

DENTALTECH

(H-16 / D 108)

DECEMBER 6, 1996

PUBLIC WORKS DEPARTMENT/HYDROLOGY DIVISION
P.O. BOX 1293
ALBUQUERQUE, NEW MEXICO 87103

RE: PROPERTY LOCATED AT 3215 MATTHEW N.E.

ATTN: BERNIE MONTOYA

DEAR MR MONTOYA:

THANK YOU FOR TALKING WITH ME DECEMBER 5, 1996 YOUR HELP WAS MUCH APPRECIATED.

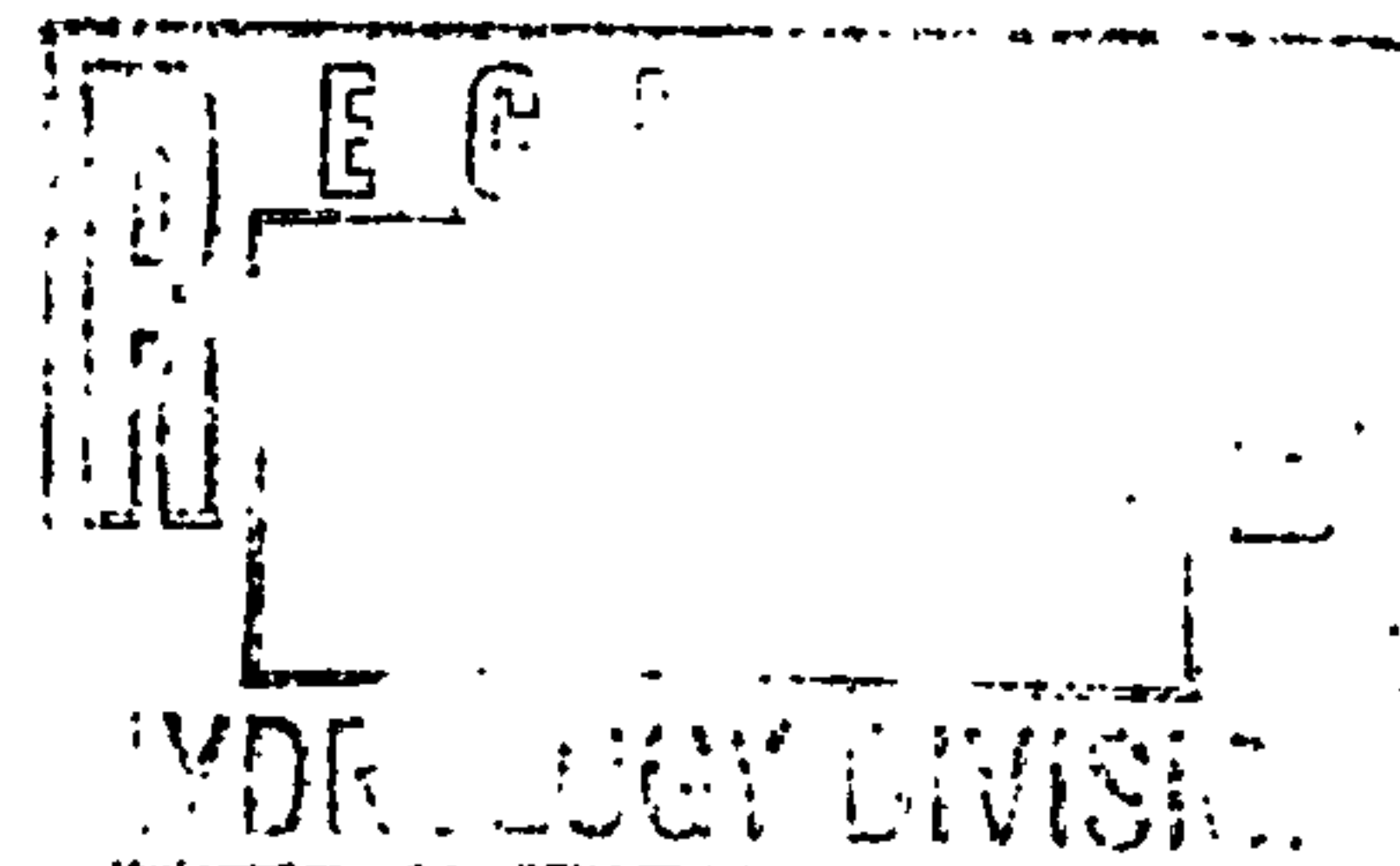
IN VIEW OF THE HOLIDAYS THIS MONTH I WOULD LIKE TO REQUEST A 90 DAYS EXTENSION TO ALLOW TIME TO LINE UP A COMPETENT COMPANY - KNOWLEDGEABLE IN HYDROLOGY, TO HELP ME RESOLVE THE DRAINAGE ISSUE AT 3215 MATTHEW N.E. ALBUQUERQUE, NEW MEXICO.

THANK YOU,

Don Faber

DONALD FABER
7126 SHAVELSON
HOUSTON, TEXAS 77055

DENTALTECH LABS, INC.
1223 ANTOINE
HOUSTON, TEXAS 77055, (713) 686-8880





Legal Department
P.O. Box 1293 • Albuquerque, NM 87103
(505) 768-4500 • FAX (505) 768-4525

Martin J. Chávez, Mayor

Robert M. White, City Attorney

December 11, 1996

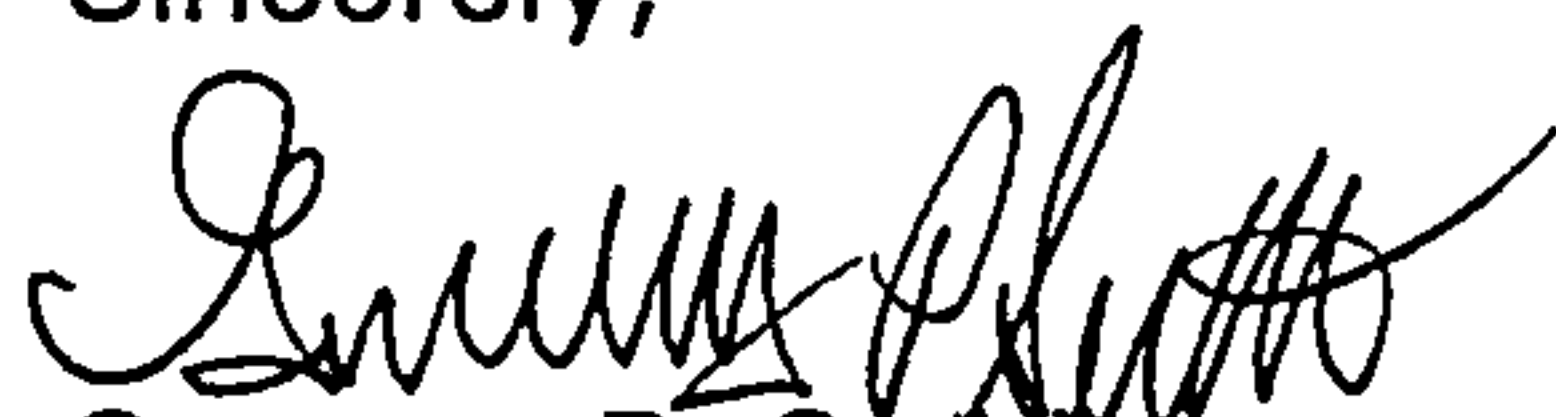
Mr. Billy K. Burgett
Attorney at Law
6400 Uptown Blvd., N.E.
Albuquerque, NM 87110

Re: 3215 Matthew NE Water Drainage

Dear Mr. Burgett:

The purpose of this letter is to respond to your December 2, 1996 correspondence regarding the above-referenced matter. I enclose for your information a copy of the October 28, 1996 letter that was sent to the property owner. It is my understanding that the property owner has orally assured us that compliance with the ordinance will occur in the near future. I will keep you posted with details surrounding this interesting drainage issue.

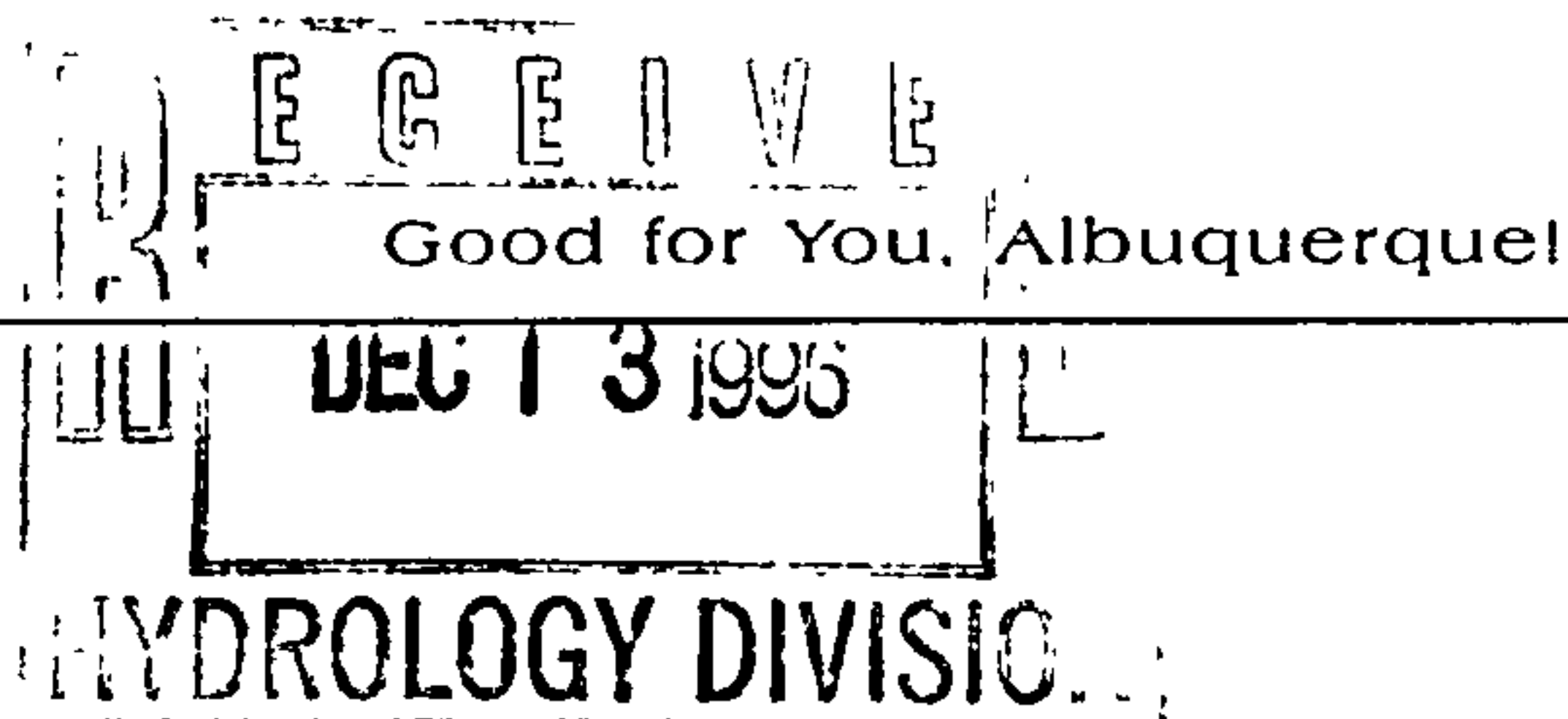
Sincerely,

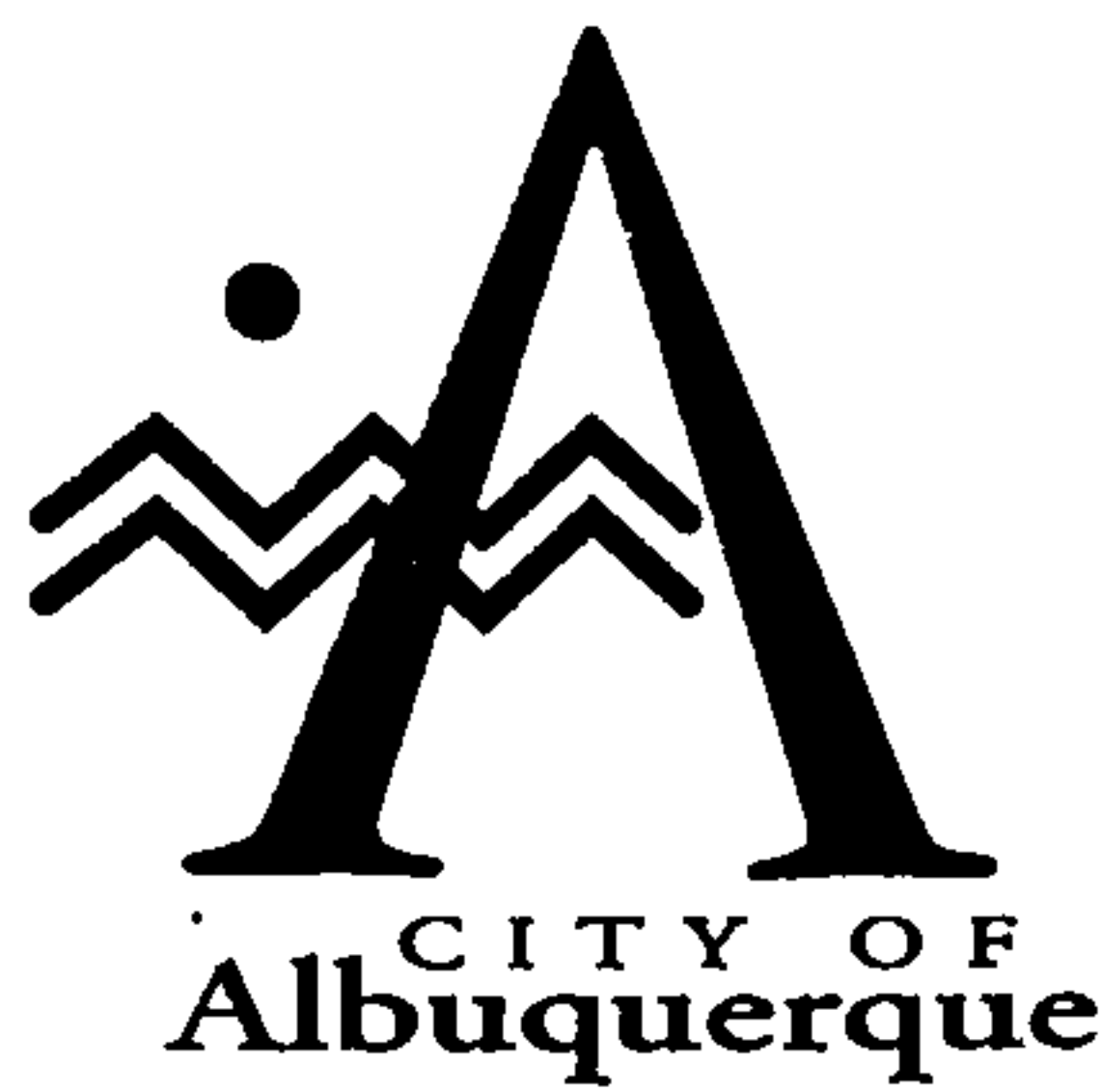

Gregory P. Smith
Assistant City Attorney

GPS:lm

Enclosure

c: Robert White
Dan Hogan
Bernie Montoya
Andrew Garcia





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Martin J. Chávez, Mayor

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December 11, 1996

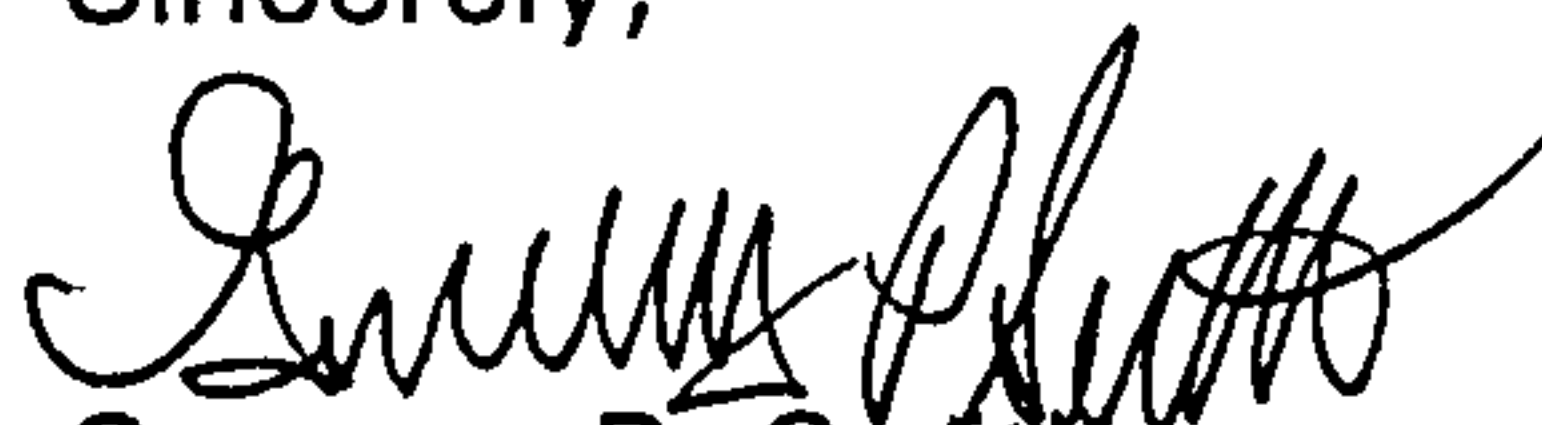
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Albuquerque, NM 87110

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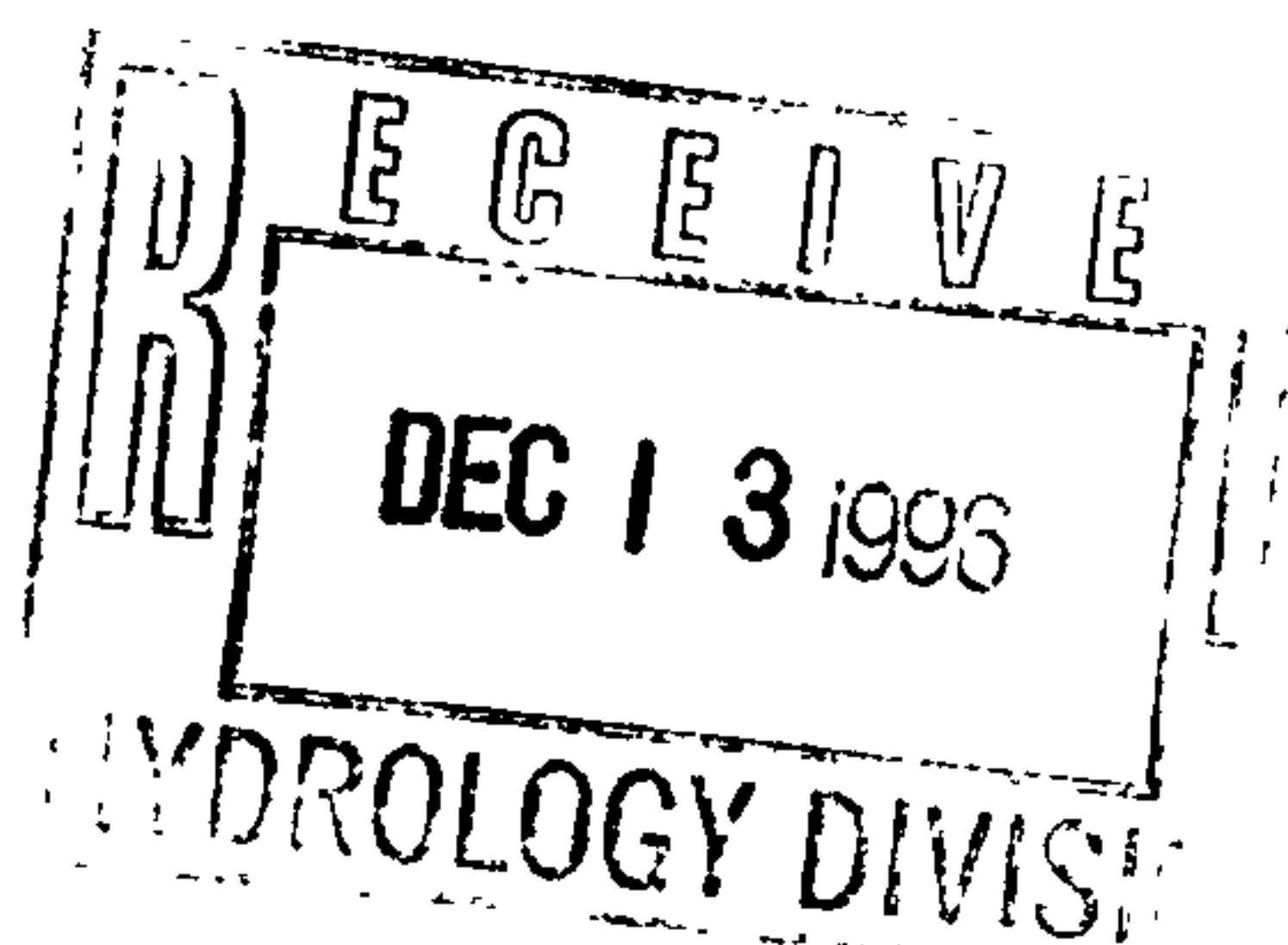
Sincerely,


Gregory P. Smith
Assistant City Attorney

GPS:lm

Enclosure

c: Robert White
Dan Hogan
Bernie Montoya
Andrew Garcia



Good for You. Albuquerque!



P 903 030 777



Certified Mail Receipt

No Insurance Coverage Provided

Do not use for International Mail

(See Reverse)

Sent to

DONALD E. FABER

Street & No.

7126 SHAVELSON

P.O., State & ZIP Code

HOUSTON, TEX. 77155

Postage

\$

Certified Fee

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing
to Whom & Date Delivered

Return Receipt Showing to Whom,
Date, & Address of Delivery

TOTAL Postage
& Fees

\$

Postmark or Date

11/29/96

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆ U.S.G.P.O. 1990-270-153

BILLY K. BURGETT

(505)888-7562
(505)884-6063 FAX

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

TRANSMITTAL MEMORANDUM

DATE: December 2, 1996

TO: Mr. Andrew Garcia, Drainage Inspector
City of Albuquerque
Albuquerque Hydrology Department
P.O. Box 1293
Albuquerque, New Mexico 87102

RE: 3215 Matthew N.E., Water Drainage Matter

ENCLOSURES: Copy of letter dated 12-02-96 to Bob White, City Attorney

____ Record and Return

____ After your review of
the enclosed, please
contact this office.

____ Sign, Notarize and Return

____ Check in the amount
of \$, enclosed.

____ File and Return Endorsed
Copies

XX For Your Information

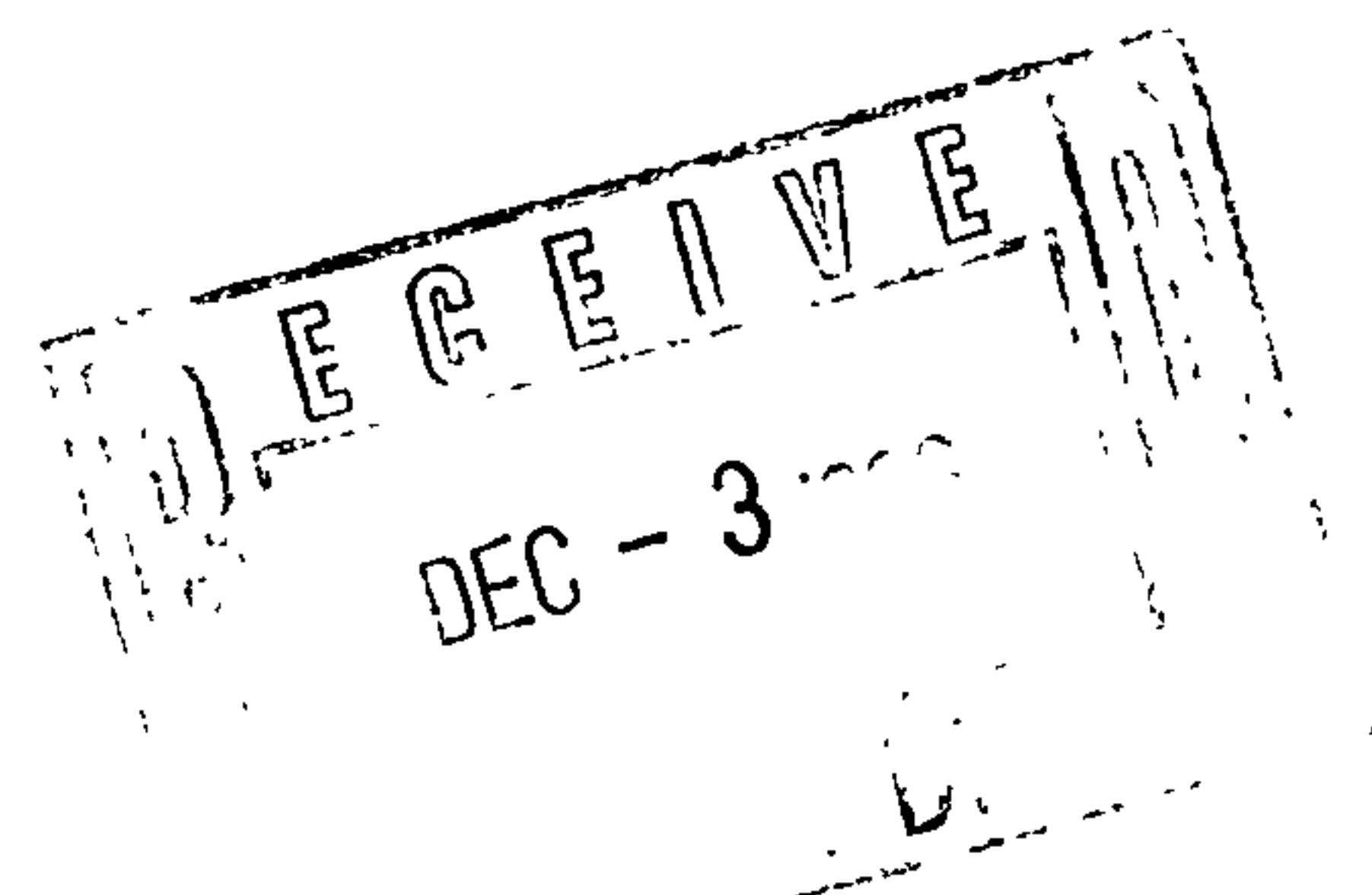
____ Self-Addressed, Stamped
Envelope Enclosed

____ Per Your Request

____ - OTHER:

By: Shannon C. Martin
Shannon C. Martin,
Secretary to Billy K. Burgett

enc.



BILLY K. BURGETT

(505)888-7562
(505)884-6063 FAX

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

December 2, 1996

Mr. Bob White, City Attorney
P.O. Box 2248
Albuquerque, New Mexico 87102

Re: 3215 Matthew NE Water Drainage Matter

Dear Mr. White:

This law office represents John and Elizabeth McMullan, whom own the property directly north of 3215 Matthew NE, which is owned by Leta Faber. I have been in contact, by telephone and letter, with Bernie Montoya and Andrew Garcia of the City Hydrology Department, since 1994 attempting to get Ms. Faber to comply with City of Albuquerque drainage plan regulations and ordinances to no avail. Ms. Faber's property drains directly onto the McMullans, which has caused various problems. In letter dated May 1, 1996, the City informed Ms. Faber that it would turn the matter over to the City Attorney's office if she continued noncompliance. Ms. Faber to date has done nothing to rectify the drainage violations and that is the reason for this letter to your office.

I enclose the correspondence for the past three years between this office, Ms. Faber and the City of Albuquerque for your background information and convenience. It would appear that she does not intend to comply with the City's compliance request; therefore, please advise in writing on what course of action the City of Albuquerque shall proceed with to enforce its drainage requirements.

If you need additional information or have questions, please contact this office.

Sincerely,



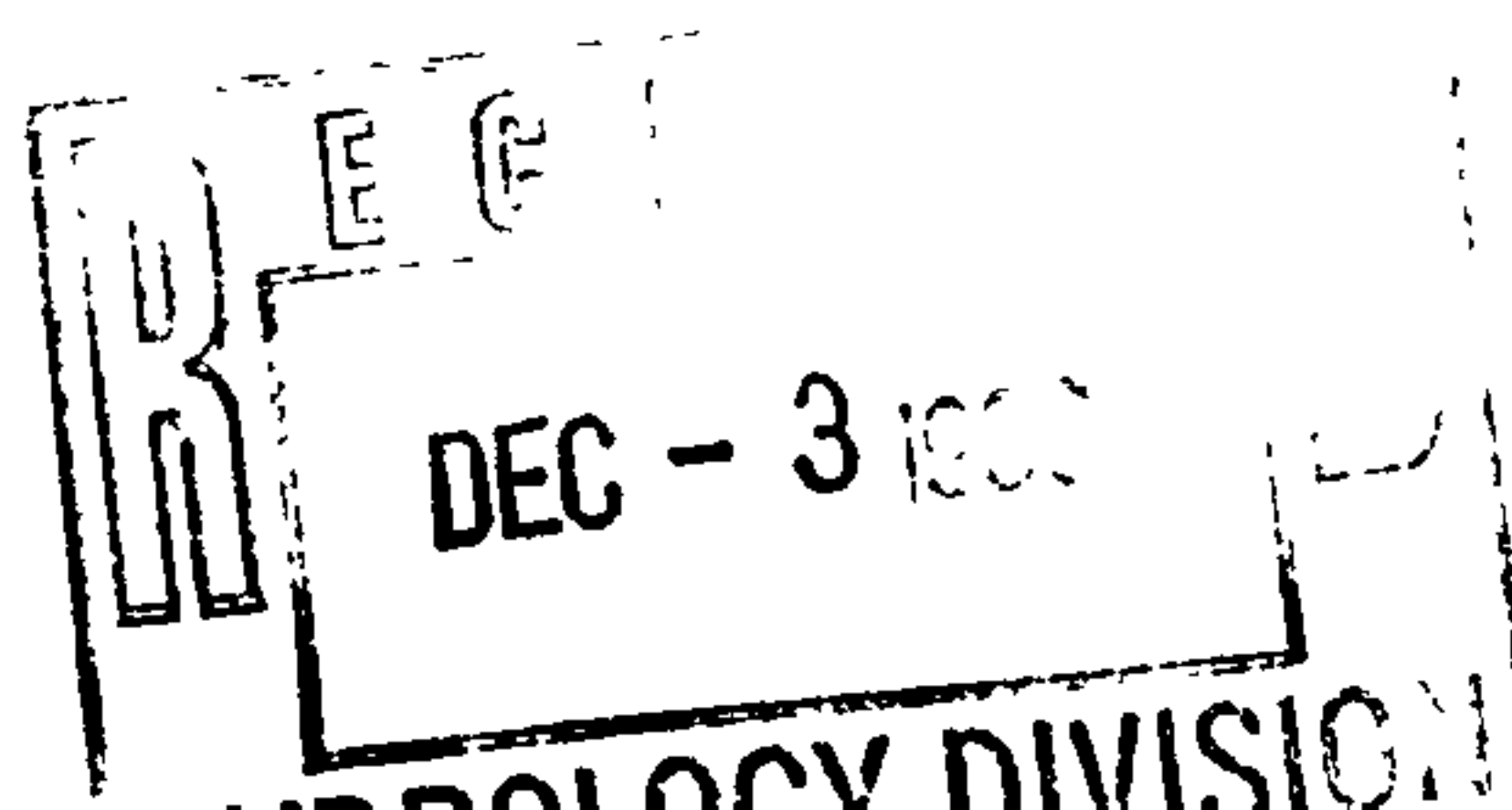
Billy K. Burgett

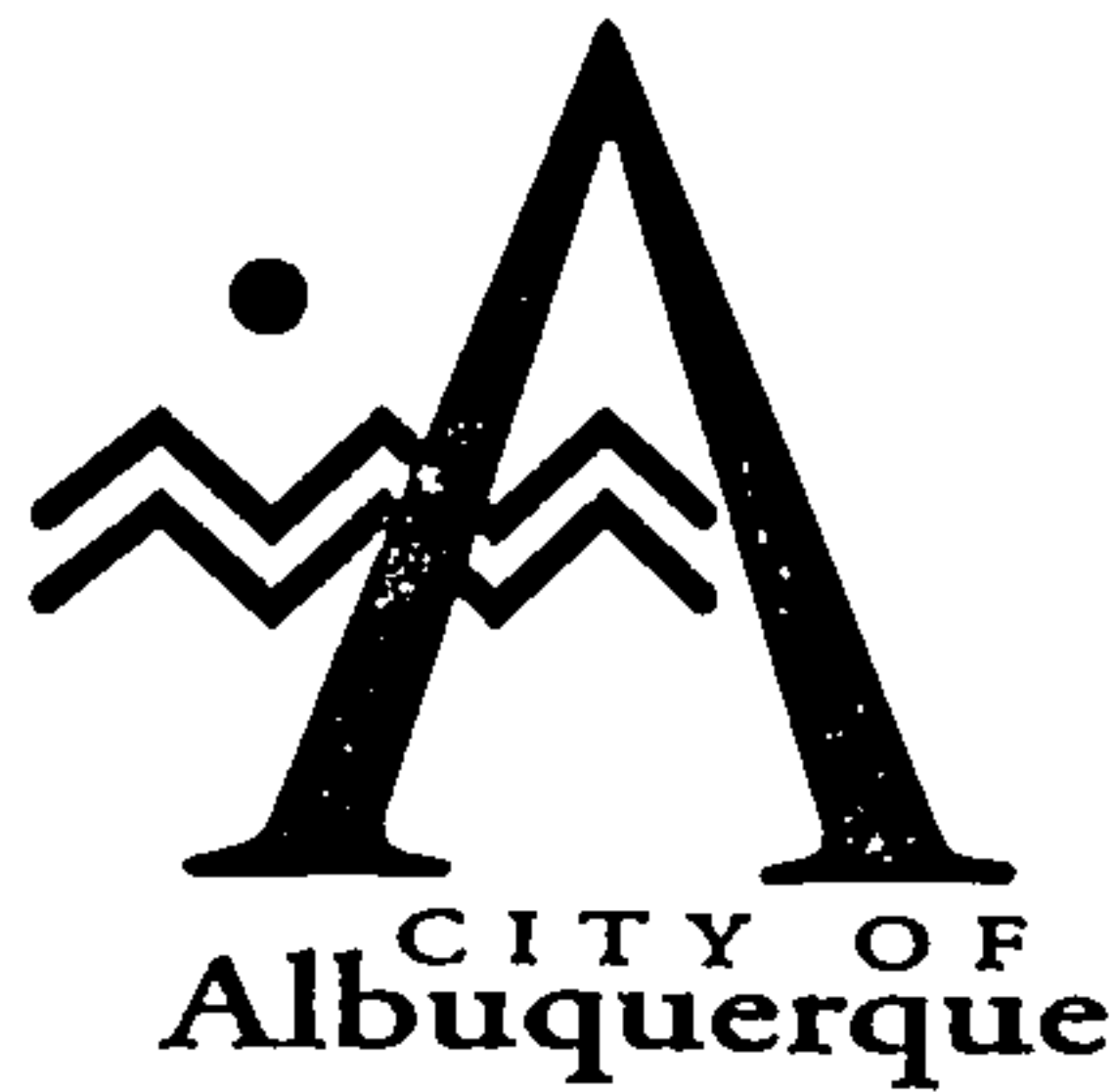
BKB/sm

enc.

cc: Clients

City of Albuquerque - Hydrology Department





Martin J. Chávez, Mayor

May 1, 1996

Terry Davis
Terry's Inc.
3215 Matthew NE
Albuquerque, New Mexico 87107

Re: Drainage Concerns Within The Existing Ponding Area on 3215 Matthew NE

Dear Mr. Davis :

On October 18, 1995, this office met with you to discuss the drainage problem that was being experienced by your neighbor to the north (Orkin's). A list of concerns were addressed at that time, where it was understood by both parties (the City's and You) that corrective measures were to be taken. There was a time frame that was issued to you to come up with a solution and notify this office. It has been six months, and we have not heard from you or anyone concerning this matter. It is imperative that you contact this office immediately or we will have to turn this matter over to the City Attorneys Office.

If you should have any further questions, please contact me at once at 768-2669.

Andrew Garcia

Andrew Garcia
Drainage Inspector

c: Bill Burgett



BILLY K. BURGETT

(505) 888-7562
(505) 884-6063 FAX

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

April 26, 1996

City of Albuquerque
Albuquerque Hydrology Department
P.O. Box 1293
Albuquerque, New Mexico 87102
Attn: Andrew Garcia
Drainage Inspector


Re: 3215 Matthew N.E. Water Drainage Matter

Dear Mr. Garcia:

As you are aware I represent John McMullan, who owns the property directly north of 3215 Matthew N.E. For background and your convenience, I enclose a copy of your October 19, 1995 letter to Terry Davis, in which you stated that Ms. Faber had fifteen (15) days to come up with a solution to the drainage problem and an extra fifteen (15) days to submit a complete grading and drainage plan for your review and approval. My client has recently informed me that Ms. Faber has done nothing to comply with your requests. Ms. Faber's property is just as it was on October 18, 1995 when your field inspection was done. Therefore, I would request in writing the status of Ms. Faber's compliance with your October 19, 1995 letter. Further, please advise what course of action the City of Albuquerque will proceed with to enforce its drainage plan regulations and ordinances if she continues to fail to comply.

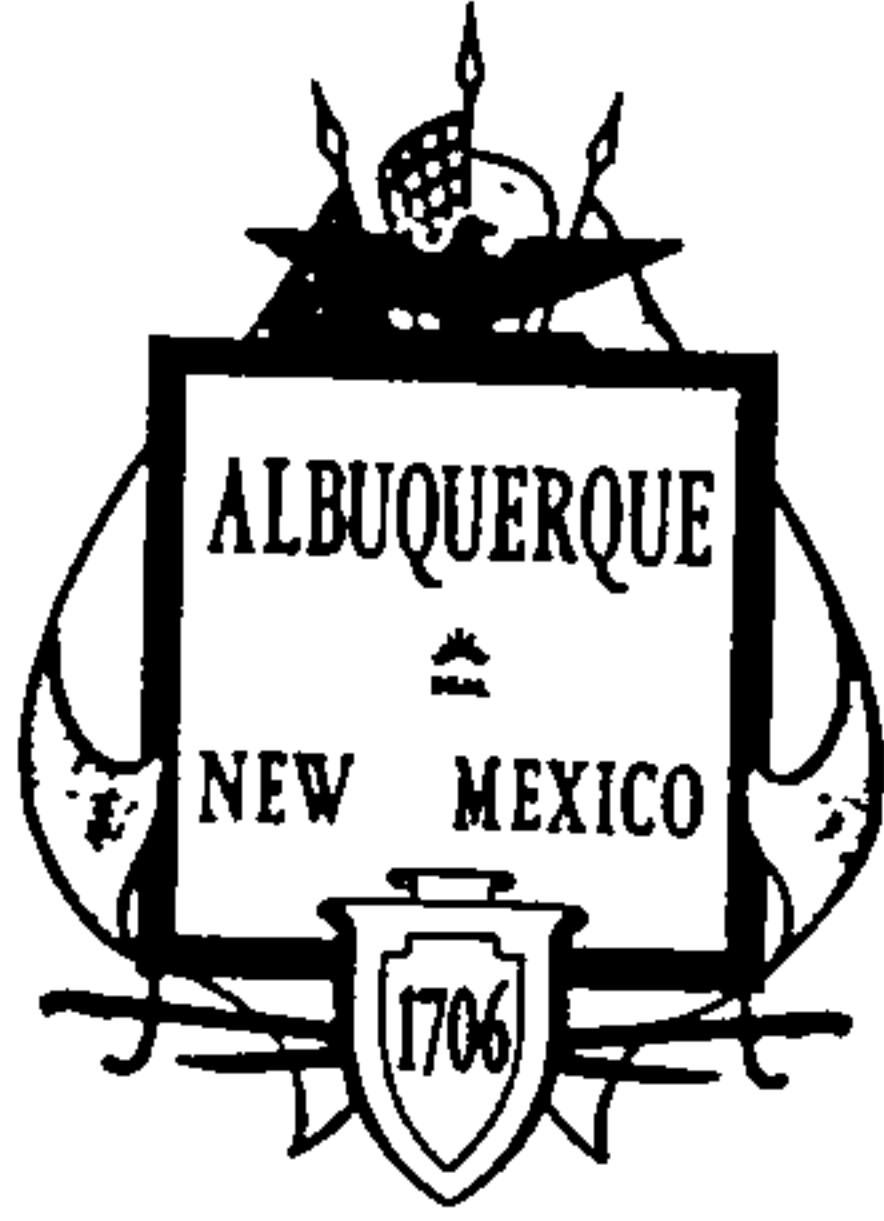
Your immediate attention to this matter is appreciated.

Sincerely,


Billy K. Burgett

cc: client

letters/mcmullan.hyd



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 1995

Terry Davis
Terry's Inc.
3215 Matthew N.E.
Albuquerque, New Mexico 87107

Re: Drainage Concerns Within The Existing Ponding Area

Dear Mr. Davis:

This is a follow up letter to summarize the field discussion that we had on October 18, 1995. Both myself and my Supervisor (Bernie J. Montoya) met with you at 3215 Matthew N.E. to discuss the drainage problem that is being experienced by your neighbor to the north (Orkin's). Listed is a summary of the field findings.

1. Existing and required ponding areas for 100% retention of development run-off are not adequate for containment.
2. You indicate that you have contacted some contractors to give you an estimate as to what it would take to route all the developed run-off through a sidewalk culvert onto Matthew Ave N.E.
3. A grading and paving plan will need to be submitted to our office for review and approval prior to any construction.
4. You have 15 days to contact us to let us know what solution you and your landlord have chosen to correct the problem, followed by an extra 15 days to submit a grading and drainage plan to this office for our review and approval.

I hope that the above summarization is adequate as to our field visit on October 18, 1995. If I can be of any further assistance, please feel free to contact me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

c: Bill Burgett



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 1995

Bill Burgett
6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

Re: 3215 Matthew N.E. Water Drainage Matter

Dear Mr. Burgett:

On October 18, 1995, a field inspection was conducted at 3215 Matthew NE (Terry's Inc.). It was determined that the rear and side lot ponds that were constructed and approved by the City of Albuquerque had been altered by erosion. Members of the City of Albuquerque Hydrology Department met with the tenant of the building. The tenant informed us that the property owner (Leta Faber) had discussed with him that she wanted to comply with the approved grading and drainage plan, or implement a plan that would convey the development run-off to Matthew Ave. She then informed him to contact several contractors to get bids to correct the problem. The tenant informed this office that there were a couple of contractors that would be coming out to assess the problem. Various solutions to the problem that does exist were discussed, and the tenant assured us that a grading and paving plan would be submitted to this office for our review before any construction was to take place. The tenant was informed that he needed to respond to us within 15 days to come up with a solution to the problem, followed by an extra 15 days to submit a complete grading and drainage plan for our review and approval.

During our inspection, we noticed that the wall that was constructed on the south side of Orkin was constructed without a footing to stabilize it. It has also come to our attention that the grading and drainage plan that was done by Chris Weiss on March 6, 1995 has not been certified that the drain pipes were built to the approved grading and drainage plan.

If you should have any further questions pertaining to this matter, please feel free to contact me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

c: Terry Davis

(505) 888-7562
(505) 884-6063 FAX

COPY

BILLY K. BURGETT

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

October 16, 1995

City of Albuquerque
Albuquerque Hydrology Department
P.O. Box 1293
Albuquerque, New Mexico 87102
Attn: Andrew Garcia
Drainage Inspector


Re: 3215 Matthew N.E. Water Drainage Matter

Dear Mr. Garcia:

As you are aware, I represent Mr. John McMullan, who owns the property directly north of 3215 Matthew N.E. On July 11, 1995, you sent a letter to the owner of the above referenced property, Leta Faber, informing her that her property's drainage plan indicated 100% retention and that she was in noncompliance for adversely affecting adjacent property. I have called you on various occasions to check on the status of Ms. Faber's compliance, to no avail. Please be advised that Ms. Faber's property continues to drain water on my client's property, and my client's cinder block wall is being destroyed by the continual presence of water against it. Mr. McMullan installed a drain on his property to Candelaria at substantial cost. Therefore, I would request in writing the status of Ms. Faber's compliance with your July 11, 1995 letter. Further, please advise what course of action the City of Albuquerque will proceed with to enforce its drainage plan regulations and ordinances if she is not going to comply.

Your immediate attention to this matter is appreciated.

Sincerely,


Billy K. Burgett

cc: client

letters/mcmullan.hyd

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COPY

BILLY K. BURGETT

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

October 16, 1995

Ms. Leta Faber
1917 Richmond N.E.
Albuquerque, New Mexico 87106

Re: 3215 Matthew N.E. Water Drainage Matter

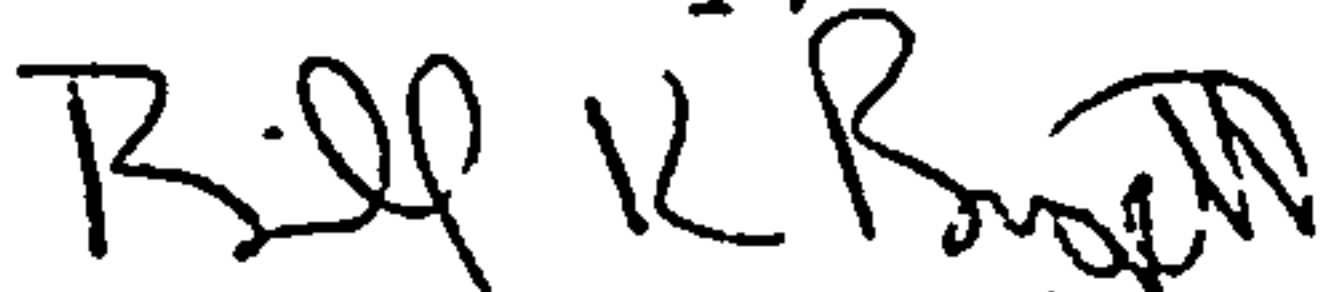
Dear Ms. Faber:

As you are aware I represent John McMullan, who owns the property directly north of your property at 3215 Matthew N.E. It is our understanding that you were sent a letter dated July 11, 1995 from the City of Albuquerque demanding that you bring your drainage problem into compliance. However, to date you have done nothing to rectify your drainage situation. The letter stated that you are to have a 100% retention, which means water on your property must stay on your property. It has been brought to our attention that water from your property is destroying my client's southerly cinder block wall. The water from your property has damaged and is continuing to damage my client's property. Further, please be advised Mr. McMullan put in a drain to take care of any water problem from his property at a substantial cost.

If you do not immediately comply with your drainage plan and stop the water from encroaching on my client's wall and lot, we will advise our client to proceed with all legal remedies available. This is the last notice you shall receive before legal proceedings are initiated.

If you have questions or need additional information, please contact this office.

Sincerely,


Billy K. Burgett

cc: client



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

July 11, 2995

Leta Faber
3215 Matthew NE
Albuquerque, New Mexico 87107

Dear Ms. Faber:

This office has received a complaint that excess water run-off from your property is adversely affecting the adjacent property owners to the north and northwest.

This issue has to be dealt with and I suggest that you bring it into compliance with the approved grading and drainage plan (enclosed copy) which is 100% retention. Another option would be to gutter the roof flows out towards the south onto Matthew Ave. NW.

Please let us know as to how you are going to correct the problem. If I can be of any further assistance, please feel free to call me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

ABG/mq

c: Bill Burgette
Geraldine J. Chavez

BILLY K. BURGETT

Attorney at Law

6400 Uptown Blvd. NE
CITY OF ALBUQUERQUE Suite 200 West
LEGAL DEPARTMENT Albuquerque, New Mexico 87110

Dec 3 7 57 AM '96

er 2, 1996

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P.O. Box 2248
Albuquerque, New Mexico 87102

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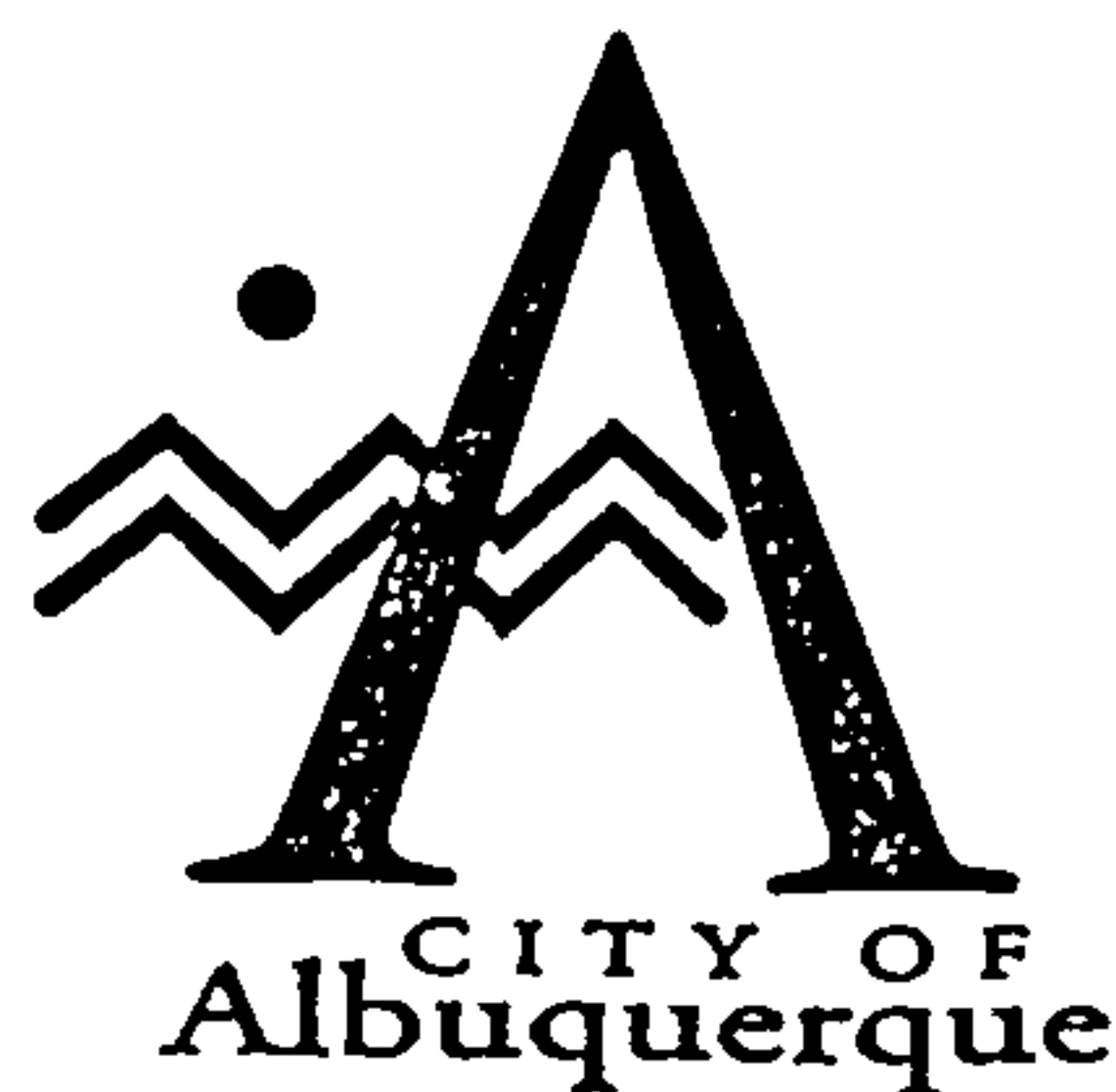


Billy K. Burgett

BKB/sm
enc.

cc: Clients

City of Albuquerque - Hydrology Department



Martin J. Chávez, Mayor

May 1, 1996

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Andrew Garcia

Andrew Garcia
Drainage Inspector

c: Bill Burgett

Good for You, Albuquerque!



BILLY K. BURGETT

(505) 888-7562
(505) 884-6063 FAX

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

April 26, 1996

City of Albuquerque
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Attn: Andrew Garcia
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Sincerely,


Billy K. Burgett

cc: client

letters/mcmullan.hyd



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 1995

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Terry's Inc.
3215 Matthew N.E.
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Sincerely,

Andrew Garcia
Andrew Garcia
Drainage Inspector

c: Bill Burgett



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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Sincerely,

Andrew Garcia
Drainage Inspector

c: Terry Davis

COPY

BILLY K. BURGETT

(505) 888-7562
(505) 884-6063 FAX

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

October 16, 1995

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Albuquerque Hydrology Department
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Sincerely,


Billy K. Burgett

cc: client

letters/mcmullan.hyd

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BILLY K. BURGETT

Attorney at Law

6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

October 16, 1995

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Dear Ms. Faber:

As you are aware I represent John McMullan, who owns the property directly north of your property at 3215 Matthew N.E. It is our understanding that you were sent a letter dated July 11, 1995 from the City of Albuquerque demanding that you bring your drainage problem into compliance. However, to date you have done nothing to rectify your drainage situation. The letter stated that you are to have a 100% retention, which means water on your property must stay on your property. It has been brought to our attention that water from your property is destroying my client's southerly cinder block wall. The water from your property has damaged and is continuing to damage my client's property. Further, please be advised Mr. McMullan put in a drain to take care of any water problem from his property at a substantial cost.

If you do not immediately comply with your drainage plan and stop the water from encroaching on my client's wall and lot, we will advise our client to proceed with all legal remedies available. This is the last notice you shall receive before legal proceedings are initiated.

If you have questions or need additional information, please contact this office.

Sincerely,


Billy K. Burgett

cc: client



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

July 11, 2995

Leta Faber
3215 Matthew NE
Albuquerque, New Mexico 87107

Dear Ms. Faber:

This office has received a complaint that excess water run-off from your property is adversely affecting the adjacent property owners to the north and northwest.

This issue has to be dealt with and I suggest that you bring it into compliance with the approved grading and drainage plan (enclosed copy) which is 100% retention. Another option would be to gutter the roof flows out towards the south onto Matthew Ave. NW.

Please let us know as to how you are going to correct the problem. If I can be of any further assistance, please feel free to call me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

ABG/mq

c: Bill Burgette
Geraldine J. Chavez



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

July 11, 1995

Leta Faber
3215 Matthew NE
Albuquerque, New Mexico 87107

Dear Ms. Faber:

This office has received a complaint that excess water run-off from your property is adversely affecting the adjacent property owners to the north and northwest.

This issue has to be dealt with and I suggest that you bring it into compliance with the approved grading and drainage plan (enclosed copy) which is 100% retention. Another option would be to gutter the roof flows out towards the south onto Matthew Ave. NW.

Please let us know as to how you are going to correct the problem. If I can be of any further assistance, please feel free to call me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

ABG/mq

c: Bill Burgette
Geraldine J. Chavez.

File Copy



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 1995

Terry Davis
Terry's Inc.
3215 Matthew N.E.
Albuquerque, New Mexico 87107

Re: Drainage Concerns Within The Existing Ponding Area

Dear Mr. Davis:

This is a follow up letter to summarize the field discussion that we had on October 18, 1995. Both myself and my Supervisor (Bernie J. Montoya) met with you at 3215 Matthew N.E. to discuss the drainage problem that is being experienced by your neighbor to the north (Orkin's). Listed is a summary of the field findings.

1. Existing and required ponding areas for 100% retention of development run-off are not adequate for containment.
2. You indicate that you have contacted some contractors to give you an estimate as to what it would take to route all the developed run-off through a sidewalk culvert onto Matthew Ave N.E.
3. A grading and paving plan will need to be submitted to our office for review and approval prior to any construction.
4. You have 15 days to contact us to let us know what solution you and your land lord have chosen to correct the problem, followed by an extra 15 days to submit a grading and drainage plan to this office for our review and approval.

I hope that the above summarization is adequate as to our field visit on October 18, 1995. If I can be of any further assistance, please feel free to contact me at 768-2669.

Sincerely,

Andrew Garcia
Andrew Garcia
Drainage Inspector

c: Bill Burgett

File:



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

October 19, 1995

Bill Burgett
6400 Uptown Blvd. NE
Suite 200 West
Albuquerque, New Mexico 87110

Re: 3215 Matthew N.E. Water Drainage Matter

Dear Mr. Burgett:

On October 18, 1995, a field inspection was conducted at 3215 Matthew NE (Terry's Inc.). It was determined that the rear and side lot ponds that were constructed and approved by the City of Albuquerque had been altered by erosion. Members of the City of Albuquerque Hydrology Department met with the tenant of the building. The tenant informed us that the property owner (Leta Faber) had discussed with him that she wanted to comply with the approved grading and drainage plan, or implement a plan that would convey the development run-off to Matthew Ave. She then informed him to contact several contractors to get bids to correct the problem. The tenant informed this office that there were a couple of contractors that would be coming out to assess the problem. Various solutions to the problem that does exist were discussed, and the tenant assured us that a grading and paving plan would be submitted to this office for our review before any construction was to take place. The tenant was informed that he needed to respond to us within 15 days to come up with a solution to the problem, followed by an extra 15 days to submit a complete grading and drainage plan for our review and approval.

During our inspection, we noticed that the wall that was constructed on the south side of Orkin was constructed without a footing to stabilize it. It has also come to our attention that the grading and drainage plan that was done by Chris Weiss on March 6, 1995 has not been certified that the drain pipes were built to the approved grading and drainage plan.

If you should have any further questions pertaining to this matter, please feel free to contact me at 768-2669.

Sincerely,

Andrew Garcia

Andrew Garcia
Drainage Inspector

c: Terry Davis

File

COMPLAINT FORM

PUBLIC WORKS DEPARTMENT
HYDROLOGY DIVISION
DEVELOPMENT SECTION
768-2650

BM 6450
Bm
40 for
200-10
8/1/10

Date Complaint Received: February 28, 1995

Zone Atlas/Drainage File No.: H-116- Complaint File No.: H-116-

Complainant: Orkin → Phone #: Bill Burgett 888-7562

Address/Location: 3210 Candelaria N.E.

Complaint: is concerned with Enchantment Carpet
(on 3210 Candelaria N.E.) has blocked historical runoff and to it.
has created a drainage problem Mr. Bill Burgett has expressed
to us to investigate.

Referred to: Andrew Garcia

Investigation-Comments: _____

2-28. A field inspection revealed that Enchantment Carpet has
put a block on the historical flows on the south side of the property.
It was also revealed that Orkin may also be in violation as well.
will research ASAP. (888-7562)

3-2-95 Spoke with Bill Burgett (Attorney for Orkin) explained inspection
procedure. He informed me that he (Orkin) is willing to find an "ultimate"
decision to fix the problem with the other adjacent property owners.

Follow-up: _____

Resolved by: _____ Date: _____



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

March 8, 1995

Enchantment Carpet Co. Inc.
3210 Candelaria Blvd NE
Albuquerque, New Mexico 87107

Dear Mr. Don Chavez:

A Hydrology field inspection was conducted on Thursday, March 6th, 1995 by this office. This inspection revealed that over one thousand square feet of asphalt had been placed on the south portion of your property. This is a violation of the City of Albuquerque Grading and Drainage Ordinance. This placement of asphalt in excess of one thousand square feet requires an approved paving plan prepared by a licensed Civil Engineer. The paving plan must also be submitted to the City of Albuquerque Hydrology Department for review and approval.

This inspection also revealed that there was a retaining wall that was placed along the easterly portion of your property. This retaining wall is blocking historical flows. City policy does not allow blocking historic flows. By blocking upstream flows, you are damaging the upstream owners.

Mr. Bill Burgette, attorney representing the adjacent property owner, has expressed the desire to come to a collective agreement concerning the rain run off that is effecting these properties.

Please contact me at 768-2669, To set up a meeting to discuss these matters.

Sincerely,
Andrew Garcia
Andrew Garcia
Drainage Inspector

c: Bill Burgette

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

L e t a F a b e r

COMPLAINT FORM

PUBLIC WORKS DEPARTMENT
HYDROLOGY DIVISION
DEVELOPMENT SECTION
768-2650

Date Complaint Received: February 28, 1995

Zone Atlas/Drainage File No.: H-116- Complaint File No.: H-116-

Complainant: Orkin -> Phone #: Bill Burgett 888-7562

Address/Location: 3210 Candelaria N.E.

Complaint: is concerned with Enchantment Carpet
(on 3210 Candelaria N.E.) has blocked historical run off and for it.
has created a drainage problem. Mr. Bill Burgett has expressed
to us to investigate.

Referred to: Andreas Garcia.

Investigation-Comments: _____

2-28 - A field inspection revealed that Enchantment Carpet has
put a block on the historical flows on the south side of the property.
It was also revealed that Orkin may also be in violation as well.
will research. ASAP. (888-7562)

3-2-95 Spoke with Bill Burgett (Attorney for Orkin) explained inspection
procedure. He informed me that he (Orkin) is willing to find an "ultimate"
decision to fix the problem with the other adjacent property owners.

Follow-up: _____

Resolved by: _____ Date: _____

COMPLAINT FORM

PUBLIC WORKS DEPARTMENT
HYDROLOGY DIVISION
DEVELOPMENT SECTION
768-2650

Date Complaint Received: February 28, 1995

Zone Atlas/Drainage File No.: H-16- Complaint File No.: H-16-

Complainant: Orkin -> Phone #: Bill Burgett
888-7562

Address/Location: 3210 Candelaria N.E.

Complaint: is concerned with Enchantment Carpet
(on 3210 Candelaria N.E.) has blocked historical run-off and it
has created a drainage problem. Mr. Bill Burgett has expressed
to us to investigate.

Referred to: Andrew Garcia

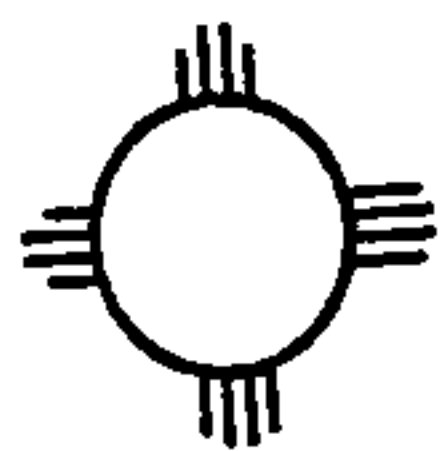
Investigation-Comments: _____

2-28: A field inspection revealed that Enchantment Carpet has
put a block on the historical flows on the south side of the property.
It was also revealed that Orkin may also be in violation as well.
will research ASAP. (888-7562)

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procedure. He informed me that he (Orkin) is willing to find an "ultimate"
decision to fix the problem with the other adjacent property owners.

Follow-up: _____

Resolved by: _____ Date: _____



ENCHANTMENT CARPET CO., INC.

Don Chavez

4815 McLEOD NE
ALBUQUERQUE, NM 87109
(505) 884-7126

3210 CANDELARIA BLVD. NE
ALBUQUERQUE, NM 87107
(505) 884-0119

DRAINAGE INFORMATION SHEET

PROJECT TITLE: Orkin Exterminating Co. - Drainage ZONE ATLAS / DRNG. FILE #: H-16/D 108
LEGAL DESCRIPTION: A Portion of Block 8, Duke City Industrial Area, Albuquerque, NM
CITY ADDRESS: N/A

ENGINEERING FIRM: C.L. Weiss Engineering, Inc. CONTACT: Bryan Bobrick
ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 266-3444

OWNER: Orkin CONTACT: Mike McMullan
ADDRESS: 7109 Prospect Pl. N.E. PHONE: 883-1100

ARCHITECT: _____ CONTACT: _____
ADDRESS: _____ PHONE: _____

SURVEYOR: Forstbauer Surveying Co. CONTACT: Ron Forstbauer
ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 268-2112

CONTRACTOR FIRM: _____ CONTACT: _____
ADDRESS: _____ PHONE: _____

PRE-DESIGN MEETING:

____ YES
X NO
____ COPY OF CONFERENCE RECAP
SHEET PROVIDED

DRB NO. _____
EPC NO. _____
PROJ. NO. _____

TYPE OF SUBMITTAL:

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

CHECK TYPE OF APPROVAL SOUGHT:

____ SKETCH PLAT
____ PRELIMINARY PLAT
____ SITE DEVELOPMENT PLAN
____ FINAL PLAT
X BUILDING PERMIT
____ FOUNDATION PERMIT
____ CERT. OF OCCUPANCY
____ ROUGH GRADING PERMIT
____ GRADING / PAVING PERMIT
____ OTHER _____

DATE SUBMITTED: March 6, 1995
BY: C.L. Weiss Engineering, Inc.

100 - 9

DRAINAGE INFORMATION SHEET

PROJECT TITLE: Orkin Exterminating Co. - Drainage ZONE ATLAS / DRNG. FILE #: H-16/108
LEGAL DESCRIPTION: A Portion of Block 8, Duke City Industrial Area, Albuquerque, NM
CITY ADDRESS: N/A

ENGINEERING FIRM: C.L. Weiss Engineering, Inc. CONTACT: Bryan Bobrick

ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 266-3444

OWNER: Orkin CONTACT: Mike McMullan

ADDRESS: 7109 Prospect Pl. N.E. PHONE: 883-1100

ARCHITECT: _____ CONTACT: _____

ADDRESS: _____ PHONE: _____

SURVEYOR: Forstbauer Surveying Co. CONTACT: Ron Forstbauer

ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 268-2112

CONTRACTOR FIRM: _____ CONTACT: _____

ADDRESS: _____ PHONE: _____

PRE-DESIGN MEETING:

____ YES

☒ NO

____ COPY OF CONFERENCE RECAP
SHEET PROVIDED

DRB NO. _____

EPC NO. _____

PROJ. NO. _____

TYPE OF SUBMITTAL:

____ DRAINAGE REPORT

☒ DRAINAGE PLAN

____ CONCEPTUAL GRADING & DRAINAGE PLAN

☒ GRADING PLAN

____ EROSION CONTROL PLAN

____ ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

____ SKETCH PLAT

____ PRELIMINARY PLAT

____ SITE DEVELOPMENT PLAN

____ FINAL PLAT

☒ BUILDING PERMIT

____ FOUNDATION PERMIT

____ CERT. OF OCCUPANCY

____ ROUGH GRADING PERMIT

____ GRADING / PAVING PERMIT

____ OTHER _____

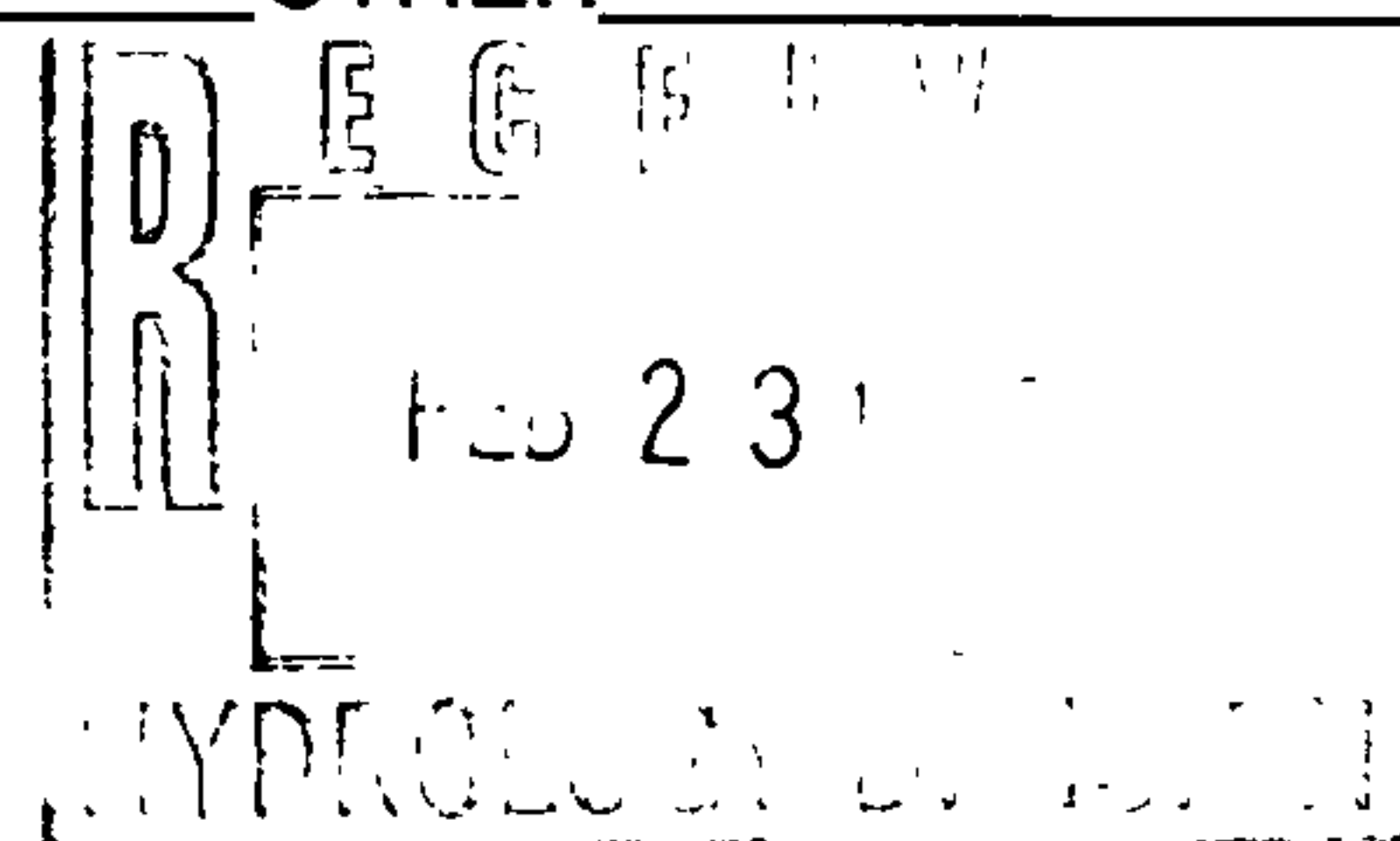
VERBAL CMTS

3/1/95

EXTEND WALL

DATE SUBMITTED: February 22, 1995

BY: C.L. Weiss Engineering, Inc.





City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

March 13, 1995

Chris Weiss
C.L. Weiss Engineering
P.O. Box 97
Sandia Park, NM 87047

RE: REVISED DRAINAGE PLAN FOR ORKIN EXTERMINATING CO
(H16-D108) REVISION DATED 3/6/95.

Dear Mr. Weiss:

Based on the information provided on your March 9, 1995 resubmittal, the above referenced site is approved for Grading/Paving.

Please be advised that a separate permit is required for construction within City Right-of-Way. A copy of this approval letter must be on hand when applying for the excavation permit.

Also, Engineer Certification will be required after completion of construction.

If I can be of further assistance, please feel free to contact me at 768-2667.

Sincerely,

Bernie J. Montoya, CE
Engineering Associate

BJM/dl

c: Andrew Garcia
File



C.L. Weiss Engineering, Inc
Post Office Box 97
Sandia Park, N.M. 87047

Phone / Fax (505) 281-1800
Alvarado Office (505) 266-3444

March 6, 1995

Mr. Bernie J. Montoya, CE
City of Albuquerque
Public Works Department
P.O. Box 1293
Albuquerque, New Mexico 87103

RE: ORKIN EXTERMINATING CO - REVISION

Dear Mr. Montoya,

Enclosed with this letter are two copies of the revised Drainage / Grading Plan for the above mentioned project. I have made a single revision as follows:

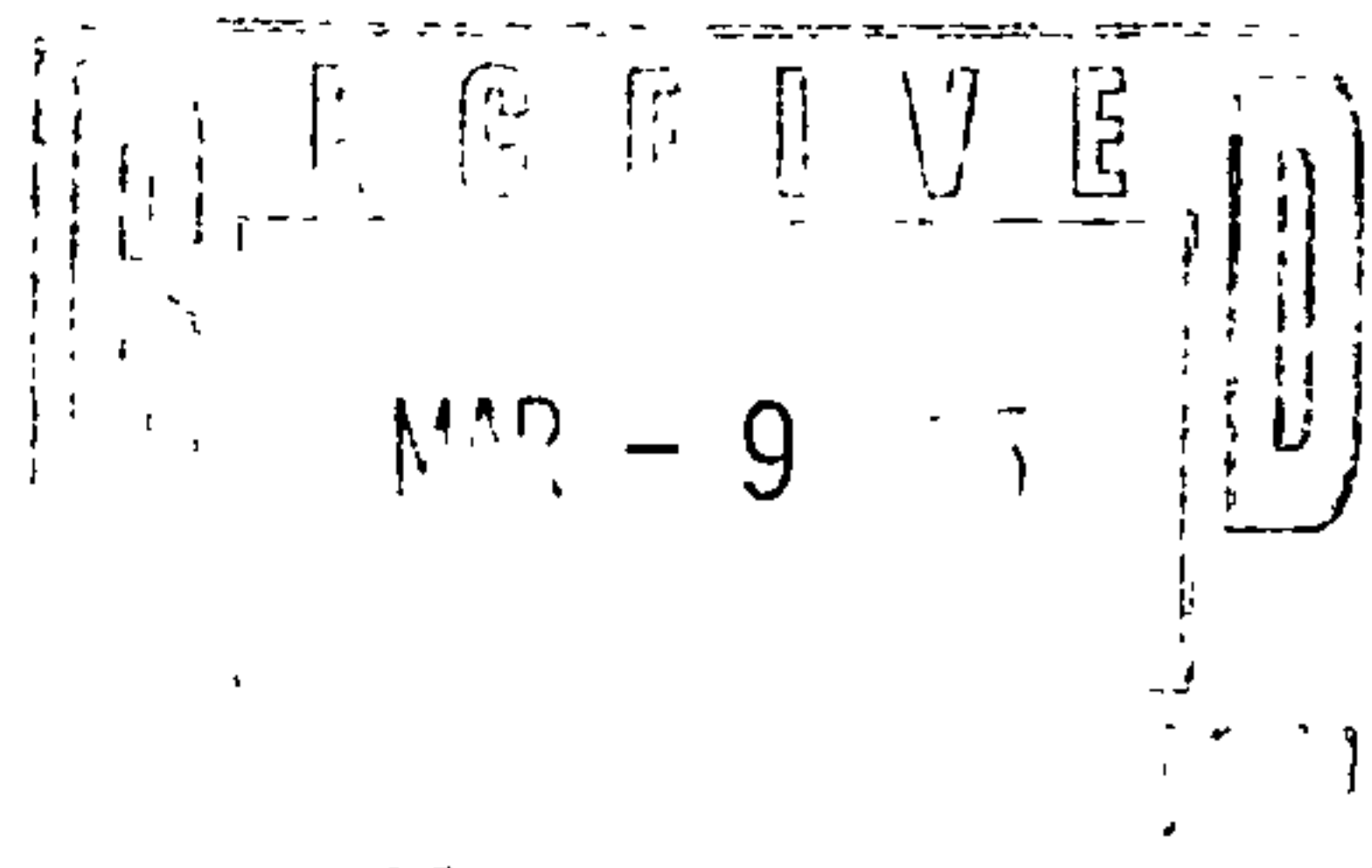
1. Note added to drawing at east half of south property line which reads:
"This portion of concrete block wall to be constructed"

If you have any questions concerning this plan, please don't hesitate to call me at 266-3444 or Chris Weiss, Project Engineer at 281-1800.

Sincerely,

Bryan J. Bobrick, Project Manager
C.L. Weiss Engineering, Inc.

::reviewed and approved by Chris Weiss, P.E.
Principle Engineer



May 11, 1995

Gerardine J. Chavez

Enchantment Carpet Co. Inc.
3210 Cañalaria Blvd N.E.

Albuquerque, NM 87107

Send to Bill Burgett

4400 Uptown Blvd NE

Suite 200 West

Albuquerque, NM 87110

Dear Mrs Chavez:

A field inspection was conducted on March 6, 1995. A follow up to that inspection revealed that there still is a violation that exists on the south portion of your property. Placemat of asphalt in excess of one thousand square feet requires an approved paving plan prepared by a licensed Civil Engineer. The paving plan must be submitted to the City of Albuquerque Hydrology Department for review and approval.

The issue of the retaining wall that was placed on the east side of your property seems to be a civil matter between you and the adjacent property owner and does not have a bearing on what was required for your paving area.

In order to provide fair and effective enforcement of the City of Albuquerque Drainage Ordinance, it is imperative that corrective measures be implemented within 30 days of receipt of this letter.

If you should have any further questions, please
do not hesitate to contact me at. 768-2669,

Cordially,
Andrew Garcia,
City of Albuquerque
Drainage Inspector.

VERBAL

2/2/95

H16-D108

13m

DRAINAGE INFORMATION SHEET

PROJECT TITLE: Orkin Exterminating Co. - Drainage ZONE ATLAS / DRNG. FILE #: H-16/Δ188
LEGAL DESCRIPTION: A Portion of Block 8, Duke City Industrial Area, Albuquerque, NM
CITY ADDRESS: N/A

ENGINEERING FIRM: C.L. Weiss Engineering, Inc. CONTACT: Bryan Bobrick

ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 266-3444

OWNER: Orkin CONTACT: Mike McMullan

ADDRESS: 7109 Prospect Pl. N.E. PHONE: 883-1100

ARCHITECT: _____ CONTACT: _____

ADDRESS: _____ PHONE: _____

SURVEYOR: Forstbauer Surveying Co. CONTACT: Ron Forstbauer

ADDRESS: 1100 Alvarado Dr. N.E. 87110 PHONE: 268-2112

CONTRACTOR FIRM: _____ CONTACT: _____

ADDRESS: _____ PHONE: _____

PRE-DESIGN MEETING:

____ YES

☒ NO

____ COPY OF CONFERENCE RECAP
SHEET PROVIDED

DRB NO. _____

EPC NO. _____

PROJ. NO. _____

TYPE OF SUBMITTAL:

____ DRAINAGE REPORT

☒ DRAINAGE PLAN

____ CONCEPTUAL GRADING & DRAINAGE PLAN

☒ GRADING PLAN

____ EROSION CONTROL PLAN

____ ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

____ SKETCH PLAT

____ PRELIMINARY PLAT

____ SITE DEVELOPMENT PLAN

____ FINAL PLAT

☒ BUILDING PERMIT

____ FOUNDATION PERMIT

____ CERT. OF OCCUPANCY

____ ROUGH GRADING PERMIT

____ GRADING / PAVING PERMIT

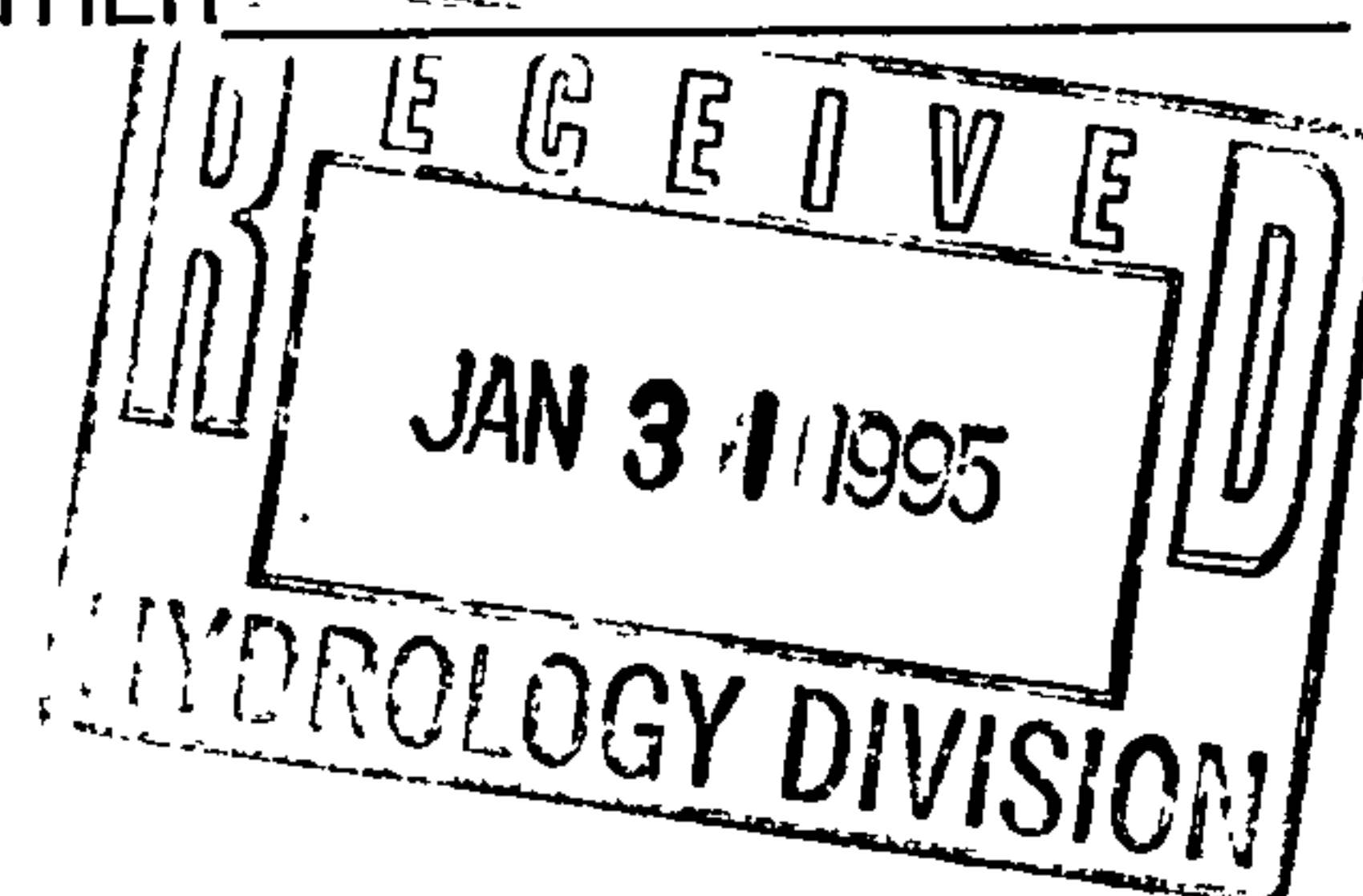
____ OTHER _____

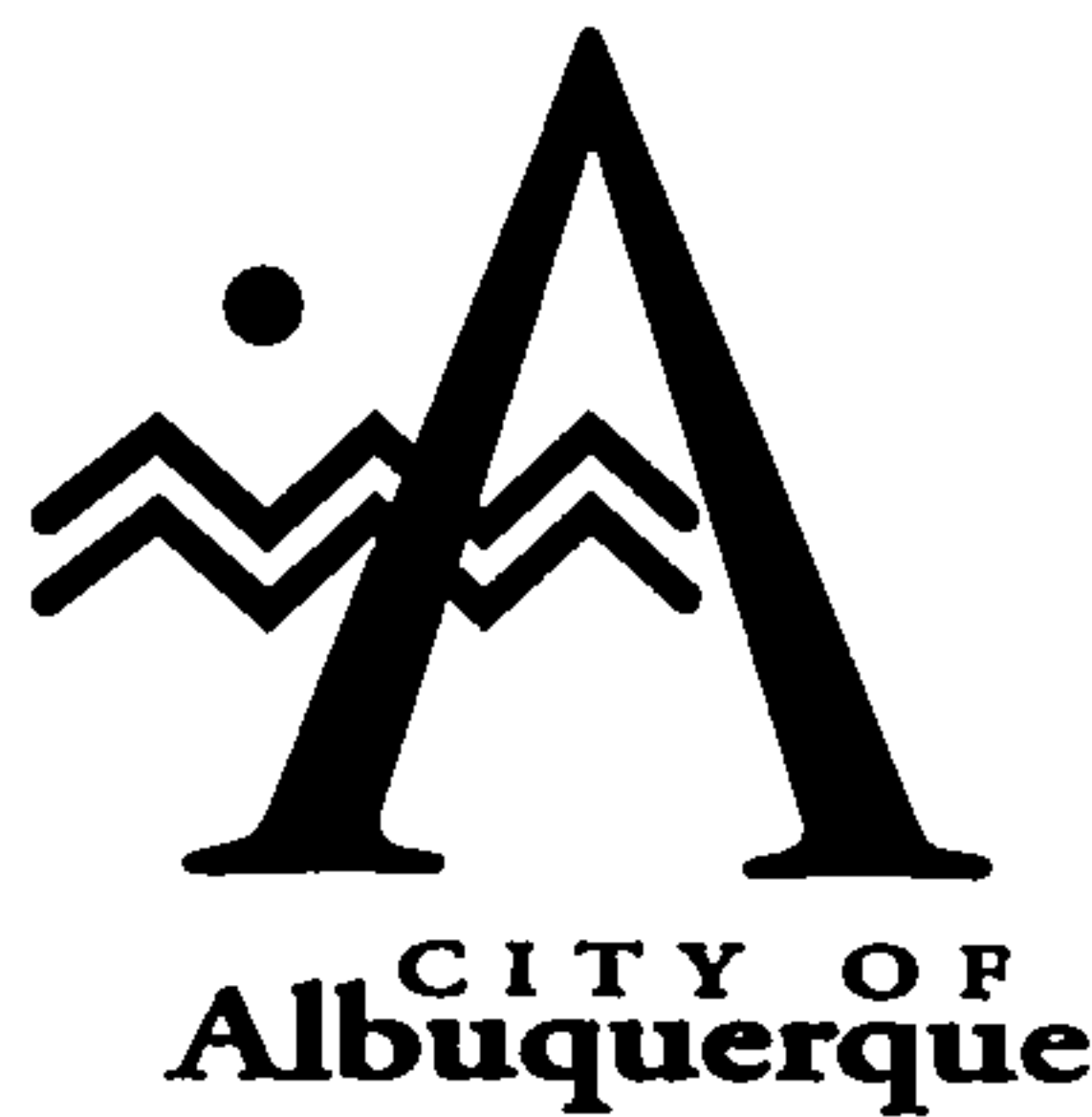
VERBAL:

1. Six notes & sign off block from
S.O.19 42495

DATE SUBMITTED: January 30, 1995

BY: C.L. Weiss Engineering, Inc.





October 28, 1996

Martin J. Chávez, Mayor

Donald E. Faber
7126 Shavelson
Houston, Texas 77155

RE: Property Located at 3215 Matthew NE

NOTICE AND ORDER

Pursuant to Chapter 7, Article IX, City of Albuquerque Revised Ordinances, 1974, as amended, this Notice and Order is being issued on the property located at 3215 Matthew NE.

FINDINGS

An inspection was conducted July 11, 1995, by personnel of this department. This inspection revealed that your property was in violation of the approved grading and drainage plan on file with this office (H-16/D56). In particular, the retention pond that was designed and approved by this office was filled and runoff is conveyed into adjacent properties. This causes cross lot drainage problems to these adjacent properties.

ORDER

You, being the owner, are hereby ordered to either:

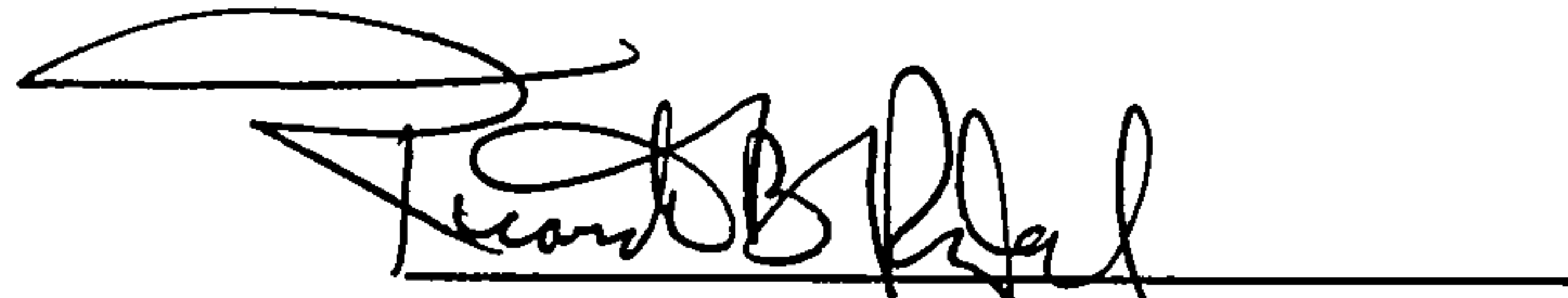
1. Comply with the original drainage plan (H-16/D56).
2. Provide this office with a new grading and drainage plan as to how you are going to convey the runoff from the rear northwest portion of your property to the street public right of way.

Good for You, Albuquerque!



3. The above mentioned items must be completed within 30 days from the date of this letter.
4. Failure to comply with the aforementioned items will result in the matter being turned over to the City Attorneys Office.

If you should have any questions concerning this matter or the violations cited, please feel free to contact Andrew Garcia at 768-2669.

A handwritten signature in black ink, appearing to read "Ricardo B. Roybal", is written over a horizontal line.

Ricardo B. Roybal
City Engineer, Public Works Department

- c: Dan Hogan, Manager, PWD/Hydrology Division
Fred Aguirre, PWD/Hydrology Division

DENTALTECH

(H-16 / D 108)

DECEMBER 6, 1996

PUBLIC WORKS DEPARTMENT/HYDROLOGY DIVISION
P.O. BOX 1293
ALBUQUERQUE, NEW MEXICO 87103

RE: PROPERTY LOCATED AT 3215 MATTHEW N.E.

ATTN: BERNIE MONTOYA

DEAR MR MONTOYA:

THANK YOU FOR TALKING WITH ME DECEMBER 5, 1996 YOUR HELP WAS MUCH APPRECIATED.

IN VIEW OF THE HOLIDAYS THIS MONTH I WOULD LIKE TO REQUEST A 90 DAYS EXTENSION TO ALLOW TIME TO LINE UP A COMPETENT COMPANY - KNOWLEDGEABLE IN HYDROLOGY, TO HELP ME RESOLVE THE DRAINAGE ISSUE AT 3215 MATTHEW N.E. ALBUQUERQUE, NEW MEXICO.

THANK YOU,

Don Faber

DONALD FABER
7126 SHAVELSON
HOUSTON, TEXAS 77055

DENTALTECH LABS, INC.
1223 ANTOINE
HOUSTON, TEXAS 77055, (713) 686-8880

