



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

July 2, 2002

Mark Goodwin, P.E.
Mark Goodwin & Assoc.
P.O. Box 90606
Albuquerque, New Mexico 87199

RE: JEFFERSON RETAIL CENTER (D-17/D59A)
(7007 Jefferson NE)
ENGINEERS CERTIFICATION FOR CERTIFICATE OF OCCUPANCY
ENGINEERS STAMP DATED 1/15/2002
ENGINEERS CERTIFICATION DATED 6/26/2002

Dear Mr. Goodwin:

Based upon the information provided in your Engineers Certification submittal dated 7/1/2002, the above referenced site is approved for Permanent Certificate of Occupancy.

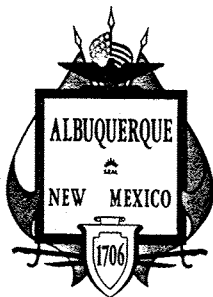
If I can be of further assistance, please contact me at 924-3981.

Sincerely,

Teresa A. Martin
Hydrology Plan Checker
Public Works Department

BLB

C: Vickie Chavez, COA
drainage file
approval file



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 18, 2002

Amy L. Driscoll
Mark Goodwin & Associates
P.O. Box 90606
Albuquerque, New Mexico 87199

**RE: Drainage and Grading Plan for Jefferson Retail Center (D17-D59A) Dated
January 15, 2002**

Dear Ms. Driscoll:

The above referenced drainage plan received January 15, 2002 is approved for Building Permit. Prior to the release of the Certificate of Occupancy the engineer will need to certify the project.

If you have any questions please call me at 924-3982.

Sincerely,

Carlos A. Montoya
City Floodplain Administrator



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

December 5, 2001

Amy L. Driscoll
Mark Goodwin & Associates
P.O. Box 90606
Albuquerque, New Mexico 87199

**RE: Drainage and Grading Plan for Jefferson Retail Center (D17-D59A) Dated
October 29, 2001**

Dear Ms. Driscoll:

The above referenced drainage plan received November 30, 2001 is approved for Building Permit. Prior to the release of the Certificate of Occupancy the engineer will need to certify the project.

If you have any questions please call me at 924-3982.

Sincerely,

Carlos A. Montoya
City Floodplain Administrator



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 2001

Gregory J. Krenik, P.E.
Mark Goodwin & Associates, P.A.
P.O.Box 90606
Albuquerque, NM 87199

Attn: Amy Driscoll, P.E.

***RE: JEFFERSON RETAIL CENTER (D 17- D59A). GRADING & DRAINAGE PLAN
FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED OCTOBER
5, 2001.***

Dear Mr.Krenik:

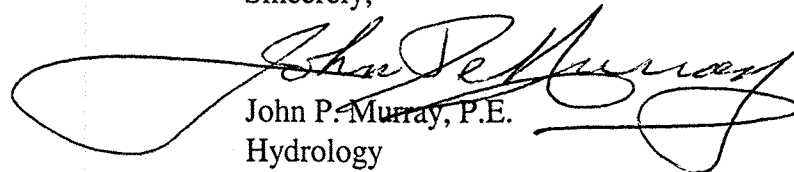
Based on the information provided on your October 5, 2001 submittal, the above referenced project is approved for Building Permit.

Please attach a copy of this approved plan to the construction sets prior to sign-off by Hydrology.

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

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

Sincerely,



John P. Murray, P.E.
Hydrology

c: Terri Martin
File

RONALD D. BROWN, CHAIR
DANIEL W. COOK, VICE CHAIR
TIM LICHENFELT, SECRETARY-TREASURER
LINDA STONER, ASST. SECRETARY-TREASURER
DANNY REJIMANDEZ, DIRECTOR

JOHN A. KELLY, P.E.
EXECUTIVE ENGINEER



**Albuquerque
Metropolitan
Arroyo
Flood
Control
Authority**

2600 PROSPECT NE • ALBUQUERQUE, NM 87107

PHONE: (505) 884-2215
FAX: (505) 884-0214

December 4, 2001

Ms. Amy Driscoll, P.E.
D. Mark Goodwin & Associates, P.A.
P.O. Box 90606
Albuquerque, NM 87199

Re: Grading & Drainage Plan for Jefferson Retail Center

Dear Ms. Driscoll:

AMAFCA approves the referenced plan for construction within the AMAFCA R/W, and we will sign the final plan. We have also determined that this project will not require a license from AMAFCA.

If you have any questions, please call me at 884-2215.

Sincerely,
AMAFCA

Lynn M. Mazur

Lynn M. Mazur, P.E.
Development Review Engineer

RETURN TO RIO GRANDE TITLE #2101564-COM

Original



EASEMENT ENCROACHMENT AGREEMENT

This Easement Encroachment Agreement made this 11th day of June, 20 01

by and between (BUYER/BORROWER, OWNER) NEW MEXICO BANK AND TRUST

whose address is 7021 JEFFERSON NE ALBUQUERQUE NEW MEXICO

(hereinafter called "First Party"), (his) (her) (their) (its) heirs, successors and assigns, and PUBLIC SERVICE COMPANY OF NEW MEXICO. A New Mexico Corporation for its Electric Services Division, (hereinafter called ("PNM") ("Parties").

WITNESSETH:

WHEREAS, PNM is the Grantee of a certain easement within the hereinafter described property.

WHEREAS, First Party desires to encroach upon the Easement as more particularly specified hereinafter, and WHEREAS, PNM has agreed to said encroachment; NOW THEREFORE, for and in consideration of the sum of One and No/100 (\$1.00) DOLLAR, in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, PNM does hereby grant First Party the right to encroach upon the Easement only to the extent of, and for the purposes set forth below:

PNM PROJ. R3223

Encroachment of a parking lot and landscaping within a portion of a Public Service Company of New Mexico transmission line easement being the south 140 feet of Lot D-3-B INTERSTATE INDUSTRIAL TRACT as the same is shown and designated on the plat filed in the office of the County Clerk of Bernalillo County, New Mexico on May 10, 1999 in Plat Book 99C, Page 110.

Said encroachment is more particularly described on Exhibit "A" attached and made a part of this document.

1. All construction equipment must maintain fifteen (15) foot vertical and horizontal clearance from all conductors.
2. No aerial lift trash dumpsters will be allowed to operate under power lines unless specific details, approved by PNM, are attached.
3. All lighting masts/attachments and decorative (or shade trees must not be more than 12 feet in height within the right of way).
4. First party for encroachment will provide a complete set of development plans to PNM for review and approval. If changes are made as a result of the review and approval process, a final development plan will be provided by first party to PNM before approval is granted.
5. When required, first party shall install a PNM approved barricade for structures affected and incur all costs associated with the barricade installation.
6. First party is hereby notified that they are required by National Electrical Safety Code to meet electric clearance codes for any developments near power lines.
7. No storm water drainage to the PNM site Lot D-2.
8. No pavement within 2 feet of pole structures.
9. No fill above 1 foot at the mid span or around the pole structures.
10. No locked gate or fence, PNM shall have 24/7 access.
11. No raised planters at the pole structures nearest Jefferson Street.
12. No covered walkway in the right of way.
13. Drive lane payment shall be designed for heavy truck loads.
14. Building shall be outside of the right of way.
15. PNM shall vacate the 25' private road access and in exchange shall be granted general access.

By granting the aforesaid right to encroach PNM does not waive or relinquish any rights that it may have under or by reason of the Easement, including, but not limited to the right to build, rebuild, construct, reconstruct, locate, relocate, change, modify, renew, operate and maintain its electric lines (including underground lines), poles, guywires and other electric equipment, fixtures and structures that are now located, or may in the future be located, through, on, within, or under the Easement. First Party, at its sole cost and expense, agrees to remove or relocate its encroachment upon the written request of PNM within 90 days of such written request. First Party appoints PNM its agent to accomplish said removal or relocation at First Party's expense if First Party fails to remove or relocate such encroachment within such time period.



Mary Herrera

Bern. Co. AGRE

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PNM 407 3/96

THIS INFORMATION TO BE
PROVIDED BY TITLE COMPANY

PNM USE ONLY FOR LEGAL DESCRIPTION

In consideration of PNM granting First Party the right to encroach upon the Easement, First Party hereby agrees to indemnify and hold harmless PNM, its agents and employees, from any and all claims whatsoever for personal injuries or damages to property when such injuries or damages directly or indirectly arise out of the existence, construction, maintenance, repair, condition, use or presence of the encroachment upon the Easement, regardless of the cause of said injuries or damages; provided, however, that notwithstanding anything to the contrary in this paragraph, First Party shall not be required to indemnify PNM for liability, claims, damages, losses or expenses, arising out of (a) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by PNM, or the agents or employees of PNM; or (b) the giving of or the failure to give directions or instructions by PNM, or the agents or employees of PNM, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

In consideration of PNM permitting First Party to encroach upon the Easement, First Party agrees that PNM shall not be responsible for any damage caused to facilities, equipment, structures or other property of First Party if damaged by reason of PNM's use of Easement.

First Party shall comply with all applicable laws, ordinances, rules and regulations enacted or promulgated by any federal, state or local governmental body having jurisdiction over First Party's encroachment.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, personal representatives, successors and assigns of the Parties hereto; provided, however, that no such heir, executor, administrator, personal representative, successor or assign of First Party shall have the right to use, alter or modify the encroachment in a manner which will increase the burden of the encroachment on the Easement.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the day and year first above written.

BUYER/BORROWER, OWNER (First Party):

PUBLIC SERVICE COMPANY OF NEW MEXICO

By:

NEW MEXICO BANK & TRUST
BY GREG LEYENDECKER

PNM USE ONLY

STATE OF NEW MEXICO

COUNTY OF BERNALILLO) SS

This instrument was acknowledged before me on June 12, 2001

by ROB ROBERTS, a Manager

of the Public Service Company of New Mexico, a New Mexico corporation, for its Electric Services Division on behalf of said corporation



OFFICIAL SEAL
CHARLES F. BROWN
NOTARY PUBLIC
STATE OF NEW MEXICO

Charles F. Brown
NOTARY PUBLIC

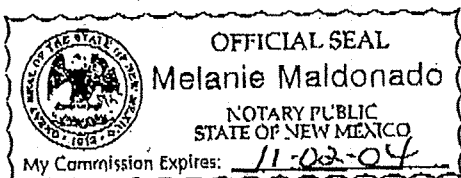
My Commission Expires: 11/24/2003

STATE OF NEW MEXICO

COUNTY OF BERNALILLO) SS 585 57 5584

This instrument was acknowledged before me on June 11 2001

by GREG LEYENDECKER for NEW MEXICO BANK & TRUST



OFFICIAL SEAL
Melanie Maldonado
NOTARY PUBLIC
STATE OF NEW MEXICO

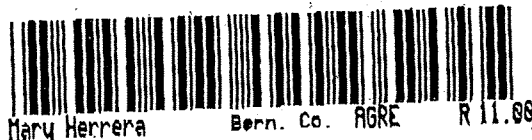
My Commission Expires: 11-02-04

M. Maldonado
NOTARY PUBLIC

My Commission Expires: 11-02-2004

FOR RECORDER'S USE ONLY

PNM REFERENCE NUMBER



Mary Herrera

Bern. Co. RGR

R 11.00

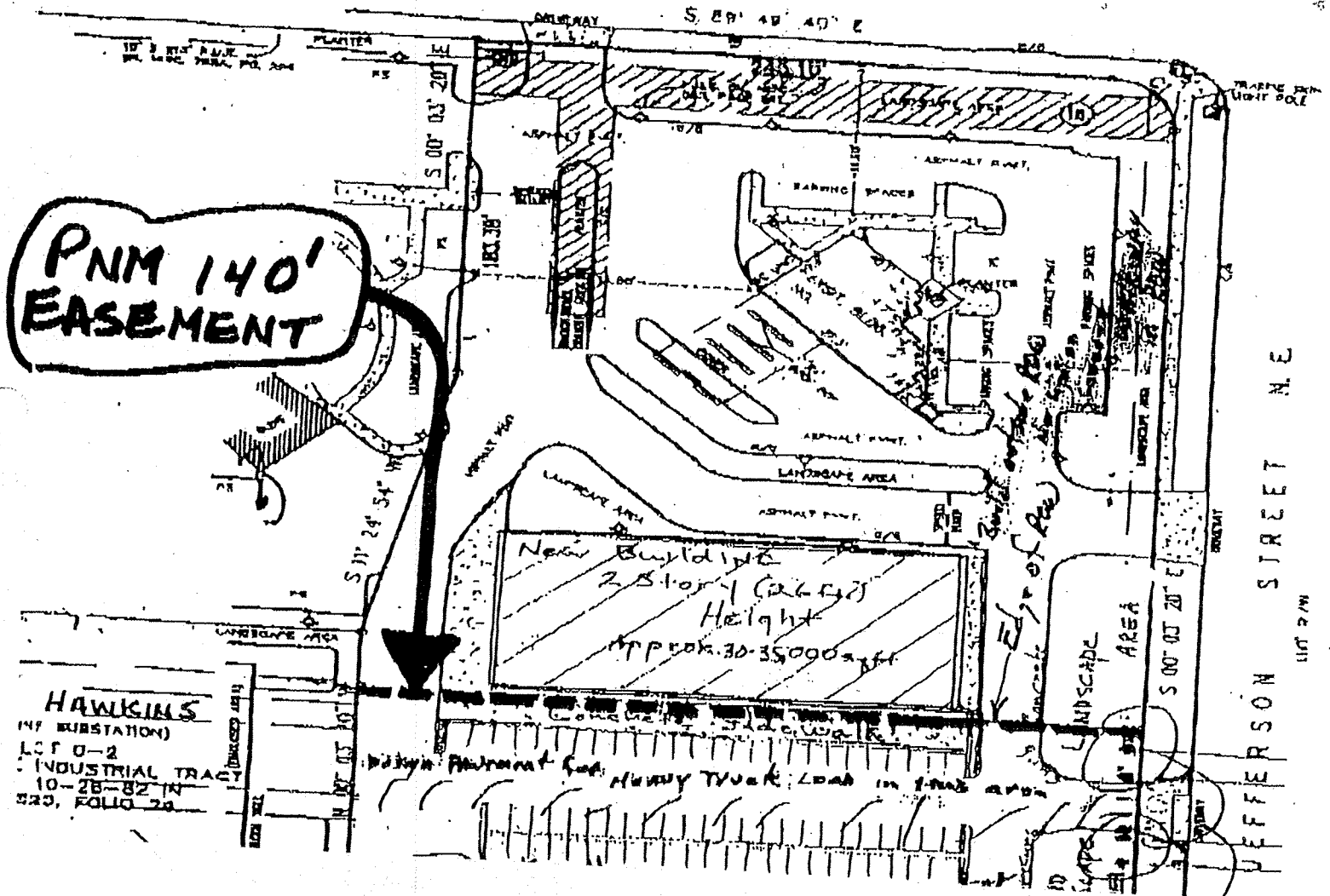
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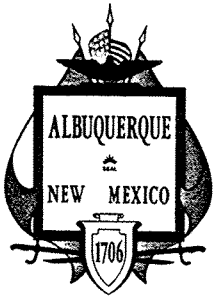
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JEFF HENRY

PAGE 01

ELLISON ST. NE





City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

***Public Works Department
Transportation Development Services Section***

January 17, 2002

J. David Dekker, AIA
DCSW
320 Central Ave. SW
Albuquerque, NM 87102

Re: Traffic Circulation Layout (TCL) Submittal for Building Permit Approval for
Jefferson Retail Center, [D17 / D59A]
7007 Jefferson St. NE
Architect's Stamp Dated 1/14/02

Dear Mr. Dekker:

The TCL submittal, dated 1/14/02, is sufficient for acceptance by this office on the new changes made, and is stamped, and signed as such. Four copies will be required: two for submittal of building permit plans, one for this office and one to be kept by you to be used for certification of the site for final C.O. for Hydrology/Transportation.

When superintendent of project is ready to call for a Temporary C.O. immediate issuance is no longer possible at that time. An exact copy of the approved TCL, marked up, showing incomplete work remaining, along with a letter of certification is required prior to issuance of Temporary C.O.

When site is complete and a Final C.O. is needed, a Letter of Certification (must be stamped, signed, and dated), stating site was built in substantial compliance, needs to be attached to your stamped, approved TCL dated and signed by me on 1/17/02. All documentation must be submitted with a completed Drainage Information Application sheet also used for the Grading and Drainage submittal to Hydrology at the Development Services Center of Plaza Del Sol Building.

Sincerely,

Leslie Romero
Engineering Associate
Development and Building Services
Public Works Department

C: Terri Martin, Hydrology
Mike Zamora, Plan Checker



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Public Works Department Transportation Development Services Section

December 11, 2001

J. David Dekker, Registered Architect
320 Central Ave. SW
Albuquerque, NM 87102

Re: Traffic Circulation Layout (TCL) Submittal for Building Permit Approval for
Jefferson Retail Center, [D17 / D59A]
7007 Jefferson St. NE
Architect's Stamp Dated 12/11/01

Dear Mr. Dekker:

The TCL submittal, dated 12/11/01, is sufficient for acceptance by this office and is stamped and signed as such. Four copies will be required: two for submittal of building permit plans, one for this office and one to be kept by you to be used for certification of the site for final C.O. for Hydrology/Transportation.

When superintendent of project is ready to call for a Temporary C.O. immediate issuance is no longer possible at that time. An exact copy of the approved TCL, marked up, showing incomplete work remaining, along with a letter of certification is required prior to issuance of Temporary C.O.

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Sincerely,

Leslie Romero
Engineering Associate
Development and Building Services
Public Works Department

C: Engineer
Terri Martin, Hydrology
Mike Zamora, Plan Checker