



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

SUBDIVISIONS	<input type="checkbox"/> Final Sign off of EPC Site Plan(s) (Form P2A)	<input type="checkbox"/> Extension of IIA: Temp. Def. of S/W (Form V2)
<input type="checkbox"/> Major – Preliminary Plat (Form S1)	<input type="checkbox"/> Amendment to Site Plan (Form P2)	<input type="checkbox"/> Vacation of Public Right-of-way (Form V)
<input type="checkbox"/> Major – Bulk Land Plat (Form S1)	MISCELLANEOUS APPLICATIONS	<input checked="" type="checkbox"/> Vacation of Public Easement(s) DRB (Form V)
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input type="checkbox"/> Extension of Infrastructure List or IIA (Form S1)	<input type="checkbox"/> Vacation of Private Easement(s) (Form V)
<input type="checkbox"/> Minor Amendment - Preliminary Plat (Form S2)	<input type="checkbox"/> Minor Amendment to Infrastructure List (Form S2)	PRE-APPLICATIONS
<input type="checkbox"/> Minor - Final Plat (Form S2)	<input type="checkbox"/> Temporary Deferral of S/W (Form V2)	<input type="checkbox"/> Sketch Plat Review and Comment (Form S2)
<input checked="" type="checkbox"/> Minor – Preliminary/Final Plat (Form S2)	<input type="checkbox"/> Sidewalk Waiver (Form V2)	
SITE PLANS	<input type="checkbox"/> Waiver to IDO (Form V2)	APPEAL
<input type="checkbox"/> DRB Site Plan (Form P2)	<input type="checkbox"/> Waiver to DPM (Form V2)	<input type="checkbox"/> Decision of DRB (Form A)

BRIEF DESCRIPTION OF REQUEST

Request final plat review to create two new tracts from one existing tract, granting of easements, and vacation of two public easements (OHU), with associated site plan (infrastructure list to run with site plan app)

APPLICATION INFORMATION

Applicant: 98th & I-40 Land, LLC	Phone: 505-998-0163
Address: 6300 Riverside Plaza Lane NW, Suite 200	Email:
City: Albuquerque	State: NM
Zip: 87120	
Professional/Agent (if any): CSI - Cartesian Surveys, Inc.	Phone: 505-896-3050
Address: PO Box 44414	Email: cartesianryan@gmail.com
City: Rio Rancho	State: NM
Zip: 87174	
Proprietary Interest in Site: Owner	List all owners: 98th and I-40 Land, LLC

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

Lot or Tract No.: Tract 9	Block:	Unit: Unit 5
Subdivision/Addition: Avalon Subdivision	MRGCD Map No.:	UPC Code: 100905719339420401
Zone Atlas Page(s): K-09-Z	Existing Zoning: NR-BP	Proposed Zoning:
# of Existing Lots: 1	# of Proposed Lots: 2	Total Area of Site (Acres): 16.1021

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Bluewater Road NW Between: 94th Street NW and: 90th Street NW

CASE HISTORY (List any current or prior project and case number(s) that may be relevant to your request.)

PR-2020-006070, PR-2021-006070,

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: 11/19/2021
Printed Name: Ryan J. Mulhall	<input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

Meeting Date:	Fee Total:
Staff Signature:	Date:
	Project #

FORM S2: SUBDIVISION OF LAND – MINOR ACTIONS

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

SKETCH PLAT REVIEW AND COMMENT

- Interpreter Needed for Hearing? _____ if yes, indicate language: _____
- ___ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.
 - ___ Zone Atlas map with the entire site clearly outlined and labeled
 - ___ Letter describing, explaining, and justifying the request
 - ___ Scale drawing of the proposed subdivision plat
 - ___ Site sketch with measurements showing structures, parking, building setbacks, adjacent rights-of-way, and street improvements, if there is any existing land use

MAJOR SUBDIVISION FINAL PLAT APPROVAL

- Interpreter Needed for Hearing? _____ if yes, indicate language: _____
- ___ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.
 - ___ Zone Atlas map with the entire site clearly outlined and labeled
 - ___ Proposed Final Plat
 - ___ Design elevations & cross sections of perimeter walls
 - ___ Copy of recorded IIA
 - ___ Landfill disclosure and EHD signature line on the plat if property is within a landfill buffer
 - ___ DXF file and hard copy of final plat data for AGIS submitted and approved

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

- Interpreter Needed for Hearing? N/A if yes, indicate language: _____
- A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.
 - Zone Atlas map with the entire site clearly outlined and labeled
 - Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(K)
 - Sites 5 acres or greater: Archaeological Certificate in accordance with IDO Section 14-16-6-5(A)
 - Proposed Preliminary / Final Plat with property owner's and City Surveyor's signatures on the plat prior to submittal.
 - 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
 - Sidewalk Exhibit and/or cross sections of proposed streets
 - Signed Form DRWS Drainage Report Grading and Drainage Plan, and Water & Sewer Availability submittal information
 - N/A Proposed Infrastructure List, if applicable
 - Required notice with content per IDO Section 14-16-6-4(K)
 - Office of Neighborhood Coordination inquiry response and proof of emailed notice to applicable Neighborhood Association representatives, copy of notification letter, completed notification form(s), and proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b)
 - Sensitive Lands Site Analysis for new subdivisions of land in accordance with IDO Section 5-2(C)
 - N/A Landfill disclosure and Environmental Health Department signature line on the plat if property is within a landfill buffer
 - ___ DXF file and hard copy of final plat data for AGIS submitted and approved

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

MINOR AMENDMENT TO PRELIMINARY PLAT / INFRASTRUCTURE LIST

- Interpreter Needed for Hearing? _____ if yes, indicate language: _____
- ___ A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF shall be organized with the Development Review Application and this Form S2 at the front followed by the remaining documents in the order provided on this form.
 - ___ Zone Atlas map with the entire site clearly outlined and labeled
 - ___ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-4(X)(2)
 - ___ Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan
 - ___ Original Preliminary Plat, Infrastructure List, and/or Grading Plan
 - ___ Infrastructure List, if applicable

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

<p>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting or hearing, if required, or otherwise processed until it is complete.</p>	
<p>Signature: </p>	<p>Date: 11/19/2021</p>
<p>Printed Name: Ryan J. Mulhall</p>	<p><input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent</p>
<p>FOR OFFICIAL USE ONLY</p>	
<p>Project Number:</p>	<p>Case Numbers</p>
<p> </p>	<p>-</p>
<p> </p>	<p>-</p>
<p> </p>	<p>-</p>
<p>Staff Signature:</p>	
<p>Date:</p>	

FORM V: Vacations of Easements or Right-of-way- DRB

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

VACATION OF RIGHT-OF-WAY – DRB

VACATION OF RIGHT-OF-WAY – COUNCIL

- Interpreter Needed for Meeting? _____ if yes, indicate language: _____
- A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF *shall be organized* with the Development Review Application and this Form V at the front followed by the remaining documents *in the order provided on this form*.
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter of authorization from the property owner if application is submitted by an agent
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(M)
- Copy of the complete document which created the easement(s)
Not required for City owned public right-of-way.
- Drawing showing the easement or right-of-way to be vacated
- If easements, list number to be vacated _____
- Square footage to be vacated (see IDO Section 14-16-6-6(M) _____)
- Proof of Neighborhood Meeting per IDO Section 14-16-6-4(K) and DPM 2-9-(E)(3)
 - Office of Neighborhood Coordination neighborhood meeting inquiry response
 - Proof of email with read receipt OR Certified Letter offering meeting to applicable associations
 - Completed neighborhood meeting request form(s)
 - If a meeting was requested/held, copy of sign-in sheet and meeting notes
- Required notices with content per IDO Section 14-16-6-4(K)
 - Office of Neighborhood Coordination notice inquiry response
 - Copy of notification letter, completed notification form(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing to affected Neighborhood Association representatives.
 - Proof of emailed notice to affected Neighborhood Association representatives
 - Buffer map and list of property owners within 100 feet (excluding public rights-of-way) provided by Planning Department or created by applicant, copy of notifying letter, completed notification forms(s), proof of additional information provided in accordance with IDO Section 6-4(K)(1)(b), and proof of first-class mailing
 - Sign Posting Agreement - IDO Section 14-16-6-6(K)(4) is satisfied

VACATION OF PRIVATE EASEMENT

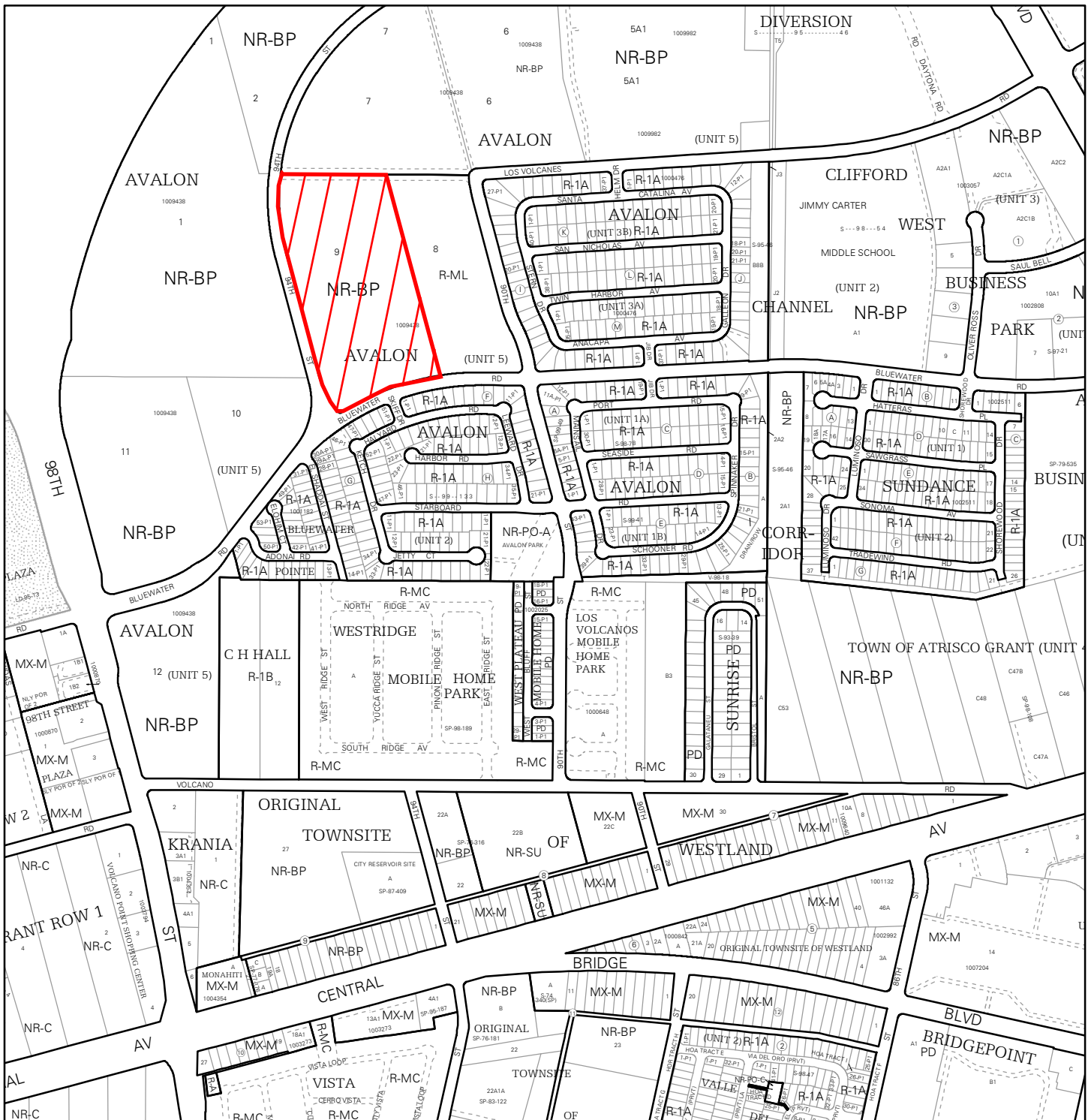
VACATION OF PUBLIC EASEMENT

- Interpreter Needed for Meeting? N/A if yes, indicate language: _____
- A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided on a CD. PDF *shall be organized* with the Development Review Application and this Form V at the front followed by the remaining documents *in the order provided on this form*.
- Zone Atlas map with the entire site clearly outlined and labeled
- Letter of authorization from the property owner if application is submitted by an agent
- Justification letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(M)
- Copy of the complete document which created the easement(s)
- Drawing showing the easement to be vacated
- List number to be vacated 2, 3, (5, 6, 7 by document)
- Proof of Pre-Application meeting

The vacation must be shown on a DRB approved plat recorded by the County Clerk within one year, or it will expire.

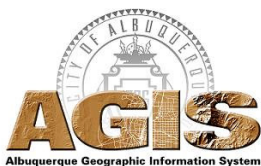
<p><i>I, the applicant or agent, acknowledge that if any required information is not submitted with this application, the application will not be scheduled for a public meeting, if required, or otherwise processed until it is complete.</i></p>	
<p>Signature: <u>Ryan Mulhall</u></p>	<p>Date: 11/19/2021</p>
<p>Printed Name: Ryan J. Mulhall</p>	<p><input type="checkbox"/> Applicant or <input checked="" type="checkbox"/> Agent</p>
<p>FOR OFFICIAL USE ONLY</p>	
<p>Case Numbers: _____</p>	<p>Project Number: _____</p>
Empty space for additional information	
<p>Staff Signature: _____</p>	
<p>Date: _____</p>	



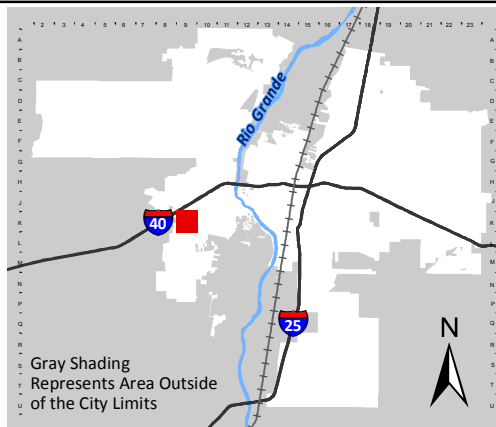


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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:
K-09-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

0 250 500 1,000 Feet

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

November 19, 2021

Development Review Board
City of Albuquerque

Re: Final Plat Review for Proposed Subdivision of Tract 9 Avalon Subdivision, Unit 5

Members of the Board:

Cartesian Surveys is acting as an agent for 98th and I-40 Land, LLC and requests a final plat review of our minor subdivision to create two (2) new lots from one (1) existing lots for Tract 9 of Avalon Subdivision, Unit 5 at the northeast corner of 94th Street NW and Bluewater Road N.W.. This plat will vacate three easements and grant two easements as shown on the site sketch and plat provided here. The property is currently zoned as NR-BP. A site plan is being heard under project number PR-2021-006070, at the hearing on December 1, 2021. The attached infrastructure list is intended to proceed with the site plan. The comments from private correspondence with some parties are addressed below:

ABCWUA

Code Enforcement

Transportation (Plat comments only)

Hydrology

Ms. Renee Brissette emailed us on November 15th the following...

The Temporary Drainage Easement that you are trying to vacate is not on a plat but was done through a paper easement. See attached. This was done so that at a future time it can be vacated through paper and not have to go to the DRB. This does need to be done prior to the DRB plat approval and you just need to have the recorded vacation information on the plat. Please check to Shahab but I believe that this is the case.

We note the temporary drainage easement as vacating by paper document on the plat (see letter to DRB for vacation of easements).

Parks and Recreation

Planning

Thank you for your consideration,
Ryan J. Mulhall

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

November 19, 2021

Development Review Board
City of Albuquerque

Re: Vacation of Existing Easements regarding the Final Plat for Proposed Lots 1-A and 1-B of Fraternal Order of the Police Addition as part of a Preliminary / Final Plat for Proposed Tracts 1-A-1 and 1-B-1 of Fraternal Order of the Police Addition

Members of the Board:

Cartesian Surveys is acting as an agent for the owners of Lots 1-A and 1-B of Fraternal Order of the Police Addition, and requests a review to vacate the following easements:

Our plat proposes to vacate two public utility easements for overhead lines and pole anchors, and will grant public utility easement [8] to replace the overhead easement. The plat also will be preceded by vacation of three private temporary easements related to drainage and ponding which the site plan will now handle by design, making these temporary easements unnecessary.

- Public 10' x 20' Anchor Easement
- Public 10' Public Utility Easement (P.U.E.)
- Private Slope Easement for Lessee of Tract 8
- Private De-siltation pond easement
- Private 30' Private Drainage Easement

The property is currently zoned NR-BP – Non-Residential Business Park. A site plan is being simultaneously review of this final plat on November 19, 2021 under project number PR-2021-006070. The property is located at the Northeast corner of 94th Street and Bluewater Road NW.

Public 10' x 20' Anchor Easement [2]

The existing easement, currently hosting an overhead utility pole and anchor will become unnecessary as the overhead line is moved into the proposed 10' public utility easement [8]. The overhead utility line is being redirected to provide greater space to place the proposed site plan.

Per section 6-6(M)(3)(a) of the City of Albuquerque IDO, the public welfare does not require the easement to be retained, as the movement of the overhead line into the proposed public utility easement will provide the same functionally while allowing greater freedom of use for the development of the site. No substantial property right will be abridged against the will of the owners or the public by the vacation of this easement.

Per section 6-6(M)(3)(b) of the City of Albuquerque IDO, there is a net benefit to the public welfare as the modified location of the easement allows for more efficient use of the subject property, which is currently undeveloped. The developed lot will offer greater tax revenue and expanded goods and services offered to the public.

- **Existing Public Utility Easement(s) [3]**

The existing easement, currently hosting an overhead utility line and poles will become unnecessary as the overhead line is moved into the proposed 10' public utility easement [8]. The overhead utility line is being redirected to provide greater space to place the proposed site plan.

Per section 6-6(M)(3)(a) of the City of Albuquerque IDO, the public welfare does not require the easement to be retained, as the overhead line easement is being replaced by an easement [8] of greater width, and which functionally serves the same purpose while allowing greater freedom of use for the development of the site. No substantial property right will be abridged against the will of the owners or the public by the vacation of this easement.

Per section 6-6(M)(3)(b) of the City of Albuquerque IDO, there is a net benefit to the public welfare as the modified location of the easement allows for more efficient use of the subject property, which is currently undeveloped. The developed lot will offer greater tax revenue and expanded goods and services offered to the public.

- **Private Temporary Slope Easement [5]**

The existing easement, originally reserved for the benefit and maintained by the lessee of Tract 8, which is now the same owner as our subject Tract 9 (98th and I-40 Land, LLC). This slope easement will be vacated by paper easement document prior to the filing of the plat. The easement is becoming unnecessary by the proposed drainage plans of the conceptual drainage plan attached and associated site plan.

Per section 6-6(M)(3)(a) of the City of Albuquerque IDO, the public welfare does not require the easement to be retained, as it was granted as a temporary easement to aid the drainage of the neighboring tract and will be covered by the drainage plan of the proposed site plan. No substantial property right will be abridged against the will of the owners or the public by the vacation of this easement.

Per section 6-6(M)(3)(b) of the City of Albuquerque IDO, there is a net benefit to the public welfare as the vacated utility and drainage easement sign easement allows for more efficient use of the property for the proposed site plan drive access, parking and construction of commercial building(s). Vacation of the easement allows for more efficient use of the subject property, which is currently undeveloped. Development of the lots will offer greater tax revenue and expanded goods and services offered to the public.

- **Existing Private access and utility easement [6]**

The existing easement was granted to serve as a de-siltation pond in the southeast corner of Tract 9, and with the conceptual grading and drainage plan managing the water and soil stabilization along the shared lot line with Tract 8, has become unnecessary. The easement will be vacated by paper document prior to filing of the plat, but is addressed here as the remedy provided by the site plan and conceptual grading and drainage plan.

Per section 6-6(M)(3)(a) of the City of Albuquerque IDO, the public welfare does not require the easement to be retained, as the grading and drainage plan of the site plan will provide more specific controls for surface waters and for soil stabilization than the vacant lot would have. No substantial property right will be abridged against the will of the owners or the public by the vacation of this easement.

Per section 6-6(M)(3)(b) of the City of Albuquerque IDO, there is a net benefit to the public welfare as the vacated easement allows for a more constrained design be put in place with the

site plan's proposed development. Thus, vacation of the easement allows for more efficient use of the subject property, which is currently undeveloped. Development of the lots will offer greater tax revenue and expanded goods and services offered to the public.

- **30' Private Temporary Drainage Easement [7]**

The existing easement, originally reserved for a berm along the frontage of Bluewater Road NW, has become unnecessary with the site plan design to manage surface waters offering a more efficient design, particularly in this critical frontage space along Bluewater. This was requested by email correspondence by Renee Brissette of Hydrology to be vacated by paper document and made clear on the plat the vacation by document precedes the filing of the plat.

Per section 6-6(M)(3)(a) of the City of Albuquerque IDO, the public welfare does not require the easement to be retained, as it is unnecessary given the private ponds and drainage designs the site plan proposes. No substantial property right will be abridged against the will of the owners or the public by the vacation of this easement.

Per section 6-6(M)(3)(b) of the City of Albuquerque IDO, there is a net benefit to the public welfare as the vacated drainage private easement removes the potential water storage coincident with public utilities at the frontage and allows for better use of the space along the frontage. Vacation of the easement allows for more efficient use of the subject property, which is currently undeveloped. Development of the lots will offer greater tax revenue and expanded goods and services offered to the public.

Thank you for your time and consideration.
Ryan J. Mulhall



City of Albuquerque
P.O. Box 1293 Albuquerque, NM 87103
Planning Department
Alan Varela, Interim Director

Tim Keller, Mayor
Sarita Nair, CAO

DATE: October 4, 2021

SUBJECT: Albuquerque Archaeological Ordinance - Compliance Documentation

Case Number(s): 2021-006070
Agent: Tierra West, LLC
Applicant: 98th & I-40 Land, LLC
Legal Description: TR 9 Plat of Trs 1 thru 12 Avalon SUBD Unit 5
Zoning: NR-BP
Acreage: 16.103
Zone Atlas Page(s): K-9-Z

CERTIFICATE OF NO EFFECT: Yes No

CERTIFICATE OF APPROVAL: Yes No

SUPPORTING DOCUMENTATION:

Historic Google Earth images

SITE VISIT: N/A

RECOMMENDATIONS:


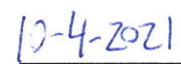
The area appears to have been completely bladed along with other development (buildings, parking) by 2002.

Therefore: CERTIFICATE OF NO EFFECT ISSUED-under criterion 2 "The property has been disturbed through previous land use"

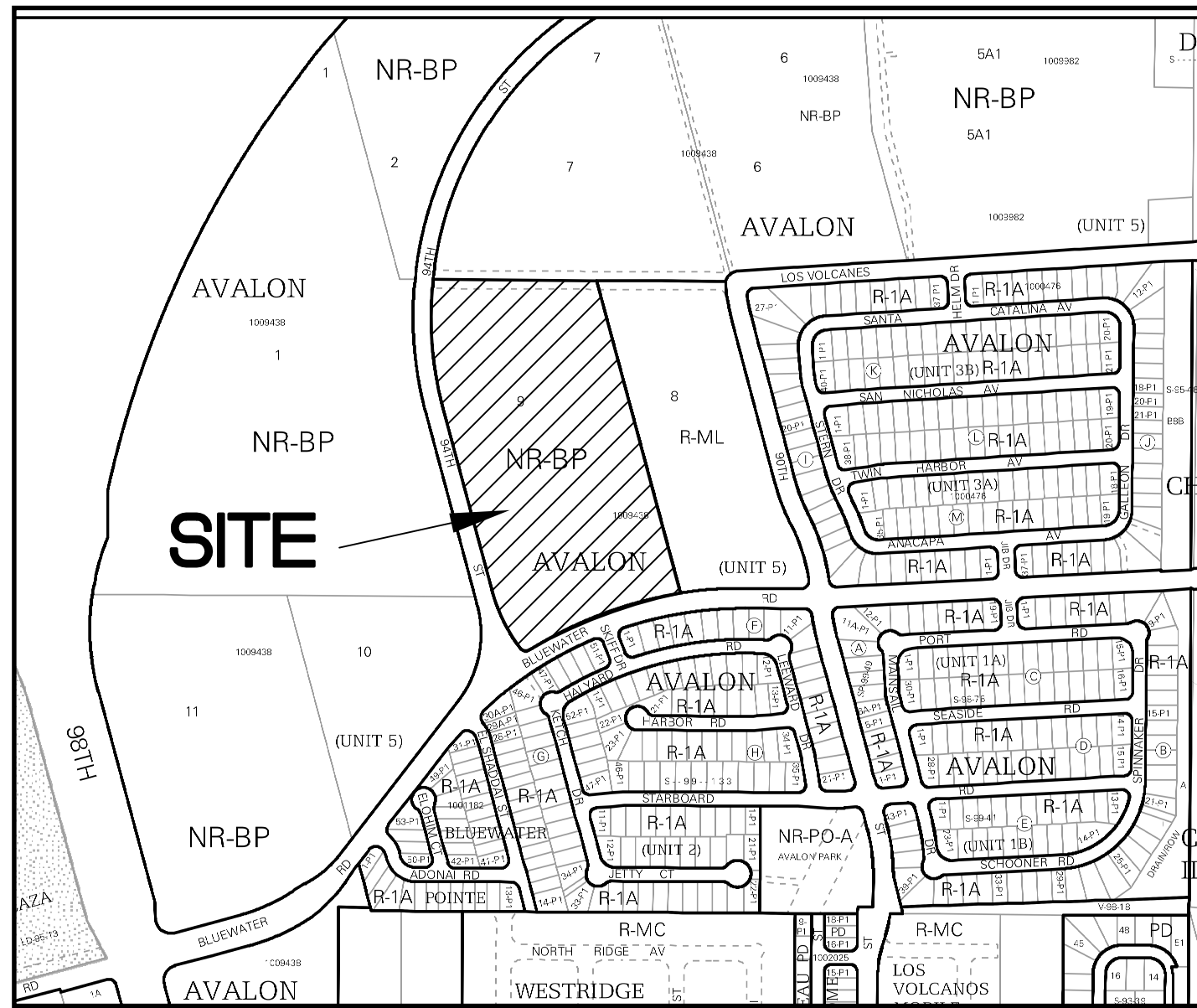
SUBMITTED BY:

SUBMITTED TO:

Planning, Development Services

Douglas H. M. Boggess, MA, RPA Date
Senior Principal Investigator
Acting City Archaeologist
Lone Mountain Archaeological Services, Inc.



Vicinity Map - Zone Atlas K-09-Z

N.T.S.

Documents

1. TITLE COMMITMENT PROVIDED BY OLD REPUBLIC NATIONAL TITLE, HAVING FILE NO. 2109676 AND AN EFFECTIVE DATE OF OCTOBER 4, 2021.
2. PLAT OF AVALON, UNIT 5 FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON MAY 22, 2014 IN BOOK 2014C, PAGE 46.
3. DEED FOR SUBJECT PROPERTY FILED IN THE BERNALILLO COUNTY CLERK'S OFFICE ON DECEMBER 14, 2016 AS DOCUMENT NO. 2016116750.

Solar Collection Note

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BUILDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT, THE FOREGOING REQUIREMENT SHALL BE A CONDITION TO APPROVAL OF THIS PLAT.

Indexing Information

Section 21, Township 10 North, Range 2 East, N.M.P.M.
 Projected onto the Town of Atrisco Grant
 Subdivision: Avalon, Unit 5
 Owner: 98th & I-40 Land LLC
 UPC #: 100905719339420401

Purpose of Plat

1. SUBDIVIDE AS SHOWN HEREON.
2. VACATE EASEMENTS AS SHOWN HEREON.
3. GRANT EASEMENT AS SHOWN HEREON.

Subdivision Data

GROSS ACREAGE. 16.1021 ACRES
 ZONE ATLAS PAGE NO. K-9-Z
 NUMBER OF EXISTING TRACTS 1
 NUMBER OF TRACTS CREATED 2
 MILES OF FULL-WIDTH STREETS. 0.0000 MILES
 MILES OF HALF-WIDTH STREETS. 0.0000 MILES
 RIGHT-OF-WAY DEDICATION TO THE CITY OF ALBUQUERQUE. 0.0000 ACRES
 DATE OF SURVEY. OCTOBER 2021

Notes

1. FIELD SURVEY PERFORMED IN OCTOBER 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).

Legal Description

TRACT NUMBERED NINE (9), PLAT OF TRACTS 1 THROUGH 12, OF AVALON SUBDIVISION UNIT 5, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID SUBDIVISION, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MAY 22, 2014, IN PLAT BOOK 2014C, FOLIO 46 AS DOCUMENT NO. 2014040949.

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND PAID ON UPC # 100905719339420401

PROPERTY OWNER OF RECORD
 BERNALILLO COUNTY TREASURER'S OFFICE

**Plat for
 Tracts 9-A and 9-B
 Avalon Subdivision, Unit 5
 Being Comprised of
 Tract 9
 Avalon Subdivision, Unit 5
 City of Albuquerque
 Bernalillo County, New Mexico
 November 2021**

Project Number: _____

Application Number: _____

Plat Approvals:

- [Signature]* Nov 19, 2021
 PNM Electric Services
Abdul A. Bhuiyan
 Nov 18, 2021
 Qwest Corp. d/b/a CenturyLink QC
 New Mexico Gas Company
Mike Morris
 Nov 18, 2021
 Comcast

City Approvals:

- Loren N. Risenhoover P.S.* 11/15/2021
 City Surveyor
 Traffic Engineer
 ABCWUA
 Parks and Recreation Department
 Code Enforcement
 AMAFCA
 City Engineer
 DRB Chairperson, Planning Department

Surveyor's Certificate

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

Will Plotner Jr. 11/18/2021
 Will Plotner Jr. Date
 N.M.R.P.S. No. 14271



CSI-CARTESIAN SURVEYS INC.

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

Easement Notes

- 1 EXISTING 30' UTILITY EASEMENT RETAINED TO ABCWUA (05/22/2014 BK. 2014C, PG. 46 DOC. NO. 2014040949).
- 2 EXISTING 10' X 20' ANCHOR EASEMENT (05/08/2003 BK. 2003C, PG. 129 DOC. NO. 2003077756) VACATED WITH THIS PLAT, SHOWN HEREON AS [Symbol]
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- 6 EXISTING TEMPORARY PRIVATE DESILTATION POND EASEMENT (03/02/2016 DOC. NO. 2016019763). VACATED ON 20____, BY DOCUMENT NO. _____, SHOWN HEREON AS [Symbol]*
- 7 EXISTING 30' TEMPORARY DRAINAGE EASEMENT FOR THE BENEFIT OF AND MAINTAINED BY THE LESSEE OF TRACT 8 (03/31/1998 DOC. NO. 1998037768) VACATED ON 20____, BY DOCUMENT NO. _____.
- 8 10' PUBLIC UTILITY EASEMENT GRANTED WITH THE FILING OF THIS PLAT.
- 9 CROSS-LOT DRAINAGE EASEMENT GRANTED WITH THE FILING OF THIS PLAT ACROSS TRACTS 9-A AND 9-B, EXCLUDING EXISTING AND FUTURE BUILDING ENVELOPES, BENEFITING TRACTS 9-A AND 9-B AND TO BE MAINTAINED BY THE UNDERLYING OWNERS OF EACH TRACT.

* AS PER THE DRAINAGE EASEMENT AGREEMENT, DATED MARCH 31, 1998 RECORDED AS DOCUMENT NO. 1998037768. THE TEMPORARY EASEMENTS SHOWN HEREON AS [5] AND [6] MAY AT THE ELECTION OF THE OWNER OF TRACT 9 MAKE MODIFICATIONS TO THE PRIVATE SLOPE EASEMENT AND DESILTATION POND AS MAY BE APPROVED BY APPLICABLE GOVERNMENT AUTHORITIES AND THE OWNER OF TRACT 9 WILL ASSUME RESPONSIBILITY FOR THE SLOPES AND PONDS.

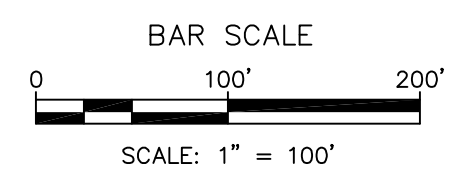
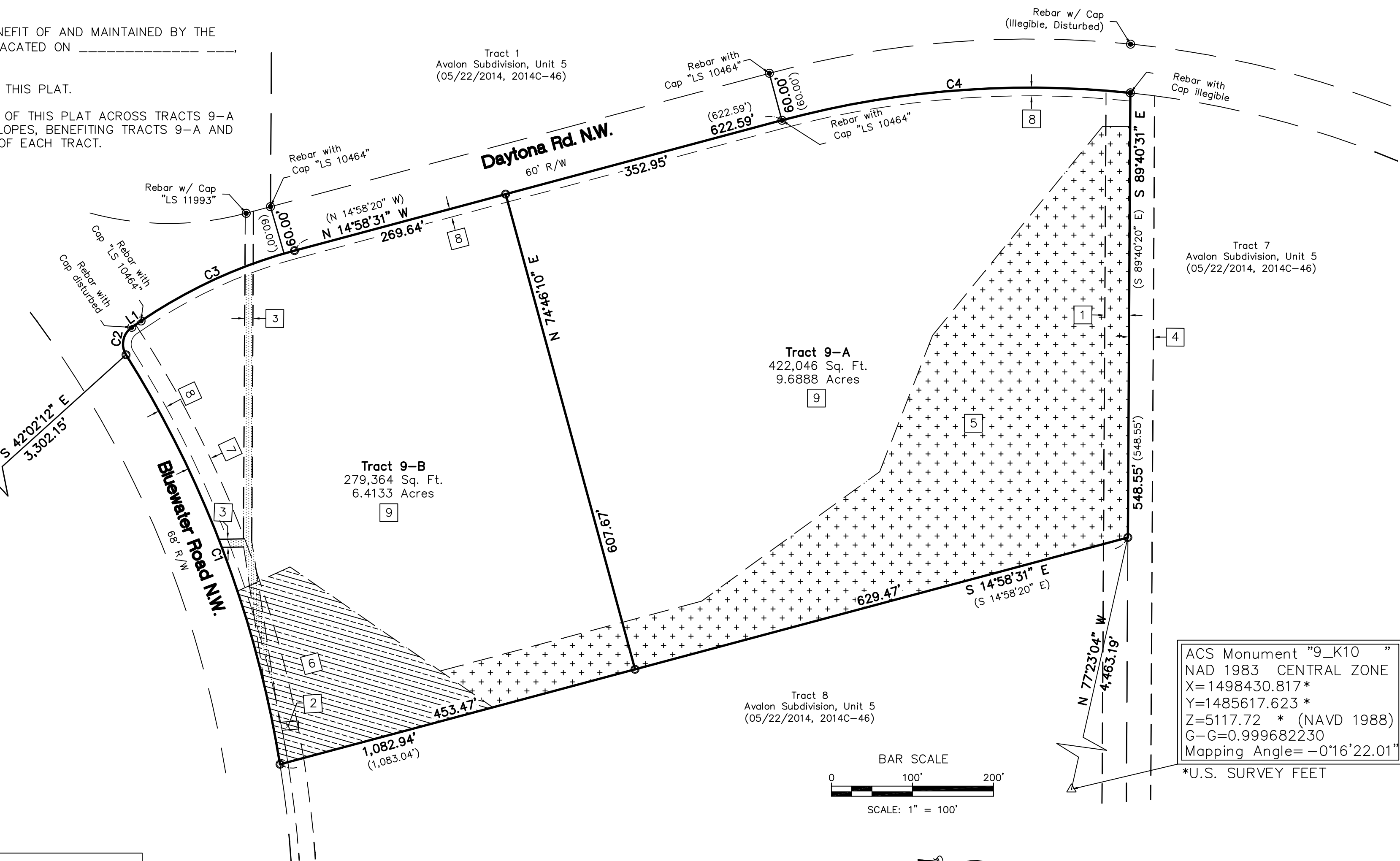
**Plat for
Tracts 9-A and 9-B
Avalon Subdivision, Unit 5
Being Comprised of
Tract 9
Avalon Subdivision, Unit 5
City of Albuquerque
Bernalillo County, New Mexico
November 2021**

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (05/22/2014, 2014C-46)
●	FOUND MONUMENT AS INDICATED
○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED

ACS Monument "7_K9"
NAD 1983 CENTRAL ZONE
X=1496061.706*
Y=1482904.725*
Z=5140.082* (NAVD 1988)
G-G=0.999681940
Mapping Angle=-0°16'38.12"
*U.S. SURVEY FEET

ACS Monument "9_K10"
NAD 1983 CENTRAL ZONE
X=1498430.817*
Y=1485617.623*
Z=5117.72* (NAVD 1988)
G-G=0.999682230
Mapping Angle=-0°16'22.01"
*U.S. SURVEY FEET



Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	543.36' (543.36')	1358.17' (1358.17')	22°55'21"	539.75'	S 69°23'55" W
C2	38.28' (38.28')	25.00' (25.00')	87°43'54"	34.65'	N 78°11'48" W
C3	209.45' (209.45')	620.00' (620.00')	19°21'21"	208.46'	N 24°39'12" W
C4	433.61' (433.62')	1183.34' (1183.34')	20°59'42"	431.19'	N 04°28'40" W

Line #	Direction	Length (ft)
L1	N 34°19'52" W (N 34°19'41" W)	13.71' (13.71')

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Plat for
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 City of Albuquerque
 Bernalillo County, New Mexico
 November 2021

Public Utility Easements

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

- A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- B. New Mexico Gas Company for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- C. Qwest Corporation d/b/a Centurylink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantee, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

Disclaimer

In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

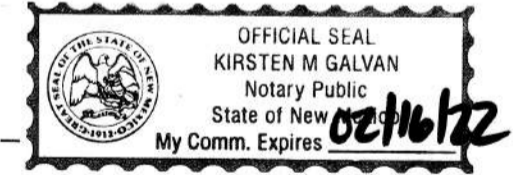
Free Consent

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. 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.

[Signature]
 KURT BROWNING, MANAGER
 98TH AND I-40 LAND, LLC *by Titan Property Mgmt., LLC* DATE

STATE OF NEW MEXICO }
 COUNTY OF } SS
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON November 18th, 2021
 BY: KURT BROWNING, MANAGER, 98TH AND I-40 LAND, LLC

By: *Kirsten Galvan*
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 02/16/2022



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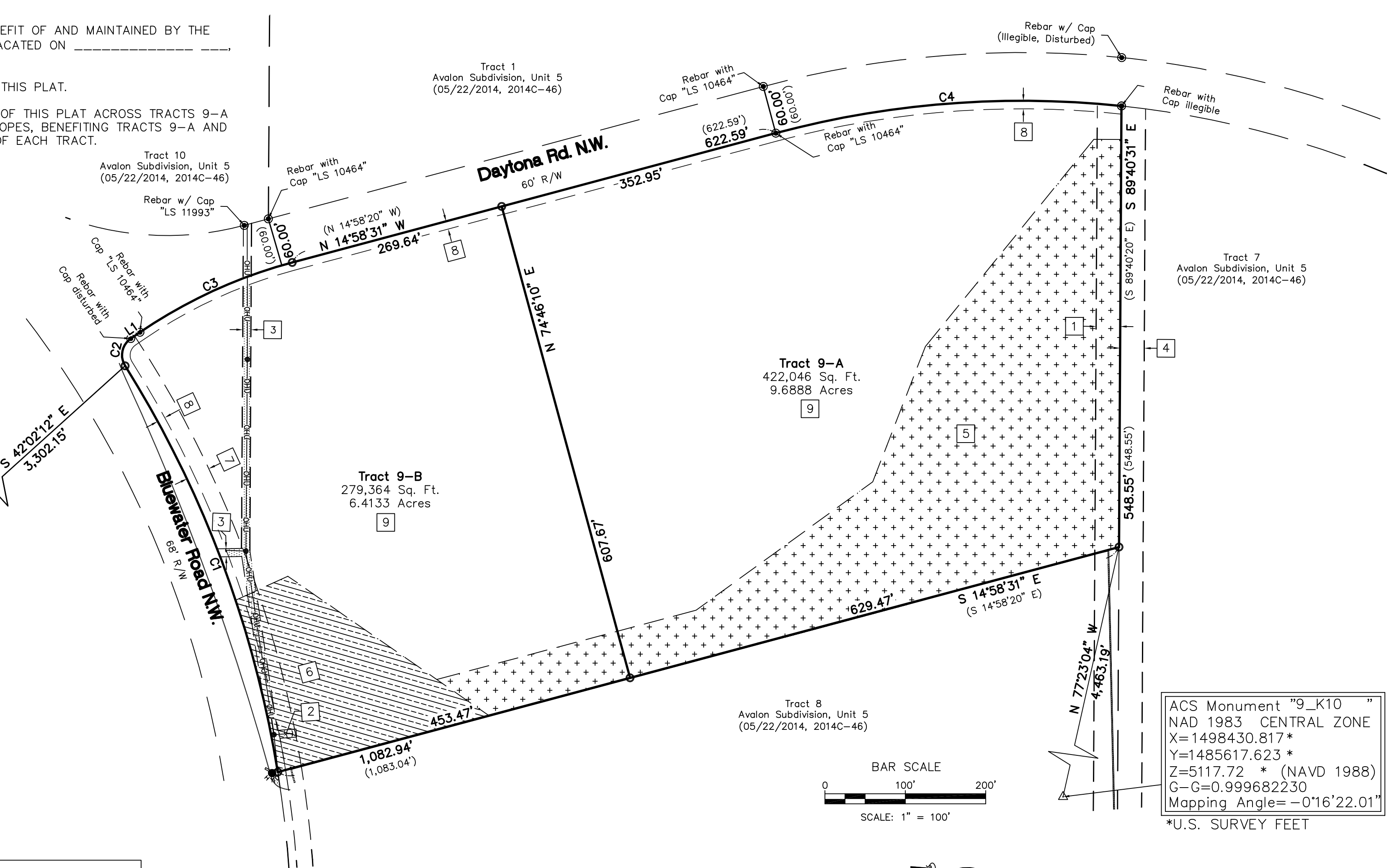
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(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (05/22/2014, 2014C-46)
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○	SET 1/2" REBAR WITH CAP "LS 18374" UNLESS OTHERWISE NOTED
[Symbol]	CONCRETE
[Symbol]	BLOCK WALL
[Symbol]	OVERHEAD UTILITY LINE
•	UTILITY POLE
→	ANCHOR
[Symbol]	FIRE HYDRANT

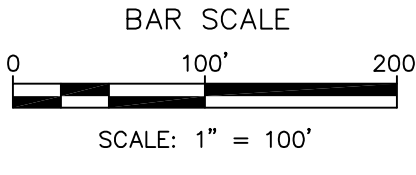
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**Site Sketch for
 Tracts 9-A and 9-B
 Avalon Subdivision, Unit 5
 Being Comprised of
 Tract 9
 Avalon Subdivision, Unit 5
 City of Albuquerque
 Bernalillo County, New Mexico
 November 2021**



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FORM DRWS: DRAINAGE REPORT/GRADING AND DRAINAGE PLAN / WATER & SANITARY SEWER AVAILABILITY

THIS FORM IS REQUIRED WITH THE DEVELOPMENT REVIEW BOARD APPLICATION FOR SUBDIVISIONS AND SITE PLANS.

PROJECT NAME: Blue Sky Distributing / Westpoint 40 Spec 150

AGIS MAP # K-09-Z

LEGAL DESCRIPTIONS: Tract 9 of Avalon Subdivision, Unit 5

DRAINAGE REPORT/GRADING AND DRAINAGE PLAN

A drainage report/grading and drainage plan, as per the Drainage Ordinance, was submitted to the City of Albuquerque Planning Department, Hydrology Division (2nd /Ground Floor, Plaza del Sol) on 10/20/2021 (date).

CSI - Cartesian Surveys, Inc. 11/16/2021
Applicant/Agent Date

Ernest Armijo 11/16/2021
Hydrology Division Representative Date

NOTE: A GRADING AND DRAINAGE PLAN MUST BE APPROVED PRIOR TO DRB APPROVAL

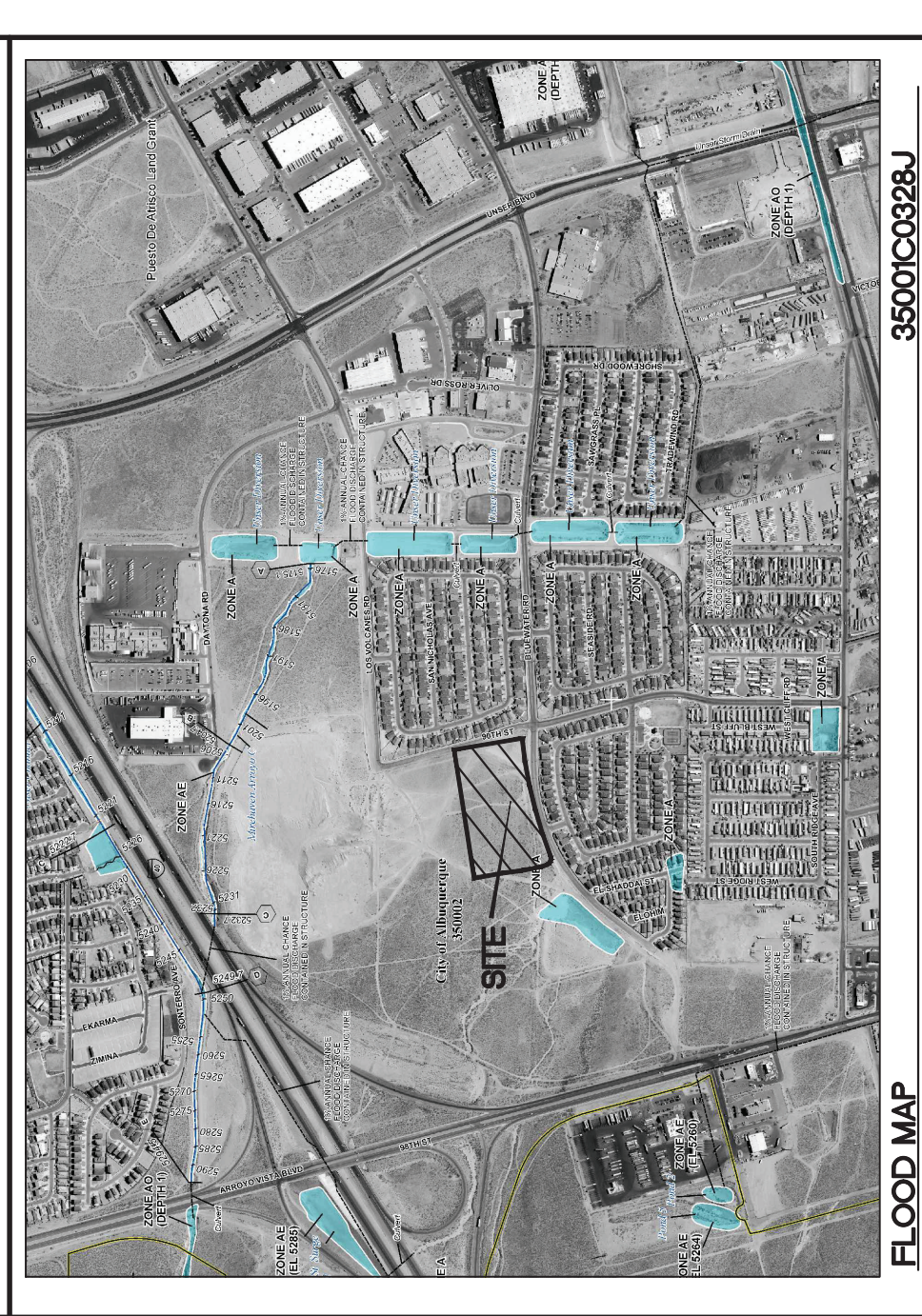
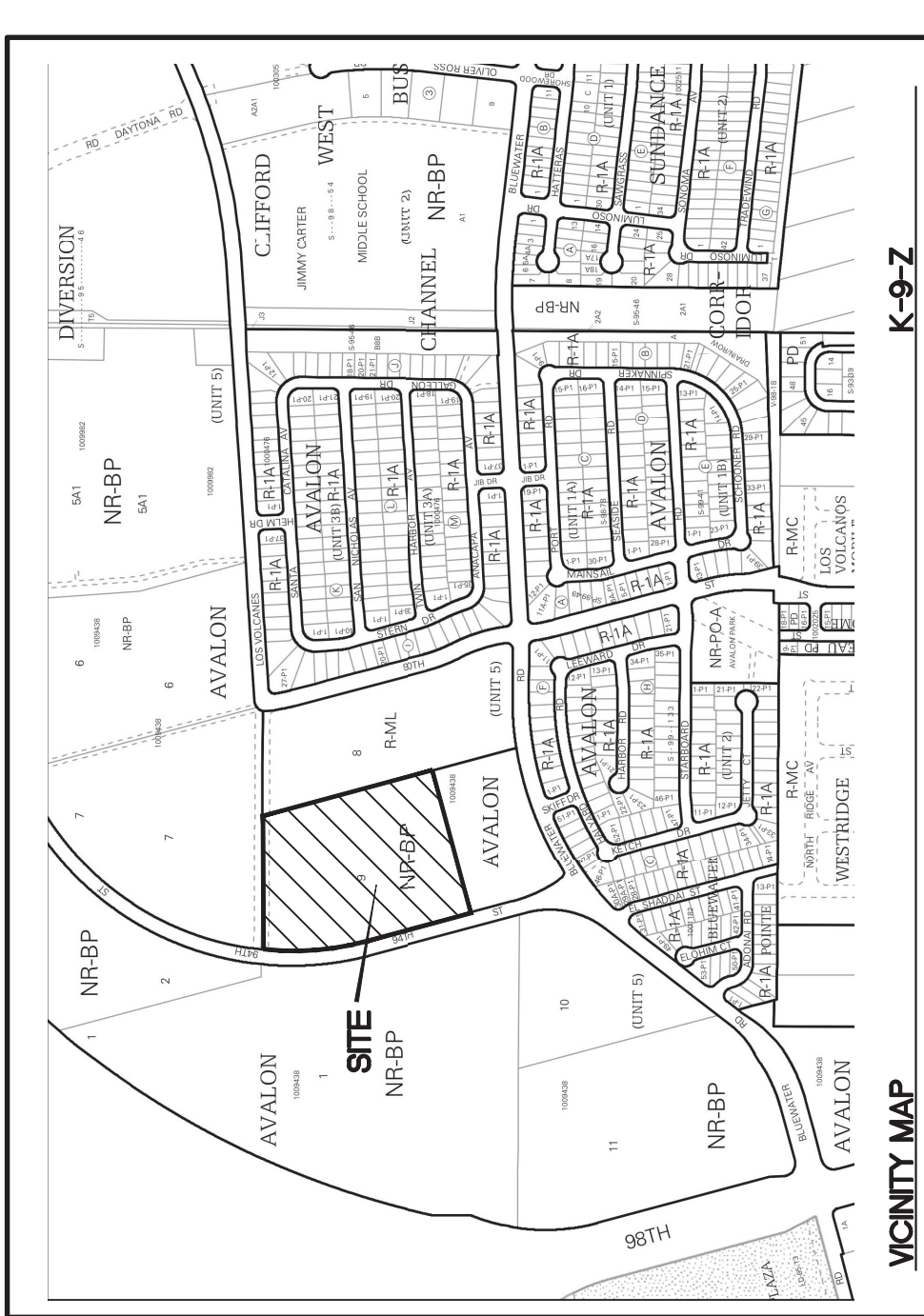
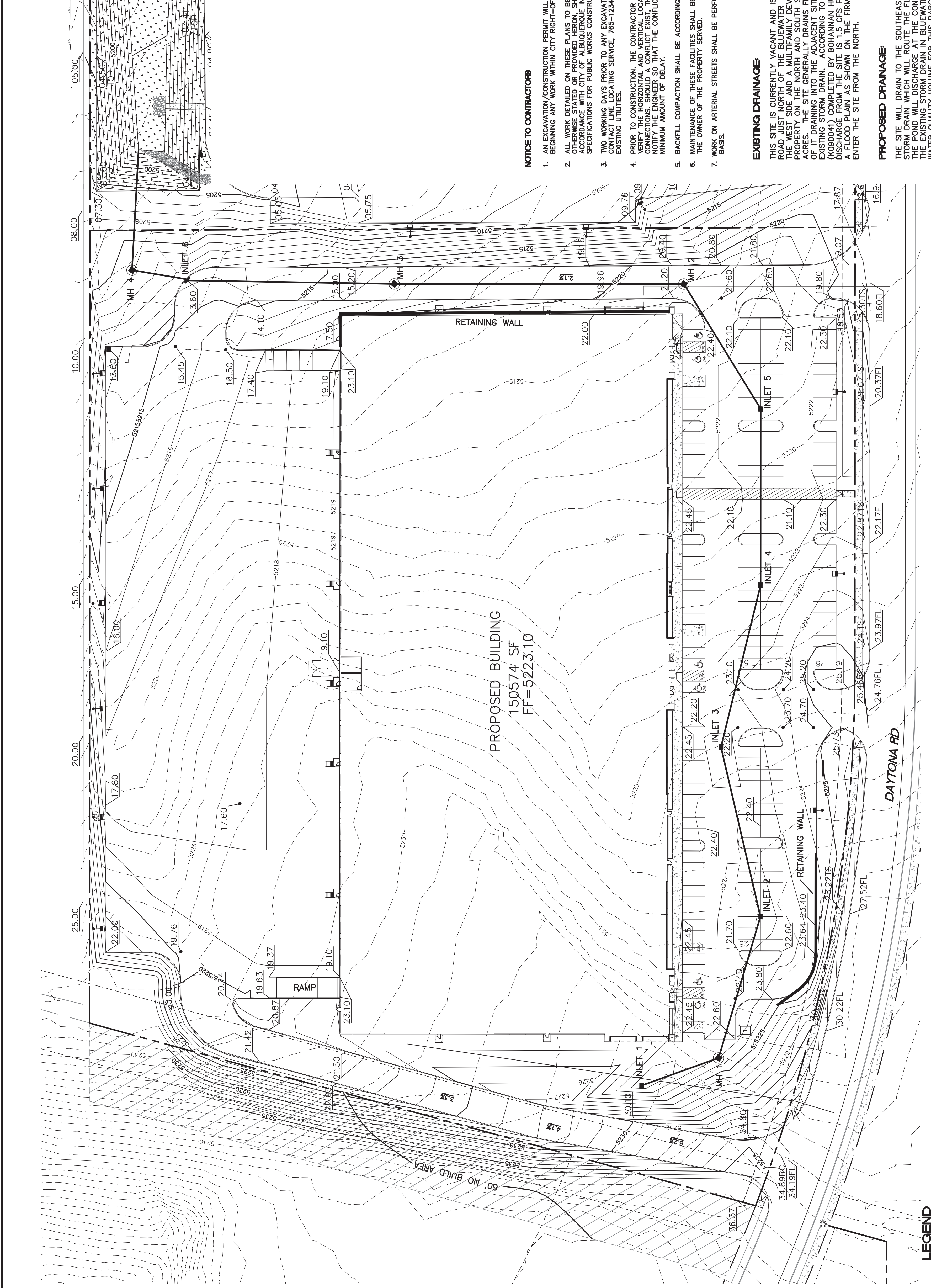
WATER AND SEWER AVAILABILITY STATEMENT

A complete request for Water and Sanitary Sewer Availability was made for this project to the Water Authority (online: http://www.abcwua.org/Availability_Statements.aspx) on #210916 (10/05/2021) (date).

CSI - Cartesian Surveys, Inc. 11/16/2021
Applicant/Agent Date

Edwin Bergeron 11/16/2021
ABCWUA Representative Date

PROJECT # PR-2020-006070



NOTICE TO CONTRACTORS

1. AN EXCAVATION/CONSTRUCTION PERMIT WILL BE REQUIRED BEFORE BEGINNING ANY WORK WITHIN CITY RIGHT-OF-WAY.
2. ALL WORK DETAILED ON THESE PLANS TO BE PERFORMED, EXCEPT AS OTHERWISE STATED OR PROVIDED HEREON, SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF ALBUQUERQUE INTERIM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1985.
3. TWO WORKING DAYS PRIOR TO ANY EXCAVATION, CONTRACTOR MUST CONTACT LINE LOCATING SERVICE, 765-1234, FOR LOCATION OF EXISTING UTILITIES.
4. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL CONNECTIONS SHOULD A CONFLICT EXIST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.
5. BACKFILL COMPACTION SHALL BE ACCORDING TO TRAFFIC/STREET USE.
6. MAINTENANCE OF THESE FACILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY SERVED.
7. WORK ON ARTERIAL STREETS SHALL BE PERFORMED ON A 24-HOUR BASIS.

EROSION CONTROL NOTES

1. CONTRACTOR IS RESPONSIBLE FOR OBTAINING A TOPSOIL DISTURBANCE PERMIT PRIOR TO BEGINNING WORK.
2. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RUN-OFF ON SITE DURING CONSTRUCTION.
3. CONTRACTOR IS RESPONSIBLE FOR CLEANING ALL SEDIMENT THAT GETS INTO EXISTING RIGHT-OF-WAY.
4. REPAIR OF DAMAGED FACILITIES AND CLEANUP OF SEDIMENT ACCUMULATIONS ON ADJACENT PROPERTIES AND PUBLIC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.
5. ALL EXPOSED EARTH SURFACES MUST BE PROTECTED FROM WIND AND WATER EROSION PRIOR TO FINAL (CITY) ACCEPTANCE OF ANY PROJECT.
6. ALL SLOPES NOT STABILIZED AT THE END OF THE PROJECT SHALL BE STABILIZED IN ACCORDANCE WITH COA SPECS OR 3" GRAVEL.

EXISTING DRAINAGE

THIS SITE IS CURRENTLY VACANT AND IS LOCATED ON THE EAST SIDE OF DAYTONA ROAD JUST NORTH OF THE BLUEWATER RD. THE SITE IS BOUNDED BY ROADS ON THE WEST SIDE AND A MULTIFAMILY DEVELOPMENT ON THE EAST SIDE AND VACANT PROPERTY ON THE NORTH AND SOUTH SIDES. THE SITE CONTAINS APPROXIMATELY 9,609 SQUARE FEET OF VACANT LAND. THE ADJACENT TO THE NORTH AND WEST WITH MOST OF IT DRAINING INTO THE ADJACENT SITE WHICH DRAINS TO BLUEWATER ROAD EXISTING STORM DRAIN. ACCORDING TO AN APPROVED MASTER DRAINAGE PLAN (K09D041) COMPLETED BY BOHANNAN HUSTON INC. THE ALLOWABLE DEVELOPED DISCHARGE FROM THE SITE IS 1.5 CFS PER ACRE. THE SITE IS NOT LOCATED WITHIN A FLOOD PLAIN AS SHOWN ON THE FIRM MAP. THERE ARE OFFSITE FLOWS THAT ENTER THE SITE FROM THE NORTH.

PROPOSED DRAINAGE

THE SITE WILL DRAIN TO THE SOUTHEAST CORNER OF THE SITE INTO A PROPOSED STORM DRAIN WHICH WILL ROUTE THE FLOWS TO A PROPOSED DETENTION POND. THE POND WILL DISCHARGE AT THE CONTROLLED RATE OF 1.5 CFS PER ACRE TO THE EXISTING STORM DRAIN IN BLUEWATER ROAD. THIS POND WILL ALSO RETAIN THE WATER QUALITY VOLUME FOR THIS PARCEL.

LEGEND

- CURB & GUTTER
- BOUNDARY LINE
- EASEMENT
- CENTERLINE
- - - RIGHT-OF-WAY
- ▭ BUILDING
- ▭ SIDEWALK
- EXISTING CURB & GUTTER
- - - EXISTING BOUNDARY LINE
- RETAINING WALL

STRUCTURE TABLE

STRUCTURE	SIZE/TYPE	RIM	INVERT
INLET 1	TYPE 'C'	5221.30	5134.70
INLET 2	TYPE 'C'	5221.40	5130.09
INLET 3	TYPE 'C'	5221.60	5127.76
INLET 4	TYPE 'C'	5221.40	5134.00 IN 5131.42 OUT
INLET 5	TYPE 'C'	5221.40	5134.00 IN 5131.42 OUT
INLET 6	TYPE 'D'	5213.60	5128.29

MH TABLE

STRUCTURE	SIZE/TYPE	RIM	INVERT
MH 1	4" DIA 'C'	5223.00	5134.70
MH 2	4" DIA 'C'	5221.02	5130.09
MH 3	4" DIA 'C'	5216.52	5127.76
MH 4	4" DIA 'C'	5211.25	5134.00 IN 5131.42 OUT

CAUTION
ALL EXISTING UTILITIES SHOWN WERE OBTAINED FROM RECORD DRAWINGS AND FIELD SURVEY. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY EXCAVATION, AND TO DETERMINE THE ACTUAL LOCATION OF UTILITIES AND OTHER IMPROVEMENTS, PRIOR TO STARTING THE WORK. ANY CHANGES FROM THIS PLAN SHALL BE COORDINATED WITH AND APPROVED BY THE ENGINEER.

TITAN 150K SPEC BUILDING
ALBUQUERQUE, NM

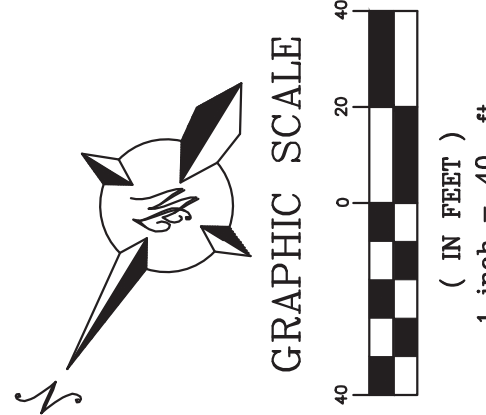
CONCEPTUAL GRADING AND DRAINAGE PLAN

ENGINEER'S SEAL
RONALD R. BOHANNAN
REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW MEXICO
7868

11-4-21

TIERRA WEST LLC
5571 MIDWAY PARK PL, NE
ALBUQUERQUE, NEW MEXICO 87109
(505) 858-3100
www.tierrawest.com

DRAWN BY: pm
DATE: 11-4-21
DRAWING: 2020088-150K-GR.DWG
SHEET #: GR-1
JOB #: 2020088



LEGEND

- CURB & GUTTER
- BOUNDARY LINE
- EASEMENT
- CENTERLINE
- - - RIGHT-OF-WAY
- ▭ BUILDING
- ▭ SIDEWALK
- EXISTING CURB & GUTTER
- EMERGENCY OVERFLOW
- EXISTING BOUNDARY LINE
- RETAINING WALL

NOTICE TO CONTRACTORS

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EXISTING DRAINAGE

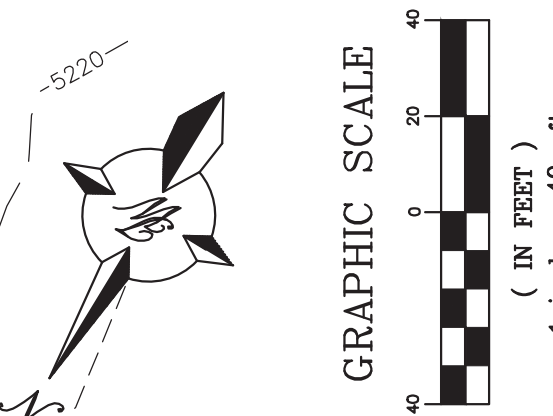
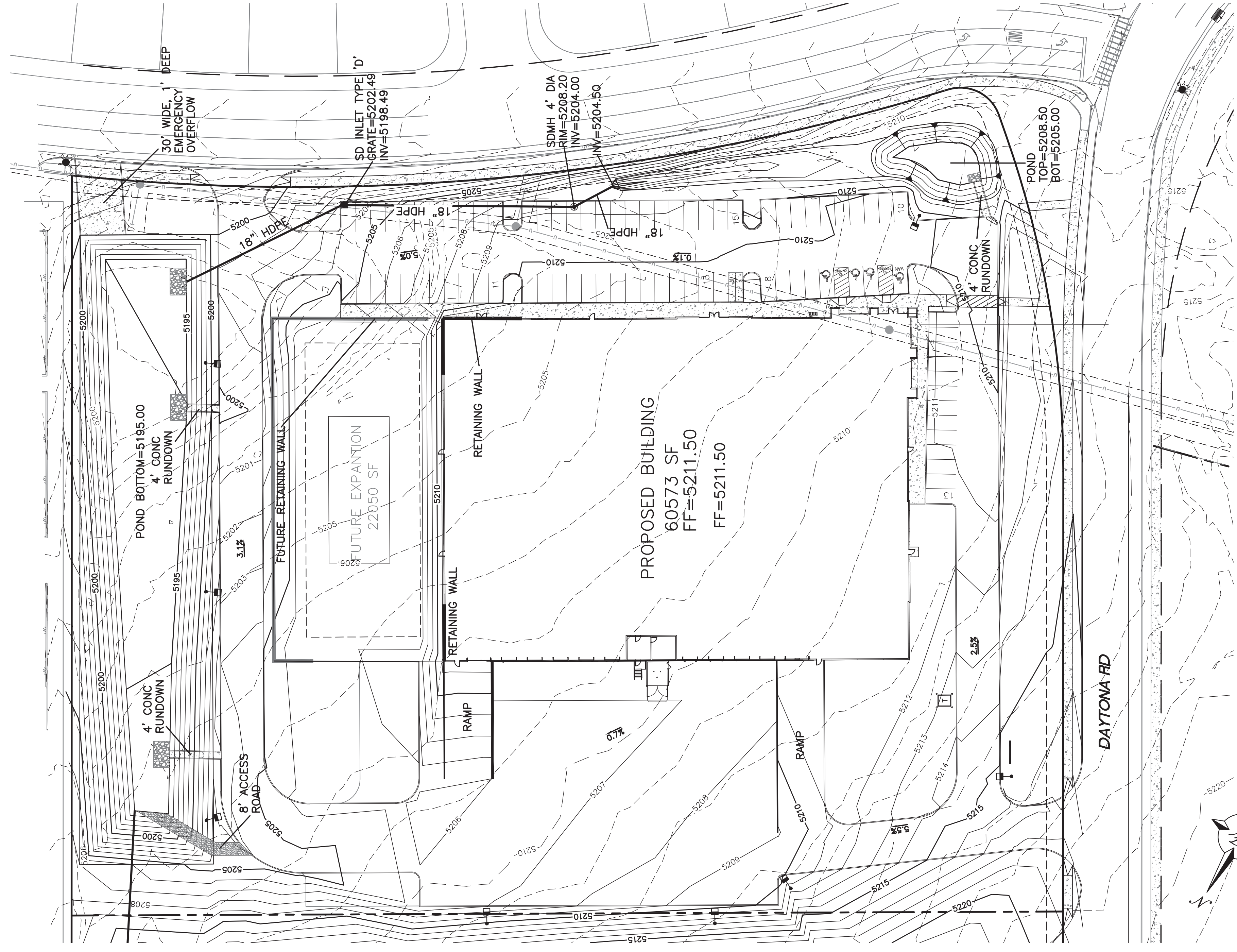
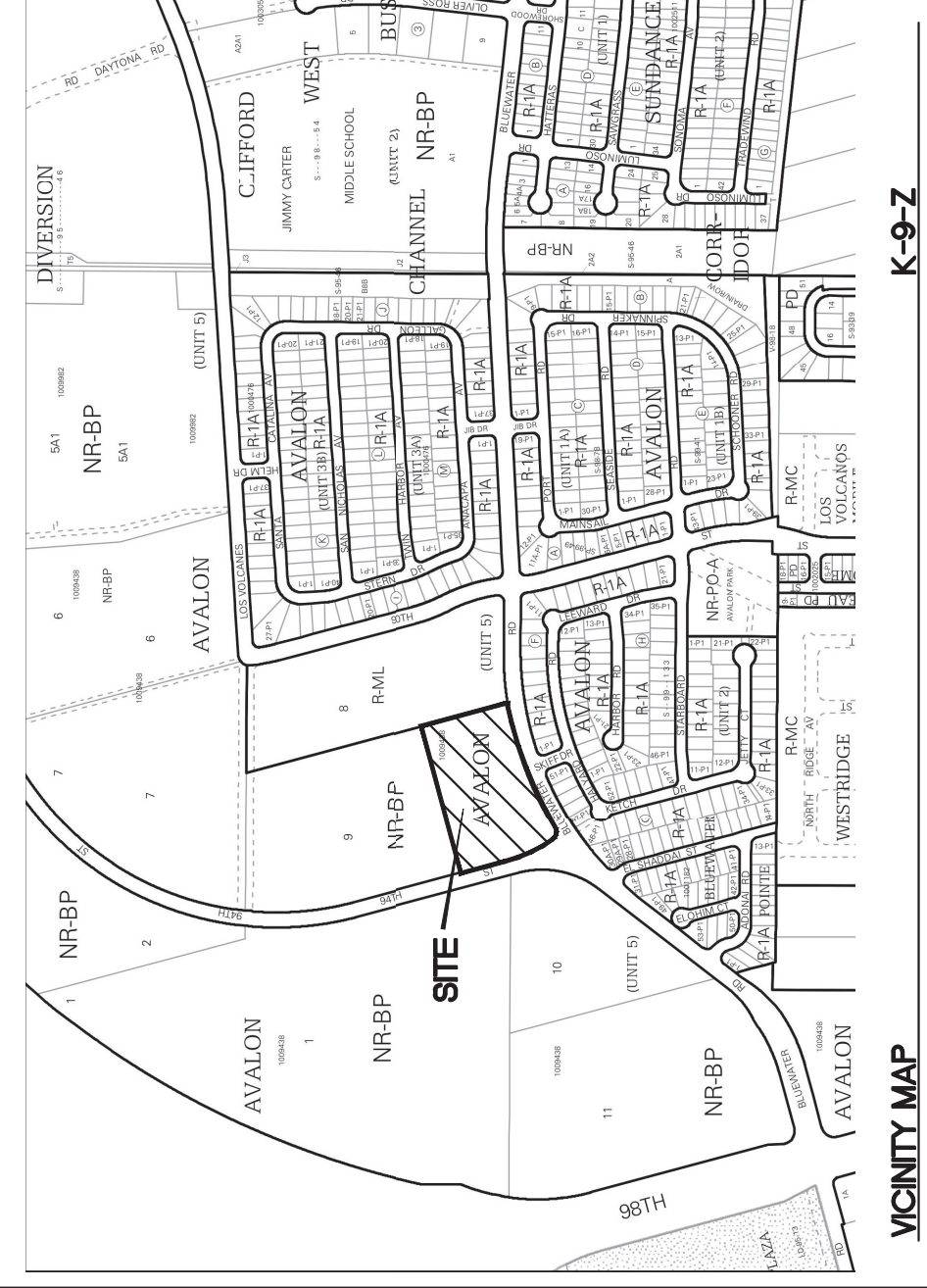
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CAUTION

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ENGINEER'S SEAL RONALD R. BOHANNAN MEXICO 7868 PROFESSIONAL ENGINEER	ENGINEER'S	DATE	DRAWING	SHEET #	JOB #
	SEAL	11-4-21	2020088-60K.DWG	GR-1	2020088
BLUE SKY DISTRIBUTING ALBUQUERQUE, NM		DRAWN BY pm			
CONCEPTUAL GRADING AND DRAINAGE PLAN		DATE 11-4-21			
TIERRA WEST LLC 5571 MIDWAY PARK PL. NE ALBUQUERQUE, NEW MEXICO 87109 www.tierrawestllc.com		DRAWING 2020088-60K.DWG			
RONALD R. BOHANNAN P.E. #7868		SHEET # GR-1			
11-4-21		JOB # 2020088			

October 5, 2021

Vince Carrica
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87106

RE: Water and Sanitary Sewer Availability Statement #210915
Project Name: Blue Sky Distributing
Project Address: NA
Legal Description: Portion of tract 9 Avalon Subdivision Unit 5
UPC: Portion of 100905719339420401
Zone Atlas Map: K-09

Dear Mr. Carrica:

Project Description: The subject site is located at the northeastern corner of Bluewater Road and Daytona Road within the City of Albuquerque. The proposed development consists of approximately 6.43 acres and the property is currently zoned NR-BP for non-residential use, business park. The property lies within the Pressure Zone 2W in the Atrisco Trunk. The request for availability indicates plans to subdivide and develop the site for a commercial hazard storage site.

Existing Conditions: Water infrastructure in the area consists of the following:

- Ten-inch PVC distribution line (project #26-6397.71-18) along access drive of 601 90th Street.
- Ten-inch cast iron well collector line (project #09-010-63, abandoned left as is) along Daytona Road.
- 12-inch PVC distribution line (projects #26-6155.81-00 and #26-6638.81-04) along Bluewater Road and stubbed into Daytona Road.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC sanitary sewer collector (project #26-6638.81-04) along Bluewater Road and stubbed into Daytona Road.

Water Service: New metered water service to the property can be provided contingent upon a developer funded project to upsize the ten-inch line along Daytona Road to a 12-inch and then extend a 12-inch line from the upsized portion such that it covers the site's frontage. Upon completion of the infrastructure construction, the development may receive service via routine connection to the proposed 12-inch distribution main along Daytona Road. The engineer is responsible for determining pressure losses and sizing of the service line(s) downstream of the public water line to serve the proposed development.

Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service. Each legally platted property shall have individual, independent water services. No property shall share a water service with any other property.

Chair
Steven Michael Quezada
County of Bernalillo
Commissioner, District 2

Vice Chair
Klarissa J. Peña
City of Albuquerque
Councilor, District 3

Walt Benson
County of Bernalillo
Commissioner, District 4

Pat Davis
City of Albuquerque
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Commissioner, District 5

Ex-Officio Member
Pablo R. Rael
Village of Los Ranchos
Board Trustee

Executive Director
Mark S. Sanchez

Website
www.abcwua.org

Existing service lines and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main. For fire lines, the line shall be capped near the public valve and valve access shall be grouted and collar removed.

Non-Potable Water Service: Currently, there is no non-potable infrastructure available to serve the subject property.

Sanitary Sewer Service: New sanitary sewer service to the property can be provided contingent upon a developer funded project to extend an eight-inch collector line from the eight-inch stub along Daytona Road. It shall extend such that the site's frontage is covered and will terminate at a manhole. No property shall share a private sewer service with any other property. The engineer is responsible for sizing the service line(s) upstream of the public sanitary sewer line to serve the proposed development.

Fire Protection: From the Fire Marshal's requirements, the instantaneous fire flow requirements for the project are 3,000 gallons-per-minute. Three fire hydrants are required. There are two existing hydrants available and three new hydrants are proposed with this project, one of which is public. As modeled using InfoWater™ computer software, the fire flow can be met. Analysis was performed by simulating the required fire flow at the proposed hydrant and the connection point of the proposed fire line.

Any changes to the proposed connection points shall be coordinated through Utility Development. All new required hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

The engineer is responsible for determining pressure losses and sizing of the fire line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system.

Cross Connection Prevention: Per the Cross Connection Ordinance, all new non-residential premises must have a reduced pressure principle backflow prevention assembly approved by the Water Authority installed at each domestic service connection at a location accessible to the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the reduced principle backflow prevention assembly and the service connection unless protected by a backflow prevention assembly. These requirements also apply to all remodeled non-residential premises when the work area of the building undergoing repairs, alterations or rehabilitation, as defined in the International Existing Building Code, exceeds 50 percent of the aggregate area of the building regardless of the costs of repairs, alteration or rehabilitation.

All non-residential irrigation water systems connected to the public water system shall have a pressure vacuum breaker, spill-resistant pressure vacuum breaker or a reduced pressure principle backflow prevention assembly installed after the service connection. Such devices shall be approved by the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection.

All non-residential customers connected via piping to an alternative water source or an auxiliary water supply and the public water system shall install a containment reduced

pressure principle backflow prevention assembly approved by the Water Authority after the potable service connection.

All new services to private fire protection systems shall be equipped with a containment reduced pressure principal backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction installed after the service connection. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection. A double check valve assembly approved by the Water Authority and Fire Marshal having jurisdiction may be installed instead of a reduced pressure backflow prevention assembly provided the private fire protection system meets or exceeds ANSI/NSF Standard 60.61 throughout the entire private fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections nor connections from auxiliary water supplies.

The Water Authority requests that all backflow (containment) devices be located above ground just outside the easement or roadway right-of-way. Contact Cross Connection at 289-3454 for more information.

Pretreatment: If the development is for industrial use, and if either of the following apply, then contact the Industrial Pretreatment Engineer at (505) 289-3439 or pretreatment@abcwua.org:

- 1) The industry falls under one or more EPA categories found in Title 40 Code of Federal Regulations Parts 400-699, or
- 2) The industry plans to discharge more than 25,000 gallons of wastewater per day.

Coordination with Pretreatment shall take place early in the planning stages and design.

Easements: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service.

Pro Rata: As described in this statement, the extension of public water and sanitary sewer lines may be eligible for partial reimbursement through the Pro Rata process as detailed in the Water Authority Water and Wastewater System Expansion Ordinance.

Pro Rata: Pro Rata is not owed and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

Design and Construction: Design and construction of all required improvements will be at the developer/property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be performed by a licensed, New Mexico registered, professional engineer. Construction must be performed by a licensed and bonded public utility contractor.

Utility Expansion Charge (UEC): In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. Per the Rate Ordinance, each customer classification on the same premise requires a separate meter.

Contact Customer Service at (505) 842-9287 (option 3) for more information regarding account fees.

Water Use: All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Reduction Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

Closure: This availability statement provides a commitment from the Water Authority to provide services to the development, as long as identified conditions are met. It will remain in effect for a period of one year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at kcadena@abcwua.org if you have questions regarding the information presented herein or need additional information.

Sincerely,



Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps
f/ Availability Statement #210915

210915 - Water



- Legend**
- Project Location
 - Valve
 - Hydrant
- Pipe SUBTYPE**
- Distribution Line
 - Hydrant Leg
 - Well Collector Line
 - Abandoned

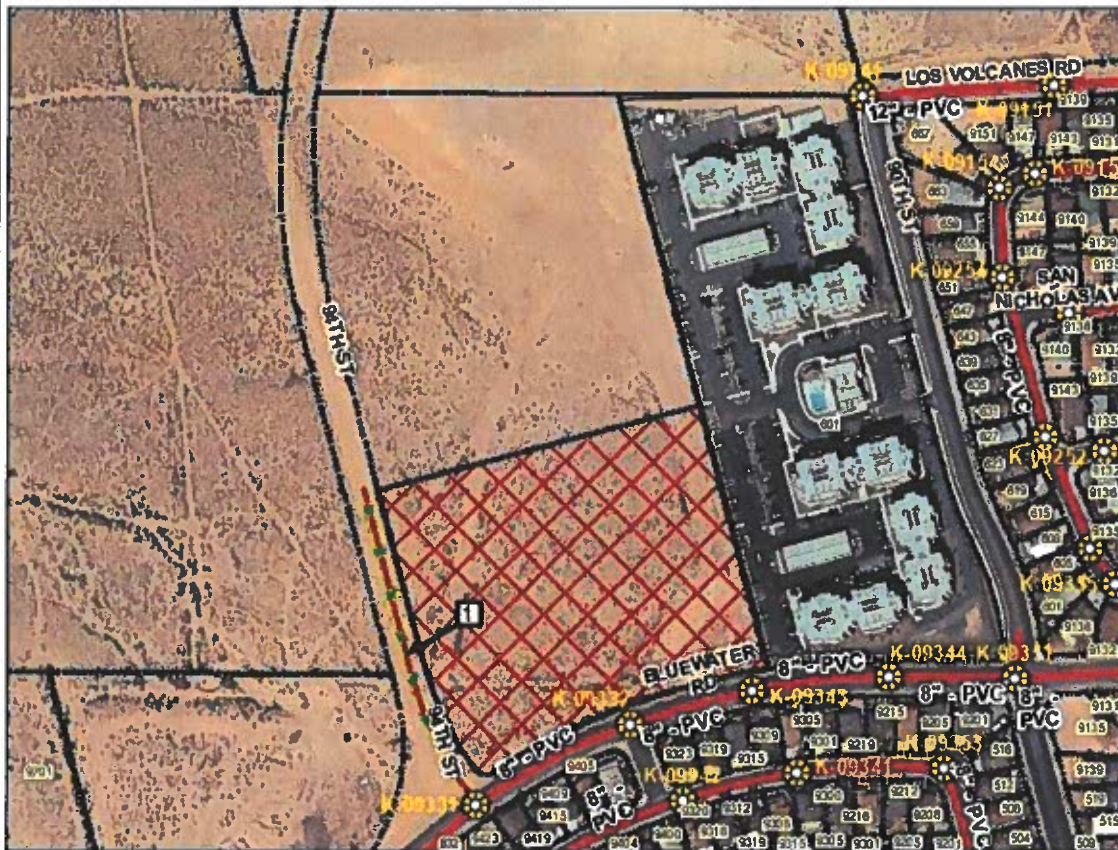
0 500 1,000 Feet



- General Map Keyed Notes
- 1 -- Proposed Waterline Extension
- 2 -- Proposed Fire Hydrant
- Fire Flow Analysis Points
- 1 -- Analysis Point
- 2 -- Analysis Point



210915 - Sanitary Sewer



Legend

Project Location

Sewer Manhole

Sewer Pipe

SUBTYPE

COLLECTOR

0 500 1,000 Feet



--- General Map Keyed Notes

1. --- Proposed Sewer Extension



October 5, 2021

Chair

Steven Michael Quezada
County of Bernalillo
Commissioner, District 2

Vice Chair

Klarissa J. Peña
City of Albuquerque
Councilor, District 3

Walt Benson
County of Bernalillo
Commissioner, District 4

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City of Albuquerque
Councilor, District 6

Trudy E. Jones
City of Albuquerque
Councilor, District 8

Timothy M. Keller
City of Albuquerque
Mayor

Charlene Pyskoty
County of Bernalillo
Commissioner, District 5

Ex-Officio Member
Pablo R. Rael
Village of Los Ranchos
Board Trustee

Executive Director
Mark S. Sanchez

Website
www.abcwua.org

Vince Carrica
Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87106

RE: Water and Sanitary Sewer Availability Statement #210916

Project Name: Westpointe 40 Spec #1

Project Address: NA

Legal Description: Portion of tract 9 Avalon Subdivision Unit 5

UPC: Portion of 100905719339420401

Zone Atlas Map: K-09

Dear Mr. Carrica:

Project Description: The subject site is located along Daytona Road north of the corner of Bluewater Road and Daytona Road within the City of Albuquerque. The proposed development consists of approximately 9.7 acres and the property is currently zoned NR-BP for non-residential use, business park. The property lies within the Pressure Zone 2W in the Atrisco Trunk. The request for availability indicates plans to subdivide and develop the site for a commercial hazard storage site.

Existing Conditions: Water infrastructure in the area consists of the following:

- Ten-inch cast iron well collector line (project #09-010-63, abandoned left as is) along Daytona Road.
- Ten-inch cast iron well collector line (project #09-010-63, abandoned left as is) along the northern property line of the site.
- 12-inch PVC distribution line (project associated with statement #210915) along Daytona Road.
- 12-inch cast iron distribution line (project # 09-001-71) along the northern property line of the site.
 - 12-inch cast iron distribution line (project #26-6397.71-18) connected to the 12-inch cast iron line, along the northern property line of the site.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC sanitary sewer collector (project associated with statement #210915) along Daytona Road.

Water Service: New metered water service to the property can be provided contingent upon a developer funded project to extend a 12-inch distribution main from the 12-inch extension along Daytona Road. It shall extend such that it will loop into the 12-inch cast iron distribution line, to support adequate fire protection. Upon completion of the infrastructure construction, the development may receive service via routine connection to the proposed 12-inch distribution main along Daytona Road. The engineer is responsible for determining pressure losses and sizing of the service line(s) downstream of the public water line to serve the proposed development.

Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service. Each legally platted property shall have individual, independent water services. No property shall share a water service with any other property.

Existing service lines and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main. For fire lines, the line shall be capped near the public valve and valve access shall be grouted and collar removed.

Non-Potable Water Service: Currently, there is no non-potable infrastructure available to serve the subject property.

Sanitary Sewer Service: New sanitary sewer service to the property can be provided contingent upon a developer funded project to extend an eight-inch main from the eight-inch extension along Daytona Road. It shall extend such that the site's frontage is covered and will terminate at a manhole. No property shall share a private sewer service with any other property. The engineer is responsible for sizing the service line(s) upstream of the public sanitary sewer line to serve the proposed development.

Fire Protection: From the Fire Marshal's requirements, the instantaneous fire flow requirements for the project are 4,000 gallons-per-minute. Four fire hydrants are required. There are three new hydrants proposed with this project, one of which will be public. As modeled using InfoWater™ computer software, the fire flow cannot be met. Analysis was performed by simulating the required fire flow at the proposed hydrant and the connection point of the proposed fire line.

In order to provide the required fire flow, infrastructure improvements are required. These improvements consist of looping the proposed waterline with the 12-inch cast iron along the northern property line of the site.

Any changes to the proposed connection points shall be coordinated through Utility Development. All new required hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.

The engineer is responsible for determining pressure losses and sizing of the fire line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system.

Cross Connection Prevention: Per the Cross Connection Ordinance, all new non-residential premises must have a reduced pressure principle backflow prevention assembly approved by the Water Authority installed at each domestic service connection at a location accessible to the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the reduced principle backflow prevention assembly and the service connection unless protected by a backflow prevention assembly. These requirements also apply to all remodeled non-residential premises when the work area of the building undergoing repairs, alterations or rehabilitation, as defined in the International Existing Building Code, exceeds 50 percent of the aggregate area of the building regardless of the costs of repairs, alteration or rehabilitation.

All non-residential irrigation water systems connected to the public water system shall have a pressure vacuum breaker, spill-resistant pressure vacuum breaker or a reduced

pressure principle backflow prevention assembly installed after the service connection. Such devices shall be approved by the Water Authority. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection.

All non-residential customers connected via piping to an alternative water source or an auxiliary water supply and the public water system shall install a containment reduced pressure principle backflow prevention assembly approved by the Water Authority after the potable service connection.

All new services to private fire protection systems shall be equipped with a containment reduced pressure principal backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction installed after the service connection. No tees, branches or possible connection fittings or openings are allowed between the containment backflow prevention assembly and the service connection. A double check valve assembly approved by the Water Authority and Fire Marshal having jurisdiction may be installed instead of a reduced pressure backflow prevention assembly provided the private fire protection system meets or exceed ANSI/NSF Standard 60 61 throughout the entire private fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections nor connections from auxiliary water supplies.

The Water Authority requests that all backflow (containment) devices be located above ground just outside the easement or roadway right-of-way. Contact Cross Connection at 289-3454 for more information.

Pretreatment: If the development is for industrial use, and if either of the following apply, then contact the Industrial Pretreatment Engineer at (505) 289-3439 or pretreatment@abcwua.org:

- 1) The industry falls under one or more EPA categories found in Title 40 Code of Federal Regulations Parts 400-699, or
- 2) The industry plans to discharge more than 25,000 gallons of wastewater per day.

Coordination with Pretreatment shall take place early in the planning stages and design.

Easements: Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service.

Pro Rata: As described in this statement, the extension of public water and sanitary sewer lines may be eligible for partial reimbursement through the Pro Rata process as detailed in the Water Authority Water and Wastewater System Expansion Ordinance.

Pro Rata: Pro Rata is not owed and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

Design and Construction: Design and construction of all required improvements will be at the developer/property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be performed by a licensed, New Mexico registered, professional engineer. Construction must be performed by a licensed and bonded public utility contractor.

Utility Expansion Charge (UEC): In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. Per the Rate Ordinance, each customer classification on the same premise requires a separate meter.

Contact Customer Service at (505) 842-9287 (option 3) for more information regarding account fees.

Water Use: All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Reduction Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

Closure: This availability statement provides a commitment from the Water Authority to provide services to the development, as long as identified conditions are met. It will remain in effect for a period of one year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at kcadena@abcwua.org if you have questions regarding the information presented herein or need additional information.

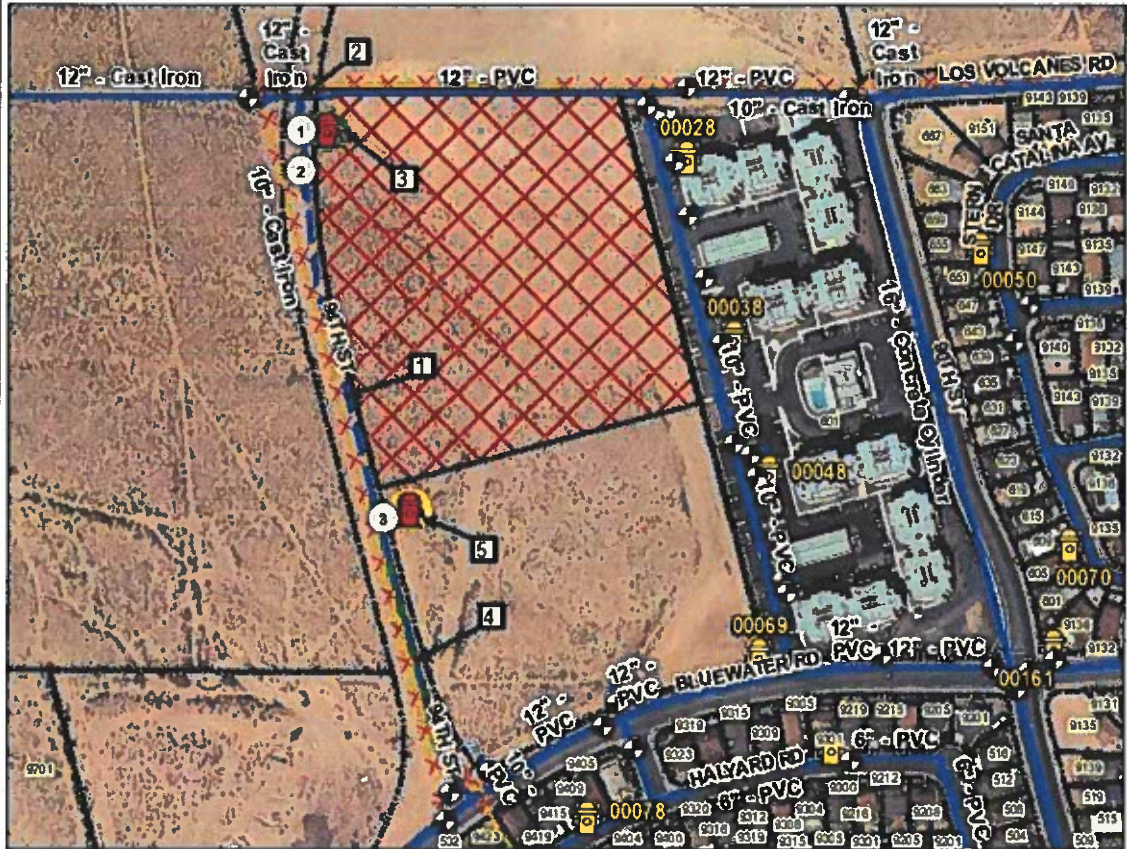
Sincerely,



Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps
f/ Availability Statement #210916

210916 - Water



Legend

Project Location

Valve

Hydrant

Pipe

SUBTYPE

Distribution Line

Hydrant Leg

Well Collector Line

Abandoned

0 500 1,000 Feet

--- General Map Keyed Notes

1. --- Proposed Waterline Extension

2. --- Waterline Extension To Loop With Existing 12" Main

3. --- Proposed Fire Hydrant

4. --- Proposed Waterline Extension Under Statement 210915

5. --- Proposed Fire Hydrant Under Statement 210915

--- Fire Flow Analysis Points

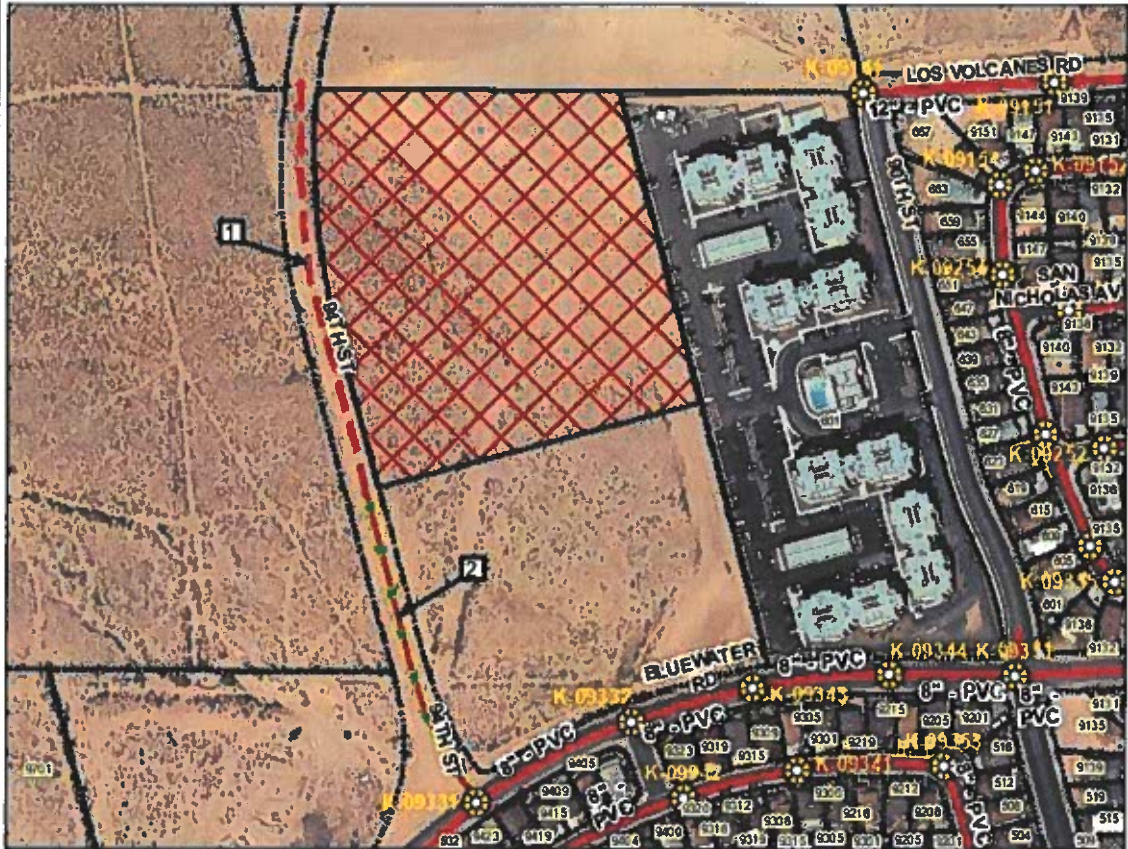
1. --- Analysis Point

2. --- Analysis Point

3. --- Analysis Point



210916 - Sanitary Sewer



Legend

Project Location

Sewer Manhole

Sewer Pipe

SUBTYPE

COLLECTOR

0 500 1,000 Feet

— General Map Keyed Notes

1 -- Proposed Sewer Extension

2 -- Proposed Sewer Extension Under Statement 210915



NE Corner of BLUEWATER RD NW and 94th Street NW Public Notice Inquiry

Carmona, Dalaina L. <dcarmona@cabq.gov>
To: "cartesianryan@gmail.com" <cartesianryan@gmail.com>

Tue, Nov 16, 2021 at 4:07 PM

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Avalon NA	Lucy	Anchondo	avalon3a@yahoo.com	601 Stern Drive NW	Albuquerque	NM	87121		5058396601
Avalon NA	Samantha	Pina	ava99secretary@gmail.com	423 Elohim Court NW	Albuquerque	NM	87121	5053633455	
South West Alliance of Neighborhoods (SWAN Coalition)	Luis	Hernandez Jr.	luis@wccdg.org	5921 Central Avenue NW	Albuquerque	NM	87105		
South West Alliance of Neighborhoods (SWAN Coalition)	Jerry	Gallegos	jgallegoswccdg@gmail.com	5921 Central Avenue NW	Albuquerque	NM	87105	5053855809	5058362976
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120		5058982114

PLEASE NOTE: The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit. <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s):

<http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thanks,



Dalaina L. Carmona

Senior Administrative Assistant

Office of Neighborhood Coordination

Council Services Department

1 Civic Plaza NW, Suite 9087, 9th Floor

Albuquerque, NM 87102

505-768-3334

dcarmona@cabq.gov or ONC@cabq.gov

Website: www.cabq.gov/neighborhoods



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov

Sent: Tuesday, November 16, 2021 2:30 PM

To: Office of Neighborhood Coordination <cartesianryan@gmail.com>

Cc: Office of Neighborhood Coordination <onc@cabq.gov>

Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Development Review Board

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Contact Name

Ryan Mulhall

Telephone Number

505-896-3050

Email Address

cartesianryan@gmail.com

Company Name

CSI - Cartesian Surveys, Inc.

Company Address

PO Box 44414

City

Rio Rancho

State

NM

ZIP

87174

Legal description of the subject site for this project:

Tract 9, Avalon Subdivision Unit 5 as the same is shown and designated on the plat of said subdivision, filed in the office of the county clerk of Bernalillo County, New Mexico, on May 22, 2014 in Plat Book 2014C, Folio 46, as Document No. 2014040949.

Physical address of subject site:

NE Corner of BLUEWATER RD NW and 94th Street NW


Subject site cross streets:

94th Street NW and 90th Street NW

Other subject site identifiers:

This site is located on the following zone atlas page:

K-09-Z

 **IDOZoneAtlasPage_K-09-Z_Markup.pdf**
490K

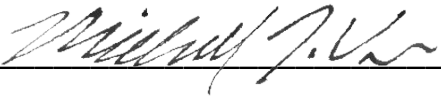


**OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT**



PART I - PROCESS	
Use Table 6-1-1 in the Integrated Development Ordinance (IDO) to answer the following:	
Application Type: Subdivision of Land (Lot split to accompany proposed site plans)	
Decision-making Body: Development Review Board (DRB)	
Pre-Application meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Neighborhood meeting required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Mailed Notice required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Electronic Mail required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is this a Site Plan Application:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Note: if yes, see second page
PART II – DETAILS OF REQUEST	
Address of property listed in application: 99999 Bluewater Road NW (NE corner of Bluewater and 94th Street)	
Name of property owner: 98th and I-40 Land, LLC	
Name of applicant: Titan Development / Aspen & Autumn, LLC (Agent: Consensus Planning, Inc. and Cartesian Surveys)	
Date, time, and place of public meeting or hearing, if applicable:	
December 1, 2021 at 9:00 via Zoom. See next page for Zoom information.	
Address, phone number, or website for additional information:	
Please contact Michael Vos with Consensus Planning for more information at vos@consensusplanning.com or by calling (505) 764-9801.	
PART III - ATTACHMENTS REQUIRED WITH THIS NOTICE	
<input checked="" type="checkbox"/> Zone Atlas page indicating subject property.	
<input checked="" type="checkbox"/> Drawings, elevations, or other illustrations of this request.	
<input type="checkbox"/> Summary of pre-submittal neighborhood meeting, if applicable. N/A	
<input checked="" type="checkbox"/> Summary of request, including explanations of deviations, variances, or waivers.	
IMPORTANT: PUBLIC NOTICE MUST BE MADE IN A TIMELY MANNER PURSUANT TO SUBSECTION 14-16-6-4(K) OF THE INTEGRATED DEVELOPMENT ORDINANCE (IDO). PROOF OF NOTICE WITH ALL REQUIRED ATTACHMENTS MUST BE PRESENTED UPON APPLICATION.	

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.

 (Applicant signature) November 5, 2021 (Date)

Note: Providing incomplete information may require re-sending public notice. Providing false or misleading information is a violation of the IDO pursuant to IDO Subsection 14-16-6-9(B)(3) and may lead to a denial of your application.



OFFICIAL PUBLIC NOTIFICATION FORM
FOR MAILED OR ELECTRONIC MAIL NOTICE
CITY OF ALBUQUERQUE PLANNING DEPARTMENT



PART IV – ATTACHMENTS REQUIRED FOR SITE PLAN APPLICATIONS ONLY

Provide a site plan that shows, at a minimum, the following:

- a. Location of proposed buildings and landscape areas.
- b. Access and circulation for vehicles and pedestrians.
- c. Maximum height of any proposed structures, with building elevations.
- d. For residential development: Maximum number of proposed dwelling units.
- e. For non-residential development:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Join Zoom Meeting: <https://cabq.zoom.us/j/83684755205>

Meeting ID: 836 8475 5205

Dial by your location +1 346 248 7799 or

Find your local number: <https://cabq.zoom.us/u/ksETaj3eE>

Download Full Plan Sets Here: <https://www.dropbox.com/t/0KXWVVQOM0td1h54>

[Note: Items with an asterisk (*) are required.]

**Public Notice of a Proposed Project in the City of Albuquerque
for Decisions Requiring a Meeting or Hearing
Mailed/Emailed to a Neighborhood Association**

Date of Notice*: November 5, 2021

This notice of an application for a proposed project is provided as required by Integrated Development Ordinance (IDO) [Subsection 14-16-6-4\(K\) Public Notice](#) to:

Neighborhood Association (NA)*: See attached

Name of NA Representative*: See attached

Email Address* or Mailing Address* of NA Representative¹: See attached

Information Required by [IDO Subsection 14-16-6-4\(K\)\(1\)\(a\)](#)

1. Subject Property Address* 99999 Bluewater Road NW
Location Description Northeast corner of Bluewater Road and 94th Street NW
2. Property Owner* 98th and I-40 Land, LLC
3. Agent/Applicant* [if applicable] Consensus Planning, Inc. / Titan Development and Aspen & Autumn, LLC
4. Application(s) Type* per IDO [Table 6-1-1](#) [mark all that apply]

- Conditional Use Approval
- Permit _____ (Carport or Wall/Fence – Major)
- Site Plan
- Subdivision Minor Lot Split (Minor or Major)
- Vacation _____ (Easement/Private Way or Public Right-of-way)
- Variance
- Waiver
- Other: _____

Summary of project/request²*: _____

Two Site Plan applications for warehouse and distribution buildings. One approximately 150,000 square feet and the other 60,000 square feet with a future 20,000 square foot expansion area. The existing lot will be subdivided into two new lots, one for each of the proposed buildings/site plans.

¹ Pursuant to [IDO Subsection 14-16-6-4\(K\)\(5\)\(a\)](#), email is sufficient if on file with the Office of Neighborhood Coordination. If no email address is on file for a particular NA representative, notice must be mailed to the mailing address on file for that representative.

² Attach additional information, as needed to explain the project/request.

[Note: Items with an asterisk (*) are required.]

- 5. **For Site Plan Applications only***, attach site plan showing, at a minimum:
 - a. Location of proposed buildings and landscape areas.*
 - b. Access and circulation for vehicles and pedestrians.*
 - c. Maximum height of any proposed structures, with building elevations.*
 - d. **For residential development***: Maximum number of proposed dwelling units.
 - e. **For non-residential development***:
 - Total gross floor area of proposed project.
 - Gross floor area for each proposed use.

Additional Information [Optional]:

From the IDO Zoning Map⁶:

- 1. Area of Property [typically in acres] 16.1 acres (9.7 for north site plan and 6.4 for south site plan)
 - 2. IDO Zone District NR-BP (Non-residential Business Park)
 - 3. Overlay Zone(s) [if applicable] N/A
 - 4. Center or Corridor Area [if applicable] N/A
- Current Land Use(s) [vacant, if none] Vacant
-

NOTE: Pursuant to [IDO Subsection 14-16-6-4\(L\)](#), property owners within 330 feet and Neighborhood Associations within 660 feet may request a post-submittal facilitated meeting. If requested at least 15 calendar days before the public meeting/hearing date noted above, the facilitated meeting will be required. To request a facilitated meeting regarding this project, contact the Planning Department at devhelp@cabq.gov or 505-924-3955.

Useful Links

Integrated Development Ordinance (IDO):

<https://ido.abc-zone.com/>

IDO Interactive Map

<https://tinyurl.com/IDOzoningmap>

Cc: _____ [Other Neighborhood Associations, if any]

⁶ Available here: <https://tinurl.com/idozoningmap>

From: [Carmona, Dalaina L.](#)
To: [Michael Vos](#)
Subject: 99999 Bluewater Road NW Public Notice Inquiry
Date: Thursday, November 4, 2021 11:09:23 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)
[IDOZoneAtlasPage_K-09-Z_Site.pdf](#)

Dear Applicant:

Please find the neighborhood contact information listed below. Please make certain to read the information further down in this e-mail as it will help answer other questions you may have.

Association Name	First Name	Last Name	Email	Address Line 1	City	State	Zip	Mobile Phone	Phone
Avalon NA	Lucy	Anchondo	avalon3a@yahoo.com	601 Stern Drive NW	Albuquerque	NM	87121		5058396601
Avalon NA	Samantha	Pina	ava99secretary@gmail.com	423 Elohim Court NW	Albuquerque	NM	87121	5053633455	
South West Alliance of Neighborhoods (SWAN Coalition)	Luis	Hernandez Jr.	luis@wccdg.org	5921 Central Avenue NW	Albuquerque	NM	87105		
South West Alliance of Neighborhoods (SWAN Coalition)	Jerry	Gallegos	jgallegoswccdg@gmail.com	5921 Central Avenue NW	Albuquerque	NM	87105	5053855809	5058362976
Westside Coalition of Neighborhood Associations	Elizabeth	Haley	ekhaley@comcast.net	6005 Chaparral Circle NW	Albuquerque	NM	87114	5054074381	
Westside Coalition of Neighborhood Associations	Rene	Horvath	aboard111@gmail.com	5515 Palomino Drive NW	Albuquerque	NM	87120		5058982114

PLEASE NOTE: The ONC does not have any jurisdiction over any other aspect of your application beyond this neighborhood contact information. We can't answer questions about sign postings, pre-construction meetings, permit status, site plans, buffers, or project plans, so we encourage you to contact the Planning Department at: 505-924-3857 Option #1, e-mail: devhelp@cabq.gov, or visit: <https://www.cabq.gov/planning/online-planning-permitting-applications> with those types of questions.

You will need to e-mail each of the listed contacts and let them know that you are applying for an approval from the Planning Department for your project. Please use this online link to find the required forms you will need to submit. <https://www.cabq.gov/planning/urban-design-development/public-notice>. Once you have e-mailed the listed contacts in each neighborhood, you will need to attach a copy of those e-mails AND a copy of this e-mail from the ONC to your application and submit it to the Planning Department for approval.

If your application requires you to offer a neighborhood meeting, you can click on this link to find required forms to use in your e-mail to the neighborhood association(s): <http://www.cabq.gov/planning/urban-design-development/neighborhood-meeting-requirement-in-the-integrated-development-ordinance>

If your application requires a pre-application or pre-construction meeting, please plan on utilizing virtual platforms to the greatest extent possible and adhere to all current Public Health Orders and recommendations. The health and safety of the community is paramount.

If you have questions about what type of notification is required for your particular project or meetings that might be required, please click on the link below to see a table of different types of projects and what notification is required for each:

<https://ido.abc-zone.com/integrated-development-ordinance-ido?document=1&outline-name=6-1%20Procedures%20Summary%20Table>

Thanks,



Dalaina L. Carmona

Senior Administrative Assistant
 Office of Neighborhood Coordination
 Council Services Department
 1 Civic Plaza NW, Suite 9087, 9th Floor
 Albuquerque, NM 87102
 505-768-3334

dcarmona@cabq.gov or ONC@cabq.gov
 Website: www.cabq.gov/neighborhoods



Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: webmaster=cabq.gov@mailgun.org [mailto:webmaster=cabq.gov@mailgun.org] **On Behalf Of** webmaster@cabq.gov
Sent: Thursday, November 04, 2021 9:49 AM
To: Office of Neighborhood Coordination <vos@consensusplanning.com>
Cc: Office of Neighborhood Coordination <onc@cabq.gov>
Subject: Public Notice Inquiry Sheet Submission

Public Notice Inquiry For:

Development Review Board

If you selected "Other" in the question above, please describe what you are seeking a Public Notice Inquiry for below:

Contact Name

Michael Vos



Ryan Mulhall <cartesianryan@gmail.com>

Avalon NA - Notice of Final Plat application for planned Subdivision for Tract 9, Avalon Sub. Unit 5

Ryan Mulhall <cartesianryan@gmail.com>
To: avalon3a@yahoo.com, ava99secretary@gmail.com

Thu, Nov 18, 2021 at 5:50 PM

Good afternoon Avalon Neighborhood Associations representatives,

We intend to submit, on behalf of our client, 98th and I-40 Land, LLC, a preliminary plat application to the City of Albuquerque. The application requests review, at a public hearing by the Development Review Board (DRB), of our proposed minor subdivision for two proposed lots created from the existing Tract 9 of Avalon Subdivision, Unit 5. The property is a large parcel located on the northeast corner of 94th Street NW and Bluewater Road NW.

Attached is the plat of the proposed subdivision, a zone atlas page highlighting the location of the property, and the city-required notice forms to summarize the basic information of our submission. You should have recently received the notice for the accompanying site plan, which better shows the future development of the same site.

The plat shows the property lines and the easements which exist on the property. Our plat proposes to vacate two public utility easements for overhead lines and pole anchors. The overhead line will be moved to the public utility easement [8] granted to replace the overhead easement.

No action is necessary on your part, but as the property is nearby to your neighborhood we are required to notify you of our intent to submit for preliminary plat review with the city, and your right to request information as we make our submission to the city to be heard by the DRB.

If you have any questions regarding the planned subdivision please let us or our colleagues at Consensus Planning know.

Thank you,
Ryan Mulhall

--

[CSI - Cartesian Surveys, Inc.](#)

[PO Box 44414](#)

[Rio Rancho NM 87174](#)


[\(p\)505-896-3050](#)

[\(f\)505-891-0244](#)

www.cartesiansurveys.com

[Email: cartesianryan@gmail.com](mailto:cartesianryan@gmail.com)

2 attachments

 **211945_Plat_11-18-21_REV.pdf**
9378K

 **Bluewater and 94th Notice Information Packet.pdf**
943K



Ryan Mulhall <cartesianryan@gmail.com>

SW Alliance of NAs - Notice of Final Plat application for planned Subdivision for Tract 9, Avalon Sub. Unit 5

Ryan Mulhall <cartesianryan@gmail.com>
To: luis@wccdg.org, jgallegoswccdg@gmail.com

Thu, Nov 18, 2021 at 5:56 PM

Good afternoon Southwest Alliance of Neighborhoods (SWAN Coalition) representatives,

We intend to submit, on behalf of our client, 98th and I-40 Land, LLC, a preliminary plat application to the City of Albuquerque. The application requests review, at a public hearing by the Development Review Board (DRB), of our proposed minor subdivision for two proposed lots created from the existing Tract 9 of Avalon Subdivision, Unit 5. The property is a large parcel located on the northeast corner of 94th Street NW and Bluewater Road NW.

Attached is the plat of the proposed subdivision, a zone atlas page highlighting the location of the property, and the city-required notice forms to summarize the basic information of our submission. You should have recently received the notice for the accompanying site plan, which better shows the future development of the same site.

The plat shows the property lines and the easements which exist on the property. Our plat proposes to vacate two public utility easements for overhead lines and pole anchors. The overhead line will be moved to the public utility easement [8] granted to replace the overhead easement.

No action is necessary on your part, but as the property is nearby to your neighborhood we are required to notify you of our intent to submit for preliminary plat review with the city, and your right to request information as we make our submission to the city to be heard by the DRB.

If you have any questions regarding the planned subdivision please let us or our colleagues at Consensus Planning know.

Thank you,
Ryan Mulhall

--

[CSI - Cartesian Surveys, Inc.](#)

[PO Box 44414](#)

[Rio Rancho NM 87174](#)

[\(p\)505-896-3050](#)

[\(f\)505-891-0244](#)

www.cartesiansurveys.com

[Email: cartesianryan@gmail.com](mailto:cartesianryan@gmail.com)

2 attachments



Bluewater and 94th Notice Information Packet.pdf
943K



211945_Plat_11-18-21_REV.pdf
9378K



Ryan Mulhall <cartesianryan@gmail.com>

Westside Coal. of NAs - Notice of Final Plat application for planned Subdivision for Tract 9, Avalon Sub. Unit 5

Ryan Mulhall <cartesianryan@gmail.com>
To: ekhaley@comcast.net, aboard111@gmail.com

Thu, Nov 18, 2021 at 5:45 PM

Good afternoon Westside Coalition of Neighborhood Associations representatives,

We intend to submit, on behalf of our client, 98th and I-40 Land, LLC, a preliminary plat application to the City of Albuquerque. The application requests review, at a public hearing by the Development Review Board (DRB), of our proposed minor subdivision for two proposed lots created from the existing Tract 9 of Avalon Subdivision, Unit 5. The property is a large parcel located on the northeast corner of 94th Street NW and Bluewater Road NW.

Attached is the plat of the proposed subdivision, a zone atlas page highlighting the location of the property, and the city-required notice forms to summarize the basic information of our submission. You should have recently received the notice for the accompanying site plan, which better shows the future development of the same site.

The plat shows the property lines and the easements which exist on the property. Our plat proposes to vacate two public utility easements for overhead lines and pole anchors. The overhead line will be moved to the public utility easement [8] granted to replace the overhead easement.

No action is necessary on your part, but as the property is nearby to your neighborhood we are required to notify you of our intent to submit for preliminary plat review with the city, and your right to request information as we make our submission to the city to be heard by the DRB.

If you have any questions regarding the planned subdivision please let us or our colleagues at Consensus Planning know.

Thank you,
Ryan Mulhall

--

[CSI - Cartesian Surveys, Inc.](#)

[PO Box 44414](#)

[Rio Rancho NM 87174](#)

[\(p\)505-896-3050](#)

[\(f\)505-891-0244](#)

www.cartesiansurveys.com

[Email: cartesianryan@gmail.com](mailto:cartesianryan@gmail.com)

2 attachments



211945_Plat_11-18-21_REV.pdf
9378K



Bluewater and 94th Notice Information Packet.pdf
943K



TIERRA WEST, LLC

November 4, 2021

Ms. Jolene Wolfley
City of Albuquerque – DRB Chair
600 2nd Street NW
Albuquerque NM 87102

**RE: WESTPOINTE 40
LOT 9 AVALON SUBDIVISION UNIT 5
SENSITIVE LANDS ANALYSIS**

Dear Ms. Wolfley:

Tierra West, LLC has performed a Sensitive Lands Analysis Report as required under the Integrated Development Ordinance (IDO) Section 5-2(C) for new subdivisions of land, documenting the following:

Item:	Presence:	Commentary:
Floodplains and Flood Hazard	None	See attached Firmette showing no flood plain present
Steep Slopes	None	See attached conceptual grading and drainage plan with topographic survey
Unstable Soils	None	Based on geotech reports from adjacent sites in the area of this project, existing on site soils should be suitable for engineered fills.
Wetlands (Constant supply of water)	None	See attached Firmette showing no flood plain present. Attached conceptual grading and drainage plan anticipates a drainage pond in the southeast corner of the site to attenuate runoff prior to it entering an existing storm sewer in Bluewater Rd.
Arroyo	None	See attached topographic survey. No arroyos present
Irrigation Facilities	None	See attached topographic survey. No irrigation facilities identified.
Escarpment	None	See attached grading and drainage plan with topographic survey. No areas of escarpment identified.
Large stands of mature trees	None	No existing mature trees noted on site.
Archeological sites	None	No archaeological issues have been uncovered. See attached Certificate of No Effect from City Archaeologist Dated 10/4/21.



North View



North West View

5571 Midway Park Pl. NE
Albuquerque, NM 87109
(505) 858-3100 fax (505) 858-1118 1-800-245-3102
tierrawestllc.com



East View



North East View



South View



South East View

In conclusion, none of the above features have been determined to be present on this site. Various attached documents along with the above photos of the site support our findings of no onsite sensitive land issues.

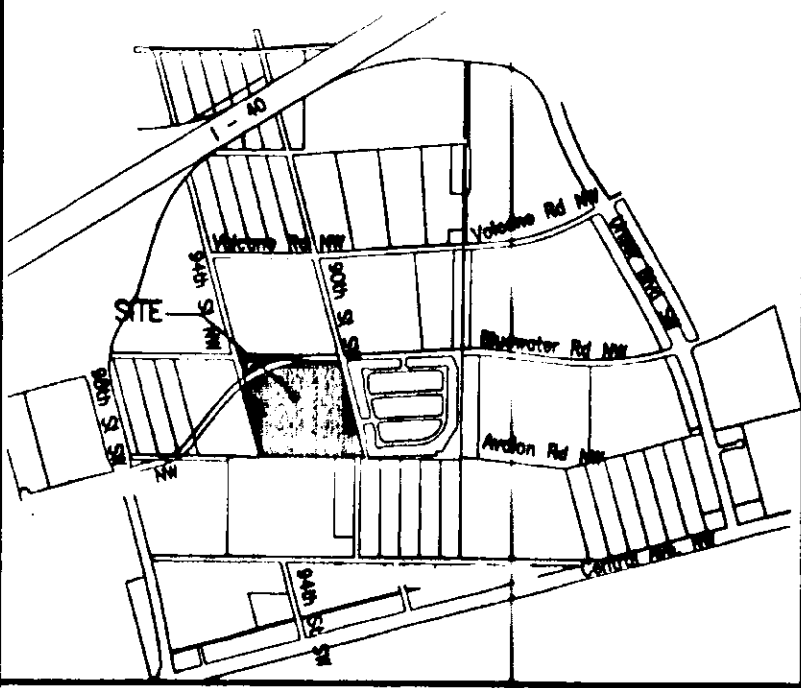
If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron R. Bohannon".

Ronald R. Bohannon, P.E

JN: 2012100
RRB/vc/ye



LOCATION MAP
ZONE ATLAS MAP NO. K-9-Z

SUBDIVISION DATA

1. CASE NO.: DRB-98-50
2. VACATION NO.: V-98-57
3. ZONE ATLAS INDEX NO.: K-9-Z
4. GROSS SUBDIVISION ACREAGE: 25.8659 ACRES
5. TOTAL NUMBER OF EXISTING LOTS: 4 TRACTS
6. TOTAL NUMBER OF LOTS CREATED: 2 TRACTS
7. DATE OF SURVEY: JANUARY 1999
8. TADSLDLOG NO.: SP-98-12-23-1431-0307
9. MILES OF FULL-WIDTH STREETS CREATED: 0.1044
10. TOTAL STREET R/W DEDICATION: 0.9487 ACRE
11. TOTAL STREET VACATION: 2.5092 ACRES
12. ZONING: R-LT

NOTES:

1. BEARINGS SHOWN ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE).
2. DISTANCES ARE GROUND DISTANCES.
3. UNLESS OTHERWISE INDICATED, ALL BOUNDARY CORNERS SHOWN THUS ARE MARKED WITH A P. K. NAIL W/SHINER, SCRIBED "X" IN CONCRETE OR AN IRON STAKE SURMOUNTED WITH A CAP STAMPED "P. S. 10464".
4. THE DATA SHOWN HEREON IS FROM AN ACTUAL FIELD SURVEY.
5. THE PURPOSE OF THIS PLAT IS TO SHOW THE VACATION OF PUBLIC STREETS, TO ELIMINATE EXISTING LOT LINES, TO DEDICATE ADDITIONAL STREET RIGHT-OF-WAY AND TO CREATE NEW BULK LAND TRACTS.
6. CITY OF ALBUQUERQUE WATER AND SANITARY SEWER SERVICE TO AVALON SUBDIVISION, UNIT 2 MUST BE VERIFIED AND COORDINATED WITH THE PUBLIC WORKS DEPARTMENT, CITY OF ALBUQUERQUE.

PNM ELECTRIC / GAS SERVICES DISCLAIMER

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

OWNER'S CERTIFICATE

THE SUBDIVISION SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF AND SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS-OF-WAY SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS AND DO HEREBY GRANT ALL ACCESS, UTILITY AND DRAINAGE EASEMENTS SHOWN HEREON FOR THE PURPOSES NOTED. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

Charles A. Haegelin
CHARLES A. HAEGELIN
Curb, Inc.

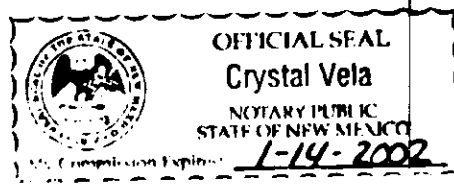
2-25-99
DATE

ACKNOWLEDGEMENT

STATE OF BERNARDINO
COUNTY OF BERNALILLO

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
ON 25th DAY OF FEBRUARY
19 99, BY CHARLES A. HAEGELIN

MY COMMISSION EXPIRES: 1-14-2002 *Crystal Vela*
NOTARY PUBLIC



LEGAL DESCRIPTION - TRACT B-1A

BEING THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE TOWN OF ATRISCO GRANT, WITHIN SECTION 21 (AS PROJECTED), TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS TRACT B-1, AVALON SUBDIVISION, UNIT 1-B, FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON 2/10/1999 IN BK. 99C, PG. 54; TOGETHER WITH SOUTHERLY PORTIONS OF TRACTS B-39 THROUGH B-41, TOWN OF ATRISCO GRANT, UNIT NO. 5, AS SAID TRACTS B-39 THROUGH B-41 ARE SHOWN AND DESIGNATED ON "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944, IN VOLUME D, FOLIO 117 AND 118; TOGETHER WITH VACATED AVALON ROAD NW LOCATED WEST OF 90TH STREET NW (VACATION V-98-57), AND VACATED 94TH STREET NW LOCATED NORTH OF VACATED AVALON ROAD NW AND SOUTH OF REALIGNED BLUEWATER ROAD NW (VACATION V-98-57); AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BLUEWATER ROAD NW AND THE WESTERLY RIGHT-OF-WAY LINE OF 90TH STREET NW AND A POINT OF REVERSE CURVATURE, WHENCE THE ACS CONTROL STATION "10-K10" BEARS N 60°18'35" E, 3,280.93 FEET DISTANCE; THENCE,

SOUTHEASTERLY, 36.23 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 83°01'43" AND A CHORD WHICH BEARS S 49°09'24" E, 33.14 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE,

SOUTHEASTERLY, 87.51 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 684.00 FEET, A CENTRAL ANGLE OF 07°19'48" AND A CHORD WHICH BEARS S 11°18'26" E, 87.45 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 14°58'20" E, 487.75 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE,

SOUTHWESTERLY, 39.27 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00" AND A CHORD WHICH BEARS S 30°01'40" W, 35.36 FEET DISTANCE) TO A POINT; THENCE,

S 19°15'06" E, 58.18 FEET DISTANCE TO A POINT ON CURVE; THENCE,

SOUTHEASTERLY, 34.91 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 80°00'00" AND A CHORD WHICH BEARS S 54°58'20" E, 32.14 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 14°58'20" E, 55.14 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE,

SOUTHEASTERLY, 164.49 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 616.00 FEET, A CENTRAL ANGLE OF 15°18'00" AND A CHORD WHICH BEARS S 07°19'20" E, 164.01 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 00°19'40" W, 99.07 FEET DISTANCE TO A POINT; THENCE,

N 89°40'20" W, 52.20 FEET DISTANCE TO A POINT; THENCE,

S 00°19'40" W, 23.30 FEET DISTANCE TO A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 90TH STREET AND THE SOUTHERLY LINE OF VACATED AVALON ROAD NW (VACATION V-98-57); THENCE,

N 89°40'20" W, 1,320.00 FEET DISTANCE TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF VACATED AVALON ROAD NW (VACATION V-98-57) AND THE EASTERLY TERMINUS OF EXISTING 60' AVALON ROAD NW (RIGHT-OF-WAY); THENCE,

N 00°19'40" E, 23.30 FEET DISTANCE TO A POINT; THENCE,

S 89°40'20" E, 313.96 FEET DISTANCE TO A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF VACATED AVALON ROAD NW (VACATION V-98-57) AND THE WESTERLY LINE OF VACATED 94TH STREET NW; THENCE,

N 14°58'20" W, 726.95 FEET DISTANCE TO THE NORTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE WESTERLY LINE OF VACATED 94TH STREET NW (VACATION V-98-57) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF REALIGNED BLUEWATER ROAD NW AND A POINT ON CURVE; THENCE,

NORTHEASTERLY, 889.97 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1,290.17 FEET, A CENTRAL ANGLE OF 39°31'24" AND A CHORD WHICH BEARS N 70°33'58" E, 872.43 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 89°40'20" E, 180.85 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE,

NORTHEASTERLY, 11.92 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 684.00 FEET, A CENTRAL ANGLE OF 00°59'55" AND A CHORD WHICH BEARS N 89°49'42" E, 11.92 FEET DISTANCE) TO THE NORTHEAST CORNER AND POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND CONTAINING 1,039,947 SQUARE FEET (23.8729 ACRES), MORE OR LESS.

LEGAL DESCRIPTION - TRACT B-1B

BEING THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE TOWN OF ATRISCO GRANT, WITHIN SECTION 21 (AS PROJECTED), TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS THE NORTHERLY PORTIONS OF TRACTS B-39 THROUGH B-41, TOWN OF ATRISCO GRANT, UNIT NO. 5, AS SAID TRACTS B-39 THROUGH B-41 ARE SHOWN AND DESIGNATED ON "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944, IN VOLUME D, FOLIO 117 AND 118; TOGETHER WITH VACATED BLUEWATER ROAD NW LOCATED WEST OF 90TH STREET NW AND EAST OF 94TH STREET NW (VACATION V-98-57); AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF BLUEWATER ROAD NW AND A POINT ON CURVE, WHENCE THE ACS CONTROL STATION "10-K10" BEARS N 63°38'15" E, 3,511.99 FEET DISTANCE; THENCE,

SOUTHWESTERLY, 663.22 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1,358.17 FEET, A CENTRAL ANGLE OF 27°58'42" AND A CHORD WHICH BEARS S 71°56'25" W, 656.65 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE,

NORTHWESTERLY, 38.28 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87°43'16" AND A CHORD WHICH BEARS N 78°11'19" W, 34.65 FEET DISTANCE) TO THE POINT OF TANGENCY AND THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF REALIGNED BLUEWATER ROAD NW AND THE EASTERLY RIGHT-OF-WAY LINE OF REALIGNED 94TH STREET NW; THENCE,

N 34°19'41" W, 13.71 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE,

NORTHWESTERLY, 209.45 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 620.00 FEET, A CENTRAL ANGLE OF 19°21'20" AND A CHORD WHICH BEARS N 24°39'00" W, 208.45 FEET DISTANCE) TO THE NORTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE,

S 89°40'20" W, 752.89 FEET DISTANCE TO THE NORTHEAST CORNER AND POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND CONTAINING 64,992 SQUARE FEET (1.4920 ACRES), MORE OR LESS.

LEGAL DESCRIPTION - RIGHT-OF-WAY DEDICATION

BEING THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE TOWN OF ATRISCO GRANT, WITHIN SECTION 21 (AS PROJECTED), TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS A PORTION OF TRACTS B-39 THROUGH B-41, TOWN OF ATRISCO GRANT, UNIT NO. 5, AS SAID TRACTS B-39 THROUGH B-41 ARE SHOWN AND DESIGNATED ON "PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO", FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944, IN VOLUME D, FOLIO 117 AND 118, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW AND THE SOUTHERLY RIGHT-OF-WAY LINE OF REALIGNED BLUEWATER ROAD NW, WHENCE THE ACS CONTROL STATION "8-K9" BEARS S 79°27'05" W, 1,367.78 FEET DISTANCE; THENCE,

N 14°58'20" W, 268.44 FEET DISTANCE TO THE NORTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW AND THE SOUTHERLY LINE OF BLUEWATER ROAD NW; THENCE,

S 89°40'20" E, 3.33 FEET DISTANCE TO THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF BLUEWATER ROAD NW AND THE EASTERLY RIGHT-OF-WAY LINE OF REALIGNED 94TH STREET NW AND A POINT ON CURVE; THENCE,

SOUTHEASTERLY, 146.34 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 620.00 FEET, A CENTRAL ANGLE OF 13°31'29" AND A CHORD WHICH BEARS S 27°33'58" E, 146.00 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 34°19'41" E, 13.71 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE,

SOUTHEASTERLY, 38.28 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID CURVE HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87°43'16" AND A CHORD WHICH BEARS S 78°11'19" W, 34.65 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE,

NORTHEASTERLY, 349.14 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 1,358.17 FEET, A CENTRAL ANGLE OF 14°43'44" AND A CHORD WHICH BEARS N 65°18'55" E, 348.10 FEET DISTANCE) TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF REALIGNED BLUEWATER ROAD NW AND THE SOUTHERLY LINE OF VACATED BLUEWATER ROAD NW (V-98-57); THENCE,

S 89°40'20" E, 201.09 FEET DISTANCE TO THE NORTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE,

S 14°58'20" E, 21.23 FEET DISTANCE TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF REALIGNED BLUEWATER ROAD NW AND A POINT ON CURVE; THENCE,

SOUTHWESTERLY, 618.96 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1,290.17 FEET, A CENTRAL ANGLE OF 27°29'16" AND A CHORD WHICH BEARS S 67°26'19" W, 613.04 FEET DISTANCE) TO THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND CONTAINING 41,324 SQUARE FEET (0.9487 ACRE), MORE OR LESS.

BULK LAND, VACATION AND DEDICATION
PLAT OF
TRACTS B-1A AND B-1B
AVALON SUBDIVISION
UNIT 2
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JANUARY 1999



1999073226
06/92/1999 08 569
Page 1 of 2
8x-99C Pg-134

APPROVED AND ACCEPTED BY:

- 5P-99-108
SUBDIVISION PLAT NO.
- | | |
|---|------------------|
| <i>Just S...</i>
CHAIR, DEVELOPMENT REVIEW BOARD | CITY COUNTY |
| <i>Paul J. ...</i>
CITY ENGINEER | 6/2/99
DATE |
| <i>Paul J. ...</i>
A.M.A.F.C.A. | 3-23-99
DATE |
| <i>Richard ...</i>
TRAFFIC ENGINEER | 3-23-99
DATE |
| <i>Roger A. ...</i>
UTILITIES DEVELOPMENT DIVISION
CITY OF ALBUQUERQUE PUBLIC WORKS | 3-23-99
DATE |
| <i>...</i>
PARKS DESIGN & DEVELOPMENT, CIP | 5-23-99
DATE |
| <i>...</i>
PROPERTY MANAGEMENT | 6-2-99
DATE |
| <i>...</i>
CITY SUPERVISOR | 08-1-99
DATE |
| <i>...</i>
PNM ELECTRIC SERVICES | 4-5-99
DATE |
| <i>...</i>
PNM GAS SERVICES | 4-5-99
DATE |
| <i>Catherine ...</i>
U.S. WEST COMMUNICATIONS | 04-05-99
DATE |
| <i>...</i>
JONES INTERIABLE, INC. | 4-6-99
DATE |

5P-99-108

SURVEYOR'S CERTIFICATION

I, VLADIMIR JIRIK, A DULY QUALIFIED PROFESSIONAL SURVEYOR REGISTERED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT ALL EASEMENTS WERE KNOWN TO ME BY THE OWNER, UTILITY COMPANIES OR OTHER PARTIES EXPRESSING AN INTEREST AND THAT THE SURVEY MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Vladimir Jirik
VLADIMIR JIRIK, P.S. 010464

2/25/99
DATE



NOTE

A VARIANCE OR WAIVER FROM CERTAIN SUBDIVISION REQUIREMENTS HAS BEEN GRANTED BY THE CITY AND THE ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY IN CONNECTION WITH THIS PLAT.

FUTURE SUBDIVISION OF LANDS WITHIN THIS PLAT, ZONING SITE DEVELOPMENT PLAN APPROVALS, AND DEVELOPMENT PERMITS MAY BE CONDITIONED UPON DEDICATION OF RIGHTS-OF-WAY AND EASEMENTS, AND/OR UPON INFRASTRUCTURE IMPROVEMENTS BY THE OWNER OF WATER, SANITARY SEWER, STREETS, DRAINAGE, GRADING AND PARKS IN ACCORDANCE WITH CURRENT RESOLUTIONS, ORDINANCES AND POLICIES IN EFFECT AT THE TIME FOR ANY SPECIFIC PROPOSAL.

THE CITY (AND AMAFCA WITH REFERENCE TO DRAINAGE) MAY REQUIRE AND/OR PERMIT EASEMENTS TO BE ADDED, MODIFIED OR REMOVED WHEN FUTURE PLATS OR SITE DEVELOPMENT PLANS ARE APPROVED.

BY ITS APPROVAL THE CITY MAKES NO REPRESENTATION OR WARRANTIES AS TO AVAILABILITY OF UTILITIES, OR FINAL APPROVAL OF ALL REQUIREMENTS INCLUDING (BUT NOT LIMITED TO) THE FOLLOWING ITEMS: WATER AND SANITARY SEWER AVAILABILITY; FUTURE STREET DEDICATION AND/OR IMPROVEMENTS; AND EXCAVATION, FILLING OR GRADING REQUIREMENTS. ANY PERSON INTENDING DEVELOPMENT OF LANDS WITHIN THIS SUBDIVISION IS CAUTIONED TO INVESTIGATE THE STATUS OF THESE ITEMS.

**BULK LAND, VACATION AND DEDICATION
PLAT OF
TRACTS B-1A AND B-1B
AVALON SUBDIVISION
UNIT 2
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JANUARY 1999**

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Page 2 of 2
86/83/1999 88 56R
Judy D. Woodward Bern Co PLAT R 12 86 BX-99C Pg-134

CURVE TABLE

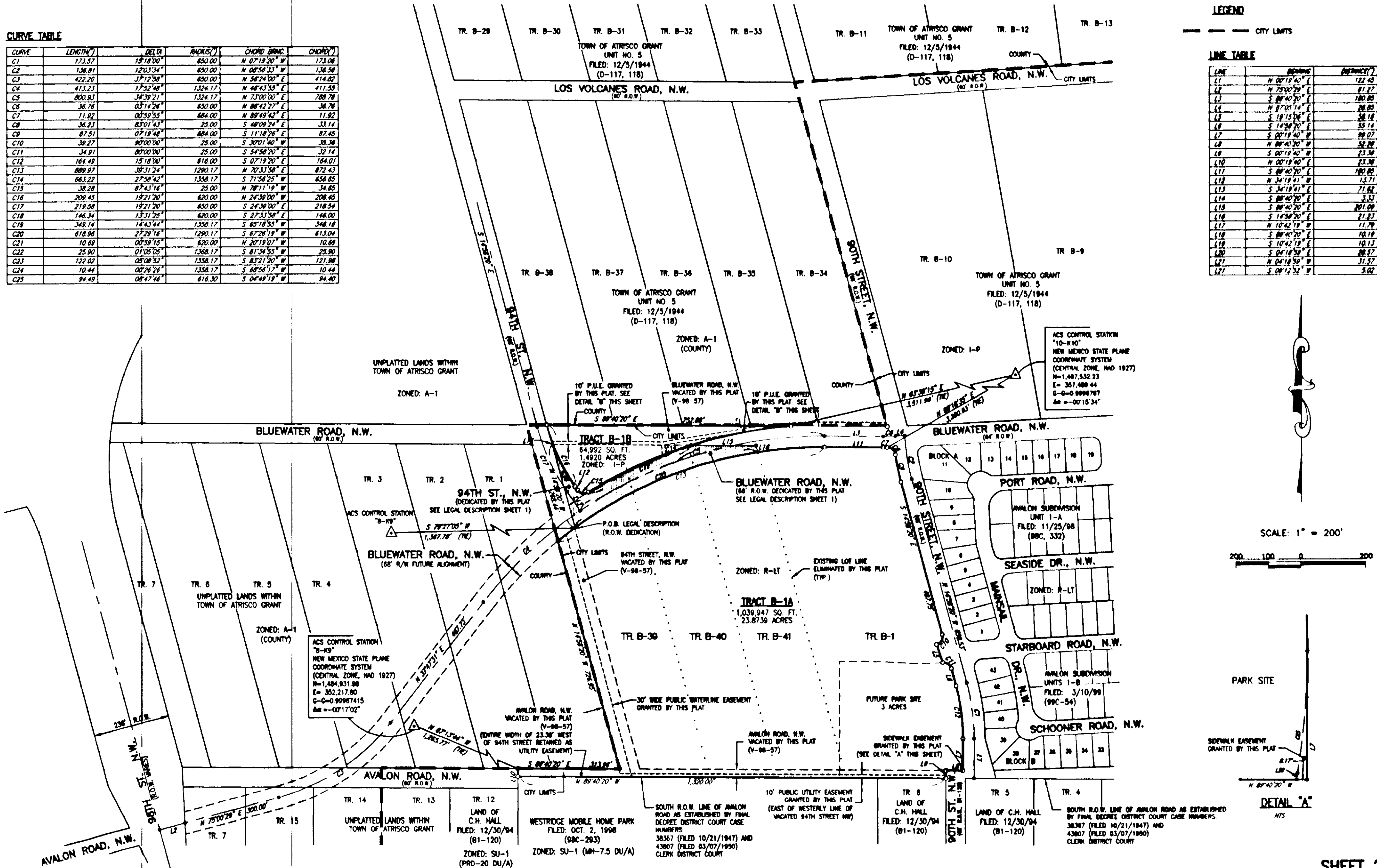
CURVE	LENGTH	DELTA	RADIUS	CHORD BEING	CHORD
C1	173.57	15°18'00"	650.00	N 07°18'20" W	173.08
C2	136.81	12°03'34"	650.00	N 08°58'33" W	136.58
C3	422.20	37°12'58"	650.00	N 58°24'00" E	414.82
C4	413.23	17°52'48"	1324.17	N 48°43'55" E	411.53
C5	800.93	34°39'21"	1324.17	N 73°00'00" E	788.78
C6	36.76	03°14'28"	650.00	N 88°42'27" E	36.76
C7	11.92	00°59'55"	684.00	N 88°49'42" E	11.92
C8	36.23	03°01'43"	25.00	S 48°09'24" E	33.14
C9	87.51	07°18'48"	684.00	S 11°18'26" E	87.45
C10	38.27	00°00'00"	25.00	S 30°01'40" W	38.38
C11	34.91	00°00'00"	25.00	S 54°58'20" E	32.14
C12	164.49	15°18'00"	616.00	S 07°19'20" E	164.01
C13	889.97	38°31'24"	1290.17	N 70°33'58" E	872.43
C14	663.22	27°58'42"	1358.17	S 71°56'25" W	656.65
C15	34.28	07°43'18"	25.00	N 78°11'19" W	34.65
C16	209.45	18°21'20"	620.00	N 24°39'00" W	208.45
C17	219.58	18°21'20"	650.00	S 24°39'00" E	218.54
C18	146.34	13°31'25"	620.00	S 27°33'58" E	146.00
C19	349.14	14°43'44"	1358.17	S 65°18'55" W	348.18
C20	618.96	27°28'18"	1290.17	S 87°28'18" W	613.04
C21	10.89	00°59'15"	620.00	N 20°19'07" W	10.89
C22	25.90	01°05'05"	1368.17	S 81°34'55" W	25.90
C23	122.02	05°08'52"	1358.17	S 83°21'50" W	121.98
C24	10.44	00°26'28"	1358.17	S 88°56'17" W	10.44
C25	94.49	08°47'48"	616.30	S 04°49'18" W	94.40

LEGEND

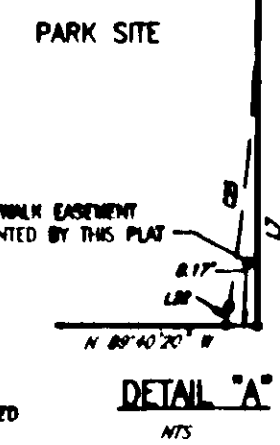
--- CITY LIMITS

LINE TABLE

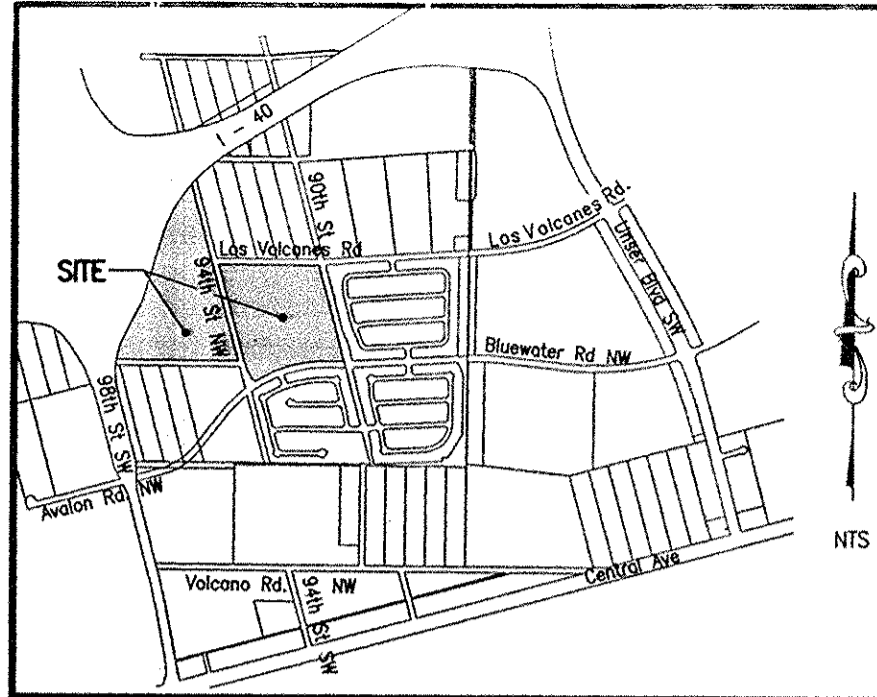
LINE	BEARING	DISTANCE
L1	N 00°19'40" E	122.45
L2	N 75°00'28" E	81.27
L3	S 88°40'20" E	180.85
L4	N 87°05'14" E	28.85
L5	S 18°15'08" E	58.18
L6	S 14°58'20" E	55.14
L7	S 00°19'40" W	89.07
L8	N 88°40'20" W	52.88
L9	S 00°19'40" W	23.38
L10	N 00°19'40" E	23.38
L11	S 88°40'20" E	180.85
L12	N 34°19'41" W	13.71
L13	S 34°19'41" E	71.62
L14	S 88°40'20" E	8.33
L15	S 88°40'20" E	201.08
L16	S 14°58'20" E	21.23
L17	N 10°42'18" W	11.79
L18	S 88°40'20" E	18.18
L19	S 10°42'18" E	10.13
L20	S 04°18'58" E	28.57
L21	N 04°18'58" W	31.57
L22	S 00°12'52" W	5.62



SCALE: 1" = 200'



BULK LAND, VACATION AND DEDICATION
 PLAT OF
TRACTS A, B AND C
AVALON SUBDIVISION
UNIT 4
 ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
 JULY 2002



LOCATION MAP
 ZONE ATLAS MAP NO. K-9-Z

LEGAL DESCRIPTION - EASTERLY PORTION

BEING THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE TOWN OF ATRISCO GRANT, WITHIN PROJECTED SECTION 21, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS TRACTS B-34 THROUGH B-38, TOWN OF ATRISCO GRANT, AS SAID TRACTS B-34 THROUGH B-38 ARE SHOWN AND DESIGNATED ON 'PLAT SHOWING A PORTION OF TRACTS ALLOTTED FROM TOWN OF ATRISCO GRANT IN SCHOOL DISTRICT 28, BERNALILLO COUNTY, NEW MEXICO', FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 5, 1944, IN VOLUME D, FOLIO 117 AND 118; TOGETHER WITH TRACT B-1B, AVALON SUBDIVISION, UNIT 2, AS SAID TRACT B-1B IS SHOWN AND DESIGNATED ON 'BULK LAND, VACATION AND DEDICATION PLAT OF TRACTS B-1A AND B-1B, AVALON SUBDIVISION, UNIT 2', FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON JUNE 03, 1999, IN BK-99C, PG-134; TOGETHER WITH PORTIONS OF VACATED 90TH STREET NW; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF LOS VOLCANES ROAD NW AND THE WESTERLY RIGHT-OF-WAY LINE OF 90TH STREET NW, WHENCE THE ACS CONTROL STATION '10-K10' BEARS N 79° 49' 39" E, 3,167.35 FEET DISTANCE; THENCE,

S 14° 58' 20" E, 11.89 FEET DISTANCE TO A POINT ON CURVE; THENCE, SOUTHEASTERLY, 10.63 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 24° 22' 12" AND A CHORD WHICH BEARS S 20° 14' 46" E, 10.55 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE, SOUTHEASTERLY, 8.50 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 684.00 FEET, A CENTRAL ANGLE OF 00° 42' 42" AND A CHORD WHICH BEARS S 08° 25' 01" E, 8.50 FEET DISTANCE) TO A POINT OF NON-TANGENCY; THENCE, S 14° 58' 20" E, 713.08 FEET DISTANCE TO A POINT ON CURVE; THENCE, SOUTHEASTERLY, 69.96 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 684.00 FEET, A CENTRAL ANGLE OF 05° 51' 36" AND A CHORD WHICH BEARS S 24° 06' 06" E, 69.93 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE,

SOUTHEASTERLY, 196.73 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 616.00 FEET, A CENTRAL ANGLE OF 18° 17' 55" AND A CHORD WHICH BEARS S 17° 52' 57" E, 195.90 FEET DISTANCE) TO THE POINT OF COMPOUND CURVATURE; THENCE,

SOUTHWESTERLY, 32.72 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 74° 59' 31" AND A CHORD WHICH BEARS S 28° 45' 46" W, 30.44 FEET DISTANCE) TO A POINT; THENCE,

S 14° 58' 20" E, 6.40 FEET DISTANCE TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 90TH STREET NW AND THE NORTHERLY RIGHT-OF-WAY LINE OF BLUEWATER ROAD NW; THENCE,

N 89° 40' 20" W, 297.11 FEET DISTANCE TO A POINT ON CURVE; THENCE, SOUTHWESTERLY, 663.22 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1,358.17 FEET, A CENTRAL ANGLE OF 27° 58' 42" AND A CHORD WHICH BEARS S 71° 56' 25" W, 656.65 FEET DISTANCE) TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED AND THE POINT OF REVERSE CURVATURE BEING A POINT AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF BLUEWATER ROAD NW AND THE EASTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW; THENCE,

NORTHWESTERLY, 38.28 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 87° 43' 16" AND A CHORD WHICH BEARS N 78° 11' 19" W, 34.65 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

N 34° 19' 41" W, 13.71 FEET DISTANCE TO THE POINT OF CURVATURE; THENCE, NORTHWESTERLY, 209.45 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 620.00 FEET, A CENTRAL ANGLE OF 19° 21' 20" AND A CHORD WHICH BEARS N 24° 39' 00" W, 208.45 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

N 14° 58' 20" W, 1,037.00 FEET DISTANCE TO THE NORTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LOS VOLCANES ROAD NW; THENCE,

S 89° 40' 20" E, 1,050.00 FEET DISTANCE TO THE NORTHEAST CORNER AND POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND CONTAINING 1,120,111 SQUARE FEET (25.7142 ACRES), MORE OR LESS.

ACKNOWLEDGEMENT
 STATE OF New Mexico)
 COUNTY OF Bernalillo) ss.
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
 ON 4th DAY OF OCTOBER
2002, BY Charles A. HAEGELIN
 MY COMMISSION EXPIRES: Mary S. Strickman
 NOTARY PUBLIC

OFFICIAL SEAL
 MARY S. STRICKMAN
 NOTARY PUBLIC-STATE OF NEW MEXICO
 My commission expires: 3-9-2003

LEGAL DESCRIPTION - WESTERLY PORTION

BEING THAT CERTAIN PARCEL OF LAND SITUATED WITHIN THE TOWN OF ATRISCO GRANT, WITHIN PROJECTED SECTIONS 16 AND 21, TOWNSHIP 10 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, BEING IDENTIFIED AS TRACT A, NINETY EIGHTH STREET LAND COMPANY, AS SAID TRACT A IS SHOWN AND DESIGNATED ON THE 'BULK LAND PLAT OF TRACT 'A', NINETY EIGHTH STREET LAND COMPANY', FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 18, 1999, IN BK-99C, PG-31; TOGETHER WITH TRACT B, NINETY EIGHTH STREET LAND COMPANY, AS SAID TRACT B IS SHOWN AND DESIGNATED ON THE 'BULK LAND PLAT OF TRACT 'B', NINETY EIGHTH STREET LAND COMPANY', FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON JUNE 29, 1999, IN BK-99C, PG-168; TOGETHER WITH PARCEL B-7-1, A PORTION OF INTERSTATE 40 RIGHT-OF-WAY SHOWN ON NEW MEXICO STATE HIGHWAY COMMISSION RIGHT-OF-WAY MAP, NEW MEXICO PROJECT I-040-3(28)149, QUITCLAIMED BY THE NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT, QUITCLAIM DEED FILED IN THE OFFICE OF THE COUNTY CLERK, BERNALILLO COUNTY, NEW MEXICO, ON FEBRUARY 21, 2002, IN BK-A32, PG-3547; TOGETHER WITH A PORTION OF VACATED 94TH STREET NW; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF 60 FOOT WIDE PUBLIC ROADWAY EASEMENT KNOWN AS BLUEWATER ROAD NW AND THE EASTERLY RIGHT-OF-WAY LINE OF 98TH STREET NW ON-RAMP TO INTERSTATE 40 AND A POINT ON CURVE, WHENCE THE ACS CONTROL STATION '8-K9' BEARS S 07° 01' 26" E, 581.71 FEET DISTANCE; THENCE,

NORTHEASTERLY, 165.87 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 818.51 FEET, A CENTRAL ANGLE OF 11° 36' 39" AND A CHORD WHICH BEARS N 16° 01' 09" E, 165.58 FEET DISTANCE) TO A POINT OF NON-TANGENCY; THENCE,

N 00° 00' 00" E, 155.75 FEET DISTANCE TO A POINT ON CURVE; THENCE,

NORTHEASTERLY, 1,537.37 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 3,543.44 FEET, A CENTRAL ANGLE OF 24° 51' 31" AND A CHORD WHICH BEARS N 24° 44' 22" E, 1,525.34 FEET DISTANCE) TO A POINT ON CURVE; THENCE,

NORTHEASTERLY, 154.76 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 1,637.02 FEET, A CENTRAL ANGLE OF 05° 24' 59" AND A CHORD WHICH BEARS N 37° 48' 05" E, 154.70 FEET DISTANCE) TO THE MOST NORTHERLY CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF 98TH STREET NW ON-RAMP TO INTERSTATE 40 AND THE WESTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW; THENCE,

S 14° 58' 20" E, 857.87 FEET DISTANCE TO A POINT ON CURVE; THENCE,

SOUTHEASTERLY, 30.96 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE RIGHT (SAID ARC HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 70° 57' 04" AND A CHORD WHICH BEARS S 39° 37' 11" E, 29.02 FEET DISTANCE) TO THE POINT OF REVERSE CURVATURE; THENCE,

SOUTHEASTERLY, 128.48 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 680.00 FEET, A CENTRAL ANGLE OF 10° 49' 32" AND A CHORD WHICH BEARS S 09° 33' 34" E, 128.29 FEET DISTANCE) TO THE POINT OF TANGENCY; THENCE,

S 14° 58' 20" E, 882.07 FEET DISTANCE TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED BEING A POINT AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF 94TH STREET NW AND THE NORTHERLY LINE OF 60 FOOT WIDE PUBLIC ROADWAY EASEMENT KNOWN AS BLUEWATER ROAD NW; THENCE,

N 89° 40' 20" W, 1,268.21 FEET DISTANCE TO THE SOUTHWEST CORNER AND POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED AND CONTAINING 1,348,622 SQUARE FEET (30.9601 ACRES), MORE OR LESS.

OWNERS' CERTIFICATE
 THE SUBDIVISION SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND/OR PROPRIETOR(S) THEREOF AND SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY DEDICATE ALL STREETS AND PUBLIC RIGHTS-OF-WAY AS SHOWN HEREON TO THE CITY OF ALBUQUERQUE IN FEE SIMPLE WITH WARRANTY COVENANTS, AND DO HEREBY GRANT ALL ACCESS, UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON FOR THE PURPOSES NOTED. SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY CONSENT TO ALL OF THE FOREGOING AND DO HEREBY CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED.

Charles A. Haegelin 10-4-02
 CHARLES A. HAEGELIN DATE
Robert J. Schaefer 10-10-02
 ROBERT J. SCHAEFER, Manager DATE
 Bluewater North, LLC
Robert J. Schaefer 10-10-02
 ROBERT J. SCHAEFER, Manager DATE
 Ninety Eighth Street Land Company, LLC

ACKNOWLEDGEMENT
 STATE OF New Mexico)
 COUNTY OF Bernalillo) ss.
 THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
 ON 10th DAY OF October
2002, BY Robert J. Schaefer
 MY COMMISSION EXPIRES: 6-27-2003 Valentin Stupawski
 NOTARY PUBLIC

APPROVED AND ACCEPTED BY:

DRB# 1000984
 SUBDIVISION PLAT NO. CITY COUNTY
Sherril Watson 5/7/03
 CHAIR, DEVELOPMENT REVIEW BOARD DATE
Bradley B. Bigham 4/9/03
 CITY ENGINEER DATE
Robert D. Dent 4-09-03
 A. M. A. F. C. A. DATE
Phil Dent 4-09-03
 TRAFFIC ENGINEER DATE
Roger A. Deen 4/9/03
 UTILITIES DEVELOPMENT DIVISION DATE
 CITY OF ALBUQUERQUE PUBLIC WORKS
Christina Sandoval 4/9/03
 PARKS DESIGN & DEVELOPMENT, GIP & Recreation DATE
Frank J. Lankford 04/14/03
 PROPERTY MANAGEMENT DATE
W. B. Hal 11-1-02
 CITY SURVEYOR DATE
Leah N. Muts 12-17-02
 PNM ELECTRIC SERVICES DATE
Leah N. Muts 12-17-02
 PNM GAS SERVICES DATE
Dave R. Muller 11-13-02
 QUEST DATE
Rita Eickes 11-4-02
 COMCAST DATE

SURVEYOR'S CERTIFICATION
 I, VLADIMIR JIRIK, A DULY QUALIFIED PROFESSIONAL SURVEYOR REGISTERED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, SHOWS ALL EASEMENTS MADE KNOWN TO ME BY THE OWNER, UTILITY COMPANIES OR OTHER PARTIES EXPRESSING AN INTEREST AND THAT THE SURVEY MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE, AND 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.
Vladimir Jirik
 VLADIMIR JIRIK, MPS NO. 10464
 PROFESSIONAL SURVEYOR
 STATE OF NEW MEXICO
 NO. 10464
 SEP 27 2002
 DATE
SHEET 1 OF 2
 22003BP-3-JC

SUBDIVISION DATA

- CASE NO.:
- VACATION NO.:
- ZONE ATLAS INDEX NO.: K-9-Z
- GROSS SUBDIVISION ACREAGE: 56.6743 ACRES
- TOTAL NUMBER OF EXISTING LOTS: 9 TRACTS
- TOTAL NUMBER OF LOTS CREATED: 3 TRACTS
- DATE OF SURVEY: JULY 2002
- TALOS LOG NO.: 2002-25-1890
- MILES OF FULL-WIDTH STREETS CREATED: NONE
- TOTAL STREET R/W DEDICATION: 0.0994 ACRE
- TOTAL STREET VACATION: 0.1292 ACRE
- ZONING: IP

PNM ELECTRIC / GAS SERVICES DISCLAIMER

IN APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES (PNM) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE OR RELEASE ANY EASEMENTS OR EASEMENT RIGHTS TO WHICH IT MAY BE ENTITLED.

NOTES:

- BEARINGS SHOWN ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE).
 - DISTANCES ARE GROUND DISTANCES.
 - UNLESS OTHERWISE INDICATED, ALL BOUNDARY CORNERS SHOWN THIS ARE MARKED WITH A P.K. NAIL W/SHINER, SCRIBED 'X' IN CONCRETE OR AN IRON STAKE SURMOUNTED WITH A CAP STAMPED 'P.S. 10464'.
 - THE DATA SHOWN HEREON IS FROM AN ACTUAL FIELD SURVEY.
 - THE PURPOSE OF THIS PLAT IS TO SHOW THE VACATION OF PORTIONS OF PUBLIC RIGHTS-OF-WAYS, TO ELIMINATE EXISTING LOT LINES, TO DEDICATE ADDITIONAL STREET RIGHT-OF-WAY AND TO CREATE NEW BULK LAND TRACTS.
 - CITY OF ALBUQUERQUE WATER AND SANITARY SEWER SERVICE TO AVALON SUBDIVISION, UNIT 4 MUST BE VERIFIED AND COORDINATED WITH THE PUBLIC WORKS DEPARTMENT, CITY OF ALBUQUERQUE.
 - A VARIANCE OR WAIVER FROM CERTAIN SUBDIVISION REQUIREMENTS HAS BEEN GRANTED BY THE CITY AND THE ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY IN CONNECTION WITH THIS PLAT.
- FUTURE SUBMISSION OF LANDS WITHIN THIS PLAT, ZONING SITE DEVELOPMENT PLAN APPROVALS, AND DEVELOPMENT PERMITS MAY BE CONDITIONED UPON DEDICATION OF RIGHTS-OF-WAY AND EASEMENTS, AND/OR UPON INFRASTRUCTURE IMPROVEMENTS BY THE OWNER OF WATER, SANITARY SEWER, STREETS, DRAINAGE, GRADING AND PARKS IN ACCORDANCE WITH CURRENT RESOLUTIONS, ORDINANCES AND POLICIES IN EFFECT AT THE TIME FOR ANY SPECIFIC PROPOSAL.
- THE CITY (AND AMAFCA WITH REFERENCE TO DRAINAGE) MAY REQUIRE AND/OR PERMIT EASEMENTS TO BE ADDED, MODIFIED OR REMOVED WHEN FUTURE PLATS OR SITE DEVELOPMENT PLANS ARE APPROVED.

BY ITS APPROVAL THE CITY MAKES NO REPRESENTATION OR WARRANTIES AS TO AVAILABILITY OF UTILITIES, OR FINAL APPROVAL OF ALL REQUIREMENTS INCLUDING (BUT NOT LIMITED TO) THE FOLLOWING ITEMS: WATER AND SANITARY SEWER AVAILABILITY; FUTURE STREET DEDICATION AND/OR IMPROVEMENTS; AND EXCAVATION, FILLING OR GRADING REQUIREMENTS. ANY PERSON INTENDING DEVELOPMENT OF LANDS WITHIN THIS SUBDIVISION IS CAUTIONED TO INVESTIGATE THE STATUS OF THESE ITEMS.

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

SEE ATTACHED
 PROPERTY OWNER OF RECORD: Curb Inc
Bluewater North
98th Street
 BERNALILLO COUNTY TREASURER'S OFFICE: Hana B. Andrade
5-8-03

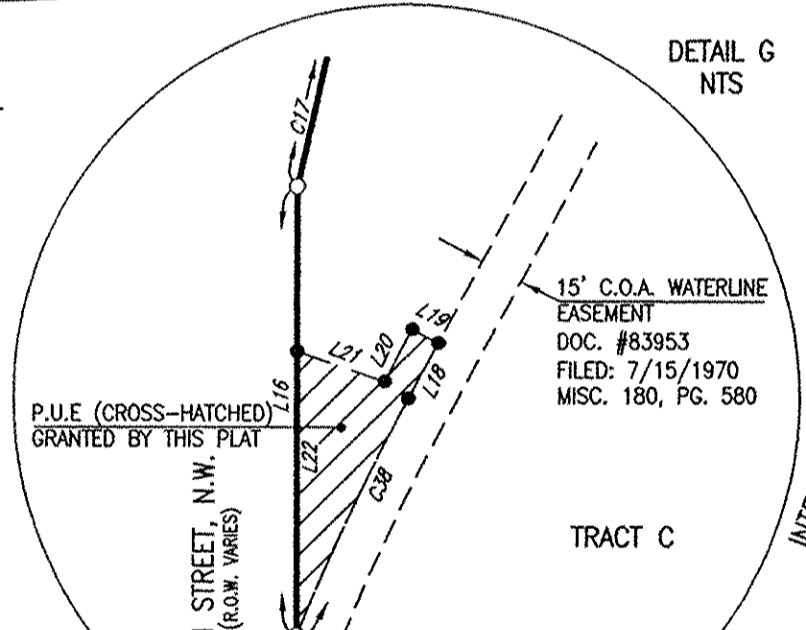
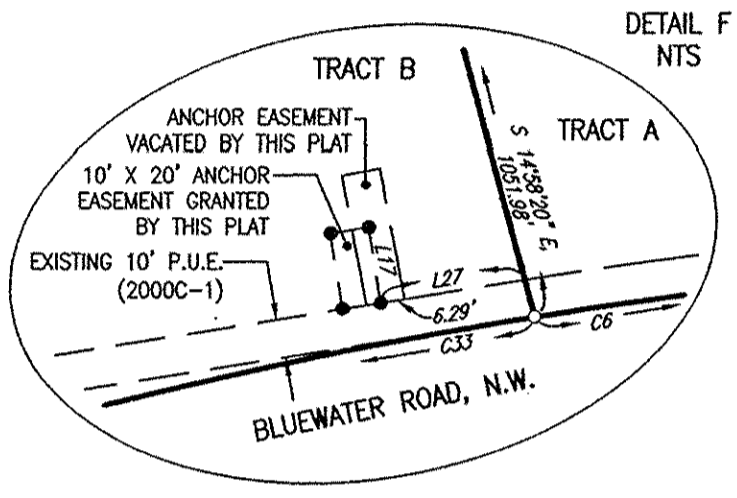
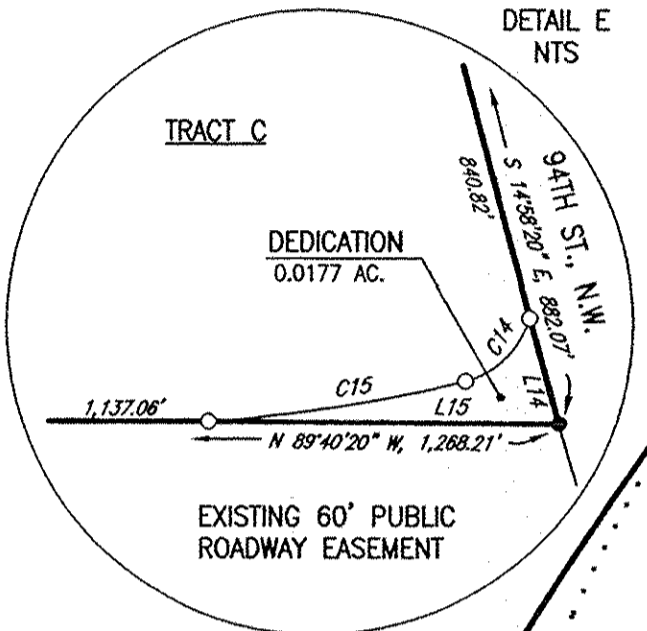
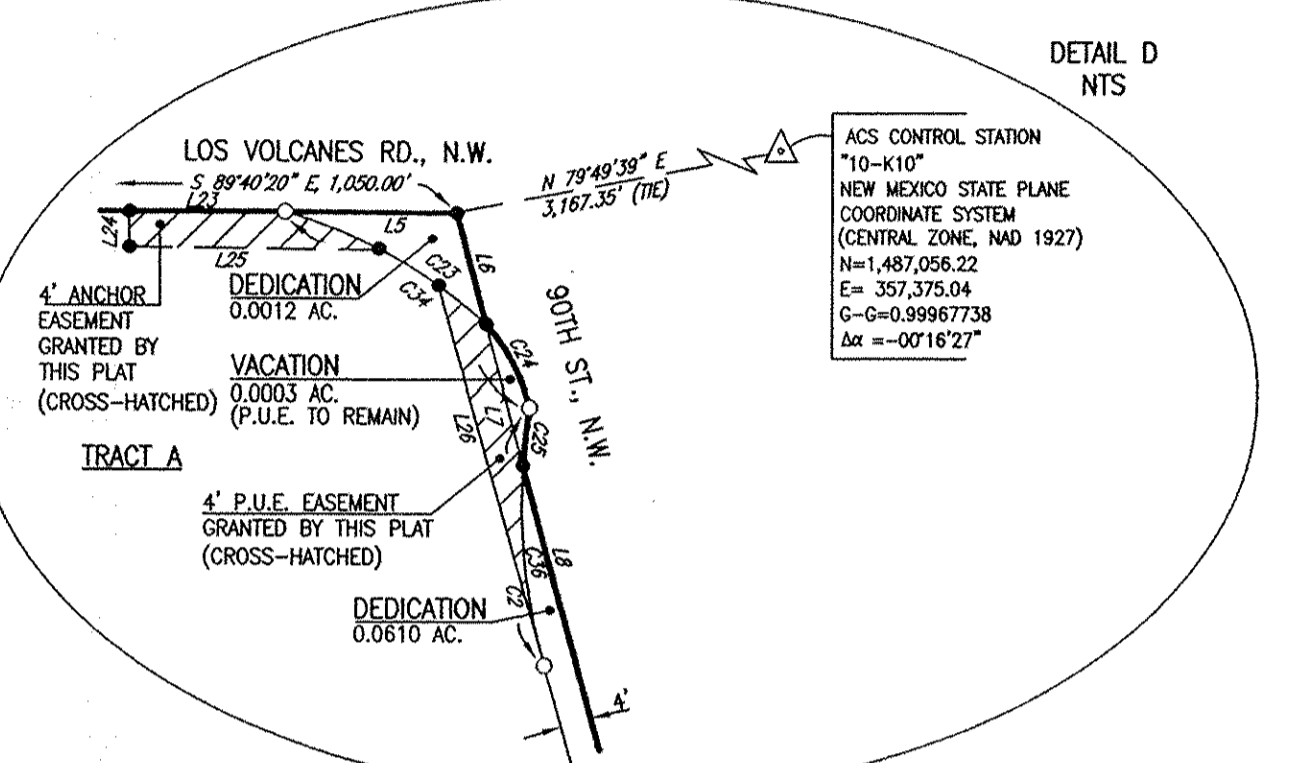
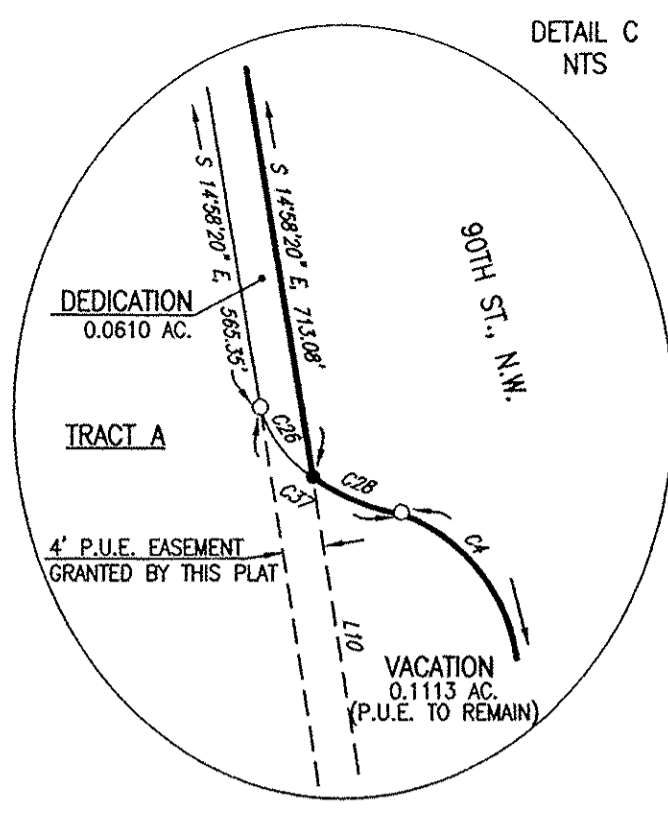
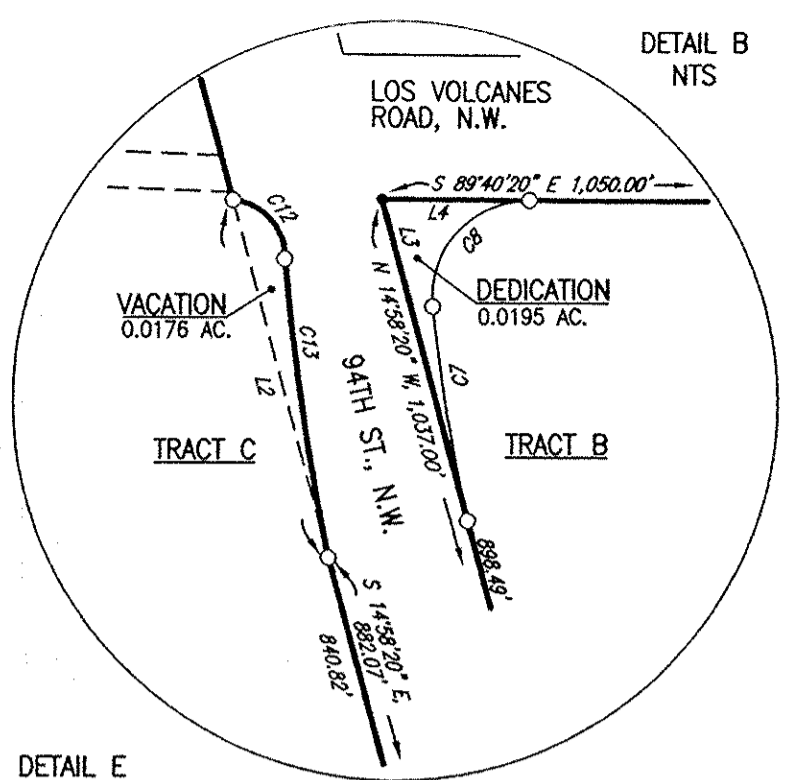
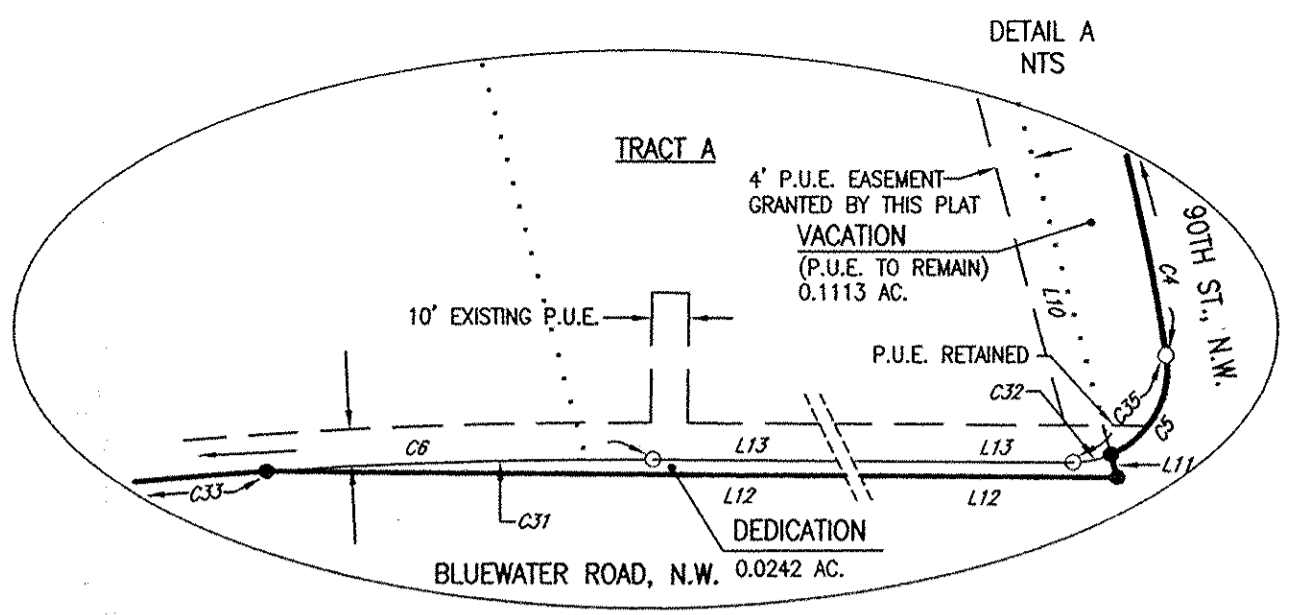
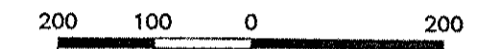
SACOD PRODUCTS • NEW HOPE, MINNESOTA
 REORDER BY PART NUMBER 6552
 POSITION EDGE OF PRINT ON THIS LINE
 SACOD PRODUCTS • NEW HOPE, MINNESOTA
 REORDER BY PART NUMBER 6552
 POSITION EDGE OF PRINT ON THIS LINE

BULK LAND, VACATION AND DEDICATION
 PLAT OF
TRACTS A, B AND C
AVALON SUBDIVISION
UNIT 4
 ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
 JULY 2002

2003077756
 5866787
 Page: 2 of 2
 05/08/2003 03:36P
 Mary Herrera Bern. Co. PLRT R 12.00 Bk-2083C Pg-129



SCALE: 1" = 200'

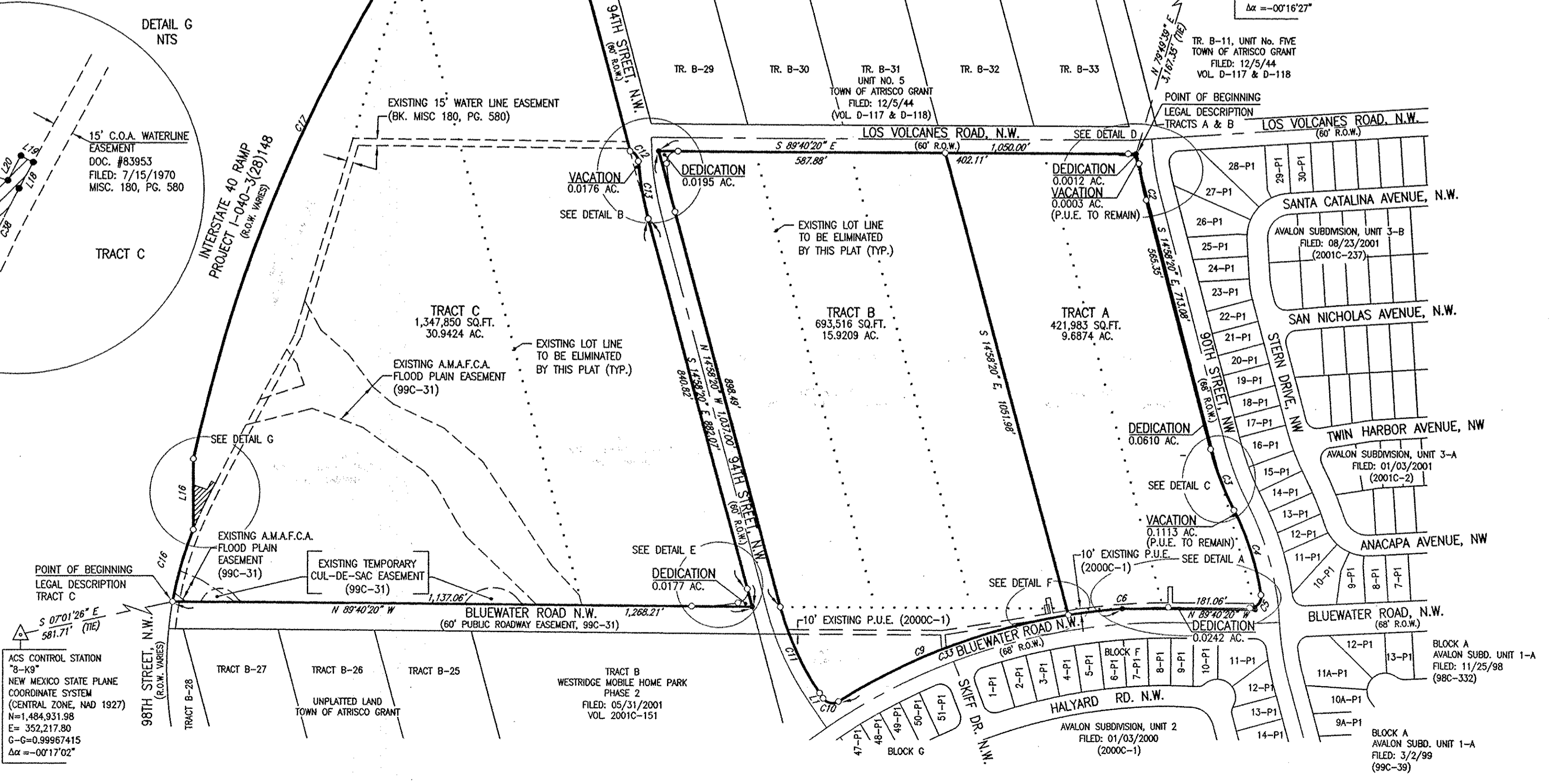


LINE TABLE

LINE	BEARING	DISTANCE(')
L1	N 34°19'41" W	13.71
L2	N 14°58'20" W	154.09
L3	N 14°58'20" W	138.51
L4	S 89°40'20" E	42.12
L5	S 89°40'20" E	17.89
L6	S 14°58'20" E	11.89
L7	N 14°58'20" E	18.95
L8	S 14°58'20" E	713.08
L9	N 14°58'20" W	565.35
L10	N 14°58'20" W	286.68
L11	S 14°58'20" E	6.40
L12	N 89°40'20" W	297.11
L13	S 89°40'20" E	181.06
L14	S 14°58'20" E	41.25
L15	N 89°40'20" W	131.15
L16	N 00°00'00" E	155.75
L17	N 09°05'21" W	20.00
L18	S 28°10'58" W	21.87
L19	S 61°49'02" E	10.08
L20	N 28°10'58" E	20.33
L21	S 71°00'50" E	31.95
L22	N 00°00'00" E	98.97
L23	S 89°40'20" E	19.58
L24	N 00°19'40" E	4.00
L25	S 89°40'20" E	33.14
L26	S 14°58'20" E	100.52
L27	N 80°54'39" E	37.97

CURVE TABLE

CURVE	RADIUS(')	LENGTH(')	DELTA	CHORD(')	CHORD BEARING
C1	25.00	35.61	81°36'40"	32.67	S 48°52'00" E
C2	684.00	82.51	06°54'40"	82.46	S 11°31'00" E
C3	684.00	143.97	12°03'34"	143.70	S 21°00'07" E
C4	616.00	196.73	18°17'55"	195.90	S 17°52'57" E
C5	25.00	32.72	74°59'31"	30.44	S 28°45'46" W
C6	1358.17	224.12	09°27'16"	223.86	S 85°36'02" W
C7	620.00	108.17	09°59'47"	108.03	N 08°58'27" W
C8	25.00	41.58	95°18'14"	36.95	N 42°40'33" E
C9	1358.17	543.36	22°55'20"	539.75	S 69°24'44" W
C10	25.00	38.28	87°43'18"	34.85	N 78°11'19" W
C11	620.00	209.45	19°21'20"	208.45	N 24°39'00" W
C12	25.00	30.96	70°57'04"	29.02	S 39°37'11" E
C13	680.00	128.48	10°49'32"	128.29	S 09°33'34" E
C14	25.00	41.69	95°33'21"	37.03	S 32°48'20" W
C15	593.08	100.86	09°44'39"	100.74	S 85°27'21" W
C16	818.51	165.87	11°36'39"	165.58	N 16°01'09" E
C17	3543.44	1537.37	24°51'31"	1525.34	N 24°44'22" E
C18	1637.02	154.76	05°24'59"	154.70	N 37°48'05" E
C23	25.00	24.98	57°14'28"	23.95	N 61°03'06" W
C24	25.00	10.63	24°22'12"	10.55	S 20°14'46" E
C25	684.00	8.50	00°42'42"	8.50	S 08°25'01" E
C26	684.00	74.01	06°11'58"	73.97	N 18°04'19" W
C28	684.00	69.96	05°51'36"	69.93	S 24°06'06" E
C31	1358.17	104.26	04°23'54"	104.24	N 88°07'43" E
C32	25.00	10.50	24°04'08"	10.43	N 78°17'36" E
C33	1358.17	663.22	27°58'42"	656.65	S 71°56'25" W
C34	25.00	35.61	81°36'40"	32.67	S 48°52'00" E
C35	25.00	43.22	99°03'40"	38.04	S 40°47'50" W
C36	684.00	74.01	06°11'58"	73.97	S 11°52'21" E
C37	684.00	143.97	12°03'34"	143.70	S 21°00'07" E
C38	818.51	90.83	06°21'29"	90.78	S 25°00'13" W



ACS CONTROL STATION
 "8-K9"
 NEW MEXICO STATE PLANE
 COORDINATE SYSTEM
 (CENTRAL ZONE, NAD 1927)
 N=1,484,951.98
 E= 352,217.80
 G-G=0.99967415
 Δα = -00°17'02"

TR. B-11, UNIT No. FIVE
 TOWN OF ATRISCO GRANT
 FILED: 12/5/44
 VOL. D-117 & D-118

POINT OF BEGINNING
 LEGAL DESCRIPTION
 TRACTS A & B

TR. B-11, UNIT No. FIVE
 TOWN OF ATRISCO GRANT
 FILED: 12/5/44
 VOL. D-117 & D-118

TR. B-11, UNIT No. FIVE
 TOWN OF ATRISCO GRANT
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 TOWN OF ATRISCO GRANT
 FILED: 12/5/44
 VOL. D-117 & D-118

SAFCO PRODUCTS • NEW HOPE, MINNESOTA
 REORDER BY PART NUMBER 6552
 POSITIONAL ERROR OF PRINT ON THIS LINE
 SAFCO PRODUCTS • NEW HOPE, MINNESOTA
 REORDER BY PART NUMBER 6552
 POSITIONAL ERROR OF PRINT ON THIS LINE
 SAFCO PRODUCTS • NEW HOPE, MINNESOTA
 REORDER BY PART NUMBER 6552
 POSITIONAL ERROR OF PRINT ON THIS LINE

TEMPORARY DRAINAGE EASEMENT AGREEMENT

Bluewater North LLC, a New Mexico limited liability company ("**Tract 9 Owner**")
Village at Avalon Apartments LLLP, a New Mexico limited liability limited partnership ("**Tract 8 Lessee**"), and **Bernalillo County, New Mexico**, a county duly organized and existing under the laws of the State of New Mexico ("**County**") agree:

1. Recitals. Tract 9 Owner is the owner of certain property located in Albuquerque, New Mexico, and more particularly described on the attached **Exhibit B ("Tract 9")**. Tract 8 Lessee is the lessee of certain property adjacent to Tract 9 and more particularly described on the attached **Exhibit C ("Tract 8")**, pursuant to the Lease Agreement also described on **Exhibit C**. The Tract 8 Lessee desires to construct and maintain a temporary surface drainage channel and drainage detention pond on the easterly portion of Tract 9 in order to assure proper drainage of storm waters that affect Tract 8, and the Tract 8 Lessee has agreed to construct and maintain such storm water improvements, subject to the terms and conditions of this Agreement.

2. Grant of Drainage Easements; Maintenance. Tract 9 Owner grants Tract 8 Lessee and County and each of the successors and assigns of Tract 8 Lessee and County, for the use by Tract 8 Lessee, County and the successors, assigns, tenants, invitees, customers, agents, employees, licensees and guests of Tract 8 Lessee and County, a free and unobstructed, nonexclusive, appurtenant easement, right-of-way, license, right and privilege of access, passage and use upon those portions of Tract 9 designated as the (the "**Private Temporary Slope Easement**") and the ("**Private**



Temporary Desiltation Pond Easement”) on **Exhibit A** attached hereto, for the purpose of (i) offsite grading by Tract 8 Lessee to match the elevations along the common property line of Tract 9 and Tract 8 that are being modified by the site grading of Tract 8, (ii) installation of a minor drainage swale within the Private Temporary Slope Easement, and (iii) installation of a temporary drainage desiltation pond within the Private Temporary Desiltation Pond Easement. Tract 8 Lessee will be responsible for the initial soil stabilization of the area exposed by the grading operation and construction activities.

After construction, Tract 8 Lessee will maintain the Private Temporary Slope Easement and the Private Temporary Desiltation Pond Easement in good condition, for so long as Tract 9 remains undeveloped by one or more building improvements having City of Albuquerque issued certificate(s) of completion. During the work to develop Tract 9 with one or more building improvements to be issued City of Albuquerque certificate(s) of completion, (i) Tract 9 Owner may elect to make such modifications to the Private Temporary Slope Easement and the Private Temporary Desiltation Pond Easement as may be approved by applicable governmental authorities, and (ii) Tract 9 Owner will assume responsibility for maintenance of the Private Temporary Slope Easement and the Private Temporary Desiltation Pond Easement.

3. Indemnification and Insurance. Tract 9 Owner and Tract 8 Lessee will obtain and maintain liability insurance on its respective property in an amount usual and customary for such property. Tract 9 Owner and Tract 8 Lessee will each indemnify and hold harmless the other from any liability or expense arising because of injury, death or

property damage on the Property caused by the use by the indemnifying party and its employees, agents, licensees or invitees; provided, however that to the extent, if at all, §56-7-1 NMSA 1978, as amended, is applicable, any agreement to indemnify, hold harmless, insure or defend another party contained herein or in any related documents will not extend to liability, claims, damages, losses or expenses, including attorneys' fees, arising out of bodily injury to persons or damage to property caused by or resulting from, in whole or in part, the negligent act or omission of any indemnitee, its officers, employees or agents.

4. Default in Maintenance or Insurance. Should the Tract 8 Lessee fail to maintain the Private Temporary Slope Easement and the Private Temporary Desiltation Pond Easement in good condition as required by the terms of Paragraph 2 above, or fail to maintain the insurance, and provide from time to time proof thereof to the Tract 9 Owner as required in Paragraph 3 above, Tract 9 Owner (or its successors in title to Tract 9) may give the Tract 8 Lessee written notice of such default (the "Default Notice") specifying the nature of such default and the work needed to cure such default, with copy to the County, by certified mail to the last known address of the Tract 8 Lessee and to the County care of its address below. Such notice will also be sent by certified mail to any holder of a mortgage or other lien on Tract 8 ("**Tract 8 Mortgagee**") and to the Tract 8 Investor. The Tract 9 Owner acknowledges the addresses for the Tract 8 Mortgagee and Tract 8 Investor below. Prior to giving the Default Notice, the Tract 9 Owner shall determine if the Tract 8 Mortgagee and/or Tract 8 Investor have filed, in the office of the County of

Bernalillo County, New Mexico, a notice of change of name and/or address for such party identifying, with respect to such party, this Easement by date, book and page or date and document no. of its recording (the "Notice of Change of Name or Address"), and if such a Notice of Change of Name or Address is of record in the office of the County Clerk for Bernalillo County, New Mexico, not later than five (5) business days prior to the date the Tract 9 Owner gives the Default Notice, the Tract 9 Owner shall give the Default Notice to the Tract 8 Mortgagee and/or Tract 8 Investor at the address indicated in the Notice of Change of Name or Address. The Tract 8 Mortgagee and Tract 8 Investor will each have the option, but not the obligation, to cure such default. If the default specified in the Default Notice is not cured within sixty (60) days of the date such notice is given, the Tract 9 Owner (or its successor in title to Tract 9) may terminate this Easement by filing a Notice of Termination of Easement in the records of the County Clerk of Bernalillo County, New Mexico. Said Notice of Termination shall reference this Easement by recording date and document no. Upon filing of such Notice of Termination, the easement improvements in the Temporary Slope Easement and the Private Temporary Desiltation Pond Easement shall be deemed the property of the Tract 9 Owner and the Tract 9 Owner shall be entitled, in its sole discretion, to alter and/or remove any and all of such easement improvements from Tract 9, and there shall be no liability on the part of the Tract 9 Owner for storm water damage to Tract 8 caused by such alternation or removal.

5. No Dedication. The easement granted in this Agreement is not intended nor will it create any prescriptive rights in the public to the easements conveyed and granted in this Agreement.

6. Covenants to Run with Land. This Agreement and the covenants and conditions contained in this Agreement will inure to the benefit of and be binding upon Tract 9 Owner, Tract 8 Lessee, County and their successors and assigns; provided however that successors or assigns of Tract 8 Lessee will be entitled to the benefit of this Agreement only if such successors or assigns perform the Private Temporary Slope Easement and the Private Temporary Desiltation Pond Easement maintenance obligations which accrue during the period of ownership of such successors or assigns. The private temporary easements and the rights and privileges established by this Agreement will remain in effect until terminated by the written agreement of both parties or their successors or assigns or automatically upon commencement of construction upon any portion of Tract 9 involving the temporary easements herein granted in accordance with a drainage plan approved by applicable governmental authorities.

7. Governing Law. The laws of the State of New Mexico will govern this Agreement.

8. Cumulation of Remedies. The parties and their successors and assigns will be entitled, in the event of any default as provided in this Agreement, to all rights and remedies, both legal and equitable, as provided by law. The various rights, options, elections, powers and remedies contained in this Agreement will be deemed cumulative.

9. Notice. Any notice to be given as provided in this Agreement will be in writing and will be deemed to have been given when deposited in the United States mail, postage prepaid addressed, to Tract 9 Owner or to Tract 8 Lessee at the address provided for property tax notices, and as follows:

County: Bernalillo County, New Mexico
10th Floor
One Civic Plaza NW
Albuquerque, NM 87102
Attention: County Manager

with a copy to: Sherman & Howard L.L.C.
500 Marquette Avenue Northwest
Suite 1203
Albuquerque, New Mexico 87102
Attention: Jill Sweeney

Tract 8 Mortgagee: Sterling Bank
50 S. Bemiston Ave.
PO Box 11417
Clayton, MO 63105
Attention: Phil Minden, Senior Vice President

with a courtesy
copy to: Rosenblum Goldenhersh, P.C.
7733 Forsyth Boulevard □ Fourth Floor □
Saint Louis, MO 631052
Attention: Brad Britzman

Tract 8 Investor: AHP Housing Fund 120, LLC
10250 Constellation Boulevard, Suite 1270
Los Angeles, California 90067
Attention: Michael L. Fowler

with a courtesy
copy to: Kutak Rock LLP
801 California Street, Suite 3000
Denver, Colorado 80202
Attention: Ellen O'Brien

10. Invalidity. Any provision of this Agreement which proves to be invalid, void or illegal, will in no way affect, impair or invalidate any other provisions of this Agreement.

11. No County Liability. By its execution of this Agreement, County consents to this Agreement; County assumes no liabilities or obligations under or with respect to this Agreement.

[Signature Pages Follow]

Ed 121015

DATED: February 8, 2016.

BLUEWATER NORTH LLC,
a New Mexico limited liability company

By Denise Penners
Denise Penners, Co-Manager

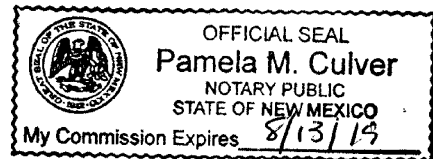
By Thomas Lakeman
Thomas Lakeman, Co-Manager

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

This instrument was acknowledged before me this 8th day of February, 2016, by Thomas Lakeman, as Co-Manager of Bluewater North LLC, a New Mexico limited liability company, on behalf of said company.

Pamela M. Culver
Notary Public

My commission expires: 8/13/19

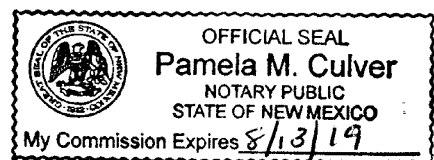


STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me this 8th day of February, 2016, by Denise Penners, as Co-Manager of Bluewater North LLC, a New Mexico limited liability company, on behalf of said company.

Pamela M. Culver
Notary Public

My commission expires: 8/13/19



Dated: Feb 16, 2016

BERNALILLO COUNTY, NEW MEXICO



(SEAL)

ATTEST:

By [Signature]
Chairman, Board of County
Commissioners

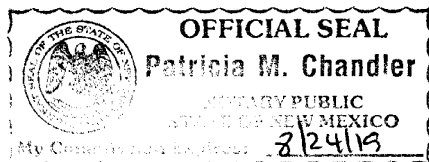
[Signature]
County Clerk

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 16th day of February, 2016, by Art DeLa Cruz, the Chairman for Bernalillo County, New Mexico.

[Signature]
Notary Public

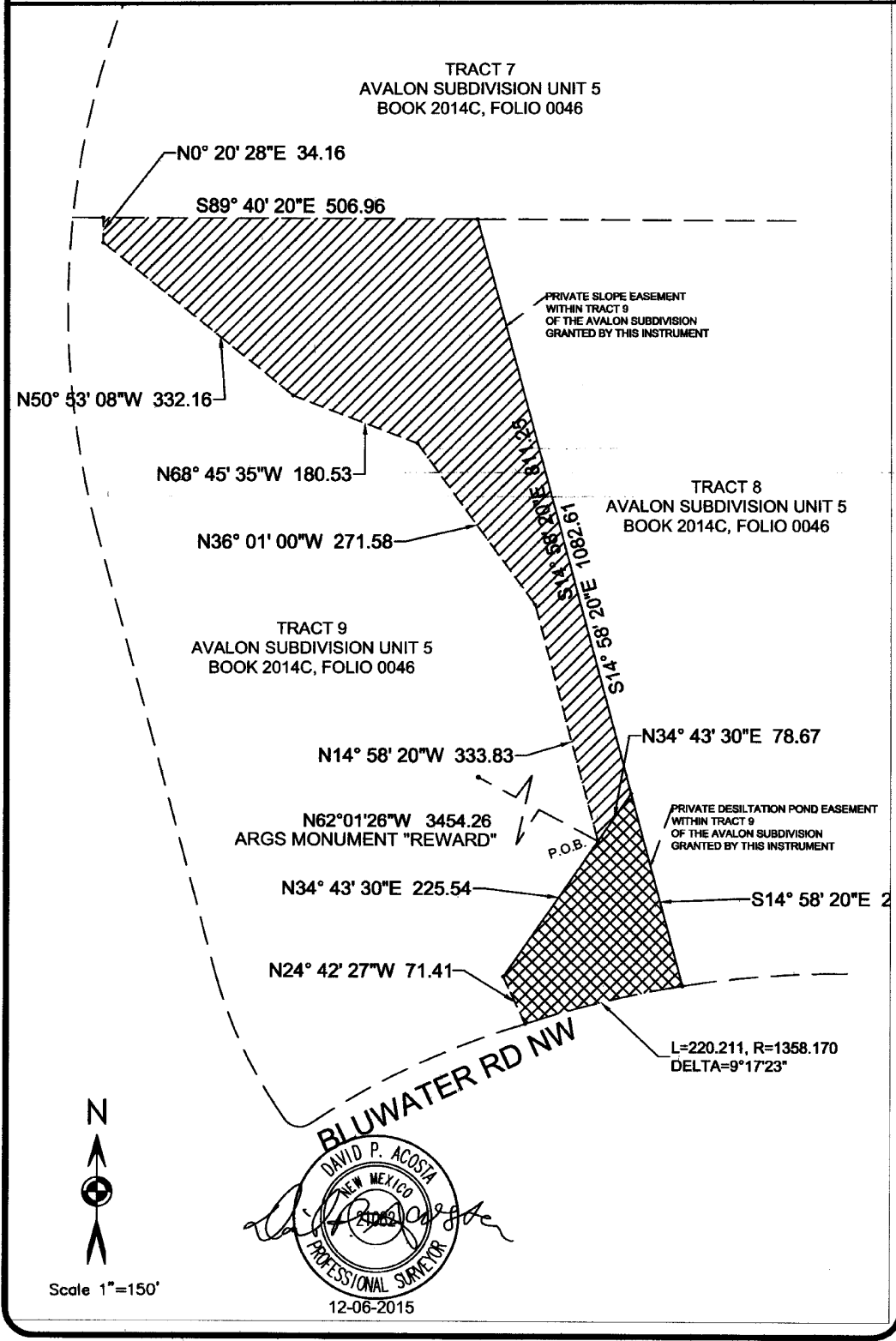
My commission expires: 8/24/19





CONSTRUCTION SURVEY TECHNOLOGIES, INC.
 MAILING: PO BOX 65395, ALBUQUERQUE, NM 87183 505-917-8921
 OFFICE: 1696 CENTRAL AVE SE, SUITE 101, ALBUQUERQUE, NM 87106
 NMSURVEYOR@GMAIL.COM

EXHIBIT "A" PAGE 1 OF 2
 OF
 PRIVATE SLOPE EASEMENT
 AND PRIVATE DESILTATION POND EASEMENT
 WITHIN TRACT 9, UNIT 5 AVALON SUBDIVISION
 DECEMBER 2015





CONSTRUCTION SURVEY TECHNOLOGIES, INC

MAILING: PO BOX 85385, ALBUQUERQUE, NM 87183 505-917-8821
OFFICE: 1006 CENTRAL AVE SE, SUITE 101, ALBUQUERQUE, NM 87108
NMSURVEYOR@GMAIL.COM

EXHIBIT "A" PAGE 2 OF 2
OF

PRIVATE SLOPE EASEMENT
AND PRIVATE DESILTATION POND EASEMENT
WITHIN TRACT 9, UNIT 5 AVALON SUBDIVISION
DECEMBER 2015

A PRIVATE TEMPORARY SLOPE EASEMENT WITHIN TRACT 9 OF THE AVALON SUBDIVISION UNIT 5 AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN PLAT BOOK 2014C, FOLIO 0046 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN LINE LINE OF THE EASEMENT HEREIN DESCRIBED, WHENCE FOR A TIE TO THE NGS MONUMENT "REWARD" BEARS N62°01'26"W 3454.26 FEET DISTANCE; THENCE,
N14°58'20"W 333.83 FEET DISTANCE; THENCE,
N36°01'00"W 271.58 FEET DISTANCE; THENCE,
N68°45'35"W 180.53 FEET DISTANCE; THENCE,
N50°53'08"W 332.16 FEET DISTANCE; THENCE,
N00°20'28"E 34.16 FEET TO THE NORTHWEST CORNER OF THE EASEMENT HEREIN DESCRIBED; THENCE,
S89°40'20"E 506.96 FEET DISTANCE TO THE NORTHEAST CORNER OF THE EASEMENT HEREIN DESCRIBED; THENCE,
S14°58'20"E 811.25 FEET DISTANCE TO THE SOUTHEAST CORNER OF THE EASEMENT HEREIN DESCRIBED; THENCE,
S34°43'30"W 78.67 FEET TO A POINT AND PLACE OF BEGINNING. SAID EASEMENT CONTAINS AN AREA OF 3.71801 ACRES, (161957 SQ FT), MORE OR LESS

A PRIVATE TEMPORARY DESILTATION POND EASEMENT WITHIN TRACT 9 OF THE AVALON SUBDIVISION UNIT 5 AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO IN PLAT BOOK 2014C, FOLIO 0046 AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERN LINE LINE OF THE EASEMENT HEREIN DESCRIBED, WHENCE FOR A TIE TO THE NGS MONUMENT "REWARD" BEARS N62°01'26"W 3454.26 FEET DISTANCE; THENCE,
N34°43'30"E 78.67 FEET TO A POINT; THENCE,
S14°58'20"E 271.36 FEET DISTANCE TO THE SOUTHEAST CORNER, ALSO BEING A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF BLUEWATER ROAD NW; THENCE,
220.21 FEET DISTANCE ALONG THE ARC OF A CURVE BEARING TO THE LEFT (SAID ARC HAVING A RADIUS OF 1358.17 AND A CENTRAL ANGLE OF 09°17'23") TO THE SOUTHWEST CORNER OF THE EASEMENT HEREIN DESCRIBED; THENCE,
N24°42'27"W 71.41 FEET DISTANCE LEAVING SAID RIGHT OF WAY TO A POINT; THENCE,
N34°43'30"E 225.54 FEET DISTANCE TO A POINT AND PLACE OF BEGINNING. SAID EASEMENT COVERING AN AREA OF 0.88472 ACRES (38538 SQ FT)

DAVID P. ACOSTA
NEW MEXICO
PROFESSIONAL SURVEYOR
12-06-2015

Exhibit B
(Tract 9)

Tract numbered Nine (9), Plat of Tracts 1 through 12, of AVALON SUBDIVISION UNIT 5, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 22, 2014, in Plat Book 2014C, folio 46 as Document No. 2014040949

Exhibit C
(Tract 8)

Tract numbered Eight (8), Plat of Tracts 1 through 12, of AVALON SUBDIVISION UNIT 5, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 22, 2014, in Plat Book 2014C, folio 46 as Document No. 2014040949

Such property owned by Bernalillo County, New Mexico and leased to Village at Avalon Apartments LLLP pursuant to Lease Agreement dated as of December 1, 2015, as evidenced by Memorandum of Lease recorded December 11, 2015 as Document #2015107505, records of Bernalillo County, New Mexico.

TEMPORARY EASEMENT

JOHN G. KELEHER and LINDA B. KELEHER, husband and wife, MLK, LTD., a New Mexico limited liability company, THOMAS F. KELEHER and GRETCHEN C. KELEHER, husband and wife, and WILLIAM B. KELEHER and JAN R. KELEHER, husband and wife, as tenants in common (collectively, "Grantor"), state:

1. Recital. Grantors own the real property described on attached Exhibit A ("Tract B-36"). Curb, Inc., a New Mexico corporation ("Grantee"), owns the real property described on attached Exhibit B (the "Curb Portion"). Grantee wants to obtain an easement over Tract B-36 appurtenant to and for the benefit of the Curb Portion.

2. Grant. Grantor grants Grantee a temporary easement, appurtenant to and for the benefit of the Curb Portion over and across the shaded portion of Tract B-36 shown on the attached Exhibit C (the "Easement Property"). During the term of this Easement, Grantee may use the Easement Property for the purpose of constructing and maintaining a drainage berm which is intended to cause storm waters from the properties located to the north of the berm to drain to a temporary ponding area located on Tract 34 (a tract within the Curb Portion).

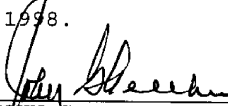
3. Term. The term of this Easement will be until Grantors and Grantee no longer need to pond storm waters on Tract 34. The parties anticipate that, upon the development of the property to the north of the berm, the City of Albuquerque will require the storm waters from the properties to the north of the

Judy D. Woodward Bern. Co. ERSE R 23.00 1998037768 5826931 Page: 1 of 9 83/31/1998 10:18A Bk-9867 Pg-6260

berm drain into a public drainage system planned within 90th Street, N.W.

4. Binding Effect; Counterparts. This Easement is appurtenant to and benefits the Curb Portion and inures to the benefit of Grantee and the successors, transferees, and assigns of Grantee. This Easement binds Tract B-36, is intended to run with the land, and is binding upon Grantor, its successors, and assigns. This Easement may be signed in counterparts.

DATED: March _____, 1998.



JOHN G. KELEHER



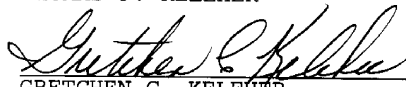
LINDA B. KELEHER

MLK, LTD., a New Mexico liability company

By: _____
Its: _____



THOMAS F. KELEHER



GRETCHEN C. KELEHER

WILLIAM B. KELEHER

JAN R. KELEHER



berm drain into a public drainage system planned within 90th Street, N.W.

4. Binding Effect; Counterparts. This Easement is appurtenant to and benefits the Curb Portion and inures to the benefit of Grantee and the successors, transferees, and assigns of Grantee. This Easement binds Tract B-36, is intended to run with the land, and is binding upon Grantor, its successors, and assigns. This Easement may be signed in counterparts.

DATED: March _____, 1998.

JOHN G. KELEHER

LINDA B. KELEHER

MLK, LTD., a New Mexico liability company

By: Michael J. Keleher
Its: President

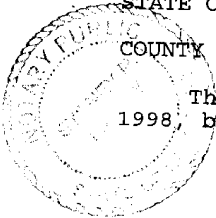
Thomas F. Keleher
THOMAS F. KELEHER

Gretchen C. Keleher
GRETCHEN C. KELEHER

William B. Keleher
WILLIAM B. KELEHER

Jan R. Keleher
JAN R. KELEHER





STATE OF Colorado)
COUNTY OF Pitkin) ss.

This instrument was acknowledged before me on March 25th, 1998, by John G. Keleher and Linda B. Keleher, husband and wife.

Judy D. Woodward
Notary Public

My commission expires:

~~My Commission Expires 11/25/2000~~

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on March _____, 1998, by MLK, Ltd., a New Mexico limited liability company.

Notary Public

My commission expires:

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

This instrument was acknowledged before me on March _____, 1998, by Thomas F. Keleher and Gretchen C. Keleher, husband and wife.

Notary Public

My commission expires:

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3626331
Page: 4 of 9
83/31/1998 10:18A
Bk-9807 Pg-6250

Judy D. Woodward Bern. Co. ERSE R 23.00

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on March _____, 1998, by John G. Keleher and Linda B. Keleher, husband and wife.

Notary Public

My commission expires:

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

This instrument was acknowledged before me on March 26, 1998, by MLK, Ltd., a New Mexico limited liability company.

Notary Public

My commission expires:
2/20/2001

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

This instrument was acknowledged before me on March 26, 1998, by Thomas F. Keleher and Gretchen C. Keleher, husband and wife.

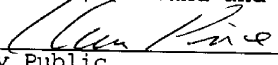
Jan Swan
Notary Public

My commission expires:
June 11, 2001


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Page: 5 of 9
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Bk-9807 Pg-6260
Judy D. Woodward Bern. Co. EASE R 23.00

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

This instrument was acknowledged before me on March 27,
1998, by William B. Keleher and Jan R. Keleher, husband and wife.



Notary Public

My commission expires:

2/20/2001

ent.doc
03/23/98


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Judy D. Woodward Bern. Co. ERSE R 23.00 Bk-9807 Pg-6260

EXHIBIT A

TRACT B-36

Tract B-36 in Unit No. 5 on Sheet 1 of Plat showing a portion of the Tracts allotted from Town of Atrisco Grant, filed in the office of the County Clerk of Bernalillo County, New Mexico, December 5, 1944.


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Judy D. Woodward Bern. Co. EASE R 23.00

EXHIBIT B

THE CURB PORTION

That certain property designated as Tracts B-5 to B-7, inclusive, Tracts B-9 and B-10, Tracts B-34 and B-35, and Tracts B-39 to B-43, inclusive, in Unit No. 5 on Sheet 1 of Plat showing a portion of the Tracts allotted from Town of Atrisco Grant, filed in the office of the County Clerk of Bernalillo County, New Mexico, December 5, 1944.

Together with:

That certain property designated as Tract B-8A on the Right-of-Way Map Unser Diversion Channel Corridor, Town of Atrisco Grant, City of Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the Plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 21, 1996 in Plat Book 96C, Folio 77.

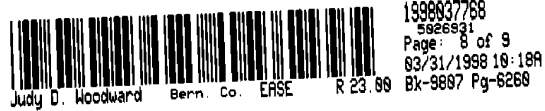
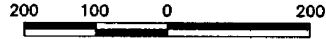


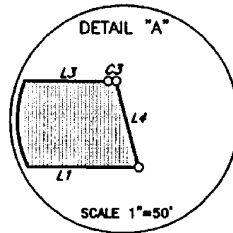
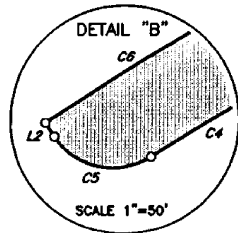
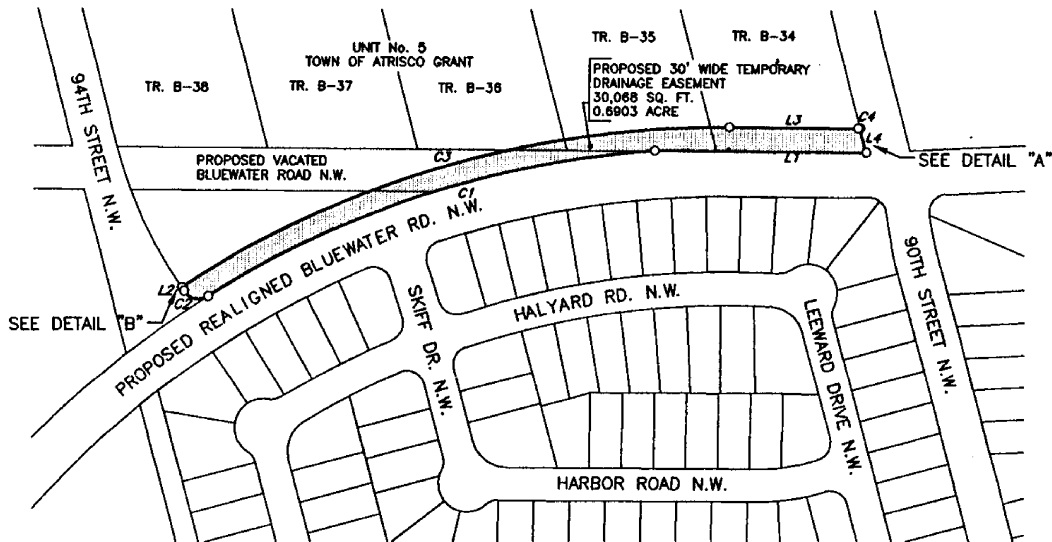
EXHIBIT
PROPOSED 30' WIDE TEMPORARY DRAINAGE EASEMENT
AVALON SUBDIVISION
 ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
 FEBRUARY 1997



SCALE: 1" = 200'



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 Bk-9807 Pg-6268



NOTES:

1. BEARINGS SHOWN ARE NEW MEXICO STATE PLANE GRID BEARINGS (CENTRAL ZONE).
2. DISTANCES ARE GROUND DISTANCES.

LINE	BEARING	LENGTH
L1	N 89°40'20" W	297.11'
L2	N 34°19'41" W	5.77'
L3	S 89°40'20" E	180.85'
L4	S 14°58'20" E	35.26'

CURVE	RADIUS	LENGTH	DELTA	COURSE	CHORD
C1	1,358.17'	663.22'	27°50'42"	S 71°56'25" W	656.65'
C2	25.00'	38.28'	87°43'16"	N 78°11'19" W	34.65'
C3	1,388.17'	809.64'	33°22'03"	N 73°37'09" E	788.21'
C4	588.00'	2.79'	00°16'24"	N 89°48'32" E	2.79'

Plat & Survey By:
 ALBUQUERQUE SURVEYING CO. INC., 2119 Menaul Blvd. N.E.
 Albuquerque, New Mexico 87107; Ph. (505) 884-2036

1139XDRN/X-GM

EXHIBIT "C"