

MAJOR SUBDIVISION FINAL PLAT APPROVAL

PLAT DOCUMENTATION



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

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

BRIEF DESCRIPTION OF REQUEST

Final Plat for La Cuentista Subdivision, Phase 1

APPLICATION INFORMATION

Applicant/Owner: Elk Haven, LLC /Pulte Group		Phone: 505-341-9850
Address: 13 Bishop Lamy Road/7601 Jefferson St NE Suite 320		Email: kevin.patton@pultegroup.com
City: Lamy /Albuquerque	State: New Mexico	Zip: 87540/87109
Professional/Agent (if any): Bohannon Huston, Inc. (Yolanda Padilla Moyer, PE)		Phone: (505)823-1000
Address: 7500 Jefferson St. NE		Email: ypadilla@bhinc.com
City: Albuquerque	State: New Mexico	Zip: 87109
Proprietary Interest in Site:	List <u>all</u> owners:	

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

Lot or Tract No.: Tract B-1-A and B-2-A	Block: N/A	Unit: N/A
Subdivision/Addition: La Cuentista Subdivision	MRGCD Map No.: N/A	UPC Code: 101006444912440403 & 101006434613240404
Zone Atlas Page(s): C-10-Z	Existing Zoning: R-ML	Proposed Zoning N/A
# of Existing Lots: 2	# of Proposed Lots: 57	Total Area of Site (Acres): 59.0834

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Rosa Parks RD NW	Between: Paseo del Norte	and: Rosa Parks Rd
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CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2021-004968

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:	Date: 06-02-2023
Printed Name: Yolanda Padilla Moyer, PE	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FORM S2: SUBDIVISION OF LAND – MINOR ACTIONS

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

 MAJOR SUBDIVISION FINAL PLAT APPROVAL

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

PLAT DOCUMENTATION

- X 1) DHO Application form completed, signed, and dated
- X 2) Form S2 with all the submittal items checked/marked
- X 3) Form S with signatures from Hydrology, Transportation, and ABCWUA
- X 4) Zone Atlas map with the entire site clearly outlined and labeled
- X 5) Proposed Final Plat with the surveyor's, property owner's, City Surveyor's, utility, and AMAFCA signatures on the Plat.
- X 6) Design elevations & cross sections of perimeter walls
- X 7) Recorded Infrastructure Improvements Agreement

SUPPORTIVE DOCUMENTATION

- X 8) Letter of authorization from the property owner if application is submitted by an agent
- X 9) Letter describing and explaining the request
- N/A 10) Landfill disclosure and EHD signature line on the Plat if property is within a landfill buffer
- N/A 11) Interpreter Needed for Hearing? _____ if yes, indicate language: _____

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

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

PLAT DOCUMENTATION

- ___ 1) DHO Application form completed, signed, and dated
- ___ 2) Form S2 with all the submittal items checked/marked
- ___ 3) Form S with signatures from Hydrology, Transportation, and ABCWUA
- ___ 4) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 5) Proposed Preliminary/Final Plat with the surveyor's, property owner's, City Surveyor's, utility, and AMAFCA signatures on the Plat
- ___ 6) 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) Sidewalk Exhibit and/or cross sections of proposed streets
- ___ 8) Proposed Infrastructure List, if applicable

SUPPORTIVE DOCUMENTATION

- ___ 9) Letter of authorization from the property owner if application is submitted by an agent
- ___ 10) Letter describing, explaining, and justifying the request per the criteria in IDO 14-16-6-6(K)(3)
- ___ 11) Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)
- ___ 12) Landfill disclosure and EHD signature line on the Plat if property is within a landfill buffer

PUBLIC NOTICE DOCUMENTATION

- ___ 13) Required Content of Notice at Submittal per IDO Section 14-16-6-4(K)(1)
 - ___ Office of Neighborhood Coordination notice inquiry response
 - ___ Completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b)
 - ___ Proof of emailed notice to affected Neighborhood Association representatives
- ___ 14) Interpreter Needed for Hearing? ___ if yes, indicate language: ___

MINOR AMENDMENT TO PRELIMINARY PLAT

A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below.

- ___ 1) DHO Application form completed, signed, and dated
- ___ 2) Form S2 with all the submittal items checked/marked
- ___ 3) Form S with signatures from Hydrology, Transportation, and ABCWUA
- ___ 4) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 5) Letter of authorization from the property owner if application is submitted by an agent
- ___ 6) Proposed Amended Preliminary Plat and/or Grading and Drainage Plan
- ___ 7) Original Preliminary Plat and/or Grading and Drainage Plan
- ___ 8) Infrastructure List, if applicable
- ___ 9) Interpreter Needed for Hearing? ___ if yes, indicate language: ___

FORM S: PRE-APPROVALS/SIGNATURES

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

Legal Description & Location: La Cuentista Subdivision Phase 1 (Being Comprised of Tract B-2-A) Located South of Paseo del Norte NW and north of Rosa Parks Rd NW

Job Description: Subdivide 1 Tract into 11 Tracts and 57 lots

Hydrology:

- Grading and Drainage Plan X Approved NA
- AMAFCA Approved X NA
- Bernalillo County Approved X NA
- NMDOT Approved X NA
- MRGCD Approved X NA

Reggie Chan 2/28/2023
Hydrology Department Date

Transportation:

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

Ernest Armijo 2/28/2023
Transportation Department Date

Albuquerque Bernalillo County Water Utility Authority (ABCWUA):

- Availability Statement/Serviceability Letter X Approved NA
- ABCWUA Development Agreement X Approved NA
- ABCWUA Service Connection Agreement Approved X NA

Edwin Bergeron 3/17/2023
ABCWUA Date

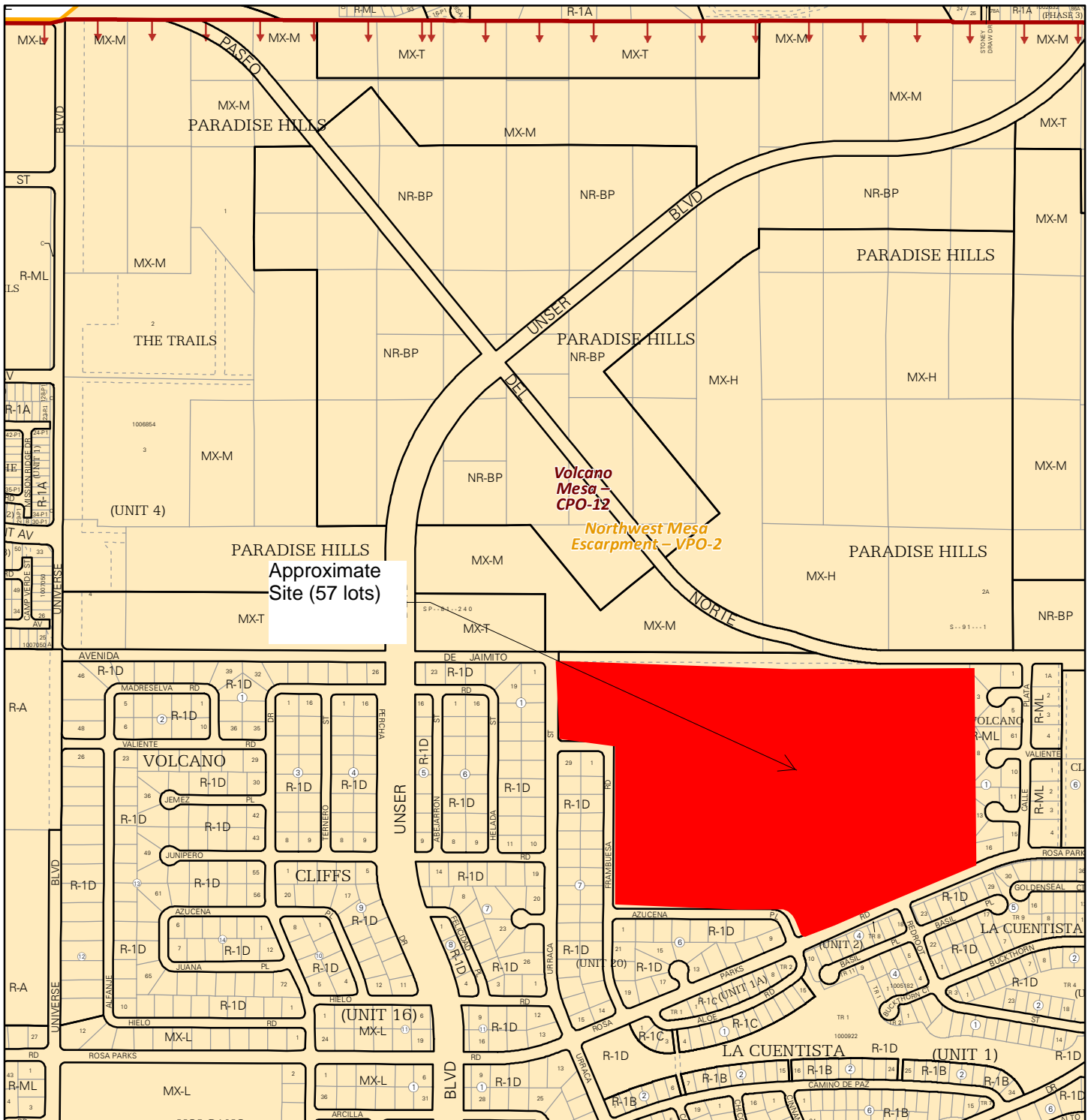
- Infrastructure Improvements Agreement (IIA*) Approved
- AGIS (DXF File) Approved
- Fire Marshall Signature on the plan Approved

Signatures on Plat

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

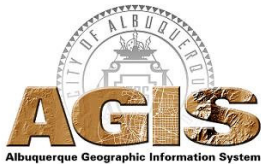
* Prior to Final Plat submittals and/or Final Site Plan approval submittals (include a copy of the recorded IIA)

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

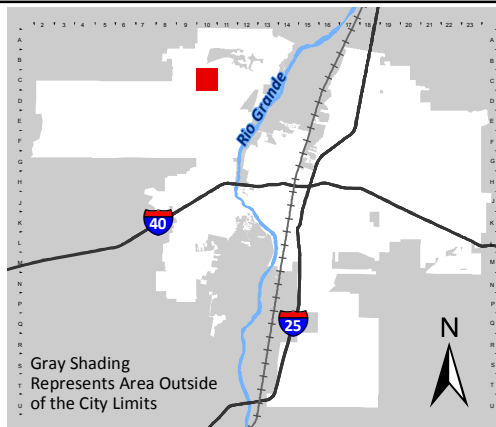


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018

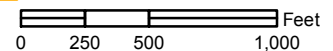


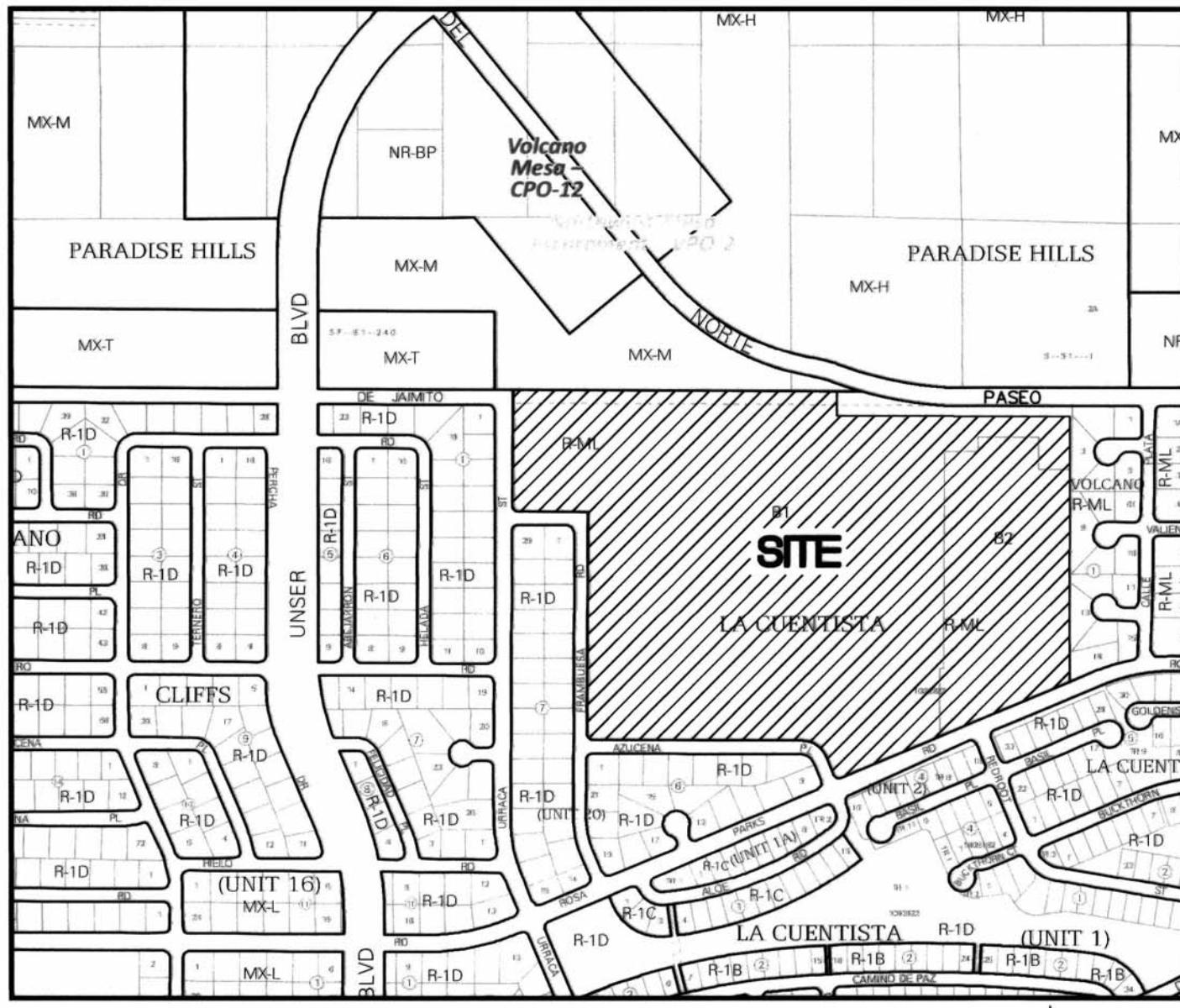
IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



Zone Atlas Page:
C-10-Z

- 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





Vicinity Map - Zone Atlas C-10-Z

Indexing Information

Section 15, Township 11 North, Range 2 East, N.M.P.M.
 Subdivision: La Cuentista Subdivision
 Owner: Elk Haven, LLC (Tract B-1-A)
 Owner: Pulte Homes of New Mexico, Inc. (Tract B-2-A)
 UPC #: TBD (Tract B-1-A)
 UPC #: TBD (Tract B-2-A)

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. GRANT EASEMENTS AS SHOWN HEREON.
3. DEDICATE RIGHT-OF-WAY AS SHOWN HEREON.

Subdivision Data

GROSS ACREAGE, 59.0834 ACRES
 ZONE ATLAS PAGE NO. C-10-Z
 NUMBER OF EXISTING TRACTS, 2
 NUMBER OF LOTS CREATED, 57
 NUMBER OF TRACTS CREATED, 13
 MILES OF FULL-WIDTH STREETS, 0.5973 MILES
 MILES OF HALF-WIDTH STREETS, 0.00 MILES
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE, 0.0505 ACRES
 DATE OF SURVEY, MAY 2022

Notes

1. FIELD SURVEY PERFORMED IN MARCH AND APRIL 2021.
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. MEASURED BEARINGS AND DISTANCES MATCH RECORD INFORMATION EXACTLY, AS SHOWN ON THE PLAT OF RECORD.
5. TRACTS 1-7, 10 AND 11 TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.

Legal Description

TRACTS B-1-A AND B-2-A, OF THE BULK LAND PLAT OF TRACTS B-1-A AND B-2-A, LA CUENTISTA SUBDIVISION BEING COMPRISED OF TRACTS B-1 AND B-2, LA CUENTISTA SUBDIVISION, CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON SAID PLAT FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON APRIL 6, 2022, IN BOOK 2022C, PAGE 27, AS DOCUMENT NO. 2022033635.

Free Consent and Dedication

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF 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 IN PASEO DEL NORTE NEW AND AZUCENA PLACE NW TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE.

KEVIN PATTON
 DIRECTOR OF LAND PLANNING AND ENTITLEMENTS
 PULTE HOMES OF NEW MEXICO, INC (OWNER, TRACT B-2-A)

STATE OF NEW MEXICO }
 COUNTY OF Bernalillo } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON April 3, 2023
 BY: KEVIN PATTON, DIRECTOR OF LAND PLANNING AND ENTITLEMENTS
 PULTE HOMES OF NEW MEXICO, INC (OWNER, TRACT B-2-A)

BY: John S Salinas
 NOTARY PUBLIC

MY COMMISSION EXPIRES 05/11/23

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND

PAID ON UPC #: _____

PROPERTY OWNER OF RECORD

BERNALILLO COUNTY TREASURER'S OFFICE

**Plat for
 La Cuentista
 Subdivision, Phase I
 Being Comprised of
 Tracts B-1-A and B-2-A,
 La Cuentista Subdivision
 City of Albuquerque
 Bernalillo County, New Mexico
 March 2023**

Project Number: PR-2021-004968

Application Number: _____

Plat Approvals:

[Signature] 03/30/2023
 PNM Electric Services
Abdul A Bhuigan 03/30/2023
 Qwest Corp. d/b/a CenturyLink QC
[Signature] 3/30/2023
 New Mexico Gas Company
Mike Mortus 03/29/2023
 Comcast

City Approvals:

Loren N. Risenhoover P.S. 3/14/2023
 City Surveyor

 Traffic Engineering, Transportation Division

 ABCWUA

 Parks and Recreation Department
[Signature] 4/3/2023
 AMAFCA

 Hydrology

 Code Enforcement

 Planning Department

 City Engineer

Surveyor's Certificate

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

[Signature] 3/31/23
 BRIAN MARTINEZ
 N.M.R.P.S. No. 18374
 Date



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

Documents

1. TITLE COMMITMENT PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE CO., HAVING FILE NO. BN210123 AND AN EFFECTIVE DATE OF MARCH 5, 2021.
2. PLAT OF RECORD FOR TRACTS B-1-A AND B-2-A, LA CUENTISTA SUBDIVISION, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON APRIL 5, 2022, IN BOOK 2022C, PAGE 27.
3. QUITCLAIM DEED FOR SUBJECT PROPERTY FROM FRANCES PAVICH TO ELK HAVEN, LLC, FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON OCTOBER 4, 2017, AS DOCUMENT NO. 2017095817.

Free Consent and Dedication

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SAID OWNERS DO HEREBY DEDICATE ADDITIONAL PUBLIC RIGHT OF WAY AS SHOWN HEREON IN PASEO DEL NORTE NEW AND AZUCENA PLACE NW TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE.

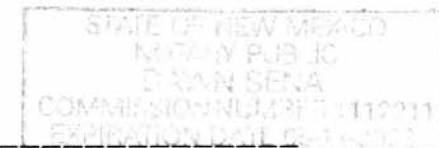
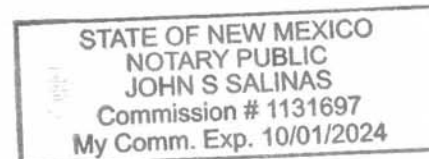
[Signature] 4-6-23
 STAN DIAMOND, MANAGING MEMBER
 ELK HAVEN, LLC (OWNER, TRACT B-1-A)
 DATE

STATE OF NEW MEXICO }
 COUNTY OF } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON April 6, 2023
 BY: STAN DIAMOND, MANAGING MEMBER, ELK HAVEN, LLC (OWNER, TRACT B-1-A)

BY: [Signature]
 NOTARY PUBLIC

MY COMMISSION EXPIRES 10-1-2024



**Plat for
La Cuentista
Subdivision, Phase I
Being Comprised of
Tracts B-1-A and B-2-A,
La Cuentista Subdivision
City of Albuquerque
Bernalillo County, New Mexico
March 2023**

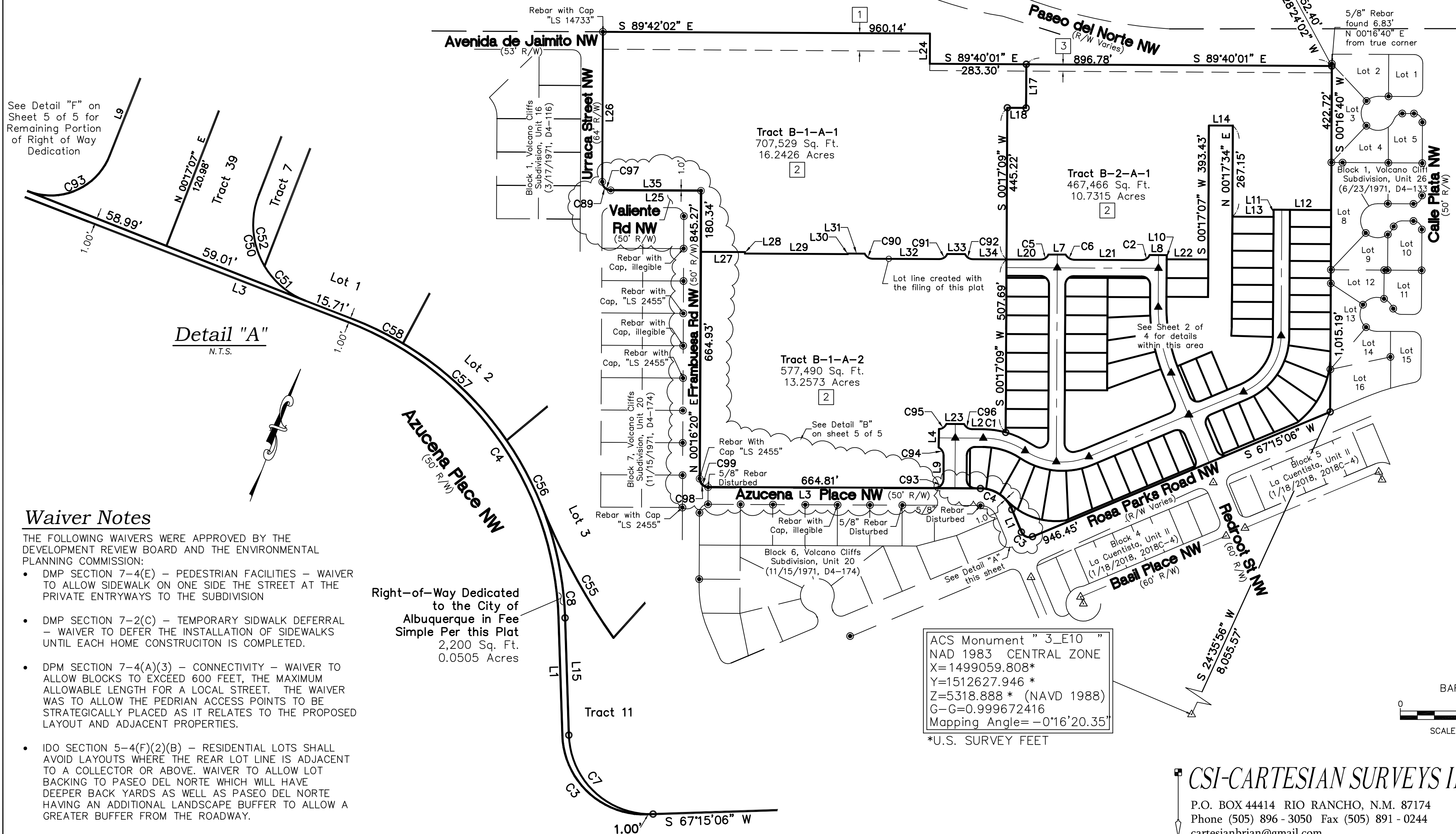
Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
●	FOUND 5/8" REBAR UNLESS INDICATED OTHERWISE
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED
△	FOUND CENTERLINE MONUMENT "LS 14733" UNLESS OTHERWISE NOTED
▲	SET CENTERLINE MONUMENT STAMPED "LS 18374" UNLESS OTHERWISE NOTED

Easement Notes

- EXISTING 51' PUBLIC ROADWAY AND UTILITY EASEMENT (6/7/2004, BK. A78, PG. 8887)
- EXISTING BLANKET CROSS LOT PUBLIC DRAINAGE EASEMENT (01/07/2004, 2004C-7) TO BE DEFINED BY SUBSEQUENT PLATS
- 20' FLOATING TEMPORARY CONSTRUCTION EASEMENT, GRANTED WITH THE FILING OF THIS PLAT, TO BE RELOCATED, CONFINED AND DEFINED OR REMOVED AND/OR VACATED BY DEVELOPER WITH FUTURE PLATTING ACTION

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



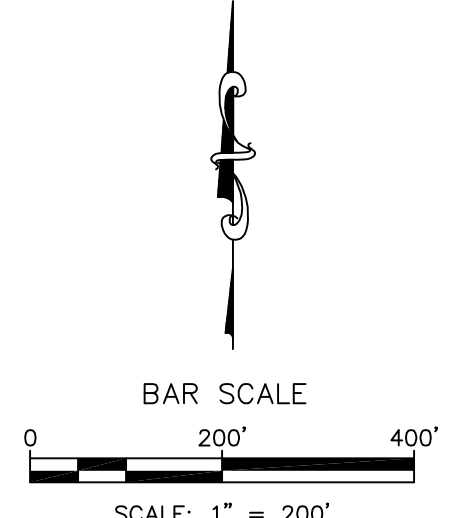
See Detail "F" on Sheet 5 of 5 for Remaining Portion of Right of Way Dedication

Detail "A"
N.T.S.

Waiver Notes

- THE FOLLOWING WAIVERS WERE APPROVED BY THE DEVELOPMENT REVIEW BOARD AND THE ENVIRONMENTAL PLANNING COMMISSION:
- DMP SECTION 7-4(E) - PEDESTRIAN FACILITIES - WAIVER TO ALLOW SIDEWALK ON ONE SIDE THE STREET AT THE PRIVATE ENTRYWAYS TO THE SUBDIVISION
 - DMP SECTION 7-2(C) - TEMPORARY SIDEWALK DEFERRAL - WAIVER TO DEFER THE INSTALLATION OF SIDEWALKS UNTIL EACH HOME CONSTRUCTION IS COMPLETED.
 - DPM SECTION 7-4(A)(3) - CONNECTIVITY - WAIVER TO ALLOW BLOCKS TO EXCEED 600 FEET, THE MAXIMUM ALLOWABLE LENGTH FOR A LOCAL STREET. THE WAIVER WAS TO ALLOW THE PEDRIAN ACCESS POINTS TO BE STRATEGICALLY PLACED AS IT RELATES TO THE PROPOSED LAYOUT AND ADJACENT PROPERTIES.
 - IDO SECTION 5-4(F)(2)(B) - RESIDENTIAL LOTS SHALL AVOID LAYOUTS WHERE THE REAR LOT LINE IS ADJACENT TO A COLLECTOR OR ABOVE. WAIVER TO ALLOW LOT BACKING TO PASEO DEL NORTE WHICH WILL HAVE DEEPER BACK YARDS AS WELL AS PASEO DEL NORTE HAVING AN ADDITIONAL LANDSCAPE BUFFER TO ALLOW A GREATER BUFFER FROM THE ROADWAY.

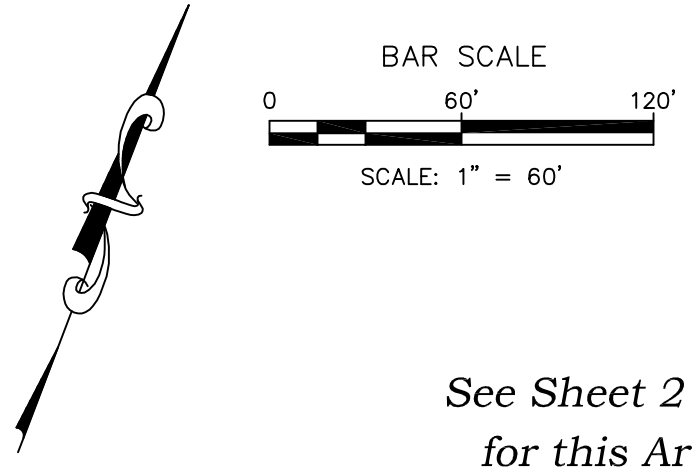
ACS Monument " 3_E10 "
NAD 1983 CENTRAL ZONE
X=1499059.808*
Y=1512627.946 *
Z=5318.888 * (NAVD 1988)
G-G=0.999672416
Mapping Angle=-0°16'20.35"
*U.S. SURVEY FEET



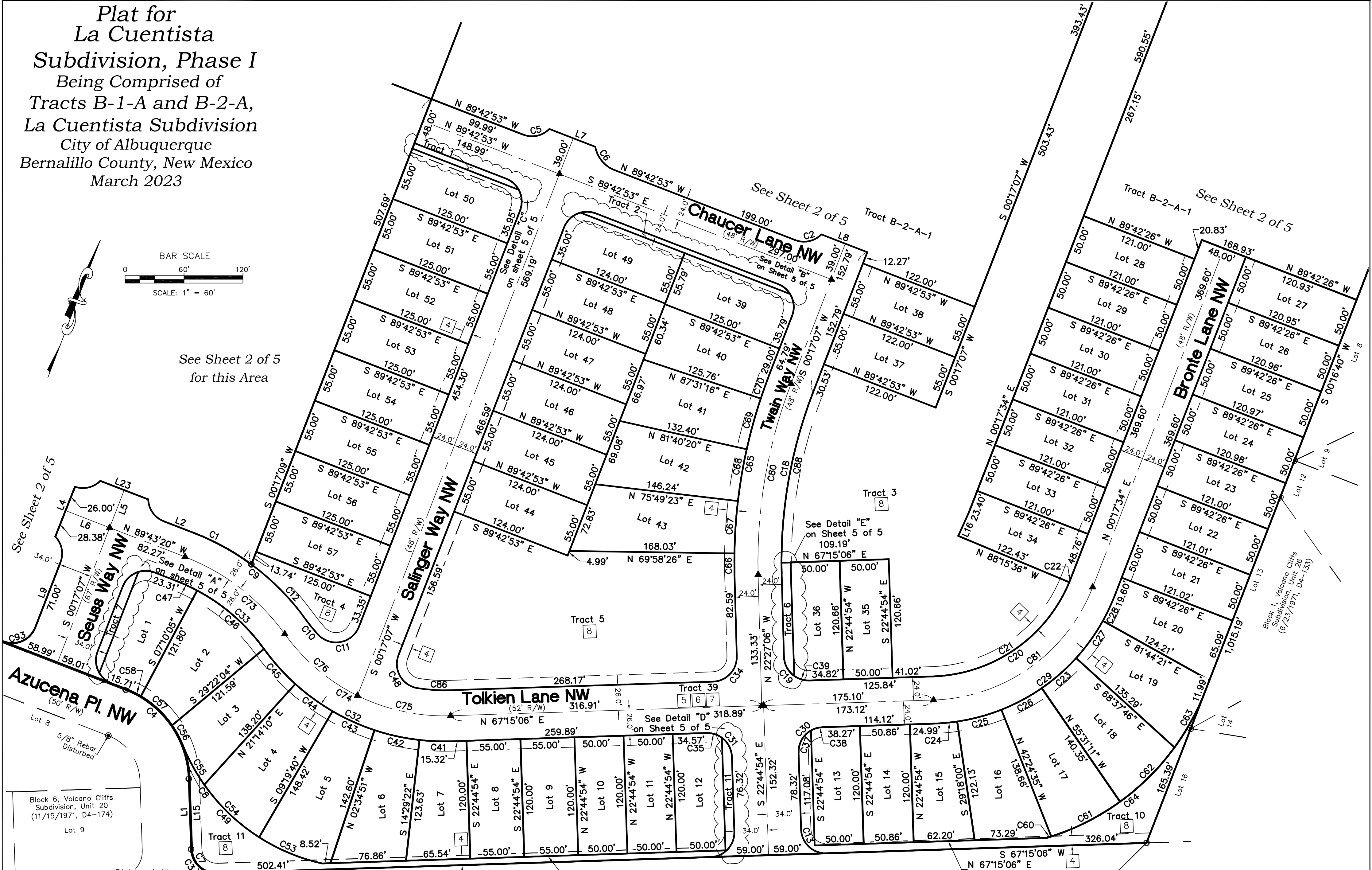
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 La Cuentista Subdivision
 City of Albuquerque
 Bernalillo County, New Mexico
 March 2023



See Sheet 2 of 5
 for this Area



Block 6, Volcano Cliffs
 Subdivision, Unit 20
 (11/15/1971, D4-174)

Block 1, Volcano Cliffs
 Subdivision, Unit 26
 (6/23/1971, D4-135)

Right-of-Way
 Dedicated to the
 City of Albuquerque
 in Fee Simple
 Per this Plat
 2,200 Sq. Ft.
 0.0505 Acres
 See Detail "A" on
 Sheet 2 of 5

Rosa Parks Road NW
 (R/W Varies)

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La Cuentista
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La Cuentista Subdivision
City of Albuquerque
Bernalillo County, New Mexico
March 2023**

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 ERRECTED 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/SWITCHEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/SWITCHEAR 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.

Flood Notes

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

CSI-CARTESIAN SURVEYS INC.

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

Sheet 4 of 5
210703

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	66.47'	251.00'	15°10'26"	66.28'	N 82°08'07" W
C2	28.98'	25.00'	66°25'19"	27.39'	N 57°04'27" E
C3	39.27'	25.00'	90°00'00"	35.36'	N 67°44'54" W
C4	117.62'	100.60'	66°59'22"	111.03'	N 56°14'35" W
C5	28.98'	25.00'	66°25'19"	27.39'	N 57°04'27" E
C6	30.29'	31.73'	54°42'13"	29.15'	S 58°45'04" E
C7	39.27'	25.00'	90°00'00"	35.36'	S 67°44'54" E
C8	35.47'	101.60'	20°00'06"	35.29'	N 32°44'57" W
C9	145.08'	251.00'	33°07'05"	143.07'	N 73°09'48" W
C10	20.07'	174.00'	6°36'26"	20.05'	S 59°54'28" E
C11	50.83'	25.00'	116°30'12"	42.52'	N 58°32'13" E
C12	78.61'	251.00'	17°56'39"	78.29'	N 65°34'35" W
C13	39.27'	25.00'	89°59'59"	35.36'	S 67°44'54" E
C14	39.27'	25.00'	90°00'00"	35.36'	N 44°42'53" W
C15	17.61'	25.00'	40°21'59"	17.25'	N 69°31'54" W
C16	21.66'	25.00'	49°38'01"	20.99'	N 24°31'54" W
C17	23.18'	25.00'	53°07'48"	22.36'	N 26°16'47" W
C18	188.89'	476.00'	22°44'13"	187.66'	S 11°05'00" E
C19	39.40'	25.00'	90°17'48"	35.45'	S 67°36'00" E
C20	182.31'	156.00'	66°57'32"	172.11'	N 33°46'20" E
C21	178.37'	156.00'	65°30'42"	168.81'	N 34°29'45" E
C22	3.94'	156.00'	1°26'50"	3.94'	N 01°00'59" E
C23	46.68'	204.00'	13°06'35"	46.58'	N 27°55'32" E
C24	23.33'	204.00'	6°33'06"	23.31'	N 63°58'33" E
C25	46.68'	204.00'	13°06'35"	46.58'	N 54°08'42" E
C26	46.68'	204.00'	13°06'35"	46.58'	N 41°02'07" E
C27	46.68'	204.00'	13°06'35"	46.58'	N 14°48'56" E
C28	28.37'	204.00'	7°58'05"	28.35'	N 04°16'36" E
C29	238.41'	204.00'	66°57'32"	225.07'	N 33°46'20" E
C30	39.27'	25.00'	90°00'00"	35.36'	S 22°15'06" W
C31	39.27'	25.00'	90°00'00"	35.36'	N 67°44'54" W
C32	221.46'	226.00'	56°08'39"	212.70'	S 84°40'35" E
C33	115.03'	199.00'	33°07'05"	113.43'	N 73°09'48" W
C34	39.14'	25.00'	89°42'12"	35.26'	N 22°24'00" E
C35	16.63'	25.00'	38°06'44"	16.32'	S 86°18'27" W
C36	22.64'	25.00'	51°53'16"	21.87'	N 48°41'33" W
C37	27.06'	25.00'	62°00'31"	25.76'	S 08°15'21" W
C38	12.21'	25.00'	27°59'29"	12.09'	S 53°15'21" W
C39	16.31'	25.00'	37°22'51"	16.02'	N 85°56'31" E
C40	23.09'	25.00'	52°54'58"	22.28'	S 48°54'35" E
C41	32.58'	226.00'	8°15'33"	32.55'	N 71°22'52" E
C42	46.97'	226.00'	11°54'31"	46.89'	N 81°27'54" E
C43	46.97'	226.00'	11°54'31"	46.89'	S 86°37'36" E
C44	46.97'	226.00'	11°54'31"	46.89'	S 74°43'05" E
C45	47.96'	226.00'	12°09'35"	47.87'	S 62°41'02" E
C46	91.09'	199.00'	26°13'40"	90.30'	N 69°43'05" W
C47	23.93'	199.00'	6°53'26"	23.92'	N 86°16'37" W
C48	44.60'	25.00'	102°12'30"	38.91'	S 50°49'08" E
C49	193.92'	200.00'	55°33'16"	186.41'	S 70°31'38" E
C50	39.28'	25.00'	90°01'23"	35.36'	S 44°43'35" E
C51	16.69'	25.00'	38°15'26"	16.38'	S 70°36'34" E
C52	22.59'	25.00'	51°45'58"	21.83'	S 25°35'52" E
C53	69.81'	200.00'	19°59'56"	69.46'	S 88°18'17" E
C54	77.78'	200.00'	22°16'56"	77.29'	S 67°09'51" E
C55	46.33'	200.00'	13°16'23"	46.23'	S 49°23'11" E
C56	22.55'	101.60'	12°42'59"	22.50'	N 49°06'29" W
C57	43.83'	101.60'	24°42'59"	43.49'	N 67°49'28" W
C58	16.94'	101.60'	9°33'18"	16.92'	N 84°57'37" W
C59	35.47'	101.60'	20°00'06"	35.29'	N 32°44'57" W
C60	4.97'	250.00'	1°08'17"	4.97'	N 51°51'24" E

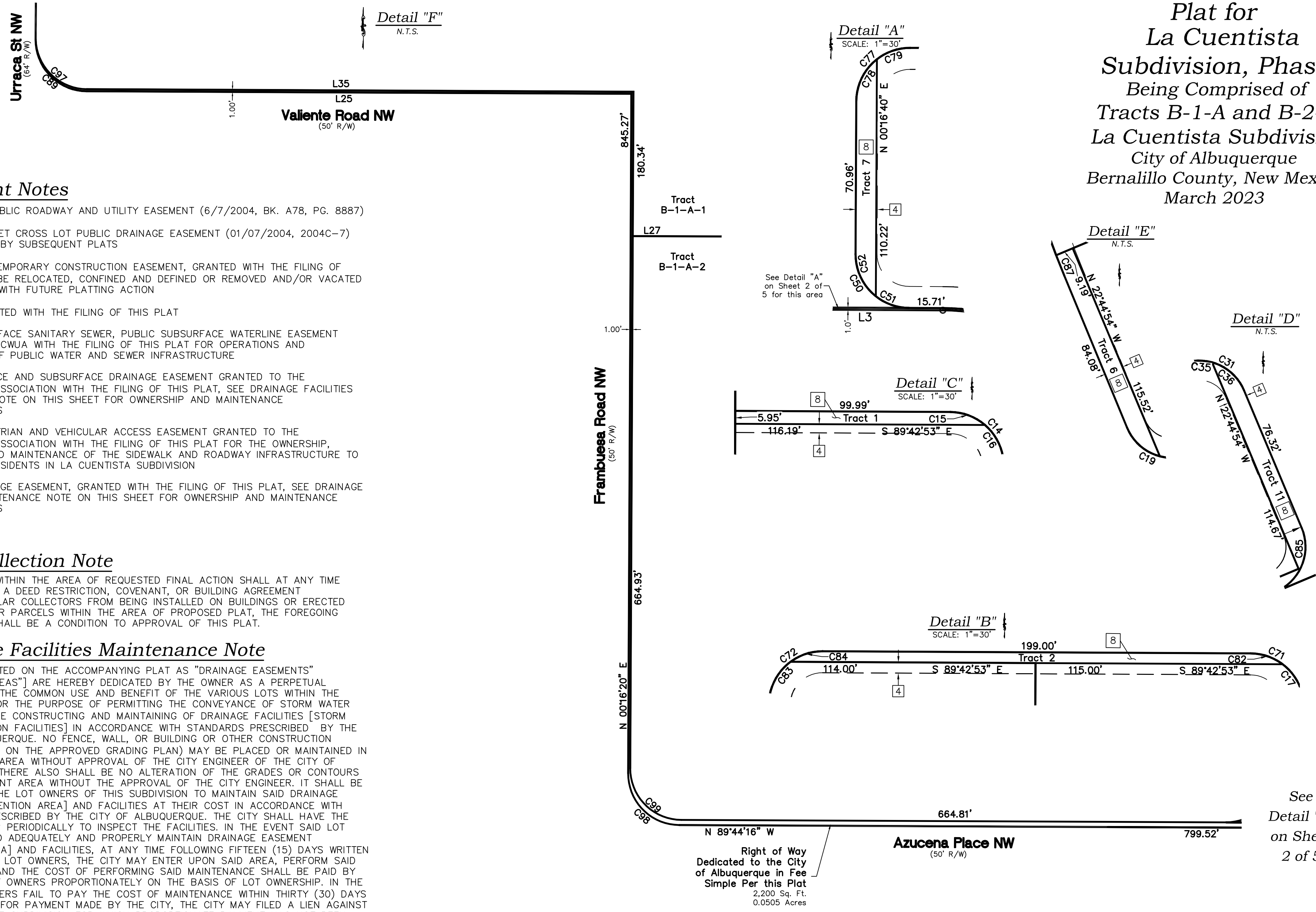
Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C61	78.77'	250.00'	18°03'09"	78.44'	N 42°15'41" E
C62	78.52'	250.00'	17°59'48"	78.20'	N 24°14'13" E
C63	65.28'	250.00'	14°57'39"	65.09'	N 07°45'29" E
C64	227.53'	250.00'	52°08'50"	219.76'	N 26°21'08" E
C65	207.94'	524.00'	22°44'13"	206.58'	S 11°05'00" E
C66	22.18'	524.00'	2°25'32"	22.18'	S 21°14'20" E
C67	53.49'	524.00'	5°50'57"	53.47'	S 17°06'05" E
C68	53.49'	524.00'	5°50'57"	53.47'	S 11°15'09" E
C69	53.49'	524.00'	5°50'57"	53.47'	S 05°24'12" E
C70	25.28'	524.00'	2°45'51"	25.28'	S 01°05'49" E
C71	39.27'	25.00'	90°00'00"	35.36'	N 44°42'53" W
C72	39.27'	25.00'	90°00'00"	35.36'	S 45°17'07" W
C73	130.05'	225.00'	33°07'05"	128.25'	N 73°09'48" W
C74	195.98'	200.00'	56°08'39"	188.23'	S 84°40'35" E
C75	97.92'	200.00'	28°03'03"	96.94'	N 81°16'37" E
C76	98.06'	200.00'	28°05'36"	97.08'	S 70°39'03" E
C77	39.27'	25.00'	89°59'33"	35.35'	S 45°16'53" W
C78	22.57'	25.00'	51°43'26"	21.81'	S 26°08'50" W
C79	16.70'	25.00'	38°16'07"	16.39'	S 71°08'36" W
C80	198.42'	500.00'	22°44'13"	197.12'	S 11°05'00" E
C81	210.36'	180.00'	66°57'32"	198.59'	N 33°46'20" E
C82	16.09'	25.00'	36°52'12"	15.81'	N 71°16'47" W
C83	23.18'	25.00'	53°07'48"	22.36'	S 26°51'01" W
C84	16.09'	25.00'	36°52'12"	15.81'	S 71°51'01" W
C85	39.27'	25.00'	90°00'01"	35.36'	N 22°15'06" E
C86	32.87'	174.00'	10°49'31"	32.83'	N 72°39'51" E
C87	11.45'	476.00'	1°22'42"	11.45'	S 21°45'45" E
C88	177.44'	476.00'	21°21'30"	176.42'	S 10°23'39" E
C89	39.27'	25.00'	90°00'00"	35.36'	S 44°43'44" E
C90	28.98'	25.00'	66°25'19"	27.39'	S 56°30'14" E
C91	28.98'	25.00'	66°25'19"	27.39'	N 57°04'27" E
C92	28.98'	25.00'	66°25'19"	27.39'	S 56°30'14" E
C93	39.26'	25.00'	89°58'37"	35.35'	N 45°16'25" E
C94	28.26'	25.00'	64°46'28"	26.78'	N 32°06'07" W
C95	27.98'	25.07'	63°57'49"	26.55'	N 55°53'51" E
C96	28.99'	25.00'	66°26'10"	27.39'	S 56°30'15" E
C97	38.28'	25.04'	87°35'32"	34.66'	S 45°53'53" E
C98	39.27'	25.00'	90°00'37"	35.36'	S 44°43'58" E
C99	39.27'	25.00'	90°00'37"	35.36'	S 44°43'58" E

Parcel Table		
Parcel Name	Area (Acres)	Area (Sq. Ft.)
Lot 1	0.1529	6,661
Lot 2	0.1888	8,224
Lot 3	0.1694	7,380
Lot 4	0.2056	8,956
Lot 5	0.2111	9,195
Lot 6	0.1834	7,988
Lot 7	0.1572	6,846
Lot 8	0.1515	6,600
Lot 9	0.1515	6,600
Lot 10	0.1377	6,000
Lot 11	0.1377	6,000
Lot 12	0.1371	5,974
Lot 13	0.1375	5,989
Lot 14	0.1401	6,103
Lot 15	0.1526	6,648
Lot 16	0.1828	7,961
Lot 17	0.2016	8,783
Lot 18	0.1986	8,649
Lot 19	0.1839	8,011
Lot 20	0.1578	6,872
Lot 21	0.1389	6,051
Lot 22	0.1389	6,050
Lot 23	0.1389	6,050
Lot 24	0.1389	6,049
Lot 25	0.1388	6,048
Lot 26	0.1388	6,048
Lot 27	0.1388	6,047
Lot 28	0.1389	6,050
Lot 29	0.1389	6,050
Lot 30	0.1389	6,050
Lot 31	0.1389	6,050
Lot 32	0.1389	6,050
Lot 33	0.1389	6,050
Lot 34	0.1426	6,211
Lot 35	0.1385	6,033
Lot 36	0.1379	6,008
Lot 37	0.1540	6,710
Lot 38	0.1540	6,710
Lot 39	0.1587	6,914
Lot 40	0.1646	7,170
Lot 41	0.1772	7,717
Lot 42	0.1929	8,402
Lot 43	0.2208	9,619
Lot 44	0.1566	6,820
Lot 45	0.1566	6,820
Lot 46	0.1566	6,820
Lot 47	0.1566	6,820
Lot 48	0.1566	6,820
Lot 49	0.1552	6,760
Lot 50	0.1566	6,823
Lot 51	0.1578	6,875
Lot 52	0.1578	6,875
Lot 53	0.1578	6,875
Lot 54	0.1578	6,875
Lot 55	0.1578	6,875
Lot 56	0.1578	6,875
Lot 57	0.1578	6,875
Right-of-Way Dedicated to the City of Albuquerque in Fee Simple Per this Plat	0.0505	2,200
Tract 1	0.0152	661

Parcel Table		
Parcel Name	Area (Acres)	Area (Sq. Ft.)
Tract 2	0.0252	1,097
Tract 3	1.9571	85,252
Tract 4	0.1106	4,817
Tract 5	1.0781	46,961
Tract 6	0.0241	1,052
Tract 7	0.0215	936
Tract 10	0.1849	8,055
Tract 11	0.2138	9,315
Tract B-1-A-1	16.2426	707,529
Tract B-1-A-2	13.2573	577,490
Tract B-2-A-1	10.7315	467,466

Line Table		
Line #	Direction	Length (ft)
L1	N 22°44'54" W	71.84'
L2	N 89°43'20" W	33.30'
L3	N 89°44'16" W	799.52'
L4	S 00°38'43" W	54.38'
L5	S 00°17'07" W	41.00'
L6	N 89°43'20" W	48.17'
L7	N 89°42'53" W	50.09'
L8	N 89°42'53" W	50.09'
L9	N 00°17'07" E	71.00'
L10	N 00°17'07" E	12.27'
L11	S 00°17'34" W	20.83'
L12	N 89°42'26" W	168.93'
L13	N 89°42'26" W	121.00'
L14	N 89°37'40" W	70.18'
L15	N 22°44'54" W	71.84'
L16	S 03°26'45" W	26.25'
L17	S 00°22'20" W	128.19'
L18	S 89°27'58" E	55.03'
L20	N 89°42'53" W	99.99'

**Plat for
La Cuentista
Subdivision, Phase I
Being Comprised of
Tracts B-1-A and B-2-A,
La Cuentista Subdivision
City of Albuquerque
Bernalillo County, New Mexico
March 2023**



Easement Notes

- 1 EXISTING 51' PUBLIC ROADWAY AND UTILITY EASEMENT (6/7/2004, BK. A78, PG. 8887)
- 2 EXISTING BLANKET CROSS LOT PUBLIC DRAINAGE EASEMENT (01/07/2004, 2004C-7) TO BE DEFINED BY SUBSEQUENT PLATS
- 3 20' FLOATING TEMPORARY CONSTRUCTION EASEMENT, GRANTED WITH THE FILING OF THIS PLAT, TO BE RELOCATED, CONFINED AND DEFINED OR REMOVED AND/OR VACATED BY DEVELOPER WITH FUTURE PLATTING ACTION
- 4 10' P.U.E. GRANTED WITH THE FILING OF THIS PLAT
- 5 PUBLIC SUBSURFACE SANITARY SEWER, PUBLIC SUBSURFACE WATERLINE EASEMENT GRANTED TO ABCWUA WITH THE FILING OF THIS PLAT FOR OPERATIONS AND MAINTENANCE OF PUBLIC WATER AND SEWER INFRASTRUCTURE
- 6 PRIVATE SURFACE AND SUBSURFACE DRAINAGE EASEMENT GRANTED TO THE HOMEOWNER'S ASSOCIATION WITH THE FILING OF THIS PLAT, SEE DRAINAGE FACILITIES MAINTENANCE NOTE ON THIS SHEET FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITIES
- 7 PRIVATE PEDESTRIAN AND VEHICULAR ACCESS EASEMENT GRANTED TO THE HOMEOWNER'S ASSOCIATION WITH THE FILING OF THIS PLAT FOR THE OWNERSHIP, OPERATIONS AND MAINTENANCE OF THE SIDEWALK AND ROADWAY INFRASTRUCTURE TO SERVICE THE RESIDENTS IN LA CUENTISTA SUBDIVISION
- 8 PRIVATE DRAINAGE EASEMENT, GRANTED WITH THE FILING OF THIS PLAT, SEE DRAINAGE FACILITIES MAINTENANCE NOTE ON THIS SHEET FOR OWNERSHIP AND MAINTENANCE RESPONSIBILITIES

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

Drainage Facilities Maintenance Note

AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENTS" ["DETENTION AREAS"] 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 [STORM WATER DETENTION FACILITIES] IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. NO FENCE, WALL, OR BUILDING OR OTHER CONSTRUCTION (UNLESS SHOWN ON THE APPROVED GRADING PLAN) MAY BE PLACED OR MAINTAINED IN THE 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 [DETENTION AREA] AND FACILITIES AT THEIR COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF ALBUQUERQUE. THE CITY SHALL HAVE THE RIGHT TO ENTER PERIODICALLY TO INSPECT THE FACILITIES. IN THE EVENT SAID LOT OWNERS FAIL TO ADEQUATELY AND PROPERLY MAINTAIN DRAINAGE EASEMENT [DETENTION AREA] AND FACILITIES, AT ANY TIME FOLLOWING FIFTEEN (15) DAYS WRITTEN NOTICE TO SAID LOT OWNERS, THE CITY MAY ENTER UPON SAID AREA, PERFORM SAID MAINTENANCE, AND THE COST OF PERFORMING SAID MAINTENANCE SHALL BE PAID BY APPLICABLE LOT OWNERS PROPORTIONATELY ON THE BASIS OF LOT OWNERSHIP. IN THE EVENT LOT OWNERS FAIL TO PAY THE COST OF MAINTENANCE WITHIN THIRTY (30) DAYS AFTER DEMAND FOR PAYMENT MADE BY THE CITY, THE CITY MAY FILED 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.

ABCWUA Public Water and Sanitary Sewer Easements

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

Right of Way
Dedicated to the City
of Albuquerque in Fee
Simple Per this Plat
2,200 Sq. Ft.
0.0505 Acres

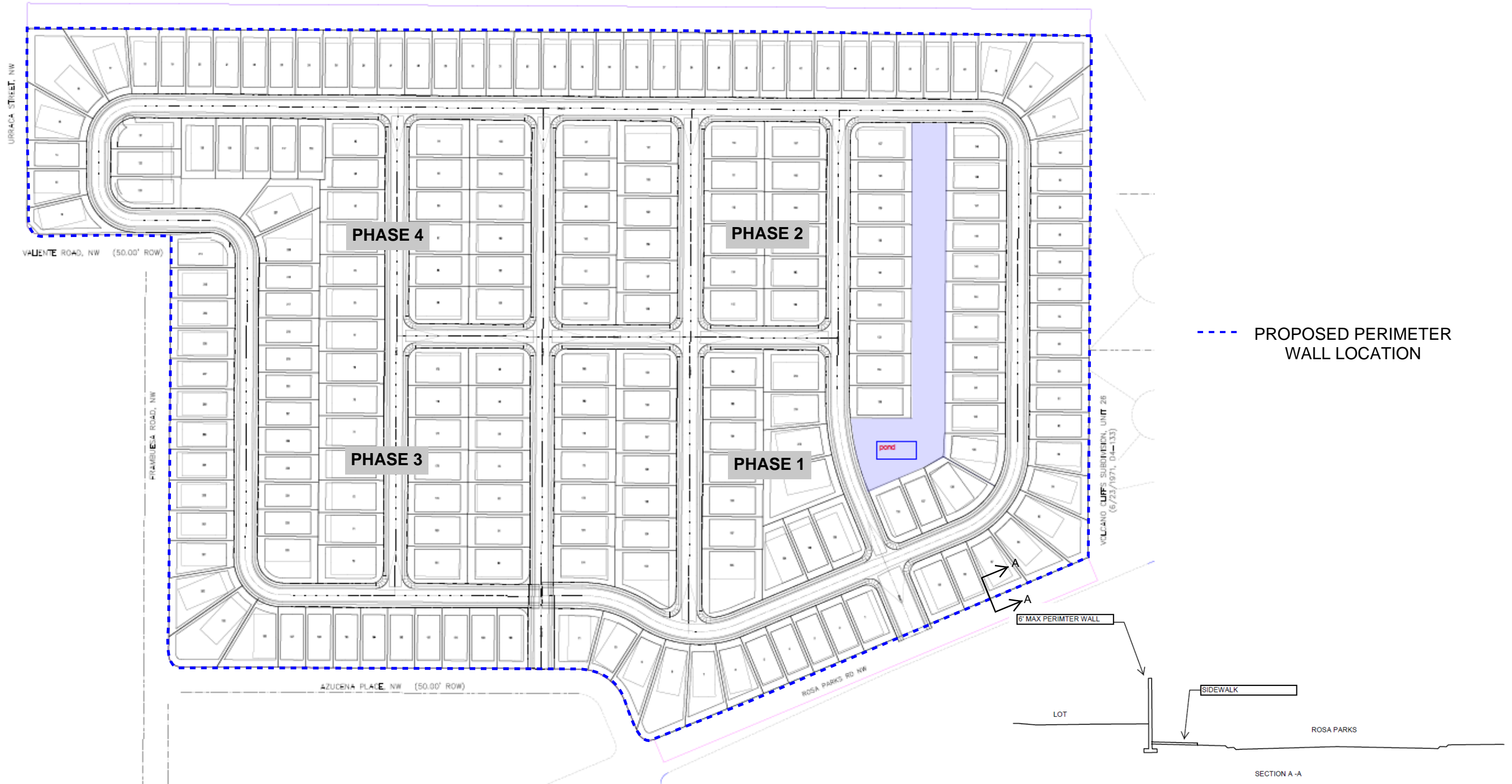
See
Detail "A"
on Sheet
2 of 5

CSI-CARTESIAN SURVEYS INC.

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

WALL EXHIBIT

LA CUENTISTA SUBDIVISION, PHASE 1



AMENDMENT AND EXTENSION AGREEMENT TO
Procedure "B"

Project No. 709776

Project Name: La Cuentista Subdivision Phase 1

This Amendment and Extension Agreement made this 18th day of May, 2023, by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and **Pulte Development of New Mexico Inc.** (Developer"), a **Michigan Corporation**, whose email address is kevin.patton@pultegroup.com, whose address is **7601 Jefferson Street NE, Suite 320 Albuquerque, NM 87109**, whose telephone number is **505-341-8591** is made in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

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

WHEREAS, the City and the Developer entered into an Agreement on the **twenty-seventh** day of **December 2022**, which was recorded on **January 6, 2023**, pages **1** through **19**, as Document No. **2023000875** in the records of Bernalillo County Clerk, State of New Mexico, by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the **first** day of **March 2024** and

THEREFORE, the Developer and the City agree to amend the Original Agreement as follows:

1. Amending paragraph 4. **Work Order Requirements**: Paragraph 4 in the original Agreement is deleted and replaced by the following amended paragraph 4:

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.

WHEREAS: The Developer has requested to Amend or Replace Financial Guaranty for construction of the public and/or private infrastructure; and

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

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AMND R:\$25.00 Linda Stover, Bernalillo County



THEREFORE, the Developer and the City agree to amend the Original Agreement as follows:

- 2. Amending Section 6. Financial Guaranty, second paragraph, to read as follows:

To meet the Integrated Development Ordinance requirements, The Developer has acquired or is able to acquire the following "Financial Guaranty":

Type of Financial Guaranty: Surety Bond (SUR0073430)

Amount: \$4,586,934.90

Name of Financial Institution or Surety providing Guaranty: Argonaut Insurance Company

Date City first able to call Guaranty (Construction Completion Deadline): March 1, 2024

If Guaranty is a Letter of Credit of Loan Reserve, then last day City able to call Guaranty is: May 1, 2024

Additional Information: _____

- 3. Extension of Agreement:

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:

- 3. The required completion date for construction of the improvements, is extended (Complete either A or B:)

A. For all improvements, the _____ day of _____, 20____.

B. On portions of the improvements as follows:

IMPROVEMENTS

COMPLETION DATE

- 4. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Agreement will remain unchanged and will continue in full force and effect unless

there is a conflict between the terms and conditions of this Amendment, and the terms and conditions of the Original Agreement, in which case the terms and conditions of the Amendment to the Original Agreement will control.

DEVELOPER: Pulte Development of New Mexico Inc., a Michigan Corporation

By [signature]: 

Name [print]: Kevin Patton

Title: Director of Land Planning and Entitlements

Dated: May 15, 2023

DEVELOPER'S NOTARY

STATE OF New Mexico)

) ss

COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 15th day of May, 2023 by [name of person] Kevin Patton, [title or capacity, for instance, "President" or "Owner"] Director of ("Developer") Land Planning and Entitlements.

STATE OF NEW MEXICO
(NOTARY PUBLIC)
Kimberly Diane Legan
Commission No. 1138659
August 30, 2026


Notary Public

My Commission Expires: August 30th, 2026

CITY OF ALBUQUERQUE:

DocuSigned by:

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

DS
KV

DS
BMR

Dated: 5/18/2023 | 12:10 PM MDT

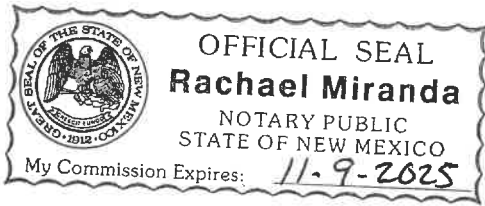
CITY'S NOTARY

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 18th day of May, 2023, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

Rachael Miranda
Notary Public

My Commission Expires: 11-9-2025



(To be used with IIA Procedure B, B-Modified, or Sidewalk Deferral)

POWER OF ATTORNEY

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

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

[State name of present real property owner exactly as shown on the real estate document conveying title in the Developer's Property to the present owner:] **Pulte Homes of New Mexico, Inc.**("Owner"), of [address:] **7601 Jefferson NE, Ste. 320, Albuquerque, NM, 87109**, hereby makes, constitutes and appoints [name of Developer:] **Pulte Development of NM, Inc.** ("Developer") as my true and lawful attorney in fact, for me and in my name, place and stead, giving unto the Developer full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to meet the City of Albuquerque's ("City") Integrated Development Ordinance requirements regarding the real estate owned by me and described in Section 1 of the Infrastructure Improvements Agreement ("Agreement") above, including executing the Agreement and related documents required by the City, with full power of substitution and revocation, hereby ratifying and affirming what the Developer lawfully does or causes to be done by virtue of the power herein conferred upon the Developer.

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

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

OWNER Pulte Homes of New Mexico Inc.

By [Signature:]: [Signature]

Name [Print]: Kevin Patton

Title: Director of Land Planning & Entitlements

Dated: 5/16/23

STATE OF New Mexico)

COUNTY OF Bernalillo) ss.

The foregoing Power of Attorney was acknowledged before me on May 16, 2023

by [name of person:] Kevin Patton, [title or capacity, for instance

"President":] Director of Land Planning & Entitlements of [Owner:]

Pulte Homes of New Mexico Inc. on behalf of the Owner.

(SEAL)

Gabryella B. Williams
Notary Public

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

My Commission Expires: June 21, 2026

Figure 12

INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBMISSION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
 LA CIENTISTA SUBDIVISION PHASE 1, 2, 3, 4 & OFFSITE
 (TRACT B-1-A & B-2-A)

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which 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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	TWAIN WAY	ROSA PARKS RD	TOLKIEN LANE	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	TWAIN WAY	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
		12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	BRONTE LANE	TWAIN WAY	PHASE 1/2 BOUNDARY-	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	SALINGER LANE	TOLKIEN LANE	PHASE 1/2 BOUNDARY/ CHAUCER TRAIL	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MFS & RJS	SEUSS WAY	AZUCENA PLACE	PHASE 1/3 BOUNDARY TOLKIEN LANE	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TWAIN WAY	CHAUCER TRAIL PHASE 1/2 BOUNDARY	ROSA PARKS RD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	BRONTE LANE	PHASE 1/2 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	SALINGER LANE	CHAUCER TRAIL PHASE 1/2 BOUNDARY	TOLKIEN LANE	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	AZUCENA PLACE	SEUSS WAY	ROSA PARKS RD	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TWAIN WAY	CHAUCER TRAIL PHASE 1/2 BOUNDARY	ROSA PARKS RD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	BRONTE LANE	PHASE 1/2 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	SALINGER LANE	CHAUCER TRAIL PHASE 1/2 BOUNDARY	TOLKIEN LANE	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	AZUCENA PLACE	SEUSS WAY	ROSA PARKS RD	/	/	/

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TWAIN WAY	CHAUCER TRAIL PHASE 1/2 BOUNDARY	ROSA PARKS RD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	BRONTE LANE	PHASE 1/2 BOUNDARY	TWAIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	SALINGER LANE	CHAUCER TRAIL PHASE 1/2 BOUNDARY	TOLKIEN LANE	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	AZUCENA PLACE	SEUSS WAY	ROSA PARKS RD	/	/	/

PHASE 1 AND NON-DEFERRED OFFSITE INFRASTRUCTURE MUST ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTY FOR ANY SPECIFIC PHASE.

PHASE 1 PUBLIC WATERLINE IMPROVEMENTS-PHASE 1

PHASE 1 PUBLIC SANITARY SEWER IMPROVEMENTS-PHASE 1

* SANITARY SEWER LINES SHALL BE TERMINATED AT MANHOLES AND STANDARD LOCATIONS PER THE DPM. EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crst Engineer
16-54" DIA	RCP W/ NEC. MHS, LATERALS & INLETS	TOLKIEN LANE	PHASE 1/3 BOUNDARY SEUSS WAY	POND	/	/	/
18" DIA	RCP W/ NEC. MHS, LATERALS & INLETS	TWAIN WAY	LOWPOINT NEAR LOT 41	POND	/	/	/
18" DIA	RCP W/ NEC. MHS, LATERALS & INLETS	TWAIN WAY	POND	ROSA PARKS RD	/	/	/
	POND (5.36 AC-FT)	EAST OF TWAIN WAY			/	/	/
	DRAINAGE POND SLOPES SHOULD BE STABILIZED AND POND BOTTOM SEEDED ACCORDING TO INTERIM SPEC 1013 SLOPE STABILIZATION AND SEEDING OR BETTER						
	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY						
	ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER						
	** ACTUAL SIZE TO BE DETERMINED BY H&L AT DRC						

Private Inspector	City Inspector	City Crst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crst Engineer
48" F-F MIN 6' MEDIAN MIN 20' INGRESS MIN 20' EGRESS	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON ONE SIDE†	SEUSS WAY	AZUCENA PLACE	TOLKIEN LANE	/	/	/
32" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON BOTH SIDES*	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON BOTH SIDES*	BRONTE LANE	TWAIN WAY	PHASE 1/2 BOUNDARY	/	/	/
48" F-F 6' MEDIAN 20' INGRESS 20' EGRESS	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON ONE SIDE†	TWAIN WAY	ROSA PARKS PLACE	TOLKIEN LANE	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON BOTH SIDES*	TWAIN WAY	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON BOTH SIDES*	SALINGER LANE	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 3' WIDE SIDEWALK ON BOTH SIDES*	CHAUCER TRAIL	PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/

Private Inspector	City Inspector	City Crst Engineer
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/
/	/	/

NOTE: STREET LIGHTS WITH ALL APPURTENANCES WITH ALL APPURTENANCES AS REQUIRED PER THE COA DPM
 *ALL SIDEWALKS TO BE DEFERRED ALONG FRONTAGE OF LOTS
 †SIDEWALK TO BE WAIVED ON ONE SIDE OF THE ROAD: 1) SEUSS WAY AND 2) TWAIN WAY
 **PROVIDE /INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	AZUCENA PLACE	ROSA PARKS RD	SEUSS WAY	/	/	/
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	AZUCENA PLACE	ROSA PARKS RD	SEUSS WAY	/	/	/
24" F.F. F.EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	AZUCENA PLACE	ROSA PARKS RD	SEUSS WAY	/	/	/
VARIES 6'-14" FACE TO EOP	COLLECTOR PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	ROSA PARKS ROAD	AZUCENA PLACE	EAST BOUNDARY LINE	/	/	/

PHASE 1 AND PHASE 1 OFFSITE INFRASTRUCTURE MUST ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTY FOR ANY SPECIFIC PHASE.

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	ANGELOU LANE	PHASE 2/4 BOUNDARY	PEDESTRIAN/WL EASEMENT BTW LOT 6465	/	/	/
12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	BRONTE LANE	PEDESTRIAN/WL EASEMENT BTW LOT 6465	PHASE 1/2 BOUNDARY	/	/	/
8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	TWAIN WAY	PHASE 1/2 BOUNDARY CHAUCER TRAIL	ANGELOU LANE	/	/	/
8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	SALINGER LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	ANGELOU LANE	/	/	/
12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	PEDESTRIAN/WL EASEMENT BTW LOT 6465	ANGELOU LANE	NORTH PROPERTY LINE	/	/	/

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	BRONTE LANE	ANGELOU LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	ANGELOU LANE	PHASE 2/4 BOUNDARY	BRONTE LANE	/	/	/
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	TWAIN WAY	LOT 90	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	SALINGER LANE	LOT 104	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/

* SANITARY SEWER LINES SHALL BE TERMINATED AT MANHOLES AND STANDARD LOCATIONS PER THE DPM. EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PRIVATE STORM DRAIN IMPROVEMENTS-PHASE 2							
18"-24" DIA	RCP W/ NEC, MHS, LATERALS & INLETS	ANGELOU LANE	SALINGER LANE	LOWPOINT NEAR LOT 67	/	/	/
9' WIDE	SWALE 2	POND HOA TRACT	ANGELOU LANE LOWPOINT NEAR LOT 67	PHASE 1 NEAR LOT 37	/	/	/
NOTE:	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY						
	ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER						
	** ACTUAL SIZE TO BE DETERMINED BY HSL AT DRC						

Private Inspector	City Inspector	City Cnst Engineer

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PRIVATE ROADWAY IMPROVEMENTS - PHASE 2							
28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK** ON BOTH SIDES*	BRONTE LANE	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	ANGELOU LANE	BRONTE LANE	PHASE 2/4 BOUNDARY	/	/	/
28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TWAIN WAY	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
28' F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	SALINGER LANE	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
5'	TRAIL	PEDESTRIAN EASEMENT BTW LOT 6465	ANGELOU LANE	NORTHERN BOUNDARY	/	/	/
	*ALL SIDEWALKS TO BE DEFERRED ALONG FRONTAGE OF LOTS						
	NOTE: STREET LIGHTS WITH ALL APPURTENANCES WITH ALL APPURTENANCES						
	**PROVIDE /INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC						

Private Inspector	City Inspector	City Cnst Engineer

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
OFFSITE PUBLIC IMPROVEMENTS-PHASE 2							
15' WIDE	SWALE 1 APPROX. 850 LF	NORTH OF NORTHERN BOUNDARY	CULVERT CROSSING AT PASEO DEL NORTE	EAST PROPERTY LINE	/	/	/

Private Inspector	City Inspector	City Cnst Engineer

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crat Engineer
			PRIVATE ROADWAY IMPROVEMENTS - PHASE 3						
		32" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	STEINBECK WAY	/	/	/
		28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TOLKIEN LANE	STEINBECK WAY	VONNEGUT LANE	/	/	/
		28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	VONNEGUT LANE	TOLKIEN LANE	PHASE 3/4 BOUNDARY	/	/	/
		28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	STEINBECK WAY	TOLKIEN LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL	/	/	/
		28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	SEUSS WAY	TOLKIEN LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL	/	/	/
		28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	CHAUCER TRAIL	STEINBECK WAY	PHASE 1/3 BOUNDARY	/	/	/
		5'	TRAIL	PEDESTRIAN EASEMENT BTW LOT 167/168	VONNEGUT LANE	WESTERN BOUNDARY FRAMBUESA RD	/	/	/

*ALL SIDEWALKS TO BE DEFERRED ALONG FRONTAGE OF LOTS
 NOTE: STREET LIGHTS WITH ALL APPURTENANCES AS REQUIRED PER THE COA DPM
 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Crat Engineer
			OFFSITE PUBLIC IMPROVEMENTS-PHASE 3						
		12" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	FRAMBUESA ROAD	ROSA PARKS RD	PHASE 3/4 BOUNDARY	/	/	/
		12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	AZUCENA PLACE	PRV NEAR INTERSECTION OF FRABUESA	SUESS WAY	/	/	/
		10" PRV	PRESSURE REDUCING VALVE	PUBLIC WL EASEMENT ON HOA TRACT 28; FRABUESA & AZUCENA			/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MHS	AZUCENA PLACE	FRAMBUESA ROAD	SUESS WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MHS	FRAMBUESA ROAD	PHASE 3/4 BOUNDARY	AZUCENA PLACE	/	/	/
		24" F-F F-EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	AZUCENA PLACE	FRAMBUESA ROAD	SUESS WAY	/	/	/
		24" F-F F-EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	FRAMBUESA ROAD	PHASE 3/4 BOUNDARY	AZUCENA PLACE	/	/	/

PHASE 1, PHASE 2, PHASE 3 AND NON-DEFERRED OFFSITE INFRASTRUCTURE MUST ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTY FOR ANY SPECIFIC PHASE.

SIA Sequence #	COA DRG Project #

Private Inspector	City Inspector	City Crst Engineer

PUBLIC WATERLINE IMPROVEMENTS-PHASE 4

Size	Type of Improvement	Location	From	To
8" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	ANGELOU LANE	FAULKNER WAY	LOT 21&219
8" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	FAULKNER WAY	ANGELOU LANE	VONNEGUT LANE
8" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	VONNEGUT LANE	FAULKNER WAY	PHASE 3/4 BOUNDARY
8" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	STEINBECK WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	SEUSS WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	ANGELOU LANE	SEUSS WAY	PHASE 2/4 BOUNDARY

SIA Sequence #	COA DRG Project #

Private Inspector	City Inspector	City Crst Engineer

PUBLIC SANITARY SEWER IMPROVEMENTS -PHASE 4

Size	Type of Improvement	Location	From	To
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	ANGELOU LANE	PHASE 2/4 BOUNDARY	FAULKNER WAY
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	FAULKNER WAY	ANGELOU LANE	VONNEGUT LANE
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	VONNEGUT LANE	FAULKNER WAY	PHASE 3/4 BOUNDARY
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	SEUSS WAY	LOT 221	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA	SANITARY SEWER W/ NEC. MHS & SERVICES	STEINBECK WAY	LOT 248	PHASE 3/4 BOUNDARY CHAUCER TRAIL

* SANITARY SEWER LINES SHALL BE TERMINATED AT MANHOLES AND STANDARD LOCATIONS PER THE DPM. EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRG Project #

Private Inspector	City Inspector	City Crst Engineer

PRIVATE DRAIN IMPROVEMENTS-PHASE 4

NOTE: A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY
ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER

SA Sequence #	COA DRC Project #

Size Type of Improvement Location From To

DEFERRED OFFSITE PUBLIC IMPROVEMENTS

15' SANITARY SEWER W/ NEC EAST BOUNDARY
APPROX. 2140'LF MHS & SERVICES AT NORTH BOUNDARY

DEFERRED OFFSITE PUBLIC IMPROVEMENTS - PROCEDURE "C"

42' RCP W/ NEC. MHS EAST BOUNDARY
DIA 51' UTILITY EASEMENT AT NORTH BOUNDARY
APPROX 780 LF

35' WEST BOUND LANE W/ C&G PASO DEL NORTE EAST BOUNDARY
WIDE 1-11' LANE, 1-12' LANE, & BIKE LANE. EAST BOUNDARY
APPROX 780 LF 4' BUFFER AND 10' MULTI USE TRAIL

Private Inspector	City Inspector	City Cnst Engineer
/	/	/
/	/	/
/	/	/
/	/	/

DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

DRB CHAIR *Jeff Palmer* Mar 30, 2022 DATE
Cheryl Amesfeldt Mar 30, 2022 12:46 MDT
 PARKS & RECREATION

TRANSPORTATION DEVELOPMENT *Jeannie Wolfenbarger* Mar 30, 2022 DATE
Blaine Carter Mar 30, 2022 10:42 MDT
 ARCHDRA

AGENT/OWNER *Yolanda Padilla Moyer* Mar 30, 2022 DATE
 BOHANNAN HUSTON INC. PREPARED BY: PRINT NAME

AGENT/OWNER *Ernest Ormijo* Mar 30, 2022 DATE
 AMAFCA CITY ENGINEER

MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT/OWNER
1	4/21/2022	<i>Jeannie Wolfenbarger</i>	MA-PE	<i>Yolanda Padilla Moyer</i>

CITY OF ALBUQUERQUE



FINANCIAL GUARANTY AMOUNT

February 9, 2023

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

Project Description:

Project ID #: 709776

La cuentista Phase 1

Requested By: Kelly Klein / Kevin Patton

Approved Estimate Amount: \$ 3,135,923.51

Contingency Amount: 0.00% \$ -

Subtotal: \$ 3,135,923.51

PO Box 1293

NMGRT: 7.750% \$ 243,034.07

Subtotal: \$ 3,378,957.58

Albuquerque

Engineering Fee: 6.60% \$ 223,011.20

New Mexico 87103

Testing Fee: 2.00% \$ 67,579.15

Subtotal: \$ 3,669,547.93

www.cabq.gov

FINANCIAL GUARANTY RATE: 1.25

TOTAL FINANCIAL GUARANTY REQUIRED: \$ 4,586,934.90

APPROVAL:



DATE:

Feb. 9, 2023

Notes: Plans are approved through DRC.

**INFRASTRUCTURE BOND
(Procedure B)**

Bond No. [Surety's No:] SUR0073430

INFRASTRUCTURE IMPROVEMENT BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we [name of Developer:] Pulte Development of New Mexico, Inc. ("Developer") a Michigan corporation, as "Principal", and [name of surety:] Argonaut Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois and authorized to do business in the State of New Mexico, as "Surety," are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of: Four Million Five Hundred Eighty Six Thousand Nine Hundred Thirty Four and 90/100 Dollars, (\$4,586,934.90), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as [name of Developer's Property:] La Cuentista Subdivision Phase 1 ("Developer's Property"), City Project No. 709776; and

WHEREAS, said Developer's Property is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Integrated Development Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Integrated Development Ordinance also requires the Principal to install and construct the following improvements at the Developer's Property: [list the improvements, e.g., water, sewer, pavement, sidewalks:]

Onsite: paving, water, sanitary sewer, storm drain, pond, soft costs

Offsite: paving, water, sanitary sewer, street lights, soft costs ("Improvements")


All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Infrastructure Improvements Agreement entered into between [name of Developer:] Pulte Development of New Mexico, Inc. and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on _____, 20 ____ as Document Number _____, as amended by change order or amendments to the agreement.

Bond No. [surety's No:] SUR0073430

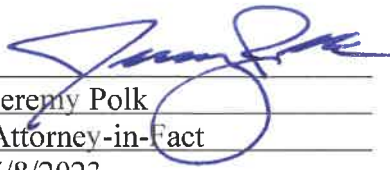
NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work hereinabove specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] March 1, 2024 ("the "Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 8th day of May, 2023.

DEVELOPER

By [signature:] 
Name: Gregory S. Rives
Title: Assistant Treasurer
Dated: 5/8/2023

SURETY

By [signature:] 
Name: Jeremy Polk
Title: Attorney-in-Fact
Dated: 5/8/2023

*NOTE: Power of Attorney for Surety must be attached.

ACKNOWLEDGEMENT BY PRINCIPAL

STATE OF GEORGIA)

) ss.

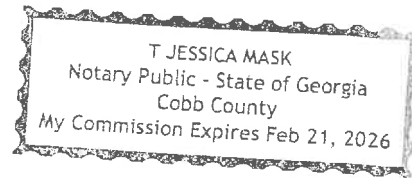
COUNTY OF COBB)

This record was acknowledged before me on May 8, 2023, appeared Gregory S. Rives, Pulte Development of New Mexico, Inc, who provided to me on the basis of satisfactory evidence to be the person who appeared before me and is personally known to me.

WITNESS my hand official seal.



Signature of Notary Public



(s
T. JESSICA MASK
Notary Public State of Georgia

My Commission Expires: February 21, 2026

Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Jeremy Polk, Matthew Erra, Kischa Rushing

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$97,550,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 19th day of November, 2021.

Argonaut Insurance Company



by:

Gary E. Grose, President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 19th day of November, 2021 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

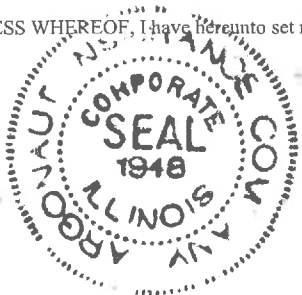
IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 8th day of May, 2023.



Austin W. King, Secretary

SIDEWALK DEFERRAL AGREEMENT

Project Name: La Cuentista Subdivision Phase 1

Project Number: 709776

THIS AGREEMENT is made upon the date of the latest signature below, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and **Pulte Development of New Mexico Inc.** ("Developer"), a **Michigan Corporation**, (state the type of business entity e.g. "New Mexico corporation," "general partnership," "individual," etc.), whose email address is kevin.patton@pultegroup.com, whose address is **7601 Jefferson Street NE, Suite 320** (Street or PO Box) **Albuquerque, NM** (City, State), 87109 (Zip Code) and whose telephone number is **505-341-8591**, in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the Developer is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico, known as (existing legal description) Tract B-2-A of The Bulk Land Plat for Tracts B-1-A and B-2-A, La Cuentista Subdivision recorded on (Date) , **April 05, 2022**, in Book _____, pages **2** through **2**, as Document No. **2022033635** in the records of Bernalillo County Clerk, State of New Mexico ("Developer's Property"); and

WHEREAS, the Developer has submitted and the City has approved Developer's development plans and (state "preliminary" or "final":) **Preliminary** plat, to be identified as (state name of plat:) **La Cuentista Subdivision (Replat of Tract B-1-A and Tract B-2-A)**; and

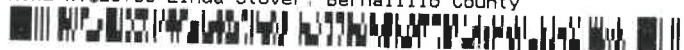
WHEREAS, Developer has requested and the City has determined that it is acceptable for the Developer to defer construction of the sidewalks within the Developer's Property until after construction of other required infrastructure; and

WHEREAS, the City requires all sidewalks to be completed within four (4) years after execution of the Agreement to Construct Infrastructure Improvements; and

WHEREAS, the Developer must execute and deliver to the City an Agreement and an acceptable financial guaranty to provide funds for construction of the sidewalk improvements in the event the Developer does not complete the construction as required.

Doc# 2023032667

05/25/2023 03:24 PM Page: 1 of 23
AGRE R: \$25.00 Linda Stover, Bernalillo County



THEREFORE, the City and the Developer agree:

1. A. Sidewalk Construction Deadline. Developer has obtained a sidewalk deferral, as shown in the attached **Exhibit "A,"** which is a copy of the Development Review Board's decision regarding the deferral granted. Developer agrees to utilize the City's sidewalk permit process and complete the sidewalks to the satisfaction of the City by **March 1, 2027** ("Sidewalk Construction Deadline").

B. Request for Extension. If this Sidewalk Deferral Agreement establishes a Sidewalk Construction Deadline which is less than four (4) years after execution of the Infrastructure Improvements Agreement, the Developer may request an extension from the Design Review Section for an additional period of time, which shall not exceed a total of four years after execution of the Infrastructure Improvements Agreement. The form of the Financial Guaranty extension and the amount must be approved by the City, but shall not exceed 125% of the City's estimate of the cost of construction at the time Developer requests an extension. If the Developer will need more than four (4) years after execution of the Infrastructure Improvements Agreement to construct the sidewalks, the Developer must request and obtain an extension from the Development Review Board and submit the required documentation to the Design Review Section before expiration of the four (4) years.

2. Financial Guaranty. Developer will provide a financial guaranty in an amount of not less than 125% of the cost of constructing the sidewalk improvements within the Developer's Property, as determined by the City. The financial guaranty must be irrevocable and may be in the form of a City-approved bond, 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 Sidewalk Construction Deadline. To meet the Integrated Development Ordinance requirements, the Developer has provided the following "Financial Guaranty":

Type of Financial Guaranty: **Surety Bond (SUR0073429)**

Amount: **\$131,775.56**

Name of Financial Institution or Surety providing Guaranty: **Argonaut Insurance Company**

Date City first able to call Guaranty (Construction Completion Deadline): **March 1, 2027**

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

Guaranty is: **May 1, 2027**

Additional information: _____

3. Notice of Start of Construction. Before construction begins, the Developer's contractor shall obtain all necessary Excavation and Barricading permits.

4. Completion, Acceptance and Release. The Developer shall report completion of sidewalk construction in writing to the City. The City shall inspect the sidewalks to verify completion. Upon acceptance of the improvements, the City shall promptly release the financial guaranty and this Sidewalk Deferral Agreement.

5. Conveyance of Property Rights. When the sidewalks have been constructed, if the City does not own the real property upon which the sidewalks are constructed, the Developer shall convey to the City the real property rights required by the City together with the improvements, free and clear of all claims, encumbrances and liens, before the City will release the Financial Guaranty and Sidewalk Deferral Agreement. Conveyance may be by dedication on the final plat of the Developer's Property.

6. 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.

7. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Developer and the express written concurrence of financial institution or surety which has undertaken to guaranty 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.

8. 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 posted a suitable financial guaranty and entered into a Sidewalk Improvements Agreement with the City. Thereafter, when 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.

9. Payment for Incomplete Improvements. If the Developer fails to satisfactorily complete construction of the sidewalks by the Construction Completion Deadline, the City may construct or cause the sidewalks 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 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 the Financial Guaranty.

10. 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 its heirs, successors and assigns.

11. 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 days after the notice is mailed if there is no actual evidence of receipt.

12. 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.

13. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

14. 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.

15. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meeting or construction of any of its provisions.

16. Form not Changed. Developer agrees that changes to this form are not binding unless initialed by the Developer and signed by the City's Legal Department on this form.

17. Authority to Execute. If the Developer signing below is not the Owner of the Developer's Property, the owner must provide a Power of Attorney or other evidence of authority to execute this Agreement which is acceptable to the City.

DEVELOPER: Pulte Development of New Mexico Inc., a Michigan Corporation

By [signature]: 

Name [print]: Kevin Patton

Title: Director of Land Planning and Entitlements

Dated: May 15, 2023

DEVELOPER'S NOTARY

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

This instrument was acknowledged before me on 15th day of May, 2023
by (name of person:) Kevin Patton, (title or capacity, for instance, "President" or
"Owner":) Director of
(Developer:) Planning and Entitlements.

STATE OF NEW MEXICO
NOTARY PUBLIC
Kimberly Diane Legan
Commission No. 1138659
August 30, 2026


Notary Public

My Commission Expires: August, 30th 2026

OWNER Homes Potte of New Mexico Inc.

By [Signature:]: [Signature]

Name [Print]: Kevin Patton

Title: Director of Land Planning & Entitlements

Dated: 5/16/23

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

The foregoing Power of Attorney was acknowledged before me on May 16, 2023
by [name of person:] Kevin Patton, [title or capacity, for instance
"President":] Director of Land Planning & Entitlements of [Owner:]
Potte Homes of New Mexico Inc. on behalf of the Owner.

(SEAL)

Gabryella B. Williams
Notary Public

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

My Commission Expires: June 21, 2026

Current DRC Project No. 09776

Date Submitted: _____
 Date Site Plan Approved: _____
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No. PR-2021-004988

Figure 12
 INFRASTRUCTURE LIST

EXHIBIT "A"
 TO SUBMISSION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
 LA CUENTISTA SUBDIVISION PHASE 1, 2, 3, 4 & OFFSITE
 (TRACT B-1-A & B-2-A)

Following is a summary of PUBLIC/PRIVATE Infrastructure required to be constructed or financially guaranteed for the above development. This listing is not necessarily a complete listing. During the SIA process and/or in the review of the construction drawings, if the DRC Chair determines that 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 guarantee. 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 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.

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Approval		
							Private Inspector	City Inspector	City Cost Engineer
PHASE 1 AND NON-DETERMINED OFFSITE IMPROVEMENTS MUST ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTEE FOR ANY SPECIFIC PHASE.									
PHASE 1									
PUBLIC WATERLINE IMPROVEMENTS-PHASE 1									
		12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	TWIN WAY	ROSA PARKS RD	TOLKIEN LANE	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	TWIN WAY	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	TOLKIEN LANE	SEUSS WAY	TWIN WAY	/	/	/
		12" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	BRONTE LANE	TWIN WAY	PHASE 1/2 BOUNDARY	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	SALINGER LANE	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
		8" DIA (3WR)	WATERLINE W/ NEC. VALVES FHS, MJS & R/S	SEUSS WAY	AZUCENA PLACE	PHASE 1/3 BOUNDARY TOLKIEN LANE	/	/	/
PUBLIC SANITARY SEWER IMPROVEMENTS-PHASE 1									
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TWIN WAY	CHAUCER TRAIL	ROSA PARKS RD	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	TOLKIEN LANE	SEUSS WAY	TWIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	BRONTE LANE	PHASE 1/2 BOUNDARY	TWIN WAY	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	SALINGER LANE	CHAUCER TRAIL	TOLKIEN LANE	/	/	/
		8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	AZUCENA PLACE	SEUSS WAY	ROSA PARKS RD	/	/	/

*SANITARY SEWER LINES SHALL BE TERMINATED AT MAINHOLES AND STANDARD LOCATIONS PER THE DPM. EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRC Project #

PRIVATE STORM DRAIN IMPROVEMENTS - PHASE 1

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
18-54" DIA	RCP W/ NEC. MFS, LATERALS & INLETS	TOLKIEN LANE	PHASE 1/3 BOUNDARY SEUSS WAY	POND	/	/	/
18" DIA	RCP W/ NEC. MFS, LATERALS & INLETS	TWAIN WAY	LOWPOINT NEAR LOT 41	POND	/	/	/
18" DIA	RCP W/ NEC. MFS, LATERALS & INLETS	TWAIN WAY	POND	ROSA PARKS RD	/	/	/
	POND (5.38 AC-FT)	EAST OF TWAIN WAY			/	/	/

NOTE: DRAINAGE POND SLOPES SHOULD BE STABILIZED AND POND BOTTOM SEEDED ACCORDING TO INTERIM SPEC 4013 SLOPE STABILIZATION AND SEEDING OR BETTER

A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY

ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER

** ACTUAL SIZE TO BE DETERMINED BY HSL AT DRC

SIA Sequence #	COA DRC Project #

PRIVATE ROADWAY IMPROVEMENTS - PHASE 1

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cost Engineer
48" F-F MIN 6" MEDIAN MIN 20' INGRESS MIN 20' EGRESS	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE†	SEUSS WAY	AZUCENA PLACE	TOLKIEN LANE	/	/	/
32" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TOLKIEN LANE	SEUSS WAY PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	BRONTE LANE	TWAIN WAY	PHASE 1/2 BOUNDARY	/	/	/
48" F-F 6" MEDIAN 20' INGRESS 20' EGRESS	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE†	TWAIN WAY	ROSA PARKS PLACE	TOLKIEN LANE	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TWAIN WAY	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCIER TRAIL	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	SALINGER LANE	TOLKIEN LANE	PHASE 1/2 BOUNDARY CHAUCIER TRAIL	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	CHAUCIER TRAIL	PHASE 1/3 BOUNDARY	TWAIN WAY	/	/	/

NOTE: STREET LIGHTS WITH ALL APPURTENANCES WITH ALL APPURTENANCES AS REQUIRED PER THE COA DPM

*ALL SIDEWALKS TO BE DEFERRED ALONG FRONTAGE OF LOTS

†SIDEWALK TO BE WAIVED ON ONE SIDE OF THE ROAD. 1) SEUSS WAY AND 2) TWAIN WAY

**PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC

SIA Sequence #	COA DRC Project #

OFFSITE PUBLIC IMPROVEMENTS-PHASE 1

Type of Improvement

12" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

8" DIA SANITARY SEWER W/ NEC. MHS & SERVICES

24" x 48" PRE-OP RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE

VARIES 6-14" FACE TO EOP COLLECTOR PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE

From	To	Private Inspector	City Inspector	City Civil Engineer
ROSA PARKS RD	SEUSS WAY	/	/	/
ROSA PARKS RD	SEUSS WAY	/	/	/
ROSA PARKS RD	SEUSS WAY	/	/	/
AZUCENA PLACE	EAST BOUNDARY LINE	/	/	/

PHASE 1 AND PHASE 2 OFFSITE INFRASTRUCTURE MUST ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTEE FOR ANY SPECIFIC PHASE

SIA Sequence #	COA DRC Project #

PUBLIC WATERLINE IMPROVEMENTS-PHASE 2

Type of Improvement

8" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

12" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

8" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

8" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

12" DIA (3WR) WATERLINE W/ NEC. VALVES FHS, MJS & RJS

From	To	Private Inspector	City Inspector	City Civil Engineer
PHASE 2/4 BOUNDARY	PEDESTRIAN/WL EASEMENT BTW LOT 6465	/	/	/
PEDESTRIAN/WL EASEMENT BTW LOT 6465	PHASE 1/2 BOUNDARY	/	/	/
PHASE 1/2 BOUNDARY CHAUCER TRAIL	ANGELOU LANE	/	/	/
PHASE 1/2 BOUNDARY CHAUCER TRAIL	ANGELOU LANE	/	/	/
ANGELOU LANE	NORTH PROPERTY LINE	/	/	/

SIA Sequence #	COA DRC Project #

PUBLIC SANITARY SEWER IMPROVEMENTS -PHASE 2

Type of Improvement

8" DIA SANITARY SEWER W/ NEC. MHS & SERVICES

8" DIA SANITARY SEWER W/ NEC. MHS & SERVICES

8" DIA SANITARY SEWER W/ NEC. MHS & SERVICES

8" DIA SANITARY SEWER W/ NEC. MHS & SERVICES

From	To	Private Inspector	City Inspector	City Civil Engineer
ANGELOU LANE	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
PHASE 2/4 BOUNDARY	BRONTE LANE	/	/	/
LOT 90	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/
LOT 104	PHASE 1/2 BOUNDARY CHAUCER TRAIL	/	/	/

*SANITARY SEWER LINES SHALL BE TERMINATED AT MANHOLES AND STANDARD LOCATIONS PER THE DPM. EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
18"-24" DIA	RCP W/ NEC. MK'S, LATERALS & INLETS	ANGELOU LANE	SALINGER LANE	LOWPOINT NEAR LOT 67	/	/	/
8" WIDE	SWALE 2	POND HOA TRACT	ANGELOU LANE LOWPOINT NEAR LOT 67	PHASE 1 NEAR LOT 37	/	/	/
NOTE.	A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY						
	ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER						
	** ACTUAL SIZE TO BE DETERMINED BY HGL AT DRC						

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK* ON BOTH SIDES*	BRONTE LANE	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	ANGELOU LANE	BRONTE LANE	PHASE 2/4 BOUNDARY	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	TWIN WAY	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	SALINGER LANE	PHASE 1/2 BOUNDARY	ANGELOU LANE	/	/	/
5'	TRAIL	PEDESTRIAN EASEMENT BTW LOT 84/85	ANGELOU LANE	NORTHERN BOUNDARY	/	/	/

*ALL SIDEWALKS TO BE DEFERRED ALONG FRONTAGE OF LOTS
 NOTE: STREET LIGHTS WITH ALL APPURTENANCES WITH ALL APPURTENANCES
 ** PROVIDE /INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC

SIA Sequence #	COA DRC Project #

Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
15" WIDE	SWALE 1 APPROX. \$50 LF	NORTH OF NORTHERN BOUNDARY	CULVERT CROSSING AT PASEO DEL NORTE	EAST PROPERTY LINE	/	/	/

PHASE 1, PHASE 2, PHASE 3 AND NOW OPERABLE ABOVE GROUND STRUCTURE MAY ALL BE ACCEPTED BY THE CITY PRIOR TO THE RELEASE OF FINANCIAL GUARANTY FOR ANY SPECIFIC PHASE.

SIA Sequence #	COA DRC Project #

Private Inspector	City Inspector	City Civil Engineer

PUBLIC WATERLINE IMPROVEMENTS-PHASE 4

Size	Type of Improvement	Location	From	To
8" DIA (4M)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	ANGELOU LANE	FAULKNER WAY	LOT 218/219
8" DIA (4M)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	FAULKNER WAY	ANGELOU LANE	VONNEGUT LANE
8" DIA (4M)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	VONNEGUT LANE	FAULKNER WAY	PHASE 3/4 BOUNDARY
8" DIA (4M)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	STEINBECK WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA (3MR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	SELUSS WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA (3MR)	WATERLINE W/ NEC. VALVES FHS, MJS & RJS	ANGELOU LANE	SELUSS WAY	PHASE 2/4 BOUNDARY

SIA Sequence #	COA DRC Project #

Private Inspector	City Inspector	City Civil Engineer

PUBLIC SANITARY SEWER IMPROVEMENTS-PHASE 4

Size	Type of Improvement	Location	From	To
8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	ANGELOU LANE	PHASE 2/4 BOUNDARY	FAULKNER WAY
8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	FAULKNER WAY	ANGELOU LANE	VONNEGUT LANE
8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	VONNEGUT LANE	FAULKNER WAY	PHASE 3/4 BOUNDARY
8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	SELUSS WAY	LOT 221	PHASE 3/4 BOUNDARY CHAUCER TRAIL
8" DIA	SANITARY SEWER W/ NEC. MFS & SERVICES	STEINBECK WAY	LOT 248	PHASE 3/4 BOUNDARY CHAUCER TRAIL

* SANITARY SEWER LINES SHALL BE TERMINATED AT MANHOLES AND STANDARD LOCATIONS PER THE DPM, EXACT LOCATIONS TO BE DETERMINED AT DRC

SIA Sequence #	COA DRC Project #

Private Inspector	City Inspector	City Civil Engineer

PRIVATE DRAIN IMPROVEMENTS-PHASE 4

NOTE: A GRADING AND DRAINAGE CERTIFICATION OF THE APPROVED GRADING PLAN IS REQUIRED PRIOR TO THE RELEASE OF FINANCIAL GUARANTY
ALL SLOPES ON HOA TRACTS TO BE STABILIZED IN ACCORDANCE WITH STD SPEC 1012 OR BETTER

SIA Sequence #	COA DRG Project #

Private Inspector	City Inspector	City Cost Engineer

Size	Type of Improvement	Location	From	To
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK* ON BOTH SIDES*	ANGELOU LANE	PHASE 2/4 BOUNDARY	FAULKNER WAY
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	FAULKNER WAY	ANGELOU LANE	VONNEGUT LANE
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	VONNEGUT LANE	FAULKNER WAY	PHASE 3/4 BOUNDARY
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	SELBYS WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
28" F-F	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON BOTH SIDES*	STENBECK WAY	ANGELOU LANE	PHASE 3/4 BOUNDARY CHAUCER TRAIL
6"	TRAIL	PEDESTRIAN EASEMENT BTW LOT 200&201	ANGELOU LANE	NORTHERN BOUNDARY

*ALL SIDEWALKS TO BE OBTAINED ALONG FRONTAGE OF LOTS
 NOTE: STREET LIGHTS WITH ALL APPURTENANCES AS REQUIRED PER THE COA DPM
 **PROVIDE / INSTALL THE NECESSARY ROADWAY SIGNAGE ASSOCIATED W/ THE DEVELOPMENT AS APPROVED BY THE CITY DRC

SIA Sequence #	COA DRG Project #

Private Inspector	City Inspector	City Cost Engineer

Size	Type of Improvement	Location	From	To
12" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, M/S & R/S	FRAMBUESA ROAD	PHASE 3/4 BOUNDARY	VALENTE ROAD
12" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, M/S & R/S	VALENTE ROAD	FRAMBUESA ROAD	URRACA STREET
12" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, M/S & R/S	URRACA STREET	VALENTE ROAD	AVENIDA DE JAIMITO
12" DIA (4W)	WATERLINE W/ NEC. VALVES FHS, M/S & R/S	VAL EASEMENT EAST OF LOT 194	VALENTE ROAD	VONNEGUT LANE
8" DIA	SANITARY SEWER W/ NEC. M/S	FRAMBUESA ROAD	PHASE 3/4 BOUNDARY	VALENTE ROAD
8" DIA	SANITARY SEWER W/ NEC. M/S	VALENTE ROAD	FRAMBUESA ROAD	URRACA STREET
8" DIA	SANITARY SEWER W/ NEC. M/S	URRACA STREET	VALENTE ROAD	AVENIDA DE JAIMITO
24" F-F F-EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	FRAMBUESA ROAD	PHASE 3/4 BOUNDARY	VALENTE ROAD
24" F-F F-EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	VALENTE ROAD	FRAMBUESA ROAD	URRACA STREET
24" F-F F-EOP	RESIDENTIAL PAVING W/ PCC CURB & GUTTER & PCC 5' WIDE SIDEWALK ON ONE SIDE	URRACA STREET	VALENTE ROAD	AVENIDA DE JAIMITO

COLLECTOR SEWER ANALYSIS IS REQUIRED
 ABOVUM APPROVAL WILL BE REQUIRED PRIOR TO ANY SERVICE CONNECTIONS

SEA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Civil Engineer
		15"	SANITARY SEWER W/ NEC. MIFS & SERVICES	51' UTILITY EASEMENT AT NORTH BOUNDARY	WEST BOUNDARY	EAST BOUNDARY	/	/	/
		42" DIA APPROX 780 LF	RCP W/ NEC. MIFS	51' UTILITY EASEMENT AT NORTH BOUNDARY	EAST BOUNDARY	780 LF WEST OF EAST BOUNDARY	/	/	/
		33" WIDE APPROX 780 LF	WEST BOUND LANE W/ C&G 1-11' LANE, 1-12' LANE, & BIKE LANE, 4' BUFFER AND 10' MULTI USE TRAIL	PHASED DEL NORTE	EAST BOUNDARY	780 LF WEST OF EAST BOUNDARY	/	/	/

DEFERRED OFFSITE PUBLIC IMPROVEMENTS - PROCEDURE "C"

AGENT OWNER	DRB CHAIR	DATE	DATE	DATE	DATE
YOLANDA PADILLA MOYER, P.E.	<i>[Signature]</i>	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022
BOHANNAN HUSTON INC.	<i>[Signature]</i>	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022
<i>[Signature]</i>	<i>[Signature]</i>	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022
<i>[Signature]</i>	<i>[Signature]</i>	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022	Mar 30, 2022

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRB CHAIR	USER DEPARTMENT	AGENT OWNER
<i>[Signature]</i>	4/21/2022	<i>[Signature]</i>	ma-PC	<i>[Signature]</i>

SIDEWALK EXHIBIT LA CUENTISTA SUBDIVISION

NOVEMBER 2021



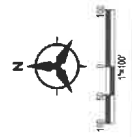
DEFERRED- SIDEWALKS ARE TO BE BUILT ON A LOT-BY-LOT BASIS AS HOME CONSTRUCTION IS COMPLETED. THE DEFERRAL IS REQUESTED TO REDUCE DAMAGE TO SIDEWALKS DUE TO BUILDING CONSTRUCTION ACTIVITIES.



TO BE BUILT- SIDEWALK



SIDEWALK WAIVED



CITY OF ALBUQUERQUE



FINANCIAL GUARANTY AMOUNT

February 8, 2023

Type of Estimate: **Sidewalk Deferral**

Project Description:

Project ID #: **709776 La Cuentista** Unit 1

Requested By: **Kelly Klein**

Approved Estimate Amount: \$ **97,838.00**

NMGRT: **7.750%** \$ **7,582.45**

Subtotal: \$ **105,420.45**

PO Box 1293

125% FINANCIAL GUARANTY RATE: **1.25**

TOTAL FINANCIAL GUARANTY REQUIRED: \$ **131,775.56**

Albuquerque

New Mexico 87103

APPROVAL:

DATE:

Feb 8, 2023

www.cabq.gov

Notes: **Deferred Sidewalks**

**INFRASTRUCTURE BOND
(Procedure B)**

Bond No. [Surety's No:] SUR0073429

INFRASTRUCTURE IMPROVEMENT BOND

KNOW ALL PERSONS BY THESE PRESENTS: That we Pulte Development of New Mexico, Inc. ("subdivider") a Michigan Corporation, as "Principal", and [name of surety:] Argonaut Insurance Company, a corporation organized and existing under and by virtue of the laws of the State of Illinois and authorized to do business in the State of New Mexico, as "Surety," are held and firmly bound unto the CITY OF ALBUQUERQUE in the penal sum of ONE HUNDRED THIRTY ONE THOUSAND SEVEN HUNDRED SEVENTY FIVE AND 56/100 Dollars, (\$131,775.56), as amended by change orders approved by the Surety or changes to the infrastructure list approved by the City Development Review Board, the payment of which is well and truly to be made, and each of us bind ourselves, our and each of our heirs, executors, administrators, successors and assigns, jointly and severally, and firmly by these presents.

NOW, THEREFORE, the condition of the above obligation is such that:

WHEREAS, the Principal is the owner of and/or is interested in or is developing land and premises known as La Cuentista Phase 1, Sidewalk Deferral ("Subdivision"), City Project No. 709776; and

WHEREAS, said Subdivision is subject to the provisions and conditions of the ordinance of the CITY OF ALBUQUERQUE known as the Subdivision Ordinance, the requirements of which include the installation of various other improvements by the Principal; and

WHEREAS, the Subdivision Ordinance also requires the Principal to install and construct the following improvements at the Subdivision's Property: Sidewalk Deferral – Sidewalk to be built with each home ("Improvements").


All construction shall be performed in accordance with the Agreement to Construct Public and/or Private Infrastructure Improvements Agreement entered into between Pulte Development of New Mexico, Inc. and the CITY OF ALBUQUERQUE, as recorded in the office of the Clerk of Bernalillo County, New Mexico, on _____, 20 ____ as Document Number _____, as amended by change order or amendments to the agreement.

Bond No. [Surety's No:] SUR0073429

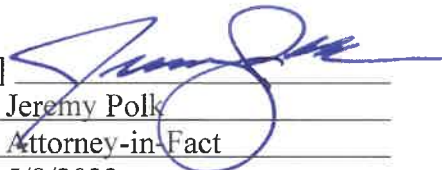
NOW, THEREFORE, if the Principal completes construction of the Improvements and facilities and performs the work hereinabove specified to be performed, all on or before [Construction Completion Deadline established in Agreement or as amended:] March 1, 2027 ("the "Construction Completion Deadline"), then this obligation shall be null and void; if the Principal does not complete construction by or before the Construction Completion Deadline, the City may call on this obligation until released by the City.

IN WITNESS WHEREOF, this bond has been executed 8th day of May, 2023 .

DEVELOPER

By [signature:] 
Name: Gregory S. Rives
Title: Assistant Treasurer
Dated: 5/8/2023

SURETY

By [signature:] 
Name: Jeremy Polk
Title: Attorney-in-Fact
Dated: 5/8/2023

*NOTE: Power of Attorney for Surety must be attached.



ACKNOWLEDGEMENT BY PRINCIPAL

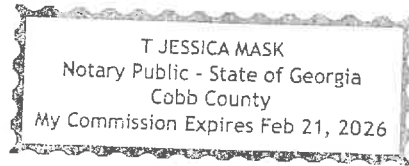
STATE OF GEORGIA)

) ss.

COUNTY OF COBB)

This record was acknowledged before me on May 8, 2023, appeared Gregory S. Rives, Pulte Development of New Mexico, Inc, who provided to me on the basis of satisfactory evidence to be the person who appeared before me and is personally known to me.

WITNESS my hand official seal.




Signature of Notary Public

(s

T. JESSICA MASK
Notary Public State of Georgia

My Commission Expires: February 21, 2026

Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Jeremy Polk, Matthew Erra, Kisha Rushing

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$97,550,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 19th day of November, 2021.

Argonaut Insurance Company



by: _____

Gary E. Grose , President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 19th day of November, 2021 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 8th day of May, 2023.



Austin W. King , Secretary

SUPPORTIVE DOCUMENTATION

February 10, 2023

City of Albuquerque
Planning, Engineering and Building Departments
P.O. Box 1293
Albuquerque, NM 87102

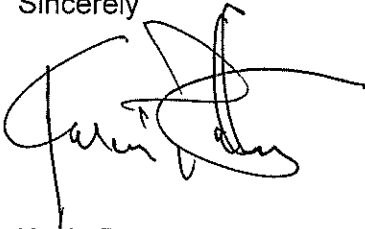
Albuquerque Bernalillo County Water Utility Authority
One Civic Plaza NW
Albuquerque, New Mexico 87102

Re: Letter of Authorization for Entitlement, Permit Applications, and Planning

To Whom It May Concern:

I hereby authorize Bohannon Huston as agents for all purposes described in this letter. In particular, Pulte Group and its officers, members and designees, are authorized by to take all actions relating to the preparation, execution, submission, and processing of submittals, applications, entitlement, platting and planning on La Cuentista.

Sincerely

A handwritten signature in black ink, appearing to read "Kevin Patton", with a large, stylized flourish above the name.

Kevin Patton, P.E.
Director of Land Planning and Entitlements
The Pulte Group: NM Division

July 1, 2021

City of Albuquerque
Planning, Engineering and Building Departments
P.O. Box 1293
Albuquerque, NM 87102

Albuquerque Bernalillo County Water Utility Authority
One Civic Plaza NW
Albuquerque, New Mexico 87102

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Sincerely



Name
Title

STAN DIAMOND
SOLE MEMBER/OWNER
EIK HAVEN, LLC, A P.M.
LLC

June 2, 2023

DHO
Planning Department
415 Silver Ave SW
Albuquerque, NM 87102

Re: Final Plat Submittal – La Cuentista Subdivision, Phase 1 (PR-2021-004968)

Dear Development Hearing Officer,

This letter is to accompany the Final Plat submittal that Bohannon Huston Inc. is requesting to be heard on June 14th, 2023, for the above-mentioned site. The purpose of the plat is to subdivide the 2 existing tracts in to 13 tracts and create 57 lots in the subdivision. Please feel free to contact me at 823-1000 with questions or comments.

Sincerely,



Yolanda Padilla Moyer, PE
Vice President
Community Development and Planning

YPM/kdl
Enclosures