



DEVELOPMENT FACILITATION TEAM (DFT) APPLICATIONS

Effective 12/15/2022

Please check the appropriate box(es) and refer to supplem time of application.	ental forms for submittal requi	rements. All fees must be paid at the	
MISCELLANEOUS APPLICATIONS	☐ Extension of Infrastructure	e List or IIA (Form S3)	
☐ Site Plan Administrative DFT (Forms P & P2)	7.44	PRE-APPLICATIONS	
☐ Final EPC Sign-off for Master Development/Site Plans - EPC (Form	P2) Sketch Plat Review and C	omment (Form S3)	
☐ Amendment to Infrastructure List (Form S3)	☐ Sketch Plan Review and 0	☐ Sketch Plan Review and Comment (Form S3)	
☐ Temporary Deferral of S/W (Form S3)		APPEAL	
☐ Extension of IIA: Temp. Def. of S/W (Form S3)	☐ Administrative Decision (F	☐ Administrative Decision (Form A)	
BRIEF DESCRIPTION OF REQUEST			
from two existing tracts. Judgements between of future Sunport Blvd SE and private roadway lead previously reviewed for sketch over a year ago. and waterline easement.	ding to client property fro	m Woodward. Plat had been	
APPLICATION INFORMATION			
Applicant/Owner:VMD, LLC C/O Victor Larranaga		Phone:505-220-1010	
Address:418 Monte Largo Drive NE		Email:	
City:Albuquerque	State: NM	Zip:87123	
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:	List all owners: VMD, LL	List all owners:VMD, LLC	
SITE INFORMATION (Accuracy of the existing legal description is	<u>crucial</u> l Attach a separate sheet if	necessary.)	
Lot or Tract No.:Tracts 64C1A2B1A and 64C3A1A	Block:	UPC Code: 101405537417140134	
Subdivision/Addition:MRGCD Map	MRGCD Map No.:44	UPC Code:101405533517040125	
Zone Atlas Page(s): M-14-Z Existing Zoning	NR-LM	Proposed Zoning	
# of Existing Lots: 2 # of Proposed I	Lots:2	Total Area of Site (Acres): 1.9297	
LOCATION OF PROPERTY BY STREETS	Backway 1. Jan Backway 1.		
	odward Rd SE	and: Wesmeco Dr SE	
CASE HISTORY (List any current or prior project and case number	(s) that may be relevant to your re-	quest.)	
PR-2022-006469 (DRB sketch reviewed 01/19/2	,		
I certify that the information I have included here and sent in the requir	red notice was complete, true, and ac		
Signature:		Date: 02/14/2023	
Printed Name: Ryan J. Mulhall		☐ Applicant or ፭ Agent	

FORM S3 Page 1 of 2

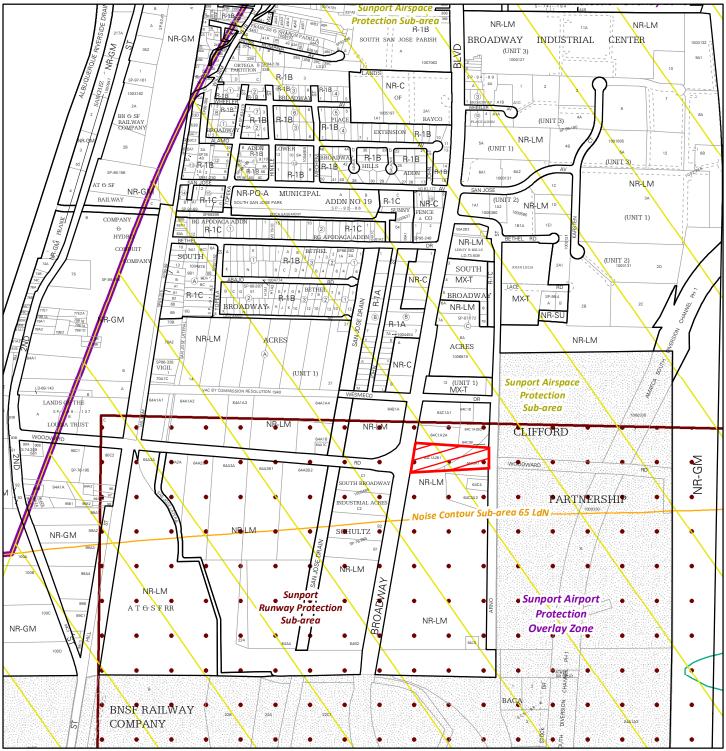
FORM S3: ADMINISTRATIVE APPLICATIONS – Development Facilitation Team (DFT) as of 12/25/2022 _ AMENDMENT TO INFRASTRUCTURE LIST

A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below .
1) DFT Application form completed, signed, and dated
2) Form S3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) Proposed Amended Infrastructure List
6) Original Infrastructure List
_ TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below .
1) DFT Application form completed, signed, and dated
2) Form S3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled
4) Letter of authorization from the property owner if application is submitted by an agent
5) A scale drawing showing the location of the deferred sidewalk with appropriate dimensions
_ EXTENSION OF THE IIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION
A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below .
1) DFT Application form completed, signed, and dated
2) Form S3 with all the submittal items checked/marked
3) Zone Atlas map with the entire site clearly outlined and labeled

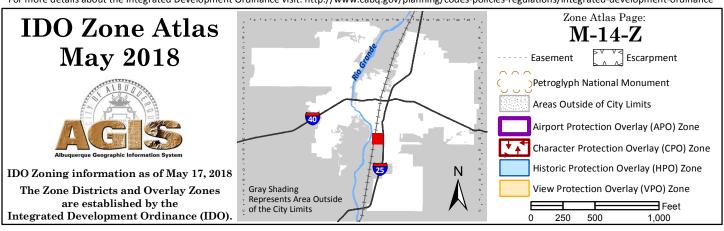
4) Letter of authorization from the property owner if application is submitted by an agent 5) Letter describing, explaining, and justifying the deferral or extension 6) Drawing showing the sidewalks subject to the proposed deferral or extension INFRASTRUCTURE LIST EXTENSION OR AN INFRASTRUCTURE IMPROVEMENTS AGREEMENT (IIA) **EXTENSION** A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below. 1) DFT Application form completed, signed, and dated 2) Form S3 with all the submittal items checked/marked 3) Zone Atlas map with the entire site clearly outlined and labeled 4) Letter of authorization from the property owner if application is submitted by an agent _____ 5) Letter describing, explaining, and justifying the request per IDO Section 14-16-6-4(X)(4) _____ 6) Preliminary Plat or Site Plan _____ 7) Copy of DRB approved Infrastructure List 8) Copy of recorded IIA SKETCH PLAT OR SKETCH PLAN REVIEW AND COMMENT A Single PDF file of the complete application including all documents being submitted must be emailed to PLNDRS@cabq.gov prior to making a submittal. Zipped files or those over 9 MB cannot be delivered via email, in which case the PDF must be provided to City Staff using other online resources such as Dropbox or FTP. The PDF shall be organized in the number order below. 1) DFT Application form completed, signed, and dated 2) Form S3 with all the submittal items checked/marked _____ 3) Zone Atlas map with the entire site clearly outlined and labeled _____ 5) Letter describing, explaining, and justifying the request _____ 6) Scale drawing of the proposed subdivision plat or Site Plan 7) Site sketch with measurements showing structures, parking, building setbacks, adjacent rightsof-way, and street improvements, if there is any existing land use

FORM S3

Page 2 of 2



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



Cartesian Surveys Inc.

PO Box 44414, Rio Rancho, NM 87174 896-3050 Fax 891-0244

February 27, 2023

Development Facilitation Team City of Albuquerque

Re: Sketch Plat Review for Proposed Tract N-1 and N-2 of Schwartzman Industrial Park, being comprised of Tracts 64C1A2B1A and 64C3A1A, MRGCD Map 44

Members of the Board:

Cartesian Surveys is acting as an agent for VMD, LLC and Victor Larranaga and requests sketch plat review of our plat to take two existing tracts, being Tracts 64C1A2B1A and 64C3A1A, MRGCD Map 44 and adjust the existing lot line between these two existing tracts to subdivide and create two new tracts entitled Tract N-1 and N-2 of Schwartzman Industrial Park. The property is located at 3024 Broadway Boulevard S.E. on the NE corner of Broadway Boulevard S.E. and Woodward Road S.E.. The property is currently zoned as NR-LM (Non-Residential Light Manufacturing).

There were two judgements between our client and Bernalillo County, which establishes the future Sunport Blvd SE right-of-way south of the property and a 22' private access road which leads from the proposed East Woodward Rd SE and leads to our proposed Tract N-2. (see attached judgement document D-202-CV-2020-05653)

Comments from the January 19th DRB sketch plat hearing under PR-2022-006469 reviewing the property are addressed below:

ABCWUA

- 1. The subject parcel(s) have an existing ABCWUA water and sewer account.
- 2. <u>Public water distribution mains and public sewer collection mains front the western parcel and are available for direct tapping for a routine service connection.</u>
- 3. The eastern parcel does not have direct access to a tappable sewer main. Please explain how this parcel is proposed to gain sewer service. Provide construction details from the Sunport Boulevard project as applicable to sewer mains.

Per received availability statement #220715 dated 8/19/2022, our client was asked to provide an 8-inch collector main from an existing manhole M14-672 for sewer service. This requirement would be preventively expensive for our client to move forward with the platting action. Is there an alterative to be found from our client funding and installing this collector main?

4. Request an availability/serviceability statement online at the following link:

http://www.abcwua.org/Availability Statements.aspx. Requests shall include fire marshal requirements. An executed statement must be obtained prior to approval.

Noted, see availability statement #220715 dated 8/19/2022

- 5. This project is within the adopted service area.
- 6. Pro rata is not owed for this property.

7. Utility Plan:

- a. Provide a utility plan that indicates the location of existing and proposed services.
- b. Show existing public water and public sewer mains and any associated easements on the utility plan.
- b. <u>Dimension the public water and public sewer easements on the utility plan.</u>
- 8. Infrastructure List:
 - a. The improvements required in the Availability Statement shall be incorporated into the infrastructure list.
- 9. Plat:
 - a. One of the following notes may be applicable depending on the final result of the availability statement:
 - i. "Existing public water and/or sanitary sewer infrastructure may not be constructed or sized to adequately serve potential future development.
 Improvement or upsizing of existing public infrastructure may be required as a condition of future development approval."
 - ii. "The installation of public waterline and/or public sanitary sewer may be required as a condition of future development approval, once the water service, fire protection and sanitary sewer service requirements of any future development is known."

10. Easements:

a. As needed, proper private water and/or private sanitary sewer service easements shall be granted for access to public waterline and/or public sanitary sewer for proposed lots which do not have direct access. The width of the private service easement shall be determined by the engineer or surveyor.

Code Enforcement

- 1. <u>Development must meet all applicable standards and provisions of the IDO, the DPM, and other adopted City regulations. Including but not limited to IDO Sections 5-1 Dimensional Standards, 5-2 Site Design & Sensitive Lands, 5-3 Access & Connectivity, 5-4 Subdivision of Land.</u>
- 2. Property is Zoned NR-LM (Non-Residential-Light Manufacturing but is impacted by multiple overlay and mapped areas, which may result in additional use standards or restrictions. Each of these areas may have additional use standards or restrictions which must be followed:
 - a. <u>Airport Protection Overlay Zone (Albuquerque Int'l Sunport) IDO</u>
 Section 3-3
 - b. Kirtland AFB Military Influence Area
 - c. Railroad and Spur Area
 - d. South Broadway Area
- 3. The re-plat of the property cannot create any new nonconformity on the property.

Noted

Parks and Recreation

01-19-2022

Broadway Blvd SE is of a classification to require street trees if new development is applicable per IDO Section 5-6(B). No objection to requested lot line adjustment.

Noted

Hydrology

- Either a diagram showing that existing flows do not cross the proposed property line or a cross lot drainage easement on the plat naming beneficiaries and maintenance responsibilities is required
- Note: An approved grading and drainage plan will be required at building permit if any of the following conditions are met: 500cy of grading, 1000 sf of new building or 10000 sf of paving.

Noted, a cross-lot drainage easement [7] is provided with our proposed plat.

Transportation

- 1. Coordinate with Bernalillo County's Sunport Boulevard project concerning construction of infrastructure at the adjacent intersection and any necessary right-of-way dedication based on the project needs.
- 2. <u>All fencing and private infrastructure shall be moved outside of proposed public right-of-way</u> and easements based on the Sunport Boulevard project.
- 3. <u>If future development is not going to be submitted to DRB, a TCL (Traffic Circulation Layout) will be required before building permit.</u>
- 4. What are the uses of this development? A TIS or Trip Generation Exhibit may need to be provided.
- 5. Any proposed accessways shall be coordinated with the intersection design. Follow DPM requirements for distance of accessways from the intersection.

Noted, right-of-way issues were resolved by condemnation of property along south and western frontages of subject property. The proposed uses of the newly formalized lot will be for commercial use, as befits the area.

Planning

The plat will require City surveyor, surveyor and property owner signatures
Utility signatures are required prior to DRB sign off

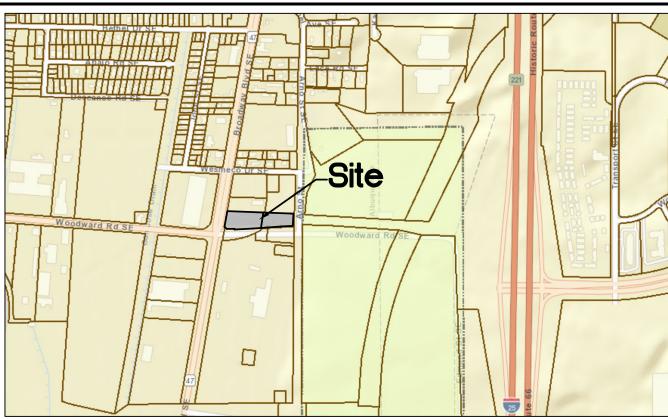
The site is within (APO) - Airport Protection Overlay Zone (3-3) (Airport) Runway Protection Subarea, and Air Space Protection Sub-area- see the IDO for details.

Future development must meet the requirements of the NR-LM zone

The site is not along a corridor that would have additional requirements or entitlements

Noted

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



Vicinity Map - Zone Atlas M-14-Z

N.T.S.

Notes

- FIELD SURVEY PERFORMED IN DECEMBER 2021
- ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE
- COORDINATES (NAD 83-CENTRAL ZONE).
- 4. LOT LINES TO BE ELIMINATED SHOWN HEREON AS 5. EXISTING PUBLIC WATER AND/OR SANITARY SEWER INFRASTRUCTURE MAY NOT BE CONSTRUCTED OR SIZED TO ADEQUATELY SERVE POTENTIAL FUTURE DEVELOPMENT. IMPROVEMENT OR UPSIZING OF

EXISTING PUBLIC INFRASTRUCTURE MAY BE REQUIRED AS A CONDITION OF FUTURE DEVELOPMENT APPROVAL.

Documents

- 1. PLAT FOR SCHWARTZMAN PACKING COMPANY, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON APRIL 17, 1961, IN VOLUME D2, FOLIO 133.
- 2. DEED FOR SUBJECT PROPERTY, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON AUGUST 15, 2007, AS DOCUMENT NO. 2007118527.
- 3. NMDOT RIGHT-OF-WAY MAP OF PROJECT NO. "A300160".
- 4. STIPULATED JUDGEMENT AWARDING TITLE AND ESTABLISHING COMPENSATION, BY THE BERNALILLO COUNTY 2ND JUDICIAL DISTRICT COURT, DATED DECEMBER 21, 2022, UNDER CASE NO. D-202-CV-2020-05653.
- 5. TITLE COMMITEMENT PROVIDED BY FIDELITY NATIONAL TITLE, HAVING A FILING NO. SP068128073, WITH AN EFFECTIVE DATE OF FEBRUARY 1, 2022.

Flood Notes

BASED UPON SCALING, THIS PROPERTY LIES WITHIN FLOOD ZONE X WHICH IS DEFINED AS AN AREA WITH REDUCED FLOOD RISK DUE TO LEVEE AND THIS PROPERTY LIES WITHIN FLOOD ZONE X WHICH IS DEFINED AS AN AREA OF MINIMAL FLOOD HAZARD AS DETERMINED BY F.E.M.A. AND SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 35001C0342G, DATED SEPTEMBER 26, 2008.

Middle Rio Grande Conservancy District Approval

APPROVED ON THE CONDITION THAT ALL RIGHTS OF THE MIDDLE RIO GRANDE CONSERVANCY DISTRICT IN EASEMENTS, RIGHTS OF WAY, ASSESSMENTS AND LIENS, ARE FULLY RESERVED TO SAID DISTRICT, AND THAT IF PROVISION FOR IRRIGATION SOURCE AND EASEMENTS ARE NOT PROVIDED FOR BY THE SUBDIVIDER FOR THE SUBDIVISION, ADDITION, OR PLAT, SAID DISTRICT IS ABSOLVED OF ALL OBLIGATIONS TO FURNISH IRRIGATION WATERS AND SERVICES TO ANY PORTIONS THEREOF, OTHER THAN FROM EXISTING TURNOUTS.

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

Projected Section 32, Township 10 North, Range 3 East, N.M.P.M. Subdivision: M.R.G.C.D. Owner: VMD, LLC, C/O Victor Larranaga

UPC #: 101405533517040125 (Tract 64C1A2B1A) UPC #: 101405537417140134 (Tract 64C3A1A)

Purpose of Plat

- SUBDIVIDE BY LOT LINE ADJUSTMENT AS SHOWN HEREON.
- 2. GRANT EASEMENTS AS SHOWN HEREON.

Treasurer's Certificate

THIS IS TO CERTIFY THAT THE TAXES ARE CURRENT AND PAID ON UPC #: ___101405533517040125

101405537417140134

PROPERTY OWNER OF RECORD

BERNALILLO COUNTY TREASURER'S OFFICE

Plat for Tracts N-1 and N-2

Schwartzman Industrial Park Being Comprised of

Tracts 64C1A2B1A & 64C3A1A

M.R.G.C.D. Map No. 44, AKA Tract N City of Albuquerque, Bernalillo County, New Mexico March 2023

Project Number:	PR-2022-006469
Application Number:	
Plat Approvals:	
PNM Electric Services	
Qwest Corp. d/b/a CenturyLink QC	
New Mexico Gas Company	
Comcast	
City Approvals:	
City Surveyor	
Traffic Engineer, Transportation Division	
ABCWUA	
Parks and Recreation Department	
Code Enforcement	
AMAFCA	
Hydrology	
City Engineer	
Planning Department	
MRGCD	

Surveyor's Certificate

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

Brian J. M	lartin	ez
N.M.R.P.S.	No.	18374

Date

T CSI-CARTESIAN SURVEYS INC

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

Sheet 1 of 3 072327A

Subdivision Data

DATE OF SURVEY.... FEBRUARY 2022

Legal Description

A CERTAIN TRACT OF LAND COMPRISED OF TRACT N OF THE COMPILED PLAT OF SCHWARTZMAN PACKING COMPANY AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON APRIL 17, 1961, IN BOOK D-2, PAGE 133, AND ALSO BEING KNOWN AND PLATTED AS TRACT 20, SCHWARTZMAN INDUSTRIAL PARK (NOT FILED) BY JERYL HART JR, LS 7474, DATED JUNE 1985, AND ALSO KNOWN AS TRACTS 64C1A2B1A AND 64C3A1A, MIDDLE RIO GRANDE CONSERVANCY DISTRICT MAP NO. 44;

LESS THE PORTION OF LAND COMPRISED OF "PARCEL 2-3" AS SHOWN ON THE NMDOT RIGHT-OF-WAY MAP HAVING PROJECT NO. "A300160".

BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF BROADWAY BOULEVARD S.E. AND BEING MARKED BY A BATHEY MARKER WITH CAP "LS 14271", WHENCE A TIE TO ACS MONUMENT "5-M14" BEARS S 38°11'27" W, A DISTANCE OF 27.61 FEET;

THENCE, FROM SAID POINT OF BEGINNING, COINCIDING SAID EASTERLY RIGHT OF WAY, N 10°09'47" E, A DISTANCE OF 139.88 FEET, TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, BEING REFERENCED BY A BATHEY MARKER WITH CAP "LS 14271" FOUND N 89°53'53" W A DISTANCE OF 3.92 FEET FROM TRUE CORNER;

THENCE, LEAVING SAID RIGHT-OF-WAY, S 87°53'53" E, A DISTANCE OF 564.06 FEET TO AN ANGLE POINT, BEING MARKED BY A REBAR WITH TAG;

THENCE, S 86°57'43" E, A DISTANCE OF 25.00 FEET, TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, ALSO BEING THE NORTHEAST CORNER OF SAID TRACT N, AND BEING MARKED BY A BATHEY MARKER WITH CAP "LS 14271";

THENCE S 03°04'44" W, A DISTANCE OF 108.16 FEET, TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL, BEING A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF WOODWARD ROAD S.E., BEING MARKED BY A BATHEY MARKER WITH CAP "LS 14271":

THENCE, COINCIDING SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING 6 COURSES:

107.25 FEET ALONG A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 2,897.79 FEET, A DELTA OF 02°07'14", AND A CHORD BEARING S 86°42'09" W, A DISTANCE OF 107.25 FEET TO A POINT OF TANGENCY, BEING MARKED BY A BATHEY MARKED WITH CAP "LS 14271":

S 85°38'32" W. A DISTANCE OF 246.55 FEET TO A POINT OF CURVATURE, BEING MARKED BY A BATHEY MARKER WITH CAP "LS 14271",

165.35 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,831.79 FEET, A DELTA OF 03°20'44", AND A CHORD BEARING S 87°18'54" W, A DISTANCE OF 165.32 FEET, TO AN ANGLE POINT, BEING MARKED BY A REBAR WITH CAP MARKED "LS 18374";

N 00°59'55" W, A DISTANCE OF 5.13 FEET TO AN ANGLE POINT, BEING MARKED BY A REBAR WITH CAP MARKED "LS 18374";

69.33 FEET ALONG A CURVE TO THE RIGHT, NON-TANGENT FROM THE PREVIOUS COURSE, HAVING A RADIUS OF 2,839.41 FEET, A DELTA OF 01°23'56", AND A CHORD BEARING S 89°42'15" W, A DISTANCE OF 69.33 FEET, TO AN ANGLE POINT, BEING MARKED BY A REBAR WITH CAP MARKED "LS 18374";

N 44°46'24" W, A DISTANCE OF 28.48 FEET TO THE POINT OF BEGINNING, CONTAINING 1.8975 ACRES (82,657 SQ. FT.) MORE OR LESS.

ABCWUA Public Water &

Sanitary Sewer Easements

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

Free Consent & Dedication

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.

VICTOR LARRANAGA, OWNER VMD, LLC	DATE
STATE OF NEW MEXICO SS SS	
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ONBY: VICTOR LARRANAGA, OWNER, VMD, LLC	, 20
By: NOTARY PUBLIC	
MY COMMISSION EXPIRES	

Plat for Tracts N-1 and N-2 Schwartzman Industrial Park Being Comprised of Tracts 64C1A2B1A & 64C3A1A M.R.G.C.D. Map No. 44, AKA Tract N City of Albuquerque, Bernalillo County, New Mexico March 2023

Public Utility Easements

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

- A. <u>Public Service Company of New Mexico</u> ("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. <u>New Mexico Gas Company</u> for installation, maintenance, and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas services.
- C. <u>Qwest Corporation d/b/a CenturyLink QC</u> for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- D. <u>Cable TV</u> 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.

<u>)isclaimer</u>

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.

† CSI-CARTESIAN SURVEYS INC.

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

Sheet 2 of 3

Easement Notes

- ADDITIONAL 20' OF ROADWAY EASEMENT FOR A TOTAL OF 106' (04/08/1949 BK. 104, PG. 49)
- MPROVEMENT & PUBLIC UTILITY EASEMENT TO THE CITY OF ALBUQUERQUE (4/8/49, BK 104, PG 49)
- 3 APPARENT 100' DIAMETER EXTRACTION & INJECTION WELL EASEMENT (05/02/1997, BK. 97-S, PG. 57)
- 4 CENTERLINE OF PIPELINE (05/02/1997, BK. 97-S, PG. 57) WIDTH UNDISCLOSED
- 5 10' X 305' PNM EASEMENT (07/07/2008, DOC. NO. 2008076421)
- 6 10' PNM EASEMENT (07/07/2008, DOC. NO. 2008076421)
- 7 CROSS-LOT DRAINAGE EASEMENT, EXCLUDING EXISTING AND FUTURE BUILDING ENVELOPES, GRANTED WITH THE FILING OF THIS PLAT

Line Table		
Line #	Direction	Length (ft)
L1	S 86°57'43" E (S 87°14'50" E)	25.00' (25.00')
L2	N 44°46'24" W (S 87°14'50" E)	28.48' (25.00')
L3	N 00°59'55" W (S 87°14'50" E)	5.13' (25.00')

Curve Table

3°20'44'

2°07'14"

1°23'56"

Chord Length | Chord Direction

107.25

69.33'

S 87'18'54" W

S 86°42'09" W

S 89°42'15" W

Radius

2831.79' (2831.79')*2811.79'*

2897.79'(2897.79')

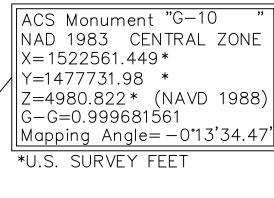
2839.41'

Plat for Tracts N-1 and N-2

Schwartzman Industrial Park Being Comprised of Tracts 64C1A2B1A & 64C3A1A

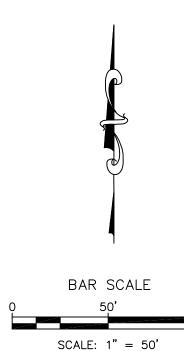
M.R.G.C.D. Map No. 44, , AKA Tract N City of Albuquerque

Bernalillo County, New Mexico March 2023



Legend

N 90°00'00" E MEASURED BEARINGS AND DISTANCES RECORD BEARINGS AND DISTANCES PER (N 90°00'00" E) DEED (08/15/2007 DOC. NO. 2007118527) RECORD BEARINGS AND DISTANCES PER {N 90°00'00" E} DEED (09/07/2006, BK. A123, PG. 6287 DOC. NO. 2006136654) RECORD BEARINGS AND DISTANCES PER *N 90°00'00" E* PLAT 04/17/1961, VOL. D-2, FOL. 133) FOUND MONUMENT AS INDICATED BATHEY MARKER WITH CAP "LS 14271" 0 SET IN PREVIOUS SURVEY

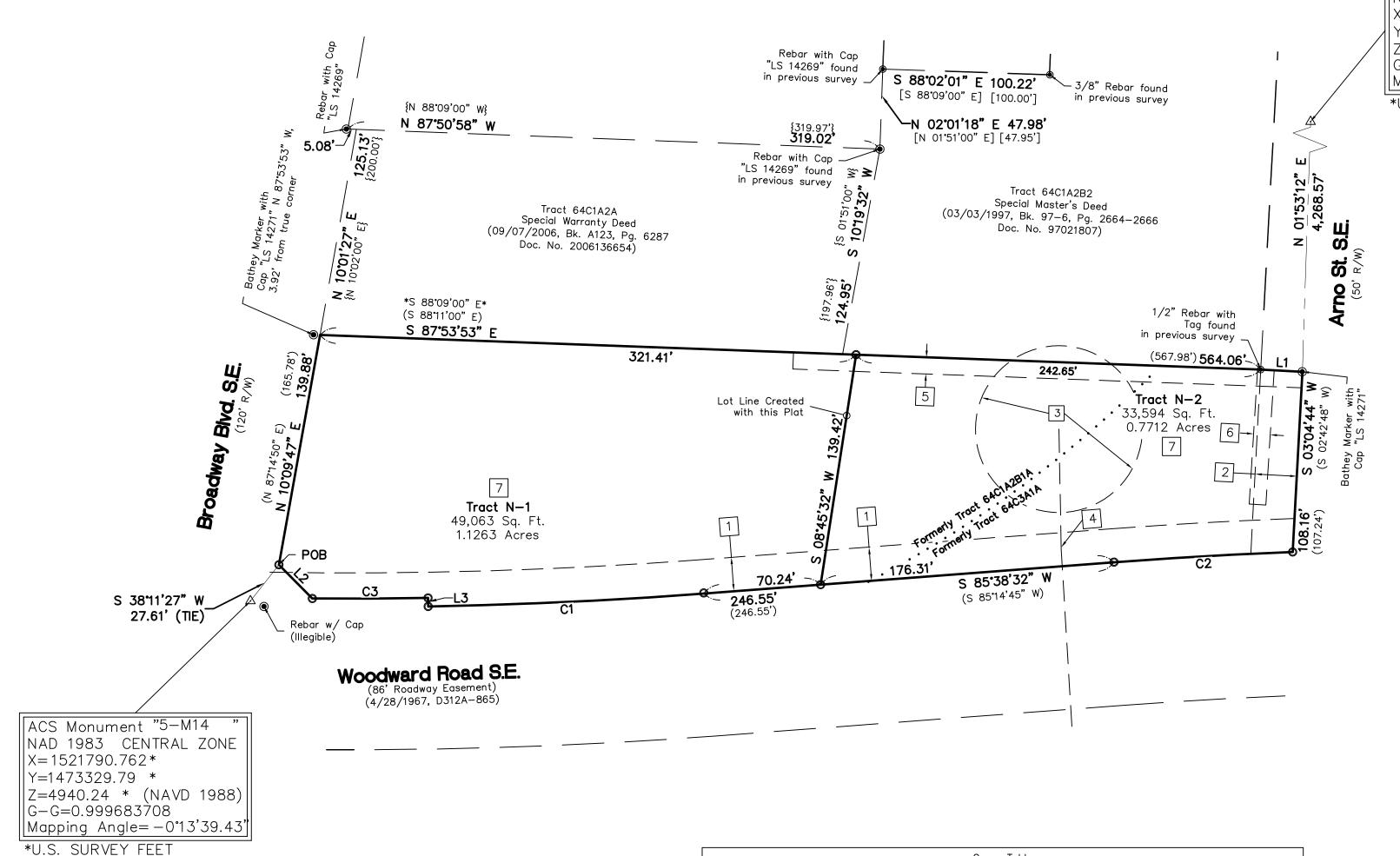


* CSI-CARTESIAN SURVEYS INC.

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

Sheet 3 of 3

072327A



Curve #

C3

Length

165.35' (263.96') *263.96'*

107.25' (107.14')

69.33'

-Site Vicinity Map - Zone Atlas M-14-Z

Indexing Information

(N 90°00'00" E)

{N 90.00,00, E}

N 90°00'00" E

.

7/////

N.T.S.

SCALE: 1" = 50'

Projected Section 32, Township 10 North, Range 3 East, N.M.P.M. Subdivision: M.R.G.C.D. Map 44

Owner: VMD, LLC, C/O Victor Larranaga UPC #: 101405533517040125 (Tract 64C1A2B1A) UPC #: 101405537417140134 (Tract 64C3A1)

MEASURED BEARINGS AND DISTANCES

RECORD BEARINGS AND DISTANCES PER

RECORD BEARINGS AND DISTANCES PER

RECORD BEARINGS AND DISTANCES PER

PLAT 04/17/1961, VOL. D-2, FOL. 133)

BATHEY MARKER WITH CAP "LS 14271"

FOUND MONUMENT AS INDICATED

107.25' (107.14')

69.33

2897.79'(2897.79')

2839.41'

DOC. NO. 2006136654)

SET IN PREVIOUS SURVEY

COVERED AREA

CHAINLINK FENCE

METAL FENCE

BLOCK WALL

CONCRETE

DEED (09/07/2006, BK. A123, PG. 6287

DEED (08/15/2007 DOC. NO. 2007118527)

Purpose of Plat

SIGNAL BOX

MAILBOX

BOLLARD

ANCHOR

UTILITY POLE

WATER VALVE

TRAFFIC MAST

STORM DRAIN INLET

UTILITY PEDESTAL

SANITARY SEWER MANHOLE

OVERHEAD UTILITY LINE

SUBDIVIDE BY LOT LINE ADJUSTMENT AS SHOWN HEREON

S 86°42'09" W

S 89°42'15" W

1**'**23'56"

69.33'

Site Sketch for Tract N-1 and N-2

Schwartzman Industrial Park Being Comprised of Tracts 64C1A2B1A & 64C3A1A M.R.G.C.D. Map No. 44, AKA Tract N City of Albuquerque Bernalillo County, New Mexico February 2023

Legal Description

A CERTAIN TRACT OF LAND COMPRISED OF TRACT N THE COMPILED PLAT OF SCHWARTZMAN PACKING COMPANY IS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON APRIL 17, 1961 BOOK D-2, PAGE 133 AND ALSO BEING KNOWN AND PLATTED AS TRACT 20, SCHWARTZMAN INDUSTRIAL PARK (NOT FILED) BY JERYL HART JR, LS 7474, DATED JUNE 1985 AND ALSO KNOWN AS TRACTS 64C1A2B1A AND 64C3A1A, MIDDLE RIO GRANDE CONSERVANCY DISTRICT MAP NO. 44

LESS THE PORTION OF LAND COMPRISED OF PARCEL 2-3 AS SHOWN ON THE NMDOT RIGHT-OF-WAY MAP OF PROJECT NO. A300160

ACS Monument "G-10 NAD 1983 CENTRAL ZONE X=1522561.449* Y=1477731.98 * Z=4980.822* (NAVD 1988) G-G=0.999681561 |Mapping Angle= -0°13'34.47 *U.S. SURVEY FEET

Line Table		
Line #	Direction	Length (ft)
L1	S 86°57'43" E (S 87°14'50" E)	25.00' (25.00')
L2	N 44°46'24" W (S 87°14'50" E)	28.48' (25.00')
L3	N 00°59'55" W (S 87°14'50" E)	5.13' (25.00')

Documents

- PLAT FOR SCHWARTZMAN PACKING COMPANY, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON APRIL 17, 1961, IN VOLUME D2, FOLIO 133.
- 2. DEED FOR SUBJECT PROPERTY, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON AUGUST 15, 2007, AS DOCUMENT NO. 2007118527.
- 3. NMDOT RIGHT-OF-WAY MAP OF PROJECT NO. "A300160".
- 4. STIPULATED JUDGEMENT AWARDING TITLE AND ESTABLISHING COMPENSATION, BY THE BERNALILLO COUNTY 2ND JUDICIAL DISTRICT COURT, DATED DECEMBER 21, 2022, UNDER CASE NO. D-202-CV-2020-05653.
- 5. TITLE COMMITMENT PROVIDED BY FIDELITY NATIONAL TITLE, HAVING A FILING NO. SP068128073, WITH AN EFFECTIVE DATE OF FEBRUARY 1,

Easement Notes

- ADDITIONAL 20' OF ROADWAY EASEMENT FOR A TOTAL OF 106' (04/08/1949, BK. 104, PG. 49)
- 2 IMPROVEMENT & PUBLIC UTILITY EASEMENT TO THE CITY OF ALBUQUERQUE (04/08/1949, BK 104, PG 49)
- APPARENT 100' DIAMETER EXTRACTION & INJECTION WELL EASEMENT (05/02/1997, BK. 97-S, PG. 57)
- CENTERLINE OF PIPELINE (05/02/1997, BK. 97-S, PG. 57) WIDTH UNDISCLOSED
- 5 10' X 305' PNM EASEMENT (07/07/2008, DOC. NO. 2008076421)
- 6 10' PNM EASEMENT (07/07/2008, DOC. NO. 2008076421)
- 7 CROSS-LOT DRAINAGE EASEMENT, EXCLUDING EXISTING AND FUTURE BUILDING ENVELOPES, GRANTED WITH THE FILING OF THIS PLAT

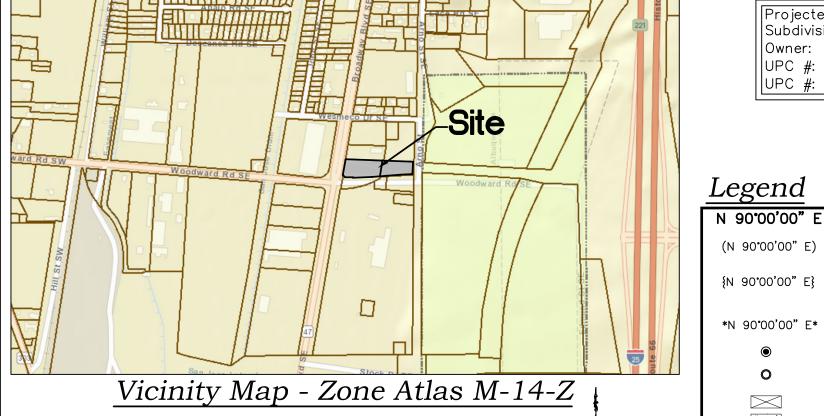
CSI-CARTESIAN SURVEYS INC.

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

cartesianbrian@gmail.com

Sheet 1 of 1

072327A



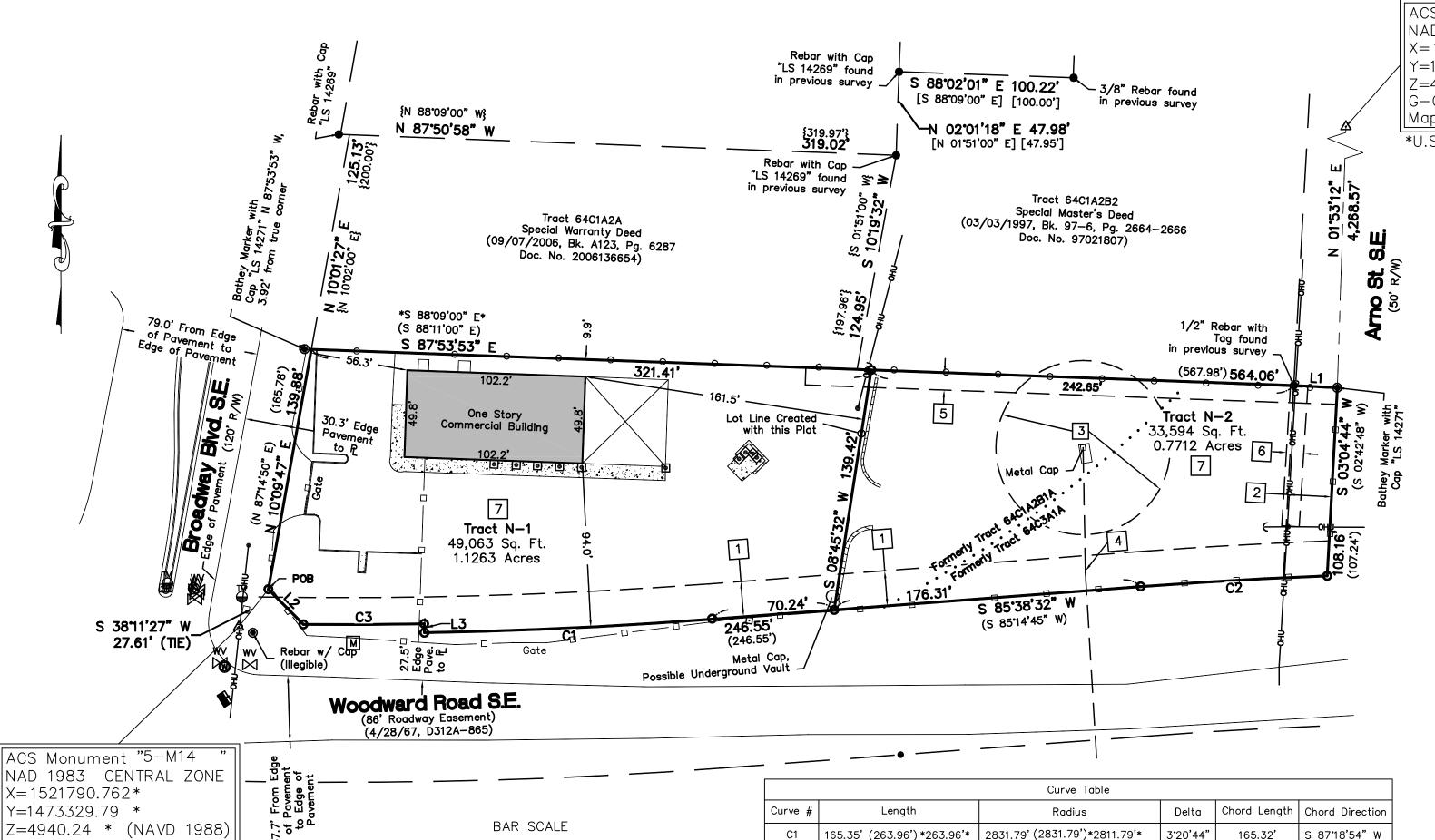
Notes FIELD SURVEY PERFORMED IN DECEMBER 2021

G-G=0.999683708

*U.S. SURVEY FEET

Mapping Angle= $-0^{\circ}13'39.43'$

- ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE
- COORDINATES (NAD 83-CENTRAL ZONE).
- 4. LOT LINES TO BE ELIMINATED SHOWN HEREON AS



FILED
2ND JUDICIAL DISTRICT COURT
Bernalillo County
12/21/2022 2:43 PM
CLERK OF THE COURT
Marissa Marquez

STATE OF NEW MEXICO COUNTY OF BERNALILLO SECOND JUDICIAL DISTRICT

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS,

Petitioner,

VS.

No. D-202-CV-2020-05653

VMD, LLC, a New Mexico limited liability company,

PROPERTY TAX DIVISION OF THE TAXATION AND REVENUE DEPARTMENT,

ALL UNKNOWN OWNERS OR CLAIMANTS OF THE PROPERTY INVOLVED,

Defendants.

STIPULATED JUDGMENT AWARDING TITLE AND ESTABLISHING COMPENSATION

This cause coming before the Court, Petitioner Bernalillo County Board of County
Commissioners (Petitioner or County), appearing by Domenici Law Firm, P.C. (Pete
Domenici), and Defendant VMD, LLC (Defendant or VMD, LLC), appearing by Michael J.
Cadigan, Defendant Property Tax Division of the Taxation and Revenue Department having
filed a Disclaimer of interest in this proceeding on December 23, 2020, and those Defendants
named herein under the style of "All Unknown Owners or Claimants of the Property Involved"
having failed to enter an appearance, answer, or otherwise plead, and being wholly in default,
and the appearing parties having stipulated that this cause may be settled by entering Judgment
for an award to the appearing Defendants as set out herein.

THE COURT FINDS THAT:

- 1. It has jurisdiction of all the parties and the subject matter of this action.
- 2. The laws of the State of New Mexico have been complied with fully herein.
- 3. Judgment should be entered on the stipulation of the parties in favor of Defendant VMD, LLC appearing herein in the total amount of Fifty-Two Thousand Five Hundred Dollars (\$52,500.00), plus any interest that may have accrued on any funds deposited in the Clerk of the District Court's interest-bearing account. Interest is not payable by Petitioner. The total amount of settlement is inclusive of the \$9,400.00 previously deposited by the Petitioner into the Court's registry.
- 4. The amount of Judgment for the Defendants, herein represents just and complete compensation for the taking by Petitioner of the property described, for the property and property rights impaired and damaged, and including also all damage to any and all remaining lands and property rights of the Defendants resulting from the taking or from any acts or failures to act on the part of Petitioner in connection with the condemnation of Parcel No. 2-3, consisting of 704 square feet, for the construction of Project No. 648595, Sunport Blvd. Extension Project.
- 5. The County agrees to design and construct a private road from the new portion of Woodward to the eastern boundary of VMDs property, then running along that boundary towards the south to the corner of VMD's property, then running towards the west along the southern boundary to a point approximately halfway of VMDs eastern tract. This exact location is to be determined by the County engineer with regard to the safety associated with the distance of this private road to Sunport Blvd. The private road must be approved by the appropriate government entities. The County will be responsible

to obtain such approvals. The parties shall in good faith work cooperatively in the design of the road. The County shall install the road and pave it with a maximum width of 22 feet. Upon completion of the road and replatting of the project area, the County will issue a Special Warranty Deed to the road to VMD. If the road is completed before the replatting is complete, the County will provide a license and VMD will provide insurance on the road. VMD shall forever be responsible for the maintenance and repair of the road.

6. The Defendants fully release, acquit and discharge Petitioner and its employees, agents, and representatives from all claims for just compensation, and all known and unknown causes of action, damages and claims which could have been raised in this lawsuit.

IT IS THEREFORE ORDERED that Judgment is hereby entered for the Defendants appearing herein in the total amount of Fifty-Two Thousand Five Hundred Dollars (\$52,500.00) plus any interest accrued on the \$9400 amount while in the District Court Clerk's interest-bearing account. The amount of this Judgment entered herein on behalf of Defendant VMD, LLC appearing herein, is in full, just and complete compensation for the taking by Petitioner of the property described herein; for the interests of such Defendant in Parcel 2-3 and for all property and property rights impaired and damaged; and including also all damage of every kind to any and all remaining lands, improvements and property rights of the Defendants from any acts or failures to act on the part of Petitioner in connection with the condemnation of Parcel No. 2-3 for the construction of Project No. 648595 referenced in the *Petition/Complaint for Condemnation* filed in this cause. Petitioner shall pay VMD, LLC \$43,100 within 60 days of entry of this Stipulated Judgment. The remaining amount of the Judgment

amount may be withdrawn from the court registry, which includes the \$9400 deposited and any accrued interest, upon entry of this Stipulated Judgment.

IT IS FURTHER ORDERED that the lands heretofore belonging to the abovenamed Defendant, and more particularly described on **Exhibit A** are condemned and
appropriated for the uses and purposes set forth in the Petition on file in this cause, and that
Petitioner is adjudged hereby to be the owner in fee simple of Parcel No. 2-3, the title to
which is conveyed to and confirmed in Petitioner Bernalillo County hereby free of all
claims of Defendants, and that Petitioner is the owner in fee simple of Parcel No. 2-3. Title
of the Petitioner Bernalillo County in fee simple to Parcel No. 2-3 is forever quieted and
set at rest.

IT IS FURTHER ORDERED that the County shall design and construct a private road from the new portion of Woodward to the eastern boundary of VMDs property, then running along that boundary towards the south to the corner of VMD's property, then running towards the west along the southern boundary to a point approximately halfway of VMDs eastern tract. This is to be location to be determined by the County engineer with regard to the safety associated with the distance of this private road to Sunport Blvd. The private road must be approved by the appropriate government entities. The County will be responsible to obtain such approvals. The parties shall in good faith work cooperatively in the design of the road. The County shall install the road and pave it with a maximum width of 22 feet. The road has been preliminarily designed and no additional approvals are expected. The private road preliminary design is attached as Exhibit B and the final design will be substantially similar and construction will satisfy the requirements of this paragraph and applicable standards. Upon completion of the road

and replatting of the project area, the County will issue a Special Warranty Deed to the road to VMD. If the road is completed before the replatting is complete, the County will provide a license and VMD will provide insurance on the road. VMD shall forever be responsible for the maintenance and repair of the road.

IT IS FURTHER ORDERED that the Defendants who disclaimed any interest in the property condemned and those Defendants named herein under the style of "All Unknown Owners or Claimants of the Property Involved" by their failure to file an entry of appearance, answer, or otherwise plead, have no interest in the premises condemned herein and thus are not entitled to any portion of the award granted herein; and each of the Defendants is barred and estopped forever from claiming any portion of the real estate condemned herein or any portion of the award granted herein other than as specifically, designated to each Defendant in this Judgment.

IT IS FURTHER ORDERED that any and all rights, claims, causes of action, counterclaims, demands, claims for damages, and claims for just compensation which were raised or which could have been raised in this action by any Defendant herein are hereby dismissed with prejudice.

ERIN B. O'CONNELL DISTRICT COURT JUDGE

SUBMITTED BY:

DOMENICI LAW FIRM, P.C.

/s/ Pete Domenici, Jr. Esq.
Pete Domenici, Esq.
PO Box 4295
Albuquerque, NM 87196-4295
(505) 883-6250 ext. 109
pdomenici@domenicilaw.com
Attorney for Petitioner Bernalillo County
Board of County Commissioners

CADIGAN LAW FIRM, P.C.

/s/ Michael J. Cadigan - Approved via email 12/16/2022
Michael J. Cadigan, Esq.,
P.O. Bx 65112
Albuquerque, New Mexico 87193
(505) 830-2076 (phone)
Cadigan@cadiganlaw.com
Attorney for Defendant VMD, LLC

Victor Larranaga VMD, LLC 418 Monte Largo Drive NE Albuquerque, NM 87123

City of Albuquerque Plaza del Sol Building 600 Second St NW Albuquerque, NM 87102

RE: Letter of Authorization for Proposed Subdivision Plat

To whom it may concern,

I, Victor Larranaga, Owner of VMD, LLC, the owner in fee simple of the below property, do hereby give authorization to Cartesian Surveys Inc. to act as my agent in regards to the obtaining documentation, certificates, vacations of easement or waivers from the city needed for the platting action of additional right-of-way for existing Tracts 64C1A2B1A and 64C3A1A of MRGCD Map 44, in order to create two proposed Tracts N-1 and N-2 of Schwartzman Industrial Park. The property is located at 3024 Broadway Blvd SE.

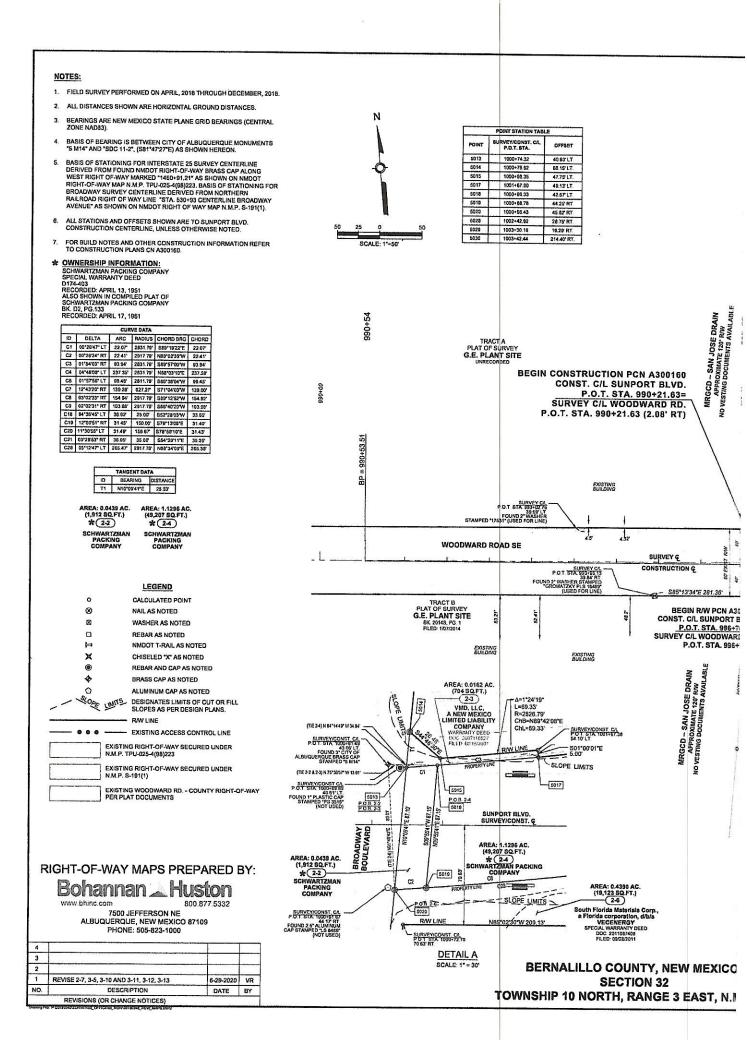
Thank You,

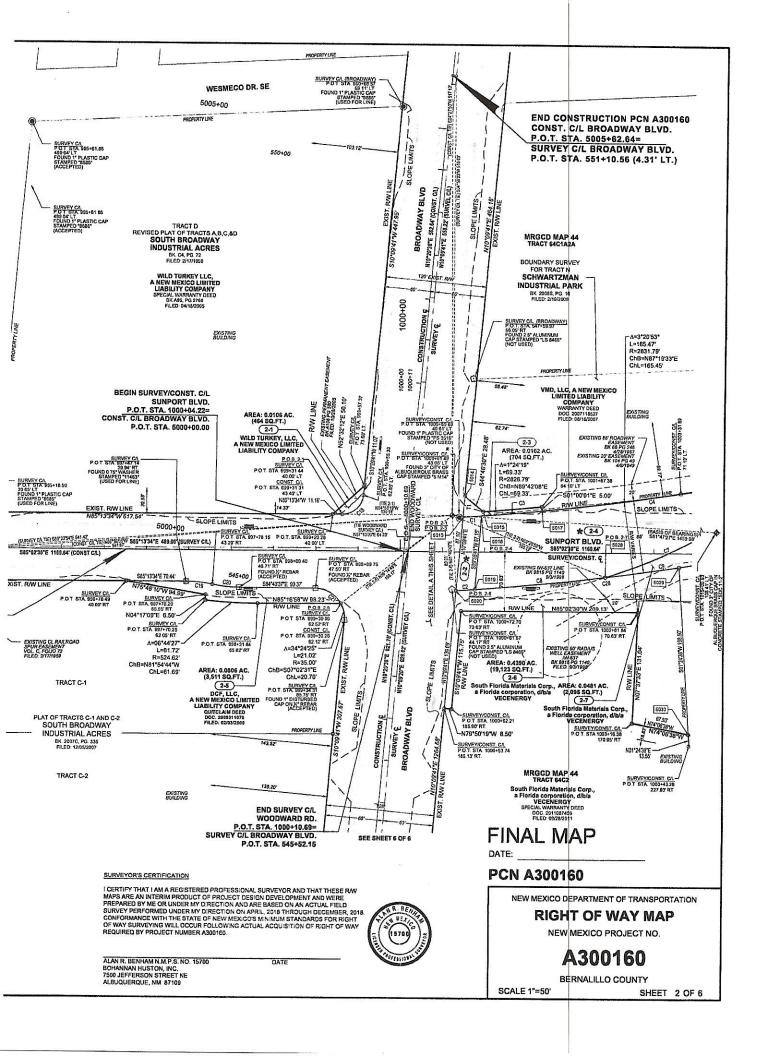
Victor Larranaga, Owner

VMD, LLC

2-02.2023

Date







DEPARTMENTAL CORRESPONDENCE

Subject:

Final Approved for Acquisition RoW Maps

Date:

March 12, 2020

PCN / N.M.P. # A300160

Sunport Blvd. Extension, LGAP

District 3, BernCo City of Albuquerque

Bernalillo County, New Mexico

To:

Cheryl Vigil

Right of Way Bureau

New Mexico Department of Transportation

From:

Joseph E. Chavez

Lands Engineering Verification Unit Survey and Lands Engineering Division New Mexico Department of Transportation Hand Delivered

Ref: **LGAP**

Transmitted herein, is one (1) full size copy of the Final Approved for Acquisition Right of Way maps for the subject project. Also included are signed property descriptions a TCP list. A pdf of the full set of Right-of-Way maps will be available on the FTP site.

The property descriptions can also be located in the Lands Engineering / Right of Way shared drawer in the folder M:\ROW Legal Desc\CN A300160, Sunport Blvd Ext BERNCO LGAP.

Should you have any questions regarding this transmittal, please do not hesitate to call me.

Xc: David Quintana, Chief Engineer

Mark Marrujo, Survey and Lands Engineering Division

Robert Sexton, Lands Engineering Section

Alan Benham, Bohannan-Huston

Leila Momenzadeh, Bernalillo County

Elias Archuleta, Bernalillo County

Luke Smith, CRD

Audrey Moore, Environmental Geology Bureau

Monica Stefanoff, Environmental Geology Bureau

Angela Sandoval, Right of Way Bureau

Raul Archuleta, Right of Way Bureau

Ricky Mok, Right of Way Bureau

Jeremy Lujan, Right of Way Bureau

Anna Silva, Right of Way Bureau

John Murphy, Right of Way Bureau

Dean Serna, Utility Section