

CITY OF ALBUQUERQUE



May 2, 2006

Ron Bohannon, PE
Tierra West LLC
8509 Jefferson NE
Albuquerque, NM 87113

**Re: Holly Avenue Improvements Conceptual Drainage Report
Engineer Stamp 3-22-06 (C18/D72)**

Dear Mr. Bohannon,

Based on information provided in your submittal dated 3-22-06, the above referenced report is approved for Work Order. This will be the master plan that all future projects in this basin must adhere.

P.O. Box 1293

If you have any questions, you can contact me at 924-3986.

Albuquerque

New Mexico 87103

www.cabq.gov

C: file

Sincerely,

Bradley L. Bingham, PE
Principal Engineer, Planning Dept
Development and Building Services

CONCEPTUAL DRAINAGE REPORT
FOR

*Holly Avenue Improvements
Albuquerque, NM*

Prepared by:

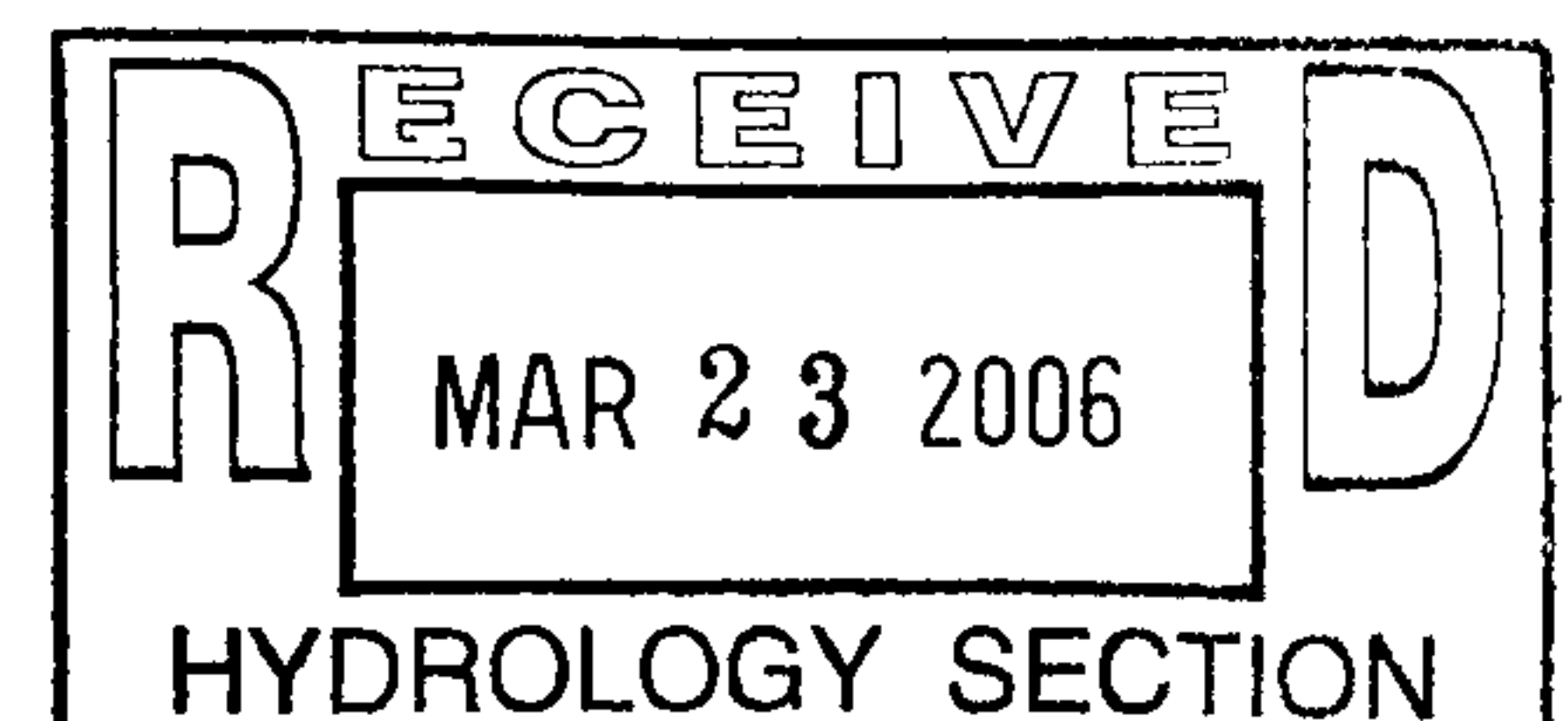
Tierra West, LLC
8509 Jefferson NE
Albuquerque, New Mexico 87113

March 2006

I certify that this report was prepared under my supervision, and I am a registered professional engineer in the State of New Mexico in good standing.



Job No 24065



The storm sewer system for Holly Avenue was based on information obtained from several drainage reports on the surrounding area, and on an analysis of the vacant land adjacent to the street. The storm sewer is sized to accept the flows from the Carmel Subdivision, the Kohl's Department Store site, and the vacant land to the west along Holly Avenue. While the flows from the Carmel Subdivision and the Kohl's were taken from approved drainage reports, the flows from the vacant land was analyzed using a 20% Type "B" and a 80% Type "D" land treatment in anticipation of the area becoming commercial development.

The area draining to the Holly Avenue storm sewer is highlighted on the attached zone atlas map. Also enclosed are the Weighted-E calculations that were used to calculate the amount of discharge from the vacant tracts, that the system needs to carry. Please review the enclosed information to see if you concur with the storm sewer design for Holly Avenue. Full drainage analysis will be provided as the vacant tracts develop.

Weighted E Method

Developed On-Site Basins

Basin	Area (sf)	Area (acres)	Treatment A		Treatment B		Treatment C		Treatment D		100-Year			10-Year		
			%	(acres)	%	(acres)	%	(acres)	%	(acres)	Weighted E (ac-ft)	Volume (ac-ft)	Flow cfs	Weighted E (ac-ft)	Volume (ac-ft)	Flow cfs
Holly 1	55,936	1.28	0%	0	30%	0.39	0%	0.00	70%	0.90	1.928	0.206	5.51	1.158	0.124	3.51
Holly 2	39,448	0.91	0%	0	30%	0.27	0%	0.00	70%	0.63	1.928	0.145	3.89	1.158	0.087	2.47
Holly 3	55,489	1.27	0%	0	30%	0.38	0%	0.00	70%	0.89	1.928	0.205	5.47	1.158	0.123	3.48
Dascalos	235,027	5.40	0%	0	20%	1.08	0%	0.00	80%	4.32	2.072	0.932	24.47	1.272	0.572	15.92
Betty Love	115,893	2.66	0%	0	20%	0.53	0%	0.00	80%	2.13	2.072	0.459	12.07	1.272	0.282	7.85
Schumacher	293,607	6.74	0%	0	20%	1.35	0%	0.00	80%	5.39	2.072	1.164	30.57	1.272	0.714	19.88
Skarsgard 1	108,785	2.50	0%	0	20%	0.50	0%	0.00	80%	2.00	2.072	0.431	11.33	1.272	0.265	7.37
Skarsgard 2	108,850	2.50	0%	0	20%	0.50	0%	0.00	80%	2.00	2.072	0.431	11.33	1.272	0.265	7.37

Equations:

Weighted E = $E_a \cdot A_a + E_b \cdot A_b + E_c \cdot A_c + E_d \cdot A_d$ / (Total Area)

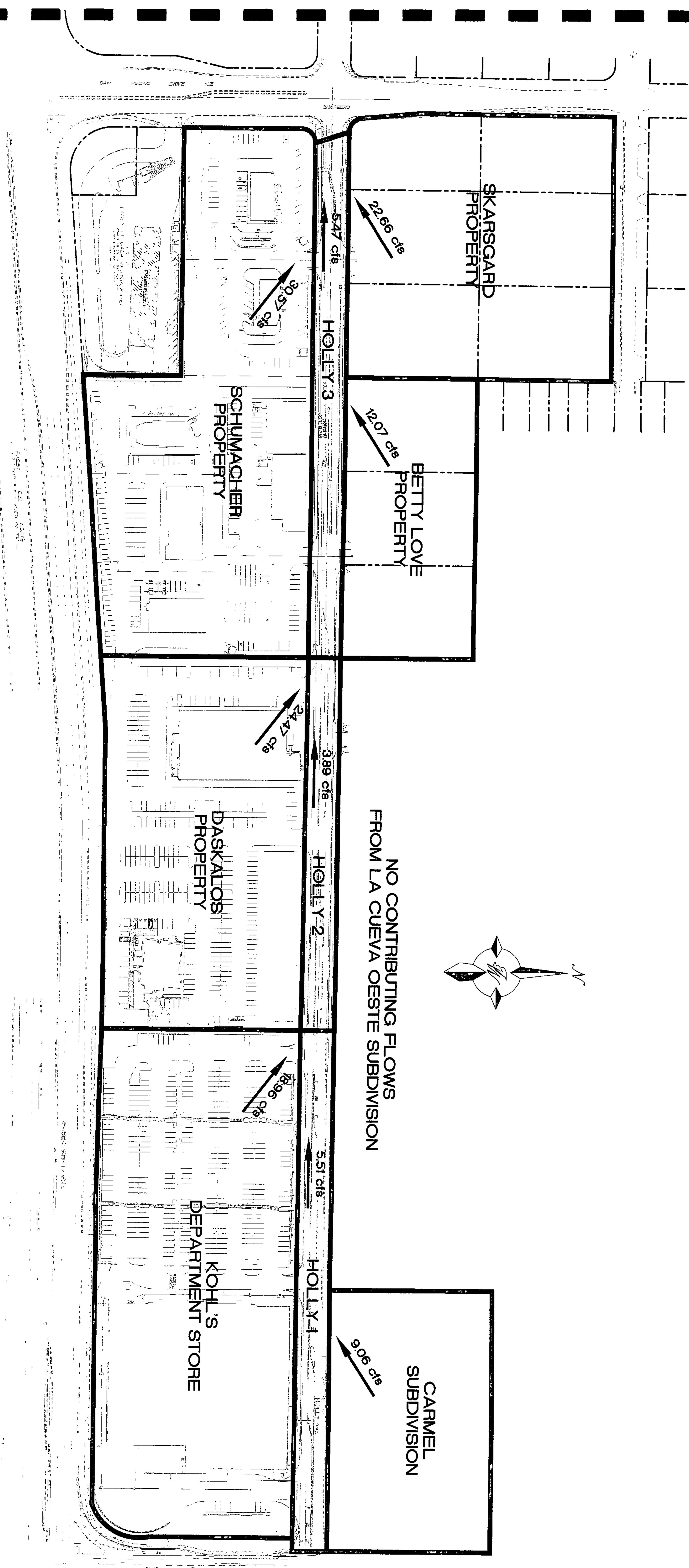
Volume = Weighted D * Total Area

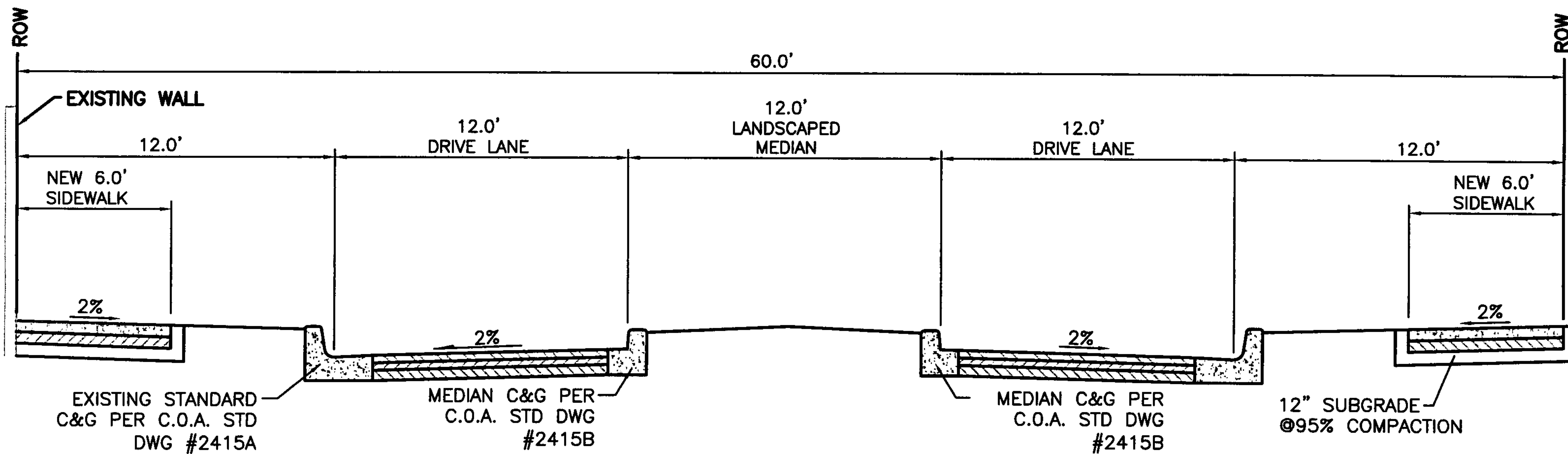
Flow = $Q_a \cdot A_a + Q_b \cdot A_b + Q_c \cdot A_c + Q_d \cdot A_d$

Excess Precipitation, E (inches)		
Zone3	100-Year	10 - Year
E _a	0.66	0.19
E _b	0.92	0.36
E _c	1.29	0.62
E _d	2.36	1.50

Peak Discharge (cfs/acre)		
Zone 3	100-Year	10 - Year
Q _a	1.87	0.58
Q _b	2.60	1.19
Q _c	3.45	2.00
Q _d	5.02	3.39

CONCEPTUAL BASIN MAP





TYPICAL HOLLY AVE. SECTION
NTS

Pipe Capacity

Pipe	D	Slope	Area	R	Q Provided	Q Required	Velocity
	(in)	(%)	(ft^2)		(cfs)	(cfs)	(ft/s)
Option A							
1	24	1.50	3.14	0.500	27.78	24.47	7.79
2	24	4.00	3.14	0.500	45.37	33.07	10.53
3	24	2.00	3.14	0.500	32.08	8.60	2.74
4	24	3.81	3.14	0.500	44.28	41.67	13.26
5	24	1.00	3.14	0.500	22.68	12.07	3.84
6	30	4.45	4.91	0.625	86.76	53.74	10.95
7	24	2.00	3.14	0.500	32.08	7.60	2.42
8	24	2.00	3.14	0.500	32.08	7.60	2.42
9	30	2.88	4.91	0.625	69.80	68.94	14.04
10	24	2.00	3.14	0.500	32.08	30.57	9.73
11	24	2.00	3.14	0.500	32.08	22.66	7.21
12	48	0.72	12.57	1.000	122.21	122.17	9.72
13	24	2.00	3.14	0.500	32.08	5.25	1.67
14	24	2.00	3.14	0.500	32.08	5.25	1.67
15	48	0.85	12.57	1.000	132.79	132.66	10.56

Manning's Equation:

$$Q = 1.49/n * A * R^{(2/3)} * S^{(1/2)}$$

A = Area

R = D/4

S = Slope

n = 0.013

Street Capacity Calculations

Holly Avenue (AP#1)
36' F-F Street Section with 8" curb
w/ 12' New Median
Slope= 0.0316

For water depths less than 0.125 feet

Y= Water depth
Area = $8 \cdot Y^2$
P= $\text{SQRT}(257 \cdot Y^2) + Y$
n= 0.017

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.01	0.00	0.17	0.00	0.00	0.00	0.44	0.00	0.77	0.007
0.02	0.00	0.34	0.01	0.00	0.00	0.69	0.01	0.86	0.016
0.04	0.01	0.68	0.02	0.01	0.03	1.10	0.04	0.97	0.038
0.06	0.03	1.02	0.03	0.04	0.08	1.44	0.09	1.04	0.063
0.08	0.05	1.36	0.04	0.09	0.18	1.74	0.14	1.09	0.089
0.1	0.08	1.70	0.05	0.16	0.32	2.02	0.20	1.13	0.117
0.12	0.12	2.04	0.06	0.26	0.53	2.28	0.27	1.16	0.146
0.125	0.13	2.13	0.06	0.29	0.59	2.35	0.29	1.17	0.154

A1 P1

For water depths greater than 0.125 ft but less than 0.305 ft

Y1= Y-0.125
A2= $A1 + 2 \cdot Y1 + 25 \cdot Y1^2$
P2= $P1 + \text{SQRT}(2501 \cdot Y1^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.13	0.14	2.38	0.06	0.31	0.62	2.30	0.30	1.12	0.152
0.15	0.19	3.40	0.06	0.43	0.87	2.27	0.34	1.03	0.157
0.18	0.31	4.93	0.06	0.76	1.53	2.46	0.44	1.02	0.185
0.21	0.48	6.46	0.07	1.30	2.60	2.73	0.57	1.05	0.224
0.24	0.69	8.00	0.09	2.07	4.14	3.02	0.73	1.09	0.268
0.27	0.94	9.53	0.10	3.12	6.25	3.32	0.90	1.13	0.316
0.28	1.04	10.04	0.10	3.54	7.08	3.42	0.96	1.14	0.332
0.3	1.24	11.06	0.11	4.48	8.97	3.62	1.08	1.16	0.366
0.305	1.30	11.31	0.11	4.74	9.49	3.66	1.12	1.17	0.374

A2 P2

For water depths greater than 0.305 ft but less than 0.667 ft

Y2= Y - 0.305
A3= $A2 + Y2 \cdot 12$
P3= $P2 + Y2$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.305	1.30	11.31	0.11	4.74	9.49	3.66	1.12	1.17	0.374
0.4	2.44	11.41	0.21	13.52	27.03	5.55	2.22	1.55	0.697
0.428	2.77	11.43	0.24	16.77	33.54	6.04	2.59	1.63	0.795
0.5	3.64	11.51	0.32	26.20	52.40	7.21	3.60	1.80	1.045
0.569	4.46	11.57	0.39	36.74	73.48	8.23	4.68	1.92	1.289
0.6	4.84	11.61	0.42	41.91	83.82	8.67	5.20	1.97	1.400
0.63	5.20	11.64	0.45	47.15	94.31	9.08	5.72	2.02	1.508
0.667	5.64	11.67	0.48	53.95	107.89	9.57	6.38	2.06	1.642

A3 P3

For water depths greater than 0.667 ft but less than 0.907 ft

Y3= Y - 0.667
A4= $A3 + 12 \cdot Y3 + 25 \cdot Y3^2$
P4= $P3 + \text{SQRT}(2501 \cdot Y3^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.667	5.64	11.67	0.48	53.95	107.89	9.57	6.38	2.06	1.642
0.73	6.49	14.82	0.44	58.21	116.42	8.96	6.54	1.85	1.578
0.75	6.81	15.82	0.43	60.28	120.56	8.86	6.64	1.80	1.573
0.77	7.14	16.82	0.42	62.66	125.32	8.78	6.76	1.76	1.572
0.79	7.49	17.82	0.42	65.34	130.68	8.72	6.89	1.73	1.577
0.82	8.06	19.32	0.42	69.92	139.84	8.67	7.11	1.69	1.590
0.907	9.96	23.68	0.42	86.88	173.76	8.72	7.91	1.61	1.666

Street Capacity Calculations

Holly Avenue (AP#2 Pre-Dascalos)
36' F-F Street Section with 8" curb
w/ 12' New Median
Slope= 0.0294

For water depths less than 0.125 feet

Y= Water depth
Area = $8 \cdot Y^2$
P= $\text{SQRT}(257 \cdot Y^2) + Y$
n= 0.017

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.01	0.00	0.17	0.00	0.00	0.00	0.42	0.00	0.74	0.007
0.02	0.00	0.34	0.01	0.00	0.00	0.67	0.01	0.83	0.016
0.04	0.01	0.68	0.02	0.01	0.03	1.06	0.04	0.93	0.036
0.06	0.03	1.02	0.03	0.04	0.08	1.39	0.08	1.00	0.060
0.08	0.05	1.36	0.04	0.09	0.17	1.68	0.13	1.05	0.085
0.1	0.08	1.70	0.05	0.16	0.31	1.95	0.20	1.09	0.112
0.12	0.12	2.04	0.06	0.25	0.51	2.20	0.26	1.12	0.139
0.125	0.13	2.13	0.06	0.28	0.57	2.26	0.28	1.13	0.147
A1		P1							

For water depths greater than 0.125 ft but less than 0.305 ft

Y1= Y-0.125
A2= $A1 + 2 \cdot Y1 + 25 \cdot Y1^2$
P2= $P1 + \text{SQRT}(2501 \cdot Y1^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.13	0.14	2.38	0.06	0.30	0.60	2.22	0.29	1.08	0.145
0.15	0.19	3.40	0.06	0.42	0.84	2.19	0.33	1.00	0.150
0.18	0.31	4.93	0.06	0.74	1.47	2.37	0.43	0.99	0.176
0.21	0.48	6.46	0.07	1.25	2.50	2.63	0.55	1.01	0.213
0.24	0.69	8.00	0.09	2.00	4.00	2.91	0.70	1.05	0.256
0.27	0.94	9.53	0.10	3.01	6.02	3.20	0.86	1.09	0.301
0.28	1.04	10.04	0.10	3.41	6.83	3.30	0.92	1.10	0.317
0.3	1.24	11.06	0.11	4.33	8.65	3.49	1.05	1.12	0.349
0.305	1.30	11.31	0.11	4.58	9.15	3.53	1.08	1.13	0.357
A2		P2							

For water depths greater than 0.305 ft but less than 0.667 ft

Y2= Y - 0.305
A3= $A2 + Y2 \cdot 12$
P3= $P2 + Y2$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.305	1.30	11.31	0.11	4.58	9.15	3.53	1.08	1.13	0.357
0.4	2.44	11.41	0.21	13.04	26.07	5.35	2.14	1.49	0.667
0.428	2.77	11.43	0.24	16.18	32.35	5.83	2.50	1.57	0.761
0.450	3.03	11.46	0.26	18.71	37.43	6.18	2.78	1.62	0.831
0.569	4.46	11.57	0.39	35.44	70.87	7.94	4.52	1.85	1.235
0.6	4.84	11.61	0.42	40.42	80.85	8.36	5.02	1.90	1.342
0.63	5.20	11.64	0.45	45.48	90.97	8.76	5.52	1.94	1.445
0.667	5.64	11.67	0.48	52.04	104.07	9.23	6.15	1.99	1.574
A3		P3							

For water depths greater than 0.667 ft but less than 0.907 ft

Y3= Y - 0.667
A4= $A3 + 12 \cdot Y3 + 25 \cdot Y3^2$
P4= $P3 + \text{SQRT}(2501 \cdot Y3^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.667	5.64	11.67	0.48	52.04	104.07	9.23	6.15	1.99	1.574
0.73	6.49	14.82	0.44	56.15	112.29	8.65	6.31	1.78	1.512
0.75	6.81	15.82	0.43	58.14	116.28	8.54	6.41	1.74	1.506
0.77	7.14	16.82	0.42	60.44	120.88	8.46	6.52	1.70	1.506
0.79	7.49	17.82	0.42	63.03	126.05	8.41	6.64	1.67	1.510
0.82	8.06	19.32	0.42	67.44	134.88	8.37	6.86	1.63	1.522
0.907	9.96	23.68	0.42	83.80	167.60	8.41	7.63	1.56	1.595

Street Capacity Calculations

Holly Avenue (AP#3)
36' F-F Street Section with 8" curb
w/ 12' New Median
Slope= 0.02

For water depths less than 0.125 feet

Y= Water depth
Area = $8 \cdot Y^2$
P= $\text{SQRT}(257 \cdot Y^2) + Y$
n= 0.017

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.01	0.00	0.17	0.00	0.00	0.00	0.35	0.00	0.61	0.005
0.02	0.00	0.34	0.01	0.00	0.00	0.55	0.01	0.69	0.012
0.04	0.01	0.68	0.02	0.01	0.02	0.87	0.03	0.77	0.028
0.06	0.03	1.02	0.03	0.03	0.07	1.14	0.07	0.82	0.046
0.08	0.05	1.36	0.04	0.07	0.14	1.39	0.11	0.86	0.066
0.1	0.08	1.70	0.05	0.13	0.26	1.61	0.16	0.90	0.086
0.12	0.12	2.04	0.06	0.21	0.42	1.82	0.22	0.92	0.108
0.125	0.13	2.13	0.06	0.23	0.47	1.87	0.23	0.93	0.114

A1 P1

For water depths greater than 0.125 ft but less than 0.305 ft

Y1= Y-0.125
A2= $A1 + 2 \cdot Y1 + 25 \cdot Y1^2$
P2= $P1 + \text{SQRT}(2501 \cdot Y1^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.13	0.14	2.38	0.06	0.25	0.50	1.83	0.24	0.89	0.112
0.15	0.19	3.40	0.06	0.34	0.69	1.81	0.27	0.82	0.115
0.18	0.31	4.93	0.06	0.61	1.22	1.96	0.35	0.81	0.136
0.21	0.48	6.46	0.07	1.03	2.06	2.17	0.46	0.83	0.164
0.24	0.69	8.00	0.09	1.65	3.30	2.40	0.58	0.86	0.197
0.27	0.94	9.53	0.10	2.48	4.97	2.64	0.71	0.90	0.233
0.28	1.04	10.04	0.10	2.82	5.63	2.72	0.76	0.91	0.245
0.3	1.24	11.06	0.11	3.57	7.14	2.88	0.86	0.93	0.270
0.305	1.30	11.31	0.11	3.77	7.55	2.91	0.89	0.93	0.277

A2 P2

For water depths greater than 0.305 ft but less than 0.667 ft

Y2= Y - 0.305
A3= $A2 + Y2 \cdot 12$
P3= $P2 + Y2$

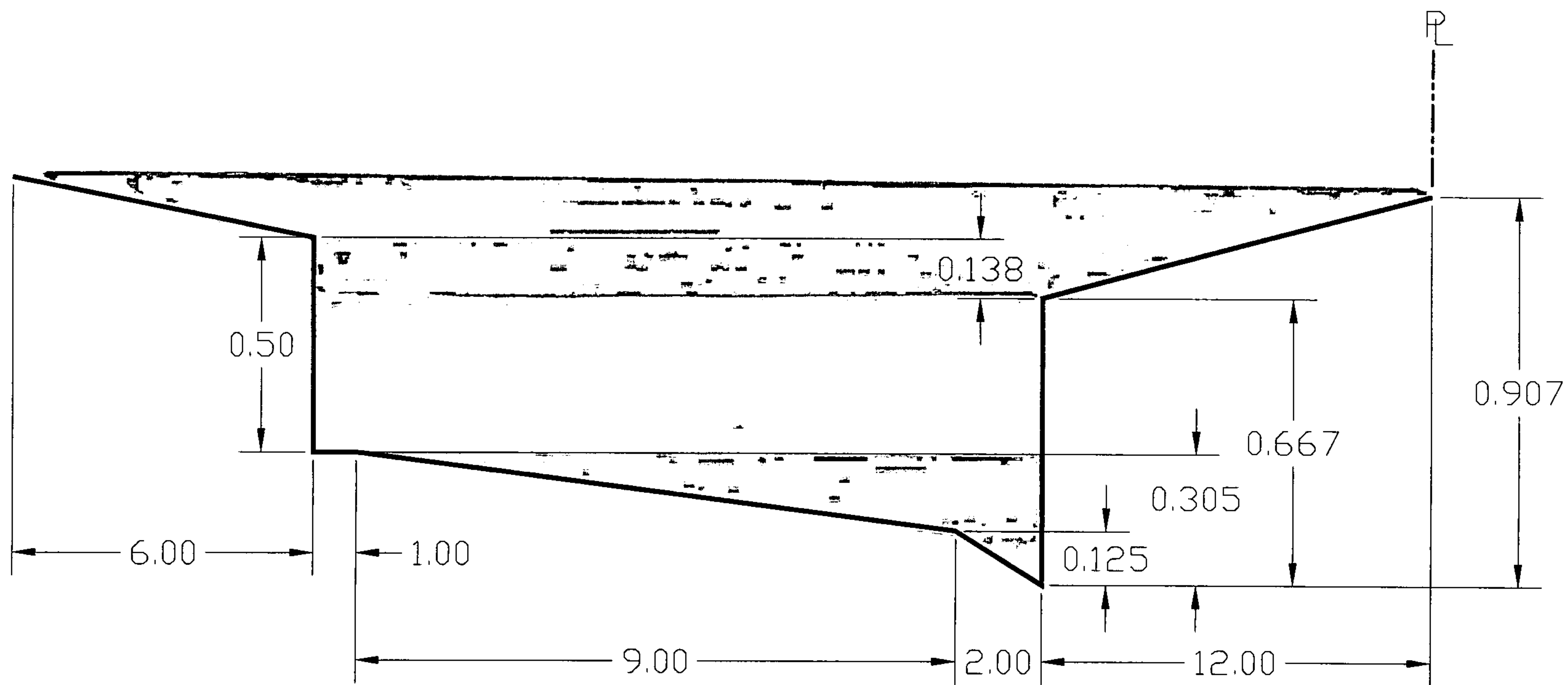
Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.325	1.54	11.33	0.14	5.01	10.01	3.26	1.06	1.01	0.328
0.397	2.40	11.40	0.21	10.49	20.98	4.37	1.74	1.22	0.516
0.428	2.77	11.43	0.24	13.34	26.68	4.81	2.06	1.29	0.599
0.457	3.11	11.46	0.27	16.15	32.30	5.19	2.37	1.35	0.674
0.569	4.46	11.57	0.39	29.23	58.45	6.55	3.73	1.53	0.979
0.6	4.84	11.61	0.42	33.34	66.68	6.90	4.14	1.57	1.065
0.63	5.20	11.64	0.45	37.51	75.03	7.22	4.55	1.60	1.148
0.667	5.64	11.67	0.48	42.92	85.84	7.61	5.08	1.64	1.251

A3 P3

For water depths greater than 0.667 ft but less than 0.907 ft

Y3= Y - 0.667
A4= $A3 + 12 \cdot Y3 + 25 \cdot Y3^2$
P4= $P3 + \text{SQRT}(2501 \cdot Y3^2)$

Depth (ft)	Area (ft ²)	P (ft)	R (A/P)	Q (cfs)	2Q (cfs)	Vel (ft/s)	D*V	Fr	D2 (ft)
0.725	6.42	14.57	0.44	45.94	91.88	7.16	5.19	1.48	1.199
0.73	6.49	14.82	0.44	46.31	92.62	7.13	5.21	1.47	1.197
0.75	6.81	15.82	0.43	47.95	95.91	7.04	5.28	1.43	1.191
0.77	7.14	16.82	0.42	49.85	99.70	6.98	5.38	1.40	1.190
0.79	7.49	17.82	0.42	51.98	103.97	6.94	5.48	1.38	1.192
0.82	8.06	19.32	0.42	55.62	111.25	6.90	5.66	1.34	1.200
0.907	9.96	23.68	0.42	69.12	138.23	6.94	6.29	1.28	1.255



36' F-F STREET SECTION W/ 8" CURB AND MEDIAN

Exhibit "A"

(1794ev)

940884

7968

CITY OF ALBUQUERQUE
REAL PROPERTY CONTRACT
(RIGHT-OF-WAY ACQUISITION)

Project No. PASEO DEL NORTE #4083.90 TPU-4054(3) UPC No.: 1-018-064-272-039-40132;
1-018-064-321-016-40104;
1-018-064-338-016-40106; &
1-018-064-362-016-40106
Property Description: Portion of Lots 1, 27, 28 & 29, Block 35, Tract A, Unit B,
North Albuquerque Acres (Parcels 3-6 & B-1) (See attached Exhibits "A" & "B").

THIS CONTRACT made and entered into this 28th day of January, 1994
between R2C2 Limited Partnership, a New Mexico Limited Partnership
Address: c/o Sanford Rogoff; Rogoff, Diamond and Walker; P.O. Box 26148;
Albuquerque, NM 87125

(hereinafter referred to as Seller), and the City of Albuquerque, New Mexico,
a municipal corporation, as Buyer (hereinafter referred to as the City). For
the purposes of this contract, Seller shall be deemed to be either singular or
plural as the context requires.

WITNESSETH:

In consideration of the (\$1.00) ONE DOLLAR and other good and valuable
consideration hereinafter set forth, the Seller hereby agrees to sell and the
City hereby agrees to purchase the above described real estate (Property) for
public use situated in Bernalillo County, State of New Mexico, subject to the
following terms, conditions and covenants.

CONDITIONS:

- A) Closing date shall be within thirty (30) days after execution and delivery
of this contract. Closing to be handled by Albuquerque Title Company,
2400 Louisiana Blvd., NE, Albuquerque, NM 87111.
- B) City shall pay for all customary closing costs and policy of title
insurance for this transaction.
- C) Prior to closing, Seller shall be required to eliminate or modify all title
objections to the reasonable satisfaction of the City at Seller's own
expense as long as any action required does not exceed \$1,000.00.
- D) Seller shall convey title to the property to the City by statutory form
special warranty deed subject only to the permitted exceptions agreed to by
the City as shown in the policy of title insurance.
- E) City of Albuquerque (buyer) to pay R2C2, a N.M. Gen. Partnership (Seller) a
total of \$340,000.00 for land and damages as described on attached Exhibits
"A" and "B".
- F) R2C2 (Seller) to sign Plat showing acquisition and remainder of property
within one (1) year. To be paid for by City.

(sometimes known as Hollywood)

G) The City agrees that the Seller and their assigns or successors shall have two (2) unrestricted access points from the property to Holly. The access points shall be at least forty (40) feet wide and be located and spaced so that they are in compliance with the standards of the City Development Process Manual. The Seller shall also have a right-in/right-out access to San Pedro.

7969

H) ~~Sellers and their assigns or successors shall have drainage rights for the allowable storm drainage discharge rate provided in the approved Paseo Del Norte Interim Drainage Management Plan dated August, 1991, by Resource Technology, Inc., except that at the time of development of the remainder tract(s), the development of said tract(s) must comply with all drainage policies/ordinances in effect at that time. The determined total discharge of storm water from the Seller's system at three (3) manhole storm drain points as shown on attached Exhibit "C". The City shall install stub-out pipes at the lowest station 121+08, elevation 5240.0; station 122+00, elevation 5245.0, and station 125+50, elevation 5255.0. The City agrees that the property of the Sellers shall also be allowed drainage access to the San Pedro Storm Drainage System at the time of development of the remainder tract(s) dependent upon complying with all drainage policies/ordinances in effect at that time.~~

I) The City will provide public infrastructure (paving) on Holly (sometimes known as Hollywood) from San Pedro eighty (80) feet east along the Property's northern boundary.

1. Ad valorem property taxes, if any, delinquent from former years shall be paid by the Seller and ad valorem property taxes and special assessments for the current year, to become due for the current year shall be prorated between the Seller and the City. Special assessment payments that are to become due in future years shall be paid by the Seller.
2. THIS CONTRACT embodies the whole contract between the parties hereto, and there are no promises, terms and conditions or obligations referring to the subject matter hereof, other than as contained herein.
3. The Seller hereby agrees that the compensation herein provided to be paid, includes full compensation for their interests, and the interests of their life tenants, remaindermen, reversioners, lienors and lessees, and any and all other legal and equitable interests which are or may be outstanding, and said Seller agrees to discharge the same.
4. THIS CONTRACT shall be binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties only when the same shall have been approved by the City through its Chief Administrative Officer or authorized representative.
5. The terms of this contract are understood and assented to by the parties and payment is to be made in accordance with the above. It is further understood and agreed that, except as noted or specified, IMMEDIATE POSSESSION of the property, and the right to enter thereon, is HEREBY GRANTED to the City, its duly authorized Agents and Contractors as of the date of closing.

97C-26 W

8706086A

A PLAT OF
LOT 1-A, BLOCK 35
TRACT A, UNIT B

NORTH ALBUQUERQUE ACRES

SITUATE WITHIN PROJECTED SECTION 13, T11N., R3E., N.M.P.M.
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

MARCH 1998

FILED FOR RECORD
IN THE PUBLIC
RECORDS OF
BERNALILLO COUNTY, NEW MEXICO
ON MARCH 19, 1998
BY
J. L. GARCIA
COUNTY CLERK

SURVEYOR'S NOTE: TRACTS IDENTIFIED AS "ACQUIRED AND HEREBY DERIVED AS PUBLIC RIGHT OF WAY" ARE ALSO IDENTIFIED AS PAGES 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 21

7970

6. The terms and conditions of this contract have been fully explained and are understood by the undersigned, and payment is to be made in accordance with the above conditions.
7. The consideration as set forth in the contract shall constitute full payment for the Property and all damages, resulting to the remaining property of whatever nature, including but not limited to loss of all rights of access arising out of or by reason of the use of said Property for highway and other public projects.
8. THIS CONTRACT is subject to approval by the Chief Administrative Officer of the City of Albuquerque. The effective date of this agreement shall be the date of approval by the Chief Administrative Officer of the City of Albuquerque. However, if not closed by January 31, 1994 this agreement will be null and void.
9. The Seller will furnish Title Insurance at his expense unless specifically waived by the City in Paragraph 8 of this contract.
10. This right-of-way acquisition is executed under threat of condemnation by the City.
11. ALL RISK OR LOSS OR DAMAGE to the property shall be borne by the Seller until closing. In the event there is any loss or damage to the property between the execution of the contract and the date of closing, by reason of fire, vandalism, flood, earthquake, wind, or other acts of God, the City may, at its option either proceed with this transaction if Seller agrees in writing to repair or replace damaged property prior to closing, or declare this contract null and void.
12. If the Seller is a corporation, partnership, or other legal entity, Seller warrants that it is duly formed and validly existing under the laws of its domicile, is in good standing with and authorized to do business in the State of New Mexico, and has all requisite authorization and documentation to enter into and close this transaction and that the named corporate officer, partner or agent who executed, acknowledged and delivered this contract, for and on behalf of the Seller, is and was, at all material times, the duly authorized corporate officer, partner or agent of the Seller.
13. Seller warrants, that to its knowledge and belief there has not been and are not and will not be any hazardous materials or other environmental hazards located on or released on or from the property and the property is not and will not, at the closing of this contract, be in violation of any federal, state, or local law, ordinance or regulation relating to hazardous materials, industrial hygiene or the environmental conditions on, under, or about the property.
14. Seller covenants and warrants that it is the owner in fee simple subject to encumbrances of record of the Property and that it has a good lawful right to convey the Property or any part thereof and that the Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

7971

15. Conditions G and H of this Agreement shall survive the Closing of this Agreement for the benefit of the City, the Sellers and their successors and assigns.

THE CITY agrees to purchase the above described real estate, or interest therein, and to pay upon delivery of a good and marketable title therefore, as follows:

For Land	(Parcels 3-6 & 8-1) 46,788 s.f.	\$187,150.00
For Improvements		\$
Damages	Access control from remaining Lots 27, 28 & 29 (Parcel 3-6)	\$152,850.00
		\$
TOTAL		\$340,000.00

CITY OF ALBUQUERQUE, NEW MEXICO (BUYER)

RZC2 LIMITED PARTNERSHIP, a N. M. Limited Partnership

Offered By: P. J. Ruble
 P. J. Ruble, Real Estate Coordinator
 Date: 1-21-94

By: Roberta Cooper Ramo
 Roberta Cooper Ramo, General Partner
 Date: 1-21-94
 Fed. Tax ID: 85-0321956

APPROVED BY:

*Partner and as Attorney-in-Fact for
 Harold Cooper, General Partner

Robert E. C...
 Public Works Dept. for the City of
 Albuquerque, New Mexico
 Date: 1-28-94

[Signature]
 Chief Administrative Officer
 City of Albuquerque, New Mexico
 Date: 1-28-94

-4-

(Approved by Legal Dept.
 as to form only 7/93KC)

ID:81

164
 240

797

TPU-4054(3)

R2C2 A NEW MEXICO GENERAL PARTNERSHIP

3-8

A certain tract or parcel of land lying and being situate in Lots 27, 28 and 29, Block 35, Tract A, Unit B, of the North Albuquerque Acres subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on April 24, 1936 in Volume D, Folio 130, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point 95.53 feet to the left of, northerly and opposite construction benchmark P.O.T., Station 120 + 02.47 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being on the present (1993) northerly right-of-way line of Paseo del Norte (formerly known as Los Angeles Drive per plat filed April 24, 1936), whence the Albuquerque Control Station Monument stamped "11-D18" bears S 78° 36' 27" W a distance of 477.91 feet; Thence, N 00° 16' 58" E along the westerly line of said Lot 29 a distance of 61.06 feet to a point on the northerly right-of-way line of N.M.P. TPU-4054 (3); Thence, N 85° 51' 03" E along the said northerly line a distance of 495.83 feet to a point on the said easterly line of Lot 27; Thence, S 00° 16' 58" W along the said easterly line of Lot 27 a distance of 100.36 feet to a point on the present (1993) northerly right-of-way line of Paseo del Norte; Thence, N 89° 36' 11" W along the said present (1993) northerly right-of-way line of Paseo del Norte a distance of 494.35 feet to the point and place of beginning.

Containing 39,899 square feet (0.9160 acres), more or less.

Any and all access onto Paseo del Norte from the remaining portion of said lots 27, 28 and 29 shall be controlled.

24 February 1993

EXHIBIT "A"

1973

TPU-4054(3)

R2C2, A NEW MEXICO GENERAL PARTNERSHIP

8-1

A certain tract or parcel of land lying and being situate in Lot 1, Block 35, Tract A, Unit B, of the North Albuquerque Acres subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on April 24, 1936 in Volume D, Folio 130, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

Beginning at a point 27.81 feet to the right of, easterly and opposite construction centerline P.O.T., Station 58 + 00.09 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point being also on the present (1993) easterly right-of-way line of San Pedro Dr., N.E., whence the Albuquerque Control Station stamped "11-D18" bears S 00° 48' 44" W a distance of 330.61 feet; Thence, N 00° 20' 25" E along the said easterly right-of-way line a distance of 233.80 feet to a point on the present (1993) southerly right-of-way line of Holly Avenue, N.E.; Thence, S 89° 48' 23" E along said southerly right-of-way line a distance of 63.85 feet to a point of curvature, said point also being on the northerly right-of-way line of N.M.P. TPU-4054 (3); Thence, southwesterly along the said northerly line on a 229° 10' 59" curve (radius = 25.00 feet, chord = 6° 45' 13' 18" W a distance of 35.36 feet through an arc of 80° 00' 38" to the left a distance of 39.27 feet to a point of tangency; Thence, S 00° 12' 58" W a distance of 208.89 feet to a point on the southerly line of said Lot 1; Thence, N 89° 59' 07" W along the said southerly line of Lot 1 a distance of 29.15 feet to the point and place of beginning.

Containing 6,889 square feet (0.1581 acres), more or less.

24 February 1993

EXHIBIT "B"

