



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

MISCELLANEOUS APPLICATIONS		<input checked="" type="checkbox"/> Extension of Infrastructure List or IIA (Form S3)	
<input type="checkbox"/> Site Plan Administrative DFT (Forms SP & P2)		PRE-APPLICATIONS	
<input type="checkbox"/> Final EPC Sign-off for Master Development/Site Plans - EPC (Form P2)		<input type="checkbox"/> Sketch Plat Review and Comment (Form S3)	
<input type="checkbox"/> Infrastructure List or Amendment to Infrastructure List (Form S3)		<input type="checkbox"/> Sketch Plan Review and Comment (Form S3)	
<input type="checkbox"/> Temporary Deferral of S/W (Form S3)		APPEAL	
<input type="checkbox"/> Extension of IIA: Temp. Def. of S/W (Form S3)		<input type="checkbox"/> Decision of Site Plan Administrative DFT (Form A)	
BRIEF DESCRIPTION OF REQUEST			
IIA Extension (393584)			
APPLICATION INFORMATION			
Applicant/Owner: SC3 Development		Phone: (505)259-8000	
Address: 4020 Vassar Dr. NE Suite H		Email: steve@sc3development.com	
City: Albuquerque	State: NM	Zip: 87107	
Professional/Agent (if any): Bohannon Huston, Inc. (Michael Balaskovits, PE)		Phone: (505)823-1000	
Address: 7500 Jefferson St. NE		Email: mbalaskovits@bhinc.com	
City: Albuquerque	State: NM	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.: Tracts 1 thru 3		Block:	Unit:
Subdivision/Addition: Mesa del Sol Innovation Park II		MRGCD Map No.:	UPC Code: 101605133522440402
Zone Atlas Page(s): R-16-Z	Existing Zoning: PC		Proposed Zoning PC
# of Existing Lots: 8	# of Proposed Lots: 3		Total Area of Site (Acres): 162.76
LOCATION OF PROPERTY BY STREETS			
Site Address/Street: University Blvd		Between: University Blvd SE and Stryker Rd SE	
CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)			
21004075, 1004918, 1006539, 1006516, 1006539, PR-2019-002964, PR-2020-004180, PR-2021-005573, PR-2021-005684, PR-2022-007805, and PR-2023-008498			
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: February 5, 2024	
Printed Name: Michael Balaskovits, PE		<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent	

FORM S3: ADMINISTRATIVE APPLICATIONS – Development Facilitation Team (DFT) as of 12/25/2022 **AMENDMENT TO INFRASTRUCTURE LIST**

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) DFT Application form completed, signed, and dated
- ___ 2) Form S3 with all the submittal items checked/marked
- ___ 3) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 4) Letter of authorization from the property owner if application is submitted by an agent
- ___ 5) Proposed Amended Infrastructure List
- ___ 6) Original Infrastructure List

 TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

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) DFT Application form completed, signed, and dated
- ___ 2) Form S3 with all the submittal items checked/marked
- ___ 3) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 4) Letter of authorization from the property owner if application is submitted by an agent
- ___ 5) A scale drawing showing the location of the deferred sidewalk with appropriate dimensions

 EXTENSION OF THE IIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

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) DFT Application form completed, signed, and dated
- ___ 2) Form S3 with all the submittal items checked/marked
- ___ 3) Zone Atlas map with the entire site clearly outlined and labeled

- ___ 4) Letter of authorization from the property owner if application is submitted by an agent
- ___ 5) Letter describing, explaining, and justifying the deferral or extension
- ___ 6) Drawing showing the sidewalks subject to the proposed deferral or extension

INFRASTRUCTURE LIST EXTENSION OR AN INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA) EXTENSION

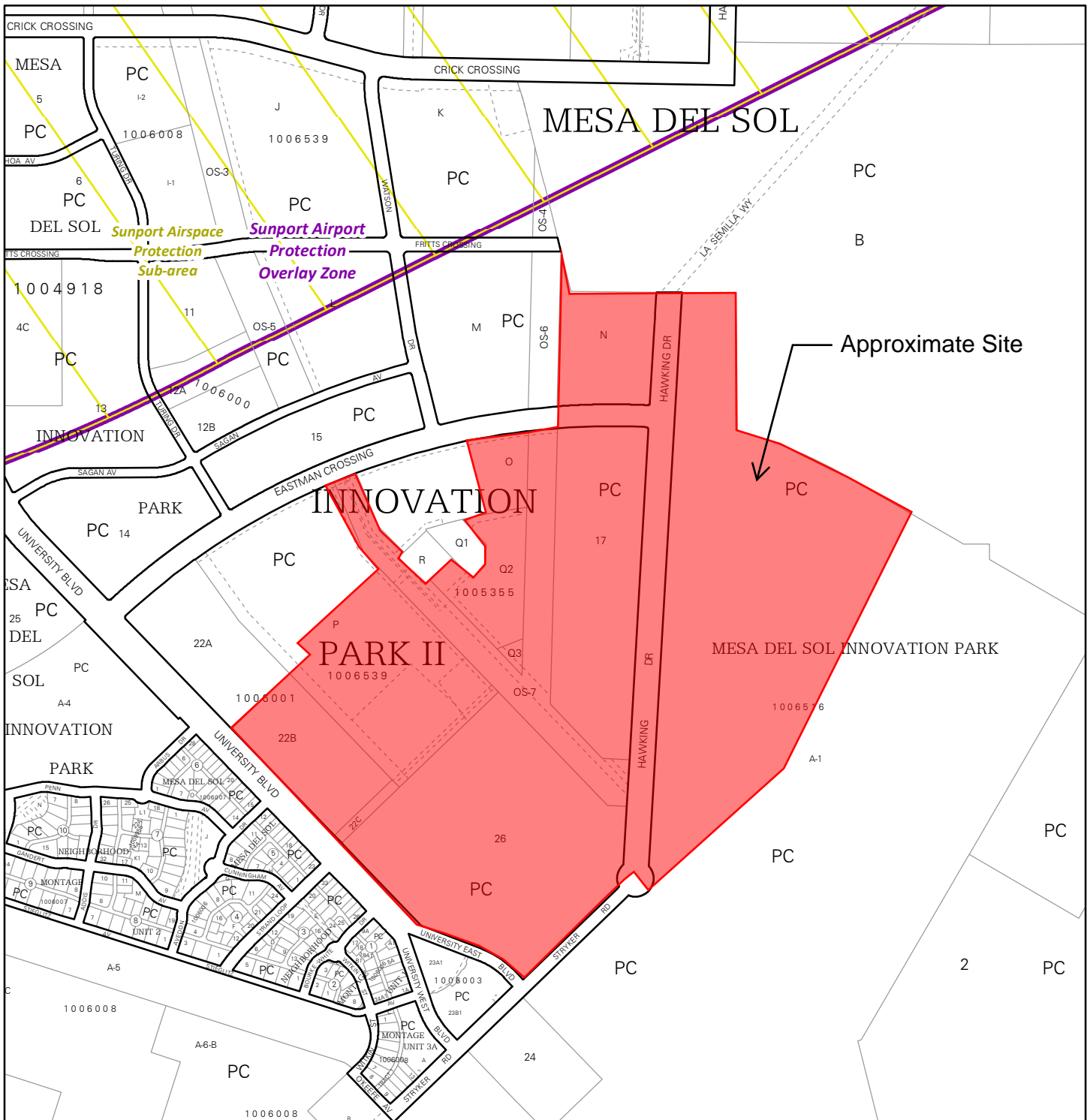
A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as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

- 1) DFT Application form completed, signed, and dated
- 2) Form S3 with all the submittal items checked/marked
- 3) Zone Atlas map with the entire site clearly outlined and labeled
- 4) Letter of authorization from the property owner if application is submitted by an agent
- 5) Letter describing, explaining, and justifying the request per IDO Section 14-16-6-4(X)(4)
- 6) Preliminary Plat or Site Plan
- 7) Copy of DRB approved Infrastructure List
- 8) Copy of recorded IIA

SKETCH PLAT OR SKETCH PLAN REVIEW AND COMMENT

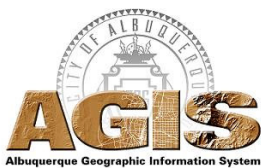
A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as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

- ___ 1) DFT Application form completed, signed, and dated
- ___ 2) Form S3 with all the submittal items checked/marked
- ___ 3) Zone Atlas map with the entire site clearly outlined and labeled
- ___ 5) Letter describing, explaining, and justifying the request
- ___ 6) Scale drawing of the proposed subdivision plat or Site Plan
- ___ 7) Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements, if there is any existing land use

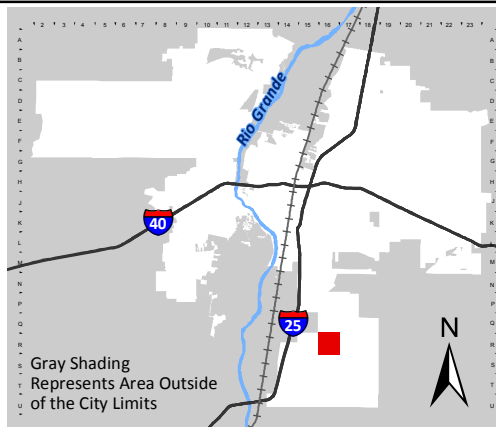


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018

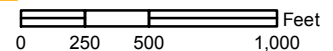


IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



Zone Atlas Page:
R-16-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





October 6, 2023

Shahab Biazar, City Engineer
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

Dear Mr. Biazar and City Planning Staff:

Pursuant to the Infrastructure Improvements Agreement (Procedure B) Agreement to Construct Public and/or Private Infrastructure Improvements Pursuant to Terms of First Amended and Restated Infrastructure Agreement, dated December 1, 2021 and recorded on January 18, 2022 as Document No. 2022003941 in the records of the Bernalillo County Clerk, State of New Mexico (the "Official Records"), the 1st Extension Agreement (Procedure B) dated August 4, 2022 and recorded on August 11, 2022 as Document No. 2022074263 in the Official Records , and the 2nd Extension Agreement (Procedure B) dated March 7, 2023, and recorded on March 17, 2023 as Document No. 2023016148 in the Official Records (collectively, the "North Plat IIA") which pertains to Tract P-1 and P-2 Mesa del Sol Innovation Park, recorded on December 14, 2021 as Document No. 2021145439, Book 2021C Page 0145, and the improvements identified as Project No. 393584, Netflix Studios LLC hereby consents to extend the Construction Completion Deadline as defined in the North Plat IIA from October 15, 2023 to January 31, 2024. Pursuant to the North Plat IIA, no further extensions of the Construction Completion Deadline for the North Plat IIA shall be permitted without the express written consent of Netflix Studios LLC.

Sincerely,

Kenneth Falcon

Program Manager, Studio

237696365.3
230454-10004

February 5, 2024

DFT
Planning Department
415 Silver Ave SW
Albuquerque, NM 87102

Re: Submittal for IIA Extension (393584) Justification Letter – Mesa del Sol Innovation Park II
(PR-2021-005573)

Dear Development Facilitation Team,

Bohannon Huston Inc. is submitting for an IIA Extension to be heard on February 14, 2024, for the above-mentioned site. This submission falls after the IIA expiration date of January 31, 2024, thus requesting to be heard at the DFT hearing date mentioned above.

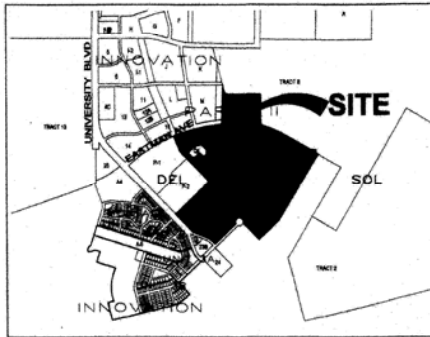
This extension is for the Eastman and University public roadway improvements. The IIA is in accordance with the IDO section 14-16-6(X)(4) subsection B part 2a and at least 50 percent of the first phase has been developed. The contractor is close to completing the work associated with this IIA and should be completed within the following months.

Please review the application packet and schedule us for the above-mentioned DFT Hearing date.

Sincerely,



Michael Balaskovits, PE
Senior Vice President
Community Development and Planning



LOCATION MAP
NOT TO SCALE

SUBDIVISION DATA

- DRB No.
- Zone Atlas Index No.: R16
- Gross Subdivision Acreage: 162.78 Acres
- Total Number of Tracts Created: 3 Tracts
- Total Area of Vacated Public Street Right-of-Way: 10.5624 Acres
- Date of Survey: July - August, 2021
- Plat is located within Section 22 and 23, T 9 N, R 3 E, N.M.P.M.
- No public streets were created.
- Zoning: PC

PURPOSE OF PLAT

The purpose of this Replat is to replat eight existing lots into three tracts and vacate portions of Eastman Avenue and Hawking Drive as the same are shown and designated in Mesa Del Sol Innovation Park II (A Replat of Tract Q Mesa Del Sol Innovation Park II), as Doc No. 2009028207 filed March 17, 2009, in Book 2009C, Page 0040 and Tract N and Tract OS-7 as the same are shown and designated in Bulk Land Plat for Mesa Del Sol Innovation Park II (A Replat of Tracts 1, 12, 15, 4-A-2, 4-A-3 & 4-A-4, Mesa Del Sol and Tracts 2-A, 2-B, 3, 4, 7, 8, 9, 10, 16, 18, 19, 20, 21, OS-1, OS-2, OS-3 and OS-6, Mesa Del Sol Innovation Park) as Doc No. 2008089615 filed August 7, 2008, in plat Book 2008C, page 175, and Tract 17 as the same are shown and designated in Bulk Land Plat for Mesa Del Sol Innovation Park (A Replat of Tract 4-A-1 & 4-B, Mesa Del Sol) as Doc No. 2007131551 filed September 13, 2007, in plat Book 2007C, page 259. Tract A-1-A-5 as the same are shown and designated Bulk Land Plat Tract A-1-A-5 and Tract A-1-A-1 (A Replat of Tract A-1-A-1 per Plat Tract A-5-C-1, A-1-A-1, A-1-A-2, A-1-A-3, A-1-A-4 and A-1-A-5 Mesa Del Sol Innovation Park) as Doc No. 2020108296 filed October 29, 2020 in plat Book 2020C, page 105.

PUBLIC UTILITY EASEMENTS

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

- 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.
- 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.
- 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.
- 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 Grantees, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (above ground or subterranean), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

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

Disclaimer

In approving this plat, Public Service Company of New Mexico (PNM), New Mexico Gas Company (NMGCO) and Qwest Corporation D/B/A CenturyLink (QWEST) did not conduct a Title Search of the properties shown hereon. Consequently, PNM, NMGCO and QWEST 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.

DOCH 2022065392
07/12/2022 10:10 on Page: 1 of 3
PLAT # 525 00 B 2022C P 0069 Linda Stover, Bernalillo County
PROPERTY OWNER OF RECORD: City of Albuquerque

USE IS TO VERIFY THAT THESE ARE THE SAME PARCELS ON WHICH PROPERTY OWNER OF RECORD: City of Albuquerque
COMPLIANCE MEASUREMENTS OFFICE
7/12/22

LEGAL DESCRIPTION

Tract Q Mesa Del Sol Innovation Park II), as Doc No. 2009028207 filed March 17, 2009, in Book 2009C, Page 0040 and Tract N and Tract OS-7 as the same are shown and designated in Bulk Land Plat for Mesa Del Sol Innovation Park II (A Replat of Tracts 1, 12, 15, 4-A-2, 4-A-3 & 4-A-4, Mesa Del Sol and Tracts 2-A, 2-B, 3, 4, 7, 8, 9, 10, 16, 18, 19, 20, 21, OS-1, OS-2, OS-3 and OS-6, Mesa Del Sol Innovation Park) as Doc No. 2008089615 filed August 7, 2008, in plat Book 2008C, page 175, and Tract 17 as the same are shown and designated in Bulk Land Plat for Mesa Del Sol Innovation Park (A Replat of Tract 4-A-1 & 4-B, Mesa Del Sol) as Doc No. 2007131551 filed September 13, 2007, in plat Book 2007C, page 259. Tract A-1-A-5 as the same are shown and designated Bulk Land Plat Tract A-1-A-5 and Tract A-1-A-1 (A Replat of Tract A-1-A-1 per Plat Tract A-5-C-1, A-1-A-1, A-1-A-2, A-1-A-3, A-1-A-4 and A-1-A-5 Mesa Del Sol Innovation Park) as Doc No. 2020108296 filed October 29, 2020 in plat Book 2020C, page 105.

162.78 acres more or less.

FREE CONSENT AND DEDICATION

The replat shown hereon is made with free consent and in accordance of the desires of the undersigned owner(s), the execution of this plat is their free act and deed. Those signing as owner(s) warrant that they hold among them, complete indefeasible title in fee simple to the land shown on this plat. Owner(s) hereby affirm that the described property shown on this plat lies within the platting and subdivision jurisdiction of the City of Albuquerque, New Mexico. Said owner(s) hereby grant and vacate all Easements as may be shown on this plat and dedication of Right of Way to the City of Albuquerque in fee simple as shown hereon.

NETFLIX STUDIOS, LLC

State of New Mexico
County of Bernalillo

This instrument was acknowledged before me on 19th day of January, 2022

by NETFLIX STUDIOS, LLC.

My Commission Expires: 07/20/2024

NOTES

- Tract is subject to Flood Zone X as designated on FIRM Map 35001C0555H, revised August 16, 2012.
- Date of Survey: July-August, 2021.
- Basis of Bearings is the inverse between City of Albuquerque Control Stations "1_R16" having NN MAD 83 State Plane Grid Coordinates Central Zone: N=1,453,438.899 and E=1,532,715.959 and "3_C16" having NN MAD 83 State Plane Grid Coordinates Central Zone: N=1,457,045.094 and E=1,533,498.782. Bearing: N12°15'07"E.
- Distances are ground distances "US SURVEY FOOT".
- Record Bearings and distances are the same as shown on plats referenced hereon.
- Pursuant to Section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "no property within the area of this Plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots of parcels within the area of proposed Plat. The foregoing requirement shall be a condition to approval of this plat."
- All corners created with this plat will be monumented with a #5 rebar and plastic survey cap stamped "PHILLIPS PS 15517" or nail and washer stamped "PHILLIPS PS 15517".

JURISDICTIONAL AFFIDAVIT

I Barry S. Phillips, a registered Professional New Mexico Surveyor, hereby affirm that the property described herein lies within the platting and subdivision jurisdiction of the City of Albuquerque.

Barry S. Phillips
New Mexico Professional Surveyor 15517

SURVEYOR'S CERTIFICATION:

I, Barry S. Phillips a Registered Professional New Mexico Surveyor No 15517, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all existing easements as shown on the plats of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and is true and accurate to the best of my knowledge and belief.

Barry S. Phillips
New Mexico Professional Surveyor 15517

January 14th 2022
Date: SURVEY STAMP DATE

**TRACTS 1 thru 3
MESA DEL SOL INNOVATION PARK II
BEING A REPLAT OF**

**TRACTS N, O, Q-2, Q-3, 17, 26, OS-7 and TRACT A-1-A-6
BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK II (A REPLAT OF TRS 1, 12, 15, 4-A-2, 4-A-3 & 4-A-4, MESA DEL SOL AND TRACTS 2-A, 2-B, 3, 4, 7, 8, 9, 10, 16, 18, 19, 20, 21, OS-1, OS-2, OS-3 AND OS-6, MESA DEL SOL INNOVATION PARK) BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK (A REPLAT OF TRACT 4-A-1 & 4-B, MESA DEL SOL) BULK LAND PLAT TRACT A-1-A-5 AND TRACT A-1-A-1 (A REPLAT OF TRACT A-1-A-1 PER PLAT TRACT A-5-C-1, A-1-A-1, A-1-A-2, A-1-A-3, A-1-A-4 AND A-1-A-5 MESA DEL SOL INNOVATION PARK)**

**SECTION 22 and 23
TOWNSHIP 9 NORTH, RANGE 3 EAST N.M.P.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
AUGUST 2021**

PROJECT NUMBER: **2021-005573**

Application Number: SD-2021-00171

PLAT APPROVAL

Utility Approvals:	Date
PNM Electric Services Jeff Estvanko	05/05/2022
New Mexico Gas Company	Date
Abdul A Bhujiyan	4/25/2022
Century Link	Date
Mike Mortine	04/25/2022
Comcast	Date
City Approvals:	
Loren N. Raenkovner P.S.	1/27/2022
City Surveyor	Date
Ernest Armijo	Jul 8, 2022
Traffic Engineering, Transportation Division	Date
Blaine Carter	Jul 8, 2022
ABCNUA	Date
Cheryl Langlois	Jul 8, 2022
Parks and Recreation Department	Date
AMAFCA	4/25/2022
Shahab Biagan	Jul 11, 2022
City Engineer/Hydrology	Date
SH Plan	Jul 8, 2022
Code Enforcement	Date
Code Enforcement	Jul 11, 2022
DRB Chairperson, Planning Department	Date
Cheryl Garcia	July 11, 2022
REAL PROPERTY DIVISION	

LANDFILL DISCLOSURE STATEMENT

The subject property is located near or is a former landfill site. Due to the subject property being on or near a former landfill, certain precautionary measures may need to be taken to ensure the health and safety of the public. Recommendations made by a professional engineer with expertise in landfills and landfill gas issues (as required by the most current version of the "Interim Guidelines for Development within 1000 feet of Landfills) shall be consulted prior to development of the site.



Bohannon & Huston
www.bhinc.com 800.877.5332

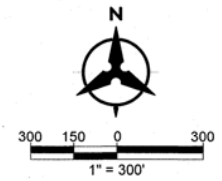
DOCH 2022065392
 07/12/2022 12:10 PM Page: 2 of 3
 PLAT # 125-00-0-2022 P 2009 Linda Stover, Bernalillo County

**TRACTS 1 thru 3
 MESA DEL SOL INNOVATION PARK II
 BEING A REPLAT OF**

TRACTS N, O, Q-2, Q-3, 17, 26, OS-7 and TRACT A-1-A-6
 BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK II (A REPLAT OF TRS 1, 12, 15, 4-A-2, 4-A-3 & 4-A-4, MESA DEL SOL AND TRACTS 2-A, 2-B, 3, 4, 7, 8, 9, 10, 16, 18, 19, 20, 21, OS-1, OS-2, OS-3 AND OS-6, MESA DEL SOL INNOVATION PARK) BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK (A REPLAT OF TRACT 4-A-1 & 4-B, MESA DEL SOL) BULK LAND PLAT TRACT A-1-A-6 AND TRACT A-1-A-1-A (A REPLAT OF TRACT A-1-A-1 PER PLAT TRACT A-6-C-1, A-1-A-1, A-1-A-2, A-1-A-3, A-1-A-4 AND A-1-A-5 MESA DEL SOL INNOVATION PARK)

**SECTION 22 and 23
 TOWNSHIP 9 NORTH, RANGE 3 EAST N.M.P.M.
 CITY OF ALBUQUERQUE
 BERNALILLO COUNTY, NEW MEXICO
 AUGUST 2021**

STATE OF NEW MEXICO
 MESA DEL SOL
 TRACT 8
 FILED: JUNE 21, 2006
 (BK. 2006C, PG. 19)



LEGEND

- FOUND PLASTIC CAP STAMPED "GROMATZKY 16469 PHILLIPS 15517/BENHAM 15500"
- ✕ SET CHISELED MARK IN CONCRETE
- FOUND 5/8" REBAR
- △ FOUND BRASS CAP AS NOTED
- CORNER TO BE SET WITH "PHILLIPS 15517" CAP OR WASHER
- SUBJECT PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- - - EXISTING RIGHT-OF-WAY LINE
- - - PUBLIC DRAINAGE EASEMENT (P.D.E.)
- - - ELIMINATED TRACT LINE
- - - VACATED RIGHT-OF-WAY LINE

CURVE DATA

ID	DELTA	TANGENT	ARC	RADIUS	CHORD BRG	CHORD
C1	15°35'47" RT	56.83'	112.97'	415.00'	S38°14'30"W	112.62'
C2	03°21'48" LT	98.18'	196.30'	3343.96'	S74°53'24"W	196.27'
C3	09°29'01" RT	272.27'	553.52'	3738.32'	N73°25'33"E	553.01'
C4	15°07'15" RT	320.29'	636.86'	2413.20'	S67°23'09"E	635.02'
C5	90°01'31" RT	5.00'	7.86'	5.00'	N88°58'22"W	7.07'
C6	25°00'00" LT	97.55'	191.99'	440.00'	N56°27'36"W	190.47'
C7	01°54'52" RT	62.46'	124.92'	3738.32'	N88°13'36"E	124.91'
C8	05°41'59" RT	186.10'	371.89'	3738.32'	N80°31'03"E	371.73'
C9	02°14'10" RT	72.96'	145.90'	3738.32'	N94°29'09"E	145.90'
C10	01°01'56" LT	30.13'	60.25'	3343.96'	S77°05'17"W	60.25'

TAX CERTIFICATION:
 THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON UPC #

TRACT N UPC #: 101605132236810201
 TRACT O UPC #: 101605124229430410
 TRACT Q-2 UPC #: 101605126524630425
 TRACT Q-3 UPC #: 101605127320730430
 TRACT 17 UPC #: 101605131524440205
 TRACT 26 UPC #: 101605128311440102
 TRACT OS-7 UPC #: 101605128620940206
 TRACT A-1-A-6 UPC #: 101605140619740401

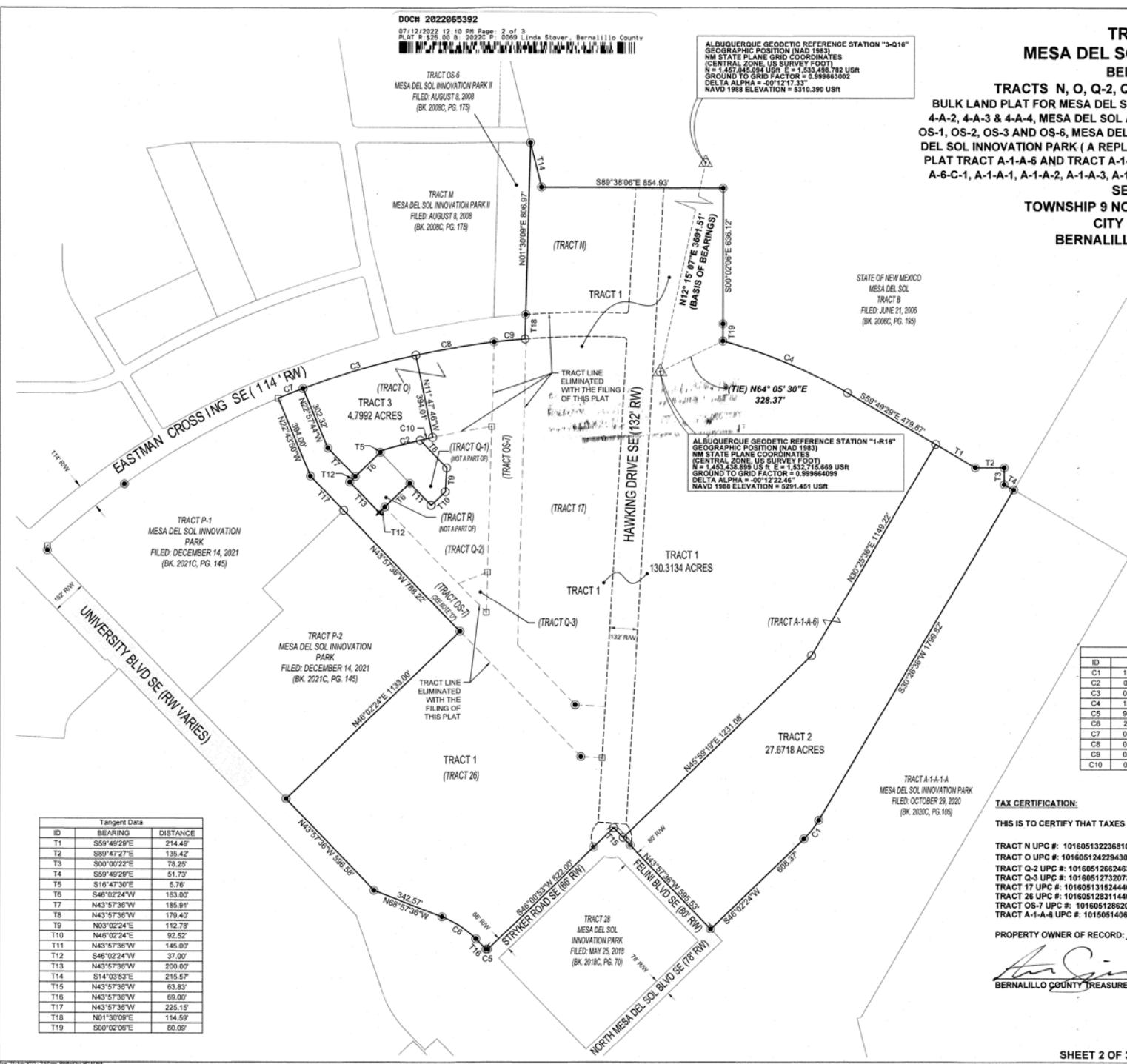
PROPERTY OWNER OF RECORD: *City of Albuquerque*
 BERNALILLO COUNTY TREASURER'S OFFICE DATE: *7/12/22*



Bohannon & Huston
 www.bhinc.com 800.877.5332

Tangent Data

ID	BEARING	DISTANCE
T1	S59°49'29"E	214.49'
T2	S89°47'27"E	135.42'
T3	S00°00'22"E	78.25'
T4	S59°49'29"E	51.73'
T5	S16°47'30"E	6.76'
T6	S46°02'24"W	163.00'
T7	N43°57'36"W	155.91'
T8	N43°57'36"W	179.40'
T9	N03°02'24"E	112.78'
T10	N46°02'24"E	92.52'
T11	N43°57'36"W	145.00'
T12	S46°02'24"W	37.00'
T13	N43°57'36"W	200.00'
T14	S14°03'33"E	215.57'
T15	N43°57'36"W	83.83'
T16	N43°57'36"W	69.00'
T17	N43°57'36"W	225.15'
T18	N01°30'09"E	114.59'
T19	S00°02'06"E	80.09'



FILE: F:\2022\2022-231-PLAT BY REGINA
 P:\2022\2022 SURVEY\OFFICE\PLAT\2022065392_East_Plat.dwg

DOCH 2022065392

07/17/2022 12:10 PM Page 3 of 3
PLAT R 425, 00 N 2022C P 0069 Linda Stover, Bernalillo County

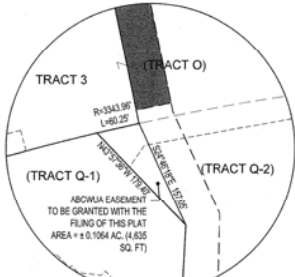
50' PNM EASEMENT:

A PERPETUAL EASEMENT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN OVERHEAD AND/OR UNDERGROUND FACILITIES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC POWER AND ENERGY AND FACILITIES FOR FIBER OPTICS AND OTHER COMMUNICATION PURPOSES. SUCH FACILITIES MAY INCLUDE (BUT ARE NOT LIMITED TO) LINES, CABLES, POLES, GUY WIRES, ANCHORS, CONDUITS AND OTHER EQUIPMENT, FIXTURES, APPURTENANCES AND STRUCTURES NECESSARY TO MAINTAIN SUCH FACILITIES ON, OVER, BENEATH, THROUGH AND ACROSS THE EASEMENT HERINAFTER DESCRIBED, TOGETHER WITH FREE ACCESS TO, FROM AND OVER SAID EASEMENT 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 EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE AND TO TRIM AND REMOVE ANY TREES, SHRUBS, BUSHES OR VEGETATION AND REMOVE ANY STRUCTURES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN.

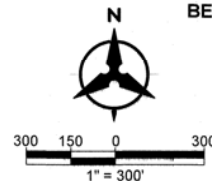
**TRACTS 1 thru 3
MESA DEL SOL INNOVATION PARK II
BEING A REPLAT OF**

**TRACTS N, O, Q-2, Q-3, 17, 26, OS-7 AND TRACT A-1-A-6
BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK II (A REPLAT OF TRS 1, 12, 15, 4-A-2, 4-A-3 & 4-A-4, MESA DEL SOL AND TRACTS 2-A, 2-B, 3, 4, 7, 8, 9, 10, 16, 18, 19, 20, 21, OS-1, OS-2, OS-3 AND OS-6, MESA DEL SOL INNOVATION PARK) BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK (A REPLAT OF TRACT 4-A-1 & 4-B, MESA DEL SOL) BULK LAND PLAT TRACT A-1-A-6 AND TRACT A-1-A-1-A (A REPLAT OF TRACT A-1-A-1 PER PLAT TRACT A-6-C-1, A-1-A-1, A-1-A-2, A-1-A-3, A-1-A-4 AND A-1-A-5 MESA DEL SOL INNOVATION PARK)**

**SECTION 22 and 23
TOWNSHIP 9 NORTH, RANGE 3 EAST N.M.P.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
AUGUST 2021**



DETAIL "A"
(NOT TO SCALE)



LEGEND

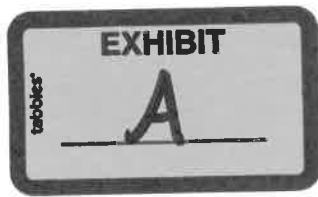
- FOUND PLASTIC CAP STAMPED "GROMATZKY 16469/ PHILLIPS 15517/BENHAM 16500"
- ⊗ SET CHISELED MARK IN CONCRETE
- FOUND 5/8" REBAR
- FOUND BRASS CAP AS NOTED
- △ CALCULATED CORNER
- SUBJECT PROPERTY LINE
- - - ADJOINING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- - - FUTURE EASEMENT LINE
- - - EXISTING RIGHT-OF-WAY LINE
- - - PUBLIC DRAINAGE EASEMENT (P.D.E.)
- - - ELIMINATED TRACT LINE
- - - VACATED RIGHT-OF-WAY LINE
- ▨ RIGHT-OF-WAY LINE TO BE VACATED WITH THE FILING OF THIS PLAT
- ▨ 30' WIDE PORTION OF EASEMENT (SEE NOTE E) TO BE VACATED WITH THE FILING OF THIS PLAT
- ▨ 30' WIDE PUBLIC WATERLINE EASEMENT TO BE VACATED WITH THE FILING OF THIS PLAT
- ▨ 40' WIDE PNM PUE TO BE VACATED WITH THE FILING OF THIS PLAT
- ▨ 22' WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT TO BE VACATED WITH THE FILING OF THIS PLAT

EASEMENT NOTES

- A. EXISTING 10' PUBLIC UTILITY EASEMENT FILED: SEPTEMBER 13, 2007 (BK 2007C, PG 259) (TO BE VACATED WITH THE FILING OF THIS PLAT)
- B. EXISTING 30' PUBLIC WATER & SANITARY SEWER EASEMENT GRANTED TO ABCWUA FILED: MAY 22, 2008 DOCUMENT NO. 2008057385
- C. EXISTING PRIVATE DRAINAGE EASEMENT FILED: MARCH 17, 2009 (BK 2009C, PG 40) (TO BE VACATED WITH THE FILING OF THIS PLAT)
- D. EXISTING PUBLIC UTILITY EASEMENT GRANTED TO PNM FILED: MARCH 17, 2009 (BK 2009C, PG 40)
- E. EXISTING PUBLIC WATERLINE EASEMENT GRANTED TO ABCWUA AND PRIVATE ACCESS EASEMENT FILED: MARCH 17, 2009 (BK 2009C, PG 40) (SHADED PORTION TO BE VACATED WITH THE FILING OF THIS PLAT)
- F. EXISTING PNM UNDERGROUND EASEMENT FILED: JULY 9, 2007 (DOC. NO. 2007098253
- G. EXISTING TIME WARNER LINE ENCROACHMENT AGREEMENT FILED: JANUARY 23, 2009 (DOC. NO. 2009006867)
- H. EXISTING PUBLIC WATERLINE EASEMENT FILED: SEPTEMBER 13, 2007 (BK 2007C, PG 259)
- I. EXISTING PRIVATE ACCESS EASEMENT FILED: FEBRUARY 23, 2009 DOCUMENT NO. 2009013365
- J. EXISTING 30' UTILITY EASEMENT FILED: DECEMBER 27, 2006 (BK A129, PG 2417) AND A150 FILED AUGUST 7, 2008 (BK 2008C, PG 175)
- K. EXISTING PRIVATE ACCESS EASEMENT GRANTED TO AND MAINTAINED BY PNM AND ABCWUA FILED: SEPTEMBER 13, 2007 DOCUMENT NO. 2007131551 (BK 2007C, PG 259)
- L. TRACT 1 IS SUBJECT TO AN EXISTING PNM EASEMENT FILED: JANUARY 30, 2007 (BK A131, PG 5821)
- M. EXISTING 20' SUBSURFACE CROSS LOT DRAINAGE EASEMENT ACROSS TRACT 26 FOR THE BENEFIT OF TRACTS 21 & 22 (NOW TRACT 22C AND TRACT P) FILED: SEPTEMBER 13, 2007 (BK 2007C, PG 259)
- N. EXISTING 22' PUBLIC PEDESTRIAN ACCESS EASEMENT FILED: SEPTEMBER 13, 2007 (BK 2007C, PG 259) (TO BE VACATED WITH THE FILING OF THIS PLAT)
- O. SEE NOTE 10 (PLAT BK 2007C, PG 259). THE PUBLIC PEDESTRIAN ACCESS AND PUBLIC DRAINAGE EASEMENT WITHIN TRACT OX-7 ARE HEREBY VACATED WITH THE FILING OF THIS PLAT
- P. EXISTING PRIVATE UTILITY EASEMENT FILED: JANUARY 24, 2022 DOCUMENT NO. 2022007557
- Q. ABCWUA ACCESS EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT
- R. 50' PNM EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT
- S. NEW ABCWUA EASEMENT FOR THE PURPOSES OF COLLECTING STORM DRAINAGE OFF EXISTING TRACT Q-1 AND TRACT 3 FOR THE BENEFIT OF TRACT Q-1 AND TRACT 3 TO BE MAINTAINED BY TRACT 1, GRANTED WITH THE FILING OF THIS PLAT.



Bohannon & Huston
www.bhinc.com 800.877.5332



Current DRC
Project No. _____







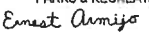
Date Submitted: 9/3/2021
 Date Site Plan Approved: _____
 Date Preliminary Plat Approved: _____
 Date Preliminary Plat Expires: _____
 DRB Project No. PR-2021-005829

Figure 12
 INFRASTRUCTURE LIST - 2

EXHIBIT "A"
 TO SUBDIVISION IMPROVEMENTS AGREEMENT
 DEVELOPMENT REVIEW BOARD (D.R.B.) REQUIRED INFRASTRUCTURE LIST
ABQ STUDIOS EXPANSION - NORTH PLAT

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 IIA process and/or in the review of the construction drawings, if the DRC Chair determines that appurtenant items and/or unforeseen items have not been included in the infrastructure listing, the DRC Chair may include those items in the listing and related financial guarantee. Likewise, if the DRC Chair determines that appurtenant or non-essential items can be deleted from the listing, those items may be deleted as well as the related portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

IIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cnst Engineer
PUBLIC ROADWAY IMPROVEMENTS									
CPN 393584 - IIA CONSTRUCTION COMPLETION DEADLINE IS AUG 31, 2022	393587	36' F-F (114' RIGHT OF WAY HALF STREET IMPROVEMENTS)	12' PAVEMENT, CURB AND GUTTER, SIDEWALK	EASTMAN AVE	APPROX. 80' EAST OF EASTERN FLOWLINE OF UNIVERSITY BLVD.	APPROX. 60' EAST OF TRACT P WESTERN PROPERTY LINE. (TO EXISTING HALF STREET IMPROVEMENT CONSTRUCTED UNDER COA PROJECT # 775478)	/	/	/
		6' WIDE	SIDEWALK	EASTMAN AVE	APPROX. 80' EAST OF TRACT P WESTERN PROPERTY LINE. (BEGIN OF EXISTING HALF STREET IMPROVEMENT CONSTRUCTED UNDER COA PROJECT # 775478)	APPROX. 300' EAST OF TRACT P WESTERN PROPERTY LINE. (END OF EXISTING HALF STREET IMPROVEMENT CONSTRUCTED UNDER COA PROJECT # 775478)	/	/	/
		36' F-F (114' RIGHT OF WAY HALF STREET IMPROVEMENTS)	PAVEMENT, CURB AND GUTTER, SIDEWALK	EASTMAN AVE	APPROX. 300' EAST OF TRACT P WESTERN PROPERTY LINE. (END OF EXISTING HALF STREET IMPROVEMENT CONSTRUCTED	EASTERN PROPERTY LINE OF TRACT P	/	/	/
POTENTIAL PUBLIC ROADWAY IMPROVEMENTS - NOT TO BE FINANCIALLY GUARANTEED									
	FOR INFO ONLY	NEW ROUNDABOUT (SIZE TO BE DETERMINED)	ROUNDABOUT AT THE INTERSECTION OF UNIVERSITY BLVD AND BOBBY FOSTER RD/EASTMAN AVE.	INTERSECTION OF UNIVERSITY BLVD AND EASTMAN AVE.	NOTE: THIS ROUNDABOUT HAS NOT BEEN DESIGNED AND IS INCLUDED ON THIS LIST FOR INFORMATION PURPOSES ONLY				
PUBLIC REUSE WATERLINE IMPROVEMENTS									
	393586	16" DIA. (EXACT SIZE TO BE CONFIRMED AT DESIGN)	RE-USE WATERLINE W/ NEC. VALVES, FH'S, MJS & RJS	EASTMAN AVE	UNIVERSITY BLVD.	EASTERN PROPERTY LINE OF TRACT P	/	/	/
MISCELLANEOUS IMPROVEMENTS									
	393585	DRIVEWAY	DRIVEWAY TO INCLUDE ADA CURB RAMPS AND RETURNS AND REMOVAL OF EXISTING STREET LIGHT IN CONFLICT.	UNIVERSITY BLVD	APPROX. 435' NORTH OF TRACT 22-C SOUTHERN PROPERTY LINE		/	/	/
		NEW ABCWUA SERVICES	NEW DOMESTIC, FIRE AND SEWER SERVICES.	UNIVERSITY BLVD.	UTILIZE EXISTING STUBS TO THE SITE AND PROVIDE PAVEMENT CUTS AS NECESSARY TO EXISTING UTILITIES WITHIN UNIVERSITY				

AGENT/OWNER	DEVELOPMENT REVIEW BOARD MEMBER APPROVALS			
MICHAEL BALASKOVITS, PE <small>PREPARED BY: PRINT NAME</small>	 <small>DRB CHAIR</small>	Oct 6, 2021 <small>DATE</small>	 <small>CODE ENFORCEMENT</small>	Oct 6, 2021 <small>DATE</small>
BOHANNAN HUSTON INC. <small>FIRM:</small>	 <small>TRANSPORTATION DEVELOPMENT</small>	Oct 6, 2021 <small>DATE</small>	 <small>PARKS & RECREATION</small>	<small>DATE</small>
 <small>SIGNATURE</small>	 <small>ABCWUA</small>	Oct 6, 2021 <small>DATE</small>	 <small>CITY ENGINEER</small>	Oct 6, 2021 <small>DATE</small>
<small>MAXIMUM TIME ALLOW TO CONSTRUCT IMPROVEMENTS WITHOUT A DRB EXTENSION</small> <div style="border: 1px solid black; height: 15px; width: 100%;"></div>		<small>DATE</small>		<small>DATE</small>

DESIGN REVIEW COMMITTEE REVISIONS						
REVISION	DATE	DRC CHAIR	USER DEPARTMENT			AGENT/OWNER



3rd EXTENSION AGREEMENT
Procedure "B"

Project Name: Mesa del Sol Innovation Park II Project Number: 393584

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 **SC3 Development** ("Developer"), a **NM LLC**, [state the type of business entity e.g. "New Mexico corporation," "general partnership," "individual," etc.], whose email address is **steve@sc3development.com**, whose address is **4020 Vassar Dr. NE, Suite H** (City) **Albuquerque**, (State) **NM** (Zip Code) **87107** and whose telephone number is **(505) 259-8000**, in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

WHEREAS, the City and the Developer entered into that certain Infrastructure Improvements Agreement (Procedure B) Agreement to Construct Public and/or Private Infrastructure Improvements Pursuant to Terms of First Amended and Restated Infrastructure Agreement on **December 1, 2021**, which was recorded on **January 18, 2022**, pages **1** through **21**, as Document No. **2022003941** in the records of Bernalillo County Clerk, State of New Mexico ("Original Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the **August 31, 2022**; and

WHEREAS, the City and the Developer entered into that certain 1st Extension Agreement (Procedure B) on **August 4, 2022**, which was recorded on **August 11, 2022** as Document No. **2022074263** (the "First Extension"). The First Extension extended the deadline to complete the infrastructure improvements to on or before **February 15, 2023**.

WHEREAS, the City and the Developer entered into that certain 2nd Extension Agreement (Procedure B) on **March 7th, 2023**, which was recorded on **March 17th, 2023** as Document No. **2023016148** (the "Second Extension" together with the Original Agreement and the First Extension, the "Earlier Agreement"). The Second Extension extended the deadline to complete the infrastructure improvements to on or before **October 15, 2023**.

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

WHEREAS, the Earlier Agreement requires the written consent of the Owner (as that term is defined in the Earlier Agreement) prior to any extension of the October 15, 2023 deadline; and

WHEREAS, in written correspondence to the City dated October 6, 2023, the Owner provided the City with written consent to extend the deadline specified in the Earlier Agreement from October 15, 2023 to January 31, 2024; 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 comply with the requirements for the required financial guaranty;

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

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

A. For all improvements, **January 31, 2024** (except those improvements deemed completed pursuant to that Letter of Work Order Completion dated February 6, 2023, with respect to City project number 393585).

B. On portions of the improvements as follows:

IMPROVEMENTS

COMPLETION DATE

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

Type of Financial Guaranty: **Infrastructure Improvement Bond**

Amount: **\$628,614.41**

Name of Financial Institution or Surety providing Guaranty: **Atlantic Specialty Insurance**

Date City first able to call Guaranty (Construction Completion Deadline): **01/31/2024**.

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

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion deadline established in the Earlier Agreement from October 15, 2023, to January 31, 2024, and to establish a revised financial guaranty for the benefit of the City. Without limiting the generality of the foregoing, nothing in this Agreement shall authorize the extension of the construction completion deadline beyond January 31, 2024, without the separate written consent of the Owner, and nothing in this Agreement is intended or shall be construed to supersede or waive any obligations or agreements of any party, including without limitation the City, in the First Amended and Restated Infrastructure Agreement dated December 17, 2020, by and among the City, Owner, MDS Investments LLC, Mesa del Sol, LLC and other parties.

DEVELOPER: SC3 Development LLC

By [signature]: 

Name [print]: Steven B. Chavez

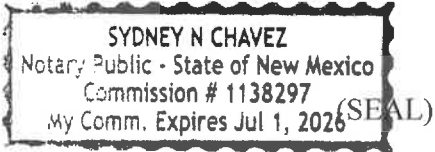
Title: President

Dated: 10-17-23

DEVELOPER'S NOTARY

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

This instrument was acknowledged before me on this 17th day of October, 2023
by [name of person:] Steven Chavez, [title or capacity, for instance,
"President" or "Owner"] President of Developer:] .



Sydney Chavez *[Signature]*
Notary Public

My Commission Expires: July 1, 2026

CITY OF ALBUQUERQUE:

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

Agreement is effective as of (Date): _____

CITY'S NOTARY

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

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

(SEAL) _____
Notary Public

My Commission Expires: _____

CITY OF ALBUQUERQUE:

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

DS
KV

DS
BMR

Agreement is effective as of (Date): 10/19/2023 | 2:11 PM MDT

CITY'S NOTARY

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 19th day of October, 2023, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation on behalf of said corporation.

(SEAL)
STATE OF NEW MEXICO
NOTARY PUBLIC
Rachael Miranda
Commission No. 1119740
November 09, 2025

Rachael Miranda
Notary Public
My Commission Expires: 11/9/2025



October 6, 2023

Shahab Biazar, City Engineer
City of Albuquerque
600 2nd St. NW
Albuquerque, NM 87102

Dear Mr. Biazar and City Planning Staff:

Pursuant to the Infrastructure Improvements Agreement (Procedure B) Agreement to Construct Public and/or Private Infrastructure Improvements Pursuant to Terms of First Amended and Restated Infrastructure Agreement, dated December 1, 2021 and recorded on January 18, 2022 as Document No. 2022003941 in the records of the Bernalillo County Clerk, State of New Mexico (the "Official Records"), the 1st Extension Agreement (Procedure B) dated August 4, 2022 and recorded on August 11, 2022 as Document No. 2022074263 in the Official Records , and the 2nd Extension Agreement (Procedure B) dated March 7, 2023, and recorded on March 17, 2023 as Document No. 2023016148 in the Official Records (collectively, the "North Plat IIA") which pertains to Tract P-1 and P-2 Mesa del Sol Innovation Park, recorded on December 14, 2021 as Document No. 2021145439, Book 2021C Page 0145, and the improvements identified as Project No. 393584, Netflix Studios LLC hereby consents to extend the Construction Completion Deadline as defined in the North Plat IIA from October 15, 2023 to January 31, 2024. Pursuant to the North Plat IIA, no further extensions of the Construction Completion Deadline for the North Plat IIA shall be permitted without the express written consent of Netflix Studios LLC.

Sincerely,

Kenneth Falcon

Program Manager, Studio

237696365.3
230454-10004



CHANGE RIDER

To be attached to and form a part of INFRASTRUCTURE BOND
Bond No. 800131326 issued by ATLANTIC SPECIALTY INSURANCE COMPANY, 605
Highway 169 North, Suite 800, Plymouth, Minnesota, USA 55441 as Surety on behalf of SC3 DEVELOPMENT, LLC
Principal in favor of CITY OF ALBUQUERQUE with
reference to City Project 393585; Tracts 1 thru 3; Innovation Park II; Mesa del sol Phase 1 effective the
4TH of MAY, 2022.

It is hereby understood and agreed that the following item is amended:
CHANGE COMPLETION DATE:
FROM: OCTOBER 15, 2023
TO: JANUARY 31, 2024

Signed, sealed and dated this 5TH day of OCTOBER, 2023

SC3 DEVELOPMENT, LLC
Principal

Witness

BY: [Signature] controller
Name: Title:

[Signature]
Witness

Atlantic Specialty Insurance Company
BY: [Signature] DEAN E. VIGIL
Attorney-In-Fact





Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Bartley H. Kinney III, Carl S. Conlee III, Dean E. Vigil, James D Zanios, Muriel Bray, Susan J. Vance**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

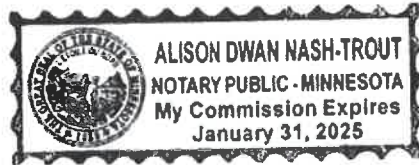
IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this first day of January, 2023.



By 
Sarah A. Kolar, Vice President and General Counsel

STATE OF MINNESOTA
HENNEPIN COUNTY

On this first day of January, 2023, before me personally came Sarah A. Kolar, Vice President and General Counsel of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and she acknowledged the execution of the same, and being by me duly sworn, that she is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.





Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 5th day of October, 2023




Kara L.B. Barrow, Secretary

This Power of Attorney expires
January 31, 2025

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

Receipt: 1473896

Product	Name	Extended
AGRE	Agreement	\$25.00
	# Pages	7
	Document #	2023068231
	# Of Entries	0
Total		\$25.00

Tender (Check) \$25.00
Check# 213519
Paid By BOHANNAN HUSTON
Phone # 505-823-1000

Thank You!

10/25/23 12:09 PM msouchet

CONTRACT CONTROL FORM

PROJECT: 393584
CCN: 202200874
(New/Existing) Existing

CONTACT PERSON: David Jones

Type of Paperwork IIA B 3rd Extension Agreement
Project Name/Description (From CTS): Mesa del Sol Innovation Park II
Developer/Owner/Vendor SC3 Development, LLC

Contract Amount \$628,614.41 Contract Period: 12/01/21 - _____

FINAL CONTRACT REVIEW

APPROVALS REQUIRED:

	Approved By	Approval Date
DRC Manager	<u>KV</u> <small>DS</small>	<u>10/17/2023 4:00 PM MDT</u>
Legal Department	<u>BMK</u>	<u>10/19/2023 10:35 AM MDT</u>
City Engineer	<u>SB</u>	<u>10/19/2023 2:11 PM MDT</u>
Hydrology Engineer	_____	_____
Transportation Engineer	_____	_____
Construction Engineer	_____	_____
OTHER: <u>CAO</u>	_____	_____

DISTRUBUTION:

Date: _____ By: _____
Received by City clerk _____