



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

<b>SUBDIVISIONS</b>	<input type="checkbox"/> Final Sign off of EPC Site Plan(s) (Form P2)	
<input type="checkbox"/> Major – Preliminary Plat (Form P1)	<input type="checkbox"/> Amendment to Site Plan (Form P2)	<input type="checkbox"/> Vacation of Public Right-of-way (Form V)
<input type="checkbox"/> Minor – Preliminary/Final Plat (Form S2)	<b>MISCELLANEOUS APPLICATIONS</b>	<input checked="" type="checkbox"/> Vacation of Public Easement(s) DRB (Form V)
<input checked="" type="checkbox"/> Major - Final Plat (Form S1)	<input type="checkbox"/> Extension of Infrastructure List or IIA (Form S1)	<input type="checkbox"/> Vacation of Private Easement(s) (Form V)
<input type="checkbox"/> Amendment to Preliminary Plat (Form S2)	<input type="checkbox"/> Minor Amendment to Infrastructure List (Form S2)	<b>PRE-APPLICATIONS</b>
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input type="checkbox"/> Temporary Deferral of SW (Form V2)	<input type="checkbox"/> Sketch Plat Review and Comment (Form S2)
	<input type="checkbox"/> Sidewalk Waiver (Form V2)	
<b>SITE PLANS</b>	<input type="checkbox"/> Waiver to IDO (Form V2)	<b>APPEAL</b>
<input type="checkbox"/> DRB Site Plan (Form P2)	<input type="checkbox"/> Waiver to DPM (Form V2)	<input type="checkbox"/> Decision of DRB (Form A)

**BRIEF DESCRIPTION OF REQUEST**  
 Subdivide Existing 5 Tracts into 6 Tracts, Dedicate Right of Way, vacate easements, grant easements; Preliminary Plat was approved on June 9, 2021

<b>APPLICATION INFORMATION</b>		
Applicant: Diamond Tail Realty, LLC		Phone:
Address: 20 Fall Pippin Lane Suite 203		Email:
City: Asheville	State: NC	Zip: 28803
Professional/Agent (if any): CSI-Cartesian Surveys Inc.		Phone: 505-896-3050
Address: P.O. Box 44414		Email: cartesiandenise@gmail.com
City: Rio Rancho	State: NM	Zip: 87174
Proprietary Interest in Site:	List all owners: Diamond Tail Realty, LLC	

<b>SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)</b>		
Lot or Tract No.: Tracts H-5 thru H-9	Block:	Unit:
Subdivision/Addition: Ventana Square at Ventana Ranch	MRGCD Map No.:	UPC Code: see attached sheet
Zone Atlas Page(s): B-10-Z	Existing Zoning: MX-M	Proposed Zoning MX-M
# of Existing Lots: 5	# of Proposed Lots: 6	Total Area of Site (Acres): 8.7797

<b>LOCATION OF PROPERTY BY STREETS</b>		
Site Address/Street: Universe Blvd. NW	Between: Paseo Del Norte NW	and: Paradise Blvd. NW

**CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)**  
 1000390, PR-2020-004024, SI-2020-00533

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: Denise King	Date: 7/20/2021
Printed Name: Denise King	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

<b>FOR OFFICIAL USE ONLY</b>					
Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting Date:				Fee Total:	
Staff Signature:	Date:			Project #	

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

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

**SKETCH PLAT REVIEW AND COMMENT**

- Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_  
 \_\_\_ A *Single* PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto: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 on a CD. PDF *shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.*  
 \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled  
 \_\_\_ Letter describing, explaining, and justifying the request  
 \_\_\_ Scale drawing of the proposed subdivision plat (7 copies, folded)  
 \_\_\_ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements, if there is any existing land use (7 copies, folded)

**MAJOR SUBDIVISION FINAL PLAT APPROVAL**

- Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_  
 A *Single* PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto: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 on a CD. PDF *shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.*  
 Zone Atlas map with the entire site clearly outlined and labeled  
 Proposed Final Plat (7 copies, 24” x 36” folded)  
 N/A Design elevations & cross sections of perimeter walls (3 copies)  
 Copy of recorded IIA  
 N/A Landfill disclosure and EHD signature line on the plat if property is within a landfill buffer  
 DXF file and hard copy of final plat data for AGIS submitted and approved

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


- Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_  
 \_\_\_ A *Single* PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto: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 on a CD. PDF *shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.*  
 \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled  
 \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(K)  
 \_\_\_ Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)  
 \_\_\_ Proposed Preliminary / Final Plat with property owner’s and City Surveyor’s signatures on the plat prior to submittal. (7 copies, folded)  
 \_\_\_ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements (to include sidewalk, curb & gutter with distance to property line noted) if there is any existing land use (7 copies, folded)  
 \_\_\_ Sidewalk Exhibit and/or cross sections of proposed streets (3 copies, 11” by 17” maximum)  
 \_\_\_ Signed Form DRWS Drainage Report Grading and Drainage Plan, and Water & Sewer Availability submittal information  
 \_\_\_ Proposed Infrastructure List, if applicable  
 \_\_\_ Required notice with content per IDO Section 14-16-6-4(K)  
 \_\_\_ Office of Neighborhood Coordination inquiry response and proof of emailed notice to applicable Neighborhood Association representatives  
 \_\_\_ Landfill disclosure and Environmental Health Department signature line on the plat if property is within a landfill buffer  
 \_\_\_ DXF file and hard copy of final plat data for AGIS submitted and approved

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

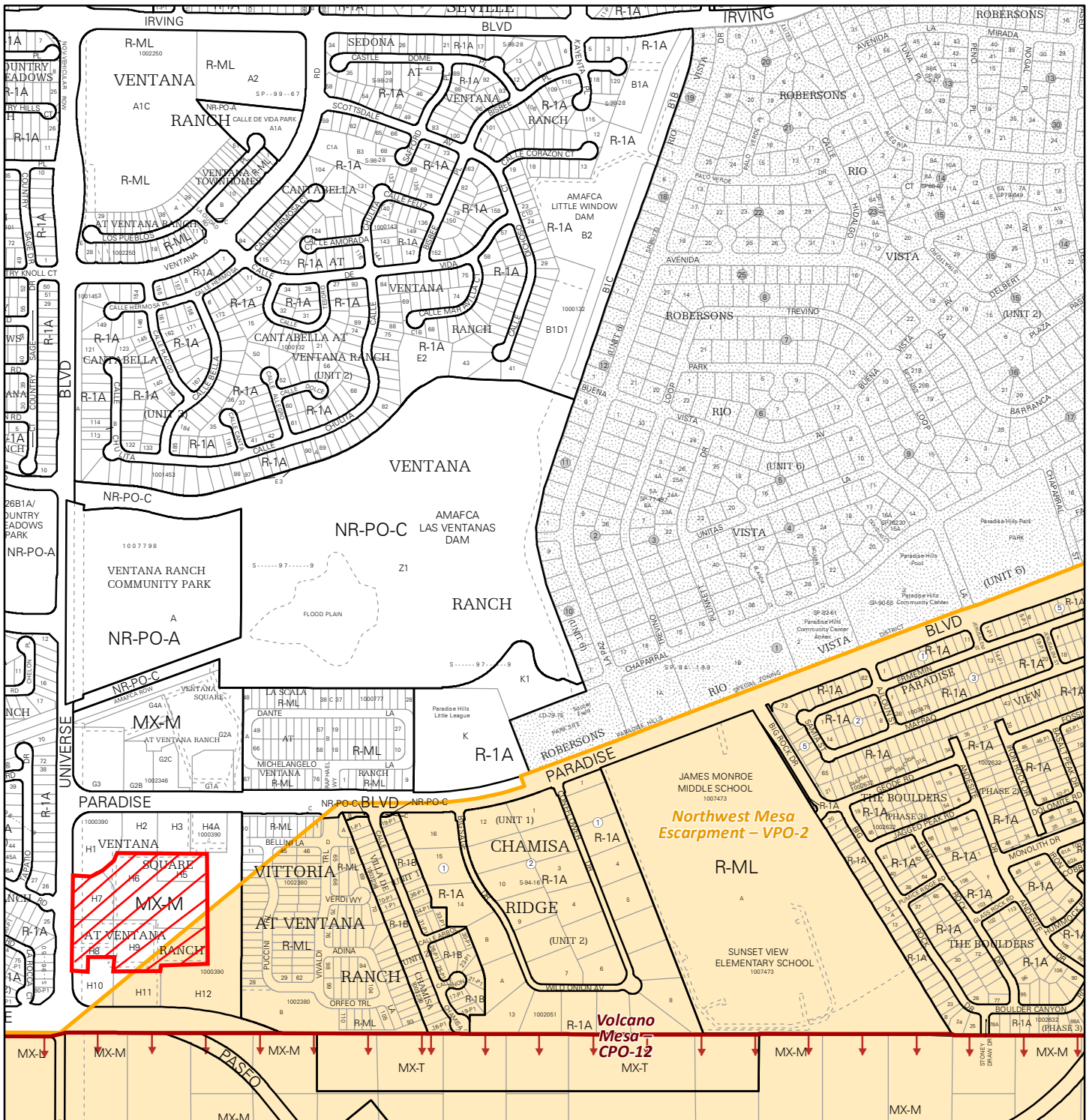
**MINOR AMENDMENT TO PRELIMINARY PLAT**

- Interpreter Needed for Hearing? \_\_\_\_\_ if yes, indicate language: \_\_\_\_\_  
 \_\_\_ A *Single* PDF file of the complete application including all documents being submitted must be emailed to [PLNDRS@cabq.gov](mailto: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 on a CD. PDF *shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.*  
 \_\_\_ Zone Atlas map with the entire site clearly outlined and labeled  
 \_\_\_ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(X)(2)  
 \_\_\_ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (7 copies, folded)  
 \_\_\_ Original Preliminary Plat, Infrastructure List, and/or Grading Plan (7 copies, folded)  
 \_\_\_ Infrastructure List, if applicable

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

<i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</i>	
Signature: Denise King	Date: 7/26/21
Printed Name: Denise King	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent
<b>FOR OFFICIAL USE ONLY</b>	
Project Number:	Case Numbers
	-
	-
	-
Staff Signature:	
Date:	






For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

## IDO Zone Atlas

### May 2018

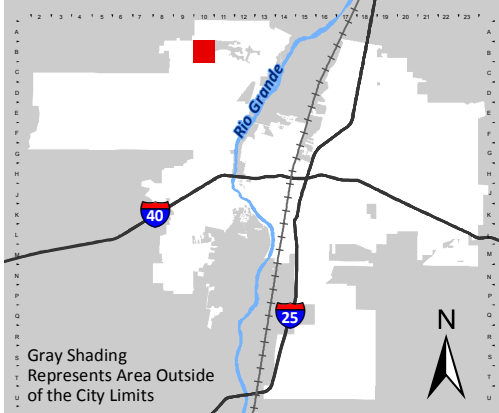


Albuquerque Geographic Information System

IDO Zoning information as of May 17, 2018  
The Zone Districts and Overlay Zones are established by the Integrated Development Ordinance (IDO).

Zone Atlas Page:

## B-10-Z



Gray Shading Represents Area Outside of the City Limits

Easement

Escarpment

Petroglyph National Monument

Areas Outside of City Limits

Airport Protection Overlay (APO) Zone

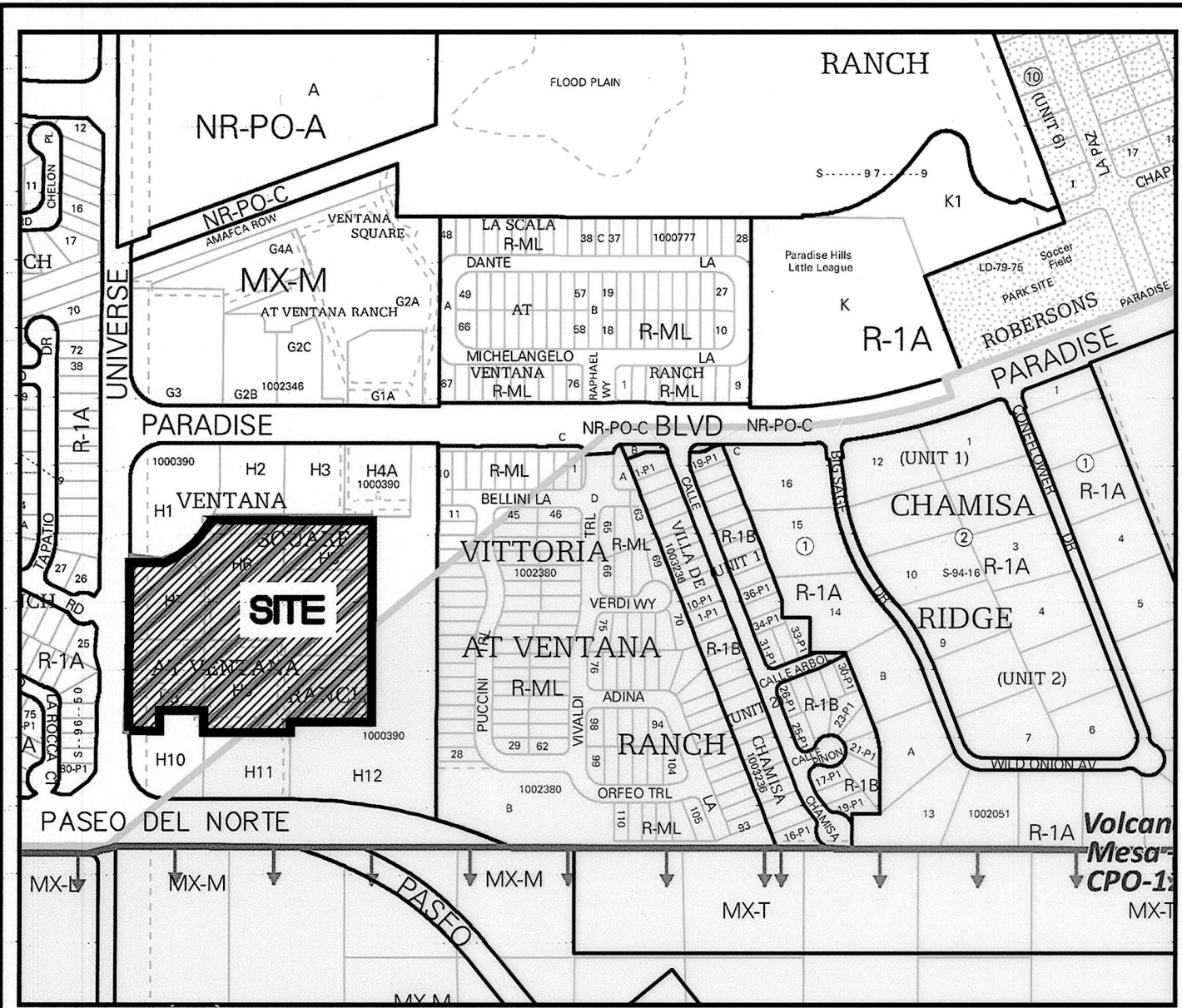
Character Protection Overlay (CPO) Zone

Historic Protection Overlay (HPO) Zone

View Protection Overlay (VPO) Zone

0 250 500 1,000 Feet





Vicinity Map - Zone Atlas B-10-Z  
N.T.S.

**Indexing Information**

Projected Section 10, Township 11 North, Range 2 East,  
N.M.P.M. Town of Alameda Grant  
Subdivision: Ventana Square at Ventana Ranch  
Owner: Diamond Tail Realty LLC  
UPC #: 101006506208830605 (Tract H-5)  
101006504807330604 (Tract H-6)  
101006501607230610 (Tract H-7)  
101006501605030611 (Tract H-8)  
101006504904730603 (Tract H-9)

**Treasurer's Certificate**

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND  
PAID ON UPC #:  
101006506208830605  
101006504807330604  
101006501607230610  
101006501605030611  
101006504904730603

PROPERTY OWNER OF RECORD  
BERNALILLO COUNTY TREASURER'S OFFICE

**Purpose of Plat**

1. SUBDIVIDE EXISTING 5 TRACTS INTO 6 TRACTS, AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.
3. VACATE EASEMENTS AS SHOWN HEREON.
4. DEDICATE RIGHT OF WAY AS SHOWN HEREON.

**Subdivision Data**

GROSS ACREAGE..... .8.7797 ACRES  
ZONE ATLAS PAGE NO..... .B-10-Z  
NUMBER OF EXISTING LOTS..... .5  
NUMBER OF LOTS CREATED..... .6  
MILES OF FULL-WIDTH STREETS..... .0.000 MILES  
MILES OF HALF-WIDTH STREETS..... .0.000 MILES  
RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE..... .0.1295 ACRES  
DATE OF SURVEY..... .OCTOBER 2020

**Legal Description**

TRACTS "H-5" THRU "H-9" OF VENTANA SQUARE AT VENTANA RANCH (A REPLAT OF TRACT H-A, VENTANA RANCH), ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 4, 2003, IN BOOK 2003C, PAGE 50, AS DOCUMENT NO. 2003035708.

**Notes**

1. FIELD SURVEY PERFORMED IN AUGUST 2015 AND SUPPLEMENTAL DATA IN OCTOBER 2020.
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. PROPERTY SUBJECT TO THE COVENANT, CONDITIONS AND RESTRICTIONS FROM THE FOLLOWING FILED DOCUMENTS:
  - DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS FILED JULY 15, 2003, DOC. NO. 2003121810
  - FIRST AMENDMENT FILED JANUARY 7, 2004, DOC. NO. 2004001871
  - SECOND AMENDMENT FILED JANUARY 7, 2004, DOC. NO. 2004001872
  - THIRD AMENDMENT FILED MAY 13, 2004, DOC. NO. 2004065091
  - ASSIGNMENT OF DECLARANT'S RIGHTS FILED JANUARY 27, 2005, DOC. NO. 2005012998
  - FOURTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 20060510001
  - FIFTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 2006051002
  - SIXTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 2006051003
  - SEVENTH AMENDMENT FILED OCTOBER 30, 2012, DOC. NO. 2012114745
  - EIGHTH AMENDMENT FILED SEPTEMBER 2, 2015, DOC. NO. 2015077196

**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.

**Plat**  
for  
**Tracts H-5A, H-6A, H-6B,  
H-7A, H-8A and H-9A,  
Ventana Square at Ventana Ranch  
Being Comprised of  
Tracts H-5 thru H-9  
Ventana Square at Ventana Ranch  
City of Albuquerque  
Bernalillo County, New Mexico  
July 2021**

**Project Number:** PR-2020-004024

**Application Number:** \_\_\_\_\_

**Plat Approvals:**

- Jul 20, 2021  
Rodney Fubner (Jul 20, 2021 08:52 MDT)
- Jul 20, 2021  
Abdul Bhuiyan (Jul 20, 2021 09:15 MDT)
- Jul 20, 2021  
Jeff Estvanko (Jul 20, 2021 09:15 MDT)
- Jul 20, 2021  
Mike Martus (Jul 20, 2021 07:43 MDT)

**City Approvals:**

- 7/6/2021  
City Surveyor
- Traffic Engineer
- ABCWUA
- Parks and Recreation Department
- Code Enforcement
- AMAFCA
- City Engineer
- DRB Chairperson, Planning Department
- Parks and Recreation Department

**Surveyor's Certificate**

I, WILL PLOTNER JR., 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.

7/8/2021  
Will Plotner Jr. Date  
N.M.R.P.S. No. 14271  
**CSI-CARTESIAN SURVEYS INC.**  
P.O. BOX 44414 RIO RANCHO, N.M. 87174  
Phone (505) 896-3050 Fax (505) 891-0244  
wplotnerjr@gmail.com



**Documents**

1. TITLE COMMITMENT FOR TRACT "H-10", PROVIDED BY OLD REPUBLIC NATIONAL TITLE, HAVING FILE NO. 1903010 AND AN EFFECTIVE DATE OF MAY 2, 2019.
2. PLAT OF RECORD FOR VENTANA SQUARE AT VENTANA RANCH FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 4, 2003, IN BOOK 2003C, PAGE 50.
3. WARRANTY DEED FOR TRACTS "H6-H11", FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON JANUARY 9, 2004, IN BOOK A71, PAGE 2892, DOC. NO. 2004002902.
4. WARRANTY DEED FOR TRACT "H5", FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON APRIL 12, 2004, IN BOOK A75, PAGE 7110, DOCUMENT NO. 2004047250.

**Free Consent & Dedication**

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF AND GRANT ALL EASEMENTS AS SHOWN HEREON. 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. SAID OWNERS DO HEREBY DEDICATE ADDITIONAL PUBLIC RIGHT OF WAY AS SHOWN HEREON ALONG UNIVERSE BOULEVARD NW TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE.

7-9-21  
THOMAS D. GROWNEY, MANAGING MEMBER DATE  
DIAMOND TAIL REALTY, LLC

STATE OF North Carolina } SS  
COUNTY OF Buncombe  
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 7-9 2021  
BY: THOMAS D. GROWNEY, MANAGING MEMBER, DIAMOND TAIL REALTY, LLC

By: ADAM CURRY  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 03/02/2026



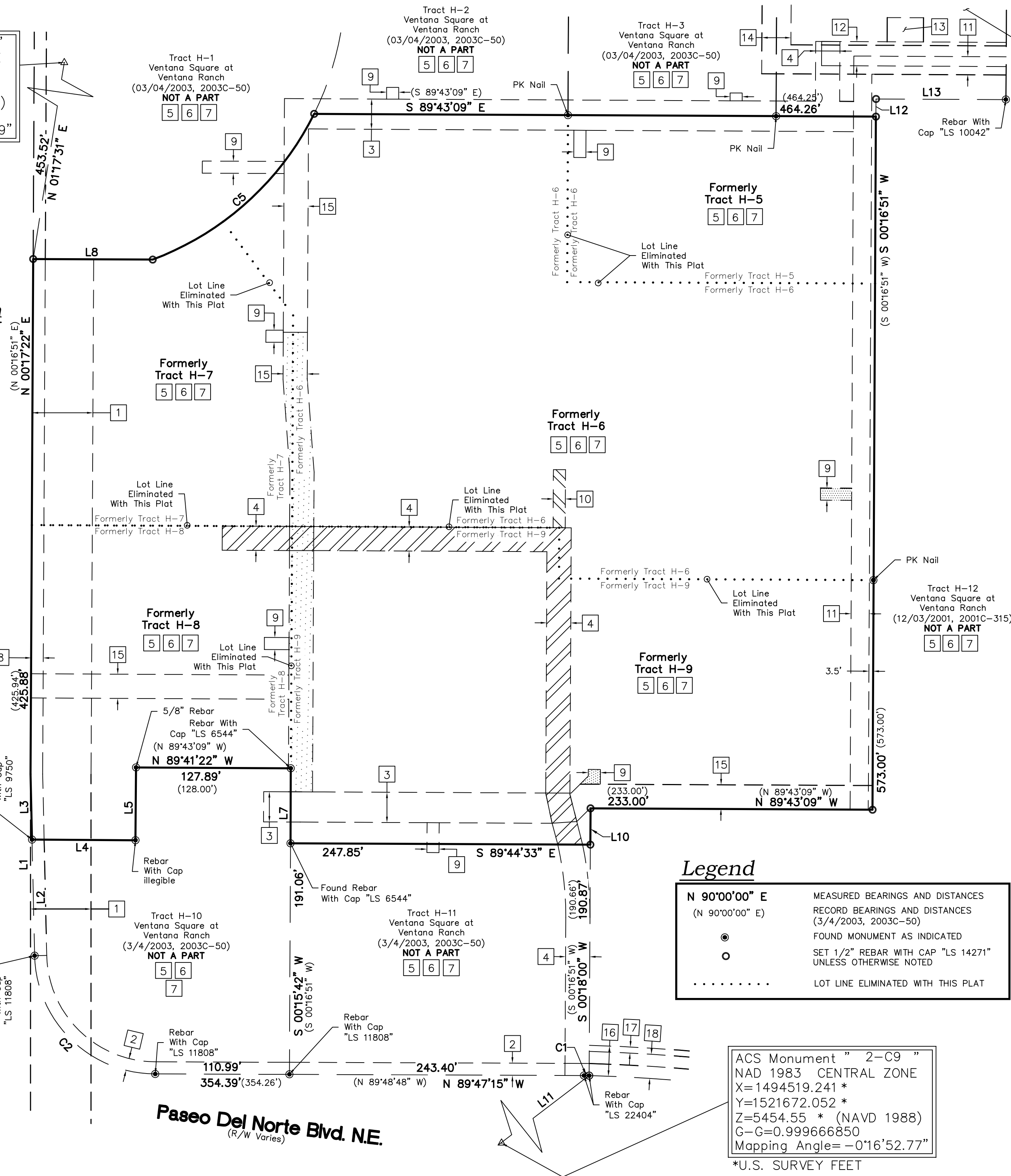
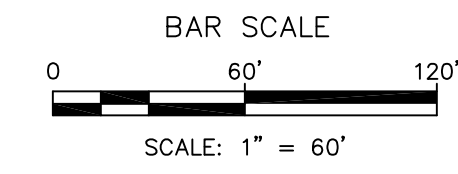
ACS Monument " 13-B10 "  
 NAD 1983 CENTRAL ZONE  
 X=1497757.7 \*  
 Y=1525618.319 \*  
 Z=5424.81' \* (NAVD 1988)  
 G-G=0.999667778  
 Mapping Angle=-0°16'30.69"  
 \*U.S. SURVEY FEET

Existing Lot Lines, Existing Easements and Easements to be vacated shown on this sheet

**Plat for**  
**Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A, Ventana Square at Ventana Ranch**  
 Being Comprised of Tracts H-5 thru H-9  
 Ventana Square at Ventana Ranch  
 City of Albuquerque  
 Bernalillo County, New Mexico  
 July 2021

**Universe Blvd. NE**  
 (R/W Varies)

**Paseo Del Norte Blvd. NE**  
 (R/W Varies)



**Legend**

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES (3/4/2003, 2003C-50)
●	FOUND MONUMENT AS INDICATED
○	SET 1/2" REBAR WITH CAP "LS 14271" UNLESS OTHERWISE NOTED
.....	LOT LINE ELIMINATED WITH THIS PLAT

ACS Monument " 2-C9 "  
 NAD 1983 CENTRAL ZONE  
 X=1494519.241 \*  
 Y=1521672.052 \*  
 Z=5454.55 \* (NAVD 1988)  
 G-G=0.999666850  
 Mapping Angle=-0°16'52.77"  
 \*U.S. SURVEY FEET

**Easement Notes**

- 1 EXISTING 50' ELECTRIC RIGHT-OF-WAY EASEMENT (05/08/1953, BK. MISC 14, PG. 341, DOC. NO. 95018489)
- 2 EXISTING 10' P.U.E. (12/03/2001, 2001C-315)
- 3 EXISTING 25' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- 4 EXISTING 20' PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT SHOWN HEREON AS
- 5 EXISTING PRIVATE NONEXCLUSIVE PERPETUAL DRAINAGE EASEMENT AND PUBLIC UTILITIES EASEMENT, BLANKET IN NATURE OVER COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 6 EXISTING PRIVATE NONEXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC, BLANKET IN NATURE ACROSS THAT PORTION OF THE COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 7 EXISTING PRIVATE NON-EXCLUSIVE PERPETUAL EASEMENT ACROSS THE COMMON AREAS FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FREE STANDING SIGNS (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 8 EXISTING 10' P.U.E. (03/04/2003, 2003C-50)
- 9 EXISTING 10' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT SHOWN HEREON AS
- 10 EXISTING 10' PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50) VACATED BY THE FILING OF THIS PLAT, SHOWN HEREON AS
- 11 EXISTING PUBLIC 15' WATERLINE EASEMENT (7/30/2002, BK. A39, PG. 52201, DOC. NO. 2002095491) (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 12 EXISTING PUBLIC 20' PUBLIC SANITARY SEWER EASEMENT (07/30/2002, BK. A39, PG. 5218, DOC. NO. 2002095489) AND (7/30/2002, BK. A39, PG. 5223, DOC. NO. 2002095494)
- 13 EXISTING 20' X 30' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- 14 EXISTING PRIVATE 24' ACCESS EASEMENT (07/30/2002, BK. A39, PG. 5217, DOC. NO. 2002095488)
- 15 EXISTING 20' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT, SHOWN HEREON AS
- 16 EXISTING 25' PUBLIC DRAINAGE EASEMENT (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 17 EXISTING 5' PUBLIC PERMANENT EASEMENT FOR SANITARY SEWER (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 18 EXISTING 20' PUBLIC UTILITY EASEMENT (12/03/2001, 2001C-35)

**CSI-CARTESIAN SURVEYS INC.**

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

**Plat for**  
**Tracts H-5A, H-6A, H-6B,**  
**H-7A, H-8A and H-9A,**  
**Ventana Square at Ventana Ranch**  
*Being Comprised of*  
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*City of Albuquerque*  
**Bernalillo County, New Mexico**  
**July 2021**

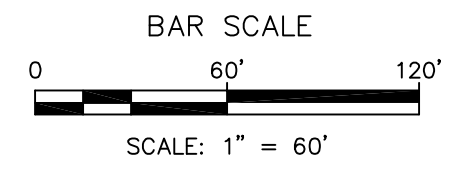
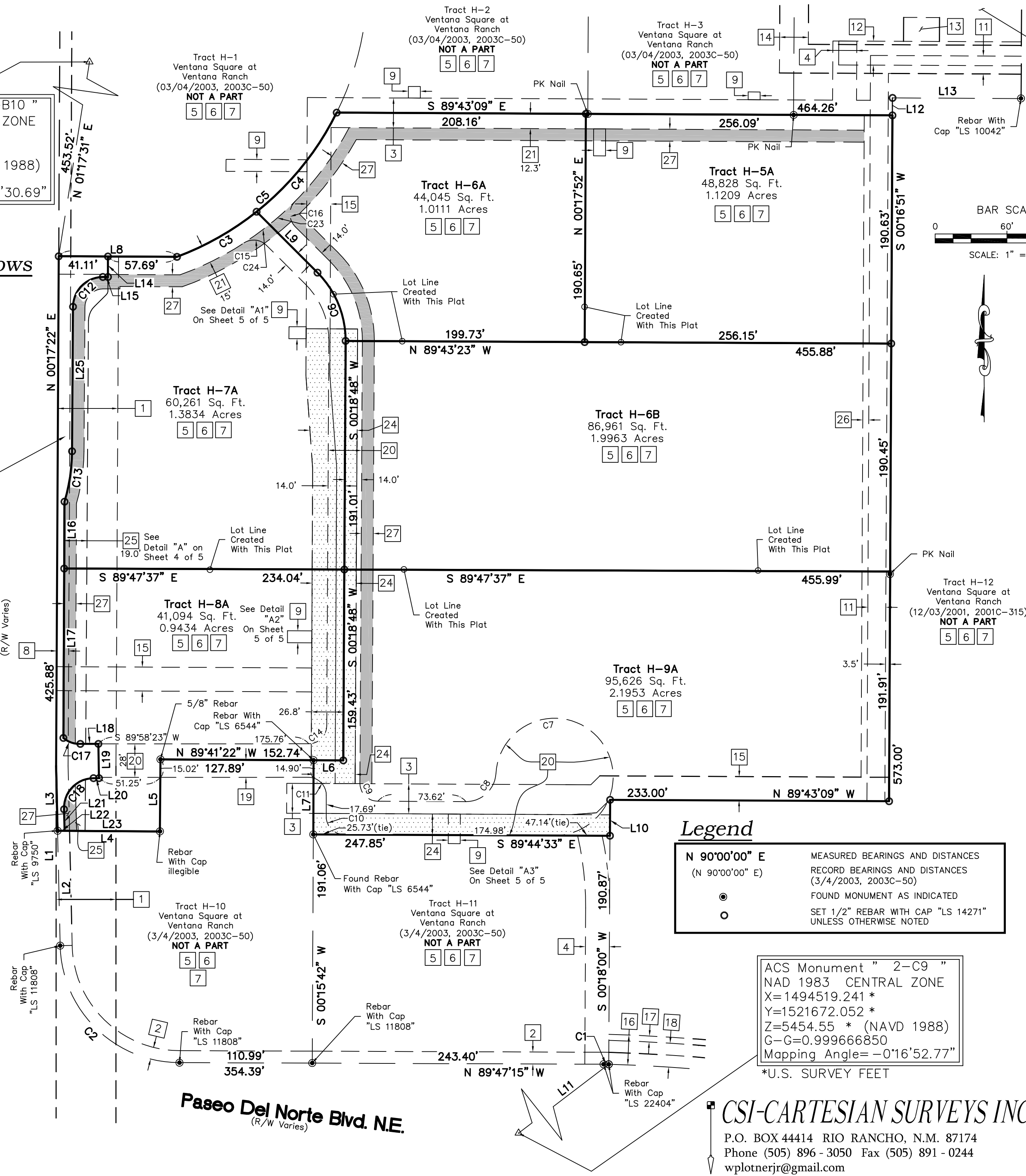
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 Z=5424.81' \* (NAVD 1988)  
 G-G=0.999667778  
 Mapping Angle=-0°16'30.69"  
 \*U.S. SURVEY FEET

**This Sheet Shows**  
Post Plat  
Conditions

**Right of Way**  
**Dedicated to the**  
**City of Albuquerque**  
 5,639 Sq. Ft.  
 0.1295 Acres

**Universe Blvd. NE**  
 (R/W Varies)

**Paseo Del Norte Blvd. NE**  
 (R/W Varies)



**Easement Notes**

- 1 EXISTING 50' ELECTRIC RIGHT-OF-WAY EASEMENT (05/08/1953, BK. MISC 14, PG. 341, DOC. NO. 95018489)
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- 5 EXISTING PRIVATE NONEXCLUSIVE PERPETUAL DRAINAGE EASEMENT AND PUBLIC UTILITIES EASEMENT, BLANKET IN NATURE OVER COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 6 EXISTING PRIVATE NONEXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC, BLANKET IN NATURE ACROSS THAT PORTION OF THE COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 7 EXISTING PRIVATE NON-EXCLUSIVE PERPETUAL EASEMENT ACROSS THE COMMON AREAS FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FREE STANDING SIGNS (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 8 EXISTING 10' P.U.E. (03/04/2003, 2003C-50)
- 9 EXISTING 10' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50) SEE SHEET 5 OF 5 FOR DETAILS
- 10 INTENTIONALLY OMITTED
- 11 EXISTING PUBLIC 15' WATERLINE EASEMENT (7/30/2002, BK. A39, PG. 52201, DOC. NO. 2002095491) (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 12 EXISTING PUBLIC 20' PUBLIC SANITARY SEWER EASEMENT (07/30/2002, BK. A39, PG. 5218, DOC. NO. 2002095489) AND (7/30/2002, BK. A39, PG. 5223, DOC. NO. 2002095494)
- 13 EXISTING 20' X 30' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- 14 EXISTING PRIVATE 24' ACCESS EASEMENT (07/30/2002, BK. A39, PG. 5217, DOC. NO. 2002095488)
- 15 REMAINING PORTION OF AN EXISTING 20' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50)
- 16 EXISTING 25' PUBLIC DRAINAGE EASEMENT (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 17 EXISTING 5' PUBLIC PERMANENT EASEMENT FOR SANITARY SEWER (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 18 EXISTING 20' UTILITY EASEMENT (12/03/2001, 2001C-35)
- 19 PRIVATE ACCESS EASEMENT BENEFITING AND MAINTAINED BY THE OWNERS OF TRACTS H-5A THRU H-9A, H-10 AND H-11, GRANTED BY DOCUMENT (\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, DOC. NO. \_\_\_\_\_)
- 20 PRIVATE ACCESS EASEMENT GRANTED WITH THE FILING OF THIS PLAT BENEFITING TRACTS H-5A THRU H-9A, H-10 AND H-11. TO BE MAINTAINED BY THE OWNERS OF SAID TRACTS.
- 21 PRIVATE ACCESS EASEMENT GRANTED WITH THE FILING OF THIS PLAT BENEFITING TRACTS H-5A THRU H-9A, H-10 AND H-11. TO BE MAINTAINED BY SAID OWNERS.
- 22 INTENTIONALLY OMITTED
- 23 INTENTIONALLY OMITTED
- 24 PUBLIC WATERLINE AND PUBLIC SEWER EASEMENT GRANTED WITH THE FILING OF THIS PLAT, SHOWN HEREON AS [shaded area]. SEE DETAIL "A4" ON SHEET 5 OF 5.
- 25 PUBLIC MULTI-USE TRAIL EASEMENT GRANTED WITH THE FILING OF THIS PLAT. SEE DETAIL "A" ON SHEET 4 OF 5.
- 26 ADDITIONAL 5' PUBLIC WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT TO THE ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY.
- 27 10' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT. SHOWN HEREON AS [shaded area]

**Legend**

- N 90°00'00" E MEASURED BEARINGS AND DISTANCES
- (N 90°00'00" E) RECORD BEARINGS AND DISTANCES (3/4/2003, 2003C-50)
- FOUND MONUMENT AS INDICATED
- SET 1/2" REBAR WITH CAP "LS 14271" UNLESS OTHERWISE NOTED

ACS Monument "2-C9"  
 NAD 1983 CENTRAL ZONE  
 X=1494519.241 \*  
 Y=1521672.052 \*  
 Z=5454.55 \* (NAVD 1988)  
 G-G=0.999666850  
 Mapping Angle=-0°16'52.77"  
 \*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  
 wplotnerjr@gmail.com

Line Table		
Line #	Direction	Length (ft)
L1	S 00°00'00" E	383.16'
L2	N 01°16'32" W (N 01°15'40" W)	96.43' (95.96')
L3	N 01°16'32" W	54.11'
L4	S 89°38'39" E (S 89°43'09" E)	85.48' (85.54')
L5	S 00°27'29" W (S 00°16'51" W)	60.17' (60.00')
L6	N 89°41'22" W	24.84'
L7	S 00°13'42" W	62.01' (62.00')
L8	S 89°43'09" E (S 89°43'09" E)	98.80' (98.80')
L9	S 45°01'04" E	71.96'
L10	S 00°18'00" W (S 00°16'51" W)	30.00' (30.00')
L11	S 52°36'41" W	4642.69'
L12	N 00°16'51" E (S 00°16'51" E)	14.58' (14.00')
L13	S 89°43'09" E (S 89°43'09" E)	107.37'(107.46')
L14	S 00°00'00" E	17.10'
L15	S 89°53'13" W	4.24'
L16	S 00°16'51" W	55.85'
L17	S 00°16'51" W	141.52'
L18	N 89°58'23" E	15.12'
L19	S 00°59'33" E	28.68'

Line Table		
Line #	Direction	Length (ft)
L20	N 89°56'07" W	4.58'
L21	S 01°42'44" E	17.98'
L22	N 89°38'39" W	5.90'
L23	N 89°38'39" W	79.58'
L25	S 00°22'36" W	120.74'
L26	N 00°00'00" E	12.13'
L27	N 45°22'26" E	13.68'
L28	S 89°58'33" W	4.50'
L29	N 89°43'23" W	10.63'
L30	N 00°18'48" E	10.00'
L31	N 89°43'23" W	32.37'
L32	N 04°09'42" W	77.46'
L33	N 89°58'19" E	10.63'
L34	S 00°22'26" W	43.12'
L35	S 89°38'39" E	17.10'
L36	N 89°41'22" W	1.95'
L37	N 00°13'42" E	19.40'
L38	N 89°43'09" W	34.82'

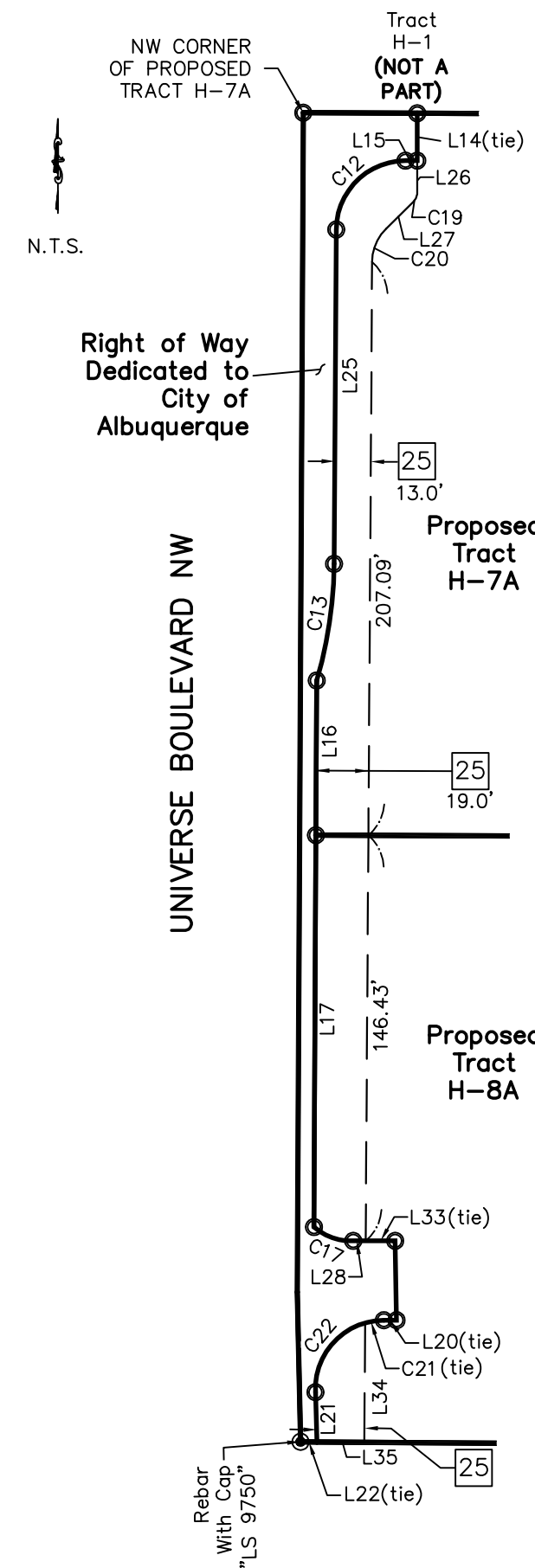
\* L24 INTENTIONALLY OMITTED

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	4.32' (4.39')	1578.00' (1578.00')	0°09'25"	4.32'	N 89°42'33" W
C2	154.48' (154.48')	100.00' (100.00')	88°30'43"	139.57'	S 45°31'54" E
C3	76.75'	245.00' (245.00')	17°56'52"	76.43'	N 60°27'59" E
C4	107.31'	245.00' (245.00')	25°05'45"	106.46'	N 38°56'41" E
C5	184.06' (183.92')	245.00' (245.00')	43°02'37"	179.76'	N 47°55'07" E
C6	63.31'	80.00'	45°20'43"	61.67'	N 22°21'22" W
C7	228.86'	49.00'	267°36'09"	70.73'	N 42°50'59" W
C8	37.92'	25.00'	86°54'31"	34.39'	N 46°48'12" E
C9	23.57'	15.00'	90°02'57"	21.22'	S 44°43'04" E
C10	23.57'	15.00'	90°02'57"	21.22'	S 44°43'04" E
C11	19.29'	15.00'	73°39'53"	17.98'	N 36°31'32" W
C12	39.09'	25.00'	89°34'28"	35.23'	S 45°05'59" W
C13	42.72'	152.98'	16°00'02"	42.58'	N 08°28'22" E
C14	23.47'	15.00'	89°39'58"	21.15'	N 45°08'24" E
C15	20.43'	15.00'	78°02'25"	18.89'	N 84°03'31" W
C16	23.51'	15.00'	89°47'20"	21.17'	S 00°08'39" E
C17	15.35'	20.58'	42°43'45"	15.00'	S 70°36'47" E
C18	40.04'	24.79'	92°32'43"	35.83'	S 43°29'15" W
C19	3.25'	5.72'	32°33'36"	3.20'	N 27°39'27" E
C20	13.35'	17.00'	45°00'00"	13.01'	S 22°52'26" W
C21	6.83'	24.79'	15°46'57"	6.81'	S 81°52'08" W
C22	33.21'	24.79'	76°45'22"	30.78'	S 35°35'35" W

Note: To Provide Pedestrian Access Among All Tracts, Each Tract Owner Shall be Responsible for Constructing Sidewalks Along the Private Access Easement so that All Tracts Can Access the Public Right-of-Way

**Plat for Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A, Ventana Square at Ventana Ranch Being Comprised of Tracts H-5 thru H-9 Ventana Square at Ventana Ranch City of Albuquerque Bernalillo County, New Mexico July 2021**

**Detail "A"**  
(Detail for Easement [25])



**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.

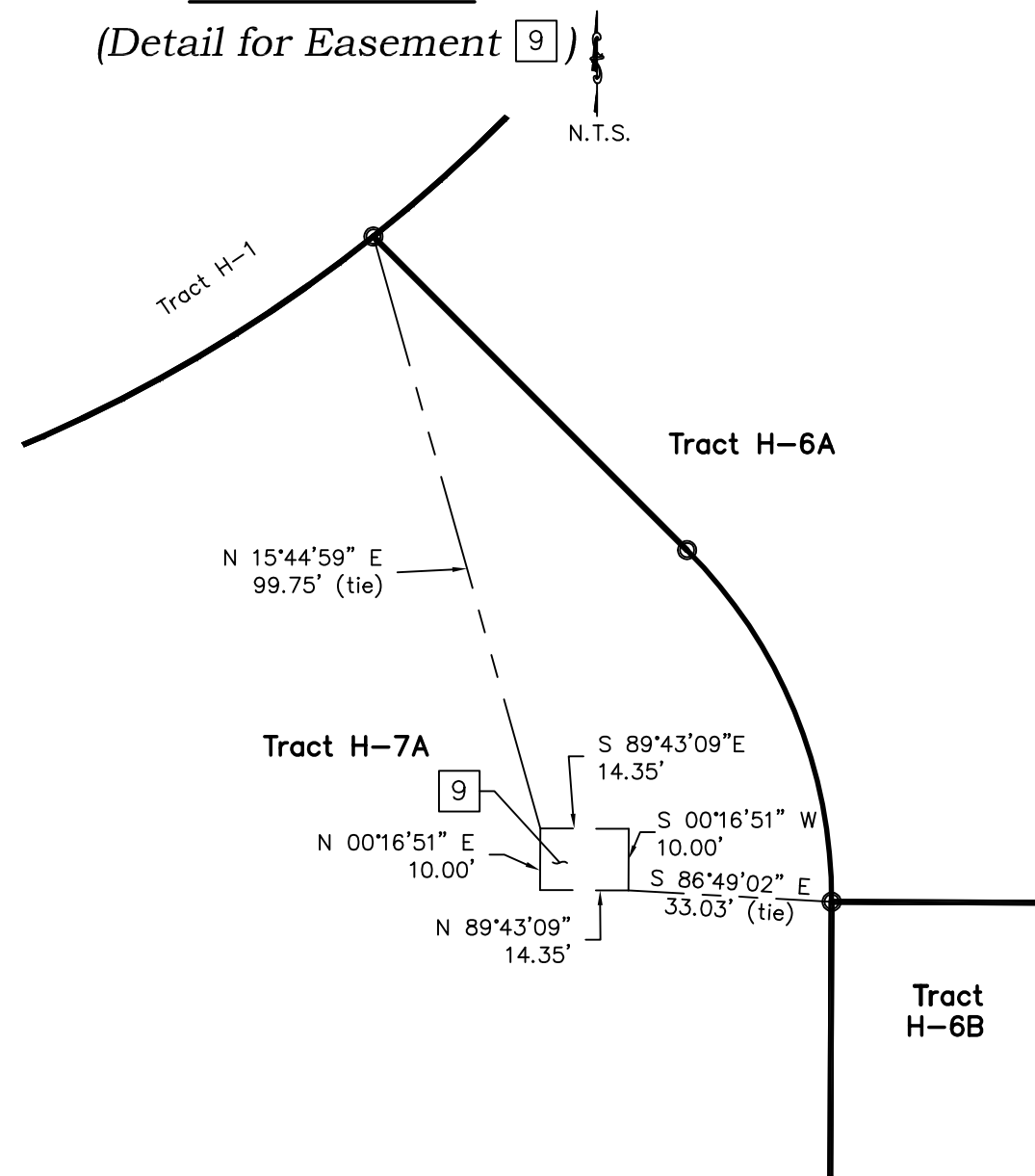
**CSI-CARTESIAN SURVEYS INC.**

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

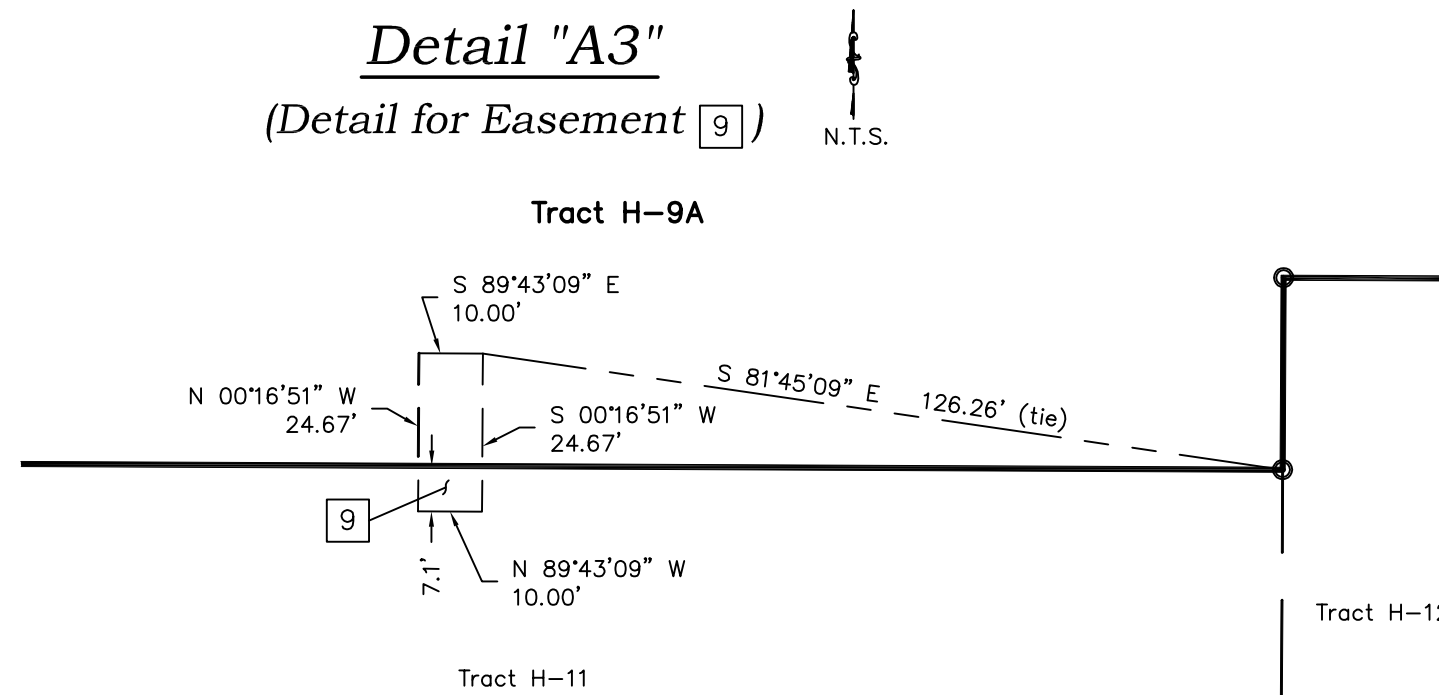


**Plat**  
 for  
**Tracts H-5A, H-6A, H-6B,**  
**H-7A, H-8A and H-9A,**  
**Ventana Square at**  
**Ventana Ranch**  
 Being Comprised of  
**Tracts H-5 thru H-9**  
**Ventana Square at Ventana Ranch**  
 City of Albuquerque  
 Bernalillo County, New Mexico  
 July 2021

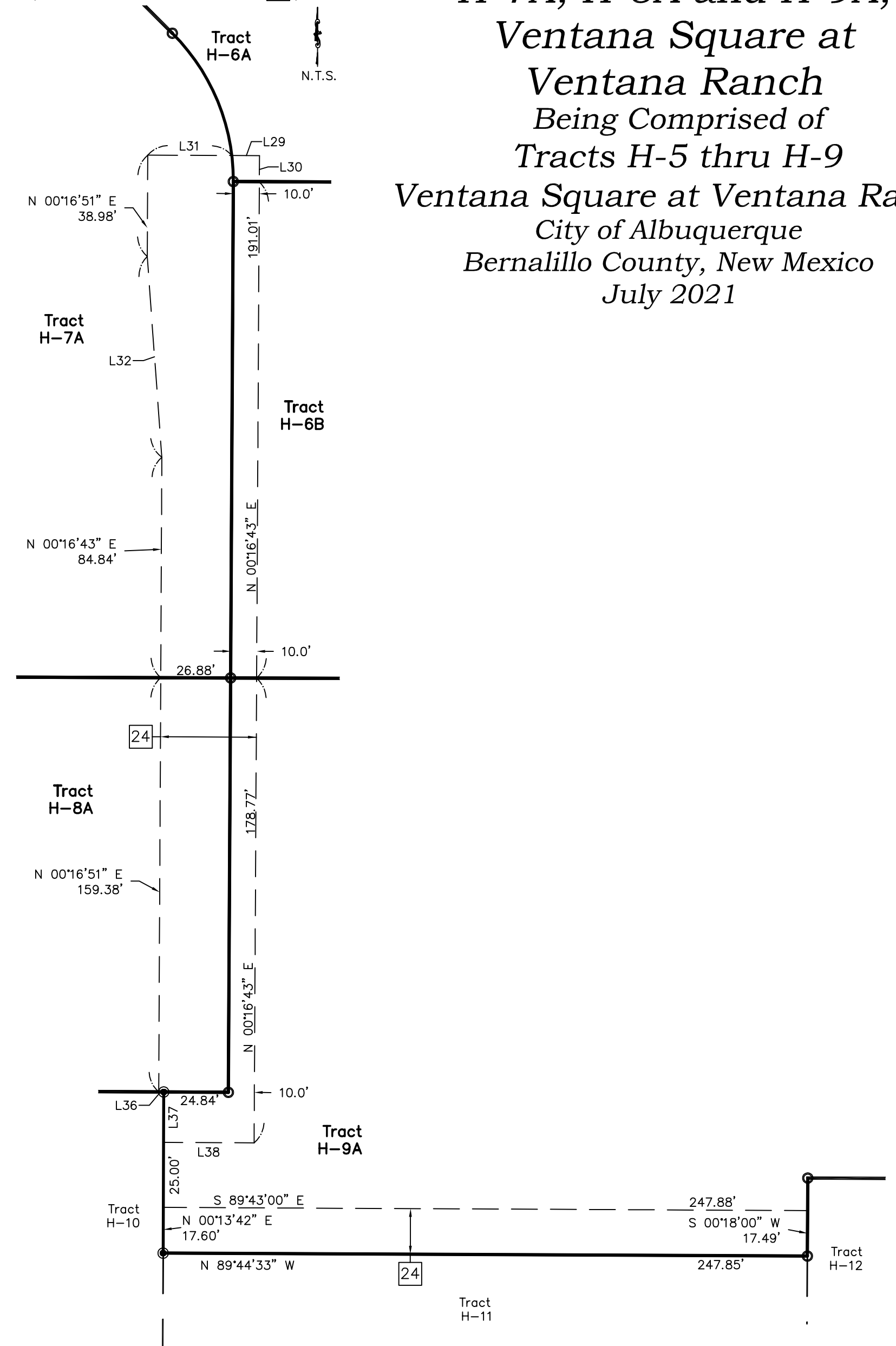
**Detail "A1"**  
(Detail for Easement 9)



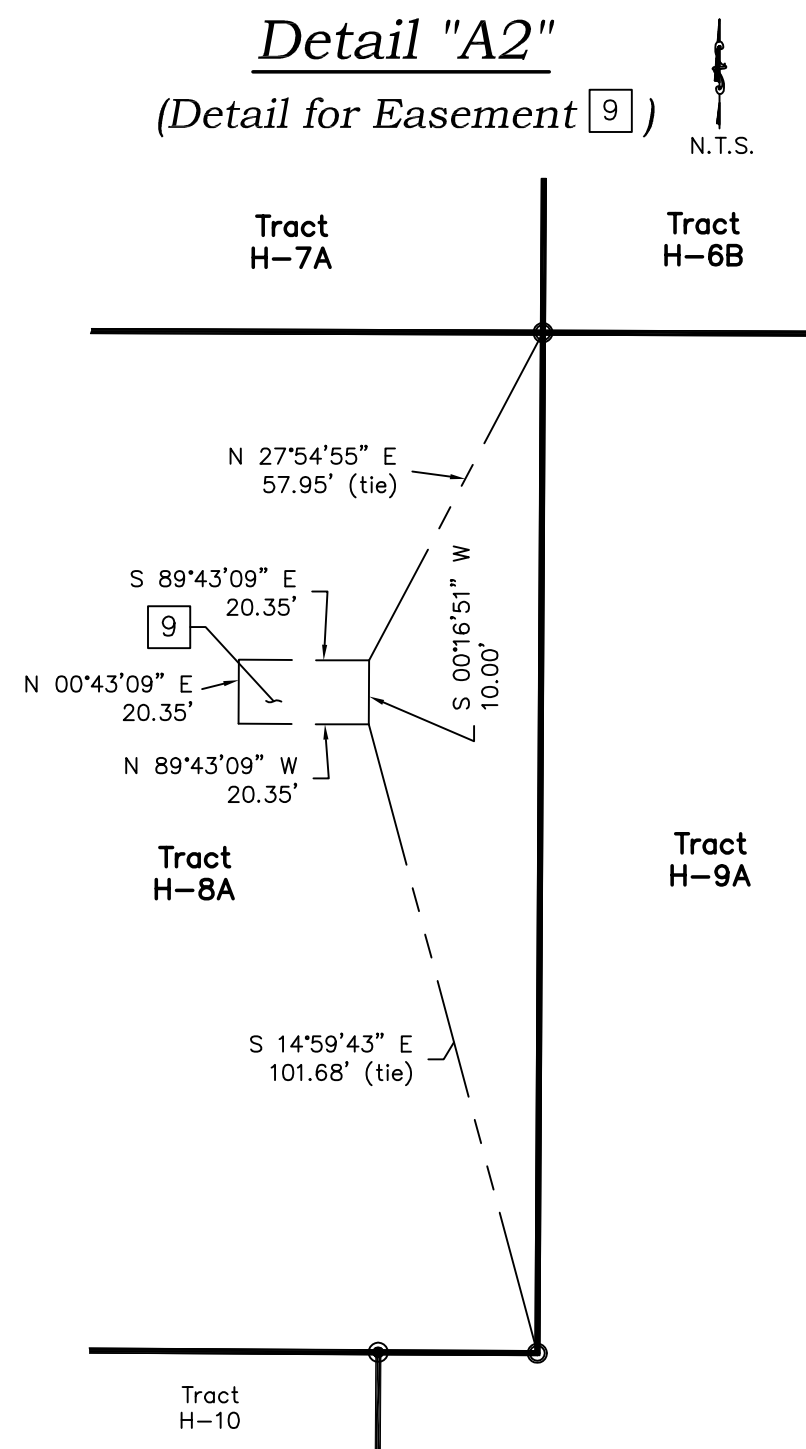
**Detail "A3"**  
(Detail for Easement 9)



**Detail "A4"**  
(Detail for Easement 24)



**Detail "A2"**  
(Detail for Easement 9)



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 wplotnerjr@gmail.com

Nearest Major Streets: \_\_\_\_\_  
No. of Lots: \_\_\_\_\_

**INFRASTRUCTURE IMPROVEMENTS AGREEMENT**  
**(Procedure B)**

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

THIS AGREEMENT is made this (Date) July 21<sup>st</sup>, 2021, 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 Diamond Tail Realty, LLC ("Developer"), a New Mexico Limited Liability Company, [state the type of business entity e.g. "New Mexico corporation," "general partnership," "individual," etc.] Thomas D. Growney, Managing Member, whose email is tgrowney@growney-inc.com, whose address is 20 Fall Pippin Lane, Suite 203 (City) Asheville, NC 28803 and whose telephone number is (505) 250-5049, 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:] **Tracts H-5 through H-9, Ventana Square at Ventana Ranch** recorded on 3/4/2003, attached, pages 1 through 3, as Document No. 2003035708 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:] Diamond Tail Realty, LLC ("Owner").

The Developer has submitted and the City has approved a Preliminary Plat or Site Plan identified as **Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A, Ventana Square at Ventana Ranch** 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 June 30, 2023 ("Construction Completion Deadline"), 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 and are identified as Project No. **670982**.



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 public Improvements shall be performed by CSI-Cartesian Surveys Inc., and construction surveying of the private Improvements shall be performed by CSI-Cartesian Surveys Inc. . If the construction surveying is performed by an entity other than the City, 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. The Developer shall pay the City a reasonable fee for any construction surveying performed by the City.

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

C. Field Testing. Field testing of the construction of the public Improvements shall be performed by Geo-Test, Inc., and field testing of the private Improvements shall be performed by Geo-Test, Inc. both certified testing laboratories under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. If any field testing is performed by an entity other than the City, the City may monitor the field testing and the 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. The Developer shall pay the City a reasonable fee for any field testing performed by the City.

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



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: Loan Reserve Letter

Amount: \$832,276.90

Name of Financial Institution or Surety providing Guaranty: Bank of Albuquerque (BOKF)

Date City first able to call Guaranty (Construction Completion Deadline): June 30, 2023

If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: August 29, 2023

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.

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

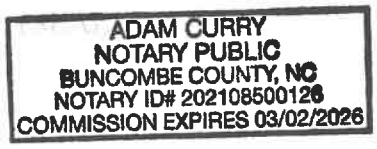
DEVELOPER: Diamond Tail Realty, LLC

By [Signature]: [Handwritten Signature]  
Name [Print]: Thomas D. Growney  
Title: Managing Member  
Dated: 7.8.21

DEVELOPER'S NOTARY

STATE OF North Carolina  
COUNTY OF Buncombe ) ss.

This instrument was acknowledged before me on this 8 day of July, 2021, by  
[name of person:] Thomas D Growney, [title or capacity, for instance,  
"President" or "Owner":] Managing Member of  
[Developer:] Diamond Tail Realty, LLC.



[Handwritten Signature]  
Notary Public  
My Commission Expires: 03/02/2026





Current DRC  
Project Number: \_\_\_\_\_

FIGURE 12

INFRASTRUCTURE LIST

EXHIBIT "A"

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

TRACTS H-5A, H-6A, H-6B, H-7A, H-8A, AND H-9A, VENTANA SQUARE  
PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN

TRACTS H-5A, H-6A, H-6B, H-7A, H-8A, AND H-9A, VENTANA SQUARE AT VENTANA RANCH  
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: \_\_\_\_\_  
Date Site Plan Approved: \_\_\_\_\_  
Date Preliminary Plat Approved: \_\_\_\_\_  
Date Preliminary Plat Expires: \_\_\_\_\_  
DRB Project No.: PR-2020-004024  
DRB Application No.: \_\_\_\_\_

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 S/A process and/or in the review of the construction drawings, if the DRC Chair determines that applicant 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 applicant 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	City Cnst Engineer
<input type="checkbox"/>	<input type="checkbox"/>	11' WIDE	100' DECELERATION LANE WITH 142' TRANSITION	UNIVERSE BLVD.	NORTH ACCESS	266' SOUTH	/	/
<input type="checkbox"/>	<input type="checkbox"/>	6' WIDE	BIKE LANE	UNIVERSE BLVD.	NORTH ACCESS	200' SOUTH	/	/
<input type="checkbox"/>	<input type="checkbox"/>	6' WIDE	UNIVERSE WIDENING PROCEDURE C	UNIVERSE BLVD.	200' SOUTH OF NORTH ACCESS	PASEO DEL NORTE NORTH ROW LINE	/	/
<input type="checkbox"/>	<input type="checkbox"/>	11' WIDE	100' TAPERED DECELERATION LANE	UNIVERSE BLVD.	SOUTH ACCESS	125' SOUTH	/	/
<input type="checkbox"/>	<input type="checkbox"/>	11' WIDE	100' LEFT TURN BAY EXTENSION AT MEDIAN	UNIVERSE BLVD.	SOUTH ACCESS	100' NORTH	/	/
<input type="checkbox"/>	<input type="checkbox"/>	28' WIDE	FULL ACCESS DRIVEWAY	UNIVERSE BLVD. 45' NORTH OF TRACT H-8A SOUTH PROP. LINE			/	/
<input type="checkbox"/>	<input type="checkbox"/>	8' WIDE	ASPHALT MULTI-PURPOSE TRAIL	TRACT H-7A 13' TRAIL EASEMENT	NORTH ACCESS	210' SOUTH NEXT TO DECEL LANE	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8-10' WIDE	ASPHALT MULTI-PURPOSE TRAIL TRANSITION	TRACT H-7A 13-19' TRAIL EASEMENT	210' SOUTH OF NORTH ACCESS	30' SOUTH	/	/

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"/>	10' WIDE	ASPHALT MULTI-PURPOSE TRAIL	TRACTS H-7A & H-8A 19' TRAIL EASEMENT	240' SOUTH OF NORTH ACCESS	SOUTH ACCESS	/	/	/
<input type="text"/>	<input type="text"/>	10' WIDE	ASPHALT MULTI-PURPOSE TRAIL	TRACT H-8A 19' TRAIL EASEMENT	SOUTH ACCESS	TRACT H-8A SOUTH PROPERTY LINE	/	/	/
<input type="text"/>	<input type="text"/>	28' WIDE	PRIVATE ACCESS ROAD	TRACT H-8A/H-10 PROPERTY LINE	UNIVERSE BLVD.	TRACT H-8A/H-9A PROPERTY LINE	/	/	/
<input type="text"/>	<input type="text"/>	28' WIDE	PRIVATE ACCESS ROAD	TRACT H-6A/H-7A, TRACT H-6B/H-7A TRACT H-8A/H-9A PROPERTY LINE	NORTH ENTRANCE AT TRACT H-6A/H-7A PROPERTY LINE	TRACT H-11 NORTH PROPERTY LINE	/	/	/
<input type="text"/>	<input type="text"/>	28' WIDE	PRIVATE ACCESS ROAD	TRACT H-9A SOUTH PROPERTY LINE	TRACT H-10	TRACT H-12	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	LEFT LANE BY REMOVING MEDIAN LANDSCAPING, REMOVE & REPLACE 220 LF MEDIAN CURB	PARADISE BLVD.	UNIVERSE BLVD.	FIRST MEDIAN BREAK SOUTH	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	100' DECELERATION LANE WITH 84' TRANSITION WITH CURB BUMPOUT	PARADISE BLVD.	UNIVERSE BLVD.	ENTRANCE AT TRACT H-1/H-2 PROPERTY LINE	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	LEFT LANE BY REMOVING MEDIAN LANDSCAPING, REMOVE & REPLACE 300 LF MEDIAN CURB	PARADISE BLVD.	FIRST MEDIAN BREAK SOUTH	SECOND MEDIAN BREAK SOUTH	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	100' DECELERATION LANE WITH 84' TRANSITION WITH CURB BUMPOUT	PARADISE BLVD.	ENTRANCE AT TRACT H-1/H-2 PROPERTY LINE	ENTRANCE AT TRACT H-4/H-12 PROPERTY LINE	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	LEFT LANE BY REMOVING MEDIAN LANDSCAPING, REMOVE & REPLACE 150 LF MEDIAN CURB	PARADISE BLVD.	SECOND MEDIAN BREAK SOUTH	150' EAST	/	/	/
<input type="text"/>	<input type="text"/>	11' WIDE	150' TAPER TRANSITION LANE WITH CURB BUMPOUT	PARADISE BLVD.	ENTRANCE AT TRACT H-4/H-12 PROPERTY LINE	150' EAST	/	/	/

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Private Inspector	City Cnst Engineer
<input type="checkbox"/>	<input type="checkbox"/>	8"	WATER LINE W/ VALVES, FH, MJS, AND RJS	TRACT H-8A EAST PROP. LINE	EXISTING 8" WL EAST PROP. LINE	TRACT H-9A	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8"	WATER LINE W/ VALVES, FH, MJS, AND RJS	TRACT H-9A SOUTH PROP. LINE	TRACT H-8A EAST PROP. LINE	EXISTING 8" WL EAST PROP. LINE	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8"	SANITARY SEWER LINE W/ MANHOLES	TRACT H-11 EAST PROP. LINE	EXISTING 8" SAS SE CORNER OF TRACT H-11	NE CORNER OF TRACT H-11	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8"	SANITARY SEWER LINE W/ MANHOLES	TRACT H-9A SOUTH PROP. LINE	SE CORNER OF TRACT H-9A/ H-11	WEST PROP. LINE AT TRACT H-8A	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8"	SANITARY SEWER LINE W/ MANHOLES	TRACT H-8A EAST PROP. LINE	SE CORNER OF TRACT H-8A	NE CORNER OF TRACT H-8A	/	/
<input type="checkbox"/>	<input type="checkbox"/>	8"	SANITARY SEWER LINE W/ MANHOLES	TRACT H-7A EAST PROP. LINE	SE CORNER OF TRACT H-7A	150' NORTH	/	/
<input type="checkbox"/>	<input type="checkbox"/>	10' WIDE	RECTANGULAR CONCRETE CHANNEL	TRACT H-12 SOUTH PROP. LINE	TRACT H-12 WEST PROP. LINE	RETENTION POND TRACT B, VITTORIA SUBDIVISION	/	/
<input type="checkbox"/>	<input type="checkbox"/>	2.13 AC-FT	EXCAVATE EXISTING RETENTION POND FROM 5.12 AC-FT TO 7.25 AC-FT	TRACT B, VITTORIA SUBDIVISION			/	/
<input type="checkbox"/>	<input type="checkbox"/>						/	/
<input type="checkbox"/>	<input type="checkbox"/>						/	/
<input type="checkbox"/>	<input type="checkbox"/>						/	/

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	Constructed Under	Size	Type of Improvement	Location	From	To	Construction Certification
<input type="checkbox"/>	<input type="checkbox"/>						Private <input type="checkbox"/> City Cnst <input type="checkbox"/>



DRC #	DRC #	Inspector	P.E.	Engineer
<input type="text"/>	<input type="text"/>	/	/	/
<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
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

**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 \_\_\_\_\_

**AGENT / OWNER** **DEVELOPMENT REVIEW BOARD MEMBER APPROVALS**

**DAVID B. THOMPSON, P.E.** *[Signature]* DRB CHAIR - date Jun 9, 2021  
NAME (print)

**THOMPSON ENGR. CONS., INC.** *[Signature]* **Jeanne Wolfenbarger** Jun 9, 2021  
FIRM TRANSPORTATION DEVELOPMENT

*[Signature]* Jun 9, 2021  
SIGNATURE - date Blaine Carter Jun 9, 2021  
UTILTY DEVELOPMENT - date

*[Signature]* Jun 9, 2021  
CITY ENGINEER - date Ernest Amisio Jun 9, 2021  
CITY ENGINEER - date

**DESIGN REVIEW COMMITTEE REVISIONS**

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER











# PR-2020-004024\_SD-2021-00029\_Infrastructure\_List\_Approved\_6-9-21


Final Audit Report

2021-06-09


Created:	2021-06-09
By:	Jay Rodenbeck (jrodenbeck@cabq.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAa7pVILJxq4S-onC1uazR98somQ9OpViM


## "PR-2020-004024\_SD-2021-00029\_Infrastructure\_List\_Approved\_6-9-21" History


-  Document created by Jay Rodenbeck (jrodenbeck@cabq.gov)  
2021-06-09 - 6:28:32 PM GMT- IP address: 174.56.105.21
-  Document emailed to Jeanne Wolfenbarger (jwolfenbarger@cabq.gov) for signature  
2021-06-09 - 6:31:28 PM GMT
-  Document emailed to Ernest Armijo (earmijo@cabq.gov) for signature  
2021-06-09 - 6:31:28 PM GMT
-  Document emailed to Cheryl Somerfeldt (csomerfeldt@cabq.gov) for signature  
2021-06-09 - 6:31:29 PM GMT
-  Document emailed to Carl Garcia (cagarcia@cabq.gov) for signature  
2021-06-09 - 6:31:29 PM GMT
-  Document emailed to Blaine Carter (bcarter@abcwua.org) for signature  
2021-06-09 - 6:31:29 PM GMT
-  Document emailed to Jolene Wolfley (jwolfley@cabq.gov) for signature  
2021-06-09 - 6:31:29 PM GMT
-  Email viewed by Blaine Carter (bcarter@abcwua.org)  
2021-06-09 - 6:31:51 PM GMT- IP address: 142.202.67.2
-  Document e-signed by Blaine Carter (bcarter@abcwua.org)  
Signature Date: 2021-06-09 - 6:32:18 PM GMT - Time Source: server- IP address: 142.202.67.2
-  Email viewed by Ernest Armijo (earmijo@cabq.gov)  
2021-06-09 - 6:33:34 PM GMT- IP address: 54.202.101.147


 Document e-signed by Ernest Armijo (earmijo@cabq.gov)  
Signature Date: 2021-06-09 - 6:34:06 PM GMT - Time Source: server- IP address: 143.120.132.57


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2021-06-09 - 6:34:41 PM GMT- IP address: 34.216.179.167


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Signature Date: 2021-06-09 - 6:34:51 PM GMT - Time Source: server- IP address: 198.206.237.4


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2021-06-09 - 6:43:46 PM GMT- IP address: 35.160.213.18


 Email viewed by Jolene Wolfley (jwolfley@cabq.gov)  
2021-06-09 - 6:43:56 PM GMT- IP address: 54.149.140.140

 Document e-signed by Jeanne Wolfenbarger (jwolfenbarger@cabq.gov)  
Signature Date: 2021-06-09 - 6:44:05 PM GMT - Time Source: server- IP address: 73.242.176.142

 Document e-signed by Jolene Wolfley (jwolfley@cabq.gov)  
Signature Date: 2021-06-09 - 6:45:13 PM GMT - Time Source: server- IP address: 67.0.226.140

 Email viewed by Cheryl Somerfeldt (csomerfeldt@cabq.gov)  
2021-06-09 - 6:46:45 PM GMT- IP address: 54.190.35.22

 Document e-signed by Cheryl Somerfeldt (csomerfeldt@cabq.gov)  
Signature Date: 2021-06-09 - 6:47:00 PM GMT - Time Source: server- IP address: 143.120.170.57

 Agreement completed.  
2021-06-09 - 6:47:00 PM GMT



## FINANCIAL GUARANTY AMOUNT

June 14, 2021

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

Project Description:

Project ID #: 670982 Ventana Square Infrastructure

Requested By: David Thompson, P.E.

Approved Estimate Amount: \$ 516,671.50

Contingency Amount: 10.00% \$ 51,667.15

Subtotal: \$ 568,338.65

PO Box 1293

NMGRT: 7.875% \$ 44,756.67

Subtotal: \$ 613,095.32

Albuquerque

Engineering Fee: 6.60% \$ 40,464.29

NM 87103

Testing Fee: 2.00% \$ 12,261.91

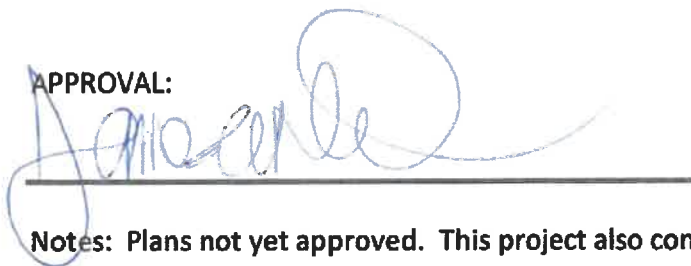
Subtotal: \$ 665,821.52

www.cabq.gov

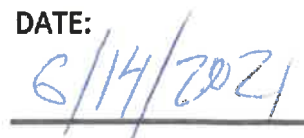
FINANCIAL GUARANTY RATE: 1.25

TOTAL FINANCIAL GUARANTY REQUIRED: \$ 832,276.90

APPROVAL:

  
A handwritten signature in blue ink, appearing to read "David Thompson", is written over a horizontal line.

DATE:

  
A handwritten date "6/14/2021" in blue ink is written over a horizontal line.

Notes: Plans not yet approved. This project also contains a Procedure C.



(Procedure B)  
LOAN RESERVE LETTER

---

July 8, 2021

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

RE: **Loan Reserve for Diamond Tail Realty, LLC**

City of Albuquerque Project ID: **670982**  
Project Name: **Ventana Square Infrastructure**

Dear Mrs. Nair:

This is to advise the City of Albuquerque ("City") that, at the request of **Diamond Tail Realty, LLC, BOKE, NA dba Bank of Albuquerque** ("Financial Institution") in **Albuquerque, NM**, holds as a loan reserve the sum of **eight hundred thirty-two thousand two hundred seventy-six dollars and ninety cents (\$832,276.90)** ("Loan Reserve") for the exclusive purpose of providing the financial guaranty which the City requires **Diamond Tail Realty, LLC** ("Developer") to provide for the installation of the improvements which must be constructed at **Ventana Square**, Project ID **670982** ("Project"). The amount of the Loan Reserve is 125% of the City's estimated cost of the Project, as required by the City's Integrated Development Ordinance. The improvements are identified in the agreement between the City of Albuquerque and Developer, which was recorded on \_\_\_\_\_, 2021 in the records of the Clerk of Bernalillo County, New Mexico in Book Misc. \_\_\_\_\_, page \_\_\_\_ ("Agreement").

1. Reduction of Reserve. If the Assistant Director of Public Works/Engineering for the City, or that person's authorized designee, determines that it is appropriate to release a specified amount of the loan reserves as a result of the Developer 's construction of a portion of the required infrastructure, then the Assistant Director of Public Works/Engineering, or that person's authorized designee, may execute an "Authorization to Release" which will authorize the Financial Institution to release a specified amount from the loan reserves. The Authorization to Release will state the amount of the "Reduced Loan Reserve Balance" which must be maintained following the reduction. The Reduced Loan Reserve Balance shall not be reduced by more than 90% of the City's estimated cost of the Project until the Project is accepted by the City. When the Financial Institution receives the Authorization to Release, which has been signed by the City, the Financial Institution may reduce the loan reserve to the Reduced Loan Reserve Balance.

2. Liability of Financial Institution. Although the City may approve the Financial Institution's release of a part of the loan reserves, the approval will not constitute the City's final acceptance of part or all of the Project. However, no matter what agreement exists between the Developer and the City, the total liability of the Financial Institution to the City with respect to the loan reserves established pursuant to this Loan Reserve Letter shall at all times be limited to the lesser of the amount stated in this Loan




Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City under this Loan Reserve Letter shall cease upon termination of the loan reserve as provided in Section 4. herein.

3. Draw on Reserve. If by June 30, 2023, the improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between June 30, 2023, and August 30, 2023, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by the CAO or the CAO's authorized designee, which shall state that the Developer has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated Cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution shall deliver the cashier's check promptly to the City.

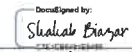
4. Termination of Reserve. This loan reserve is for the benefit of the City and shall be irrevocable until the occurrence of one of the following:

- A. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
- B. City delivery of the Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or
- C. Expiration of the date August 30, 2023; or
- D. Written termination of this Loan Reserve Letter, signed by the Chief Administrative Officer of the City.

Very truly yours,  
BOKE, NA dba Bank of Albuquerque

  
By: Jordan Herrington  
Title: Senior Vice President

ACCEPTED:  
CITY OF ALBUQUERQUE

By:   
Sarita Nair

7/21/2021 | 9:18 AM MDT

Dated: \_\_\_\_\_





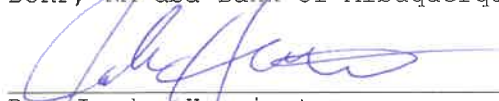
Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City, and the Financial Institution's liability to the City under this Loan Reserve Letter shall cease upon termination of the loan reserve as provided in Section 4. herein.

3. Draw on Reserve. If by June 30, 2023, the improvements described in the Agreement have not been fully installed, inspected, approved and accepted by the City, then, upon presentation between June 30, 2023, and August 30, 2023, inclusive, the City may demand payment from the Financial Institution up to the lesser of the amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The City may demand payment by delivering to the Financial Institution a certified "Demand for Payment" executed by the CAO or the CAO's authorized designee, which shall state that the Developer has failed to comply with the terms of the Agreement and also shall state the estimated cost of completing the improvements specified in the Agreement ("Estimated Cost of Completion"). Upon receipt of the Demand for Payment, the Financial Institution promptly shall draw from the loan reserves by cashier's check to the City of Albuquerque the amount of 125% of the estimated cost of completion, not to exceed the lesser of the total Loan Reserve amount stated in this Loan Reserve Letter or the latest Reduced Loan Reserve Balance authorized in writing by the City. The Financial Institution shall deliver the cashier's check promptly to the City.

4. Termination of Reserve. This loan reserve is for the benefit of the City and shall be irrevocable until the occurrence of one of the following:

- A. Sixty (60) days after the City accepts the completed improvements specified in the Agreement; or
- B. City delivery of the Demand for Payment and the Financial Institution's payment to the City by cashier's check as required in Section 3 herein; or
- C. Expiration of the date August 30, 2023; or
- D. Written termination of this Loan Reserve Letter, signed by the Chief Administrative Officer of the City.

Very truly yours,  
BOKE, NA dba Bank of Albuquerque

  
By: Jordan Herrington  
Title: Senior Vice President

ACCEPTED:  
CITY OF ALBUQUERQUE

By: \_\_\_\_\_  
Sarita Nair

Dated: \_\_\_\_\_

Bernalillo County, NM  
One Civic Plaza NW  
P.O. Box 542  
Albuquerque, NM 87102

**Receipt: 1249394**

<b>Product</b>	<b>Name</b>	<b>Extended</b>
AGRE	Agreement	\$25.00
	# Pages	18
	Document #	2021087826
	# Of Entries	0
<b>Total</b>		<b>\$25.00</b>
Tender (Check)		\$25.00
Check# 3580		
Paid By THOMPSON		
ENGINEERING		
Phone # 1505-271-2199		

Thank You!

**7/26/21 1:10 PM vgarza**

---

**PR-2020-004024 VENTANA SQUARE AT VENTANA RANCH**

---

**Muzzey, Devin P.** <dmuzzey@cabq.gov>

Mon, Jul 19, 2021 at 4:05 PM

To: Denise King &lt;cartesiandenise@gmail.com&gt;, Planning Plat Approval &lt;platgisreview@cabq.gov&gt;

Cc: "Rodenbeck, Jay B." &lt;jrodenbeck@cabq.gov&gt;, "Gould, Maggie S." &lt;MGould@cabq.gov&gt;

Good Afternoon Denise,

The DXF for PR-2020-004024, Ventana Square at Ventana Ranch – Tracts H-5A, H-6A, H-6B, H-7A, H-8A, and H-9A, has been approved. This email will notify the DRB office.

Thank you,

Devin Muzzey



**Devin Muzzey**

gis specialist

[e dmuzzey@cabq.gov](mailto:dmuzzey@cabq.gov)

[cabq.gov/planning](http://cabq.gov/planning)

Thomas D. Growney  
Managing Member  
Diamond Tail Realty, LLC  
20 Fall Pippin Lane Suite 203  
Asheville NC 28803

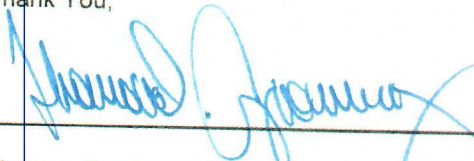
City of Albuquerque  
Development Review Board  
600 2nd Street NW, Ground Floor  
Albuquerque NM 87102

**RE: Letter of Authorization for Proposed vacation of easements (Public or or Private) and the replatting of Tracts H-5 thru H-11, Ventana Square**

Development Review Board Members:

I, Thomas Growney, Managing Member of Diamond Tails Realty, do hereby give authorization to Cartesian Surveys Inc. to act as my agent in regards to vacations and replatting of the above referenced properties.

Thank You,



---

Thomas Growney, Managing Member of Diamond Tail Realty, LLC

CSI-Cartesian Surveys Inc.  
PO Box 44414, Rio Rancho, NM 87174  
896-3050 Fax 891-0244

July 20, 2021

Development Review Board  
City of Albuquerque

**Re: Vacation of 4 Public Easements for Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A,  
Ventana Square at Ventana Ranch**

Members of the Board:

CSI - Cartesian Surveys Inc. is acting as an agent for the owner, Diamond Tail Realty, LLC, and are requesting 2 existing easements and portions of 2 other public easement to be vacated in order for the future development to continue. According to the IDO section 14-16-6-6(M) for vacating public easements in the City of Albuquerque the following criteria needs to be met:

**Easement number 4 as shown on the plat (Public Sanitary Sewer Easement)**

The easement was created prior to the planned development of the subject property with the plat filed in the Bernalillo County Clerk's office on March 4, 2003, in book 2003C, page 50. It was created for a future sewer line, which was never put in place.

As per the IDO section for vacation of easements, section 6-6(M)(3)(a), justification that the public welfare does not require the easement to be retained:

While the easement was intended for a sewer line to be placed within the easement, currently there are no lines within the portion of the easement that is requesting to be vacated.

The portion of easement is not currently being used for the purpose it was created.

As per the IDO section for vacation of easements, section 6-6(M)(3)(b), indicating that the development made possible by the vacation is clearly more beneficial than the minor detriment resulting from the vacation:

While the benefits of this project shall be identified separately, the detriment is zero. The easement is not being used and was created as a proposed location for a sewer line and was never used for this purpose. This vacation allows for the new development to utilize this area and regain usable space for their improvements.

**Easement Number 9 as shown on the plat (Public Water Easement) and Easement Numbered 10 (Public Sewer Easement)**

Both of these easements were created prior to the planned development of the subject property with the plat filed in the Bernalillo County Clerk's office on March 4, 2003, in book 2003C, page 50. It was created for a future sewer line and water line and other infrastructure, which were never put in place.

As per the IDO section for vacation of easements, section 6-6(M)(3)(a), justification that the public welfare does not require the easement to be retained:

These easements were created prior to the planned development of the subject property, however this easements were granted within the tracts to benefit the rest of the properties being replatted at that time to provide a waterline, water utilities and sewer services to those properties.

This vacation allows for the new development to design future sites within the areas and tie into the existing water and sewer lines already established within an easement. It will also allow new landscaping, trees, sidewalks, and architectural features which will make the area a lot better visually.

As per the IDO section for vacation of easements, section 6-6(M)(3)(b), indicating that the development made possible by the vacation is clearly more beneficial than the minor detriment resulting from the vacation:

Since the easements were created before a planned development, and no infrastructure exists within any of the portions of easements, there is no need to retain them in place. New water and sewer lines will be built and be contained in other existing and granted easements in order to help the lines be better contained and maintained in certain areas within the development.

If not approved, this will could issues with future surveys since the easements will encroach upon the future improvements, for example, buildings could encroach upon such easements.

#### **Easement Number 15 as shown on the plat (Public Water Easement)**

The easement was created prior to the planned development of the subject property with the plat filed in the Bernalillo County Clerk's office on March 4, 2003, in book 2003C, page 50. It was created for a future water line, which currently exists within the easement.

As per the IDO section for vacation of easements, section 6-6(M)(3)(a), justification that the public welfare does not require the easement to be retained:

Although there is currently a waterline within the easement, the request to vacate this portion of the easement is to grant a wider easement and add a sewer line within the revised portion. Both of the existing waterline and the future sewer line will be within the revised easement. Since no current infrastructure will be disturbed, the public will not be affected.

As per the IDO section for vacation of easements, section 6-6(M)(3)(b), indicating that the development made possible by the vacation is clearly more beneficial than the minor detriment resulting from the vacation:

Since no infrastructure will be disturbed, and a revised easement will be granted with the plat, nothing will interrupt service within the existing water line. A sewer line will be installed which will provide sewer services to all the proposed tracts. The easement being granted on the plat will cover both the water line and the future location of the sewer line.

**In conclusion:**

- While we are formally vacating portions of existing water and sewer easements which were created for a future development back in 2003, there is currently no infrastructure within the easements. Therefore, there is no public easements needed in those areas.
- Easement numbered 15 is requesting to be vacated which does have an existing water line within it. However, in order to add a sewer line within the same location, we need to vacate that portion and revise the easement by making it wider and make the easement a water line and sewer line easement. So, the existing easement, which is only labeled as a water line easement, is no longer needed. The revised easement will become a water line and sewer easement.
- New landscaping and improvements will be added and sidewalks will be installed, hence improving the scenery and area and future development will bring much needed commercial businesses in that area and will provide more jobs for the public.

Other benefits to the Public include the following:

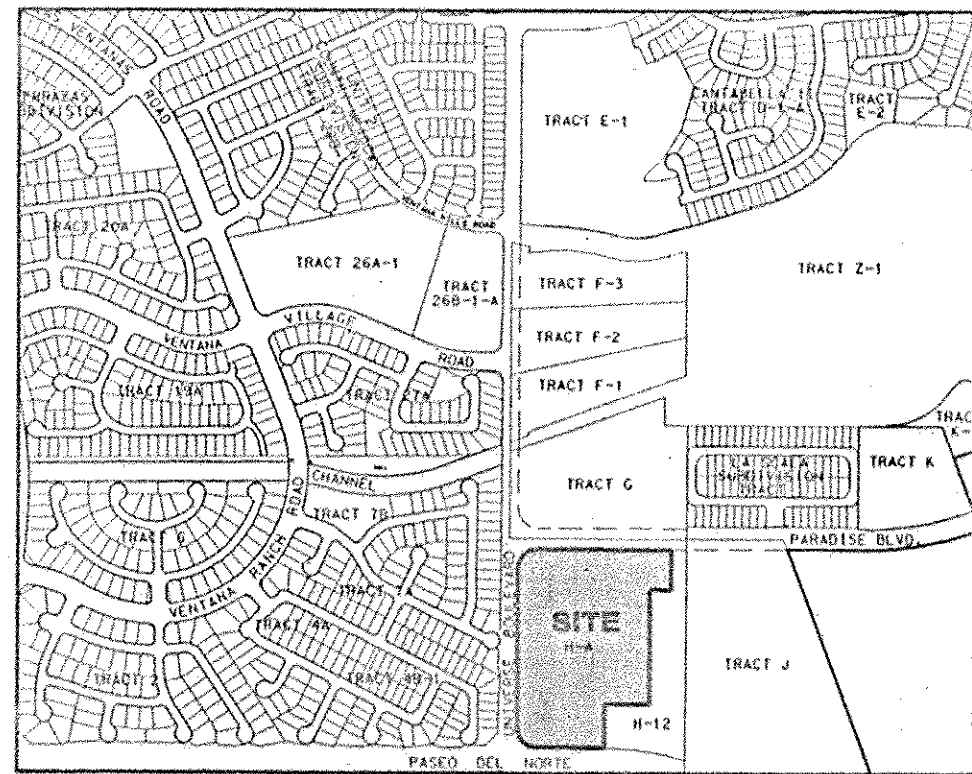
- Property tax benefits from the resulting from the development of this property will be paid on an annual basis.
- Provide much needed commercial development within the area.
- Another net benefit to the public if vacation of such easements are approved, would bring sidewalks, trees, landscaping, which will improve the area visually, and bring more jobs and entertainment in the area, like restaurants.

Thank you for your time and consideration.

Denise King



SP-2002510874



LOCATION MAP

ZONE ATLAS INDEX MAP No. B-10-Z NOT TO SCALE

SUBDIVISION DATA

- 1. DRB No. 1000390, DRB03-00071/00075
2. Zone Atlas Index No. B-10-Z
3. Gross Subdivision Acreage: 15.4525 Acres.
4. Total Number of Tracts created: Eleven (11) Tracts.
5. No streets were created.
6. Date of Survey: September, 2001.
7. Plot is located within the Town of Alameda Grant, within projected Section 10, T11N, R2E, NMPM.

DISCLOSURE STATEMENT

The purpose of the filing of this plat is to subdivide Tract H-A of the BULK LAND PLAT OF TRACTS H-A & H-12 VENTANA RANCH, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, recorded in the office of the County Clerk of Bernalillo County, New Mexico on December 3, 2001 in Volume 2001C, Folio 315 as Document No. 2001143438 into 11 (11) Tracts, to grant easements and to vacate easements.

PUBLIC UTILITY EASEMENTS

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

- A. PNM Electric Services for the installation, maintenance and service of underground and overhead electrical lines, transformers, and other equipment, fixtures, structures, and related facilities reasonably necessary to provide electrical service.
B. PNM Gas services for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
C. QWEST for the installation, maintenance, and service of all buried communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.
D. Comcast Cable for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable TV service.
E. New Mexico Utilities, Inc. for the installation, maintenance and service of underground water and sanitary sewer lines across the easement (but not parallel) within.

Included is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, 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, (above ground 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 Electric Safety Code caused by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformers/switchgears, as installed shall extend ten feet(10') in front of transformers/switchgear door and five feet (5') on each side.

DESCRIPTION

A certain tract of land situate within the Town of Alameda Grant, within the southwest one-quarter (SW1/4) of projected Section 10, Township 11 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, Albuquerque, New Mexico, being and comprising all of Tract H-A of the BULK LAND PLAT OF TRACTS H-A & H-12, VENTANA RANCH, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, recorded in the office of the County Clerk of Bernalillo County, New Mexico on December 03, 2001 in Book 2001C, Page 315 as Document No. 2001143438 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone NAD 1927) and ground distances as follows:

BEGINNING at the northeast corner of said Tract H-A, a point on the southerly right-of-way line of Paradise Boulevard NW, whence the Albuquerque City Survey (ACS) monument "2-810" a brass tablet set in top of a concrete post, having New Mexico State Plane Coordinates Central Zone (NAD 1927) of X=357,543.13 and Y=1,527,976.48 bears N16°45'05"W, a distance of 2646.74 feet and from said point of beginning leaving said right-of-way line and running thence along the easterly boundary line of said Tract H-A, 500'16'51"W, a distance of 209.31 feet to a point; thence, N89°43'09"W, a distance of 107.46 feet to a point; thence, 500'16'51"W, a distance of 587.00 feet to a point; thence, N89°43'09"W, a distance of 233.00 feet to a point; thence, 500'16'51"W, a distance of 220.66 feet to the southeast corner of said Tract H-A, also being a point on a curve on the northerly right-of-way line of Paseo Del Norte NW; thence running along the southerly boundary line of said Tract H-A and also along said right-of-way line, 4.39 feet along the arc of a curve to the left having a radius of 1578.00 feet and a chord which bears N89°44'01"W, a distance of 4.39 feet to a point of tangency; thence, N89°48'48"E, a distance of 354.26 feet to a point of curvature being the east northeast point of return of Paseo Del Norte NW and Universe Boulevard NW; thence, 154.55 feet along the arc of a curve to the right having a radius of 100.00 feet and a chord which bears N45°32'14"W, a distance of 139.62 feet to a point of tangency on the easterly right-of-way line of Universe Boulevard NW; thence along the westerly boundary line of said Tract H-A and also along said right-of-way line, N01°15'40"W, a distance of 150.05 feet to a point; thence, N00°16'51"E, a distance of 668.54 feet to a point of curvature being the south southeast point of return of Universe Boulevard NW and Paradise Boulevard NW; thence, 156.84 feet along the arc of a curve to the right having a radius of 100.00 feet and a chord which bears N45°12'40"E, a distance of 141.25 feet to a point of tangency on the southerly right-of-way line of Paradise Boulevard NW; thence running along the northerly boundary line of said Tract H-A and also along said right-of-way line, S89°51'30"E, a distance of 703.52 feet to the point and place of beginning.

Tract contains 15.4525 acres, more or less.

FREE CONSENT AND DEDICATION

The foregoing Plat of that certain tract of land situate within the Town of Alameda Grant, within Projected Section 10, Township 11 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, Albuquerque, New Mexico, being and comprising all of Tract H-A of the BULK LAND PLAT OF TRACTS H-A & H-12 VENTANA RANCH, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, recorded in the office of the County Clerk of Bernalillo County, New Mexico on December 3, 2001 in Book 2001C, Page 315 as Document No. 2001143438 now comprising Tracts H-1 thru H-11, PLAT OF TRACTS H-1 THRU H-11 VENTANA SQUARE AT VENTANA RANCH, Albuquerque, New Mexico is with the free consent and in accordance with the desires of the undersigned owner(s) and/or proprietor(s) thereof and said owner(s) and/or proprietor(s) do hereby grant: All access, Utility, and Drainage Easements hereon, inspect, and maintain facilities therein and all Public Utility easements shown hereon for the common and joint use of Gas, Electrical Power, and Communication Services for buried and/or overhead distribution lines, conduits, pipes for underground and/or overhead utilities where shown or indicated, and including the right of ingress and egress for construction and maintenance, and the right to trim interfering trees and shrubs. The City has the right to enter upon the Grantees Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("work") it deems appropriate without liability to the City. If work effects any improvements or encroachments made by the Grantee, the City will not be financially or otherwise responsible for rebuilding or repairing of Improvements or Encroachments. If in the opinion of the City, the work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements or Encroachments, the Grantee shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or Encroachments. Said owner(s) and/or proprietor(s) do hereby consent to all of the foregoing and do hereby certify that this subdivision is with their free act and deed.

LAS VENTANAS LIMITED PARTNERSHIP A NEW MEXICO LIMITED PARTNERSHIP

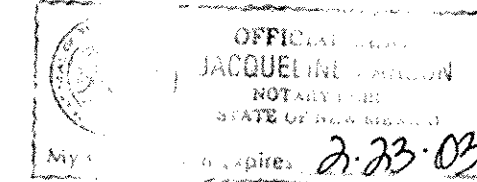
BY:

Robert M. Murphy, President Sandia Properties Ltd., Co. Managing Partner

State of New Mexico ) County of Bernalillo )

This instrument was acknowledged before me on 16th day of January 2003 by Robert M. Murphy, President of Sandia Properties Ltd., Co., a New Mexico limited liability company, Managing Partner of Las Ventanas Limited Partnership, A New Mexico Limited Partnership.

My Commission Expires: 2-23-2003

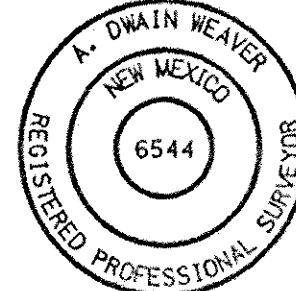


NOTES

- 1. Basis of Bearings: New Mexico State Plane Grid Bearings (Central Zone) NAD 1927 Datum also being the same as Bearings shown on PLAT OF VENTANA RANCH, Filed: November 30, 1995 as Document No. 95122531 in Volume 95C, Folio 430.
2. Distances are Ground Distances.
3. All easements of record are shown.
4. These properties are within the New Mexico Utilities, Inc. (NMU, Inc.) franchise area. Water and Sanitary Sewer Systems capability are based on NMU, Inc. Facilities, not the City of Albuquerque.
5. Tracts H-1 through H-11 are subject to a nonexclusive perpetual drainage easement and public utility easement under, through, over and across that portion of the common area located on said tracts for the installation, operation, and maintenance of all private storm water drainage and utilities for the benefit of all Tracts H-1 through H-11.
6. Tracts H-1 through H-11 are subject to a nonexclusive perpetual easement for ingress and egress by vehicular and pedestrian traffic, over and across that portion of the common area located on said tract, which easement is for the benefit of all Tracts H-1 through H-11.

SURVEYOR'S CERTIFICATION

I, A. Dwain Weaver, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all easements of record, and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors in October, 2000 and meets the minimum requirements for monumentation and surveys contained in the Albuquerque Subdivision Ordinance, and is true and accurate to the best of my knowledge and belief.



A. Dwain Weaver, A. Dwain Weaver, New Mexico Professional Surveyor 6544

Date: January 16, 2003



PLAT OF TRACTS H-1 THRU H-11 VENTANA SQUARE AT VENTANA RANCH (A REPLAT OF TRACT H-A, VENTANA RANCH) ALBUQUERQUE, NEW MEXICO JANUARY, 2003

APPROVALS

Table with columns for Agency, Name, and Date. Approvals include Planning Director (Sharon Matson, 3/4/03), City Engineer (Brad J. Biper, 2-12-03), A.M.A.P.C.A. (Phil Dan, 2-12-03), Surveyor (Phil Dan, 2-12-03), City Surveyor (Randy Hart, 1-17-03), Utility Development Department (Randy Sheen, 2/12/03), Parks & Recreation (Christina Sandoval, 2/12/03), QWEST (Diana R. Muller, 2-10-03), Comcast Cable (Rita Eubank, 2-10-03), PNM Electric Services (Leonard M. Mt, 2-19-03), PNM Gas Services (Leonard M. Mt, 2-19-03), New Mexico Utilities, Inc. (1-24-03), and Ventana Square Association, Inc. (1-18-03).

03 DRB - 00071 03 DRB IFIC 00072

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC # 101-006-504307-430.602

PROPERTY OWNER OF RECORD Las Ventanas LTD Partnership

Junta a Abuya, BERNALILLO COUNTY TREASURER'S OFFICE, 03-04-03

PNM STAMP: In approving this plat, PNM Electric Services and Gas Services (PNM) did not conduct a Title Search of the properties shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled.



Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335 ENGINEERING \* SPATIAL DATA \* ADVANCED TECHNOLOGIES

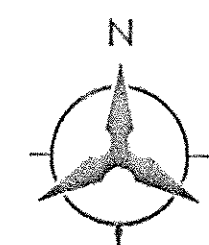




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 Page: 3 of 3  
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Mary Herrera Bern. Co. PLRT

PLAT OF  
**TRACTS H-1 THRU H-11**  
**VENTANA SQUARE**  
**AT VENTANA RANCH**  
 (A REPLAT OF TRACT H-A, VENTANA RANCH)  
 ALBUQUERQUE, NEW MEXICO  
 JANUARY, 2003



60 30 0 60  
 SCALE: 1" = 60'

**LEGEND**

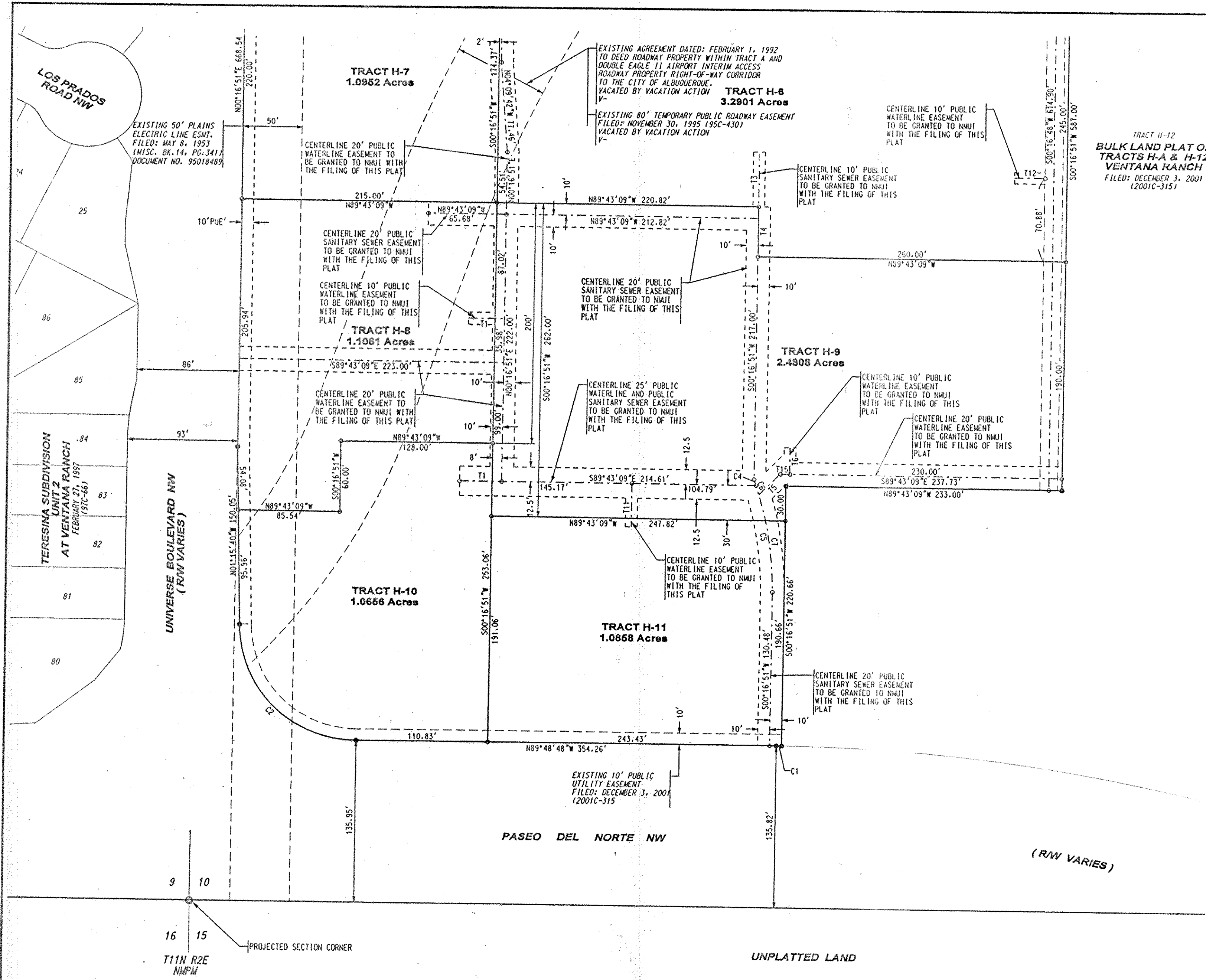
- SUBDIVISION BOUNDARY LINE
- NEW TRACT LINE
- - - EXISTING EASEMENT LINE
- - - PROPOSED EASEMENT LINE
- - - ADJOINING PROPERTY LINE
- RIGHT OF WAY LINE
- ⊠ CITY OF ALBUQUERQUE CONTROL MONUMENT
- 5/8" REBAR WITH 1/4" YELLOW PLASTIC SURVEY CAP STAMPED "WEAVER LS 6544"
- ⊗ CHISELED "X" ON TOP OF MANHOLE
- 10' PUE 10' PUBLIC UTILITY EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT

**CURVE DATA**

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	00°09'34"	2.19'	4.39'	1578.00'	4.39'	N89°44'01"W
C2	88°33'08"	97.50'	154.55'	100.00'	139.62'	N45°32'14"W
C3	89°51'39"	99.76'	156.84'	100.00'	141.25'	N45°12'40"E
C4	01°06'23"	2.66'	5.31'	275.00'	5.31'	S19°25'03"E
C5	19°08'42"	46.38'	91.89'	275.00'	91.46'	S09°17'30"E
C6	02°50'04"	6.80'	13.60'	275.00'	13.60'	S18°33'13"E
C7	17°25'02"	42.12'	83.60'	275.00'	83.27'	S08°25'40"E
C8	69°09'37"	168.89'	295.73'	245.00'	278.10'	N34°51'39"E
C9	26°08'55"	56.90'	111.81'	245.00'	110.85'	S13°21'18"W
C10	27°31'31"	60.01'	117.70'	245.00'	116.57'	S40°11'31"W
C11	15°29'12"	33.31'	66.22'	245.00'	66.02'	S61°41'52"W

**TANGENT DATA**

ID	BEARING	DISTANCE
T1	S89°43'09"E	30.35'
T2	N00°16'51"E	61.90'
T3	S00°16'51"W	48.00'
T4	S00°16'51"W	42.00'
T5	N45°16'51"E	25.28'
T6	S00°16'51"W	22.17'
T7	S00°33'22"W	24.49'
T8	N00°16'51"E	35.00'
T9	S00°16'51"W	18.99'
T10	S89°43'09"E	24.35'
T11	S00°16'51"W	37.17'
T12	S89°43'09"E	25.80'
T13	S00°16'51"W	14.00'
T14	S89°43'09"E	24.74'
T15	S89°43'09"E	7.73'
T16	S89°43'09"E	21.50'



TRACT H-12  
 BULK LAND PLAT OF  
 TRACTS H-A & H-12  
 VENTANA RANCH  
 FILED: DECEMBER 3, 2001  
 (2001C-315)

**Bohannon & Huston**

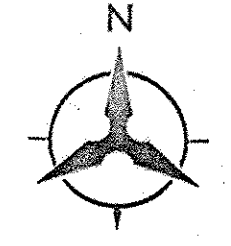
Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
 SHEET 3 OF 3 ENGINEERING & SPATIAL DATA & ADVANCED TECHNOLOGIES



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Page: 2 of 3  
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Mary Herrera Bern. Co. PLRT R 17.00

PLAT OF  
**TRACTS H-1 THRU H-11**  
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ALBUQUERQUE, NEW MEXICO  
JANUARY, 2003



SCALE: 1" = 60'

**TANGENT DATA**

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T8	N00°16'51"E	35.00'
T9	S00°16'51"W	18.99'
T10	S89°43'09"E	24.35'
T11	S00°16'51"W	37.17'
T12	S89°43'09"E	25.80'
T13	S00°16'51"W	14.00'
T14	S89°43'09"E	24.74'
T15	S89°43'09"E	7.73'
T16	S89°43'09"E	21.50'

**CURVE DATA**

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
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C4	01°06'23"	2.66'	5.31'	275.00'	5.31'	S19°25'03"E
C5	19°08'42"	46.38'	91.89'	275.00'	91.46'	S09°17'30"E
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C7	17°25'02"	168.89'	295.73'	245.00'	83.21'	S08°25'40"E
C8	69°09'37"	56.90'	111.81'	245.00'	110.85'	S13°21'18"W
C9	25°08'55"	60.01'	117.70'	245.00'	116.57'	S40°11'31"W
C10	27°31'31"	33.31'	66.22'	245.00'	66.02'	S61°41'52"W
C11	15°29'12"	33.31'	66.22'	245.00'	66.02'	S61°41'52"W

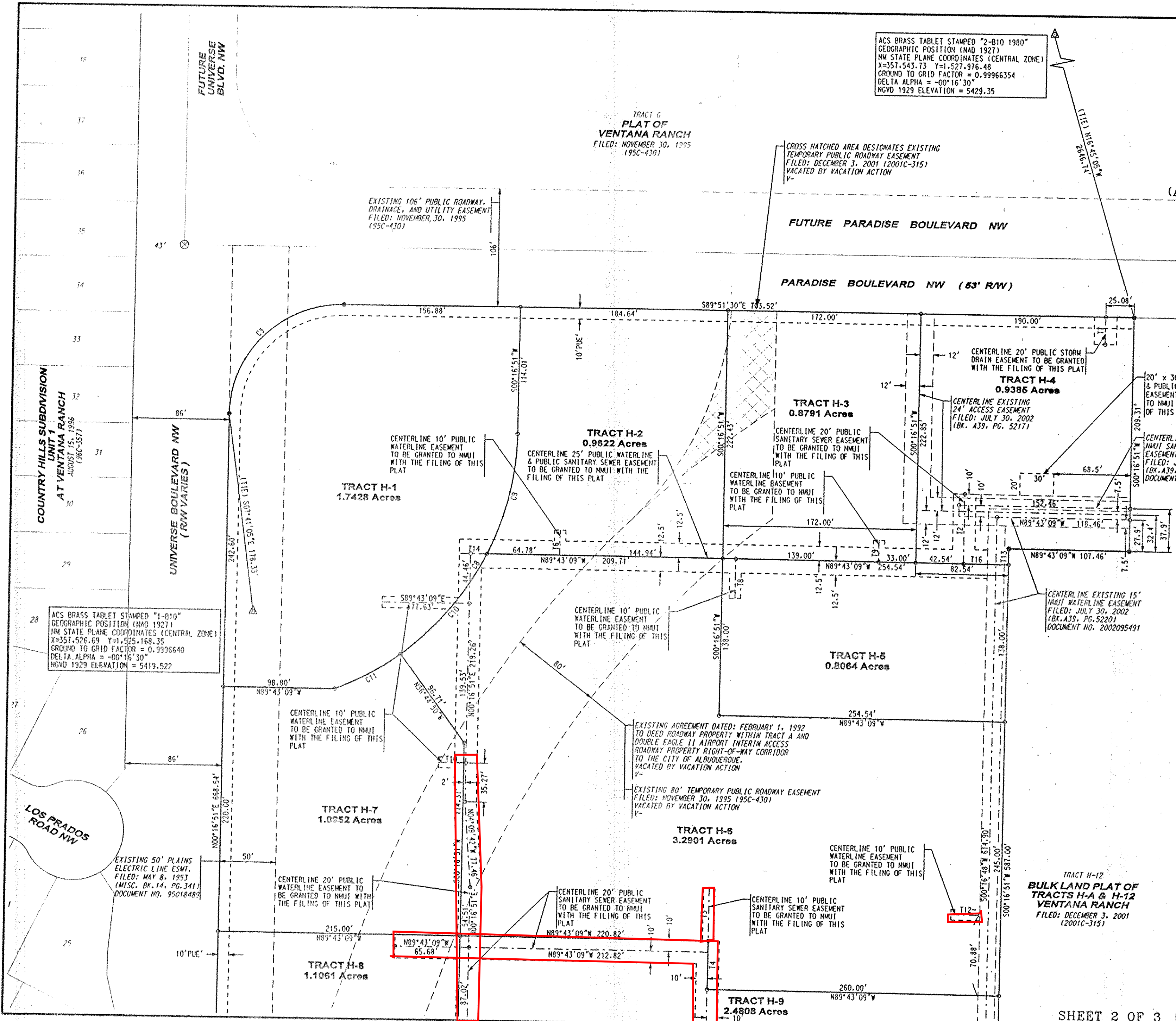
**LEGEND**

- SUBDIVISION BOUNDARY LINE
- NEW TRACT LINE
- - - EXISTING EASEMENT LINE
- - - PROPOSED EASEMENT LINE
- - - ADJOINING PROPERTY LINE
- RIGHT OF WAY LINE
- ▲ CITY OF ALBUQUERQUE CONTROL MONUMENT
- 5/8" REBAR WITH 1/2" YELLOW PLASTIC SURVEY CAP STAMPED "WEAVER LS 6544"
- ⊗ CHISELED "X" ON TOP OF MANHOLE
- 10' PUE 10' PUBLIC UTILITY EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT

**Bohannon & Huston**

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335

SHEET 2 OF 3 ENGINEERING & SPATIAL DATA & ADVANCED TECHNOLOGIES



ACS BRASS TABLE STAMPED "2-B10 1980"  
GEOGRAPHIC POSITION (NAD 1927)  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
X=357,543.73 Y=1,527,976.48  
GROUND TO GRID FACTOR = 0.99966354  
DELTA ALPHA = -00°16'30"  
NGVD 1929 ELEVATION = 5429.35

ACS BRASS TABLE STAMPED "1-B10"  
GEOGRAPHIC POSITION (NAD 1927)  
NM STATE PLANE COORDINATES (CENTRAL ZONE)  
X=357,526.69 Y=1,525,168.35  
GROUND TO GRID FACTOR = 0.9996640  
DELTA ALPHA = -00°16'30"  
NGVD 1929 ELEVATION = 5419.522

TRACT G  
PLAT OF  
VENTANA RANCH  
FILED: NOVEMBER 30, 1995  
(95C-430)

CROSS HATCHED AREA DESIGNATES EXISTING  
TEMPORARY PUBLIC ROADWAY EASEMENT  
FILED: DECEMBER 3, 2001 (2001C-315)  
VACATED BY VACATION ACTION

EXISTING 106' PUBLIC ROADWAY,  
DRAINAGE, AND UTILITY EASEMENT  
FILED: NOVEMBER 30, 1995  
(95C-430)

FUTURE PARADISE BOULEVARD NW

PARADISE BOULEVARD NW (63' RW)

COUNTRY HILLS SUBDIVISION  
UNIT 1  
AT VENTANA RANCH  
AUGUST 15, 1996  
(96C-157)

UNIVERSE BOULEVARD NW  
(RW VARIES)

TRACT H-1  
1.7428 Acres

TRACT H-2  
0.9622 Acres

TRACT H-3  
0.8791 Acres

TRACT H-4  
0.9385 Acres

TRACT H-5  
0.8064 Acres

TRACT H-6  
3.2901 Acres

TRACT H-7  
1.0952 Acres

TRACT H-8  
1.1061 Acres

TRACT H-9  
2.4808 Acres

TRACT H-12  
BULK LAND PLAT OF  
TRACTS H-A & H-12  
VENTANA RANCH  
FILED: DECEMBER 3, 2001  
(2001C-315)

EXISTING 50' PLAINS  
ELECTRIC LINE ESMT.  
FILED: MAY 8, 1953  
(MISC. BK. 14, PG. 341)  
DOCUMENT NO. 95018489

EXISTING AGREEMENT DATED: FEBRUARY 1, 1992  
TO DEED ROADWAY PROPERTY WITHIN TRACT A AND  
DOUBLE EAGLE II AIRPORT INTERIM ACCESS  
ROADWAY PROPERTY RIGHT-OF-WAY CORRIDOR  
TO THE CITY OF ALBUQUERQUE,  
VACATED BY VACATION ACTION

EXISTING 80' TEMPORARY PUBLIC ROADWAY EASEMENT  
FILED: NOVEMBER 30, 1995 (95C-430)  
VACATED BY VACATION ACTION

CENTERLINE 10' PUBLIC  
WATERLINE EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 20' PUBLIC  
SANITARY SEWER EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 10' PUBLIC  
SANITARY SEWER EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 10' PUBLIC  
WATERLINE EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 25' PUBLIC WATERLINE  
& PUBLIC SANITARY SEWER EASEMENT  
TO BE GRANTED TO NMUI WITH THE  
FILING OF THIS PLAT

CENTERLINE 20' PUBLIC  
SANITARY SEWER EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 10' PUBLIC  
WATERLINE EASEMENT  
TO BE GRANTED TO NMUI  
WITH THE FILING OF THIS  
PLAT

CENTERLINE 20' PUBLIC STORM  
DRAIN EASEMENT TO BE GRANTED  
WITH THE FILING OF THIS PLAT

CENTERLINE EXISTING  
24' ACCESS EASEMENT  
FILED: JULY 30, 2002  
(BK. A39, PG. 5217)

20' x 30' PUBLIC WATERLINE  
& PUBLIC SANITARY SEWER  
EASEMENT TO BE GRANTED  
TO NMUI WITH THE FILING  
OF THIS PLAT

CENTERLINE EXISTING 20'  
NMUI SANITARY SEWER  
EASEMENT  
FILED: JULY 30, 2002  
(BK. A39, PG. 5218)  
DOCUMENT NO. 2002095489

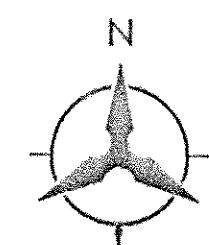
CENTERLINE EXISTING 15'  
NMUI WATERLINE EASEMENT  
FILED: JULY 30, 2002  
(BK. A39, PG. 5220)  
DOCUMENT NO. 2002095491



2883835788  
5818788  
Page: 3 of 3  
93/84/2893 82:34P  
R 17.68 BK-2883C Pg-58

Mary Herrera Bern. Co. PLRT

PLAT OF  
**TRACTS H-1 THRU H-11**  
**VENTANA SQUARE**  
**AT VENTANA RANCH**  
(A REPLAT OF TRACT H-A, VENTANA RANCH)  
ALBUQUERQUE, NEW MEXICO  
JANUARY, 2003



SCALE: 1" = 60'

**LEGEND**

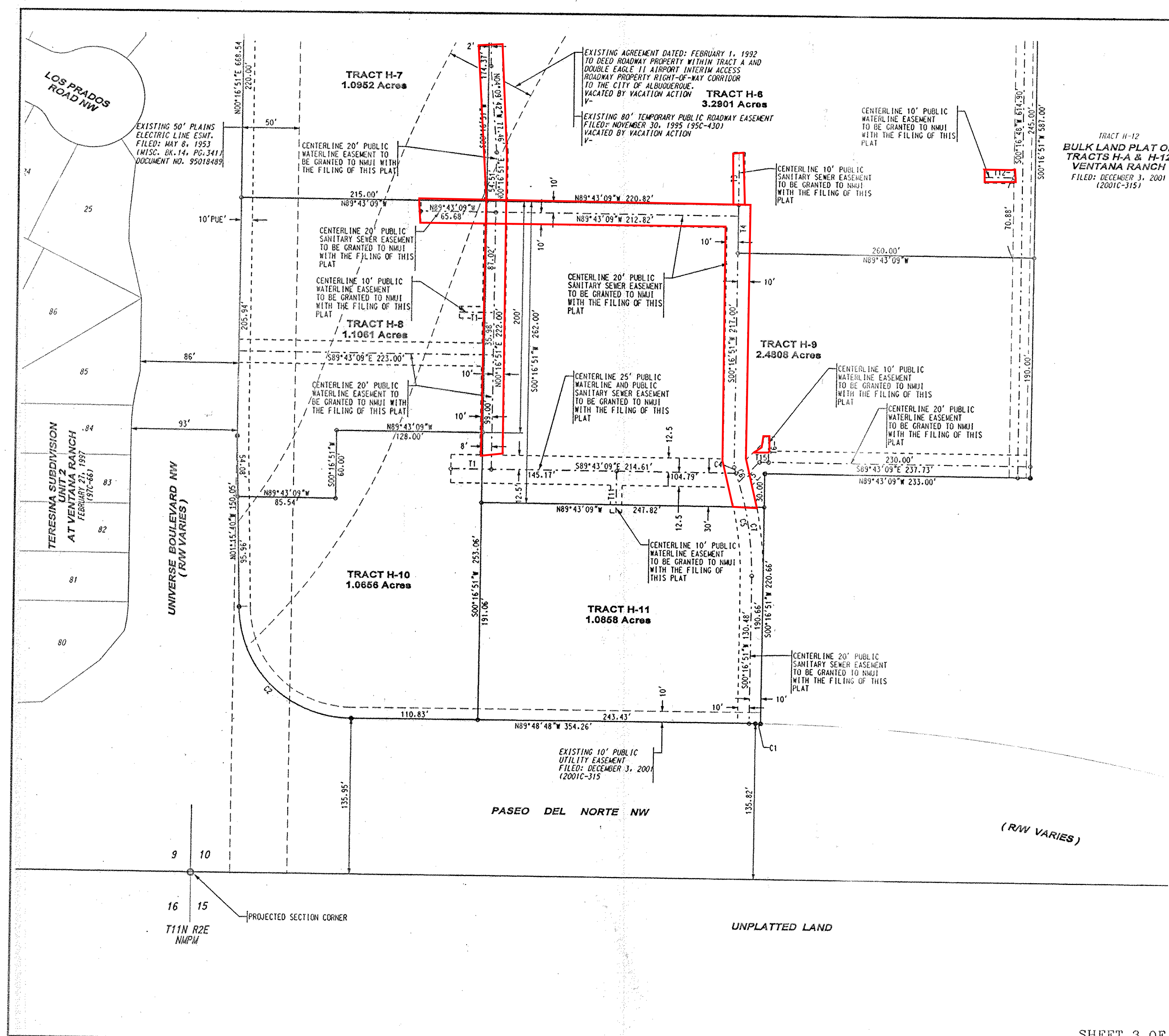
- SUBDIVISION BOUNDARY LINE
- NEW TRACT LINE
- - - EXISTING EASEMENT LINE
- - - PROPOSED EASEMENT LINE
- - - ADJOINING PROPERTY LINE
- RIGHT OF WAY LINE
- ⊠ CITY OF ALBUQUERQUE CONTROL MONUMENT
- 5/8" REBAR WITH 1/4" YELLOW PLASTIC SURVEY CAP STAMPED "WEAVER LS 6544"
- ⊗ CHISELED "X" ON TOP OF MANHOLE
- 10' PUE 10' PUBLIC UTILITY EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT

**CURVE DATA**

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	00°09'34"	2.19'	4.39'	1578.00'	4.39'	N89°44'01"W
C2	88°33'08"	97.50'	154.55'	100.00'	139.62'	N45°32'14"W
C3	89°51'39"	99.76'	156.84'	100.00'	141.25'	N45°12'40"E
C4	01°06'23"	2.66'	5.31'	275.00'	5.31'	S19°25'03"E
C5	19°08'42"	46.38'	91.89'	275.00'	91.46'	S09°17'30"E
C6	02°50'04"	6.80'	13.60'	275.00'	13.60'	S18°33'13"E
C7	17°25'02"	42.12'	83.60'	275.00'	83.27'	S08°25'40"E
C8	69°09'37"	168.89'	295.73'	245.00'	278.10'	N34°51'39"E
C9	26°08'55"	56.90'	111.81'	245.00'	110.85'	S13°21'18"W
C10	27°31'31"	60.01'	117.70'	245.00'	116.57'	S40°11'31"W
C11	15°29'12"	33.31'	66.22'	245.00'	66.02'	S61°41'52"W

**TANGENT DATA**

ID	BEARING	DISTANCE
T1	S89°43'09"E	30.35'
T2	N00°16'51"E	61.90'
T3	S00°16'51"W	48.00'
T4	S00°16'51"W	42.00'
T5	N45°16'51"E	25.28'
T6	S00°16'51"W	22.17'
T7	S00°33'22"W	24.49'
T8	N00°16'51"E	35.00'
T9	S00°16'51"W	18.99'
T10	S89°43'09"E	24.35'
T11	S00°16'51"W	37.17'
T12	S89°43'09"E	25.80'
T13	S00°16'51"W	14.00'
T14	S89°43'09"E	24.74'
T15	S89°43'09"E	7.73'
T16	S89°43'09"E	21.50'



TRACT H-12  
BULK LAND PLAT OF  
TRACTS H-A & H-12  
VENTANA RANCH  
FILED: DECEMBER 3, 2001  
(2001C-315)

**Bohannon & Huston**

Courtyard I 7500 Jefferson St. NE Albuquerque, NM 87109-4335  
SHEET 3 OF 3 ENGINEERING & SPATIAL DATA & ADVANCED TECHNOLOGIES

**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**

Diamond Tail Realty, LLC  
20 Fall Pippin Lane Suite 203  
Asheville, NC 28803

**Project# PR-2020-004024**  
**Application#**  
**SD-2021-00029 PRELIMINARY PLAT**

### **LEGAL DESCRIPTION:**

For all or a portion of: **TRACTS H-5, VENTURA RANCH** zoned MXM, located on **UNIVERSE BLVD NW between PASEO DEL NORTE NW and PARADISE BLVD NW** containing approximately 8.7797 acre(s).  
(B-10)

On June 9, 2021, the Development Review Board (DRB) held a public meeting concerning the above referenced application and approved the request based on the following Findings:

1. This Preliminary Plat subdivides 5 existing tracts consisting of a total of 8.7797 acres in size into 6 tracts, and grants private access, utility, and roadway easements with a deceleration easement and a trail easement along Universe Boulevard NW.
2. The property is zoned MX-M. Future development must be consistent with the underlying zone district.
3. An Infrastructure List was approved with the Plat. A recorded Infrastructure Improvements Agreement is needed prior to the Final Plat.
4. Within 1 year after DRB approval of the Preliminary Plat, the applicant shall submit a Final Plat that meets all standards and requirements in the DPM.
5. The applicant provided the required notice as outlined in the IDO Table 6-1-1.

Sincerely,



Jolene Wolfley  
DRB Chair

Official Notice of Decision

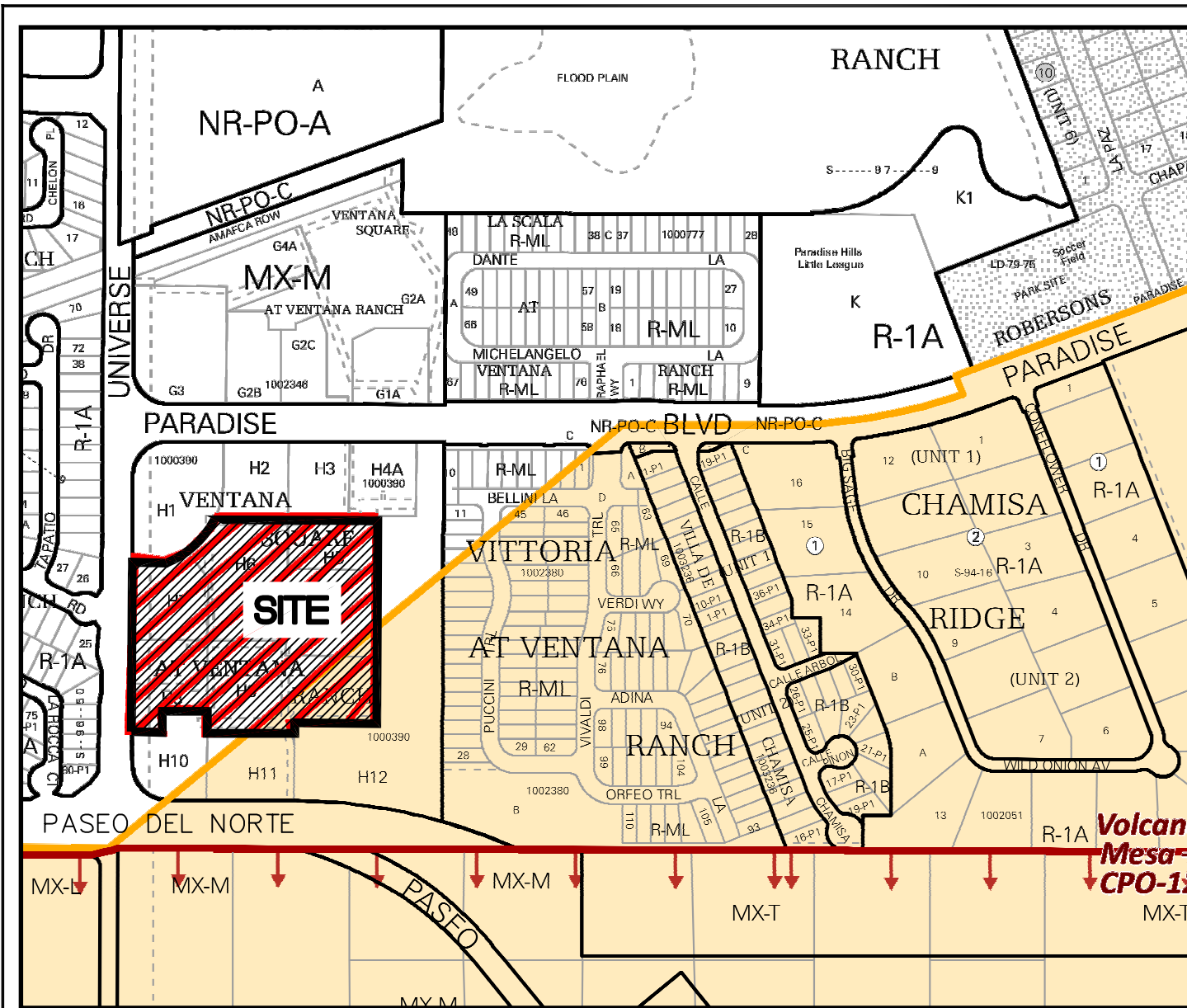
Project # PR-2020-004024 Application# SD-2021-00029

Page 2 of 2

JW/jr

CSI-Cartesian Surveys, Inc., P.O. Box 44414, Rio Rancho, NM 87174





Vicinity Map - Zone Atlas B-10-Z

**Subdivision Data**

GROSS ACRESAGE . . . . . 8.7797 ACRES  
 ZONE ATLAS PAGE NO. . . . . B-10-Z  
 NUMBER OF EXISTING LOTS . . . . . 5  
 NUMBER OF LOTS CREATED . . . . . 6  
 MILES OF FULL-WIDTH STREETS . . . . . 0.000 MILES  
 MILES OF HALF-WIDTH STREETS . . . . . 0.000 MILES  
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE . . . . . 0.000 ACRES  
 DATE OF SURVEY . . . . . OCTOBER 2020

**Notes**

1. FIELD SURVEY PERFORMED IN AUGUST 2015 AND SUPPLEMENTAL DATA IN OCTOBER 2020.
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. THE SUBDIVISION BOUNDARY WILL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN HEREON.
6. UNLESS OTHERWISE NOTED, ALL BOUNDARY CORNERS SHOWN AS (O) SHALL BE MARKED BY A 1/2" REBAR STAMPED "CARTESIAN LS #14271".
7. PROPERTY SUBJECT TO THE COVENANT, CONDITIONS AND RESTRICTIONS FROM THE FOLLOWING FILED DOCUMENTS:  
 - DECLARATION OF EASEMENTS WITH COVENANTS AND RESTRICTIONS FILED JULY 15, 2003, DOC. NO. 2003121810  
 - FIRST AMENDMENT FILED JANUARY 7, 2004, DOC. NO. 2004001871  
 - SECOND AMENDMENT FILED JANUARY 7, 2004, DOC. NO. 2004001872  
 - THIRD AMENDMENT FILED MAY 13, 2004, DOC. NO. 2004065091  
 - ASSIGNMENT OF DECLARANT'S RIGHTS FILED JANUARY 27, 2005, DOC. NO. 2005012998  
 - FOURTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 20060510001  
 - FIFTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 2006051002  
 - SIXTH AMENDMENT FILED APRIL 11, 2006, DOC. NO. 2006051003  
 - SEVENTH AMENDMENT FILED OCTOBER 30, 2012, DOC. NO. 2012114745  
 - EIGHTH AMENDMENT FILED SEPTEMBER 2, 2015, DOC. NO. 2015077196

**Easement Notes**

- 1 EXISTING 50' ELECTRIC RIGHT-OF-WAY EASEMENT (05/08/1953, BK. MISC 14, PG. 341, DOC. NO. 95018489)
- 2 EXISTING 10' P.U.E. (12/03/2001, 2001C-315)
- 3 EXISTING 25' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- 4 EXISTING 20' PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT SHOWN HEREON AS
- 5 EXISTING NONEXCLUSIVE PERPETUAL DRAINAGE EASEMENT AND PUBLIC UTILITIES EASEMENT, BLANKET IN NATURE OVER COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 6 EXISTING NONEXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC, BLANKET IN NATURE ACROSS THAT PORTION OF THE COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 7 EXISTING NON-EXCLUSIVE PERPETUAL EASEMENT ACROSS THE COMMON AREAS FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FREE STANDING SIGNS (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- 8 EXISTING 10' P.U.E. (03/04/2003, 2003C-50)
- 9 EXISTING 10' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT SHOWN HEREON AS
- 10 EXISTING 10' PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50) VACATED BY THE FILING OF THIS PLAT. SHOWN HEREON AS
- 11 EXISTING 15' WATERLINE EASEMENT (7/30/2002, BK. A39, PG. 52201, DOC. NO. 2002095491) (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 12 EXISTING 20' SANITARY SEWER EASEMENT (07/30/2002, BK. A39, PG. 5218, DOC. NO. 2002095489)
- 13 EXISTING 20' X 30' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- 14 EXISTING 24' ACCESS EASEMENT (07/30/2002, BK. A39, PG. 5217, DOC. NO. 2002095488)
- 15 EXISTING 20' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50) PORTIONS VACATED BY THIS PLAT, SHOWN HEREON AS
- 16 EXISTING 25' DRAINAGE EASEMENT (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 17 EXISTING 5' PERMANENT EASEMENT FOR SANITARY SEWER (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- 18 EXISTING 20' UTILITY EASEMENT (12/03/2001, 2001C-35)

**Purpose of Plat**

1. SUBDIVIDE EXISTING 5 TRACTS INTO 6 TRACTS, AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.
3. VACATE EASEMENTS AS SHOWN HEREON.
4. DEDICATE RIGHT OF WAY.

**Legal Description**

TRACTS "H-5" THRU "H-9" OF VENTANA SQUARE AT VENTANA RANCH (A REPLAT OF TRACT H-A, VENTANA RANCH), ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 4, 2003, IN BOOK 2003C, PAGE 50, AS DOCUMENT NO. 2003035708.

ACS Monument " 13-B10 " NAD 1983 CENTRAL ZONE  
 X=1497757.7 \*  
 Y=1525618.319 \*  
 Z=5424.81 \* (NAVD 1988)  
 G-G=0.9996667778  
 Mapping Angle=-016°30.69"  
 \*U.S. SURVEY FEET

Line #	Direction	Length (ft)
L1	S 00°00'00" E	383.16'
L2	N 01°16'32" W	96.43'
L3	N 01°16'32" W	54.11'
L4	S 89°38'39" E	85.48'
L5	S 00°27'29" W	60.17'
L7	S 00°13'42" W	62.01'
L8	S 89°43'09" E	98.80'
L10	S 00°18'00" W	30.00'
L11	S 52°36'41" W	4642.69'
L12	N 00°16'51" E	14.58'
L13	S 89°43'09" E	107.37'

Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	4.32'	1578.00'	0°09'25"	4.32'	N 89°42'33" W
C2	154.48'	100.00'	88°30'43"	139.57'	S 45°31'54" E
C5	184.06'	245.00'	43°02'37"	179.76'	N 47°55'07" E

ACS Monument " 2-C9 " NAD 1983 CENTRAL ZONE  
 X=1494519.241 \*  
 Y=1521672.052 \*  
 Z=5454.55 \* (NAVD 1988)  
 G-G=0.999666850  
 Mapping Angle=-016°52.77"  
 \*U.S. SURVEY FEET

**Indexing Information**

Projected Section 10, Township 11 North, Range 2 East, N.M.P.M. Town of Alameda Grant  
 Subdivision: Ventana Square at Ventana Ranch  
 Owner: Diamond Tail Realty LLC  
 UPC #: 101006506208830605 (Tract H-5)  
 101006504807330604 (Tract H-6)  
 101006501607230610 (Tract H-7)  
 101006501605030611 (Tract H-8)  
 101006504904730603 (Tract H-9)

**This Sheet Shows Existing Information (Including Vacated Easements, Existing Underground and Above Ground Utility Lines)**

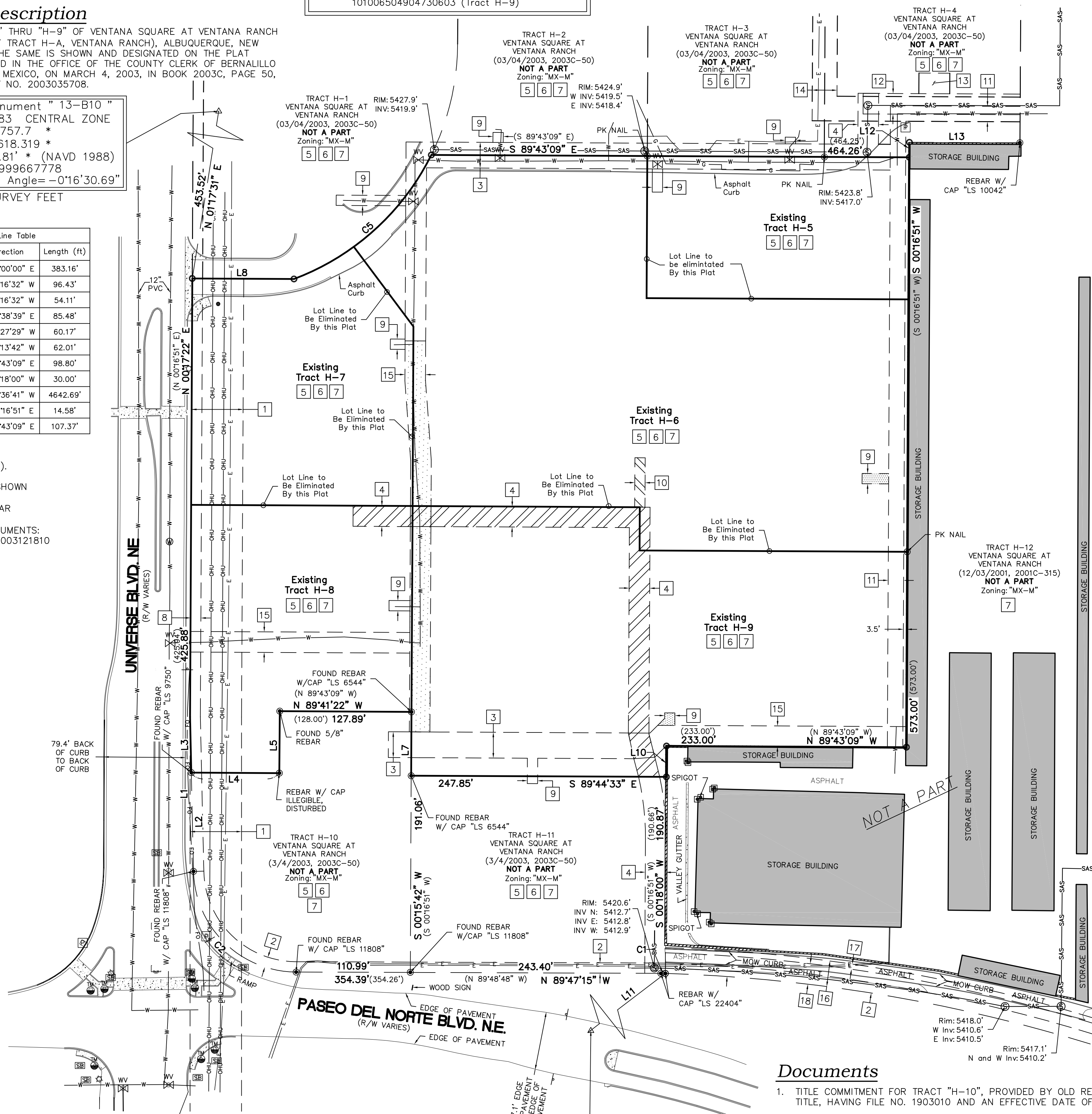
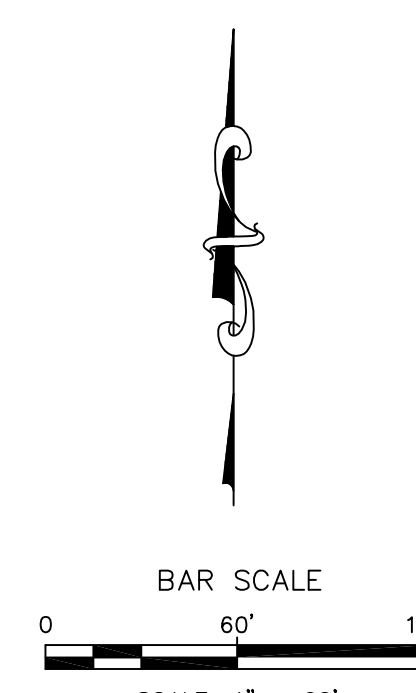
**Solar Collection Note**

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 ERCTED ON THE LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT, THE FOREGOING REQUIREMENT SHALL BE A CONDITION TO APPROVAL OF THIS PLAT.

**Preliminary Plat**  
 for  
**Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A,**  
**Ventana Square at Ventana Ranch**  
 Being Comprised of  
**Tracts H-5 thru H-9**  
**Ventana Square at Ventana Ranch**  
 City of Albuquerque  
 Bernalillo County, New Mexico  
 May 2021

**Legend**

Symbol	Description
N 90°00'00" E (N 90°00'00" E)	MEASURED BEARINGS AND DISTANCES
○	RECORD BEARINGS AND DISTANCES (03/04/2003, 2003C-50)
○	FOUND MONUMENT AS INDICATED
○	SET 1/2" REBAR WITH CAP "LS 14271" UNLESS OTHERWISE NOTED
□	CONCRETE
▬	BLOCK WALL
□	METAL GATE
□	BOLLARD
○	LIGHT POLE
□	SIGNAL BOX
○	TRAFFIC MAST
□	PULL BOX
○	WATER VALVE
○	MANHOLE
○	SIGN
—	OVERHEAD UTILITY LINE
○	WATER MANHOLE
○	WATER METER
○	FIRE HYDRANT
—	UNDERGROUND WATER UTILITY LINE (3" PVC, UNLESS MARKED OTHERWISE)
—	UNDERGROUND SANITARY SEWER LINE (8" PVC)
—	UNDERGROUND ELECTRIC UTILITY LINE
—	UNDERGROUND GAS UTILITY LINE (2" PE)
—	UNDERGROUND FIBER OPTIC UTILITY LINE
5075.50	SPOT ELEVATION
BC 5075.50	BACK OF CURB ELEVATION
FL 5075.50	FLOW LINE ELEVATION
EP 5075.50	EDGE OF PAVEMENT ELEVATION
TA 5075.50	TOP OF ASPHALT ELEVATION
TAC 5075.50	TOP OF ASPHALT CURB ELEVATION
---	TRACT BOUNDARY LINE
---	ADJOINING BOUNDARY LINE
---	EASEMENT LINES, BOTH EXISTING AND PROPOSED
—	OVERHEAD UTILITY LINE
○	UTILITY POLE



APPROVED FOR MONUMENTATION AND STREET NAMES

Loren N. Risenhoover P.S. 5/10/2021  
 CITY SURVEYOR DATE

OWNER: DIAMOND TAIL REALTY, LLC  
 BY: THOMAS D. GROWNEY  
 ITS: MANAGING MEMBER

Thomas D. Growney (May 6, 2021 10:06 PDT)  
 THOMAS D. GROWNEY, MANAGING MEMBER DATE  
 DIAMOND TAIL REALTY, LLC

May 6, 2021

**Documents**

1. TITLE COMMITMENT FOR TRACT "H-10", PROVIDED BY OLD REPUBLIC NATIONAL TITLE, HAVING FILE NO. 1903010 AND AN EFFECTIVE DATE OF MAY 2, 2019.
2. PLAT OF RECORD FOR VENTANA SQUARE AT VENTANA RANCH FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 4, 2003, IN BOOK 2003C, PAGE 50.
3. WARRANTY DEED FOR TRACTS "H6-H11", FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON JANUARY 9, 2004, IN BOOK A71, PAGE 2892, DOC. NO. 2004002902.
4. WARRANTY DEED FRO TRACT "H5", FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON APRIL 12, 2004, IN BOOK A75, PAGE 7110, DOCUMENT NO. 2004047250.



**General Notes**

- EXISTING ZONING: "MX-M" MIXED USE-MODERATE INTENSITY  
PROPOSED ZONING: "MX-M" MIXED USE-MODERATE INTENSITY
- TOTAL ACREAGE: 8.7797 ACRES
- SETBACKS: REQUIRED  
FRONT: 5 FT. MINIMUM, NO MAXIMUM  
SIDE: 0 FT. INTERIOR; 5 FT. STREET SIDE  
REAR: 15 FT. MINIMUM, NO MAXIMUM
- THERE IS AN EXISTING STORM DRAINAGE EASEMENT, BLANKET IN NATURE ACROSS ALL EXISTING TRACTS. TO BE MAINTAINED BY THE OWNERS OF SAID TRACTS.
- A DRAINAGE PONDING AREA IS LOCATED ON TRACT B, VITTORIA SUBDIVISION AT VENTANA RANCH FILED (1/29/2003, 2003C-21). STORM DRAINAGE FROM SUBJECT TRACTS APPEAR TO DRAIN TO THIS PONDING AREA AS SHOWN HEREON.
- MANHOLES SHALL BE OFFSET AT ALL POINTS OF CURVATURE.

**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 DATED AUGUST 16, 2012, MAP NO. 35001C0103H.

**Drainage Facilities Note**

AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENTS" ARE HEREBY DEDICATED BY THE OWNER AS A PERPETUAL EASEMENT FOR THE COMMON USE AND BENEFIT OF THE VARIOUS LOTS WITHIN THE SUBDIVISIONS FOR THE PURPOSE OF PERMITTING THE CONVEYANCE OF STORM WATER RUNOFF AND THE CONSTRUCTING AND MAINTAINING OF DRAINAGE FACILITIES. GRANTOR SHALL CONSTRUCT DRAINAGE FACILITIES IN THE EASEMENT IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY ENGINEER IN ACCORDANCE WITH THE DRAINAGE REPORT ENTITLED VENTANA SQUARE, TRACTS H-5A, H-6A, H-6B, H-8A, H-10 AND H-11, SUBMITTED BY THOMPSON ENGINEERING CONSULTANTS, INC., ON DECEMBER 23, 2020, AND APPROVED BY THE ALBUQUERQUE CITY ENGINEER ON JANUARY 21, 2021. NO FENCE, WALL, PLANTING, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN EASEMENT AREA WITHOUT APPROVAL OF THE CITY ENGINEER OF THE CITY OF ALBUQUERQUE. THERE ALSO SHALL BE NO ALTERATION OF THE GRADES OR CONTOURS IN SAID EASEMENT AREA WITHOUT THE APPROVAL OF THE CITY ENGINEER. IT SHALL BE THE DUTY OF THE LOT OWNERS OF THIS SUBDIVISION TO MAINTAIN SAID DRAINAGE EASEMENT AND FACILITIES AT THEIR COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. THE CITY SHALL HAVE THE RIGHT TO ENTER PERIODICALLY TO INSPECT THE FACILITIES. IN THE EVENT SAID LOT OWNERS FAIL TO ADEQUATELY AND PROPERLY MAINTAIN DRAINAGE EASEMENT AND FACILITIES, AT ANY TIME FOLLOWING FIFTEEN (15) DAYS WRITTEN NOTICE TO SAID LOT OWNERS, THE CITY MAY ENTER UPON SAID AREA, PERFORM SAID MAINTENANCE, AND THE COST OF PERFORMING SAID MAINTENANCE SHALL BE PAID BY APPLICABLE LOT OWNERS PROPORTIONATELY ON THE BASIS OF OWNERSHIP. IN THE EVENT LOT OWNERS FAIL TO PAY THE COST OF MAINTENANCE WITHIN THIRTY (30) DAYS AFTER DEMAND FOR PAYMENT MADE BY THE CITY, THE CITY MAY FILE A LIEN AGAINST ALL LOTS IN THE SUBDIVISION FOR WHICH PROPORTIONATE PAYMENT HAS NOT BEEN MADE. THE OBLIGATIONS IMPOSED HEREIN SHALL BE BINDING UPON THE OWNER, HIS HEIRS, AND ASSIGNS AND SHALL RUN WITH ALL LOTS WITHIN THIS SUBDIVISION. THE GRANTOR AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS, THE CITY, ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, ACTIONS, SUITS, OR PROCEEDINGS OF ANY KIND BROUGHT AGAINST SAID PARTIES FOR OR ON ACCOUNT OF ANY MATTER ARISING FROM THE DRAINAGE FACILITY PROVIDED FOR HEREIN OR THE GRANTOR'S FAILURE TO CONSTRUCT, MAINTAIN, OR MODIFY SAID DRAINAGE FACILITY.

Line #	Direction	Length (ft)
L1	S 00°00'00" E	383.16'
L2	N 01°16'32" W (N 01°15'40" W)	96.43' (95.96)'
L3	N 01°16'32" W	54.11'
L4	S 89°38'39" E (S 89°43'09" E)	85.48' (85.54)'
L5	S 00°27'29" W (S 00°16'51" W)	60.17' (60.00)'
L6	N 89°41'22" W	24.84'
L7	S 00°13'42" W	62.01' (62.00)'
L8	S 89°43'09" E (S 89°43'09" E)	98.80' (98.80)'
L9	S 45°01'04" E	71.96'
L10	S 00°18'00" W (S 00°16'51" W)	30.00' (30.00)'
L11	S 52°36'41" W	4642.69'
L12	N 00°16'51" E (S 00°16'51" E)	14.58' (14.00)'
L13	S 89°43'09" E (S 89°43'09" E)	107.37' (107.46)'
L14	S 00°00'00" E	17.10'
L15	S 89°53'13" W	4.24'
L16	S 00°16'51" W	55.85'
L17	S 00°16'51" W	141.52'
L18	N 89°58'23" E	15.12'
L19	S 00°59'33" E	28.68'
L20	N 89°56'07" W	4.58'
L21	S 01°42'44" E	17.98'
L22	N 89°38'39" W	5.90'
L23	N 89°38'39" W	79.58'
L25	S 00°22'36" W	120.74'
L26	N 00°00'00" E	12.13'
L27	N 45°22'26" E	13.68'
L28	S 89°58'23" W	4.79'
L29	N 89°43'23" W	3.63'
L30	N 00°16'50" E	10.00'
L31	N 89°43'23" W	32.37'
L32	N 04°09'42" W	77.46'
L33	N 89°58'23" E	10.33'
L34	S 00°22'26" W	43.12'
L35	S 89°38'39" E	17.10'

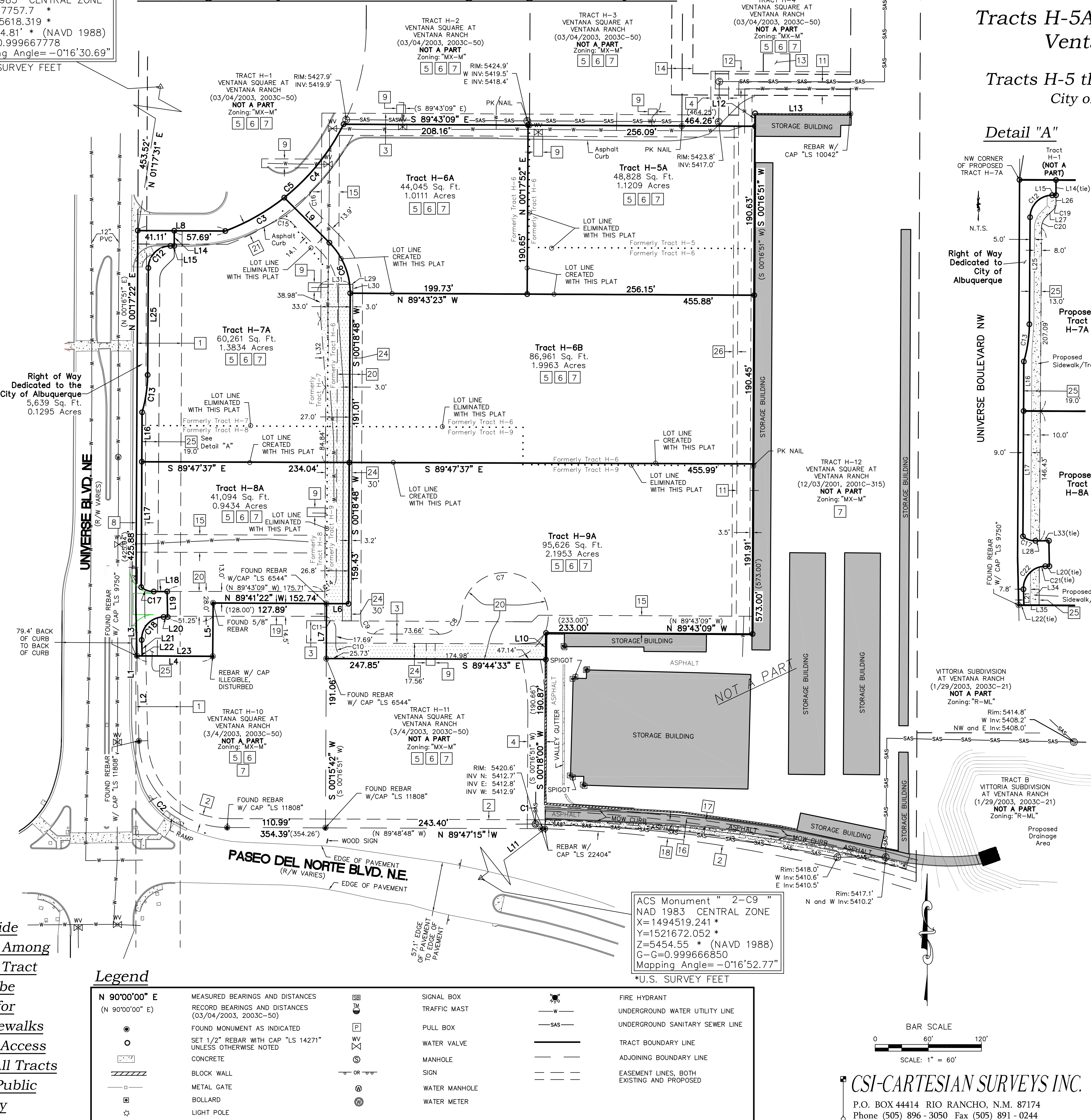
\* L24 INTENTIONALLY OMITTED

**Note: To Provide Pedestrian Access Among All Tracts, Each Tract Owner Shall be Responsible for Constructing Sidewalks Along the Private Access Easement so that All Tracts can Access the Public Right-of-Way**

**Legend**

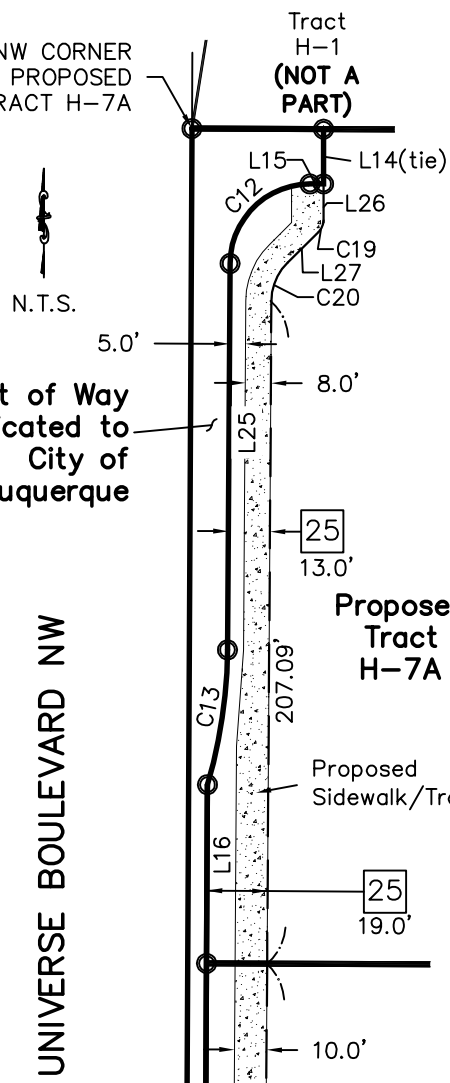
N 90°00'00" E (N 90°00'00" E)	MEASURED BEARINGS AND DISTANCES	□	SIGNAL BOX	⊕	FIRE HYDRANT
○	RECORD BEARINGS AND DISTANCES (03/04/2003, 2003C-50)	—	TRAFFIC MAST	—	UNDERGROUND WATER UTILITY LINE
●	FOUND MONUMENT AS INDICATED	—	PULL BOX	—	UNDERGROUND SANITARY SEWER LINE
○	SET 1/2" REBAR WITH CAP "LS 14271" UNLESS OTHERWISE NOTED	—	WATER VALVE	—	TRACT BOUNDARY LINE
▨	CONCRETE	—	MANHOLE	—	ADJOINING BOUNDARY LINE
▩	BLOCK WALL	—	SIGN	—	EASEMENT LINES, BOTH EXISTING AND PROPOSED
—	METAL GATE	—	WATER MANHOLE	—	
□	BOLLARD	—	WATER METER	—	
☆	LIGHT POLE	—		—	

**This Sheet Shows Post-Plat Easements, New and Eliminated Tract Lines, Right of Way Dedication and Existing Underground Utility Lines**



**Preliminary Plat for Tracts H-5A, H-6A, H-6B, H-7A, H-8A and H-9A, Ventana Square at Ventana Ranch Being Comprised of Tracts H-5 thru H-9, Ventana Square at Ventana Ranch City of Albuquerque, Bernalillo County, New Mexico May 2021**

**Detail "A"**



Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	4.32' (4.39')	1578.00' (1578.00')	0°09'25"	4.32'	N 89°42'33" W
C2	154.48' (154.48')	100.00' (100.00')	88°30'43"	139.57'	S 45°31'54" E
C3	76.75'	245.00' (245.00')	17°56'52"	76.43'	N 60°27'59" E
C4	107.31'	245.00' (245.00')	25°05'45"	106.46'	N 38°56'41" E
C5	184.06' (183.92')	245.00' (245.00')	43°02'37"	179.76'	N 47°55'07" E
C6	63.31'	80.00'	45°20'43"	61.67'	N 22°21'22" W
C7	228.86'	49.00'	267°36'09"	70.73'	N 42°50'59" W
C8	37.92'	25.00'	86°54'31"	34.39'	N 46°48'12" E
C9	23.57'	15.00'	90°02'57"	21.22'	S 44°43'04" E
C10	23.57'	15.00'	90°02'57"	21.22'	S 44°43'04" E
C11	23.65'	15.00'	90°20'02"	21.27'	N 44°51'36" W
C12	39.09'	25.00'	89°34'28"	35.23'	S 45°05'59" W
C13	42.72'	152.98'	16°00'02"	42.58'	N 08°28'22" E
C14	23.47'	15.00'	89°39'58"	21.15'	N 45°08'24" E
C15	20.43'	15.00'	78°02'25"	18.89'	N 84°03'31" W
C16	23.51'	15.00'	89°47'20"	21.17'	S 00°08'39" E
C17	15.35'	20.58'	42°43'45"	15.00'	S 70°36'47" E
C18	40.04'	24.79'	92°32'43"	35.83'	S 43°29'15" W
C21	6.83'	24.79'	15°47'21"	6.81'	S 81°51'56" W
C22	33.21'	24.79'	76°45'46"	30.78'	S 35°35'46" W

**Easement Notes**

- EXISTING 50' ELECTRIC RIGHT-OF-WAY EASEMENT (05/08/1953, BK. MISC 14, PG. 341, DOC. NO. 95018489)
- EXISTING 10' P.U.E (12/03/2001, 2001C-315)
- EXISTING 25' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- EXISTING 20' PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- EXISTING NONEXCLUSIVE PERPETUAL DRAINAGE EASEMENT AND PUBLIC UTILITIES EASEMENT, BLANKET IN NATURE OVER COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- EXISTING NONEXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC, BLANKET IN NATURE ACROSS THAT PORTION OF THE COMMON AREAS (03/04/2003, 2003C-50) (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- EXISTING NON-EXCLUSIVE PERPETUAL EASEMENT ACROSS THE COMMON AREAS FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF FREE STANDING SIGNS (7/15/2003, BK. A60, PG. 1545, DOC. NO. 2003121810)
- EXISTING 10' P.U.E. (03/04/2003, 2003C-50)
- EXISTING 10' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50)
- INTENTIONALLY OMITTED
- EXISTING 15' WATERLINE EASEMENT (7/30/2002, BK. A39, PG. 52201, DOC. NO. 2002095491) (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- EXISTING 20' SANITARY SEWER EASEMENT (07/30/2002, BK. A39, PG. 5218, DOC. NO. 2002095489)
- EXISTING 20' X 30' PUBLIC WATERLINE AND PUBLIC SANITARY SEWER EASEMENT (03/04/2003, 2003C-50)
- EXISTING 24' ACCESS EASEMENT (07/30/2002, BK. A39, PG. 5217, DOC. NO. 2002095488)
- REMAINING PORTION OF AN EXISTING 20' PUBLIC WATERLINE EASEMENT (03/04/2003, 2003C-50)
- EXISTING 25' DRAINAGE EASEMENT (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- EXISTING 5' PERMANENT EASEMENT FOR SANITARY SEWER (07/30/2002, BK. A39, PG. 5223, DOCUMENT NO. 2002095494)
- EXISTING 20' UTILITY EASEMENT (12/03/2001, 2001C-35)
- PRIVATE ACCESS EASEMENT BENEFITING AND MAINTAINED BY THE OWNERS OF TRACTS H-5A THRU H-9A, H-10 AND H-11, GRANTED BY DOCUMENT (\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_) DOC. NO. \_\_\_\_\_
- PRIVATE ACCESS EASEMENT GRANTED WITH THE FILING OF THIS PLAT BENEFITING TRACTS H-5A THRU H-9A, H-10 AND H-11. TO BE MAINTAINED BY THE OWNERS OF SAID TRACTS.
- PRIVATE ACCESS EASEMENT GRANTED WITH THE FILING OF THIS PLAT BENEFITING TRACTS H-5A THRU H-9A, H-10 AND H-11. TO BE MAINTAINED BY SAID OWNERS.
- INTENTIONALLY OMITTED
- INTENTIONALLY OMITTED
- PUBLIC WATERLINE AND PUBLIC SEWER EASEMENT GRANTED WITH THE FILING OF THIS PLAT SHOWN HEREON AS \_\_\_\_\_
- PUBLIC MULTI-USE TRAIL EASEMENT GRANTED WITH THE FILING OF THIS PLAT. SEE DETAIL "A".
- ADDITIONAL 5' PUBLIC WATERLINE EASEMENT GRANTED WITH THE FILING OF THIS PLAT TO THE ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY.

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