

October 28, 1997

Martin J. Chávez, Mayor

Jake Bordenave, P.E.  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

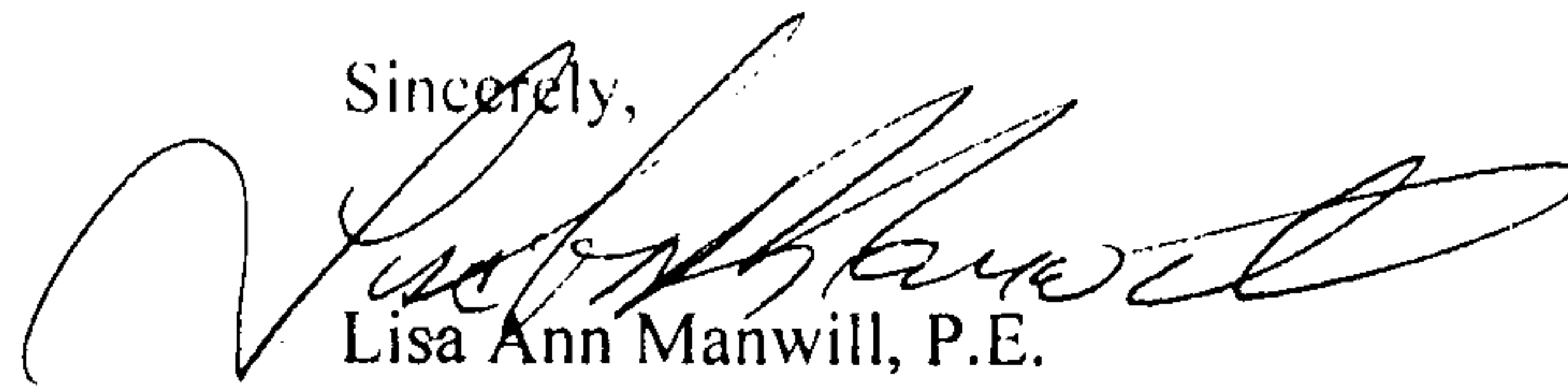
**RE: NEW MEXICO WINE PATROL (C18-D29). ENGINEER'S CERTIFICATION FOR  
CERTIFICATE OF OCCUPANCY. ENGINEER'S CERTIFICATION DATED  
OCTOBER 8, 1997.**

Dear Mr. Bordenave:

Based on the information provided on your August 20, 1997 submittal, Hydrology accepts the Engineer's Certification of grading and drainage for Release of Financial Guarantees and approves the project for Certificate of Occupancy.

If I can be of further assistance, please feel free to contact me at 924-3984.

Sincerely,



Lisa Ann Manwill, P.E.  
Hydrology

c: Terri Martin  
Andrew Garcia  
File

Good for You, Albuquerque!



## DRAINAGE INFORMATION SHEET

### PROJECT DATA:

TITLE: NEW MEXICO WINE PATROL

DRNG. FILE #: C18/D29

DRB #: 96-275

EPC #: -

WORK ORDER #: -

LEGAL DESCRIPTION: LOT 4, BLOCK 30, TRACT A, UNIT B, N. ALB. ACRES

CITY ADDRESS: <sup>620</sup>SIGNAL AVE. NE

ENGINEERING FIRM: BORDENAVE DESIGNS

CONTACT: J. BORDENAVE

ADDRESS: P.O. BOX 91194, 8710

PHONE: 823-1344

OWNER: NEW MEXICO WINE PATROL

CONTACT: D. DIEFFENTHALER

ADDRESS: ...

PHONE: 343-9340

ARCHITECT: JOHN FRIEDMAN

CONTACT: J. FRIEDMAN

ADDRESS: P.O. BOX 328, LOS LUNAS, 87031

PHONE: 865-0111

SURVEYOR: E.M. DOAK

CONTACT: M. DOAK

ADDRESS: 637 SOLAR RD. NW, 87107

PHONE: 344-4492

CONTRACTOR: *Welman Commercial*

CONTACT: *B. Whiman*

ADDRESS:

PHONE: *480-4750*

### TYPE OF SUBMITTAL:

- ☐ CONCEPT GRADING & DRAINAGE PLAN  
☐ GRADING PLAN  
☐ DRAINAGE PLAN  
☐ DRAINAGE REPORT  
☐ EROSION CONTROL PLAN  
☒ ENGINEER'S CERTIFICATION  
☐ OTHER:

### PRE-DESIGN MEETING:

- ☐ YES  
☐ NO  
☐ COPY OF MINUTES PROVIDED

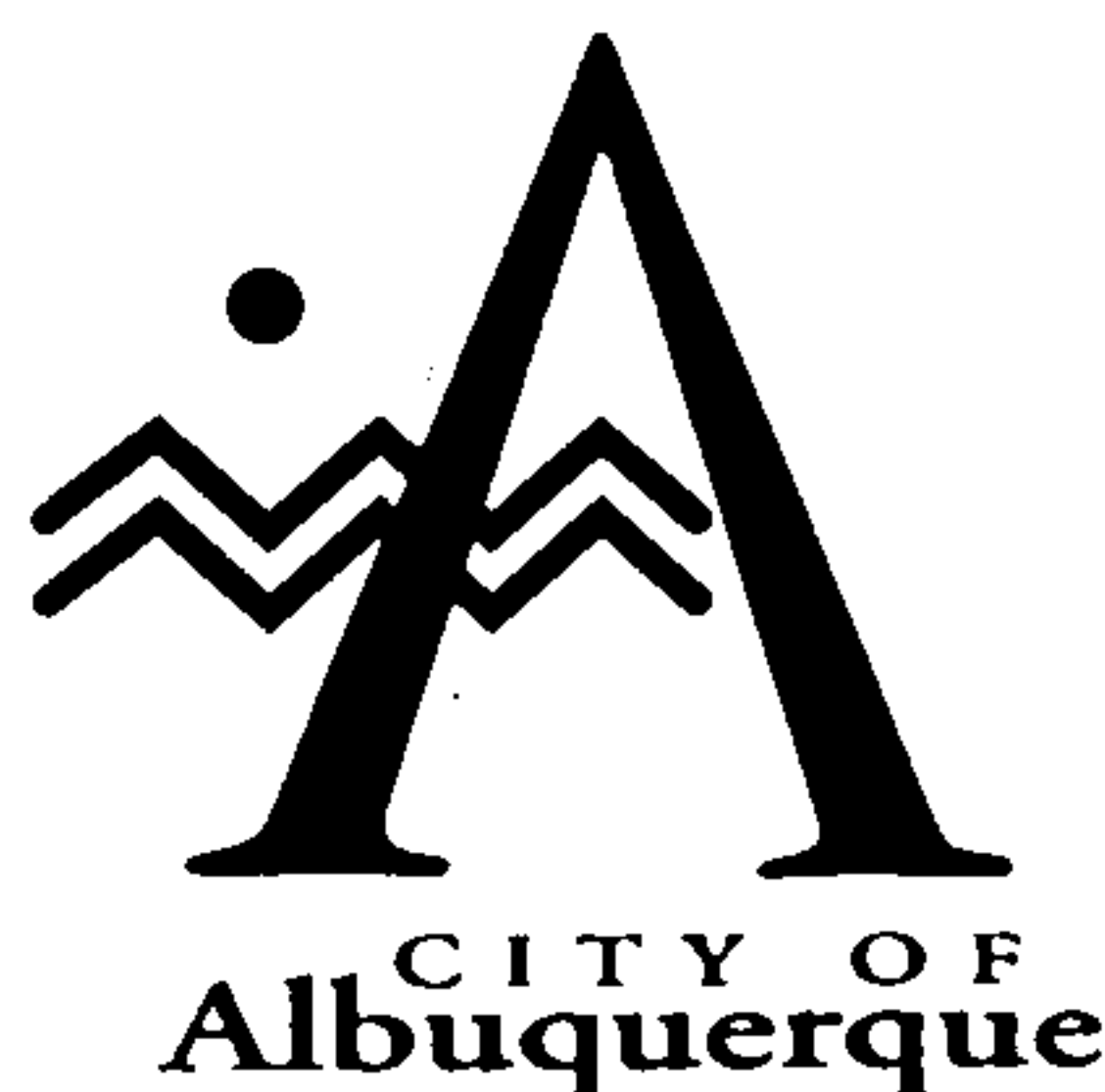
### TYPE OF APPROVAL SOUGHT:

- ☐ SECTOR PLAN  
☐ SKETCH PLAT  
☐ PRELIMINARY PLAT  
☐ FINAL PLAT  
☐ SITE DEV. PLAN FOR SUBD.  
☐ SITE DEV. PLAN FOR PERMIT  
☐ GRADING PERMIT  
☐ PAVING PERMIT  
☐ FOUNDATION PERMIT  
☐ BUILDING PERMIT  
☒ TEMP. CERT. OF OCCUPANCY  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☐ OTHER:

DATE SUBMITTED: 02/11/97

BY: *[Signature]*

*\* 30 day Temp issued on 2.12.97 Ag.*



September 10, 1997

Martin J. Chávez, Mayor  
Jake Bordenave, P.E.  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

**RE: NEW MEXICO WINE PATROL (C18-D29). ENGINEER'S CERTIFICATION FOR  
CERTIFICATE OF OCCUPANCY. ENGINEER'S CERTIFICATION DATED AUGUST  
20, 1997.**

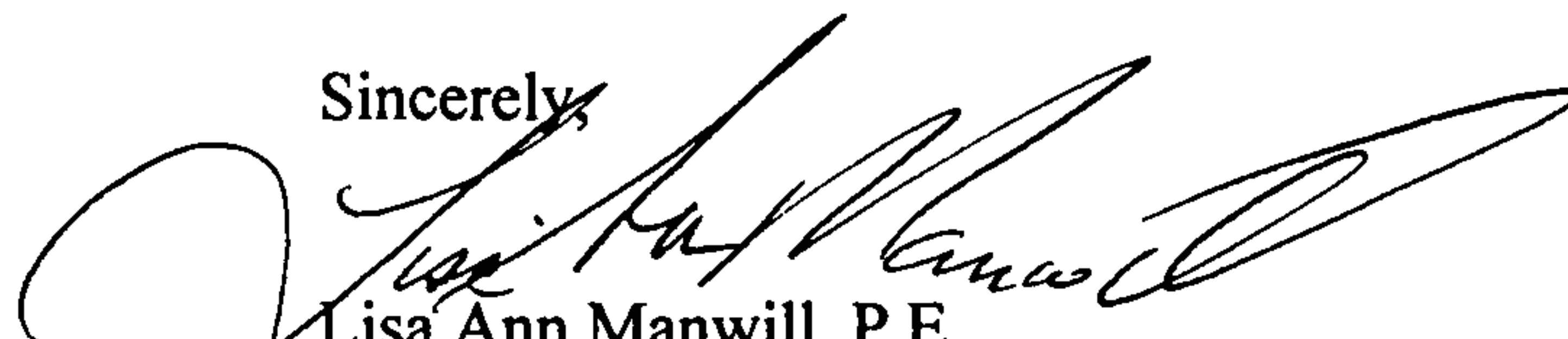
Dear Mr. Bordenave:

Based on the information provided on your August 20, 1997 submittal, City Hydrology has the following comments:

1. Your estimate shows some differed storm drain items that are to be bonded. I was unable to find the type "A" inlet in Signal Ave. on the list.
2. Do you have a letter of acceptance from City Construction for the work done in the right-of-way?
3. Attached, is a copy of John Curtin's approval letter dated November 14, 1997. The letter approved your plan dated October 29, 1996 with conditions. It appears that you did not make the changes that Mr. Curtin requested. Either make the requested changes, or explain why the changes are not necessary.

A letter dated February 27, 1997 granted a 30-day Temporary Certificate of Occupancy. Assuming the building is currently being occupied, the Temporary Certificate of Occupancy is long past due. Please address the above comments as soon as possible to avoid possible occupancy complications. If I can be of further assistance, please feel free to contact me at 924-3984.

Sincerely,



Lisa Ann Manwill, P.E.  
Hydrology

attachment

c: John Friedman - Architect  
Andrew Garcia - COA  
File

Good for You, Albuquerque!



## DRAINAGE INFORMATION SHEET

### PROJECT DATA:

TITLE: NEW MEXICO WINE PATROL

DRNG. FILE #: C18/D29

DRB #: 96-275

EPC #: -

WORK ORDER #: -

LEGAL DESCRIPTION: LOT 4, BLOCK 30, TRACT A, UNIT B, N. ALB. ACRES

CITY ADDRESS: SIGNAL AVE. NE

**ENGINEERING FIRM:** BORDENAVE DESIGNS

CONTACT: J. BORDENAVE

ADDRESS: P.O. BOX 91194, 8710

PHONE: 823-1344

**OWNER:** NEW MEXICO WINE PATROL

CONTACT: D. DIEFFENTHALER

ADDRESS:

PHONE: ~~343-9340~~

856-6909

**ARCHITECT:** JOHN FRIEDMAN

CONTACT: J. FRIEDMAN

ADDRESS: P.O. BOX 328, LOS LUNAS, 87031

PHONE: 865-0111

**SURVEYOR:** E.M. DOAK

CONTACT: M. DOAK

ADDRESS: 637 SOLAR RD. NW, 87107

PHONE: 344-4492

**CONTRACTOR:** Weiman Commercial

CONTACT: B. Weiman

ADDRESS:

PHONE: 480-4750

### TYPE OF SUBMITTAL:

☐ CONCEPT GRADING & DRAINAGE PLAN

☐ GRADING PLAN

☐ DRAINAGE PLAN

☐ DRAINAGE REPORT

☐ EROSION CONTROL PLAN

☒ ENGINEER'S CERTIFICATION

☐ OTHER:

### PRE-DESIGN MEETING:

☐ YES

☐ NO

☐ COPY OF MINUTES PROVIDED

### TYPE OF APPROVAL SOUGHT:

☐ SECTOR PLAN

☐ SKETCH PLAT

☐ PRELIMINARY PLAT

☐ FINAL PLAT

☐ SITE DEV. PLAN FOR SUBD.

☐ SITE DEV. PLAN FOR PERMIT

☐ GRADING PERMIT

☐ PAVING PERMIT

☐ FOUNDATION PERMIT

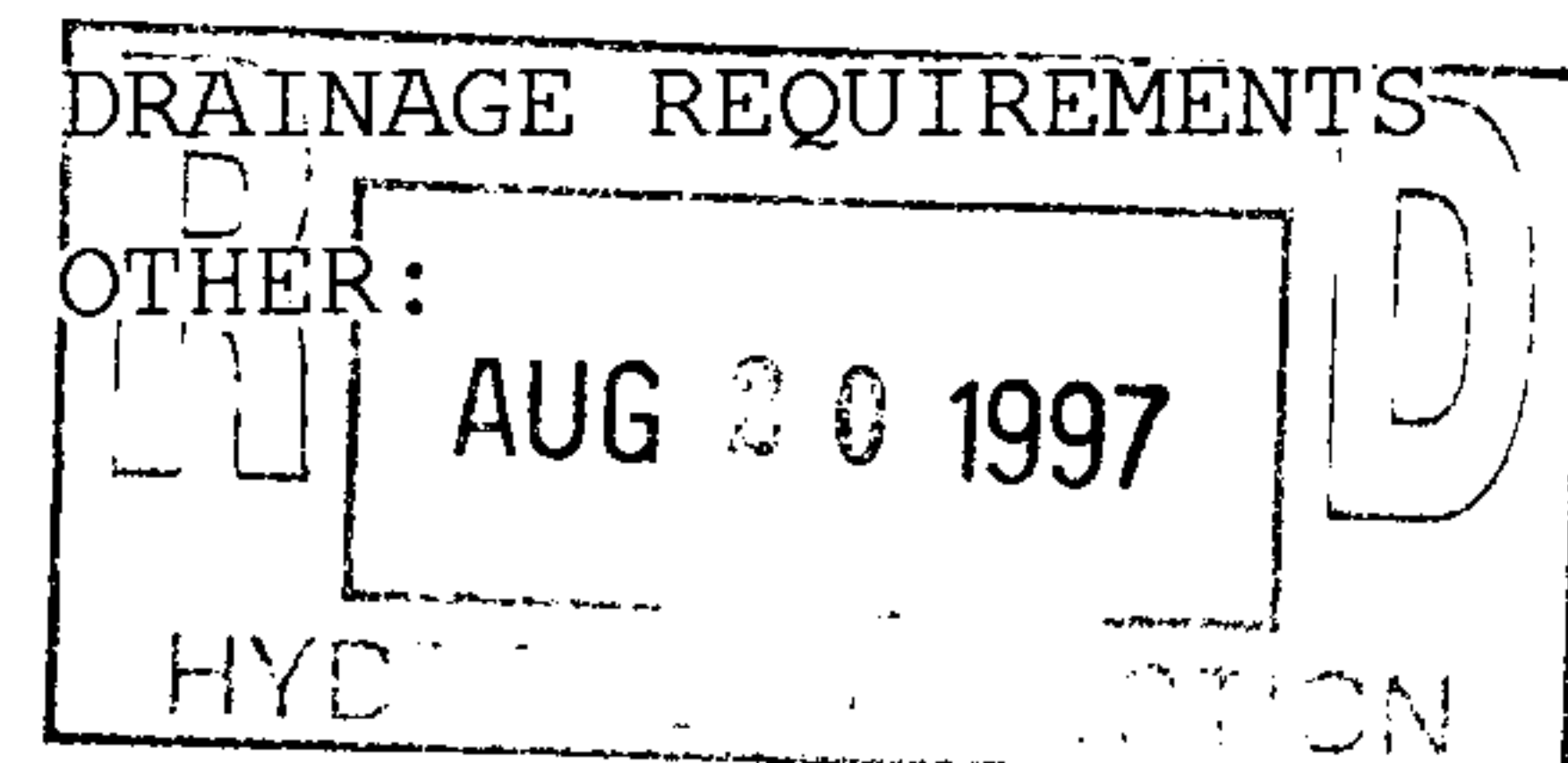
☐ BUILDING PERMIT

☒ CERT. OF OCCUPANCY

☐ S.A.D. DRAINAGE REPORT

DATE SUBMITTED: 08/20/97

BY: 







CITY OF  
Albuquerque

Public Works Department

February 27, 1997

Martin J. Chávez, Mayor

Robert E. Gurulé, Director

Jake Bordenave, P.E.  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

**RE: NEW MEXICO WINE PATROL (C18-D29). ENGINEER'S CERTIFICATION FOR  
CERTIFICATE OF OCCUPANCY. ENGINEER'S CERTIFICATION DATED  
FEBRUARY 11, 1997.**

Dear Mr. Bordenave:

Based on the information provided on your February 21, 1997  
submittal, the above referenced project is approved for a 30-day  
Temporary Certificate of Occupancy. Please submit the required  
drainage covenant prior to final Certificate of Occupancy.

If I can be of further assistance, please feel free to contact me at  
924-3984.

Sincerely,

  
Lisa Ann Manwill, P.E.  
Engineering Assoc./Hyd.

c: Andrew Garcia  
File

FOR C.O.

① Need connection to storm drain & KADOF CURB  
② Need amended to. SIA & GUARANTEES BASIN  
include a catch TYPE "A"  
in the street  
Good for You, Albuquerque!  
1/7/97



## DRAINAGE INFORMATION SHEET

**PROJECT DATA:**

TITLE: NEW MEXICO WINE PATROL

DRNG. FILE #: C18/D29

DRB #: 96-275

EPC #: -

WORK ORDER #: -

LEGAL DESCRIPTION: LOT 4, BLOCK 30, TRACT A, UNIT B, N. ALB. ACRES

CITY ADDRESS: SIGNAL AVE. NE

**ENGINEERING FIRM:** BORDENAVE DESIGNS

CONTACT: J. BORDENAVE

ADDRESS: P.O. BOX 91194, 8710

PHONE: 823-1344

**OWNER:** NEW MEXICO WINE PATROL

CONTACT: D. DIEFFENTHALER

ADDRESS:

PHONE: 343-9340

**ARCHITECT:** JOHN FRIEDMAN

CONTACT: J. FRIEDMAN

ADDRESS: P.O. BOX 328, LOS LUNAS, 87031

PHONE: 865-0111

**SURVEYOR:** E.M. DOAK

CONTACT: M. DOAK

ADDRESS: 637 SOLAR RD. NW, 87107

PHONE: 344-4492

**CONTRACTOR:** Weiman Commercial

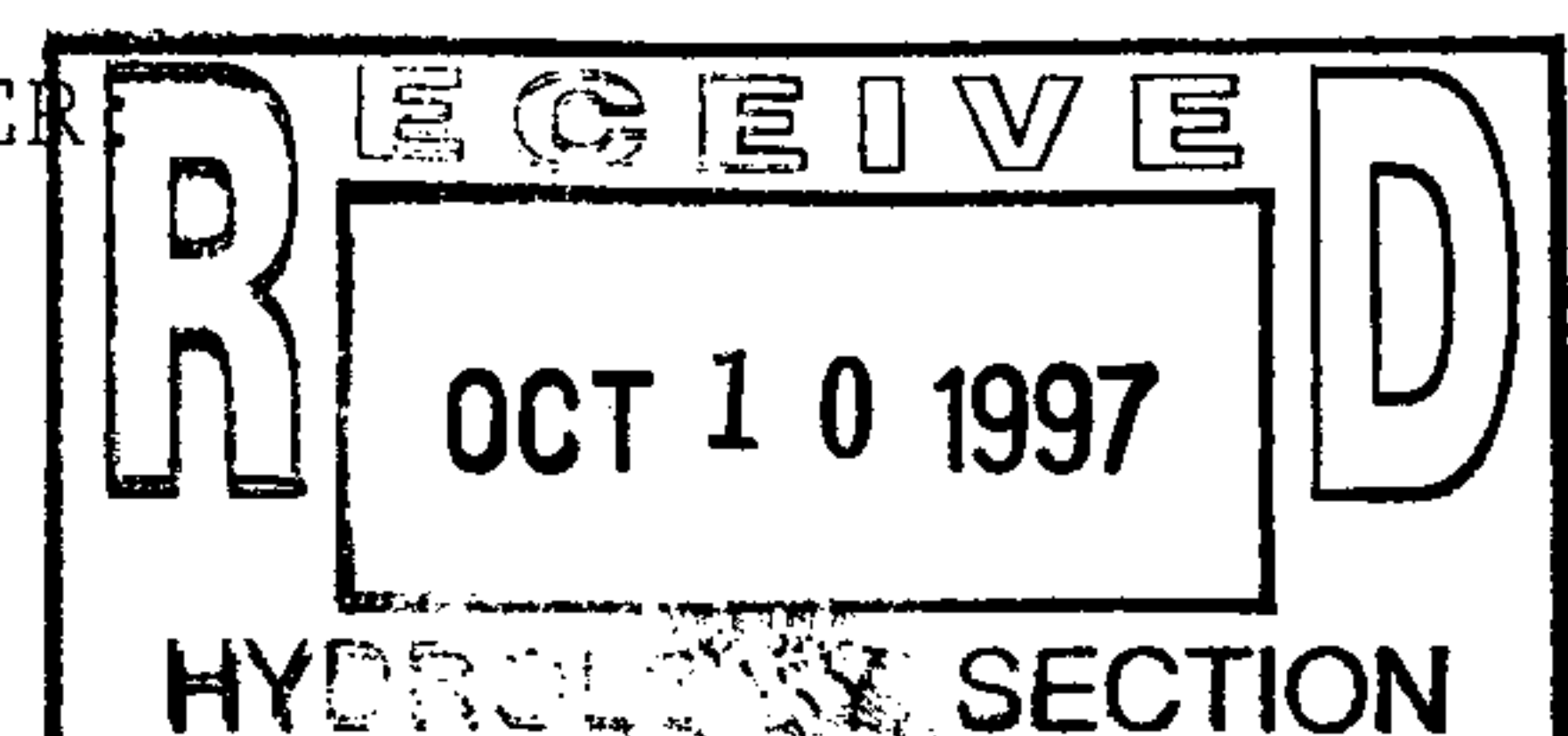
CONTACT: B. Weiman

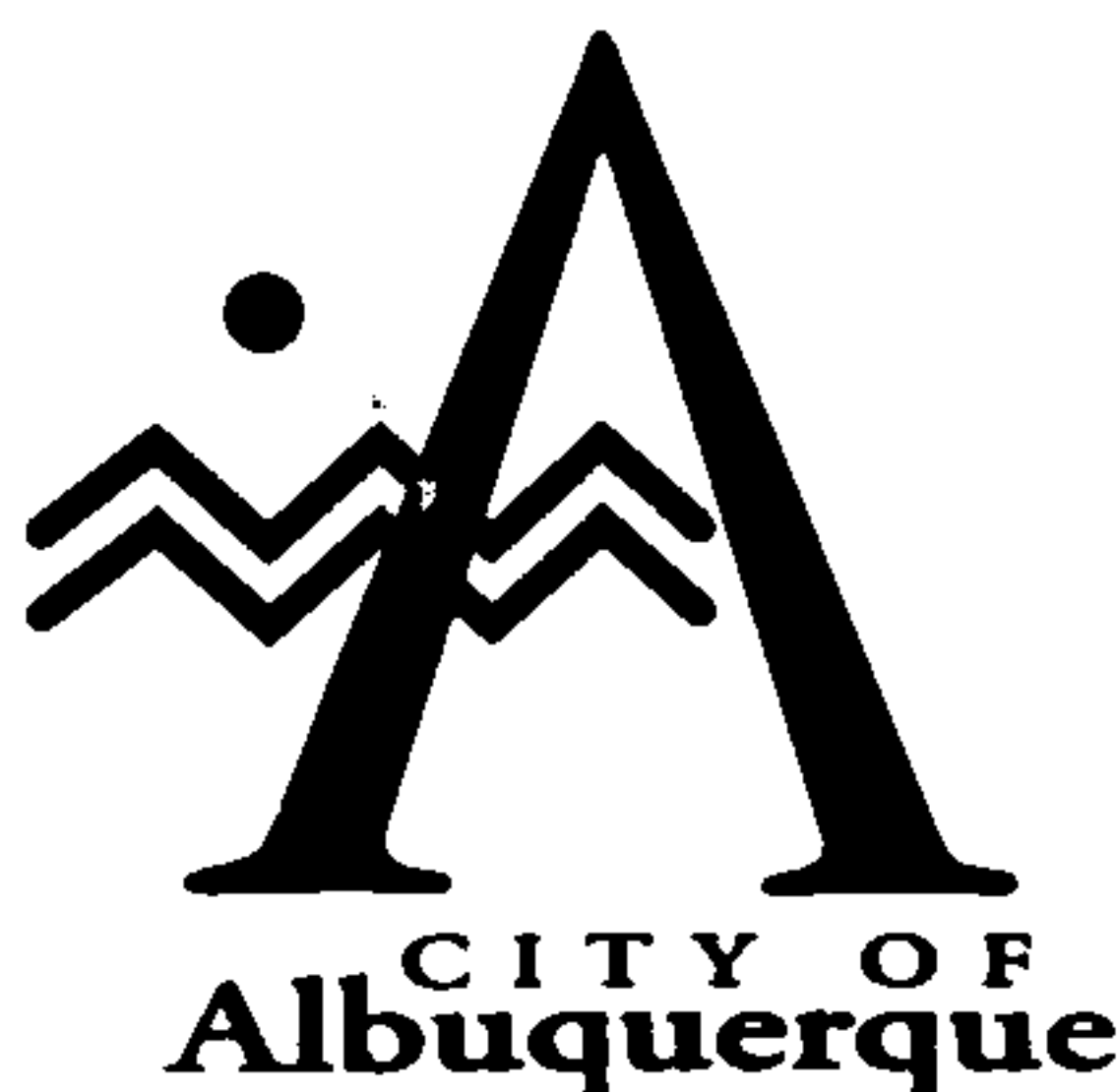
ADDRESS:

PHONE: 480-4750

**TYPE OF SUBMITTAL:**☐ CONCEPT GRADING & DRAINAGE PLAN☐ GRADING PLAN☐ DRAINAGE PLAN☐ DRAINAGE REPORT☐ EROSION CONTROL PLAN☒ ENGINEER'S CERTIFICATION☐ OTHER:**PRE-DESIGN MEETING:**☐ YES☐ NO☐ COPY OF MINUTES PROVIDED**TYPE OF APPROVAL SOUGHT:**☐ SECTOR PLAN☐ SKETCH PLAT☐ PRELIMINARY PLAT☐ FINAL PLAT☐ SITE DEV. PLAN FOR SUBD.☐ SITE DEV. PLAN FOR PERMIT☐ GRADING PERMIT☐ PAVING PERMIT☐ FOUNDATION PERMIT☐ BUILDING PERMIT☒ CERT. OF OCCUPANCY☐ S.A.D. DRAINAGE REPORT☐ DRAINAGE REQUIREMENTS☐ OTHER:

DATE SUBMITTED: 10/09/97

BY: ffk



P.O. Box 1293 Albuquerque, NM 87103

November 14, 1996

Martin J. Chávez, Mayor

JJ Bordenave, PE  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

RE: GRADING & DRAINAGE PLAN FOR N.M. WINE PATROL (C-18/D29)  
RECEIVED NOVEMBER 4, 1996 FOR BUILDING PERMIT  
ENGINEER'S STAMP DATED 10/29/96

Dear Mr. Bordenave:

Based on the information included in the submittal referenced above, City Hydrology approves the grading & drainage plan for Building Permit with the following conditions:

The Header Curb Detail may adversely effect the development of adjacent property if used on property line. Use a wall at property line unless the top of asphalt matches the existing grade. A Work Order will be required to connect the catch basin to the existing storm drain manhole.


Add drainage basin boundaries to drainage plan on sheet C-2A. Indicate the MWSEL & Required Volume of the detention pond on the grading plan on Sheet C-2. What is the invert & width of the wall opening between the north & south ponds? The curb opening at the northeast corner of the parking lot must be 4' wide instead of 1'.

Execute a Drainage Covenant for the detention pond and submit it to the City for processing & recording. Include a copy of the recorded Drainage Covenant in the Engineer's Certification.

Include a copy of the grading & drainage plan, dated 10-29-96, in each set of construction documents that will be submitted to Code Administration for the Building Permit. Engineer's Certification of grading & drainage per DPM checklist must be accepted by City Hydrology before any Certificate of Occupancy will be released. Certification must verify that the conditions above have been satisfied.

If you have any questions about this project, You may contact me at 768-2727.

Sincerely,



John P. Curtin, P.E.  
Civil Engineer, Hydrology

c: Andrew Garcia  
John Friedman, P.O. Box 328, Los Lunas, 87031  
Good for you, Albuquerque!





P.O. Box 1293 Albuquerque, NM 87103

October 23, 1996

Martin J. Chávez, Mayor

JJ Bordenave, PE  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

RE: GRADING & DRAINAGE PLAN FOR N.M. WINE PATROL (C-18/D29)  
RECEIVED OCTOBER 2, 1996 FOR BUILDING PERMIT  
ENGINEER'S STAMP DATED 09/30/96

Dear Mr. Bordenave:

Based on the information included in the submittal referenced above, City Hydrology has the following comments that must be addressed:

If the pond depth is limited to 1.5', then the pond will not need to be fenced and a 4" PVC orifice will work. On site peak flow is 4.17 cfs instead of 3.63 cfs. A wall will be required on the west & north side of the pond to insure that the pond spills out the driveway. Current hydrology uses a trapezoidal hydrograph instead of a triangular hydrograph (see Figure A-3, DPM Section 22.2).

The "Drainage Report for Signal Hill Subdivision" determined that the allowable interim discharge rate for this area is 1.41 cfs/acre. Calculate the discharge rate for the Signal Avenue frontage and subtract it from 1.41 cfs to determine the allowable discharge rate for this site.

Execute a Drainage Covenant for the detention pond and submit it to the City for processing & recording. Include a copy of the recorded Drainage Covenant in the Engineer's Certification.

If you have any questions about this project, You may contact me at 768-2727.

Sincerely,

John P. Curtin, P.E.  
Civil Engineer, Hydrology

c: Andrew Garcia  
John Friedman, P.O. Box 328, Los Lunas, 87031  
Good for You, Albuquerque!





PRO-RATA

<b>SIGNAL HILL SUBDIVISION</b>										
<b>ALLOWABLE INTERIM DISCHARGE RATE</b>									9/16/1996	
FILE: E:\SONORAWHYDIHYDRO.XLS					AVID JN 6022.48					
<b>DETERMINE ALLOWABLE DISCHARGE RATE FOR INTERIM CONDITIONS</b>										
Allowable discharge rate determined by a) determining San Pedro storm drain hydraulic capacity and										
b) applying capacity to contributing basins on an equal basis.										
	a)	<b>HYDRAULIC CAPACITY</b>								
		Hydraulic capacity was determined by the Sonora Subdivision Drainage Report.								
		The capacity was determined to be 160cfs at Eagle Rock ave.								
	b)	<b>HYDROLOGIC RATING</b>								
		Applying the hydraulic capacity is accomplished by utilizing the AHYMO program								
		to develop basin hydrology, these basins are added and routed, approximately								
		modeling the existing, or 'Historic' conditions prior to development. A portion of								
		the runoff generated by each basin was diverted to the storm drain. The percent								
		diverted was the same for each basin. The percentage was adjusted until the								
		capacity of 160cfs was reached at Analysis Point 10 at Eagle Rock and San Pedro Blvd.								
<b>BASINS</b>	<b>BASIN</b>	<b>Q100</b>	<b>Q100 SD</b>							
	<b>AREA</b>		<b>DIVERTED TO STORM DRAIN</b>							
	<b>(acres)</b>	<b>(cfs)</b>	<b>(cfs)</b>							
O7A	6.976	12.6	9.8							
O7B	8.256	15	11.7							
O7C	14.4	26.1	20.4							
O7D	10.304	18.7	14.6		276.4 cfs					
O8A	6.336	11.5	9.0		195.578 acre =			1.41 CFS/ACRE		
O8B	1.79	3.3	2.6							
O8C	3.52	6.4	5.0							
O8D	8.96	16.2	12.6							
O9A	9.024	16.4	12.8							
O9B	8.192	14.8	11.5							
O9C	10.752	19.5	15.2							
O9D	15.04	27.2	21.2							
O10A	27.58	50	39.0							
O10B	18.432	33.4	26.1							
O10C	25.792	46.7	36.4							
O10D	20.224	36.6	28.5							
<b>TOTALS</b>	<b>195.578</b>	<b>354.4</b>	<b>276.4</b>							

## DRAINAGE INFORMATION SHEET

**PROJECT DATA:**

TITLE: NEW MEXICO WINE PATROL

DRNG. FILE #: C18/D29

DRB #: 96-275

EPC #: -

WORK ORDER #: -

LEGAL DESCRIPTION: LOT 4, BLOCK 30, TRACT A, UNIT B, N. ALB. ACRES

CITY ADDRESS: SIGNAL AVE. NE

**ENGINEERING FIRM:** BORDENAVE DESIGNS

CONTACT: J. BORDENAVE

ADDRESS: P.O. BOX 91194, 8710

PHONE: 823-1344

**OWNER:** NEW MEXICO WINE PATROL

CONTACT: D. DIEFFENTHALER

ADDRESS:

PHONE: 343-9340

**ARCHITECT:** JOHN FRIEDMAN

CONTACT: J. FRIEDMAN

ADDRESS: P.O. BOX 328, LOS LUNAS, 87031

PHONE: 865-0111

**SURVEYOR:** E.M. DOAK

CONTACT: M. DOAK

ADDRESS: 637 SOLAR RD. NW, 87107

PHONE: 344-4492

**CONTRACTOR:**

CONTACT:

ADDRESS:

PHONE:

**TYPE OF SUBMITTAL:**

- ☐ CONCEPT GRADING & DRAINAGE PLAN  
☒ GRADING PLAN  
☒ DRAINAGE PLAN  
☐ DRAINAGE REPORT  
☐ EROSION CONTROL PLAN  
☐ ENGINEER'S CERTIFICATION  
☐ OTHER:

**PRE-DESIGN MEETING:**

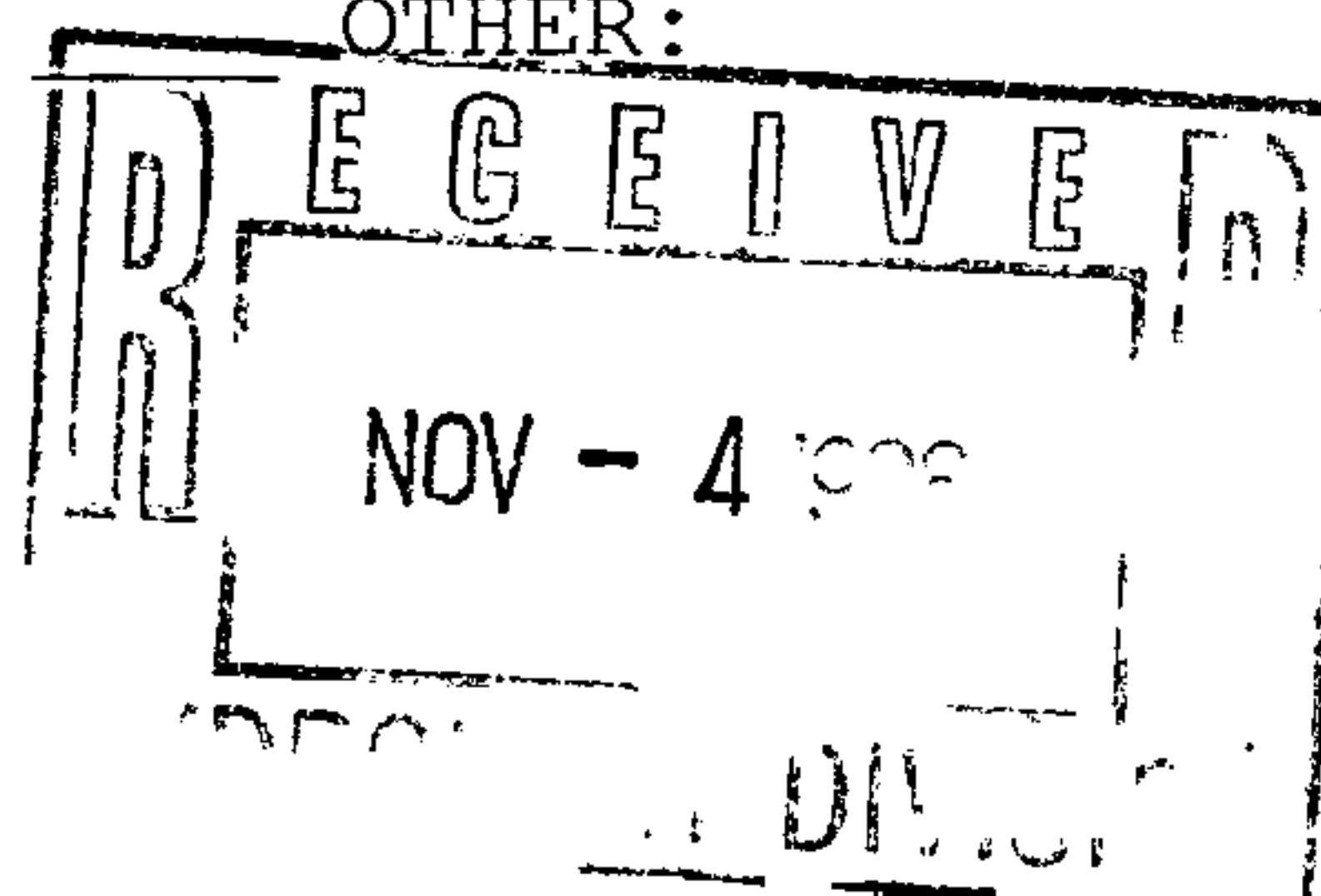
- ☐ YES  
☐ NO  
☐ COPY OF MINUTES PROVIDED

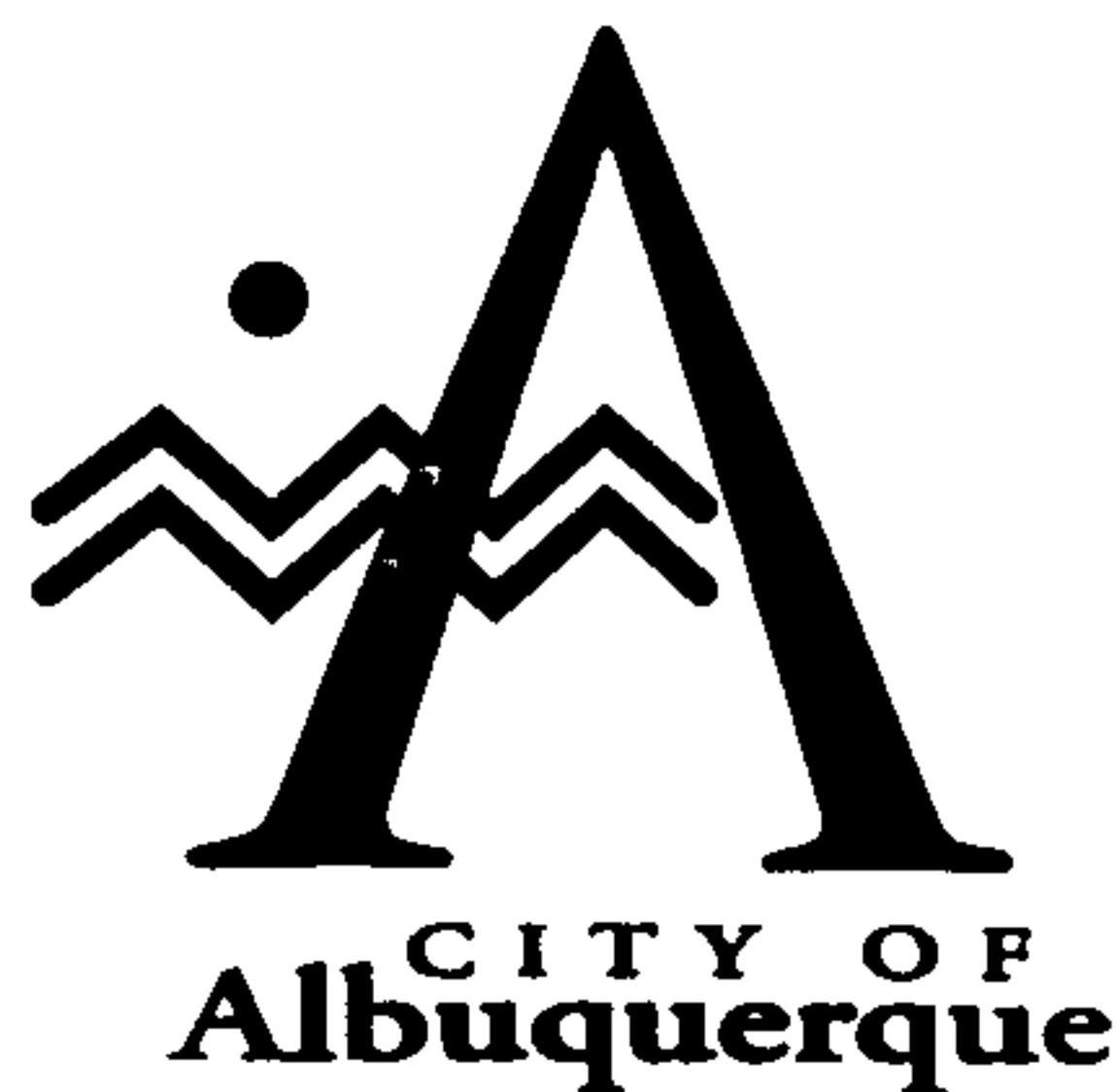
**TYPE OF APPROVAL SOUGHT:**

- ☐ SECTOR PLAN  
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☐ FOUNDATION PERMIT  
☒ BUILDING PERMIT  
☐ CERTIFICATE OF OCCUPANCY  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS

OTHER:

DATE SUBMITTED: 10/30/96

BY: 



P.O. Box 1293 Albuquerque, NM 87103

August 28, 1996

Martin J. Chávez, Mayor

JJ Bordenave, PE  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

RE: CONCEPTUAL G & D PLAN FOR N.M. WINE PATROL (C-18/D29)  
RECEIVED JULY 22, 1996 FOR SITE DEVELOPMENT PLAN FOR B.P.  
ENGINEER'S STAMP DATED 07/18/96

Dear Mr. Bordenave:

Based on the information included in your letter dated 8-27-96, City Hydrology approves the Conceptual Grading & Drainage Plan for Foundation Permit.

Include a copy of the conceptual grading & drainage plan, dated 07/18/96, in the set of construction documents that will be submitted to Code Administration for the Foundation Permit.

If you have any questions about this project, You may contact me at 768-2727.

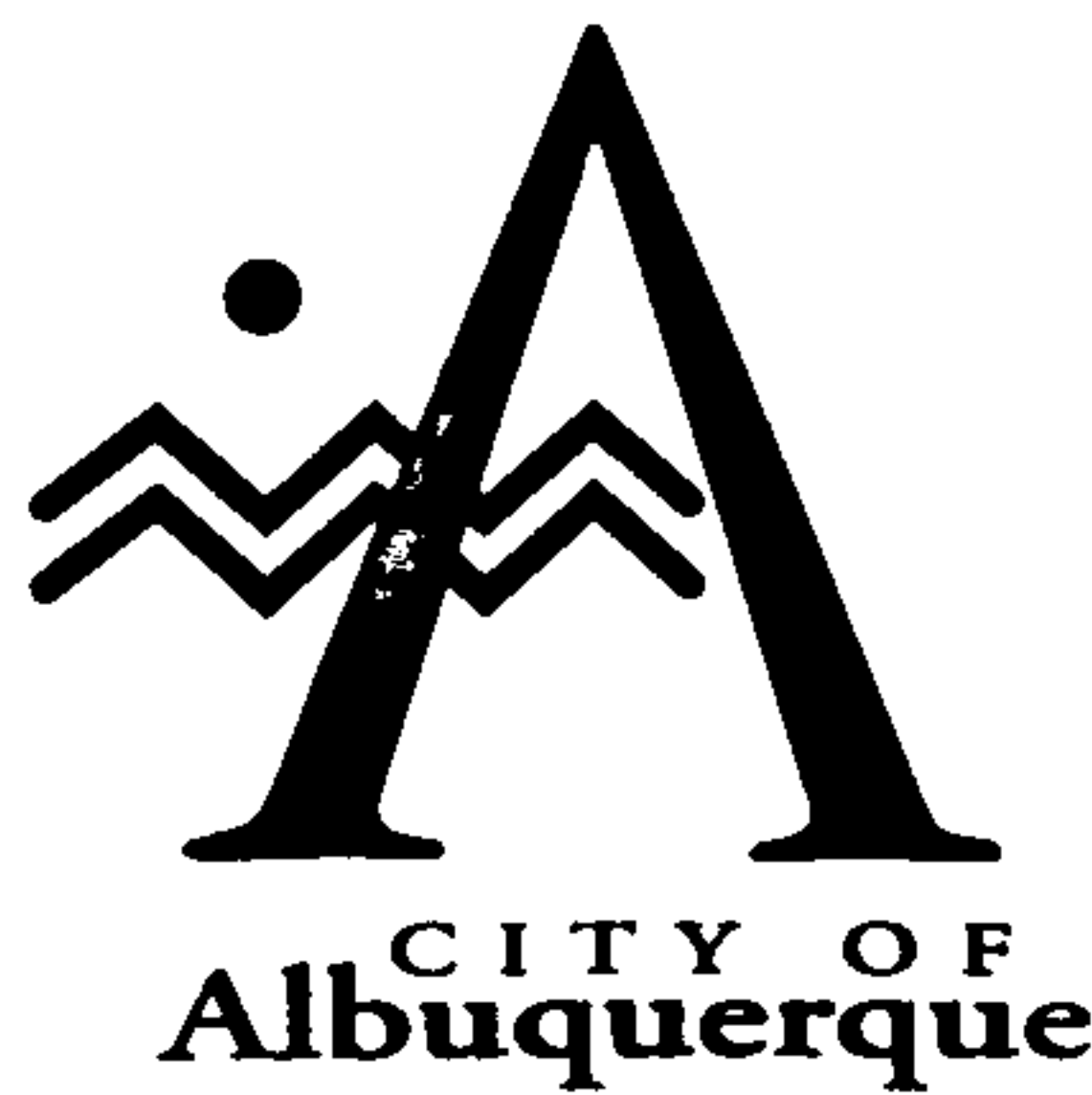
Sincerely,

John P. Curtin, P.E.  
Civil Engineer, Hydrology

c: Andrew Garcia  
John Friedman, P.O. Box 328, Los Lunas, 87031

Good for You, Albuquerque!





P.O. Box 1293 Albuquerque, NM 87103

August 13, 1996

Martin J. Chávez, Mayor

JJ Bordenave, PE  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

RE: CONCEPTUAL G & D PLAN FOR N.M. WINE PATROL (C-18/D29)  
RECEIVED JULY 22, 1996 FOR SITE DEVELOPMENT PLAN FOR B.P.  
ENGINEER'S STAMP DATED 07/18/96

Dear Mr. Bordenave:

Based on the information included in the submittal referenced above, City Hydrology accepts the Conceptual Grading & Drainage Plan for Site Development Plan. The following comments must be addressed for Building Permit:

Sufficient spot elevations must be provided to define drainage patterns. This must include at least: corners of parking lot, curb openings, swales, water block at entrance, pipe inverts, pond bottom and crest of emergency spillway. Indicate the location of the roof drains and the temporary benchmark. Label the future F-F & R/W width of Signal and existing the bar ditch. Detail the temporary entrance and the future entrance on Signal.

Submit design calculations for the detention pond. Execute a drainage covenant for the detention pond and submit it to the City for processing & recording.

If you have any questions about this project, You may contact me at 768-2727.

Sincerely,

John P. Curtin, P.E.  
Civil Engineer, Hydrology

c: Andrew Garcia  
Fred Aguirre, DRB 96-275  
John Friedman, P.O. Box 328, Los Lunas, 87031  
Good for You, Albuquerque!





## DRAINAGE INFORMATION SHEET

### PROJECT DATA:

TITLE: NEW MEXICO WINE PATROL

DRNG. FILE #: C18/429

DRB #: 96-275

EPC #: -

WORK ORDER #: -

LEGAL DESCRIPTION: LOT 4, BLOCK 30, TRACT A, UNIT B, N. ALB. ACRES

CITY ADDRESS: SIGNAL AVE. NE

**ENGINEERING FIRM:** BORDENAVE DESIGNS

CONTACT: J. BORDENAVE

ADDRESS: P.O. BOX 91194, 87110

PHONE: 823-1344

**OWNER:** NEW MEXICO WINE PATROL

CONTACT: DIEFFENTHALER

ADDRESS:

PHONE: 343-9340

**ARCHITECT:** JOHN FRIEDMAN

CONTACT: J. FRIEDMAN

ADDRESS: P.O. BOX 328, LOS LUNAS, 87031

PHONE: 865-0111

**SURVEYOR:** E.M. DOAK

CONTACT: M. DOAK

ADDRESS: 637 SOLAR RD. NW, 87107

PHONE: 344-4492

**CONTRACTOR:**

CONTACT:

ADDRESS:

PHONE:

### TYPE OF SUBMITTAL:

- ☒ CONCEPT GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ DRAINAGE PLAN
- ☐ DRAINAGE REPORT
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION
- ☐ OTHER:

### PRE-DESIGN MEETING:

- ☐ YES
- ☐ NO
- ☐ COPY OF MINUTES PROVIDED

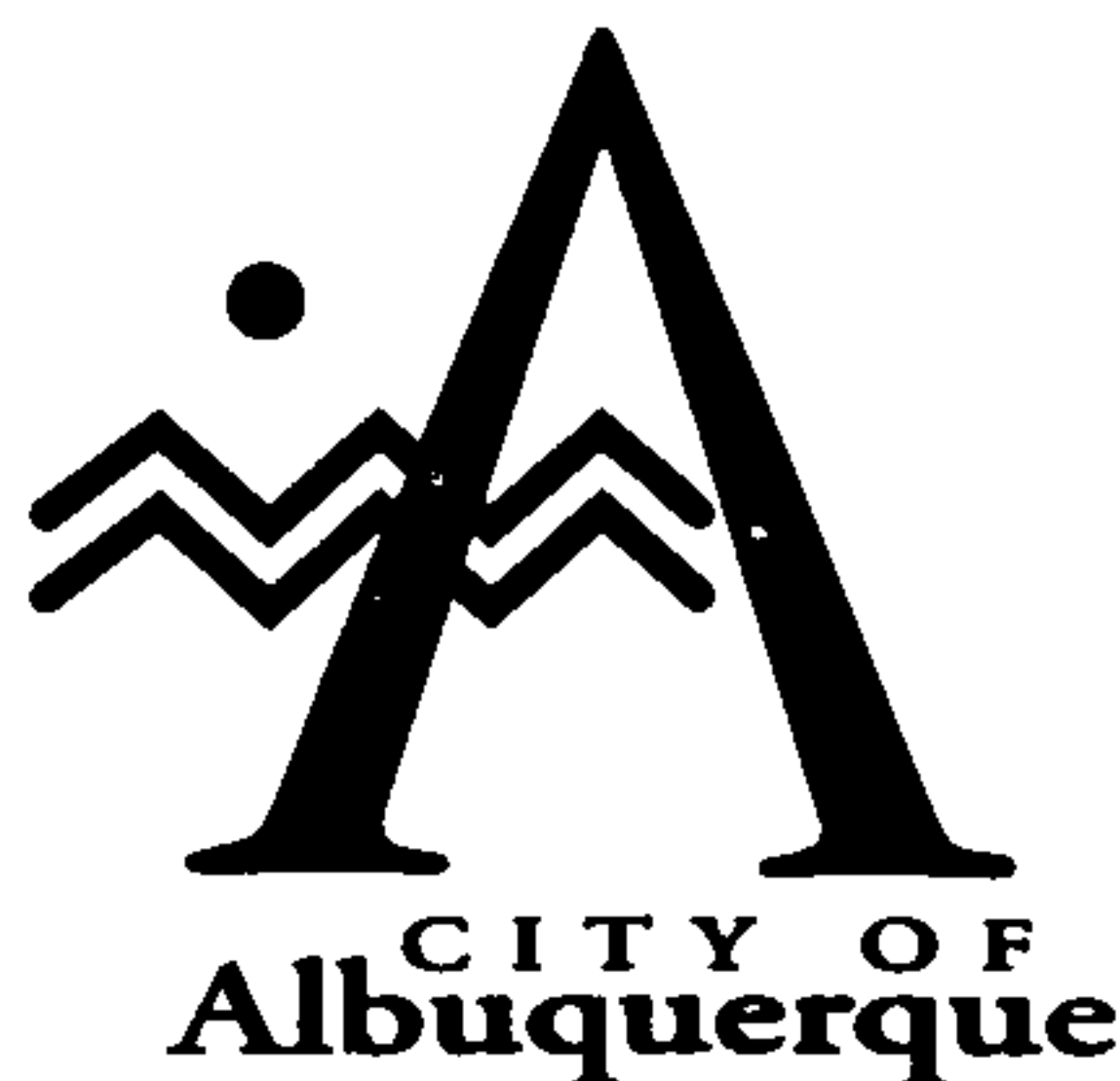
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- ☐ CERTIFICATE OF OCCUPANCY
- ☐ S.A.D. DRAINAGE REPORT
- ☐ DRAINAGE REQUIREMENTS
- ☐ OTHER:

DATE SUBMITTED: 07/18/96

BY: 

JUL 22 1996



P.O. Box 1293 Albuquerque, NM 87103

July 16, 1996

Martin J. Chávez, Mayor

JJ Bordenave, PE  
Bordenave Designs  
P.O. Box 91194  
Albuquerque, NM 87199

RE: CONCEPTUAL G & D PLAN FOR N.M. WINE PATROL (C-18/D29)  
RECEIVED FOR SITE DEVELOPMENT PLAN FOR B.P.  
ENGINEER'S STAMP DATED 06/23/96

Dear Mr. Bordenave:

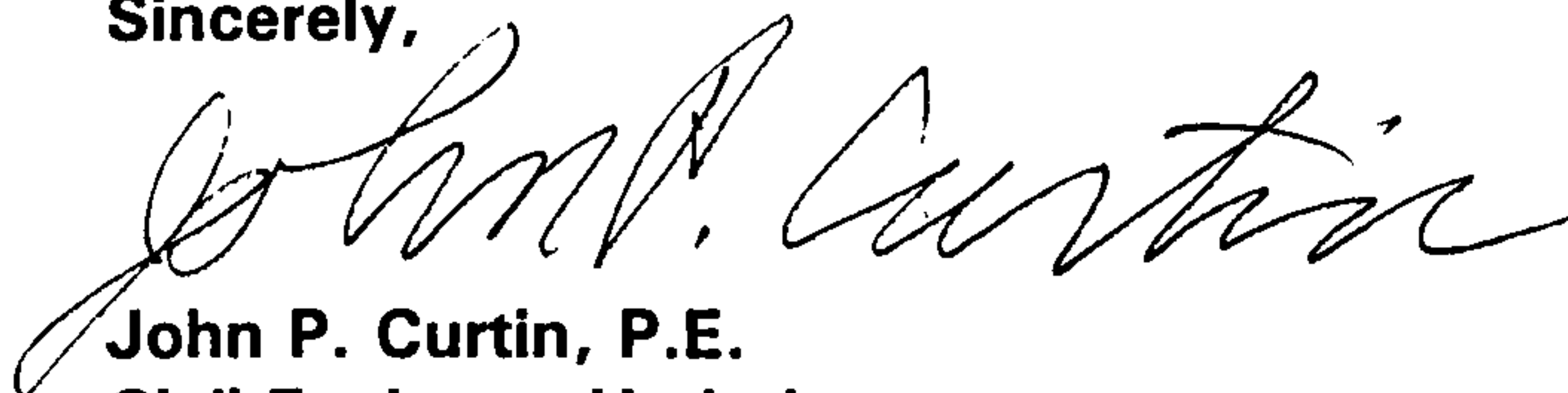
Based on the information included in the submittal referenced above, City Hydrology has the following comments that must be addressed:

Provide proposed spot elevations & street grades (TC & FL). Label sufficient existing contours to indicate the slope of the land. Indicate the edge of temporary asphalt section in Signal. What is the extent of the pavement in the southwest corner? The elevations shown (existing contour 5245 & FF 5127.50) do not make sense.

How will the offsite flow be routed to Signal? If the detention pond is less than 18" deep, how much area will it require? What improvements are required in Signal? Include an erosion control plan on the Conceptual Grading & Drainage Plan.

If you have any questions about this project, You may contact me at 768-2727.

Sincerely,



John P. Curtin, P.E.  
Civil Engineer, Hydrology

c: Andrew Garcia  
Fred Aguirre, DRB 96-275  
John Friedman, P.O. Box 328, Los Lunas, 87031

Good for You, Albuquerque!



FIGURE 12

EXHIBIT 'A'

To Subdivision Improvements Agreement  
 DEVELOPMENT REVIEW BOARD (DRB) REQUIRED INFRASTRUCTURE LISTING  
 for  
 LOT 4, BLOCK 30, TRACT 'A', UNIT 'B', NORTH ALBUQUERQUE ACRES  
 SITE DEVELOPMENT PLAN

Following is a summary of Public/Private Infrastructure required to be constructed for the above development. This summary is not necessarily a complete listing. During the design process, if the City determines that appurtenant items have not been included in the summary, those items will be included in the listing and related financial guarantee, if the items normally are the Subdivider responsibility. In addition, any unforeseen items which arise during construction which are necessary to complete the project and which are the Subdivider's responsibility are the responsibility of the Subdivider and will be included in the financial guarantee provided to the City.

SIZE	IMPROVEMENT	LOCATION	FROM	TO
① 24' F-Edge	*Street	Signal Ave. West Pl Lot 4	East Pl Lot 4	
18" Diam.	**Storm Drain	Signal Ave. North Pl Lot 4	Exist SD	

\* includes std. curb & gutter, 4' pcc sidewalk & 22' <sup>Comm.</sup> res. asph. *PPB*  
 \*\* includes catch basin and leader pipe. *& catch basin in signal as determined at DRC PPB*  
 Prepared By: *J. Bordenave*

Print Name: Jake Bordenave Firm: Bordenave Designs  
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Development Review Board Member Approval

*Kyrie L Dine* 8-13-96  
 Planning Director date

*Robert W. Kane* 8-13-96  
 Utility Development date

*[Signature]* 8-13-96  
 Transportation Dev. date

*Frank J. Cyran* 8-13-96  
 City Engineer/AMAFCA date

*Ed Stanz* 8-13-96  
 Parks & General Serv. date  
 DESIGN & DEVELOPMENT, CIP

① Improvements to be deferred *PPB* page 1 of 1



## DRAINAGE COVENANT

This Drainage Covenant, between New Mexico Wine Petrol LLC, ("Owner"), whose address is 6120 Signal NE Albuquerque, NM, and the City of Albuquerque, New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Owner signs this Covenant.

1. Recital. Owner is the owner of certain real property described as: LOT 4 BLK 30 TRACT A UNIT B NORTH ALBU ALCCS in Bernalillo County, New Mexico (the "Property").

Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain Drainage Facilities on the Property, and the parties wish to enter into this Agreement to establish the obligations and responsibilities of the parties.

2. Description and Construction of Drainage Facilities. Owner shall construct the following "Drainage Facility" within the Property at Owner's sole expense in accordance with the standards, plans and specifications approved by the City pursuant to Drainage File No. (C-18/029):

DETENTION POND

The Drainage Facility is more particularly described in the attached Exhibit A. The Owner will not permit the Drainage Facility to constitute a hazard to the health or safety of the general public.

3. Maintenance of Drainage Facility. The Owner will maintain the Drainage Facility at Owner's cost in accordance with the approved Drainage Report and plans.

4. City's Right of Entry. The City has the right to enter upon the Property at any time and perform whatever inspection, maintenance or repair of the Drainage Facility it deems appropriate, without liability to the Owner.

5. Demand for Construction or Repair. The City may send written notice ("Notice") to the Owner requiring the Owner to construct or repair the Drainage Facility within 30 days ("Deadline") of receipt of the Notice, as provided in Section 11, and the Owner will comply promptly with the requirements of the Notice. The Owner will perform all required work by the Deadline, at Owner's sole expense.

6. Failure to Perform by Owner and Emergency Work by City. If the Owner fails to comply with the terms of the Notice by the Deadline, or if the City determines that an emergency condition exists, the City may perform the work itself. The City may assess the Owner for the cost of the work and for any other expenses or damages which result from Owner's failure to perform. The Owner agrees promptly to pay the City the amount assessed. If the Owner fails to pay the City within thirty (30) days after the City gives the Owner written notice of the amount due, the City may impose a lien against Owner's Property for the total resulting amount.

(Approved by Legal Dept.  
as to form only 06/90)



7. Liability of City for Repair after Notice or as a Result of Emergency. The City shall not be liable to the Owner for any damages resulting from the City's repair or maintenance following notice to the Owner as required in this agreement or in an emergency unless the damages are the result of the reckless conduct or gross negligence of the City.

8. Indemnification. Owner agrees to indemnify and save the City, its officials, agents and employees harmless from all claims, actions, suits and proceedings arising out of or resulting from the Owner's negligent maintenance, construction, repair or use of the Drainage Facility. To the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney's fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give direction or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

9. Cancellation of Agreement and Release of Covenant. This Agreement may be released if the Drainage Facility is no longer required for the protection of the public health, safety and welfare by the City filing a "Notice of Release" with the Bernalillo County Clerk. The Notice of Release must be signed by the City's Chief Administrative Officer, or his designee, and the approval of the City Hydrologist must be endorsed thereon.

10. Assessment. Nothing in this agreement shall be construed to relieve the Owner, his heirs, assigns, and successors from an assessment against Owner's Property for improvements to the property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.

11. Notice. For purposes of given formal written notice to the Owner, Owner's address is:

6120 Signal NE  
Albuquerque, NM  
87113

Notice may be given to the Owner either in person or by mailing the notice by regular U.S. mail, postage paid. Notice will be considered to have been received by the Owner within three days after the notice is mailed if there is no actual evidence of receipt. The Owner may change Owner's address by given written notice of the change by Certified Mail, return receipt requested, to the City Public Works Department, P.O. Box 1293, Albuquerque, New Mexico, 87103.

12. Term. This Agreement shall continue until terminated by the City pursuant to Section 9 above.

(Approved by Legal Dept.  
as to form only 06/90)

13. Binding on Owner's Property. The covenants and obligations of the Owner said forth herein shall be binding on Owner, its heirs, personal representatives, assigns and successors and on Owner's Property and shall constitute covenants running the Owner's Property until released by the City.

14. Entire Agreement. This Agreement contains the entire agreement of the parties and supercedes any and all other agreements or understanding, oral or written, whether previous to the execution hereof or contemporaneous herewith regarding this subject matter.

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

16. 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.

17. 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.

OWNER:

By:

Its:

Dated:

Douglas Diefenthaler  
Member  
3/4/97

STATE OF New Mexico )  
 ) ss  
COUNTY OF Bernalillo )

This ~~The foregoing~~ instrument was acknowledged before me on this 4th day of March, 1997, [by name of person:] Douglas Diefenthaler, [title or capacity, for instance "president" or "owner":] Member of [Subdivider:] New Mexico Wine Patrol, L.L.C.

Susie Tweeton

Notary Public

My Commission Expires:  
10-4-99

Susie Tweeton

CITY OF ALBUQUERQUE:

Approved:

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Dated: \_\_\_\_\_

(EXHIBIT A ATTACHED)

(Approved by Legal Dept.  
as to form only 06/90)

(WP+124529)