



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

February 22, 1995

Jackie S. McDowell
McDowell Engineering Inc.
7200 Valley Forge Pl. NE
Albuquerque, NM 87109

RE: DRAINAGE PLAN FOR SPARKLE ICE ADDITION (D17-D72)
ENGINEER'S STAMP DATED 2/2/95.

Dear Ms. McDowell:

Based on the information provided on your February 3, 1995 submittal, the above referenced site is approved for Foundation and Building Permit.

Please be advised that even though you have reduced the flow rate by the required landscaping, it is imperative that no damage occur to the downstream properties. If for some reason any erosion is to occur on the slope, a more defined depressed area on the west side of the property will need to be constructed.

Also, any further development within the property will require a Master Plan which will require discharge of developed run-off towards the frontage road.

Prior to Certificate of Occupancy release, Engineer Certification per the D.P.M. checklist will be required.

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

If I can be of further assistance, please feel free to contact me at 768-2667.

Sincerely,

Bernie J. Montoya, CE
Engineering Associate

BJM/dl

c: Andrew Garcia
Al Seery
File



NEW MEXICO STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT
AN EQUAL OPPORTUNITY EMPLOYER

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March 27, 1995

Jackie S. McDowell, P.E.
7200 Valley Forge Pl., NE
Albuquerque, NM 87109

SUBJECT: Sparkle Ice Plant Permit- 3-13445

Dear Ms. McDowell:

Enclosed is the approved permit for installing an 8" PVC Storm Drain Pipe in the I-25 West Frontage Road. Note that this has been added to the permit on item 1.

The installation must be performed subject to an approved Traffic Control Plan. Please submit the TCP to the District Three Traffic Engineer (Anthony Lopez) or to Julian Vigil and advise when the work will begin and also when the work is complete.

Your cooperation in this matter is appreciated.

Sincerely

Lester R. Cisneros
Railroad & Utility Section Manager

cc: J. Ruiz
A. Lopez
J. Vigil



APPLICATION FOR PERMIT TO INSTALL UTILITY FACILITIES
WITHIN PUBLIC RIGHT OF WAY

TO: NEW MEXICO STATE HIGHWAY DEPARTMENT
P. O. BOX 1149
SANTA FE, NEW MEXICO 87503

Permit No. 3-13445
☒ New Installation
☐ Renewal Permit
☐ Relocation
☐ Remain in Place

1. Pursuant to New Mexico Statutes Annotated, 1953 Compilation, Sections 55-7-19 and 55-2-7, the undersigned
SPARKLE ICE PLANT

Address: 7945 PAN AMERICAN FREEWAY NE

herein makes application to use highway rights of way to install:

Size and Type of Facility 8" PVC STORM DRAIN (PRIVATE)

in the following location: N. M. Project No. 1-1R-025-4(66)227, S. R. No. I-25-W. Front.

Hwy. Station 344+96 to Hwy. Station 344+96, BERNALILLO

County, Section 23, Township 11 N, Range 3 E

2. For the purpose of this application "within" shall be construed as meaning "on, over, under, across or along."

a. "Engineer" shall be construed as meaning the District Highway Engineer of the New Mexico State Highway Department or his representative.

b. "Applicant" shall be construed as meaning the individual, firm, corporation, association, governmental subdivision, or other organization making application, or the successors of any of the above.

c. "Facility" shall be construed as meaning, but not limited to, and publicly, privately, cooperatively, municipally or governmentally owned facility used for carriage, distribution or transmission of water, gas or electricity, oil and products derived therefrom, sewage, steam or other projects carried by means of pipelines, conduits, wires, culverts, ditches, conveyors or other methods.

d. If application is for a parallel installation, justification as to why private right may not be utilized must be furnished.

3. Applicant proposes to relocate, install or leave facility 45 feet within the I-25 right of way line. The proposed installation shall be:

Crossing Subsurface Earth Cut / Trench
(Crossing or Parallel) (Subsurface or Overhead) (Boring, Jacking or Pavement Cut)

a. If Applicant requests installation by pavement cut, complete justification therefore shall be submitted by attachment.

b. Where application for pavement cut is justified, the application may be held in abeyance pending receipt of cash bond in an amount to be fixed by the Engineer.

4. There is attached hereto a diagrammatic dimensioned drawing showing the location of existing and/or proposed installation referenced to roadway and right of way, right of way lines, any access control lines, distance of proposed installation above or below grade, highway stationing, identification of materials to be used and any other pertinent data. If application is for parallel installation, nature of adjacent land use shall be shown. Proposed installations on or in bridges or other structures, or for the installation of any structures, will require detailed structural drawings.

5. Applicant desires this permit to be in affect for 25 years. Permit will not be issued for a period longer than 25 years, must be renewed upon expiration and the burden of timely renewal is on the Applicant. The Applicant shall formally notify the engineer of actual commencement and completion of construction of the installation. The Applicant shall also formally notify the Engineer of removal or abandonment of the facility, or relinquishment of the permit.

6. The signing of the application by the Engineer and returning it to the Applicant shall validate this application as a permit. The granting of this permit shall not be construed as granting any easement or property right.

7. Servicing of facilities will not be permitted within the access control lines on any controlled access project. Should an emergency occur, the Applicant shall notify the Engineer and shall provide such flagmen, flashers, warning or other safety devices as required by the Engineer. All routine maintenance shall be performed from outside any access control lines.

8. The relocation or installation of facilities within public right of way shall be in strict conformance with all provisions of this application, drawing and the Instructions for Utility Permits, as they may be modified by the Engineer, and no departure therefrom may be made without the written consent of the Engineer. All facilities shall be so placed that they will not interfere with nor endanger any roadway features nor other existing facilities. All construction of facilities shall be subject to the inspection and approval of the Engineer. All such work shall be performed so that danger, inconvenience and delay to the traveling public will be held to a minimum. Protection and handling of traffic during the installation are the responsibility of the Applicant and must be approved by the Engineer.

9. The Applicant will, except as otherwise ordered by the Engineer, restore the public right of way, and all bridges or other structures thereon or adjacent thereto which have been altered or affected by facility installation performed hereunder, in accordance with sound construction practices and the Engineer's specifications, and shall cause the work to be done in a workmanlike manner. If any damage is caused to the highway right of way or to any bridge, structure or improvement thereon or adjacent thereto by reason of the installation, maintenance, alteration or removal of such facilities or other appurtenances, the Applicant will reimburse the Engineer the full amount thereof promptly upon demand by the Engineer; provided, however, that the obligation imposed under this paragraph shall not apply in the event the damage resulted from causes beyond the control of

the Applicant. All such facilities located within the right of way shall at all times be kept in such repair so as not to damage the highway, inconvenience or endanger the traveling public and shall be kept free from advertisement, posters and the like.

10. The Applicant will at all times indemnify and save harmless the Engineer from any and all claims of every kind of character caused by or incident to the installation, alteration, removal or condition of these facilities in the right of way and will promptly reimburse the Engineer for any and all expenses incurred by the Engineer in resisting any such claim or claims. Nothing herein shall be construed to mean that the Applicant hereunder will indemnify and save harmless the Engineer from any claim caused by or incident to any neglect, carelessness or breach of duty on the part of the Engineer.

11. Should the Applicant at any time fail to promptly and fully perform any of the obligations imposed hereby and after thirty (30) days written notice thereof, the Engineer may, at his option (a) cause the obligations to be fully carried out and performed, and the Applicant will promptly reimburse the Engineer for all costs and expenses incident thereto, (b) may summarily order the removal of such facility and if the Applicant fails to comply within a reasonable time, the Engineer may direct the removal of the facility with all costs and expenses thereto to be borne by Applicant.

12. If by reason of any change in the location, construction, grade or by any other matter affecting the highway upon which any facility is located because of changing traffic conditions or otherwise, it shall become advisable in the opinion of the Engineer that said facility be removed, relocated or otherwise modified, the Applicant, upon written notice from the Engineer, shall remove, relocate or modify such facility without undue delay in such manner as the Engineer may direct or approve, at the Applicant's expense and at no cost to the Engineer. All facilities located on public right of way under the dual jurisdiction of the State and a subordinate governmental entity shall comply with all applicable rules and regulations of such entity properly and lawfully in force and including but not limited to provisions of local franchises not in conflict with the rules and regulations of the Engineer. The Engineer makes no warranty either express or implied as to the continued existence of any highway in any particular location and expressly assumes no obligation with regard to the facility upon change, vacation or abandonment of any highway or portions thereof.

13. Neither the making of this application nor anything herein contained shall constitute a waiver on the part of the Applicant of any rights or claims had or made by some with respect to the occupancy of the streets and highways under the Constitution and Laws of the State of New Mexico, nor shall anything herein contained in anywise prejudice or impair any rights or claims existing independent of this application with respect to the construction, operation and maintenance of the Applicant's facilities in the State of New Mexico.

14. Each copy of the application must be signed by the Applicant as an individual owner or by any official designated to execute such documents.

This application is hereby granted subject to all provisions herein and to the following special provisions, changes or amendments:

Instructions for Utility Permits should be read and approved.

Paragraph 5 reads in part as follows: Upon receipt of the approved permit, the applicant shall notify the District Engineer in writing of the date of starting the proposed installation. THE APPLICANT SHALL ALSO NOTIFY THE DISTRICT ENGINEER IN WRITING UPON THE COMPLETION OF THE INSTALLATION.

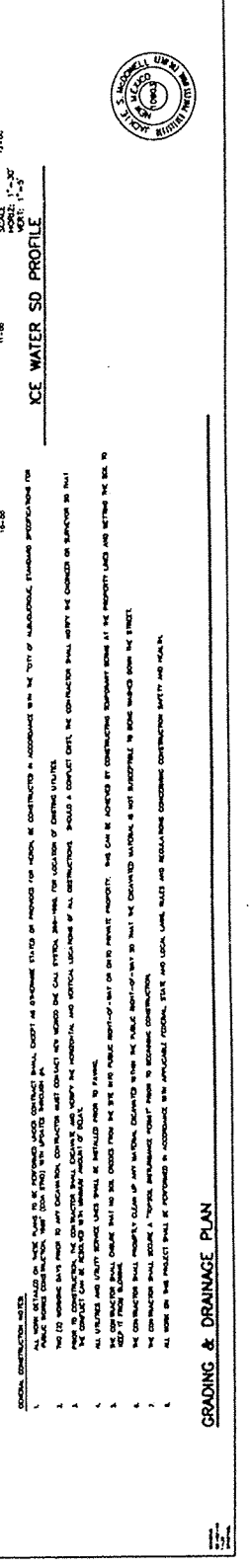
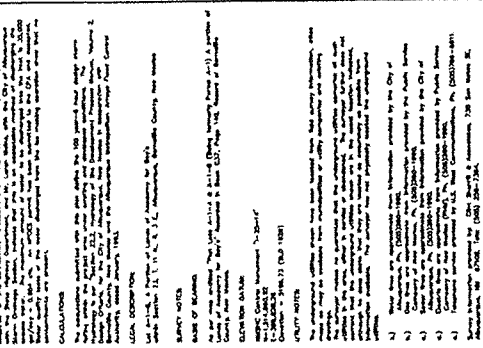
The applicant shall also be responsible for securing archeological clearances as well as providing an approved Traffic Control Plan to the District Engineer in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) prior to the installation.

Applicant McDowell Engineering Inc. for Sparkle Ice
By Jackie S. McDowell
Title President

Approval of this permit is hereby given this 24 day of March, 1995

NEW MEXICO STATE HIGHWAY DEPARTMENT

By Jim R. Cisneros





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February 16, 1995

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Ms. Jackie S. McDowell, P.E.
McDowell Engineering, Inc.
7200 Valley Forge Pl. NE
Albuquerque, New Mexico 87109

Subject: Sparkle Ice Addition - Storm Drain

Dear Jackie:

I have reviewed the proposed storm drain project to be connected to the Highway Department's existing drop inlet, and found the connection to be acceptable.

Since, the expected additional discharge is minimal, there is no anticipated impact to the Department's storm drain system.

In addition, the report stated that the water quality has been tested from the ice making operation, and showed no contaminants were present to impact the water quality. Therefore, the Drainage Section approves the proposed connection.

I am transmitting the Grading and Drainage Plan to Anthony Lopez of the District Three Office for his review, approval and issuance of permit.

If I can be of further assistance, please advise.

Sincerely,

Raymunda A. Van Hoven
Raymunda A. Van Hoven
Drainage Engineer

xc: Bill Moore

