter, if the Developer'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 Developer 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 Developer 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 Developer'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 Developer 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 Developer's Property. The provisions of this Agreement constitute covenants running with Developer's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Developer 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 Developer'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. Developer agrees that changes to this form are not binding unless initialed by the Developer and signed by the City Legal Department on this form.

22. Authority to Execute. If the Developer signing below is not the Owner of the Developer's Property, the Owner must execute the Power of Attorney below.

DEVELOPER: Jubilee Developments, LLC

By [Signature]: Jaymini Hasham

Name [Print]: Jaymini Hasham

Title: Managing Member

Dated: 03/06/2023

DEVELOPER'S NOTARY

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 6th day of March, 2023, by
[name of person:] Jaymini Hasham, [title or capacity, for instance, "President" or "Owner":] Managing
Member of [Developer:] Jubilee Developments, LLC.



[Signature]
Notary Public

My Commission Expires: 8-9-26

CITY OF ALBUQUERQUE:

DocuSigned by:
By: Shahab Biazar
Shahab Biazar, P.E., City Engineer

DS
BMR

Agreement is effective as of (Date): 4/3/2023 | 8:02 AM MDT

CITY'S NOTARY

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

This instrument was acknowledged before me on this 7 day of April, 2023, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

STATE OF NEW MEXICO
NOTARY PUBLIC
Gabryella Brooke Williams
Commission No. 1138236
June 21, 2026

Gabryella B. Williams
Notary Public

My Commission Expires: June 21, 2026

[EXHIBIT A ATTACHED]
[POWER OF ATTORNEY ATTACHED IF DEVELOPER
IS NOT THE OWNER OF THE DEVELOPER'S PROPERTY]

POWER OF ATTORNEY

NOTE: Must be signed and notarized by the owner if the Developer is not the owner of the Developer's Property.

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

[State name of present real property owner exactly as shown on the real estate document conveying title for the Developer's Property to the present owner:] Group II U26 VC, LLC a New Mexico Limited Liability Company ("Owner"), of [address:] 2400 Louisiana NE Bldg 3, Room 115: Albuquerque, [State:] New Mexico [zip code:] 87110, hereby makes, constitutes and appoints [name of Developer:] Jubilee Developments LLC ("Developer") as my true and lawful attorney in fact, for me and in my name, place and stead, giving unto the Developer full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to meet the City of Albuquerque's ("City") Integrated Development Ordinance requirements regarding the real estate owned by me and described in Section 1 of the Infrastructure Improvements Agreement ("Agreement") above, including executing the Agreement and related documents required by the City, with full power of substitution and revocation, hereby ratifying and affirming what the Developer lawfully does or causes to be done by virtue of the power herein conferred upon the Developer.

This Power of Attorney can only be terminated: (1) by a sworn document signed and notarized by the Owner, which shall be promptly delivered to the City Engineer in order to provide notice to City of the termination of this Power of Attorney; or (2) upon release of the Agreement by the City.

NOTE: Alternate wording may be acceptable, but must be submitted to the City Legal Department for review and approval before the final contract package is submitted to the City for review. The City may require evidence of ownership and/or authority to execute the Power of Attorney, if the Owner is not the Developer. If Owner is a corporation, the Power of Attorney must be signed by the president or by someone specifically empowered by the Board of Directors, in which case the corporate Secretary's certification and a copy of the Board's resolution empowering execution must accompany this document.

OWNER

By [Signature:]: St J Metro

Name [Print]: Steven J. Metro

Title: Manager Group II U26 VC, LLC

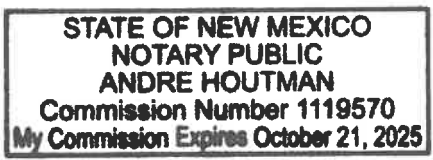
Dated: 3-30-23

The foregoing Power of Attorney was acknowledged before me on March 30th, 2023
by [name of person:] Steven J. Metro, [title or capacity, for instance
"President":] Manager of [Owner:]
Manager Group II U26 VC, LLC on behalf of the Owner.

(SEAL)

Andre Houtman
Notary Public

My Commission Expires: 10-21-2025



POWER OF ATTORNEY

NOTE: Must be signed and notarized by the owner if the Developer is not the owner of the Developer's Property.

STATE OF New Mexico)
) ss.
COUNTY OF Bernalillo)

[State name of present real property owner exactly as shown on the real estate document conveying title for the Developer's Property to the present owner:] Tract 5 U26, LLC a New Mexico Limited Liability Company ("Owner"), of [address:] 5700 University Blvd SE STE 310 :]
Albuquerque, [State:] New Mexico [zip code:] 87106, hereby makes, constitutes and appoints [name of Developer:] Jubilee Developments LLC ("Developer") as my true and lawful attorney in fact, for me and in my name, place and stead, giving unto the Developer full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to meet the City of Albuquerque's ("City") Integrated Development Ordinance requirements regarding the real estate owned by me and described in Section 1 of the Infrastructure Improvements Agreement ("Agreement") above, including executing the Agreement and related documents required by the City, with full power of substitution and revocation, hereby ratifying and affirming what the Developer lawfully does or causes to be done by virtue of the power herein conferred upon the Developer.

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OWNER

By [Signature:]: Steven J. Metro

Name [Print]: Steven J. Metro

Title: Manager Tract 5 U26, LLC

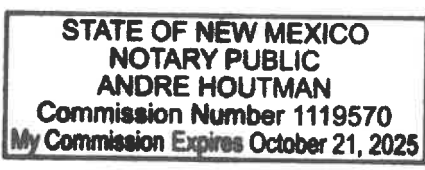
Dated: 3-30-23

The foregoing Power of Attorney was acknowledged before me on March 30th, 2023
by [name of person:] Steven J. Metro, [title or capacity, for instance
"President":] Manager of [Owner:]
Manager Tract 5 U26, LLC on behalf of the Owner.

(SEAL)

Andre Houtman
Notary Public

My Commission Expires: 10/21/2025



CITY OF ALBUQUERQUE



FINANCIAL GUARANTY AMOUNT

December 1, 2022

Type of Estimate: I.I.A. Procedure B with FG

Project Description:

Project ID #: 705083 Paseo & Kimmick

Requested By: Jeremy Shell

Approved Estimate Amount: \$ 291,371.83

Contingency Amount: 10.00% \$ 29,137.18

Subtotal: \$ 320,509.01

PO Box 1293

NMGRT: 7.750% \$ 24,839.45

Subtotal: \$ 345,348.46

Albuquerque

Engineering Fee: 6.60% \$ 22,793.00

NM 87103

Testing Fee: 2.00% \$ 6,906.97

Subtotal: \$ 375,048.43

www.cabq.gov

FINANCIAL GUARANTY RATE: 1.25

TOTAL FINANCIAL GUARANTY REQUIRED: \$ 468,810.56

APPROVAL:



DATE:



Notes: Plans not yet approved.



LETTER OF CREDIT

March 9, 2023

IRREVOCABLE LETTER OF CREDIT AND AGREEMENT NO. 0010630747-2501
AMOUNT: \$468,810.56

Chief Administrative Officer
City of Albuquerque
P. O. Box 1293
Albuquerque, NM 87103

Re: Letter of Credit for Jubilee Developments, LLC
City of Albuquerque Project No.: 705083
Project Name: Paseo & Kimmick Development

Dear Chief Administrative Officer:

This letter is to advise the City of Albuquerque (“City”) that, at the request of Jubilee Developments, LLC (“Developer”), Sandia Laboratory Federal Credit Union in Albuquerque, New Mexico, has established an Irrevocable Letter of Credit in the sum of Four Hundred Sixty Eight Thousand Eight Hundred Ten and 56/100 Dollars (\$468,810.56) (“Letter of Credit”) for the exclusive purpose of providing the financial guarantee, which the City requires Jubilee Developments, LLC to provide for the installation of the improvements, which must be constructed at Paseo & Kimmick, Project No. 705083 (“Project”). The amount of the Letter of Credit is 125% of the City's estimated cost of construction of improvements as required by the City’s Integrated Development Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Developer in the records of the Clerk of Bernalillo County, New Mexico.

A draft or drafts for any amount up to, but not in excess of Four Hundred Sixty-Eight Thousand Eight Hundred Ten and 56/100 Dollars (\$468,810.56) is/are available by certified mail at the option of the City of Albuquerque or at sight at Sandia Laboratory Federal Credit Union 7412 Jefferson Street NE Albuquerque, New Mexico 87109 between March 9, 2023 and May 1, 2025.

When presented for negotiation, the draft(s) is/are to be accompanied by the City's notarized certification stating: “1) Jubilee Developments, LLC has failed to comply with the terms of the Agreement; 2) the undersigned is the Chief Administrative Officer of the City of Albuquerque and is authorized to sign this certification; and 3) the amount of the draft does not exceed 125% of the City's estimated cost of completing the improvements specified in the Agreement.”

We hereby agree with the drawer of draft(s) drawn under and in compliance with the terms of this credit that such draft(s) will be duly honored upon presentation to the drawee if negotiated between March 9, 2023 and May 1, 2025.



This Letter of Credit for the benefit of the City of Albuquerque shall be irrevocable until:

1. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
2. City notification of Jubilee Developments, LLC's failure to comply with the terms of the Agreement, and payment by Certified Check from Sandia Laboratory Federal Credit Union to the City of Albuquerque of 125% of the City's estimated costs of completing the improvements specified in the Agreement; or
3. May 1, 2025; or
4. Written termination of this Letter of Credit by the City of Albuquerque, signed by its Chief Financial Officer.

This Letter of Credit will terminate at 5:00 o'clock p.m., New Mexico time, May 1, 2025.

This credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600.



Very truly yours,

A handwritten signature in blue ink, appearing to read "Katja Fitz", written over a horizontal line.

Sandia Laboratory Federal Credit Union

By: Katja Fitz

Title: Commercial Loan Officer

Date: March 9, 2023

ACCEPTED:

CITY OF ALBUQUERQUE

By: _____
Chief Administrative Officer

Print Name: _____

Date: _____



Very truly yours,

A handwritten signature in blue ink, appearing to read 'Katja Fitz', written over a horizontal line.

Sandia Laboratory Federal Credit Union

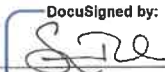
By: Katja Fitz

Title: Commercial Loan Officer

Date: March 9, 2023

ACCEPTED:

CITY OF ALBUQUERQUE

By:  _____
Chief Administrative Officer

Print Name: Lawrence Rael

Date: 4/3/2023 | 3:55 PM MDT

Bernalillo County, NM
415 Silver Ave. SW, 2nd Floor
P.O. Box 542
Albuquerque, NM 87102

Receipt: 1429236

Product	Name	Extended
AGRE	Agreement	\$25.00
	# Pages	20
	Document #	2023022927
	# Of Entries	0
Total		\$25.00
Tender (Check)		\$25.00
Check#	11811	
Paid By	respec	
Phone #	5052682661	

Thank You!

4/17/23 1:46 PM msouchet



MODULUS ARCHITECTS & LAND USE PLANNING, INC.

8220 San Pedro Drive NE, Suite 520

Albuquerque, NM 87113

Phone (505) 338-1499

www.modulusarchitects.com

May 14, 2024

David Campbell
Development Hearing Officer
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Subject: Sensitive Lands Analysis - Major Preliminary Platting Action – Project# PR-2022-007712 for property legally described as 1-A-1 thru 1-A-6, Block 2, Volcano Cliffs Subdivision, Unit 26 - (SWC of Paseo Del Norte NW and Kimmick Drive NW)

SENSITIVE LANDS ANALYSIS

This memo responds to the Sensitive Lands criteria in **IDO Section 14-16-5-2**. We have analyzed the Project site for the presence of sensitive lands and the constraints related to such lands. As outlined below, none of the features identified as sensitive lands by the IDO are present on the subject property for the proposed Preliminary Plat at Paseo del Norte and Kimmick Drive NW.

1. Arroyos: Utilizing the AMAFCA interactive facilities map, the closest arroyo/floodplain is identified as the North Branch Piedras Marcadas Channel. The North Fork of the Boca Negra Arroyo is the next closest arroyo and is located farther away from this site to the south. There is no identified arroyo on the subject property.

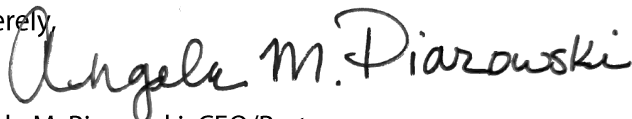
Figure 1: AMAFCA Facilities Map of Site and Vicinity.



Figure 1: AMAFCA Facilities Map of Site and Vicinity.

2. Floodplains and Special Flood Hazard Areas: According to the FEMA Floodplain layer on AGIS, the subject property is in an area with a FEMA Flood Zone Designation X, which is an area of minimal flood hazard. The nearest floodplain is associated with the Piedras Marcadas Canyon to the south. There are no special flood hazard areas on the subject property.
3. Irrigation Facilities (Acequias): The subject property is not located in the Valley and is not near or have any irrigation facilities.
4. Large Stands of Mature Trees: There are no trees on the subject property.
5. Rock Outcroppings: These outcroppings are defined in the IDO as being at least 6 feet high and over 500 square feet in size. Using the 2-foot contours available in the Advanced Map Viewer, it is apparent there are no rock outcroppings of this size on the subject property.
6. Significant Archaeological Sites: In 2012, an archaeological review of the site was conducted, and the site was given a Certificate of No Effect, which is attached to the application.
7. Steep Slopes and Escarpments: This property has minimal grade changes on the site. In reviewing the available topographic information, including the 2-foot contours available in the Advanced Map Viewer, the site does not include any slopes that meet the IDO definition of a steep slope or escarpment, which is a minimum slope of 9% or more. This site is significantly below that threshold.
8. Wetlands: Utilizing the U.S. Fish & Wildlife Service Wetlands Mapper, it was determined that no wetlands exist on this property. The mapper identifies the two arroyos previously discussed as riverine wetlands systems, but no other wetlands exist in the vicinity of the subject site or on the property.

Sincerely,



Angela M. Piarowski, CEO/Partner
Modulus Architects & Land Use Planning, Inc.
8220 San Pedro NE, Suite 520 (Paseo Nuevo Building)
Albuquerque, New Mexico 87113
Office: (505) 338.1499 ext. 1000
Cell + Text: (505) 999.8016
Email: angela@modulusarchitects.com
New Mexico | Texas | Arizona | Colorado | Oklahoma | Utah | Illinois



MODULUS ARCHITECTS & LAND USE PLANNING, INC.

8220 San Pedro Drive NE, Suite 520

Albuquerque, NM 87113

Phone (505) 338-1499

www.modulusarchitects.com

SUPPORTIVE DOCUMENTATION (PDF Files in this section)

10. Letter of Authorization
11. Justification Letter
12. Archaeological Certificate of No Effect
13. Proof of Sketch Plat Documentation

Steve Metro
Group II U 26 VC LLC
2400 Louisiana Blvd NE
Building 3, Room 115
Albuquerque NM 87110

City of Albuquerque
600 2nd Street NW
Albuquerque NM 87102

RE: LETTER OF AUTHORIZATION FOR PROPOSED SUBDIVISION PLAT

To whom it may concern

I, Steve Metro, Manager of Group II U26 VC LLC, a New Mexico limited liability company, the owner in fee-simple for the below property, do hereby give authorization to Modulus Architects to act as our agent in regards to the subdivision plat for existing lots - **Tract 1-A, Block 2 Volcano Cliffs Subdivision Unit 26** of the Volcano Cliffs Subdivision. The subject property is located at the SE intersection of Kimmick Drive with Paseo Del Norte Blvd NW, in the City of Albuquerque

The agent shall have the authority to act on our behalf for the subdivision platting action and obtaining documentation or certificates from the City of Albuquerque or Bernalillo County needed for the platting action.

Thank you



5-6-24

Steve Metro
Group II U 26 VC LLC

Date



MODULUS ARCHITECTS & LAND USE PLANNING, INC.

8220 San Pedro Drive NE, Suite 520

Albuquerque, NM 87113

Phone (505) 338-1499

www.modulusarchitects.com

May 14, 2024

David Campbell
Development Hearing Officer
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

Dear Mr. Campbell,

Subject: Justification for Major Preliminary Platting Action – Project# PR-2022-007712 for property legally described as 1-A-1 thru 1-A-6, Block 2, Volcano Cliffs Subdivision, Unit 26 - (SWC of Paseo Del Norte NW and Kimmick Drive NW)

The purpose of the letter is to transmit the request for a Preliminary Plat approval for the property legally described as *Tracts 1-A-1 thru 1-A-6, Block 2, Volcano Cliffs Subdivision, Unit 26*. This letter will demonstrate how the proposed platting action request meets the review and decision criteria outlined in 6-6(L)(3) of the City of Albuquerque's Integrated Development Ordinance (IDO).

A Sketch Plat was reviewed for this Preliminary Plat application on April 3, 2024 (PS-2024-00063) Sketch Plat (DFT). The intention of this Preliminary Plat is to subdivide one legal parcel (8.2545-acres) and reconfigure it into six individual legal parcels. This application includes the Preliminary Plat, the relevant submittal checklist requirements (Form S1- Major Plat and Form PLT – Plat Pre-Approvals_Signatures) as well as the relevant and valid preceding approval documents currently in place for this parcel.

The emailed notices of a public meeting were issued per the Office of Neighborhood Coordination (ONC) requirements on May 6, 2024 and the mailed public notices were issued to the required property owners on May 7, 2024 per the ONC requirements. A facilitated meeting was requested by WSCONA (West Side Coalition of Neighborhood Associations) on May 8, 2024. Modulus Architects has notified the Office of Neighborhood Coordination of this request, we received confirmation of this receipt of this request from the ONC on May 10, 2024. As of the date of this submittal, this facilitated is in progress of being scheduled.

Prior to this application for Preliminary Plat, a Final Plat which legally subdivided this 8.254-acre parcel from a larger legal parcel of 18.2557 acres was approved and recorded with Bernalillo County on March 4, 2024. The Final Plat, Project# PR-2022-007712, Application# SD-2023-00127 FINAL PLAT included the relevant approval documents which have been deemed valid and current for this submittal and are included with the application for Preliminary Plat, those documents include the following:

1. Recorded Final Plat – Doc# 2024014448
2. Infrastructure Improvement Agreement (Procedure B) Doc# 2023022927
3. Signed Infrastructure List (Figure 12)
4. Letter of Credit from SLFCU in the amount of \$468,810.56
5. Development Agreement DA-R-22-25 – Albuquerque Bernalillo County Water Utility Authority

6. Water Serviceability Letter #220512
7. Archeological Certificate of No Effect
8. Hydrology Approval Letter

REVIEW AND DECISION CRITERIA

6-6(L)(3) Review and Decision Criteria - An application for a Subdivision of Land – Major shall be approved if it meets all of the following criteria.

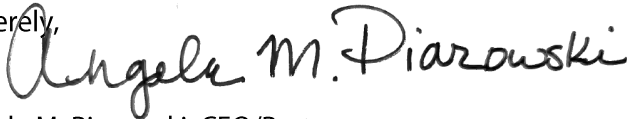
6-6(L)(3)(a) A Preliminary Plat shall be approved if it complies with all applicable provisions of this IDO, the DPM, other adopted City regulations, and any conditions specifically applied to development of the property in a prior permit or approval affecting the property.

Application Response: The proposed Major Preliminary Platting Action for Project# PR-2022-007712 (SWC of Paseo Del Norte NW and Kimmick Drive NM) meets all criteria outlined in 6-6(L)(3) of the IDO. It is consistent with the Comprehensive Plan and applicable City-adopted plans, complies with all IDO standards as well as the City of Albuquerque DPM. We respectfully request the approval of this platting action. All prior approvals that specifically apply to this property and remain current and valid have been submitted with this request for Preliminary Plat approval.

CONCLUSION

Based upon the information provided above and supporting documents, we respectfully request the DHO approval of the Preliminary Plat. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



Angela M. Piarowski, CEO/Partner
Modulus Architects & Land Use Planning, Inc.
8220 San Pedro NE, Suite 520 (Paseo Nuevo Building)
Albuquerque, New Mexico 87113
Office: (505) 338.1499 ext. 1000
Cell + Text: (505) 999.8016
Email: angela@modulusarchitects.com
New Mexico | Texas | Arizona | Colorado | Oklahoma | Utah | Illinois



City of Albuquerque
P.O. Box 1293 Albuquerque, NM 87103
Planning Department
Alan Varela, Interim Director

Tim Keller, Mayor
Sarita Nair, CAO

DATE: October 6, 2022

SUBJECT: Albuquerque Archaeological Ordinance - Compliance Documentation

Case Number(s): PR-2022-007712
Agent: Consensus Planning, Inc.
Applicant: Jubilee Developments
Legal Description: Tr. 1, Block. 2, Plat of Tr. 1, Block 2, Volcano Cliffs Subdivision Unit 26
Zoning: MX-L and MX-M
Acreage: 18.23
Zone Atlas Page(s): C-11-Z

CERTIFICATE OF NO EFFECT: Yes No

CERTIFICATE OF APPROVAL: Yes No

SUPPORTING DOCUMENTATION:

Historic Google earth images, NMCRIS records

SITE VISIT: N/A

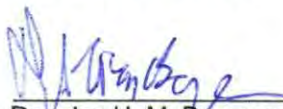
RECOMMENDATIONS:

The property appears to have been disturbed by previous development between 2014 and 2016. NMCRIS records show three sites (LA 69708, 69709, and LA 103735) were present on the property (surveyed under NMCRIS 27483). Data recovery took place on at least one of these sites (NMCRIS 128677). All the sites have been removed by development. CERTIFICATE OF NO EFFECT ISSUED-under 6-5(A) (3)(a) criterion 1 "an archaeological investigation has been conducted..." and criterion 2 "The property has been disturbed through previous land use"

SUBMITTED BY:

SUBMITTED TO:

Planning, Development Services


10-6-2022
Douglas H. M. Boggess, MA, RPA Date
Senior Principal Investigator
Acting City Archaeologist
Lone Mountain Archaeological Services, Inc.

Proof of Sketch Plat

DEVELOPMENT FACILITATIVE TEAM (DFT)
Code Enforcement Comments

Disclaimer: Comments provided are based upon information received from applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning staff.

Jeff Palmer-Code Enforcement Supervisor
Planning Department
jppalmer@cabq.gov

DATE: 04/03/2024

AGENDA ITEM NO: 8

PROJECT NUMBER:

PR-2022-007712

PS-2024-00063 – SKETCH PLAT

ADDRESS/LOCATION: Tract 1 Block 2 Unit 26, Volcano Cliffs zoned **MX-M**, located at on **PASEO DEL NORTE** between **KIMMICK DR NW** and **CALLE PLATA NW** containing approximately **8.2526** acre(s). **(C-11)**

REQUEST: CREATE SIX NEW TRACTS FROM ONE EXISTING TRACT, DEDCATE ADDITIONAL ROW TO VALIENTE RD
NW

ZONED: MX-M **IDO:** 2022

COMMENTS:

1. Code Enforcement has no comments and no objections.



DEVELOPMENT FACILITATION TEAM

Parks and Recreation Department

PR-2022-007712

PS-2024-00063 – SKETCH PLAT

Tract 1 Block 2 Unit 26, Volcano Cliffs zoned MX-M, located at on PASEO DEL NORTE between KIMMICK DR NW and CALLE PLATA NW containing approximately 8.2526 acre(s). (C-11)

REQUEST: CREATE SIX NEW TRACTS FROM ONE EXISTING TRACT, DEDCATE ADDITIONAL ROW TO VALIENTE RD NW

IDO: 2022

Comments:

04-03-2024

Note: Future development of the site will need to consider adjacency to the paved multi-use trail to the north and east. If future development meets the applicability in IDO Subsection 14-16-5-6(B) then per 5-6(D), Street Frontage trees will be required along Paseo del Norte NW.

DEVELOPMENT FACILITATIVE TEAM (DFT) - **HYDROLOGY SECTION**

Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2022-007712 Hearing Date: 04-03-2024

Project: Tracts 1-A-1 to 1-A-6, Block 2
Volcano Cliffs Subdivision, Unit 26 Agenda Item No: 8

<input checked="" type="checkbox"/> Sketch Plat	<input type="checkbox"/> Site Plan for Bldg. Permit
---	---

ENGINEERING COMMENTS:

- Hydrology will need to approve a Conceptual Grading & Drainage Plan for platting.
- A Blanket Cross Lot Drainage Easement note specifying the beneficiary and maintenance agreement may be needed depending on the Conceptual Grading & Drainage Plan.
- Comment – Prior to submitting for Building Permit, a licensed New Mexico civil engineer will need to submit a Grading & Drainage Plan to Hydrology for review & approval if one of these conditions is met. (500 cy of grading, 1,000 sf of proposed building, or 10,000 sf of proposed paving).

APPROVED
 DENIED

DELEGATED TO: TRANS HYD WUA PRKS PLNG
Delegated For: _____
SIGNED: I.L. SPSP SPBP FINAL PLAT
DEFERRED TO _____

DEVELOPMENT FACILITATION TEAM

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2022-007712
Paseo del Norte and Kimmick – Volcano Cliffs

AGENDA ITEM NO: 8

SUBJECT: Sketch

ENGINEERING COMMENTS:

1. Paseo del Norte is a Principal Arterial and requires 6' sidewalk with a 5' to 6' landscape buffer. It also has proposed bike lane and multi-use trail. If the trail runs on this side of the road it can take place in-lieu of the sidewalk. Kimmick is a proposed Minor Collector and requires 6' sidewalk with a 5' to 6' landscape buffer. It also has a proposed bike lane. Please provide cross sections of both roadways showing sidewalks, buffers and bike lanes to show if it will fit in current ROW. Dedication may be required.
2. Valiente does not show up as ROW in AGIS, but is listed as a local on either side. Please confirm if ROW exists and if dedication is required. Once ROW is in place half of the roadway fronting the property will need to be paved and curb, gutter, sidewalk and landscape buffer will need to be provided. Please provide a 25' radius at the corner of Valiente and Kimmick.
3. Prior to site plan an approved TCL will be required and a Traffic Scoping form will be needed to determine if a TIS is required.

. If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: April 3, 2024

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)



DEVELOPMENT HEARING OFFICER

Planning - Case Comments

HEARING DATE: 4/3/24 -- **AGENDA ITEM:** # 8

Project Number: PR-2022-007712

Application Number: PS-2024-00063

Project Name: Paseo del Norte between Kimmick and Calle Plata NW

Request:

Sketch Plat to create 6 new tracts from one existing tract, dedicate additional ROW to Valiente Rd NW

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

BACKGROUND

- The subject tract was created as part of a Final Plat approved in early 2024.
- The site is zoned MX-M per an EPC zone change made final with the completion of the final plat.
- The site is in an Area of Change and bordered on all sides by Area of Change.
- The property is within 1320 feet or ¼ mile of an Urban Center.
- Site is within the Northwest Mesa Escarpment VPO-2. The property is not in the restricted height subarea. Site is within CPO-13, but those overlay provisions apply to low density residential. Other references to CPO-13 in the IDO may apply.
- The site is vacant.

*Items in **Orange type** need to be addressed with your submittal. Items in **Green type** appear compliant.*

COMMENTS:

- This is a large parcel in a favorable location on Paseo del Norte with an existing traffic signal. It has excellent potential to provide services and employment on the westside of Albuquerque. This plat appears to weaken the economic development potential of the parcel by carving it up into 6 small lots. Please demonstrate how the proposed development on the 6 lots is not speculative and, instead, would provide for a development with cohesive architecture, landscaping, and traffic circulation.

**(See additional comments on next page(s))*

- Any prospective fast food restaurants with drive throughs are easily located in other areas with less economic development potential.

Per IDO 5.2 Site Design and Sensitive Lands

- No sensitive lands analysis is required because the property was previously graded as part of a rock crushing operation and was later cleaned up.

▪ **Per IDO 5.3 Access and Connectivity**

5.3.E.2 Connections to Adjacent Land

- 5.3.E.2.a Where land adjacent to a proposed subdivision has been platted with stub streets, or with a street ending at a street between the new subdivision and the adjacent land, the streets in the proposed subdivision shall be designed to align with those street to allow through circulations (unless physical constraints).

The applicant is providing for the continuation of Valiente drive from the west and on the south side of the proposed lots. This fulfills IDO requirements to provide for the continuation of stub streets.

- Reference **DPM 7.2.29 for Sidewalk/landscape buffer widths.**
Paseo del Norte is a Regional Principal Arterial. 6 ft. sidewalk; 6-8 ft. landscape strip
Kimmick is a minor collector. 6 ft. sidewalk; 5-6 ft. landscape strip

Bike lanes are proposed for PdNorte and Kimmick.

Please confirm if a current infrastructure list for the previous plat is providing the required sidewalks, landscape buffers, and bike lanes.

Per IDO 5.6 Landscaping, Buffering, and Screening

- Per IDO 5.6.C.13.b Stormwater management features: Required landscape and buffer areas shall be designed pursuant to the DPM and the City Standard Specification for Public Works Construction. See Standard Specification 1013.

[Drainage Ponds Slope Stabilization and Seeding Requirements.pdf \(cabq.gov\)](https://www.cabq.gov/infrastructure-list/1013)

Infrastructure List notes should state: "Pond stabilization to follow Section 1013." Or the applicant may submit a landscaping plan for approval that will provide an equivalent or better outcome to erosion control, stabilization, maintenance, and aesthetic quality than these guidelines.

- This request would require a Major Preliminary Plat because the subject lot has been recorded less than 3 years previously. See below:

6-6(K) SUBDIVISION OF LAND – MINOR

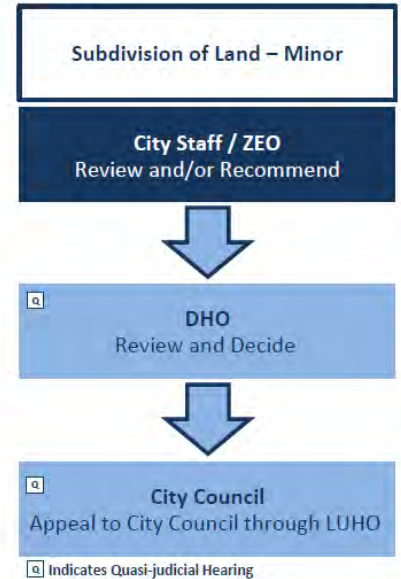
All applicable provisions of Section 14-16-6-4 (General Procedures) apply unless specifically modified by the provisions of this Subsection 14-16-6-6(K) or the DPM.

6-6(K)(1) Applicability

This Subsection 14-16-6-6(K) applies to the review of an application for any of the following:

6-6(K)(1)(a) Approval of a subdivision of land within the City that:

1. Creates 10 or fewer lots on any single lot that has been recorded as a single lot for at least 3 years previously.
2. Does not require any new streets.
3. Does not require major public infrastructure.
4. Does not create any lots that do not front on a public or private street previously approved by the City.



- Signatures from Hydrology, ABCWUA, and Transportation engineers and staff must be obtained on Form PLT and submitted with the platting application. They will not sign Form PLT until/unless they receive any/all required associated application approvals as listed on Form PLT. Form PLT can be obtained at the following link: <https://documents.cabq.gov/planning/development-hearing-officer/Form%20PLT.pdf>

Guidance for future development:

- **Northwest Mesa VPO-2** requirements apply to commercial development, as shown below.

3-6(E)(5) Colors

The exterior surfaces of structures, including but not limited to mechanical devices, roof vents, and screening materials, shall be colors with light reflective

value (LRV) ranging from 20 percent to 50 percent. This middle range of reflectance is intended to avoid very light and very dark colors.

3-6(E)(5)(a) Colors include the yellow ochers, browns, dull reds, and grey-greens existing on the Northwest Mesa and escarpment, exclusive of the basalt.

3-6(E)(5)(b) Trim materials on façades constituting less than 20 percent of the façade’s opaque surface may be any color.

3-6(E)(6) Reflectivity

Reflective or mirrored glass is prohibited.

3-6(E)(7) Roof-mounted Equipment

No exposed roof-mounted heating, ventilation, and air conditioning equipment shall be allowed. Any such equipment shall be fully screened from view from the nearest public streets and from the escarpment.

- **Per IDO 5.3.E.3.a.3.c** Shared driveways and drive aisles are established to **minimize the number of access points to streets.**

Paseo del Norte is an access controlled regional arterial.

- Per IDO 5.6.E **Edge buffer landscaping** is required abutting the west property line.

Table 5-6-4: Edge Buffer – Development Type Summary^[1]				
Development Type	Development Next to	Specific Standards	General Buffering	Buffering in DT-UC-MS-PT
Industrial	Non-industrial development	14-16-5-6(E)(4)	Landscaped buffer area ≥25 ft.	Wall, fence, or vegetative screen ≥6 ft.
Mixed-use or other non-residential	R-ML or R-MH	14-16-5-6(E)(3)	Landscaped buffer area ≥20 ft.	
Multi-family, mixed-use, or other non-residential	R-A, R-1, R-MC, or R-T	14-16-5-6(E)(2)	Landscaped buffer area ≥15 ft.	

[1] See Subsections 14-16-5-6(E)(2), 14-16-5-6(E)(3), and 14-16-5-6(E)(4) for complete edge buffer standards.

Per IDO 5.7 **Walls and Fences**

Per IDO 5.8 **Outdoor Lighting**

Per IDO 5.9 **Neighborhood Edges:** The Neighborhood edge requirement applies to the west property line. Be advised of this requirement shown below allows only 30 feet within 100 feet of the west property line.

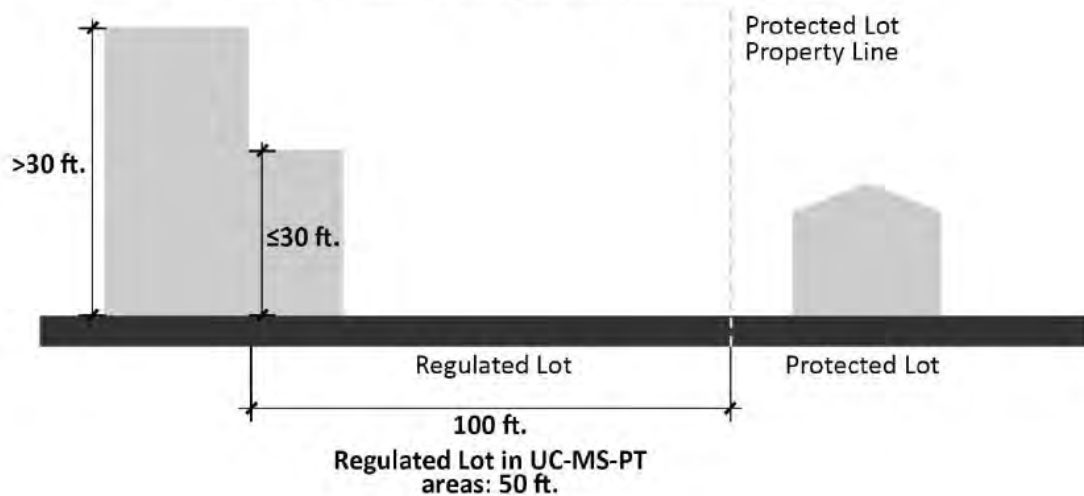
5-9(C) BUILDING HEIGHT STEPDOWN

5-9(C)(1) General Requirement

On Regulated Lots, any portion of a primary or accessory building within 100 feet of the nearest Protected Lot property line shall step down to a maximum height of 30 feet. (See figure below.)

5-9(C)(2) Urban Centers and Main Street and Premium Transit Areas

On Regulated Lots in UC-MS-PT areas, any portion of a primary or accessory building within 50 feet in any direction of any lot line of a Protected Lot shall step down to a maximum height of 30 feet. (See figure below.)



Per IDO 5.11 **Building Design**

Per IDO 5.12 **Signs**

Per IDO 6.1.1 All **public notice requirements** of IDO Section 6, Table 6-1-1 will need to be completed prior to submitting the platting application, and included in the platting application packet.

IDO 7.0 **Definitions**

- All signatures from the surveyor, property owner(s), the City Surveyor, the utility companies, and AMAFCA are required on the Plat prior to the acceptance of the application file for the Plat and placement on a DHO agenda.
- The form below is the application for a Preliminary Plat - Major.

[Form S1.pdf \(cabq.gov\)](#)



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Jolene Wolfley
Planning Department

DATE: 4/2/24



Development Facilitation Team (DFT) – Review Comments

Reviewer: David G. Gutierrez, P.E. | Phone: 505-289-3381 | dggutierrez@abcwua.org

DRB Project No: PR-2022-007712 Date: 4/03/2024 Agenda Item: #8 Zone Atlas Page: C-11

Legal Description: Tract 1 BLOCK 2, UNIT 26, VOLCANO CLIFFS.

Request: CREATE SIX NEW TRACTS FROM ONE EXISTING TRACT, DEDICATE ADDITIONAL ROW TO VALIENTE RD NW.

Location: PASEO DEL NORTE NW between KIMMICK DR NW AND CALLE PLATA NW

Comment: (Provide written response explaining how comments were addressed)

Application For: PS-2024-00063 – SKETCH PLAT (DFT)

1. Please confirm the status of the infrastructure required for the prior subdivision and existing Development Agreement (resolution R-22-25).
2. If this construction has not been completed, it may also be required to be included in an infrastructure list.
3. Request an availability/serviceability statement online at the following link: http://www.abcwua.org/Availability_Statements.aspx. Requests shall include fire marshal requirements. An executed statement must be obtained prior to approval.
 - a. If this proposal was coordinated with the prior request, please elaborate how each lot will acquire service and ensure that each lot has direct access to public water and public sanitary sewer infrastructure.
4. Please elaborate how this aligns with the existing Development Agreement. If this deviates from the approved designation as follows updates may be required:
 - a. First phase – 250 (approximate) apartments and a self storage.
 - b. Future phase (s) – retail.
 - c. Based on the proposed configuration, it seems that there may be a requirement to construct additional infrastructure to provide access to public water and public sanitary sewer infrastructure. If this is the case, the existing Development Agreement does not spell this infrastructure out and we may need to discuss further coordination or alternatives to serve the lots.

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the Integrated Development Ordinance are responsible for the posting and maintaining of one or more signs on the property which is subject to the application, as shown in Table 6-1-1. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application for a \$10 fee per sign. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign(s).

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to any public meeting or hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from May 29, 2024 To July 1, 2024

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Regina Okaya
(Applicant or Agent)

5/17/2024
(Date)

I issued _____ signs for this application, _____, _____
(Date) (Staff Member)

PROJECT NUMBER: _____

Public Hearing Notices

From: [Office of Neighborhood Coordination](#)
To: [Regina Okoye](#)
Subject: 99999 PASEO DEL NORTE NW_Public Notice Inquiry Sheet Submission
Date: Wednesday, May 1, 2024 12:24:01 PM
Attachments: [image001.png](#)
[Zone Atlas Map.pdf](#)

PLEASE NOTE:

The neighborhood association contact information listed below is valid for 30 calendar days after today's date.

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	Association Email	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Paradise Hills Civic Association	phcassoc@gmail.com	Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	
Paradise Hills Civic Association	phcassoc@gmail.com	Kym	Fleck	kym.fleck@gmail.com	10216 La Paz Dr NW	Albuquerque	NM	87114		5052708886
Westside Coalition of Neighborhood Associations	wscona0@gmail.com	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120	5059852391	5058982114
Westside Coalition of Neighborhood Associations	wscona0@gmail.com	Elizabeth	Haley	elizabethkayhaley@gmail.com	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	

The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

Please note the following:

- You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project.
- Please use this online link to find the required forms you will need to submit your permit application: <https://www.cabq.gov/planning/urban-design-development/public-notice>.
- The Checklist form you need for notifying neighborhood associations can be found here: https://documents.cabq.gov/planning/online-forms/PublicNotice/CABQ-Official_public_notice_form-2019.pdf.
- The Administrative Decision form you need for notifying neighborhood associations can be found here: <https://documents.cabq.gov/planning/online-forms/PublicNotice/Emailed-Notice-Administrative-Print&Fill.pdf>
- Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each: <https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thank you,

Suzie



Suzie Flores

Senior Administrative Assistant

Office of Neighborhood Coordination (ONC) | City Council Department | City of Albuquerque
(505) 768-3334 Office
E-mail: suzannaflores@cabq.gov
Website: www.cabq.gov/neighborhoods

From: webmaster@cabq.gov <webmaster@cabq.gov>
Sent: Wednesday, May 1, 2024 11:19 AM
To: Office of Neighborhood Coordination <ROKOYE@MODULUSARCHITECTS.COM>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Public Notice Inquiry For:

Development Hearing Officer

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Contact Name

Regina Okoye

Telephone Number

5052677686

Email Address

ROKOYE@MODULUSARCHITECTS.COM

Company Name

Modulus Architects

Company Address

8220 San Pedro Dr. NE, Suite 520

City

Albuquerque

State

NM

ZIP

87113

Legal description of the subject site for this project:

UPC: 10110640414530102

Owner: GROUP II U26 VC LLC C/O WRIGHT BILLY J

Owner Address: 4112 BLUE RIDGE PL NE ALBUQUERQUE NM 87110-4167

Situs Address: PASEO DEL NORTE NW ALBUQUERQUE NM 87120

Legal Description: TR 1 BLK 2 PLAT OF TR 1 BLK 2 VOLCANO CLIFFS SUBD UNIT 26(A REPL OF A PORT OF BLK 2 & A PORT OF BLK 6 TOGETHER WITH A PORT OF VALIENTE ROAD & KIMMICK DR NW VOLCANO

CLIFFS SUBD

Acres: 15.7217

Tax Year: 2023

Physical address of subject site:

99999 PASEO DEL NORTE NW

Subject site cross streets:

Paseo del Norte NW & Kimmick Dr.NW

Other subject site identifiers:

This site is located on the following zone atlas page:

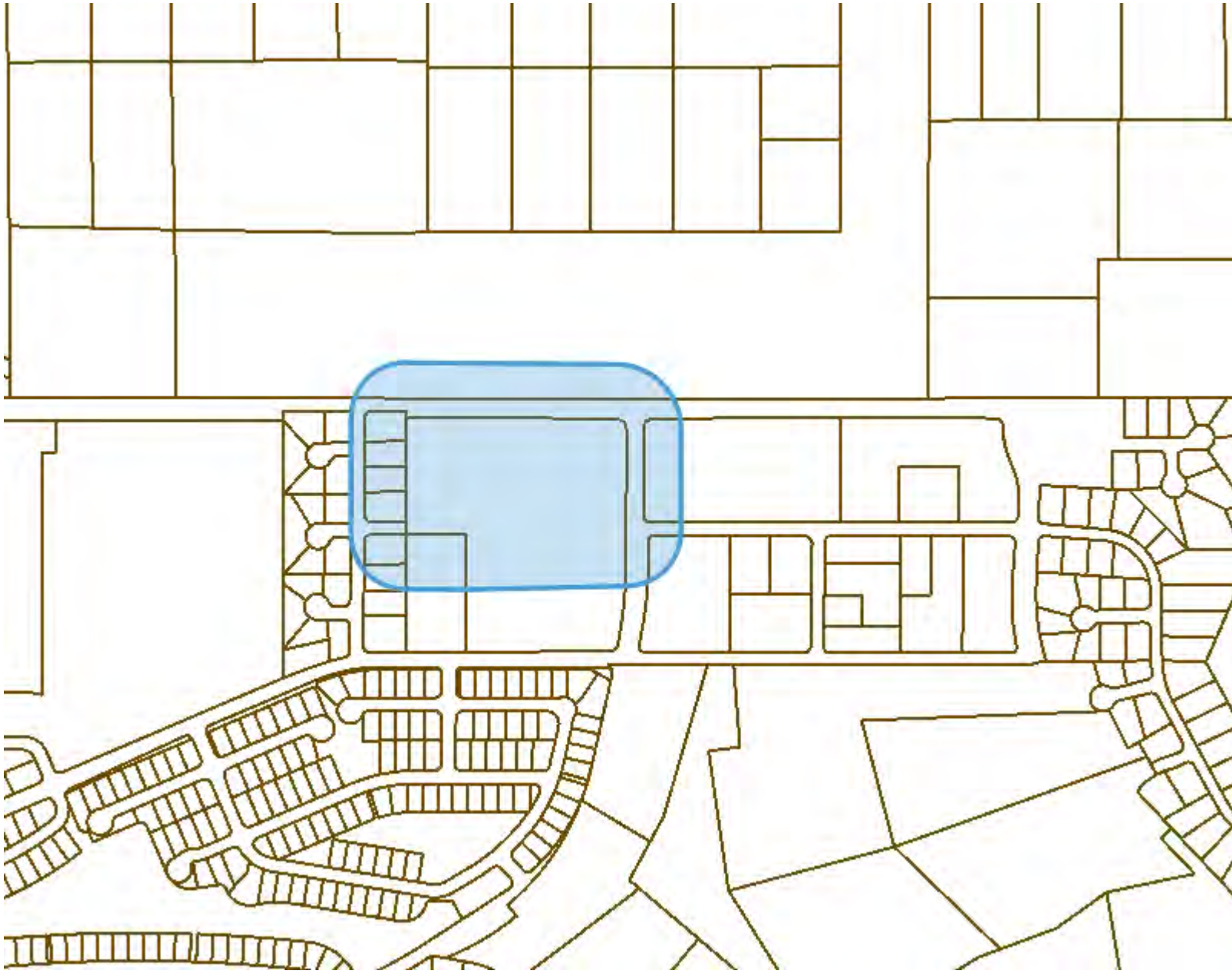
C-11-Z

Captcha

x



PASEO DEL NORTE NW

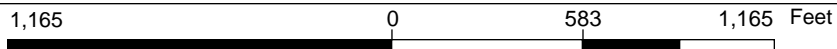


Legend

□ Bernalillo County Parcels

Notes

Buffer: 215
ROW: Paseo del Norte NW; 115 Ft.



WGS_1984_Web_Mercator_Auxiliary_Sphere
5/1/2024 © City of Albuquerque

1: 6,991

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

AMADOR SAMMY & SYLVIA
14429 CRYSTAL LANTERN DR
HACIENDA HGTS CA 91745-2510

ARIZAGA GILBERT S & MARIA PETRA
3060 HWY 180 E
SILVER CITY NM 88061

BEDROCK PARTNERSHIP & N M GEN
PARTNERSHIP C/O GERALD GOLD
1509 HARVARD CT NE
ALBUQUERQUE NM 87106-3712

BETA INVESTMENTS LLC
PO BOX 65808
ALBUQUERQUE NM 87193-5808

FALCON MARIANO
10908 CRANDALL RD SW
ALBUQUERQUE NM 87121-2607

FALLS PROPERTY TRUST & APODACA
PATRIC V & APODACA DICK F & ISABELLE
PO BOX 14777
ALBUQUERQUE NM 87191-4777

GROUP II U26 VC LLC C/O WRIGHT BILLY
J
4112 BLUE RIDGE PL NE
ALBUQUERQUE NM 87110-4167

ROLLINS MICHAEL & LINA
10700 MARBLE STONE DR NW
ALBUQUERQUE NM 87114

SEGURA JOSEPH
6451 MILNE RD NW
ALBUQUERQUE NM 87120-1668

TRACT 5 U26 LLC
5700 UNIVERSITY BLVD SE SUITE 310
ALBUQUERQUE NM 87106-9601

VOLCANO CLIFFS INC
4112 BLUE RIDGE PL NE
ALBUQUERQUE NM 87111-4167

WORDEN JUDE A & MARIE T CO-TRUST
OF WORDEN TRUST
10910 SANTA MONICA DR NE
ALBUQUERQUE NM 87122

ZIA TRUST CUSTODIAN THANH VAN
NGUYEN R/O IRA
PO BOX 30928
ALBUQUERQUE NM 87190-0928

PARADISE HILLS CIVIC ASSOCIATION
Elizabeth Haley
6005 CHAPARRAL CIRCLE NW
ALBUQUERQUE NM 87114

WESTSIDE COALITION OF
NEIGHBORHOOD ASSOCIATIONS
Rene Horvath
5515 PALOMINO DRIVE NM
ALBUQUERQUE NM 87120

PARADISE HILLS CIVIC ASSOCIATION
Kym Fleck
10216 LA PAZ DR NW
ALBUQUERQUE NM 87114

WESTSIDE COALITION OF
NEIGHBORHOOD ASSOCIATIONS
Elizabeth Haley
6005 CHAPARRAL CIRCLE NW
ALBUQUERQUE NM 87114



MODULUS ARCHITECTS & LAND USE PLANNING, INC.

8220 San Pedro Drive NE, Suite 520

Albuquerque, NM 87113

Phone (505) 338-1499

www.modulusarchitects.com

PUBLIC NOTICE DOCUMENTATION (PDF Files in this section)

15. Sign Posting Agreement

16. Required Content of Notice

- a. ONC Notice Inquiry Response
- b. Buffer Map
- c. Completed Notificaton Forms
- d. Proof of Mailed Notices
- e. Proof of First Class Mailing

[Note: Items with an asterisk (*) are required.]

Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed/Emailed to a Neighborhood Association

Date of Notice*: _____

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: _____

Name of NA Representative*: _____

Email Address* or Mailing Address* of NA Representative¹: _____

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* _____
Location Description _____
2. Property Owner* _____
3. Agent/Applicant* [if applicable] _____
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - Conditional Use Approval
 - Permit _____ (Carport or Wall/Fence – Major)
 - Site Plan
 - Subdivision _____ (Minor or Major)
 - Vacation _____ (Easement/Private Way or Public Right-of-way)
 - Variance
 - Waiver
 - Other: _____

Summary of project/request²*: _____

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

5. This application will be decided at a public meeting or hearing by*:

- Zoning Hearing Examiner (ZHE)
- Development Hearing Officer (DHO)
- Landmarks Commission (LC)
- Environmental Planning Commission (EPC)

Date/Time*: _____

Location*³: _____

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*⁴:

Angela M. Piarowski with Modulus Architects & Land Use Planning 505.338.1499 (Ext. 1000)

Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁵ _____

2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above

3. The following exceptions to IDO standards have been requested for this project*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation*:

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

³ Physical address or Zoom link

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:
- a. Location of proposed buildings and landscape areas.*
 - b. Access and circulation for vehicles and pedestrians.*
 - c. Maximum height of any proposed structures, with building elevations.*
 - d. **For residential development***: Maximum number of proposed dwelling units.
 - e. **For non-residential development***:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property [typically in acres] _____
 2. IDO Zone District _____
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>



**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS	
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL	
Decision-making Body: Development Hearing Officer (DHO)	
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Neighborhood meeting required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mailed Notice required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note: if yes, see second page
PART II – DETAILS OF REQUEST	
Address of property listed in application: 99999 PASEO DEL NORTE NW ALBUQUERQUE NM 87120	
Name of property owner: GROUP II U26 VC LLC C/O WRIGHT BILLY J	
Name of applicant: Modulus Architects & Land Use Planning, Inc. (Agent)/	
Date, time, and place of public meeting or hearing, if applicable:	
Anticipated Date: June 12, 2024 @9:00am VIA ZOOM	
Address, phone number, or website for additional information:	
Angela M. Piarowski with Modulus Architects & Land Use Planning 505.338.1499 (Ext. 1000)	
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input checked="" type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. N/A	
<input checked="" type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.	

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Regina Choze (Applicant signature) 5/6/2024 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



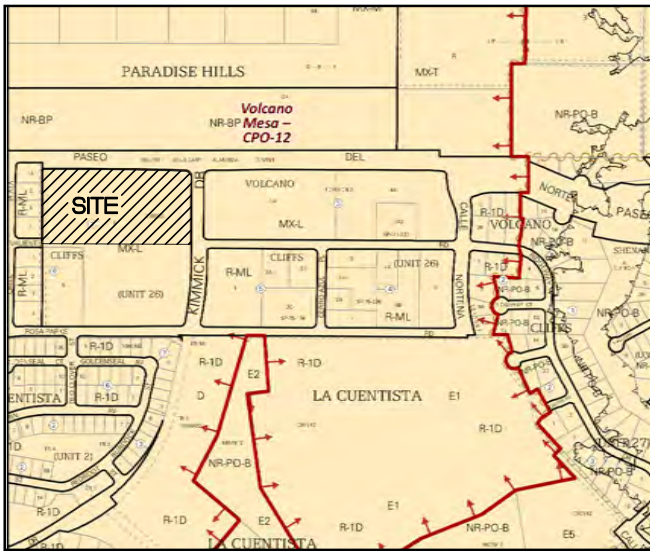
**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following: N/A

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.



Vicinity Map - Zone Atlas C-11-Z

N.T.S.

Notes

1. FIELD SURVEY PERFORMED IN ?? AND MARCH 2024.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
4. LOT LINES TO BE ELIMINATED SHOWN HEREON AS
5. THIS PRELIMINARY / FINAL PLAT WAS APPROVED BY THE DEVELOPMENT HEARING OFFICER FOR THE CITY OF ALBUQUERQUE AT A PUBLIC HEARING HELD ON _____ 20____.

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

 BILLY J. WRIGHT, MANAGER DATE
 GROUP II U 26 VC, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

STATE OF NEW MEXICO }
 COUNTY OF } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ 20____
 BY: BILLY J. WRIGHT, MANAGER, GROUP II U 26 VC, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

By: _____
 NOTARY PUBLIC

MY COMMISSION EXPIRES _____

Indexing Information

Section 14&15, Township 11 North, Range 2 East, N.M.P.M.
 Subdivision: Volcano Cliffs Subdivision, Unit 26
 Owner: Group II U26 VC LLC C/O Billy J. Wright
 UPC #: TBD

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. DEDICATE ADDITIONAL RIGHT-OF-WAY TO THE CITY OF ALBUQUERQUE.

Subdivision Data

GROSS ACREAGE. **8.2545 ACRES**
 ZONE ATLAS PAGE NO. C-11-Z
 NUMBER OF EXISTING LOTS. 1
 NUMBER OF LOTS CREATED. 6
 MILES OF FULL-WIDTH STREETS. 0.0000 MILES
 MILES OF HALF-WIDTH STREETS. ????? MILES
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE. **0.5 ACRES**
 DATE OF SURVEY. MARCH 2024

Legal Description

TRACT ONE-A (1-A) IN BLOCK NUMBERED TWO (2), VOLCANO CLIFFS SUBDIVISION, UNIT 26, BEING A REPLAT OF TRACT 1, BLOCK 2 & LOT 5, BLOCK 6, OF VOLCANO CLIFFS SUBDIVISION, UNIT 26, WITHIN SECTIONS 14 & 15, T. 11 N., R. 2 E., N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON MARCH 4, 2024 AS PLAT BOOK 2024C, PAGE 18.

Documents

1. TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE, HAVING FILE NO. SP000135204 AND AN EFFECTIVE DATE OF JUNE 15, 2022.
2. PLAT FOR VOLCANO CLIFFS, UNIT 26, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 4, 2024, IN BOOK 2024C, PAGE 18.
3. SPECIAL WARRANTY DEED FOR SUBJECT PROPERTY, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 19, 2013, AS DOCUMENT NO. 2013030244.

Solar Collection Note

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BUILDING 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.

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND
 PAID ON UPC #: _____

 PROPERTY OWNER OF RECORD

 BERNALILLO COUNTY TREASURER'S OFFICE

**Plat for
 Tracts 1-A-1 thru 1-A-6, Block 2,
 Volcano Cliffs Subdivision, Unit 26
 Being Comprised of
 Tract 1-A, Block 2, Volcano
 Cliffs Subdivision, Unit 26
 City of Albuquerque
 Bernalillo County, New Mexico
 March 2024**

Project Number: PR-2022-007712

Application Number: _____

Plat Approvals:

- PNM Electric Services _____
- Qwest Corp. d/b/a CenturyLink QC _____
- New Mexico Gas Company _____
- Comcast _____
- City Approvals:**
- City Surveyor _____
- Traffic Engineering, Transportation Division _____
- ABCWJA _____
- Parks and Recreation Department _____
- AMAFCA _____
- Hydrology _____
- Code Enforcement _____
- Planning Department _____
- City Engineer _____

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT AND DESCRIPTION WERE PREPARED BY ME OR UNDER MY SUPERVISION, SHOWS ALL EASEMENTS AS SHOWN ON THE PLAT OF RECORD OR MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF THE SUBDIVISION SHOWN HEREON, THE UTILITY COMPANIES OR OTHER INTERESTED PARTIES AND MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS FOR THE CITY OF ALBUQUERQUE AND FURTHER MEETS THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRIAN J. MARTINEZ Date
 N.M.R.P.S. No. 18374

CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896 - 3050 Fax (505) 891 - 0244
 cartesianbrian@gmail.com



ACS Monument "8_C10"
 NAD 1983 CENTRAL ZONE
 X=1502106.697 *
 Y=1521538.71 *
 Z=5392.936* (NAVD 1988)
 G-G=0.999667901
 Mapping Angle=-0°16'00.09"

*U.S. SURVEY FEET

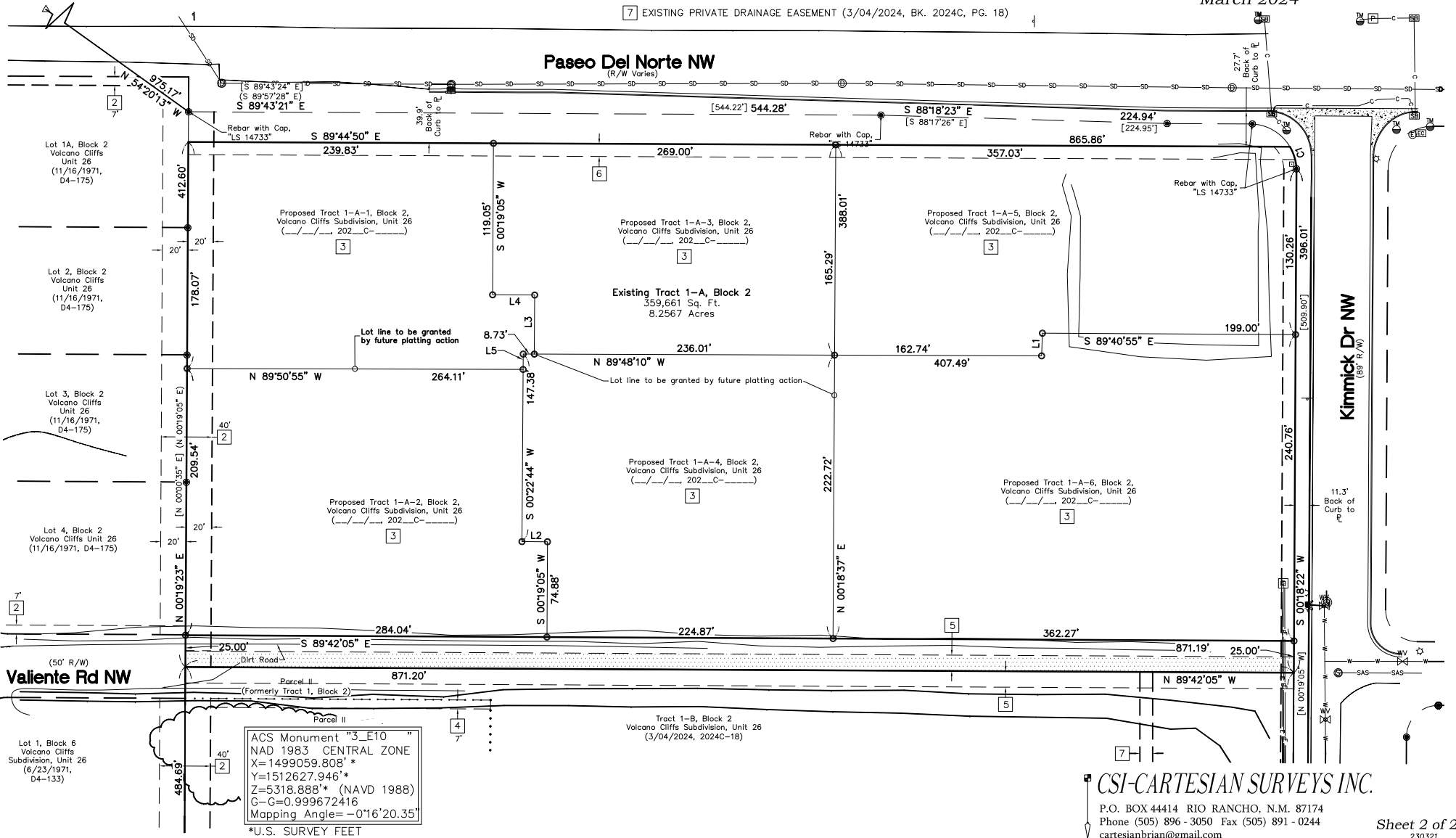
Line Table		
Line #	Direction	Length (ft)
L1	N 01°58'45" E	17.82'
L2	S 89°37'16" E	20.06'
L3	N 00°22'44" E	46.44'
L4	N 89°40'55" W	33.06'
L5	S 00°22'44" W	12.07'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	18.24'	36.78' [36.78']	28°25'17"	18.06'	N 16°29'49" W

Easement Notes

- EXISTING 10' P.U.E. (8/12/2013, 2013C-92)
- EXISTING DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- EXISTING PRIVATE BLANKET CROSS LOT PUBLIC DRAINAGE AND ACCESS EASEMENT, BENEFITING TRACTS 1-A AND 1-B (8/12/2013, 2013C-92), (3/04/2024, BK. 2024C, PG. 18)
- EXISTING 7' DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- EXISTING 12.5' WATER AND SEWER EASEMENT (3/04/2024, BK. 2024C, PG. 18)
 PORTION VACATED WITH THE FILING OF THIS PLAT SHOWN HEREON AS
- EXISTING 10' UTILITY EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- EXISTING PRIVATE DRAINAGE EASEMENT (3/04/2024, BK. 2024C, PG. 18)

Plat for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
 Being Comprised of
Tract 1-A, Block 2, Volcano Cliffs Subdivision, Unit 26
 City of Albuquerque
 Bernalillo County, New Mexico
 March 2024



ACS Monument "3_E10"
 NAD 1983 CENTRAL ZONE
 X=1499059.808 *
 Y=1512627.946 *
 Z=5318.888* (NAVD 1988)
 G-G=0.999672416
 Mapping Angle=-0°16'20.35"

*U.S. SURVEY FEET

CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896-3050 Fax (505) 891-0244
 cartesianbrian@gmail.com

Regina Okoye

From: Regina Okoye
Sent: Wednesday, May 1, 2024 4:27 PM
To: phcassoc@gmail.com; elizabethkayhaley@gmail.com; kym.fleck@gmail.com; aboard111@gmail.com
Cc: Angela Williamson
Subject: Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed/Emailed to a Neighborhood Association - Southwest Corner of Paseo del Norte NW & Kimmick Dr. NW
Attachments: 01 - Emailed-Mailed-Notice-PublicMeetingHearing-Print&Fill_DHO.PDF; Zone Atlas Map C-11-Z.PDF; Proposed Plat.pdf; 02 - CABQ-Official_public_notice_form-2019.pdf

Public Notice of a Proposed Project in the City of Albuquerque for Decisions Requiring a Meeting or Hearing Mailed/Emailed to a Neighborhood Association

Date of Notice*: 5/1/2024

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Paradise Hills Civic Association, Westside Coalition of Neighborhood Associations

Name of NA Representative*: Elizabeth Haley, Kym Fleck, Rene Horvath

Email Address* or Mailing Address* of NA Representative¹: kym.fleck@gmail.com, aboard111@gmail.com, elizabethkayhaley@gmail.com

Information Required by IDO Subsection 14-16-6-4(K)(1)(a)

1. Subject Property Address* 99999 PASEO DEL NORTE NW ALBUQUERQUE NM 87120
Location Description Southwest Corner of Paseo del Norte NW & Kimmick Dr NW
2. Property Owner* GROUP II U26 VC LLC C/O WRIGHT BILLY J
3. Agent/Applicant* *[if applicable]* Modulus Architects & Land Use Planning, Inc. (Agent)
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - Conditional Use Approval
 - Permit _____ (Carport or Wall/Fence – Major)
 - Site Plan
 - Subdivision Major Preliminary Plat (Minor or Major)
 - Vacation _____ (Easement/Private Way or Public Right-of-way)
 - Variance
 - Waiver
 - Other: _____

Summary of project/request²*: _____

We are requesting a Major Subdivision of Land action to create six new tracts from one existing tract.

This request is also to dedicate Right of Way to the City of Albuquerque for the purpose of Valiente Rd NW.

5. This application will be decided at a public meeting or hearing by*:

- Zoning Hearing Examiner (ZHE) Development Hearing Officer (DHO)
- Landmarks Commission (LC) Environmental Planning Commission (EPC)

Date/Time*: Anticipated Date: June 12, 2024 @9:00am

Location*³: VIA ZOOM

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*⁴:
Angela M. Piarowski with Modulus Architects & Land Use Planning 505.338.1499 (Ext. 1000)

Information Required for Mail/Email Notice by IDO Subsection 6-4(K)(1)(b):

1. Zone Atlas Page(s)*⁵ C-11-Z
2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*⁶: Attached to notice or provided via website noted above
3. The following exceptions to IDO standards have been requested for this project*⁷:

- Deviation(s) Variance(s) Waiver(s)

Explanation*⁸:
Not applicable.

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:
Not applicable for this request.

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:
- a. Location of proposed buildings and landscape areas.*
 - b. Access and circulation for vehicles and pedestrians.*
 - c. Maximum height of any proposed structures, with building elevations.*
 - d. **For residential development***: Maximum number of proposed dwelling units.
 - e. **For non-residential development***:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property *[typically in acres]* 8.2545 acres
 2. IDO Zone District Mixed-Use Medium Intensity Zone District (MX-M)
 3. Overlay Zone(s) *[if applicable]* Northwest Mesa Escarpment – VPO-2 & Volcano Mesa – CPO-13
 4. Center or Corridor Area *[if applicable]* Not within a Center/Paseo del Norte Premium Transit & Paseo del Norte Commuter Corridor
- Current Land Use(s) *[vacant, if none]* Vacant

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: Paradise Hills Civic Association *[Other Neighborhood Associations, if any]*
Westside Coalition of Neighborhood Associations

REGINA OKOYE, VICE PRESIDENT
MODULUS ARCHITECTS & LAND USE PLANNING, INC.
8220 SAN PEDRO DR. NE, SUITE 520
ALBUQUERQUE, NM 87113
 Office 505.338.1499 (Ext. 1003)
 Mobile + Text 505.267.7686
 Email: rokoye@modulusarchitects.com

Website: www.modulusarchitects.com

Join us on Facebook: [Modulus Architects on Facebook](#)

New Mexico | Texas | Arizona | Colorado | Oklahoma



Proof of mailed notice to affected Neighborhood Association representatives and
Property Owners

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed/Emailed to a Neighborhood Association**

Date of Notice*: 5/13/2024

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: Paradise Hills Civic Association, Westside Coalition of Neighborhood Associations

Name of NA Representative*: Elizabeth Haley, Kym Fleck, Rene Horvath

Email Address* or Mailing Address* of NA Representative¹: kym.fleck@gmail.com , aboard111@gmail.com, elizabethkayhaley@gmail.com

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 99999 PASEO DEL NORTE NW ALBUQUERQUE NM 87120
Location Description Southwest Corner of Paseo del Norte NW & Kimmick Dr NW
2. Property Owner* GROUP II U26 VC LLC C/O WRIGHT BILLY J
3. Agent/Applicant* *[if applicable]* Modulus Architects & Land Use Planning, Inc. (Agent)
4. Application(s) Type* per IDO [Table 6-1-1](#) *[mark all that apply]*
 - Conditional Use Approval
 - Permit _____ (Carport or Wall/Fence – Major)
 - Site Plan
 - Subdivision Major Preliminary Plat (Minor or Major)
 - Vacation _____ (Easement/Private Way or Public Right-of-way)
 - Variance
 - Waiver
 - Other: _____

Summary of project/request²*: _____

We are requesting a Major Subdivision of Land action to create six new tracts from one existing tract.

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

- 5. This application will be decided at a public meeting or hearing by*:

<input type="checkbox"/> Zoning Hearing Examiner (ZHE)	<input checked="" type="checkbox"/> Development Hearing Officer (DHO)
<input type="checkbox"/> Landmarks Commission (LC)	<input type="checkbox"/> Environmental Planning Commission (EPC)

Date/Time*: Anticipated: June 12, 2024 @9:00am

Location*³: VIA ZOOM

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

- 6. Where more information about the project can be found*⁴:
Angela M. Piarowski with Modulus Architects & Land Use Planning 505.338.1499 (Ext. 1000)

Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

- 1. Zone Atlas Page(s)*⁵ C-11-Z
- 2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above
- 3. The following exceptions to IDO standards have been requested for this project*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation*:

Not applicable.

- 4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

Not applicable for this request.

³ Physical address or Zoom link

⁴ Address (mailing or email), phone number, or website to be provided by the applicant

⁵ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

5. **For Site Plan Applications only***, attach site plan showing, at a minimum:
- a. Location of proposed buildings and landscape areas.*
 - b. Access and circulation for vehicles and pedestrians.*
 - c. Maximum height of any proposed structures, with building elevations.*
 - d. **For residential development***: Maximum number of proposed dwelling units.
 - e. **For non-residential development***:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Additional Information [Optional]:

From the IDO Zoning Map⁶:

1. Area of Property [typically in acres] 8.2545 acres
 2. IDO Zone District Mixed-Use Medium Intensity Zone District (MX-M)
 3. Overlay Zone(s) [if applicable] Northwest Mesa Escarpment – VPO-2 & Volcano Mesa – CPO-13
 4. Center or Corridor Area [if applicable] Not within a Center/Paseo del Norte Premium Transit & Paseo del Norte Commuter Corridor
Vacant
- Current Land Use(s) [vacant, if none] Vacant
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

CC: Paradise Hills Civic Association [Other Neighborhood Associations, if any]
Westside Coalition of Neighborhood Associations

⁶ Available here: <https://tinurl.com/idozoningmap>

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed to a Property Owner**

Date of Notice*: _____

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Property Owner within 100 feet*: _____

Mailing Address*: _____

Project Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* _____
Location Description _____
2. Property Owner* _____
3. Agent/Applicant* [if applicable] _____
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]
 - Conditional Use Approval
 - Permit _____ (Carport or Wall/Fence – Major)
 - Site Plan
 - Subdivision _____ (Minor or Major)
 - Vacation _____ (Easement/Private Way or Public Right-of-way)
 - Variance
 - Waiver
 - Other: _____

Summary of project/request¹*: _____

5. This application will be decided at a public meeting or hearing by*:
 - Zoning Hearing Examiner (ZHE)
 - Development Hearing Officer (DHO)
 - Landmarks Commission (LC)
 - Environmental Planning Commission (EPC)

¹ Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

Date/Time*: _____

Location*²: _____

Agenda/meeting materials: <http://www.cabq.gov/planning/boards-commissions>

To contact staff, email devhelp@cabq.gov or call the Planning Department at 505-924-3860.

6. Where more information about the project can be found*³:

Project Information Required for Mail/Email Notice by [IDO Subsection 6-4\(K\)\(1\)\(b\)](#):

1. Zone Atlas Page(s)*⁴ _____

2. Architectural drawings, elevations of the proposed building(s) or other illustrations of the proposed application, as relevant*: Attached to notice or provided via website noted above

3. The following exceptions to IDO standards have been requested for this project*:

- Deviation(s)
- Variance(s)
- Waiver(s)

Explanation*:

4. A Pre-submittal Neighborhood Meeting was required by [Table 6-1-1](#): Yes No

Summary of the Pre-submittal Neighborhood Meeting, if one occurred:

5. **For Site Plan Applications only***, attach site plan showing, at a minimum: **N/A**

- a. Location of proposed buildings and landscape areas.*
- b. Access and circulation for vehicles and pedestrians.*
- c. Maximum height of any proposed structures, with building elevations.*

² Physical address or Zoom link

³ Address (mailing or email), phone number, or website to be provided by the applicant

⁴ Available online here: <http://data.cabq.gov/business/zoneatlas/>

[Note: Items with an asterisk (*) are required.]

- d. **For residential development***: Maximum number of proposed dwelling units.
- e. **For non-residential development***:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Additional Information:

From the IDO Zoning Map⁵:

1. Area of Property [typically in acres] _____
 2. IDO Zone District _____
 3. Overlay Zone(s) [if applicable] _____
 4. Center or Corridor Area [if applicable] _____
- Current Land Use(s) [vacant, if none] _____
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

⁵ Available here: <https://tinurl.com/idozoningmap>



**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS		
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:		
Application Type: MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL		
Decision-making Body: Development Hearing Officer (DHO)		
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Neighborhood meeting required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Mailed Notice required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Is this a Site Plan Application:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Note: if yes, see second page
PART II – DETAILS OF REQUEST		
Address of property listed in application: 99999 PASEO DEL NORTE NW ALBUQUERQUE NM 87120		
Name of property owner: GROUP II U26 VC LLC C/O WRIGHT BILLY J		
Name of applicant: Modulus Architects & Land Use Planning, Inc. (Agent)/		
Date, time, and place of public meeting or hearing, if applicable:		
Anticipated Date: June 12, 2024 @9:00am VIA ZOOM		
Address, phone number, or website for additional information:		
Angela M. Piarowski with Modulus Architects & Land Use Planning 505.338.1499 (Ext. 1000)		
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE		
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.		
<input checked="" type="checkbox"/> Drawings, elevations, or other illustrations of this request.		
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. N/A		
<input checked="" type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.		
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.		

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Regina Choye (Applicant signature) 5/13/2024 (Date)

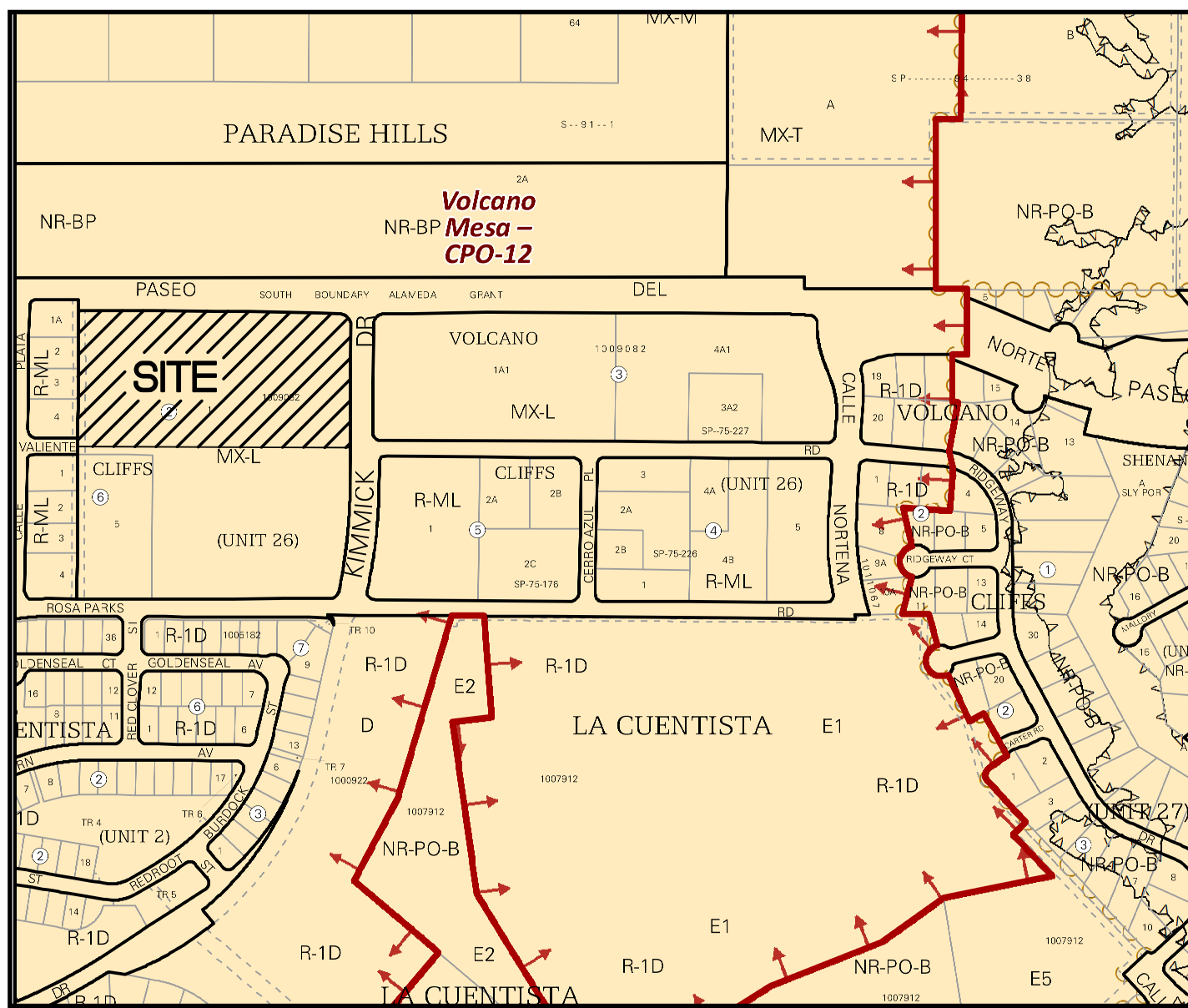
Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY
Provide a site plan that shows, at a minimum, the following: N/A
<input type="checkbox"/> a. Location of proposed buildings and landscape areas.
<input type="checkbox"/> b. Access and circulation for vehicles and pedestrians.
<input type="checkbox"/> c. Maximum height of any proposed structures, with building elevations.
<input type="checkbox"/> d. For residential development: Maximum number of proposed dwelling units.
<input type="checkbox"/> e. For non-residential development: <ul style="list-style-type: none"> <input type="checkbox"/> Total gross floor area of proposed project. <input type="checkbox"/> Gross floor area for each proposed use.



Vicinity Map - Zone Atlas C-11-Z



Notes

1. FIELD SURVEY PERFORMED IN MARCH 2022 AND MARCH 2024.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
4. THIS PRELIMINARY / FINAL PLAT WAS APPROVED BY THE DEVELOPMENT HEARING OFFICER FOR THE CITY OF ALBUQUERQUE AT A PUBLIC HEARING HELD ON _____, 20____.

Documents

1. PLAT FOR TRACTS 1-A AND 1-B, BLOCK 2, VOLCANO CLIFFS, UNIT 26, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 4, 2024, IN BOOK 2024C, PAGE 18.
2. SPECIAL WARRANTY DEED FOR SUBJECT PROPERTY, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 19, 2013, AS DOCUMENT NO. 2013030244.
3. WARRANTY DEED FOR DEDICATED ADDITIONAL RIGHT-OF-WAY TO PASEO DEL NORTE, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 7, 2024, AS DOCUMENT NO. 2024015270.

Indexing Information

Sections 14 & 15, Township 11 North, Range 2 East, N.M.P.M.
 Subdivision: Volcano Cliffs Subdivision, Unit 26
 Owner: Group II U26 VC LLC C/O Billy J. Wright
 UPC #: TBD

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.

Subdivision Data

GROSS ACREAGE..... 8.2578 ACRES
 ZONE ATLAS PAGE NO..... C-11-Z
 NUMBER OF EXISTING LOTS..... 1
 NUMBER OF LOTS CREATED..... 6
 MILES OF FULL-WIDTH STREETS..... 0.0000 MILES
 MILES OF HALF-WIDTH STREETS..... 0.0000 MILES
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE..... 0.0000 ACRES
 DATE OF SURVEY..... MARCH 2024

Legal Description

TRACT ONE-A (1-A) IN BLOCK NUMBERED TWO (2), VOLCANO CLIFFS SUBDIVISION, UNIT 26, BEING A REPLAT OF TRACT 1, BLOCK 2 & LOT 5, BLOCK 6, OF VOLCANO CLIFFS SUBDIVISION, UNIT 26, WITHIN SECTIONS 14 & 15, T. 11 N., R. 2 E., N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON MARCH 4, 2024 AS PLAT BOOK 2024C, PAGE 18.

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE "X" WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35001C0112G, DATED SEPTEMBER 26, 2008.

Solar Collection Note

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BUILDING 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.

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND PAID ON UPC # _____

PROPERTY OWNER OF RECORD _____

BERNALILLO COUNTY TREASURER'S OFFICE _____

Plat for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
 Being Comprised of
Tract 1-A, Block 2, Volcano
Cliffs Subdivision, Unit 26
 City of Albuquerque
 Bernalillo County, New Mexico
 May 2024

Project Number: _____ PR-2022-007712

Application Number: _____

Plat Approvals:

PNM Electric Services

Qwest Corp. d/b/a CenturyLink QC

New Mexico Gas Company

Comcast

City Approvals:

City Surveyor

Traffic Engineering, Transportation Division

ABCWUA

Parks and Recreation Department

AMAFCA

Hydrology

Code Enforcement

Planning Department

City Engineer

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT AND DESCRIPTION WERE PREPARED BY ME OR UNDER MY SUPERVISION, SHOWS ALL EASEMENTS AS SHOWN ON THE PLAT OF RECORD OR MADE KNOWN TO ME BY THE OWNERS AND/OR PROPRIETORS OF THE SUBDIVISION SHOWN HEREON, THE UTILITY COMPANIES OR OTHER INTERESTED PARTIES AND MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS FOR THE CITY OF ALBUQUERQUE AND FURTHER MEETS THE MINIMUM STANDARDS FOR LAND SURVEYING IN THE STATE OF NEW MEXICO AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRIAN J. MARTINEZ _____ Date
 N.M.R.P.S. No. 18374

CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896 - 3050 Fax (505) 891 - 0244
 cartesianbrian@gmail.com



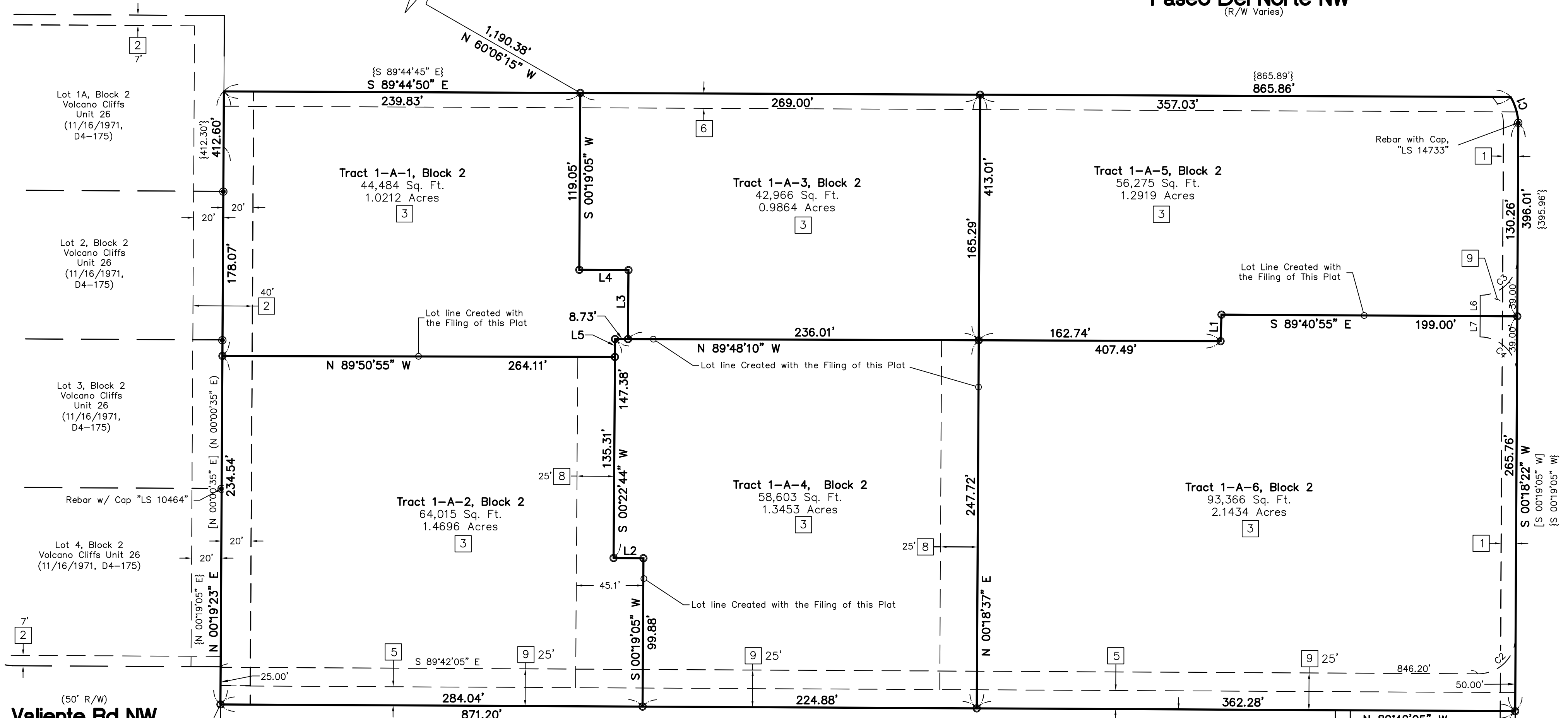
Plat for
Tracts 1-A-1 thru 1-A-6, Block 2,
Volcano Cliffs Subdivision, Unit 26
Being Comprised of
Tract 1-A, Block 2, Volcano
Cliffs Subdivision, Unit 26
City of Albuquerque
Bernalillo County, New Mexico
May 2024

Easement Notes

- 1 EXISTING 10' P.U.E. (8/12/2013, 2013C-92)
- 2 EXISTING DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 3 EXISTING PRIVATE BLANKET CROSS LOT PUBLIC DRAINAGE AND ACCESS EASEMENT, BENEFITING TRACTS 1-A AND 1-B (8/12/2013, 2013C-92), (3/04/2024, BK. 2024C, PG. 18)
- 4 EXISTING 7' DRAINAGE & UTILITY EASEMENT (6/23/1971, D4-133)
- 5 EXISTING PUBLIC 12.5' WATER AND PUBLIC SEWER EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 6 EXISTING 10' UTILITY EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 7 EXISTING PRIVATE DRAINAGE EASEMENT (3/04/2024, BK. 2024C, PG. 18)
- 8 PUBLIC WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT
- 9 PRIVATE ACCESS EASEMENT BENEFITING TRACTS 1-A-1 THRU 1-A-5, MAINTAINED BY THE UNDERLYING OWNERS, GRANTED WITH THE FILING OF THIS PLAT

ACS Monument "8_C10"
 NAD 1983 CENTRAL ZONE
 X=1502106.697 *
 Y=1521538.71 *
 Z=5392.936* (NAVD 1988)
 G-G=0.999667901
 Mapping Angle=-0°16'00.09"
 *U.S. SURVEY FEET

Paseo Del Norte NW
 (R/W Varies)



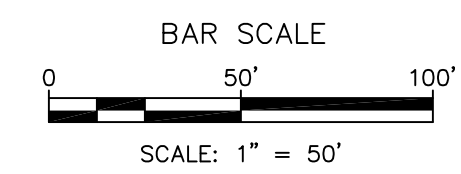
Kimmick Dr NW
 (89' R/W)

Lot 1A-1, Block 2
 Volcano Cliffs Unit 26
 (8/12/2013, 2013C-94)

Legend

N 90°00'00" E (N 90°00'00" E)	MEASURED BEARINGS AND DISTANCES RECORD BEARINGS AND DISTANCES (6/23/1971, D4-133)
[N 90°00'00" E]	RECORD BEARINGS AND DISTANCES (08/12/2013, 2013C-92)
{N 90°00'00" E}	RECORD BEARINGS AND DISTANCES (03/04/2024, 2024C-18)
●	FOUND 5/8" REBAR UNLESS OTHERWISE NOTED
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED

ACS Monument "3_E10"
 NAD 1983 CENTRAL ZONE
 X=1499059.808 *
 Y=1512627.946 *
 Z=5318.888* (NAVD 1988)
 G-G=0.999672416
 Mapping Angle=-0°16'20.35"
 *U.S. SURVEY FEET



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 cartesianbrian@gmail.com

ABCWUA Public Water and Sanitary Sewer Easements

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY (ABCWUA) IS GRANTED EASEMENT(S) AND/OR USE OF PUBLIC RIGHT-OF-WAY IN THE DIMENSIONS NOTED ON THIS PLAT FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, REPAIR, MODIFICATION, REPLACEMENT AND OPERATION OF PUBLIC WATER AND SANITARY SERVICE LINES, EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE SERVICE TOGETHER WITH FREE ACCESS ON AND OVER THE EASEMENT AND/OR PUBLIC RIGHT-OF-WAY AND THE RIGHT TO REMOVE TREES, SHRUBS, UNDERGROWTH AND ANY OTHER OBSTACLES, MODIFICATIONS, OR STRUCTURES WHICH INTERFERE WITH THE OPERATION OF PUBLIC WATER AND/OR PUBLIC SANITARY SEWER INFRASTRUCTURE.

Plat for Tracts 1-A-1 thru 1-A-6, Block 2, Volcano Cliffs Subdivision, Unit 26 Being Comprised of Tract 1-A, Block 2, Volcano Cliffs Subdivision, Unit 26 City of Albuquerque Bernalillo County, New Mexico May 2024

Line Table		
Line #	Direction	Length (ft)
L1	N 01°58'45" E	17.82'
L2	S 89°37'16" E	20.06'
L3	N 00°22'44" E	46.44'
L4	N 89°40'55" W	33.06'
L5	S 00°22'44" W	12.07'
L6	N 00°18'22" E	14.00'
L7	N 00°18'22" E	14.00'

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	18.24' {18.25'}	36.78' {36.78'}	28°25'17"	18.06'	S 16°29'49" E
C2	39.27'	25.00'	89°59'33"	35.35'	S 45°18'09" W
C3	39.27'	25.00'	90°00'00"	35.36'	N 45°18'22" E
C4	39.27'	25.00'	90°00'00"	35.36'	N 44°41'38" W

Public Utility Easements

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- A. 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.
- B. 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.
- C. 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.
- D. 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.

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E.. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

_____ DATE
BILLY J. WRIGHT, MANAGER
GROUP II U 26 VC, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

STATE OF NEW MEXICO }
COUNTY OF } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____, 20____
BY: BILLY J. WRIGHT, MANAGER, GROUP II U 26 VC, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

By: _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

CSI-CARTESIAN SURVEYS INC.

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cartesianbrian@gmail.com

Modulus Architects, Inc.
8220 San Pedro Dr. NE, Suite 520
Albuquerque, NM 87113

WESTSIDE COALITION OF
NEIGHBORHOOD ASSOCIATIONS
Elizabeth Haley
6005 CHAPARRAL CIRCLE NW
ALBUQUERQUE NM 87114



Modulus Architects, Inc.
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Albuquerque, NM 87113

WESTSIDE COALITION OF
NEIGHBORHOOD ASSOCIATIONS
Rene Horvath
5515 PALOMINO DRIVE NM
ALBUQUERQUE NM 87120



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Kym Fleck
10216 LA PAZ DR NW
ALBUQUERQUE NM 87114



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Elizabeth Haley
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ALBUQUERQUE NM 87114



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Albuquerque, NM 87113



ZIA TRUST CUSTODIAN THANH VAN
NGUYEN R/O IRA
PO BOX 30928
ALBUQUERQUE NM 87190-0928

Modulus Architects, Inc.
8220 San Pedro Dr. NE, Suite 520
Albuquerque, NM 87113



VOLCANO CLIFFS INC
4112 BLUE RIDGE PL NE
ALBUQUERQUE NM 87111-4167

Modulus Architects, Inc.
8220 San Pedro Dr. NE, Suite 520
Albuquerque, NM 87113



WORDEN JUDE A & MARIE T CO-TRUST
OF WORDEN TRUST
10910 SANTA MONICA DR NE
ALBUQUERQUE NM 87122

Modulus Architects, Inc.
8220 San Pedro Dr. NE, Suite 520
Albuquerque, NM 87113



GROUP II U26 VC LLC C/O WRIGHT BILLY
J
4112 BLUE RIDGE PL NE
ALBUQUERQUE NM 87110-4167

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Albuquerque, NM 87113

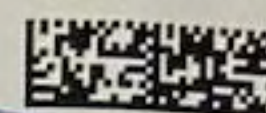
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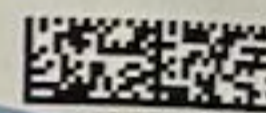
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BETA INVESTMENTS LLC
PO BOX 65808
ALBUQUERQUE NM 87193-5808

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BEDROCK PARTNERSHIP & N M GEN
PARTNERSHIP C/O GERALD GOLD
1509 HARVARD CT NE
ALBUQUERQUE NM 87106-3712

Modulus Architects, Inc.
8220 San Pedro Dr. NE, Suite 520
Albuquerque, NM 87113



AMADOR SAMMY & SYLVIA
14429 CRYSTAL LANTERN DR
HACIENDA HGTS CA 91745-2510

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Albuquerque, NM 87113



ARIZAGA GILBERT S & MARIA PETRA
3060 HWY 180 E
SILVER CITY NM 88061