



City of Albuquerque

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

September 28, 2000

Jim Miller, Registered Architect,
Miller and Associates, Architects/Planners
2823 Richmond N.E.
Albuquerque, New Mexico 87107

Re: T.C.L. submittal for building permit approval for the Office/Warehouse,
4320 Paseo Del Norte N.E., Paseo Del Norte Industrial Park, Parcel B and C, [D17/ D067D],
No dated Architect's Stamp.

Dear Mr. Miller,

The location referenced above is not acceptable and requires modification to the Traffic Circulation Layout (T.C.L.) prior to Building Permit release as stated on the attached written comments and red-lined T.C.L. markup.

Please resubmit revised T.C.L. after addressing typed and marked up comments.
Submit Plan along with typed comments and all red-lined, mark-up copies.

Sincerely,

Mike Zamora,
Commercial Plan Checker

cc:
Engineer
Hydrology File
Office File



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

December 21, 2000

Levi J. Valdez, P.E.
BJM DEVELOPMENT
12800 San Juan NE
Albuquerque, New Mexico 87123

**Re: Grading and Drainage Certification –Paseo del Norte Industrial Park
Parcel "B" (D-17/D067D)
(4320 PASEO DLE NORTE NE)**

Engineer's Stamp dated 6-27-00

Engineering Certification dated 12/15/2000

Dear Mr. Valdez:

Based upon the information provided in your submittal dated 12-18-2000, the above referenced site (Paseo del Norte Industrial Park Parcel "B") is approved for Permanent Certificate of Occupancy.

If I can be of further assistance, you can contact me at 924-3986.

Sincerely,

Bradley L. Bingham, PE
Senior Civil Engineer, PWD

C: Vickie Chavez
Teresa Martin
file



City of Albuquerque

July 17, 2000

Levi Valdez, PE
BJM Development
12800 San Juan NE
Albuquerque, NM 87123

**Re: Parcels B & C, Paseo del Norte Industrial Park Grading and Drainage Plan
Engineer's Stamp dated 6-27-00 (D17/D67D)**

Dear Mr. Valdez,

Based upon the information provided in your submittal dated 6-29-00, the above referenced site is approved for Building Permit.

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

Also, prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required. ~~Your certification will need to include the playing fields.~~

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

Sincerely,

Bradley L. Bingham, PE
Hydrology Review Engineer

C: file

PRIVATE ACCESS EASEMENT AGREEMENT

THIS AGREEMENT is entered into effective the 29th day of August, 2000, by and between **PAPAGO LAND LIMITED PARTNERSHIP, an Arizona limited partnership ("PAPAGO"); CIMERA-BROWN LLC, an Arizona limited liability company ("CIMERA-BROWN"); and CHARLES E. MORGA, a married man as his sole and separate property, CHARLES BATES, an unmarried man and SHAWN T. MORGA, a married man as his sole and separate property** (collectively "MORGA/BATES/MORGA")

WHEREAS, PAPAGO is the owner of that certain real property located in the County of Bernalillo, State of New Mexico, being more particularly described as follows, to-wit:

Parcel "A" of PASEO DEL NORTE INDUSTRIAL PARK, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on June 1, 1999, in Map Book 99C, Folio 129..

("Parcel A"); and

WHEREAS, CIMERA-BROWN is the owner of that certain real property located in the County of Bernalillo, State of New Mexico, being more particularly described as follows, to-wit:

"Parcel B" of PASEO DEL NORTE INDUSTRIAL PARK, Albuquerque, New Mexico, as the same is shown and designated on the plat of said subdivision, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on June 1, 1999, in Map Book 99C, Folio 129.

("Parcel B"); and

WHEREAS, MORGA/BATES/MORGA is the owner of that certain real property located in the County of Bernalillo, State of New Mexico, being more particularly described as follows, to-wit:



Bernalillo Co Clerk Bern. Co. AGRE

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2676. File #16-02002882 KH

Parcel "C" of PASEO DEL NORTE INDUSTRIAL PARK, as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on June 1, 1999, in Map Book 99C, Folio 129.

("Parcel C"); and

WHEREAS, the parties desire to provide reciprocal access across their respective parcels.

NOW, THEREFORE, in consideration of the above and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed as follows:

1. PAPAGO as to Parcel A, CIMERA-BROWN as to Parcel B and MORGA/BATES/MORGA as to Parcel C hereby grant and declare that their respective Parcels are subject to non-exclusive, perpetual, private access easements across their Parcels for the benefit of the other two Parcels, as more particularly described on Exhibit "A" which is attached hereto and incorporated herein by reference ("Access Easement").

2. The owner of each Parcel shall be responsible for maintaining that portion of the Access Easement on said owner's Parcel.

3. This Agreement shall be binding upon the undersigned, their heirs, personal representatives, successors and assigns in all respects, and shall be deemed to run with the land forever.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands effective the date first hereinabove set forth.

PAPAGO LAND LIMITED PARTNERSHIP,
an Arizona limited partnership

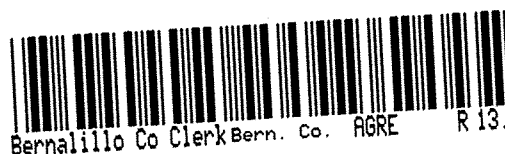
By: _____

WALTER BROWN, JR., Partner

CIMERA-BROWN LLC, an Arizona
limited liability company

By: _____

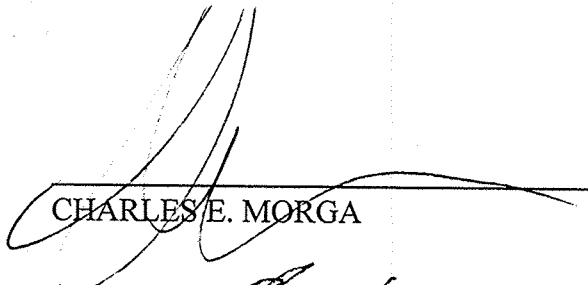

WALTER BROWN, JR., Member



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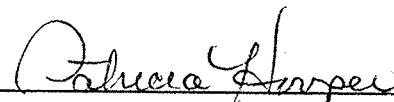

CHARLES E. MORGA

SHAWN T. MORGA


CHARLES BATES

STATE OF New Mexico)
)
COUNTY OF Bernalillo)

This instrument was acknowledged before me on Sept 8, 2000, by WALTER BROWN, JR., Partner of PAPAGO LAND LIMITED PARTNERSHIP, an Arizona limited partnership.


MY COMMISSION EXPIRES:
4-12-03


NOTARY PUBLIC

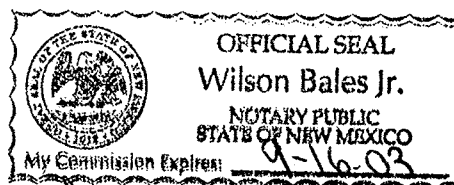
STATE OF New Mexico)
)
COUNTY OF Bernalillo)

This instrument was acknowledged before me on Sept 8, 2000, by WALTER BROWN, JR., Member of CIMERA-BROWN LLC, an Arizona limited liability company.

MY COMMISSION EXPIRES:
4-12-03



NOTARY PUBLIC

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)



This instrument was acknowledged before me on Sept 07, 2000, by CHARLES E. MORGA, a married man, CHARLES BATES, an unmarried man and SHAWN T. MORGA, a married man.

MY COMMISSION EXPIRES:
9-16-03


NOTARY PUBLIC



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EXHIBIT "A"

A certain tract of land located within the Corporate Limits of the City of Albuquerque, New Mexico, comprising portions of Parcel A, B and C, Paseo Del Norte Industrial Park as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on June 01, 1999, Book 99C, Page 129 and being more particularly described as follows:

Beginning at a western point of the easement herein described, being a point on the property line common with said Parcel A and Parcel B, also being a point on the eastern edge of an existing private access easement granted by said plat, whence the southwest corner of said Parcel A bears N 89°36'02" W a distance of 40.00 feet; thence N 00°26'45" E a distance of 40.02 feet along said eastern edge of an existing private access easement; thence along an arc of a curve to the left with DELTA = 90°02'47", R = 25.00 feet and L = 35.37 feet (Chord Bearing = S 44°34'39" E, Chord Length = 35.37 feet); thence S 89°36'02" E a distance of 219.74 feet to the northeast corner of the easement herein described; thence S 00°23'58" W a distance of 167.00 feet to the southeast corner of the easement herein described; thence N 89°36'02" W a distance of 199.51 feet to a point on the eastern edge of said private access easement; thence along an arc of a curve to the left with DELTA = 30°55'55", R = 45.00 feet and L = 24.29 feet (Chord Bearing = N 00°22'33" E, Chord Length = 24.00 feet) along said eastern edge; thence S 89°36'02" E a distance of 160.52 feet; thence along an arc of a curve to the left with DELTA = 90°00'00", R = 15.00 feet and L = 23.56 feet (Chord Bearing = N 45°23'58" E, Chord Length = 21.21 feet); thence N 00°23'58" E a distance of 83.00 feet; thence along an arc of a curve to the left with DELTA = 90°00'00", R = 15.00 feet and L = 23.56 feet (Chord Bearing = N 44°36'02" W, Chord Length = 21.21 feet); thence N 89°36'02" W a distance of 180.81 feet; thence along an arc of a curve to the left with DELTA = 89°57'13", R = 25.00 feet and L = 39.25 feet (Chord Bearing = S 45°25'21" W, Chord Length = 35.34 feet) to a point on the eastern edge of said private access easement; thence N 00°26'45" E a distance of 39.98 feet along said eastern edge to the point of beginning and containing 0.3485 acres more or less.



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