



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

SUBDIVISIONS	<input type="checkbox"/> Final Sign off of EPC Site Plan(s) (Form P2)	
<input type="checkbox"/> Major – Preliminary Plat (Form S1)	<input type="checkbox"/> Major Amendment to Site Plan (Form P2)	<input type="checkbox"/> Vacation of Public Right-of-way (Form V)
<input type="checkbox"/> Minor – Preliminary/Final Plat (Form S2)	MISCELLANEOUS APPLICATIONS	<input type="checkbox"/> Vacation of Public Easement(s) DRB (Form V)
<input type="checkbox"/> Major - Final Plat (Form S2)	<input type="checkbox"/> Extension of Infrastructure List or IIA (Form S1)	<input type="checkbox"/> Vacation of Private Easement(s) (Form V)
<input type="checkbox"/> Minor Amendment to Preliminary Plat (Form S2)	<input type="checkbox"/> Minor Amendment to Infrastructure List (Form S2)	PRE-APPLICATIONS
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input checked="" 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)	
SITE PLANS	<input type="checkbox"/> Waiver to IDO (Form V2)	APPEAL
<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
 Appeal of extension to go with 2nd Extension Agreement for Sidewalk Deferral.
 Sidewalk not completed on two lots.

APPLICATION INFORMATION

Applicant: Silver Oak Developers LLC Phone: 505-220-7153
 Address: 5817 Royal Oak Dr. NE Email: ronspradlinrealty@yachoo.com
 City: Albuquerque State: NM Zip: 87111
 Professional/Agent (if any): Phone:
 Address: Email:
 City: State: Zip:
 Proprietary Interest in Site: List all owners:

SITE INFORMATION (Accuracy of the existing legal description is crucial! Attach a separate sheet if necessary.)

Lot or Tract No.: Lots 1-20 Block: 28 Unit: B
 Subdivision/Addition: Silver Oak Estates MRGCD Map No.: UPC Code:
 Zone Atlas Page(s): Existing Zoning: Proposed Zoning
 # of Existing Lots: 20 # of Proposed Lots: 20 Total Area of Site (Acres):

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Silver Oak Lane NE Between: Alameda and: Oakland

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)
 1st Extension March 6, 2018 Document 2018020506 Project 582383

Signature: Ron Spradlin Date: 12-1-2020
 Printed Name: Ron Spradlin, Managing Member Applicant or Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees
Meeting Date:				Fee Total:	
Staff Signature:	Date:			Project #	

PROJECT NUMBER: 582383

Application Number: _____

This plan is consistent with the specific Site Development Plan approved by the Environmental Planning Commission (EPC), dated _____ and the Findings and Conditions in the Official Notification of Decision are satisfied.

Is an Infrastructure List required? () Yes () No If yes, then a set of approved DRC plans with a work order is required for any construction within Public Right-of-Way or for construction of public improvements.

DRB SITE DEVELOPMENT PLAN APPROVAL:

_____ Traffic Engineering, Transportation Division	_____ Date
_____ ABCWUA	_____ Date
_____ Parks and Recreation Department	_____ Date
_____ City Engineer/Hydrology	_____ Date
_____ Code Enforcement	_____ Date
_____ * Environmental Health Department (conditional)	_____ Date
_____ Solid Waste Management	_____ Date
_____ DRB Chairperson, Planning Department	_____ Date

*Environmental Health, if necessary

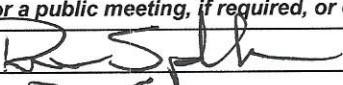

2/16/18

FORM V2: Waiver- DRB

Please refer to the DRB case schedules for meeting dates and deadlines. Your attendance is required.

>> INFORMATION REQUIRED FOR ALL VARIANCE/WAIVER AND VACATION APPLICATIONS

- Interpreter Needed for Meeting? if yes, indicate language: _____
- A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form V 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 of authorization from the property owner if application is submitted by an agent
- WAIVER – IDO**
 - Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6(L)(3), compliance with the DPM, and all improvements to be waived, as applicable. *Note: If the request is based on a bulk land transfer, an application for Subdivision of Land – Minor shall be filed concurrently with the variance request and notice shall be provided on that plat regarding the applicant's agreement that building permits shall not be issued before further action by the DRB.*
 - Scale drawing showing the location of the proposed variance or waiver, as applicable (7 copies, not to exceed 8.5" by 14")
 - Proof of Neighborhood Meeting per IDO Section 14-16-6-4(C)
 - Office of Neighborhood Coordination neighborhood meeting inquiry response
 - Proof of email with read receipt OR Certified Letter offering meeting to applicable associations
 - If a meeting was requested/held, copy of sign-in sheet and meeting notes
 - Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination Public Notice Inquiry response
 - Proof of emailed notice to affected Neighborhood Association representatives
- WAIVER – DPM (MUST BE HEARD WITH SUBDIVISION/SITE PLAN ACTION)**
 - Justification letter describing, explaining, and justifying the request per the criteria in DPM – Chapter 2
 - Drawing showing the easement or right-of-way to be vacated (7 copies, not to exceed 8.5" by 11")
 - Required notices with content per IDO Section 14-16-6-4(K)(6)
 - Office of Neighborhood Coordination notice inquiry response, notifying letter, and proof of first class mailing
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way), notifying letter, and proof of first class mailing* **this step is not required if variance is to be heard with minor subdivision plat**
 - Sign Posting Agreement - **this step is not required if variance is to be heard with minor subdivision plat**
- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**
- EXTENSION OF THE IIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION**
 - Letter describing, explaining, and justifying the deferral or extension
 - Drawing showing the sidewalks subject to the proposed deferral or extension (7 copies, not to exceed 8.5" by 14")

<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, if required, or otherwise processed until it is complete.</i>	
Signature: 	Date: 12-2-2020
Printed Name: RON SPRADLIN	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent
FOR OFFICIAL USE ONLY	
Case Numbers:	Project Number:
Staff Signature:	
Date:	

Silveroak Developers, LLC
5817 Royal Oak Dr NE
Albuquerque, NM 87111

December 2, 2020

City of Albuquerque
Design Review Board

RE: Extension of time for Sidewalk Construction
Silveroak Subdivision

Silveroak Developers LLC requests approval of extension of time to complete construction of sidewalks for Silveroak Subdivision. There are two sidewalks that have not been completed. Lot 5 and Lot 9.

Both lots have been sold and owned by builders. The builders have plans to complete construction of homes in 2020.

Silveroak Developers LLC has a cash deposit of \$22,022.88 currently held by City of Albuquerque to cover the cost in the event construction is not completed.

Thank you in advance for your understanding.



Ron Spradlin

Managing Member, Silveroak Developers, LLC

2nd EXTENSION AGREEMENT

SIDEWALK DEFERRAL

PROJECT NO.: 582383

5817 Royal Oak Dr. RES

This Agreement made this ____ day of _____, 20____, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of developer:) Silveroaks Developers, LLC ("Developer"), whose address is ~~11315 Malaguena Lane~~ 5817 Royal Oak Dr. NE, Albuquerque, NM 87111, and whose telephone number is 505-321-9099, and whose email is ronspc@allinreality.com, made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

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

WHEREAS, the City and the Developer entered into an Agreement on the 24th day of May, 2016, which was recorded in the office of the Clerk of Bernalillo County, New Mexico on May 27, 2016 as Document No. 2016048695 ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 23rd day of December, 2017 and

WHEREAS, the Earlier Agreement was amended by a 1st Extension to Agreement dated March 6, 2018 recorded on March 7, 2018 in pages 1 through 4, as Document No 2018020506 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to December 23, 2020.

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

WHEREAS, the City is willing to grant Developer an extension of time in which to complete construction of all or part of the improvements, provided the Developer posts an acceptable financial guaranty, as required by the City's Integrated Development Ordinance and the Development Process Manual; and

WHEREAS, the Developer is able to provide the required financial guaranty.

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

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

A. For all improvements, the 23rd day of December, 2021.

B. On portions of the improvements as follows:

<u>IMPROVEMENTS</u>	<u>COMPLETION DATE</u>
_____	_____
_____	_____
_____	_____

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

Type of Financial Guaranty: Cashiers Check

Amount: \$ 22,022.88

Name of Financial Institution or Surety providing Guaranty: _____

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

December 23, 2021

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

Guaranty is: February 23, 2022

Additional information: _____

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

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

DEVELOPER: **Silveroaks Developers, LLC**

By [signature]: 

Name [print]: Row Spradlin

Title: Managing Member

Dated: 11-3-2020

DEVELOPER'S NOTARY

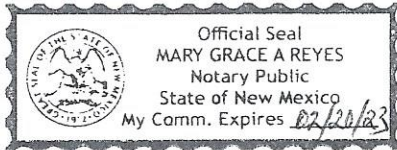
STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 3rd day of November, 2020 by [name of person:] RON SPRADLIN, [title or capacity, for instance, "President" or "Owner"] OWNER/MANAGER of [Developer:] Silver Oak Developers LLC.

Mary Grace A. Reyes
Notary Public

(SEAL)

My Commission Expires: 02/20/23



1241

SILVER OAK DEVELOPERS LLC

PO BOX 20688
ALBUQUERQUE, NM 87154

EZShield PLUS Check Fraud
Protection & ID Restoration

95-231/1070

Date 11-3-2020

Pay to the
order of

Bernalillo County

\$ 25⁰⁰ / 100

Twenty Five & no/100

Dollars

Security Feat
Included
Details on Ba

US BANK

For Sidewalk Referral - Project 582383

R Spill

⑈00124⑈ ⑆107002312⑆ 156400460663⑈

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