HYDROLOGY D17/D17 2 PLANS

D17/D17

2 PLANS

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

March 2, 1983

Jess Munos Auto Body, Inc.
7115 Jefferson NE
Albuquerque, New Mexico 87109

Ref: Private Drainage Easement for 7115 Jefferson NE
(D17-D17)

Dear Mr. Munos:

The attached drainage easement (private) was reviewed by the City Attorney's Office and the following were their comments:

1. The easement does not run with the property.
2. The acknowledgement does not describe who the acknowledgement applies to.
3. The instrument does not describe the size and location of the easement.

To aid you in the preparation of your easement, I am forwarding a copy of a sample easement that satisfies the comments made by the City Attorney's Office.

Sincerely,

Fred J. Aguirre, PE
Civil Engineer/Hydrology

FJA/el

cc: Drainage File
Reading File
Fred Aragon

Attachment

RECEIVED
JAN 2 7 1983
CITY ENGINEER

CITY OF ALBUQUERQUE

ALBUQUERQUE, NEW MEXICO

INTER OFFICE CORRESPONDENCE

January 25, 1983

REF. NO.

TO: Fred J. Aguirre, Civil Engineer, Engineering/Hydrology

FROM: Malcolm W. deVesty, Assistant City Attorney MWdV

SUBJECT: Easement

I have reviewed the document that you sent with your memorandum of January 20 and I cannot locate the property referred to on the Zone Atlas. Furthermore, the instrument does not describe the size and location of the drainage easement nor is there any provision that the covenants are to run with the property. Lastly, the acknowledgment is not adequate in that it does not describe who the acknowledgment applies to.

All in all, this is a very poorly drafted document and one I would not reply upon.

D17-D7

MWdV:mab

CITY OF ALBUQUERQUE

ALBUQUERQUE, NEW MEXICO

INTER-OFFICE CORRESPONDENCE January 20, 1983 REF. NO._____

TO: Malcolm de Vesty, Municipal Finances, Legal Services Div.

FROM: Fred J. Aguirre, Civil Engineer, City Engineers/Hydrology FJA

SUBJECT: PRIVATE EASEMENT

Please review and comment on the attached private easement required by this office for the purpose of drainage across property lines. The easement must be binding on the owner(s), heir(s) and assigns.

Thank you for your cooperation.

FJA/el

Attachment

D17-D17

82 6156

YOUNG AMERICAN ENTERPRISES, INC.
9320 SUSAN SE
ALBUQUERQUE, NEW MEXICO 87123

We, the undersigned owners of the land designated Lot 2, Tract "A", Unit 3 of the Interstate Development Tract Albuquerque, New Mexico and located in Zone Atlas D-17, Hereby agree to allow a temporary drainage swale/berm to be constructed across our property from Mr. Jess Munoz property, north of our property, and designated Tract A1 of the replat of Tract "A" Unit 3 Interstate Industrial tract Albuquerque, New Mexico, and located in Zone Atlas D-17 to transmit onsite drainage of Tract A1 of the replat of Tract "A" Unit 3 Interstate Industrial Tract Albuquerque, New Mexico to Ellison Street N.E.

Said Temporary drainage swale/berm to be located in a north-south direction along the westerly portion of our site.

Future development of the site by owners of the site at time of development shall recongnize the need to drain Tract A1 of the replat of Tract "A" Unit 3 Interstate Industrial Tract Albuquerque, New Mexico to Ellison Street NE and shall incorporate imporved drainage swale in their plans in the approximate location of proposed temporary swale.

OWNERS: Nigel Martin

OWNER: Jess Munoz
Jess Munoz

Tract A1 of the replat
of Tract "A" Unit 3
Interstate Industrial Tract
Albuquerque, New Mexico

Lot 2 Tract "A" Unit 3 of the
Interstate Development Tract
Albuquerque, New Mexico

STATE OF NEW MEXICO

COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 4th day of February, 1982.

My Commission Expires Oct 30, 1985

Alice C. Quirky
Notary Public

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 13, 1983

Jess Munos Auto Body Inc.
7115 Jefferson NE
Albuquerque, New Mexico

Ref: 7115 Jefferson NE (D17-D17)

Dear Mr. Munos:

A field survey was conducted on January 10, 1983 to determine if your site was in close compliance to the approved drainage plan. I have compared our field data to the approved plan, and have found that they are in close-compliance to the approved drainage plan.

Our main concerns, are the flows that are being generated across the property to the south. A plan showing what steps you plan on taking to control the erosion problem that will be created within the proposed drainage easement will be required for review. Also a Special Order 19 for construction on City right-of-way will be required showing how you intend to convey the runoff onto Ellison. Your engineer is familiar with the requirements. The copy of the drainage easement format has been routed to the City Attorney's Office for review.

If you have any questions regarding the above, please feel free to call me at 766-7644.

Sincerely,

Bernie J. Montoya

Bernie J. Montoya
Hydrologic Engineering Tech.

BJM/el

cc: Chris Weiss
Consultants Terra Sol Inc.
P. O. Box 142 Sandia Park
Albuquerque, N.M. 87047

GRANT OF DRAINAGE EASEMENT

THIS INDENTURE MADE AND EXECUTED THIS 26TH DAY OF Sept, 1983 by and between Jack Bennett owner of Lot 2, Tract "A" Unit 3 of The Interstate Development Tract in ALBUQUERQUE, N. M., Hereinafter called the Grantor and Jess Munos owner of Tract A-1 of The Replat of Tract "A", Unit 3 of The Interstate Industrial Tract in Albuquerque, N.M., Hereafter called the Grantee.

Witnesseth, that the Grantor and Grantee have this day entered into an agreement to establish a permanent drainage easement for the purpose of conveying surface runoff to a public right-of-way from the lands of the Grantee across the land of the Grantor.

The land affected by the grant of this easement is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

> A strip of land 20' wide to be used for drainage purposes lying 10' in width on each side of the following described centerline; beginning at a point, which point is the S.W. corner of Lot 2, Tract "A" Unit 3 of Interstate Industrial Tract, of the City of Albuquerque, County of Bernalillo as recorded in the office of the Bernalillo County Clerk on _____, 1983; thence bearing S. 89°49'40" to the point of beginning of centerline of afore mentioned easement, thence bearing N. 00°03'20" W. a distance of 175' to the north property line of said Lot 2, comprising the entire length of said easement.

ORIGINAL COPY TOO LIGHT IN DENSITY TO PHOTOGRAPH BY MICROFILM PROPERLY

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for aforesaid drainage easement.

The Grantors do hereby covenant with Grantee that they are lawfully seized and possessed of the real estate above described and that they have a good and lawful right to convey it or any part thereof, that [illegible] all encumbrances except those of record taxes due and

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted provided, however, that the Grantee agrees to save Grantors harmless from any and all liability that may arise as a result of the construction and use of the easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals this 26 day of Sept., 1983

Jack Barnett (Grantor)

Jim Munoz (Grantee)

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

The foregoing instrument was acknowledged before me this 26 day of Sept. 1983, by Kenneth A Ray

OFFICIAL SEAL
KENNETH A. RAY
NOTARY PUBLIC NEW MEXICO
Notary Bond Filed with Secretary
My Commission Expires 1/14/86

Kenneth A Ray
Notary Public

My Commission Expires:
1/14/86

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

'83 SEP 27 AM 11:44

Misc 50A 719-720

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

March 13, 1984

Mr. Christopher Weiss
Consultants Terra Sol, Inc.
1100 Alvarado NE Suite A
Albuquerque, New Mexico 87108

REF: JESS MUNOS BODYSHOP (D17-D17A)

Dear Mr. Weiss:

Based on the information provided on your certification submittal of March 7, 1984, listed below you will find certain items that will need to be addressed before final certification is accepted.

1. In plotting the description for the 20' Drainage Easement on the drainage plan, I find that the runoff is being conveyed on private property instead of within the confines of the easement. A revised easement submittal for the true confines of the runoff will be required.

2. Also, I will need for you to analyze the capacity of the easement in reference to the total "Q" entering the easement. Please show a typical cross-section of the easement with all supporting data and computations.

If you have any questions regarding the above comments, please feel free to call me at 766-7644.

Sincerely,

Bernie J. Montoya

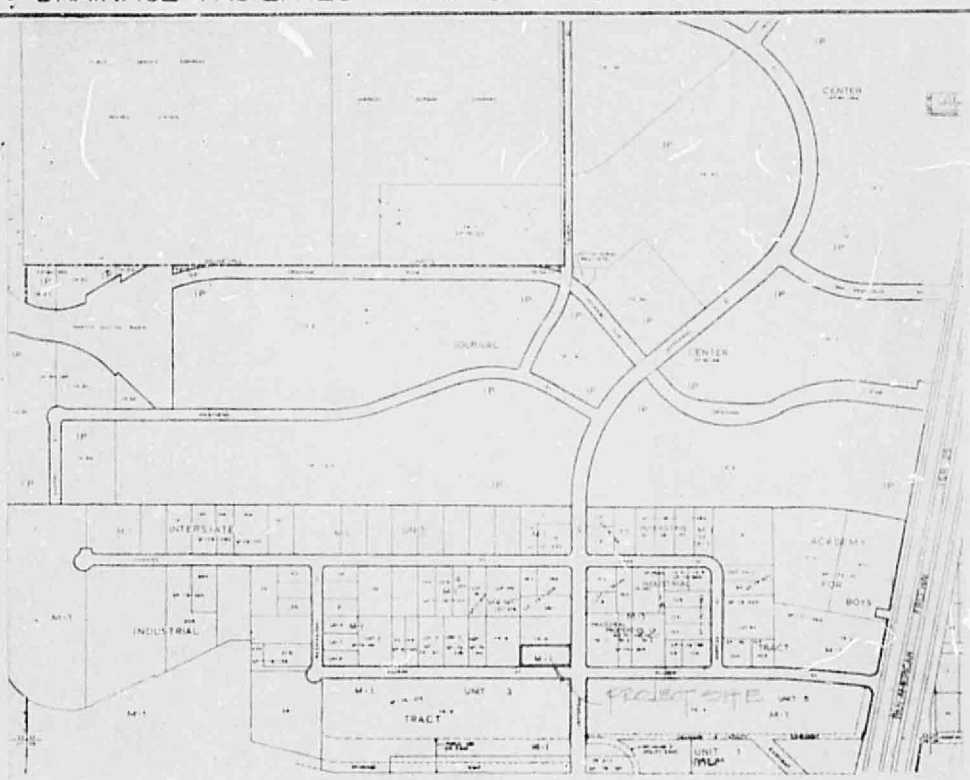
Bernie J. Montoya
Hydrologic Engineering Technician, C.E.

BJM/ca

cc: Fred Aragon

CITY OF ALBUQUERQUE

DRAINAGE FACILITIES WITHIN CITY RIGHT-OF-WAY



VICINITY MAP—D-17

NOTICE TO CONTRACTOR

1. An excavation/construction permit will be required before beginning any work within City right-of-way. An approved copy of these plans must be submitted at the time of application for this permit.

2. All work detailed on these plans to be performed, except as otherwise stated or provided hereon, shall be constructed in accordance with "Contract Documents for City-Wide Utilities and Cash Paving No. 31"

3. Two working days prior to any excavation, contractor must contact Line Locating Service, 765-1234, for location of existing utilities.

4. Prior to construction, the contractor shall excavate and verify the horizontal and vertical locations of all obstructions. Should a conflict exist, the contractor shall notify the engineer so that the conflict can be resolved with a minimum amount of delay.

5. Backfill compaction shall be according to _____ street use.

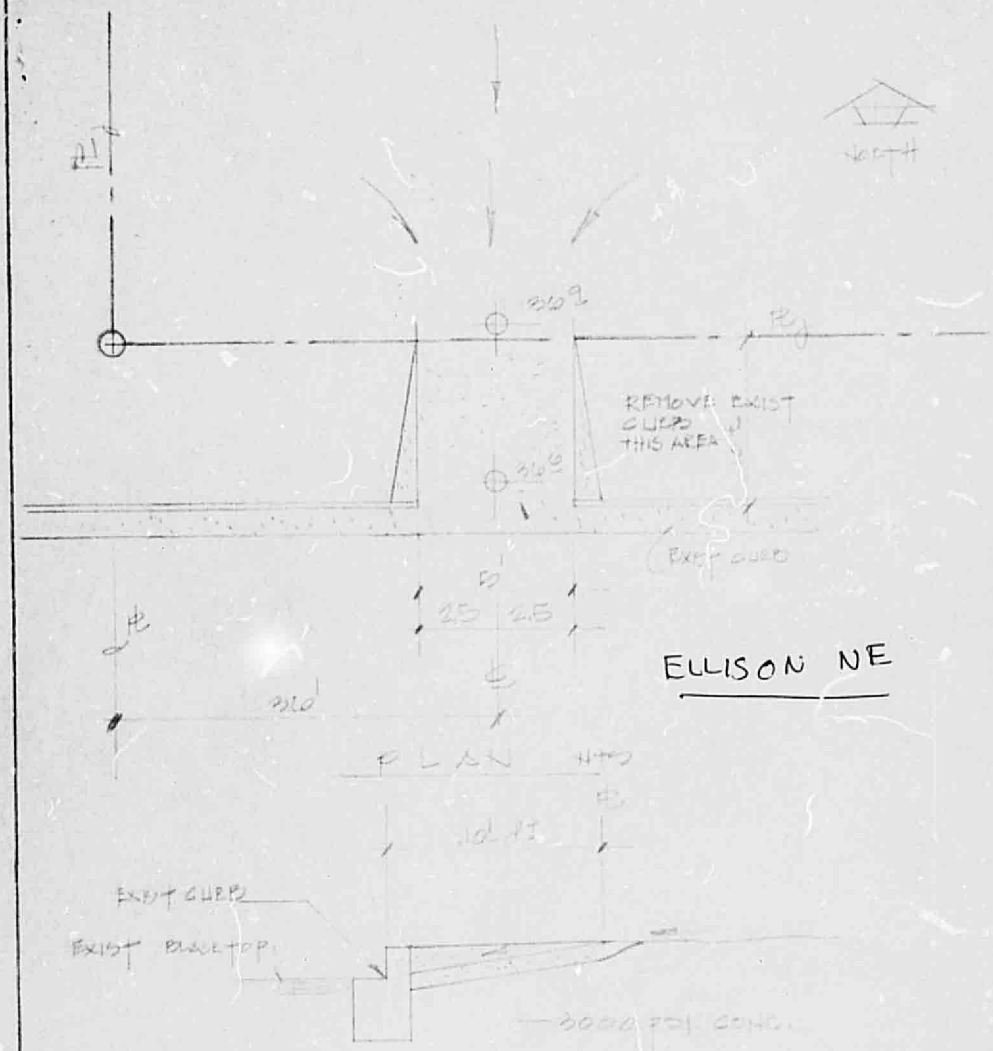
C-59 715 JEFFERSON N.E.

APPROVALS	NAME	DATE	TITLE:
A.C.E./DESIGN	G Kellich	19 May 83	
INSPECTOR			PERMIT NO.
A.C.E./FIELD			SHEET 1 OF 6

MAP NO. D-17

CITY OF ALBUQUERQUE

DRAINAGE FACILITIES WITHIN CITY RIGHT-OF-WAY



TEMPORARY RUNDOWN FOR OUTLET OF MR. LEE MUNOZ PROPERTY

7115 JEFFERSON NE

APPROVALS	NAME	DATE	TITLE: TEMPORARY DRAINAGE RUNDOWN FOR OUTLET AT SOUTHERN .121 AC. PORTION OF TRACT A UNIT II OF NIELSTATE NORTH, TRACT A, BURNS
A.C.E./DESIGN	G Kilish	19 May 83	
INSPECTOR			PERMIT NO. / SHEET 1 OF 2 / MAP NO. D-17
A.C.E./FIELD			