

File

January 24, 2006

## CERTIFICATE OF COMPLETION AND ACCEPTANCE

*Making History*

Ronald Brown  
Brown and Associates  
3804 Carlisle NE  
Albuquerque, New Mexico, 87107

RE: Vista del Norte Tract J-1 Drainage Improvement Plan  
E16-D26, Project no. 597081 and 692081

Dear Mr. Brown,

This is to certify that the City of Albuquerque accepts the construction of the infrastructure as indicated on the SO 19. The work was completed pursuant to the SO 19 for the project referenced above.

The contractors' one-year warranty period shall start from the date of this Certification. The contractors' one-year warranty period shall remain in effect according to the terms of those bonds.

P.O. Box 1293

Should you have any questions or issues regarding this project, please contact me at (505) 924-3996.

Albuquerque

Sincerely,

Richard Dourte, P.E.  
City Engineer  
Development & Building Services  
Planning Department

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

c: Mark Goodwin and Assoc.  
project file for Vista del Norte Unit 1, 597081  
project file for Rancho Mirage, 692081

*Rancho Mirage*

*Albuquerque*

*Original delivered  
8/21/00 to  
Roberta DeLeon  
at PHU*

THIS DOCUMENT RE-RECORDED TO ATTACH EXHIBIT "C".

AGREEMENT AND GRANT OF EASEMENT

THIS AGREEMENT AND GRANT OF EASEMENT is entered into as of the \_\_\_\_\_ day of December, 1998, by and among SUNDT CONSTRUCTION, INC., an Arizona corporation ("Sundt"), the CITY OF ALBUQUERQUE, a New Mexico municipal corporation (the "City"), and the COUNTY OF BERNALILLO, a political subdivision of the State of New Mexico (the "County").

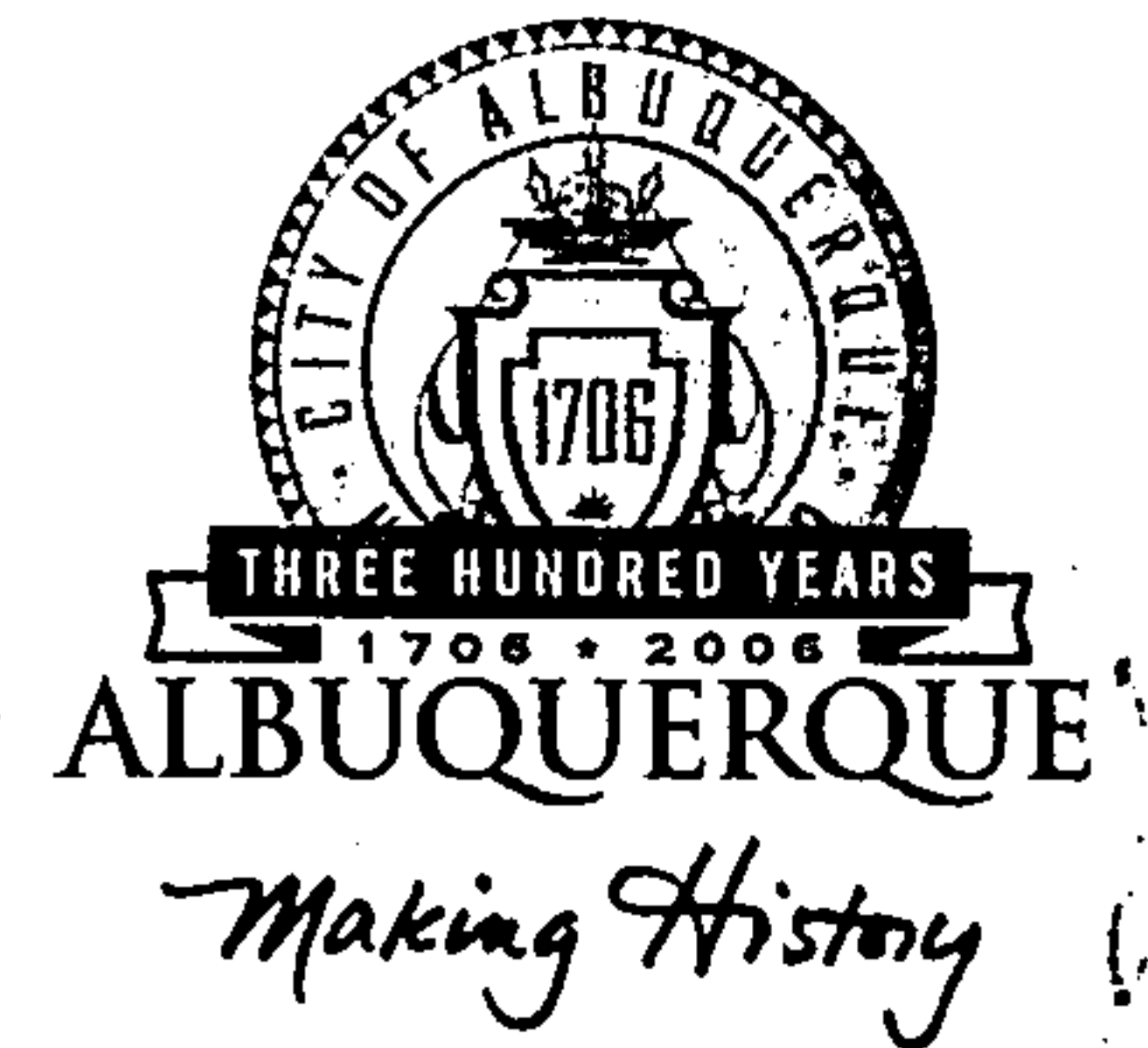
Background Information:

1. Sundt is the owner of Vista del Norte subdivision (the "Project");
2. Sundt is the owner of a ±13 acre tract of property, more particularly described on Exhibit "A" attached hereto and incorporated herein (the "Property"), which Property is an approximately 250-foot wide strip of property running from the Project to Edith Boulevard;
3. The Property will be graded to fulfill two functions, storm water detention and sedimentation basins (the "Drainage Function"), and athletic fields (the "Recreational Function") pursuant to the site development plan conceptual pond/park layout. Vista del Norte (the "Site Plan"), a copy of which is attached hereto as Exhibit "B". The Property is served with access from Tyler Road by way of a 30-foot wide access road (the "Access Road") created pursuant to the Access Easement Agreement recorded in the

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Page: 1 of 11  
12/17/1998 08:38R  
Bk-9829 Pg-379  
R 27.00  
Barn. Co. AGRE  
Judy D. Woodward

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Page: 1 of 12  
08/21/2000 04:15P  
Bk-98 Pg-1536  
R 23.00  
Bernalillo Co. Clerk Barn. Co. AGRE

# CITY OF ALBUQUERQUE



November 2, 2005

Mark Goodwin, P.E.  
Mark Goodwin & Associates, PA  
P.O. Box 90606  
Albuquerque, NM 87199

**Re: Vista del Norte Tract J-1, Drainage Improvement Plan**  
**Engineer's Stamp dated 10-11-05 (E16-D26)**

Dear Mr. Goodwin,

Based upon the information provided in your submittal received 10-20-05, the above referenced plan is approved for SO#19 permit. This permit is required for construction within City Right of Way. A copy of this approval letter must be on hand when applying for the excavation permit.

P.O. Box 1293

If you have any questions, you can contact me at 924-3981.

Albuquerque

Sincerely,

Kristal D. Metro, P.E.  
Senior Engineer, Planning Dept.  
Development and Building Services

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

C: Matt Cline, Arroyo Maintenance  
Liz Sanchez, Excavation Permits  
File



# DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Vista del Norte, Tract J-1  
DRB #: \_\_\_\_\_ EPC#: \_\_\_\_\_

ZONE MAP/DRG. FILE #: E-16 / D-26  
WORK ORDER#: \_\_\_\_\_

LEGAL DESCRIPTION: Vista del Norte, Tract J-1  
CITY ADDRESS: \_\_\_\_\_

ENGINEERING FIRM: Mark Goodwin & Associates  
ADDRESS: PO Box 90606  
CITY, STATE: Albuquerque, NM

CONTACT: Mark Goodwin, PE  
PHONE: 828-2200  
ZIP CODE: 87199

OWNER: Vista del Norte Development, LLC  
ADDRESS: PO Box 3671  
CITY, STATE: Albuquerque, NM

CONTACT: Ron Brown  
PHONE: 883-1674  
ZIP CODE: 87190

ARCHITECT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

SURVEYOR: Aldrich Land Surveying  
ADDRESS: PO Box 30701  
CITY, STATE: Albuquerque, NM

CONTACT: Tim Aldrich  
PHONE: 884-1990  
ZIP CODE: 87190-0701

CONTRACTOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

## CHECK TYPE OF SUBMITTAL:

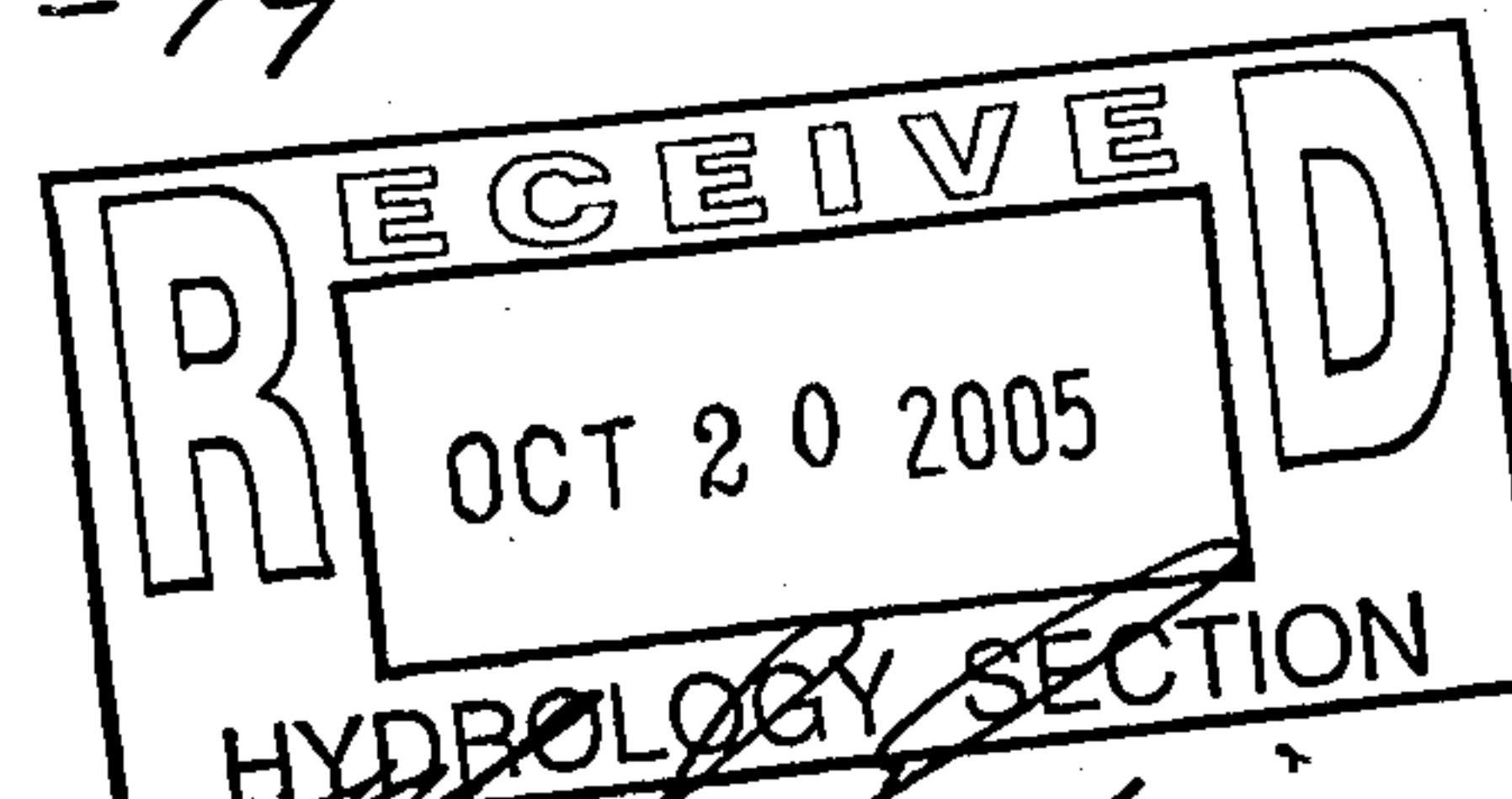
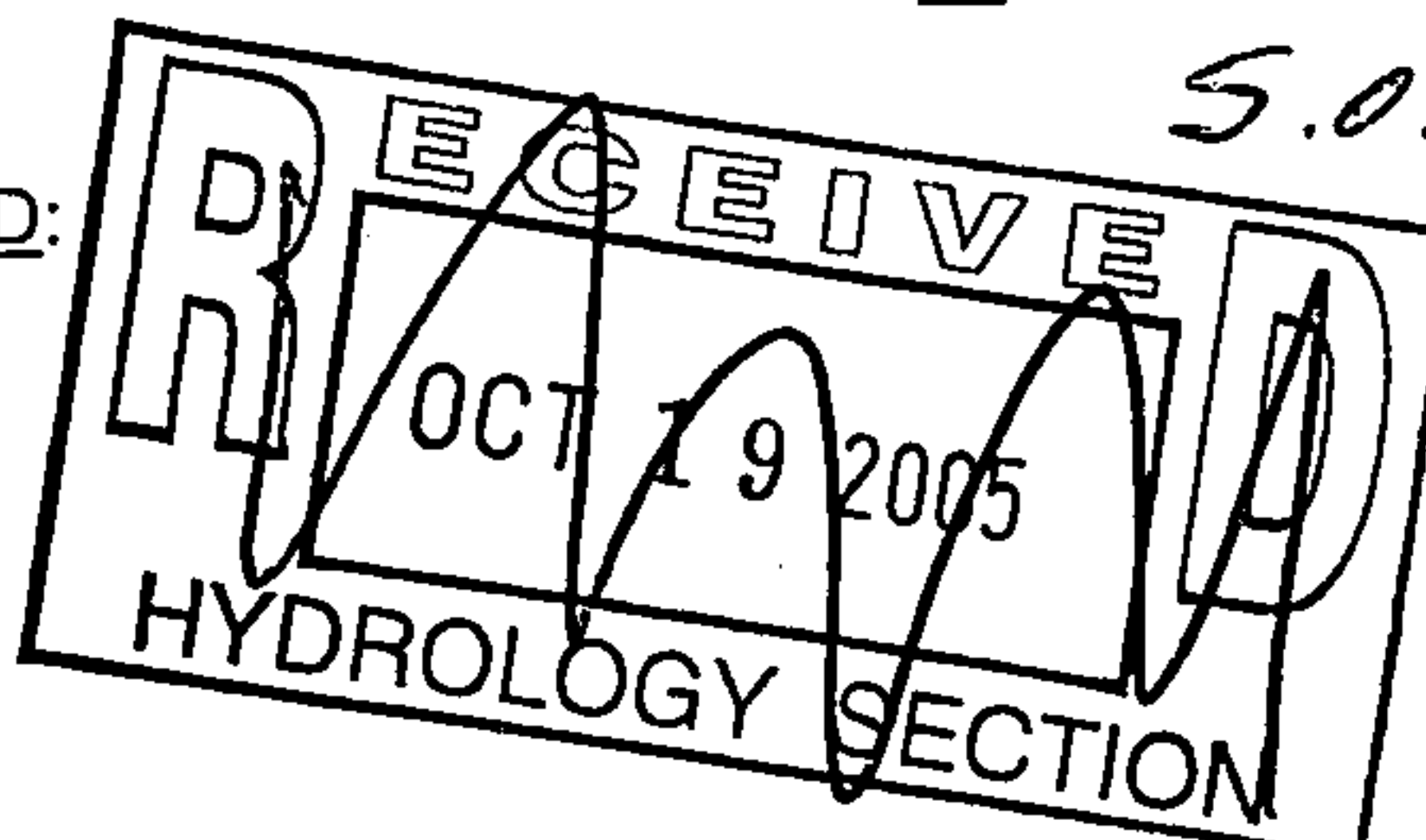
- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1<sup>st</sup> SUBMITTAL, **REQUIRES TCL or equal**
- ☒ DRAINAGE PLAN RESUBMITTAL
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
- ☐ CLOMR/LOMR
- ☐ TRAFFIC CIRCULATION LAYOUT (TCL)
- ☐ ENGINEERS CERTIFICATION (TCL)
- ☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
- ☐ OTHER

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D. APPROVAL
- ☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☐ CERTIFICATE OF OCCUPANCY (PERM.)
- ☐ CERTIFICATE OF OCCUPANCY (TEMP.)
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☒ OTHER (SPECIFY)

WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☒ YES
- ☐ NO
- ☐ COPY PROVIDED



DATE SUBMITTED: 10/20/05

BY: Mark Goodwin, PE

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plan:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

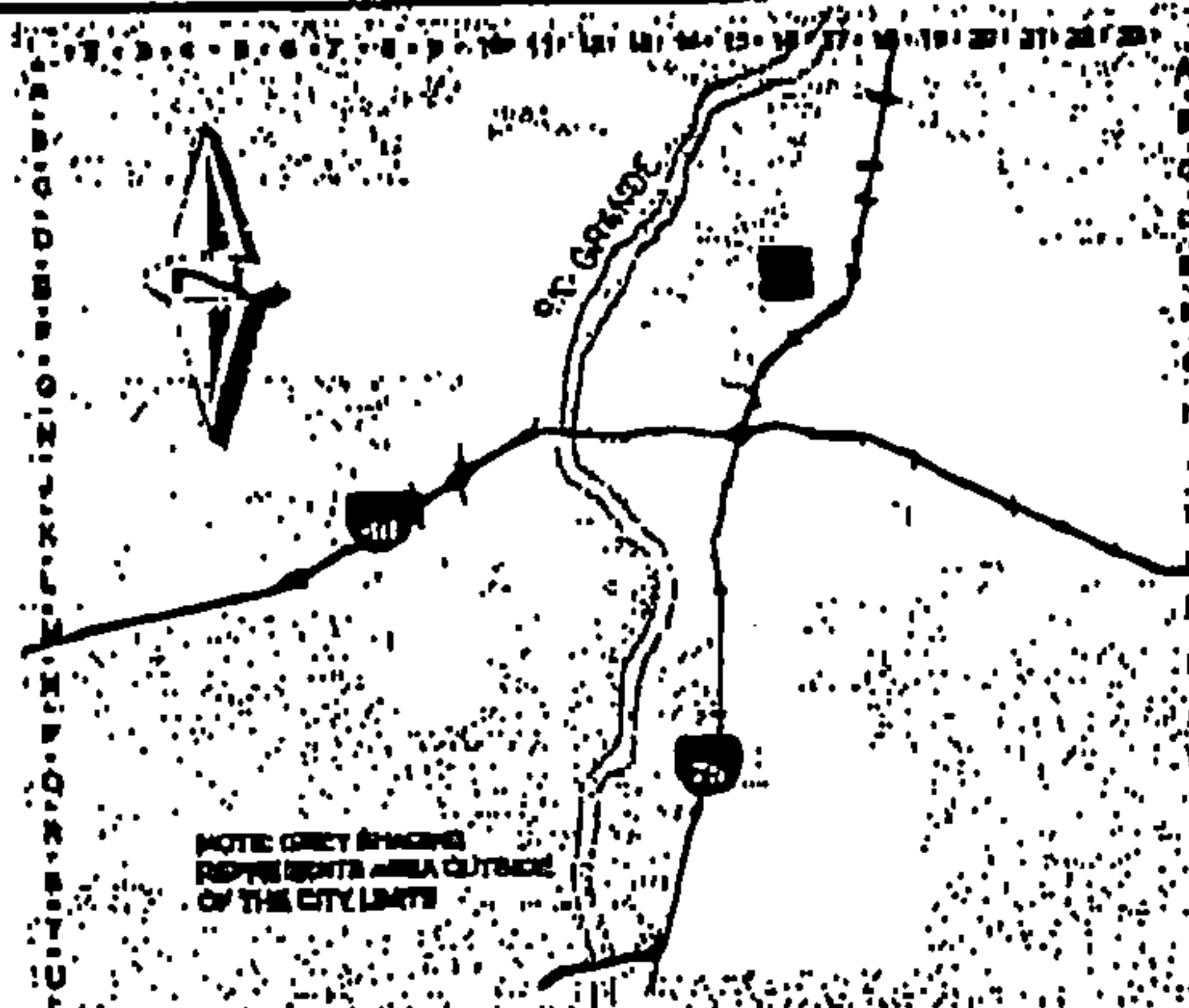


**D-17-Z**



K-17-2

0 750 1,500 Feet





692081  
E16/DO26

## EASEMENT

This grant of Easement, between VISTA DEL NORTE DEVELOPMENT, LLC, a New Mexico limited liability company ("Grantor"), whose address is c/o Brown and Associates, Carlisle Comanche Center 3804 Carlisle, NE, Albuquerque, New Mexico 87107 and the CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque Bernalillo County, New Mexico, and is entered into as of the date Grantor signs this Easement.

1. Recital. Grantor is the owner of certain real property within the Vista del Norte subdivisions, Albuquerque, New Mexico, Bernalillo County, New Mexico.

2 Grant of Easement. The Grantor grants to the City a non-exclusive, permanent easement for vehicular and pedestrian access, ingress and egress over and across the property as described and shown on Exhibit A attached hereto ("Easement Property"), together with the right of the City to improve the property with roadway improvements and to enter upon the Easement Property at any time for the inspection, installation, maintenance, repair or modification of the roadway improvements and the right to remove trees, bushes, undergrowth and any other obstacles upon the Easement Property if the City determines they interfere with the appropriate use of the easement.

3. Purpose. The purpose of this Easement is to provide to the City access to maintain the storm drainage improvements constructed, or to be constructed, at the western end of the Easement Property.

4 Warranty. Grantor covenants and warrants that it is the owner in fee simple of the Easement Property and that it has a good lawful right to convey the Easement Property or any part thereof, that the Easement Property is free from all encumbrances except encumbrances of record in the Bernalillo County, New Mexico real estate records



(the "Record Encumbrances") and taxes due and owing the Treasurer of Bernalillo County, and that the Grantor will forever warrant and defend the title to the Easement Property against all claims from all persons or entities, except the Record Encumbrances.

5. Disclosure. The Grantor has disclosed to the Grantee that the Easement Property is encumbered with a prior easement for an underground natural gas line (the "Gasline Easement"). This Easement is subject to and subordinate to the Gasline Easement as well as all other Record Encumbrances.

6 Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with the Easement Property for the benefit of the City and its successors and assigns until terminated.

Witness my hand and seal this 22<sup>nd</sup> day of August, 2005.

VISTA DEL NORTE DEVELOPMENT, LLC, a  
New Mexico limited liability company

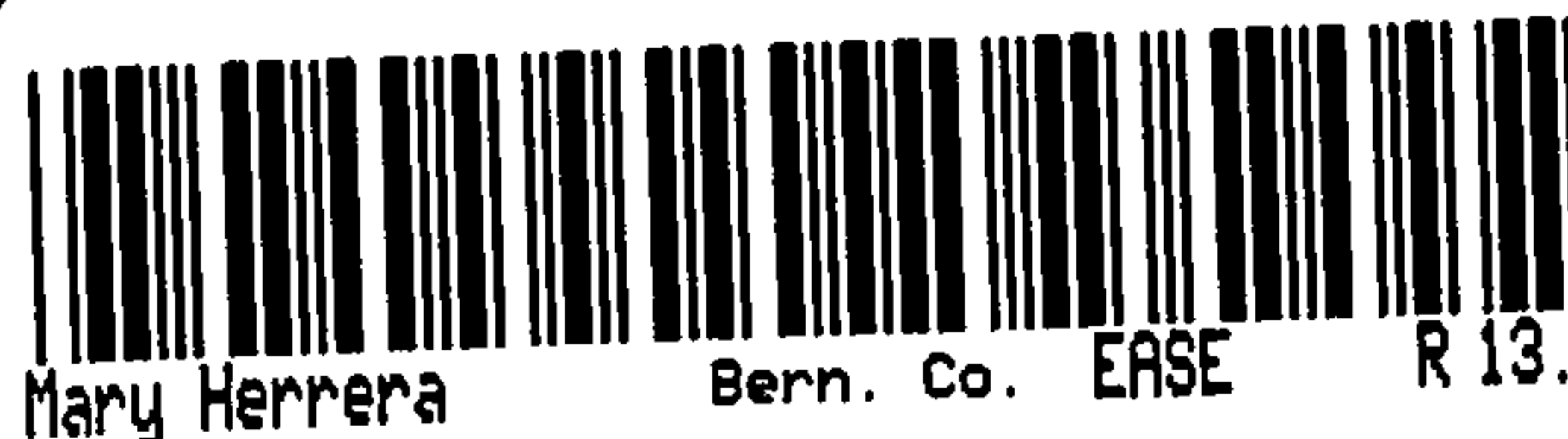
By: \_\_\_\_\_  
John A. Myers  
Assistant Manager Pro Tem

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

This instrument was acknowledged before me on August 22, 2005, by John A. Myers, Assistant Manager Pro Tem, of Vista del Norte Development, LLC, a New Mexico limited liability company.

Karen Lee Anderson  
Notary Public

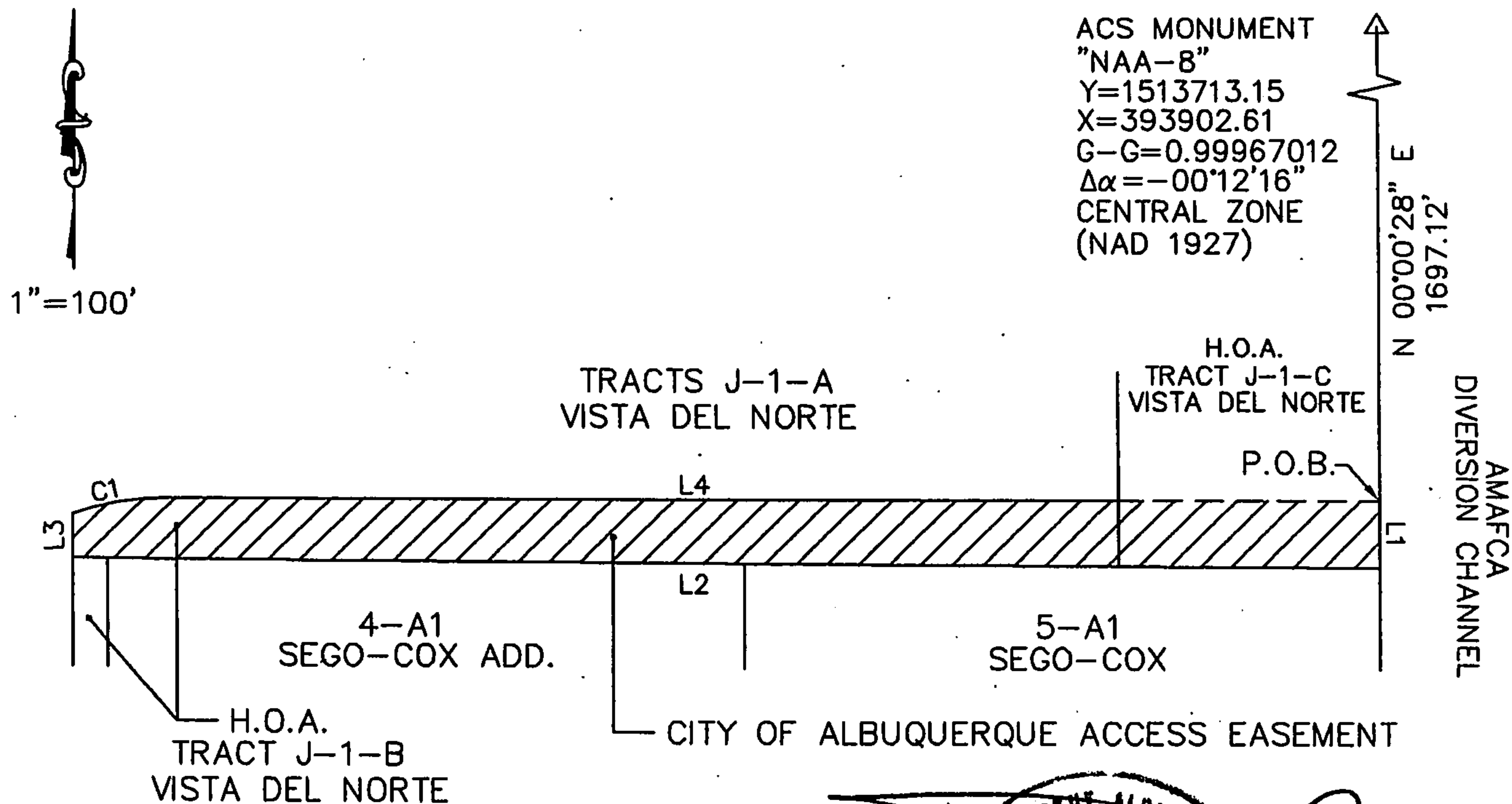
My commission expires: 11-18-2005





# "EXHIBIT FOR"

## CITY OF ALBUQUERQUE ACCESS EASEMENT



NUMBER	DIRECTION	DISTANCE
L1	S 00°00'24" W	30.98'
L2	N 89°42'03" W	593.91'
L3	N 00°00'00" E	20.02'
L4	N 90°00'00" E	552.22'

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	21°22'58"	N 79°18'58" E	114.33'	42.67'	42.42'

### DESCRIPTION

A City of Albuquerque Access Easement within the Elena Gallegos Grant, projected Section 27, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque Bernalillo County, New Mexico being within TRACTS J-1-B AND J-1-C, VISTA DEL NORTE, as the same is shown and designated on said plat filed for record in the office of the County Clerk of Bernalillo County, New Mexico on March 31, 2003 in Book 2003C, Page 87 and being more particularly described as follows:

BEGINNING at the northeast corner of the herein described Easement from whence the Albuquerque Control Survey Monument "NAA-8" bears N 00°00'28" E 1697.12 feet;

THENCE S 00°00'24" W, 30.98 feet to the southeast corner;

THENCE N 89°42'03" W, 593.91 feet to the southwest corner;

THENCE N 00°00'00" E, 20.02 feet to a point;

THENCE 42.67 feet along a curve to right, whose radius is 114.33 feet through a central angle of 21°22'58" and whose chord bears N 79°18'58" E, 42.42 feet to a point;

THENCE S 90°00'00" E, 552.22 feet to the point of beginning and containing 0.3988 acres more or less.



Mary Herrera

Bern. Co. EASE

R 13.00

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