924-3864

# DRAINAGE INFORMATION SHEET

PROJECT TITLE: DIAMOND SHAMROCK CORNERSTORE #1246 ZONE ATLAS/DRNG. FILE #: H-9/D2

DRB #: _____ EPC #: _____ WORK ORDER #: _____

LEGAL DESCRIPTION: TRACT 1-C EL RANCHO ATRISCO PHASE III

CITY ADDRESS: 7940 LADERA DRIVE NW

ENGINEERING FIRM: GALLOWAY ROMERO & ASSOC. CONTACT: LARRY L. PARKER
ADDRESS: 5350 DTC PARKWAY ENGLEWOOD CO 80111 PHONE: (303) 770-8884

OWNER: DIAMOND SHAMROCK MARKETING & REFINING CONTACT: DAN LAMB
ADDRESS: 520 E. 56TH AVE DENVER CO 80216 PHONE: (303) 293-6626

ARCHITECT: GALLOWAY ROMERO & ASSOC. CONTACT: LARRY L. PARKER
ADDRESS: 5350 DTC PARKWAY ENGLEWOOD CO 80111 PHONE: (303) 770-8884

SURVEYOR: FORSTBAUER SURVEYING CO CONTACT: RON FORSTBAUER
ADDRESS: 1100 ALVARADO NE ALBUQUERQUE NM 87110 PHONE: (505) 268-2112

CONTRACTOR: NUCKOLLS CONSTRUCTION CONTACT: RICK HANNA
ADDRESS: 1705 W. KOENIG LANE AUSTIN TX 78756 PHONE: (512) 453-0313

TYPE OF SUBMITTAL:

____ DRAINAGE REPORT
✓ DRAINAGE PLAN
____ CONCEPTUAL GRADING & DRAINAGE PLAN
____ GRADING PLAN
____ EROSION CONTROL PLAN
____ ENGINEER'S CERTIFICATION
____ OTHER

PRE-DESIGN MEETING:

✓ YES
____ NO
✓ COPY PROVIDED

RECEIVED
APR 14 1997
HYDROLOGY SECTION

CHECK TYPE OF APPROVAL SOUGHT:

____ SKETCH PLAT APPROVAL
____ 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 APPROVAL
____ GRADING PERMIT APPROVAL
____ PAVING PERMIT APPROVAL
____ S.A.D. DRAINAGE REPORT
____ DRAINAGE REQUIREMENTS
____ OTHER _____ (SPECIFY)

DATE SUBMITTED: APRIL 11, 1979

BY: [signature]

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #

APPROVAL REQUESTED:

| | | | |
|---|---|---|---|
| X | PRELIMINARY PLAT | | FINAL PLAT |
| | SITE DEVELOPMENT PLAN | X | BUILDING PERMIT |
| | GRADING/PAVING PERMIT | | OTHER |

Legal

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

FIRM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan cover site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

DRAINAGE SECTION APR 14 1991 HYDROLOGY

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

DATE: 05/25/95 DATE: 5/25/95

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.

# LETTER OF TRANSMITTAL

Galloway, Romero & Associates
Design Engineering Planning

5350 DTC Parkway
Englewood, Colorado 80111
(303) 770-8884
(303) 770-3636 Fax

DATE APRIL 11, 97
PROJECT DIAMOND SHAMROCK
LOCATION UNSER & LADERA

ATTENTION BERNIE MONTOYA
RE:

To:
CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
HYDROLOGY DIVISION
600 2ND ST. NW
ALBUQUERQUE NM 87102 (505) 924-3986

WE ARE SENDING YOU: ☒ HEREWITH ☐ DELIVERED BY HAND ☒ OVERNIGHT
☐ VIA _____

THE FOLLOWING ITEMS: ☒ PRINTS ☐ MYLARS ☒ PHOTOCOPIES ☐ COPY OF LETTER ☐ SPECIFICATIONS
☐ _____

| COPIES | DATE OR NO. | DESCRIPTION |
|---|---|---|
| 1 | | AS BUILT DEVELOPED DRAINAGE PLAN |
| 1 | | DRAINAGE INFO SHEET |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

THESE ARE TRANSMITTED AS INDICATED BELOW

☑ FOR YOUR USE ☐ AS REQUESTED ☐ FOR REVIEW AND COMMENT ☑ FOR APPROVAL
☐ APPROVED AS NOTED ☐ RETURNED FOR CORRECTIONS ☐ _____

REMARKS:

RECEIVED
APR 14 1997
HYDROLOGY SECTION

COPIES TO: _____

SIGNED: Gary L. Taylor

CITY OF
Albuquerque
Public Works Department

Martin J. Chávez, Mayor

Robert E. Gurulé, Director

April 18, 1997

Larry Parker
Galloway, Romero & Associates
5350 DTC Parkway
Englewood ,CO 8011

RE: ENGINEER CERTIFICATION FOR DIAMOND SHAMROCK (H9-D20) ENGINEER'S CERTIFICATION STATEMENT DATED 4/11/97

Dear Mr. Parker:

Based on the information provided on your April 14, 1997 submittal, Engineer Certification for the above referenced site is acceptable.

If I can be of further assistance, please feel free to contact me at 924-3986.

C: Andrew Garcia
File

Sincerely

Bernie J. Montoya CE
Engineering Associate

KGA ARCHITECTS

8 pages

# Transmittal Letter

Project: Diamond Shamrock
Ladera / Unser
Albuquerque, New Mexico

Architect's
Project No: 9515.00

Date: 4/18/97

To: Andrew Garcia
C.O.A. Hydrology
FAX [redacted] 924-3864

If enclosures are not as noted, please inform us immediately.

We Transmit:
- [x] enclosed
- [ ] under separate cover via _____

For Your:
- [ ] approval
- [ ] review & comment
- [ ] distribution to parties
- [ ] record
- [ ] information
- [x] use

The Following:
- [ ] Drawings
- [ ] Specifications
- [ ] Change Order
- [ ] Shop Drawings
- [ ] Contract
- [ ] Copy of Letter
- [ ] Samples
- [ ] Product Literature
- [x] As Noted

| Copies | Description |
|---|---|
| 1 | Drainage Agreement - Recorded 96 OCT -2 AM 10:44 |
| 1 | Drainage Report for Building Permit Approval |

Remarks:

Copy:

By: Glenn F. Bates

Kevin Georges & Associates, PA . A Professional Association
127 Jefferson Street NE . Suite A . Albuquerque, New Mexico 87108-1216
(505) 255-4975 . Fax (505) 255-9943

CITY OF
Albuquerque

October 4, 1996

Martin J. Chávez, Mayor

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

*RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 4-12-96.*

Dear Mr. Parker

Based on the updated information provided submittal, the above referenced project is approved for Building Permit.

Prior to Certificate of Occupancy, an Engineer's Certification will be required.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

96109302

8709

# DRAINAGE AGREEMENT

This Drainage Agreement ("Agreement") is made and entered into between WESTLAND DEVELOPMENT CO., INC., a New Mexico corporation, ("Owner") whose address is 401 Coors Blvd., N. W., Albuquerque, New Mexico 87121, and DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, ("Developer") whose address is P.O. Box 696000, San Antonio, Texas 78269.

1. Recitals.

A. Owner owns real property known as Tract 1-A, as shown on the Plat of Tracts 1-A, 1-B, and 1-C of El Rancho Atrisco, Phase III, recorded in Bernalillo County Clerks Office on May 13, 1996, in Volume 96 C, Folio/95, (the "Plat") located on the southeast corner of Unser and Ladera Drive in Bernalillo County, New Mexico (the "Property");

B. Developer purchased from Owner and owns Tract 1-C as shown on the Plat ("Developer Tract");

C. Developer requires a means for the flow, conveyance and discharge of storm water runoff "drainage right" from the Developer Tract and a place for the water to accumulate in a temporary collecting pond, the drainage right and the temporary collecting pond are collectively called the Temporary Drainage Facility ("TDF") over and onto the Property until Owner or Owner's successors and assigns construct a permanent drainage facility ("Drainage Facility") on or off the Property;

D. Developer shall have the continuous right during the period of the TDF and the Drainage Facility to allow storm water to flow across and discharge from Developers Tract onto and across portions of the Property and into the Drainage Facility. The drainage right may be redefined and/or reconfigured beyond Developer's Tract as determined by the Owner and approved by the City of Albuquerque (the "City") with subsequent development and/or site plans for Tract 1-A. It is provided, however, that the TDF and other rights granted herein to Developer will remain in place until a permanent drainage solution has been approved by the City and construction has been completed without cost to Developer;

E. Pursuant to City ordinances, regulations, and other applicable laws, Developer shall construct and maintain the TDF, and Owner, for good and valuable consideration received from Developer, is willing to allow construction and maintenance of the TDF on the Property, and the parties wish to enter into this Agreement to establish the obligations and responsibilities of the parties; and

F. Owner, as it develops its Property, will, pursuant to City ordinances, regulations, and other applicable laws, construct and maintain the Drainage Facility and preserve Developer's rights of access to the Drainage Facility for the flow, conveyance, and discharge of storm water runoff.

2. TDF. Developer shall construct the TDF within the Property at Developer's sole expense in accordance with the standards, plans and specifications approved by the City. The land affected by the TDF is more particularly described as Exhibit "A" and depicted in Exhibit "A-1" attached hereto and made a part hereof. The TDF will be owned by Owner and Owner may relocate the TDF on land other than the Developer Tract at the sole cost and expense of Owner and pursuant to this Agreement.

3. Reservation. Owner, for itself, its successors and assigns, jointly and severally, hereby grants to Developer, its successors and assigns, TDF over and across a portion of the Owner's Property for the benefit of Tract 1-C ( as shown on the Plat), for the purpose of permitting the flow, conveyance, and discharge of storm water runoff and for the purpose of permitting ingress and egress for the construction, maintenance, and repair of the TDF.

4. Maintenance. Developer shall maintain the TDF at Developer's sole cost in accordance with City approved drainage report and plans until such time as a Drainage Facility is in place. Developer will have the right from time to time to go upon the Property for the purpose of constructing and maintaining the TDF. If Developer fails to maintain the temporary TDF, then Owner shall have the right to do so and charge the cost thereof to Developer.

5. Binding on Owner's Property and Developer's Tract. Developer has the continuing right for the flow, conveyance, and discharge of storm water runoff from Developer's Tract across so much of the Property as is necessary to reach the Drainage Facility and for the use of the Drainage Facility. The rights and obligations of the Owner and Developer set forth herein shall be binding on the Owner and Developer, their successors and assigns, and on the Property and Developer's Tract, and shall constitute covenants running with the Property and Developer's Tract.

6. Liability. Developer and Owner understand and agree that the Owner shall not be liable to Developer, or its respective successors or assigns, or to any third parties



BP

for any damages resulting from Developer's failure to construct, maintain, or repair the TDF.

7. Assessment. Nothing in this Agreement shall be construed to relieve the Owner or Developer, or their successors and assigns, from an assessment against the Owner's Property or Developer's property for improvements under a duly authorized and approved Special Assessment District.

8. If either party is required to commence any action or proceeding against the other in order to enforce the provisions hereof, the prevailing party's remedy shall be limited to injunctive relief and damages for the alleged breach of any of the provisions, and neither party shall have the right to terminate this Agreement. The prevailing party in any such action shall be entitled to recover, in addition to any amounts or relief otherwise awarded, all reasonable costs incurred in connection therewith, including attorneys' fees. No waiver by either party of any default under this Agreement shall be effective or binding upon such party unless made in writing. No waiver of any default shall be deemed a waiver of any other or subsequent default hereunder.

9. Changes. Changes to this Agreement are not binding unless made in writing, signed by all parties.

Dated to be effective the 30th day of September, 1996.

OWNER:

WESTLAND DEVELOPMENT CO., INC.

BY: Barbara Page
Barbara Page,
President/Chief Executive Officer

DEVELOPER:

DIAMOND SHAMROCK REFINING AND MARKETING COMPANY

BY:
Vice President

8712

STATE OF NEW MEXICO §
§
COUNTY OF BERNALILLO §

This instrument was acknowledged before me this 30 day of SEPTEMBER, 1996, by Barbara Page, President/Chief Executive Officer of Westland Development Co., Inc., a New Mexico corporation, on behalf of said corporation.

OFFICIAL SEAL
LINDA J. BLAIR
NOTARY PUBLIC STATE OF NEW MEXICO
Notary Bond Filed with Secretary of State
My Commission Expires 8/5/97

Linda J. Blair
Notary Public, State of New Mexico

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me this 13th day of September, 1996, by Don Thurmond, Vice President of DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, on behalf of said corporation.

Jodi O. Christiansen
Notary Public, State of Texas

JODI O. CHRISTIANSEN
Notary Public, State of Texas
My Comm. Exp. 03/07/98

W2755.JB

8713

# Exhibit A

## LEGAL DESCRIPTION
## TEMPORARY RETENTION POND

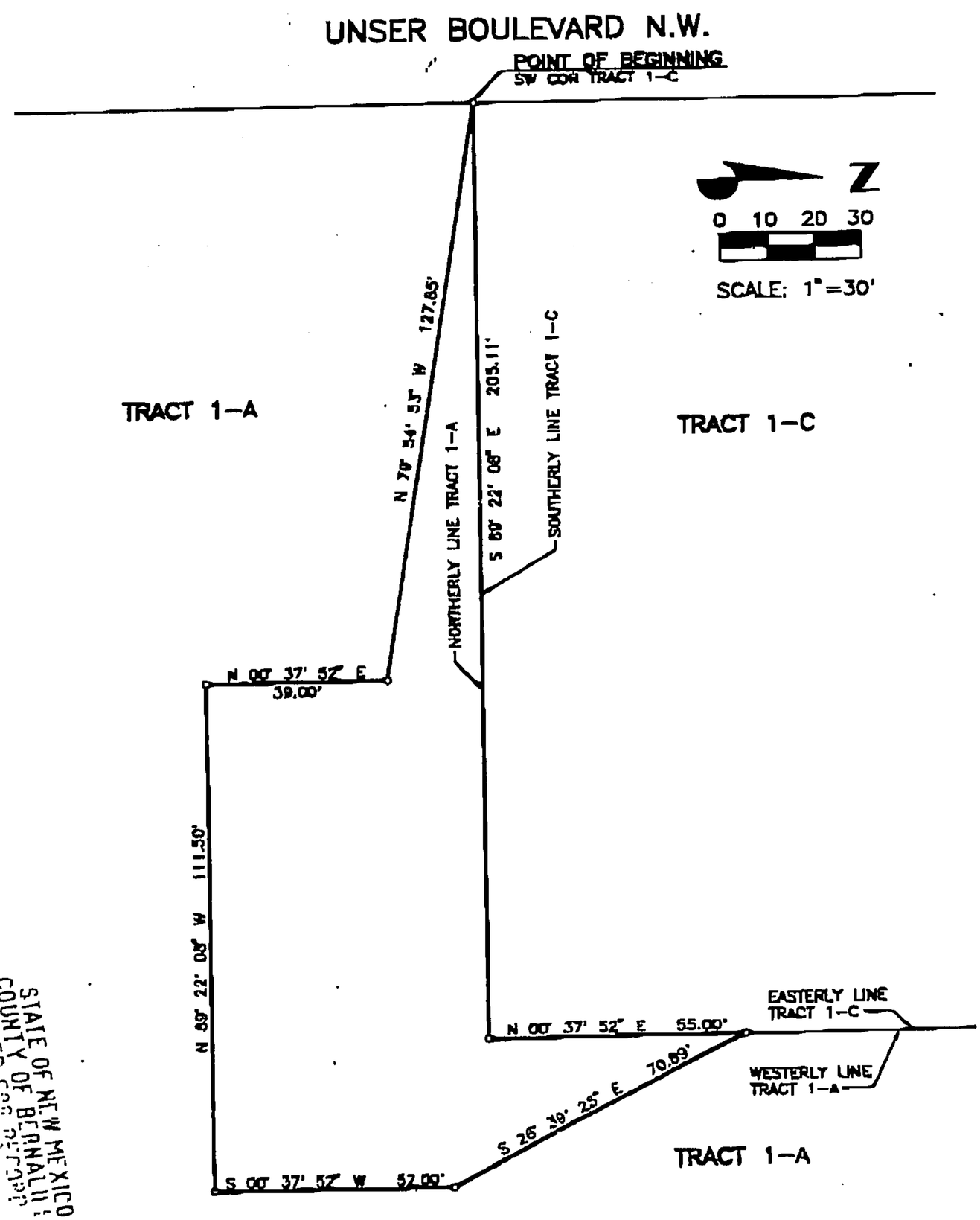
A PART OF TRACT 1-A, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III, CITY OF ALBUQUERQUE, COUNTY OF BERNALILLO, STATE OF NEW MEXICO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 1-C, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III ACCORDING TO THE RECORDED PLAT THEREOF; THENCE S 89°22'08" E, ALONG THE SOUTHERLY LINE OF SAID TRACT 1-C AND ALONG THE NORTHERLY LINE OF TRACT 1-A, A DISTANCE OF 205.11 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1-C; THENCE N 00°37'52" E, ALONG THE EASTERLY LINE OF SAID TRACT 1-C AND ALONG THE WESTERLY LINE OF SAID TRACT 1-A, A DISTANCE OF 55.00 FEET; THENCE S 26°39'25" E A DISTANCE OF 70.89 FEET; THENCE S 00°37'52" W A DISTANCE OF 52.00 FEET; THENCE N 89°22'08" W A DISTANCE OF 111.50 FEET; THENCE N 00°37'52" E A DISTANCE OF 39.00 FEET; THENCE N 79°54'53" W A DISTANCE OF 127.85 FEET TO THE POINT OF BEGINNING.

BL

8714

## Exhibit A-1




NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY, IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
96 OCT -2 AM 10:44
JUDY D. WOODWARD
CLERK & RECORDER

96-26809

**DIAMOND SHAMROCK**
520 E 56th AVE
DENVER, COLORADO 80216

PREPARED BY:
GALLOWAY, ROMERO & ASSOCIATES
CONSULTING ENGINEERS
14202 E EVANS AVE
AURORA, COLORADO 80014
TEL:(303)745-7448
FAX:(303)745-7480

| | | | |
|---|---|---|---|
| DESIGNED BY: LLP | CHECKED BY: LLP | DATE: MAY, 1996 | DIAMOND SHAMROCK CORNER STORE 1246 |
| DRAWN BY: RDG | DISK FILE: D056LEG | SCALE: 1"=30' | |

CITY OF
Albuquerque

October 4, 1996

Martin J. Chávez, Mayor

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 4-12-96.***

Dear Mr. Parker

Based on the updated information provided submittal, the above referenced project is approved for Building Permit.

Prior to Certificate of Occupancy, an Engineer's Certification will be required.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

**City of Albuquerque**
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

December 5, 1995

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 11-8-95.***

Dear Mr. Parker

Based on the information provided on your November 13, 1995 submittal, the above referenced project is conditionally approved for Building Permit. Prior to Building Permit release, please supply the City with a drainage covenant for the temporary retention pond.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

# DRAINAGE INFORMATION SHEET

PROJECT TITLE: DIAMOND SHAMROCK CORNERSTORE # 1246 ZONE ATLAS/DRNG. FILE #: H-9/112

DRB #: _____ EPC #: _____ WORK ORDER #: _____

LEGAL DESCRIPTION: TRACT 1-G, TRACTS 1-A, 1-B and 1-C OF EL RANCHO ATRISCO PHASE III

CITY ADDRESS: 7940 LADERA DRIVE NW

ENGINEERING FIRM: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVE. AORORA CO. 80014 PHONE: (303) 745-7448

OWNER: DIAMOND SHAMROCK MARKETING & REFINING CONTACT: DAN LAMB

ADDRESS: 520 E. 56th AVENUE DENVER, CO 80216 PHONE: (303) 297-9777

ARCHITECT: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVENUE AURORA CO. 80014 PHONE: (303) 745-7448

SURVEYOR: RONALD A. FORSTBAUER SURVEYING CO. CONTACT: RONALD A. FORSTBAUER

ADDRESS: 1100 ALVARODO NE ALBUQUERQUE NM 87110 PHONE: (505) 268-2112

CONTRACTOR: NOT SELECTED CONTACT: _____

ADDRESS: _____ PHONE: _____

TYPE OF SUBMITTAL:

- ✓ DRAINAGE REPORT
- ✓ DRAINAGE PLAN
- ___ CONCEPTUAL GRADING & DRAINAGE PLAN
- ___ GRADING PLAN
- ___ EROSION CONTROL PLAN
- ___ ENGINEER'S CERTIFICATION
- ___ OTHER

PRE-DESIGN MEETING:

- ✓ YES
- ___ NO
- ✓ COPY PROVIDED

CHECK TYPE OF APPROVAL SOUGHT:

- ___ SKETCH PLAT APPROVAL
- ___ 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 APPROVAL
- ___ GRADING PERMIT APPROVAL
- ___ PAVING PERMIT APPROVAL
- ___ S.A.D. DRAINAGE REPORT
- ___ DRAINAGE REQUIREMENTS
- ___ OTHER _____ (SPECIFY)

RECEIVED
APR 15 1996
HYDROLOGY DIVISION

DATE SUBMITTED: _____

BY: _____

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

| | | | |
|---|---|---|---|
| X | PRELIMINARY PLAT | | FINAL PLAT |
| | SITE DEVELOPMENT PLAN | X | BUILDING PERMIT |
| | GRADING/PAVING PERMIT | | OTHER |

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

FIRM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

APR 15 1996

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

DATE: 05/25/95 DATE: 5/25/95

**NOTE: PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.

# LETTER OF TRANSMITTAL

Galloway, Romero & Associates
Design Engineering Planning

14202 East Evans Avenue
Aurora, Colorado 80014
(303) 745-7448
(303) 745-7480 Fax

DATE APRIL 12, 96
PROJECT DIAMOND SHAMROCK
LOCATION UNSER & LADERA

ATTENTION LISA MANWILL
RE:

To:
CITY OF ALBUQUERQUE
HYDROLOGY DIVISION

WE ARE SENDING YOU: ☑ HEREWITH ☐ DELIVERED BY HAND ☐ OVERNIGHT
☐ VIA _____

THE FOLLOWING ITEMS: ☐ PRINTS ☐ MYLARS ☐ PHOTOCOPIES ☐ COPY OF LETTER ☐ SPECIFICATIONS
☑ REPORT

| COPIES | DATE OR NO. | DESCRIPTION |
|---|---|---|
| 1 | | FINAL DRAINAGE STUDY, DRAINAGE INFO SHEET |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

THESE ARE TRANSMITTED AS INDICATED BELOW

☐ FOR YOUR USE ☐ AS REQUESTED ☑ FOR REVIEW AND COMMENT ☑ FOR APPROVAL
☐ APPROVED AS NOTED ☐ RETURNED FOR CORRECTIONS ☐ _____

REMARKS: YOU PROBABLY RECOGNIZE THIS ONE BECAUSE YOU ALREADY APPROVED IT. A COPY OF YOUR LETTER IS ATTACHED. THE SIZE OF THE LOT INCREASED BY 15' TO THE SOUTH AND THE LOT WAS RECONFIGURED TO ACCOMMODATE FUTURE ACCESS DRIVES FOR THE SURROUNDING CENTER. THE DRAINAGE WAS REVISED ACCORDINGLY

APR 15 1996

COPIES TO: DAN LAMB W/ DIAMOND SHAMROCK

SIGNED:

# Final Drainage Report
# for
# Diamond Shamrock Cornerstore 1246
# Unser Boulevard NW and Ladera Drive NW

**August 1995**
**Revised April 1996**

**Prepared for:**

**Diamond Shamrock**
**520 E. 56th Ave.**
**Denver, Co 80216**
**(303) 297-9777**
**Attn: Dan Lamb**

**Prepared by:**

**Galloway, Romero & Associates**
**14202 E. Evans Avenue**
**Aurora, CO 80014**
**(303) 745-7448**
**Attn: Larry L. Parker**

REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW MEXICO
NO. 4859
4-12-96
RAFAEL E. ROMERO

RECEIVED
APR 15 1996
DIVISION

## I. INTRODUCTION

This report is being prepared for Diamond Shamrock, Inc. the owner/developer of the site, to fulfill the final drainage requirements for Environmental Planning Commission and Building Permit Submittal for the City of Albuquerque, New Mexico. The report analyzes off site and on site runoff from the minor, 10 year frequency, and major, 100 year frequency storms and routes these flows through the site.

The 0.855 acre site is known as Tract 1-C, Tracts 1-A, 1-B and 1-C of El Rancho Atrisco, Phase III, City of Albuquerque, Bernalillo County, New Mexico. The site bound by Unser Boulevard on the west, by Ladera Drive on the north and by undeveloped, SU-1 zoned office/retail on the east and south. According to Flood Insurance Rate Map, Community Panel number 350002 0021 C, with an effective date of October 14, 1983, the site does not lie in a floodplain.

The site is part of a 25 acre development known as Heritage Plaza. Master plans for the development was approved by the City of Albuquerque in 1985. These plans, particularly the conceptual drainage plan, established the base criteria for the Diamond Shamrock Development.

The Diamond Shamrock site will be the first parcel to develop in the entire 25 acre parcel. Drainage wise, the site lies in the uppermost reach of the basin. Off site flows do not impact the site. Regional detention is proposed for the overall development and developed runoff from the Diamond Shamrock site will be accepted, routed to the pond(s) once the remaining sites develop. During the interim, a temporary retention pond will be provided.

The site is vacant and slopes downward from northwest to southeast at slopes ranging from 2 to 12 percent. Bare ground, native grasses and weeds cover the sites area.

## II. DESIGN CRITERIA

This report is being prepared using the criteria and methodology as presented in Section 22.2, Hydrology of the "Development Process Manual" for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January 1993. Peak runoff for the minor and major storms (10 and 100 year frequency, respectively), excess precipitation and runoff volume was calculated using values for Precipitation Zone 1. Calculations and applicable tables and graphs are included in the appendix of this report.

## III. MASTER DRAINAGE PLAN COMPLIANCE

As previously stated, the sites developed runoff was analyzed on the "Master Plan, Conceptual Drainage Plan", sheet 7 of 8 by Boehning, Protz, Cook and Associates, dated August 31, 1985. That plan shows the Diamond Shamrock site as being a part of Drainage Basin No. 6. That basin contains 8.04 acres and anticipated a 100 year runoff of 30.35 cfs based on an pervious area of 1.42 acres and an impervious area of 6.62 acres. To compare the anticipated/actual runoff, this basin was reanalyzed using current rational method values from the January 1994 Hydrology Manual. The methodology gave an overall 10 and 100 year runoff of 20.19 and 31.81 cfs, respectively. Using a simple area ration, the sites 10 and 100 year anticipated runoff is 2.20 and 3.47 cfs, respectively. Portions of the master plan and the reanalyzed runoff calculations are included in the appendix, pages A.4 to A.6, inclusive.

## IV. DEVELOPED DRAINAGE

General Concept: A pre-design conference and the Master Drainage Plan for Heritage Plaza has established the drainage criteria for the site. As previously stated, the site does not receive off site flows and lies in the upper reach of the basin. Once the entire Heritage Plaza site is developed, downstream regional detention ponding will be provided. Until the facilities are in place, a temporary retention pond will be established.

Specific Details: The site is developed into 2 basins, A and B. Basin A is a 0.049 acre basin that consists of landscaping. The 10 and 100 year runoff of 0.04 and 0.10 cfs, respectively, is undetained, routed away from the pond and exits the site by flowing into the road right-of-way.

Basin B is a 0.806 acre basin that consists of landscaped, paved and roof areas. The 10 and 100 year runoff of 2.03 and 3.19 cfs, respectively, flows southerly to the temporary retention pond.

## V. DETENTION/RETENTION

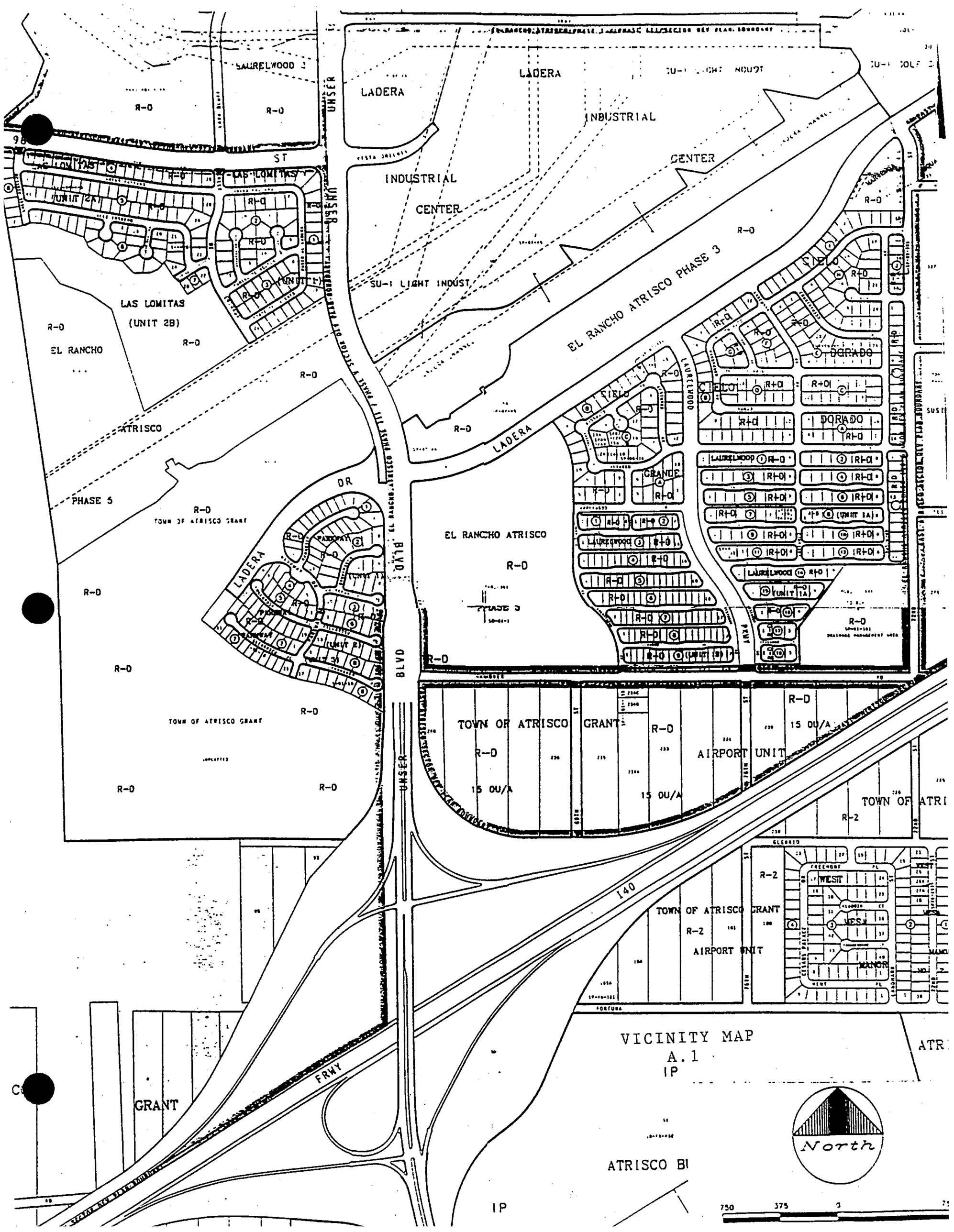
The site is part of a 25 acre overall development and the first pad site to develop. It also lies in the upper reach of the basin. Once the entire area develops the sites runoff will be directed to downstream, regional detention facilities. Until then a temporary retention pond has been provided. The pond was designed to contain the 100 year, 24 hour storm. This volume occurs at elevation 82.0 and as an added precaution an additional freeboard of 1.0 feet has been provided. The 100 year water surface of 82.0 is 5.5 feet below the convenience stores finished floor elevation of 87.5.

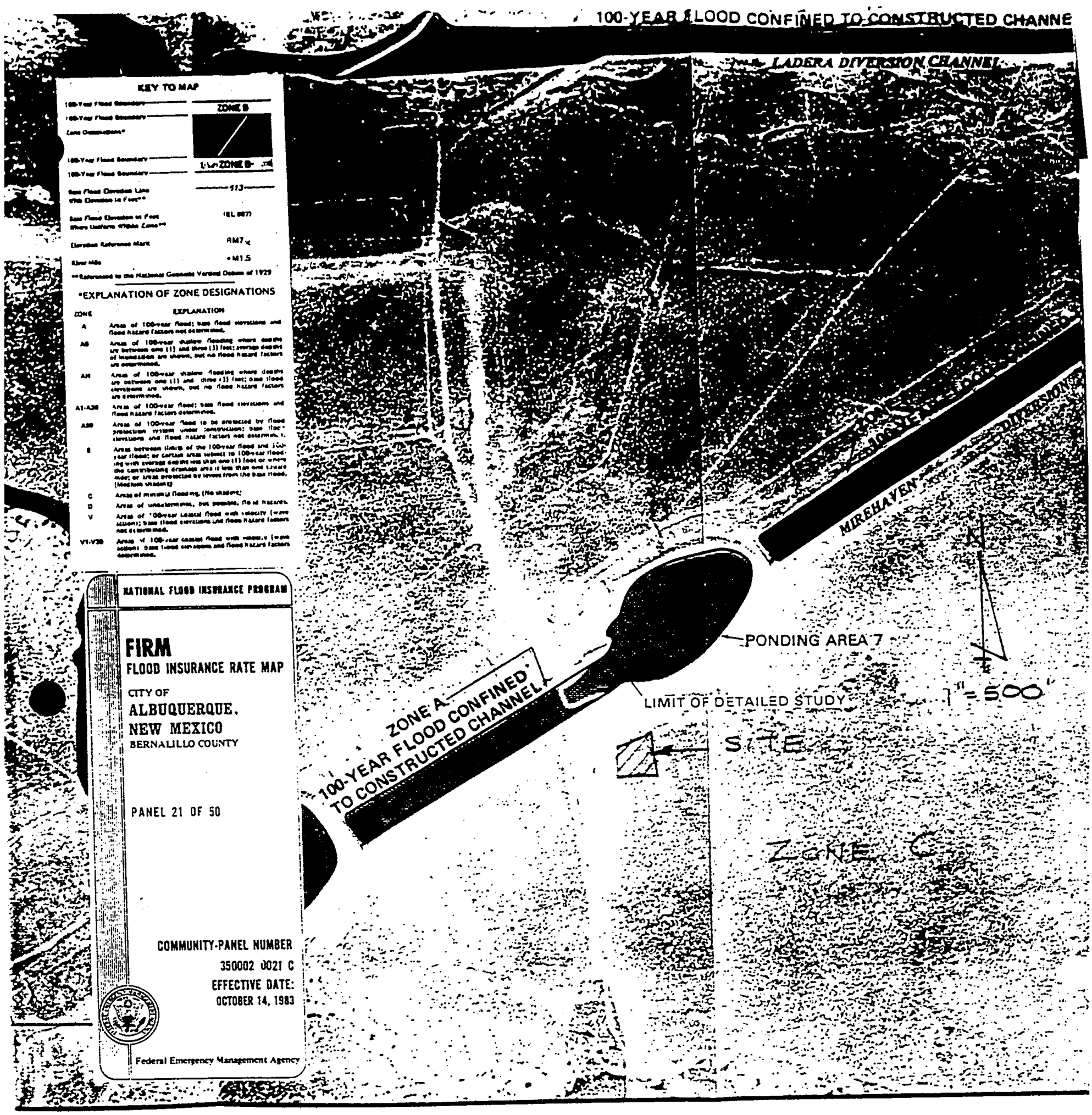
## VI. CONCLUSIONS

This report has been prepared using the methodology and information contained within Section 22.2 of the Development Process Manual for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January, 1993. Runoff from the minor/major storms is safely routed through the site and is discharged without causing potential harm to the public.

The reanalyzed 10 and 100 year, proportionally adjusted runoff was anticipated to be 2.20 and 3.47 cfs, respectively. The actual 10 and 100 year runoff is 2.07 and 3.29 cfs, respectively. The sites drainage patterns are in compliance with the Master Drainage Plan for the Heritage Plaza Development.

# APPENDIX A


LAUREL WOOD
R-O
UNSER
LADERA
INDUSTRIAL
CENTER
SU-1 LIGHT INDUST
LAS LOMITAS
UNIT 2A
UNIT 1
LAS LOMITAS
(UNIT 2B)
EL RANCHO
ATRISCO
PHASE 5
TOWN OF ATRISCO GRANT
EL RANCHO ATRISCO PHASE 3
EL RANCHO ATRISCO
PHASE 3
LAUREL WOOD
DORADO
GRANDE
DR
BLVD
PRWY
TOWN OF ATRISCO GRANT
15 DU/A
AIRPORT UNIT
R-2
I40
WEST
MANOR
FRWY
GRANT
ATRISCO BI
IP
VICINITY MAP
A.1
North
750
375
0




FLOOD INSURANCE RATE MAP
A.2

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unsen 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

- X PRELIMINARY PLAT
- ___ SITE DEVELOPMENT PLAN
- ___ GRADING/PAVING PERMIT
- ___ FINAL PLAT
- X BUILDING PERMIT
- ___ OTHER

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

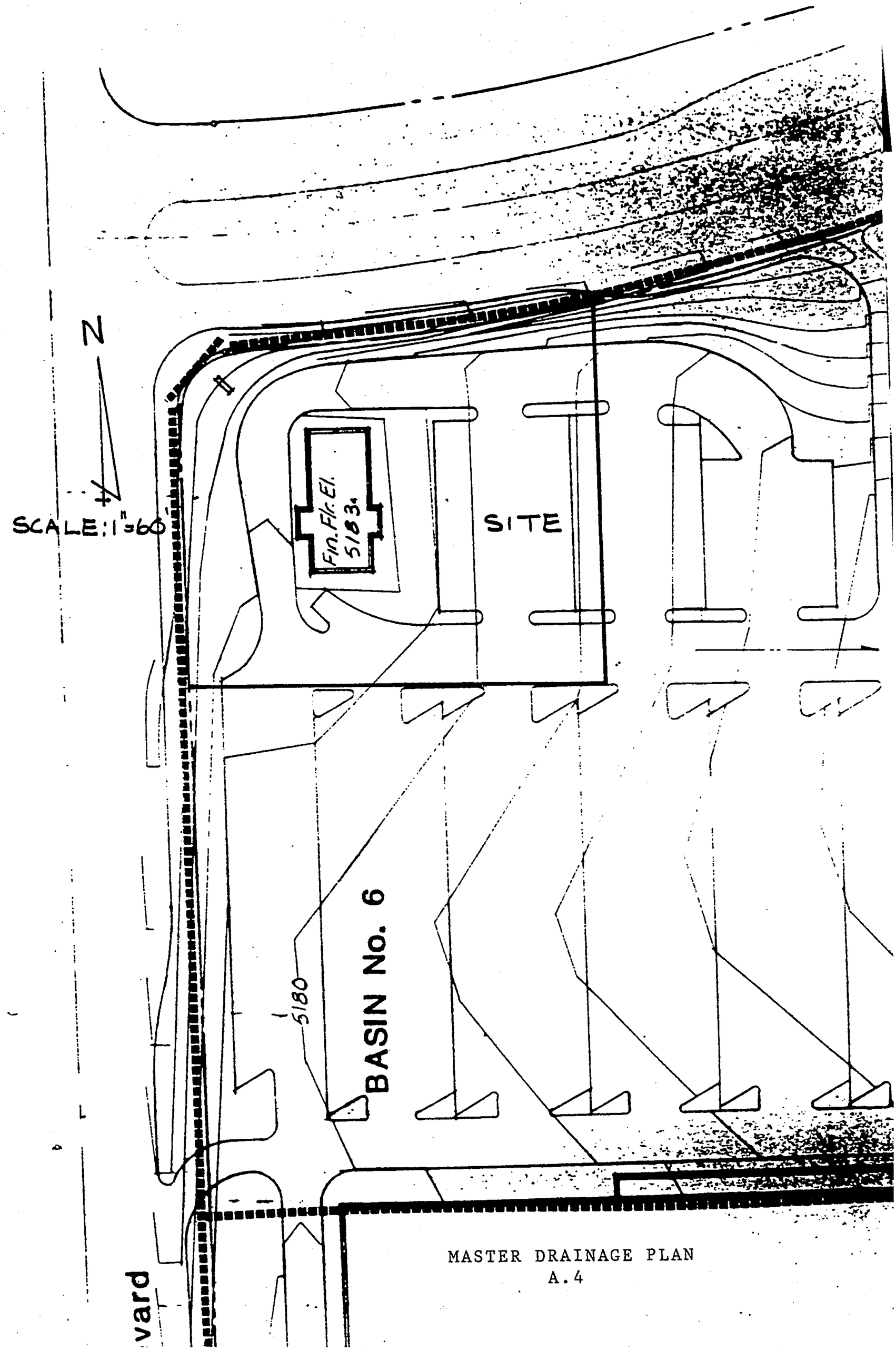
SIGNED: Glenn A. Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

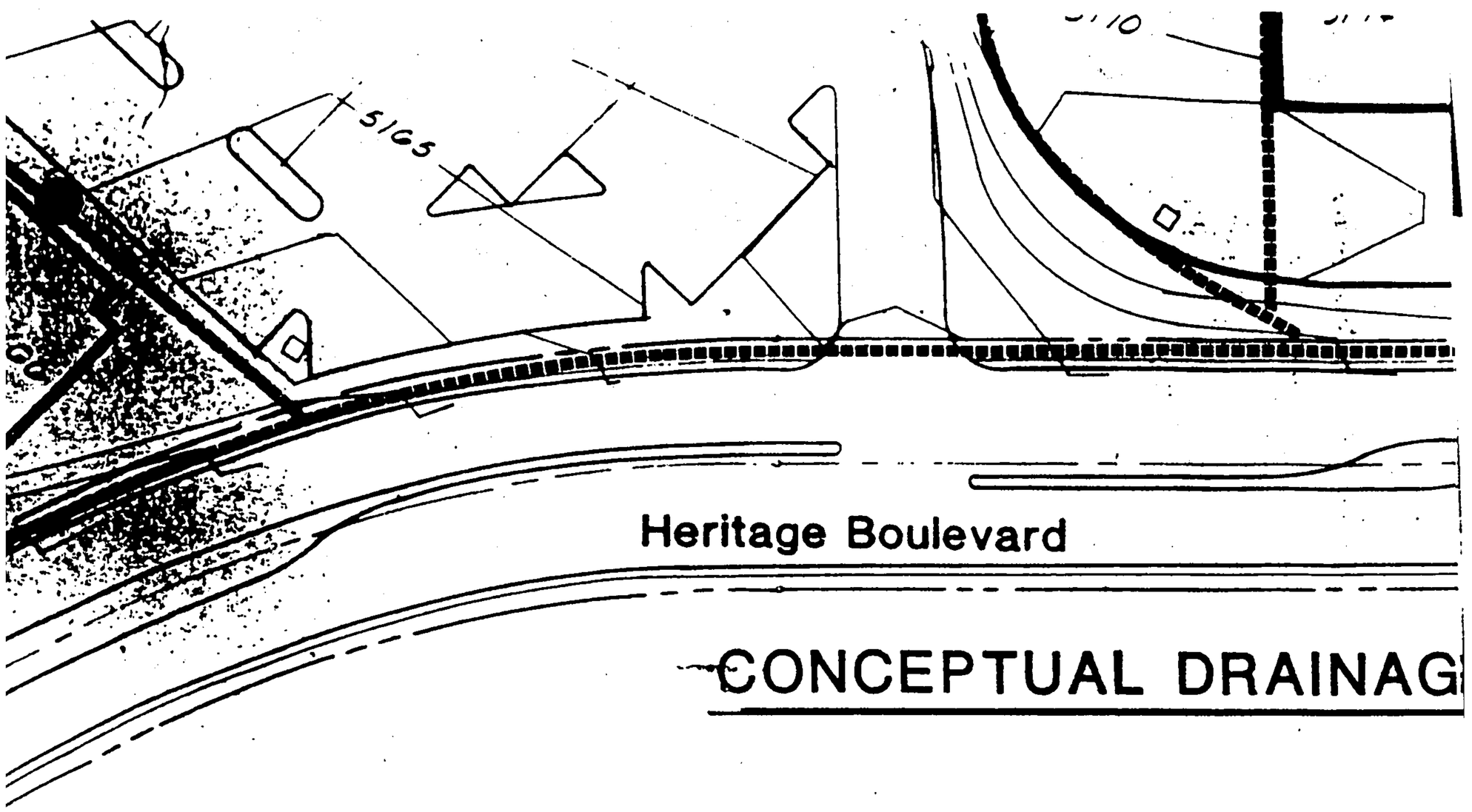
DATE: 05/25/95 DATE: 5/25/95

A.3

NOTE: PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.




MASTER DRAINAGE PLAN
A.4




**BASIN NO. 1**

TOTAL AREA = 1.72 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 88%
C = 0.84
Q = 7.00 CFS

**BASIN NO. 2**

TOTAL AREA = 3.33 ACRES
PERVIOUS AREA = 0.65 ACRE
PERCENT IMPERVIOUS = 80%
C = 0.77
Q = 12.41 CFS

**BASIN NO. 3**

TOTAL AREA = 3.54 ACRES
PERVIOUS AREA = 1.68 ACRES
PERCENT IMPERVIOUS = 53%
C = 0.59
Q = 10.11 CFS

**BASIN NO. 4**

TOTAL AREA = 4.00 ACRES
PERVIOUS AREA = 1.00 ACRE
PERCENT IMPERVIOUS = 75%
C = 0.73
Q = 14.13 CFS

**BASIN NO. 5**

TOTAL AREA = 3.40 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 94%
C = 0.91
Q = 14.98 CFS

**BASIN NO. 6**

TOTAL AREA = 8.04 ACRES
PERVIOUS AREA = 1.42 ACRES
PERCENT IMPERVIOUS = 82%
C = 0.78
Q = 30.35 CFS

REANALYZE BASIN 6, MASTER DRAINAGE PLAN, HERITAGE PLAZA

-BASIN AREA IS 8.04 ACRES, 1.42 Ac PERVIOUS, 6.62 Ac IMPERVIOUS

-USE TREATMENT "B" FOR PERVIOUS, "D" FOR IMPERVIOUS

RATIONAL METHOD:

Q10 = 20.19 cfs

Q100 = 31.81 cfs

PROPORTIONAL RELEASES:

RATIO = 0.109

Q10 = 2.20 cfs

Q100 = 3.47 cfs

## PEAK DISCHARGE FOR DEVELOPED BASINS

| BASIN NAME | OVERALL AREA AC | TREATMENT ACRES A | B | C | D | Q10 cfs | Q100 cfs |
|---|---|---|---|---|---|---|---|
| A | 0.049 | 0 | 0.049 | 0 | 0 | 0.04 | 0.10 |
| B | 0.806 | 0 | 0.140 | 0 | 0.666 | 2.03 | 3.19 |

## DETENTION/RETENTION

FIND DETENTION VOLUME: BASIN B ONLY

Excess Precipitation

E = 1.74 Inches
V 360 = 5103 Cubic Feet

ADJUST FOR 24 HOUR STORM
V 1440 = 6215

## POND VOLUME

| ELEVATION | AREA Sf | VOLUME Cf | CUMULATIVE VOLUME Cf |
|---|---|---|---|
| 79.5 | 0 | | |
| | | 336 | 336 |
| 80 | 2016 | | |
| | | 2480 | 2816 |
| 81 | 2944 | | |
| | | 3472 | 6288 |
| 82 | 4000 | | |

# DRAINAGE INFORMATION SHEET

PROJECT TITLE: DIAMOND SHAMROCK CORNERSTORE # 1246 ZONE ATLAS/DRNG. FILE #: (H9-D2)

DRB #: _____ EPC #: _____ WORK ORDER #: _____

LEGAL DESCRIPTION: TRACT 1C - EL RANCHO ATRISCO PHASE III

CITY ADDRESS: 7940 LADERA DR NW

ENGINEERING FIRM: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVE. AORORA CO. 80014 PHONE: (303) 745-7448

OWNER: DIAMOND SHAMROCK MARKETING & REFINING CONTACT: DAN LAMB

ADDRESS: 520 E. 56th AVENUE DENVER, CO 80216 PHONE: (303) 297-9777

ARCHITECT: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVENUE AURORA CO. 80014 PHONE: (303) 745-7448

SURVEYOR: RONALD A. FORSTBAUER SURVEYING CO. CONTACT: RONALD A. FORSTBAUER

ADDRESS: 1100 ALVARODO NE ALBUQUERQUE NM 87110 PHONE: (505) 268-2112

CONTRACTOR: NOT SELECTED CONTACT: _____

ADDRESS: _____ PHONE: _____

TYPE OF SUBMITTAL:

____ DRAINAGE REPORT
____ DRAINAGE PLAN
____ CONCEPTUAL GRADING & DRAINAGE PLAN
____ GRADING PLAN
____ EROSION CONTROL PLAN
____ ENGINEER'S CERTIFICATION
✓ OTHER ~~CITY~~ RESPONSE TO CITY COMMENT

AUG - 7 1996

PRE-DESIGN MEETING:

✓ YES
____ NO
____ COPY PROVIDED

H9-D1 El Rancho

CHECK TYPE OF APPROVAL SOUGHT:

____ SKETCH PLAT APPROVAL
____ 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 APPROVAL
____ GRADING PERMIT APPROVAL
____ PAVING PERMIT APPROVAL
____ S.A.D. DRAINAGE REPORT
____ DRAINAGE REQUIREMENTS
____ OTHER _____ (SPECIFY)

DATE SUBMITTED: JULY 16, 96

BY: [signature]

## IV.

## DRAINAGE ELEMENT

The proposed Industrial Area north of the Ladera Channel can be drained directly to the channel which is designed to accommodate that runoff. No ponding will be required.

The portion of the development that lies south of the Ladera Diversion and Detention Facility, and to the north, and including Ladera Drive will be routed to the Ladera Channel. It was requested by the Environmental Planning Commission to investigate the possibility of routing as much runoff from the entire site into the Ladera Facility. We found that only this area could be routed into the Ladera Facility withouth subjecting the developer to extensive and costly grading.

The area located south of Ladera Drive and north of the southern property line will be routed to a detention pond that will be constructed on the southeastern portion of the site. The pond will be positively discharged by way of a 24-inch storm pipe sewer to a 30-inch pipe located in the I-40 right-of-way.

A complete comprehensive drainage plan covering the Sector Plan Area was submitted to City Engineering in October of 1981. This report is complete with calculations and tabulations of flows and volumes necessary for a detailed technical review.

AUG - 7 1996

·ARCHITECTS·

# Transmittal Letter

Project: Diamond Shamrock
Ladera / Unser
Albuquerque, New Mexico

Architect's
Project No: 9515.00

Date: 6/24/96

To: Lisa Ann Manwill
Hydrology Department
City of Albuquerque, New Mexico

If enclosures are not as noted, please inform us immediately.

We Transmit:
- [x] enclosed
- [ ] under separate cover via _____

For Your:
- [x] approval
- [ ] review & comment
- [ ] distribution to parties
- [ ] record
- [ ] information
- [ ] use

The Following:
- [ ] Drawings
- [ ] Specifications
- [ ] Change Order
- [ ] Shop Drawings
- [ ] Contract
- [ ] Copy of Letter
- [ ] Samples
- [ ] Product Literature
- [x] As Noted

| Copies | Description |
|---|---|
| 1 | Temporary Blanket Drainage Easement |
| 1 | Private Facility Drainage Covenant and Reservation of Drainage Easement |
| 1 | Temporary Reciprocal Access Easement |
| | |
| | |

Remarks: Lisa:

1. Documents submitted per your request.
2. Case No. DRB-95-348
   Diamond Shamrock @ Unser and Ladera, 7940 Ladera NW
   DRB Meeting 25 June 1996.

Copy: _____

By: _____ Glenn F. Bates

Kevin Georges & Associates, PA . A Professional Association
127 Jefferson Street NE . Suite A . Albuquerque, New Mexico 87108-1216
(505) 255-4975 . Fax (505) 255-9943

# TEMPORARY BLANKET DRAINAGE EASEMENT

THIS GRANT OF TEMPORARY EASEMENT, by and between Westland Development Co., Inc., a New Mexico Corporation ("Grantor"), whose address is 401 Coors Boulevard NW, Albuquerque, New Mexico 87121, and the City of Albuquerque, a New Mexico Municipal Corporation ("City"), whose address is PO Box 1293, Albuquerque, New Mexico 87103.

1. **Grant of Temporary Blanket Drainage Easement**. The Grantor grants to the City a blanket temporary drainage easement ("Easement"), for the benefit of Tract 1-C as shown on the plat entitled "Tracts 1-A, 1-B and 1-C of El Rancho Atrisco Phase III filed in the Bernalillo County Clerks Office on May 13, 1996, Volume 96C, Folio 195 for purposes of conveying storm water, on, over, across and through the property described below ("Property"). The Property is described as follows:

> Tract 1-A as shown on the plat entitled "Tracts 1-A, 1-B and 1-C of El Rancho Atrisco Phase III filed in the Bernalillo County Clerks Office on May 13, 1996, Volume 96C, Folio 195.

2. **Warranties**. Grantor covenants and warrants that it is the owner in fee simple of the Property and that it has a good lawful right to convey the Property or any part thereof and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

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

4. **Temporary**. This easement will be redefined and/or vacated as determined by the City Engineer with subsequent subdivisions and/or site plans. It is provided however, this Easement will remain in place until an alternate offsite drainage solution has been approved by the City. No portion of Grantees land will be taken and Grantee shall bear no cost toward any alternative drainage solution.

WITNESS my hand and seal this 13th day of June, 1996.

GRANTOR: Westland Development Co., Inc.
a New Mexico Corporation

BY: Barbara Page
Barbara Page, President and CEO

STATE OF NEW MEXICO )
) ss
COUNTY OF BERNALILLO )

This instrument was acknowledged before me this 13th of June, 1996, by Barbara Page, its President and CEO, on behalf of Westland Development Co., Inc.

BY: Grace Gallegos
NOTARY PUBLIC

OFFICIAL SEAL
GRACE GALLEGOS
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 7/20/96

ORIGINAL

# PRIVATE FACILITY DRAINAGE COVENANT AND RESERVATION OF DRAINAGE EASEMENT

This Drainage Covenant, ("Covenant") between WESTLAND DEVELOPMENT CO., INC., a New Mexico corporation ("Owner") whose address is 401 Coors Blvd., N. W., Albuquerque, New Mexico 87121; and DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation ("Developer"), whose address is P.O. Box 696000, San Antonio, Texas 78269 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 Owner and Developer sign this Covenant.

1. Recital. The Owner is the owner of the following described real property known as Tract 1-A, as shown on the Plat of Tracts 1-A, 1-B, and 1-C of El Rancho Atrisco, Phase III, located on the southeast corner of Unser and Ladera Drive in Bernalillo County, New Mexico (the "Property").

Pursuant to City ordinances, regulations and other applicable laws, the Developer is required to construct and maintain certain drainage facilities and the Owner, for good and valuable consideration received from the Developer, is willing to allow construction and maintenance of the "Drainage Facility" on its 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 Developer shall construct the following Drainage Facility (Temporary Retention Pond) within the Property at the Developer's sole expense in accordance with the standards, plans and specifications approved by the City. The land affected by the grant of this easement is more particularly described in Exhibit A, attached hereto. The Drainage Facility is more particularly depicted in Exhibit A-1 attached hereto and made a part hereof.

3. Reservation of Easement. The Owner, for itself, its heirs, successors and assigns, jointly and severally, hereby grants to Developer, its heirs, successors and assigns, jointly and severally, a interim easement over and across a portion of the Owner's property for the benefit of Tract 1-C, as shown on the Plat of Tracts 1-A, 1-B, and 1-C of El Rancho Atrisco, Phase III for the purpose of permitting the flow, conveyance, and discharge of storm water runoff and for the purpose of permitting ingress and egress for the construction, maintenance and repair of the drainage facility.

BP

4. Maintenance of Drainage Facility. The Developer shall maintain the Drainage Facility and easement at the Developer's sole cost in accordance with approved drainage report and plans. In the event the Developer fails to maintain the Drainage Facility, Owner agrees that it shall be responsible for maintenance of the Drainage Facility and easement in accordance with approved drainage report and plans.

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

6. 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 Developer, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specification.

7. Liability of City. The Developer and Owner understand and agree that the City shall not be liable to the Developer or the Owner, or their respective heirs, successors or assigns, or to any third parties for any damages resulting from the Developer's or Owner's failure to construct, maintain or repair the Drainage Facility.

8. 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 Developer agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, and the Owner, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Developer, arising from the failure of the Developer, to perform any act or duty required of the Developer herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Covenant, the indemnity will not extend to liability, claims, damages, losses or expenses, including attorney's 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 directions 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.

9. Assessment. Nothing in this Covenant shall be construed to relieve the Owner or Developer, or their successors and assigns from an assessment against the Owner's or Developer's property for improvements 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.

BP

10. Binding on Owner's Property. The easement, covenants and obligations of the Owner and Developer set forth herein shall be binding on the Owner and Developer, and their successors and assigns, and on the Owner's Property and constitute convenants running with the Owner's Property until released by the City's Chief Administrative Officer as approved by the City Engineer.

11. 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.

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

13. Effective Date of Covenant. This Covenant shall be effective as of the date of signature of the Owner and Developer.

| DEVELOPER | OWNER |
|---|---|
| DIAMOND SHAMROCK REFINING AND MARKETING COMPANY | WESTLAND DEVELOPMENT CO., INC. |
| By: [signature] | By: Barbara Page |
| Its: Vice President | Its: President & CEO |
| Dated: June 10th, 1996 | Dated: 6-13-96 |

State of New Mexico )
) ss
County of Bernalillo )

The foregoing instrument was acknowledged before me this 13th day of June, 1996, by Barbara Page, President-CEO of WESTLAND DEVELOPMENT CO., INC., a New Mexico corporation.

OFFICIAL SEAL
GRACE GALLEGOS
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 7/20/96

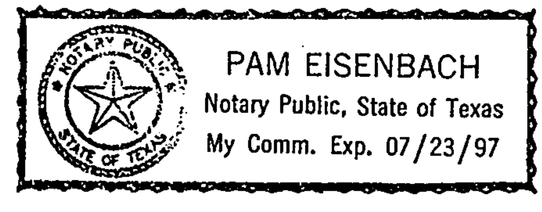
Grace Gallegos
Notary Public-Commission expires: 7/20/96

State of Texas )
) ss
County of Bexar )

The foregoing instrument was acknowledged before me this 10TH day of June, 1996, by R. S. Beadle, Vice President of DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation.

Pam Eisenbach
Notary Public-Commission expires: 7/23/97

CITY OF ALBUQUERQUE




Accepted:

By:_____
Director of Public Works Department

Dated:_____

EXHIBIT A & A-1
Attached

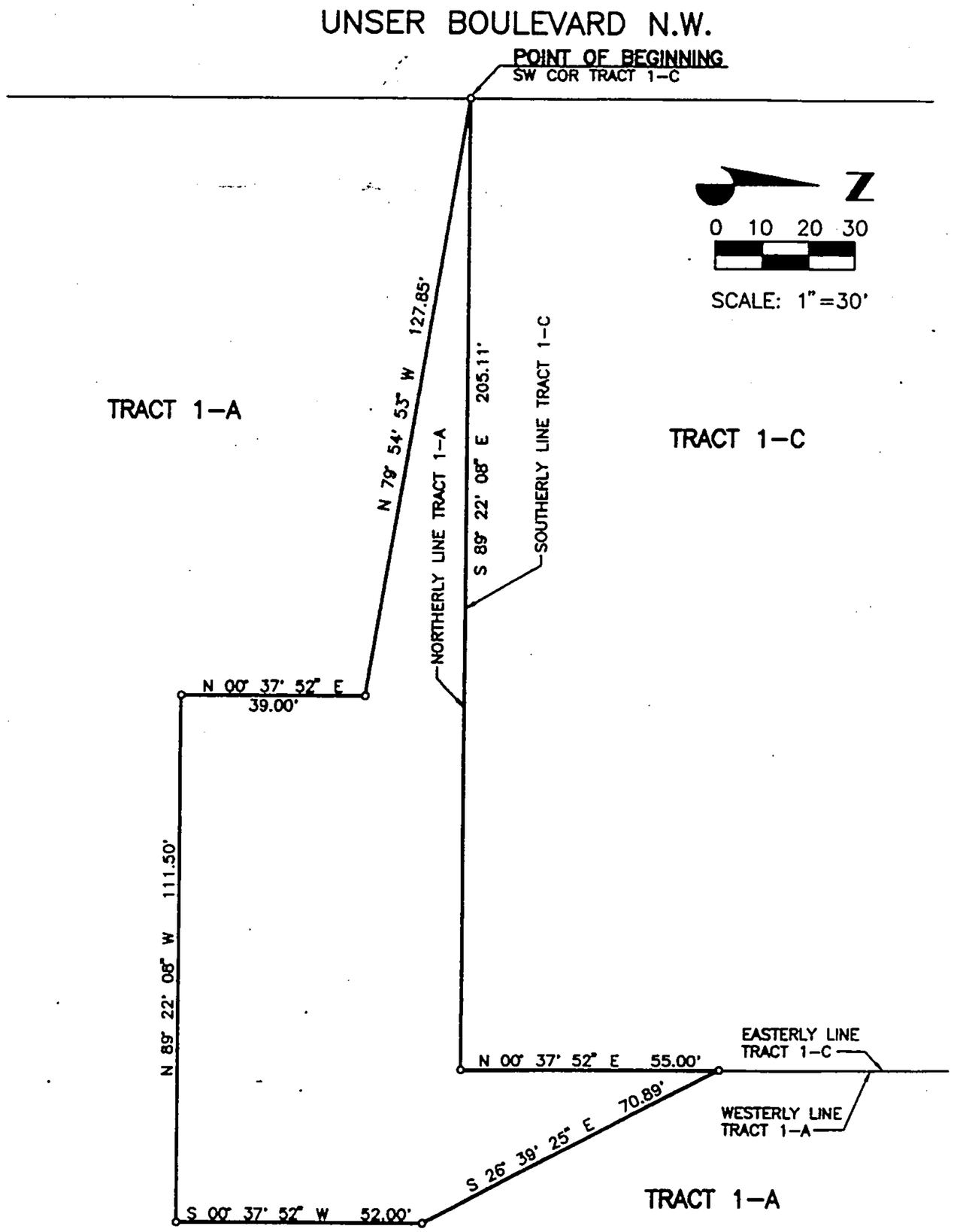
# Exhibit A

**LEGAL DESCRIPTION**
**TEMPORARY RETENTION POND**

A PART OF TRACT 1-A, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III, CITY OF ALBUQUERQUE, COUNTY OF BERNALILLO, STATE OF NEW MEXICO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 1-C, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III ACCORDING TO THE RECORDED PLAT THEREOF; THENCE S 89°22'08" E, ALONG THE SOUTHERLY LINE OF SAID TRACT 1-C AND ALONG THE NORTHERLY LINE OF TRACT 1-A, A DISTANCE OF 205.11 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1-C; THENCE N 00°37'52" E, ALONG THE EASTERLY LINE OF SAID TRACT 1-C AND ALONG THE WESTERLY LINE OF SAID TRACT 1-A, A DISTANCE OF 55.00 FEET; THENCE S 26°39'25" E A DISTANCE OF 70.89 FEET; THENCE S 00°37'52" W A DISTANCE OF 52.00 FEET; THENCE N 89°22'08" W A DISTANCE OF 111.50 FEET; THENCE N 00°37'52" E A DISTANCE OF 39.00 FEET; THENCE N 79°54'53" W A DISTANCE OF 127.85 FEET TO THE POINT OF BEGINNING.

## Exhibit A-1




NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**DIAMOND SHAMROCK**
520 E 56th AVE
DENVER, COLORADO 80216

PREPARED BY:

GALLOWAY, ROMERO & ASSOCIATES
CONSULTING ENGINEERS
14202 E EVANS AVE
AURORA, COLORADO 80014
TEL:(303)745-7448
FAX:(303)745-7480

| | | | |
|---|---|---|---|
| DESIGNED BY: LLP | CHECKED BY: LLP | DATE: MAY, 1996 | DIAMOND SHAMROCK CORNER STORE 1246 |
| DRAWN BY: RDG | DISK FILE: D056LEG | SCALE: 1"=30' | |

# TEMPORARY RECIPROCAL ACCESS EASEMENT

STATE OF NEW MEXICO §
§
COUNTY OF BERNALILLO §

**ORIGINAL**

THIS RECIPROCAL ACCESS EASEMENT ("Agreement") is made and entered into to be effective as of June____, 1996, by and between the CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("City"), WESTLAND DEVELOPMENT CO., INC., a New Mexico corporation ("Westland"), and DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation ("Shamrock").

Shamrock is the owner of certain real property situated in Albuquerque, New Mexico, more particularly described as Tract 1-C as shown on the Plat of Tracts 1-A, 1-B and 1-C of El RANCHO ATRISCO, PHASE III recorded in Volume 96C, Folio 195 in the records of Bernalillo County, New Mexico (the "Plat"), located at the southeast corner of Unser Boulevard, N.W. and Ladera Drive, N.W. which contains approximately 37,252 s.f. more or less (the "Shamrock Parcel") which is depicted on Exhibit "A-1" attached hereto and made a part hereof; and

Westland is the owner of certain real property situated in Albuquerque, New Mexico, located East of and adjacent to the Shamrock Parcel, described as Tract 2-A of Plat (the "Westland Parcel")as depicted on Exhibit "A-1" hereto.

Westland desires to establish a temporary nonexclusive private easement and right-of-way for the benefit of the Shamrock Parcel across the portion of the Westland Parcel as shown on the Plat and more particularly depicted on the drawing attached as Exhibit "A" hereto (the "Westland Easement Parcel");

Shamrock desires to obtain from the City the right to make a temporary median cut in Ladera Drive, N.W. to access the temporary curb cut on the south curb line of Ladera Drive, N.W. and cross over the Westland Easement Parcel in order to reach the paved portion of the Shamrock Parcel ("Ladera Drive, N.W. median cut").

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

1. The temporary easement parcel and temporary median cut are depicted on the Exhibit attached hereto as Exhibit "A" and made a part hereof.

2. Westland hereby grants and conveys to Shamrock an interim, nonexclusive easement over and across the Westland Easement Parcel for the purpose of permitting the passage of motor vehicles and the passage and accommodation of pedestrians in connection with the operation of the Shamrock Parcel.

Shamrock shall have the right to permit the use of the Westland Easement Parcel by its Permittees, as hereinafter defined, to proceed East and North from the Shamrock Parcel across the Westland Parcel for the uses permitted under this Agreement in order to reach the nearest median cut in Ladera Drive N.W. which is East of the Shamrock Parcel. Westland hereby reserves unto itself and its Permittees, the right to use the Westland Easement Parcel for all uses not inconsistent with the uses set forth in this Agreement.

3. "Permittees" shall mean and refer to any tenants, subtenants, licensees, occupants, employees, contractors, customers, invitees, visitors, successors and assigns of Westland or Shamrock. The joinder of Permittees in any amendment to this Agreement shall not be required.

4. Shamrock will, at Shamrock's sole expense, pave, maintain, keep in good repair and repave when necessary the Westland Easement Parcel. Shamrock shall have the right from time to time, to go upon the Westland Parcel and the Westland Easement Parcel, as required, in order to remove paving, grade, level, repave, maintain, repair and replace paving in order to keep the Westland Easement Parcel in good repair.

5. Once the Westland Parcel on the East is developed and/or the City designates a permanent median cut in Ladera Drive N.W., then the Westland Easement Parcel will be modified to continue East over the Westland Parcel to a point parallel with and across from a permanent median cut on Ladera Drive N.W. The City will designate the permanent median cut. Shamrock, at its expense, will restore and replace the temporary median cut.

6. The temporary median cut will be terminated upon the earlier of (i) ten (10) years from the date hereof, (ii) when the City determines an unsafe traffic condition exists due to vehicular traffic on Ladera Drive N.W., or (iii) Westland develops pad sites which front Ladera Drive N.W. between the Shamrock Parcel and Market Street N.W. or (iv) the City designates a permanent median cut as in Paragraph 5 above.

7. Upon executing this Agreement Shamrock will post with the City a bond in the amount of $10,000.00 to cover the estimated cost of removal of the median cut and the restoration of the median. Upon termination of the temporary median cut Shamrock will remove all paving in the median, reinstall curb and gutter and close the openings in both the median cut and the curb cut.

8. The terms and provisions of this Agreement shall be binding upon and inure to the benefit of Westland, Shamrock and their legal representatives, successors, and assigns. The benefits



BP

and burdens hereof shall run with the land and be appurtenant thereto, with the effect that any person or entity which acquires an interest in the Westland Parcel or the Shamrock Parcel shall be entitled to the benefits and be bound by the burdens hereof.

9. If either party is required to commence any action or proceeding against the other in order to enforce the provisions hereof, the prevailing party's remedy shall be limited to injunctive relief and damages for the alleged breach of any of the provisions, and neither party shall have the right to terminate this Agreement. The prevailing party in any such action shall be entitled to recover, in addition to any amounts or relief otherwise awarded, all reasonable costs incurred in connection therewith, including attorneys' fees. No waiver by either party of any default under this Agreement shall be effective or binding upon such party unless made in writing. No waiver of any default shall be deemed a waiver of any other or subsequent default hereunder.

10. None of the terms or provisions of this Agreement shall be deemed to create a partnership between the parties in their respective businesses or otherwise, nor shall it cause them to be considered joint venturers or members of any joint enterprise.

This Temporary Reciprocal Access Agreement is executed to be effective as of the day and year first above written.

WESTLAND DEVELOPMENT CO., INC.

By: Barbara Page
Title: President and C.E.O.

DIAMOND SHAMROCK REFINING AND MARKETING COMPANY

BY: _____
Vice President

CITY OF ALBUQUERQUE

BY: _____
Director of Public Works

STATE OF NEW MEXICO §
§
COUNTY OF BERNALILLO §

This instrument was acknowledged before me this 13th day of June, 1996, by Barbara Page, President and CEO of Westland Development Co., Inc., a New Mexico corporation, on behalf of said corporation.

OFFICIAL SEAL
GRACE GALLEGOS
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 7/20/96

Grace Gallegos
Notary Public, State of New Mexico

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me this 10th day of June, 1996, by R. S. BEADLE, Vice President of DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, on behalf of said corporation.

Pam Eisenbach
Notary Public, State of Texas

PAM EISENBACH
Notary Public, State of Texas
My Comm. Exp. 07/23/97

STATE OF NEW MEXICO §
§
COUNTY OF BERNALILLO §

This instrument was acknowledged before me this _____ day of _____, 1996, by _____, Director of Public Works for the City of Albuquerque, a New Mexico municipal corporation, on behalf of said corporation.

_____
Notary Public, State of New Mexico

W2579.JB

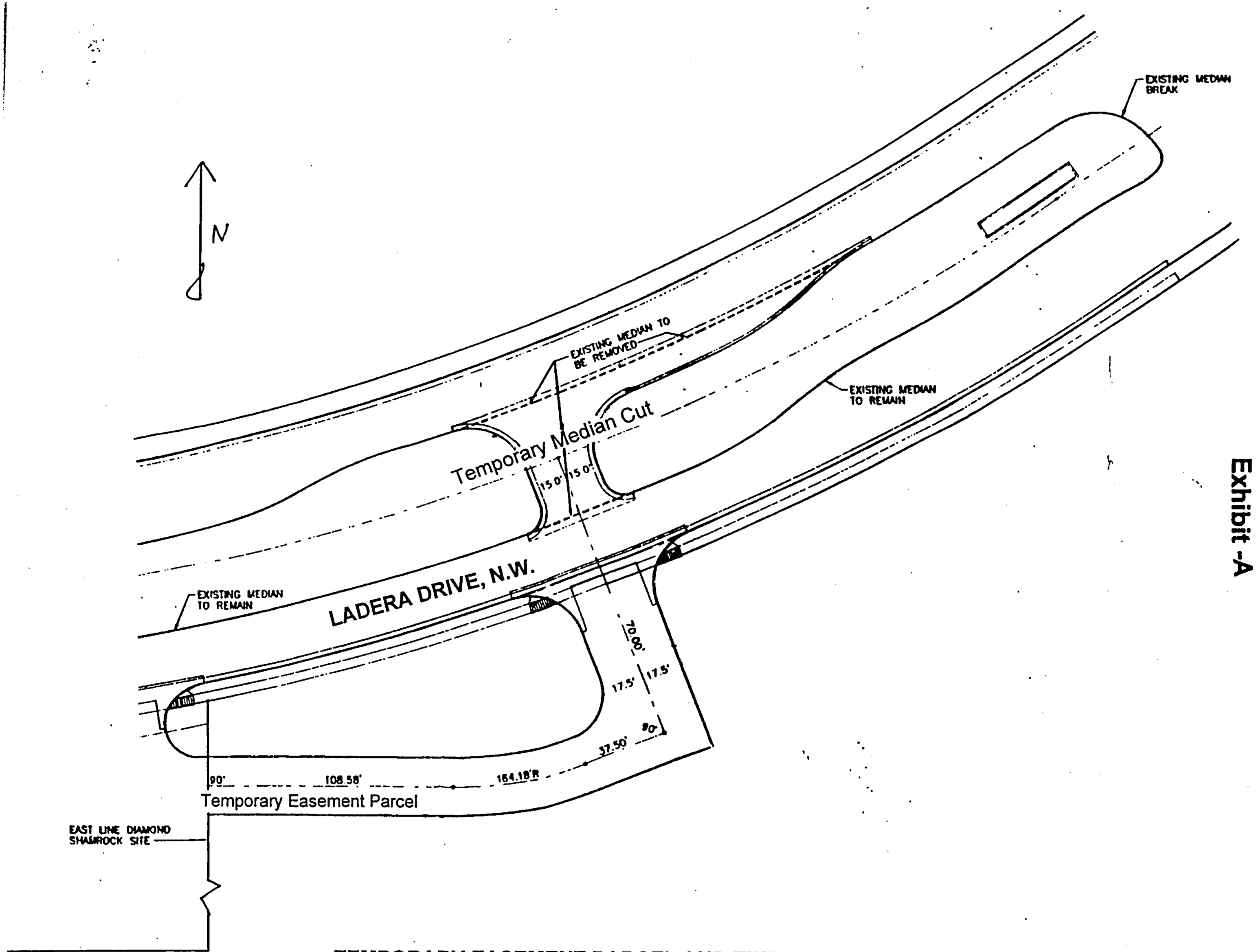



**Exhibit -A**

**TEMPORARY EASEMENT PARCEL AND TEMPORARY MEDIAN CUT**

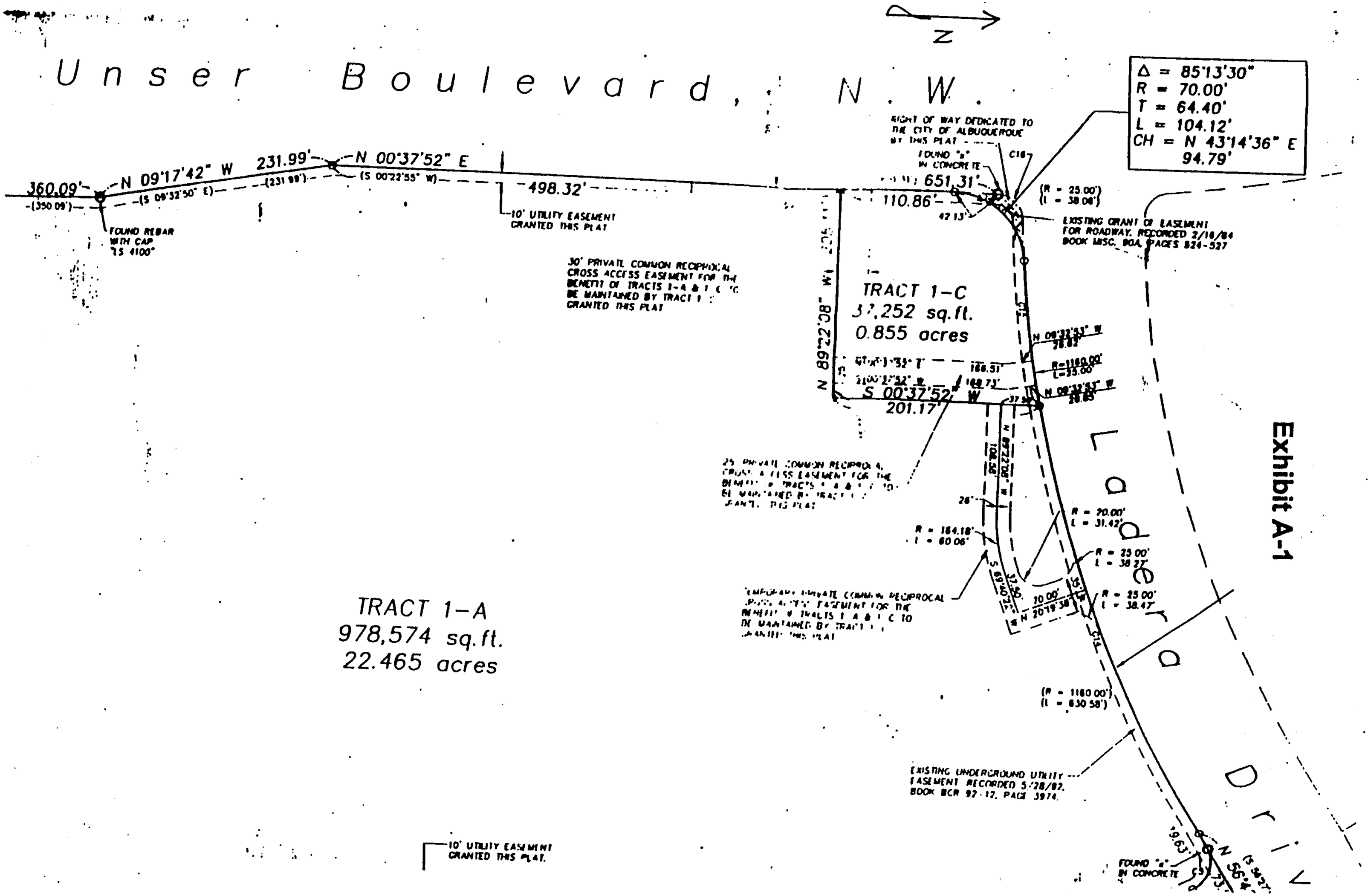

Unser Boulevard, N. W.
N
Δ = 85°13'30"
R = 70.00'
T = 64.40'
L = 104.12'
CH = N 43°14'36" E
94.79'
360.09'
N 09°17'42" W
231.99'
N 00°37'52" E
(350.09')
(S 09°32'50" E)
(231.99')
(S 00°22'55" W)
498.32'
FOUND REBAR WITH CAP "LS 4100"
10' UTILITY EASEMENT GRANTED THIS PLAT
30' PRIVATE COMMON RECIPROCAL CROSS ACCESS EASEMENT FOR THE BENEFIT OF TRACTS 1-A & 1-C TO BE MAINTAINED BY TRACT 1-C GRANTED THIS PLAT
RIGHT OF WAY DEDICATED TO THE CITY OF ALBUQUERQUE BY THIS PLAT
FOUND "x" IN CONCRETE
C16
651.31'
110.86'
42°13'
(R = 25.00')
(L = 38.08')
EXISTING GRANT OF EASEMENT FOR ROADWAY, RECORDED 2/16/84 BOOK MISC. 804, PAGES 824-527
TRACT 1-C
37,252 sq.ft.
0.855 acres
N 89°22'08" W
S 00°37'52" W
201.17'
R=1160.00'
L=35.00'
25' PRIVATE COMMON RECIPROCAL CROSS ACCESS EASEMENT FOR THE BENEFIT OF TRACTS 1-A & 1-C TO BE MAINTAINED BY TRACT 1-C GRANTED THIS PLAT
R = 164.18'
L = 60.06'
R = 20.00'
L = 31.42'
R = 25.00'
L = 38.27'
R = 25.00'
L = 38.47'
10.00'
N 20°19'38" W
TEMPORARY PRIVATE COMMON RECIPROCAL CROSS ACCESS EASEMENT FOR THE BENEFIT OF TRACTS 1-A & 1-C TO BE MAINTAINED BY TRACT 1-C GRANTED THIS PLAT
(R = 1160.00')
(L = 830.58')
EXISTING UNDERGROUND UTILITY EASEMENT RECORDED 5/28/82, BOOK BCR 92-12, PAGE 3974.
TRACT 1-A
978,574 sq.ft.
22.465 acres
10' UTILITY EASEMENT GRANTED THIS PLAT.
FOUND "x" IN CONCRETE
Ladera Drive

Exhibit A-1

CITY OF
Albuquerque

May 2, 1996

Martin J. Chávez, Mayor

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 4-12-96.***

Dear Mr. Parker

Based on the information provided on your April 15, 1996 submittal, the City has the following comments:

1. A drainage covenant will be required for the temporary retention pond.

2. Who owns the property where the temporary retention pond is located? If this property is not owned by Diamond Shamrock, you will need permission from the downstream property owner to pond.

3. In the ultimate developed condition, will this site free discharge? Are there blanket easements called out in the master plan for cross lot drainage? If this site does not free discharge in the ultimate condition, where will you detain your storm water?

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

CITY OF
Albuquerque

August 16, 1996

Martin J. Chávez, Mayor

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 4-12-96.***

Dear Mr. Parker

Based on the information provided via fax and on your August 7, 1996 submittal, the above referenced project is conditionally approved for Building Permit.

Prior to final approval a drainage easement will be required for the temporary retention pond. The easement originally submitted to the City had some unsatisfactory wording regarding the City. Because this is a private easement, no mention of the City is desired on the document.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Dan Lamb - Diamond Shamrock
Andrew Garcia
File

PROJECT TITLE: DIAMOND SHAMROCK CORNERSTORE # 12446 ZONE ATLAS/DRNG. FILE #: H-9/D2

DRB #: EPC #: WORK ORDER #:

LEGAL DESCRIPTION: TRACT 1-C EL RANCHO ATRISCO PHASE III

CITY ADDRESS: 7940 LADERA DRIVE NW

ENGINEERING FIRM: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVE. AORORA CO. 80014 PHONE: (303) 745-7448

OWNER: DIAMOND SHAMROCK MARKETING & REFINING CONTACT: DAN LAMB

ADDRESS: 520 E. 56th AVENUE DENVER, CO 80216 PHONE: (303) 297-9777

ARCHITECT: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVENUE AURORA CO. 80014 PHONE: (303) 745-7448

SURVEYOR: RONALD A. FORSTBAUER SURVEYING CO. CONTACT: RONALD A. FORSTBAUER

ADDRESS: 1100 ALVARODO NE ALBUQUERQUE NM 87110 PHONE: (505) 268-2112

CONTRACTOR: NOT SELECTED CONTACT:

ADDRESS: PHONE:

TYPE OF SUBMITTAL:

- ___ DRAINAGE REPORT
- ___ DRAINAGE PLAN
- ___ CONCEPTUAL GRADING & DRAINAGE PLAN
- ___ GRADING PLAN
- ___ EROSION CONTROL PLAN
- ___ ENGINEER'S CERTIFICATION
- ✓ OTHER DRAINAGE AGREEMENT

PRE-DESIGN MEETING:

- ✓ YES
- ___ NO
- ✓ COPY PROVIDED

CHECK TYPE OF APPROVAL SOUGHT:

- ___ SKETCH PLAT APPROVAL
- ___ 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 APPROVAL
- ___ GRADING PERMIT APPROVAL
- ___ PAVING PERMIT APPROVAL
- ___ S.A.D. DRAINAGE REPORT
- ___ DRAINAGE REQUIREMENTS
- ___ OTHER Per Lisa Manwell's requirement (SPECIFY)

DATE SUBMITTED: OCT 3, 96

BY: Larry L. Parker

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

PRE-DESIGN CONFERENCE

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser ~~7400 Ladera Dr NW~~

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #

Legal

APPROVAL REQUESTED:

| | | | |
|---|---|---|---|
| X | PRELIMINARY PLAT | | FINAL PLAT |
| | SITE DEVELOPMENT PLAN | X | BUILDING PERMIT |
| | GRADING/PAVING PERMIT | | OTHER |

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

RM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

DATE: 05/25/95 DATE: 5/25/95

96109302 COPY

# DRAINAGE AGREEMENT

This Drainage Agreement ("Agreement") is made and entered into between WESTLAND DEVELOPMENT CO., INC., a New Mexico corporation, ("Owner") whose address is 401 Coors Blvd., N. W., Albuquerque, New Mexico 87121, and DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, ("Developer") whose address is P.O. Box 696000, San Antonio, Texas 78269.

1. Recitals.

A. Owner owns real property known as Tract 1-A, as shown on the Plat of Tracts 1-A, 1-B, and 1-C of El Rancho Atrisco, Phase III, recorded in Bernalillo County Clerks Office on May 13, 1996, in Volume 96 C, Folio/95, (the "Plat") located on the southeast corner of Unser and Ladera Drive in Bernalillo County, New Mexico (the "Property");

B. Developer purchased from Owner and owns Tract 1-C as shown on the Plat ("Developer Tract");

C. Developer requires a means for the flow, conveyance and discharge of storm water runoff "drainage right" from the Developer Tract and a place for the water to accumulate in a temporary collecting pond, the drainage right and the temporary collecting pond are collectively called the Temporary Drainage Facility ("TDF") over and onto the Property until Owner or Owner's successors and assigns construct a permanent drainage facility ("Drainage Facility") on or off the Property;

D. Developer shall have the continuous right during the period of the TDF and the Drainage Facility to allow storm water to flow across and discharge from Developers Tract onto and across portions of the Property and into the Drainage Facility. The drainage right may be redefined and/or reconfigured beyond Developer's Tract as determined by the Owner and approved by the City of Albuquerque (the "City") with subsequent development and/or site plans for Tract 1-A. It is provided, however, that the TDF and other rights granted herein to Developer will remain in place until a permanent drainage solution has been approved by the City and construction has been completed without cost to Developer;

BL

E. Pursuant to City ordinances, regulations, and other applicable laws, Developer shall construct and maintain the TDF, and Owner, for good and valuable consideration received from Developer, is willing to allow construction and maintenance of the TDF on the Property, and the parties wish to enter into this Agreement to establish the obligations and responsibilities of the parties; and

F. Owner, as it develops its Property, will, pursuant to City ordinances, regulations, and other applicable laws, construct and maintain the Drainage Facility and preserve Developer's rights of access to the Drainage Facility for the flow, conveyance, and discharge of storm water runoff.

2. TDF. Developer shall construct the TDF within the Property at Developer's sole expense in accordance with the standards, plans and specifications approved by the City. The land affected by the TDF is more particularly described as Exhibit "A" and depicted in Exhibit "A-1" attached hereto and made a part hereof. The TDF will be owned by Owner and Owner may relocate the TDF on land other than the Developer Tract at the sole cost and expense of Owner and pursuant to this Agreement.

3. Reservation. Owner, for itself, its successors and assigns, jointly and severally, hereby grants to Developer, its successors and assigns, TDF over and across a portion of the Owner's Property for the benefit of Tract 1-C ( as shown on the Plat), for the purpose of permitting the flow, conveyance, and discharge of storm water runoff and for the purpose of permitting ingress and egress for the construction, maintenance, and repair of the TDF.

4. Maintenance. Developer shall maintain the TDF at Developer's sole cost in accordance with City approved drainage report and plans until such time as a Drainage Facility is in place. Developer will have the right from time to time to go upon the Property for the purpose of constructing and maintaining the TDF. If Developer fails to maintain the temporary TDF, then Owner shall have the right to do so and charge the cost thereof to Developer.

5. Binding on Owner's Property and Developer's Tract. Developer has the continuing right for the flow, conveyance, and discharge of storm water runoff from Developer's Tract across so much of the Property as is necessary to reach the Drainage Facility and for the use of the Drainage Facility. The rights and obligations of the Owner and Developer set forth herein shall be binding on the Owner and Developer, their successors and assigns, and on the Property and Developer's Tract, and shall constitute covenants running with the Property and Developer's Tract.

6. Liability. Developer and Owner understand and agree that the Owner shall not be liable to Developer, or its respective successors or assigns, or to any third parties



BP

for any damages resulting from Developer's failure to construct, maintain, or repair the TDF.

7. Assessment. Nothing in this Agreement shall be construed to relieve the Owner or Developer, or their successors and assigns, from an assessment against the Owner's Property or Developer's property for improvements under a duly authorized and approved Special Assessment District.

8. If either party is required to commence any action or proceeding against the other in order to enforce the provisions hereof, the prevailing party's remedy shall be limited to injunctive relief and damages for the alleged breach of any of the provisions, and neither party shall have the right to terminate this Agreement. The prevailing party in any such action shall be entitled to recover, in addition to any amounts or relief otherwise awarded, all reasonable costs incurred in connection therewith, including attorneys' fees. No waiver by either party of any default under this Agreement shall be effective or binding upon such party unless made in writing. No waiver of any default shall be deemed a waiver of any other or subsequent default hereunder.

9. Changes. Changes to this Agreement are not binding unless made in writing, signed by all parties.

Dated to be effective the 30th day of September, 1996.

| OWNER: | DEVELOPER: |
|---|---|
| WESTLAND DEVELOPMENT CO., INC. | DIAMOND SHAMROCK REFINING AND MARKETING COMPANY |
| BY: Barbara Page<br>Barbara Page,<br>President/Chief Executive Officer | BY:<br>Vice President |

STATE OF NEW MEXICO §
§
COUNTY OF BERNALILLO §

This instrument was acknowledged before me this 30 day of SEPTEMBER, 1996, by Barbara Page, President/Chief Executive Officer of Westland Development Co., Inc., a New Mexico corporation, on behalf of said corporation.

OFFICIAL SEAL
LINDA J. BLAIR
NOTARY PUBLIC STATE OF NEW MEXICO
Notary Bond Filed with Secretary of State
My Commission Expires 8/5/97

Linda J. Blair
Notary Public, State of New Mexico

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me this 13th day of September, 1996, by Don Thurmond, Vice President of DIAMOND SHAMROCK REFINING AND MARKETING COMPANY, a Delaware corporation, on behalf of said corporation.

Jodi O. Christiansen
Notary Public, State of Texas

JODI O. CHRISTIANSEN
Notary Public, State of Texas
My Comm. Exp. 03/07/98

W2755.JB

# Exhibit A

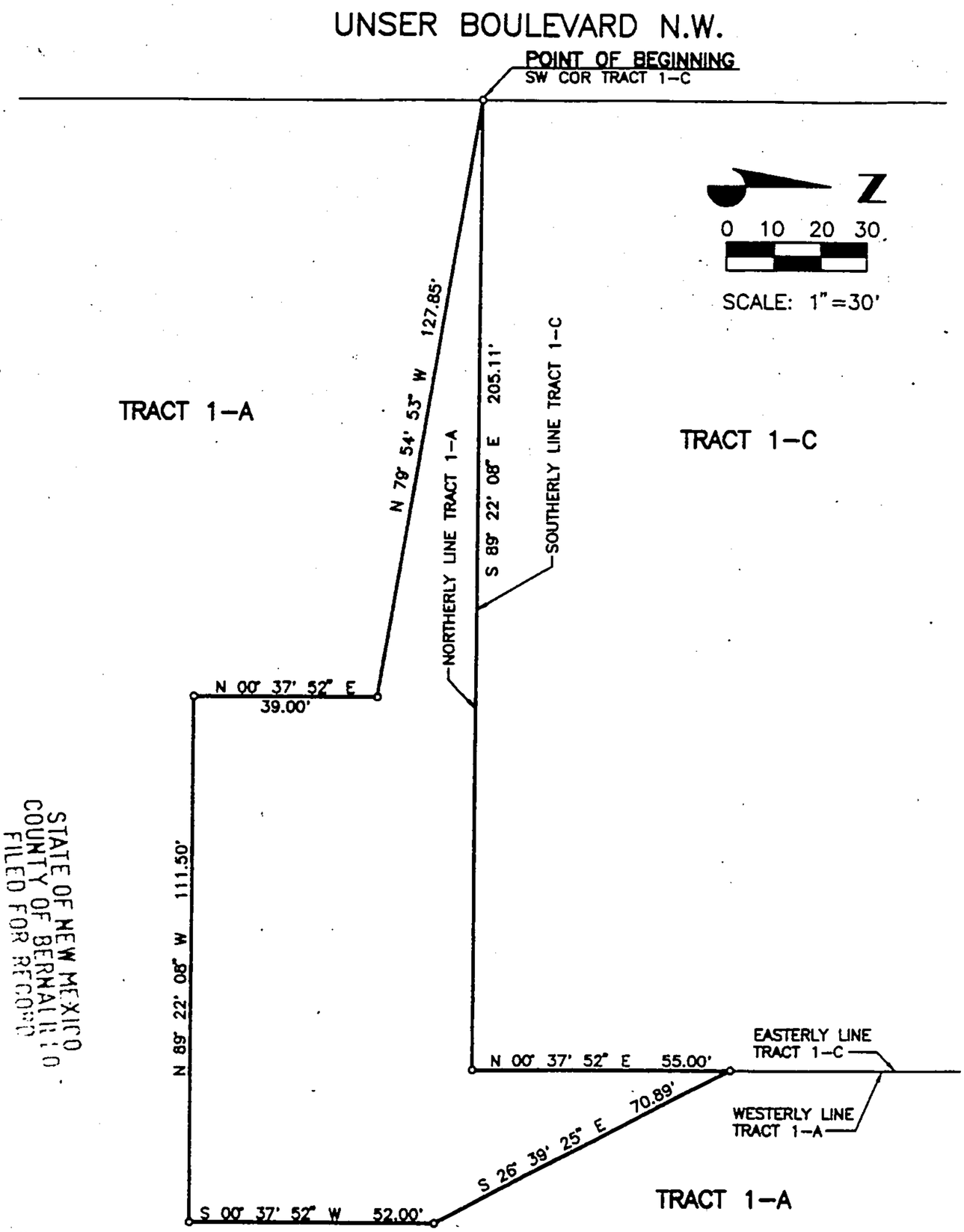
**LEGAL DESCRIPTION**
**TEMPORARY RETENTION POND**

A PART OF TRACT 1-A, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III, CITY OF ALBUQUERQUE, COUNTY OF BERNALILLO, STATE OF NEW MEXICO, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF TRACT 1-C, TRACTS 1-A, 1-B AND 1-C OF EL RANCHO ATRISCO PHASE III ACCORDING TO THE RECORDED PLAT THEREOF; THENCE S 89°22'08" E, ALONG THE SOUTHERLY LINE OF SAID TRACT 1-C AND ALONG THE NORTHERLY LINE OF TRACT 1-A, A DISTANCE OF 205.11 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 1-C; THENCE N 00°37'52" E, ALONG THE EASTERLY LINE OF SAID TRACT 1-C AND ALONG THE WESTERLY LINE OF SAID TRACT 1-A, A DISTANCE OF 55.00 FEET; THENCE S 26°39'25" E A DISTANCE OF 70.89 FEET; THENCE S 00°37'52" W A DISTANCE OF 52.00 FEET; THENCE N 89°22'08" W A DISTANCE OF 111.50 FEET; THENCE N 00°37'52" E A DISTANCE OF 39.00 FEET; THENCE N 79°54'53" W A DISTANCE OF 127.85 FEET TO THE POINT OF BEGINNING.

BP

## Exhibit A-1




STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
96 OCT -2 AM 10: 44
BK ___ PG ___
JUDY D. WOODWARD
CO. CLERK & RECORDER

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY, IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

**DIAMOND SHAMROCK**
520 E 56th AVE
DENVER, COLORADO 80216

PREPARED BY:

GALLOWAY, ROMERO & ASSOCIATES
CONSULTING ENGINEERS
14202 E EVANS AVE
AURORA, COLORADO 80014
TEL:(303)745-7448
FAX:(303)745-7480

| | | | |
|---|---|---|---|
| DESIGNED BY: LLP | CHECKED BY: LLP | DATE: MAY, 1996 | DIAMOND SHAMROCK CORNER STORE 1246 |
| DRAWN BY: RDG | DISK FILE: D056LEG | SCALE: 1"=30' | |

# DRAINAGE INFORMATION SHEET

PROJECT TITLE: DIAMOND SHAMROCK CORNERSTORE # 1246 ZONE ATLAS/DRNG. FILE #: H-9 / H2

DRB #: _____ EPC #: _____ WORK ORDER #: _____

LEGAL DESCRIPTION: SEE ATTACHED

CITY ADDRESS: 7940 LADERA DRIVE NW

ENGINEERING FIRM: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVE. AORORA CO. 80014 PHONE: (303) 745-7448

OWNER: DIAMOND SHAMROCK MARKETING & REFINING CONTACT: DAN LAMB

ADDRESS: 520 E. 56th AVENUE DENVER, CO 80216 PHONE: (303) 297-9777

ARCHITECT: GALLOWAY, ROMERO & ASSOC. CONTACT: LARRY L. PARKER

ADDRESS: 14202 E. EVANS AVENUE AURORA CO. 80014 PHONE: (303) 745-7448

SURVEYOR: RONALD A. FORSTBAUER SURVEYING CO. CONTACT: RONALD A. FORSTBAUER

ADDRESS: 1100 ALVARODO NE ALBUQUERQUE NM 87110 PHONE: (505) 268-2112

CONTRACTOR: NOT SELECTED CONTACT: _____

ADDRESS: _____ PHONE: _____

TYPE OF SUBMITTAL:

- ✓ DRAINAGE REPORT
- ✓ DRAINAGE PLAN
- ___ CONCEPTUAL GRADING & DRAINAGE PLAN
- ___ GRADING PLAN
- ___ EROSION CONTROL PLAN
- ___ ENGINEER'S CERTIFICATION
- ___ OTHER

PRE-DESIGN MEETING:

- ✓ YES
- ___ NO
- ✓ COPY PROVIDED

11-8-95

CHECK TYPE OF APPROVAL SOUGHT:

- ___ SKETCH PLAT APPROVAL
- ___ 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 APPROVAL
- ___ GRADING PERMIT APPROVAL
- ___ PAVING PERMIT APPROVAL
- ___ S.A.D. DRAINAGE REPORT
- ___ DRAINAGE REQUIREMENTS
- ___ OTHER _____ (SPECIFY)

NOV 13

DATE SUBMITTED: Nov 8, 95 (RESUBMITTAL)

BY: Larry L. Parker
LARRY L. PARKER

LEGAL DESCRIPTION

A certain parcel of land being identified as a portion of Tract 1, El Rancho Atrisco, Phase III as the same is shown and designated on the plat entitled "SUBDIVISION OF EL RANCHO ATRISCO, PHASE III WITHIN THE TOWN OF ATRISCO GRANT ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO" filed in the Office of the County Clerk of Bernalillo County, New Mexico on May 13, 1982 in Volume C19, Folio 143(2), and being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of the parcel herein described, a point on curve and a point on the southerly right-of-way of Ladera Drive NW, whence the northeast corner of said Tract 1 bears N62°31'37"E, a disatnce of 806.09 feet;

Thence, S00°22'55"W, a distance of 186.19 feet to the southeast corner of the parcel herein described;
Thence, N89°37'05"W, a distance of 205.11 feet to a point on the westerly right-of-way line of Unser Boulevard NW and the southwest corner of the parcel herein described;
Thence, N00°22'55"E, a distance of 137.99 feet along, adjoining, and adjacent to said westerly right-of-way line of Unser Boulevard NW to a point of curvature;
Thence, Northeasterly a distance of 38.06 feet along the arc of a curve bearing to the right (said arc having a radius of 25.00 feet and a long chord which bears N43°59'27"E, a distance of 34.49 feet) to a point of reverse curvature and a point on said southerly right-of-way line of Ladera Drive NW;
Thence, Northeasterly a distance of 182.99 feet along, adjoining, and adjacent to said southerly right-of-way line of Ladera Drive NW along the arc of a curve bearing to the left (said arc having a radius of 1160.00 feet and a chord which bears N83°04'50"E, a distance of 182.80 feet) to the northeast corner and point of beginning of the parcel herein described and containing 0.8025 acres (34,957 square feet) more or les.

RECEIVED
NOV 13

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #

Legal

APPROVAL REQUESTED:

- X PRELIMINARY PLAT
- ___ SITE DEVELOPMENT PLAN
- ___ GRADING/PAVING PERMIT
- ___ FINAL PLAT
- X BUILDING PERMIT
- ___ OTHER

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

FIRM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

NOV 13 1995

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED: Glenn E. Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

DATE: 05/25/95 DATE: 5/25/95

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.

# Final Drainage Report
# for
# Diamond Shamrock Cornerstore 1246
# Unser Boulevard NW and Ladera Drive NW

**August 1995**
**Revised November 1995**

**Prepared for:**

**Diamond Shamrock**
**520 E. 56th Ave.**
**Denver, Co 80216**
**(303) 297-9777**
**Attn: Dan Lamb**

**Prepared by:**

**Galloway, Romero & Associates**
**14202 E. Evans Avenue**
**Aurora, CO 80014**
**(303) 745-7448**
**Attn: Larry L. Parker**

NOV 13 1995

REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW MEXICO
NO. 4859
11-8-95
RAFAEL E. ROMERO

## TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


## APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

## I. INTRODUCTION

This report is being prepared for Diamond Shamrock, Inc. the owner/developer of the site, to fulfill the final drainage requirements for Environmental Planning Commission and Building Permit Submittal for the City of Albuquerque, New Mexico. The report analyzes off site and on site runoff from the minor, 10 year frequency, and major, 100 year frequency storms and routes these flows through the site.

The 0.803 acre site is a part of lot 1. El Rancho Atrisco, Phase III City of Albuquerque, Bernalillo County, New Mexico. The site bound by Unser Boulevard on the west, by Ladera Drive on the north and by undeveloped, SU-1 zoned office/retail on the east and south. According to Flood Insurance Rate Map, Community Panel umber 350002 0021 C, with an effective date of October 14, 1983, the site does not lie in a floodplain.

The site is part of a 25 acre development known as Heritage Plaza. Master plans for the development was approved by the City of Albuquerque in 1985. These plans, particularly the conceptual drainage plan, established the base criteria for the Diamond Shamrock Development.

The Diamond Shamrock site will be the first parcel to develop in the entire 25 acre parcel. Drainage wise, the site lies in the uppermost reach of the basin. Off site flows do not impact the site. Regional detention is proposed for the overall development and developed runoff from the Diamond Shamrock site will be accepted, routed to the pond(s) once the remaining sites develop. During the interim, a temporary retention pond will be provided.

The site is vacant and slopes downward from northwest to southeast at slopes ranging from 2 to 12 percent. Bare ground, native grasses and weeds cover the sites area.

## II. DESIGN CRITERIA

This report is being prepared using the criteria and methodology as presented in Section 22.2, Hydrology of the "Development Process Manual" for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January 1993. Peak runoff for the minor and major storms (10 and 100 year frequency, respectively), excess precipitation and runoff volume was calculated using values for Precipitation Zone 1. Calculations and applicable tables and graphs are included in the appendix of this report.

## III. MASTER DRAINAGE PLAN COMPLIANCE

As previously stated, the sites developed runoff was analyzed on the "Master Plan, Conceptual Drainage Plan", sheet 7 of 8 by Boehning, Protz, Cook and Associates, dated August 31, 1985. That plan shows the Diamond Shamrock site as being a part of Drainage Basin No. 6. That basin contains 8.04 acres and anticipated a 100 year runoff of 30.35 cfs based on an pervious area of 1.42 acres and an impervious area of 6.62 acres. To compare the anticipated/actual runoff, this basin was reanalyzed using current rational method values from the January 1994 Hydrology Manual. The methodology gave an overall 10 and 100 year runoff of 20.19 and 31.81 CFS, respectively. Using a simple area ration, the sites 10 and 100 year anticipated runoff is 2.02 and 3.18 CFS, respectively. Portions of the master plan and the reanalyzed runoff calculations are included in the appendix, pages A.4 to A.6, inclusive.

## IV. DEVELOPED DRAINAGE

General Concept: A pre-design conference and the Master Drainage Plan for Heritage Plaza has established the drainage criteria for the site. As previously stated, the site does not receive off site flows and lies in the upper reach of the basin. Once the entire Heritage Plaza site is developed, downstream regional detention ponding will be provided. Until the facilities are in place, a temporary retention pond will be established.

Specific Details: The site is developed into 2 basins, A and B. Basin A is a 0.067 acre basin that consists of landscaped and paved areas. The 10 and 100 year runoff of 0.12 and 0.22 CFS, respectively, is undetained, routed away from the pond and exits the site by flowing into the road right-of-way.

Basin B is a 0.736 acre basin that consists of landscaped, paved and roof areas. The 10 and 100 year runoff of 1.74 and 2.79 CFS, respectively, is routed to a 3 foot curb opening at the southeasterly corner of the site. This runoff then flows into the temporary retention pond.

## V. DETENTION/RETENTION

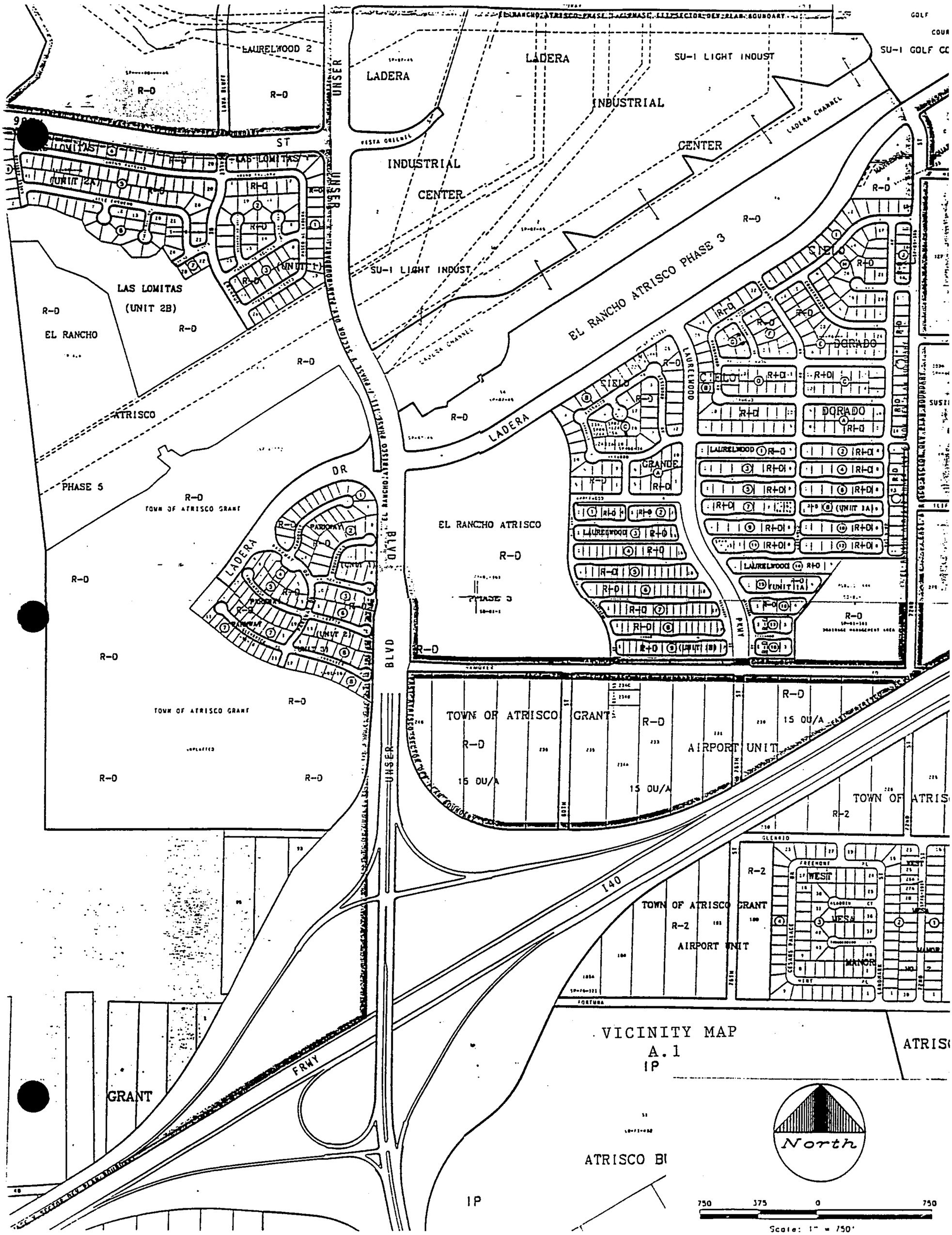
The site is part of a 25 acre overall development and the first pad site to develop. It also lies in the upper reach of the basin. Once the entire area develops the sites runoff will be directed to downstream, regional detention facilities. Until then a temporary retention pond has been provided. The pond was designed to contain the 100 year, 24 hour storm. This volume occurs at elevation 82.0 and as an added precaution an additional freeboard of 1.1 feet has been provided. The 100 year water surface of 82.0 is 5.5 feet below the convenience stores finished floor elevation of 87.5.

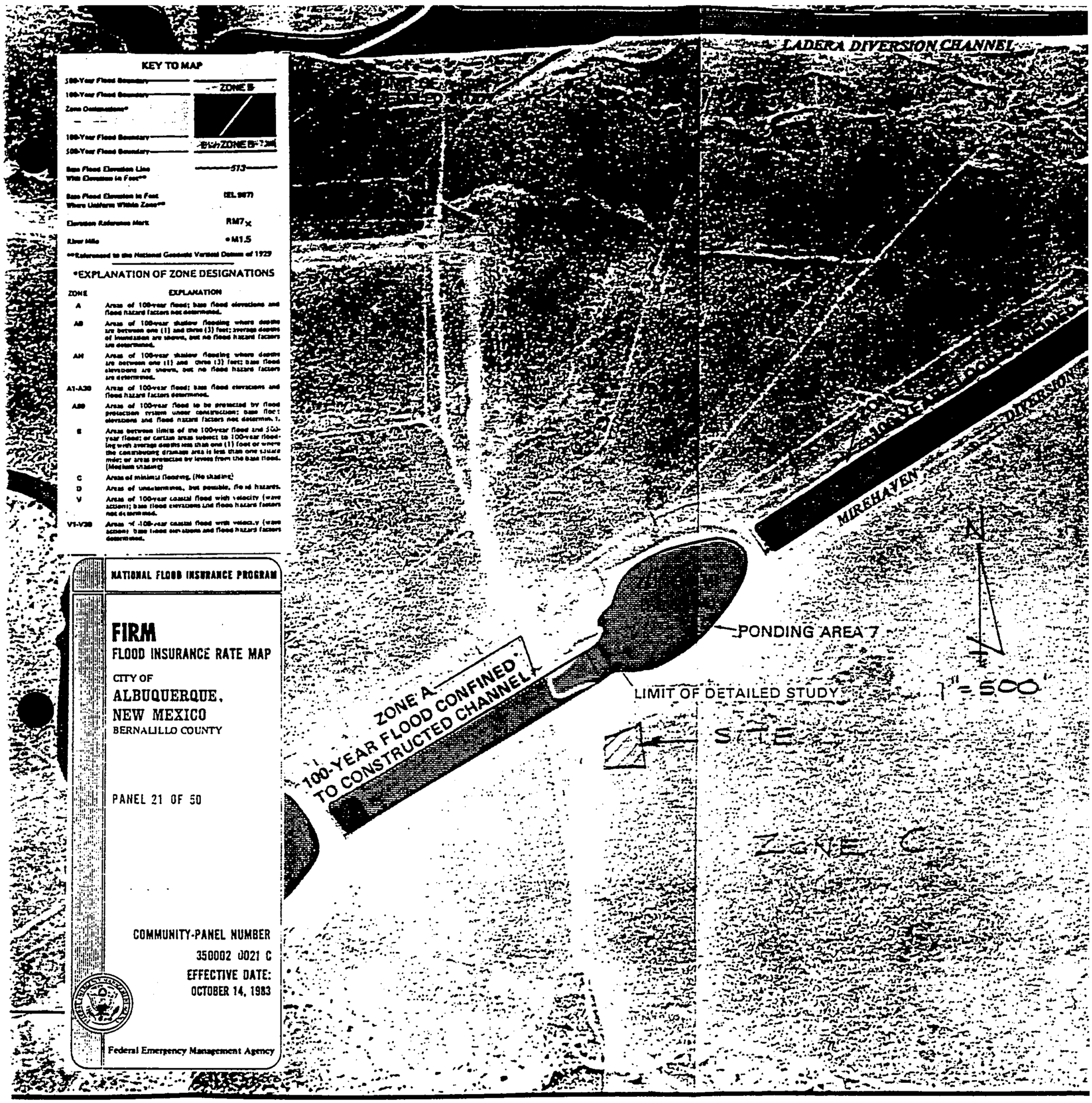
## VI. CONCLUSIONS

This report has been prepared using the methodology and information contained within Section 22.2 of the Development Process Manual for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January, 1993. Runoff from the minor/major storms is safely routed through the site and is discharged without causing potential harm to the public.

The reanalyzed 10 and 100 year, proportionally adjusted runoff was anticipated to be 2.02 and 3.18 cfs, respectively. The actual 10 and 100 year runoff is 1.86 and 3.01 cfs, respectively. The sites drainage patterns are in compliance with the Master Drainage Plan for the Heritage Plaza Development.

# APPENDIX A


LAUREL WOOD 2
R-D
LADERA
LADERA
SU-1 LIGHT INDUST
INDUSTRIAL
CENTER
INDUSTRIAL
CENTER
LADERA CHANNEL
SU-1 LIGHT INDUST
EL RANCHO ATRISCO PHASE 3
UNSER
ST
LAS LOMITAS
(UNIT 2A)
(UNIT 1)
LAS LOMITAS
(UNIT 2B)
EL RANCHO
ATRISCO
PHASE 5
TOWN OF ATRISCO GRANT
DR
LADERA
PARDOAH
(UNIT 1)
(UNIT 2)
(UNIT 3)
BLVD
EL RANCHO ATRISCO
PHASE 3
LAUREL WOOD
SIELO
GRANDE
DORADO
(UNIT 3A)
(UNIT 1A)
PKWY
TOWN OF ATRISCO GRANT
15 DU/A
AIRPORT UNIT
R-2
140
WEST
VESTA
MANOR
FRWY
GRANT
ATRISCO BL
IP
VICINITY MAP
A.1
North
750
375
0
750
Scale: 1" = 750'




FLOOD INSURANCE RATE MAP
A.2

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

| | | | |
|---|---|---|---|
| X | PRELIMINARY PLAT | | FINAL PLAT |
| | SITE DEVELOPMENT PLAN | X | BUILDING PERMIT |
| | GRADING/PAVING PERMIT | | OTHER |

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

PM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning; Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

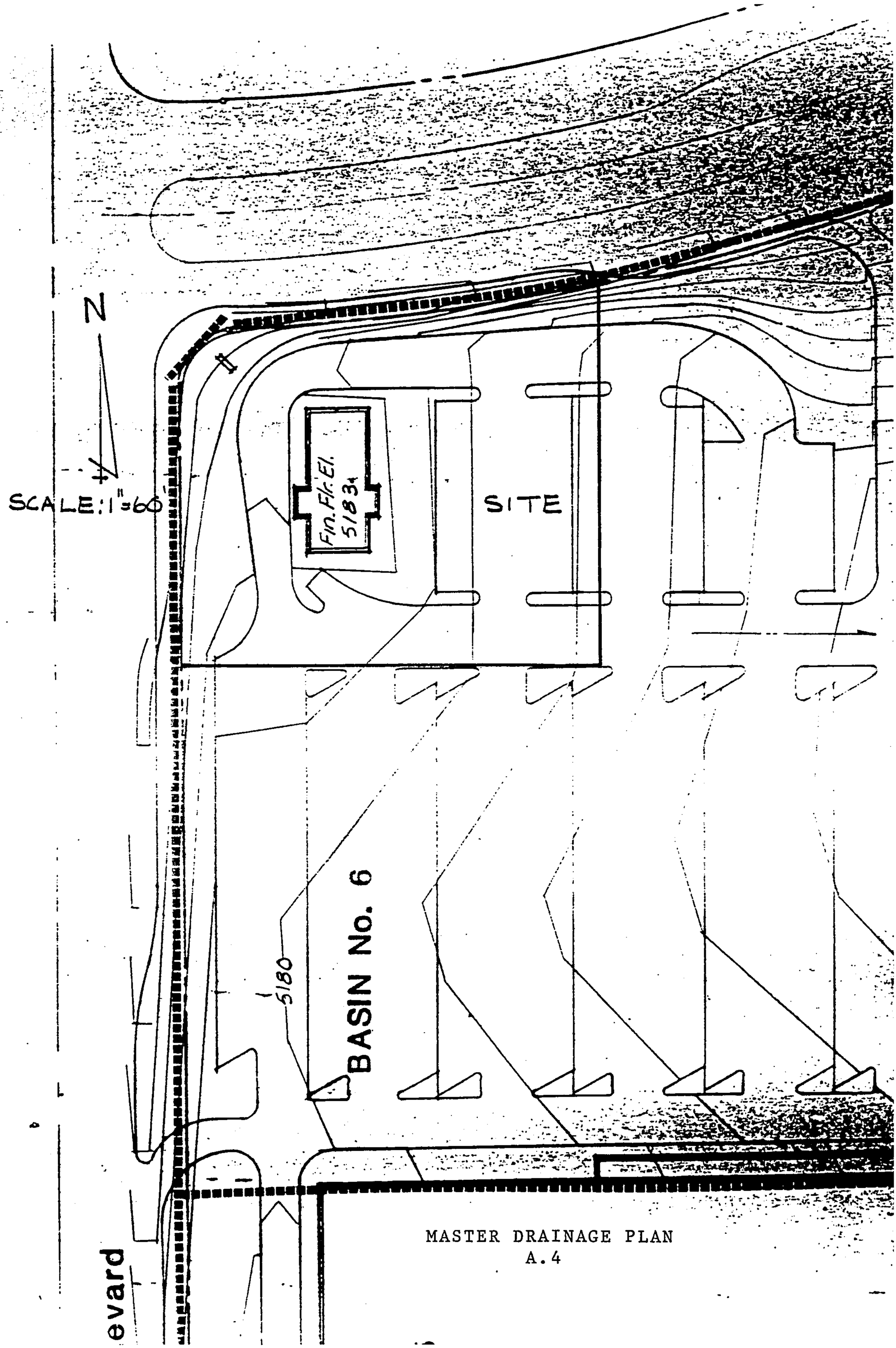
SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

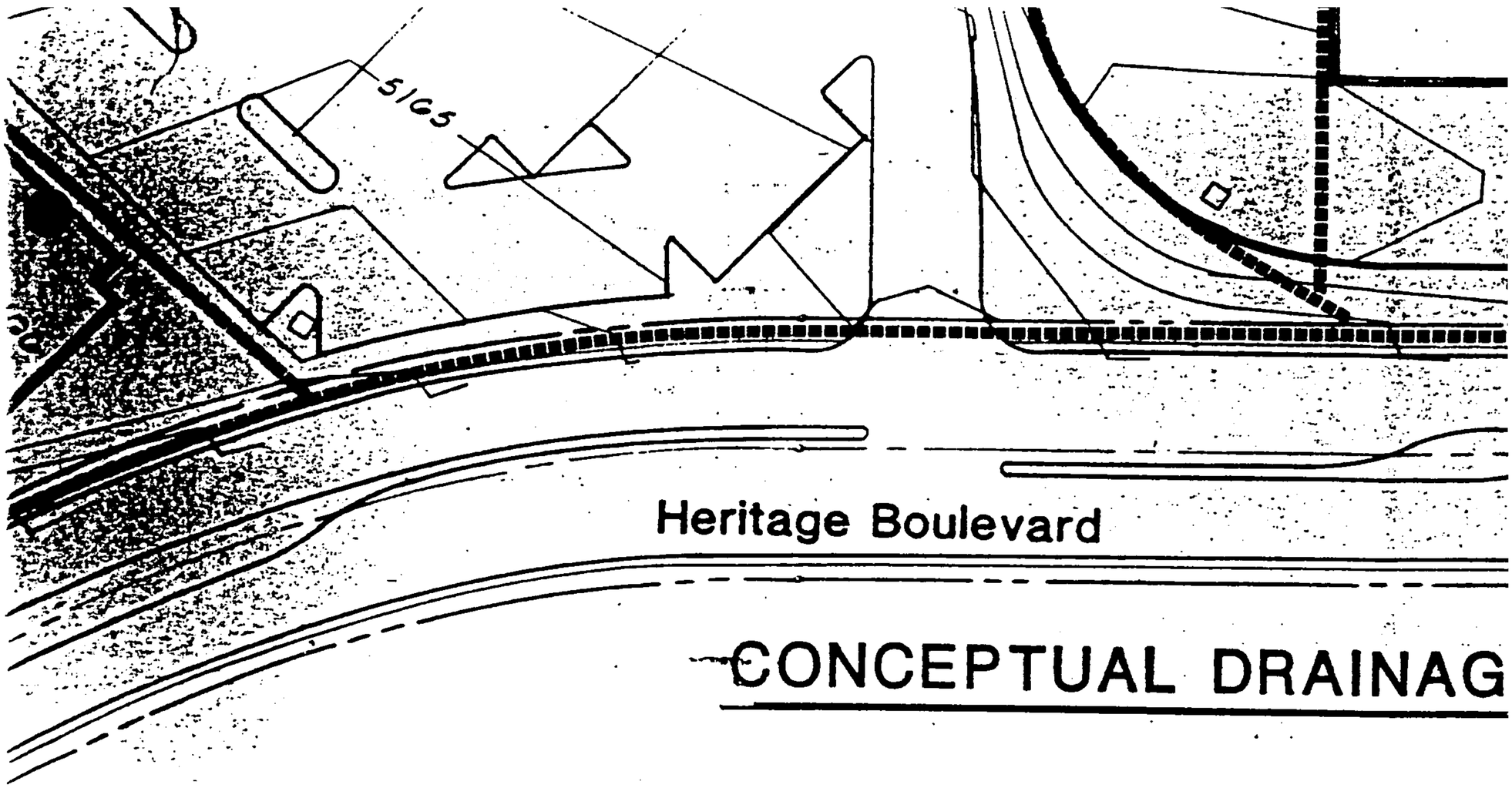
DATE: 05/25/95 DATE: 5/25/95

A.3

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.




MASTER DRAINAGE PLAN
A.4




# CONCEPTUAL DRAINAG

**BASIN NO. 1**

TOTAL AREA = 1.72 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 88%
C = 0.84
Q = 7.00 CFS

**BASIN NO. 2**

TOTAL AREA = 3.33 ACRES
PERVIOUS AREA = 0.65 ACRE
PERCENT IMPERVIOUS = 80%
C = 0.77
Q = 12.41 CFS

**BASIN NO. 3**

TOTAL AREA = 3.54 ACRES
PERVIOUS AREA = 1.68 ACRES
PERCENT IMPERVIOUS = 53%
C = 0.59
Q = 10.11 CFS

**BASIN NO. 4**

TOTAL AREA = 4.00 ACRES
PERVIOUS AREA = 1.00 ACRE
PERCENT IMPERVIOUS = 75%
C = 0.73
Q = 14.13 CFS

**BASIN NO. 5**

TOTAL AREA = 3.40 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 94%
C = 0.91
Q = 14.98 CFS

**BASIN NO. 6**

TOTAL AREA = 8.04 ACRES
PERVIOUS AREA = 1.42 ACRES
PERCENT IMPERVIOUS = 82%
C = 0.78
Q = 30.35 CFS

REANALYZE BASIN 6, MASTER DRAINAGE PLAN, HERITAGE PLAZA

-BASIN AREA IS 8.04 Ac, 1.42 Ac PERVIOUS, 6.62 Ac IMPERVIOUS

-USE TREATMENT "B" FOR PERVIOUS, "D" FOR IMPERVIOUS

RATIONAL METHOD:

Q10 = 20.19

Q100 = 31.81

PROPORTIONAL RELEASES:

RATIO = 0.0999

Q10 = 2.02

Q100 = 3.18

## PEAK DISCHARGE FOR DEVELOPED BASINS

| BASIN NAME | OVERALL AREA AC | TREATMENT ACRES A | B | C | D | Q10 cfs | Q100 cfs |
|---|---|---|---|---|---|---|---|
| A | 0.067 | 0 | 0.047 | 0 | 0.029 | 0.12 | 0.22 |
| B | 0.736 | 0 | 0.183 | 0 | 0.553 | 1.74 | 2.79 |

## DETENTION/RETENTION

FIND DETENTION VOLUME: BASIN B ONLY

Excess Precipitation

E = 1.65 Inches
V 360 = 4400 Cubic Feet

ADJUST FOR 24 HOUR STORM
V 1440 = 5323

## POND VOLUME

| ELEVATION | AREA Sf | VOLUME Cf | CUMULATIVE VOLUME Cf |
|---|---|---|---|
| 79.5 | 0 | | |
| | | 261 | 261 |
| 80 | 1568 | | |
| | | 2036 | 2297 |
| 81 | 2504 | | |
| | | 3034 | 5331 |
| 82 | 3564 | | |

## CURB OPENING SIZING

Q100 = 2.79 cfs

3 Foot Wide Curb Opening Has Capacity Of 3.6 cfs, OK

**City of Albuquerque**
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

December 5, 1995

Larry Parker
Galloway, Romero & Assc.
14202 E. Evans Ave.
Aorora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 11-8-95.***

Dear Mr. Parker

Based on the information provided on your November 13, 1995 submittal, the above referenced project is conditionally approved for Building Permit. Prior to Building Permit release, please supply the City with a drainage covenant for the temporary retention pond.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

**City of Albuquerque**
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 16, 1995

Larry Parker
Galloway, Romero & Assoc.
14202 E. Evans Avenue
Aurora, CO 80014

***RE: DIAMOND SHAMROCK (H9-D2) DRAINAGE REPORT FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP DATED 10-6-95.***

Dear Mr. Parker:

Based on the information provided on your October 11, 1995 submittal, City Hydrology has the following comments:

1. It is unclear where the landscaping stip located along the south property line drains. It appears that the flow probably drains to parking lot and then to pond. Please show some more spot elevations in this area. Do not allow this flow to enter another site.

2. The City suggests that the area around the fueling bays be graded so that in the future, the fueling area can be contained and all washdown water collected and routed to an oil/water separator. This separator would be connected directly to the sanitary sewer, not to the storm drain. The City is currently modifying requirements for fueling areas, and the above requirement for containment of washdown areas and canopy areas may become standard.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,

Lisa Ann Manwill
Engineering Assoc./Hyd.

c: Andrew Garcia
File

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

# Final Drainage Report
# for
# Diamond Shamrock Cornerstore 1246
# Unser Boulevard NW and Ladera Drive NW

**August 1995**
**Revised November 1995**

**Prepared for:**

**Diamond Shamrock**
**520 E. 56th Ave.**
**Denver, Co 80216**
**(303) 297-9777**
**Attn: Dan Lamb**

**Prepared by:**

**Galloway, Romero & Associates**
**14202 E. Evans Avenue**
**Aurora, CO 80014**
**(303) 745-7448**
**Attn: Larry L. Parker**

REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW MEXICO
NO. 4859
11-8-95
RAFAEL E. ROMERO

NOV 1 3

## TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


## APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

## I. INTRODUCTION

This report is being prepared for Diamond Shamrock, Inc. the owner/developer of the site, to fulfill the final drainage requirements for Environmental Planning Commission and Building Permit Submittal for the City of Albuquerque, New Mexico. The report analyzes off site and on site runoff from the minor, 10 year frequency, and major, 100 year frequency storms and routes these flows through the site.

The 0.803 acre site is a part of lot 1. El Rancho Atrisco, Phase III City of Albuquerque, Bernalillo County, New Mexico. The site bound by Unser Boulevard on the west, by Ladera Drive on the north and by undeveloped, SU-1 zoned office/retail on the east and south. According to Flood Insurance Rate Map, Community Panel umber 350002 0021 C, with an effective date of October 14, 1983, the site does not lie in a floodplain.

The site is part of a 25 acre development known as Heritage Plaza. Master plans for the development was approved by the City of Albuquerque in 1985. These plans, particularly the conceptual drainage plan, established the base criteria for the Diamond Shamrock Development.

The Diamond Shamrock site will be the first parcel to develop in the entire 25 acre parcel. Drainage wise, the site lies in the uppermost reach of the basin. Off site flows do not impact the site. Regional detention is proposed for the overall development and developed runoff from the Diamond Shamrock site will be accepted, routed to the pond(s) once the remaining sites develop. During the interim, a temporary retention pond will be provided.

The site is vacant and slopes downward from northwest to southeast at slopes ranging from 2 to 12 percent. Bare ground, native grasses and weeds cover the sites area.

## II. DESIGN CRITERIA

This report is being prepared using the criteria and methodology as presented in Section 22.2, Hydrology of the "Development Process Manual" for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January 1993. Peak runoff for the minor and major storms (10 and 100 year frequency, respectively), excess precipitation and runoff volume was calculated using values for Precipitation Zone 1. Calculations and applicable tables and graphs are included in the appendix of this report.

## III. MASTER DRAINAGE PLAN COMPLIANCE

As previously stated, the sites developed runoff was analyzed on the "Master Plan, Conceptual Drainage Plan", sheet 7 of 8 by Boehning, Protz, Cook and Associates, dated August 31, 1985. That plan shows the Diamond Shamrock site as being a part of Drainage Basin No. 6. That basin contains 8.04 acres and anticipated a 100 year runoff of 30.35 cfs based on an pervious area of 1.42 acres and an impervious area of 6.62 acres. To compare the anticipated/actual runoff, this basin was reanalyzed using current rational method values from the January 1994 Hydrology Manual. The methodology gave an overall 10 and 100 year runoff of 20.19 and 31.81 CFS, respectively. Using a simple area ration, the sites 10 and 100 year anticipated runoff is 2.02 and 3.18 CFS, respectively. Portions of the master plan and the reanalyzed runoff calculations are included in the appendix, pages A.4 to A.6, inclusive.

## IV. DEVELOPED DRAINAGE

General Concept: A pre-design conference and the Master Drainage Plan for Heritage Plaza has established the drainage criteria for the site. As previously stated, the site does not receive off site flows and lies in the upper reach of the basin. Once the entire Heritage Plaza site is developed, downstream regional detention ponding will be provided. Until the facilities are in place, a temporary retention pond will be established.

Specific Details: The site is developed into 2 basins, A and B. Basin A is a 0.067 acre basin that consists of landscaped and paved areas. The 10 and 100 year runoff of 0.12 and 0.22 CFS, respectively, is undetained, routed away from the pond and exits the site by flowing into the road right-of-way.

Basin B is a 0.736 acre basin that consists of landscaped, paved and roof areas. The 10 and 100 year runoff of 1.74 and 2.79 CFS, respectively, is routed to a 3 foot curb opening at the southeasterly corner of the site. This runoff then flows into the temporary retention pond.

## V. DETENTION/RETENTION

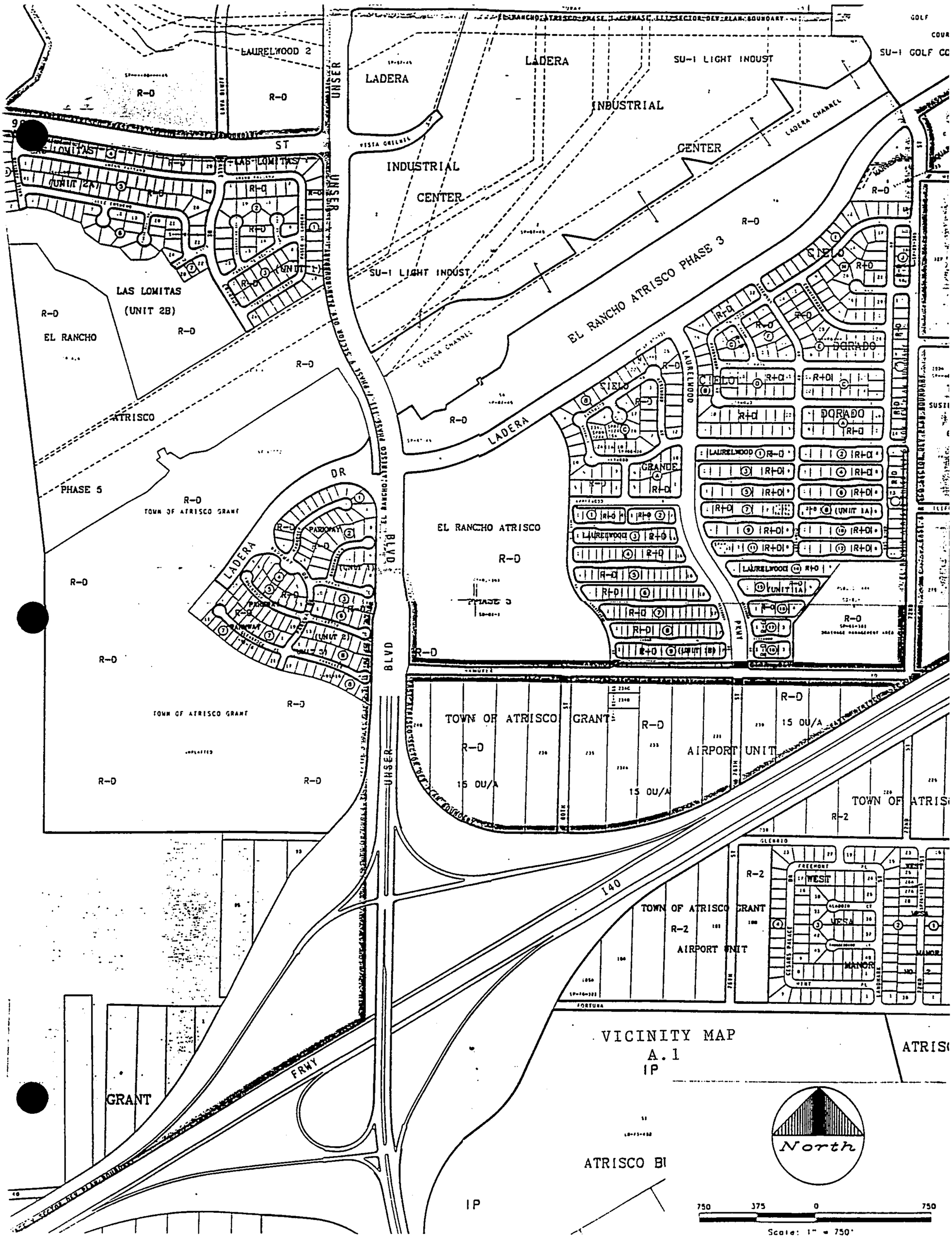
The site is part of a 25 acre overall development and the first pad site to develop. It also lies in the upper reach of the basin. Once the entire area develops the sites runoff will be directed to downstream, regional detention facilities. Until then a temporary retention pond has been provided. The pond was designed to contain the 100 year, 24 hour storm. This volume occurs at elevation 82.0 and as an added precaution an additional freeboard of 1.1 feet has been provided. The 100 year water surface of 82.0 is 5.5 feet below the convenience stores finished floor elevation of 87.5.

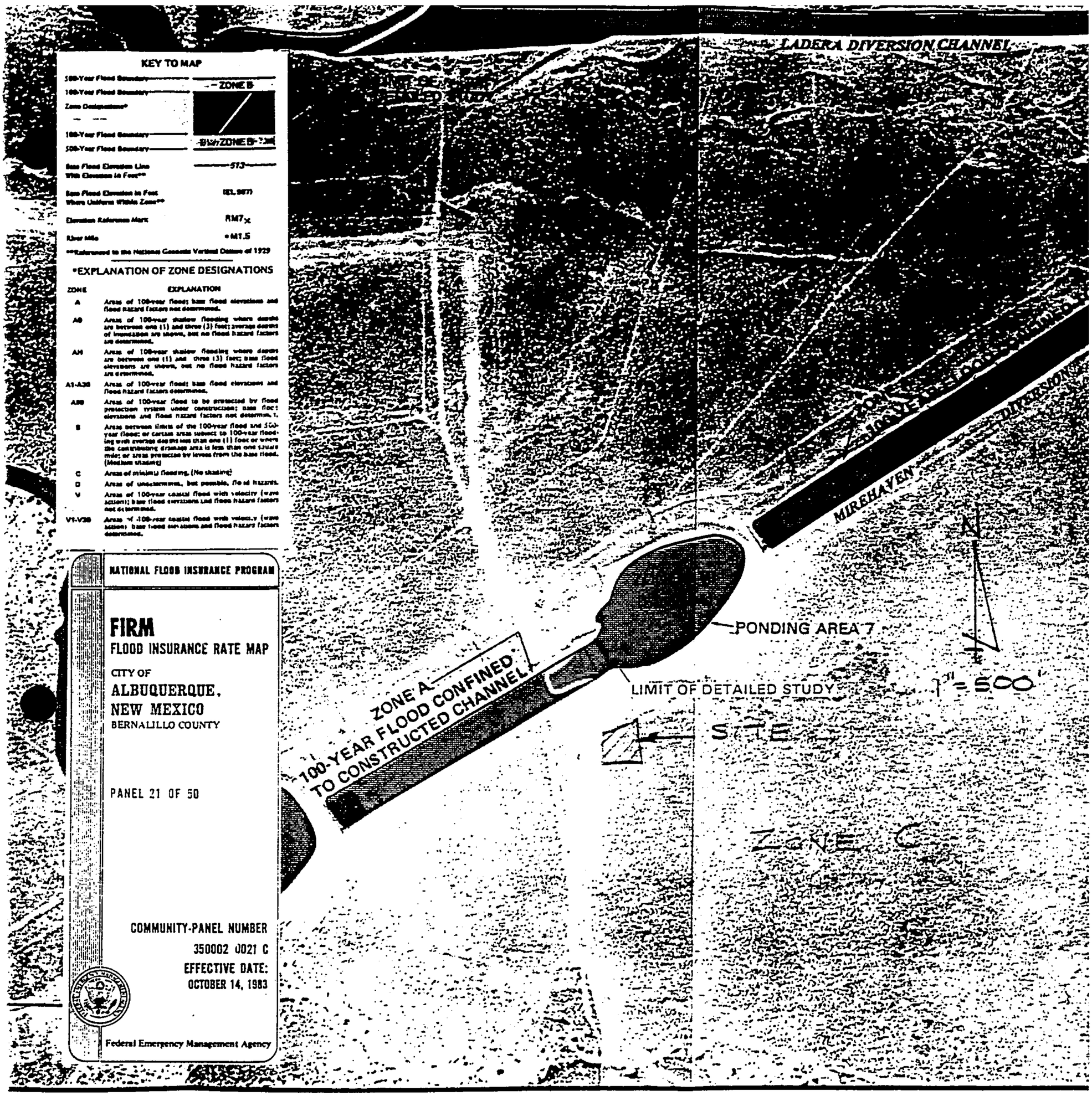
## VI. CONCLUSIONS

This report has been prepared using the methodology and information contained within Section 22.2 of the Development Process Manual for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January, 1993. Runoff from the minor/major storms is safely routed through the site and is discharged without causing potential harm to the public.

The reanalyzed 10 and 100 year, proportionally adjusted runoff was anticipated to be 2.02 and 3.18 cfs, respectively. The actual 10 and 100 year runoff is 1.86 and 3.01 cfs, respectively. The sites drainage patterns are in compliance with the Master Drainage Plan for the Heritage Plaza Development.

# APPENDIX A


LAUREL WOOD 2
R-D
LADERA
LADERA
SU-1 LIGHT INDUST
INDUSTRIAL
CENTER
INDUSTRIAL
CENTER
SU-1 LIGHT INDUST
LADERA CHANNEL
UNSER
LAS LOMITAS
(UNIT 2A)
(UNIT 2)
LAS LOMITAS
(UNIT 2B)
EL RANCHO
ATRISCO
PHASE 5
TOWN OF ATRISCO GRANT
EL RANCHO ATRISCO PHASE 3
LADERA
LAUREL WOOD
CIELO
DORADO
GRANDE
PARDONAY
EL RANCHO ATRISCO
PHASE 3
TOWN OF ATRISCO GRANT
15 DU/A
AIRPORT UNIT
R-2
WEST
VESA
MANOR
140
FRWY
GRANT
VICINITY MAP
A.1
IP
ATRISCO BI
IP
North
750 375 0 750
Scale: 1" = 750'




FLOOD INSURANCE RATE MAP
A.2

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

- X PRELIMINARY PLAT
- ___ SITE DEVELOPMENT PLAN
- ___ GRADING/PAVING PERMIT
- ___ FINAL PLAT
- X BUILDING PERMIT
- ___ OTHER

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

FIRM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

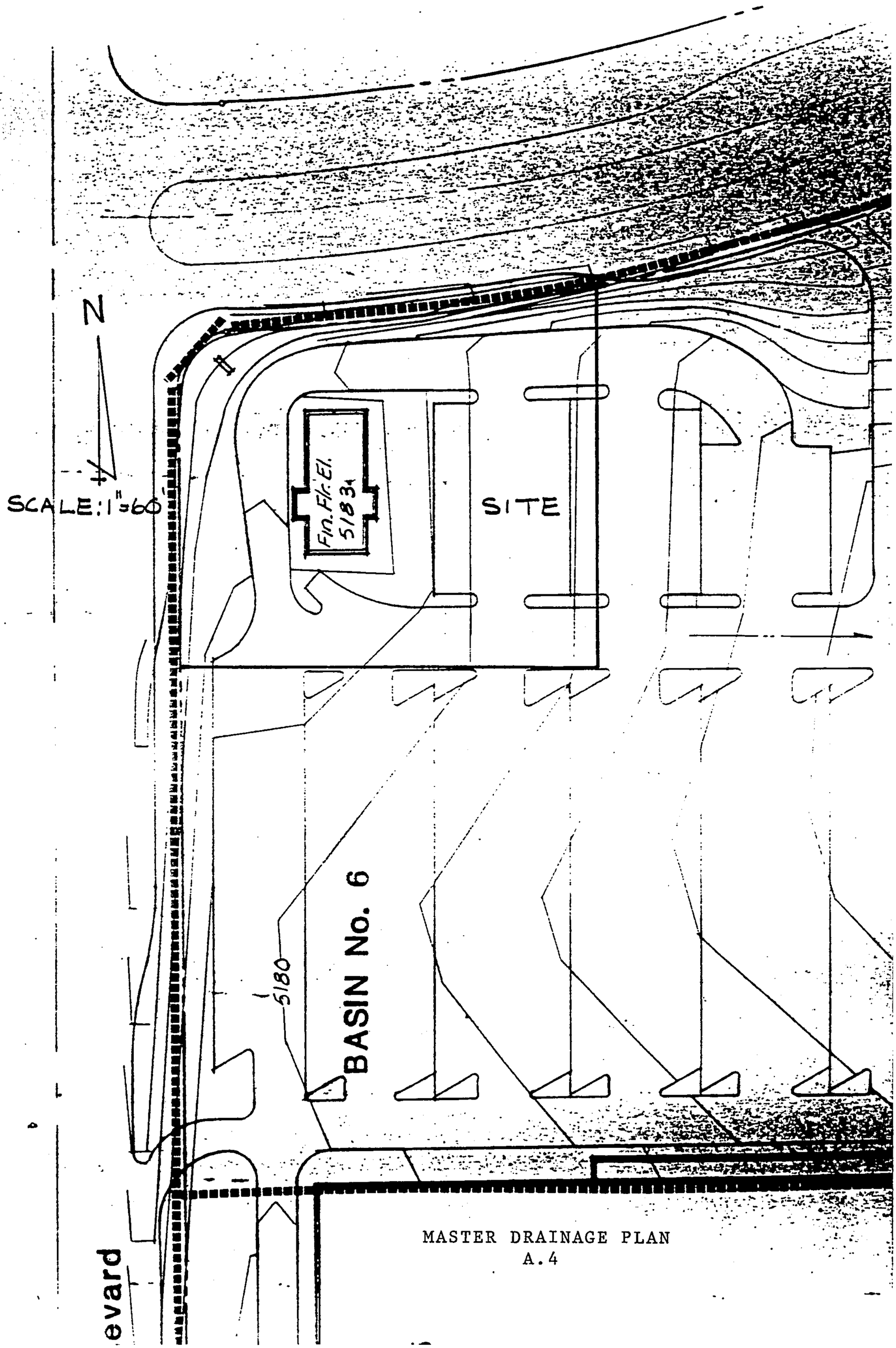
SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

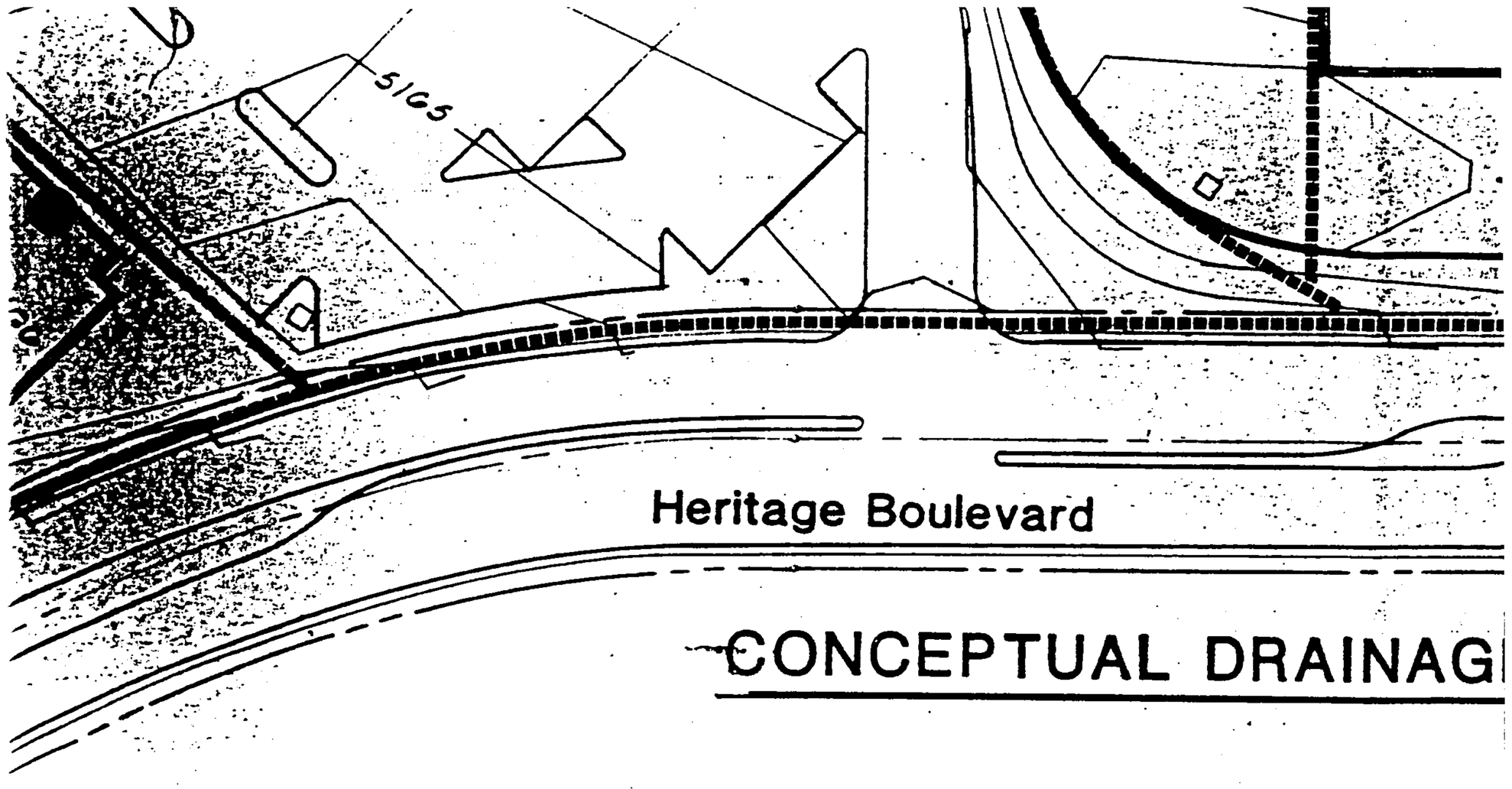
DATE: 05/25/95 DATE: 5/25/95

A.3

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.




MASTER DRAINAGE PLAN
A.4




# CONCEPTUAL DRAINAG

**BASIN NO. 1**

TOTAL AREA = 1.72 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 88%
C = 0.84
Q = 7.00 CFS

**BASIN NO. 2**

TOTAL AREA = 3.33 ACRES
PERVIOUS AREA = 0.65 ACRE
PERCENT IMPERVIOUS = 80%
C = 0.77
Q = 12.41 CFS

**BASIN NO. 3**

TOTAL AREA = 3.54 ACRES
PERVIOUS AREA = 1.68 ACRES
PERCENT IMPERVIOUS = 53%
C = 0.59
Q = 10.11 CFS

**BASIN NO. 4**

TOTAL AREA = 4.00 ACRES
PERVIOUS AREA = 1.00 ACRE
PERCENT IMPERVIOUS = 75%
C = 0.73
Q = 14.13 CFS

**BASIN NO. 5**

TOTAL AREA = 3.40 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 94%
C = 0.91
Q = 14.98 CFS

**BASIN NO. 6**

TOTAL AREA = 8.04 ACRES
PERVIOUS AREA = 1.42 ACRES
PERCENT IMPERVIOUS = 82%
C = 0.78
Q = 30.35 CFS

REANALYZE BASIN 6, MASTER DRAINAGE PLAN, HERITAGE PLAZA

-BASIN AREA IS 8.04 Ac, 1.42 Ac PERVIOUS, 6.62 Ac IMPERVIOUS

-USE TREATMENT "B" FOR PERVIOUS, "D" FOR IMPERVIOUS

RATIONAL METHOD:

Q10 = 20.19

Q100 = 31.81

PROPORTIONAL RELEASES:

RATIO = 0.0999

Q10 = 2.02

Q100 = 3.18

## PEAK DISCHARGE FOR DEVELOPED BASINS

| BASIN NAME | OVERALL AREA AC | TREATMENT ACRES A | B | C | D | Q10 cfs | Q100 cfs |
|---|---|---|---|---|---|---|---|
| A | 0.067 | 0 | 0.047 | 0 | 0.029 | 0.12 | 0.22 |
| B | 0.736 | 0 | 0.183 | 0 | 0.553 | 1.74 | 2.79 |

## DETENTION/RETENTION

FIND DETENTION VOLUME: BASIN B ONLY

Excess Precipitation

E = 1.65 Inches
V 360 = 4400 Cubic Feet

ADJUST FOR 24 HOUR STORM
V 1440 = 5323

## POND VOLUME

| ELEVATION | AREA Sf | VOLUME Cf | CUMULATIVE VOLUME Cf |
|---|---|---|---|
| 79.5 | 0 | | |
| | | 261 | 261 |
| 80 | 1568 | | |
| | | 2036 | 2297 |
| 81 | 2504 | | |
| | | 3034 | 5331 |
| 82 | 3564 | | |

## CURB OPENING SIZING

Q100 = 2.79 cfs

3 Foot Wide Curb Opening Has Capacity Of 3.6 cfs, OK

ALBUQUERQUE, NEW MEXICO

DATE

PROJECT NO. 5298.90

STANDARD REVIEW COMMENT SHEET

SHEET 1 OF 1

: /CHAIRMAN DRC-APPLICANT
(USER DEPT./DIVISION)

OM: LISA ANN MANWILL /HYDROLOGY/ENGINEERING
(REVIEWER/REVIEW DEPT./DIVISION)

OJECT: DIAMOND SHAMROCK

OJECT DESCRIPTION STATUS ☐ Pre-Design ☒ Preliminary ☐ Final

| FOR REVIEWER DEPT./DIVISION | | | For User Dept. | |
|---|---|---|---|---|
| Page No. | Com. No. | COMMENTS | A/D | Remark |
| | | Where is the landscaping strip along the south PL drain? No offsite drawing! | | |
| | | Suggest that area around feeding bays be graded so that water can be collected & routed to oil/water separator. The separator would be connected to Sanitary Sewer system. | | |
| | | What is dimensions of Rip-Rap at retention pond? | | |

FIGURE 6

CITY OF ALBUQUERQUE
NOTICE OF D.R.C. MEETING

10-12-98
(DATE)

PROJECT NO: 5298.90
ZONE ATLAS: H-9

D-002
Rec'd 10/11/95

PROJECT NAME: DIAMOND SHAMROCK
LOCATION: (UNSER & LADERA)

TYPE OF PROJECT: AHBA ✓ CIP ___ PWC ___ SAD ___ ALL PRIVATE ___

Contact Person: GLEN BATES Phone: 255-4975
Firm: KEVIN GEDLGAS & ASSOC.

X Scheduled with the D.R.C. on ~~10-19-95 at 2:30~~ in Conf. Room 302
___ No DRC Meeting Scheduled. Please return any comments by ___

The Project Is Scheduled For:
/ / Design Report Review / / Final Plan Review (Approved Infra. List)
/ / Pre-Design Meeting / / Signoff of Plans (Mylars Required)
X Preliminary Plan Review / / ___

The Project Relates To:
/✓/ Water /✓/ San. Sewer /✓/ Paving /✓/ Storm Drainage / / ___

The Attached Package Includes:
/D/ Drawings /S/ Spec's /E/ Estimate /R/ Report /M/ Memo Only

Indicated below are the Departments/Divisions that have received project documents and/or are invited to attend. It will be the Project Managers responsiblity to notify consulting engineering firms of date and time of scheduled meetings.

| | | |
|---|---|---|
| /D/ DRC Chairman | Project Review Section | All |
| /D/ Traffic Repres | Transportation Development | All |
| /D/ Water Repres. | Utility Design | All |
| /D/ Hydro Repres. | Hydrology | All |
| /D/ Const. Repres. | Construction | All |
| /D/ Bill Coleman | Traffic Operations | |
| / / Dick Salas | Street Maintenance | |
| / / Sergio Miranda | Water (Shutoff Plan) | ALL WATER SHUTOFF |
| / / Diane Scena | Parks & Recreation | ALL LANDSCAPING |
| / / | Utility Coordinator | ALL PWC & CIP |
| / / Jim Hamel | Transit Department | CIP/Memo |
| / / Rick Roybal | Construction Coordinator | CIP/Memo |
| / / Jim Fink | Line Maintenance | CIP-SAS/Memo |
| / / Joe Dellalonga | City Architect | ARCHITECTURAL |
| / / Lee Lunsford | SAD Engineer | SAD/Memo |
| / / Joe Luehring | Transportation Develop. | CIP/Memo |
| / / Roger Green | Utility Design | CIP/WATER & SAS |
| / / Mike Minturn | General Services Dept. | BUILDINGS |
| / / Greg Smith | PWD/Legal | DWGS & SPECS |
| / / Richard Sertich | Planning Department | CIP/Memos |
| / / CIP Manager | CIP | CIP/Memos |
| / / ___ | ___ | ___ |
| / / ___ | ___ | ___ |

RG/tm (WP+123400) Rev. 11/05/91

# DRAINAGE INFORMATION SHEET

PROJECT TITLE: Diamond Shamrock ZONE ATLAS/DRNG. FILE #: H-9/D2

DRB #: _____ EPC #: _____ WORK ORDER #: _____

LEGAL DESCRIPTION: Portion of Tract 1, El Rancho Atrisco Phase III

CITY ADDRESS: 7940 Ladera Drive NW

ENGINEERING FIRM: Galloway, Romero & Assoc. CONTACT: Larry L. Parker

ADDRESS: 14202 E. Evans Avenue Aurora, CO 80014 PHONE: 303/745-7448

OWNER: Diamond Shamrock CONTACT: Jim Reed

ADDRESS: 6390 E. Thomas Road Building 3, Suite 326 Scottsdale, Arizona 85251 PHONE: 602/949-7525

ARCHITECT: (Same as Engineer) CONTACT: Glenn F. Bates

ADDRESS: _____ PHONE: 505/255-4975

SURVEYOR: Ronald A. Forstbauer Surveying Co. CONTACT: Ron Forstbauer

ADDRESS: 1100 Alvarado Dr. NE PHONE: 505/268-2112

CONTRACTOR: Not Selected CONTACT: _____

ADDRESS: _____ PHONE: _____

**TYPE OF SUBMITTAL:**

- X DRAINAGE REPORT
- ____ DRAINAGE PLAN
- ____ CONCEPTUAL GRADING & DRAINAGE PLAN
- ____ GRADING PLAN
- ____ EROSION CONTROL PLAN
- ____ ENGINEER'S CERTIFICATION
- ____ OTHER _____

**PRE-DESIGN MEETING:**

- X YES
- ____ NO
- X COPY PROVIDED

**CHECK TYPE OF APPROVAL SOUGHT:**

- ____ SKETCH PLAT APPROVAL
- ____ 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
- X BUILDING PERMIT APPROVAL
- ____ CERTIFICATE OF OCCUPANCY APPROVAL
- ____ GRADING PERMIT APPROVAL
- ____ PAVING PERMIT APPROVAL
- ____ S.A.D. DRAINAGE REPORT
- ____ DRAINAGE REQUIREMENTS
- ____ SUBDIVISION CERTIFICATION
- ____ OTHER _____ (SPECIFY)

OCT 11 1995 HYDROLOGY

DATE SUBMITTED: 10/10/95

BY: Glenn F. Bates For and on behalf of Galloway, Romero & Associates

OCTOBER 13, 1995

Comments on Drainage Environmental for

Diamond Shamrock @ Unser and Ladera

Loren Meinz, PWD/Engineering Hydrology

1) The City suggests that the area around the fueling bays be graded so that in the future the fueling area can be contained and all washdown water collected and routed to an oil/water separator. This spearator would be connected directly to sanitary sewer, not to storm drainage.

   The City is currently modifying requirements for fueling areas, and the above requirement for containment of washdown areas and canopy areas may become standard.

# Final Drainage Report
# for
# Diamond Shamrock Cornerstore 1246
# Unser Boulevard NW and Ladera Drive NW

**August 1995**

**Prepared for:**

**Diamond Shamrock**
**6390 E. Thomas Road**
**Building 3, Suite 326**
**Scottsdale, Arizona 85251**
**(602) 949-7525**
**Attn: Jim Reed**

**Prepared by:**


**Galloway, Romero & Associates**
**14202 E. Evans Avenue**
**Aurora, CO 80014**
**(303) 745-7448**
**Attn: Larry L. Parker**


REGISTERED PROFESSIONAL ENGINEER
STATE OF
NO. 4859
10-6-95
NEW MEXICO
RAFAEL E. ROMERO


RECEIVED
OCT 11 1995

## TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


## APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

## TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


## APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

## I. INTRODUCTION

This report is being prepared for Diamond Shamrock, Inc. the owner/developer of the site, to fulfill the final drainage requirements for Environmental Planning Commission and Building Permit Submittal for the City of Albuquerque, New Mexico. The report analyzes off site and on site runoff from the minor, 10 year frequency, and major, 100 year frequency storms and routes these flows through the site.

The 0.803 acre site is a part of lot 1. El Rancho Atrisco, Phase III City of Albuquerque, Bernalillo County, New Mexico. The site bound by Unser Boulevard on the west, by Ladera Drive on the north and by undeveloped, SU-1 zoned office/retail on the east and south. According to Flood Insurance Rate Map, Community Panel umber 350002 0021 C, with an effective date of October 14, 1983, the site does not lie in a floodplain.

The site is part of a 25 acre development known as Heritage Plaza. Master plans for the development was approved by the City of Albuquerque in 1985. These plans, particularly the conceptual drainage plan, established the base criteria for the Diamond Shamrock Development.

The Diamond Shamrock site will be the first parcel to develop in the entire 25 acre parcel. Drainage wise, the site lies in the uppermost reach of the basin. Off site flows do not impact the site. Regional detention is proposed for the overall development and developed runoff from the Diamond Shamrock site will be accepted, routed to the pond(s) once the remaining sites develop. During the interim, a temporary retention pond will be provided.

The site is vacant and slopes downward from northwest to southeast at slopes ranging from 2 to 12 percent. Bare ground, native grasses and weeds cover the sites area.

## II. DESIGN CRITERIA

This report is being prepared using the criteria and methodology as presented in Section 22.2, Hydrology of the "Development Process Manual" for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January 1993. Peak runoff for the minor and major storms (10 and 100 year frequency, respectively), excess precipitation and runoff volume was calculated using values for Precipitation Zone 1. Calculations and applicable tables and graphs are included in the appendix of this report.

## III. MASTER DRAINAGE PLAN COMPLIANCE

As previously stated, the sites developed runoff was analyzed on the "Master Plan, Conceptual Drainage Plan", sheet 7 of 8 by Boehning, Protz, Cook and Associates, dated August 31, 1985. That plan shows the Diamond Shamrock site as being a part of Drainage Basin No. 6. That basin contains 8.04 acres and anticipated a 100 year runoff of 30.35 cfs based on an pervious area of 1.42 acres and an impervious area of 6.62 acres. To compare the anticipated/actual runoff, this basin was reanalyzed using current rational method values from the January 1994 Hydrology Manual. The methodology gave an overall 10 and 100 year runoff of 20.19 and 31.81 CFS, respectively. Using a simple area ration, the sites 10 and 100 year anticipated runoff is 2.02 and 3.18 CFS, respectively. Portions of the master plan and the reanalyzed runoff calculations are included in the appendix, pages A.4 to A.6, inclusive.

## IV. DEVELOPED DRAINAGE

General Concept: A pre-design conference and the Master Drainage Plan for Heritage Plaza has established the drainage criteria for the site. As previously stated, the site does not receive off site flows and lies in the upper reach of the basin. Once the entire Heritage Plaza site is developed, downstream regional detention ponding will be provided. Until the facilities are in place, a temporary retention pond will be established.

Specific Details: The site is developed into 2 basins, A and B. Basin A is a 0.079 acre basin that consists of landscaped and paved areas. The 10 and 100 year runoff of 0.13 and 0.25 CFS, respectively, is undetained, routed away from the pond and exits the site by flowing into the road right-of-way.

Basin B is a 0.724 acre basin that consists of landscaped, paved and roof areas. The 10 and 100 year runoff of 1.73 and 2.76 CFS, respectively, is routed to a 3 foot curb opening at the southeasterly corner of the site. This runoff then flows into the temporary retention pond.

## V. DETENTION/RETENTION

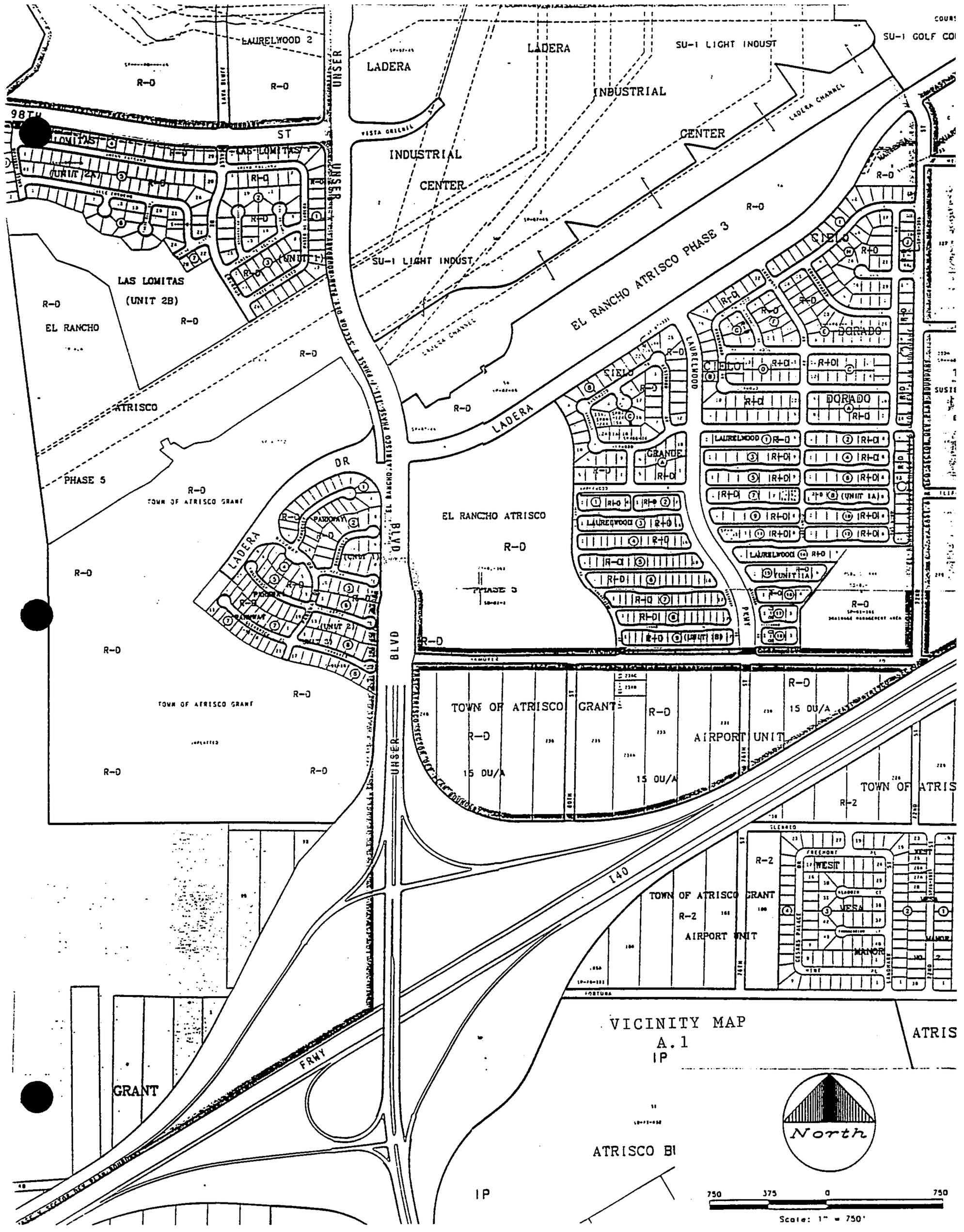
The site is part of a 25 acre overall development and the first pad site to develop. It also lies in the upper reach of the basin. Once the entire area develops the sites runoff will be directed to downstream, regional detention facilities. Until then a temporary retention pond has been provided. The pond was designed to contain the 100 year, 24 hour storm. This volume occurs at elevation 82.0 and as an added precaution an additional freeboard of 1.1 feet has been provided. The 100 year water surface of 82.0 is 5.5 feet below the convenience stores finished floor elevation of 87.5.

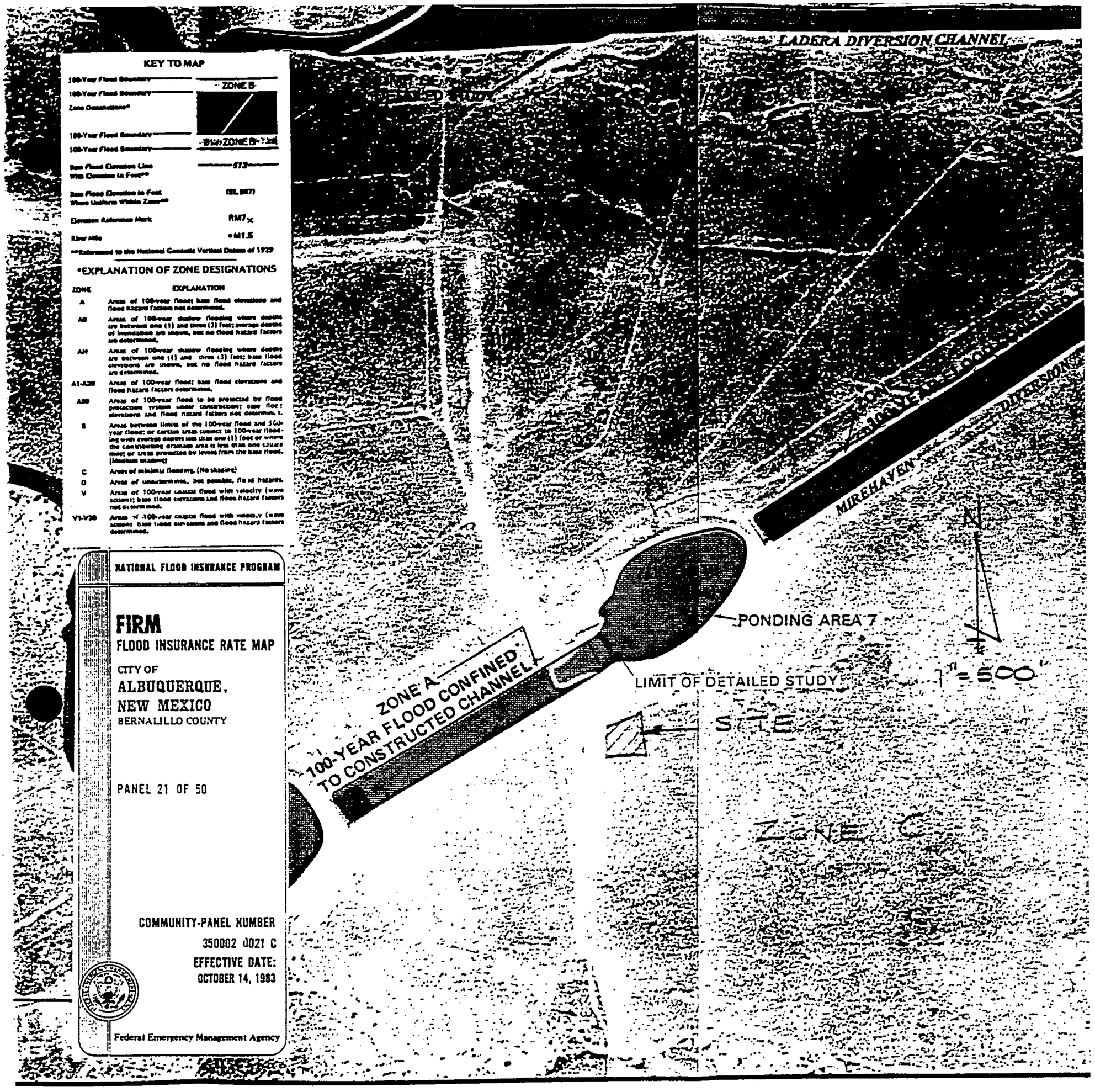
## VI. CONCLUSIONS

This report has been prepared using the methodology and information contained within Section 22.2 of the Development Process Manual for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January, 1993. Runoff from the minor/major storms is safely routed through the site and is discharged without causing potential harm to the public.

The reanalyzed 10 and 100 year, proportionally adjusted runoff was anticipated to be 2.02 and 3.18 cfs, respectively. The actual 10 and 100 year runoff is 1.86 and 3.01 cfs, respectively. The sites drainage patterns are in compliance with the Master Drainage Plan for the Heritage Plaza Development.

# APPENDIX A


LAUREL WOOD 2
R-O
LADERA
LADERA
INDUSTRIAL
CENTER
SU-1 LIGHT INDUST
SU-1 GOLF CO
LADERA CHANNEL
VISTA GRIEGIE
98TH
ST
UNSER
LAS LOMITAS
(UNIT 2A)
(UNIT 1)
LAS LOMITAS
(UNIT 2B)
EL RANCHO
ATRISCO
PHASE 5
TOWN OF ATRISCO GRANT
EL RANCHO ATRISCO PHASE 3
SIELO
DORADO
GRANDE
LAUREL WOOD
(UNIT 1A)
(UNIT 2)
PADDOCK
DR
BLVD
EL RANCHO ATRISCO
PHASE 3
TOWN OF ATRISCO GRANT
15 DU/A
AIRPORT UNIT
R-2
TOWN OF ATRIS
I40
FRWY
GRANT
VICINITY MAP
A.1
IP
ATRIS
ATRISCO BI
North
750
375
0
750
Scale: 1" = 750'




FLOOD INSURANCE RATE MAP
A.2

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

- X PRELIMINARY PLAT
- ___ SITE DEVELOPMENT PLAN
- ___ GRADING/PAVING PERMIT
- ___ FINAL PLAT
- X BUILDING PERMIT
- ___ OTHER

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

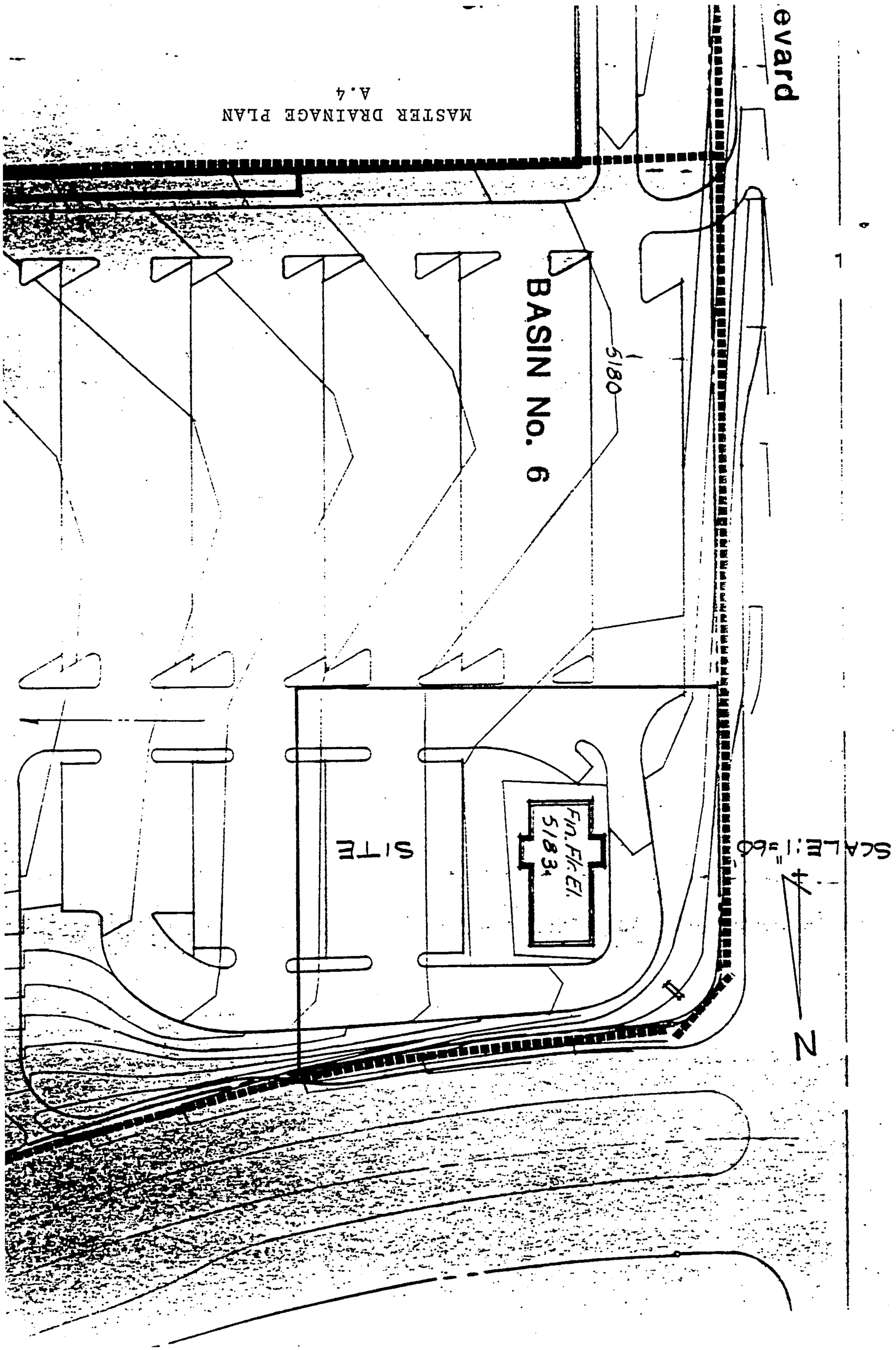
SIGNED: Glenn E. Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

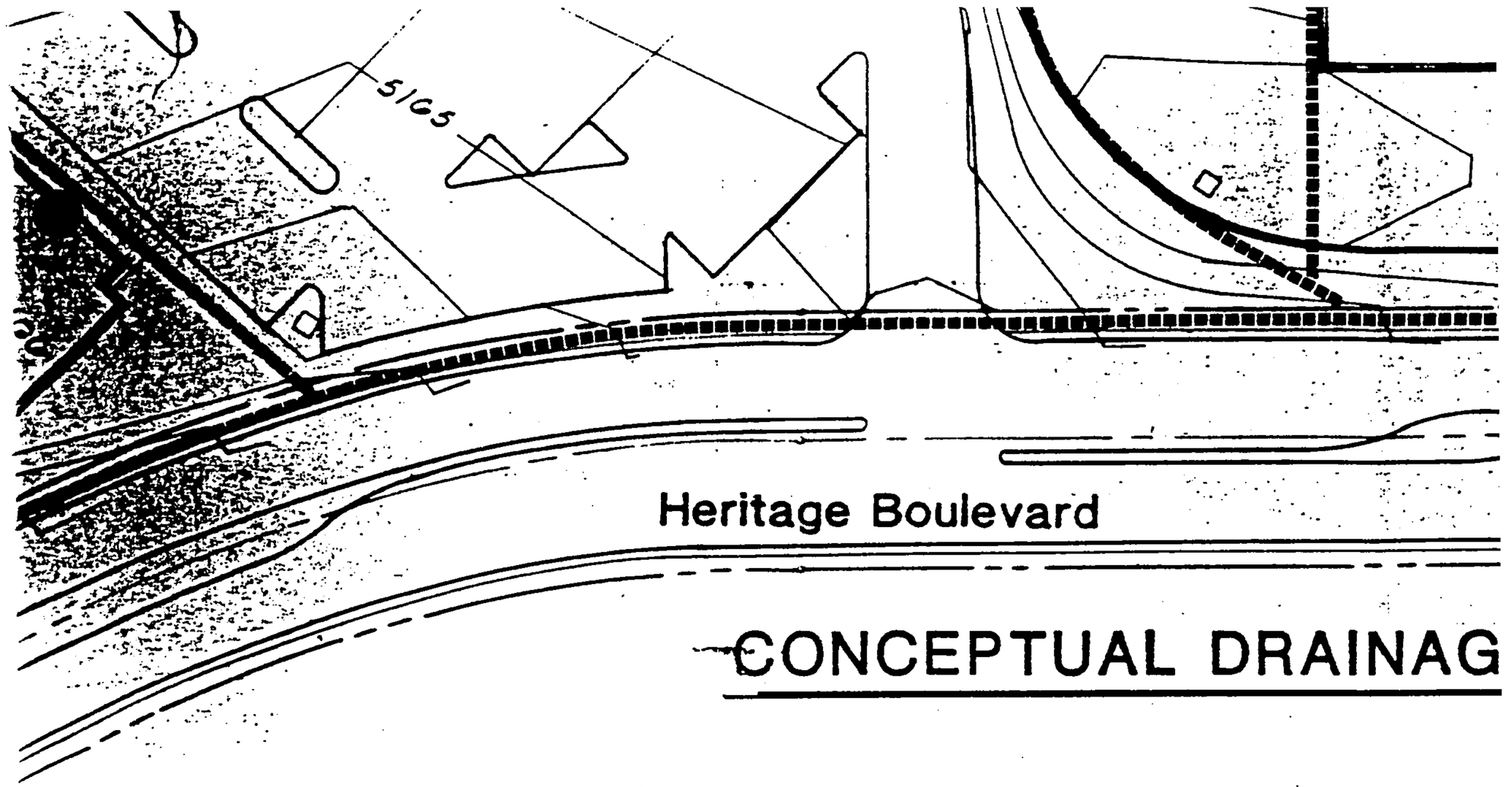
DATE: 05/25/95 DATE: 5/25/95

A.3

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.




MASTER DRAINAGE PLAN
A.4




# CONCEPTUAL DRAINAG

**BASIN NO. 1**

TOTAL AREA = 1.72 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 88%
C = 0.84
Q = 7.00 CFS

**BASIN NO. 2**

TOTAL AREA = 3.33 ACRES
PERVIOUS AREA = 0.65 ACRE
PERCENT IMPERVIOUS = 80%
C = 0.77
Q = 12.41 CFS

**BASIN NO. 3**

TOTAL AREA = 3.54 ACRES
PERVIOUS AREA = 1.68 ACRES
PERCENT IMPERVIOUS = 53%
C = 0.59
Q = 10.11 CFS

**BASIN NO. 4**

TOTAL AREA = 4.00 ACRES
PERVIOUS AREA = 1.00 ACRE
PERCENT IMPERVIOUS = 75%
C = 0.73
Q = 14.13 CFS

**BASIN NO. 5**

TOTAL AREA = 3.40 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 94%
C = 0.91
Q = 14.98 CFS

**BASIN NO. 6**

TOTAL AREA = 8.04 ACRES
PERVIOUS AREA = 1.42 ACRES
PERCENT IMPERVIOUS = 82%
C = 0.78
Q = 30.35 CFS

REANALYZE BASIN 6, MASTER DRAINAGE PLAN, HERITAGE PLAZA

-BASIN AREA IS 8.04 Ac, 1.42 Ac PERVIOUS, 6.62 Ac IMPERVIOUS

-USE TREATMENT "B" FOR PERVIOUS, "D" FOR IMPERVIOUS

RATIONAL METHOD:

Q10 = 20.19

Q100 = 31.81

PROPORTIONAL RELEASES:

RATIO = 0.0999

Q10 = 2.02

Q100 = 3.18

## PEAK DISCHARGE FOR DEVELOPED BASINS

| BASIN NAME | OVERALL AREA AC | TREATMENT ACRES A | B | C | D | Q10 cfs | Q100 cfs |
|---|---|---|---|---|---|---|---|
| A | 0.079 | 0 | 0.059 | 0 | 0.029 | 0.13 | 0.25 |
| B | 0.724 | 0 | 0.171 | 0 | 0.553 | 1.73 | 2.76 |

## DETENTION/RETENTION

FIND DETENTION VOLUME: BASIN B ONLY

Excess Precipitation

E = 1.66 Inches
V360 = 4370 Cubic Feet

Adjust For 24 Hour Storm
V1440 = 5294 Cubic Feet

POND VOLUME

| ELEVATION | AREA Sf | VOLUME Cf | CUMULATIVE VOLUME Cf |
|---|---|---|---|
| 79.5 | 0 | | |
| 80 | 1566 | 261 | 261 |
| 81 | 2497 | 2032 | 2293 |
| 82 | 3558 | 3028 | 5320 |

CURB OPENING SIZING

Q100 = 2.76 cfs

3 Foot Curb Opening Has Capacity Of 3.6 cfs, OK

# Final Drainage Report
# for
# Diamond Shamrock Cornerstore 1246
# Unser Boulevard NW and Ladera Drive NW

**August 1995**

**Prepared for:**

**Diamond Shamrock**
**6390 E. Thomas Road**
**Building 3, Suite 326**
**Scottsdale, Arizona 85251**
**(602) 949-7525**
**Attn: Jim Reed**

**Prepared by:**

**Galloway, Romero & Associates**
**14202 E. Evans Avenue**
**Aurora, CO 80014**
**(303) 745-7448**
**Attn: Larry L. Parker**

REGISTERED PROFESSIONAL ENGINEER
STATE OF NEW MEXICO
NO. 4859
10-6-95
RAFAEL E. ROMERO

RECEIVED
OCT 11 1995
HYDROLOGY

## TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


## APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

TABLE OF CONTENTS


| | | Page |
|---|---|---|
| I. | Introduction | 1 |
| II. | Design Criteria | 1 |
| III. | Master Drainage Plan Compliance | 1 |
| IV. | Developed Drainage | 2 |
| V. | Conclusions | 3 |


APPENDIX A


| | |
|---|---|
| Vicinity Map | A.1 |
| Flood Insurance Rate Map | A.2 |
| Pre-Design Conference Notes | A.3 |
| Master Drainage Plan | A.4-A.5 |
| Reanalyze Basin 6 Calculations | A.6 |
| Peak Discharge, Detention and Pond Volume | A.7 |
| Developed Drainage Plan | Back pocket of this report |

## I. INTRODUCTION

This report is being prepared for Diamond Shamrock, Inc. the owner/developer of the site, to fulfill the final drainage requirements for Environmental Planning Commission and Building Permit Submittal for the City of Albuquerque, New Mexico. The report analyzes off site and on site runoff from the minor, 10 year frequency, and major, 100 year frequency storms and routes these flows through the site.

The 0.803 acre site is a part of lot 1. El Rancho Atrisco, Phase III City of Albuquerque, Bernalillo County, New Mexico. The site bound by Unser Boulevard on the west, by Ladera Drive on the north and by undeveloped, SU-1 zoned office/retail on the east and south. According to Flood Insurance Rate Map, Community Panel umber 350002 0021 C, with an effective date of October 14, 1983, the site does not lie in a floodplain.

The site is part of a 25 acre development known as Heritage Plaza. Master plans for the development was approved by the City of Albuquerque in 1985. These plans, particularly the conceptual drainage plan, established the base criteria for the Diamond Shamrock Development.

The Diamond Shamrock site will be the first parcel to develop in the entire 25 acre parcel. Drainage wise, the site lies in the uppermost reach of the basin. Off site flows do not impact the site. Regional detention is proposed for the overall development and developed runoff from the Diamond Shamrock site will be accepted, routed to the pond(s) once the remaining sites develop. During the interim, a temporary retention pond will be provided.

The site is vacant and slopes downward from northwest to southeast at slopes ranging from 2 to 12 percent. Bare ground, native grasses and weeds cover the sites area.

## II. DESIGN CRITERIA

This report is being prepared using the criteria and methodology as presented in Section 22.2, Hydrology of the "Development Process Manual" for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January 1993. Peak runoff for the minor and major storms (10 and 100 year frequency, respectively), excess precipitation and runoff volume was calculated using values for Precipitation Zone 1. Calculations and applicable tables and graphs are included in the appendix of this report.

## III. MASTER DRAINAGE PLAN COMPLIANCE

As previously stated, the sites developed runoff was analyzed on the "Master Plan, Conceptual Drainage Plan", sheet 7 of 8 by Boehning, Protz, Cook and Associates, dated August 31, 1985. That plan shows the Diamond Shamrock site as being a part of Drainage Basin No. 6. That basin contains 8.04 acres and anticipated a 100 year runoff of 30.35 cfs based on an pervious area of 1.42 acres and an impervious area of 6.62 acres. To compare the anticipated/actual runoff, this basin was reanalyzed using current rational method values from the January 1994 Hydrology Manual. The methodology gave an overall 10 and 100 year runoff of 20.19 and 31.81 CFS, respectively. Using a simple area ration, the sites 10 and 100 year anticipated runoff is 2.02 and 3.18 CFS, respectively. Portions of the master plan and the reanalyzed runoff calculations are included in the appendix, pages A.4 to A.6, inclusive.

## IV. DEVELOPED DRAINAGE

General Concept: A pre-design conference and the Master Drainage Plan for Heritage Plaza has established the drainage criteria for the site. As previously stated, the site does not receive off site flows and lies in the upper reach of the basin. Once the entire Heritage Plaza site is developed, downstream regional detention ponding will be provided. Until the facilities are in place, a temporary retention pond will be established.

Specific Details: The site is developed into 2 basins, A and B. Basin A is a 0.079 acre basin that consists of landscaped and paved areas. The 10 and 100 year runoff of 0.13 and 0.25 CFS, respectively, is undetained, routed away from the pond and exits the site by flowing into the road right-of-way.

Basin B is a 0.724 acre basin that consists of landscaped, paved and roof areas. The 10 and 100 year runoff of 1.73 and 2.76 CFS, respectively, is routed to a 3 foot curb opening at the southeasterly corner of the site. This runoff then flows into the temporary retention pond.

## V. DETENTION/RETENTION

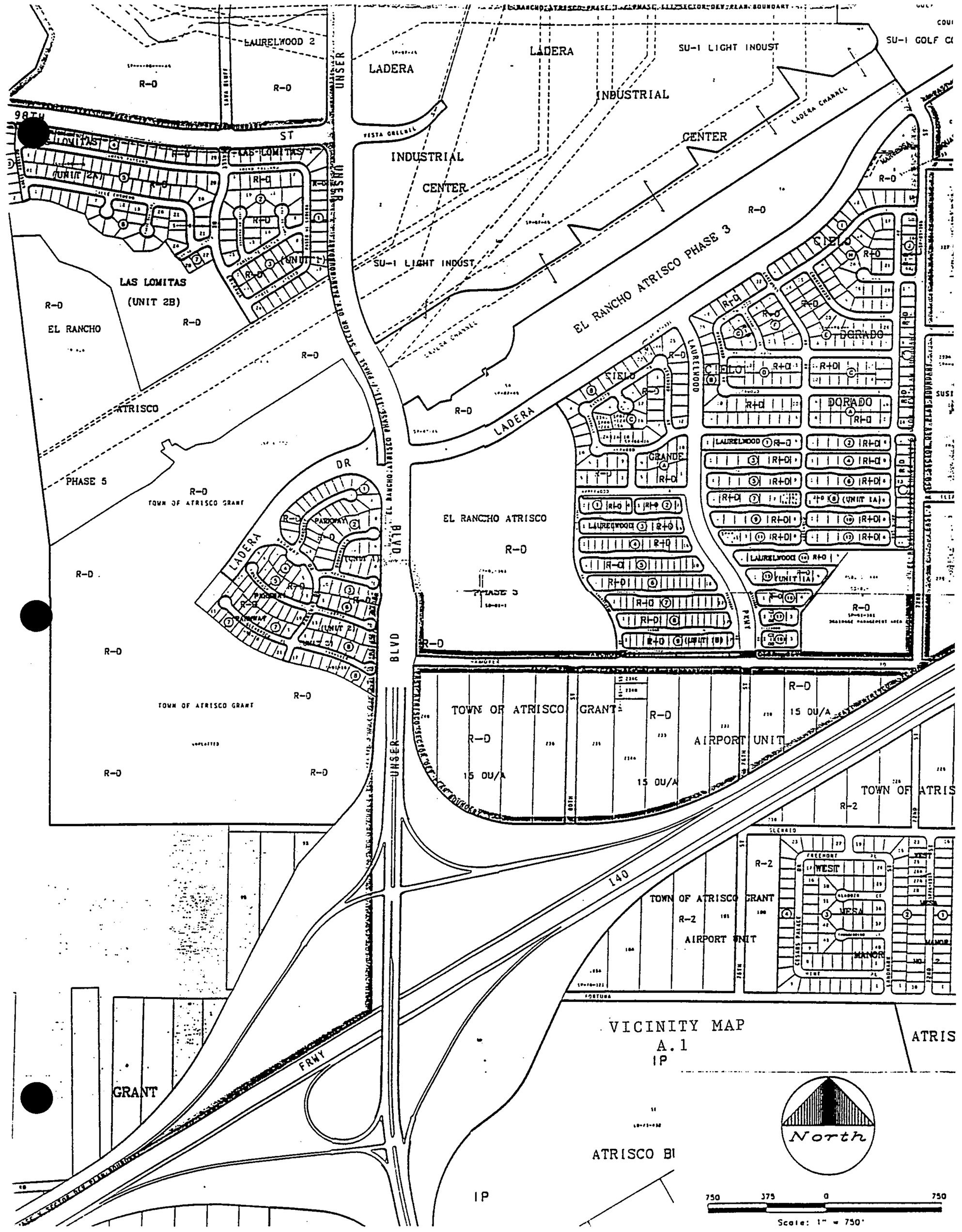
The site is part of a 25 acre overall development and the first pad site to develop. It also lies in the upper reach of the basin. Once the entire area develops the sites runoff will be directed to downstream, regional detention facilities. Until then a temporary retention pond has been provided. The pond was designed to contain the 100 year, 24 hour storm. This volume occurs at elevation 82.0 and as an added precaution an additional freeboard of 1.1 feet has been provided. The 100 year water surface of 82.0 is 5.5 feet below the convenience stores finished floor elevation of 87.5.

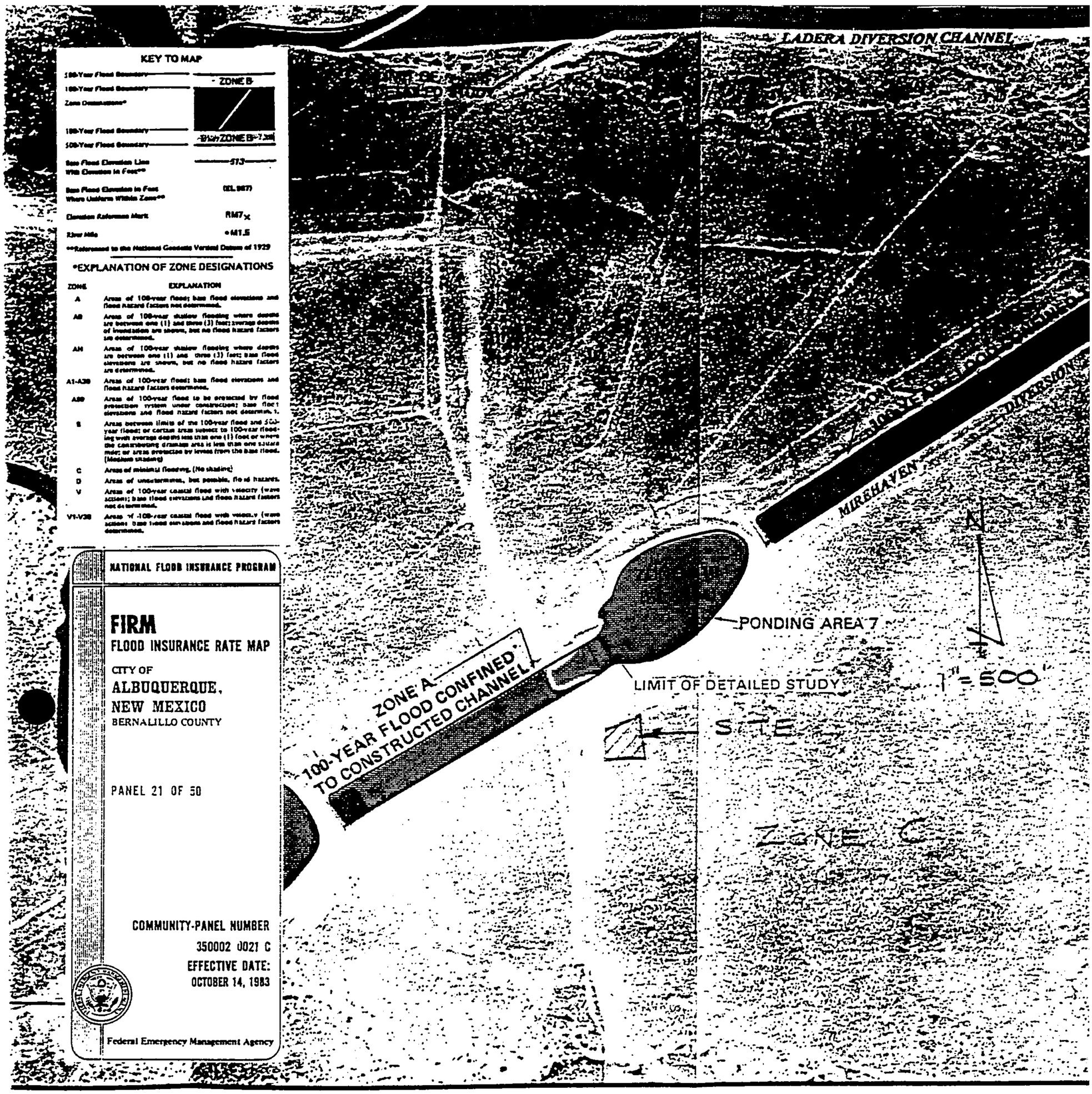
## VI. CONCLUSIONS

This report has been prepared using the methodology and information contained within Section 22.2 of the Development Process Manual for the City of Albuquerque in cooperation with Bernalillo County, New Mexico, dated January, 1993. Runoff from the minor/major storms is safely routed through the site and is discharged without causing potential harm to the public.

The reanalyzed 10 and 100 year, proportionally adjusted runoff was anticipated to be 2.02 and 3.18 cfs, respectively. The actual 10 and 100 year runoff is 1.86 and 3.01 cfs, respectively. The sites drainage patterns are in compliance with the Master Drainage Plan for the Heritage Plaza Development.

# APPENDIX A


LAUREL WOOD 2
R-O
LADERA
SU-1 LIGHT INDUST
INDUSTRIAL
CENTER
LADERA CHANNEL
UNSER
98TH
ST
LAS LOMITAS
(UNIT 2A)
(UNIT 1)
LAS LOMITAS
(UNIT 2B)
EL RANCHO
ATRISCO
PHASE 5
TOWN OF ATRISCO GRANT
EL RANCHO ATRISCO PHASE 3
CIELO
DORADO
LAUREL WOOD
GRANDE
EL RANCHO ATRISCO
PHASE 3
DR
PARKWAY
BLVD
TOWN OF ATRISCO GRANT
15 DU/A
AIRPORT UNIT
R-2
WESTE
MESA
MANOR
140
FRWY
GRANT
ATRISCO BI
IP
VICINITY MAP
A.1
North
750
375
0
750
Scale: 1" = 750'




FLOOD INSURANCE RATE MAP
A.2

CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

**PRE-DESIGN CONFERENCE**

Address

DRAINAGE FILE/ZONE ATLAS PAGE NO.: H-9 DATE: 5-25-95

EPC NO.: DRB NO.: ZONE: R-D

SUBJECT: Diamond Shamrock

STREET ADDRESS: Ladera & Unser 7940 Ladera Dr NW

LEGAL DESCRIPTION: El Rancho Atrisco Phase 3, Lot #1

Legal

APPROVAL REQUESTED:

- X PRELIMINARY PLAT
- ___ SITE DEVELOPMENT PLAN
- ___ GRADING/PAVING PERMIT
- ___ FINAL PLAT
- X BUILDING PERMIT
- ___ OTHER

| ATTENDANCE: | WHO | REPRESENTING |
|---|---|---|
| | Glen Bates | |
| | John Curtin | C.O.A./PWD/Hyd |

FINDINGS:

FIRM Panel 21 indicates that the site is not located in or adjacent to a 100 year Flood Hazard Zone.

Drainage File H-9/D-1 El Rancho Atrisco Sector Plan covers site.

The downstream outfall ~~wit~~ is the storm drain in Hanover. Verify that the storm drain will have capacity when all of Phase III developes.

Check zoning. Sector Plan indicate SU-1 zoning. Drainage Report must cover all of Phase III.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

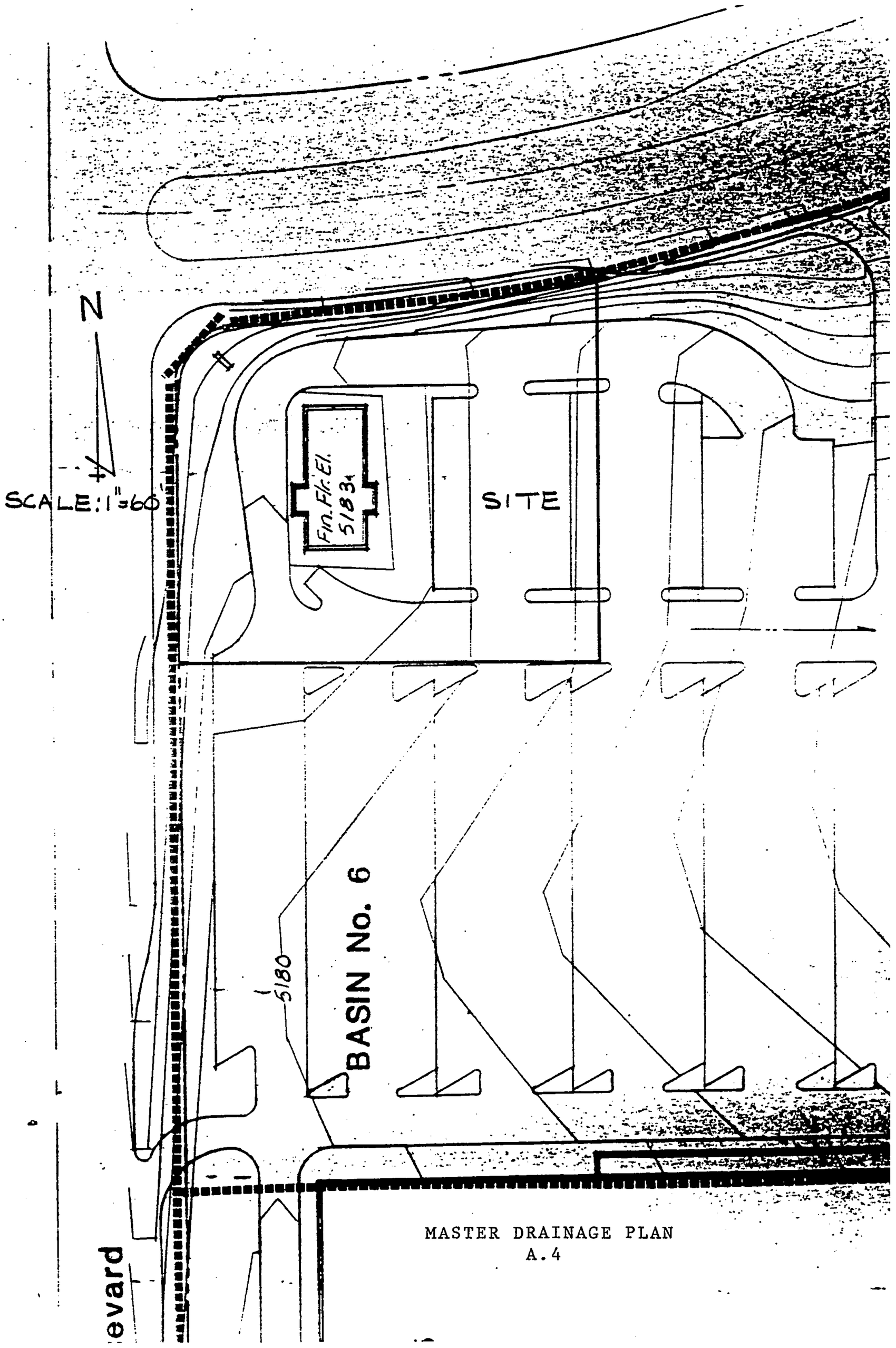
SIGNED: Glenn Bates SIGNED: John P. Curtin

TITLE: Diamond Shamrock Agent TITLE: CE/Hydrology

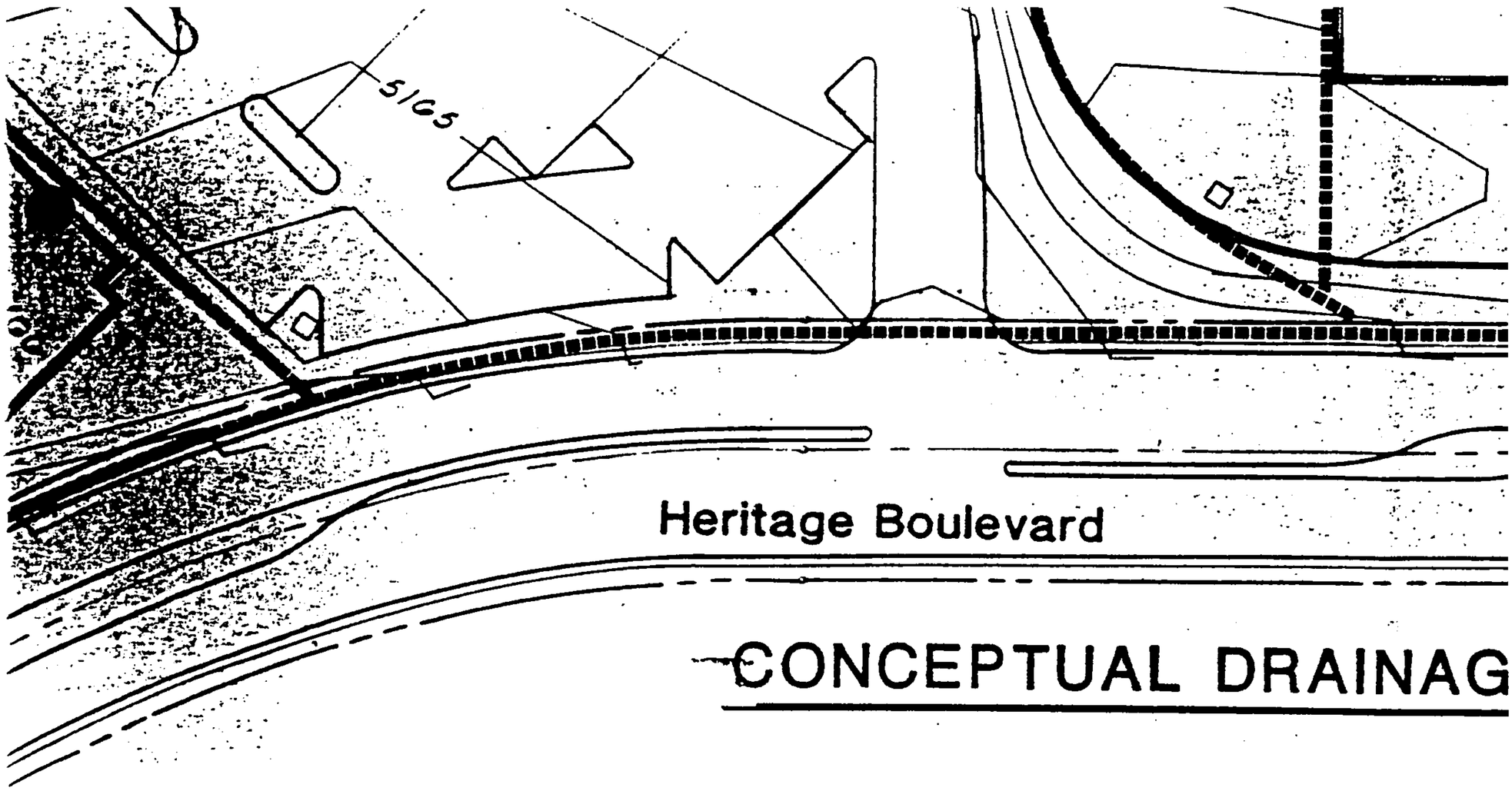
DATE: 05/25/95 DATE: 5/25/95

A.3

**NOTE** PLEASE PROVIDE A COPY OF THIS PRE-DESIGN FORM WITH THE DRAINAGE SUBMITTAL.




MASTER DRAINAGE PLAN
A.4




# CONCEPTUAL DRAINAG

**BASIN NO. 1**

TOTAL AREA = 1.72 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 88%
C = 0.84
Q = 7.00 CFS

**BASIN NO. 2**

TOTAL AREA = 3.33 ACRES
PERVIOUS AREA = 0.65 ACRE
PERCENT IMPERVIOUS = 80%
C = 0.77
Q = 12.41 CFS

**BASIN NO. 3**

TOTAL AREA = 3.54 ACRES
PERVIOUS AREA = 1.68 ACRES
PERCENT IMPERVIOUS = 53%
C = 0.59
Q = 10.11 CFS

**BASIN NO. 4**

TOTAL AREA = 4.00 ACRES
PERVIOUS AREA = 1.00 ACRE
PERCENT IMPERVIOUS = 75%
C = 0.73
Q = 14.13 CFS

**BASIN NO. 5**

TOTAL AREA = 3.40 ACRES
PERVIOUS AREA = 0.20 ACRE
PERCENT IMPERVIOUS = 94%
C = 0.91
Q = 14.98 CFS

**BASIN NO. 6**

TOTAL AREA = 8.04 ACRES
PERVIOUS AREA = 1.42 ACRES
PERCENT IMPERVIOUS = 82%
C = 0.78
Q = 30.35 CFS

REANALYZE BASIN 6, MASTER DRAINAGE PLAN, HERITAGE PLAZA

-BASIN AREA IS 8.04 Ac, 1.42 Ac PERVIOUS, 6.62 Ac IMPERVIOUS

-USE TREATMENT "B" FOR PERVIOUS, "D" FOR IMPERVIOUS

RATIONAL METHOD:

Q10 = 20.19

Q100 = 31.81

PROPORTIONAL RELEASES:

RATIO = 0.0999

Q10 = 2.02

Q100 = 3.18

## PEAK DISCHARGE FOR DEVELOPED BASINS

| BASIN NAME | OVERALL AREA AC | TREATMENT ACRES A | B | C | D | Q10 cfs | Q100 cfs |
|---|---|---|---|---|---|---|---|
| A | 0.079 | 0 | 0.059 | 0 | 0.029 | 0.13 | 0.25 |
| B | 0.724 | 0 | 0.171 | 0 | 0.553 | 1.73 | 2.76 |

## DETENTION/RETENTION

FIND DETENTION VOLUME: BASIN B ONLY

Excess Precipitation

E = 1.66 Inches

V360 = 4370 Cubic Feet

Adjust For 24 Hour Storm

V1440 = 5294 Cubic Feet

POND VOLUME

| ELEVATION | AREA Sf | VOLUME Cf | CUMULATIVE VOLUME Cf |
|---|---|---|---|
| 79.5 | 0 | | |
| 80 | 1566 | 261 | 261 |
| 81 | 2497 | 2032 | 2293 |
| 82 | 3558 | 3028 | 5320 |

CURB OPENING SIZING

Q100 = 2.76 cfs

3 Foot Curb Opening Has Capacity Of 3.6 cfs, OK

CITY OF
Albuquerque

September 17, 1997

Martin J. Chávez, Mayor

***CERTIFICATE OF COMPLETION AND ACCEPTANCE***

A.W. O'Donnell
Vice President
Diamond Shamrock Refining and Marketing Company
P.O. Box 696000
San Antonio, Texas 78269

**RE: DIAMOND SHAMROCK-UNSER & LADERA; CITY PROJECT NO. 5298.90; MAP NO. H-9**

Dear Mr. O'Donnell:

This is to certify that the City of Albuquerque accepts the construction of the infrastructure provided in the Work Order Construction Plans, City Project No. 5298.90 as compliance with completing the required public infrastructure listed in the Subdivision Improvements Agreement (SIA) between Diamond Shamrock Refining and Marketing Company and the City of Albuquerque executed on February 12, 1997.

Having satisfied the requirements referenced above, the SIA and any associated Financial Guaranty, held by the City, can now be released. The Contractors one-year warranty period started at the date of acceptance by the Chief Construction Engineer, dated September 4, 1997.

Please be advised this Certificate of Completion and Acceptance shall only become effective upon final plat approval and filing in the office of the Bernalillo County Clerk's Office.

Should you have any questions or issues regarding this project, please contact me.

Sincerely,

Ricardo B. Roybal, P.E.
City Engineer
Dev. & Bld. Services Div.
Public Works Department

c. Glenn Bates, Galloway, Romero & Assoc.
Nations Bank of Texas, N.A.
Teresa Martin, Project Administrator, Project Review
Theresa Lucero, Assistant Project Administrator , PWD
Fred Aguirre, Hydrology, PWD
Richard Dourte, Transportation Development, PWD
Roger Green, Utility Development, PWD
Ed Stang, Planning Section, CIP
f/Project file