

# CITY OF ALBUQUERQUE

Planning Department  
Brennon Williams, Director



Mayor Timothy M. Keller

October 18, 2019

Ron Bohannon, P.E.  
Tierra West, LLC  
5571 Midway Park Place, NE  
Albuquerque, NM 87109

RE: **Maverick –Jefferson & I-25**  
**5001 Jefferson NE**  
**Request for Certificate of Occupancy – Temporary**  
**Engineer's Certification Date: 10/18/19 – Accepted**  
**Grading Plan Stamp Date: 3/18/19**  
**Hydrology File: F17D044C1**

Dear Mr. Bohannon,

PO Box 1293

Based solely on the Engineer's Certification received on 10/18/19, Hydrology has no objection to the issuance of a Temporary Certificate of Occupancy.

Albuquerque

Prior to the issuance of a Permanent Certificate of Occupancy, the Hydrology Department must receive a complete Engineer's Certification, correcting the exceptions noted in the 10/18/19 certification. At that time, Hydrology will perform a site inspection for compliance with all applicable City of Albuquerque Standards.

NM 87103

If you have any questions, please contact me at 924-3695 or [dpeterson@cabq.gov](mailto:dpeterson@cabq.gov).

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

Sincerely,

Dana Peterson, P.E.  
Senior Engineer, Planning Dept.  
Development Review Services

C: Email      Fox, Debi; Tena, Victoria; Sandoval, Darlene; Costilla, Michelle



# City of Albuquerque

Planning Department  
Development & Building Services Division

## **DRAINAGE** AND TRANSPORTATION INFORMATION SHEET (REV 6/2018)

**Project Title:** Maverik Jefferson & I-25 **Building Permit #:** BP-2019-01481 **Hydrology File #:** F17D044C1  
**DRB#:** \_\_\_\_\_ **EPC#:** \_\_\_\_\_ **Work Order#:** \_\_\_\_\_  
**Legal Description:** 5001 Jefferson NE Albuquerque NM 87109  
**City Address:** TR 2-A-3 Plat of TRS 2-A-3-1, 2-A-3-B, 2-A-3-C & 2-A-3-D Mcleod Business Park

**Applicant:** Tierra West, LLC **Contact:** Richard Stevenson  
**Address:** 5571 Midway Park PI NE Albuquerque NM 87109  
**Phone#:** 505-858-3100 **Fax#:** 505-858-1118 **E-mail:** rstevenson@tierrawestllc.com

**Other Contact:** \_\_\_\_\_ **Contact:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Phone#:** \_\_\_\_\_ **Fax#:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**TYPE OF DEVELOPMENT:** \_\_\_\_\_ PLAT (# of lots) \_\_\_\_\_ RESIDENCE \_\_\_\_\_ DRB SITE ☒ ADMIN SITE

IS THIS A RESUBMITTAL? \_\_\_\_\_ Yes ☒ No

**DEPARTMENT** \_\_\_\_\_ TRANSPORTATION ☒ HYDROLOGY/DRAINAGE

Check all that Apply:

### TYPE OF SUBMITTAL:

- ☒ ENGINEER/ARCHITECT CERTIFICATION  
☐ PAD CERTIFICATION  
☐ CONCEPTUAL G & D PLAN  
☐ GRADING PLAN  
☐ DRAINAGE REPORT  
☐ DRAINAGE MASTER PLAN  
☐ FLOODPLAIN DEVELOPMENT PERMIT APPLIC  
☐ ELEVATION CERTIFICATE  
☐ CLOMR/LOMR  
☐ TRAFFIC CIRCULATION LAYOUT (TCL)  
☐ TRAFFIC IMPACT STUDY (TIS)  
☐ STREET LIGHT LAYOUT  
☐ OTHER (SPECIFY) \_\_\_\_\_  
☐ PRE-DESIGN MEETING?

### TYPE OF APPROVAL/ACCEPTANCE SOUGHT:

- ☐ BUILDING PERMIT APPROVAL  
☒ CERTIFICATE OF OCCUPANCY(Temporary)  
☐ PRELIMINARY PLAT APPROVAL  
☐ SITE PLAN FOR SUB'D APPROVAL  
☐ SITE PLAN FOR BLDG. PERMIT APPROVAL  
☐ FINAL PLAT APPROVAL  
☐ SIA/ RELEASE OF FINANCIAL GUARANTEE  
☐ FOUNDATION PERMIT APPROVAL  
☐ GRADING PERMIT APPROVAL  
☐ SO-19 APPROVAL  
☐ PAVING PERMIT APPROVAL  
☐ GRADING/ PAD CERTIFICATION  
☐ WORK ORDER APPROVAL  
☐ CLOMR/LOMR  
☐ FLOODPLAIN DEVELOPMENT PERMIT  
☐ OTHER (SPECIFY) \_\_\_\_\_

**DATE SUBMITTED:** 10-17-2019 **By:** Richard Stevenson

COA STAFF:

ELECTRONIC SUBMITTAL RECEIVED: \_\_\_\_\_

FEE PAID: \_\_\_\_\_



# DRAINAGE CERTIFICATION WITH SURVEY WORK DONE BY PROFESSIONAL SURVEYOR

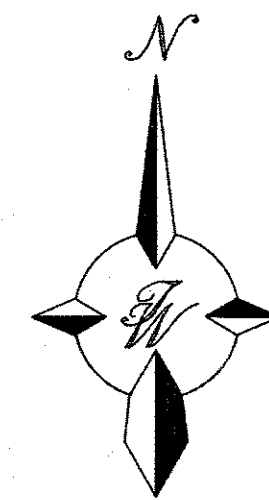
I, RONALD R. BOHANNAN, N.M.P.E. # 7888, OF THE FIRM, TERRA WEST, LLC, HEREBY CERTIFY THAT THIS PROJECT HAS BEEN GRADED AND WILL DRAIN IN SUBSTANTIAL COMPLIANCE WITH AND IN ACCORDANCE WITH THE DESIGN INTENT OF THE APPROVED PLAN DATED 3/18/19. THE RECORD INFORMATION EDITED ONTO THE ORIGINAL DESIGN DOCUMENT HAS BEEN OBTAINED BY THOMAS JOHNSTON, N.M.P.S. # 14269, OF THE FIRM WAYJOHN SURVEYING, INC.

I FURTHER CERTIFY THAT I HAVE PERSONALLY VISITED THE PROJECT SITE ON 1/18/17 AND HAVE DETERMINED BY VISUAL INSPECTION THAT THE SURVEY DATA PROVIDED IS REPRESENTATIVE OF ACTUAL SITE CONDITIONS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR TEMPORARY CERTIFICATE OF OCCUPANCY.

EXCEPTIONS: CORRECTION OF POND DRAINAGE OUTFLOW, EMERGENCY OVERFLOW, ADDITIONAL AS-BUILTS  
The purpose of this temporary certification is to allow vendor access to occupy the building for stocking and training

THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND INTENDED ONLY TO VERY SUBSTANTIAL COMPLIANCE OF THE GRADING AND DRAINAGE ASPECTS OF THIS PROJECT. THOSE RELYING ON THIS RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY OTHER PURPOSE.

RONALD R. BOHANNAN, N.M.P.E. # 7888  
DATE 1/18/17  
Jefferson Street N.E.



GRAPHIC SCALE



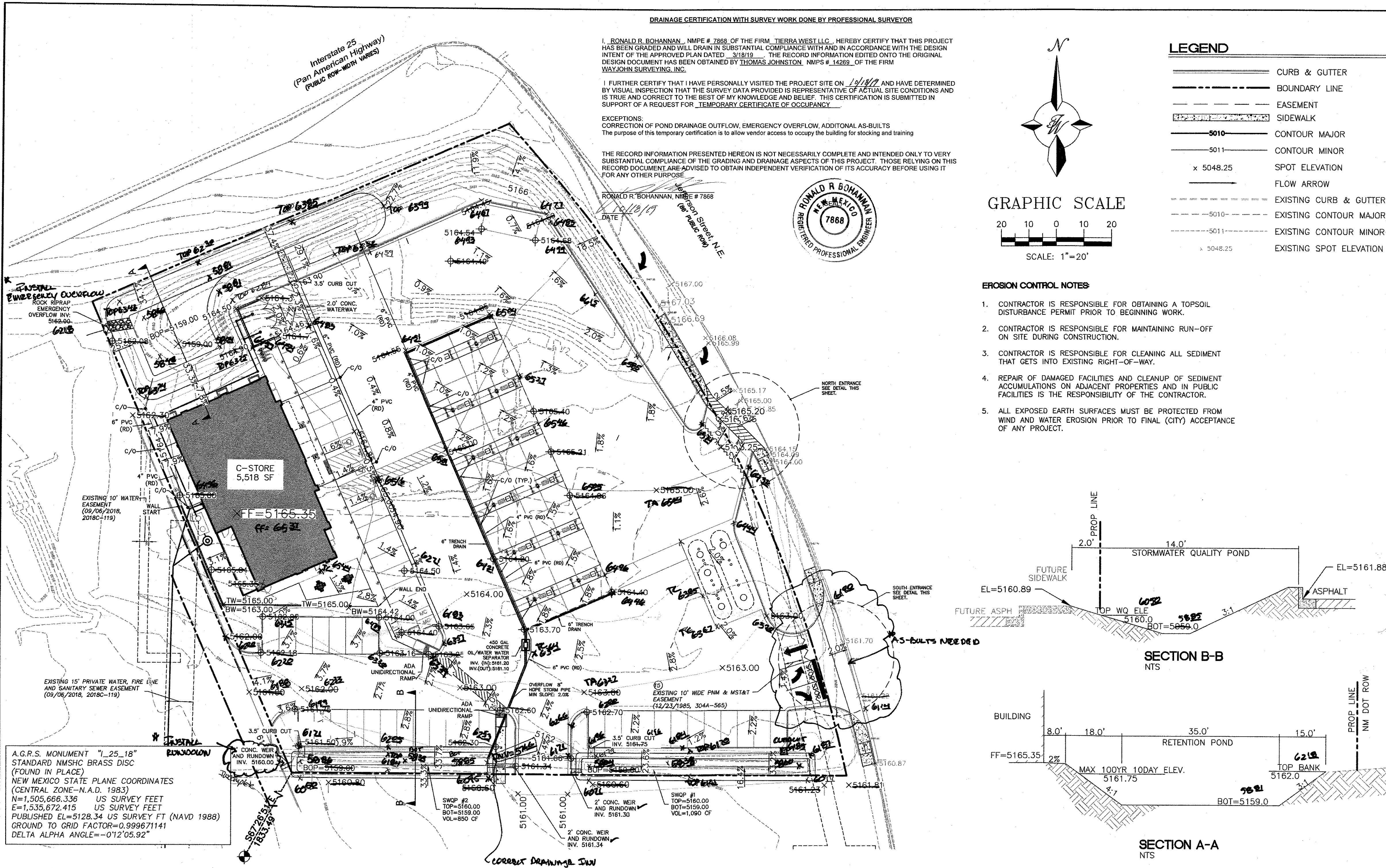
SCALE: 1"=20'

## LEGEND

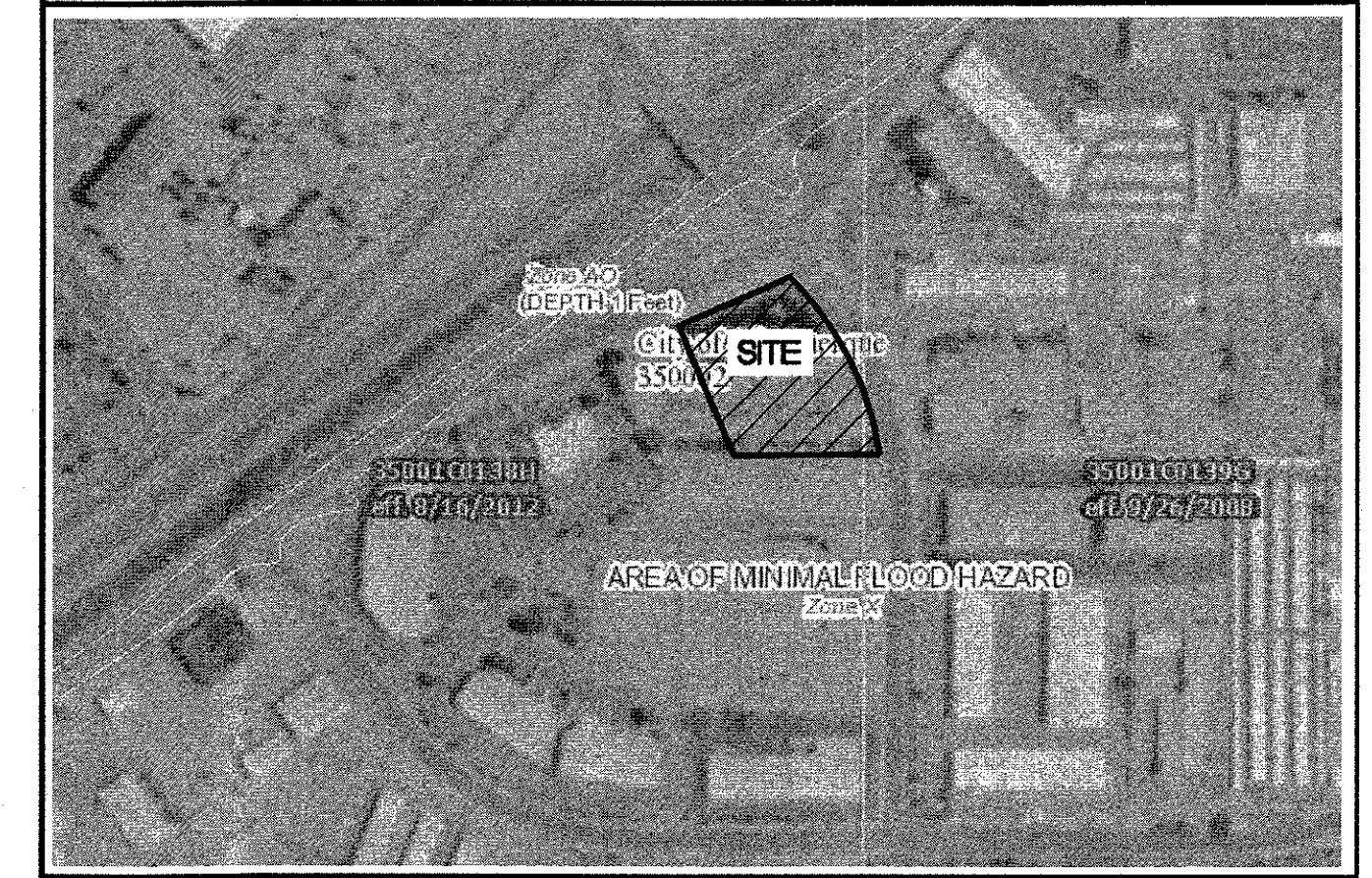
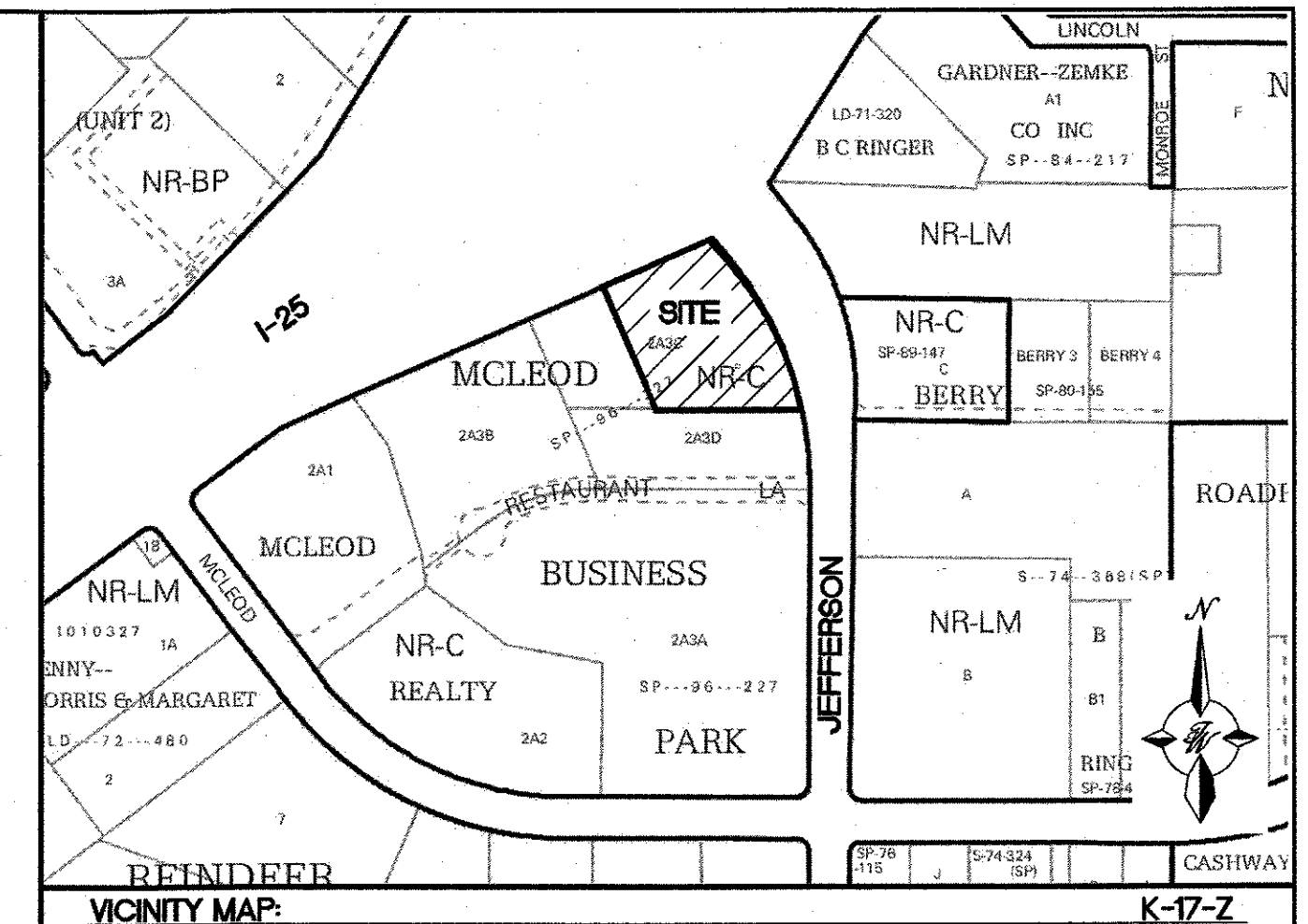
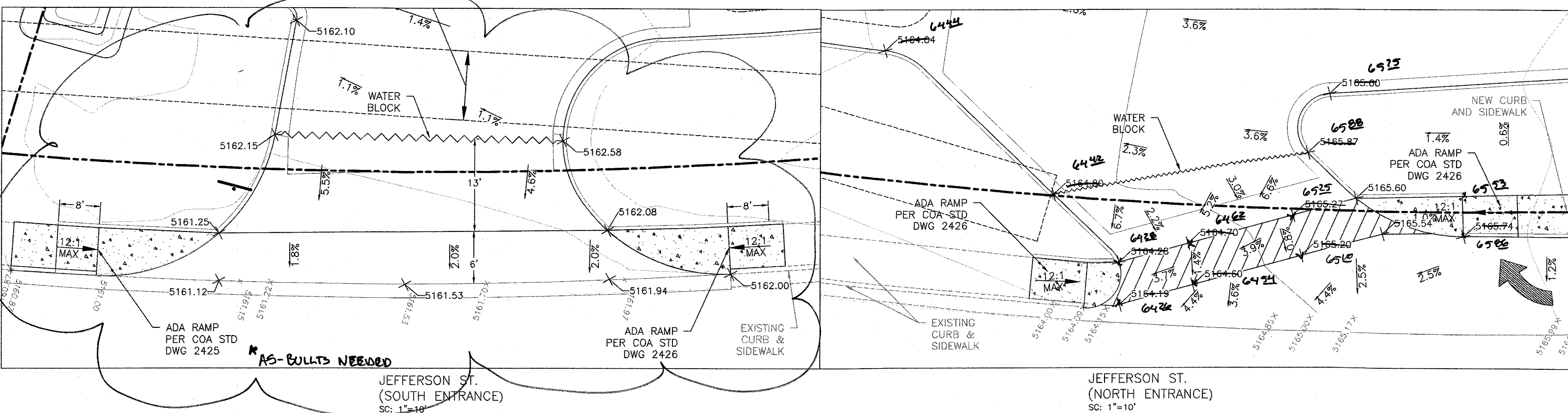
	CURB & GUTTER
	BOUNDARY LINE
	EASEMENT
	SIDEWALK
	CONTOUR MAJOR
	CONTOUR MINOR
	SPOT ELEVATION
	FLOW ARROW
	EXISTING CURB & GUTTER
	EXISTING CONTOUR MAJOR
	EXISTING CONTOUR MINOR
	EXISTING SPOT ELEVATION

## EROSION CONTROL NOTES

- CONTRACTOR IS RESPONSIBLE FOR OBTAINING A TOPSOIL DISTURBANCE PERMIT PRIOR TO BEGINNING WORK.
- CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RUN-OFF ON SITE DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR CLEANING ALL SEDIMENT THAT GETS INTO EXISTING RIGHT-OF-WAY.
- REPAIR OF DAMAGED FACILITIES AND CLEANUP OF SEDIMENT ACCUMULATIONS ON ADJACENT PROPERTIES AND IN PUBLIC FACILITIES IS THE RESPONSIBILITY OF THE CONTRACTOR.
- ALL EXPOSED EARTH SURFACES MUST BE PROTECTED FROM WIND AND WATER EROSION PRIOR TO FINAL (CITY) ACCEPTANCE OF ANY PROJECT.



A.G.R.S. MONUMENT "L-25-18" STANDARD NMSHC BRASS DISC (FOUND IN PLACE)  
NEW MEXICO STATE PLANE COORDINATES (CENTRAL ZONE-N.A.D. 1983)  
N=1,505,668.336 US SURVEY FEET  
E=1,535,672.415 US SURVEY FEET  
PUBLISHED EL=5128.34 US SURVEY FT (NAVD 1988)  
GROUND TO GRID FACTOR=0.999671141  
DELTA ALPHA ANGLE=-0°12'05.92"



## CAUTION:

ALL EXISTING UTILITIES SHOWN WERE OBTAINED FROM RESEARCH, AS-BUILTS, SURVEYS OR INFORMATION PROVIDED BY OTHERS. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO CONDUCT ALL NECESSARY FIELD INVESTIGATIONS PRIOR TO AND INCLUDING ANY EXCAVATION, TO DETERMINE THE ACTUAL LOCATION OF UTILITIES AND OTHER IMPROVEMENTS, PRIOR TO STARTING THE WORK. ANY CHANGES FROM THIS PLAN SHALL BE COORDINATED WITH AND APPROVED BY THE ENGINEER.

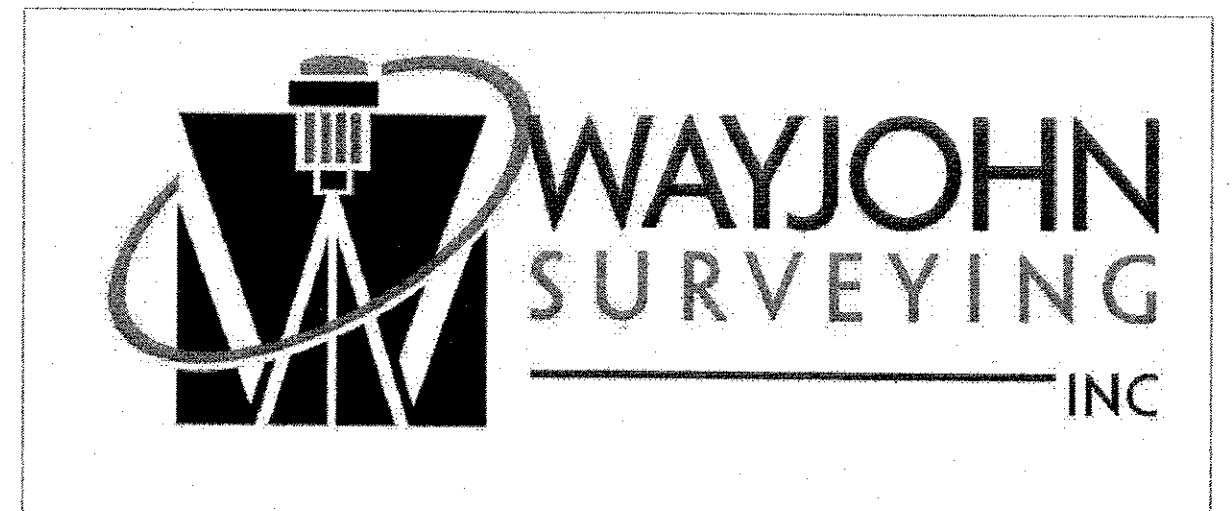
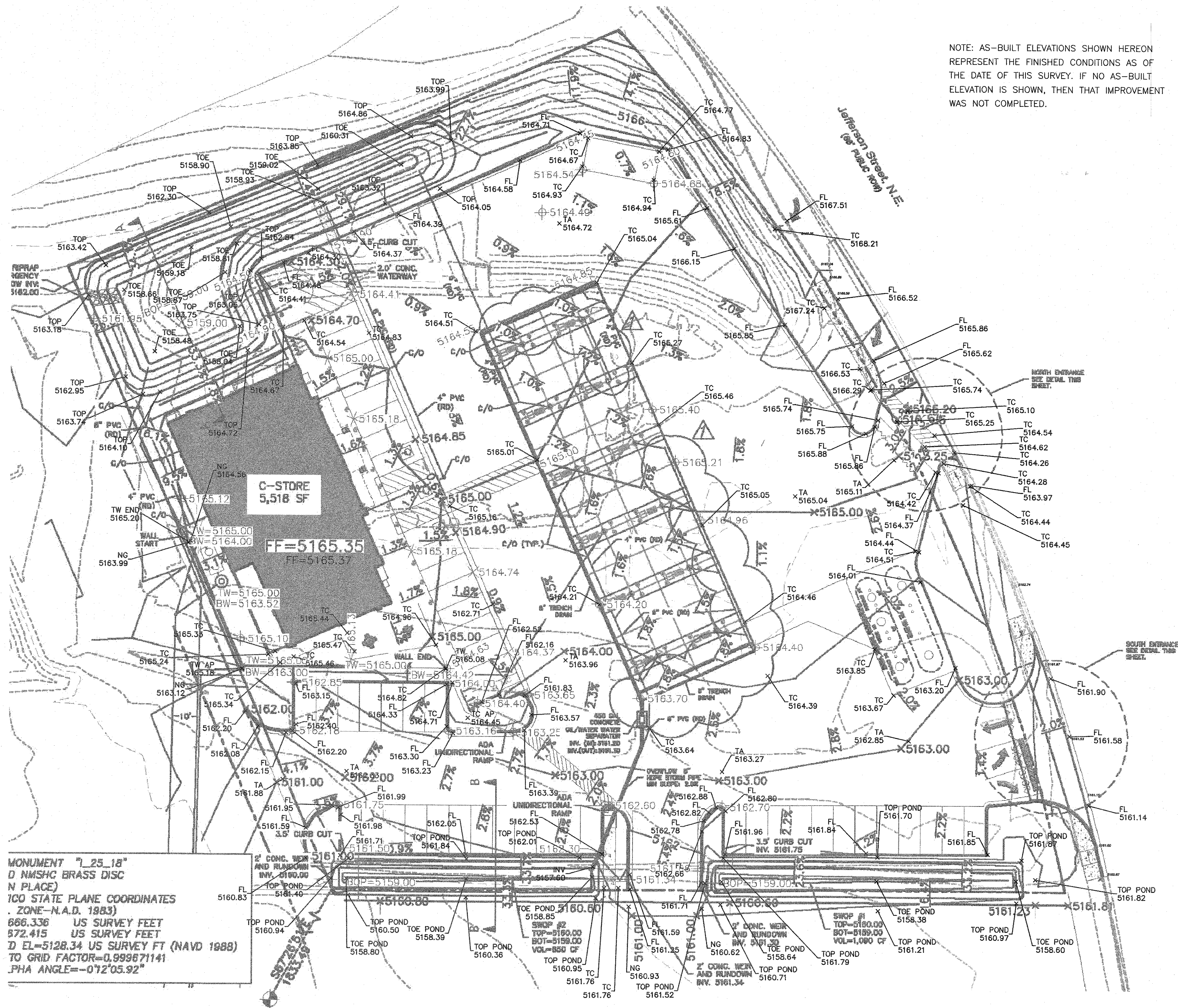
## NOTICE TO CONTRACTORS

- AN EXCAVATION/CONSTRUCTION PERMIT WILL BE REQUIRED BEFORE BEGINNING ANY WORK WITHIN CITY RIGHT-OF-WAY.
- ALL WORK DETAILED ON THESE PLANS TO BE PERFORMED, EXCEPT AS OTHERWISE STATED OR PROVIDED HEREON, SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF ALBUQUERQUE INTERIM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1995.
- TWO WORKING DAYS PRIOR TO ANY EXCAVATION, THE CONTRACTOR MUST CONTACT NEW MEXICO ONE CALL, DIAL "811" OR (505) 260-1990 FOR THE LOCATION OF EXISTING UTILITIES.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL EXCAVATE AND VERIFY THE HORIZONTAL AND VERTICAL LOCATIONS OF ALL CONNECTIONS. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL
- NOTIFY THE ENGINEER SO THAT THE CONFLICT CAN BE RESOLVED WITH A MINIMUM AMOUNT OF DELAY.
- BACKFILL COMPACTION SHALL BE ACCORDING TO TRAFFIC/STREET USE.
- MAINTENANCE OF THESE FACILITIES SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY SERVED.
- WORK ON ARTERIAL STREETS SHALL BE PERFORMED ON A 24-HOUR BASIS.
- CONTRACTOR MUST CONTACT JASON RODRIGUEZ AT 235-8016 AND CONSTRUCTION COORDINATION AT 924-3416 TO SCHEDULE AN INSPECTION.

ENGINEER'S SEAL RONALD R. BOHANNAN NEW MEXICO PROFESSIONAL ENGINEER 7888 3/18/2019 RONALD R. BOHANNAN P.E. #7888	MAVERIK 5001 JEFFERSON ST. NE GRADING PLAN TERRA WEST, LLC 5571 MIDWAY PARK PLACE NE ALBUQUERQUE, NM 87109 (505) 858-3100 www.tierawestllc.com	DRAWN BY RS DATE 3/18/19 2018056-GR SHEET # C2 JOB # 2018056
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# FINAL GRADING AS-BUILT



Date of Survey: 10/08/2019 Draftsman: T R J  
Date of Last Revision: 10/15/19 Job No.: CS-5-01-2019  
For: ENTERPRISE BUILDERS Scale: 1" = 20'





#1

**PRIVATE FACILITY**  
**DRAINAGE COVENANT**

This Drainage Covenant ("Covenant"), between McLeod Realty ("Owner"), whose address is 1316 Stagecoach Lane SE, Albuquerque, NM 87123, and whose telephone number is (505) 299-8372 and the City of Albuquerque, New Mexico, a municipal corporation 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 Owner signs this Covenant.

1. Recital. The Owner is the current owner of the following described real property located at 5001 Jefferson Street NE, Albuquerque, NM 87109; Tract 2-A-3-C-1 McLeod Business Park recorded on 09/06/2018, pages 1 through 2, as Document No. 2018078354 in the records of the Bernalillo County Clerk, State of New Mexico (the "Property").

Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain drainage facilities on the Property, and the parties wish to enter into this Covenant to establish the obligations and responsibilities of the parties.

2. Description and Construction of Drainage Facility. The Owner shall construct the following "Drainage Facility" within the Property at the at the Owner's sole expense in accordance with the standards, plans and specifications approved by the City:  
"First Flush" Drainage Facility ponds are shown on the approved Grading and Drainage Plan with Engineering Stamp State 2/22/2019, Hydrology File: F17D044C1.

The Drainage Facility is more particularly described in Exhibit A attached hereto and made a part hereof.

3. Maintenance of Drainage Facility. The Owner shall maintain the Drainage Facility at Owner's sole cost in accordance with the approved Drainage Report and plans.

4. Benefit to Property. The Owner acknowledges and understands that the Drainage Facility required herein to be constructed on the Owner's property is for the private benefit and protection of the Owner's property and that failure to maintain such facility could result in damage or loss to the Property.

5. Inspection of Drainage Facility. The City shall have no duty or obligation whatsoever to perform any inspection, maintenance or repair of the Drainage Facility, it being the duty of the Owner, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specifications.

6. Liability of City. The Owner understands and agrees that the City shall not be liable to the Owner, its heirs, successors or assigns, or to any third parties for any damages resulting from the Owner's failure to construct, maintain or repair the Drainage Facility.

7. Indemnification. The Owner owns and controls the Drainage Facility and shall not

permit the Drainage Facility to constitute a hazard to the health or safety of the general public. The Owner agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer or Owner herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Covenant, this Covenant to indemnify will not extend to liability, claims, damages, losses or expenses, including attorneys' fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the respective indemnitee, or the agents or employees of the respective indemnitee; or (2) the giving of or the failure to give direction or instructions by the respective indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

8. Assessment. Nothing in this Covenant shall be construed to relieve the Owner, its heirs, assigns and successors from an assessment against the Owner's property for improvements to the property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.

9. Binding on Owner's Property. The covenants and obligations of the Owner set forth herein shall be binding on the Owner, its heirs, assigns and successors and on the Owner's property and constitute covenants running with the Owner's property until released by the City. This Covenant can only be released by the City's Chief Administrative Officer with concurrence of the City Engineer.

10. Entire Covenant. This Covenant contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

11. Changes to Covenant. Changes to this Covenant are not binding unless made in writing, signed by both parties.

12. Effective Date of Covenant. This Covenant shall be effective as of the date of signature of the Owner.

**OWNER:**

By [signature]: Don W. McLeod  
Name [print]: Don W. McLeod  
Title: OWNER  
Dated: 10/4/19

**CITY OF ALBUQUERQUE:**

By: [Signature] (A)  
Shahab Biazar, P.E., City engineer  
Dated: 10/15/19

**OWNER'S ACKNOWLEDGMENT**

STATE OF NEW MEXICO )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on this 4 day of October  
2019 by Don W. McLeod (name of person signing permit),  
Owner (title of person signing permit) of  
McLeod Realty Inc. (Owner).

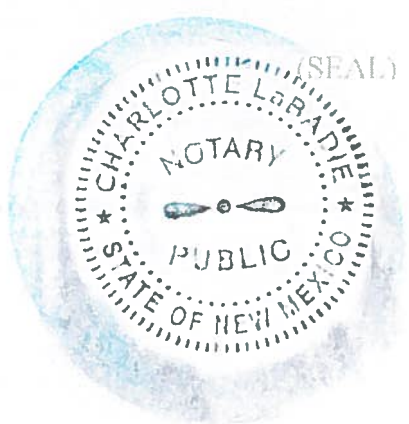


[Signature]  
Notary Public  
My Commission Expires: 4-20-23

**CITY'S ACKNOWLEDGMENT**

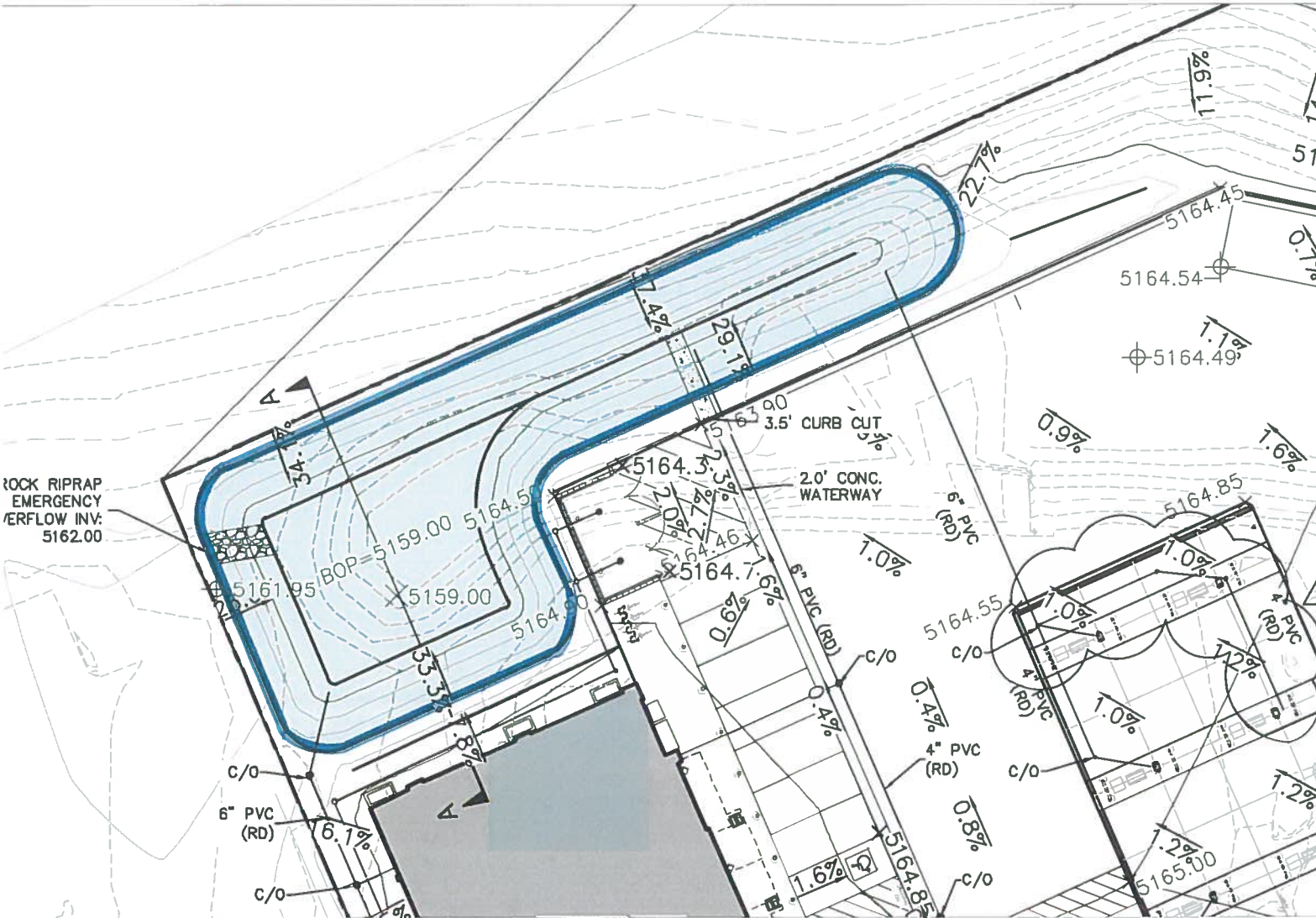
STATE OF NEW MEXICO )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on this 15<sup>th</sup> day of  
October 2019, by Shahab Biazar, P.E., City Engineer, of the City of Albuquerque,  
a municipal corporation, on behalf of said corporation.



[Signature]  
Notary Public  
My Commission Expires: March 15, 2021

**(EXHIBIT A ATTACHED)**





First Flush drainage facility as identified on grading plan stamped 2/22/2019

