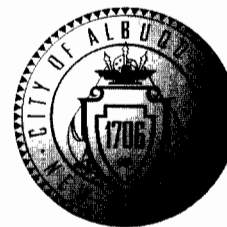


CITY OF ALBUQUERQUE



April 20, 2012

CERTIFICATE OF COMPLETION AND ACCEPTANCE

Timothy M. Ott, Managing Member
TOFMA, LLC
5620 Venice Avenue NE Suite J
Albuquerque, NM 87113

RE: **STATE ENGINEERS OFFICE**
Project Number: **735184**

Dear Mr. Ott:

This is to certify that the City of Albuquerque ("City") accepts the construction of the infrastructure provided in the Work Order Construction Plans, City project number **735184**. The work was completed pursuant to the required public infrastructure listed in the Public Improvements Agreement, Procedure A ("Agreement"), between **TOFMA, LLC** and the City executed on **March 30, 2009**.

Having satisfied the requirements referenced above, the Agreement and any associated Financial Guaranty, held by the City, can now be released. Any performance/warranty bond and the indemnity and hold harmless provisions of the Agreement in favor of the City shall remain in effect. The contractor's warranty period will begin **April 20, 2012** and is effective for a period of one (1) year.

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

Sincerely,

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

6-1-26-12

4-24-2012

cc: **Bordenave Designs** (e-mail)
Star Paving, Co. (e-mail)
Vincent Paul, DMD Maps & Records (e-mail)
David Zamora, DMD Street Maintenance (e-mail)
Phillip Romo, DMD Street Maintenance (e-mail)
David Rodriguez, Maps & Records (e-mail)
Martin Sanchez, Maps & Records (e-mail)
SIA File, City Project Number **735184**

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

RELEASE OF AGREEMENT

TITLE OF PROJECT: STATE ENGINEERS OFFICE

SUBDIVIDER: TOFMA, LLC

CITY PROJECT NO: 735184

THIS RELEASE IS EXECUTED THIS 27th DAY OF April 2012

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of subdivider/developer:] TOFMA, LLC ("Subdivider"), entered into a (name of agreement:) Subdivision Improvements Agreement, Procedure B ("Agreement"), dated the 30th day of March 2009 recorded on March 31, 2009, in the records of the Clerk of Bernalillo County, New Mexico at Doc#: 2009033672, pages 1 through 8 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of subdivider/developer:] TOFMA, LLC ("Subdivider"), entered into a (name of agreement:) Amendment to Agreement to Subdivision Improvements Agreement, Procedure B ("Agreement"), dated the 7th day of December 2009 recorded on December 11, 2009, in the records of the Clerk of Bernalillo County, New Mexico at Doc#: 2009135123, pages 1 through 5 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of subdivider/developer:] TOFMA, LLC ("Subdivider"), entered into a (name of agreement:) 1st Extension to Subdivision Improvements Agreement, Procedure B ("Agreement"), dated the 26th day of January 2010 recorded on January 28, 2010, in the records of the Clerk of Bernalillo County, New Mexico at Doc#: 2010007630, pages 1 through 3 whereby the Subdivider agreed to complete certain infrastructure improvements; and

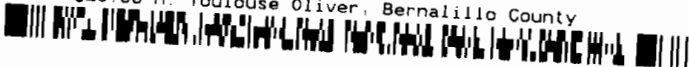
WHEREAS, the City of Albuquerque, New Mexico, a municipal corporation ("City") and [name of subdivider/developer:] TOFMA, LLC ("Subdivider"), entered into a (name of agreement:) 2nd Extension to Subdivision Improvements Agreement, Procedure B ("Agreement"), dated the 22nd day of September 2010 recorded on September 23, 2010, in the records of the Clerk of Bernalillo County, New Mexico at Doc#: 2010095622, pages 1 through 3 whereby the Subdivider agreed to complete certain infrastructure improvements; and

WHEREAS, the Subdivider has completed the improvements to the satisfaction of the City and has otherwise fully performed all of its obligations under the above-mentioned Agreement.

NOW THEREFORE, in consideration of the above, the City does hereby release and discharge Subdivider from all obligations and covenants contained in the above-mentioned Agreement. The indemnity provisions of the Subdivision Improvements Agreement in favor of the City shall remain in effect. Any performance/warranty bond or labor and material payment bond provided by the Subdivider shall remain in effect according to the terms of those bonds.

Doc# 2012044817

05/03/2012 02:13 PM Page: 1 of 2
REL R: \$25.00 M. Toulouse Oliver, Bernalillo County



Bernalillo County, NM
One Civic Plaza NW
P.O. Box 542
Albuquerque, NM 87102

Receipt: 0359639

Product	Name	Extended
REL	Release	\$25.00
	# Pages	2
	Document #2012044817	
	# Of Entries	0
	In Person/Interested	false
	Person	
Total		\$25.00
Tender (Check)		\$25.00
Check# 3511		
Paid By state properties of nm		

Thank You!

5/3/12 2:13 PM emmadrid