

**CONTRACT CONTROL FORM**

**PROJECT:** 789379

**CONTACT PERSON:** Stephanie Dennison

**CCN:** \_\_\_\_\_

(New/Existing) NEW

Type of Paperwork IIA Procedure B no work order

Project Name/Description  
(From CTS): 2000 Zearing Ave NW

Developer/Owner/Vendor DreamSpring

Contract Amount \$29,320.07 Contract Period: \_\_\_\_\_ - 12/5/2026

**FINAL CONTRACT REVIEW**

**APPROVALS REQUIRED:**

	Approved By	Approval Date
DRC Manager	<u>KV</u> <small>Initial</small>	<u>12/9/2024   8:25 AM MST</u>
Legal Department	<u>GS</u>	<u>12/9/2024   10:18 AM MST</u>
City Engineer	<u>SB</u>	<u>12/9/24</u>
Hydrology Engineer	_____	_____
Transportation Engineer	_____	_____
Construction Engineer	_____	_____
OTHER: <u>CAO</u>	_____	_____

**DISTRUBUTION:**

\_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Received by City clerk \_\_\_\_\_

**INFRASTRUCTURE IMPROVEMENTS AGREEMENT**  
**(Procedure B-No Work Order)**

**AGREEMENT TO CONSTRUCT**  
**PUBLIC AND/OR PRIVATE INFRASTRUCTURE IMPROVEMENTS**

**Project Name:** 2000 Zearing Ave NW  
**Project Number:** 789379

THIS AGREEMENT is made upon the date of the latest signature below, by and between the City of Albuquerque, New Mexico ("City"), whose address is P. O. Box 1293 (One Civic Plaza), Albuquerque, New Mexico 87103, and DreamSpring ("Developer"), a not for profit corporation whose email address is slongfellow@dreamspring.org, whose address is 2000 Zearing Ave. NW Albuquerque, New Mexico , 87104 and whose telephone number is 505-362-7480, in Albuquerque, New Mexico, and is entered into as of the date of final execution of this Agreement.

1. Recital. The Developer is developing certain lands within the City of Albuquerque, Bernalillo County, New Mexico, known as Tract A-3, Lands of William Andrew McCord, Albuquerque, Bernalillo County, New Mexico, as of the same is shown and designated on said plat therefore, filed in the office of the County Clerk of Bernalillo County, New Mexico, on June 25, 2003, in Plat Book 2003C, page 190. Recorded on June 25, 2003 in Plat Book 2003C page 190, as Document No. 2009104309 in the records of the Bernalillo County Clerk, State of New Mexico (the "Developer's Property"). The Developer certifies that the Developer's Property is owned by DreamSpring (f/k/a Accion New Mexico), a not for profit corporation ("Owner").

The Developer has submitted and the City has approved a preliminary plat or Site Plan identified as PR-2024-010883 describing Developer's Property ("Developer's Property").

As a result of the development of the Developer's Property, the Integrated Development Ordinance ("I.D.O.") requires the Developer, at no cost to the City, to install certain public and/or private improvements, which are reasonably related to the development of the Developer's Property, or to financially guarantee the construction of the public and/or private improvements as a prerequisite to approval of the final plat, building permit or the Site Plan.

2. Improvements and Construction Deadline. The Developer agrees to install and complete the public and/or private improvements described in the approved Infrastructure List ("Improvements"), to the satisfaction of the City, on or before the Construction Completion Deadline as shown in paragraph 6 at no cost to the City. Although the Improvements are required, they are below the threshold level to be governed by the Work Order process. Permits are to be obtained from the Municipal Development Department Construction Services Division for work in the City Right-of-Way.

Note: To compute the Construction Completion Deadline: If a final plat will be filed after Developer meets the requirements of this Agreement, the Construction Completion Deadline can be no later than two years after execution of this Agreement. (See DPM, Chapter 5.) If a final plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be

**Doc# 2024087754**

12/09/2024 01:17 PM Page: 1 of 39  
AGRE R:\$25.00 Linda Stover, Bernalillo County



plat will not be filed pursuant to this Agreement, the Construction Completion Deadline can be no later than one year after approval of the preliminary plat by the City's Development Hearing Officer ("DHO"), unless the DHO grants an extension, not to exceed one additional year per extension, and the Developer processes an amendment to the Agreement. If this Agreement, with any amendments does not utilize the maximum time allowed for completion of construction, the Developer may obtain an extension of the Construction Completion Deadline if the Developer shows adequate reason for the extension.

3. Albuquerque Bernalillo County Water Utility Authority. Pursuant to the Memorandum of Understanding between the City of Albuquerque and the Albuquerque Bernalillo County Water Utility Authority ("ABCWUA") dated March 21, 2007, the City is authorized to act on behalf of the ABCWUA with respect to improvements that involve water and sewer infrastructure.

4. The Developer agrees to comply with all applicable laws, ordinances and regulations, including, but not limited to the City Excavation Ordinance and Sidewalk Ordinance, and pay the staking fees, testing fees, and other related City fees required for work in the City ROW.

5. Surveying, Inspection and Testing. The Improvements shall be inspected, surveyed and tested in accordance with all applicable laws, ordinances, and regulations, and according to the following terms:

A. Construction Surveying. Construction surveying for the construction of the Improvements shall be performed by New Mexico Registered Surveyor. The City may monitor the construction surveying and the Developer shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City which the City requires for review. Record drawings shall be provided by the entity performing the survey.

B. Construction Inspection Methods. Inspection of the construction of the Improvements shall be performed by a New Mexico Registered Professional Engineer with the ability to make in-person observations of the improvements. The City may monitor the inspection and the Developer shall ensure that the inspecting entity provides all inspection results, reports, and related data as required for project close out and a Certification of Substantial Compliance for the project to the City, which the City requires for review and approval. The City retains the right to perform its own general overall inspection of the construction project at any time prior to/and including final acceptance of the Improvements.

C. Field Testing. Field testing of the construction of the Improvements shall be performed by a certified testing laboratory under the supervision of a New Mexico Registered Professional Engineer, in accordance with the current City of Albuquerque Standard Specifications for Public Works Construction. The City may monitor the field testing and the

Developer shall ensure that the field testing entity provides all field testing results, reports and related data to the City which the City requires for review.

D. Additional Testing. The City retains the right to request additional testing which the City Engineer deems is necessary or advisable, and the Developer shall pay the cost for the additional testing.

6. Financial Guaranty. If final plat approval is not requested prior to construction of the Developer's Property, a financial guaranty is not required. If final plat approval is requested, the Developer must provide the City with a financial guaranty in an amount of not less than 125% of the estimated cost of constructing the Improvements, as approved by the City Engineer. The financial guaranty must be irrevocable and may be in the form of a letter of credit, escrow deposit, or loan reserve letter issued by a Federally Insured Financial Institution; a bond issued by a surety qualified to do business in New Mexico; or other pledge of liquid assets which meets all City requirements. The City must be able to call the financial guaranty at any time within the sixty (60) days immediately following the Construction Completion Deadline.

To meet the City's I.D.O. requirements, the Developer has acquired, or is able to acquire, the following Financial Guaranty:

Type of Financial Guaranty: Cashiers Check  
Amount: \$29,320.07  
Name of Financial Institution or Surety providing Guaranty:  
  
Date City first able to call Guaranty (Construction Completion Deadline): 12/5/2026  
If Guaranty is a Letter of Credit or Loan Reserve, then last day City able to call Guaranty is: \_\_\_\_\_  
Additional information: \_\_\_\_\_  
\_\_\_\_\_

7. Notice of Start of Construction. Before construction begins, the Developer shall arrange for a preconstruction conference and all required inspections.

8. Completion, Acceptance and Termination. When the City receives Developer's final acceptance package, the City shall review it for completeness and accuracy. (See DPM Chapter 2). If the package is acceptable, the City shall approve the package and issue a Certificate of Completion and Acceptance for the Public Improvements and a Certificate of Completion for the Private Improvements. Thereafter, the Developer's obligations to the City pursuant to this Agreement shall terminate, with the exception of the bond or other guarantee which the Developer has provided to assure the materials and workmanship, as required by the I.D.O. After the City approves the final acceptance package, the City will promptly release this Agreement and the Financial Guaranty.

9. Conveyance of Property Rights. When the Improvements are completed, if the City does not own the real property upon, or in which, the public Improvements are constructed, the Developer will convey to the City all real and personal property rights which the City deems

reasonably necessary, and all public Improvements, free and clear of all claims, encumbrances and liens before the City will accept the public Improvements. Conveyance may be made by appropriate dedication on the final plat.

10. Reduction of Financial Guaranty Upon Partial Completion. The Developer shall be entitled to a reduction of the Financial Guaranty as a result of completing construction of part of the Improvements if the following conditions are met:

A. Loan Reserve Financial Guaranty. If a loan reserve letter was provided as the Financial Guaranty, the Developer must follow the procedures and meet the requirements detailed in the DPM, Chapter 2.

B. Non-Loan Reserve Financial Guaranty. If a Financial Guaranty other than a loan reserve letter has been provided, the completed Improvements must be free-standing, functionally independent of any Improvements which have not yet been completed, and completed in substantial compliance with the approved construction plans, as determined by City on-site inspection in order to qualify for a Financial Guaranty reduction. If the Improvements which have been completed meet all City requirements, the City Engineer will estimate the cost of completing the remaining Improvements. Thereafter, the Developer must submit the following documents to the City for review and approval:

(1) A revised Financial Guaranty in an amount of not less than 125% of the cost of completing the remaining Improvements, as estimated by the City;

(2) A bond or other instrument acceptable to the City, which guarantees the completed Improvements against defective materials and workmanship for the period required by the I.D.O.

(3) Conveyance of real and personal property rights which meet the requirements of section 8 of this Agreement.

After the City receives and approves the required documents, the City shall issue a Partial Certificate of Completion and Acceptance for the completed public Improvements and a Certificate of Partial Completion for the completed private Improvements.

11. Indemnification. Until the Improvements are accepted by the City, the Developer shall be solely responsible for maintaining the premises upon which the Improvements are being constructed in a safe condition. The Developer agrees to indemnify and hold harmless the City and its officials, agents and employees and, if the Improvements include water and wastewater infrastructure, the ABCWUA, its employees, officers and agents, from any claims, actions, suits or other proceedings arising from or out of the acts or omissions of the Developer, its agents, representatives, contractors or subcontractors or arising from the failure of the Developer, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer herein. The indemnification required hereunder shall not be limited as a result of the

specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

12. Assignment. This Agreement shall not be assigned without the prior written consent of the City and the Developer and the express written concurrence of any financial institution or surety which has undertaken to guarantee the completion of the Improvements. The City's approval will not be withheld unreasonably. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

13. Release. If the Developer's Property or any part thereof is sold, conveyed or assigned, the City will not release the Developer from its obligations under this Agreement and will continue to hold the Developer responsible for all Improvements until a successor in interest to the Developer has entered into an Infrastructure Improvement Agreement with the City. Thereafter, if the Developer's successor in interest has provided a substitute financial guaranty acceptable to the City, the City will release this Agreement and any related Financial Guaranty.

14. Payment for Incomplete Improvements. If the Developer fails to satisfactorily complete construction of the Improvements by the Construction Completion Deadline, the City may construct or cause the Improvements to be constructed as shown on the final plat and in the approved plans and specifications. The Developer shall be jointly and severally liable to pay to, and indemnify the City for the total cost, including, but not limited to, engineering, legal, and contingent costs, together with any damages, either direct or consequential, which the City may sustain as a result of Developer's failure to perform as required by this Agreement. If the direct or indirect costs and damages to the City exceed the amount of the City's Claim of Lien or any Financial Guaranty, the Developer shall be liable to, and shall pay, the City for all such costs and damages. The surety or sureties shall be jointly and severally liable to pay to and indemnify the City for the total cost to the extent of their obligations pursuant to any Financial Guaranty.

15. Binding on Developer's Property. The provisions of this Agreement constitute covenants running with Developer's Property for the benefit of the City and its successors and assigns until terminated, and are binding on the Developer and the Owner and their heirs, successors and assigns.

16. Notice. For purposes of giving formal written notice, including notice of change of address, the Developer's and the City's addresses are as stated in the first paragraph of this Agreement. Notice may be given either in person or by certified U.S. mail, postage paid. Notice will be considered to have been received within six (6) days after the notice is mailed if there is no actual evidence of receipt.

17. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

18. Changes to Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

19. Construction and Severability. If any part of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement will remain valid and enforceable if the remainder is reasonably capable of completion.

20. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

21. Form Not Changed. Developer agrees that changes to this form are not binding unless initialed by the Developer and signed by the City Legal Department on this form.

22. Authority to Execute. If the Developer signing below is not the Owner of the Developer's Property, the Owner must execute the Power of Attorney below.

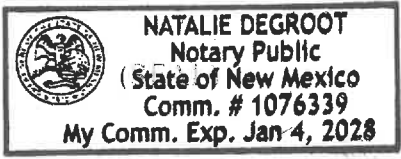
DEVELOPER:

By [Signature]: Suzette M. Longfellow  
Name [Print]: Suzette M. Longfellow  
Title: Chief Financial Officer  
Dated: 12/5/2024

DEVELOPER'S NOTARY


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

This instrument was acknowledged before me on this 5 day of December, 2024, by [name of person:] Suzette M. Longfellow, [title or capacity, for instance, "President" or "Owner":] Chief financial officer of [Developer:] DreamSpring.



[Signature]  
Notary Public  
My Commission Expires: 1/4/28

CITY OF ALBUQUERQUE

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



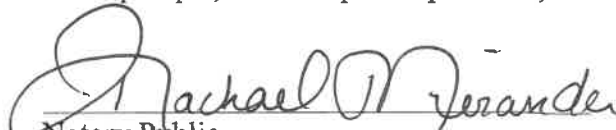
Agreement is effective as of (Date): 12/9/24

CITY'S NOTARY

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

This instrument was acknowledged before me on this 9th day of December, 2024, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of said corporation.

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

  
Notary Public

My Commission Expires: 11-9-2025

[EXHIBIT A ATTACHED]  
[POWER OF ATTORNEY ATTACHED IF DEVELOPER  
IS NOT THE OWNER OF THE DEVELOPER'S PROPERTY]



# CITY OF ALBUQUERQUE



## FINANCIAL GUARANTY AMOUNT

December 5, 2024

Type of Estimate: I.I.A. Procedure B with FG -- Non Work Order

Project Description:

Project ID #: 789379 2000 Zearing Avenue NW

Requested By: Suzette Longfellow

Approved Estimate Amount: \$ 18,243.97

Contingency Amount: 10.00% \$ 1,824.40

Subtotal: \$ 20,068.37

PO Box 1293

NMGRT: 7.625% \$ 1,530.21

Subtotal: \$ 21,598.58

Albuquerque

Engineering Fee: 6.60% \$ 1,425.51

New Mexico 87103

Testing Fee: 2.00% \$ 431.97


Subtotal: \$ 23,456.06

www.cabq.gov

FINANCIAL GUARANTY RATE: 1.25

TOTAL FINANCIAL GUARANTY REQUIRED: \$ 29,320.07

APPROVAL:



DATE:



Notes: Non work order.

2000 Zearing Ave NW financial guranty estimate - CPN# 789379

PCC Sidewalk

Item No. 340.01 unit price	\$	69.55
Item No. 343.09 unit price		<u>13.63</u>
		83.18
SY		<u>201</u>
Subtotal	\$	16,719.18

Item No. 4.01	%	1.43
Item No. 6.05	%	4.26
Item No. 19.01	%	<u>3.43</u>
OH %		<u>9.12</u>

Subtotal including OH	\$	<u>18,243.97</u>
NMGRT	%	<u>1.07625</u>
	\$	19,635.07
125% of estimated costs		<u>125%</u>
Financial Guaranty total	\$	<u><u>24,543.84</u></u>



Approved as basis of financial guaranty, Dec. 5, 2024

Handwritten signature of James A. Nelson

Current DRC  
Project Number:

**FIGURE 12**

Date Submitted: 10/21/2024  
 Date Site Plan Approved: 11/13/2024  
 Date Preliminary Plat Approved: 11/13/2024  
 Date Preliminary Plat Expires:  
 DHO Project No.: PR-2024-010883  
 DHO Application No.: SD-2024-00156

**INFRASTRUCTURE LIST**

(Rev. 2-18-18)

**EXHIBIT "A"**

**TO SUBDIVISION IMPROVEMENTS AGREEMENT  
 DEVELOPMENT HEARING OFFICER (DHO) REQUIRED INFRASTRUCTURE LIST  
 Tracts 1-A and 1-B, Lands of Accion New Mexico**

**PROPOSED NAME OF PLAT**

**Tract 1, Lands of Accion New Mexico  
 EXISTING LEGAL DESCRIPTION PRIOR TO PLATTING ACTION**

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 portions of the financial guarantees. All such revisions require approval by the DRC Chair, the User Department and agent/owner. If such approvals are obtained, these revisions to the listing will be incorporated administratively. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which normally are the Subdivider's responsibility will be required as a condition of project acceptance and close out by the City.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification		
							Inspector	P.E.	City Crst Engineer
		5 ft	Concrete Sidewalk (~362 LF)	Zearing Ave NW	NW Corner of Tract 1-A	NE Corner of Tract 1-B	/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/
							/	/	/

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Crst Engineer
							/	/
							/	/

Approval of Creditable Items:

Impact Fee Administrator Signature \_\_\_\_\_ Date \_\_\_\_\_

City User Dept. Signature \_\_\_\_\_ Date \_\_\_\_\_

**NOTES**

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA.  
Street lights per City requirements.

1

2

3

AGENT / OWNER

Ryan Mulhall

NAME (print)

CSI - Cartesian Surveys, Inc.

FIRM

*Ryan Mulhall*

SIGNATURE - date

DEVELOPMENT FACILITATION TEAM MEMBER APPROVALS

Nov 13, 2024

PARKS & RECREATION - date

Nov 13, 2024

TRANSPORTATION DEVELOPMENT - date

Nov 26, 2024

UTILITY DEVELOPMENT - date

Dec 1, 2024

CITY ENGINEER - date

Nov 13, 2024

PARKS & RECREATION - date

AMAFCA - date

Nov 13, 2024

CODE ENFORCEMENT - date

Nov 13, 2024

HYDROLOGY - date

DESIGN REVIEW COMMITTEE REVISIONS

REVISION	DATE	DRC CHAIR	USER DEPARTMENT	AGENT / OWNER

The items listed below are on the CCIP and approved for Impact Fee credits. Signatures from the Impact Fee Administrator and the City User Department is required prior to DRB approval of this listing. The items listed below are subject to the standard SIA requirements.

Financially Guaranteed DRC #	Constructed Under DRC #	Size	Type of Improvement	Location	From	To	Construction Certification	
							Inspector	City Crst Engineer
							/	/
							/	/

Approval of Creditable Items:

Impact Fee Administrator Signature	Date
City User Dept. Signature	Date

**NOTES**

If the site is located in a floodplain, then the financial guarantee will not be released until the LOMR is approved by FEMA. Street lights per City requirements.

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- 
- 

AGENT / OWNER	DEVELOPMENT FACILITATION TEAM MEMBER APPROVALS	
Ryan Mulhall NAME (print)	Nov 13, 2024	Nov 13, 2024
CSI - Cartesian Surveys, Inc.	PLANNING - date	PARKS & RECREATION - date
	Nov 13, 2024	Nov 13, 2024
	TRANSPORTATION DEVELOPMENT - date	AMAFCA - date
	Nov 26, 2024	Nov 13, 2024
	UTILITY DEVELOPMENT - date	CODE ENFORCEMENT - date
	Dec 1, 2024	Nov 13, 2024
	CITY ENGINEER - date	HYDROLOGY - date

DESIGN REVIEW COMMITTEE REVISIONS			
REVISION	DATE	DRG CHAIR	AGENT / OWNER

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW FOR ADDITIONAL SECURITY FEATURES SEE BACK.

0005010  
Office AU # 11-24  
1210(8)

Remitter: DREAMSPRING  
Operator I.D.: albu4117

### CASHIER'S CHECK

0501004579

PAY TO THE ORDER OF \*\*\*CITY OF ALBUQUERQUE\*\*\*

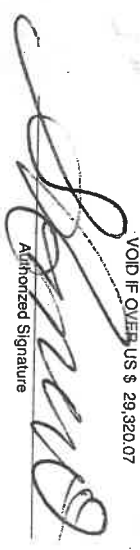
December 5, 2024

\*\*\*Twenty-Nine Thousand Three Hundred Twenty and 07/100 -US Dollars \*\*

\*\*\*\$29,320.07\*\*

Payee Address: CPN# /  
Memo:

WELLS FARGO BANK, N.A.  
200 LOMAS BLVD NW  
ALBUQUERQUE, NM 87102  
FOR AUTOMATED CHECK VERIFICATION  
CALL (480) 394-3192

VOID IF OVER US \$ 29,320.07  
  
Authorized Signature

Security Features Included.  Details on Back.

⑆0501004579⑆ ⑆121000248⑆4861 512556⑆



City of Albuquerque Planning Department  
Design Review and Construction Services Invoice

Project Name: 2000 Zearing Ave NW \_\_\_\_\_

CPN:789379 \_\_\_\_\_

PURPOSE	ACCOUNT NUMBER	FUND NUMBER	DEPARTMENT ID	AMOUNT
ENGINEERING FEES, DESIGN DEPOSIT	441004	110	4961000	\$
FINANCIAL GUARANTY REQUEST (\$75)	441004	110	4961000	\$
FINANCIAL GUARANTY REDUCTION (\$200)	441004	110	4961000	\$
REVOCABLE PERMITS AND LICENSE AGREEMENTS	425015	110	4961000	\$
FUNDS FOR THE FINANCIAL GUARANTY	233100	110	4961000	\$ 29,320.07
ALT SIDEWALK AGREEMENT <sup>1</sup>	461615	305	7545360	\$
SIDEWALK VERIFICATION (\$100)	444012	110	4961000	\$
RECORDING FEES (\$25/AGREEMENT)	521010	110	4961000	\$
PAY FACTOR	460100	305	7545090	\$
<b>TOTAL AMOUNT</b>				\$

<sup>1</sup> Alternative Sidewalk Agreements require a Sidewalk Verification.

PREPARED BY: Stephanie Dennison PHONE \_\_\_\_\_

DATE: 12/5/2024

This invoice can be paid at any City of Albuquerque Treasury location. **Bring three copies of this invoice to Treasury.** The most convenient location may be at Plaza Del Sol, 600 2<sup>nd</sup> St NW. Provide a copy of the receipt to DRC, Suite 400 600 2<sup>nd</sup> St. NW, or e-mail to a Design Review and Construction employee:

**Design Deposits, Engineering Fees, Revocable Permits, License Agreements and Others not listed below:**

[cacompton@cabq.gov](mailto:cacompton@cabq.gov), [mgvelasquez@cabq.gov](mailto:mgvelasquez@cabq.gov) and [ccherne@cabq.gov](mailto:ccherne@cabq.gov).

**Financial Guaranty Requests and Reductions:** [miranda@cabq.gov](mailto:miranda@cabq.gov) and [jroeder@cabq.gov](mailto:jroeder@cabq.gov)

City of Albuquerque

Reference Number: 2024340003-10  
Date/Time: 12/05/2024 3:44:34 PM

Departmental Deposit  
2024340003-10-1  
Departmental Deposit 1@ \$29,320.07  
GL #: 1110|233100|4961000|111  
Total: \$29,320.07

1 ITEM TOTAL: \$29,320.07

TOTAL: \$29,320.07

\*DUPLICATE RECEIPT 12/5/2024 3:48:29 PM\*  
\$29,320.07

Check  
Bank Account #: \*\*2556  
Check Number: 0501004579  
Bank Routing #: \*\*\*\*\*0248  
Address:  
Total Received: \$29,320.07



Thank you for your payment.



WARRANTY DEED

THE SAWMILL DEVELOPMENT, CO., LLC, a New Mexico limited liability company and HARRY E. KARSTEN, JR. and HEATHER JOAN KARSTEN, TRUSTEES OF THE KARSTEN FAMILY TRUST I REVOCABLE TRUST, DATED APRIL 6, 1992, AMENDED AND RESTATED FEBRUARY 17, 2006, for consideration paid, grant to ACCION NEW MEXICO, a New Mexico nonprofit corporation, whose address is 20 First Plaza NW S.417 Albuq. NM 87102; Property Address: 2000 Zearing N.W., Albuquerque, New Mexico 87104, the following described real estate in Bernalillo County, New Mexico:

Parcel I:

Tract numbered Two (2) of the Plat of Tracts 1 and 2, LANDS OF McCLAIN, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on said plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 5, 2006, in Plat Book 2006C, page 145.

Parcel II:

Tract lettered/numbered "A-3" of the Plat of Tracts A-1, A-2 and A-3, Lands of William Andrew McCord, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on said plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on June 25, 2003, in Plat Book 2003C, page 190.

Subject to the Lien of the Middle Rio Grande Conservancy District.

Subject to patent reservations, restrictions and easements of record and to taxes for the year 2008 and years thereafter and all other matters of record.

with warranty covenants.

WITNESS our hands and seals on April 5, 2008.

THE SAWMILL DEVELOPMENT, CO., LLC,  
a New Mexico limited liability company

By: [Signature]  
JOHN EDGE, Manager

By: [Signature]  
SCOTT KARSTEN, Manager

THE KARSTEN FAMILY TRUST I REVOCABLE TRUST, DATED  
APRIL 6, 1992 AMENDED AND RESTATED FEBRUARY 17, 2006

By: [Signature]  
HARRY E. KARSTEN, JR.  
Trustee

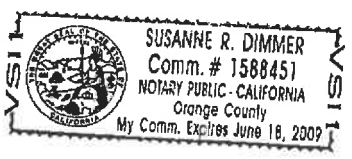
By: [Signature]  
HEATHER JOAN KARSTEN  
Trustee

Doc# 2008041244



California  
STATE OF ~~NEW MEXICO~~ )  
                  ORANGE )  
COUNTY OF BERNALILLO )

ACKNOWLEDGMENT



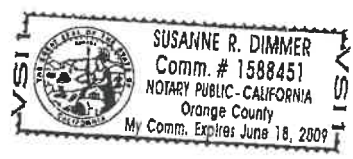
This instrument was acknowledged before me on April 9th, 2008, by ~~JOHN EDGE~~ and SCOTT KARSTEN, Manager of THE SAWMILL DEVELOPMENT, CO., LLC, a New Mexico limited liability company.

MY COMMISSION EXPIRES:  
6/18/09

Susanne R Dimmer  
NOTARY PUBLIC

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )

ACKNOWLEDGMENT



This instrument was acknowledged before me on April 8th, 2008, by HARRY E. KARSTEN, JR. and HEATHER JOAN KARSTEN, TRUSTEES OF THE KARSTEN FAMILY TRUST I REVOCABLE TRUST, DATED APRIL 6, 1992, AMENDED AND RESTATED FEBRUARY 17, 2006.

MY COMMISSION EXPIRES:  
6/18/09

Susanne R Dimmer  
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on April 10, 2008 by John Edge, Manager of The Sawmill Development, Co., LLC, a New Mexico limited liability company.

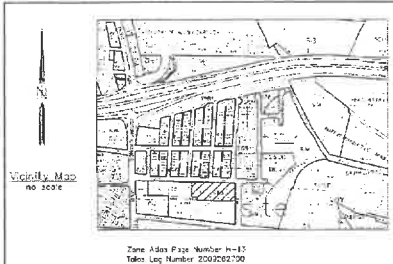
My commission expires

\_\_\_\_\_

John Edge  
Notary Public



OFFICIAL REAL  
DIANA STONEBERGER  
NOTARY PUBLIC - STATE OF NEW MEXICO  
My commission expires: 09/13/2010



**LEGAL DESCRIPTION**

Tract 1 is located Two (2) of the Plat of Tracts A-1, A-2 and A-3, Lands of William Andrew McCord, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on said plat, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 5, 2006, in Plat Book 20062, page 149.

Tract 2 is located Two (2) of the Plat of Tracts A-1, A-2 and A-3, Lands of William Andrew McCord, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on said plat, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 5, 2006, in Plat Book 20062, page 149.

**BEGINNING** at the northwest corner of said Tract 2, Lands of William Andrew McCord, Albuquerque, Bernalillo County, New Mexico, a point on the southerly right-of-way line of Zearing Avenue NW and the northeast corner of the parcel herein described, whence City of Albuquerque Center Survey Monument 8-1813 bears N 23° 58' 25" W, a distance of 2428.81 feet; Thence, S 08° 34' 45" W, along said southerly right-of-way line of Zearing Avenue NW, a distance of 453.35 feet to a point of curvature; Thence, southeasterly, a distance of 18.50 feet along the arc of a curve bearing to the right lead on having a radius of 25.00 feet, and a long chord which bears S 44° 24' 14" E, a distance of 18.48 feet, to a point on the westerly right-of-way line of 13th Street NW and a point of tangency; Thence, S 07° 13' 57" W, along said westerly right-of-way line of 13th Street NW, a distance of 105.72 feet to a point on curve, and a long chord which bears S 44° 24' 14" E, a distance of 105.72 feet; Thence, having said westerly right-of-way line of 13th Street NW, southeasterly, a distance of 94.27 feet along the arc of a curve bearing to the right, lead on having a radius of 103.75 feet and a long chord which bears S 65° 40' 33" W, a distance of 93.26 feet, to a point of tangency; Thence, N 80° 21' 23" W, a distance of 386.62 feet to the southeast corner of said Tract A-2, lands of William Andrew McCord; Thence, N 21° 27' 20" E, a distance of 48.93 feet to the northeast corner of said Tract A-2, lands of William Andrew McCord; Thence, N 80° 21' 23" W, a distance of 81.91 feet to the southeast corner of said Tract 2, lands of William Andrew McCord; Thence, N 21° 27' 20" E, a distance of 175.02 feet to the northeast corner and point of beginning of the parcel herein described, and containing 2.0056 acres, more or less.

**Tracts 1 & 2  
Lands of Accion New Mexico  
being a replot of  
Tract 2, Lands of McClain and  
Tract A-3, Lands of William Andrew McCord  
Projected Section 18, T.10N., R.3E., N.M.P.M.  
City of Albuquerque  
Bernalillo County, New Mexico  
August 2009**

PROJECT NUMBER **1007796**  
Application Number **09 D&B-70276**  
The purpose of this plat is to replot the lot lines between Tracts 1 and A-3 and plot approximate boundaries to form the replot tracts.

**PLAT APPROVAL** DOC# 288104309  
APPROVED BY: [Signature] DATE: 8-17-09

UTILITY APPROVAL	DATE
N/A	
NEW ELECTRIC SERVICES	DATE
N/A	
NEW WATER GAS COMPANY	DATE
N/A	
CABLE TELECOMMUNICATIONS	DATE
N/A	
CONCRETE INC.	DATE
N/A	
City Approvals:	
[Signature] City Engineer	8-17-09
[Signature] City Surveyor	8-17-09
REAL PROPERTY DIVISION	DATE
N/A	
ENVIRONMENTAL HEALTH DEPARTMENT	DATE
[Signature]	8-26-09
PLANNING AND RECREATION DEPARTMENT	DATE
[Signature]	8-26-09
HEALTH DEPARTMENT	DATE
[Signature]	8-26-09
PLANNING AND RECREATION DEPARTMENT	DATE
[Signature]	8-26-09
PLANNING AND RECREATION DEPARTMENT	DATE
[Signature]	9-15-09

THIS IS TO CERTIFY THAT THESE ARE CURRENT AND PAID IN FULL FOR THE PROJECTED SECTION 18, T.10N., R.3E., N.M.P.M. PROJECT OWNER OF RECORD: **Accion New Mexico**

BERNALILLO COUNTY TREASURER OFFICE: [Signature] DATE: 9/16/09

- SUBDIVISION DATA**
- Total gross acreage: 2.0550 acres
  - Total number of existing lots: No additional lots are being created by this plat.
  - Total acreage of streets created: 0
  - The bases of bearings for this survey is the New Mexico State Plane Civil, Central Zone, NAD 83.
  - Where measured bearings or distances differ from record, ( ) indicates record bearings and distances.
  - Where otherwise indicated, courses are set 1/2" error x 100 LS 5125.
  - Date of field survey: June, 2008
  - Discriminate used in the preparation of this survey: Plat of Lands of William Andrew McCord, in the office of the County Clerk of Bernalillo County, New Mexico, on May 5, 2006, in Plat Book 20062, page 149.
  - Plat of Lands of William Andrew McCord, filed in the office of the County Clerk of Bernalillo County, New Mexico, on June 25, 2003, in Plat Book 20032, page 190.
  - Title Commitment issued by Commissioner of the Insurance Company, File No. 4215000348 dated April 11, 2008 and documents referenced therein.
  - Waranty deed filed 4/11/2008, in Document No. 200834244.

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

- PNM Electric Services for the installation, maintenance and service of overhead and underground electric lines, transformers, poles and any other equipment, fixtures, structures and related facilities necessary to provide electrical service.
- 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 service.
- Local telecommunications for the installation, maintenance and service of all buried and aerial communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to those ground pedestals and closures.

A. Consent, for the installation, maintenance and service of such lines, poles and related equipment and facilities reasonably necessary to provide utility services, including, but not limited to, the right to build, repair, construct, reconstruct, locate, replace, change, remove, modify, alter, relocate, and install facilities for the purposes described above, together with free access to such lines, poles and related equipment, including sufficient working space for electric transformers, with the right and privilege to run and use wires, cables, conduits or lines which interfere with the purposes set forth herein. No building, sign, post, oblongation or excavation, nor any structure or real property, shall be altered or operated thereon, properly placed shall be made responsible for correcting any violations of National Electric Safety Code imposed by installation of poles, wires, or any structures adjacent to wires, or near apparatus shown on this plat.

Easements for electric transformers/pole-arms, as required, shall extend to feet (10') in front of the rear boundary/lot-line and the rear (10') on each side.

In approving this plat, PNM Electric Services (PNM) will not conduct a Title Search of the project as shown herein. Consequently, PNM does not warrant or make any statement or representation as to whether it may be subject.

**NOTE REGARDING INSTALLATION OF EASEMENT COLLARS**  
Section 14-1-4-7(B) No person shall use the area of this plat and of any line be subject to a deed restriction, covenant or burden agreement prohibiting water collection from being retained on buildings or created on the lots or parcels within the area of the proposed plat. The foregoing requirement shall be a condition to approval of this plat.

**FREE CONSENT AND DECLARATION BY OWNERS OF TRACT 2 AND TRACT A-3**

The plotting of the lots comprising Tracts 1 and 2, Lands of Accion New Mexico, as shown herein, and of the easements shown herein, with the free consent of said owners, with the written consent of the undersigned owners and proprietors herein. Said owners do hereby grant all easements shown herein, including the right of ingress and egress and the right to use utility lines. Said owners warrant that they have entered upon complete and irrevocable title in fee simple to the lands indicated.

**OWNERS OF TRACT 2 AND TRACT A-3**  
Accion New Mexico, a New Mexico Limited Liability Corporation  
[Signature] 9/14/09  
by L. H. Taylor, Vice President of Accion New Mexico

**ADMINISTRATIVE**  
STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO )  
This instrument was acknowledged before me on August 13, 2009, by L. H. Taylor, Vice President of Accion New Mexico, a New Mexico limited liability corporation.  
Notary Public: [Signature] Commission Expires July 16, 2012

**SURVEYOR'S AFFIDAVIT**  
I, Ronald A. Forstbauer, registered New Mexico Land Survey No. 6126, do hereby certify that the plat shown herein was prepared by me or under my direct supervision, that I am a duly licensed surveyor and that the measurements for measurements and survey of the Albuquerque Suburban Division and the City Detached Design Subdivision for Surveying and Mapping the City of Albuquerque, New Mexico, as established by the New Mexico Board of Licensure for Professional Land Surveyors effective May 1, 2007 are shown on the plat as indicated on this commitment. No. 021602346, effective April 1, 2008 issued by Commissioner of the Insurance Company, Bernalillo County, Albuquerque, New Mexico, and that the plat and section shown herein are true and correct to the best of my knowledge and belief.

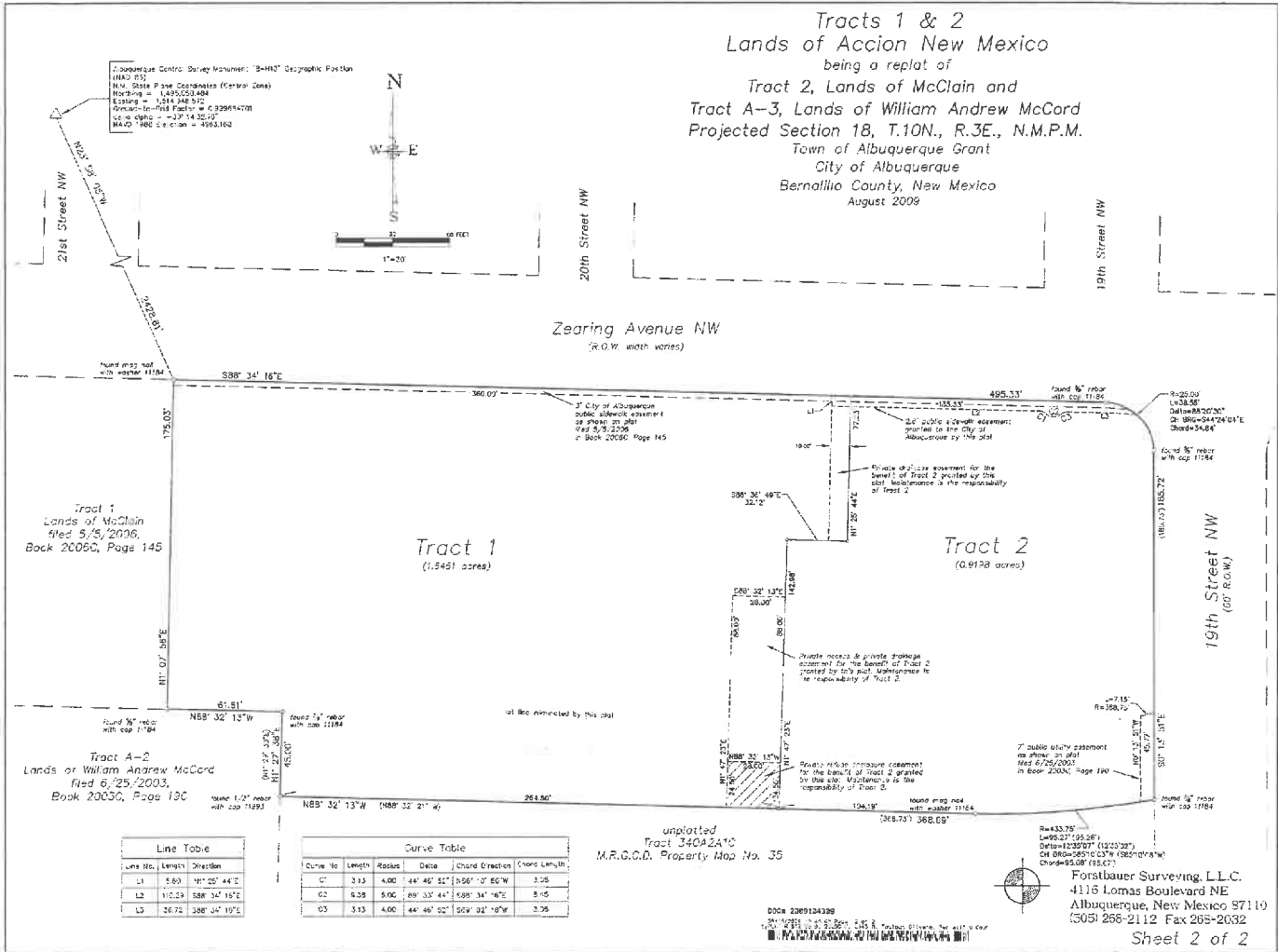
[Signature] 9/16/09  
Ronald A. Forstbauer  
N.M.P.S. No. 6126



Forstbauer Surveying, L.L.C.  
4116 Lomas Boulevard NE  
Albuquerque, New Mexico 87110  
(505) 268-2112 Fax: 268-2032  
Sheet 1 of 2

Tracts 1 & 2  
Lands of Accion New Mexico  
being a replat of  
Tract 2, Lands of McClain and  
Tract A-3, Lands of William Andrew McCord  
Projected Section 18, T.10N., R.3E., N.M.P.M.  
Town of Albuquerque Grant  
City of Albuquerque  
Bernalillo County, New Mexico  
August 2009

2. Geometric Control Survey Instrument: "S-H13" Geopraphic Position (HAG 03)  
N.M. State Plane Coordinates (Central Zone)  
Northing = 1,493,023.404  
Easting = 1,214,342.572  
Mercuric-Med Factor = 0.99994771  
22.5 alpha = -23° 14.32.72"  
MAGD 1982 S.E. Zone = 4923.162



Line Table

Line No.	Length	Direction
L1	5.63	N71°20'44"E
L2	110.23	S88°34'16"E
L3	26.72	S88°34'16"E

Curve Table

Curve No.	Length	Radius	Delta	Chord Direction	Chord Length
C1	3.13	4.00	44° 46' 51"	S56° 10' 00" W	3.25
C2	6.28	8.00	89° 33' 44"	S88° 34' 16" E	6.45
C3	3.13	4.00	44° 46' 51"	S56° 02' 10" W	3.25



Forstbauer Surveying, L.L.C.  
4115 Lomas Boulevard NE  
Albuquerque, New Mexico 87110  
(505) 266-2112 Fax 266-2032  
Sheet 2 of 2

# OFFICE OF THE SECRETARY OF STATE

## NEW MEXICO

### *Certificate of Amendment*

OF

DreamSpring

1634377

New Mexico

The Office of the Secretary of State certifies that the Articles of Amendment, duly signed and verified pursuant to the provisions of the

**Nonprofit Corporation Act**

**53-8-1 to 53-8-99 NMSA 1978**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State issues this Certificate of Amendment and attaches hereto a duplicate of the Articles of Amendment.

Dated: **June 3, 2019**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.**



*Maggi Toulouse Oliver*

Maggi Toulouse Oliver  
Secretary of State



OFFICE OF THE SECRETARY OF STATE  
NEW MEXICO

**June 3, 2019**

WIGGINS, WILLIAMS & WIGGINS PC  
P.O. BOX 1308  
ALBUQUERQUE, NM 87103

**RE: DreamSpring**  
**Business ID #: 1634377**

The Office of the Secretary of State has approved and filed the for the above captioned nonprofit corporation effective June 3, 2019. The enclosed Certificate of Amendment is evidence of filing, and should become a permanent document of the corporation's records.

Please be advised that although the Certificate of Amendment has been approved, you must also comply with all other federal or state laws applicable to your nonprofit corporation. This includes, but is not limited to state licensing requirements. It is the corporation's sole responsibility to obtain such compliance with all legal requirements applicable thereto prior to engaging in the business for which it has obtained approval of the referenced document.

If you have any questions, please contact the Corporations Bureau at (505) 827-3600 or toll free at 1-800-477-3632 for assistance.

Corporations Bureau

New Mexico  
**Secretary of State**  
Business Services Division  
325 Don Gaspar, Suite 300 · Santa Fe, NM 87501  
(800) 477-3632 · www.sos.state.nm.us



SUBMIT AN ORIGINAL  
\$20 FEE

**NONPROFIT CORPORATION  
ARTICLES OF AMENDMENT**

Pursuant to the provisions of the New Mexico Nonprofit Corporation Act, the undersigned corporation adopts the following Articles of Amendment:

**ARTICLE ONE:** The corporation's name and Business ID # are:

Accion, 1634377

**ARTICLE TWO:** The following articles are amended as set forth (identify the original article being amended. Attach an additional page if needed):

Article 1 is hereby amended as follows: The name of the corporation is DreamSpring.

**ARTICLE THREE:** (Choose only the applicable option):

The date of the meeting of members at which the amendment was adopted was \_\_\_\_\_

OR


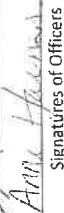
The amendment was adopted by a consent in writing signed by all the members entitled to vote thereon.

OR

The date of the meeting of the board of directors at which the amendment was adopted was May 20, 2019. The corporation has no members, or no members entitled to vote thereon. Therefore, the amendment was adopted by a majority of the board of directors in office.

ARTICLE FOUR: If these Articles of Amendment are not to be effective upon filing with the Secretary of State,  
the effective date is: \_\_\_\_\_

Dated: June 3, 2019

Two Officer Signatures Required  
 Yasmeen Nadeem, Chair  
 Anne Haines, President / CEO  
Signatures of Officers  
Printed Names and Titles



OFFICE OF THE NEW MEXICO SECRETARY OF STATE



WIGGINS, WILLIAMS & WIGGINS PC  
 P.O. BOX 1308  
 ALBUQUERQUE, NM 87103

PAYMENT RECEIPT

PAYMENT RECEIPT NUMBER: 305198  
 PROCESSED DATE: 06/03/2019

PAYEE INFORMATION

Payee: Wiggins, Williams & Wiggins PC P.O. Box 1308 Albuquerque, NM 87103	Payee ID: 000013279
Email:	Telephone Number:

TRANSACTION DESCRIPTION

Transaction Type: BUSINESS AMENDMENT	Expedite: NONE	Entity Type: Domestic Nonprofit Corporation
Business Name: DreamSpring	Filing Date: 06/03/2019	Business ID #: 1634377
Workorder #: 2016538985	Number of Pages: 2	

PAYMENT INFORMATION

Filing Fee: \$20.00
Total Payment Amount: \$20.00
Payment Type: Payment Info
Pre-Paid Account: 13279 FOR \$20.00

DOCUMENT DELIVERY

Source: Walk in	Type: N/A	Tracking #: N/A
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OFFICE OF THE SECRETARY OF STATE  
NEW MEXICO

January 5, 2017

WIGGINS WILLIAMS & WIGGINS PC  
1803 RIO GRANDE NW  
ALBUQUERQUE, NM 87104

**RE: Accion**  
**Business ID #:** 1634377

The Office of the Secretary of State has approved and filed the for the above captioned nonprofit corporation effective December 30, 2016. The enclosed Certificate of Amendment is evidence of filing, and should become a permanent document of the corporation's records.

Please be advised that although the Certificate of Amendment has been approved, you must also comply with all other federal or state laws applicable to your nonprofit corporation. This includes, but is not limited to state licensing requirements. It is the corporation's sole responsibility to obtain such compliance with all legal requirements applicable thereto prior to engaging in the business for which it has obtained approval of the referenced document.

If you have any questions, please contact the Corporations Bureau at (505) 827-3600 or toll free at 1-800-477-3632 for assistance.

Corporations Bureau

# OFFICE OF THE SECRETARY OF STATE

## NEW MEXICO

### *Certificate of Amendment*

OF  
Accion  
1634377  
New Mexico

The Office of the Secretary of State certifies that the Articles of Amendment, duly signed and verified pursuant to the provisions of the

**Nonprofit Corporation Act** **53-8-1 to 53-8-99 NMSA 1978**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State issues this Certificate of Amendment and attaches hereto a duplicate of the Articles of Amendment.

Dated: **December 30, 2016**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.**



*Maggi Antonia Olin*  
Maggie Toulouse Oliver  
Secretary of State



New Mexico  
**Secretary of State**  
 325 Don Gaspar, Suite 300 · Santa Fe, NM 87501  
 (800) 477-3632 · www.sos.state.nm.us

Office of the New Mexico Secretary of State  
 Filing Number: 001735895  
 Date Filed: 10/28/2016  
 Total Number of Pages: 1 of 1

**SUBMIT ORIGINAL AND A COPY  
 TYPE OR PRINT LEGIBLY**

**Nonprofit Corporation  
 ARTICLES OF AMENDMENT  
 TO THE ARTICLES OF INCORPORATION**

Pursuant to the provisions of the New Mexico Nonprofit Corporation Act, the undersigned corporation adopts the following Articles of Amendment for the purpose of amending its Articles of Incorporation:

**ARTICLE ONE:** The name of the corporation is (include NM CORP#):  
 ACCION, Inc., NM CORP. #1634377

**ARTICLE TWO:** The following articles are amended as set forth here: (identify by article number and attach additional pages if necessary)

Article 1 is hereby amended as follows: The name of the corporation is Accion.

**ARTICLE THREE:** (select the appropriate action taken) The date of the meeting of members at which the amendment was adopted was

A quorum of the members entitled to vote was present and the amendment received at least two-thirds (2/3) of the votes which members present at the meeting or represented by proxy were entitled to cast.

**OR** The amendment was adopted by a consent in writing signed by all members entitled to vote thereon.

**OR** The date of the meeting of the board of directors at which the amendment was adopted was July 22, 2016. The corporation has no members, or no members entitled to vote thereon, therefore the amendment was adopted by a majority of the board of directors in office.

**ARTICLE FOUR:** If these Articles of Amendment are not to be effective upon filing with the Secretary of State, the effective date is: (if an effective date is specified here, it cannot be a date prior to the date the articles are received by the commission)

Dated: October 28, 2016

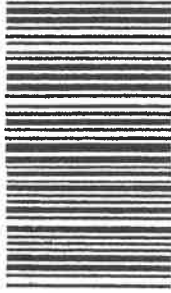
ACCION, Inc.  
 Name of Corporation  
 Two officers must sign: By *[Signature]* Chairman  
 By *[Signature]* Secretary  
 Signature of Authorized Officer

Form DNP-AM (revised 06/13)

RECEIVED  
 SOS  
 Corporation Bureau  
 DEC 30 2016



New Mexico  
**Secretary of State**  
 325 Don Gaspar, Suite 300 • Santa Fe, NM 87501  
 (800) 477-3632 • www.sos.state.nm.us



009898

**SUBMIT ORIGINAL AND A COPY  
 TYPE OR PRINT LEGIBLY**

**Nonprofit Corporation  
 ARTICLES OF AMENDMENT  
 TO THE ARTICLES OF INCORPORATION**

Pursuant to the provisions of the New Mexico Nonprofit Corporation Act, the undersigned corporation adopts the following Articles of Amendment for the purpose of amending its Articles of Incorporation:

**ARTICLE ONE:** The name of the corporation is (include NM CORP#):  
 ACCION, Inc., NM CORP. #1634377

**ARTICLE TWO:** The following articles are amended as set forth here: (*identify by article number and attach additional pages if necessary*)

Article 1 is hereby amended as follows: The name of the corporation is Accion.

**ARTICLE THREE:** (*select the appropriate action taken*) The date of the meeting of members at which the amendment was adopted was \_\_\_\_\_.  
 A quorum of the members entitled to vote was present and the amendment received at least two-thirds (2/3) of the votes which members present at the meeting or represented by proxy were entitled to cast.

**OR** \_\_\_\_\_ The amendment was adopted by a consent in writing signed by all members entitled to vote thereon.

**OR**  
 x \_\_\_\_\_ The date of the meeting of the board of directors at which the amendment was adopted was July 22, 2016. The corporation has no members, or no members entitled to vote thereon, therefore the amendment was adopted by a majority of the board of directors in office.

**ARTICLE FOUR:** If these Articles of Amendment are not to be effective upon filing with the Secretary of State, the effective date is: (*if an effective date is specified here, it cannot be a date prior to the date the articles are received by the commission*) \_\_\_\_\_

Dated: October 28, 2016

ACCION, Inc.  
 Name of Corporation  
 Two officers must sign: By [Signature] Chairman  
 By [Signature] Secretary of Authorized Officer  
 Secretary  
 Signature of Authorized Officer

Form DNP-AM (revised 06/13)

OFFICE OF THE NEW MEXICO SECRETARY OF STATE



WIGGINS WILLIAMS & WIGGINS PC  
 1803 RIO GRANDE NW  
 ALBUQUERQUE, NM 87104

PAYMENT RECEIPT

PAYMENT RECEIPT NUMBER: 55095  
 PROCESSED DATE: 01/05/2017

PAYEE INFORMATION

Payee: Wiggins Williams & Wiggins PC 1803 Rio Grande NW Albuquerque, NM 87104 Email: DWRIGHT@WWWLAW.US	Payee ID: 000004139  Telephone Number: (505) 764-8400
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TRANSACTION DESCRIPTION

Transaction Type: BUSINESS AMENDMENT	Expedite: NONE	Entity Type: Domestic Nonprofit Corporation
Business Name: Action	Filing Date: 12/30/2016	Business ID #: 1634377
Workorder #: 2016124656	Number of Pages: 1	

PAYMENT INFORMATION

Filing Fee: \$20.00
Total Payment Amount: \$20.00
Payment Type: Check 13693 FOR \$20.00

DOCUMENT DELIVERY

Source: Mail	Type: N/A	Tracking #: N/A
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# OFFICE OF THE SECRETARY OF STATE

## NEW MEXICO

### *Certificate of Amendment*

OF

**ACCION, Inc.**

**1634377**

**New Mexico**

The Office of the Secretary of State certifies that the Articles of Amendment, duly signed and verified pursuant to the provisions of the

**Nonprofit Corporation Act**

**53-8-1 to 53-8-99 NMSA 1978**

have been received and are found to conform to law. Accordingly, by virtue of the authority vested in it by law, the Office of the Secretary of State issues this Certificate of Amendment and attaches hereto a duplicate of the Articles of Amendment.

Dated: **November 3, 2016**

**In testimony whereof, the Office of the Secretary of State has caused this certificate to be signed on this day in the City of Santa Fe, and the seal of said office to be affixed hereto.**



*Brad Winter*

**Brad Winter**  
**Secretary of State**



New Mexico  
**Secretary of State**  
 325 Don Gaspar, Suite 300 · Santa Fe, NM 87501  
 (800) 477-3632 · www.sos.state.nm.us

Office of the New Mexico Secretary of State  
 Filed On: 11/12/2016 17:21:50b  
 Total Number of Pages: 1 of 1

**SUBMIT ORIGINAL AND A COPY  
 TYPE OR PRINT LEGIBLY**

**Nonprofit Corporation  
 ARTICLES OF AMENDMENT  
 TO THE ARTICLES OF INCORPORATION**

Pursuant to the provisions of the New Mexico Nonprofit Corporation Act, the undersigned corporation adopts the following Articles of Amendment for the purpose of amending its Articles of Incorporation:

**ARTICLE ONE:** The name of the corporation is (include NM CORP#):  
 ACCION NEW MEXICO, NM CORP. #1634377

**ARTICLE TWO:** The following articles are amended as set forth here: (identify by article number and attach additional pages if necessary)

Article 1 is hereby amended as follows: The name of the corporation is ACCION, Inc.

**ARTICLE THREE:** (select the appropriate action taken) The date of the meeting of members at which the amendment was adopted was \_\_\_\_\_.  
 A quorum of the members entitled to vote was present and the amendment received at least two-thirds (2/3) of the votes which members present at the meeting or represented by proxy were entitled to cast.

**OR** The amendment was adopted by a consent in writing signed by all members entitled to vote thereon.  
**OR**  
 x The date of the meeting of the board of directors at which the amendment was adopted was July 22, 2016. The corporation has no members, or no members entitled to vote thereon, therefore the amendment was adopted by a majority of the board of directors in office.

**ARTICLE FOUR:** If these Articles of Amendment are not to be effective upon filing with the Secretary of State, the effective date is: (if an effective date is specified here, it cannot be a date prior to the date the articles are received by the commission)

Dated: October 28, 2016

ACCIÓN NEW MEXICO  
 Name of Corporation  
 Two officers must sign: By [Signature] Chairman  
 By [Signature] Signature of Authorized Officer  
 Secretary  
 Signature of Authorized Officer

Form DNF-AM (revised 06/13)

RECEIVED  
 SOS  
 Corporation Bureau  
 NOV 13 2016





OFFICE OF THE SECRETARY OF STATE  
NEW MEXICO

November 4, 2016

WIGGINS WILLIAMS & WIGGINS PC  
1803 RIO GRANDE NW  
ALBUQUERQUE, NM 87104

**RE: ACCION, Inc.**  
**Business ID #: 1634377**

The Office of the Secretary of State has approved and filed the for the above captioned nonprofit corporation effective November 3, 2016. The enclosed Certificate of Amendment is evidence of filing, and should become a permanent document of the corporation's records.

Please be advised that although the Certificate of Amendment has been approved, you must also comply with all other federal or state laws applicable to your nonprofit corporation. This includes, but is not limited to state licensing requirements. It is the corporation's sole responsibility to obtain such compliance with all legal requirements applicable thereto prior to engaging in the business for which it has obtained approval of the referenced document.

If you have any questions, please contact the Corporations Bureau at (505) 827-3600 or toll free at 1-800-477-3632 for assistance.

Corporations Bureau

OFFICE OF THE NEW MEXICO SECRETARY OF STATE



WIGGINS WILLIAMS & WIGGINS PC  
 1803 RIO GRANDE NW  
 ALBUQUERQUE, NM 87104

PAYMENT RECEIPT

PAYMENT RECEIPT NUMBER: 44248  
 PROCESSED DATE: 11/04/2016

PAYEE INFORMATION

Payee: Wiggins Williams & Wiggins PC 1803 Rio Grande NW Albuquerque, NM 87104	Payee ID: 000004139
Email: DWRIGHT@WWWLAW.US	Telephone Number: (505) 764-8400

TRANSACTION DESCRIPTION

Transaction Type: BUSINESS AMENDMENT	Expedite: NONE	Entity Type: Domestic Nonprofit Corporation
Business Name: ACCION, Inc.	Filing Date: 11/03/2016	Business ID #: 1634377
Workorder #: 2016109066	Number of Pages: 1	

PAYMENT INFORMATION

Filing Fee: \$20.00
Total Payment Amount: \$20.00
Payment Type: Check 13571 FOR \$20.00

DOCUMENT DELIVERY

Source: Mail	Type: N/A	Tracking #: N/A
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OFFICE OF THE  
PUBLIC REGULATION COMMISSION

CERTIFICATE OF COMPARISON

OF

ACCION NEW MEXICO


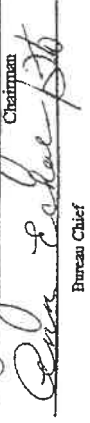
1634377

The Public Regulation Commission certifies that the attached is a true and complete copy of the \*\*\*35\*\*\*\* page document(s) on file in this office.

This Certification is in accordance with Section 53-8-93 NMSA 1978.

DATED: JUNE 4, 2001

In testimony whereof, the State Public Regulation Commission of the State of New Mexico has caused this certificate to be signed by its Chairman and the seal of said Commission to be affixed at the City of Santa Fe

  
Chairman  
  
Bureau Chief

OFFICE OF  
**THE STATE CORPORATION COMMISSION**

CERTIFICATE OF INCORPORATION

OR

ACTION NEW MEXICO


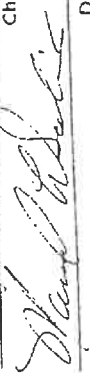
1634377

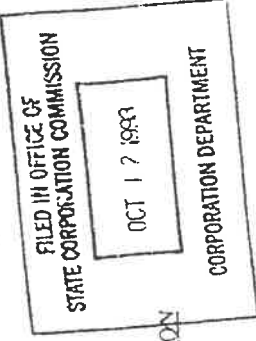
The State Corporation Commission certifies that duplicate originals of the Articles of Incorporation attached hereto, duly signed and verified pursuant to the provisions of the NONPROFIT CORPORATION ACT (53-8-1 to 53-8-99 NMSA 1978) have been received by it and are found to conform to law.

Accordingly, by virtue of the authority vested in it by law, the State Corporation Commission issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

DATE: OCTOBER 12, 1993

In Testimony Whereof, the State Corporation Commission of the State of New Mexico has caused this certificate to be signed by its Chairman and the Seal of said Commission to be affixed at the City of Santa Fe

  
Chairman  
  
Director



1 5 1 6 3 7 7  
*ACCION NEW MEXICO*

ARTICLES OF INCORPORATION

The undersigned acting as Incorporators of a nonprofit corporation under the New Mexico Nonprofit Corporation Act, adopt the following Articles of Incorporation for the corporation:

ARTICLE I

The name of the corporation shall be *ACCION NEW MEXICO*.

ARTICLE II

The period of duration of the corporation shall be perpetual.

ARTICLE III

- A. The corporation is organized and shall be operated exclusively for charitable and educational purposes.
- B. The primary mission of *ACCION NEW MEXICO* will be to stimulate local economic growth and facilitate local efforts to combat poverty through providing credit and other support services to small enterprises that generally do not have access to commercial business credit. *ACCION NEW MEXICO* will conduct special outreach efforts to reach disenfranchised, low income, and minority entrepreneurs and position itself as an intermediary lender between commercial banks and micro-entrepreneurs. The program will encourage the development of relationships between *ACCION* clients and the local financial institutions.

ARTICLE IV

The corporation shall not carry on any activity not permitted to be carried on by, or that would jeopardize the tax exempt status of, an organization exempt under Section 501(c)(3) of the Internal Revenue Code of 1986. No substantial part of the activities of the corporation will be the carrying on of propaganda or otherwise attempting to influence legislation (except as otherwise provided in Section 501(h) of the Internal Revenue Code of 1986); and the corporation shall not participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of any candidate for public office.

ARTICLE V

The corporation shall have and may exercise only those powers granted by the New Mexico Nonprofit Corporation Act, which are in furtherance of its tax exempt purposes and activities and which may be exercised by an organization exempt from tax under Section 501(c)(3) of the Internal Revenue Code of 1986.

ARTICLE VI

The corporation shall have no members. The business of the corporation shall be managed by the Board of Directors. The qualifications, selection and terms of office of members of the Board of Directors shall be as set forth in the By-Laws of the corporation.

ARTICLE VII

The corporation shall not afford pecuniary gain, incidentally or otherwise, to any person, including a member of the corporation, having a personal and private interest in the activities of the corporation. No part of the income, profit, or net earning of the corporation shall inure to the benefit of, or be distributable to, any person, including a member of the corporation, having a personal and private interest in the activities of the corporation, the directors or officers of the corporation, or other private persons, except that the corporation may pay reasonable compensation for services rendered, and may make distributions in furtherance of its corporate purposes, either directly or by contributing to organizations then exempt under Section 501(c)(3) of the Internal Revenue Code of 1986. Upon liquidation or dissolution, the corporate assets shall be distributed first in payment of all liabilities of the corporation and then exclusively for the purposes of the corporation or to charitable or educational organizations then exempt under Section 501 (c) (3) of the Internal Revenue Code of 1986.

ARTICLE VIII

If the corporation shall be a private foundation, as defined in Section 509(a) of the Internal Revenue Code of 1986, the corporation:

- (1) shall distribute its income for each taxable year at such time and in such manner as not to subject the corporation to tax under Section 4942 of the Internal Revenue Code of 1986; and
- (2) shall not engage in any act of self-dealing (as defined in Section 4941(d) of the Internal Revenue Code of 1986), retain any excess business holdings (as defined in Section

4943(c) of the Internal Revenue Code of 1986), make any investments in such manner as to subject the corporation to tax under Section 4944 of the Internal Revenue Code of 1986, or make any taxable expenditures (as defined in Section 4945(d) of the Internal Revenue Code of 1986).

#### ARTICLE IX

The initial registered office address of the corporation shall be 20 First Plaza, Suite 710, Albuquerque, New Mexico 87102, and its initial registered agent at that address shall be Robert D. Taichert, Esq.

#### ARTICLE X

The initial Board of Directors shall consist of three Directors whose names and addresses

are:

Michael Settle  
Merrill Lynch  
2125 Louisiana NE  
Albuquerque, NM 87112

Roberto Espat  
Roses Southwest Papers  
1701 2nd Street SW  
Albuquerque, NM 87102

David J. Ottensmeyer, M.D.  
Lovelace Institute for Health Science  
5400 Gibson Blvd. SE  
Albuquerque, NM 87106



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

**Receipt: 1568719**

<b>Product</b>	<b>Name</b>	<b>Extended</b>
AGRE	Agreement	\$25.00
	# Pages	39
	Document #	2024087754
	# Of Entries	0
<b>Total</b>		\$25.00
Tender (Check)		\$25.00
Check#	36159	
Paid By	DREAM SPRING	
Phone #	18005087624	

Thank You!

**12/9/24 1:17 PM MST rzelada**