



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 type="checkbox"/> Vacation of Public Easement(s) DRB (Form V)
<input type="checkbox"/> Extension of Preliminary Plat (Form S1)	<input checked="" 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 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

2 year subdivision improvement agreement (SIA) Extension

APPLICATION INFORMATION

Applicant: Felix Rabadi	Phone: 505-440-6443
Address: 11201 San Antonio dr ne	Email: Startrustofam@yahoo.com
City: Albuq	State: NM
Professional/Agent (if any):	Zip: 87122
Address:	Phone:
City:	Email:
State:	Zip:
Proprietary Interest in Site:	List all owners:

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

Lot or Tract No.: T-1-A-2AANDT-A--B	Block:	Unit:
Subdivision/Addition: Town of Alameda Grant (TBC) Rabadi Complex	MIRGCD Map No.:	UPC Code: 10120653374361061
Zone Atlas Page(s): B-12-Z	Existing Zoning: SU-1 for PRD	Proposed Zoning: The Same
# of Existing Lots: 2	# of Proposed Lots: SAME	Total Area of Site (Acres): 8.5 acres

LOCATION OF PROPERTY BY STREETS

Site Address/Street: Golf Course RD NW Between: Irving NW and: Calbacillas Arroyo

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

100334604 EPC

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: Sharif A. Rabadi	Date: 10/28/2021
Printed Name: Sharif A. Rabadi	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent

FOR OFFICIAL USE ONLY

Case Numbers	Action	Fees	Case Numbers	Action	Fees

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

FORM S1: SUBDIVISION OF LAND – MAJOR


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

- MAJOR SUBDIVISION PRELIMINARY PLAT APPROVAL
- MAJOR AMENDMENT TO PRELIMINARY PLAT
- BULK LAND SUBDIVISION
- 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 S1 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
- ___ Sign Posting Agreement
- ___ Sites 5 acres or greater: Archeological Certificate in accordance with IDO Section 14-16-6-5(A)
- ___ TIS Traffic Impact Study Form
- ___ Form DRWS Drainage Report, Grading and Drainage Plan, and Water & Sewer Availability Statement submittal information
- ___ Letter describing, explaining, and justifying the request per the criteria in IDO Section 14-16-6-6(L)
- ___ Proof of Sketch Plat per IDO Section 14-16-6-6(L)(2)(b)
- ___ Required notices with content per IDO Section 14-16-6-4(K)(1)
 - ___ 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
- ___ Preliminary Plat including the Grading Plan with property owner's and City Surveyor's signatures on the plat
- ___ Sidewalk Exhibit and/or cross sections of proposed streets
- ___ 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
- ___ Sensitive Lands Site Analysis for new subdivisions of land in accordance with IDO Section 5-2(C)
- ___ Landfill disclosure statement on the plat per IDO Section 14-16-6-4(S)(5)(d)(2).(d.) if site is within a designated landfill buffer zone
- ___ Proposed Infrastructure List

EXTENSION OF PRELIMINARY PLAT
 INFRASTRUCTURE LIST EXTENSION OR AN INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA) EXTENSION
For temporary sidewalk deferral extension, use Form V.

- 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 S1 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
- Letter describing, explaining, and justifying the request per IDO Section 14-16-6-4(X)(4)
- Preliminary Plat or site plan
- Copy of DRB approved infrastructure list

<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>	
Signature: <i>Shavit A. Rubadi</i>	Date: <i>11/11/2021</i>
Printed Name: <i>Shavit A. Rubadi</i>	<input type="checkbox"/> Applicant or <input type="checkbox"/> Agent
FOR OFFICIAL USE ONLY	
Case Numbers:	Project Number:
Staff Signature:	
Date:	

SIA *	COA DRC
Sequence #	Project #
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

Size	Type of Improvement	Location	From	To

Private	City	City Crst
Inspector	Inspector	Engineer
<input type="text"/>	<input type="text"/>	<input type="text"/>

NOTES

- 1 Water Infrastructure to Include Services, Vales, Fittings, Valve Boxes, Water Meter for Landscaping, and Fire Hydrants as Required
- 2 Catch Basin and Manholes Connection Included with Storm Sewer Pipe
- 3 Sanitary Sewer to Include Manholes and Service Connections as required
- 4 Certified Grading and Drainage and walls for Stormwater Retention
- 5
- 6
- 7
- 8

AGENT/OWNER DEVELOPMENT REVIEW BOARD MEMBER APPROVALS

Shahram (Shawn) Blazar
 NAME (print)  8/18/04
 DRB CHAIR - date
 Christina Sanderall 8/18/04
 PARKS & GENERAL SERVICES - date

Advanced Engineering and Consulting, LLC

FIRM

 8-18-04
 TRANSPORTATION DEVELOPMENT - date

AMAFCA - date

SIGNATURE - date

 8/18/04
 UTILITY DEVELOPMENT - date

 8-18-04
 NEW MEXICO UTILITY - date

MAXIMUM TIME ALLOWED TO CONSTRUCT THE IMPROVEMENTS WITHOUT A DRB

EXTENSION:

- date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT/OWNER

ORIGINAL

INFRASTRUCTURE LIST

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

PROPOSED NAME OF PLAT AND/OR SITE DEVELOPMENT PLAN
Rabadi Complex

Tr. A, Rima Addition and Tract T-1A-2, Town of Alameda Grant
EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION

Date Submitted: 8/18/04
 Date Site Plan Approved: 9/11/04
 Date Preliminary Plat Approved: 9/11/04
 Date Preliminary Plat Expires: 9/11/04
 DRB Project No: 1003366
 DRB Application No: 04-0124

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

SIA Sequence #	COA DRC Project #	Size	Type of Improvement	Location	From	To	Private Inspector	City Inspector	City Cast Engineer
	74808T	100	Relocation of Bus Bay	Irving Blvd., NW	Irving/Golf Course	90 LF West on		HAB	
PUBLIC IMPROVEMENTS									
PAVING									
PUBLIC IMPROVEMENTS									
WATERLINE									
		8" / 940	Waterline PVC C-900	Waterline/Sewer Ease By Irving/Golf Course	Southeast PL	Southwest PL Tie into Exist. WL		HAB	
SANITARY SEWER									
		8" / 400	Sanitary Sewer line SDR-35	Waterline/Sewer Ease By Irving/Golf Course	Southeast PL	Northeast PL +/- 400 LF		HAB	
		8" / 710	Sanitary Sewer line SDR-35	Waterline/Sewer Ease By Irving/Golf Course	Southwest PL	Exist SAS MH Calabacillas Arroyo +/- 800 LF		HAB	

10th EXTENSION AGREEMENT
Procedure B

PROJECT NO. 748081

This Agreement made this 24th day of December, 20 20 by and between the City of Albuquerque, New Mexico, a municipal corporation ("City") and (name of Developer:) The Star Trust Dtd ("Developer"), whose address is 11201 San Antonio Dr. NE, Albuquerque, NM 87122 and whose telephone number is 505-440-6443 and whose email address is, 11201 San Antonio in Albuquerque, New Mexico and is entered into as of the date of final execution of this Agreement.

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

WHEREAS, the City and the Developer entered into an Agreement on the 12th day of November, 2004, which was recorded on November 12, 2004 at Book Misc. A86 page 9339 (B-1 Earlier Agreement), in the records of Bernalillo County Clerk, State of New Mexico ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure improvements on or before the 26th day of July 2006; and

WHEREAS, the Earlier B-1 Agreement was amended by a 1st Extension Agreement dated October 2, 2006, recorded on October 3, 2006, In Book Misc. A124 Page 9642, in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2007; and

WHEREAS, the Earlier B-1 Agreement was amended by a 2nd Extension Agreement dated January 15, 2009 recorded on January 15, 2009, as Document No. 2009004619 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2008; and

WHEREAS, the Earlier B-1 Agreement was amended by a 3rd Extension Agreement dated January 15, 2009 recorded on January 15, 2009 as Document No. 2009004621 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2009; and

WHEREAS, the Earlier B-1 Agreement was amended by a 4th Extension Agreement dated December 17, 2009 recorded on December 28, 2009, pages 1 through 3, as Document No. 2009139911 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2011; and

WHEREAS, the City and the Developer entered into an Agreement on the 12th day of November, 2004, which was recorded on November 12, 2004 at Book Misc. A86 page 93395 (B-2 Earlier Agreement), in the records of Bernalillo County Clerk, State of New Mexico ("Earlier Agreement"), by which the Developer agreed to complete the construction of certain infrastructure

Doc# 2021007793

01/21/2021 01:57 PM Page: 1 of 7
AGRE R: \$25.00 Linda Stover, Bernalillo County



improvements on or before the 26th day of July 2006; and

WHEREAS, the Earlier B-2 Agreement was amended by a 1st Extension Agreement dated October 2, 2006 recorded on October 3, 2006, in Book Misc. A124 page 9643, in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2007; and

WHEREAS, the Earlier B-2 Agreement was amended by a 2nd Extension Agreement dated January 15, 2009 recorded on January 15, 2009, as Document No. 2009004618 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2008; and

WHEREAS, the Earlier B-2 Agreement was amended by a 3rd Extension Agreement dated January 15, 2009 recorded on January 15, 2009 as Document No. 2009004620 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2009; and

WHEREAS, the Earlier Agreement was amended by a 4th Extension Agreement dated December 17, 2009 recorded on December 28, 2009, as Document No. 2009133312 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2011; and

WHEREAS, the Earlier B-2 Agreement was amended by a 5th Extension Agreement dated January 18, 2012 recorded on January 19, 2012 as Document No. 2012005396 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2013; and

WHEREAS, the Earlier Agreement was amended by an 6th Extension Agreement dated November 13, 2013 recorded on November 21, 2013 as Document No. 2013126086 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2015; and

WHEREAS, the Earlier Agreement was amended by an 7th Extension Agreement dated January 15, 2016 recorded on January 15, 2016 as Document No. 2016004609 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 12, 2016; and

WHEREAS, the Earlier Agreement was amended by an Amendment to 7th Extension Agreement dated January 30, 2017 recorded on February 01, 2017 as Document No. 2017009576 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to September 15, 2017; and

WHEREAS, the Earlier Agreement was amended by an 8th Extension Agreement dated January 26, 2018 recorded on February 01, 2018 as Document No. 2018010004 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 1, 2019 and

WHEREAS, the Earlier Agreement was amended by an 9th Extension Agreement dated February 4, 2020 recorded on February 4, 2020 as Document No. 2020011069 in the records of Bernalillo County Clerk, State of New Mexico, extending the construction deadline to November 1, 2020 and

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

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

WHEREAS, the Developer is able to provide the required financial guaranty; NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties agree:

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

A. For all improvements, the 19th day of December, 2021

B. On portions of the improvements as follows:

IMPROVEMENTS

COMPLETION DATE

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

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

Type of Financial Guaranty: Letter of Credit No. MV 60516115

Amount: \$179,842.51

Name of Financial Institution or Surety providing Guaranty: Bank of the West

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

December 19, 2021

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

Guaranty is: February 19, 2021

Additional information: _____

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Extension Agreement shall remain valid, in force, and binding upon the parties. By executing this Agreement, the parties only intention is to extend the construction completion

deadline established in the Earlier Agreement and establish a revised financial guaranty for the benefit of the City.

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

DEVELOPER: The Star Trust Dtd.

CITY OF ALBUQUERQUE:

By [signature]: [Signature]

By: _____

Name [print]: Sharif A. Rabadi

Shahab Biazar, P.E., City Engineer

Title: Trustee

Dated: 9/24/2020

Dated: _____

DEVELOPER'S NOTARY

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

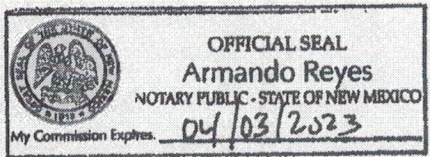
This instrument was acknowledged before me on this 24th day of September, 2020
by [name of person:] Sharif A. Rabadi, [title or capacity, for instance,
"President" or "Owner"] Trustee of Developer:] The Star Trust Dtd.

(SEAL)

[Signature]

Notary Public

My Commission Expires: 04/03/2023





BANK OF THE WEST
BNP PARIBAS

BANK OF THE WEST
GLOBAL TRADE OPERATIONS
13300 CROSSROADS PKWY N.
CITY OF INDUSTRY, CA 91746
SC-XRD-2W-G
SWIFT: BWSTUS66LAX

DATE: 12/22/2020

AMENDMENT TO STANDBY LETTER OF CREDIT

IN ALL CORRESPONDENCE PLEASE QUOTE OUR CREDIT REFERENCE NUMBER.

STANDBY L/C NO.: MB60516115
AMENDMENT REF. NO.: AMD003
ISSUED DATE: 12/24/2015

BENEFICIARY:
CHIEF ADMINISTRATIVE OFFICER
CITY OF ALBUQUERQUE
1 CIVIC PLAZA NW
11TH FLOOR
ALBUQUERQUE, NM 87102

APPLICANT:
THE STAR TRUST, SHARIF A RABADI
TRUSTEE, SAMIA S RABADI TRUSTEE
11021 SAN ANTONIO DR NE
ALBUQUERQUE NM 87122

THE ABOVE STANDBY LETTER OF CREDIT HAS BEEN AMENDED AS FOLLOWS:

NEW EXPIRY DATE: 12/19/2021

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED. THIS IS THE OPERATIVE INSTRUMENT WHICH FORMS AN INTEGRAL PART OF STANDBY LETTER OF CREDIT NO. MB60516115 AND IS TO BE ATTACHED THERETO.

DocuSigned by:

AUTHORIZED SIGNATURE
Bolivar Carrillo

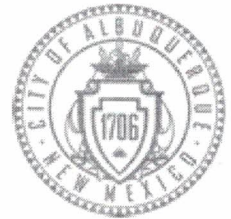
GLOBAL TRADE OPERATIONS
TEAM NO 02

DocuSigned by:

AUTHORIZED SIGNATURE

Eva P Hsu
GLOBAL TRADE OPERATIONS
TEAM NO 02

City Of Albuquerque



P.O. Box 1293
Albuquerque, NM 87103
www.cabq.gov

October 19, 2021

Sharif A Rabadi, Trustee
The Star Trust, Dtd
11201 San Antonio Dr. NE 87122
Albuquerque, NM 87122

Re: Notice of upcoming deadline for completion of improvements and City's intention to call Financial Guaranty – **Infrastructure Improvements Agreement, Procedure B**
Project: **Rabadi Complex, Phase II** Project No. **748081**

Dear Mr. Sharif A Rabadi:


I am the Attorney who represents the City of Albuquerque ("City") in matters relating to construction of infrastructure by developers. As you are aware, **The Star Trust, Dtd** ("Developer") signed an **Infrastructure Improvements Agreement, Procedure B** ("Agreement") requiring the developer to construct certain infrastructure improvements by **December 19, 2021** ("Construction Deadline").

An extension to your Agreement may be available. Please contact Contract Specialist, Marion Velasquez, at 505-924-3997 or mgvelasquez@cabq.gov within seven days, for (1) availability and whether the extension is required to be heard at the Development Review Board (DRB) in accordance with the Integrated Development Ordinance (IDO) and (2) to inform the City if you intend to extend the Agreement and related Financial Guaranty.

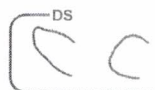
This letter provides notice to the Developer that if: (1) The project is not constructed and accepted by the City by the Construction Deadline; or (2) An extension is not obtained and the related extension Agreement and revised Financial Guaranty are not submitted by the Construction Deadline, the City will consider the Agreement to be in default and the City will prepare documents to call on the Financial Guaranty 30 days after the Construction Deadline and will hold the Developer and the Surety jointly and severally liable for 125% of the cost of completing the Improvements.

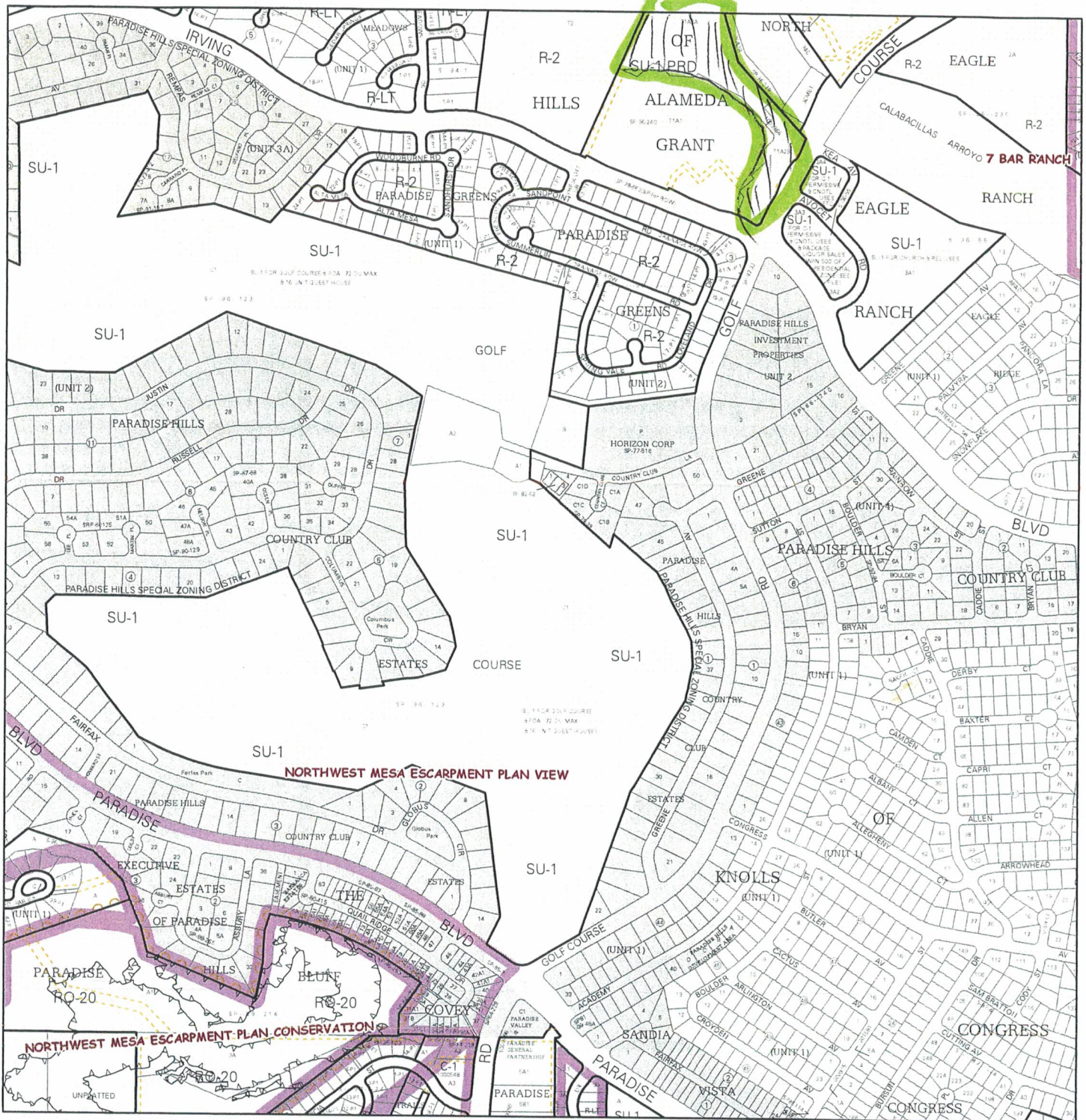
Please note that the title "Subdivision Improvements Agreement" and the word "Subdivider" which may have been used in the original agreements are respectively replaced with the title "Infrastructure Improvements Agreement" and the word "Developer". These changes have no substantive effect on this letter.

Very truly yours,

DocuSigned by:

EED9B0CFDBA0443...

Kevin Morrow, Managing City Attorney





For more current information and details visit: <http://www.cabq.gov/gis>

Map amended through: 1/28/2016

Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:
B-12-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

Irving and Golf Course



Legend

- Bernalillo County Parcels



Notes

Buffer: 225 ft
ROW Golf Course: 125 ft

The City of Albuquerque ("City") provides the data on this website as a service to the public. The City makes no warranty, representation, or guaranty as to the content, accuracy, timeliness, or completeness of any of the data provided at this website. Please visit <http://www.cabq.gov/abq-data/abq-data-disclaimer-1> for more information.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

601 Feet



1: 3,606

Biazar, Shahab

From: Dicome, Kym
Sent: Monday, September 18, 2017 2:28 PM
To: startrustofnm@yahoo.com
Cc: Cloud, Jack W.; Biazar, Shahab; Lubar, Suzanne G.
Subject: Rabadi Complex (Arroyos Villa) - Project 1003366

Mr. Rabadi;

I have been asked to look at the status of the site development plan for the above referenced project. The site development plan for both Phases was signed off September 2004 by the DRB after the case was heard and approved by the EPC on July 15, 2004. Per Section 14-16-3-11(C) *Possible Termination of Site development Plans for Sites Which Have Not Been Fully Developed*, if less than one half of the approved square footage of a Site Development Plan has been built or less than one half of the site has been developed, the plan for the undeveloped shall terminate automatically when specified below unless extended as provided below (which goes on to lay out timelines for possible extensions). With this in mind, the question is whether the Rabadi Complex site development plan has terminated or whether it meets either the 50% criteria. It is obvious that the square footage criteria has not been met because no buildings have been constructed. The other criteria is the whether the site is developed which we consider as the required infrastructure which is both off and on site. I did receive a memo from you on September 12th outlining what infrastructure has been completed which totals approximately 80%, according to the memo, but upon further review, I noticed that the onsite (streets, sidewalks and so on) were not been included but count toward the percentage calculation. In discussions with Transportation, we determined that including these requirements would bring the percentage of completion to 60%. Based on this information, I have determined that the site development plan is not terminated because the site is developed by more than 50%.

If you have any questions, please feel free to contact me.

Kym E. Dicome
Current Planning Manager
Urban Design & Development Division
City of Albuquerque Planning Department
505-924-3814 direct
kdicome@cabq.gov

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.

September 12, 2017

Kym Dicome
Planning Manager/Planning Department
600 2nd Street NW, 3rd floor
Albuquerque, NM 87102

Re: Site Plan For Building Permit, Rabadi Complex, City Project Number 1003366

Dear Ms. Dicome:

This is a request to confirm that the Site Plan for Building Permit for Rabadi Complex under the City Project Number 1003366 will remain valid permanently based on the following improvements. Improvements shown below were completed within 2 years after the Site Plan for Building Permit was approved. As mentioned below more than 80% of the site improvements have been completed. See the following completed on-site and offsite improvements as well as remaining improvements.

- 1- Completed the arroyo floodplain improvement which was inspected and approved by AMAFCA at a cost of \$500,000.00.
- 2- Additional donation was given to AMAFCA in the amount of \$100,000.00 for floodplain improvements.
- 3- An easement for a bike and pedestrian route was given to AMAFCA via an agreement that was signed before the approval was granted by AMAFCA.
- 4- Two driveways were built on Golf Course at a cost of \$40,000.00.
- 5- The dirt work is compacted and the pads sites for future building were fully graded. The dirt work cost was at a cost of \$140,000.00.
- 6- Slopes between the apartments to the west and this project were built fully graded, and a wrought iron fence was erected on top at the cost of \$35,000.00.
- 7- Engineering work and design for the project cost was over \$100,000.00.
- 8- \$5000.00 was paid to Vinyard and Associates for compaction and testing to meet City standards.
- 9- \$5000.00 was spent on surveying.
- 10- This project is free and clear and all contractors are paid in full, and the financial guarantee is in cash in place.

11- All construction and improvements were made to meet City standards and requirements.

12- Since 2004, we have had \$126,000.00 financial guarantee in place for the remaining on site utilities and the relocation of the existing Bus Bay within the City of Albuquerque right-of-way. This is less than 20% of the remaining site improvements for this project.

As required under the City Ordinance, for an approved Site Plan for Building Permit to continue to be valid more than 50% of the site improvements must be completed where in this case over 80% is completed. Again we will appreciate you confirming the validity status of the Site Plan for Building Permit.

If you have any questions regarding this letter, you can contact me at 505-440-6443.

Sincerely yours,

Felix Rabadi

Email: startrustofnm@yahoo.com

Cell: