

PRIVATE SEWER MAINTENANCE AGREEMENT

AN AGREEMENT made on this day of 2/5 2021 applicable to the undersigned Homeowners.

WHEREAS, Homeowner RICHARD G. CHAVEZ residing at 906 15th St. NW 87104 has a sewer line connection to Joint Sewer line Connection with Homeowner _____ at 1411 Granite NW and,

WHEREAS, Both Homeowners share a Joint Sewer Lines Connection to City Main Sewer Line in the alley, Both Homeowners choose to enter into agreement regarding responsibility and cost for repair to sewer lines prior to Joint Connection and,

WHEREAS, each Homeowner will be responsible for any repairs, cost and restoration of grounds and landscape of said properties, to individual sewer line prior to connection to Joint Sewer line connection and,

WHEREAS, Both Homeowners will share in cost and disruption to sewer service at point of Joint connection to connection of main sewer line in alley,

THEREFORE, I HEREBY AGREE AS FOLLOWS

1. Property shall be accessible to each Homeowner for repair as needed with notice to the other Homeowner with no more than 24 hours or less as needed to repairs can resolve sewer line disruption.
2. This Agreement shall remain in perpetuity as new Homeowners take ownerships of said properties
3. Binding Agreement. This agreement shall bind all parties residing at 906 15th St NW 87104 and 1411 Granite NW, hereto, their respective heirs, executor and administrators and or assigned.
4. Effective Term. This agreement shall be perpetual and shall encumber and run as long as sewer lines and sewer system serves both properties.
5. Dispute. If a dispute arise that both Homeowners are unable to resolve of responsibility and cost to repair sewer lines, both parties shall utilize an attorney that both Homeowners agree on to arbitrate said disagreement. Both Homeowners shall agree to determination to resolve the issues made by said attorney.
6. Recording this Document. This document original and amended copies of this document, including any added signatures shall be recorded and provide to the Bernalillo County Clerk's Office.

Homeowners Signature for 906 15th St NW 87104

Richard Chavez

Date 2/5/21 Printed Name RICHARD G. CHAVEZ

Homeowner Signature for 1411 Granite NW 87104 _____

Date _____ Printed Name _____

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

OFFICIAL NOTIFICATION OF DECISION

Richard Chavez
906 15th Steret NW
Albuquerque, NM 87104

Project# PR-2019-002811
Application#
SD-2019-00158 PRELIMINARY/FINAL PLAT

LEGAL DESCRIPTION:

For all or a portion of: **LOTS 7-10 BLOCK 44 PEREA ADDITION**, zoned R-1A, located at **NORTH EAST CORNER of 15th ST NW and GRANITE AVE NW**, containing approximately 0.32 acre(s).

On December 9, 2020, the Development Review Board (DRB) held a public meeting concerning the above referenced applications and approved the request, with delegation to ABCWUA and Planning, based on the following Findings:

1. This Preliminary/Final consolidates four existing lots into two lots (Lot 7-A 0.204 acres in size and Lot 10-A 0.131 acres in size) consisting of a total of 0.32 acres in size.
2. The property is zoned R-1A. Future development must be consistent with the underlying zone district.
3. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Conditions:

1. Final sign-off is delegated to ABCWUA for the signed, recorded and referenced shared maintenance agreement.
2. Final sign-off is delegated to Planning for owner signature, City Surveyor signature, utility/AMAFCA signatures, project and application numbers indicated on the Plat, and the AGIS DXF file.
3. The applicant will obtain final sign off from ABCWUA and Planning by March 9, 2021 or the case may be scheduled for the next DRB hearing and could be denied per the DRB Rules of Procedure.

APPEAL: If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **DECEMBER 24, 2020**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15th day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

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

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

Sincerely,



Jolene Wolfley
DRB Chair

JW/jr

DRB Case Action Log

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments have been addressed.

PR-2019-002811

SD-2019-00158 - PRELIMINARY/FINAL PLAT

RICHARD CHAVEZ request(s) the aforementioned action(s) for all or a portion of **LOTS 7-10 BLOCK 44 PEREA ADDITION**, zoned R-1A, located at **NORTH EAST CORNER of 15th ST NW and GRANITE AVE NW**, containing approximately 0.32 acre(s). (J-13) [*Deferred from 9/11/19, 10/28/20, 11/4/20, 11/18/20, 12/2/20*]

PROPERTY OWNERS: CHAVEZ RICHARD GERARD

REQUEST: REPLAT 4 LOTS INTO 2

Type: PP FP PP/FP Site Plan Other as described above

This application(s) was approved on December 9, 2020 by the DRB with delegation as follows:

TRANSPORTATION:

Dimensional exhibit

CODE ENFORCEMENT:

ABCWUA:

Availability Statement

SIGNED, RECORDED AND REFERENCED SHARED MAINTENANCE AGREEMENT

CITY ENGINEER/Hydrology:

Easement Language

PLANNING:

Utility company/AMAFCA signatures

AGIS DXF

Recorded IIA

Check for City Surveyor Signature, Owner signature, project and application numbers on

the plat

DELEGATION DURATION: _____

After final step after sign off of site plan or recording of the plat, the applicant must bring a copy of the approved site plan to be signed off by Planning. Planning will keep one signed off copy or a copy of the recorded plat. A pdf of the signed off set will be emailed to:

PLNDRS@cabq.gov

The hard copy of the recorded/approved plat/site plans was submitted on _____