

FILE COPY



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 768-7644

December 10, 1986

Richard Mason, P.E.
Gardner-Mason & Associates
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87107

RE: S.O. #19 SUBMITTAL OF SOMBRA DEL OSD APARTMENTS, RECEIVED
DECEMBER 3, 1986 FOR DESIGN APPROVAL (E-12/D4C)

Dear Richard:

The above referenced submittal dated December 2, 1986, is approved to construct the private storm drain improvements within the public drainage easement. Provide a copy of the approved design to the contractor so they can obtain the required excavation/construction permit.

Please pick up your original mylars, since we only keep a copy as the permanent file copy.

As a condition of Certificate of Occupancy for Phase II, this facility must be constructed and approved by the City's field inspector and field construction engineer.

If you have any questions, call me at 768-2650.

Cordially,

[Signature]
For Roger A. Green, P.E.
C.E./Hydrology Section

cc: Gary Runner

RAG/bsj

PUBLIC WORKS DEPARTMENT

Walter Nickerson, P.E., City Engineer

ENGINEERING GROUP

Telephone (505) 768-2500

AN EQUAL OPPORTUNITY EMPLOYER

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City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 766-7644

October 27, 1986

Richard Mason, P.E.
Gardner Mason & Associates
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87102

RE: EROSION CONTROL PLAN SUBMITTAL OF SOMBRE DEL OSO APARTMENTS
RECEIVED OCTOBER 16, 1986 FOR CERTIFICATE OF OCCUPANCY
APPROVAL OF PHASE I (E-12/D4C)

Dear Richard:

The above referenced submittal, revised October 14, 1986, (Sheet 9 of 16) is approved.

The contractor will need to notify the Hydrology Inspector when construction is complete for the final inspection of Phase I and Hydrology's sign-off of the Certificate of Occupancy.

If you have any questions, call me at 768-2650.

Cordially,

Roger A. Green, P.E.
C.E./Hydrology Section

cc: Garry Runner

RAG/bsj

PUBLIC WORKS DEPARTMENT

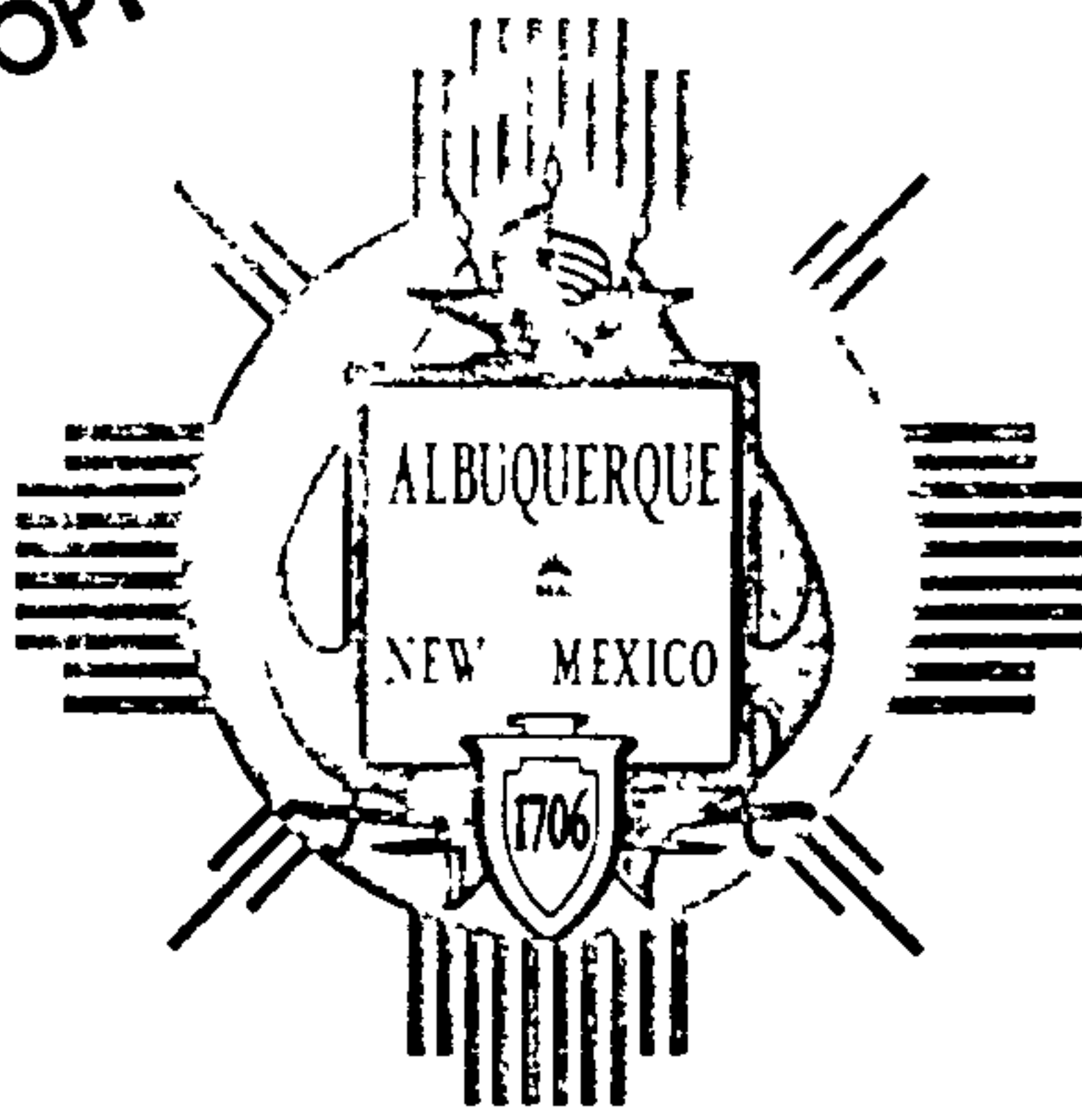
Walter Nickerson, P.E., City Engineer

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City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

DESIGN HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 766-7644

June 30, 1986

Gilbert Gardner, P.E.
Gardner, Mason & Associates
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87107

RE: REVISED DRAINAGE PLAN SUBMITTAL OF SOMERA DEL SOO
APARTMENTS RECEIVED JUNE 26, 1986 FOR BUILDING PERMIT
APPROVAL (E-12/D4C)

Dear Gil:

The above referenced submittal, revised May 20, 1986, is approved for Building Permit. Be advised that a condition of the previous Building Permit approval was that additional permits to construct the rundowns into the detention pond within a public Drainage Easement be obtained.

If the Building Permit has already been issued, it is your responsibility to see that the contractor has a copy of this approved plan for construction purposes.

If you have any questions, call me at 766-7644.

Cordially,

Roger A. Green, P.E.

Roger A. Green, P.E.
C.E./Hydrology Section

cc: Gary Runner, Baer Homes

RAG/bb:

ENGINEERING DIVISION

ENGINEERING DIVISION

Telephone (505) 766-7467

AN EQUAL OPPORTUNITY EMPLOYER

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City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

DESIGN HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 766-7644

March 27, 1986

Ray Pang
Gardner, Mason & Associates, Inc.
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT SUBMITTAL OF SOMBRA DEL OSO
APARTMENTS RECEIVED MARCH 13, 1986 FOR BUILDING PERMIT
APPROVAL (E-12/D4C)

Dear Ray:

The above referenced submittal, revised February 4, 1986, and sheet 6 on March 10, 1986, is approved for Building Permit. The Building Permit will not be released until Site Plan has been signed off by the City Engineer. Work Order approval of the retention pond is not needed for Building Permit release as previously stated.

Since the east swale rip-rap rundown and the catch basin with 24" RCP into pond involve construction within a public drainage easement, permits to construct within public Right-of-Way (S.G. #19) are required unless their design is incorporated into the retention pond design being prepared by Community Sciences.

If you have any questions, call me at 766-7644.

Cordially,

Roger A. Green, P.E.
C.E./Design Hydrology

cc: Andre Houle, City Engineering
Doug Reynolds, Bellamah Corporation
Richard Moeller, Baer Company

RAG/baj

MUNICIPAL DEVELOPMENT DEPARTMENT

C. Dwayne Sheppard, P.E., City Engineer

ENGINEERING DIVISION

Telephone (505) 766-7467

AN EQUAL OPPORTUNITY EMPLOYER



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

DESIGN HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 766-7644

February 28, 1986

Ray Pang
Gardner, Mason & Associates, Inc.
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT OF SOMBRA DEL OSO APARTMENTS
RECEIVED FEBRUARY 4, 1986 FOR BUILDING PERMIT APPROVAL
(E-12/D4C)

Dear Ray:

The above referenced submittal dated February 4, 1986, is approved for
Foundation Permit only.

Prior to Building Permit sign-off, provide this office with rundown
details and hydraulic calculations for outletting the east swale into
detention pond designed by others. ~~Other conditions for Building
Permit sign-off include the work order approval for pond construction
and site plan sign-off by City Engineer.~~ *needs S.I.A.* *not necessary*

If you have any questions, call me at 766-7644.

Cordially,

Roger A. Green, PE

Roger A. Green, P.E.
C.E./Design Hydrology

cc: Doug Reynolds
Bellamah Corporation

Richard Moeller
Baer Company

RAG/bsj

MUNICIPAL DEVELOPMENT DEPARTMENT

C. Dwayne Sheppard, P.E., City Engineer

ENGINEERING DIVISION

Telephone (505) 766-7467

AN EQUAL OPPORTUNITY EMPLOYER



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

DESIGN HYDROLOGY SECTION
123 Central NW, Albuquerque, NM 87102
(505) 766-7644

December 5, 1985

Ray Pang
Gardner, Mason & Associates, Inc.
2127 Menaul Blvd., NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT FOR SOMBRA DEL OSO APARTMENTS
SUBMITTED DECEMBER 5, 1985 FOR ROUGH GRADING PERMIT APPROVAL
(E-12/D4C)

Dear Ray:

The referenced submittal, dated December 2, 1985, is approved for Rough Grading Permit. Please bring in mylars for signature.

Please refer to previous comments dated November 27, 1985 for required additional information required before Building Permit approval.

If you have any questions or comments regarding this project, please call me at 766-7644.

Cordially,

Roger A. Green, P.E.
C.E./Design Hydrology

cc: Richard Moeller
Baer Company

RAG/bsj

MUNICIPAL DEVELOPMENT DEPARTMENT

C. Dwayne Sheppard, P.E., City Engineer

ENGINEERING DIVISION

Telephone (505) 766-7467

AN EQUAL OPPORTUNITY EMPLOYER

DRAINAGE AGREEMENT

THIS AGREEMENT is hereby made this 12th day of November, 1985, by and between Bellamah Community Development, a New Mexico general partnership, ("Bellamah") and Mexoma Properties Partnership, a New Mexico general partnership, ("Mexoma").

RECITALS:

1. Bellamah is the owner of Tract 35 and Mexoma is the owner of Tract 27B, as shown on the Summary Plat of Tracts 22A, 24, 27-A3, 27B, 30A, 30B, 32, 33, 34 and 35, Taylor Ranch, recorded in the records of Bernalillo County, New Mexico as document number 84 32475.
2. Pursuant to City of Albuquerque (the "City") ordinances, regulations and other applicable laws, Bellamah and Mexoma are required to install and/or maintain certain drainage facilities on their respective tracts as a condition to development, and Bellamah and Mexoma wish to provide for an agreement as to the obligations and responsibilities for the same.

NOW, THEREFORE, in consideration of the above, Bellamah and Mexoma agree between themselves and for the benefit of the City as follows:

1. Drainage facilities shall be constructed on Tracts 27B and 35 in accordance with the Drainage Management Plan, Portion of Taylor Ranch, prepared by Community Sciences Corporation, Job No. 73-19-136, as approved by the City (the "Plan").
2. Each party agrees to bear its own costs and expenses for the drainage facilities that must be constructed on its tract.
3. Each party agrees to cooperate with the other and to construct or have constructed the drainage facilities on its tract whenever it becomes necessary for the other to do the same as a condition to the City's approval of development plans for either tract.
4. Each party agrees to furnish, in a form acceptable to the City, a bond or other suitable financial guaranty running in favor of the City which guarantees completion of the drainage facilities located on its tract if it becomes necessary for the other to do the same as a condition to the City's approval of development plans for either tract.

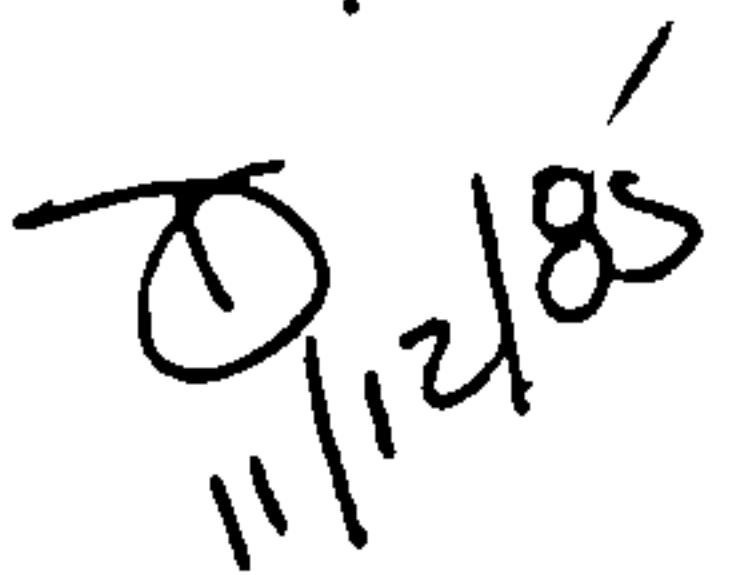
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5. Each party agrees, at its own cost, to maintain the drainage facilities constructed or to be constructed on its tract in accordance with the standards, plans and specifications prescribed by the City. Each party agrees that the City shall have the right to enter periodically upon its tract to inspect the drainage facilities constructed or to be constructed thereon.
6. If either party shall fail to construct and maintain the drainage facilities on its tract in accordance with this Agreement, the Plan and the plans, standards and specifications prescribed and approved by the City, the City and/or the other party may enter upon said tract and perform the necessary construction and/or maintenance. The cost of performing such construction and/or maintenance shall be paid by the owner of the tract. In the event the owner fails to pay said cost within thirty (30) days of demand, the City and/or the party incurring the cost of construction and/or maintenance may file, and is hereby granted, a lien against the tract for such cost.
7. Each party agrees to defend, indemnify and hold harmless the other party and/or the City, their officials, agents and employees, from and against any and all claims, actions, suits or proceedings of any kind brought against said parties for or on account of any matter arising from the drainage facilities constructed on its tract in accordance with the Plan, as approved by the City.
8. The obligations of the parties, as set forth in this Agreement, shall be binding upon each party and its respective successors-in-interest and assigns, and shall run with the property until released by the City.

BELLAMAH COMMUNITY DEVELOPMENT,
a New Mexico general partnership

By: 

B.T. Robertson, Senior
Vice-President and Regional
Manager


11/12/85

MEXOMA PROPERTIES PARTNERSHIP
a New Mexico general partnership

By: S.W.B. Properties, Ltd.
a New Mexico limited partnership,
its General Partner

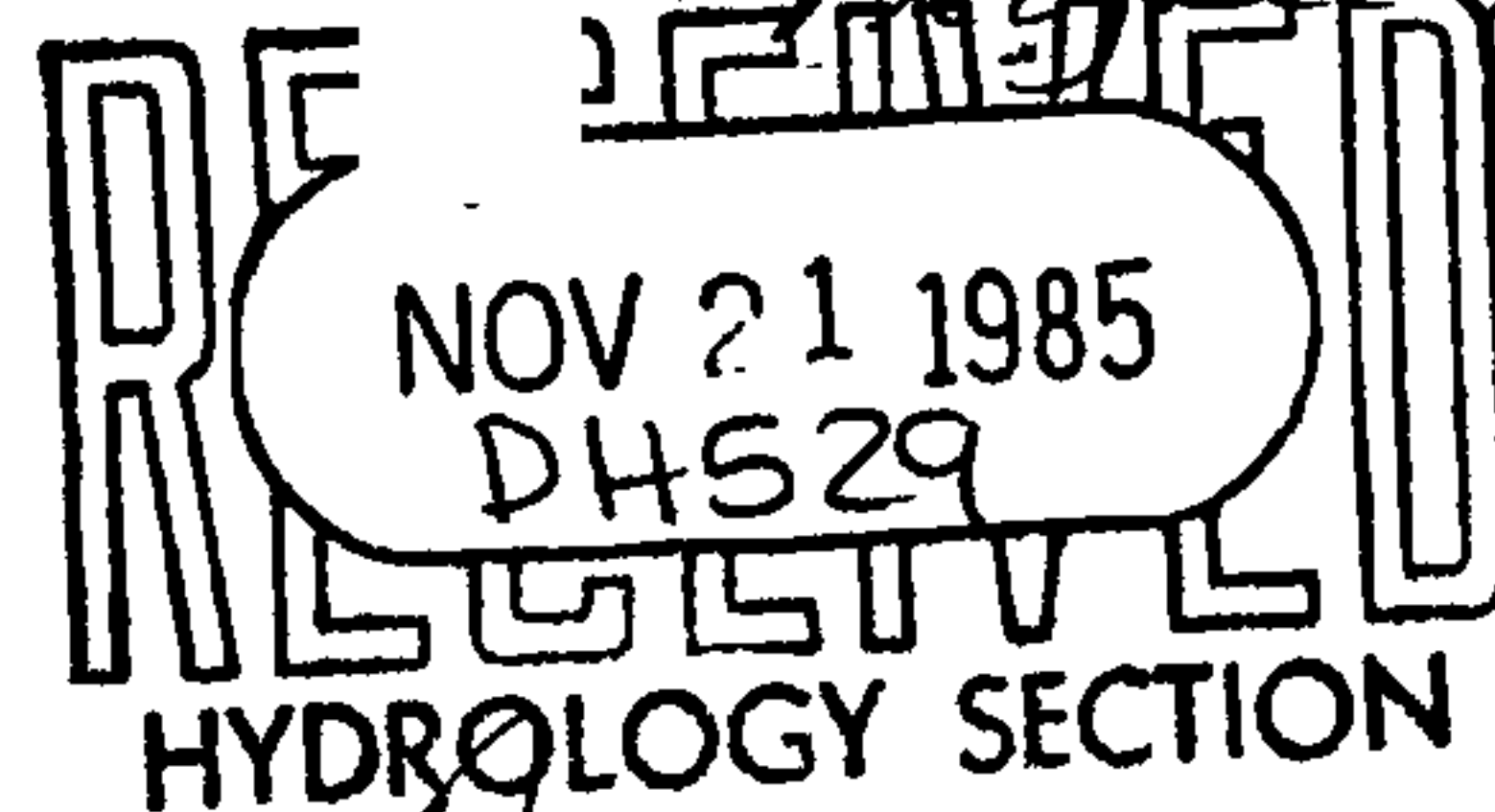
By: *Richard E. Dakin*
Richard E. Dakin,
General Partner

12th, 1985.

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EXTENSION AGREEMENT

This Agreement is entered into this 20th day of November, 1985, by and between the City of Albuquerque, a municipal corporation (hereinafter referred to as the City) and Sproul Enterprises, Inc. (hereinafter referred to as Developer).

WHEREAS the City and Developer entered into an Agreement on the 10th day of October, 1984 which was filed for record in the office of the Clerk of Bernalillo County, New Mexico on the 11th day of October, 1984 and subsequently recorded at Book Misc. 163-A, pages 283 through 306, (hereinafter referred to as the Earlier Agreement), whereby Developer agreed to complete the construction of certain infrastructure improvements on or before the 30th day of September, 1985; and

WHEREAS, it appears that Developer will be unable to complete construction of the improvements on or before the 30th day of September, 1985, as specified in said Agreement; and

WHEREAS the City is willing to grant Developer an extension of time in which to complete construction of the improvements provided that Developer post a revised financial guarantee in accordance with the City's Subdivision Ordinance; and

WHEREAS Developer is able to provide the revised financial guarantee as required by the City;

NOW THEREFORE in consideration of the above and the mutual promises contained herein, the parties hereby agree as follows:

1. The required completion date for construction of the improvements, as set forth in paragraph 1. of the Earlier Agreement is extended to the 30th day of December, 1985.

2. Concurrently with the execution of this Agreement, Developer shall post with the City a revised financial guarantee in an amount and form acceptable to the City.

3. The parties agree that all terms and conditions of the Earlier Agreement not in conflict with this Agreement shall remain valid, in force, and binding upon the parties. In executing this Agreement, it is the intent of the parties to only extend the completion date set forth in the Earlier Agreement and establish a revised financial guarantee for the City.

WITNESS our hands and seals this 20th day of November 1985.

DEVELOPER:

James Sproul, Pres.
Sproul Enterprises, Inc.

CITY OF ALBUQUERQUE, NEW MEXICO

C. D. Sheppard 11/18/85
C. Dwayne Sheppard
City Engineer

ATTEST:

Elizabeth A. Marquez
City Clerk / DEPUTY

Bob V. Stover 11-20-85
Bob V. Stover
Chief Administrative Officer

Reviewed by:

Steph K. B.
Assistant City Attorney
[Signature]
City Attorney

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

The foregoing instrument was acknowledged before me this 18th day of September, 1985, by Elmer C. Sproul, president of Sproul Enterprises, Inc., a New Mexico corporation, on behalf of that corporation.

My commission expires:

Notary Public



OFFICIAL SEAL

Signature

NANCI C. CUNNINGHAM

NOTARY PUBLIC - NEW MEXICO

Notary Bond Filed with Secretary of State

My Commission Expires

July 22, 1989

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

The foregoing instrument was acknowledged before me this 20th day of November, 1985, by C. Dwayne Sheppard, City Engineer of the City of Albuquerque.

Phyllis M. Sheppard
Notary Public

My commission expires:

December 31, 1985

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

The foregoing instrument was acknowledged before me this 20th day of Nov., 1985, by Bob V. Stover, Chief Administrative Officer of the City of Albuquerque.

Bob V. Stover
Notary Public

My commission expires:

12-18-88

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED

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MR 293A 289-286

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RECORDS