

6-113d. Burgess King

CITY OF ALBUQUERQUE
REAL PROPERTY CONTRACT

Project No. _____ Parcel No. _____
Location Coors Blvd., NW adjacent to Tracts L, M, N, O, P, Q, Replat
of Tracts M, N and L

THIS AGREEMENT made and entered into this _____ of June A.D., 19 84
between Ladera Development Associates
Address: c/o Rio Grande Title Co., Escrow Agent

Seller, and the City of Albuquerque, New Mexico, hereinafter referred to as the City. For the purposes of this contract, Seller shall be deemed to be either singular or plural as the context requires.

WITNESSETH:

In consideration of (\$1.00) ONE DOLLAR and other good and valuable consideration hereafter set forth, the Seller hereby delivers to the City Warranty Deed to real estate for public use situated in Bernalillo County, State of New Mexico, and subject to the following terms and conditions: more particularly described as Tract R on the attached Replat

CONDITIONS:

1. Seller to use 18' right-of-way for drainage/ponding until such time as City installs storm drainage system and new roadway for Coors Blvd., NW as well as use for ingress-egress on existing driveways for Coors Blvd.
2. One-half (1/2) closing costs paid by City.
3. Seller agrees to allow City to use Easterly 4' of its property for temporary construction easement except for the Southerly 197.98' which will allow 60' for temporary construction easement when the City installs storm drainage system and new roadway for Coors Blvd., NW.

1. Taxes and Special Assessments, if any, delinquent from former years shall be paid by the Seller, and Taxes and Special Assessments for the current year, to become due for the current year shall be prorated between the Seller and the City.
2. THIS CONTRACT embodies the whole Agreement between the parties hereto, and there are no promises, terms, conditions or obligations referring to the subject matter hereof, other than as contained herein.
3. The Seller hereby agrees that the compensation herein provided to be paid, includes full compensation for their interests, and the interests of their life tenants, remaindermen, reversioners, lienors and lessees, and any and all other legal and equitable interests which are or may be outstanding, and said Seller agrees to discharge the same.
4. THIS CONTRACT shall be binding upon the parties hereto and upon the respective heirs, devisees, executors, administrators, legal representatives, successors and assigns of the parties, only when the same shall have been approved by the City through its proper officer or authorized representative.
5. The terms of this Agreement are understood and assented to by us and payment is to be made in accordance with the above. It is further understood and agreed that, except as noted or specified above, IMMEDIATE POSSESSION of said premises, and the right to enter thereon, is HEREBY GRANTED to the City, its duly authorized Agents and Contractors.
6. The terms and conditions of this contract have been fully explained and are understood by the undersigned, and payment is to be made in accordance with the above conditions.
7. The consideration as set forth in the contract shall constitute full payment for the premises and all damages, of whatever nature, arising out of or by reason of the use of said premises for highway or other public projects.
8. Terms and conditions contained on the reverse side of this contract are part of this contract as fully as if written on this side. NONE
9. Seller will hold the City harmless for any and all claims, demands or causes of action arising out of or as a result of the transactions as described herein.
10. The Seller will furnish Title Insurance at his expense unless specifically waived by the City.

THE CITY agrees to purchase the above described real estate, or interest therein, and to pay upon delivery of a good and sufficient conveyance therefore, as follows:

| | | |
|------------------|----------------------|-------------|
| For Land | at \$6.00 per sq.ft. | \$92,795.76 |
| For Improvements | | \$ |
| | | \$ |
| Other | | \$ |
| TOTAL | | \$92,795.76 |

CITY OF ALBUQUERQUE, NEW MEXICO

By Howard J. Green

LADERA DEVELOPMENT ASSOCIATES
BY AMERICAN SOUTHWEST DEVELOPMENT
COMPANY, INC. GENERAL PARTNER

APPROVED BY:
Frank C. Klinkenberg
For the City of Albuquerque, New Mexico

BY: [Signature]

Date 6/18/84

6/19/84
Seller

INFORMATION SHEET

PROJECT TITLE Burger King TYPE OF SUBMITTAL Drainage Plan Submittal
ZONE ATLAS PAGE NO. G-11-Z-021 CITY ADDRESS 3301 Coors Road N.W.
LEGAL DESCRIPTION Tract N. NE Unit Town of Atrisco Grant
ENGINEERING FIRM Chavez-Grieves Cons.Engrs.Inc CONTACT Victor J. Chavez
ADDRESS 6121 Indian School Rd., N.E. #220 PHONE (505) 881-7376
OWNER Ladera Development CONTACT Stuart Sherman
ADDRESS First Plaza, Suite 501 PHONE (505) 243-9511
ARCHITECT de La Torre/Rainhart CONTACT George Rainhart
ADDRESS 6121 Indian School Rd., N.E., #141 PHONE (505) 881-0550
SURVEYOR D.T. Morrison CONTACT D.T. Morrison
ADDRESS 1020 Texas N.E. PHONE (505) 256-7364
CONTRACTOR N/A CONTACT N/A
ADDRESS N/A PHONE N/A

DATE SUBMITTED Victor J. Chavez, P.E.

BY September 29, 1983



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

May 31, 1984

Mr. Victor J. Chavez
Chavez Grieves Consulting Engineers, Inc.
4520 Montgomery Blvd., Suite 3
Albuquerque, New Mexico 87109

REF: DRAINAGE CERTIFICATION FOR BURGER KING-LADERA
SHOPPING CENTER (G11-D21) 5/22/84

Dear Mr. Chavez:

Based on the information provided on your May 22, 1984
submittal for certification of the above referenced
drainage plan, listed below you will find certain items
that will need to be addressed before final certification
is accepted:

1. Revised pond volume capacity because of the
change in grades within the ponding areas
will be required.
2. Please include statement indicating substantial
compliance with the approved drainage report
and/or plan within the plan itself (Dated and
signed)

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

Sincerely yours,

Billy J. Goolsby, PE
City/County Flood Plain Admin.

BJG/cl/BJM

MUNICIPAL DEVELOPMENT DEPARTMENT

INFORMATION SHEET

PROJECT TITLE Burger King TYPE OF SUBMITTAL Drainage certfic. Drainage Plan Submittal

ZONE ATLAS PAGE NO. G-11-Z CITY ADDRESS 3301 Coors Road N.W.

LEGAL DESCRIPTION Tract N. NE Unit Town of Atrisco Grant

ENGINEERING FIRM Chavez-Grieves Cons.Engrs.Inc CONTACT Victor J. Chavez

ADDRESS 4520 Montgomery N.E., Suite 3 PHONE (505) 881-7376

OWNER Ladera Development CONTACT Stuart Sherman

ADDRESS First Plaza, Suite 501 PHONE (505) 243-9511

ARCHITECT de La Torre/Rainhart CONTACT George Rainhart

ADDRESS 6121 Indian School Rd.NE, Suite 141 PHONE (505) 881-0550

SURVEYOR D.T. Morrison CONTACT D.T. Morrison

ADDRESS 1020 Texas N.E. PHONE (505) 256-7364

CONTRACTOR Jaynes Corporation CONTACT Bart Gilbert

ADDRESS 2906 Broadway N.E. PHONE (505) 345-8591

PRE-DESIGN MEETING:

YES

NO

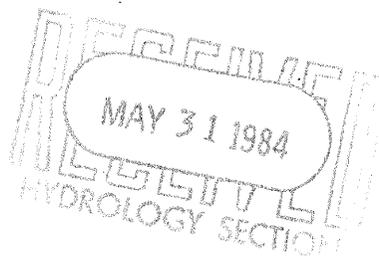
COPY OF CONFERENCE RECAP SHEET PROVIDED

PLEASE CHECK TYPE OF APPROVAL EXPECTED WITH THIS SUBMITTAL

- SKETCH PLAT APPROVAL
- PRELIMINARY PLAT APPROVAL
- SITE DEVELOPMENT PLAN APPROVAL
- FINAL PLAT APPROVAL
- BUILDING PERMIT APPROVAL
- CERTIFICATE OF OCCUPANCY APPROVAL
- ROUGH GRADING PERMIT APPROVAL
- GRADING/PAVING PERMIT APPROVAL
- OTHER Drainage Certification (SPECIFY)

DATE SUBMITTED May 21, 1984

BY: Victor J. Chavez, P.E.



INFORMATION SHEET

PROJECT TITLE BURGER KING TYPE OF SUBMITTAL DRAINAGE CERTIFICATE

ZONE ATLAS PAGE NO. K-12-2 CITY ADDRESS CENTRAL AVE. WEST & ATRISCO DRIVE S.W.

LEGAL DESCRIPTION TRACT 'A' OF THE FLAT OF COOGAN & WALTERS AND SOUTHWESTERN LAND DEVELOPMENT CORP.

ENGINEERING FIRM CHAVEZ-GRIEVES CONS.ENG.INC. CONTACT VICTOR J. CHAVEZ

ADDRESS 4520 MONTGOMERY N.E. #3, ALBUQ. N.M. PHONE (505) 881-7376

OWNER PHIL McCOLLIN CONTACT PHIL McCOLLIN

ADDRESS 750 CHAMISIL RD. N.W., ALBUQ. N.M. PHONE (505) 898-5200

ARCHITECT PAUL R. GERSHEN CONTACT STEVE COREY

ADDRESS P.O. BOX 520783 GENERAL MAIL FACILITY MIAMI, FLORIDA 33152 PHONE (214) 578-9575

SURVEYOR D.T. MORRISON CONTACT D.T. MORRISON

ADDRESS 1020 TEXAS N.E., ALBUQ. N.M. PHONE (505) 256-7364

CONTRACTOR N/A CONTACT N/A

ADDRESS N/A PHONE N/A

PRE-DESIGN MEETING:

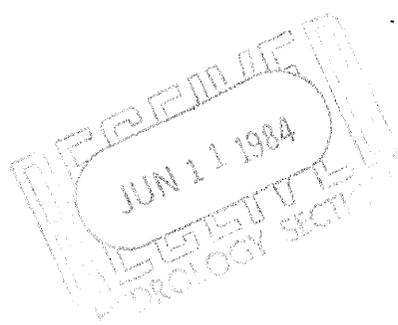
- YES
- NO
- COPY OF CONFERENCE RECAP SHEET PROVIDED

PLEASE CHECK TYPE OF APPROVAL EXPECTED WITH THIS SUBMITTAL

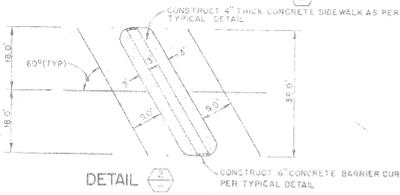
- SKETCH PLAT APPROVAL
- PRELIMINARY PLAT APPROVAL
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- FINAL PLAT APPROVAL
- BUILDING PERMIT APPROVAL
- CERTIFICATE OF OCCUPANCY APPROVAL
- ROUGH GRADING PERMIT APPROVAL
- GRADING/PAVING PERMIT APPROVAL
- OTHER _____ (SPECIFY)

DATE SUBMITTED JUNE 11, 1984

BY: VICTOR J. CHAVEZ, P.E.



CONSTRUCT 3" 4" CONCRETE
TURNDOWN SIDEWALK AS PER
TYPICAL DETAIL.



CONSTRUCT 6" CONCRETE BARRIER CURB AS
PER TYPICAL DETAIL.



CONSTRUCT 3" 4" CONCRETE
TURNDOWN SIDEWALK AS PER
TYPICAL DETAIL.



CONSTRUCT 6" CONCRETE BARRIER CURB AS
PER TYPICAL DETAIL.



CONSTRUCT 6" CONCRETE BARRIER CURB AS
PER TYPICAL DETAIL.



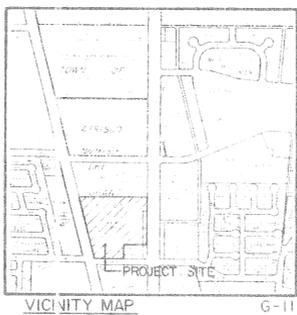
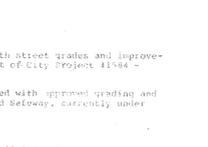
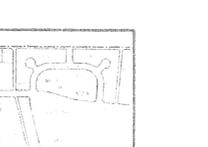
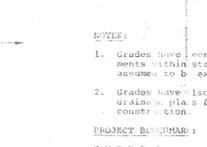
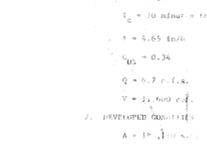
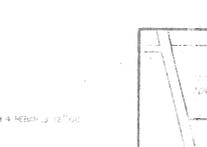
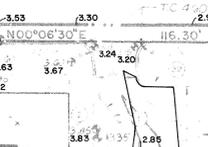
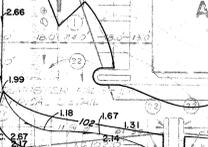
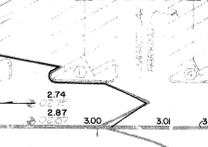
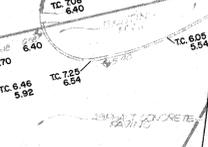
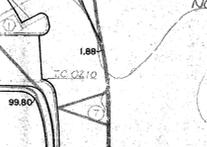
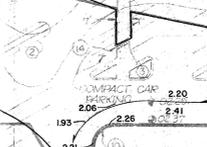
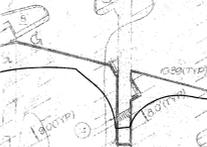
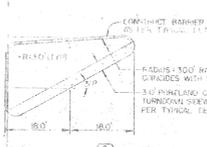
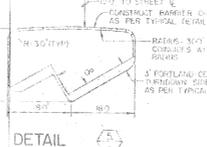
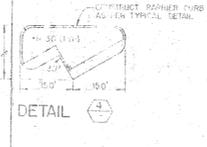
CONSTRUCT 6" CONCRETE BARRIER CURB AS
PER TYPICAL DETAIL.



CONSTRUCT 6" CONCRETE BARRIER CURB AS
PER TYPICAL DETAIL.



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PER TYPICAL DETAIL.



Proposed development is based upon the approved drainage report prepared by
Fred Lepp and Associates, Inc., for the American Southwest Development, Inc.,
the applicant, and the City of Albuquerque, New Mexico, dated 10/11/07.
It is noted that the drainage report is based upon the existing conditions
and does not include any proposed improvements. The drainage report
assumes that the existing drainage system is adequate to handle the
proposed development.

1. The drainage report is based upon the following assumptions:
a. The drainage report is based upon the existing conditions and does not
include any proposed improvements.
b. The drainage report is based upon the existing conditions and does not
include any proposed improvements.
c. The drainage report is based upon the existing conditions and does not
include any proposed improvements.

2. The drainage report is based upon the following assumptions:
a. The drainage report is based upon the existing conditions and does not
include any proposed improvements.
b. The drainage report is based upon the existing conditions and does not
include any proposed improvements.
c. The drainage report is based upon the existing conditions and does not
include any proposed improvements.

Drainage Certification Calculations

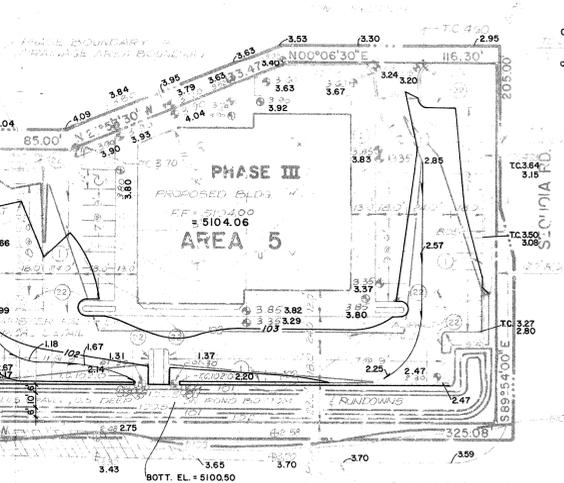
Drainage Area 2 - Pond Volume
Area - Elev. 105 = 14780 s.f. Volume = 12317 c.f.
Area - Elev. 104 = 2812 s.f. Volume = 8641 c.f.
Area - Elev. 103 = 7428 s.f. Volume = 1486 c.f.
Area - Elev. 102.6 = 0
Volume in Rock Bed = 7428 (1/3) (.5) = 1238 c.f.
Total Available Ponding Volume = 23652 c.f.
Volume Required = 23,540 c.f.

Drainage Area 3 - Pond Volume
Area - Elev. 101.5 = 28903 c.f. Volume = 11672 c.f.
Area - Elev. 101 = 17783 c.f. Volume = 13584 c.f.
Area - Elev. 100 = 9384 c.f. Volume = 2346 c.f.
Area - Elev. 99.5 = 0
Volume in Rock Bed = 9384 (1/3) (.5) = 3128 c.f.
Total Available Ponding Volume = 30,730 c.f.
Volume Required = 29,340 c.f.

Drainage Area 5 - Pond Volume
Area - Elev. 102 = 8915 s.f. Volume = 6757 c.f.
Area - Elev. 101 = 4598 s.f. Volume = 1795 c.f.
Total Available Ponding Volume = 8552 c.f.
Volume Required = 8260 c.f.

PHASE II AND III ONLY
TO BE CONSTRUCTED UNDER
THIS CONTRACT.

CERTIFIED



| | | |
|--|-----------------|------------------|
| job title LADERA SHOPPING CENTER | job no. 6280 | date 12-20-02 |
| sheet title SITE PAVING AND GRADING PLAN | by | |

delatorre • rainhart, p.a.
architects
621 indian school road n.e. • suite 141
albuquerque, nm 87106-8810-6550

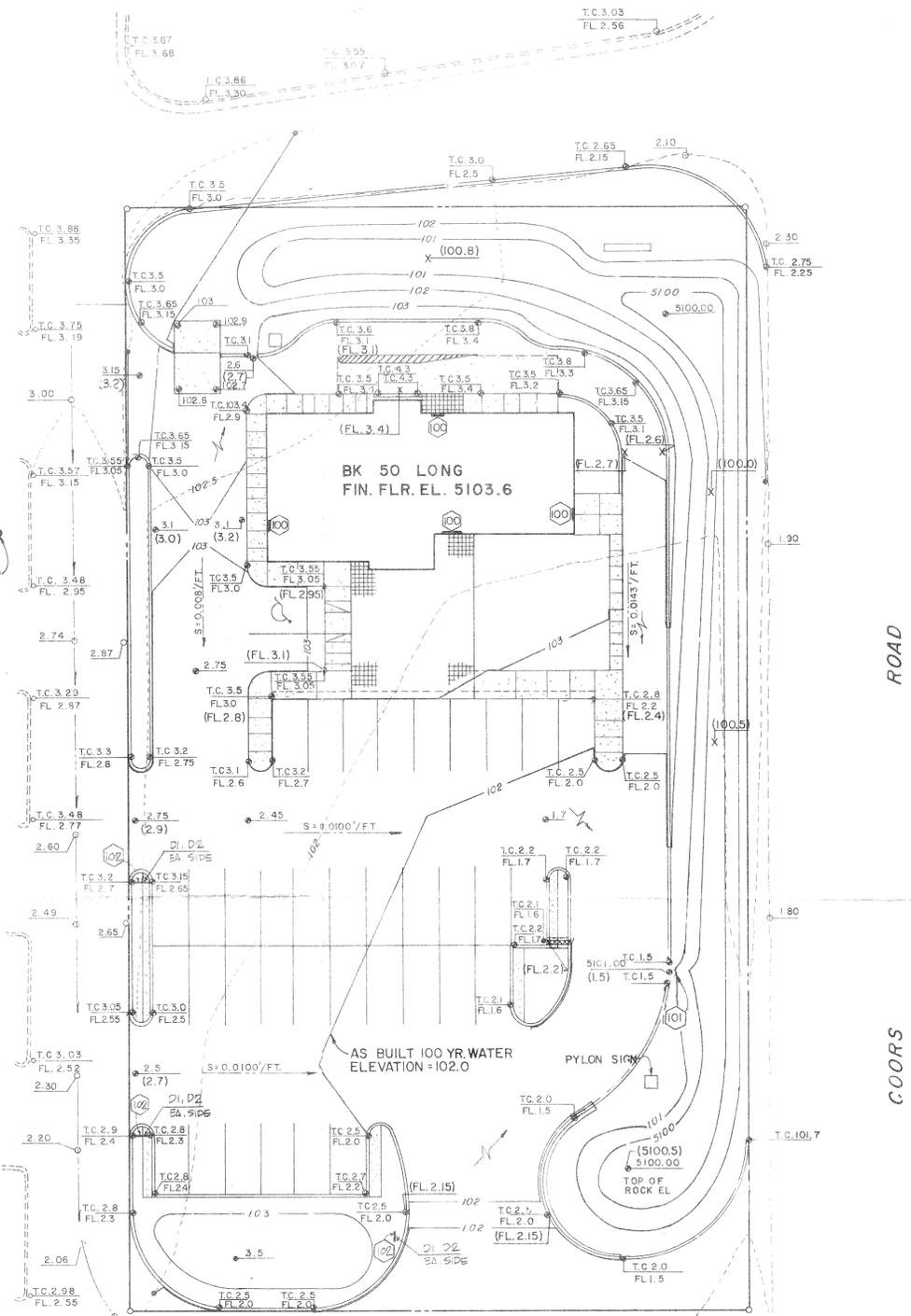
Sheet 2
C1



SCALE: 1"=20'

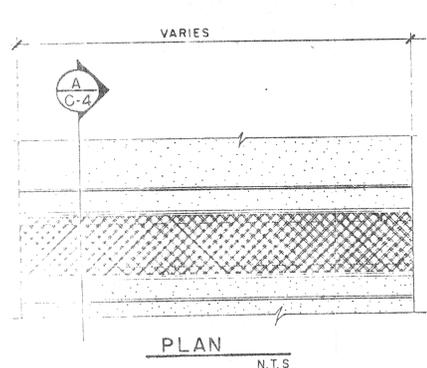


VICINITY MAP G-11-Z
* AREA OF MASTER DRAINAGE PLAN

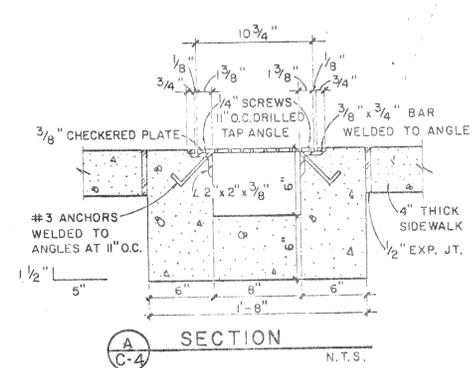


- 1 6" CONCRETE CURB
 - 3 STANDARD CURB NOSING
 - 4 9" BARRIER CURB
 - 7 TILE PAVER WALK
 - 8 BRUSHED CONCRETE WALK
 - 9 CONCRETE RAMP EXTERNAL
 - 11 HANDICAP PARKING STALL PAINT STD. SYMBOL
 - 13 CEDAR TRASH ENCLOSURE-SEE DUMPSTER DETAILS
 - 20 PAINTED TRAFFIC ARROW
 - 30 ROOF DRAIN FLUME
 - 32 HANDRAIL 5 L.F.
 - 40 ROOF DRAIN LEADER THRU CURB
 - 45 4" WIDE PAINTED STRIPES (TYP)
 - 46 4" WIDE PAINTED STRIPES AT 1.5' O.C 45°
 - 52 BIKE RACK FOR 4 BIKES
 - 54 NEW PAVING TO MATCH EXIST. ELEV.
 - 56 EXISTING PAVING TO REMAIN
 - 58 EDGE OF EXISTING PAVING (NO CURB)
 - 61 TRANSFORMER PAD TO PNM REQUIREMENTS
 - 65 CONCRETE DRIVE THRU LANE
 - 67 LANDSCAPED AREA
 - 69 WALK IN BOXES (SEE ARCH)
 - 70 GUARD POST AT DRIVE-THRU WINDOW
 - 99 4" CONCRETE SIDEWALK 3000 P.S.I, 3/4" AGG.
 - 100 DOOR OPENING
- * SEE SHT. C-5 THRU C-9 FOR DETAILS
NOTE: ALL DIMENSIONS FOR PARKING AREAS AND DRIVES ARE TO FACE OF CURB
CONSTRUCT RIP-RAP RUN DOWN
- 101 BURGER KING LOGO
 - A CLEARANCE SIGN 8'-6"
 - B ORDER STATION
 - C DIRECTIONAL SIGN SEE SHEET # C-4

- LEGEND**
- 4 SITE NOTE
 - BUILDING TIE
 - ▬ NEW 6" CURB
 - ▬ NEW SIDEWALK
 - ▬ EXISTING CURB AND GUTTER
 - 3.40 EXISTING SPOT ELEV.
 - 3.5 NEW SPOT ELEV.
 - - - EXISTING CONTOUR
 - 102 NEW CONTOUR
 - X (03.5) AS BUILT ELEVATIONS



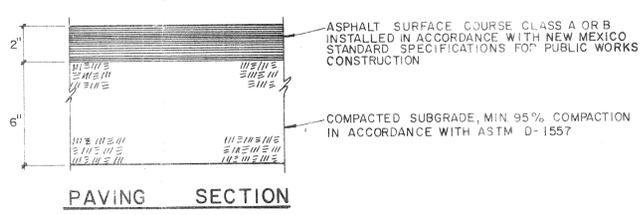
PLAN N.T.S.



SECTION N.T.S.

**AS BUILT DRAINAGE PLAN
GRADING AND DRAINAGE PLAN**

CONSTRUCTION COMPLETED IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED DRAINAGE PLAN AND REPORT.



PAVING SECTION

SIDEWALK DRAIN DETAILS

RESTAURANT FOR:



P.O. BOX 520783
GENERAL MAIL FACILITY
MIAMI, FL. 33152
PHONE 305-596-7978



PARKING
CIVIL ENGINEERING PLANS
GRADING
PLAN

C-4

G11/D3D