

February 29, 2024

David Gutierrez  
ABCWUA  
P.O. Box 568  
Albuquerque, NM 87103

Re: Tract 11 ABCWUA Access Explanation – Bulk Land Plat Innovation Park III Tracts A-N  
(PR-2023-008999 / SD-2024-00013)

Dear David,

To address your concerns heard at the DHO hearings on February 7<sup>th</sup> and 28<sup>th</sup> for the above-mentioned plat we have noted on sheet 2 of 3, in detail E, an easement which will be granted by the filing and recording of this plat. The 114' wide easement will be located at the end of the Cul-de-sac in order to serve Tract, 11 if ever necessary, and will provide Public Roadway access and Public Water and Sewer access to the ABCWUA.

Sincerely,



Michael Balaskovits, PE  
Senior Vice President  
Community Development and Planning



DEVELOPMENT HEARING OFFICER  
**SUPPLEMENTAL SUBMITTAL**

**(Deadline is Friday at noon unless noted on DHO calendar – late submittals will not be accepted unless approved by the DHO)**

PROJECT NO. PR-2023-008999

Application No. SD-2024-00013

TO:

Planning Department

Hydrology

Transportation Development

ABCWUA

Code Enforcement

Parks & Rec

City Engineer

**\*(Please attach this sheet with each collated set for each DFT member)**

**NOTE: ELECTRONIC VERSION is Required. Submittal will not be accepted without.**

DHO SCHEDULED HEARING DATE: February 28th, 2024 HEARING DATE OF DEFERRAL: March 13th 2024

**SUBMITTAL**

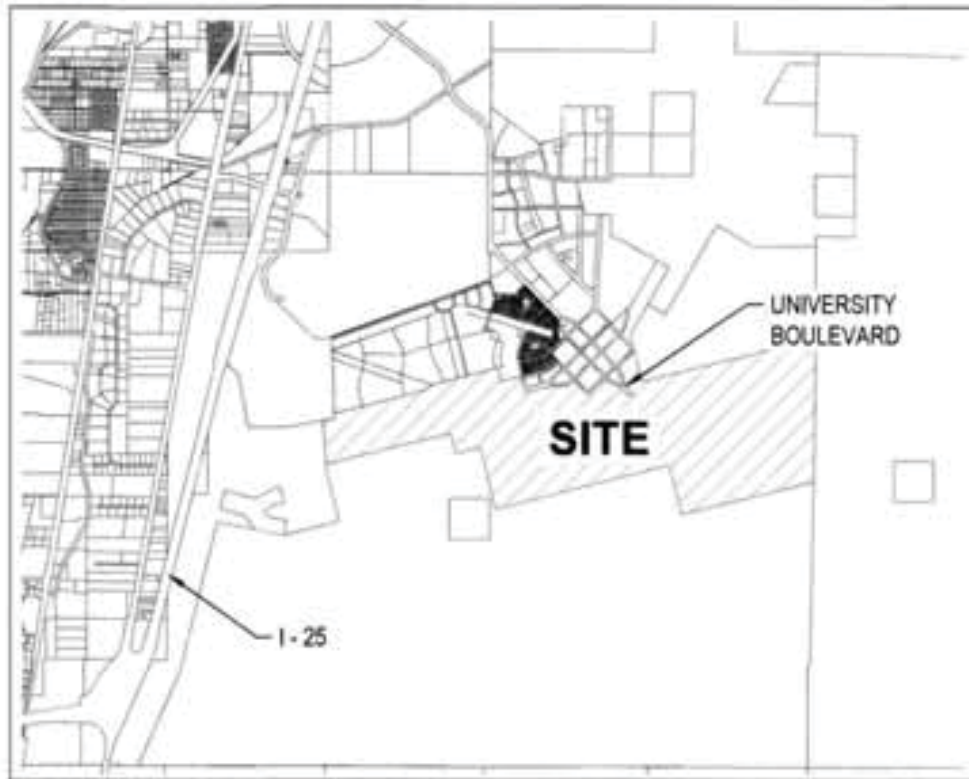
**DESCRIPTION:** To address comments from the ABCWUA we have added an Easement which will grant access to Public Roadway

and the Public Water and Sewer access to serve the ABCWUA. It is located at the end of the Cul-de-sac to serve Tract 11 if ever necessary.

CONTACT NAME: Michael Balaskovits, PE

TELEPHONE: (505)798-7891 EMAIL: mbalaskovits@bhinc.com





**LOCATION MAP**  
NOT TO SCALE

**SUBDIVISION DATA**

1. Zone Atlas Index No.: S-14, S-15, S-16, T-15, T-16 and T-17.
2. Gross Subdivision Acreage: 1,210.9594 Acres, more or less.
3. Number of Existing Tracts: 1, Tracts Created: 14 Tracts, two (2) full width right-of-ways: 1.73 full width miles.
4. Plat is located within Sections 26, 27, 28, 29, 33, 34 and 35, T9N, R3E, N.M.P.M.
5. Zoning: PC
6. Date of Survey: January, 2024

**PURPOSE OF PLAT**

The purpose of this Plat is to Subdivide Tract 18, Artiste, BULK LAND PLAT, TRACTS 1 THROUGH 18, ARTISTE, as the same is shown and designated on the plat thereof filed 02/11/2022, Plat Book 2022C, Page 12, as Document No. 2022014343, into fourteen (14) tracts, two (2) full width right-of-ways and grant easements as shown.

**DOCUMENTS**

1. Plats of record as noted hereon.

**LEGAL DESCRIPTION**

Tract 18, Artiste, BULK LAND PLAT, TRACTS 1 THROUGH 18, ARTISTE, 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 February 11, 2022 in Book 2022C, Page 12 as Document No. 2022014343. Tract contains 1,210.9594 acres more or less.

**NOTES**

1. Tract is located in Flood Zone X (Areas determined to be outside the 0.2% annual chance floodplain, with Zone AE (EL 5283) located in the northeasterly portion as shown on National Flood Insurance Program Flood Insurance Rate Map Number 35001C055H, Map Revised August 16, 2012.
2. Bearings are New Mexico State Plane Grid Bearings (Central Zone) NAD 1983. Basis of Bearings is between City of Albuquerque Geodetic Control stations "1\_R16" and "3\_Q16" Bearing = N12°15'07"E.
3. Record Bearings and distances are the same as shown on this plat and the same as shown on the plats shown hereon.
4. Distances are ground distances "US SURVEY FOOT".
5. Record easements taken from record data as shown hereon.
6. Pursuant to Section 14-14-4-7 of the City of Albuquerque Code of Ordinances, "no property within the area of this Plat shall at any time be subject to a deed restriction, covenant, or binding agreement prohibiting solar collectors from being installed on buildings or erected on the lots of parcels within the area of proposed Plat. The foregoing requirement shall be a condition to approval of this plat".
7. All corners created with this plat will be monumented with a #5 rebar and plastic survey cap stamped "PHILLIPS PS 15517" or nail and washer stamped "PHILLIPS PS 15517".
8. Tract "C", Tract "J" and Tract "L" are intended to be used for regional utility facilities.
9. Tracts A, B and D are private open space, owned and maintained by Mesa Del Sol, LLC or its assignees and are subject to a public pedestrian access and public drainage easement granted with the filing of this plat.

**LANDFILL DISCLOSURE STATEMENT**

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

**JURISDICTIONAL AFFIDAVIT**

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

*Barry S. Phillips*  
Barry S. Phillips  
New Mexico Professional Surveyor 15517

**BULK LAND NOTE**

Future subdivision of the 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 for 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 and/or Site Development Plans are approved.

By its approval of this subdivision 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 dedications 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.

At such time as all such conditions have been satisfactorily met, the City Engineer shall approve a recordable document, removing such conditions from all or from a portion of the area within the subject subdivision.

**FREE CONSENT AND DEDICATION**

The replat shown hereon is made with free consent and in accordance of the desires of the undersigned owner(s), the execution of all requirements including (but not limited to) the following items: water and sanitary sewer availability; future street dedications 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.

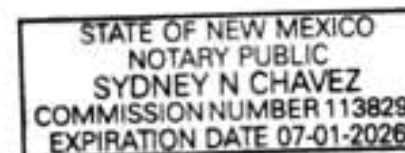
*Steve B. Chavez* 1/12/24  
Steve B. Chavez, Date  
MDS INVESTMENTS, LLC a New Mexico limited liability company

State of New Mexico )

County of Bernalillo )

This instrument was acknowledged before me on 12<sup>th</sup> day of January 2024

by Steve B. Chavez, MDS INVESTMENTS, LLC



My Commission Expires: 7/1/2026 *Sydney N. Chavez*  
Notary Public

**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.
- 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 (above ground 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), New Mexico Gas Company (NMGC) and Qwest Corporation D/B/A CenturyLink (QWEST) did not conduct a Title Search of the properties shown hereon. Consequently, PNM, NMGC and QWEST do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

**SURVEYOR'S CERTIFICATION**

I, Barry S. Phillips, a Registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all existing easements as shown on the plats of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and is true and accurate to the best of my knowledge and belief.

*Barry S. Phillips* 1-9-2024  
Barry S. Phillips Date  
New Mexico Professional Surveyor No. 15517



**BULK LAND PLAT**  
**INNOVATION PARK III**  
**TRACTS A-N**  
(BEING A REPLAT OF TRACT 18 ARTISTE)  
**CITY OF ALBUQUERQUE**  
**BERNALILLO COUNTY, NEW MEXICO**  
**JANUARY, 2024**

**PROJECT NUMBER:** PR-2023-008999 **DHO APPROVAL:** March 13, 2024

**Application Number:** SD-2024-00013

**PLAT APPROVAL**

<b>Utility Approvals:</b>	
<i>Rodney Poentes</i> (Jan 31, 2024 10:09 MST)	31/01/2024
<b>PNM Electric Services</b>	Date
<i>Jeff Estevancko</i> (Jan 31, 2024 07:43 MST)	31/01/2024
<b>New Mexico Gas Company</b>	Date
<i>Natalia Antonio</i> (Jan 30, 2024 16:22 MST)	30/01/2024
<b>Century Link</b>	Date
<i>Mike Mortus</i> (Jan 30, 2024 16:11 MST)	30/01/2024
<b>Comcast</b>	Date

**City Approvals:**

*Loren N. Risenhoover P.S.* 1/11/2024  
City Surveyor Date

Traffic Engineering, Transportation Division Date

ABCWUA Date

Parks and Recreation Department Date  
*Adrian* 1/29/2024  
AMAFCA Date

Hydrology Date

Code Enforcement Date

Planning Department Date

City Engineer Date

**TAX CERTIFICATION**

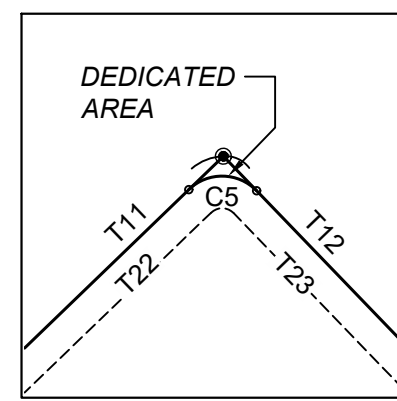
THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON  
TRACT 18, ARTISTE: UPC #101605026829920101  
PROPERTY OWNER OF RECORD: TRACT 18, ARTISTE: MDS INVESTMENTS, LLC

BERNALILLO COUNTY TREASURER'S OFFICE DATE



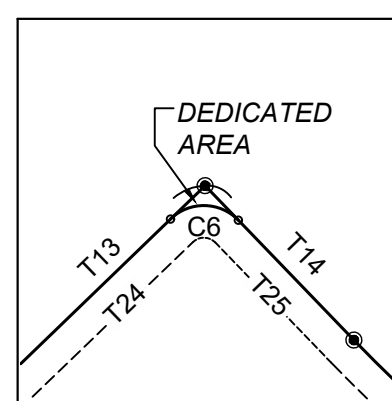
CURVE DATA						
ID	ARC	RADIUS	TANGENT	DELTA	CHORD	CHORD BRG
C1	190.48'	2544.00'	95.28'	4°17'24"	190.43'	N11°55'11"W
C2	152.18'	472.00'	76.75'	18°28'21"	151.52'	N66°41'56"E
C3	171.84'	533.00'	86.67'	18°28'21"	171.10'	N66°41'56"E
C4	356.47'	454.00'	187.99'	44°59'15"	347.38'	N68°32'01"E
C5	23.56'	15.00'	15.00'	90°00'00"	21.21'	S88°57'36"E
C6	23.56'	15.00'	15.00'	90°00'00"	21.21'	S88°57'36"E
C7	198.09'	454.00'	100.65'	25°00'00"	196.53'	S56°27'36"E
C8	198.09'	454.00'	100.65'	25°00'00"	196.53'	N31°27'36"W
C9	23.56'	15.00'	15.00'	90°00'00"	21.21'	N01°02'24"E

AREA TO BE DEDICATED:  
0.0011 AC.



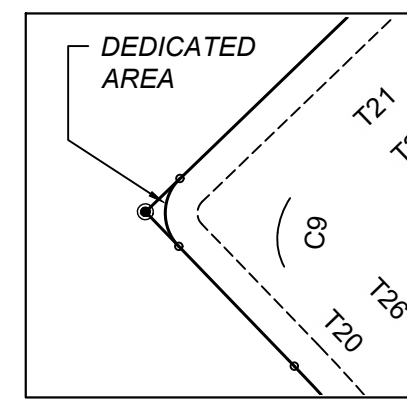
DETAIL A  
1" = 60'

AREA TO BE DEDICATED:  
0.0011 AC.

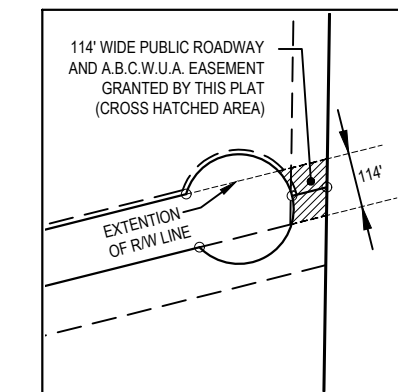


DETAIL B  
1" = 60'

AREA TO BE DEDICATED:  
0.0011 AC.



DETAIL C  
1" = 60'



DETAIL E  
1" = 400'

**BULK LAND PLAT**  
**INNOVATION PARK III**  
**TRACTS A-N**  
(BEING A REPLAT OF TRACT 18 ARTISTE)  
**CITY OF ALBUQUERQUE**  
**BERNALILLO COUNTY, NEW MEXICO**  
**JANUARY, 2024**

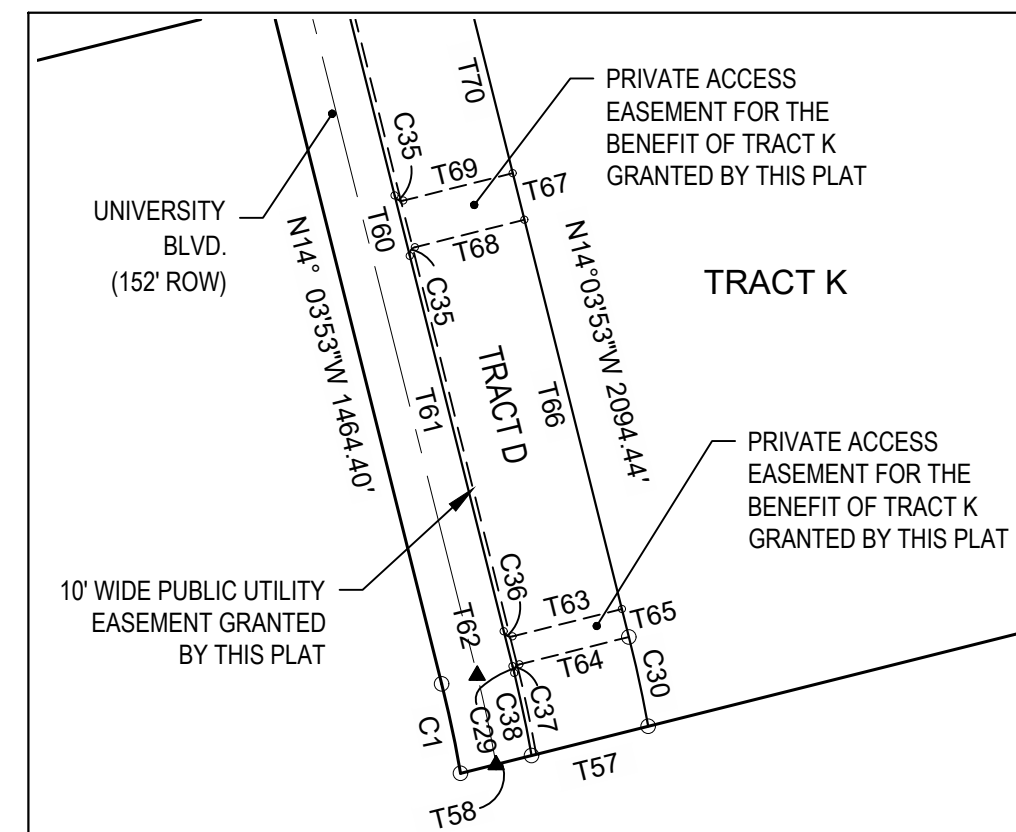
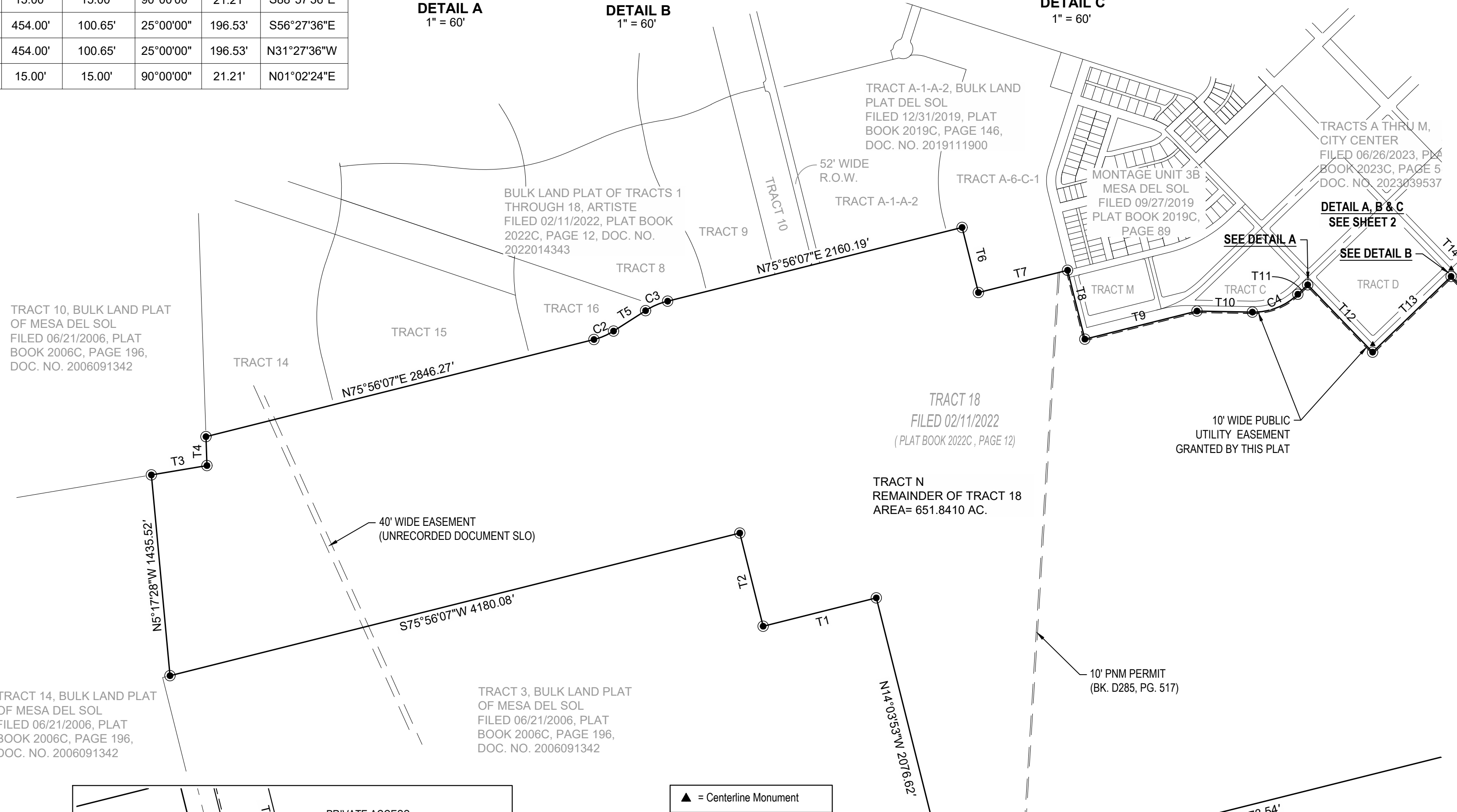
TANGENT DATA

ID	BEARING	DISTANCE
T1	S75°56'07"W	830.46'
T2	N14°03'53"W	683.98'
T3	N80°27'33"E	401.10'
T4	N01°55'34"W	206.09'
T5	N57°27'46"E	270.39'
T6	S14°03'53"E	478.03'
T7	N75°56'07"E	654.02'
T8	S14°03'53"E	506.00'
T9	N75°56'07"E	822.55'
T10	S88°58'21"E	394.70'
T11	N46°02'24"E	97.00'
T12	S43°57'36"E	666.00'
T13	N46°02'24"E	776.00'
T14	S43°57'36"E	67.00'
T15	S68°57'36"E	311.07'
T16	S43°57'36"E	434.80'
T17	N46°02'24"E	152.00'
T18	N43°57'36"W	314.70'
T19	N18°57'36"W	443.58'
T20	N43°57'36"W	67.00'
T21	N46°02'24"E	765.43'
T22	N46°02'24"E	82.00'
T23	S43°57'36"E	651.00'
T24	N46°02'24"E	761.00'
T25	S43°57'36"E	52.00'
T26	N43°57'36"W	52.00'
T27	N46°02'24"E	750.43'

TANGENT DATA

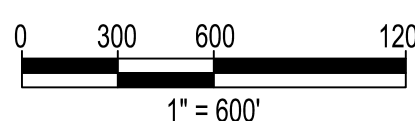
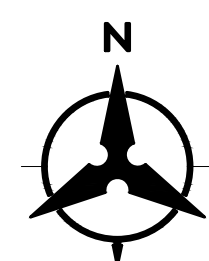
ID	BEARING	DISTANCE
T80	N75°58'58"E	691.83'
T81	S11°29'36"W	102.42'
T82	S25°58'03"W	342.07'
T83	N84°57'38"E	360.40'
T84	N33°49'51"E	263.47'
T85	N14°49'40"E	215.54'
T86	S75°21'08"E	527.63'
T87	N87°11'11"E	285.80'
T88	N78°56'10"E	274.71'
T89	N05°49'21"E	130.67'
T90	N51°11'39"E	93.22'

SEE SHEET 3



DETAIL D  
1" = 400'

▲ = Centerline Monument



**PNM TRANSMISSION LINE NOTE**

A perpetual easement exclusive to PNM to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain overhead and/or underground facilities for the transmission and distribution of electric power and energy and facilities for fiber optics and other communication purposes. Such facilities may include (but are not limited to) lines, cables, poles, guy wires, anchors, conduits and other equipment, fixtures, appurtenances and structures necessary to maintain such facilities on, over, beneath, through and across the easement hereinafter described, together with free access to, from and over said easement with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the easement to extend services to customers of Grantee and to trim and remove any trees, shrubs, bushes or vegetation and remove any structures which interfere with the purposes set forth herein.



**BULK LAND PLAT**  
**INNOVATION PARK III**  
**TRACTS A-N**  
 (BEING A REPLAT OF TRACT 18 ARTISTE)  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO  
 JANUARY, 2024

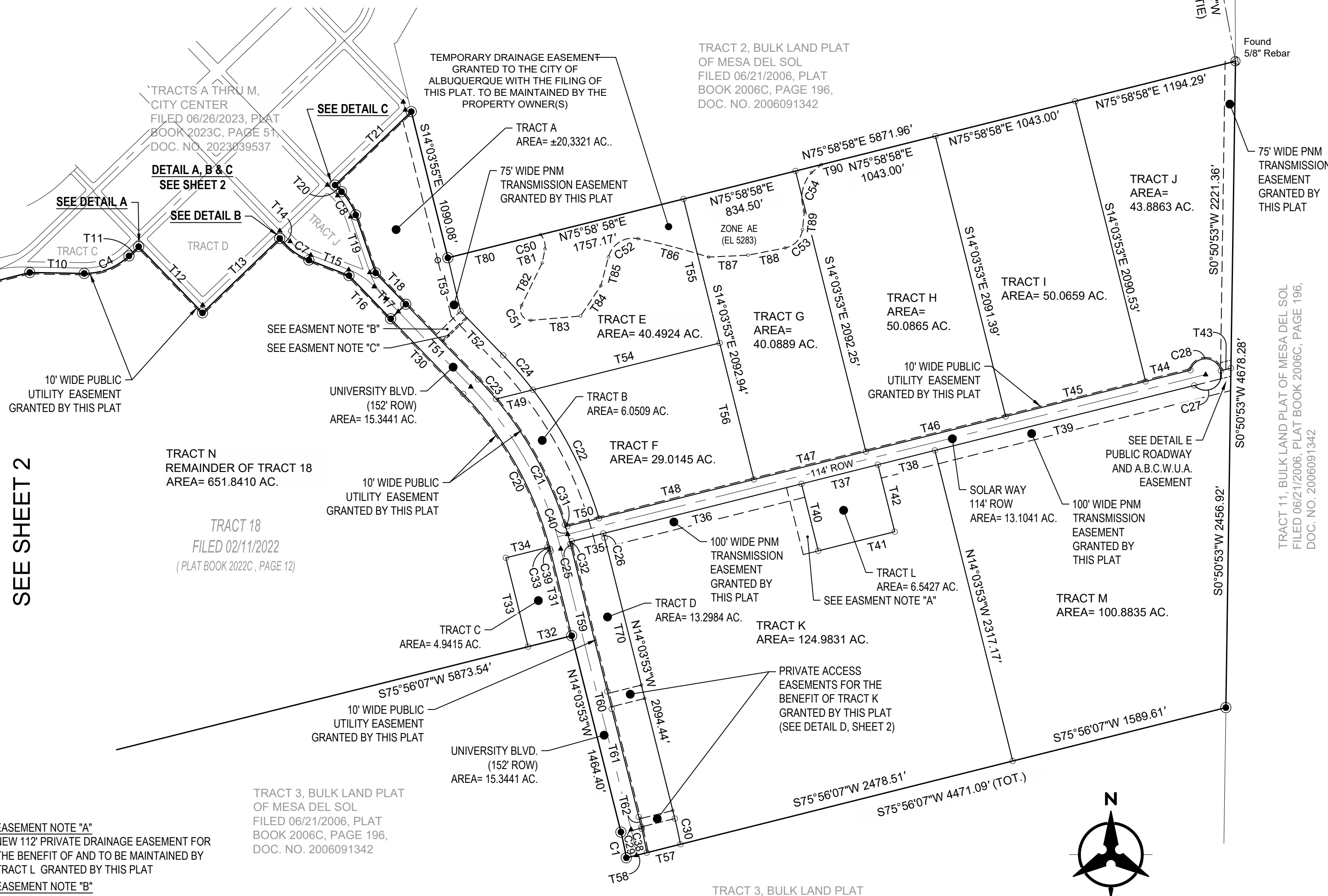
CURVE DATA						
ID	ARC	RADIUS	TANGENT	DELTA	CHORD	CHORD BRG
C20	1299.42'	2524.00'	664.45'	29°29'50"	1285.12'	N29°12'41"W
C21	1044.09'	2676.00'	528.77'	22°21'18"	1037.48'	N28°40'53"W
C22	1051.10'	2926.00'	531.27'	20°34'56"	1045.45'	N27°13'27"W
C23	191.55'	2676.00'	95.82'	4°06'05"	191.51'	N41°54'34"W
C24	329.12'	2926.00'	164.73'	6°26'41"	328.95'	N40°44'16"W
C25	17.33'	2676.00'	8.67'	0°22'16"	17.33'	N14°15'01"W
C26	32.43'	2926.00'	16.21'	0°38'06"	32.43'	N14°22'56"W
C27	298.45'	114.00'	425.45'	150°00'00"	220.23'	N60°56'07"E
C28	298.45'	114.00'	425.45'	150°00'00"	220.23'	N89°03'53"W
C29	14.92'	2696.00'	7.46'	0°19'01"	14.92'	N13°54'22"W
C30	190.43'	2946.00'	95.25'	3°42'13"	190.40'	N12°12'46"W

ALBUQUERQUE GEODETIC REFERENCE STATION "3-Q16"  
 GEOGRAPHIC POSITION (NAD 1983)  
 NM STATE PLANE GRID COORDINATES  
 (CENTRAL ZONE, US SURVEY FOOT)  
 N = 1,457,045.094 USft E = 1,533,498.782 USft  
 GROUND TO GRID FACTOR = 0.999663002  
 DELTA ALPHA = -00°12'17.33"  
 NAVD 1988 ELEVATION = 5310.390 USft

ALBUQUERQUE GEODETIC REFERENCE STATION "2-R17"  
 GEOGRAPHIC POSITION (NAD 1983)  
 NM STATE PLANE COORDINATES  
 (CENTRAL ZONE, US SURVEY FOOT)  
 N = 1,451,904.04 USft E = 1,539,424.271 USft  
 GROUND TO GRID FACTOR = 0.999662298  
 DELTA ALPHA = -00°11'36.1"  
 NAVD 1988 ELEVATION = 5295.222 USft

TANGENT DATA		
ID	BEARING	DISTANCE
T30	S43°57'36"E	755.79'
T31	S14°03'53"E	630.04'
T32	S75°56'07"W	325.00'
T33	N14°03'53"W	662.47'
T34	N75°56'07"E	309.94'
T35	N75°56'07"E	234.88'
T36	N75°56'07"E	1477.73'
T37	N75°56'07"E	570.01'
T38	N75°56'07"E	424.80'
T39	N75°56'07"E	1934.49'
T40	S14°03'53"E	500.00'
T41	N75°56'07"E	570.00'
T42	N14°03'53"W	500.00'
T43	N75°56'07"E	74.68'
T44	S75°56'07"W	335.21'
T45	S75°56'07"W	1043.00'
T46	S75°56'07"W	1043.00'
T47	S75°56'07"W	834.50'
T48	S75°56'07"W	1154.80'
T49	S75°56'07"W	274.95'
T50	N75°56'07"E	236.18'

TANGENT DATA		
ID	BEARING	DISTANCE
T51	N43°57'36"W	755.79'
T52	N43°57'36"W	444.38'
T53	N13°22'25"W	397.23'
T54	N75°56'07"E	1392.81'
T55	S14°03'53"E	1074.94'
T56	S14°03'53"E	1018.00'
T57	S75°56'07"W	250.57'
T58	S75°56'07"W	152.40'
T59	S14°03'53"E	1083.76'
T60	S14°03'53"E	130.00'
T61	S14°03'53"E	805.68'
T62	S14°03'53"E	75.00'
T63	N75°56'07"E	235.00'
T64	N75°56'07"E	235.04'
T65	N14°03'53"W	60.00'
T66	N14°03'53"W	835.68'
T67	N14°03'53"W	100.00'
T68	N75°56'07"E	235.00'
T69	N75°56'07"E	235.00'
T70	N14°03'53"W	1098.76'



SEE SHEET 2

CURVE DATA						
ID	ARC	RADIUS	TANGENT	DELTA	CHORD	CHORD BRG
C31	22.66'	15.00'	14.13'	86°33'39"	20.57'	S60°47'03"E
C32	23.66'	15.00'	15.10'	90°22'16"	21.28'	S30°44'59"W
C33	23.46'	15.00'	14.90'	89°36'07"	21.14'	N59°15'49"W
C34	23.56'	15.00'	15.00'	90°00'00"	21.21'	S59°03'53"E
C35	23.56'	15.00'	15.00'	90°00'00"	21.21'	S30°56'07"W
C36	23.56'	15.00'	15.00'	90°00'00"	21.21'	S59°03'53"E
C37	23.48'	15.00'	14.92'	89°40'59"	21.15'	S31°05'38"W
C38	175.54'	2696.00'	87.80'	3°43'50"	175.51'	N11°52'56"W
C39	17.53'	2524.00'	8.77'	0°23'53"	17.53'	N14°15'49"W
C40	143.29'	2676.00'	71.66'	3°04'05"	143.28'	N15°58'11"W
C50	111.88'	135.95'	59.33'	47°09'00"	108.75'	S16°55'11"E
C51	152.96'	75.59'	120.84'	115°56'50"	128.17'	S32°00'22"E
C52	277.25'	183.18'	172.98'	86°43'07"	251.54'	N58°11'14"E
C53	196.02'	154.23'	113.75'	72°49'11"	183.09'	N42°48'20"E
C54	299.81'	272.87'	167.06'	62°57'07"	284.95'	N10°26'06"E

EASEMENT NOTE "A"  
 NEW 112' PRIVATE DRAINAGE EASEMENT FOR THE BENEFIT OF AND TO BE MAINTAINED BY TRACT L GRANTED BY THIS PLAT  
 EASEMENT NOTE "B"  
 NEW 60' PRIVATE ACCESS EASEMENT GRANTED BY THIS PLAT  
 EASEMENT NOTE "C"  
 NEW 10' PRIVATE UTILITY EASEMENT TO SERVE TRACT E GRANTED BY THIS PLAT.

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