

CITY OF ALBUQUERQUE



**Planning Department
Transportation Development Services Section**

December 10, 2008

Marvin R. Kortum, P.E.
1605 Speakman Drive, SE
Albuquerque, NM 87123

Re: Certification Submittal for Final Building Certificate of Occupancy for
Boyles Office/ Warehouse, Lot 4 Las Lomas Bus. Park, [D-16 / D002D]
7911 Las Lomas Drive
Engineer's Stamp Dated 12/10/08

Dear Mr. Kortum:

PO Box 1293

The TCL / Letter of Certification submitted on December 10, 2008 is sufficient for acceptance by this office for final Certificate of Occupancy (C.O.). Notification has been made to the Building and Safety Section.

Albuquerque

Sincerely,

NM 87103

Milo E. Salgado-Fernandez, P.E.
Senior Traffic Engineer
Development and Building Services
Planning Department

www.cabq.gov

c: Engineer
Hydrology file
CO Clerk

CITY

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DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 01/06 - KDM)

PROJECT TITLE: OFFICE / WAREHOUSE LOT 4 LAS LOMITAS ZONE MAP: D-16/0002 D
 DRB#: _____ EPC#: _____ WORK ORDER#: _____

LEGAL DESCRIPTION: LOT 4, LAS LOMITAS BUSINESS PARK
 CITY ADDRESS: 7911 LAS LOMITAS DRIVE

ENGINEERING FIRM: MARVIN R KORTUM CONTACT: C: 934-5786
 ADDRESS: 1605 SPEARMAN DR SE PHONE: 505 299-0774
 CITY, STATE: ALBUQUERQUE NM ZIP CODE: 87123

OWNER: ROB BOYLES CO CONTACT: _____
 ADDRESS: PO BOX 10147, ALBUQUERQUE NM 87184 PHONE: _____
 CITY, STATE: 3500 VISTA ALAMEDA NE ZIP CODE: _____
ALBUQUERQUE NM 87113

ARCHITECT: _____ CONTACT: _____
 ADDRESS: _____ PHONE: _____
 CITY, STATE: _____ ZIP CODE: _____

SURVEYING FIRM: ALDRIDGE LAND SURVEY LICENSED SURVEYOR: TIMOTHY ALDRIDGE
 ADDRESS: _____ PHONE: _____
 CITY, STATE: _____ ZIP CODE: _____

PROFESSIONAL LICENSED SURVEYOR SIGNATURE	LICENSE NO.	DATE
--	-------------	------

CONTRACTOR: _____ CONTACT: _____
 ADDRESS: _____ PHONE: _____
 CITY, STATE: _____ ZIP CODE: _____

TYPE OF SUBMITTAL:

☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL
☐ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL G & D PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☐ ENGINEER'S CERT (HYDROLOGY)
☐ CLOMR/LOMR
☐ TRAFFIC CIRCULATION LAYOUT
☒ ENGINEER'S CERT (TCL)
☐ ENGINEER'S CERT (DRB SITE PLAN)
☐ OTHER (SPECIFY) _____

CHECK TYPE OF APPROVAL SOUGHT:

☐ SIA/FINANCIAL GUARANTEE RELEASE
☐ PRELIMINARY PLAT APPROVAL
☐ S. DEV. PLAN FOR SUB'D APPROVAL
☐ S. DEV. FOR BLDG. PERMIT APPROVAL
☐ SECTOR PLAN APPROVAL
☐ FINAL PLAT APPROVAL
☐ FOUNDATION PERMIT APPROVAL
☐ BUILDING PERMIT APPROVAL
☒ CERTIFICATE OF OCCUPANCY
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ WORK ORDER APPROVAL
☐ OTHER (SPECIFY) _____

WAS A PRE-DESIGN CONFERENCE ATTENDED:

☐ YES
☒ NO
☐ COPY PROVIDED

DATE SUBMITTED: DEC 10, 2008

BY: MARVIN KORTUM

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location, and scope to the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plan:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.

RECEIVED

DEC 10 2008

HYDROLOGY

SECTION

Marvin R. Kortum, NMPE 6519
1605 Speakman Drive, SE
Albuquerque, New Mexico 87123
(505) 299-0774; FAX 299-9405; M 934-5786

December 10, 2008

City of Albuquerque
Planning Department, Development and Building Services Division
ATTN: Kristal D. Metro, Senior Engineer (8924-3991)
P. O. Box 1293
Albuquerque, New Mexico 87103

REFERENCE: Certification for Traffic Circulation Layout Plan for Tract 4, Las Lomas Business Park, located at 7911 Las Lomas Drive NE (Office-warehouse for Rob Boyles Co.) Hydrology D16-D002D.

Dear Kristal:

By your letter of January 4, 2008, you approved the Traffic Circulation Layout that was submitted on December 11, 2007. By my letter of November 8, 2008 I requested a minor revision to the approved TCE, the change being relocating the entry sidewalk to avoid the communications pedestal that was located where the sidewalk was originally located. On November 5, 2008 you approved the requested revision. This letter requests approval of my certification and release of the certificate of occupancy.

My Certification of the Traffic Circulation Layout, which is in this letter and on the original approved drawing, which is attached, is as stated below:

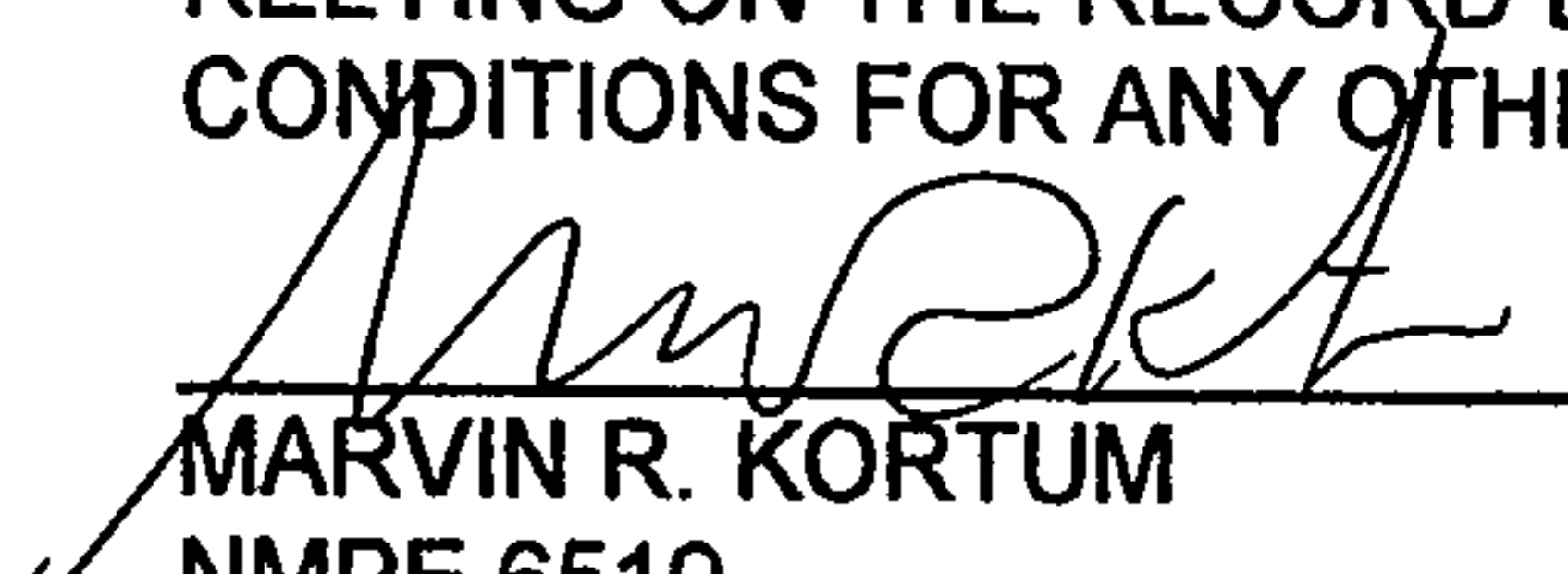
TRAFFIC CERTIFICATION

I, MARVIN R. KORTUM, NMPE 6519, CERTIFY THAT I HAVE INSPECTED THE CONSTRUCTED TRACT 4, LAS LOMITAS BUSINESS PARK BUILDINGS AND SITE IMPROVEMENTS, LOCATED AT 7911 LAS LOMITAS DRIVE NE ALBUQUERQUE, NEW MEXICO. THE CONSTRUCTION AND IMPROVEMENTS AS REQUIRED FOR TRAFFIC CIRCULATION ARE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED SITE PLAN DRAWINGS SIGNED JANUARY 4, 2008, BY KRISTAL D. METRO. THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR PERMANENT CERTIFICATE OF OCCUPANCY.

EXCEPTIONS AND/OR QUALIFICATIONS: NONE

ACCESS FROM THE PUBLIC RIGHT-OF-WAY IS COMPLETED ACCORDING TO THE APPROVED CONSTRUCTION DRAWINGS. AN EASEMENT ONTO THE ADJACENT PROPERTY (TRACT 5) FOR A HAMMERHEAD TURN-AROUND IS PROVIDED FOR ACCESS AND TURN-AROUND AS REQUIRED BY THE FIRE CODE (RECORDED DOCUMENT #2008042279, APRIL 15, 2008, PAGE 1 OF 1).

THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND IS INTENDED ONLY TO VERIFY SUBSTANTIAL COMPLIANCE OF THE TRAFFIC ASPECTS OF THIS PROJECT. THOSE RELYING ON THE RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF SITE CONDITIONS FOR ANY OTHER PURPOSE.


MARVIN R. KORTUM
NMPE 6519

Dec 10, 2008
DATE

Sincerely,

Marvin R Kortum

Cc: Rob Boyles Co.



Marvin R Kortum
NMPE 6519
1605 Speakman Drive, SE
Albuquerque, New Mexico 87123
(505) 299-0774; FAX 299-9405; M 934-5786

November 5, 2008

City of Albuquerque
Planning Department, Development and Building Services Division
ATTN: Kristal D. Metro, Senior Engineer (924-3981)
P. O. Box 1293
Albuquerque, New Mexico 87103

REFERENCE: TRAFFIC CIRCULATION LAYOUT PLAN FOR LOT 4, LAS LOMITAS
BUSINESS PARK (OFFICE-WAREHOUSE FOR ROB BOYLES) PROJECT #D-16/D002D,
ADDRESS: 7911 LAS LOMITAS DRIVE NE 87109.

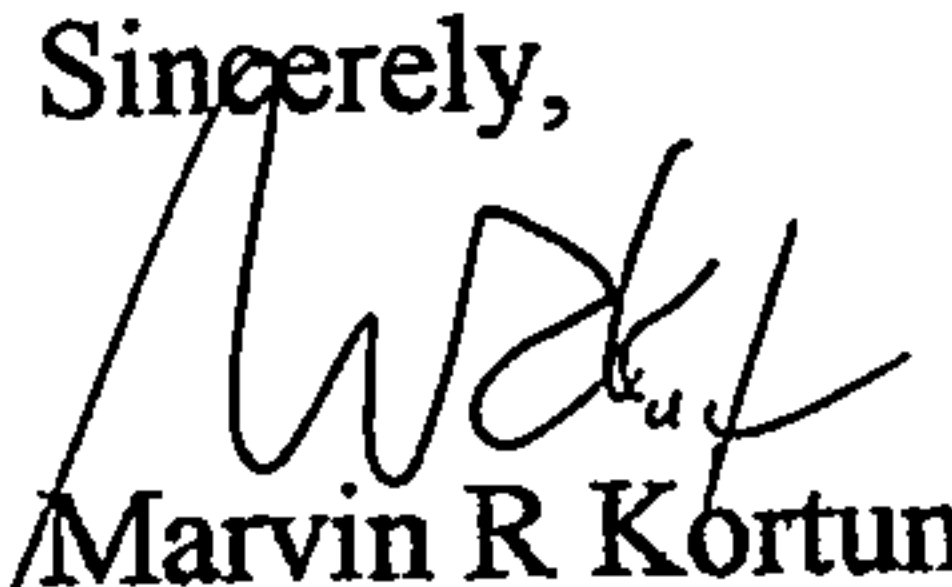
Dear Kristal:

This letter is a request for your approval of a proposed revision to the Traffic Circulation Layout for the referenced project. The TCL was approved by your letter of January 4, 2008 (a copy is attached).

The proposed revision is for a minor relocation of the sidewalk access from the public sidewalk along Las Lomas Drive NE. A telephone pedestal has been placed at a location that is directly in line with the sidewalk as originally shown on the approved TCL drawing. The relocated sidewalk will have no impact on the required quantity or size of the parking spaces. There will be a minor change in the size of the adjacent landscape planter. These changes are noted on the attached sketch.

An alternative to changing the location of the sidewalk would be to move the telephone pedestal, which would require excavation of the underground conduits. The change in the sidewalk location is a more economical approach. The portion of the sidewalk that is shown in green on the attached sketch has not been placed.

I request your reply as soon as possible in order that the site work on the project can be completed within the next week.

Sincerely,

Marvin R Kortum

Cc Rob Boyles
P. O. Box 10147
Albuquerque, New Mexico 87184-0147
3500 Vista Alameda
(505) 792-1283; M: 264-3712; FAX: 792-0847

Rob
City Approved
Nov 5 2008
Two copies attached
M. Navarro
Nov 5, 2008

(4,500 SF)

Public Infrastructure shown on these plans for information only and not part of approval. Separate DRC/Permit approval and Work Order required.

ALL WHEELCHAIR RAMPS LOCATED WITHIN THE PUBLIC RIGHT OF WAY MUST HAVE TRUNGATED DOMES.

Las Lomitas Drive NE

TRAFFIC CIRCULATION LAYOUT
APPROVED
[Signature]
Signed
1/4/08
Date

LEGAL DESCRIPTION:
LOT 4, LAS LOMITAS BUSINESS PARK
FILED AT BERNALILLO COUNTY CLERK
FOLIO 2005C, PAGE 357, OCT 27, 2005
ADDRESS:
7911 LAS LOMITAS DRIVE NE
ALBUQUERQUE, NM 87109

Extend 7' sidewalk to existing sidewalk (DWG 2230)

TELEPHONE PEDestal
INSTALLED NOV 3, 2008
PROPOSED SIDEWALK
LOCATION
NOV 5 2008

Existing standard curb and gutter

Existing 4' wide PCC sidewalk

Construct drivepad (DWG 2425)

CHANGE PROPOSED
NOV 5 2008
BY MARVIN R KORTUM



11/5/08
Proposed
amendment
OK
[Signature]

A WAREHOUSE
PROPERTY FOR
ROB BOYLES CO.
ALBUQUERQUE, NM

TRAFFIC CIRCULATION PLAN
LOT 4, LAS LOMITAS
BUSINESS PARK

3, Las Lomitas Business Park. is vacant

* * *

10th PMU TRANSMISSION LINE EASEMENT
FILED: MARCH 16, 1999
VOLUME 99C, FID 110 57

PUBLIC DRAINAGE EASEMENT
FILED SEPTEMBER 19, 2002
VOLUME 2002C, FID 110 311

10th PUBLIC UTILITY EASEMENT
FILED SEPTEMBER 19, 2002
VOLUME 2002C, FILED 311

LAS LOMITAS DRIVE N.E.
68' R/W C2

THE UNDERSIGNED OWNER(S) OF TRACT 4, LAS LOMITAS BUSINESS PARK HEREBY GRANT A TWENTY-FOUR FEET (24') WIDE PUBLIC CROSS ACCESS EASEMENT FOR THE PURPOSE OF FIRE VEHICLE ACCESS WITHIN TRACT 4 FROM TRACT 5 TO PROVIDE AN EXTENSION TO COMPLETE A 120 FEET LONG HAMMERHEAD TURN-AROUND. THE UNDERSIGNED OWNER OF TRACT 4 AGREES TO CONSTRUCT AND MAINTAIN A FIRE GATE ON THE EASEMENT AT THE COMMON BOUNDARY BETWEEN TRACT 4 AND TRACT 5, WHICH GATE SHALL BE EQUIPPED WITH AND LOCKED BY A MECHANISM ACCEPTABLE TO THE CITY OF ALBUQUERQUE FIRE CODE OFFICIAL, WHO SHALL BE GIVEN A MASTER KEY FOR THE LOCK. THE EASEMENT WILL BE KEPT CLEAR OF ALL FIXED OBSTRUCTION AND WILL BE MARKED AS A NO PARKING ZONE AND FIRE LANE. THE EASEMENT WILL BE PAVED WITH A SURFACE CAPABLE OF SUPPORTING THE REQUIRED 75,000 POUND FIRE EQUIPMENT. THIS EASEMENT IS PROVIDED IN EXCHANGE FOR A SIMILAR ACCESS FOR FIRE DEPARTMENT VEHICLES TO ENTER TRACT 5 FROM TRACT 4. THE EASEMENT IS IN EFFECT ON THE DATE BOTH TRACT 4 AND TRACT 5 OWNERS HAVE SIGNED THIS AGREEMENT AND CROSS LOT EASEMENT THE EASEMENT IS AS DESCRIBED ABOVE.

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

MY COMMISSION EXPIRES: 04-28-09 BY: Debra G. Hewitt
NOTARY PUBLIC

OWNERS NAME La Thall DATE 04-04-08

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

THIS 21st DAY OF February, 2020
 MY COMMISSION EXPIRES: 04-28-09 BY: Nelora A. Hunt
 NOTARY PUBLIC

OFFICIAL SEAL
Debra A. Hewitt
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 04-28-09

Scale: 1" = 80' S 89°49'
Order No.: EX07-1115
Field Book: Page: -1-4-08

Anthony L. Harris

Anthony L. Harris, N.M.P.S. #11463 HARRIS SURVEYING, INC.
2412-D Monroe Street, NE • Albuquerque, New Mexico 87110
Telephone (505) 889-8086 • FAX (505) 889-8645

CITY OF ALBUQUERQUE



Marvin Kortum, P.E.
1605 Speakman Dr. SE
Albuquerque, NM 87123

Re: Bob Boyles Office / Warehouse, 7911 Las Lomas Dr NE, Traffic Circulation Layout
Engineer's Stamp dated 12-10-07 (D16-D002D)

Dear Mr. Kortum,

The TCL submittal received 12-11-07 is approved for Building Permit. The plan is stamped and signed as approved. A copy of this plan will be needed for each of the building permit plans. Please keep the original to be used for certification of the site for final C.O. for Transportation. **Public infrastructure or work done within City Right-of-Way shown on these plans is for information only and is not part of approval. A separate DRC and/or other appropriate permits are required to construct these items.**

P.O. Box 1293

If a temporary CO is needed, a copy of the original TCL that was stamped as approved by the City will be needed. This plan must include a statement that identifies the outstanding items that need to be constructed or the items that have not been built in "substantial compliance," as well as the signed and dated stamp of a NM registered architect or engineer. Submit this TCL with a completed Drainage and Transportation Information Sheet to Hydrology at the Development Services Center of Plaza Del Sol Building.

Albuquerque

New Mexico 87103

When the site is completed and a final C.O. is requested, use the original City stamped approved TCL for certification. A NM registered architect or engineer must stamp, sign, and date the certification TCL along with indicating that the development was built in "substantial compliance" with the TCL. Submit this certification TCL with a completed Drainage and Transportation Information Sheet to Hydrology at the Development Services Center of Plaza Del Sol Building.

www.cabq.gov

Once verification of certification is completed and approved, notification will be made to Building Safety to issue Final C.O. To confirm that a final C.O. has been issued, call Building Safety at 924-3306.

Sincerely,

Kristal D. Metro, P.E.
Senior Engineer, Planning Dept.
Development and Building Services

C: File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET
(REV 01/06 - KDM)

CITY

PROJECT TITLE: OFFICE / WAREHOUSE LOT 4 LAS LOMITAS ZONE MAP: D16/D062D
DRB#: _____ EPC#: _____ WORK ORDER#: _____

LEGAL DESCRIPTION: LOT 4, LAS LOMITAS BUSINESS PARK
CITY ADDRESS: 7911 LAS LOMITAS DRIVE

ENGINEERING FIRM: MARVIN R KORTUM CONTACT: C: 934-5786
ADDRESS: 1605 SPEARMAN DR SE PHONE: 505 299-0774
CITY, STATE: ALBUQUERQUE NM ZIP CODE: 87123

OWNER: ROB BOYLES CO CONTACT: _____
ADDRESS: PO, BOX 10147, ALBUQUERQUE NM 87184 PHONE: _____
CITY, STATE: 3500 VISTA ALAMEDA NE ZIP CODE: _____
ALBUQUERQUE NM 87113

ARCHITECT: _____ CONTACT: _____
ADDRESS: _____ PHONE: _____
CITY, STATE: _____ ZIP CODE: _____

SURVEYING FIRM: ALDRIDGE LAND SURVEY LICENSED SURVEYOR: TIMOTHY ALDRIDGE
ADDRESS: _____ PHONE: _____
CITY, STATE: _____ ZIP CODE: _____

PROFESSIONAL LICENSED SURVEYOR SIGNATURE	LICENSE NO.	DATE
--	-------------	------

CONTRACTOR: _____ CONTACT: _____
ADDRESS: _____ PHONE: _____
CITY, STATE: _____ ZIP CODE: _____

TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1st SUBMITTAL
- ☐ DRAINAGE PLAN RESUBMITTAL
- ☐ CONCEPTUAL G & D PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☒ ENGINEER'S CERT (HYDROLOGY)
- ☐ CLOMR/LOMR
- ☐ TRAFFIC CIRCULATION LAYOUT
- ☐ ENGINEER'S CERT (TCL)
- ☐ ENGINEER'S CERT (DRB SITE PLAN)
- ☐ OTHER (SPECIFY) _____

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA/FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D APPROVAL
- ☐ S. DEV. FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☒ CERTIFICATE OF OCCUPANCY
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY) _____

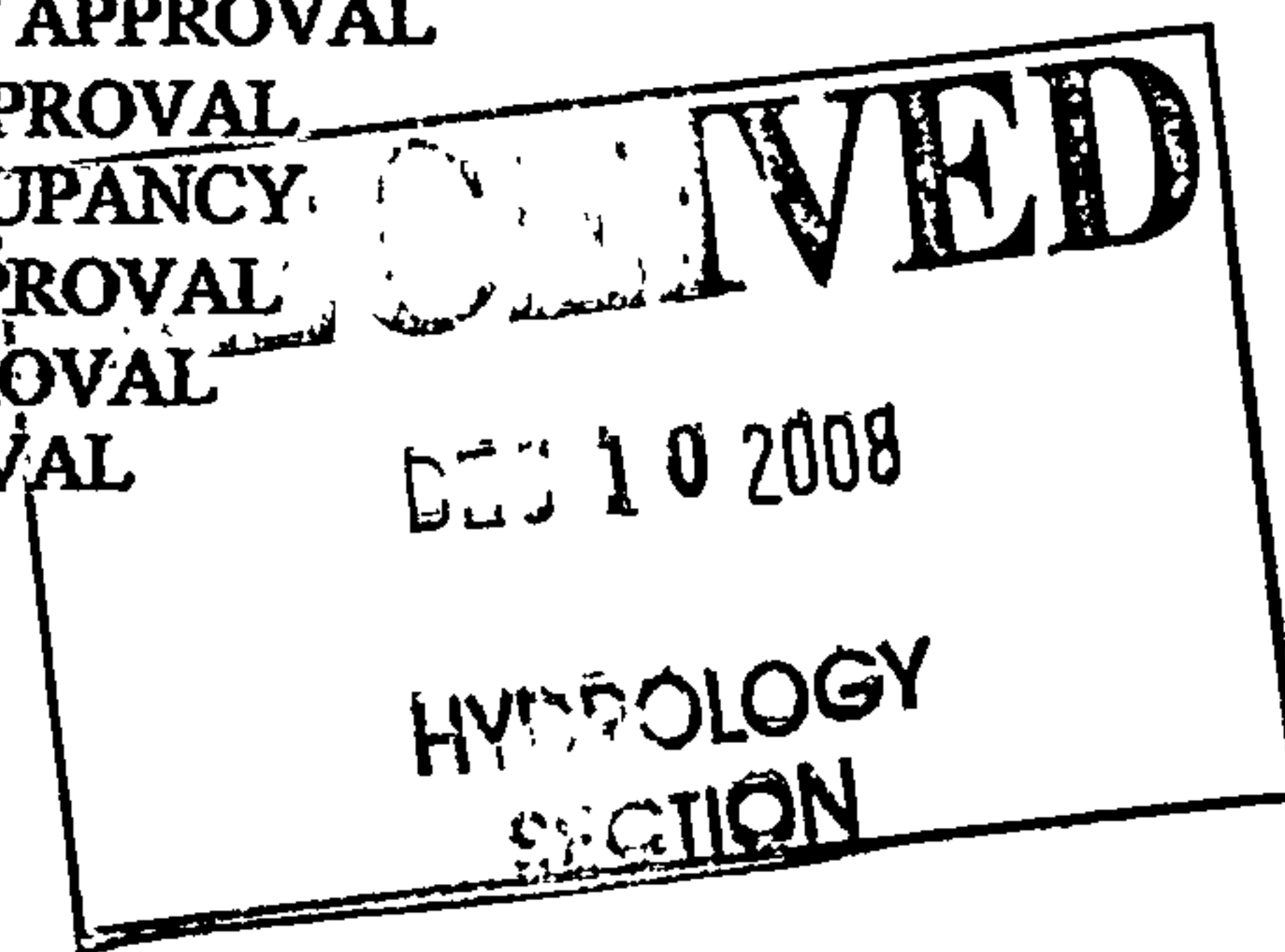
WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
- ☒ NO
- ☐ COPY PROVIDED

DATE SUBMITTED: DEC 10, 2008 BY: MARVIN R KORTUM

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location, and scope to the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plan:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.



Marvin R. Kortum
1605 Speakman Drive, SE
Albuquerque, New Mexico 87123
(505) 299-0774; FAX 299-9405; M 934-5786
N. M. P. E. 6519

December 10, 2008

City of Albuquerque
Planning Department, Development and Building Services Division
Hydrology Development Section
ATTN: Brad Bingham, Section Head (924-3986)
P. O. Box 1293
Albuquerque, New Mexico 87103

REFERENCE: Certificate for permanent occupancy for the Grading and Drainage Plan for Tract 4 (Lot 4), Las Lomas Business Park (Office Warehouse for Rob Boyles Co.), Project #D16/D002D; Address 7911 Las Lomas Drive NE, Albuquerque, New Mexico 87109.

Dear Brad:

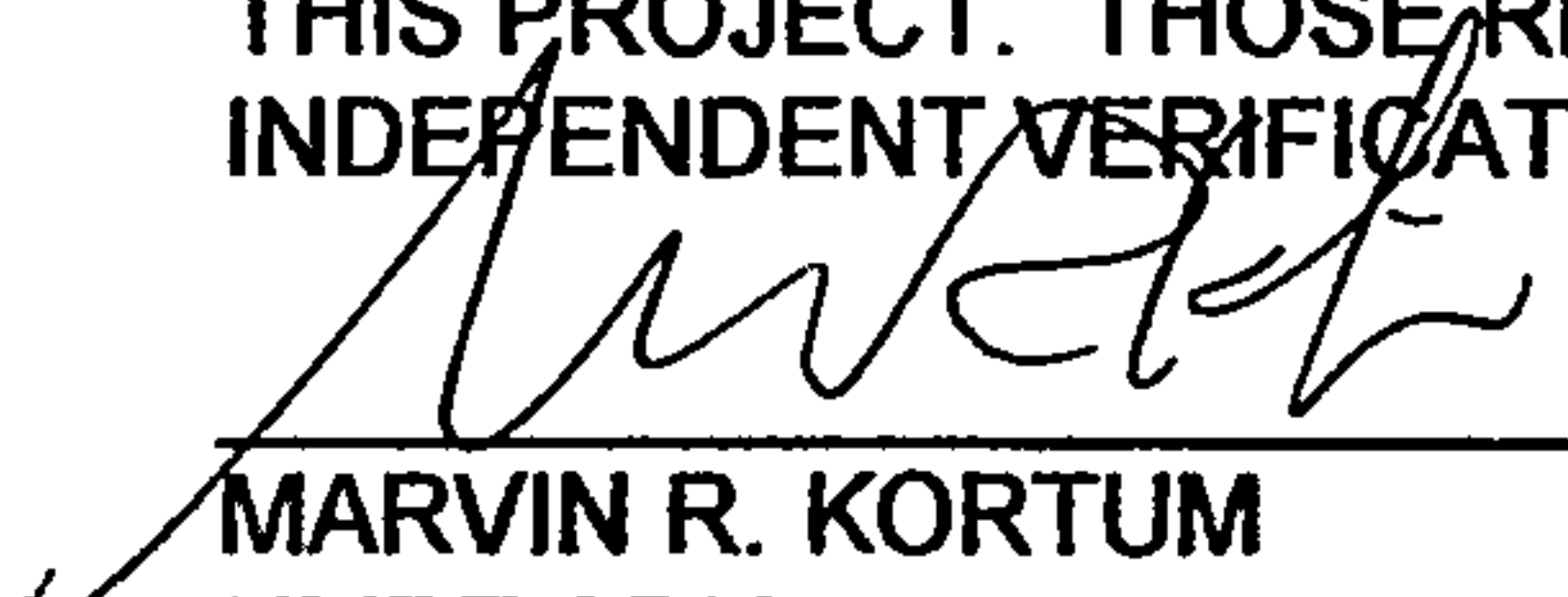
This letter of December 10, 2008 is the submittal of my certification for the grading and drainage plan for the referenced project.

I, MARVIN R. KORTUM, NMPE 6519, CERTIFY THAT I HAVE INSPECTED THE CONSTRUCTED OFFICE/WAREHOUSE BUILDING AND SITE IMPROVEMENTS ON TRACT 4, LAS LOMITAS BUSINESS PARK, BERNALILLO COUNTY, NEW MEXICO, AT ADDRESS 7911 LAS LOMITAS DRIVE NE, ALBUQUERQUE, NEW MEXICO 87109. THE CONSTRUCTION AND IMPROVEMENTS ARE IN SUBSTANTIAL COMPLIANCE WITH THE GRADING AND DRAINAGE PLAN APPROVED AUGUST 27, 2008. THIS CERTIFICATION INCLUDES THE CONSTRUCTION OF THE SIDEWALK CULVERTS AS SHOWN ON THE APPROVED GRADING AND DRAINAGE PLAN.

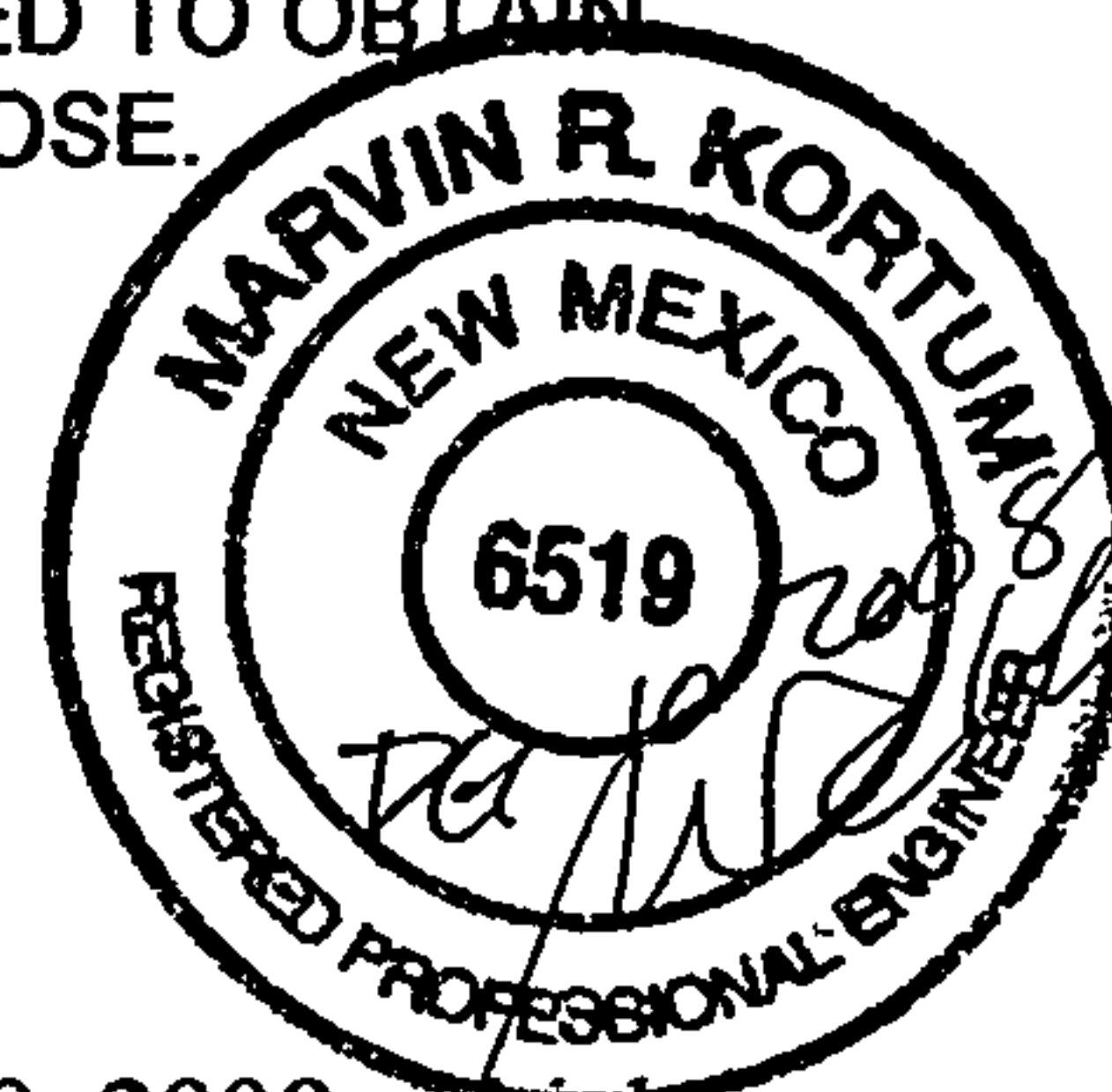
THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR PERMANENT CERTIFICATE OF OCCUPANCY.

AS-BUILT CHANGES AND ELEVATIONS ARE NOTED AS:

THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND IS INTENDED ONLY TO VERIFY SUBSTANTIAL COMPLIANCE OF THE HYDROLOGY ASPECTS OF THIS PROJECT. THOSE RELYING ON THE RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF SITE CONDITIONS FOR ANY OTHER PURPOSE.


MARVIN R. KORTUM
NMPE 6519

Dec 10, 2008
DATE



Please note that this certification is for sheet 1 of 4 as submitted on August 19, 2008, which is the sheet that you approved by letter dated August 27, 2008. Sheet 2 of the August 19, 2008

submittal included a plan for a storm drain pipe crossing Tract 5. This sheet 2 was not approved because the owners of Tract 5 did not agree in writing for the pipe to cross Tract 5. Sheet 3 shows the tables for estimating the runoff for Tract 4, and the location of existing storm drain and sanitary sewer utilities lines which cross or are near the Tract 4 property, and Sheet 4 was a copy of a portion of the plat for the Las Lomas Business Park.

Also note that this December 10, 2008 certification is on a 3 sheet set of drawings. Sheet 1 of 3 is unchanged from the approved Sheet 1 of 4 except for the signature date of August 28, 2008. Sheet 2 of 3 shows the tables of estimated runoff for Tract 4 and the location of existing storm drain and sanitary sewer utilities lines which cross or are near the Tract 4 property, and sheet 3 of 3 is a copy of a portion of the recorded plat for the Las Lomas Business Park. This 3 sheet set of drawings was submitted to the City of Albuquerque Hydrology Section on August 28, 2008 in order to remove the information on the proposed storm drain crossing Tract 5.

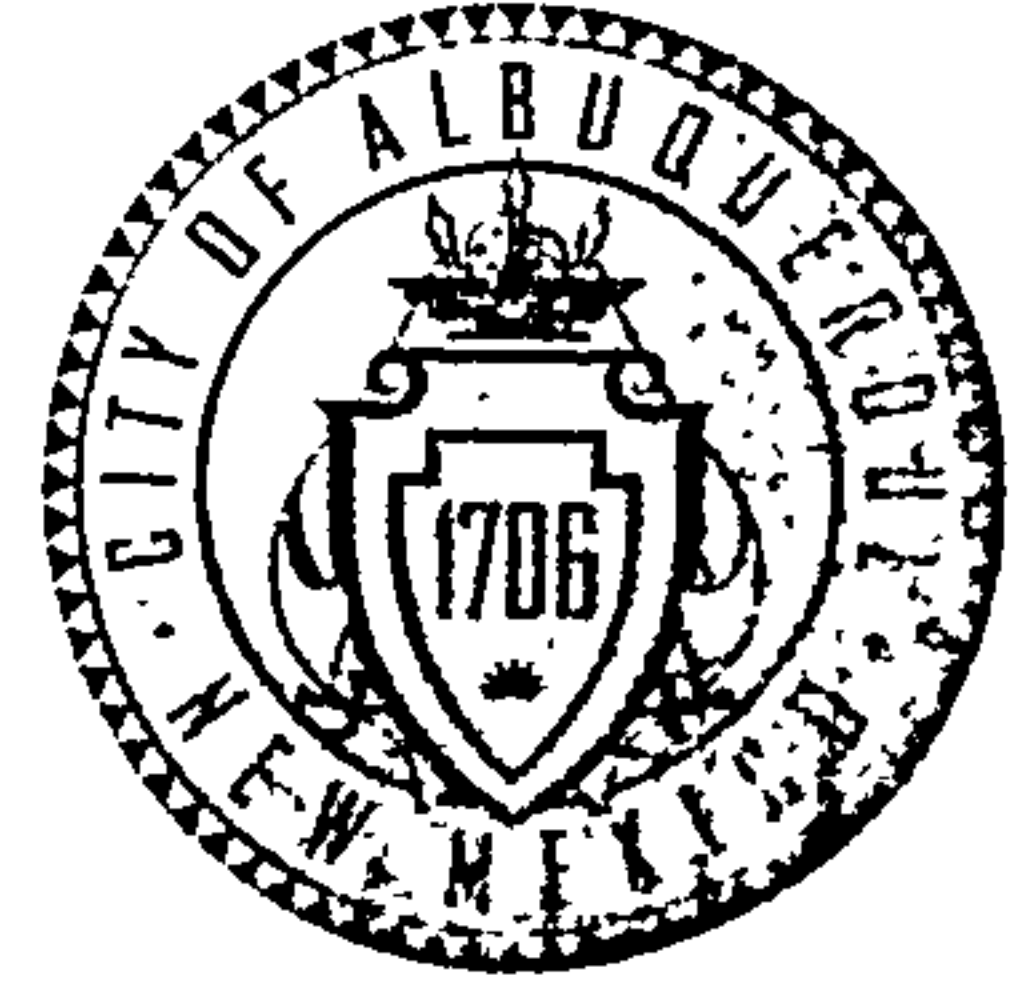
Thank you for your assistance on this matter.

Sincerely,


Marvin R. Kortum

Cc: Rob Boyles
P. O. Box 10147
Albuquerque, New Mexico 87184-0147 (3500 Vista Alameda)
(505) 792-1283; M: 264-3712; FAX: 792-0847

CITY OF ALBUQUERQUE



August 27, 2008

Marvin R. Kortum, PE
1605 Speakman Dr., SE
Albuquerque, NM 87123

**Re: Boyles Office/Warehouse, Lot 4 Las Lomas Bus Pk. Engineering Certification
7911 Las Lomas Dr.**

Engineer's Cert dated 12-10-08 (D16/D2D)

Dear Mr. Kortum,

Based upon the information provided in your submittal dated 12-10-08, the above referenced plan is approved for release of Certificate of Occupancy.

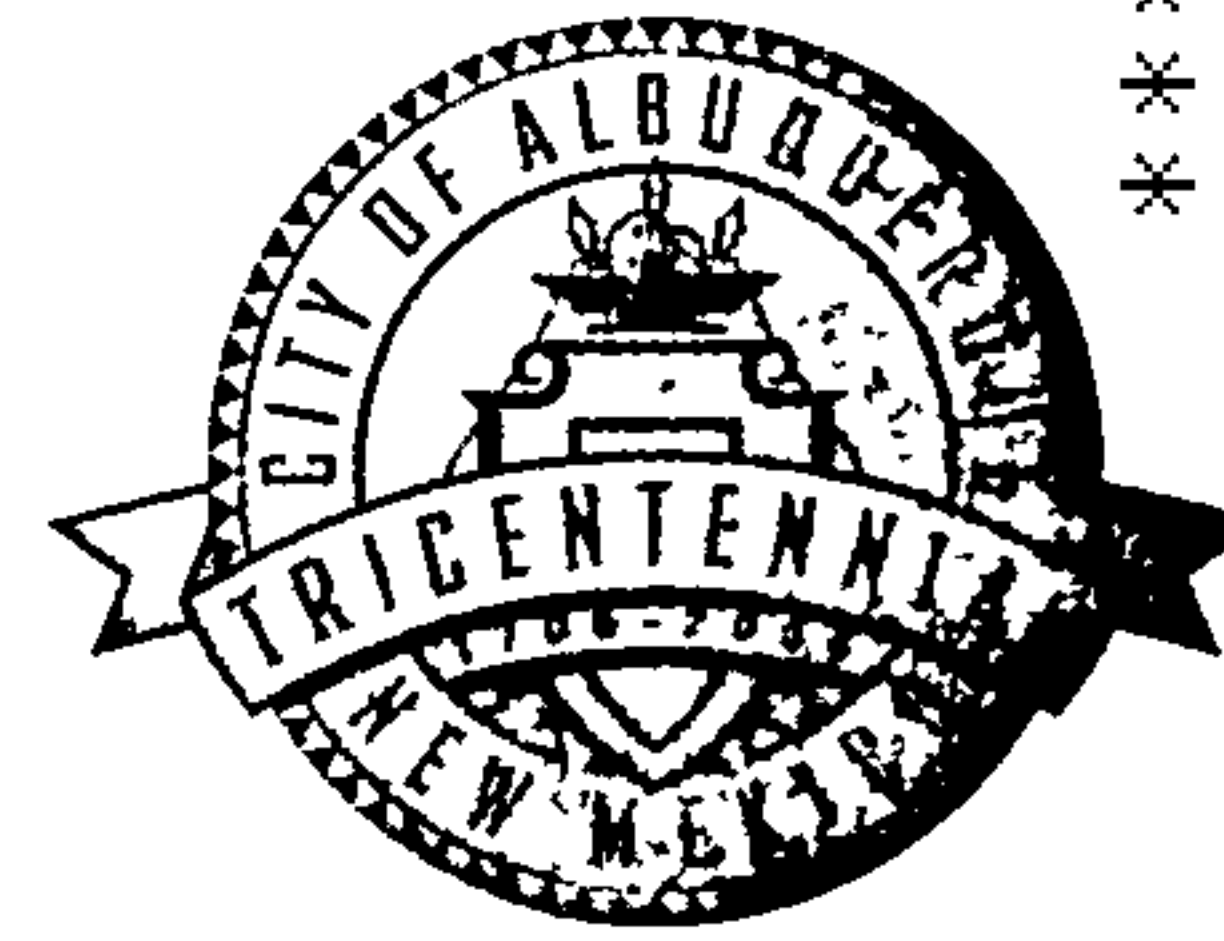
If you have any questions, you can contact me at 924-3986.

Sincerely,

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

C: Katrina Sigala, CO
file

CITY OF ALBUQUERQUE



March 4, 2008

Marvin R. Kortum, PE
1605 Speakman Dr., SE
Albuquerque, NM 87123

**Re: Boyles Office/Warehouse, Lot 4 Las Lomas Bus Pk.
Grading and Drainage Plan
Engineer's Stamp dated 1-17-08 (D16/D2D)**

Dear Mr. Kortum,

P.O. Box 1293

Based upon the information provided in your submittal dated 1-18-08, the above referenced plan is approved for Building Permit. Please attach a copy of this approved plan to the construction sets prior to sign-off by Hydrology.

Albuquerque

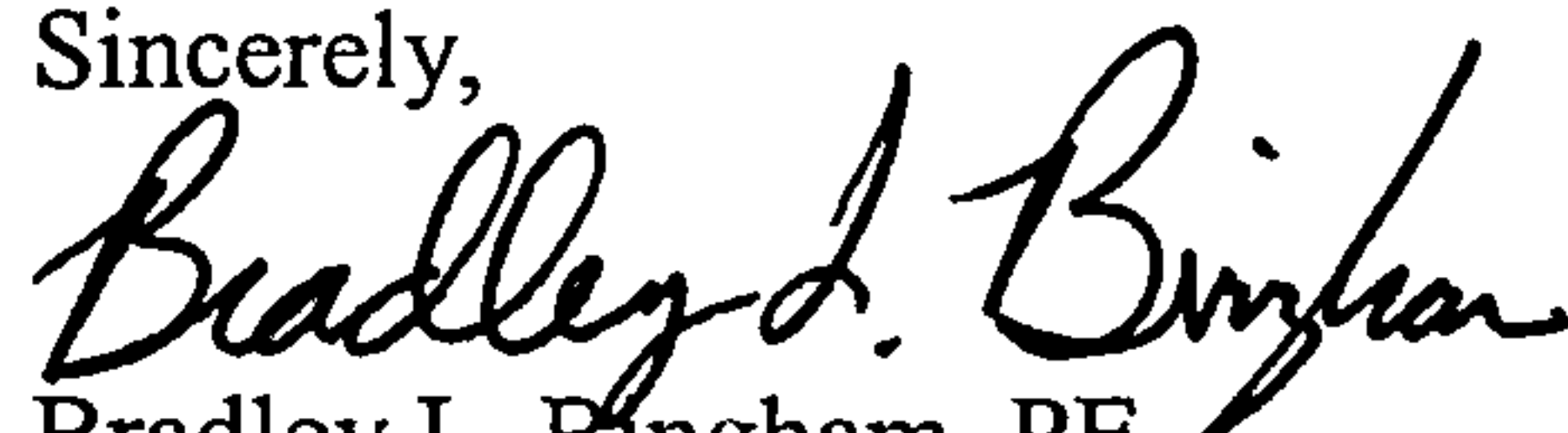
Prior to issuance of a Certificate of Occupancy, an Engineer's Certification per the DPM will be required.

New Mexico 87103

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

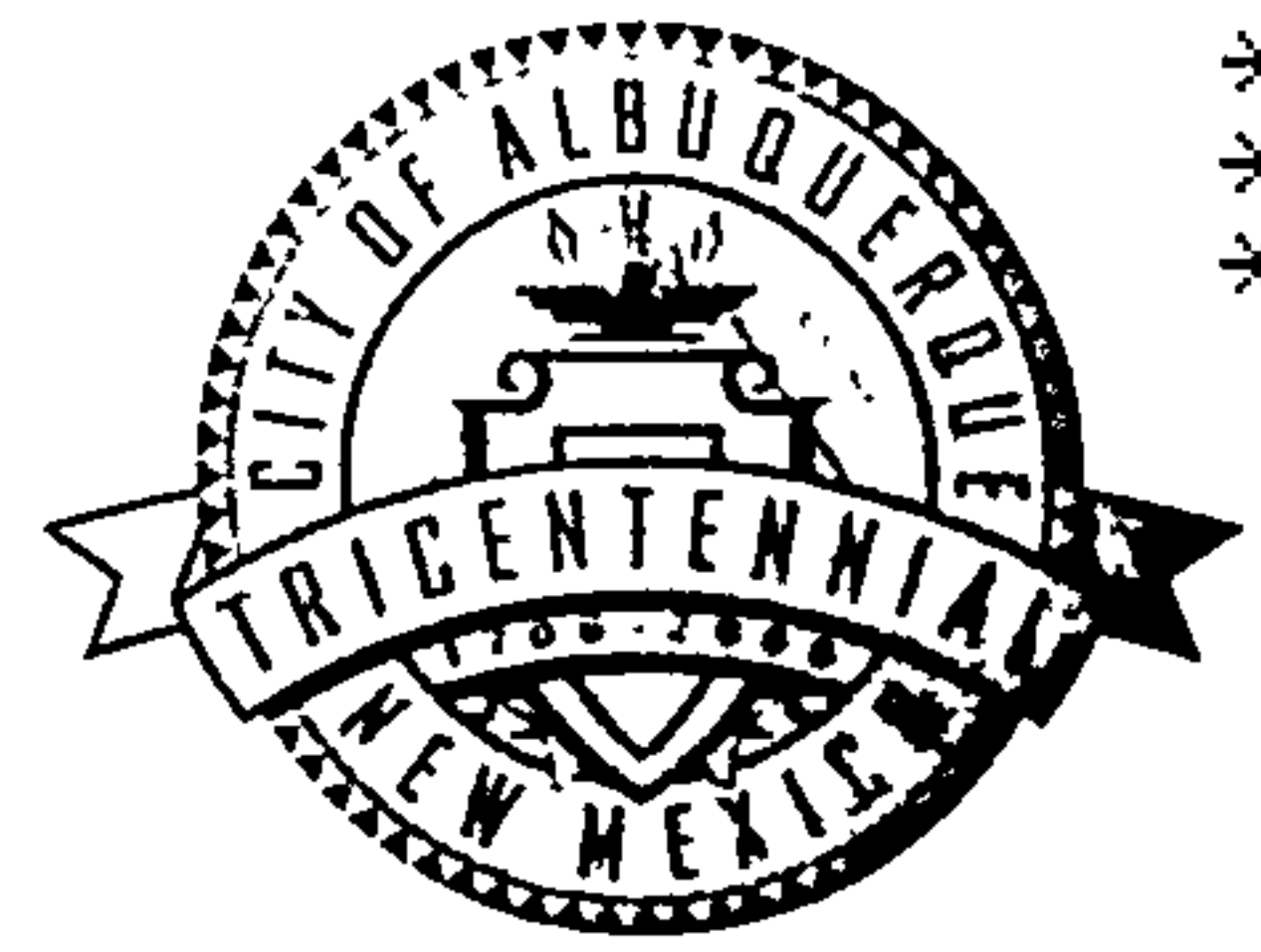
www.cabq.gov

Sincerely,


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

C: file

CITY OF ALBUQUERQUE



November 7, 2007

Marvin R. Kortum, P.E.
Marvin R. Kortum Engineering
1605 Speakman Dr. SE
Albuquerque, NM 87123

Re: Robe Boyles Office/Warehouse, Las Lomas Business Park
Grading and Drainage Plan
Engineer's Stamp dated 10-22-07 (D16-D002D)

Dear Mr. Kortum,

Based upon the information provided in your submittal received 10-22-07, the above referenced plan cannot be approved for Foundation permit, Building permit and grading permit until the following comments are addressed:

1. A profile of the retaining wall is needed with more information provided throughout.
2. Where are the existing and new contours?
3. In order to have free discharge from this site, the flow will need to be directed towards Las Lomas.
4. If you wish to keep the same flow pattern an orifice will be needed at the inlet to constrict the flow to .93cfs or below. The 4.65cfs is the flow allowed for Tracts 1-5.
5. Where is the SD easement?

If you have any questions, you can contact me at 924-3977.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Rael".

Rudy E. Rael
Associate Engineer, Planning Dept.
Development and Building Services

C: File

CITY OF ALBUQUERQUE



October 25, 2007

Marvin Kortum, P.E.
1605 Speakman Dr. SE
Albuquerque, NM 87123

**Re: Bob Boyles Office/ Warehouse, No Address Provided,
Traffic Circulation Layout
Engineer's Stamp dated 10-22-07 (D-16/D002D)**

Dear Mr. Kortum:

Based upon the information provided in your submittal received 10-22-07, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

1. The plan received with this submittal is labeled as a grading and drainage plan, and therefore does not provide the information needed for a complete traffic circulation layout review. A separate plan, labeled "Traffic Circulation Layout," and providing the appropriate information, must be provided at the next submittal. A copy of the Traffic Circulation Layout Checklist (see attached) is included for your review.
2. Provide the address for this project.
3. Remove all hydrology information from the TCL.
4. Include a copy of refuse approval.
5. Please list the width and length for all parking spaces.
6. Please show the location of the nearest driveway on the adjacent lots.
7. List the number of parking spaces required by the zoning code as well as the proposed number of parking spaces.
8. Please include two copies of the traffic circulation layout at the next submittal.
9. Please refer to all applicable city standards, by City Standard number, on the plan.
10. Clarify the extents of the current phase.

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

If you have any questions, you can contact me at 924-3981.

Sincerely,

Kristal D. Metro, P.E.
Senior Engineer, Planning Dept.
Development and Building Services

C: Enclosure - TCL Checklist
File

FOR BRAD BINGHAM
HYDRO

Marvin R Kortum
1605 Speakman Drive, SE
Albuquerque, New Mexico 87123
(505) 299-0774, M: 934-5786

June 21, 2008

Mello Enterprises
P. O. Box 6115
Albuquerque, New Mexico 87197
(505) 848-8045

REFERENCE: Easement for storm drain for use by Tracts 4 and 5, Las Lomas Business Park.

Dear Mr. and Mrs. Mello:

On June 16, 2008 I gave you a copy of the drawing with the proposed 30" Storm Drain Main crossing Tract 5.

One question you asked me was how the storm drain location would impact on your possible building site. I have drawn a sketch of a possible building location on Tract 5. The setbacks driveway width and sidewalk are as required by the covenants and the city zoning code, and the building used is similar to that one on Tract 4. I have shown a straight line for the new 30" storm drain main as it crosses Tract 5, but it would be possible to place a bend in the line if you would require more building area.

I have enclosed two sketches, the main sketch is based on the Tract 5 as presently platted. The maximum building size for this lot would be a trapezoidal building. The second sketch is based on a replat of the lot so that the south property line is parallel to the north line, and the area stays the same at one acre. The areas are about the same for either configuration, but the rectangular building may be less expensive (check with your building supplier). The measurements are subject to change when accurately calculated, my measurements are based on my simple draft sketch.

I am also forwarding a copy of the sketched to Brad Bingham at the City Hydrology Section who is overseeing the pond construction. As I discussed with you, the common property line between Tract 5 and the detention pond appears to be well within the slope of the pond side. The approved grading plan for the Las Lomas Business Park should have provided for a relatively level building lot, not one that included part of the pond. I suggest that the city place a retaining wall similar to the one I have shown on the sketch. There are other alternatives but this one seems the easiest to accomplish.

Sincerely,


Marvin R Kortum

Cc: 1. Rob Boyles, 792-1283, Tract 4.

✓ 2. City of Albuquerque ATTN: Brad Bingham, Section Head, Hydrology 924-3986

CITY OF ALBUQUERQUE



July 1, 2008

Marvin R. Kortum, PE
1605 Speakman Dr., SE
Albuquerque, NM 87123

**Re: Boyles Office/Warehouse, Lot 4 Las Lomas Bus Pk.
Revised Grading and Drainage Plan
Engineer's Stamp dated 6-24-08 (D16/D2D)**

Dear Mr. Kortum,

Based upon the information provided in your submittal dated 6-24-08, the above referenced plan cannot be approved as revised until the following comment is addressed.

- Provide written concurrence from the owner of Lot 5, Las Lomas Park.
- The storm drain connection to the pond is conceptually approvable but I will need a completely constructible plan to approve. Please provide all inverts, metes and bounds, etc. of the new storm drain. This can be built by the SO#19 Permit process.

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

Sincerely,

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

C: file

CITY OF ALBUQUERQUE



*
*
*
*
*

August 27, 2008

Marvin R. Kortum, PE
1605 Speakman Dr., SE
Albuquerque, NM 87123

**Re: Boyles Office/Warehouse, Lot 4 Las Lomas Bus Pk. Revised Grading and
Drainage Plan**

7911 Las Lomas Dr.

Engineer's Stamp dated 8-18-08 (D16/D2D)

Dear Mr. Kortum,

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

Based upon the information provided in your submittal dated 8-19-08, sheet 1 of 4 is approved for Building Permit but sheets 2,3 & 4 are not approved. I cannot approve any plan that allows runoff to enter Lot 5 without permission from that property owner. It is also approved for SO#19 Permit. Please attach a **copy of the approved sheet 1 plan only** to the construction sets prior to sign-off by Hydrology.

Also, prior to Certificate of Occupancy release, Engineer Certification of the grading plan per the DPM checklist will be required.

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

Sincerely,

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

C: Antoinette Baldonado, DMD
file

AGREEMENT AND COVENANT

This Agreement and Covenant, between the City of Albuquerque, New Mexico ("City") and Vista del Norte Development LLC, ("User") is made in Albuquerque, New Mexico and is entered into as of the date of recording this Agreement with the Bernalillo County Clerk.

1. **Recital.** The User is the owner of certain real property ("User's Property") located at **southeast of Las Lomas Drive & El Pueblo Rd. intersection**, in Albuquerque, New Mexico, and more particularly described as: (give legal description and filing information)

***Tract U-5 Vista del Norte, recorded September 19, 2002 in Book 2002C,
Page 311, Bernalillo County Clerks Office, New Mexico.***

The City is the owner of certain real property, easement or public right-of-way ("City's Property") in the vicinity of, contiguous to, abutting or within User's Property, and more particularly described as:

'Temporary Drainage Easement' located in southwest corner of Tract U-5, Vista del Norte recorded on 3/12/2003 in Book A-1, Page 9832, Bernalillo County Clerks Office, New Mexico.

The User wishes to construct upon, improve or repair and to maintain the following "Improvement" on the City's Property (or already has done so):

Temporary Retention Pond

A sketch of the proposed or existing Improvement is attached as Exhibit A (Legal Description), Exhibit B (Bulk Land Plat) and Exhibit C (Grading and Drainage Plan), and made a part of this Agreement.

The City agrees to permit the Improvement to exist on the City's Property provided the User complies with the terms of this Agreement.

2. City Use of City's Property and City Liability. The City has the right to enter upon the City's Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the User. If the Work affects the Improvement the City will not be financially or otherwise responsible for rebuilding or repairing the Improvement. The User promptly will repair the Improvement to the City's satisfaction. The cost of repairing the Improvement will be paid by User.

3. **User's Responsibility for Improvement.** The User will be solely responsible for constructing, maintaining, repairing and, if required, removing the Improvement, all in accordance with standards required by the City as per the approved Grading and Drainage



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for paying all related costs. The User will not permit the Improvement to constitute a hazard to the health or safety of the general public or to interfere with the City's use of the City's Property. The User will conform with all applicable laws, ordinances and regulations.

4. Use of the Improvement. If the City's Property is a public right-of-way, it shall be open to the use of the general public at all times, subject to reasonable curtailment during periods of construction, maintenance or repair.

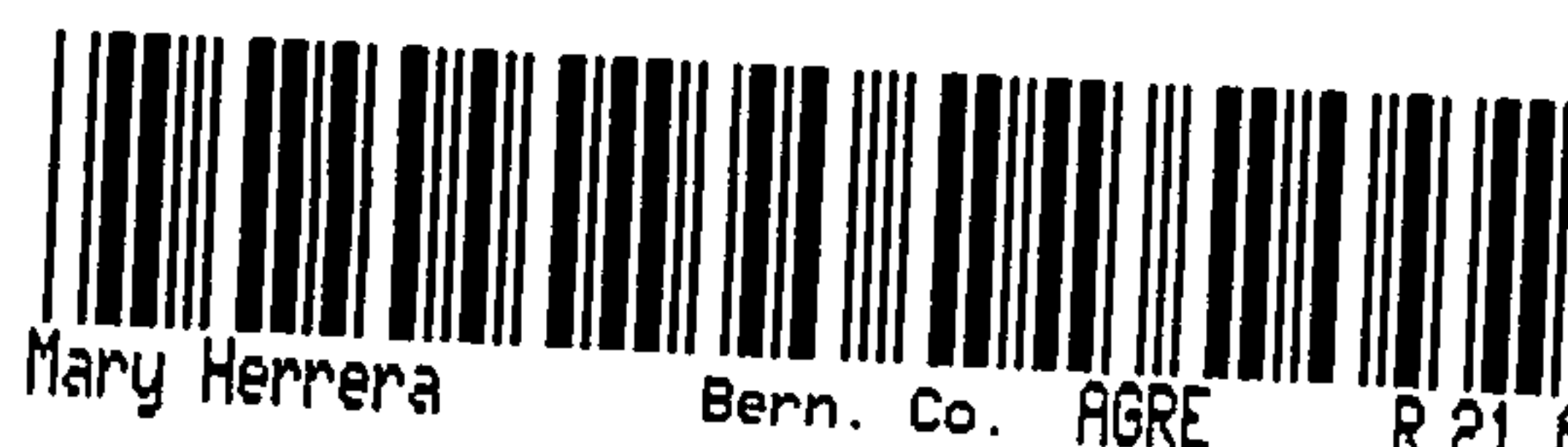
5. Demand for Repair, Modification or Removal. The City may send written notice ("Notice") to the User requiring the User to repair, modify or remove the Improvement within 30 days ("Deadline") and the User will comply promptly with the requirements of the Notice. If removal is demanded, the City also may require the User to return the City's Property to its original condition by the Deadline. The User will perform all required work by the Deadline, at User's sole expense.

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

7. Cancellation of Agreement and Release of Covenant. This Agreement may be canceled, and User's covenants released by the City at will by the City's mailing to the User notice of the City's intention to record a Cancellation and Release with the Bernalillo County Clerk. The Cancellation and Release will be effective thirty (30) days after the date of mailing the notice to the User unless a later date is stated in the notice or the Cancellation and Release. After the effective date, the City will record the Cancellation and Release with the Bernalillo County Clerk.

8. Condemnation. If any part of the User's Property is ever condemned by the City, the User will forego all claims to compensation for any portion of User's structure which encroaches on City Property and for severance damage to the remaining portion of User's structure on User's Property.

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



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*

10. Notice. For purposes of giving formal written notice to the User, User's address is:

*Vista del Norte Development LLC
PO Box 3671
Albuquerque, NM 87190*

Notice may be given to the User 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 User within 3 days after the notice is mailed if there is no actual evidence of receipt. The User may change User's address by giving written notice of the change by certified mail, return receipt requested, to the City Engineer at P.O. Box 1293, Albuquerque, New Mexico 87103.

11. Indemnification. The User agrees to defend, indemnify and hold harmless the City, its officials, agents and employees from and against any and all claims, actions, suits or proceedings of any kind brought against said parties as a result of user's use of the City's Property. 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 expense, 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 failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

12. Term. This Agreement shall continue until revoked by the City pursuant to Section 7 above.

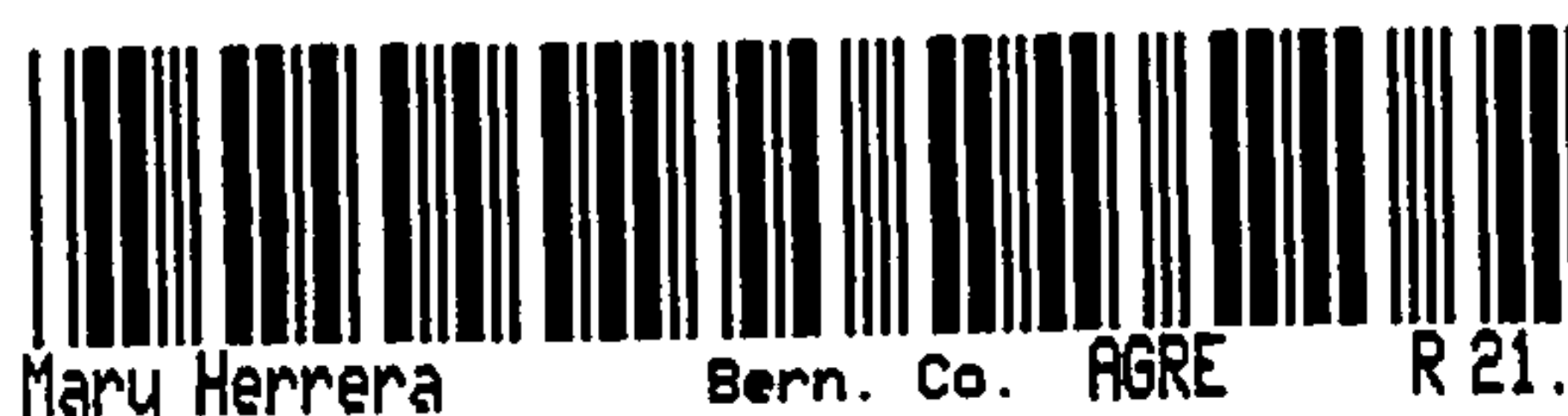
13. Binding on User's Property. The covenants and obligations of the User set forth herein shall be binding on User, his heirs, assigns and successors and on User's Property and constitute covenants running with User's Property until release by the City.

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

15. Changes of 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 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.



CITY OF ALBUQUERQUE:

By: [Signature]
Chief Administrative Officer
Dated: 3-18-03

APPROVED:

[Signature] 3/18/03
Director, Public Works Dept.

USER: VISTA DEL NORTE DEVELOPMENT, L.L.C.
a New Mexico limited liability
company

By: [Signature]
Title: John A. Myers Assistant Manager Pro Tem
Dated: February 13, 2003

Reviewed by:

[Signature] 3/18/03
City Engineer

CITY'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

This instrument was acknowledged before me on March 11, 200³, by Fred J. Aguirre, Chief Administrative Officer for the City of Albuquerque, a New Mexico municipal corporation, on behalf of the corporation.

My Commission Expires:

11-15-2003

[Signature]
Notary Public

USER'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
COUNTY OF Bernalillo) SS

This instrument was acknowledged before me on February 13, 200³, by John A. Myers, Assistant Manager Pro Tem, on behalf of Vista del Norte Development LLC.

My Commission Expires:

11-18-2005

[Signature]
Notary Public

*
*
*
*

"EXHIBIT A"

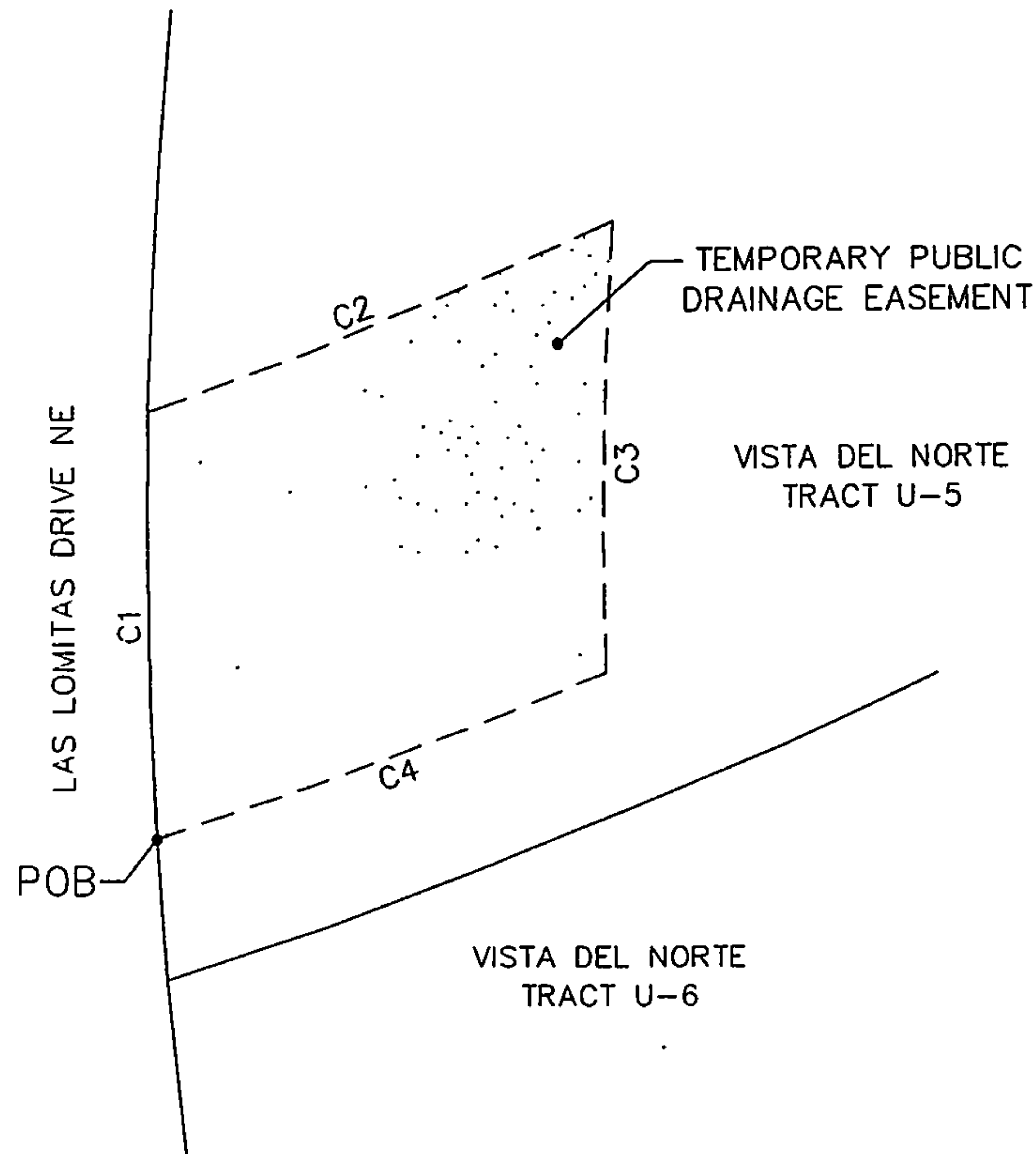
TEMPORARY PUBLIC DRAINAGE EASEMENT

CURVE	LENGTH	DELTA	RADIUS	TANGENT	DIRECTION	CHORD
C1	78.74'	04°40'13"	966.00'	39.39'	N00°50'41"W	78.72'
C2	93.36'	05°06'52"	1045.92'	46.71'	N68°16'08"E	93.33'
C3	82.50'	05°21'54"	881.00'	41.28'	S01°12'06"W	82.47'
C4	89.32'	04°33'56"	1120.92'	44.68'	S69°48'32"W	89.29'



SCALE: 1" = 50'

[Handwritten signature]
01-21-03



DESCRIPTION

A Temporary Public Drainage Easement within TRACT U-5, VISTA DEL NORTE as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on September 19, 2002 in Book 2002C, Page 311 and being more particularly described as follows:

BEGINNING at the southwest corner of the herein described Easement from whence the southwest corner of said TRACT U-5 bears S 03°55'41" E, 25.78 feet;

THENCE 78.74 feet along a curve to the right, whose radius is 966.00 feet through a central angle of 04°40'13" and whose chord bears N 00°50'41" W, 78.72 feet to the northwest corner;

THENCE 93.36 feet along a curve to the left, whose radius is 1045.92 feet through a central angle of 05°06'52" and whose chord bears N 68°16'08" E, 93.33 feet to the northeast corner;

THENCE 82.50 feet along a curve to the left, whose radius is 881.00 feet through a central angle of 05°21'54" and whose chord bears S 01°12'06" W, 82.47 feet to the southeast corner;

THENCE 89.32 feet along a curve to the right, whose radius is 1120.92 feet through a central angle of 04°33'56" and whose chord bears S 69°48'32" W, 89.29 feet to the point of beginning and containing 0.1570 acres more or less.



Mary Herrera

Bern. Co. AGRE

R 21.00

2003039911
5822912
Page: 5 of 7
03/12/2003 11:13A
Bk-A51 Pg-9833

DEL NORTE ACCESS
CONTROL LINE

Exhibit B

FND. RBR. W/CAP
"LS 4071" OR "AGP"

TRACT U-4
(0.4986 AC.)

EL PUEBLO ROAD
(156' R.O.W.)

TRACT U-5
(2.9351 AC.)

S60°51'47"W
710.72'
EXIST. 100' PNM
RAILROAD ESMT.

TRACT U-3
(2.1508 AC.)

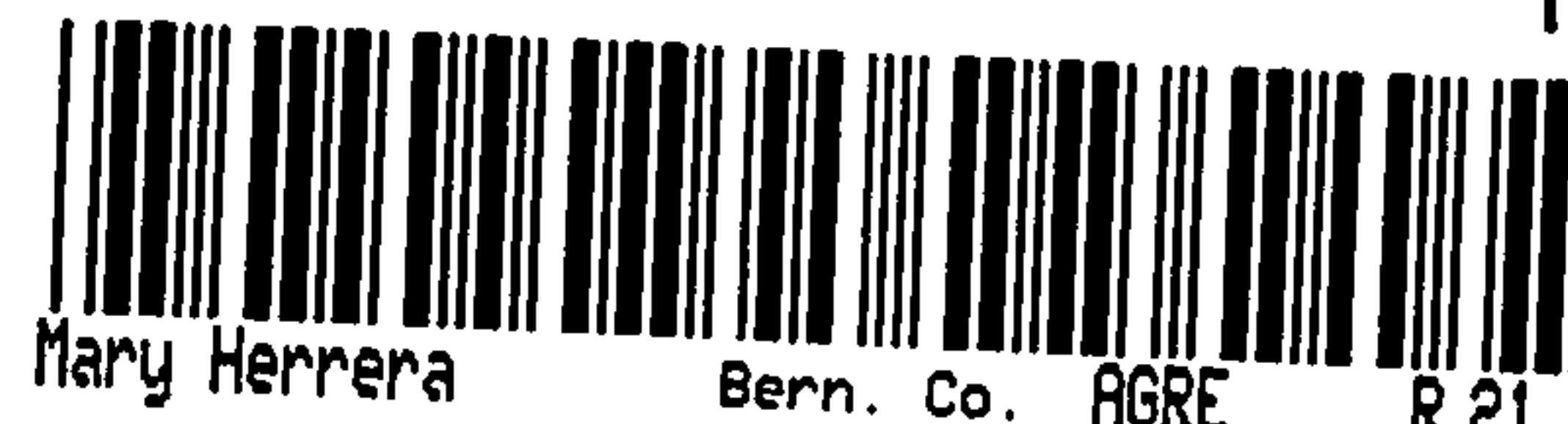
TRACT U-2
(3.9293 AC.)

TRACT U-6
(23.4433 AC.)

TRACT T-
VISTA DEL
(12/10/99, 9
22.6646

10 P.U.E. GRANTED
WITH THIS PLAT
(TYP. BOTH SIDES)

10' PUE



2003039911
5822912
Page: 6 of 7
03/12/2003 11:13A
Bk-A51 Pg-9833

TRACT U-1
(SEE NOTE 9)
(3.4327 AC.)

68' R.O.W. DEDICATED TO THE CITY
OF ALBUQUERQUE WITH THIS PLAT
(2.4417 AC.)

10 P.U.E. GRANTED
WITH THIS PLAT

FND. RBR. W/CAP
"LS 4071" OR "AGP"
(TYP)

SET 5/8" REBAR
"ALS LS 7719"

N 22°31'09" W
66.48'

N89°49'21"W 587.09'

M 91°10'00S
500.00S

73
TR. B

2B
MAP 28

1A3

1B

B
KE WORTH
OLIO 144

IDTH VARIES)

5B

6B

7B

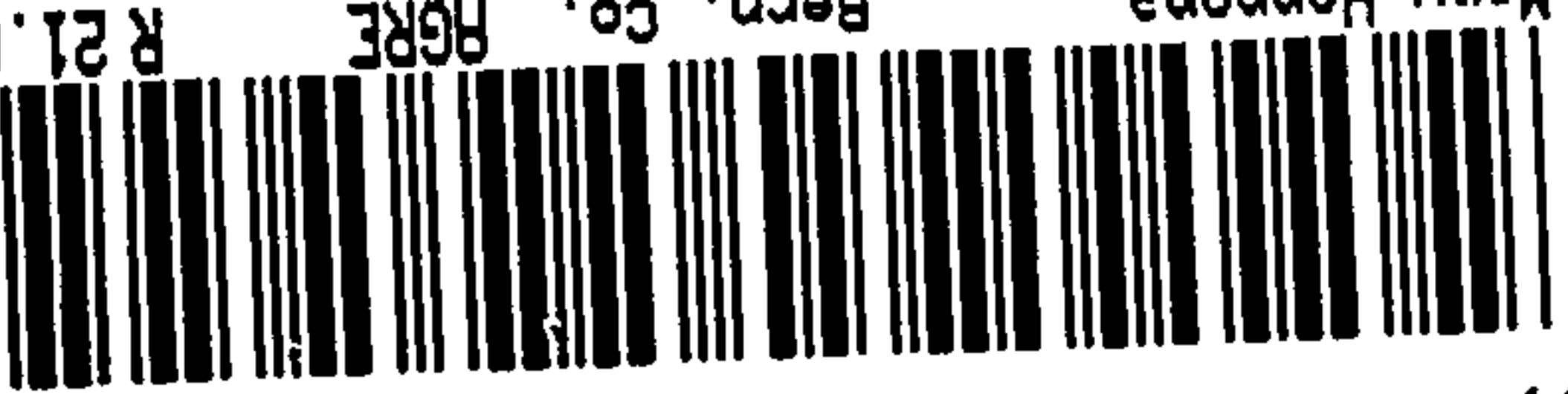
TR. 8

US WIDTH VARIES)

9

10

FUTURE
PU



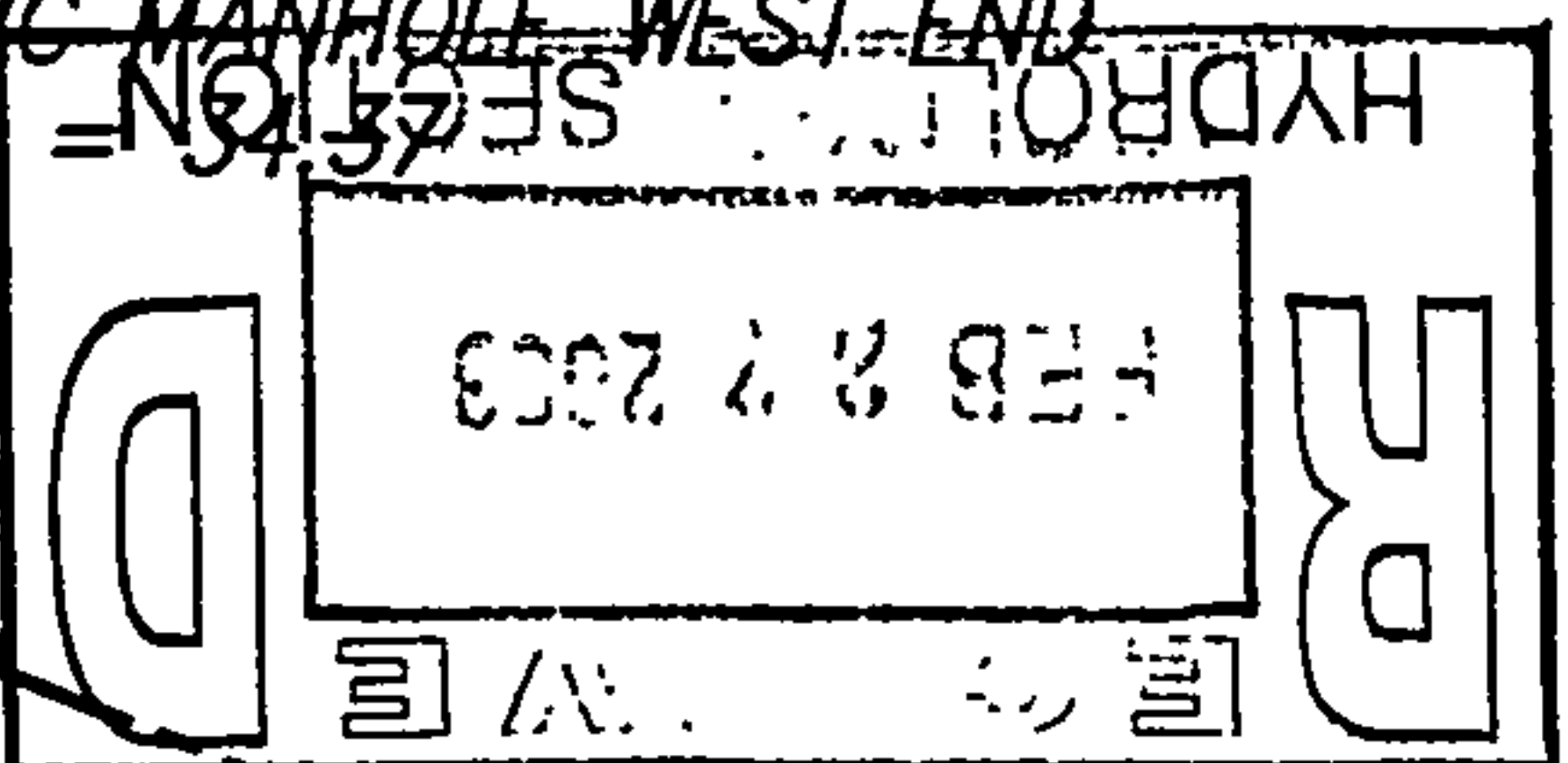
FUTURE PUBLIC
 DRAINAGE EASEMENT

LAS LOMITAS DRIVE

TRACT U-3

20' PUBLIC
 DRAINAGE EASEMENT

11+97.96, CL. SAS MH#14
 PLUG MANHOLE WEST END
 HYDROLOGIC SECTION = WIM



18" WL (DIP)

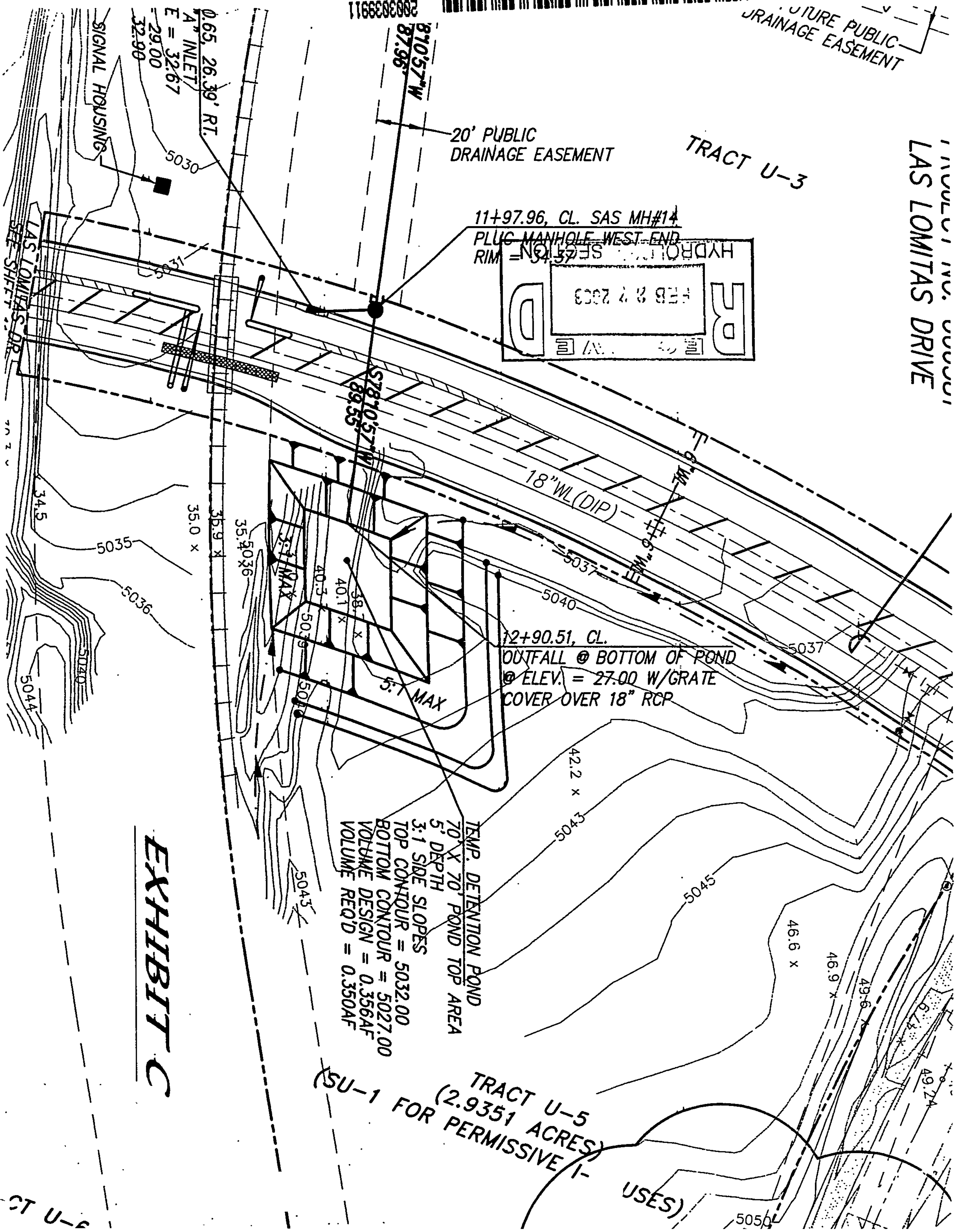
12+90.51, CL.
 OUTFALL @ BOTTOM OF POND
 @ ELEV. = 27.00 W/GRATE
 COVER OVER 18" RCP

TEMP. DETENTION POND
 70' X 70' POND TOP AREA
 5' DEPTH
 3:1 SIDE SLOPES
 TOP CONTOUR = 5032.00
 BOTTOM CONTOUR = 5027.00
 VOLUME DESIGN = 0.3564F
 VOLUME REQ'D = 0.3504F

EXHIBIT C

TRACT U-5
 (2.9351 ACRES)
 (SU-1 FOR PERMISSIVE I-

USES)



CONTRACT CONTROL FORM

PRELIMINARY REVIEW

Contact Person Kathy Jaramillo
Phone No. 924-3996

Project # 666582
CCN# 200300790
New or Ext. #

Type of Agreement: temp. public drainage easement & agreement & covenant

Description/Project Name: Las Lomas Drive Railroad crossing
Planning Dept./Div.: Design Review

Developer: Vista Del Norte LLC

Contract Amount \$ -0-

SIA Contract Period: 3/11/03 - 12/31/2023

Contract Amount \$ -0-

SIA Contract Period: - 12/31/2023

Contract Amount \$

S/W Contract Period: 3/11/03 -

DRAFT CONTRACT:

Rec'd by Legal: Rejected/Returned to Dept.: 3/4/03 / KJE
Returned to Legal: / Approved: KJC Initials: 3/5/03

FINANCIAL GUARANTY:

Letter of Credit No.: Date: Attached: Yes No. Initial
Other: Type Date: Attached: Yes No. Initial

FINAL CONTRACT REVIEW

APPROVALS REQUIRED:

	Date Delivered	Returned to Dept.	Approved By	Approval Date
Utility Div	<u>2/19/03</u>	<u>2/19/03</u>	<u>BLB</u>	<u>2/19/03</u>
Hydrology Div	<u>2/19/03</u>	<u>2/19/03</u>	<u>BLB</u>	<u>2/19/03</u>
Transportation Div	<u>2/27/03</u>	<u>2/27/03</u>	<u>Q</u>	<u>2/27/03</u>
DRC Chairman	<u>2/27/03</u>	<u>2/27/03</u>	<u>RJC</u>	<u>3/5/03</u>
Legal Dept	<u>3/3/03</u>	<u>3/5/03</u>	<u>PA</u>	<u>3/11/03</u>
City Engineer	<u>3/5/03</u>	<u>3/11/03</u>	<u> </u>	<u> </u>
PWD Director	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Finance	<u> </u>	<u> </u>	<u> </u>	<u> </u>
City Clerk	<u> </u>	<u> </u>	<u> </u>	<u> </u>
CAO	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DISTRIBUTION:

User Department. 3/12/03 By: 18
Vendor 3/18/03 By: PM
City Clerk By:
Treasury By:
Other: By:

ALBUQUERQUE CITY CLERK
03 MAR 2003 10:00 AM

ADDENDUM TO COVER PAGE

2/19/03

(Date)

TO: Kevin Curran, Assistant City Attorney, Legal Department

FROM: Project Administrator, Project Review Sec., PWD

SUBJECT: PROJECT TITLE: Las Lomas Drive Railroad Crossing PROJECT # 666582

The attached documents have been review, approved, initialed and/or signed by the DRC Chairman and are submitted for your action as noted.

<u>ITEM</u>	<u>ACTION</u>		<u>Comments</u>
	<u>Review & Approval</u>	<u>Reference</u>	
Procedure "A".....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Procedure "B".....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Procedure "B" Modified Non Work Order.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Procedure "C".....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Procedure "C" Modified.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Special Agreement.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Sidewalk Deferral Agreement.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Amendment.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Assignment.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Financial Guarantee.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Construction Paperwork:			
Contractors Proposal.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Performance/Warranty Bonds.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Labor/Material Bonds.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Certificate of Insurance.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Engineers Cost Estimate.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Extension.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Release/Agreement.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Release/Financial Guarantee.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Calling Notice.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Letter of Commitment.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Reduction Letter.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
License Agreement.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Monitoring Well Permit.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Agreement & Covenant.....	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Drainage Covenant.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Revocable Permit.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Encroachment.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Permanent Easement.....	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____
Temporary Easement.....	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	_____

Other:

Please Call Kathy at 3996 if you have any questions regarding the above or when the documents are ready to be picked up.

No. of Attachments (2)

85703
d 7-13-60 + 9-6-60
1560/169

185703

OK
9782

RIGHT OF WAY AND EASEMENT

RECITALS: Heretofore and on May 21, 1957, an Agreement was entered into between ALBERT G. SIMMS, owner, and ALBUQUERQUE GRAVEL PRODUCTS COMPANY (NSL) a New Mexico Corporation, purchaser, which referred to a modification of an Agreement between the same parties dated March 4, 1953. Among other things the Agreement of May 21, 1957, provided as follows: "Albert G. Simms and Albuquerque Gravel Products Company hereby agree to give and grant to PUBLIC SERVICE COMPANY OF NEW MEXICO a right-of-way and easement for a railroad spur and access road" (carved out of the land described in the Agreement of March 4, 1953). It appearing that the right-of-way and easement, through inadvertence, was not executed, therefore, this instrument is now executed:

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00) lawful money of the United States of America, and the consideration hereinafter set forth, ALBERT G. SIMMS, a widower, hereinafter called Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation, (hereinafter referred to as "Grantee"), and assigns, a perpetual right-of-way easement to construct, install, maintain, operate and remove a railroad spur track and all necessary appurtenant facilities, on, over, and across the hereinafter described tract of land, together with the right of ingress and egress into and from such right-of-way from land immediately adjacent thereto belonging to the first party, for the purpose of repairing and maintaining such railroad spur and protective fence, said land being more particularly described as follows, to-wit:

An easement for a one-hundred (100) foot wide railroad spur right-of-way and access road within Lands of the Albuquerque Gravel Products Company in the NW $\frac{1}{4}$ of Section 22, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico. Said easement being more particularly described as follows: Beginning for a point at a point common to the Northeast corner of Tract No. 1-A-3, K.R.G.C.D., Property Map No. 28, and the Westerly boundary line of Lands of the Albuquerque

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Gravel Products Company and running thence S. 2°11'E., 117.5 feet to the beginning point of the hereindescribed easement; running thence, from said beginning point around the arc of a 5°06.7' curve to the left, (with a Δ (delta) angle of 39°20', radius of 1120.92 feet and PC on a 25.0 foot offset from station 35+40.3 of the railroad spur centerline survey), a distance of 504.4 feet to the aforementioned PC; thence N.60°54'E., 443.8 feet to the boundary line common to Lands of Albuquerque Gravel Products Company and Lands of Springer Transfer Company; running thence along said boundary line S.89°43'E., 50.9 feet to station 30+52.1 of the above mentioned centerline survey, thence continuing S. 89°43'E., 152.9 feet to a point, said point being N. S9°43'W., 44.2 feet from the Northeast corner of the Lands of the Albuquerque Gravel Products Company; running thence S.60°54'W., 621.4 feet to the PC of a 4°41.6' curve to the right, (said curve having a Δ (delta) angle of 39°20' and radius of 1220.92 feet), and PC on a 75 foot offset from station 35+40.3 of the above mentioned centerline survey, running thence around said curve a distance of 551.5 feet to the Westerly boundary line of Lands of the Albuquerque Gravel Products Company; running thence N.2°11'W., along the Westerly boundary line of Lands of Albuquerque Gravel Products Company and the Easterly boundary line of Tracts 1-B and 1-A-3, A.R.G.C.D., Property Map No. 28, 75.0 feet to station 40+56.3 of the above mentioned centerline survey; thence continuing N.2°11'W., 25.0 feet to the point of beginning. Containing 0.434 acres more or less, all as shown on Public Service Company of New Mexico Drawing No. A-502-D.

in consideration of the granting of the aforesaid right-of-way and easement, the Grantee herein covenants and agrees that it has built or will build or cause to be built, and maintained, at Grantee's cost and expense, a five-wire barbed wire fence along the boundary lines of the railroad spur and access right-of-way and install steel gates for any railroad spur crossing now or hereafter required by Grantor, in order to facilitate crossing from one part of Grantor's adjoining land to the other.

In the event Grantee herein, its successors or assigns, shall at any time hereafter abandon said right-of-way and fail to use the same for two consecutive years from and after date of completion of the spur track hereinbefore referred to, then and in such event this right-of-way easement shall be extinguished

and all rights hereunder shall revert to and again become the
property of the grantor, its successors and assigns.

Dated this 13th day of July, 1960.

Albert G. Smith
ALBERT G. SMITH

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

as

The foregoing instrument was acknowledged before
me this 13th day of July, 1960, by ALBERT G. SMITH, a widower.

John J. Brennan
NOTARY PUBLIC

My commission expires: August 18, 1963

State of New Mexico
County of Bernalillo, ss

This instrument was filed for record on

At 2:41 SEP 6 1960

At 10'clock P.M. Recorded in Vol.
of records of said County Folio

..... Clerk & Recorder
..... Deputy Clerk

1100

666582*

TEMPORARY PUBLIC DRAINAGE EASEMENT

3/11/03

THIS GRANT OF TEMPORARY EASEMENT, by and between Vista del Norte Development LLC
PO Box 3671, Albuquerque, NM 87190, and the city of Albuquerque, a New Mexico Municipal
Corporation ("City"), whose address is P.O. box 1293, Albuquerque New Mexico 87103.

1. **Grant of Temporary Public Drainage Easement.** The grantor grants to the City an exclusive, temporary public drainage easement ("Easement"), for a **Temporary Retention Pond** ("Public Improvement"), on, over, across, and through the property described below ("Property"), together the right of the City to operate, maintain, repair, replace and construct the Public Improvement and the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use for the Easement. The property is described as follows:
Southwest corner of Tract U-5 in Vista del Norte (recorded 9/19/02, Bk 2002C, pg.311), located east of Las Lomitas Drive and north of BNSF Railroad.
SEE ATTACHED EXHIBIT "A", MADE PART OF THIS AGREEMENT.
2. **Warranties.** Grantor covenants and warrants that it is the owner in fee simple of the Property and that it has a good lawful right to convey the Property of any part thereof and the Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.
3. **Binding on Grantor's Property.** The grant and other provisions of this Easement constitute covenants running with title to the Property for the benefit of the City and its successors and assigns until terminated.
4. **Temporary.** This Easement will be released by the City when the City Engineers determine that the Easement is no longer required.

WITNESS MY HAND AND SEAL THIS 13th DAY OF Feb., 2003,

APPROVED:

[Signature] 3/18/03
City Engineer

VISTA DEL NORTE DEVELOPMENT, L.L.C., a
GRANTOR: New Mexico limited liability company

BY:

[Signature]
John A. Myers

ITS: Assistant Manager Pro Tem

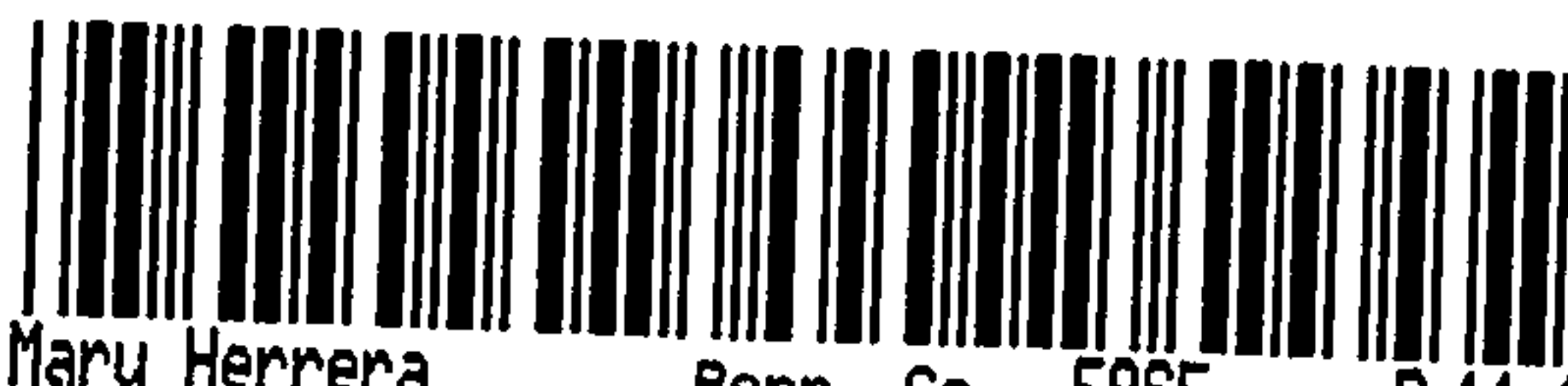
STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

This Instrument was acknowledged before me this 13th day of Feb., 2003
by John A. Myers, its Asst. Manager Pro Tem, on behalf of
Vista del Norte Development, L.L.C., a New Mexico limited liability company

BY:

[Signature]
NOTARY PUBLIC

My Commission Expires: 11-18-2005



Mary Herrera

Bern. Co. EASE

R 11.00

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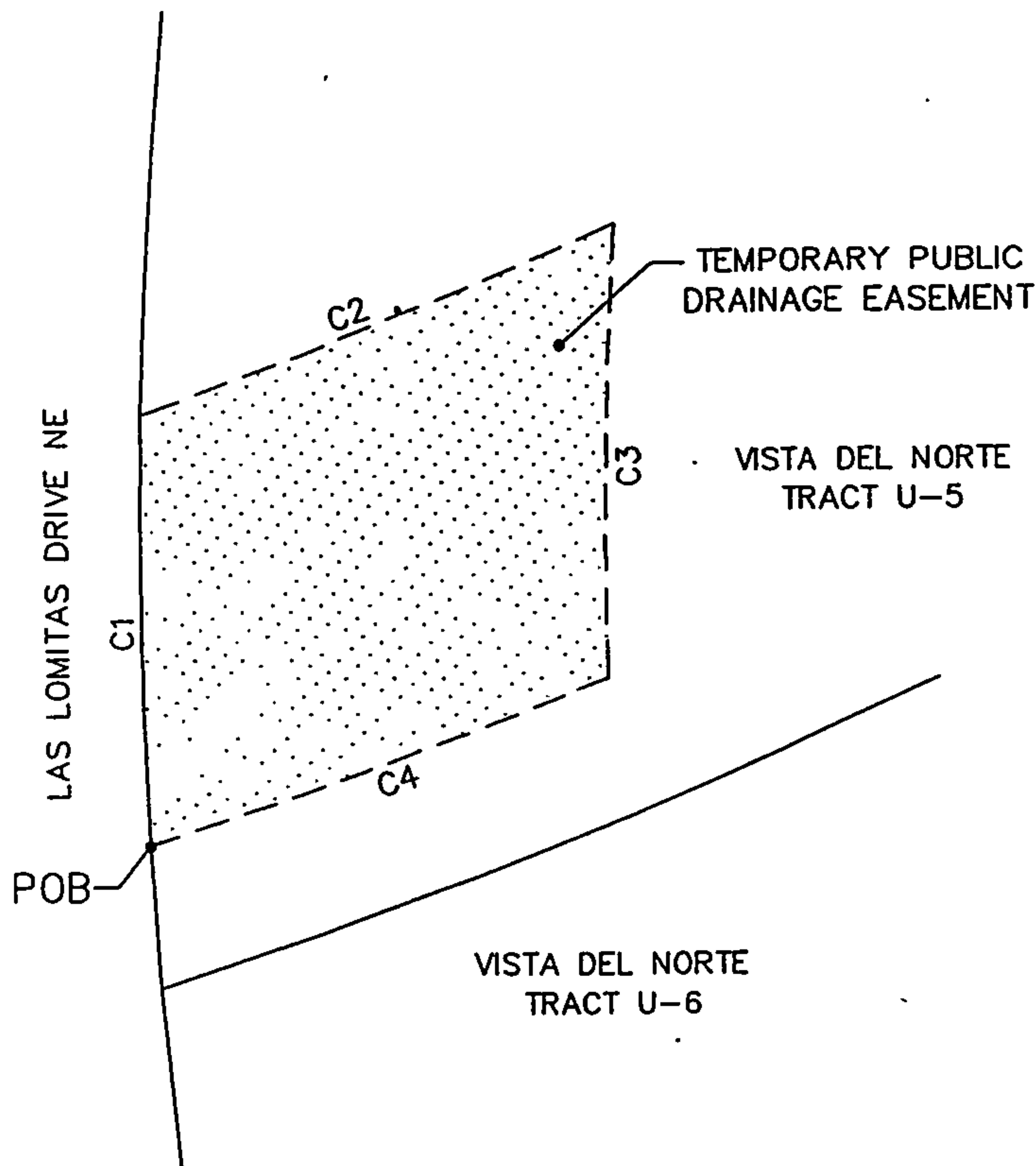
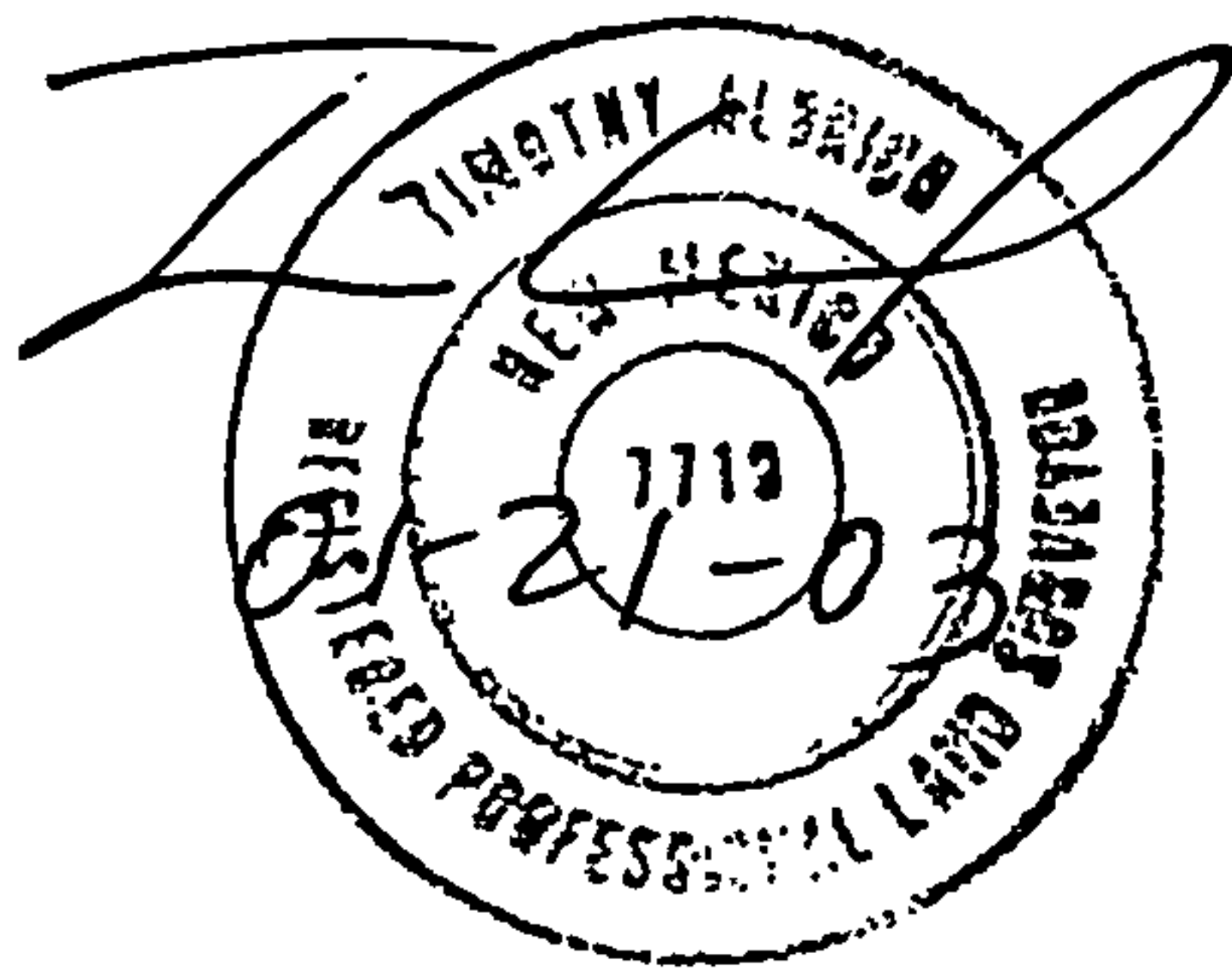
"EXHIBIT A"

TEMPORARY PUBLIC DRAINAGE EASEMENT

CURVE	LENGTH	DELTA	RADIUS	TANGENT	DIRECTION	CHORD
C1	78.74'	04°40'13"	966.00'	39.39'	N00°50'41"W	78.72'
C2	93.36'	05°06'52"	1045.92'	46.71'	N68°16'08"E	93.33'
C3	82.50'	05°21'54"	881.00'	41.28'	S01°12'06"W	82.47'
C4	89.32'	04°33'56"	1120.92'	44.68'	S69°48'32"W	89.29'



SCALE: 1" = 50'



DESCRIPTION

A Temporary Public Drainage Easement within TRACT U-5, VISTA DEL NORTE as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on September 19, 2002 in Book 2002C, Page 311 and being more particularly described as follows:

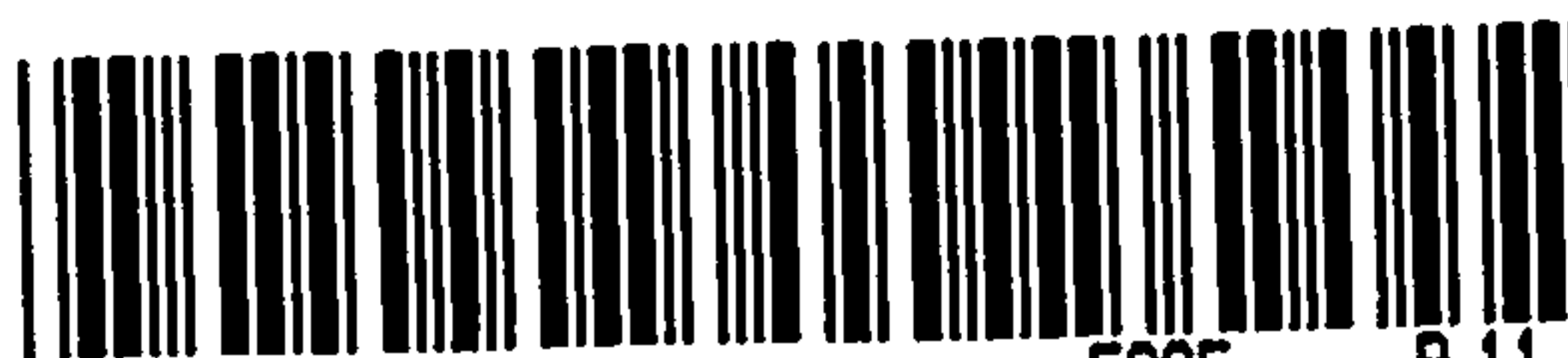
BEGINNING at the southwest corner of the herein described Easement from whence the southwest corner of said TRACT U-5 bears S 03°55'41" E, 25.78 feet;

THENCE 78.74 feet along a curve to the right, whose radius is 966.00 feet through a central angle of 04°40'13" and whose chord bears N 00°50'41" W, 78.72 feet to the northwest corner;

THENCE 93.36 feet along a curve to the left, whose radius is 1045.92 feet through a central angle of 05°06'52" and whose chord bears N 68°16'08" E, 93.33 feet to the northeast corner;

THENCE 82.50 feet along a curve to the left, whose radius is 881.00 feet through a central angle of 05°21'54" and whose chord bears S 01°12'06" W, 82.47 feet to the southeast corner;

THENCE 89.32 feet along a curve to the right, whose radius is 1120.92 feet through a central angle of 04°33'56" and whose chord bears S 69°48'32" W, 89.29 feet to the point of beginning and containing 0.1570 acres more or less.



Mary Herrera

Bern. Co. ERSE

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