

DEVELOPMENT FACILITATION TEAM (DFT) APPLICATIONS

Effective 12/15/2022

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

MISCELLANEOUS APPLICATIONS	<input type="checkbox"/> Extension of Infrastructure List or IIA (Form S3)
<input type="checkbox"/> Site Plan Administrative DFT (Forms P & P2)	PRE-APPLICATIONS
<input type="checkbox"/> Final EPC Sign-off for Master Development/Site Plans - EPC (Form P2)	<input checked="" type="checkbox"/> Sketch Plat Review and Comment (Form S3)
<input type="checkbox"/> Amendment to Infrastructure List (Form S3)	<input type="checkbox"/> Sketch Plan Review and Comment (Form S3)
<input type="checkbox"/> Temporary Deferral of S/W (Form S3)	APPEAL
<input type="checkbox"/> Extension of IIA: Temp. Def. of S/W (Form S3)	<input type="checkbox"/> Administrative Decision (Form A)

BRIEF DESCRIPTION OF REQUEST

We are requesting for the public utility easement established by Ordinance 1197 and Ordinance 1292 to be vacated. Submitted with this application is an updated survey of the property showing the existing public utility easement and a copy of the referenced Ordinances.

Legal Description: Lots 1 and 2 of Block 49 of Snow Heights Addition including the South 25 ft of a portion of Candelaria Rd NE Right-of-Way vacated 2/12/1957 by City Ordinance 1197

APPLICATION INFORMATION

Applicant/Owner: Jay Redlin, Patricia Redlin		Phone: 505-263-7419
Address:		Email: jpredlin@aol.com
City:	State:	Zip:
Professional/Agent (if any): Jeremy Salazar		Phone:
Address: 2155 Louisiana Blvd NE Ste 7200		Email:
City: Albuquerque	State: NM	Zip: 87110
Proprietary Interest in Site: Real Estate Broker for Owner	List all owners: Jay Redlin, Patricia Redlin	

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

Lot or Tract No.: Lots 1 and 2	Block: 49	Unit:
Subdivision/Addition: Snow Heights	MRGCD Map No.:	UPC Code: 102105904953521624
Zone Atlas Page(s):	Existing Zoning: MX-L	Proposed Zoning: No Change
# of Existing Lots: 2	# of Proposed Lots: No Change	Total Area of Site (Acres): 0.3673

LOCATION OF PROPERTY BY STREETS

Site Address/Street: 9720 Candelaria Rd NE	Between: Eubank Blvd NE	and: Carol St NE
--------------------------------------------	-------------------------	------------------

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

I certify that the information I have included here and sent in the required notice was complete, true, and accurate to the extent of my knowledge.

Signature: Jay V Redlin	Date: 11/19/24
Printed Name: jay v redlin	<input checked="" type="checkbox"/> Applicant or <input type="checkbox"/> Agent

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 rights-of-way, and street improvements, if there is any existing land use



G20

Christine

Candelaria Rd NE

Subject Property



G21

Matthew Ave NE

Christine St NE

Carol St NE

Los Arboles Ave NE

Mary Ellen St NE

Claremont Ave NE

Lexington Ave NE

H20

H21

Pitt St NE

Blume St NE

Bells Dr NE

Propps Dr NE

Stevens Dr NE

Frances St NE

Britt St NE

Morris St NE

Matheson

Math

Gioretta St NE

Bank Blvd NE



Woodland Ave NE

City of Albuquerque, Bernalillo County, NM, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P...

POWERED BY
esri



**City of Albuquerque
Planning and Zoning Department**

11/18/2024

RE: 9720 Candelaria Rd NE, Albuquerque, NM 87112, Owner: The Redlin Family Trust, u/t/a dated October 19, 2017, Jay V. Redlin and Patricia A. Redlin, Trustees, or their Successors in trust for the benefit of ABQRENTALSLLC.COM (Parcel 1) and Candelaria Plaza LLC, a New Mexico Limited Liability company (Parcel 2).

Planning and Zoning Department,

My name is Jeremy Salazar and I'm reaching out on behalf of the property owner. The purpose of this letter is to request the vacation of a public utility easement located at the property referenced above. Attached with this letter is the applicable application, a survey of the property showing the easement, and the original ordinance establishing the public utility easement. I've also included emails and encroachment agreements from multiple utility companies stating they have no interest in the easement. We are requesting a vacation of the easement because multiple utility providers have stated they cannot provide an encroachment agreement since they are not using the easement and do not own it.

Please feel free to contact me directly if there is any other documentation you need.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Salazar", written in a cursive style.

Jeremy Salazar
Commercial Advisor
RESOLUT RE
2155 Louisiana Blvd NE, Ste 7200
Albuquerque, NM 87110

RE: City Ordinance

From Fowler, Aaron W. <afowler@cabq.gov>
Date Thu 10/31/2024 11:47 AM
To Ortega, Lisa <LOrtega@OldRepublicTitle.com>
Cc Jeremy Salazar <jsalazar@resolutre.com>

Good morning Lisa,
I have reviewed this again with our legal department. You can go through planning and vacate the easement. To do this, you must go through the full vacation process. If this is something that is going to be pursued, you will probably also want to address the sign that is encroaching into the city right of way as well. The Number for the planning department is 505-768-2000
Thank you
Aaron



Aaron Fowler
Right of Way Supervisor
O: 505-924-3489
C: 505-549-0570
E: afowler@cabq.gov
[Cabq.gov/municipal development](http://Cabq.gov/municipal%20development)

From: Ortega, Lisa <LOrtega@OldRepublicTitle.com>
Sent: Tuesday, October 29, 2024 2:52 PM
To: Fowler, Aaron W. <afowler@cabq.gov>
Cc: 'Jeremy Salazar' <jsalazar@resolutre.com>
Subject: RE: City Ordinance

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Hi Aaron,

This is what PNM is saying about the encroachment agreement and PNM won't sign an agreement since the City owns the easement:

Thank you for sending the information I requested.

This department has historically provided property owners with encroachment agreements when features of their property encroach on a public utility easement (PUE) and PNM's Engineering Department hasn't objected. However, since our last communication our new manager has revised that policy based on the fact that PNM does not own PUEs, which are owned by the City of Albuquerque.

However, the encroachment into the PUE at 9720 Candelaria Rd NE has been reviewed by a manager in Engineering, who has concluded that he has no objection based on the fact that if PNM should do any future work on the property it would either be underground and thus not affect the parking spaces or would take place in the street right-of-way.

Please help us.

Lisa Ortega
Assistant Vice President | Senior Escrow Officer
5501 Jefferson St NE, Ste 100, Albuquerque, NM 87109
T: 505.994.6679 | C: 505.307.1096 | F: 505.214.5032

From: Ortega, Lisa
Sent: Thursday, September 19, 2024 11:53 AM
To: Fowler, Aaron W. <afowler@cabq.gov>
Cc: Jeremy Salazar <jsalazar@resolutre.com>
Subject: RE: City Ordinance

Ok thank you Aaron.

Lisa Ortega
Assistant Vice President | Senior Escrow Officer
5501 Jefferson St NE, Ste 100, Albuquerque, NM 87109
T: 505.994.6679 | C: 505.307.1096 | F: 505.214.5032
lortega@OldRepublicTitle.com
Old Republic National Title Insurance Company |

From: Fowler, Aaron W. <afowler@cabq.gov>
Sent: Thursday, September 19, 2024 11:52 AM
To: Ortega, Lisa <LOrtega@OldRepublicTitle.com>
Cc: Jeremy Salazar <jsalazar@resolutre.com>
Subject: [EXTERNAL] RE: City Ordinance

Hi Lisa, the city cannot release this as it was explicitly reserved for public utilities. You would have to get all of the public utilities to sign off on vacating it

Thank you
Aaron



Aaron Fowler
Real Property Supervisor
O: 505-924-3489
C: 505-549-0570
E: afowler@cabq.gov
Cabq.gov/municipal development

From: Ortega, Lisa <LOrtega@OldRepublicTitle.com>
Sent: Thursday, September 19, 2024 11:41 AM
To: Fowler, Aaron W. <afowler@cabq.gov>
Cc: Jeremy Salazar <jsalazar@resolutre.com>
Subject: RE: City Ordinance

[EXTERNAL] Forward to phishing@cabq.gov and delete if an email causes any concern.

Hi Aaron,

Just following up again on this. Will the City be able to release this? Please let us know. Thank you!

Lisa Ortega
Assistant Vice President | Senior Escrow Officer
5501 Jefferson St NE, Ste 100, Albuquerque, NM 87109

lortega@OldRepublicTitle.com
Old Republic National Title Insurance Company I

From: Ortega, Lisa
Sent: Monday, September 9, 2024 11:44 AM
To: Fowler, Aaron W. <afowler@cabq.gov>
Subject: RE: City Ordinance

Hi Aaron,

Here are better copies of the ordinances. Please let me know if the City is willing to issue a release for the easement that was granted on this ordinance.

Thank you so much!

Lisa Ortega
Assistant Vice President | Senior Escrow Officer
5501 Jefferson St NE, Ste 100, Albuquerque, NM 87109
T: 505.994.6679 | C: 505.307.1096 | F: 505.214.5032
lortega@OldRepublicTitle.com
Old Republic National Title Insurance Company I

From: Ortega, Lisa
Sent: Wednesday, September 4, 2024 3:38 PM
To: Fowler, Aaron W. <afowler@cabq.gov>
Subject: RE: City Ordinance

Thank you so much. I am trying to get the county to get us a better copy.

There isn't an additional PUE filed, just the language in the ordinance. This is the section of the ordinance that I'm talking about

-3-

SECTION 11. The City hereby reserves all easements for
utilities, whether municipally owned or privately owned, which
may be necessary for public use and benefit at the present time or
in the future.

Lisa Ortega
Assistant Vice President | Senior Escrow Officer
5501 Jefferson St NE, Ste 100, Albuquerque, NM 87109
T: 505.994.6679 | C: 505.307.1096 | F: 505.214.5032
lortega@OldRepublicTitle.com
Old Republic National Title Insurance Company I

From: Fowler, Aaron W. <afowler@cabq.gov>
Sent: Wednesday, September 4, 2024 3:23 PM
To: Ortega, Lisa <LOrtega@OldRepublicTitle.com>
Subject: [EXTERNAL] City Ordinance

Good afternoon, Lisa. I will be trying to help you with the property at 9720 Candelaria if we can get a clearer picture of the ordinance that would help, also copies of the public utility easement and who it benefits
Thank you
Aaron

and



Aaron Fowler

Real Property Supervisor

O: 505-924-3489

C: 505-549-0570

E: afowler@cabq.gov

Cabq.gov/municipal development

9720 Candelaria Rd NE

From Salas, Jordan L. <jsalas@abcwua.org>
Date Wed 10/30/2024 1:53 PM
To Jeremy Salazar <jsalazar@resolutre.com>

Good afternoon Mr. Salazar,

We did some research on this location and we don't believe we own this particular easement, that it belongs to the City, so we cannot respond to his request for encroachment. We do not have any assets within the easement. If you need to chat further about this, I can connect you with our General Counsel, just let me know.

Thank you for your patience while we worked on this.



Jordan Salas
Executive Services Coordinator
Albuquerque Bernalillo County Water Utility Authority
PO Box 568 | Albuquerque NM | 87103
505-289-3100 (office)
www.abcwua.org

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Tuesday, October 29, 2024 2:46 PM
To: Salas, Jordan L. <jsalas@abcwua.org>
Subject: Re: 9720 Candelaria Rd NE

[CAUTION: This email was received from an EXTERNAL source]

Hi Jordan, I'm just following up on the encroachment agreement. Were you able to discuss it with your general counsel?



Jeremy Salazar
Commercial Advisor
2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110
O: [505.337.0777](tel:505.337.0777) | C: [505.859.2975](tel:505.859.2975)
E: jsalazar@resolutre.com
www.resolutre.com



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From: Salas, Jordan L. <jsalas@abcwua.org>
Sent: Friday, October 25, 2024 2:06 PM
To: Jeremy Salazar <jsalazar@resolutre.com>
Subject: 9720 Candelaria Rd NE

Hi Jeremy

Yes, we are working on this. We needed to verify whether we were using the easement, which I don't believe we are. I need to have our General Counsel help me with some type of response/letter for you. I will be in touch early next week. Thanks for your patience.



Jordan Salas
Executive Services Coordinator
Albuquerque Bernalillo County Water Utility Authority
PO Box 568 | Albuquerque NM | 87103
505-289-3100 (office) 505-357-7668 (mobile)
www.abcwua.org

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Friday, October 25, 2024 2:00 PM
To: Salas, Jordan L. <jsalas@abcwua.org>; jsalas@abcwua.com
Subject: Re: 9720 Candelaria Rd NE

[CAUTION: This email was received from an EXTERNAL source]

Hi Jordan, I just wanted to follow up and see if you were able to speak with your General Counsel regarding the encroachment agreement?



Jeremy Salazar
Commercial Advisor
2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110
O: [505.337.0777](tel:505.337.0777) | C: [505.859.2975](tel:505.859.2975)
E: jsalazar@resolutre.com
www.resolutre.com



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From: Salas, Jordan L. <jsalas@abcwua.org>
Sent: Monday, October 21, 2024 4:28 PM
To: Jeremy Salazar <jsalazar@resolutre.com>; jsalas@abcwua.com <jsalas@abcwua.com>
Subject: 9720 Candelaria Rd NE

Good afternoon Mr. Salazar,

I sent this to our General Counsel for further direction. We will get back to you soon.

Thank you,



Jordan Salas
Executive Services Coordinator
Albuquerque Bernalillo County Water Utility Authority
PO Box 568 | Albuquerque NM | 87103
505-289-3100 (office)
www.abcwua.org

From: Jeremy Salazar <jsalazar@resolutre.com>

Sent: Monday, October 21, 2024 4:16 PM

To: jsalazar@abcwua.com

Subject: 9720 Candelaria Rd NE

[CAUTION: This email was received from an EXTERNAL source]

Jordan,

Attached is the property survey, the title insurance commitment and Ordinance 1197 which is referenced on the survey.

Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | C: [505.859.2975](tel:505.859.2975)

E: jsalazar@resolutre.com

www.resolutre.com



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Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | C: [505.859.2975](tel:505.859.2975)

E: jsalazar@resolutre.com

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RE: [External] 972 Candelaria Rd NE Utility Easement

From Goodwin, Robert <Robert.Goodwin@pnm.com>

Date Wed 10/23/2024 1:23 PM

To Jeremy Salazar <jsalazar@resolutre.com>

Thank you for sending the information I requested.

This department has historically provided property owners with encroachment agreements when features of their property encroach on a public utility easement (PUE) and PNM's Engineering Department hasn't objected. However, since our last communication our new manager has revised that policy based on the fact that PNM does not own PUEs, which are owned by the City of Albuquerque.

However, the encroachment into the PUE at 972 Candelaria Rd NE has been reviewed by a manager in Engineering, who has concluded that he has no objection based on the fact that if PNM should do any future work on the property it would either be underground and thus not affect the parking spaces or would take place in the street right-of-way.

Had I known the policy would change I wouldn't have requested the additional information from you, and I hope it didn't require a great deal of effort. Please accept my apology for having wasted your time.

I hope this explanation will be a sufficient one for the title company.

Rob Goodwin
Senior Right of Way Agent
PNM Land Management
2401 Aztec Rd. NE, MS Z110
Albuquerque, NM 87107
505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Thursday, October 17, 2024 10:29 AM
To: Goodwin, Robert <Robert.Goodwin@pnm.com>
Subject: Re: [External] 972 Candelaria Rd NE Utility Easement

Sorry for the delay. I've attached the survey and the title commitment. On the last page of the title commitment there is a hyperlink to the ordinance and I've attached a copy. Let me know if there's anything else you need.

Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | **C:** [505.859.2975](tel:505.859.2975)

E: jsalazar@resolutre.com

www.resolutre.com



Sent: Thursday, October 3, 2024 11:12 AM
To: Jeremy Salazar <jsalazar@resolutre.com>
Subject: RE: [External] 972 Candelaria Rd NE Utility Easement

Jeremy,

I'm still waiting for the results of the Engineering team's site visit. In the meantime, may I please have a copy of the plat, vesting deed, and Commission Ordinance No. 1197 referenced on the ALTA Survey?

Thank you.

Rob Goodwin
Senior Right of Way Agent
PNM Land Management
2401 Aztec Rd. NE, MS Z110
Albuquerque, NM 87107
505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Tuesday, September 24, 2024 10:41 AM
To: Goodwin, Robert <Robert.Goodwin@pnm.com>
Subject: [External] 972 Candelaria Rd NE Utility Easement

Is this a phishing email? - Look again!

CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments

This email is from jsalazar@resolutre.com - do you know them?
Look for discrepancies in email addresses. Does the displayed "**From**" email address match?

Good morning,

I represent the owner of a property that is under contract to sell and we discovered a utility easement that runs through the north part of the building. I've attached the survey and title commitment which references the ease as item number 12; the property address is 9720 Candelaria Rd NE. The recommendation from the City and title company is to get all utilities companies to provide an affidavit stating they don't need the easement. Is this something you can provide? If so, what additional info do you need from us and what is the timeline to get this document? As I mentioned, we're currently under contract so time is of the essence.

Thank you for your help.

Jeremy Salazar
Commercial Advisor
2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110
O: 505.337.0777 | **C:** 505.859.2975
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RE: [External] 9720 Candelaria Rd NE Utility Easement

From Goodwin, Robert <Robert.Goodwin@pnm.com>

Date Wed 10/30/2024 9:11 AM

To Jeremy Salazar <jsalazar@resolutre.com>

Jeremy, I spoke with my manager again. PNM's legal counsel is working on drafting a generic form letter that we will be providing in cases like this, but we don't have it yet. It will essentially be a letter of no objection. In the meantime I unfortunately can't say more than what I have already said, which is that PNM doesn't object to the encroachment at this time based on Engineering's assessment of future needs within the easement. However, my manager asked me to add the caveat that PNM does not waive or relinquish any rights or benefits it has in the easement.

I'm sorry we haven't been able to be more helpful; I understand you're in a difficult position.

Rob Goodwin
Senior Right of Way Agent
PNM Land Management
2401 Aztec Rd. NE, MS Z110
Albuquerque, NM 87107
505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>

Sent: Friday, October 25, 2024 9:18 AM

To: Goodwin, Robert <Robert.Goodwin@pnm.com>

Subject: Re: [External] 9720 Candelaria Rd NE Utility Easement

Since PNM is stating they don't own the easement, can you provide a quitclaim deed for the easement? I'm in a bit of an impasse because the City is also stating they don't own the easement which is why they recommended I reach out to PNM.

Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | **C:** [505.859.2975](tel:505.859.2975)

E: jsalazar@resolutre.com

www.resolutre.com



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From: Goodwin, Robert <Robert.Goodwin@pnm.com>

Sent: Friday, October 25, 2024 8:42 AM

To: Jeremy Salazar <jsalazar@resolutre.com>

Subject: RE: [External] 9720 Candelaria Rd NE Utility Easement

Good morning, Jeremy,

an encroachment agreement if Engineering had no objection because it would be PNM's easement. Management and PNM's legal counsel believe that in the case of a PUE PNM has no interest in the easement it has a legal right to grant an encroachment in; it is simply using the easement owned by the City.

I've had a thorough discussion with my manager about this, and he isn't willing to sign an encroachment agreement for a PUE. I'm hoping you will be able to resolve this without the agreement.

Rob Goodwin
Senior Right of Way Agent
PNM Land Management
2401 Aztec Rd. NE, MS Z110
Albuquerque, NM 87107
505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Thursday, October 24, 2024 7:21 PM
To: Goodwin, Robert <Robert.Goodwin@pnm.com>
Subject: Re: [External] 9720 Candelaria Rd NE Utility Easement

Rob,

Thank you for the explanation. Just so I understand correctly, PNM can no longer provide an encroachment agreement because the City owns the easement? I don't think the title company will be able to modify the title insurance based solely on this email but I will send this to them to confirm. If the title company can't modify the title commitment, can PNM make an exception and provide an encroachment agreement since this is a new rule?

Thank you for your help.

Jeremy Salazar
Commercial Advisor
2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110
O: [505.337.0777](tel:505.337.0777) | **C:** [505.859.2975](tel:505.859.2975)
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From: Goodwin, Robert <Robert.Goodwin@pnm.com>
Sent: Wednesday, October 23, 2024 1:22 PM
To: Jeremy Salazar <jsalazar@resolutre.com>
Subject: RE: [External] 972 Candelaria Rd NE Utility Easement

Thank you for sending the information I requested.

This department has historically provided property owners with encroachment agreements when features of their property encroach on a public utility easement (PUE) and PNM's Engineering Department hasn't objected. However, since our last communication our new manager has revised that policy based on the fact that PNM does not own PUEs, which are owned by the City of Albuquerque.

However, the encroachment into the PUE at 972 Candelaria Rd NE has been reviewed by a manager in Engineering, who has concluded that he has no objection based on the fact that if PNM should do any future work on the property it would either be underground and thus not affect the parking spaces or would take place in the street right-of-way.

Had I known the policy would change I wouldn't have requested the additional information from you, and I hope it didn't require a great deal of effort. Please accept my apology for having wasted your time.

I hope this explanation will be a sufficient one for the title company.

Rob Goodwin

Senior Right of Way Agent

PNM Land Management

2401 Aztec Rd. NE, MS Z110

Albuquerque, NM 87107

505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Thursday, October 17, 2024 10:29 AM
To: Goodwin, Robert <Robert.Goodwin@pnm.com>
Subject: Re: [External] 972 Candelaria Rd NE Utility Easement

Sorry for the delay. I've attached the survey and the title commitment. On the last page of the title commitment there is a hyperlink to the ordinance and I've attached a copy. Let me know if there's anything else you need.

Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | **C:** [505.859.2975](tel:505.859.2975)

E: jsalazar@resolutre.com



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From: Goodwin, Robert <Robert.Goodwin@pnm.com>
Sent: Thursday, October 3, 2024 11:12 AM
To: Jeremy Salazar <jsalazar@resolutre.com>
Subject: RE: [External] 972 Candelaria Rd NE Utility Easement

Jeremy,

I'm still waiting for the results of the Engineering team's site visit. In the meantime, may I please have a copy of the plat, vesting deed, and Commission Ordinance No. 1197 referenced on the ALTA Survey?

Thank you.

Rob Goodwin

Senior Right of Way Agent

PNM Land Management

2401 Aztec Rd. NE, MS Z110

Albuquerque, NM 87107

505.241.4491

From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Tuesday, September 24, 2024 10:41 AM
To: Goodwin, Robert <Robert.Goodwin@pnm.com>
Subject: [External] 972 Candelaria Rd NE Utility Easement

Is this a phishing email? - Look again!

CAUTION: This email was received from an **EXTERNAL** source, use caution when clicking links or opening attachments

This email is from jsalazar@resolutre.com - do you know them?

Look for discrepancies in email addresses. Does the displayed "**From**" email address match?

Good morning,

I represent the owner of a property that is under contract to sell and we discovered a utility easement that runs through the north part of the building. I've attached the survey and title commitment which references the ease as item number 12; the property address is 9720 Candelaria Rd NE. The recommendation from the City and title company is to get all utilities companies to provide an affidavit stating they don't need the easement. Is this something you can provide? If so, what additional info do you need from us and what is the timeline to get this document? As I mentioned, we're currently under contract so time is of the essence.

Thank you for your help.

Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: [505.337.0777](tel:505.337.0777) | C: [505.859.2975](tel:505.859.2975)

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Re: Albuquerque, NM (9720 Candelaria Rd) Resolutre – Jeremy Salazar / Vacate - Abandon

From Grimes, Derek <Derek.Grimes@lumen.com>

Date Thu 10/17/2024 12:47 PM

To Jeremy Salazar <jsalazar@resolutre.com>

 1 attachment (98 KB)

P863452_EASEMENT REVIEW Letter.pdf;

Jeremy,

The engineering review was just completed, and this property has been approved for the release. If you could clarify this as being a commercial or residential release request I will provide the appropriate Easement Review Letter.

Please see attached example Easement Review Letter.

Thank you.

Derek Grimes

ROW Agent

tel: 234-360-9153

derek.grimes@lumen.com

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From: Jeremy Salazar <jsalazar@resolutre.com>

Sent: Thursday, October 17, 2024 12:37 PM

To: Grimes, Derek <Derek.Grimes@lumen.com>

Subject: Re: Albuquerque, NM (9720 Candelaria Rd) Resolutre – Jeremy Salazar / Vacate - Abandon

CAUTION: This email originated outside of Lumen Technologies. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Derek,

I am following up on the progress with the utility easement for 9720 Candelaria Rd NE. Is there any other info you need from me? What is an expected timeline to receive either a document vacating the easement or an encroachment agreement?

Thank you for your help.



Jeremy Salazar

Commercial Advisor

2155 Louisiana Blvd NE, Suite 7200, Albuquerque, NM 87110

O: 505.337.0777 | **C:** 505.859.2975

E: jsalazar@resolutre.com

www.resolutre.com



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From: Jeremy Salazar <jsalazar@resolutre.com>
Sent: Tuesday, October 8, 2024 4:12 PM
To: Grimes, Derek <Derek.Grimes@lumen.com>
Subject: Re: Albuquerque, NM (9720 Candelaria Rd) Resolutre – Jeremy Salazar / Vacate - Abandon

Hi Derek,

Yes, we would like a signed and notarized vacation of the easement. How much is the fee for this request? My client, the owner, of the property won't have any problems paying the fee.

From: Grimes, Derek <Derek.Grimes@lumen.com>
Sent: Tuesday, October 8, 2024 2:32 PM
To: Jeremy Salazar <jsalazar@resolutre.com>
Subject: Albuquerque, NM (9720 Candelaria Rd) Resolutre – Jeremy Salazar / Vacate - Abandon

Jeremy,

I am requesting a clarification on the request you submitted for Vacate/Abandon at 9720 Candelaria Rd., Albuquerque, NM. If you are requesting a signed Affidavit or signed release, there is a fee for such a request. If you require a standard vacation letter without signature required, we can accommodate this request at no charge.

Thank you and look forward to hearing from you.

Derek Grimes
ROW Agent
tel: 234-360-9153
derek.grimes@lumen.com

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A.L.T.A / N.S.P.S. LAND TITLE SURVEY

OF LOTS 1 & 2, BLOCK 49 SNOW HEIGHTS ADDITION

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
AUGUST 2024

GENERAL NOTES:

- OWNER OF RECORD PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE BINDER DATED: AUGUST 8, 2024 IS THE BEJIN FAMILY TRUST, U/I/A DATED OCTOBER 19, 2017, JAY V. REDLIN AND PATRICIA TRUSTEES, OR THEIR SUCCESSORS IN TRUST FOR THE BENEFIT OF ABERNATHY, LLC (AS TO PARCEL 1) CANDELAIRA PLAZA, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY (AS TO PARCEL 2)
- LEGAL DESCRIPTION AND EASEMENTS SHOWN WERE PROVIDED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 24003850
- PLATS USED TO ESTABLISH BOUNDARY:
 - SNOW HEIGHTS ADDITION FILED: NOVEMBER 4, 1953 IN PLAT BOOK D1, FOLIO 104 & 105
 - SNOW HEIGHTS ADDITION FILED: MARCH 12, 1959 IN VOLUME B3, FOLIO 112
- FIELD WORK PERFORMED ON: AUGUST 2024
- PARKING
 - HANDICAP: 1
 - REGULAR: 20
 - TOTAL: 21
- CURRENT ZONING: MX-1
- NPZ = NO PARKING ZONE

SCHEDULE B.1 NOTES

- ITEM #11. ARE EASEMENTS AND NOTES AS SHOWN, NOTED AND PROVIDED FOR ON THE PLAT RECORDED NOVEMBER 5, 1953, IN VOLUME D1, FOLIO 104, AND 105, RECORDS OF BERNALILLO COUNTY, NEW MEXICO WHICH AFFECT THE PROPERTY AND ARE SHOWN HEREON
- ITEM #12. ARE TERMS AND CONDITIONS OF COMMISSION ORDINANCE NO. 1197, RECORDED FEBRUARY 15, 1957 IN BOOK D337, PAGE 289, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, WHICH AFFECT THE PROPERTY AND ARE SHOWN HEREON.
- ITEM #13. ARE TERMS AND CONDITIONS OF COMMISSION ORDINANCE NO. 1262, RECORDED DECEMBER 23, 1957 IN BOOK MISC. 24, PAGE 73, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, WHICH DO NOT AFFECT THE PROPERTY.

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

CITY OF: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY & FD. & PD. PROPERTIES, LLC

I, ANTHONY L. HARRIS, A PROFESSIONAL SURVEYOR, LICENSED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS TRUE AND CORRECT REPRESENTATION OF SAID SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF. I HAVE NOT BEEN ADVISED OF ANY UNRECORDED INTERESTS IN THE PROPERTIES OR FROM ADJOINING PROPERTIES TO THIS PROPERTY UNLESS HEREON SHOWN. FURTHER, CERTIFY THAT THIS MAP OR PLAT AND SURVEY ON WHICH IT IS BASED WERE MADE (I) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS LAND IN 2021, AND INCLUDES ITEMS: 1, 2, 3, 4, 5, 7(A), 7(C), 8, 9, 10, 11(A), 13, 14, AND 18, OF TABLE A THEREOF, AND (II) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) ON AN URBAN SURVEY.

GIVEN UNDER MY HAND AND SEAL AT ALBUQUERQUE, NEW MEXICO
THIS 29th DAY OF AUGUST, 2024

Anthony L. Harris
ANTHONY L. HARRIS, P.E.M.P.S. #11483

PHONE: (505) 250-2273
E-MAIL: harrissurveying51@gmail.com

HARRIS SURVEYING, INC.
1508 CIELO LISTA DEL SUR, N.W.
CORRALLES, NEW MEXICO 87048



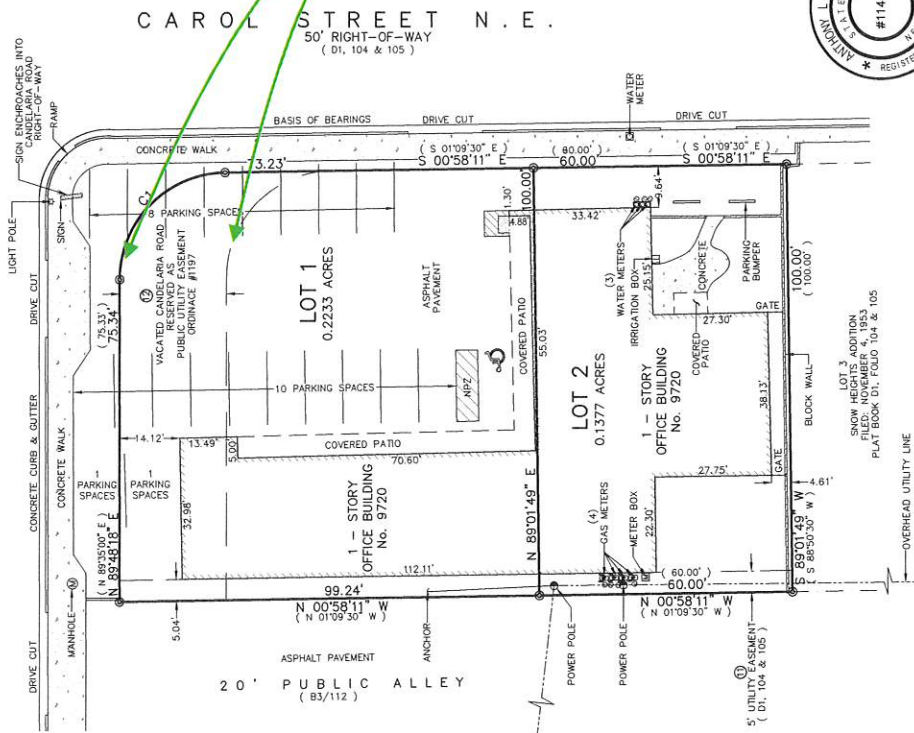
LEGAL DESCRIPTION:
PARCEL (1) LOTS NUMBERED ONE (1) AND TWO (2) IN BLOCK NUMBERED FORTY-NINE (49) OF SNOW HEIGHTS ADDITION, CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE MAP RECORDED IN PLAT BOOK D1, FOLIO 104 AND 105, IN PLAT BOOK D 1, FOLIO 104 AND 105.

PARCEL (2) SOUTH TWENTY-FIVE (25) FEET OF A PORTION OF CANDELAIRA ROAD N.E. RIGHT-OF-WAY VACATED FEBRUARY 17, 1957 BY COMMISSION ORDINANCE NO. 1197, ADJACENT TO THE NORTH PROPERTY OF LOT 1, BLOCK 49 OF SNOW HEIGHTS N.T.S. ADDITION ABOVE DESCRIBED.



VICINITY MAP No. H-21-2

CANDELAIRA ROAD N.E.



CURVE TABLE		
CURVE	ARC LENGTH	CHORD BEARING
C1	25.00'	S 45°34'56" E
	38.93'	S 89°13'31"
	35.12'	

FLOOD NOTE
THE PROPERTY SHOWN HEREON IS LOCATED WITHIN THE FLOOD HAZARD ZONING MAP DATED 8-16-2012 WHICH IS NOT CONSIDERED TO BE WITHIN THE 100 YEAR FLOOD PLAN.

AN ORDINANCE VACATING THE EASTERLY TWENTY-FIVE (25) FEET OF THE RIGHT-OF-WAY OF WYOMING BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF INDIAN SCHOOL ROAD TO A POINT 466.77 FEET SOUTH OF THE SOUTHERLY RIGHT OF WAY LINE OF MENAUL BOULEVARD, NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

ALSO THE SOUTHERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF MENAUL BOULEVARD NE FROM A POINT 466.77 FEET EAST OF THE EASTERLY RIGHT OF WAY LINE OF WYOMING BOULEVARD NE TO THE WESTERLY RIGHT OF WAY LINE OF MOON STREET NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

ALSO THE EASTERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF EUBANK BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF MENAUL BOULEVARD NE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE ALLEY IN BLOCK FORTY THREE (43) SNOW HEIGHTS ADDITION TO THE CITY OF ALBUQUERQUE AS RECORDED NOVEMBER 4, 1953; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

ALSO THE EASTERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF EUBANK BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF CLAREMONT NE TO THE SOUTHERLY RIGHT OF WAY LINE OF CANDELARIA ROAD, NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

ALSO THE SOUTHERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF CANDELARIA ROAD NE FROM THE EASTERLY RIGHT OF WAY LINE OF EUBANK BOULEVARD NE TO THE WESTERLY RIGHT OF WAY LINE OF MORRIS STREET NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO ADJOINING PROPERTY OWNERS AND DECLARING AN EMERGENCY.

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico a tract of land for street purposes being seventy-five (75) feet in width from the center line and being 2105.56 feet in length from north to south, which area, so dedicated was partial right-of-way for Wyoming boulevard NE and is shown on plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 30th day of November, 1953;

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land for street purposes being seventy five (75) feet in width from the center line and being 2138.34 feet in length East to West, which area, so dedicated is partial right of way for Menaul Boulevard NE as shown and designated on the plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 30th day of November, 1953;

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WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land seventy-five (75) feet in width from the center line and 2582.08 feet in length north to south, which area, so dedicated is partial right of way for Eubank Boulevard NE as shown on the plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 4th day of November, 1953;

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land for street purposes seventy five (75) feet in width from the center line and 2632.80 feet in length east to west, which area, so dedicated is partial right of way for Candelaria Road NE as shown and designated on a plat of the Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 4th day of November, 1953;

WHEREAS, it is necessary for a portion of said streets to be vacated because of no public use;

NOW, THEREFORE, be it ordained by the City Commission of the City of Albuquerque, New Mexico, that

SECTION 1. The following described portions of Wyoming Boulevard, NE, Menaul Boulevard, NE, Eubank Boulevard, NE, and Candelaria Road, NE in aforementioned Snow Heights Addition to the City of Albuquerque, New Mexico, be closed and vacated:

The easterly twenty five (25) feet of the right of way of Wyoming Boulevard NE from the northerly right of way line of Indian School Road to a point 466.77 feet south of the southerly right of way line of Menaul Boulevard, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the southerly twenty five (25) feet of the right of way of Wyoming Boulevard, NE, from a point 466.77 feet east of the easterly right of way line of Wyoming Boulevard, NE to the westerly right of way line of Moon Street, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the easterly twenty five (25) feet of the right of way of Eubank Boulevard NE from the northerly right of way line of Menaul Boulevard NE to the southerly right of way line of the alley in Block forty three (43) Snow Heights Addition to the City of Albuquerque as recorded November 4, 1953, excepting therefrom the right of way for intersecting streets and alleys;

Also the easterly Twenty Five (25) feet of the right of way of Eubank Boulevard, NE from the northerly right of way line of Claremont NE, to the southerly right of way line of Candelaria Road, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the southerly twenty five (25) feet of the right of way of Candelaria Road, NE, from the easterly right of way line of Eubank Boulevard NE to the westerly right of way line of Morris Street, NE, excepting therefrom the right of way for intersecting streets and alleys;

SECTION II. The City hereby reserves all easements for public utilities, whether municipally owned or privately owned, which may be necessary for public use and benefit at the present time or in the future.

SECTION III. Immediately upon the effective date of this ordinance, the land above described shall be effectively vacated and the City of Albuquerque, by this ordinance disclaims from such date, any further interest therein and consents that the same shall be conveyed to the owners of abutting property. The Chairman of the City Commission and the City Clerk are hereby authorized on application of abutting owners to execute and issue disclaimers of interest on behalf of the City at any time without further authorization.

SECTION IV. Immediately upon the effective date of this Ordinance the proper officials of the City of Albuquerque, New Mexico, be, and they are hereby authorized and directed to make, execute, and deliver, a Quitclaim Deed to all that portion of said street so vacated to adjoining property owners.

SECTION V. This ordinance is hereby declared to be an emergency ordinance, on the ground of public need and shall be in full force and effect after its adoption, passage and publication according to law.

PASSED, ADOPTED, SIGNED, AND APPROVED THIS 12 day of February, 1957.

State of New Mexico }
County of Bernalillo, } SS

This instrument was filed for record on

FEB 18 1957
At 10:04 o'clock a.m. Recorded in Vol. 377
of records of said County Folio 289
LUCY JARAMILLO Clerk & Recorder

ATTEST: Ida V. Malone Deputy Clerk
Ida V. Malone
Ida V. Malone

[Signature]
Chairman of City Commission
and Ex-Officio Mayor of City
of Albuquerque, New Mexico

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

Subscribed and sworn to before me, this 15th day of February, 1957.

My comm exp: July 5, 1960.

[Signature]
Notary Public

CITY COMMISSION
December 10, 1957
V-153 (C-8-821)COMMISSION ORDINANCE NO. 1292AN ORDINANCE TO CLOSE AND VACATE
PORTIONS OF CERTAIN STREETS LYING
WITHIN THE EXTERIOR BOUNDARIES OF
SNOW HEIGHTS ADDITION, TOWNSHIP:

1. The southerly 22 feet of Menaul Boulevard, NE, between Moon Street, NE, and Parsifal Street, NE, and between a point 436.41 feet east of the easterly right-of-way lines of Eubank Boulevard, NE, and Juan Tabo Boulevard, NE.
2. The northerly 22 feet of Menaul Boulevard, NE, between Juan Tabo Boulevard, NE, and the public easement along the northwest side of Block Eighty-eight (88) of Snow Heights Addition, and between Carol Street, NE, and Eubank Boulevard, NE.
3. The southwesterly 22 feet of Snow Heights Circle, NE, between Parsifal Street, NE, and Snow Heights Boulevard, NE.
4. The westerly 22 feet of Eubank Boulevard, NE, between Snow Heights Boulevard, NE, and Indian School Road, NE.
5. The easterly 22 feet of Eubank Boulevard, NE, between Indian School Road, NE, and a point 693.99 feet north of the northerly right-of-way line of Snow Heights Boulevard, NE.
6. The westerly 22 feet of Juan Tabo Boulevard, NE, between Indian School Road, NE, and Candelaria Road, NE.
7. The southerly 22 feet of Candelaria Road, NE, between Morris Street, NE, and Juan Tabo Boulevard, NE, reserving and excepting therefrom the existing rights-of-way for any and all cross streets, and drainage easements.

AND DECLARING AN EMERGENCY.

WHEREAS certain portions of streets in Snow Heights Addition to the City of Albuquerque, New Mexico, have not been utilized in any manner by the City, are not needed, are of no value to the City, and the utilization and maintenance of the same by the City would be burdensome and in excess of the benefits therefrom; and

WHEREAS the City Planning Commission of the City of Albuquerque, New Mexico, after due and proper hearing, has recommended to this Commission that portions of said streets be vacated and closed, except for and reserving an underground easement across and beneath the south-

westerly ten (10) feet of Snow Heights Circle, NE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALBUQUERQUE, NEW MEXICO:

Section 1. That the following described portions of streets located within the exterior boundaries of Snow Heights Addition to the City of Albuquerque, New Mexico, as the same are shown and designated on the Plats thereof filed in the Office of the Clerk of Bernalillo County, New Mexico, on November 4, 1953, November 30, 1953, and December 31, 1953, to-wit:

1. The southerly 22 feet of Menaul Boulevard, NE, between Moon Street, NE, and Parsifal Street, NE, and between a point 436.41 feet east of the easterly right-of-way line of Eubank Boulevard, NE, and Juan Tabo Boulevard, NE, as per Plat filed November 30, 1953, and December 31, 1953.
2. The northerly 22 feet of Menaul Boulevard, NE, between Juan Tabo Boulevard, NE, and the public easement along the northwest side of Block Eighty-eight (88) of Snow Heights Addition, and between Carol Street, NE, and Eubank Boulevard, NE, as per Plat filed November 4, 1953.
3. The southwesterly 22 feet of Snow Heights Circle, NE, between Parsifal Street, NE, and Snow Heights Boulevard, NE, excepting and reserving an underground easement across and beneath the southwesterly ten (10) feet thereof for power and telephone uses and purposes, as per Plat filed November 30, 1953.
4. The westerly 22 feet of Eubank Boulevard, NE, between Snow Heights Boulevard, NE, and Indian School Road, NE, as per Plat filed November 30, 1953.
5. The easterly 22 feet of Eubank Boulevard, NE, between Indian School Road, NE, and a point 693.99 feet north of the northerly right-of-way line of Snow Heights Boulevard, NE, as per Plat filed December 31, 1953.
6. The westerly 22 feet of Juan Tabo Boulevard, NE, between Indian School Road, NE, and Candelaria Road, NE, as per Plats filed November 4, 1953, and December 31, 1953.
7. The southerly 22 feet of Candelaria Road, NE, between Morris Street, NE, and Juan Tabo Boulevard, NE, as per Plat filed November 4, 1953.

be and the same hereby are vacated and closed, excluding the right-of-way for any and all cross streets and alleys, sewer and water and drainage easements.

Section 2. That by virtue of Section 14-2-5 of the 1953 Compilation New Mexico Statutes Annotated as Amended, title to said portion of streets subject to said underground easement, is automatically vested in the owners

2010-11-10
J. J. [Signature]

William [Signature]

[Redacted text block]

State of New Mexico }
County of Bernalillo, } SS
This instrument was filed for record on

DEC 23 1957

at 1 o'clock P.M. Recorded in Vol. *124*
of records of said County Folio *724*

[Signature]
Clerk & Recorder
Deputy Clerk

12-23-57