

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

CHIEF ADMINISTRATIVE OFFICER

DEPUTY CAO DEVELOPMENT & ENTERPRISE SERVICES

DEPUTY CAO
PUBLIC SERVICES

**GENE ROMO** 

LARRY LARRANAGA

DAN WEAKS

August 16, 1988

Louis Gross, P.E.
Logan/Gross & Associates, Inc.
925 Sixth Street, NW Suite 3
Albuquerque, New Mexico 87102

RE: DRAINAGE PLAN FOR ALLEY AT MORNINGSIDE & MENAUL, NE (H-17/D53) RECEIVED JULY 15, 1988

Dear Mr. Gross:

I have reviewed the referenced plan and forward the following comments:

- 1. I agree with the two drainage covenants which were submitted. Please submit them with Mr. Daskalos' signature.
- 2. Per your DRC meeting. I need an Encroachment and Covenant agreement for the public alley.

Should you have any questions, please call me at 768-2650.

Cordially,

Carlos A. Montoya, P.E.

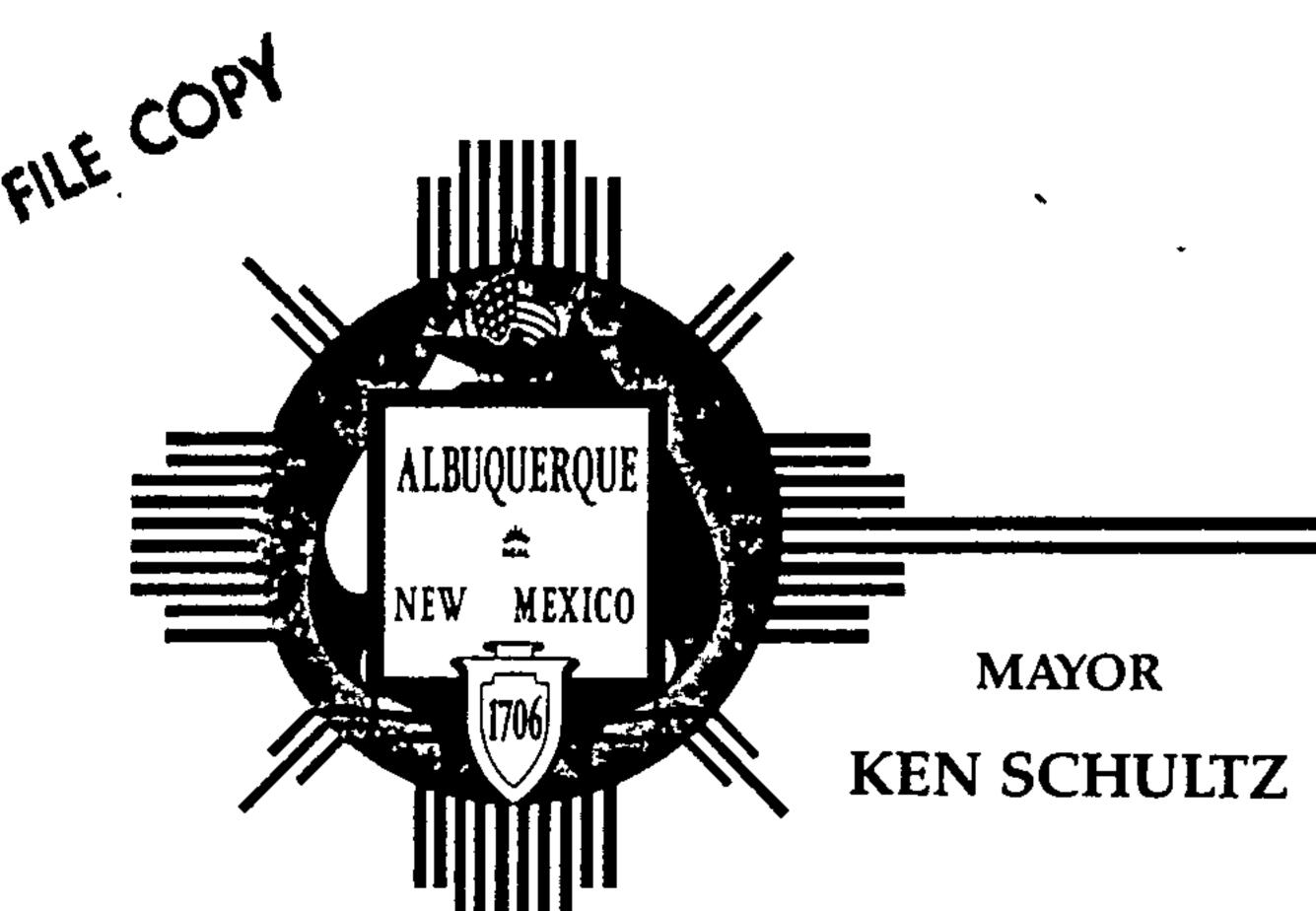
City/County Floodplain Administrator

CAM/bsj

#### DRAINAGE INFORMATION SHEET

#### CITY OF ALBUQUERQUE, N.M.

PROJECT TITLE: <u>Auto Parts Store Addition</u> ZON!	E ATLAS/DRNG. FILE #: H17/ D53
LEGAL DESCRIPTION: Lots A & B, Blk. 13, Timot	
CITY maddress: 4002 Menaul Blvd. N.E.	
ENGINEERING FIRM: Logan/Gross & Assoc. Inc.	CONTACT: Louis Gross
ADDRESS: 925 6th st N.W.	PHONE: 243-6353
OWNER: La Sierra Construction	CONTACT: Pete Daskalos
ADDRESS: 5321 Menaul Blvd. N.E.	PHONE: 883-0414
ARCHITECT: N/A	CONTACT:
ADDRESS:	PHONE:
SURVEYOR: Logan/Gross & Assoc. Inc.	CONTACT: Louis Gross
ADDRESS: 925 6th N.W.	PHONE: 243-6353
CONTRACTOR: N/A	CONTACT:
ADDRESS:	PHONE:
HYDROLOGY SECTION EPO	3 NO C NO DJ. NO
TYPE OF SUBMITTAL: CHECK	TYPE OF APPROVAL SOUGHT:
DRAINAGE REPORT	SKETCH PLAT APPROVAL
	PRELIMINARY PLAT APPROVAL
	SITE DEVELOPMENT PLAN APPROVAL
	FINAL PLAT APPROVAL
	BUILDING PERMIT APPROVAL FOUNDATION PERMIT APPROVAL
	CERTIFICATE OF OCCUPANCY APPROVAL
	ROUGH GRADING PERMIT APPROVAL
	SRADING/PAVING PERMIT APPROVAL
	OTHER (SPECIFY)
DATE SUBMITTED: 5/27/88  BY: Souis W. Gross	2 #7/13/08/1//



P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

CHIEF ADMINISTRATIVE OFFICER

DEPUTY CAO
DEVELOPMENT & ENTERPRISE SERVICES

DEPUTY CAO
PUBLIC SERVICES

**GENE ROMO** 

LARRY LARRANAGA

DAN WEAKS

June 14, 1988

Louis Gross, P.E.
Logan/Gross & Associates, Inc.
925 Sixth Street, NW Suite 3
Albuquerque, New Mexico 87102

RE: DRAINAGE VIOLATION FOR SIERRA CONSTRUCTION PROJECT MORNINGSIDE & MENAUL, NE (H-17/D53) RECEIVED MAY 27, 1988

Dear Mr. Gross:

I have reviewed the referenced plan and forward the following comments. The alley grades need to be submitted to DRC for their review and approval. After we have the approved alley grades, we will review the site with respect to the approved alley grades.

Should you have any questions, please call me at 768-2650.

Cordially,

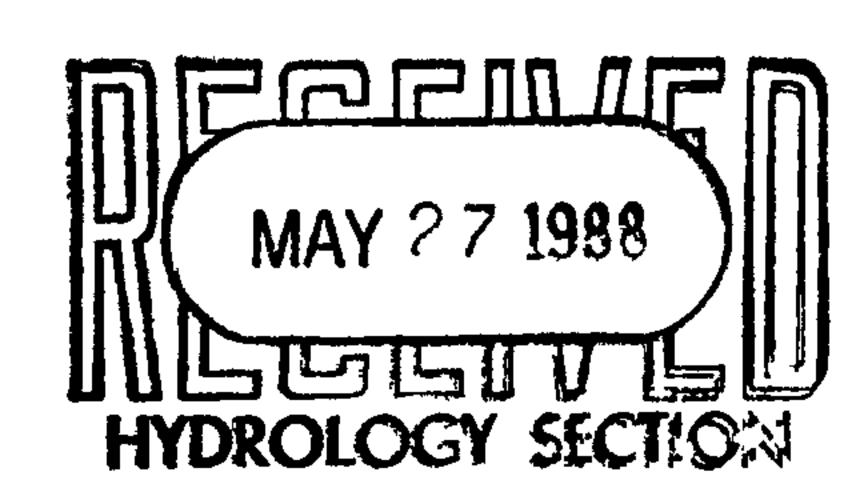
Carlos A. Montoya, P.E.

City/County Floodplain Administrator

CAM/bsj

May 27, 1988

Carlos A. Montoya
Hydrology Section
Engineering Group
Public Works Department
City of Albuquerque



Re: Drainage Violations for La Sierra Construction Project @ Morningside & Menual, N.E. (H-17/D53)

Dear Carlos,

Attached is a copy of a plan showing the existing conditions on Lots A & B, Block 13, Timiteo Chavez Addition for owner Pete Daskalos. I would like for you to review the submital and then we meet to discuss any comments that you may have. As you know, we have a problem at the south end of the alley due to the Post Office Project. Please note that two drainage easements are called for across the subject property. I do not want to formalize until we have the conference.

We have also attached a copy of the alley plan and profile for your information. These plans will be submitted to the Design Review Committee for their review.

Sincerely,

Louis W. Gross

Job # 351

#### DRAINAGE INFORMATION SHEET

#### CITY OF ALBUQUERQUE, N.M.

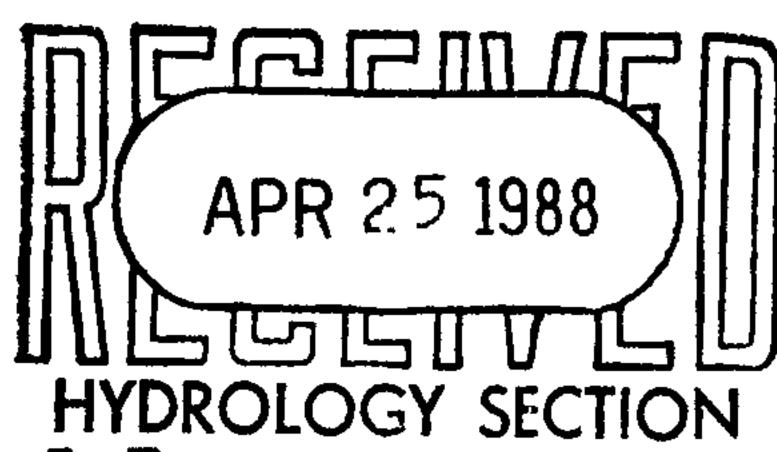
PROJECT TITLE: <u>Auto Parts Store Additi</u>			
LEGAL DESCRIPTION: Lots A & B, Blk. 13,	<u>Timoteo Chaves Addition</u>		
CITY MADDRESS: 4002 Menaul Blvd. N.E.	·		
ENGINEERING FIRM: Logan/Gross & Assoc.	Inc. CONTACT: Louis Gross		
ADDRESS: 925 6th st N.W.	PHONE: 243-6353		
OWNER: La Sierra Construction	CONTACT: Pete Daskalos		
ADDRESS: 5321 Menaul Blvd. N.E.	PHONE: 883-0414		
ARCHITECT: N/A	CONTACT:		
ADDRESS:	PHONE:		
SURVEYOR: Logan/Gross & Assoc. Inc.	CONTACT: Louis Gross		
ADDRESS: 925 6th N.W.	PHONE: 243-6353		
CONTRACTOR: N/A	CONTACT:		
ADDRESS:	PHONE:		
COPY OF CONFERENCE RECAME ROLOGY SECTION SHEET PROVIDED	ION PROJ. NO.		
TYPE OF SUBMITTAL:	CHECK TYPE OF APPROVAL SOUGHT:		
DRAINAGE REPORT	SKETCH PLAT APPROVAL		
DRAINAGE PLAN	PRELIMINARY PLAT APPROVAL		
CONCEPTUAL GRADING & DRAINAGE PLAN	SITE DEVELOPMENT PLAN APPROVAL		
GRADING PLAN	FINAL PLAT APPROVAL		
EROSION CONTROL PLAN  ENGINEERIC CERTIFICATION	BUILDING PERMIT APPROVAL		
<u>ENGINEER'S CERTIFICATION</u> XX Existing Conditions	FOUNDATION PERMIT APPROVAL  XX CERTIFICATE OF OCCUPANCY APPROVAL		
XX EXISTING CONUTCIONS	ROUGH GRADING PERMIT APPROVAL		
	GRADING/PAVING PERMIT APPROVAL		
	OTHER(SPECIFY)		
DATE SUBMITTED: 5/27/88			



### LOGAN/GROSS & ASSOC. INC.

Consulting Civil Engineers

April 21, 1988



Carlos A. Montoya, P.E.
P.W.D. - Engineering Group
Hydrology Department
City of Albuquerque
P.O. Box 1293
Albuquerque, N.M. 87103

RE: Drainage violations for La Sierra Construction Project @ Morningside & Menaul, NE (H-17/D53)

Dear Mr. Montoya:

Received your letter of March 31, 1988 concerning the referenced subject through Mr. Pete Daskalos. This is to inform you that Mr. Daskalos has retained our firm to help resolve the problem. We scheduled to start the work April 17, 1988.

Sincerely

Louis W. Gross

Job # 351



P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

MAYOR

CHIEF ADMINISTRATIVE OFFICER DEPUTY CAO
PUBLIC SERVICES

DEPUTY CAO
PLANNING/DEVELOPMENT

KEN SCHULTZ

**GENE ROMO** 

FRANK MARTINEZ

**BILL MUELLER** 

March 31, 1988

Pete Daskalos La Sierra Construction 5321 Menaul Boulevard, NE Albuquerque, New Mexico 87110

RE: DRAINAGE VIOLATIONS FOR LA SIERRA CONSTRUCTION PROJECT @

MORNINGSIDE & MENAUL, NE (H-17/D53)

Dear Mr. Daskalos:

We have made a field trip to your Building Permit site, and have found the following violations. We approved your drainage plan dated July 31, 1987, for building permit release. Our field trip to the site indicates two areas which need to be corrected.

- 1. The building permit for the proposed additions:
  - A. The addition sizes have been altered.
  - B. The drainage plan did not indicate any proposed paving. Our visit indicates that the entire site was paved.
  - C. The landscape areas are different than shown on the drawing.
  - D. The east off-site flows need to be addressed.

Due to the above changes, a new drainage plan needs to be submitted and approved by the Hydrology Section.

- The public alley was paved without a work order, excavation permit, inspection, or City approved alley grades.
  - A. Alley grades need to be submitted to DRC for their review and approval.
  - B. The alley needs to be built to City standards.
  - C. City Drainage Ordinance does not allow runoff from a public alley to be conveyed through private property without the following. We need a public easement and an encroachment agreement. An engineer needs to show the capacity of the public runoff through the private property. A City standard conveyance structure may be needed for this flow.
  - D. The alley flow to the south needs to be coordinated with the new Post Office construction.

Pete Daskalos March 31, 1988 Page 2

Prior to release of a Certificate of Occupancy, the above items need to be finalized. Please contact this office within two weeks to determine how the following violations will be corrected. If we do not receive any correspondence from you, we will turn this matter over to the City Legal Department.

Cordially,

Carlos A. Montoya, P.E.

City/County Floodplain Administrator

xc: Becky Sandoval

Bob Romero, Zoning Enforcement

Andre Houle

Legal Department

CAM/bsj



ALBUQUERQUE, NEW MEXICO 87103

**MAYOR** KEN SCHULTZ

CHIEF **ADMINISTRATIVE OFFICER** 

**DEPUTY CAO PUBLIC SERVICES** 

DEPUTY CAO PLANNING/DEVELOPMENT

GENE ROMO

FRANK MARTINEZ

BILL MUELLER

March 23, 1988

Duane Logan, P.E. Logan/Gross & Associates, Inc. 925 Sixth Street, NW Albuquerque, New Mexico 87102

> OFF-SITE FLOW CONDITIONS FOR LA SIERRA CONSTRUCTION PROJECT @ MORNINGSIDE & MENAUL, NE (H-17/D53)

Dear Mr. Logan:

A field inspection was conducted to determine at which point and what quantity of off-site flows the above referenced site would receive. Field inspection reveals that a large majority of the flows to the east will enter the above site. Your submittal of August 26, 1987, indicates no off-site flows.

Please address this matter as soon as possible to eliminate any delays at time of Certificate of Occupancy request.

If I can be of further assistance, please feel free to call me at 768-2650.

Cordially,

Bernie J. Montoya, C.E.

Engineering Assistant

BJM/bsj



P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Ken Schultz Mayor

UTILITY DEVELOPMENT DIVISION HYDROLOGY SECTION (505) 768-2650

September 10, 1987

Duane Logan, P.E. Logan/Gross & Associates, Inc. 925 Sixth Street, NW Albuquerque, New Mexico 87102

> REVISED DRAINAGE PLAN FOR LA SIERRA CONSTRUCTION PROJECT @ 4002 RE: MENAUL BLVD., NE (H-17/D53) REVISION DATE OF AUGUST 24, 1987

Dear Duane:

Based on the information provided on your resubmittal of August 26, 1987, the above referenced plan is approved for Building Permit.

Please attach a copy of this plan to the construction sets prior to sign-off by Hydrology.

If I can be of further assistance, please feel free to call me at 768-2650.

Cordially,

Bernie J. Montoya, C.E.

Engineering Assistant

BJM/bsj

PUBLIC WORKS DEPARTMENT

**ENGINEERING GROUP** 

Telephone (505) 768-2500

### DRAINAGE INFORMATION SHEET

CITY OF ALBUQUERQUE, N.M.

PROJECT TITLE: <u>Auto Parts Store Additi</u>	
LEGAL DESCRIPTION: Lots 18 through 24.  CITY ADDRESS: 4002 Menaul Blvd., NE	Block 13, limoteo Chavez Add II
	ociatecontact: Duane Logan
ADDRESS: 925 6th St., NW Suite 3	·
OWNER: La Sierra Construction	CONTACT: Pete Daskalos
ADDRESS: 5321 Menaul Blvd., NE	PHONE: 883-0414
ARCHITECT: James Miller	CONTACT: Same
ADDRESS: 2819 Richmond Drive, NE	PHONE: 884-1255
SURVEYOR: Logan/Gross .	CONTACT: Duane Logan
ADDRESS: As Above	PHONE:
CONTRACTOR: La Sierra Construction	CONTACT: Pete Daskalos
ADDRESS: As Above	PHONE:
PRE-DESIGN MEETING: AUG 26 1987  XXX YES  HYDROLOGY SECTION  XXX COPY OF COMMENT SHEET PROVIDED	DRB NO EPC NO PROJ. NO
TYPE OF SUBMITTAL:  DRAINAGE REPORT  XXX DRAINAGE PLAN  CONCEPTUAL GRADING & DRAINAGE PLAN  GRADING PLAN  EROSION CONTROL PLAN  ENGINEER'S CERTIFICATION	CHECK TYPE OF APPROVAL SOUGHT:  SKETCH PLAT APPROVAL  PRELIMINARY PLAT APPROVAL  SITE DEVELOPMENT PLAN APPROVAL  FINAL PLAT APPROVAL  XXX BUILDING PERMIT APPROVAL  FOUNDATION PERMIT APPROVAL  CERTIFICATE OF OCCUPANCY APPROVAL  ROUGH GRADING PERMIT APPROVAL  GRADING/PAVING PERMIT APPROVAL  OTHER (SPECIFY)
DATE SUBMITTED: <u>July 31, 1987 Revise</u>	ed per comments 8/26/87



P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

Ken Schultz Mayor

UTILITY DEVELOPMENT DIVISION HYDROLOGY SECTION (505) 768-2650

August 19, 1987

Duane Logan, P.E. Logan/Gross & Associates, Inc. 925 Sixth Street, NW Albuquerque, New Mexico 87102

RE: DRAINAGE PLAN SUBMITTAL FOR LA SIERRA CONSTRUCTION PROJECT FOR BUILDING PERMIT APPROVAL (H-17/D53)

Dear Mr. Logan:

I have reviewed your submittal for building permit approval from Hydrology. In addition to the drainage plan, we require a grading plan, of sufficient detail to be used by the contractor, showing proposed spot elevations and proposed contour lines. Would you furnish us with such a plan, please?

It is not clear from the drawing you submitted just what it is that you intend the contractor to do. Will the southwest corner of the lot be overlaid to change the direction of flow to the new curb cut widening? How will water drain from the east side of the buildings?

Finally, I believe that your project's location is incorrectly marked on the vicinity map.

If you have any questions, please call me at 768-2650.

Cordially,

G. Stuart Reeder, P.E. C.E./Hydrology Section

Shrant REEder

Std Ltr to Owner & Arch.

GSR/bsj

**PUBLIC WORKS DEPARTMENT** 

**ENGINEERING GROUP** 

Telephone (505) 768-2500

Walter Nickerson, P.E., City Engineer

#### DRAINAGE INFORMATION SHEET

CITY OF ALBUQUERQUE, N.M.

PROJECT TITLE: Auto Parts Store Addition	SONE ATLAS/DRNG. FILE #: H17/D53
LEGAL DESCRIPTION: Lots 18 through 24, Bl	ock 13, Timoteo Chavez Add'n
CITY ADDRESS: 4002 Menaul Blvd., NE	• •
ENGINEERING FIRM: Logan/Gross and Assoc	iatecontact: Duane Logan
ADDRESS: 925 6th St., NW Suite 3	PHONE: 243-6353
OWNER: La Sierra Construction	contact: Pete Daskalos
ADDRESS: 5321 Menaul Blvd., NE	PHONE: 883-0414
ARCHITECT: James Miller	CONTACT: Same
ADDRESS: 2819 Richmond Drive, NE	PHONE: 884-1255
SURVEYOR: Logan/Gross .	CONTACT: Duane Logan
ADDRESS: As Above	PHONE:
CONTRACTOR: La Sierra Construction	CONTACT: Pete Daskalos
ADDRESS: As Above	PHONE:
PRE-DESIGN MEETING:	DRB NO  EPC NO  PROJ. NO
DRAINAGE REPORT	ECK TYPE OF APPROVAL SOUGHT:  SKETCH PLAT APPROVAL  PRELIMINARY PLAT APPROVAL  SITE DEVELOPMENT PLAN APPROVAL  FINAL PLAT APPROVAL  XX BUILDING PERMIT APPROVAL  FOUNDATION PERMIT APPROVAL  CERTIFICATE OF OCCUPANCY APPROVAL  ROUGH GRADING PERMIT APPROVAL  GRADING/PAVING PERMIT APPROVAL  OTHER (SPECIFY)
DATE SUBMITTED: July 31, 1987	<del></del>
BY: <u>Duane Logan</u>	<u> </u>

#### CRAUT OF DEATHAGE PASSEMENT

This easement grant is made and executed this 8th day of JUL 31 1987

by and between La Sierra Construction ,hereinafter called the "Grantec".

and La Sierra Construction ,hereinafter called the "Grantec".

- 1. The Grantor is the owner of the following described real property within the City of Albuquerque, County of Bernalillo, New Mexico Lots 18 through 24, Block 13, Timoteo Chavez Addition
- 2. For good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby grant and deliver to the Grantee a perpetual easement over and across a portion of Grantor's property for the purpose of permitting overland flow of storm water run-off.
- 3. The property affected by the grant of this easement and right-of-way is more particularly described as follows: The westerly 35' of the full 250' width of Lots 18 through 22, Block 13, Timoteo Chavez Addition.
- 4. Said easement is intended to be permanent in nature for use recited above to the Grantce, his successors and assigns, until such time as the Grantee releases said easement in writing.
- 5. The obligation of the Grantor set forth herein shall be binding upon the Grantor, his heirs, and assigns, and the property of the Grantor as described herein and will run with said property until released by the Grantee.

IN WITNESS WHEREOF, the parties have set their hands and seals this 8th day of July ,1987.

By: Pete Dartalos by Perfy Italians

Title: Attorney in Fact

ACKNOWLEDGEMENT

STATE OF NEW MEXICO ) SS. COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 8th day of July , 1987, by Pete Daskalos by Peggy Daskalos his attorney in fact

Notary Public Gentrude M. Michalak

My Commission Expires: July

1990

STATE OF NEW MEXICO COUNTY OF REREALIST THEO FOR PERMIT

87 JUL 13 AMILI: UII

88 MS 509 A 661-662

GLADYS M. DAVIS

COLCLEME BREDORDER

DEPHTY

# CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT ENGINEERING DIVISION/DESIGN HYDROLOGY SECTION

#### CONFERENCE RECAP

STREET ADDRESS (IF KNOWN):	18-23 5 vortien Lot 3  Trates Chara Adibbles  BUESTED:  FINAL PLAT
PRELIMINARY PLAT SITE DEVELOPMENT PLAN	
PRELIMINARY PLAT SITE DEVELOPMENT PLAN	
SITE DEVELOPMENT PLAN	**************************************
	BUILDING PERMIT
	ROUGH GRADING
WHO	REPRESENTING
ATTENDANCE: Division of the second se	
Carla H Mal	
FINDINGS:	
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(B) et in du	Lo Ducha
(C) // 1/2 1/2 c. to land a con	elle allowed it i noch-
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F/min and O.A.	Comment of the Commen
10 mm Can B. E	
The undersigned agrees that the above find	
are only subject to change if further are sonable or that they are based on inacc	investigation reveals that they are not curate information.
reasonable or that they are based on inacconstant of the standard of the stand	
_	
	ATE: -3-17

#### DRAINAGE COVENANT

This Drainage Covenant, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person," "husband and wife," "corporation of the State of X," "partnership":]

Pete Daskalos

("Owner"), whose address is 5321 Menaul N.E.

Albuquerque, N.M. 87110

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 signs this Easement.

l. Recital. Owner is the owner of certain real property located at [give general description, for instance, subdivision, lot and block or street address:] Lot A, Block 13,

Timoteo Chavez Addition in Bernalillo County,

New Mexico (the "Property").

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

2. Description and Construction of Drainage Facilities.
Owner shall construct the following "Drainage Facility" within the Property at Owner's sole expense in accordance with the standards, plans and specifications approved by the City:

Swale in parking lot paving located as shown on EXHIBIT A.

The Drainage Facility is more particularly described in the attached Exhibit A. The Owner will not permit the Drainage Facility to constitute a hazard to the health or safety of the general public.

- 3. Maintenance of Drainage Facility. The Owner will maintain the Drainage Facility at Owner's cost in accordance with the approved Drainage Report and plans.
- 4. <u>City's Right of Entry</u>. The City has the right to enter upon the Property at any time and perform whatever inspection of the Drainage Facility it deems appropriate, without liability to the Owner.
- 5. Demand for Construction or Repair. The City may send written notice ("Notice") to the Owner requiring the Owner to construct or repair the Drainage Facility within 90 days ("Deadline") of receipt of the Notice, as provided in Section 12, and the Owner will comply promptly with the requirements of

(Approved by Legal Dept. as to form only-5/28/86)

the Notice. The Owner will perform all required work by the Deadline, at Owner's sole expense.

- 6. Failure to Perform by Owner and Emergency Work by City. If the Owner fails to comply with the terms of the Notice by the Deadline, or if the City determines that an emergency condition exists, the City may perform the work itself. The City then may assess the Owner for the cost of the work and for any other expenses or damages which result from Owner's failure to perform. The Owner agrees promptly to pay the City the amount assessed. If the Owner fails to pay the City within thirty (30) days after the City gives the Owner written notice of the amount due, the City may impose a lien against Owner's Property for the total resulting amount.
- 7. Liability of City for Repair after Notice or as a Result of Emergency. The City shall not liable to the Owner for any damages resulting from the City's repair or maintenance following notice to the Owner as required in this agreement or in an emergency unless the damages are the result of the reckless conduct or gross negligence of the City.
- 8. <u>Indemnification</u>. As a part of the consideration for this grant, subject to the provisions of the New Mexico Tort Claims Act and all other applicable New Mexico laws, the City agrees to save Owner harmless from any and all liability arising from the City's negligent use of the Drainage Facility. The City does not agree to save Owner harmless from any liability which may arise from Owner's use of the Drainage Facility and the Property.
- 9. Cancellation of Agreement and Release of Covenant. This agreement may be cancelled and Owner's covenants released by the City following by the City's mailing to the Owner notice of the City's intention to record a Cancellation and Release with the Bernalillo County Clerk. The Cancellation and Release will be effective thirty (30) days after the date of mailing the notice to the User unless a later date is stated in the notice or in the Cancellation and Release. After the effective date, the City will record the Cancellation and Release with the Bernalillo County Clerk.
- 10. Assessment. Nothing in this agreement shall be construed to relieve the Owner, his heirs, assigns and successors from an assessment against Owner's Property for improvements to the Property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the (Drainage Facility) will not reduce the amount assessed by the City.

(Approved by Legal Dept. as to form only-5/28/86)

11. Notice. For purposes of giving formal written notice to the Owner. Owner's address is:

Pete Daskalos

5321 Menaul N.E.
Albuquerque, N.M. 87110

Notice may be given to the Owner either in person or by mailing the notice by regular U.S. mail, postage paid. Notice will be considered to have been received by the Owner within 6 days after the notice is mailed if there is no actual evidence of receipt. The Owner may change Owner's address by giving written notice of the change by certified mail, return receipt requested, to the City Public Works Department, P.O. Box 1293, Albuquerque, New Mexico 87103.

- 12. Term. This agreement shall continue until terminated by the City pursuant to Section 7 above.
- 13. Binding on Owner's Property. The covenants and obligations of the Owner set forth herein shall be binding on Owner, his heirs, assigns and successors and on Owner's Property and constitute covenants running the Owner's Property until released by the City.
- 14. Entire Agreement. This agreement 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.
- 15. Changes to Agreement. Changes to this agreement are not binding unless made in writing, signed by both parties.
- 16. Construction and Severability. If any part of this agreement is held to be invalid or unenforceable, the remainder of the agreement will remain valid and enforceable if the remainder is reasonably capable of completion.
- 17. <u>Captions</u>. The captions to the sections or paragraphs of this agreement are not part of this agreement and will not affect the meaning or construction of any of its provisions.
- 18. Form Not Changed. Owner agrees that changes to the wording of this form are not binding upon the City unless initialed by the Owner and approved and signed by the City Legal Department in writing on this form.

OWNER: Pete Daskalos

Its: Owner.

Dated: 8/12/88

(Approved by Legal Dept. as to form only-5/28/86)

	STATE OF New Mexico	)			
	COUNTY OF Bernalillo	) 88 )	•		
	The foregoing ing  the day of Tudust  President" or "Owner"  the entity which owns to  signing, for instance,  or, joint venture:]	the Property	if other	or instance, of [name of	
	My Commission Expires:		Notary Put		
	CITY OF ALBUQUERQUE: Approved:				
CAM	By: Title: Dated:				

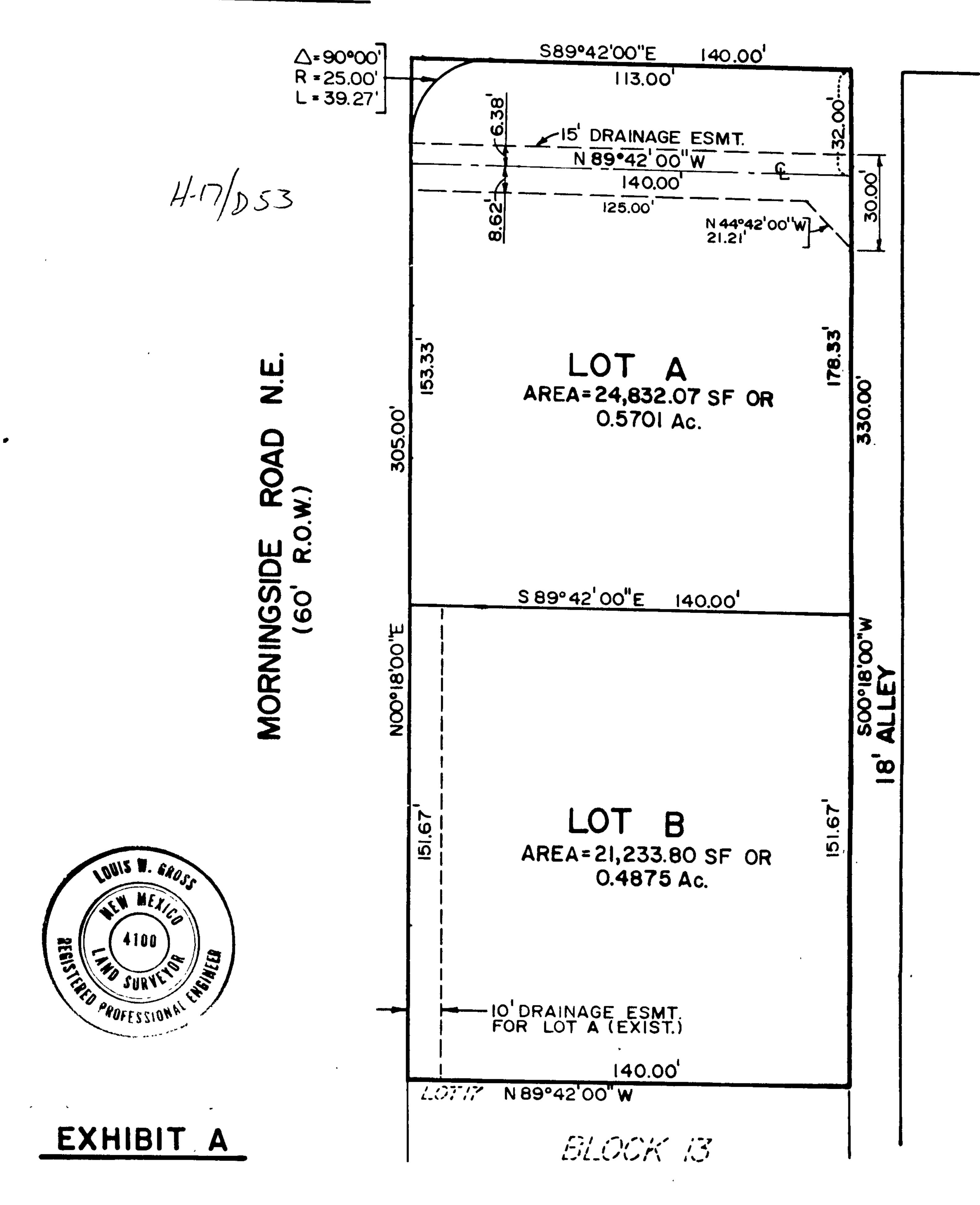
(EXHIBIT A ATTACHED)

LOTS A & B, BLOCK 13

TIMOTEO CHAVEZ ADDITION

MENAUL BLVD. N.E. (100' R.O.W.)

ALBUQUERQUE, NEW MEXICO



#### DRAINAGE PLAN

#### LOTS 18 THRU 24, BLOCK 13, TIMOTEO CHAVEZ ADDITION ALBUQUERQUE, NEW MEXICO

FLOOD MAP 23 BENCHMARK 5-HI7 ELEV. 5174.25 SOIL TYPE "B" TOTAL AREA: 46,726 SQ. FT. = 1.07 ACRES TOTAL AREA ROOFED AND PAVED, EXISTING: 36,200 SQ. FT. = 78% TOTAL AREA ROOFED AND PAVED, PROPOSED: 42,850 SQ. FT. = 98% REFER TO DRAINAGE PLAN HI7/D37 FOR DOWNSTREAM FACILITIES

FILE # HI7/D38 APPROVED:

CFF-SITE DRAINAGE: NONE ON-SITE DRAINAGE: EXISTING "C" = 78 % x 0 95 = 0.74 22 % × 040 = 009

PROPOSED Q = 0.92 x 4.84 x 1.07 = 4.76 C.F.S. = 0.46 ADDITIONAL EXISTING AND ADDITIONAL RUN-OFF TO BE DIRECTED TO MORNINGSIDE ROAD AND CONSEQUENTLY TO THE EMBUDO DIVERSION CHANNEL 500 SOUTH.

#### HYDRAULICS

30' CURB CUT WITH AVERAGE DEPTH OF 017' A = 5 10 SF, P=30', R=017, S=050% Q = 5.10 x 1.486 x 0307 x 0.071 = 110 C.F.S CAPACITY 0015



EXISTING BUILDING

CONC PAD

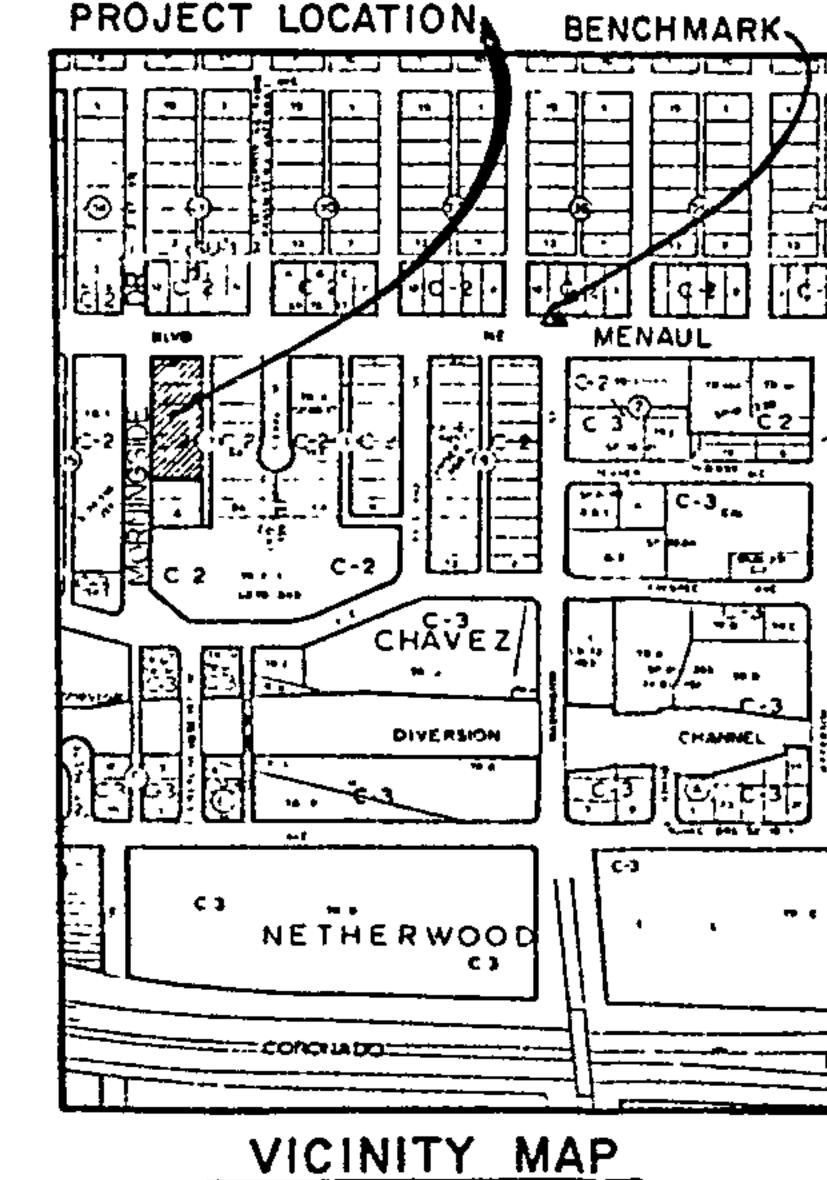
L'PORTION OF LOT 24

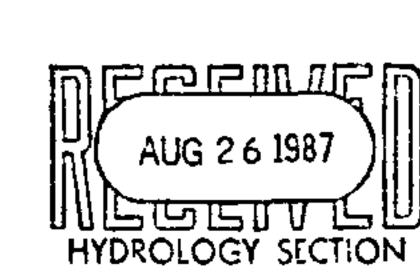
CONC S'DEWALK

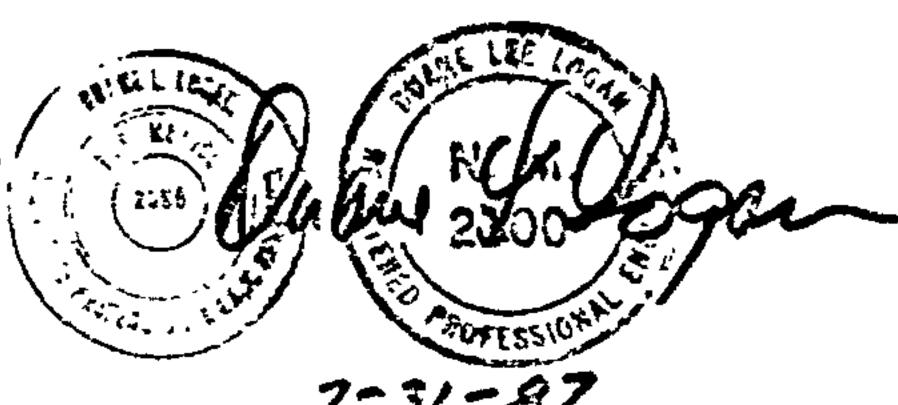
FIN. FLR 5167.79

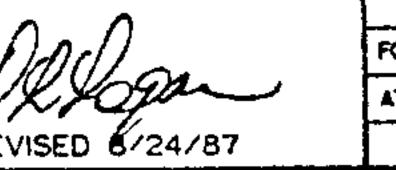
THE CONTRACTOR WILL BE RESPONSIBLE FOR COMPLIANCE TO THE FOLLOWING:

- 1. NO SEDIMENT BEARING WATER SHALL BE ALLOWED TO DISCHARGE THE SITE DURING CONSTRUCTION.
- 2. DURING GRADING OPERATIONS AND UNTIL THE PROJECT HAS BEEN COMPLETED ALL ADJACENT PROPERTY, RIGHTS OF WAY, AND
- THE USE OF A COMPACTED EARTH BERM AT LEAST 12° HIGH. THE BERM SHALL BE LOCATED ALONG THE DOWNSTREAM PERIMETERS OF THE PROPERTY.









FOR LA SIERRA CONSTRUCTION DATE 7-30-8 AT 4002 MENAUL N.E. ALBUQUERQUE, N. M.



August 12, 1988

Carlos A. Montoya
Hydrology Section
Engineering Group
Public Works Department
City of Albuquerque

Re: Drainage Violations for La Sierra Construction Project @ Morningside & Menual, N.E. (H-17/D53)

Dear Carlos,

Attached are the two drainage covenant documents executed by Mr Daskalos for subject project. The executed real property encroachment agreement has been submitted to Mr. Andre Houle for his review. I hope this is all that is required to lay the project to rest.

If you have any questions or comments, please give me a call.

DROLOGY SECTION

Sincerely,

ouis W. Gross

Job # 351