

CITY OF ALBUQUERQUE



July 12, 2010

Ronald Ray Bohannon, P.E.
Tierra West, LLC.
5571 Midway Park Place N.E.
Albuquerque, NM 87109

**Re: Jack-in-the-Box, 7601 Menaul Blvd NE,
Request for Permanent C.O. - Approved
Engineer's Stamp dated: 03-26-09 (H-16/D143)
Certification dated: 07-12-10**

Dear Mr. Bohannon,

Based upon the information provided in the Certification received 7-12-10, the above referenced Certification is approved for a release of a Permanent Certificate of Occupancy by Hydrology.

If you have any questions, you can contact me at 924-3982.

Sincerely,

Timothy E. Sims,
Plan Checker—Hydrology Section
Development and Building Services

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

C: CO Clerk—Katrina Sigala
File

DRAINAGE AND TRANSPORTATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Jack-In-The-Box
DRB #: _____ EPC #: _____

ZONE MAP/DRG. FILE # H-19/1031
WORK ORDER #: _____

LEGAL DESCRIPTION Lots 1,2 & 6, Sombra Del Monte Subdivision
CITY ADDRESS: 7601 Menaul Boulevard NE

ENGINEERING FIRM: Tierra West, LLC
ADDRESS: 5571 Midway Park Place NE
CITY, STATE: Albuquerque, NM

CONTACT: Jon Niski, PE
PHONE: (505) 858-3100
ZIP CODE: 87109

OWNER: Penn Station Partners I, LLC
ADDRESS: 320 Osuna Rd. NE, Suite G-3
CITY, STATE: Albuquerque, NM

CONTACT: Scott Whittington
PHONE: 505-338-2284
ZIP CODE: 87107

ARCHITECT: Larry J. Click & Associates
ADDRESS: 3444 N. Country Club, Suite 105
CITY, STATE: Tuscon, AZ

CONTACT: Larry Click
PHONE: 520-327-6670
ZIP CODE: 85716

SURVEYOR: Cartesian Surveys
ADDRESS: 2104 Southern Blvd
CITY, STATE: Rio Rancho, NM

CONTACT: Will Plotner, Jr
PHONE: 505-896-3050
ZIP CODE: 87124

CONTRACTOR: Brycon Construction
ADDRESS: 134 Rio Rancho Blvd.
CITY, STATE: Rio Rancho, NM

CONTACT: Cameron Langdon
PHONE: 505-892-6163
ZIP CODE: 87124

CHECK TYPE OF SUBMITTAL:

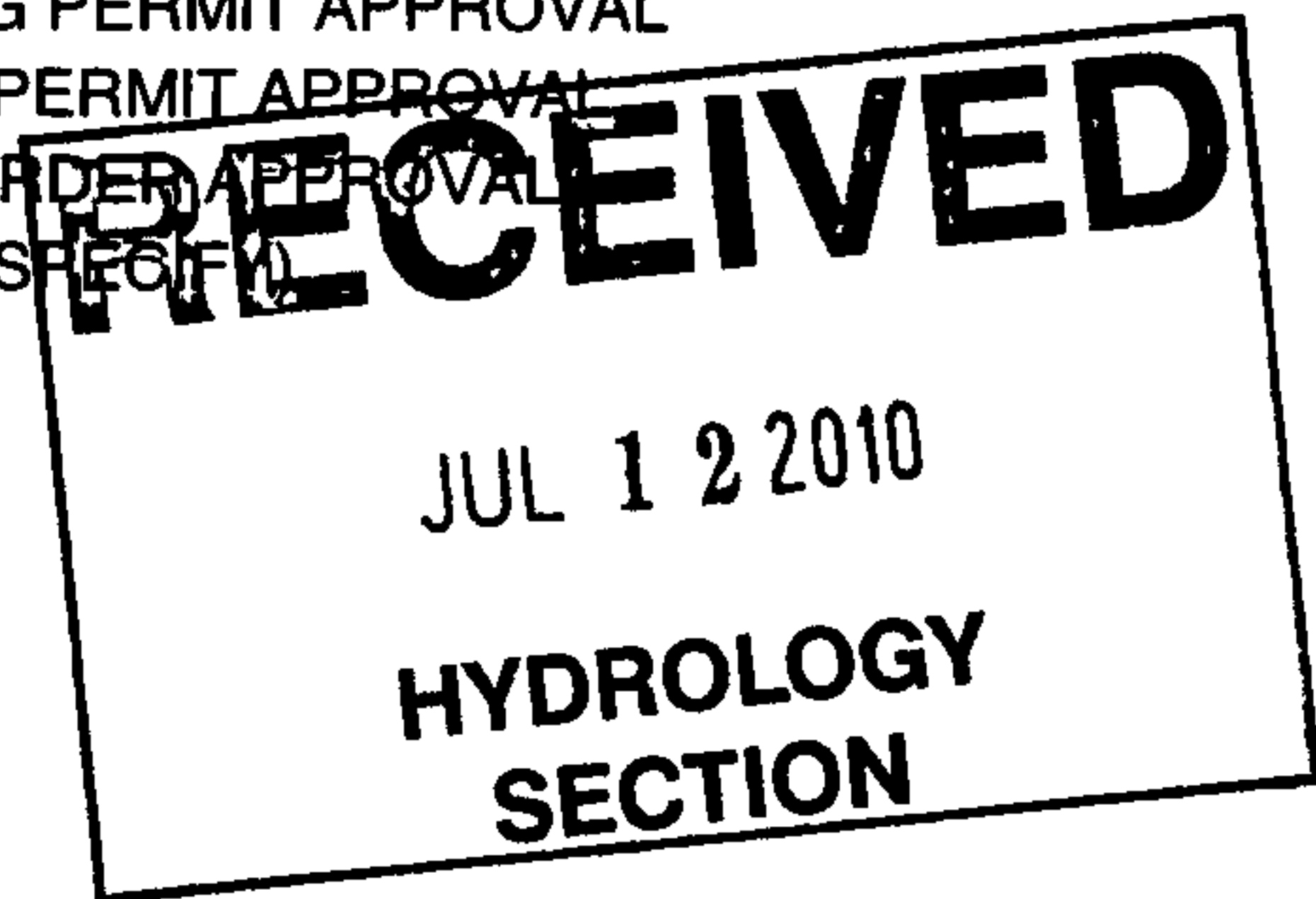
- ☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL, **REQUIRES TCL or equal**
☐ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL GRADING & DRAINAGE PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☒ ENGINEER'S CERTIFICATION (HYDROLOGY)
☐ CLOMR/LOMR
☐ TRAFFIC CIRCULATION LAYOUT (TCL)
☐ ENGINEERS CERTIFICATION (TCL)
☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
☐ OTHER: _____

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANACIAL GUARANTEE RELEASE
☐ 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 (PERM.)
☐ CERTIFICATE OF OCCUPANCY (TEMP.)
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ WORK ORDER APPROVAL
☐ OTHER (SPECIFY) _____

WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
☒ NO
☐ COPY PROVIDED

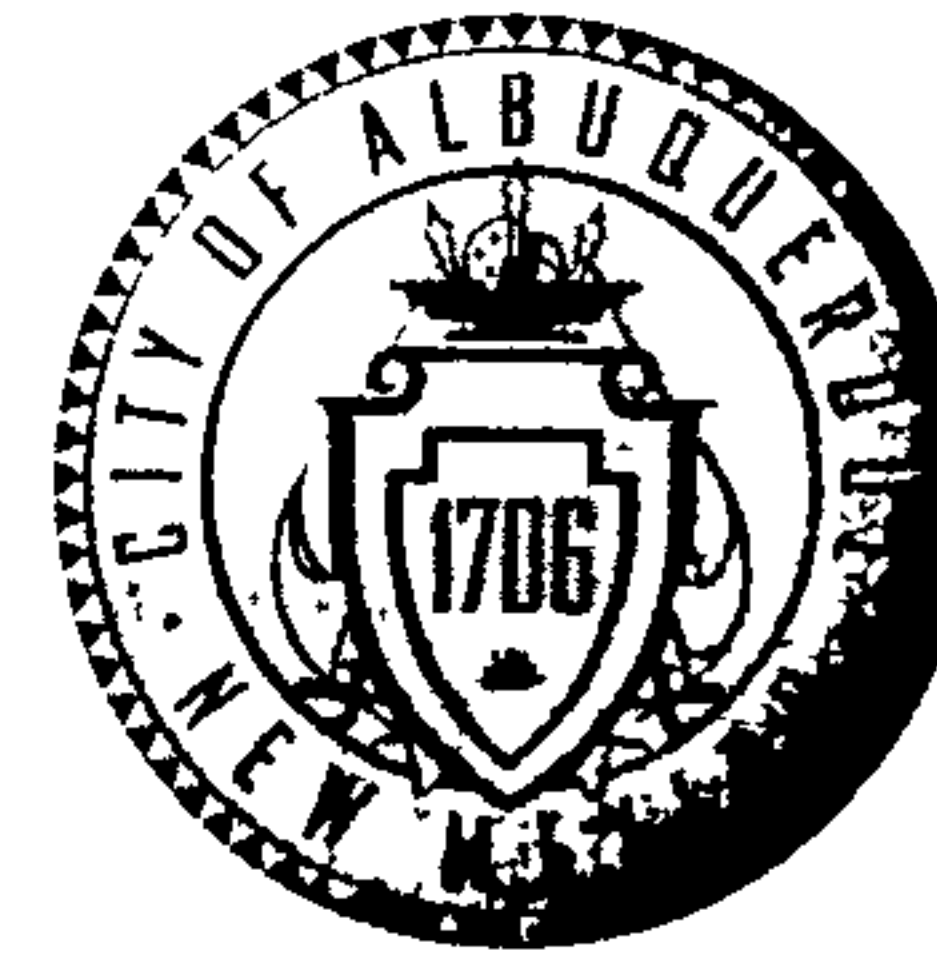


DATE SUBMITTED: 7/9/2010 BY: Jonathan D. Niski, P.E.

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plans:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

CITY OF ALBUQUERQUE



July 12, 2010

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

Re: Jack-in-the-Box, 7601 Manual Boulevard NE
Certificate of Occupancy – Transportation Development
Engineer's Stamp dated 09-30-09 (H19-D031)
Certification dated 07-09-10

Dear Mr. Bohannon,

Based upon the information provided in your submittal received 07-12-10, Transportation Development has no objection to the issuance of a Permanent Certificate of Occupancy. This letter serves as a "green tag" from Transportation Development for a Permanent Certificate of Occupancy to be issued by the Building and Safety Division.

If you have any questions, you can contact me at 924-3991.

Sincerely,

Kristal D. Metro, P.E.
Traffic Engineer, Planning Dept.
Development and Building Services

C: CO Clerk
File

DRAINAGE AND TRANSPORTATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Jack-In-The-Box
DRB #: _____ EPC #: _____

ZONE MAP/DRG. FILE # H-19
WORK ORDER #: _____

LEGAL DESCRIPTION Lots 1,2 & 6, Sombra Del Monte Subdivision
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ENGINEERING FIRM: Tierra West, LLC
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CITY, STATE: Albuquerque, NM

CONTACT: Jon Niski, PE
PHONE: (505) 858-3100
ZIP CODE: 87109

OWNER: Penn Station Partners I, LLC
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CITY, STATE: Albuquerque, NM

CONTACT: Scott Whittington
PHONE: 505-338-2284
ZIP CODE: 87107

ARCHITECT: Larry J. Click & Associates
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SURVEYOR: Cartesian Surveys
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CITY, STATE: Rio Rancho, NM

CONTACT: Will Plotner, Jr.
PHONE: 505-896-3050
ZIP CODE: 87124

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ADDRESS: 134 Rio Rancho Blvd.
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CONTACT: Cameron Langdon
PHONE: 505-892-6163
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- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1st SUBMITTAL, **REQUIRES TCL or equal**
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- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
- ☐ CLOMR/LOMR
- ☒ TRAFFIC CIRCULATION LAYOUT (TCL)
- ☐ ENGINEERS CERTIFICATION (TCL)
- ☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
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CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANACIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
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- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☒ CERTIFICATE OF OCCUPANCY (PERM.)
- ☐ CERTIFICATE OF OCCUPANCY (TEMP.)
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY) _____

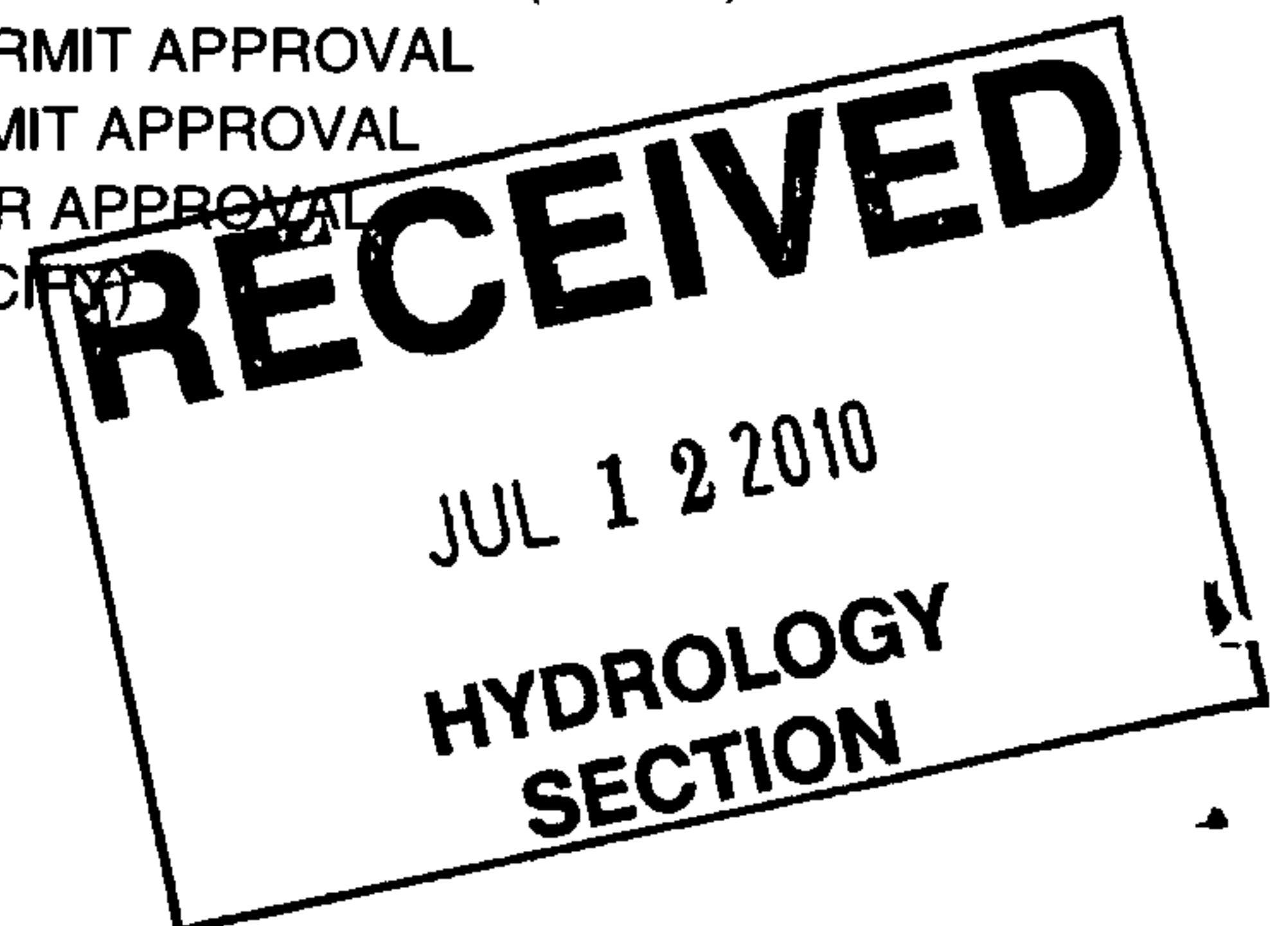
WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
- ☒ NO
- ☐ COPY PROVIDED

DATE SUBMITTED: 7/9/2010 BY: Jonathan D. Niski, P.E.

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

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3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.



gar

TIERRA WEST, LLC

July 9, 2010

Mr. Nilo Salgado-Fernandez, P.E.
Development and Building Services
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Traffic Circulation Layout Certification for
Permanent Certificate of Occupancy
Jack-in-the-Box
7601 Menaul Blvd. NE**

Dear Mr. Salgado-Fernandez:

I, Ronald R. Bohannon, NMPE # 7868, of the firm Tierra West LLC, hereby certify that this project is in substantial compliance with and in accordance with the design intent of the TCL approved plan dated October 8, 2009. I further certify that I have personally visited the site on July 8, 2010 and have determined by visual inspection that the survey data provided is representative of actual site conditions and is true and correct to the best of my knowledge and belief. This certification is submitted in support of a request for Permanent Certificate of Occupancy.

The record information presented hereon is not necessarily complete and intended only to verify substantial compliance of the traffic aspects of this project. Those relying on the record document are advised to obtain independent verification of its accuracy before using it for any other purpose.

Enclosed, please find the information sheet and the as-built approved Traffic Circulation Layout. All punchlist items have been completed. Therefore, we request approval of the as-built Traffic Circulation Layout for a Permanent Certificate of Occupancy

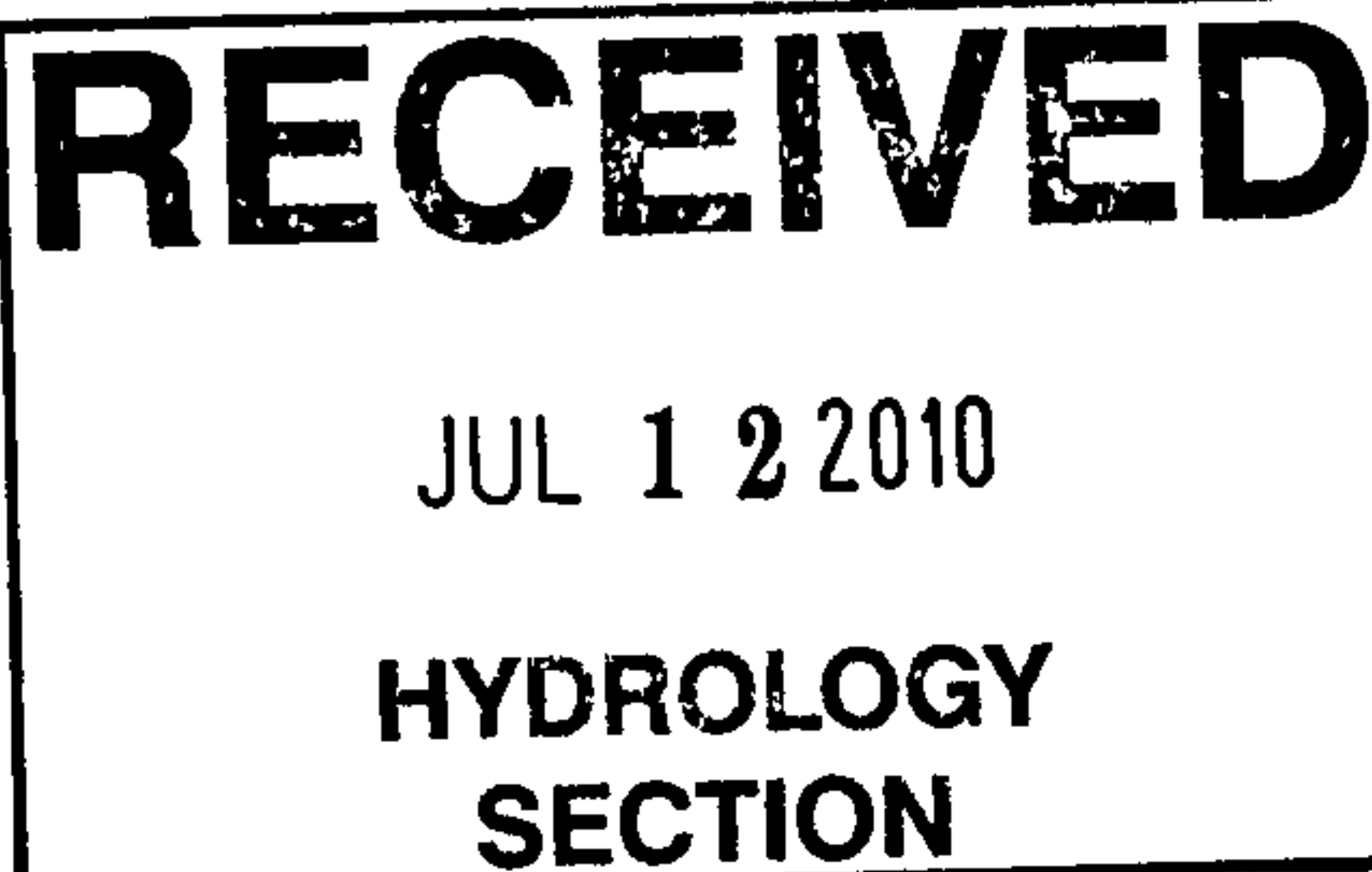
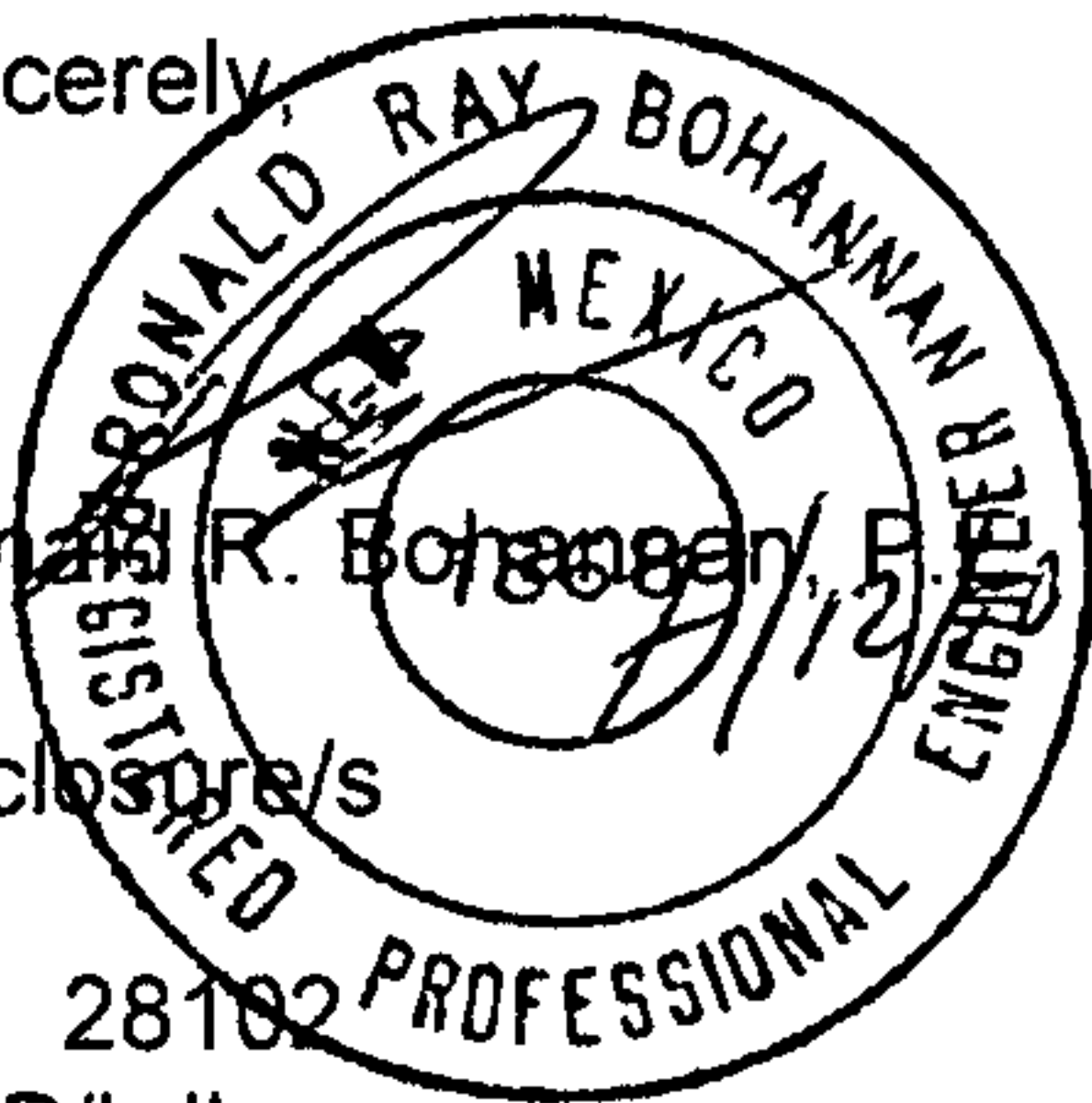
If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

Ronald R. Bohannon, P.E.

Enclosure/s

JN: 28102
RRB/kdk



2008-28102 Nilo Perm CO Letter 070910

5571 Midway Park Place NE
(505) 858-3100
Albuquerque, NM 87109
Fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

19.00

H-19/0031

ASSIGNMENT AND AMENDMENT TO REVOCABLE PERMIT

NAME OF PROJECT: Jack in the Box
ORIGINAL PERMITTEE/ASSIGNOR: Brycon Corporation, Inc.
NEW PERMITTEE/ASSIGNEE: The Ellen C. Fuchs Trust and The Charles Ledden Trust
CITY PROJECT # 679782 /

THIS ASSIGNMENT AND AMENDMENT is made this 15th day of July, 2010 by the City of Albuquerque, New Mexico ("City") and (the original Permittee) Brycon Corporation, Inc. ("Assignor") and (the new Permittee), The Ellen C. Fuchs Trust AND The Charles Ledden Trust ("Assignee") a trust, whose address is 1743 Edgewood Road, Redwood City, CA 94062 and whose telephone number is (650)363-8363, AND a trust, whose address is 1743 Edgewood Road, Redwood City, CA 94062 and whose telephone number is (650)363-8363, is made in Albuquerque, New Mexico and is effective as of the date of final execution of this Assignment and Amendment. The liabilities and obligations under this Permit between each Assignee shall be joint and several.

WHEREAS, the City and the Assignor entered into a Revocable Permit ("Original Permit") on February 22, 2010, which was recorded on February 23, 2010, in the office of the County Clerk of Bernalillo County, New Mexico as Document No. 20100154452; and

WHEREAS, the Original Permit was required in connection with the Jack in the Box development, City Project No, 679782; and

WHEREAS, the Original Permit provides the Permittee shall not assign any interest in the Permit without the prior written consent of the City; and

WHEREAS, Assignee will become the new owner of Lots numbered One (1), Two (2), and Six (6), Block One (1), Sombra del Monte Subdivision, in the City of Albuquerque, New Mexico, recorded in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, Folio 105 (the "Property"), having acquired its interest by a Warranty Deed, which was recorded on 07-15-2010 in the records of the Bernalillo County Clerk as Document No. 2010071041; and

THEREFORE, the Assignor, Assignee and the City agree:

1. Assignment: Assignor hereby assigns to Assignee all of Assignor's right, title and interest in and to the Original Permit as amended. Assignee hereby accepts said assignment, and assumes the Original Permit as amended, and all of the duties and obligations of Assignor hereunder. All references in the Original Permit as amended to the Assignor as "Permittee" are deleted and the Assignee is substituted hereafter. Assignee agrees that the terms and conditions of the Original Permit as amended which previously applied to Assignor are hereby ratified and confirmed by, and made applicable to Assignee.

Doc# 2010071789

07/19/2010 09:58 AM Page: 1 of 6
ASSN R:\$19.00 M. Toulouse Oliver, Bernalillo County



2. Amending Section 4, Term, Termination and Removal to read as follows: This Permit will remain in effect for a period of twenty (20) years from the date of execution of this Permit. Payment of two thousand dollars (\$2,000.00) for the full term is expected within 30 days of the execution of this agreement.
3. Other Terms Unchanged: Except as amended herein, the terms and conditions of the Original Permit will remain unchanged and will continue in full force and effect unless there is a conflict between the terms and conditions of this Assignment and Amendment and the terms and conditions of the Original Permit, in which case the terms and conditions of this Assignment and Amendment to Original Permit will control.
4. Entire Permit: This Assignment and Amendment contains the entire agreement of the parties and supersedes any and all other understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.
5. Changes to Assignment and Amendment: Changes to this Assignment and Amendment are not binding unless made in writing, signed by all parties.
6. Form not Changed: Assignor and Assignee agree that changes to this form are not binding unless initialed by both on this form.
7. Authority to Execute: If the Assignor signing below was not the prior owner of the Property, or the Assignee is not the present owner of the Property, the true past and/or present owner(s) must execute and deliver to the City a Power of Attorney or other evidence of authority which is acceptable to the City, establishing the authority of the Assignor and/or Assignee to sign this Assignment and Amendment.

Executed on the date stated in the first paragraph of this Amendment.

ASSIGNOR: BRVCON CORPORATION

By (signature): 

Name (printed): PHIL R. CASALS

Title: CEO

Date: 7/12/2010

(Corporate Resolution attached)

ASSIGNEE: THE ELLEN C. FUCHS TRUST

By (signature): 

Name (printed): ELLEN C. FUCHS

Title: Trustee

Date: 7/12/2010

ASSIGNEE: THE CHARLES LEDDEN TRUST

By (signature): 

Name (printed): Charles Ladden

Title: Trustee

Date: 7/12/2010

ASSIGNOR'S NOTARY

STATE OF NEW MEXICO)
)ss.

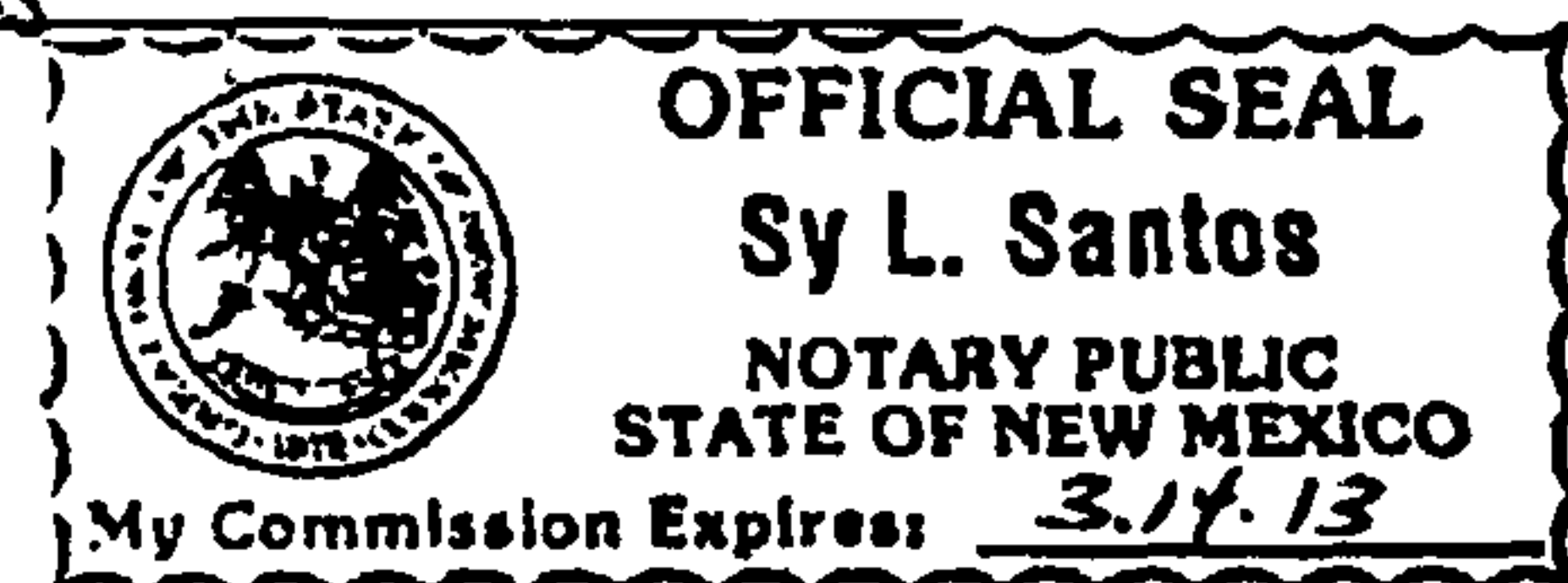
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 12th day of July, 2010,
by [name of person:] Phil R. Casano, [title or capacity, for
instance, "President" or "Owner":] Chief Financial Officer (with Corporate resolution) of
[Permittee:] Drycon Corporation.

Notary Public

My Commission Expires:

3.14.13



ASSIGNEE'S NOTARY

STATE OF NEW MEXICO)
)ss.

COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this _____ day of _____, 20____,
by [name of person:] _____, [title or capacity, for
instance, "President" or "Owner":] _____ of
[Permittee:] _____.

Notary Public

My Commission Expires:

ASSIGNEE'S NOTARY

STATE OF NEW MEXICO)
)ss.

COUNTY OF BERNALILLO)

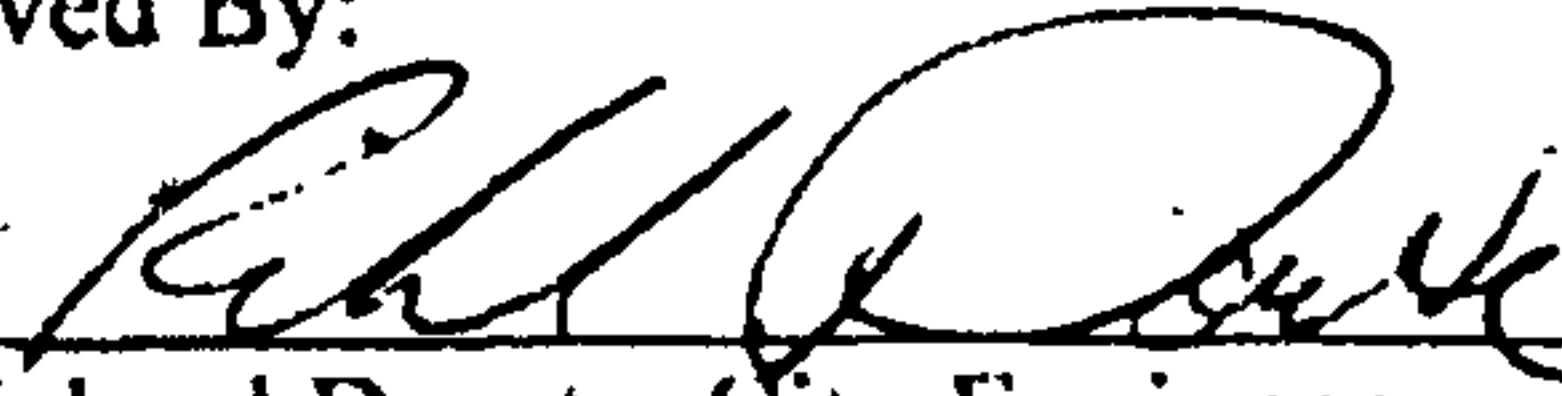
This instrument was acknowledged before me on this _____ day of _____, 20____,
by [name of person:] _____, [title or capacity, for
instance, "President" or "Owner":] _____ of
[Permittee:] _____.


Notary Public

My Commission Expires:

CITY OF ALBUQUERQUE:

Approved By:

By: 
Richard Dourte, City Engineer
Date: 7-15-10


 7/15/10

7-15-10

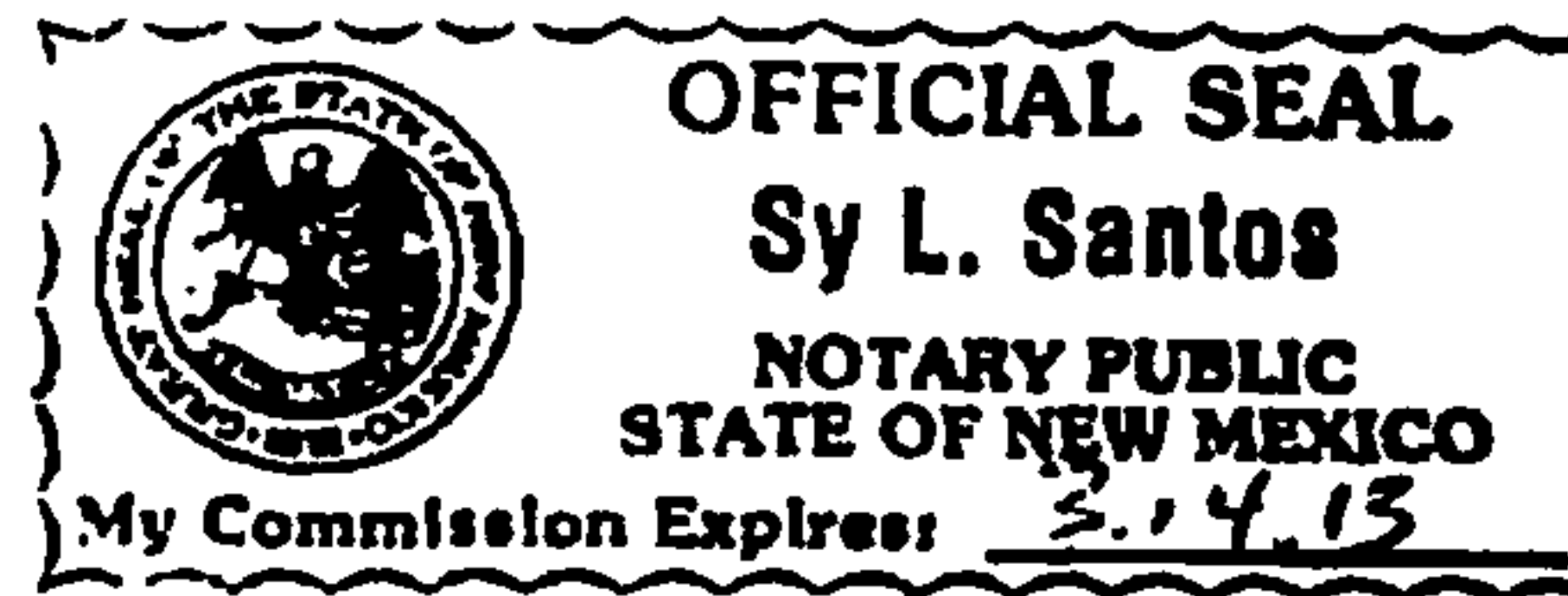
CITY'S NOTARY

STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 15th of July, 20 10,
by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation, on behalf
of the municipal corporation.


Notary Public

My Commission Expires:
3.14.13



STATE OF California)SS
COUNTY OF San Mateo)

On July 12, 2010, before me S. Maloney, Notary Public

Notary Public, personally appeared Charles Ledden -

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature

S. Maloney



My Commission Expires: 3-11-13.

This area for official notarial seal

Assignment and Amendment to Revocable Permit

Mail Tax Statements To: **SAME AS ABOVE**

STATE OF California)SS
COUNTY OF San Mateo)

On July 12, 2010, before me S. Maloney, Notary Public

Notary Public, personally appeared Ellen C. Fuchs -

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature

S. Maloney

My Commission Expires: 3-11-13.



This area for official notarial seal



Assignment and Amendment to Revocable Permit

Mail Tax Statements To: SAME AS ABOVE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/14/2010

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lovitt & Touche' Inc - Tucson P. O. Box 32702 Tucson AZ 85751-2702	CONTACT NAME: Bobbie Reynolds		
	PHONE (A/C, No, Ext): 520-722-3000	FAX (A/C, No): 520-722-7245	
	E-MAIL ADDRESS: breynolds@lovitt-touche.com		
	PRODUCER CUSTOMER ID #: JACKB-2		
INSURED Dancel, LLC DBA Jack in the Box 2343 E Broadway Blvd Ste. 102 Tucson AZ 85719	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Westfield Insurance Group		
	INSURER B: Colorado Casualty Ins Co		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER: 308357760

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	GENERAL LIABILITY			CBP3552494	7/14/2010	7/14/2011	EACH OCCURRENCE \$1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$5,000
							PERSONAL & ADV INJURY \$1,000,000
							GENERAL AGGREGATE \$2,000,000
							PRODUCTS - COMP/OP AGG \$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						\$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
B	AUTOMOBILE LIABILITY			BA3552490	7/14/2010	7/14/2011	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000
	<input checked="" type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS						\$
	<input type="checkbox"/> NON-OWNED AUTOS						\$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR		CU3552491	7/14/2010	7/14/2011	EACH OCCURRENCE \$5,000,000
	<input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$5,000,000
	DEDUCTIBLE						\$
	<input checked="" type="checkbox"/> RETENTION \$0						\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			WCP4785061	5/21/2010	5/21/2011	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N	N/A				E.L. EACH ACCIDENT \$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$1,000,000
							E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Penn Station Right of Way Work - Project #679782 Revocable Permit. The City of Albuquerque, its agents, employees and elected officials are named additional insured as well as the Ellen C. Fuchs Trust and the Charles Ledden Trsut.

CERTIFICATE HOLDER

CANCELLATION

City of Albuquerque PO Box 1293 Albuquerque NM 87103	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

© 1988-2009 ACORD CORPORATION. All rights reserved.

TREASURER'S REPORT OF DEPOSITS

DEPOSITOR:

Penn Station Partners,
I, LLC

DESCRIPTION:

Jack In The Box

Check No. 1027 - \$2,000.⁰⁰
(for 20 years)

CPN: 679782

COMMENTS:

Revocable Permit for
Jack in the Box

ACCOUNT: 425015

ACTIVITY: 4985000

AMOUNT: \$2,000.00

FUND: _____

ACCOUNT: _____

ACTIVITY: _____

AMOUNT: _____

TOTAL AMOUNT: \$2,000.00

VERIFIED BY: : Pamela Lujan

PHONE NUMBER: 924-3996

DEPOSIT DATE: 7/14/2010

City Of Albuquerque
Treasury Division

7/14/2010 10:51AM LOC: ANNX
RECEIPT# 00133756 WSH 007 TRANSH 0011
Account 425015 Fund 0110
Activity 4985000 TRSASR
Trans Amt \$2,000.00
J24 Misc \$2,000.00
CK \$2,000.00
CHANGE \$0.00

Thank You

1027

PENN STATION PARTNERS I LLC

320 OSUNA RD NE STE G3
ALBUQUERQUE, NM 87107

95-654-1070

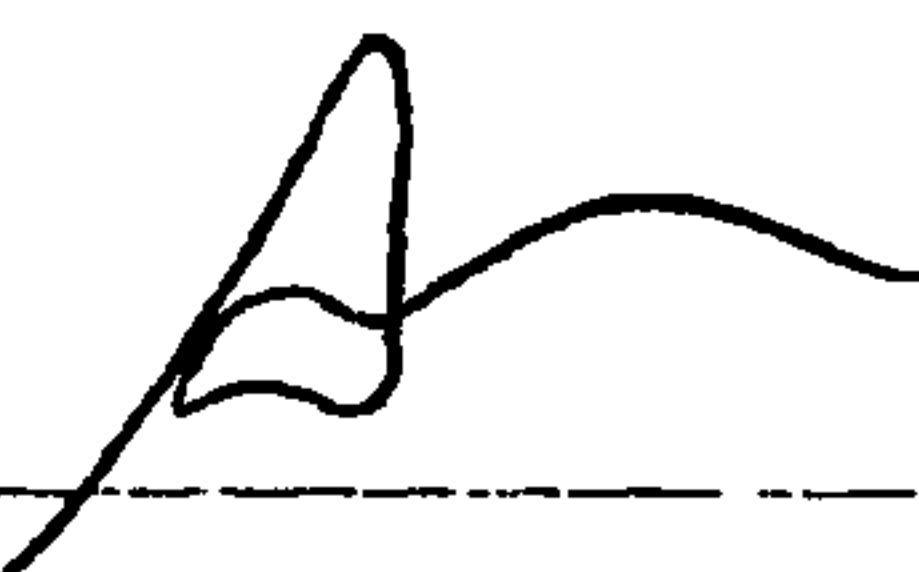
DATE 7/13/10

PAY TO THE ORDER OF CITY OF ALBUQUERQUE \$2,000.⁰⁰

TWO THOUSAND NO/100 DOLLARS

 **NEWMEXICO**
BANK & TRUST
3701 4TH ST NW
Albuquerque, NM 87107
505-830-8348 191

FOR 20 years of Revocable Permit fee



Jack in the Box
679682

10040175CSD Stewart Title

SPECIAL WARRANTY DEED

Penn Station Partners I, LLC, a New Mexico limited company, for consideration paid, grants to Ellen C. Fuchs, Trustee of the Ellen C. Fuchs Trust dated February 3, 1989, amended October 22, 1998 as to an undivided 50% interest and Charles Ledden, Trustee of the Charles Ledden Trust dated July 22, 1999 as to an undivided 50% interest, as Tenants in Common, whose address is 1200 Howard Avenue, Suite 204, Burlingame, California 94010, the property described on Exhibit A, attached hereto and incorporated herein by reference, together with: all improvements, buildings, structures and fixtures located thereon; all easements, if any, benefiting the Property; and all rights, benefits, privileges and appurtenances pertaining to the Property, including any right, title and interest of grantor in and to any property lying in or under the bed of any street, alley, road or right-of-way, open or proposed, abutting or adjacent to the Property.

Subject to the items listed on Exhibit "B," attached hereto; and,

Subject to real property taxes for the year 2010 and years thereafter;

with special warranty covenants.

WITNESS its hand and seal this 9th day of July, 2010.

Doc #2010071041 eRecorded
07/15/2010 01:54:00 PM
Page 1 of 3
SPWD Rec Fee: \$13.00 M.
Toulouse Oliver, Bernalillo

PENN STATION PARTNERS I, LLC, a New Mexico limited liability company

By: [Signature]
SCOTT WHITTINGTON, Manager

ACKNOWLEDGMENT

COUNTY OF BERNALILLO)

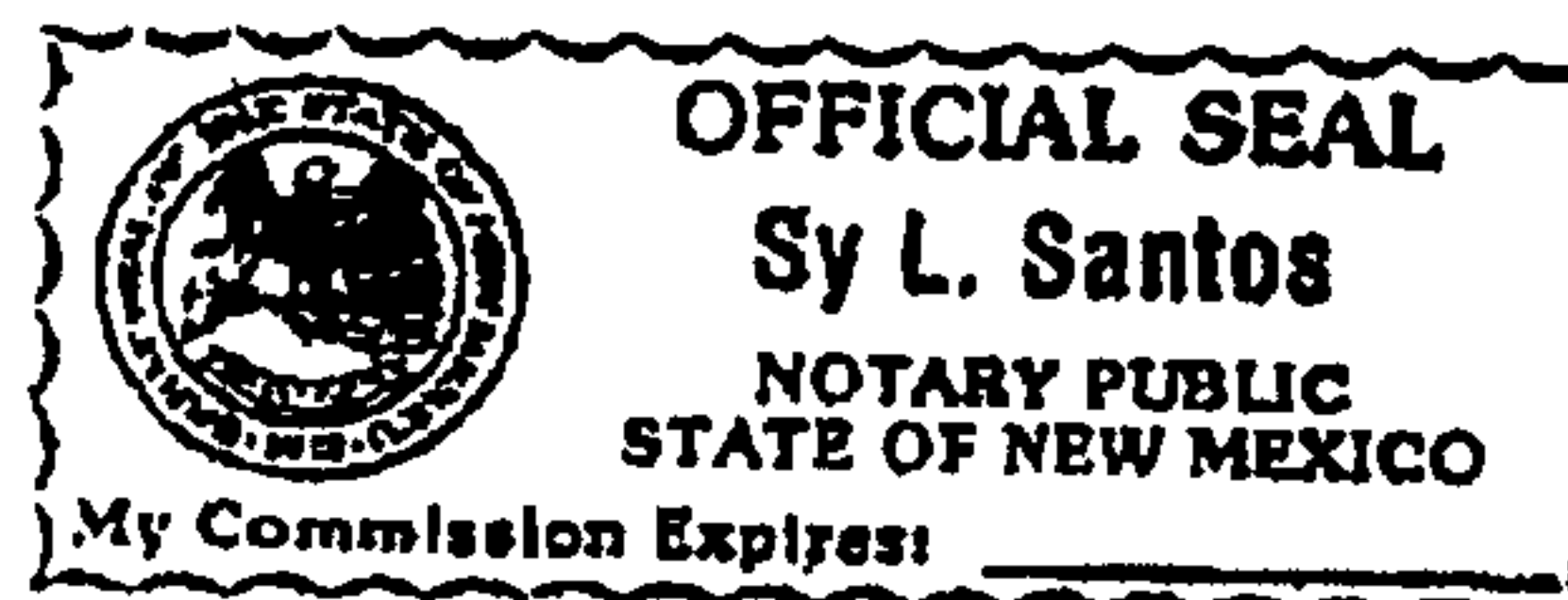
STATE OF NEW MEXICO) ss

This instrument was acknowledged before me on July 9th 2010, by Scott Whittington, Manager of Penn Station Partners I, LLC, a New Mexico limited liability company.

(Seal)

[Signature]
Notary Public

My Commission Expires: 3.14.13



21⁹³

REVOCABLE PERMIT

679782

THIS REVOCABLE PERMIT, ("Permit") made and entered into this 22 day of February, 2010, by and between the City of Albuquerque, New Mexico, a municipal corporation (hereinafter referred to as the "City") as grantor and Brycon Corporation, Inc. (hereinafter collectively referred to as the "Permittee") as permittee.

WITNESSETH, that in consideration of the mutual obligations and covenants herein, the parties hereto do mutually agree as follows:

1. Permit. Subject to the terms and conditions of this Permit, the City grants Permittee the right to construct, install, operate, maintain, replace and remove 1.) a 4" PVC sewer line extending from the trash dumpster and connecting to the main sewer line (Item "A" on attached site plan), and 2.) a ¾" irrigation line tying back into the irrigation water meter, (Item "B" on attached site plan), hereinafter referred to as the "Facility", within the public right-of-way constituting a 16 foot wide alleyway extending east from Pennsylvania Avenue just North of Menaul Blvd. as shown on the drawing which is attached hereto as Exhibit A and made a part of this Permit (hereinafter referred to as the "Location"), which Location is adjacent to the following described parcels:

"Item A" legal description involves two parcels: Lots numbered Two (2) and Six (6) in Block number One of SOMBRA DEL MONTE SUBDIVISION, in the City of Albuquerque, New Mexico, as the same is shown and designated on the amended plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, folio 105. and 006 001 SOMBRA DEL MONTE, and

"Item B" legal description involves two parcels: Lots numbered One (1) and Six (6) in Block number One of SOMBRA DEL MONTE SUBDIVISION, in the City of Albuquerque, New Mexico, as the same is shown and designated on the amended plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, folio 105. and 006 001 SOMBRA DEL MONTE

2. Use. The Permittee shall use the Location solely for the construction, installation, operation, maintenance, replacement and removal of the Facility described above, and will not use it for any other purpose whatsoever without first obtaining the written consent of the City.

3. Compensation. As compensation for this Permit, the Permittee shall pay the City a one time administrative fee of \$500.00 plus the sum of One Hundred Dollars (\$100.00) for each year this Permit is in effect (hereinafter referred to as the "Annual Fee").

The Annual Fee shall be paid to the City upon execution of this Permit, and by the same month and day each year thereafter for the term of this Permit.

4. Term, Termination and Removal. This Permit will remain in effect for a period of one (1) year from the date of execution of this Permit (hereinafter referred to as the "Term"), unless terminated and revoked as a result of:

a. The Permittee's breach of any provision of or default in the performance of any obligation pursuant to this Permit. If Permittee breaches any of the provisions hereof or is in default in the performance of any obligation imposed hereunder, the City may give thirty (30) days written notice (the "Notice Period") to the Permittee of the termination of this Permit. If the Permittee remains in default or the breach of any provision hereof remains uncured at the end of the Notice Period, this Permit shall terminate; or

Doc# 2010015452

02/23/2010 01:58 PM Page: 1 of 7
AGRE R: \$21.00 M. Toulouse Oliver, Bernalillo County

- b. The Permittee's giving the City written notice ninety (90) days in advance of termination; or
- c. The City's giving the Permittee written notice ninety (90) days in advance of termination; or
- d. An order of a court of competent jurisdiction.

Upon termination of this Permit and any renewal hereof, the Permittee shall abandon the use of the Facility, and shall remove the Facility and restore the right-of-way as nearly as possible to the condition it was in prior to removal, all at the sole expense of the Permittee.

If, after termination and within thirty (30) days after being directed to do so by the City, the Permittee fails to remove the Facility and restore the right-of-way, the City may perform the work and the Permittee shall reimburse the City within thirty (30) days after the City submits a bill to the Permittee for the reasonable costs of such work.

Termination of this Permit for any reason shall not release the Permittee from any liability or obligation relating to the installation, operation, maintenance or removal of the Facility or any other term of this Permit.

5. Renewal of Permit. If both the City and the Permittee wish to extend the Term of this Permit, then, before the expiration of the Term, the City and the Permittee shall enter into good faith negotiations, the object of which will be to agree upon the terms of a renewal of this Permit. The agreement of the City shall not be unreasonably withheld, conditioned or delayed. If an agreement is reached, all terms, including the agreed-upon consideration, shall be reduced to writing, signed by both parties.

6. Location, Installation, Maintenance and Removal. At its own expense, the Permittee shall install, construct and maintain the Facility of such material, and in a manner that will not at any time be a source of danger to, or interfere with the City's present or future use of the right-of-way, or the use of the right-of-way by any utility presently franchised by the City, or interfere with its use as a public way. If during installation it becomes evident that the Permittee's proposed installation will interfere with existing City installations or any existing underground installations, then the Permittee shall modify its installation at the Location to avoid the conflict, after obtaining the City's approval for the change, at the sole expense of the Permittee. All permits required by the City for work within the right-of-way will be the responsibility of the Permittee's contractor.

After installation of the Facility, the Permittee shall back-fill, compact, repair and repave all resulting trenches, curbs, gutters and pavement to the satisfaction of the City, restoring them to as close to their original condition as is reasonably possible.

If, in the judgment of the City, the Permittee at any time fails to perform its obligations under this section, the City, at the City's option, may perform whatever work the City deems necessary for the public safety, health and welfare, and the Permittee shall reimburse the City within thirty (30) days after the City submits a bill to the Permittee for the reasonable costs of performing such work. However, the City is not required to perform such work, and any failure by the City to perform the Permittee's obligations shall not release the Permittee from liability for any loss or damage caused by

the Permittee's failure to perform its obligations.

Installation, maintenance and removal of the Facility shall be accomplished in a manner which will not unreasonably impede traffic adjacent to the Location or impede its use as a public way, as determined by the City. The timing and manner of such construction, maintenance and removal shall be done in compliance with the City's requirements.

If the Facility, or any part thereof, is the cause of an emergency condition, and the City determines that the situation makes it unreasonable to notify the Permittee or await action by the Permittee, the City may take whatever actions it deems necessary to remedy the emergency situation at the sole expense of the Permittee, which will reimburse the City within thirty (30) days after the City submits a bill to the Permittee for the reasonable costs of such actions.

7. As-Builts. Upon completion of the construction and installation of the Facility, the Permittee shall promptly provide the City with one set of reproducible as-built, record drawings, reflecting construction and installation as actually accomplished.

8. Insurance. During the Term of this Permit, including renewals, if any, the Permittee shall obtain and maintain liability insurance in an amount of not less than \$1,000,000 combined single limit for accidents or occurrences which cause bodily injury, death or property damage to any member of the public caused by or related to the construction, installation, operation, maintenance, replacement, removal or other activity related to the Facility. The insurance policy shall name the City of Albuquerque, its employees and elected officials, as their interest may appear, as additional insured. Any cancellation provision must provide that if the policy is cancelled prior to the expiration date of the Permit, materially changed or not renewed, the issuing company will mail thirty (30) days written notice to the City, Attention: Risk Management. A certificate of insurance in compliance with the above must be furnished to the City with the execution of this Permit and prior to commencement of construction.

9. Indemnity/Liability. At all times the Permittee shall defend, indemnify and save harmless the City, its officers, agents and employees against all claims, demands, damages and causes of action which results from or arises out of the construction, installation, operation, maintenance, replacement or removal of the Facility including any loss, damage or expense arising out of loss of or damage to property, injury to or death of persons, or mechanics' or other liens of any character, or taxes or assessments of any kind, except to the extent or degree that the City itself is found contributorily negligent. To the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Permit, this Permit to indemnify 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 indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give direction or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property. The indemnification required hereunder shall not be limited as a result of the specifications of any applicable insurance coverage. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico.

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

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

12. Captions. The captions to the sections or paragraphs of this Permit are not part of this Permit and will not affect the meaning or construction of any of its provision.

13. Binding Effect; Tenant Performance. This Permit is binding upon and inures to the benefit of the successors and/or assigns of the parties. Any tenant of Permittee may perform Permittee's obligations hereunder, provided that Permittee shall remain liable hereunder.

14. Compliance with Laws. The Permittee and its contractors shall comply with all federal, state and local laws, ordinances, regulations and rules and will not discriminate illegally against any person. The Permittee's attention is specifically drawn to 62-14-1 et seq. NMSA, (1978 Comp., 1984 Repl. Pamphlet) regarding excavation damage to pipelines and underground utility lines.

15. Applicable Law. This Permit is governed by and construed and enforced in accordance with the laws of the State of New Mexico.

16. Construction and Severability. If any part of this Permit is held to be invalid or unenforceable, the remainder of this Permit will remain valid and enforceable if the remainder of the Permit is reasonably capable of completion.

17. Assignment. The Permittee shall not assign any interest in this Permit without the prior written consent of the City, which consent shall not be unreasonably withheld.

18. Notice. For purposes of giving formal written notice to the Permittee, the Permittee's address is:

Brycon Corporation
134 Rio Rancho Blvd NE
Rio Rancho, NM 87124
(505) 892-6163
(505) 892-3371 fax

For purposes of giving formal, written notice to the City, the City's address is:

Mayor
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Copies of any notices to the City must also be given to:

City Engineer
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Written notice must be made either personally or by certified United States mail. If the notice is mailed, the notice will be complete 3 days after deposited in the United States mail, postage

paid, and addressed as required in this section. Notice of change of address will be given in the same manner as required by this section.

19. Joint and Several Liability. The Permittee shall be jointly and severally liable to the City for the performance of Permittee's obligations pursuant to this Permit.

20. Approval Required. This Permit shall not become effective or binding until approved by the City Engineer.

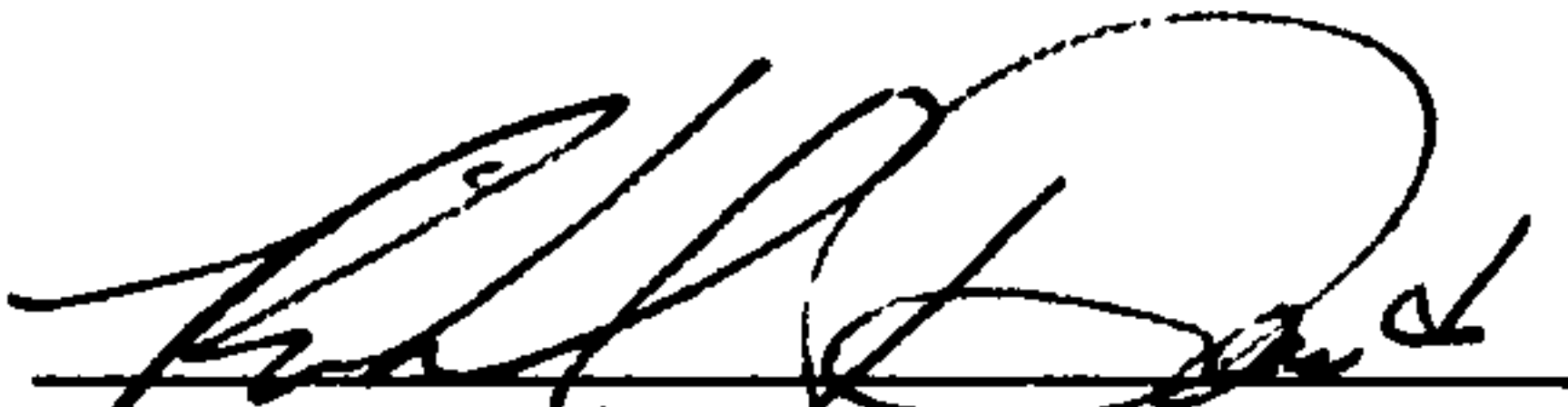
IN WITNESS WHEREOF, the City and the Permittee have executed this Revocable Permit the day and year first above written.

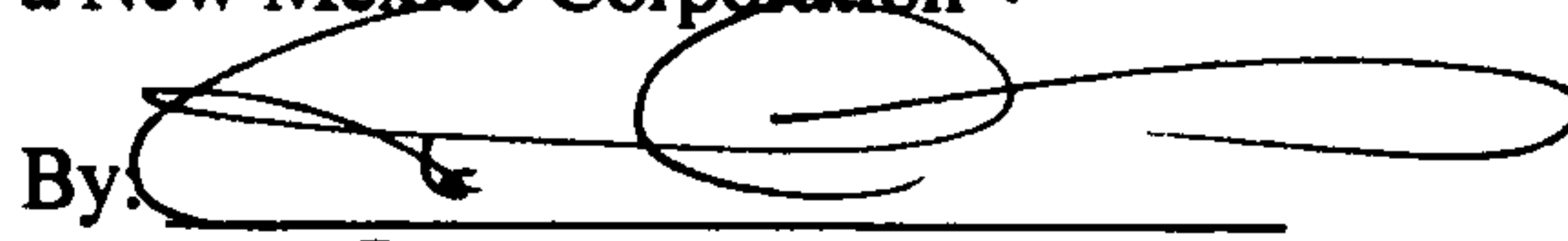
CITY OF ALBUQUERQUE:

PERMITTEE:

Approved By:

Brycon Corporation, Inc.
a New Mexico Corporation


Richard Dourte, City Engineer
Planning Department
Date: 2-22-10

By: 
Name: Phil R. Casaus
Title: CFO
Date: 2/11/2010

2/18/10
Director, Parks and Recreation
Date: _____

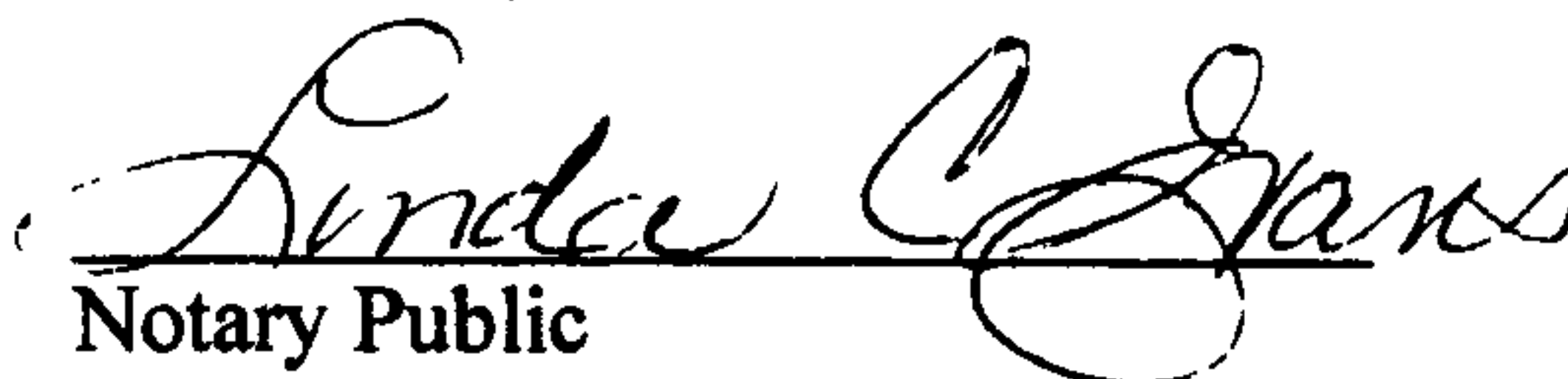
02-16-10

CITY'S NOTARY

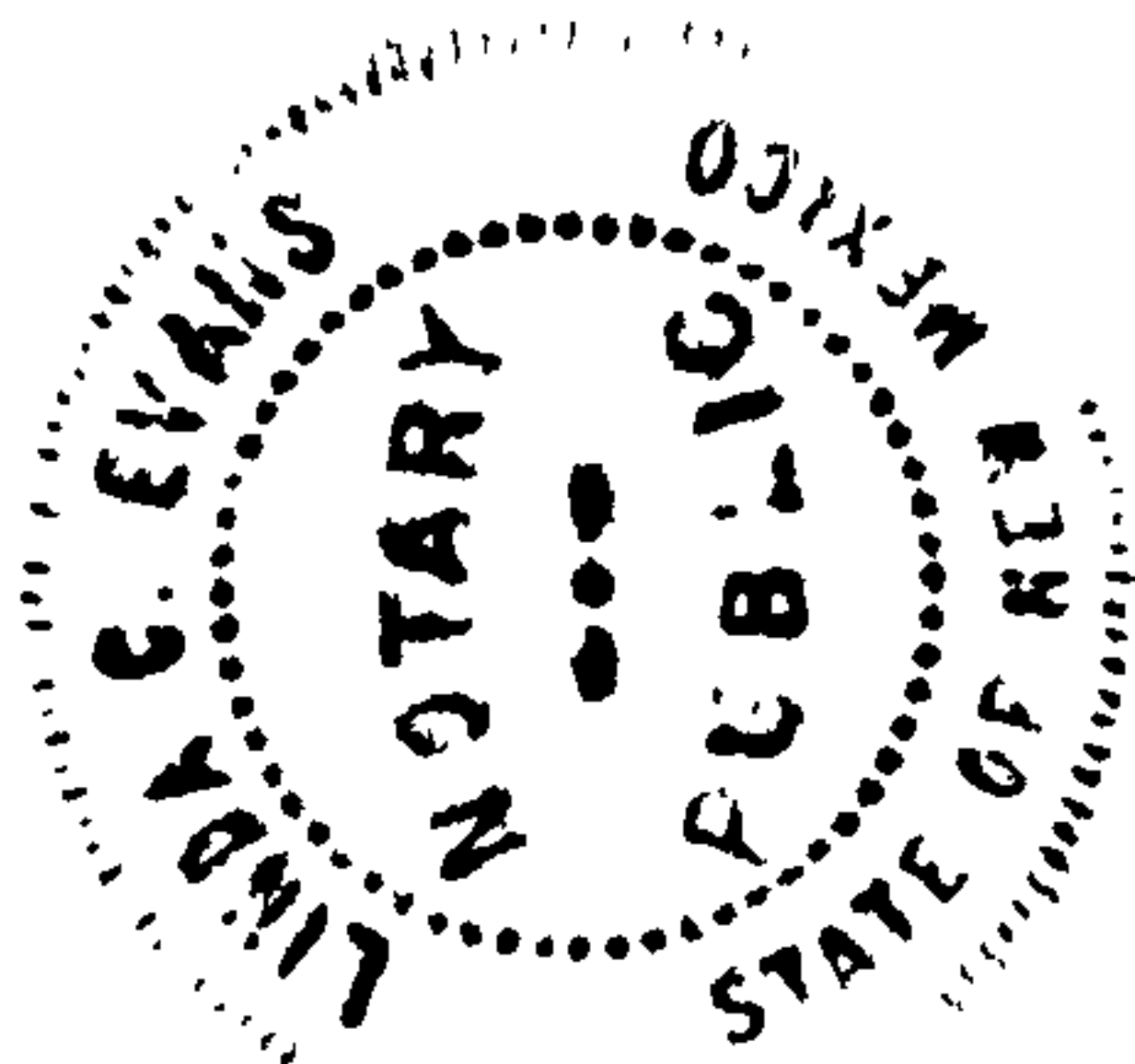
STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 22ND day of February, 2010, by Richard Dourte, City Engineer of the City of Albuquerque, a municipal corporation on behalf of said corporation.

(SEAL)


Notary Public

My Commission Expires:
10-07-12



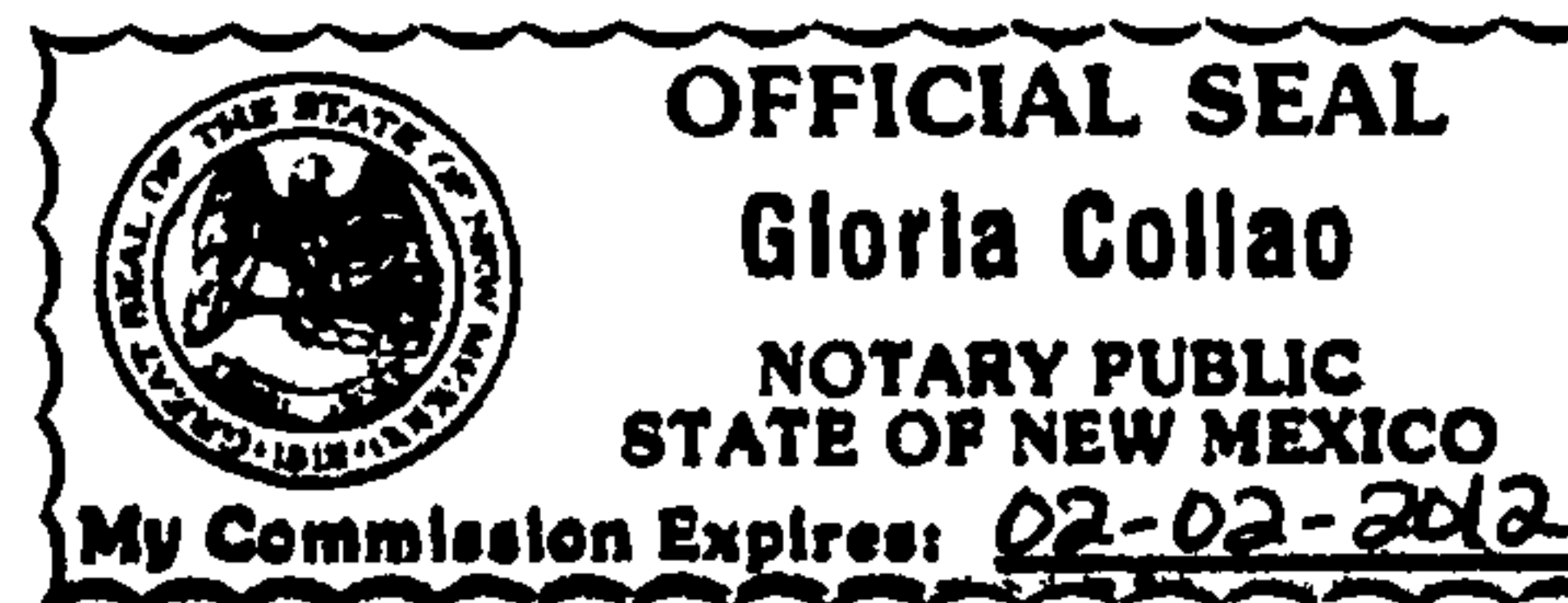
PERMITTEE'S NOTARY

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 11th day of February, 2010, by Phil Casaus, _____ of Brycon Corporation, a New Mexico Corporation on behalf of said Company.

Gloria Collao
Notary Public

My Commission Expires:
02-02-2012





North

Lot numbered Six (6) in Block number One of SOMBRA DEL MONTE SUBDIVISION, in the City of Albuquerque, New Mexico, as the same is shown and designated on the amended plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, folio 105.

006 001 SOMBRA DEL MONTE

DUMPSTER DRAIN
GRATE=5349.00
INV=5347.00

ITEM "B"

CONNECT TO
EX. 12" SAS
INV=5338.45

CONNECT TO
EX. 12" SAS
INV=5339.09

EXISTING 18" ALLEYWAY

GREASE
INTERCEPTOR

GRATE=5347.20
INV=5345.53

C.O.
INV=5345.66

NEW TRANSFORMER

C.O.
INV=5346.08

ITEM "A"

DOUBLE C.O.
INV=5345.00

GAS METER

Lot numbered Two (2) in Block number One of SOMBRA DEL MONTE SUBDIVISION, in the City of Albuquerque, New Mexico, as the same is shown and designated on the amended plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, folio 105.

002 001 SOMBRA DEL MONTE

Lot numbered One (1) in Block number One of SOMBRA DEL MONTE SUBDIVISION, in the City of Albuquerque, New Mexico, as the same is shown and designated on the amended plat of said Subdivision, filed in the office of the County Clerk of Bernalillo County, New Mexico on July 28, 1948 in Plat Book C, folio 105.

001 001 SOMBRA DEL MONTE

Menaul Blvd

Pennsylvania Rd.

PER
DWG
LIVE

FIRELINE

ACE
COA
485

TREASURER'S REPORT OF DEPOSITS

Depositor: *Penn Station Partners
I, LLC*

Project Name: *Jack in the
Box*

Check No. *1014 - \$100⁰⁰
1013 - \$500⁰⁰*

CPN: *479782*

Comments:
*Revocable Permit Fee
Jack in the Box*

Account: *425015*

Activity: *4985000*

Amount: *600⁰⁰*

Total Amount: *600⁰⁰*
Verified By: *Monica Ortiz*
Phone Number: *924-3975*
Deposit Date: *2/16/10*

City of Albuquerque
Treasurer's Division

2/16/2010 3:14:30 PM LOC: AM/3
RECEIPT# 00115978 WPM 004 TRANSM 0016
Account 425015 Fund 0110
Activity 4985000 TRBCAC
Total Amt \$600.00
Total Amt \$600.00
Total Amt \$500.00
Total Amt \$100.00
Total Amt \$0.00

Metro, Kristal D.

From: Metro, Kristal D.
Sent: Thursday, May 27, 2010 3:04 PM
To: 'Jon Niski'
Cc: Salgado-Fernandez, Nilo E.
Subject: Jack In The Box, X-Sections
Attachments: 28102-X_Sections.pdf

Jon,
The cross section you have provided is acceptable to Transportation Development.
-Kristal Metro, City of Albuquerque Transportation Development

From: Jon Niski [mailto:JNiski@tierrawestllc.com]
Sent: Thursday, May 27, 2010 2:49 PM
To: Metro, Kristal D.
Subject: Jack In The Box, X-Sections

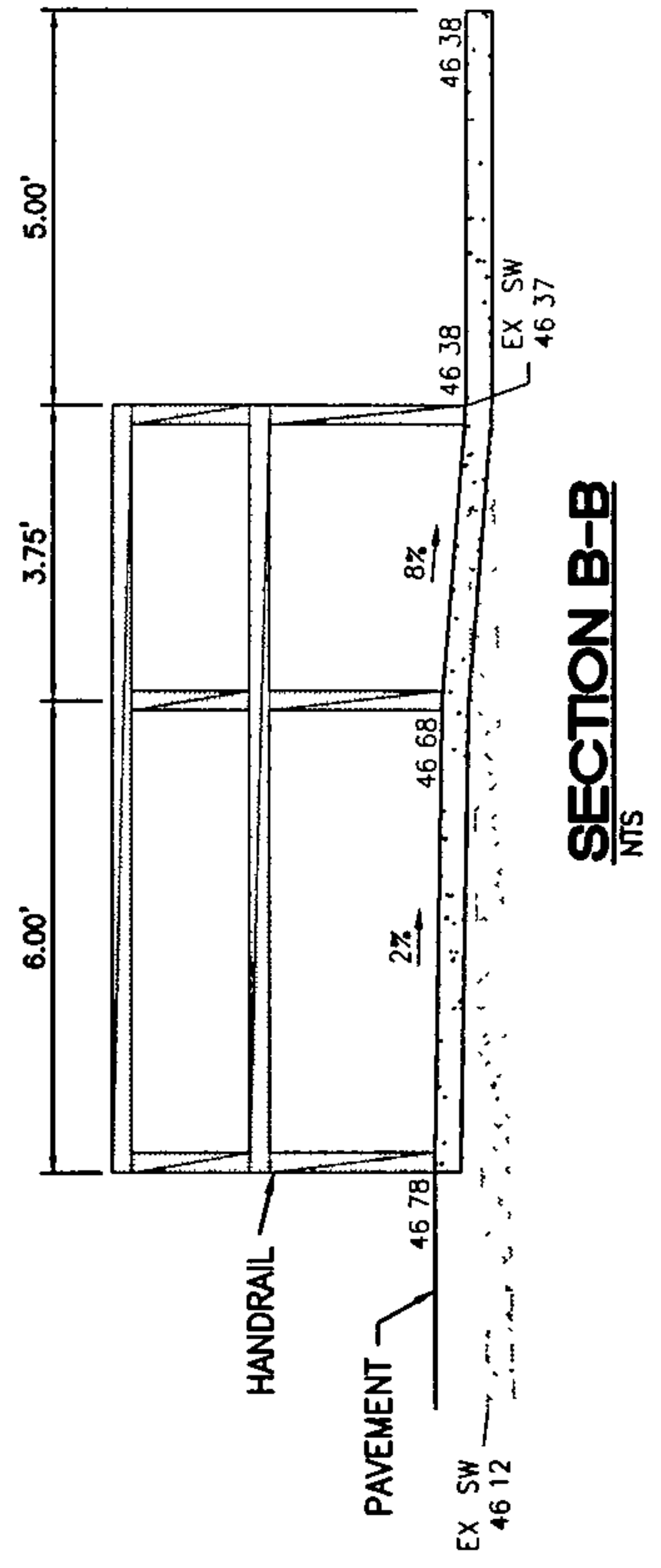
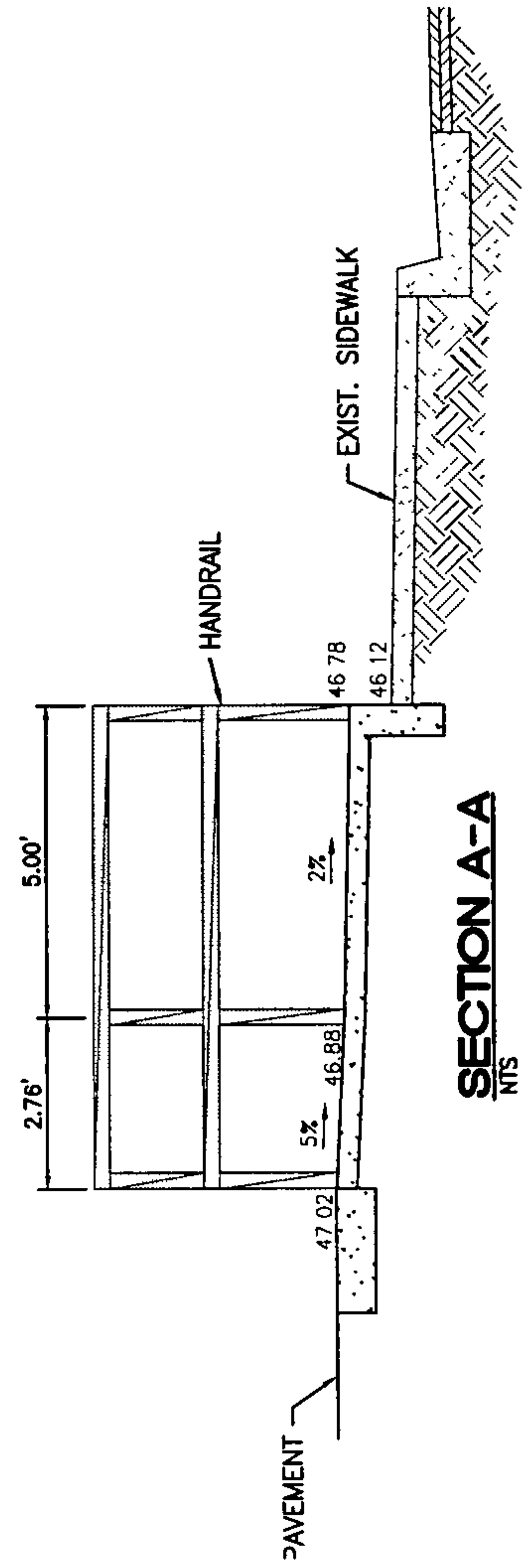
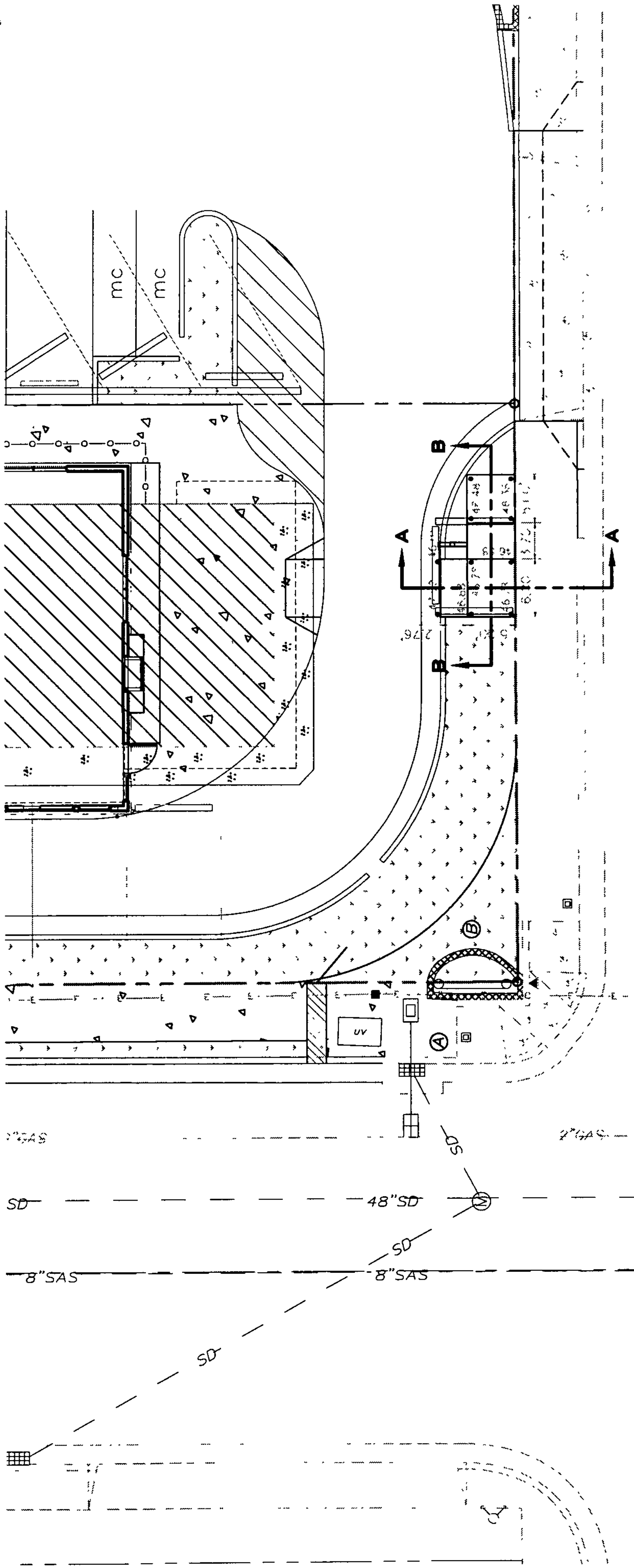
Kristal,

Here is the wheelchair ramp we talked about along with two cross-sections. Please let me know if this is acceptable. Thanks.

Jonathan D. Niski, P.E.
(New Mexico & Texas)

Tierra West LLC
5571 Midway Park Place NE
Albuquerque, NM 87109
Phone: (505) 858-3100
1-800-245-3102
Fax: (505) 858-1118
www.tierrawestllc.com

5/27/2010



CITY OF ALBUQUERQUE



**Planning Department
Transportation Development Services Section**

April 23, 2010

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

Re: Certification Submittal for a Temporary Building Certificate of Occupancy
(C.O.) for Jack-in-the-Box, [H-19 / D031]
7601 Manual Blvd. NE
Engineer's Stamp Dated 04/22/10

Dear Mr. Bohannon:

Based upon the information provided in your submittal received 04-22-10, Transportation Development has approved your request for a 120-day Temporary Certificate of Occupancy. This letter serves as a "green tag" from Transportation Development for a 120-day Temporary Certificate of Occupancy to be issued by the Building and Safety Division.

The following items will need to be addressed prior to issuance of a Permanent Certificate of Occupancy: Cross hatch striping and "No Parking" letter pavement markings at new lighting site and East building; Eradicate drive aisle directional arrows; 24" CMU wall at property (to prevent vehicle cross lot access); 6' width sidewalk connection to Menaul Blvd. will need to be ADA compliant (will be re-done in accordance to submitted Site Plan statement). Once these issues have been addressed you'll need to re-submit the total package for Permanent C.O.

If you have any questions, please contact me at (505)924-3630.

Sincerely,

Nilo E. Salgado-Fernandez, P.E.
Senior Traffic Engineer
Development and Building Services
Planning Department

c: Engineer
Hydrology file
CO Clerk

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

Phone: 505-858-3100
Fax: 505-858-1118

MEMO

TO: Distribution

FROM: Brad Frosch (263-5808)

SUBJECT: Onsite punch list items for Jack in the Box at Menaul and Pennsylvania

CoA Project ID # 679782

JN: 28102

DATE: 04-23-10 Revised

Nilo Salgado- Fernandez (CoA Sr. Traffic Engineer) has provided a preliminary onsite traffic review on 04/22/10.

The following items will need to be corrected:

- 1). Eradicate drive aisle directional arrows.
- 2). Remove existing sidewalk connection and provide ADA compliant sidewalk access from Menaul Blvd.
- 3). Install 24" CMU wall at property line to E to prevent vehicle cross lot access.
- 4). Stripe "No Parking" lettering and crosshatch striping at site lighting bases to E of building.

Please contact this office when item are completed.

cc:

Nilo Salgado Fernandez

Sr Traffic Engineer CoA

Cameron Langdon

Brycon Construction

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

Phone: 505-858-3100
Fax: 505-858-1118

MEMO

TO: Distribution

FROM: Brad Frosch (263-5808)

SUBJECT: Onsite punch list items for Jack in the Box at Menaul and Pennsylvania

CoA Project ID # 679782

JN: 28102

DATE: 04-23-10

Nilo Salgado- Fernandez (CoA Sr. Traffic Engineer) provided a preliminary onsite traffic review on 04/22/10.

The following items will need to be corrected:

- ✓ 1). Install 25' alley transition per CoA Std. Dwg. #2428.
- ✓ 2). Install bollard to protect overhead utility pole at W end of alley. Paint existing and new traffic yellow.
- 3). Eradicate drive aisle directional arrows.
- 4). Remove existing ramp and provide ADA compliant sidewalk access ramp from Menaul Blvd.
- ✓ 5). Install 24" CMU wall at property line to E to prevent vehicle cross lot access.
- ✓ 6). Stripe "No Parking" lettering and crosshatch striping at site lighting bases to E of building.

cc:

Nilo Salgado Fernandez
Cameron Langdon

Sr Traffic Engineer CoA
Brycon Construction

DRAINAGE AND TRANSPORTATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Jack-In-The-Box
DRB #: _____ EPC #: _____

ZONE MAP/DRG. FILE # H-19 1031
WORK ORDER #: _____

LEGAL DESCRIPTION Lots 1,2 & 6, Sombra Del Monte Subdivision
CITY ADDRESS: 7601 Menaul Boulevard NE

ENGINEERING FIRM: Tierra West, LLC
ADDRESS: 5571 Midway Park Place NE
CITY, STATE: Albuquerque, NM

CONTACT: Jon Niski, PE
PHONE: (505) 858-3100
ZIP CODE: 87109

OWNER: Penn Station Partners I, LLC
ADDRESS: 320 Osuna Rd. NE, Suite G-3
CITY, STATE: Albuquerque, NM

CONTACT: Scott Whittington
PHONE: 505-338-2284
ZIP CODE: 87107

ARCHITECT: Larry J. Click & Associates
ADDRESS: 3444 N. Country Club, Suite 105
CITY, STATE: Tuscon, AZ

CONTACT: Larry Click
PHONE: 520-327-6670
ZIP CODE: 85716

SURVEYOR: Cartesian Surveys
ADDRESS: 2104 Southern Blvd
CITY, STATE: Rio Rancho, NM

CONTACT: Will Plotner, Jr.
PHONE: 505-896-3050
ZIP CODE: 87124

CONTRACTOR: Brycon Construction
ADDRESS: 134 Rio Rancho Blvd.
CITY, STATE: Rio Rancho, NM

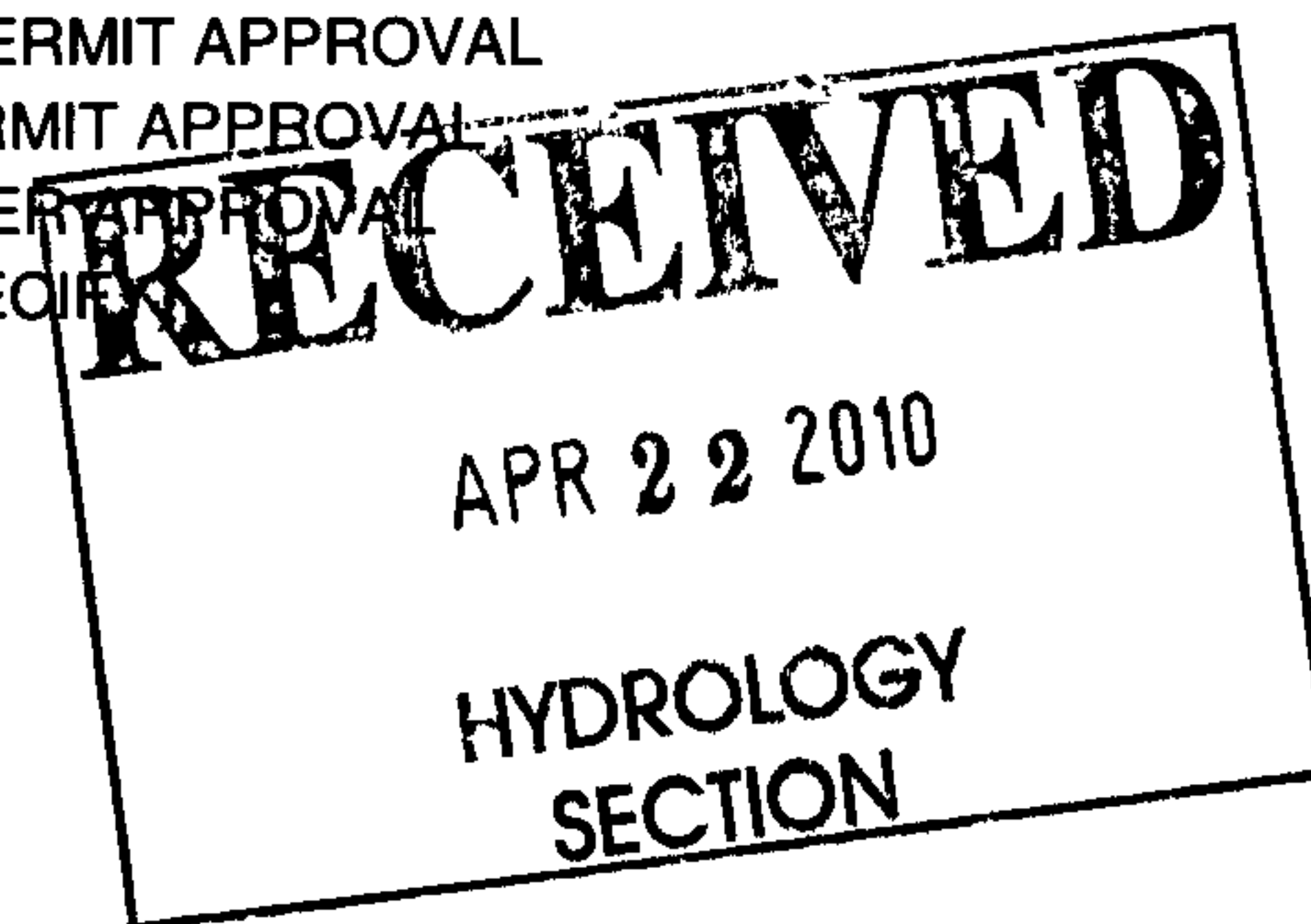
CONTACT: Cameron Langdon
PHONE: 505-892-6163
ZIP CODE: 87124

CHECK TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1st SUBMITTAL, **REQUIRES TCL or equal**
- ☐ DRAINAGE PLAN RESUBMITTAL
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
- ☐ CLOMR/LOMR
- ☐ TRAFFIC CIRCULATION LAYOUT (TCL)
- ☒ ENGINEERS CERTIFICATION (TCL)
- ☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
- ☐ OTHER: _____

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANACIAL GUARANTEE RELEASE
- ☐ 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 (PERM.)
- ☒ CERTIFICATE OF OCCUPANCY (TEMP.)
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY): _____



WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
- ☒ NO
- ☐ COPY PROVIDED

DATE SUBMITTED: 4/22/2010 BY: Jonathan D. Niski, P.E.

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plans:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

gan

TIERRA WEST, LLC

April 22, 2010

Mr. Nilo Salgado-Fernandez, P.E.
Development and Building Services
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

**RE: Traffic Circulation Layout Certification for
Temporary Certificate of Occupancy
Jack-in-the-Box
7601 Menaul Blvd. NE**

Dear Mr. Salgado-Fernandez:

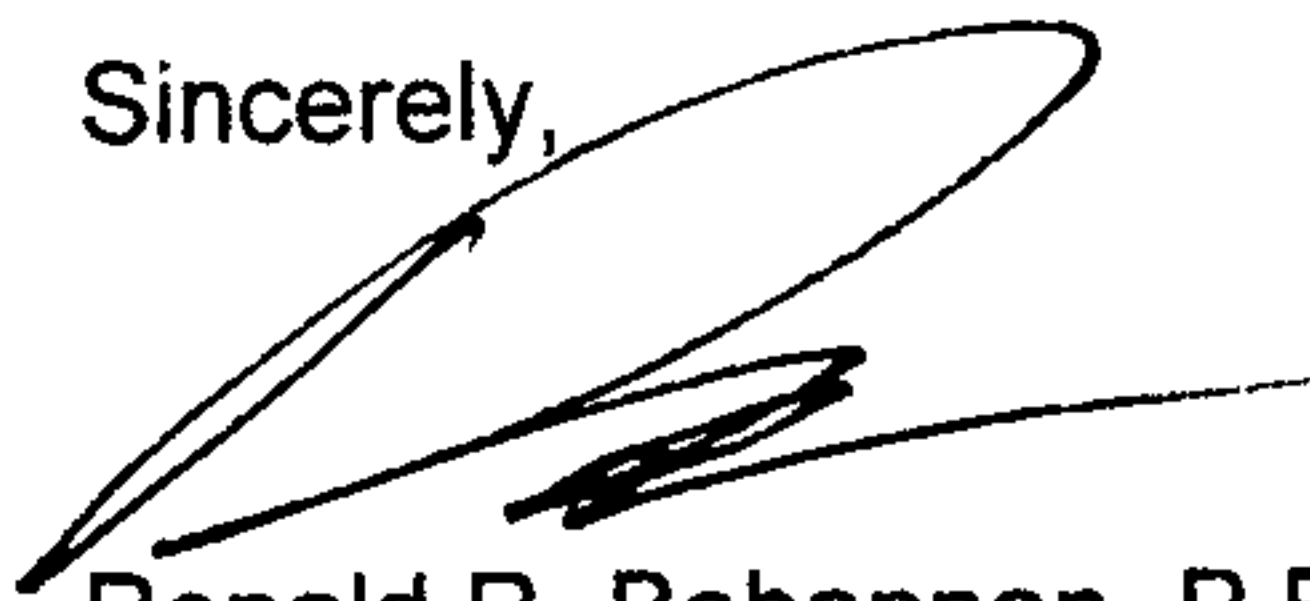
I, Ronald R. Bohannon, NMPE # 7868, of the firm Tierra West LLC, hereby certify that this project is in substantial compliance with and in accordance with the design intent of the TCL approved plan dated October 8, 2009. I further certify that I have personally visited the site on April 21, 2010 and have determined by visual inspection that the survey data provided is representative of actual site conditions and is true and correct to the best of my knowledge and belief. This certification is submitted in support of a request for Temporary Certificate of Occupancy.

The record information presented hereon is not necessarily complete and intended only to verify substantial compliance of the traffic aspects of this project. Those relying on the record document are advised to obtain independent verification of its accuracy before using it for any other purpose.

Enclosed, please find the information sheet and the as-built approved Traffic Circulation Layout. Items remaining for completion include installation of landscaping for the Jack-in-the-Box. Therefore, we request approval of the as-built Traffic Circulation Layout for a Temporary Certificate of Occupancy

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

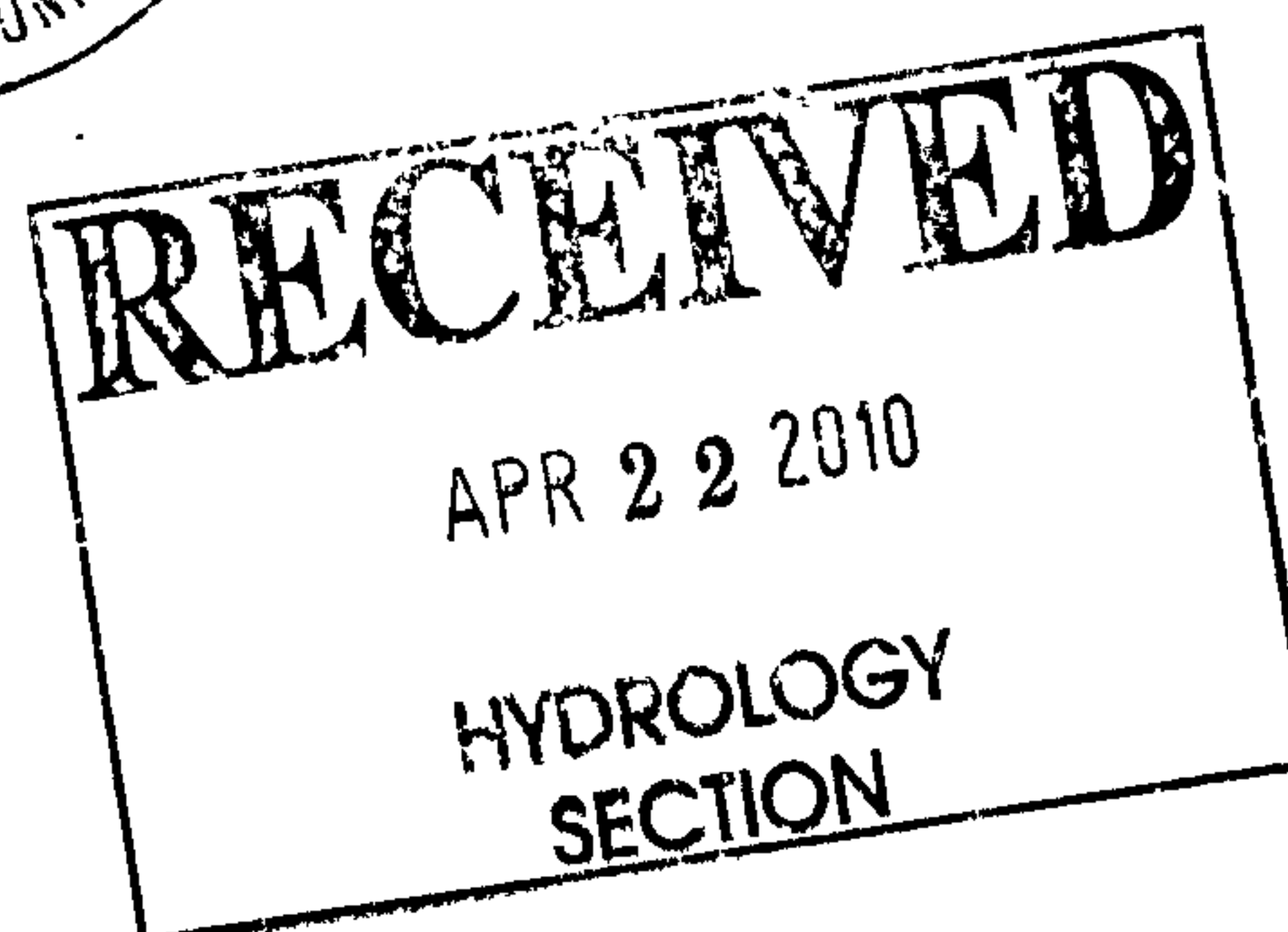
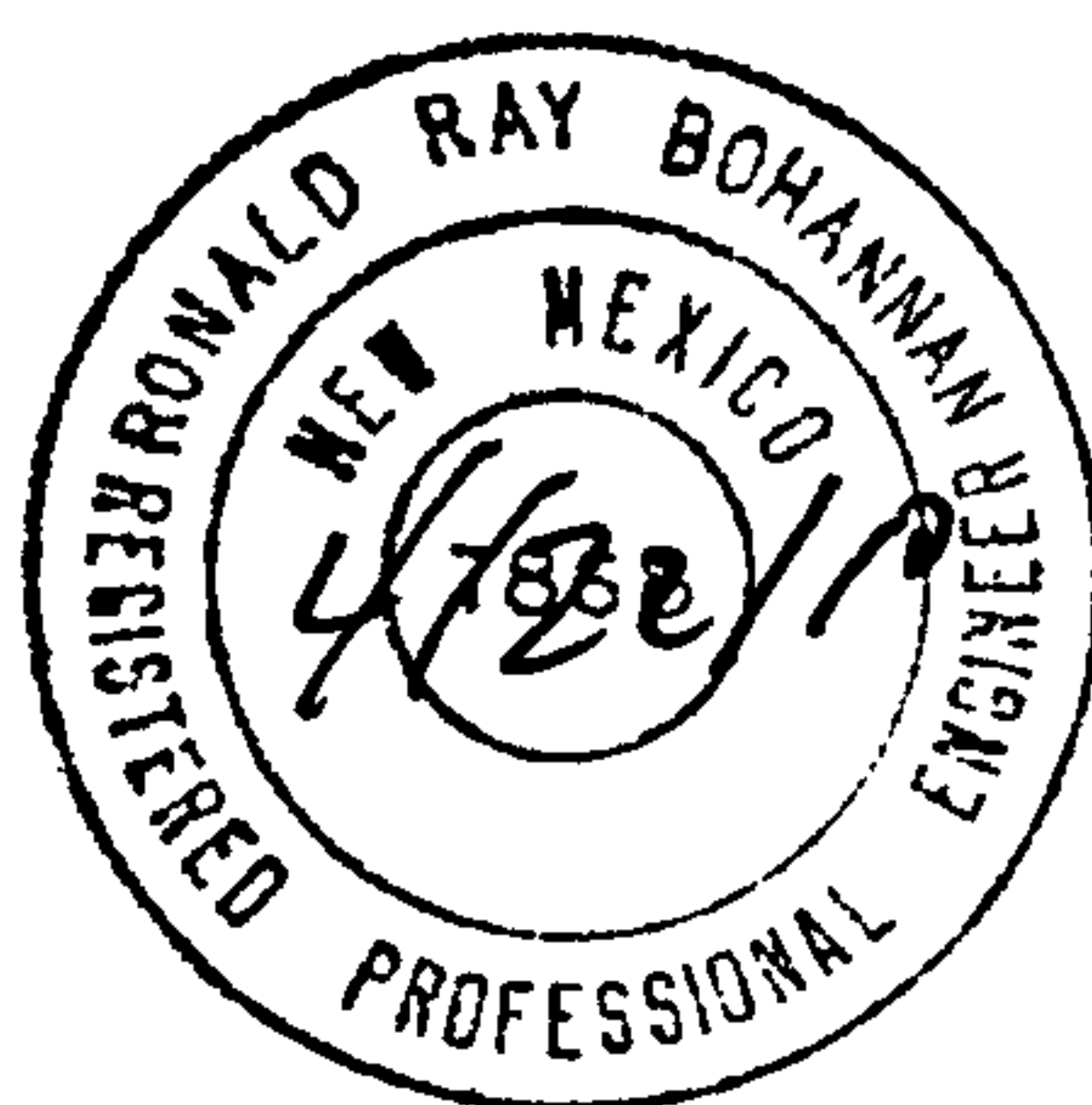
Sincerely,



Ronald R. Bohannon, P.E.

Enclosure/s

JN: 28102
RRB/kdk



2008 28102 Nilo Temp CO Letter 042210

5571 Midway Park Place NE
Albuquerque, NM 87109
(505) 858-3100
Fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

TIERRA WEST, LLC

8509 Jefferson NE
Albuquerque, NM 87113

Phone: 505-858-3100
Fax: 505-858-1118

MEMO

TO: Distribution

FROM: Brad Frosch (263-5808)

SUBJECT: Onsite punch list items for Jack in the Box at Menaul and Pennsylvania

CoA Project ID # 679782

JN: 28102

DATE: 04-23-10

Nilo Salgado- Fernandez (CoA Sr. Traffic Engineer) provided a preliminary onsite traffic review on 04/22/10.

The following items will need to be corrected:

- 1). Install 25' alley transition per CoA Std. Dwg. #2428.
- 2). Install bollard to protect overhead utility pole at W end of alley. Paint existing and new traffic yellow.
- 3). Eradicate drive aisle directional arrows.
- 4). Remove existing ramp and provide ADA compliant sidewalk access ramp from Menaul Blvd.
- 5). Install 24" CMU wall at property line to E to prevent vehicle cross lot access. - 4⁵ bollards
- 6). Stripe "No Parking" lettering and crosshatch striping at site lighting bases to E of building.

cc:

Nilo Salgado Fernandez
Cameron Langdon

Sr Traffic Engineer CoA
Brycon Construction

500H - 440-8255
JEFF 259-6999

**FAX COVER SHEET**

Attention:	Scott Whittington
Phone:	505.440.8255
Fax:	505.924.3864
From:	Sy Santos Executive Assistant Avalon Investments, Inc.
Phone:	505.338.2284
Fax:	505.338.0200
Date:	My 3, 2010
Time:	10:21 a.m.
No. of pages:	2

CITY OF ALBUQUERQUE



October 8, 2009

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

Re: Jack in the Box, 7601 Menaul Blvd NE, Traffic Circulation Layout
Engineer's Stamp dated 09-30-09 (H19-D031)

Dear Mr. Bohannon,

The TCL submittal received 10-01-09 is approved for Building Permit. The plan is stamped and signed as approved. A copy of this plan will be needed for each of the building permit plans. Please keep the original to be used for certification of the site for final C.O. for Transportation. Public infrastructure or work done within City Right-of-Way shown on these plans is for information only and is not part of approval. A separate DRC and/or other appropriate permits are required to construct these items.

PO Box 1293

A separate work order is required for the alley paving improvements. Prior to any certificate of occupancy, this work order must be completed and closed out.

Albuquerque

If a temporary CO is needed, a copy of the original TCL that was stamped as approved by the City will be needed. This plan must include a statement that identifies the outstanding items that need to be constructed or the items that have not been built in "substantial compliance," as well as the signed and dated stamp of a NM registered architect or engineer. Submit this TCL with a completed Drainage and Transportation Information Sheet to Hydrology at the Development Services Center of Plaza Del Sol Building.

NM 87103

www.cabq.gov

When the site is completed and a final C.O. is requested, use the original City stamped approved TCL for certification. A NM registered architect or engineer must stamp, sign, and date the certification TCL along with indicating that the development was built in "substantial compliance" with the TCL. Submit this certification TCL with a completed Drainage and Transportation Information Sheet to Hydrology at the Development Services Center of Plaza Del Sol Building.

Once verification of certification is completed and approved, notification will be made to Building Safety to issue Final C.O. To confirm that a final C.O. has been issued, call Building Safety at 924-3306.

Sincerely,

Kristal D. Metro, P.E.
Traffic Engineer, Planning Dept.
Development and Building Services

C: File

DRAINAGE AND TRANSPORTATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Jack-In-The-Box
DRB #: _____ EPC #: _____

ZONE MAP/DRG. FILE # H-19
WORK ORDER #: _____

LEGAL DESCRIPTION Lots 1,2 & 6, Sombra Del Monte Subdivision
CITY ADDRESS: 7601 Menaul Boulevard NE

ENGINEERING FIRM: Tierra West, LLC
ADDRESS: 5571 Midway Park Place NE
CITY, STATE: Albuquerque, NM

CONTACT: Jon Niski, PE
PHONE: (505) 858-3100
ZIP CODE: 87109

OWNER: Penn Station Partners I, LLC
ADDRESS: 320 Osuna Rd. NE, Suite G-3
CITY, STATE: Albuquerque, NM

CONTACT: Scott Whittington
PHONE: 505-338-2284
ZIP CODE: 87107

ARCHITECT: Larry J. Click & Associates
ADDRESS: 3444 N. Country Club, Suite 105
CITY, STATE: Tuscon, AZ

CONTACT: Larry Click
PHONE: 520-327-6670
ZIP CODE: 85716

SURVEYOR: N/A
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

CONTRACTOR: N/A
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

CHECK TYPE OF SUBMITTAL:

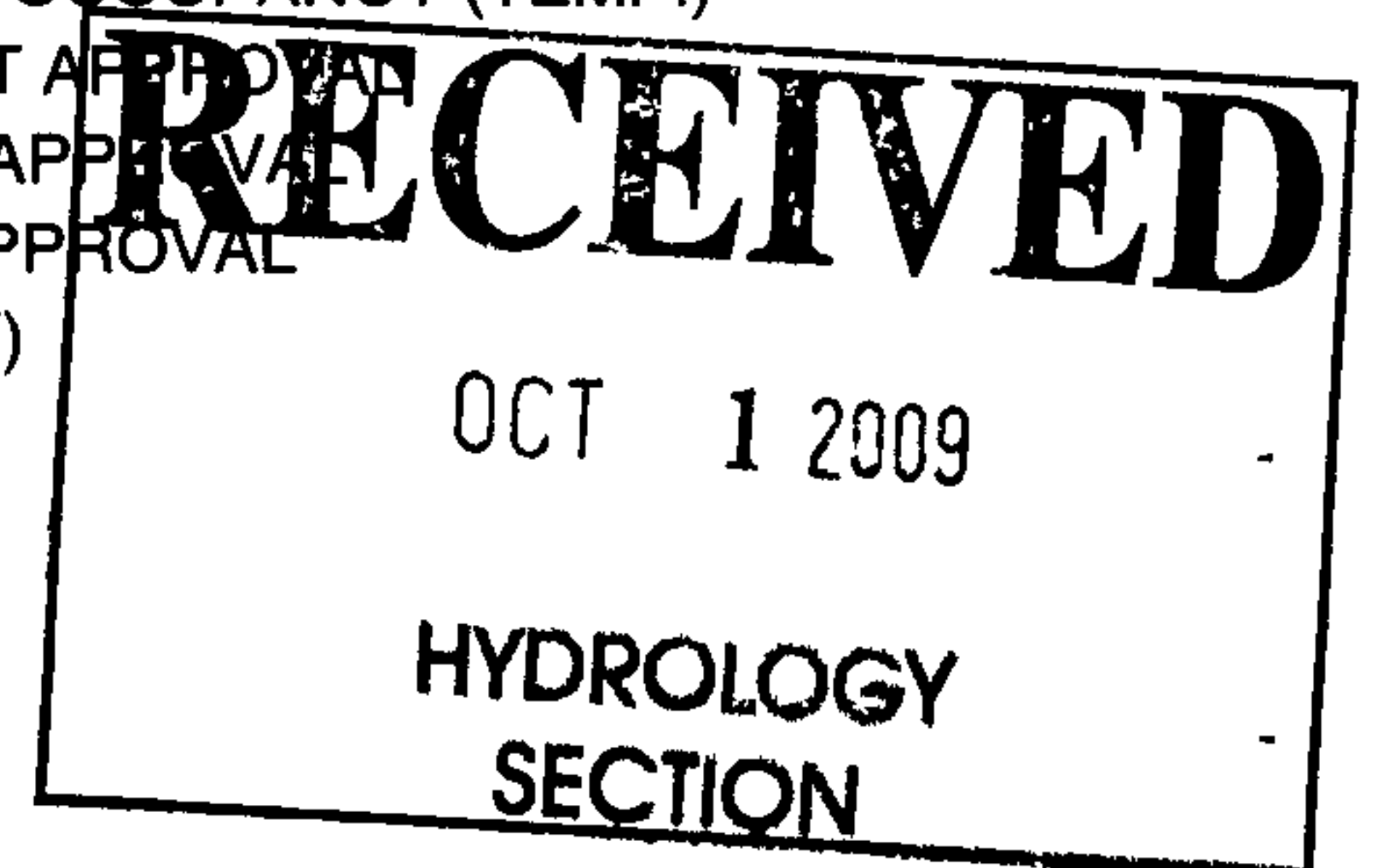
- ☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL, **REQUIRES TCL or equal**
☐ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL GRADING & DRAINAGE PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
☐ CLOMR/LOMR
☒ TRAFFIC CIRCULATION LAYOUT (TCL)
☐ ENGINEERS CERTIFICATION (TCL)
☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
☐ OTHER: _____

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANACIAL GUARANTEE RELEASE
☐ 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 (PERM.)
☐ CERTIFICATE OF OCCUPANCY (TEMP.)
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ WORK ORDER APPROVAL
☐ OTHER (SPECIFY) _____

WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
☒ NO
☐ COPY PROVIDED



DATE SUBMITTED: 10/1/2009 BY: Jonathan D. Niski, P.E.

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plans:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

private

RECIPROCAL EASEMENT FOR COMMON ACCESS AND PARKING

This Easement Agreement is entered into between Penn Station Partners NM, LLC, owner of Lot 1, 2 and 6 in Block 1, Sombra del Monte Subdivision, City of Albuquerque, County of Bernalillo, State of New Mexico, and of Penn Station Partners NM, LLC, owner of Lot 1, 2 and 6 in Block 1, Sombra del Monte Subdivision, City of Albuquerque, County of Bernalillo, State of New Mexico.

The parties have an interest in adjoining real estate situated in the City of Albuquerque, County of Bernalillo, State of New Mexico and described as follows:

Lot 1, 2 and 6 in Block 1, Sombra del Monte Subdivision

The parties desire to create a common access and parking easement between the above-described adjoining lots providing access, from an abutting street, to said lots owned by them for the benefit of each of them; therefore agree as follows.

Subject to any express conditions, limitations or reservations contained herein, owning entity, hereby declares, establishes and grants for the benefits of and as an appurtenance to Lot 1, 2 and 6 in Block 1, Sombra del Monte Subdivision, a non-exclusive and perpetual easement for reasonable access, ingress / egress, and parking over the portion of the lots improved with the development of a drive-thru restaurant as to provide for the passage of motor vehicles and pedestrians between the lots and all abutting streets or rights-of-way furnishing access to the lots.

This easement is superior and paramount to the rights of any parties hereto in the respective servient estates so created, and the parties further agree that it is a covenant that shall run with the land.

The maintenance of the easement areas are the responsibility of the respective property owners.

In witness whereof, the parties hereto have executed this agreement as follows:

Doc# 2009107654

09/24/2009 03:28 PM Page 1 of 3
AGRE R. \$13.00 M. Toulouse Oliver, Bernalillo County



Acknowledged:

Property Owner #1 [Signature]
Printed: SCOTT WHITTINGTON
Date: 09/09/09

Witnessed:

STATE OF NEW MEXICO)
ss)
COUNTY OF BERNALILLO)

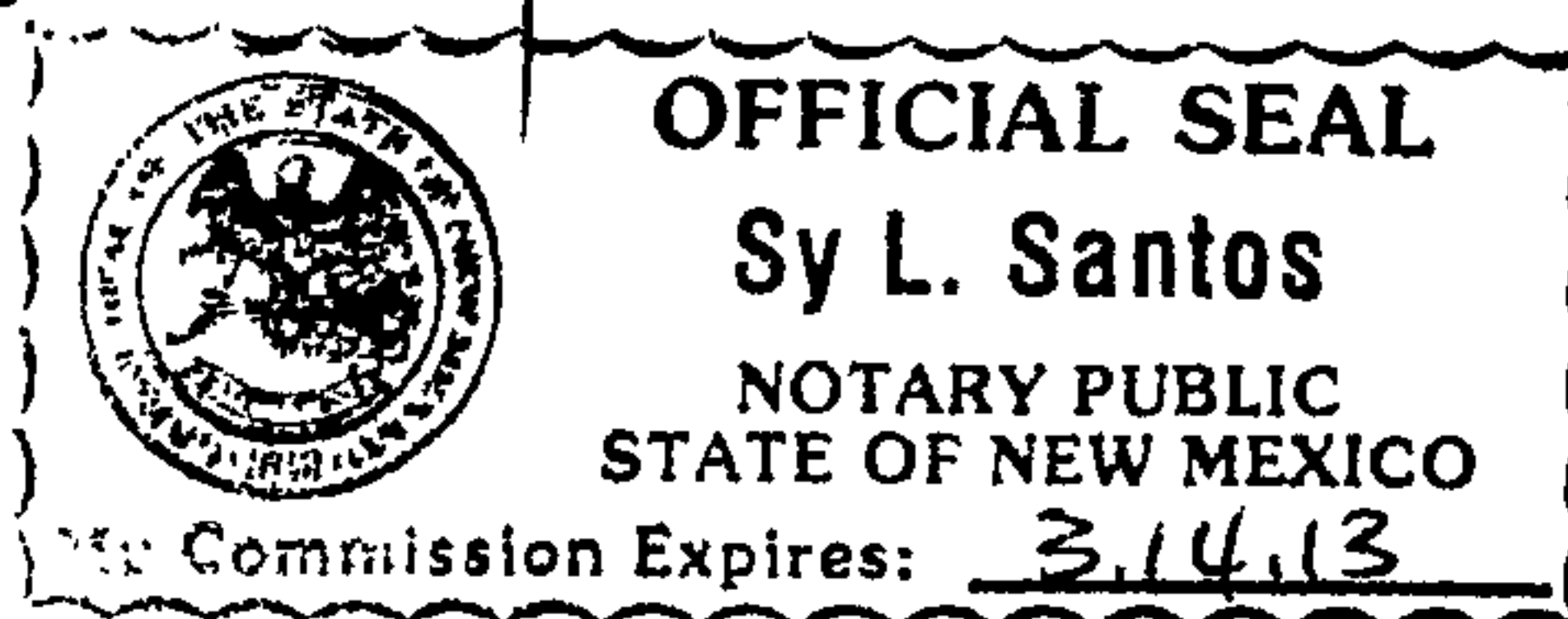
On this 9th day of September, 2009, before me personally appeared SCOTT WHITTINGTON, and to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he (or they) executed the same as his (or their) free act and deed.

[Signature]
Notary Public

My Commission Expires: 3.14.13

Acknowledged:

Property Owner #2 [Signature]
Printed: SCOTT WHITTINGTON
Date: 09/09/09



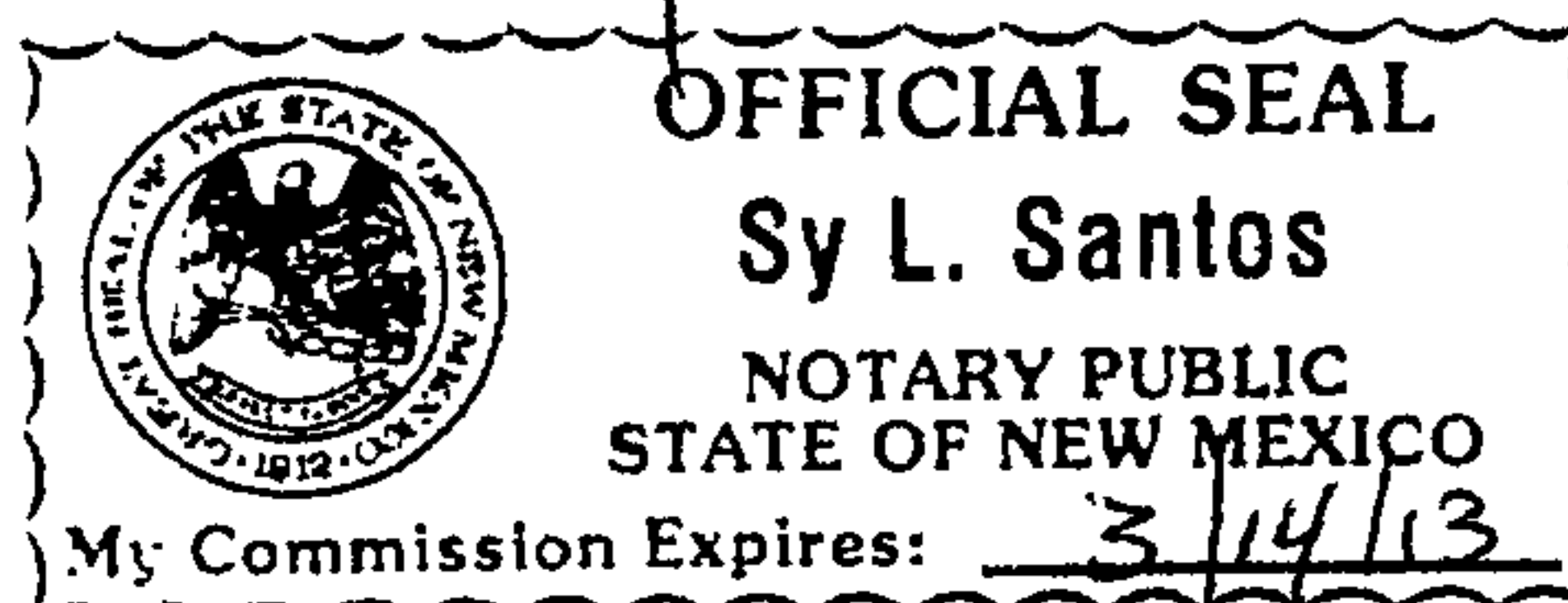
Witnessed:

STATE OF NEW MEXICO)
ss)
COUNTY OF BERNALILLO)

On this 9th day of September, 2009, before me personally appeared SCOTT WHITTINGTON, and to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he (or they) executed the same as his (or their) free act and deed.

[Signature]
Notary Public

My Commission Expires: 3.14.13



gar

TIERRA WEST, LLC

October 1, 2009

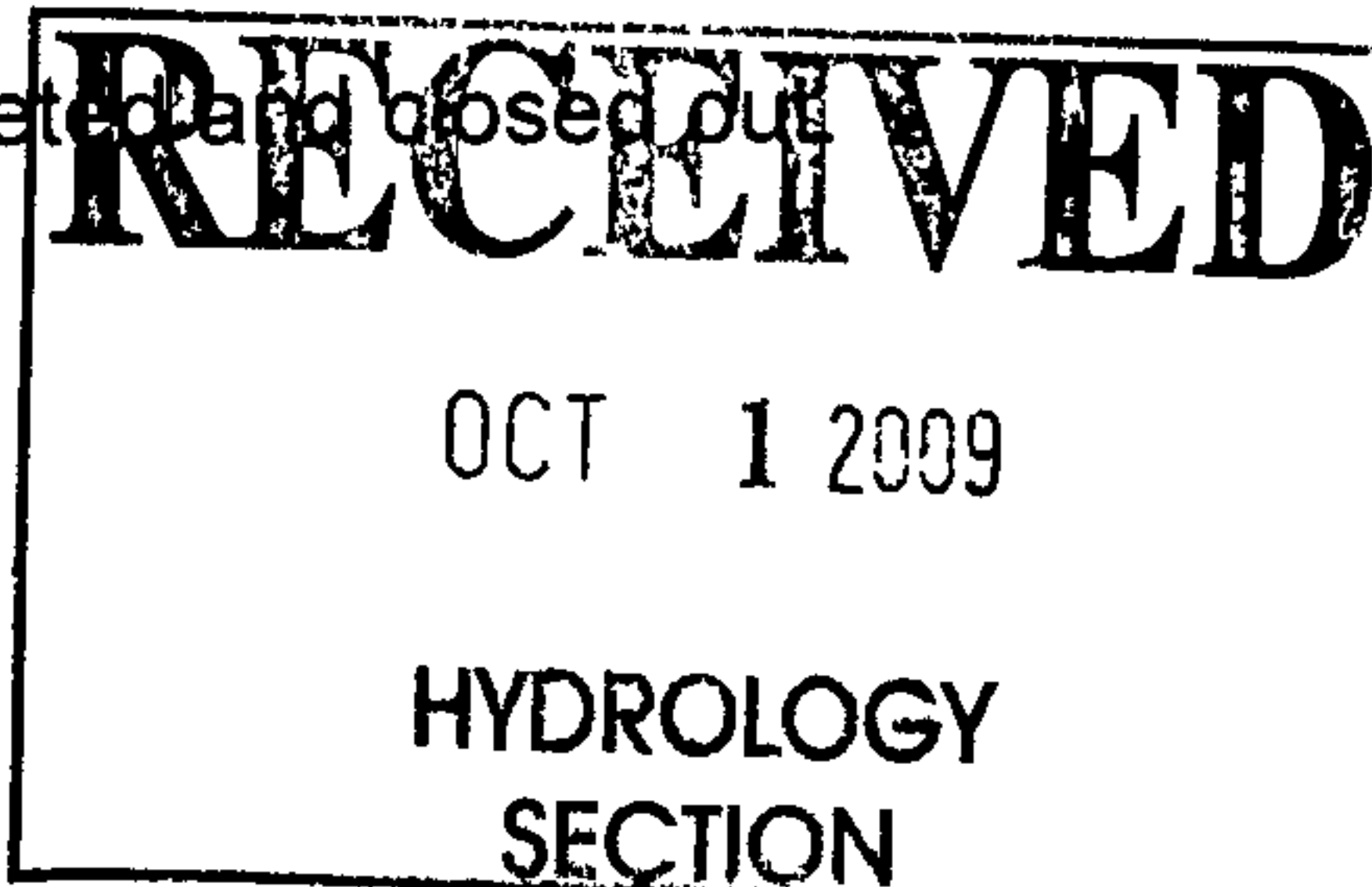
Ms. Kristal Metro, PE
Traffic Engineer
City of Albuquerque
PO Box 1293
Albuquerque, NM 87102

**RE: JACK IN THE BOX – 7601 MENAUL BLVD NE,
TRAFFIC CIRCULATION LAYOUT COMMENTS
ENGINEER'S STAMP DATED 02-20-09
ZONE ATLAS MAP (H-19/D031)**

Per your correspondence dated February 27, 2009, regarding the above referenced project, please find the following responses addressing the comments listed below.

1. For passenger vehicles, the minimum end island radius is 15 feet.
All end islands now have a 15-foot radius.
2. Provide a legend defining all line types and symbols.
Additional items were added to the legend to better define line types and hatching.
3. The alley intersection must be built per City of Albuquerque Standard 2428, not 2425.
The note was changed to reference Standard Drawing #2428.
4. Pennsylvania is a collector roadway in this area. As such, it must have 6- foot wide sidewalk at the property line.
The new sidewalk is now 6-feet wide.
5. The proposed site encompasses 3 lots. As such, a cross lot access easement must be provided. Do these lots have a shared parking agreement?
A reciprocal easement for common access and parking was recorded on September 24, 2009. A copy of the easement Document Number 2009107654 is enclosed for your records.
6. Provide ramp details for all ramps. Call out the maximum slope.
The ramp details are shown on Sheet C5 and pertain to the two ramps near the building. The ramps in the sidewalk are part of the new drive pads and are shown in the City Standard Drawings.
7. Prior to any certificate of occupancy, the work order must be completed and closed out.
Work Order will be completed prior to Final C.O.

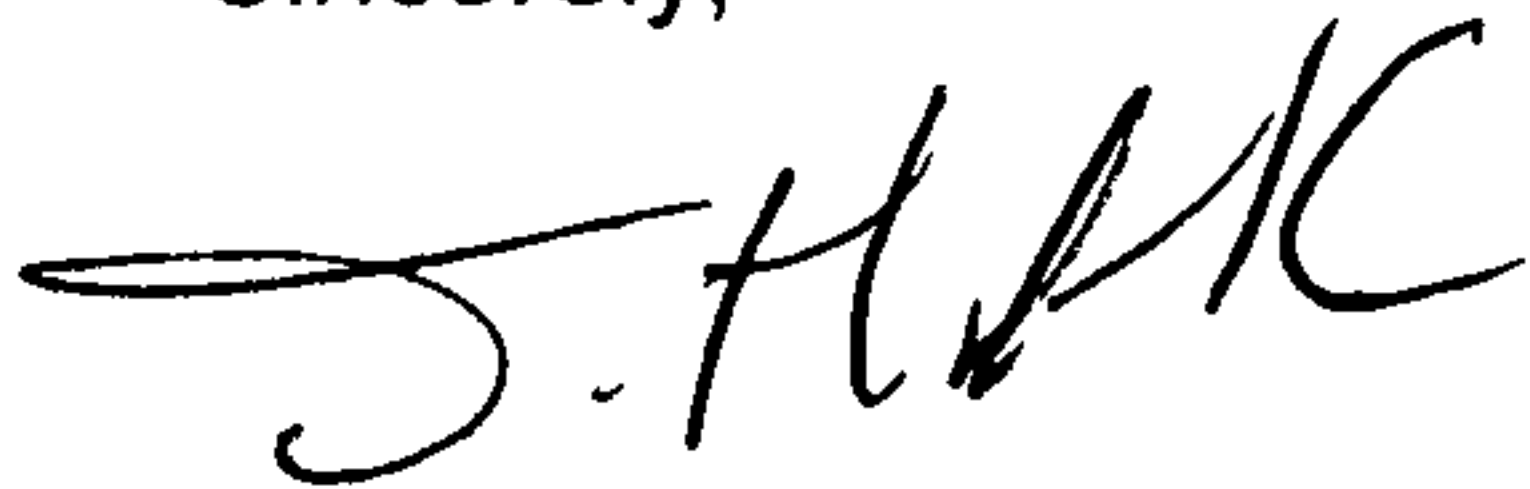
5571 Midway Park Place NE Albuquerque, NM 87109
(505) 858-3100 Fax (505) 858-1118 1-800-245-3102
tierrawestllc.com



8. Explain why it is necessary to keep the 18-foot wide curb cut on Pennsylvania.
The existing 18-foot entrance on Pennsylvania provide for better traffic circulation for the parking lot located on Lot 6. It also provides for better trash truck and fire truck circulation.
9. As lot 6 is a part of your project, a 6-foot sidewalk must be built along this Pennsylvania frontage.
There is currently an existing 10-foot sidewalk along this portion of Pennsylvania Avenue. A note was added to the plan to clarify the existing condition.
10. Clarify the hatching shown on lot 6. Is this striping? Will there be any curbing?
The hatching on Lot 6 is striping. Notes were added to the plan calling out the striping width and color. There is no curbing planed for this parking.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,

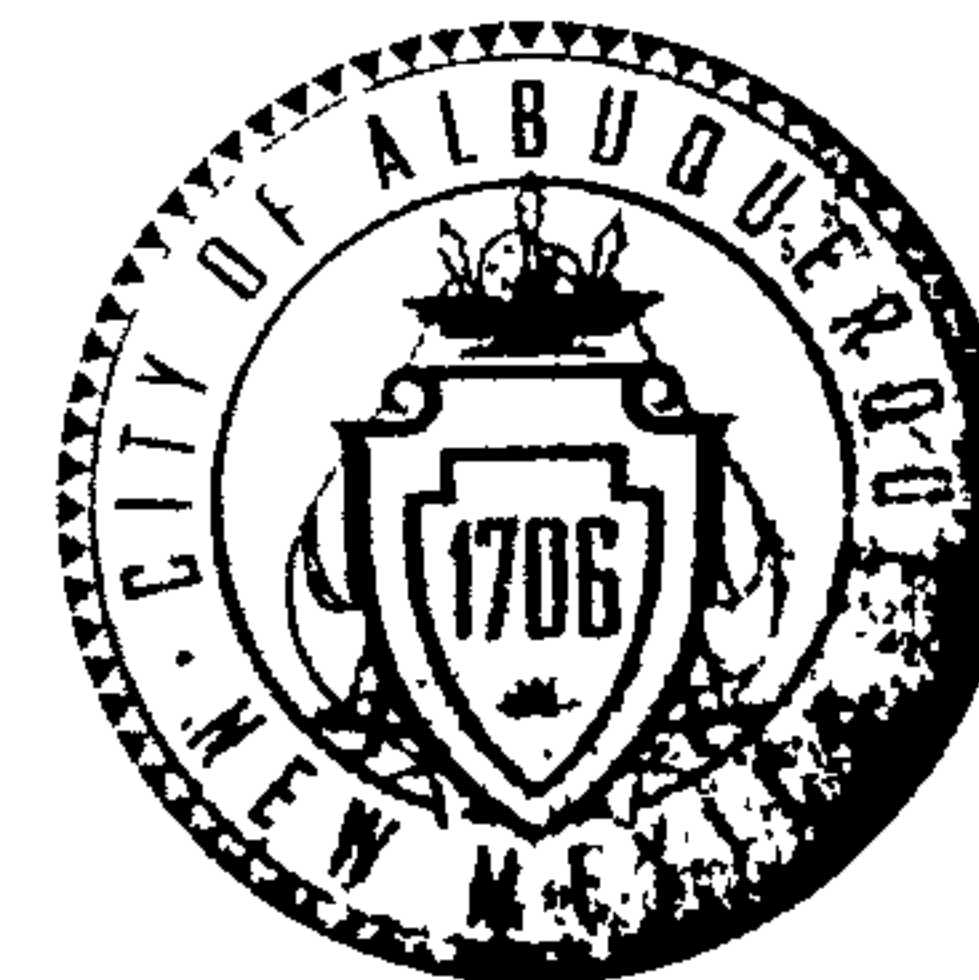


Jonathan D. Niski, PE

cc: Scott Whittington – AVALON INVESTMENTS, INC.

JN: 28102
JN/cia

CITY OF ALBUQUERQUE



March 27, 2009

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

Re: Jack in The Box (1267)
7601 Menaul Blvd. NE, Grading and Drainage Plan
Engineer's Stamp dated 03-26-09 (H-19/D031)

Dear Mr. Bohannon,

Based upon the information provided in your submittal received 03-26-09, the above referenced plan is approved for Building Permit. Please attach a copy of this approved plan to the construction sets prior to sign-off by Hydrology. **Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required.**

The above referenced plan is approved for an SO-19 permit. A copy of this approval letter must be on hand when applying for the excavation permit. Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required. Be advised that no Certificate of Occupancy, temporary or permanent, will be released prior to inspection and approval of the storm drain connection / sidewalk culvert by the Storm Drain Maintenance department. Contact Duane Schmitz at 235-8016 to schedule an inspection.

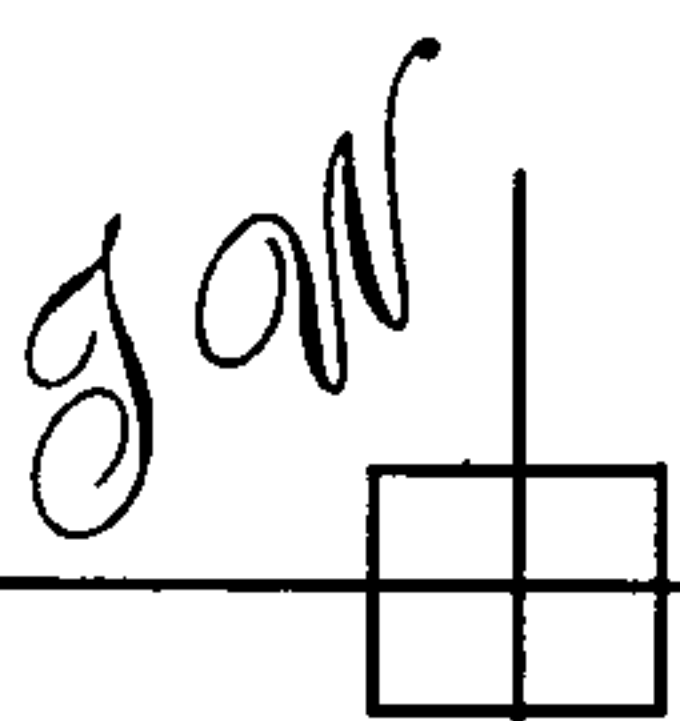
If you have any questions, you can contact me at 924-3630.

Sincerely,

Nilo E. Salgado-Fernandez, P.E.
Senior Engineer, Planning Dept.
Development and Building Services

C: File

Duane Schmitz, DMD Street / Storm Maintenance (Pino Yards)
Antoinette Baldonado, Construction Services



TIERRA WEST, LLC

March 26, 2009

Mr. Nilo Salgado-Fernandez, PE
Senior Engineer
City of Albuquerque
PO Box 1293
Albuquerque, NM 87102

**RE: JACK IN THE BOX – 7601 MENAUL BLVD NE,
GRADING AND DRAINAGE PLAN
ENGINEER'S STAMP DATED 02-20-09
ZONE ATLAS MAP (H-19-D031)**

Dear Mr. Salgado-Fernandez:

Per your correspondence dated February 26, 2009, regarding the above referenced project, please find the following responses addressing the comments listed below.

Basin 1:

1. Please provide spot elevations for driveway, parking lot and Refuse Enclosure (to ensure positive flow onto the alley).
Spot elevations were added in the areas mentioned to show positive drainage to the alley.

Basin 2 & 3:

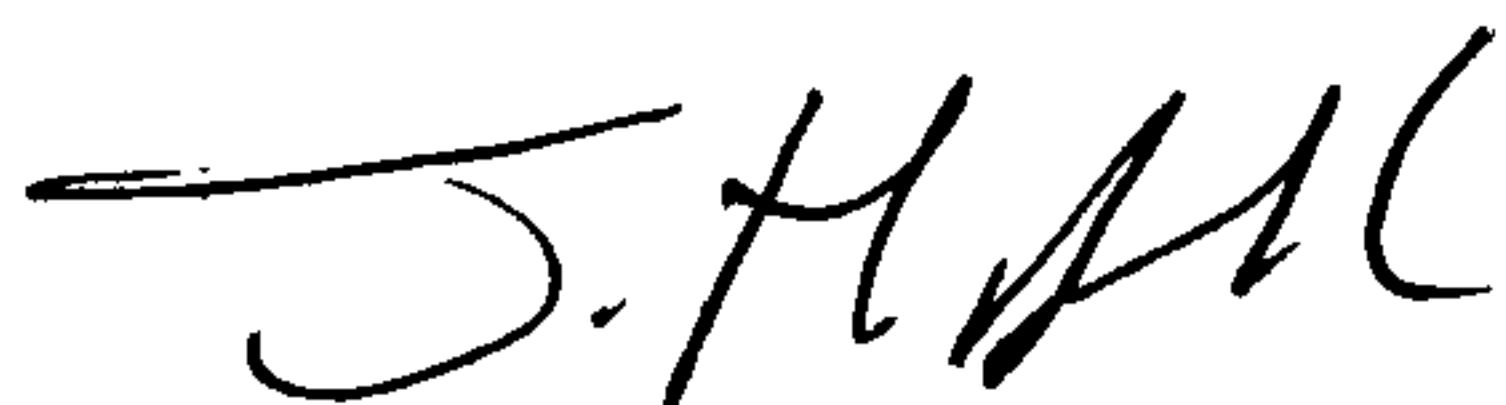
1. All curb openings must be serviced by a sidewalk culvert to avoid any runoff over the sidewalk.
Sidewalk culverts were added for each curb opening from the site.
2. Provide a swale from curb opening to proposed sidewalk culvert.
Small swales were added from each curb opening to each sidewalk culvert.
3. You'll need the invert elevations for the proposed sidewalk culvert.
Spot elevations were added at each sidewalk culvert.
4. Landscaping area: spots elevations are needed to ensure that runoff doesn't flow over the sidewalk.
Spot elevations and notes were added to the landscape areas to ensure water harvesting does occur and that any excess drainage is directed to the sidewalk culverts.

5571 Midway Park Place NE
(505) 858-3100
Albuquerque, NM 87109
Fax (505) 858-1118
1-800-245-3102
tierrawestllc.com

5. Need to recheck some of the spot elevations around the drive thru lane and at the Menaul entrance (western segment onto site).
All grades were reviewed and verified to provide positive drainage from the site and meet ADA requirements.
6. The Menaul drive pad will need some spot elevation points at the flowline.
Spot elevations were added to this drive pad.
7. No runoff will be allowed to drain from the wheelchair ramp onsite to the Menaul frontage sidewalk.
The pedestrian crossing is a high point and will not direct water down the ramp to the sidewalk. Water will be directed to the drive pad or the curb opening to the landscape area. Only a very small amount of water that falls on the pedestrian connection will flow toward the city sidewalk.

If you have any questions or need additional information regarding this matter, please do not hesitate to contact me.

Sincerely,



Jonathan D. Niski, P.E.

Enclosure/s

JN: 28102

RRB/cia

DRAINAGE AND TRANSPORTATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: Jack-In-The-Box
DRB #: _____ EPC #: _____

ZONE MAP/DRG. FILE #: H-19 / D031
WORK ORDER #: _____

LEGAL DESCRIPTION: Lots 1,2 & 6, Sombra Del Monte Subdivision
CITY ADDRESS: 7601 Menaul Boulevard NE

ENGINEERING FIRM: Tierra West, LLC
ADDRESS: 5571 Midway Park Place NE
CITY, STATE: Albuquerque, NM

CONTACT: Jon Niski, PE
PHONE: (505) 858-3100
ZIP CODE: 87109

OWNER: Penn Station Partners I, LLC
ADDRESS: 320 Osuna Rd. NE, Suite G-3
CITY, STATE: Albuquerque, NM

CONTACT: Scott Whittington
PHONE: 505-338-2284
ZIP CODE: 87107

ARCHITECT: Larry J. Click & Associates
ADDRESS: 3444 N. Country Club, Suite 105
CITY, STATE: Tuscon, AZ

CONTACT: Larry Click
PHONE: 520-327-6670
ZIP CODE: 85716

SURVEYOR: N/A
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

CONTRACTOR: N/A
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

CHECK TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL, **REQUIRES TCL or equal**
☒ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL GRADING & DRAINAGE PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
☐ CLOMR/LOMR
☐ TRAFFIC CIRCULATION LAYOUT (TCL)
☐ ENGINEERS CERTIFICATION (TCL)
☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
☐ OTHER: _____

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANACIAL GUARANTEE RELEASE
☐ 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 (PERM.)
☐ CERTIFICATE OF OCCUPANCY (TEMP.)
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ WORK ORDER APPROVAL
☒ OTHER (SPECIFY)

WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
☒ NO
☐ COPY PROVIDED

SO 19

MAR 26 2009

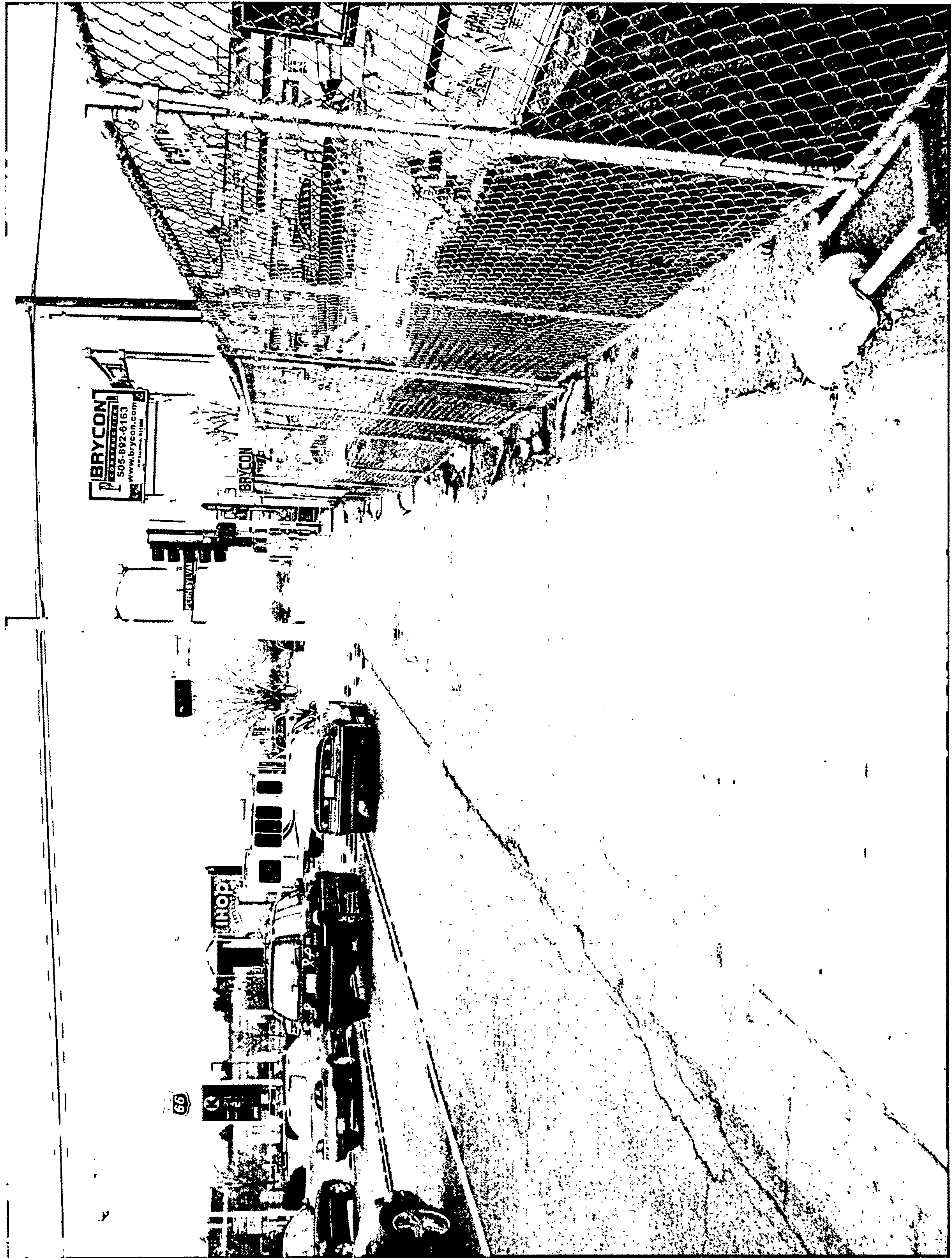
DATE SUBMITTED: 3/26/2009 BY: Jonathan D. Niski, P.E.

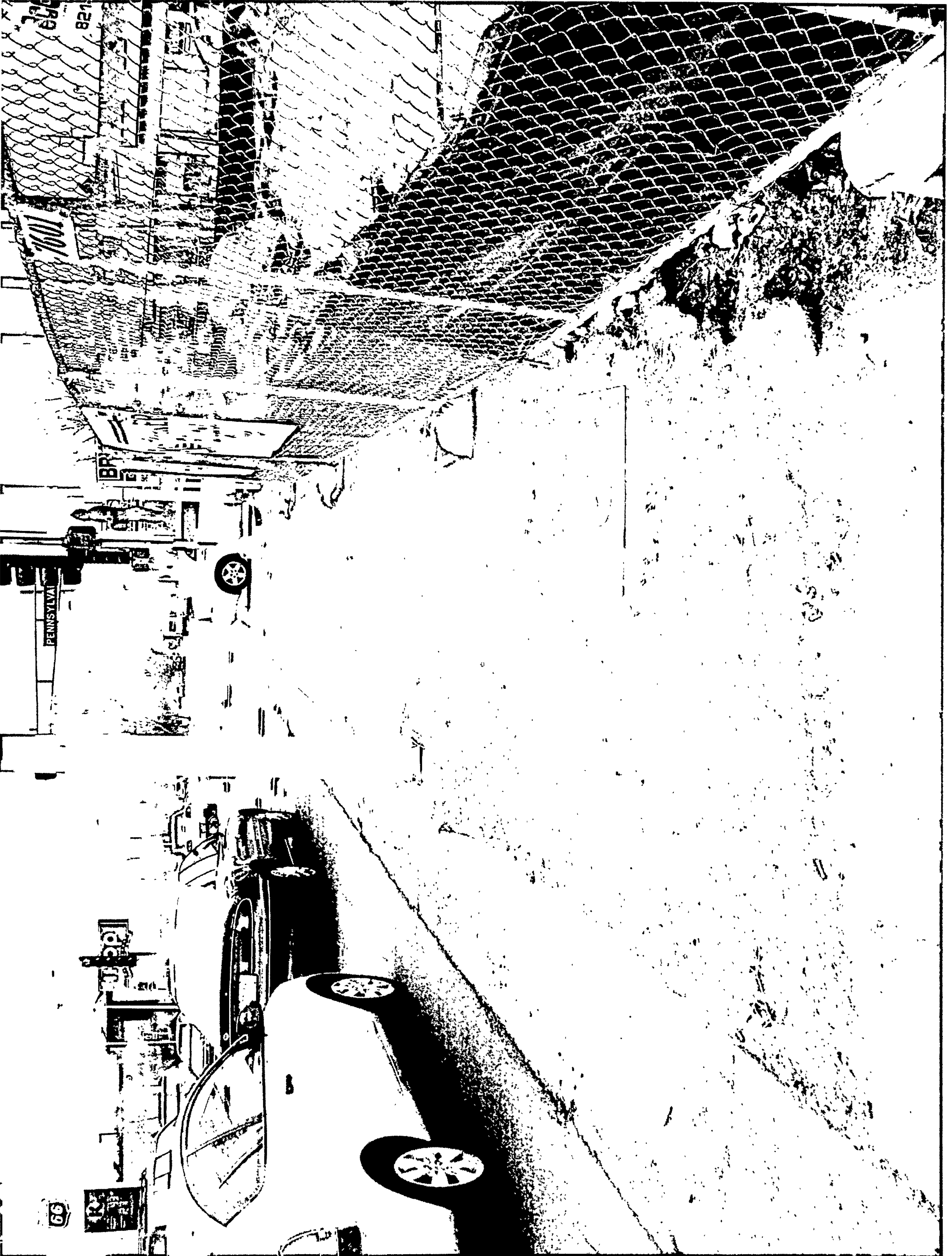
Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plans:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

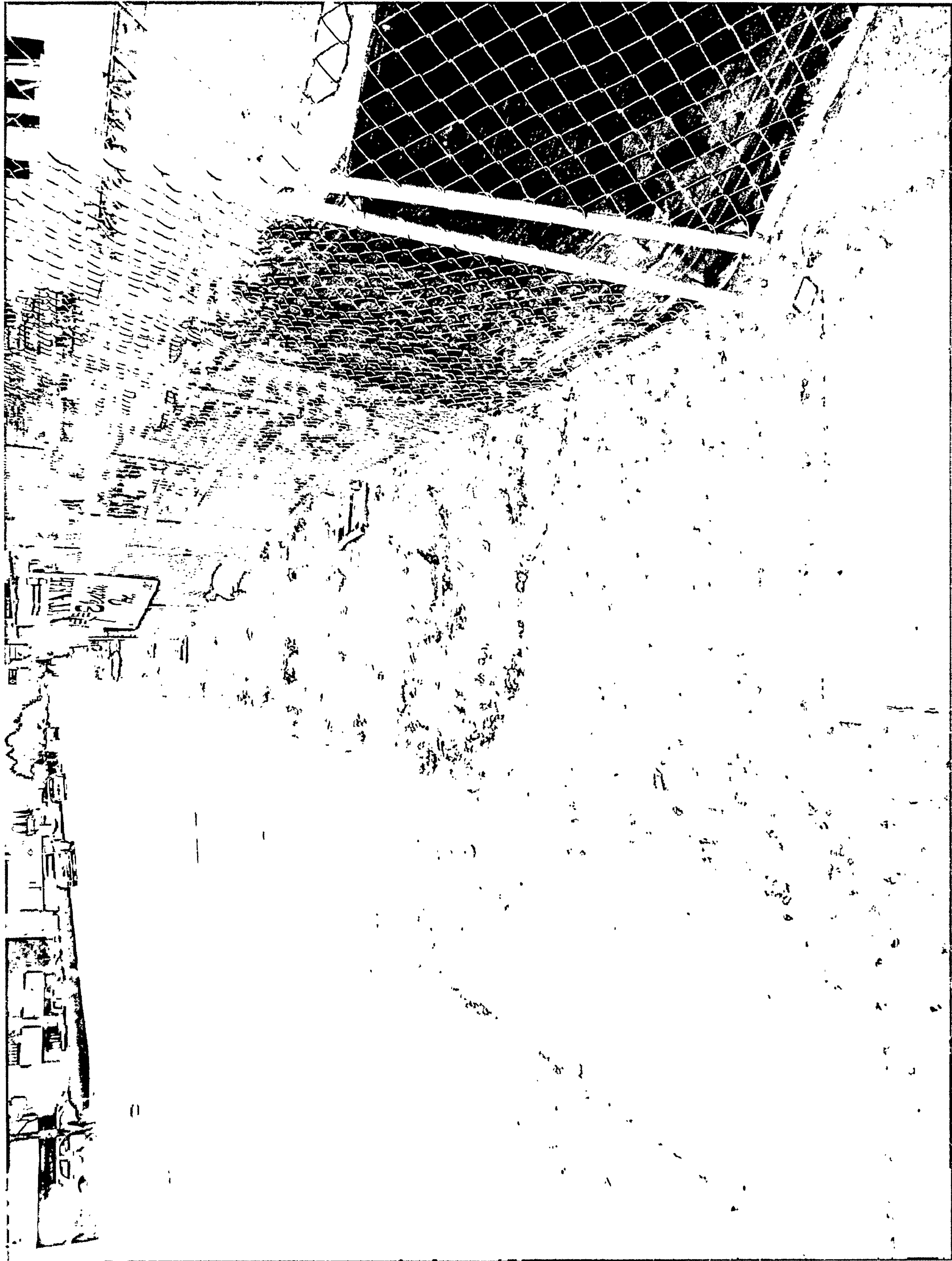


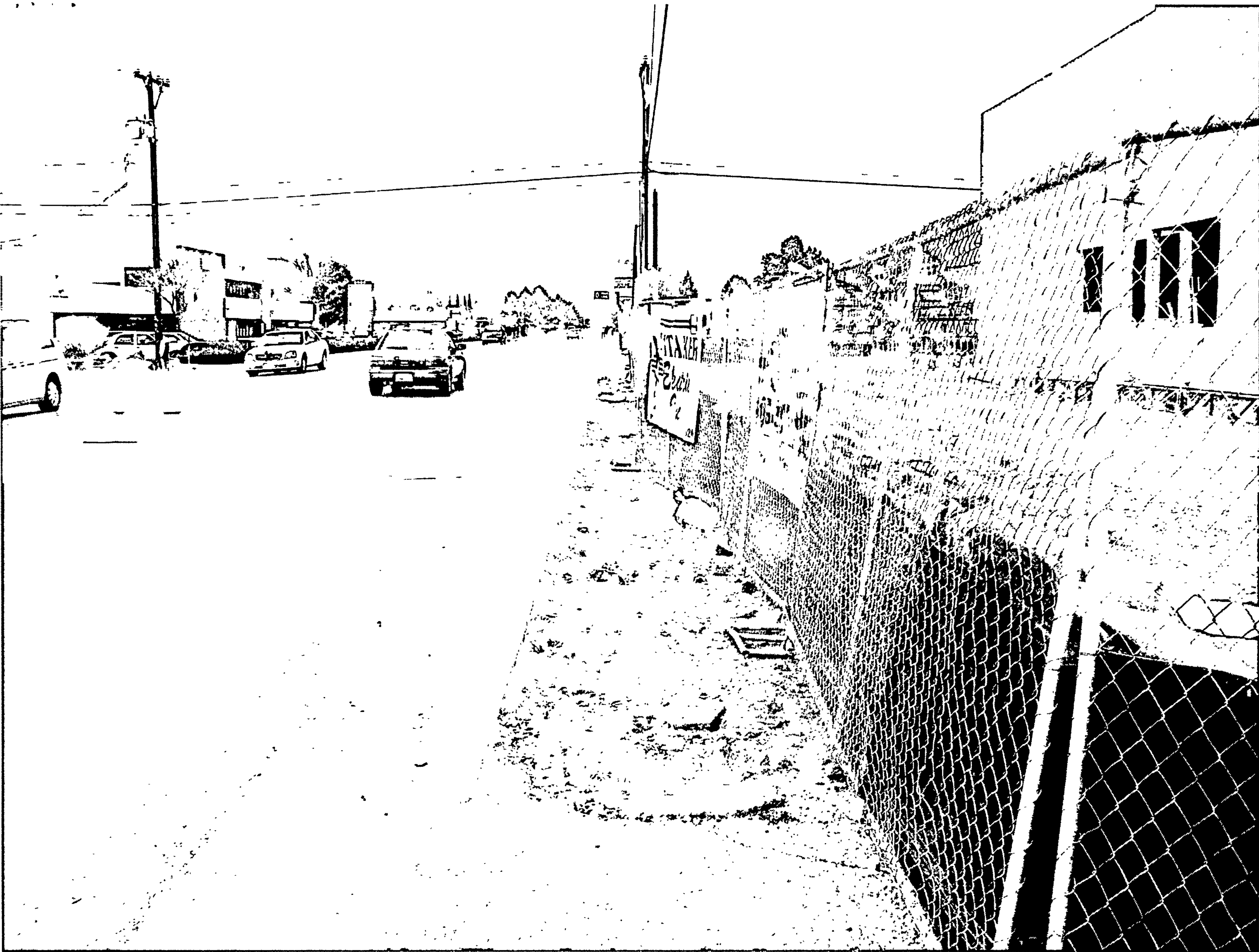
SITE VISIT 12/22/09



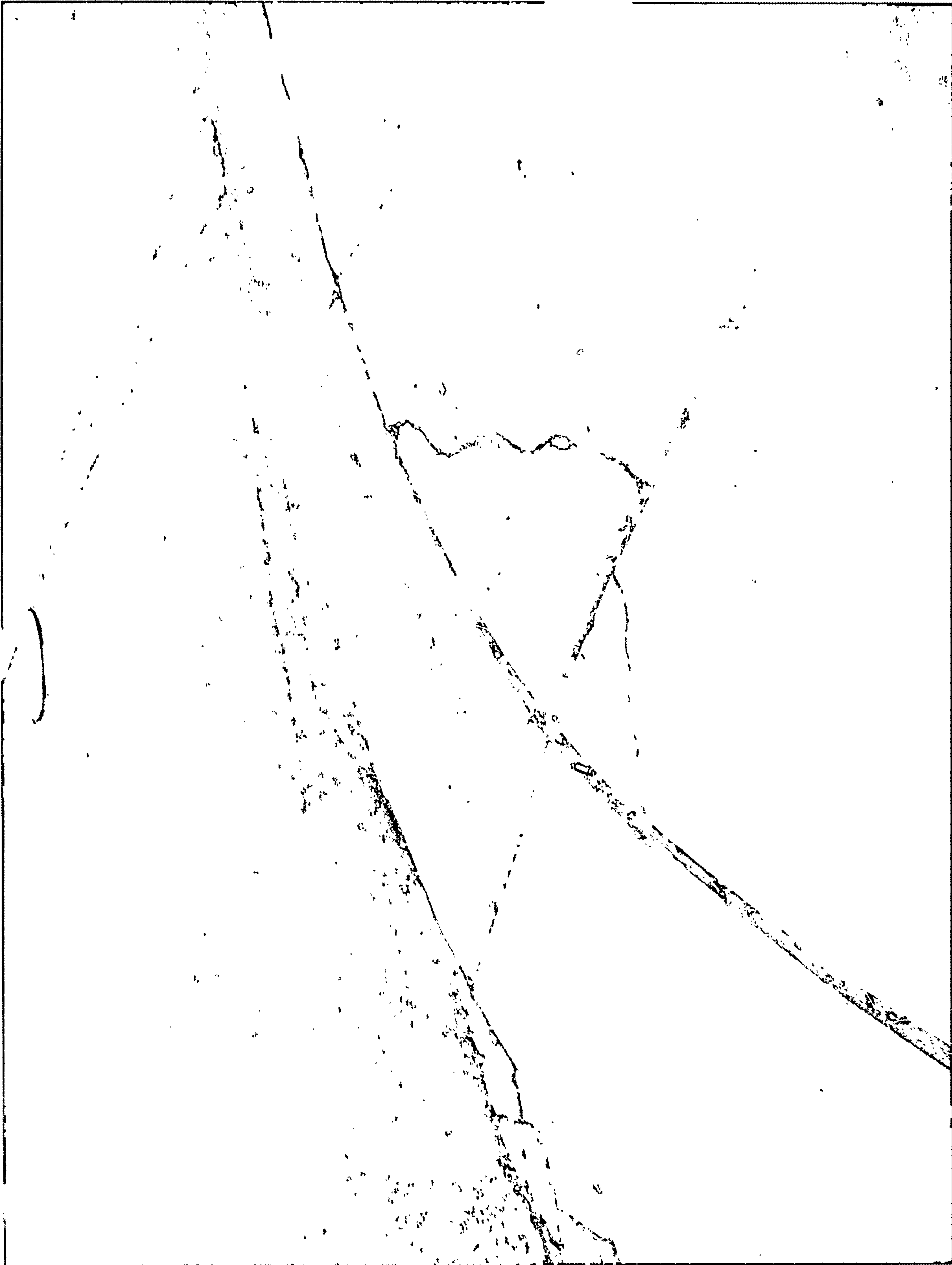


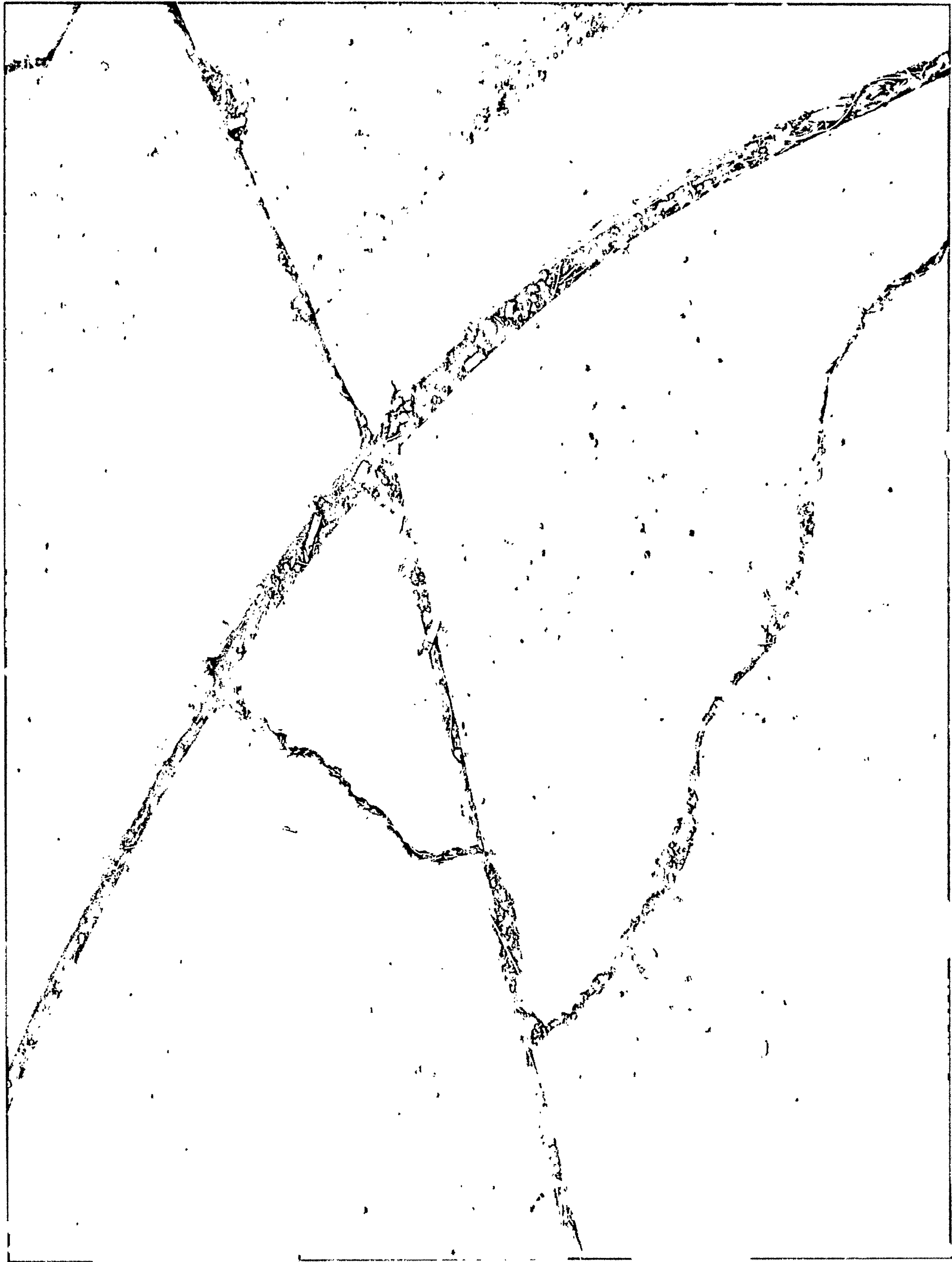


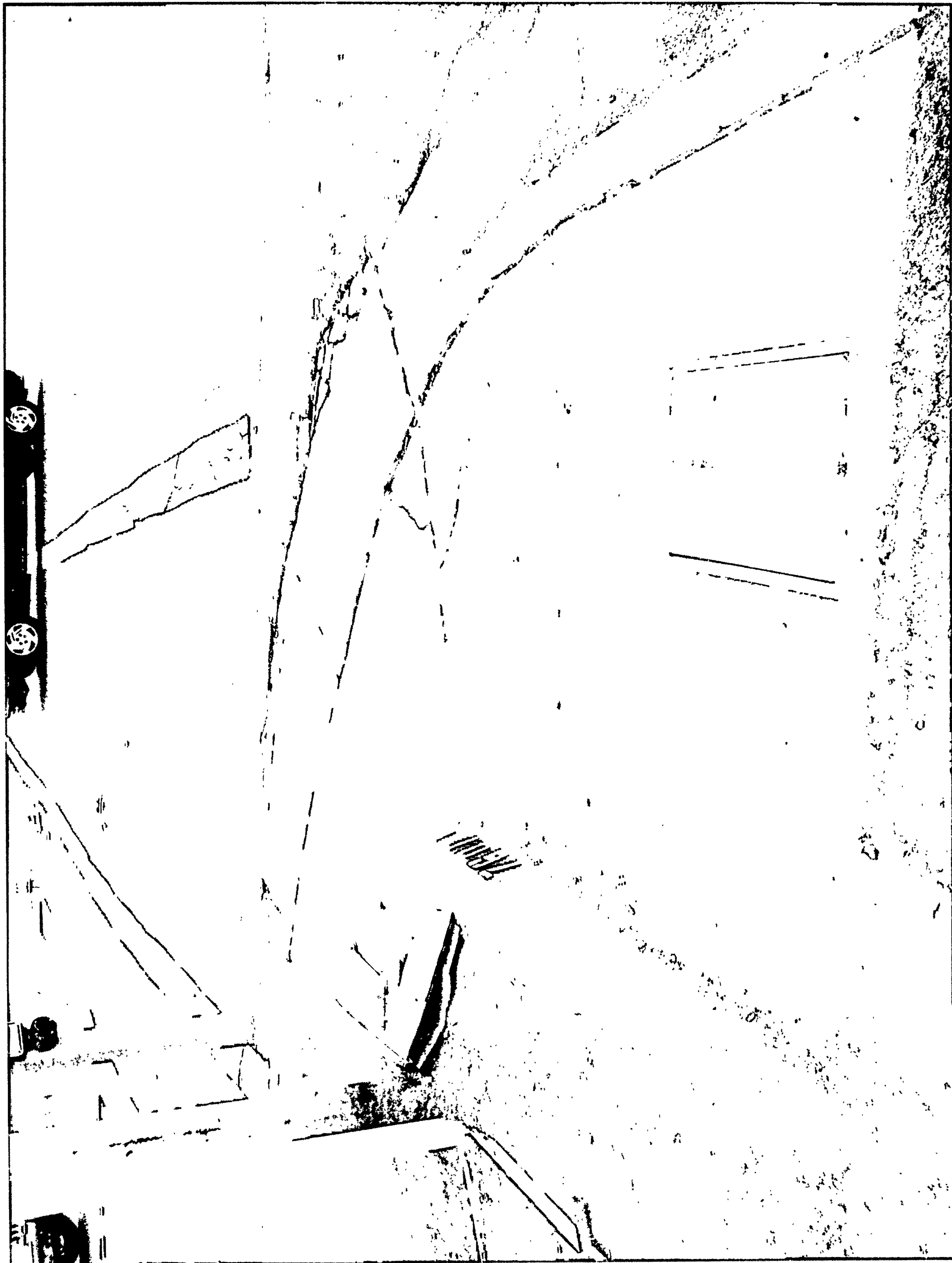


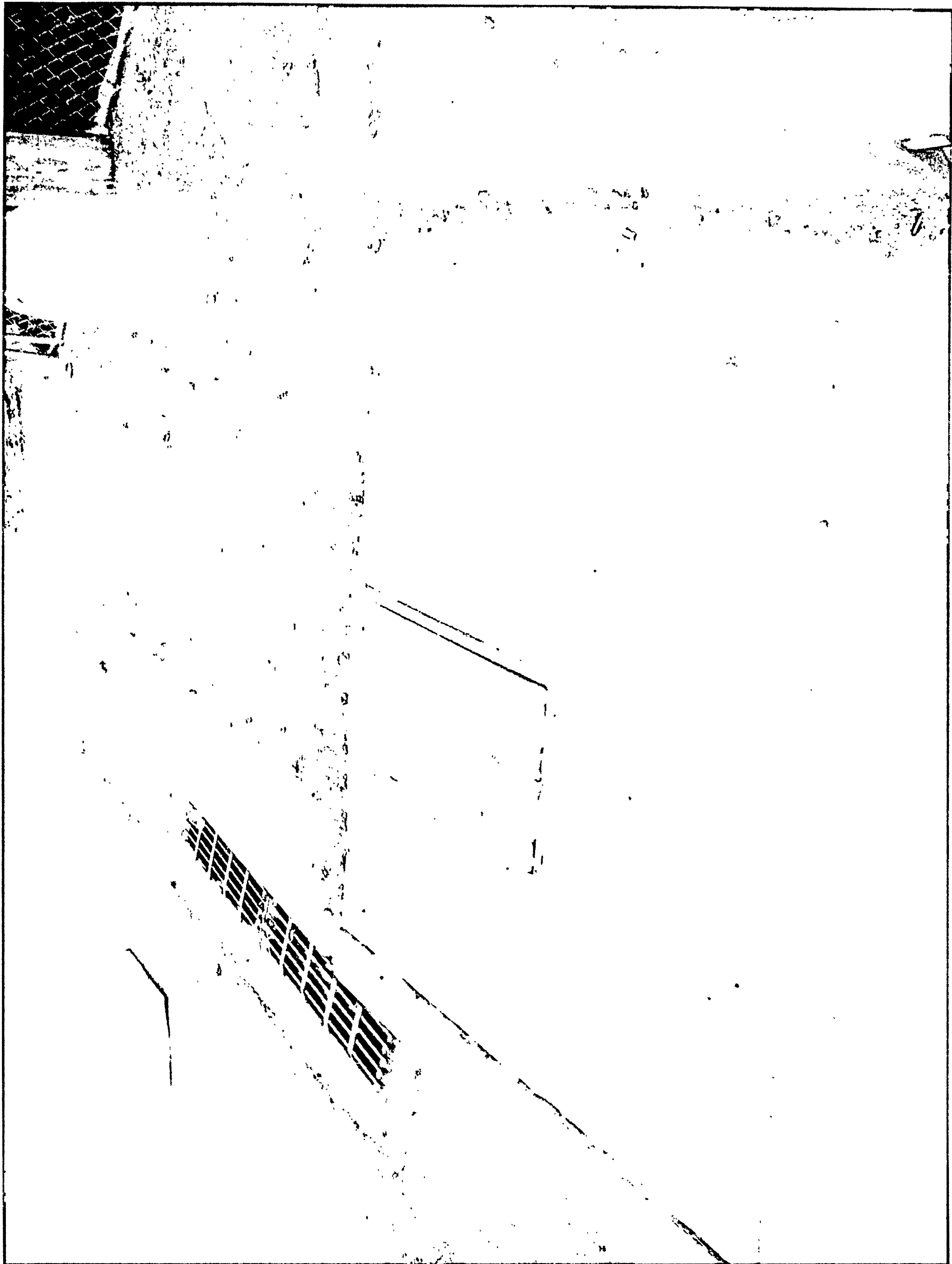


RAMP



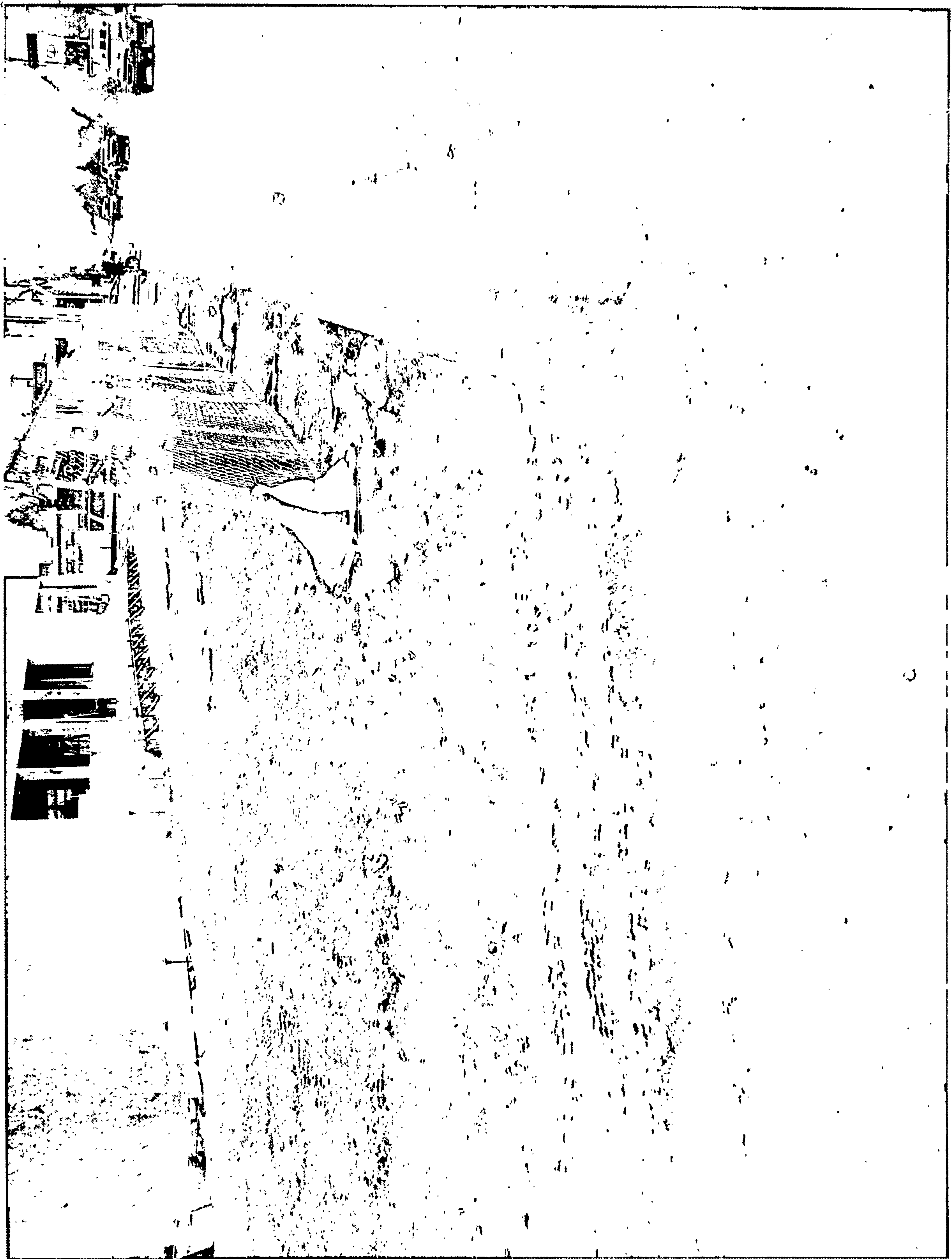


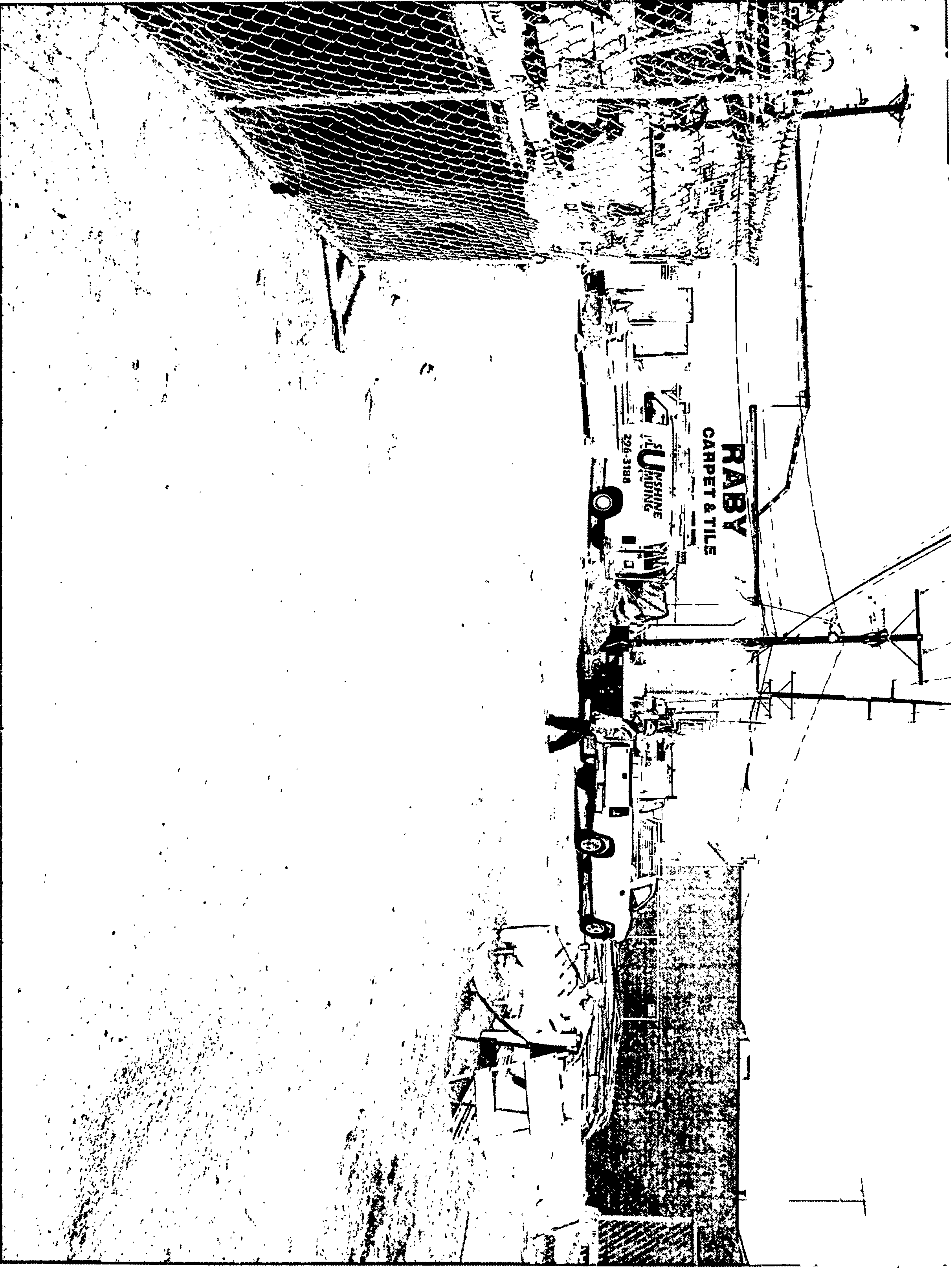




ALLEY

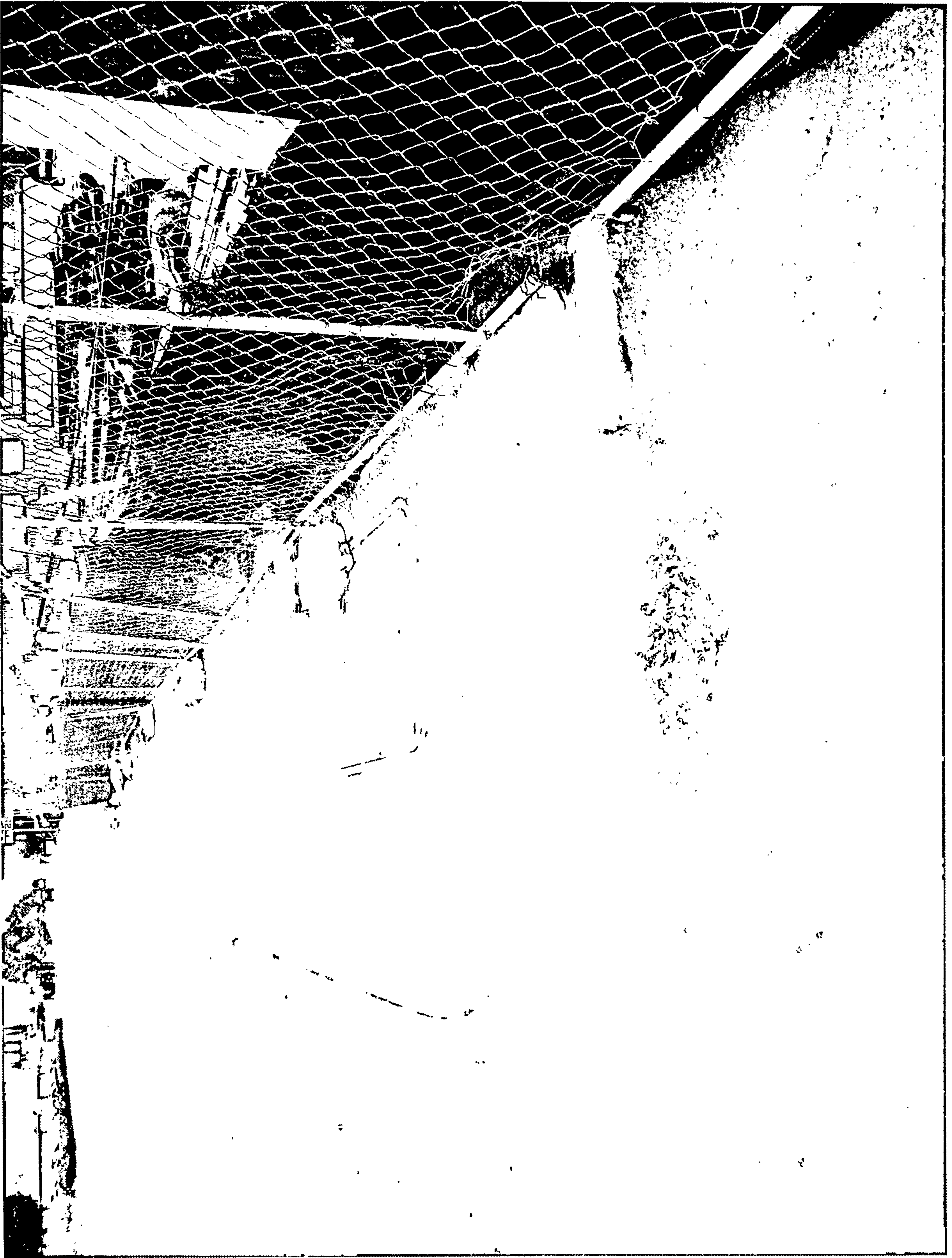


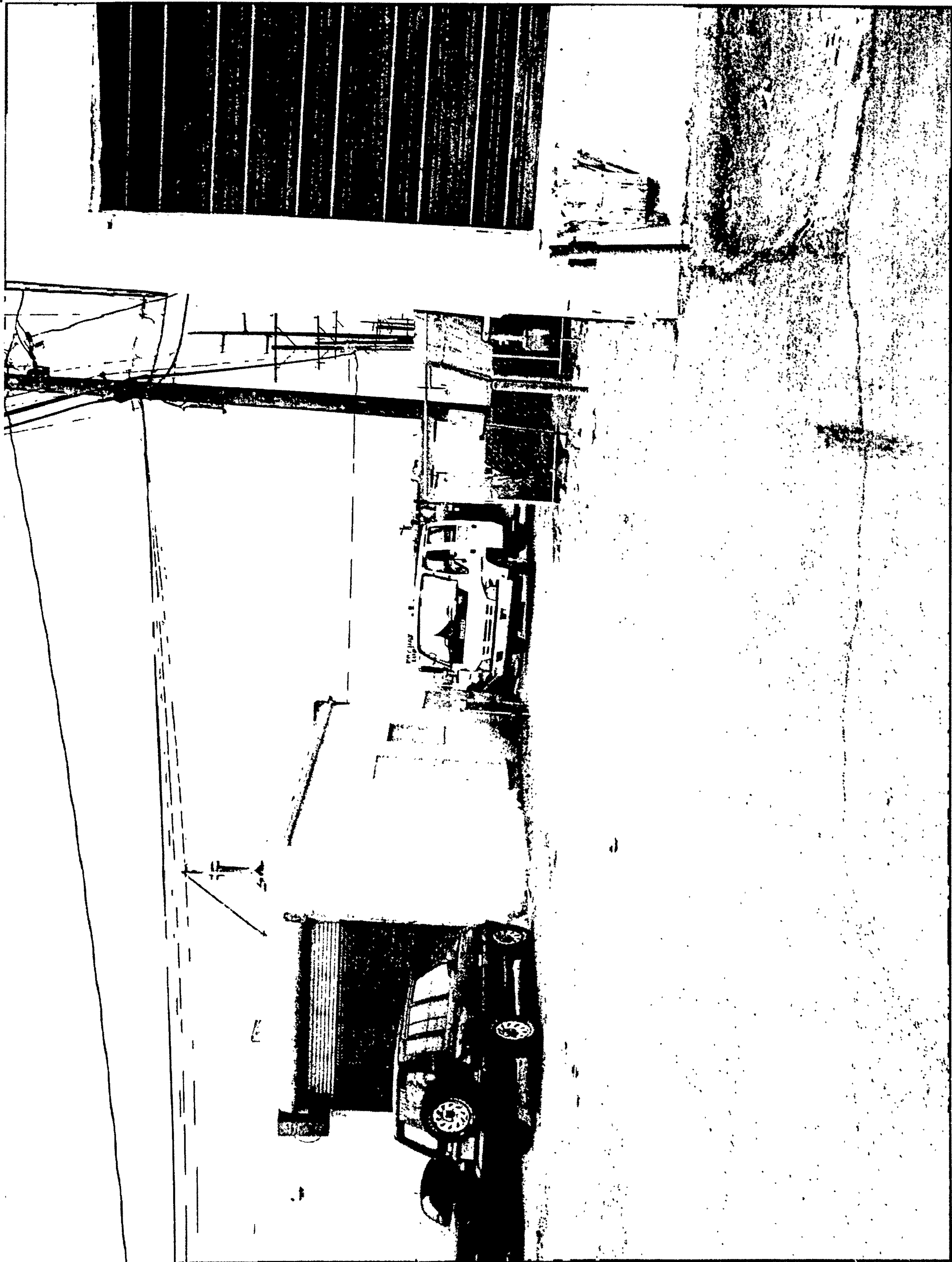




RABY
CARPET & TILE

226-3188
SUNSHINE
CARPETING





AMERICAN
PAY DAY
LOAN

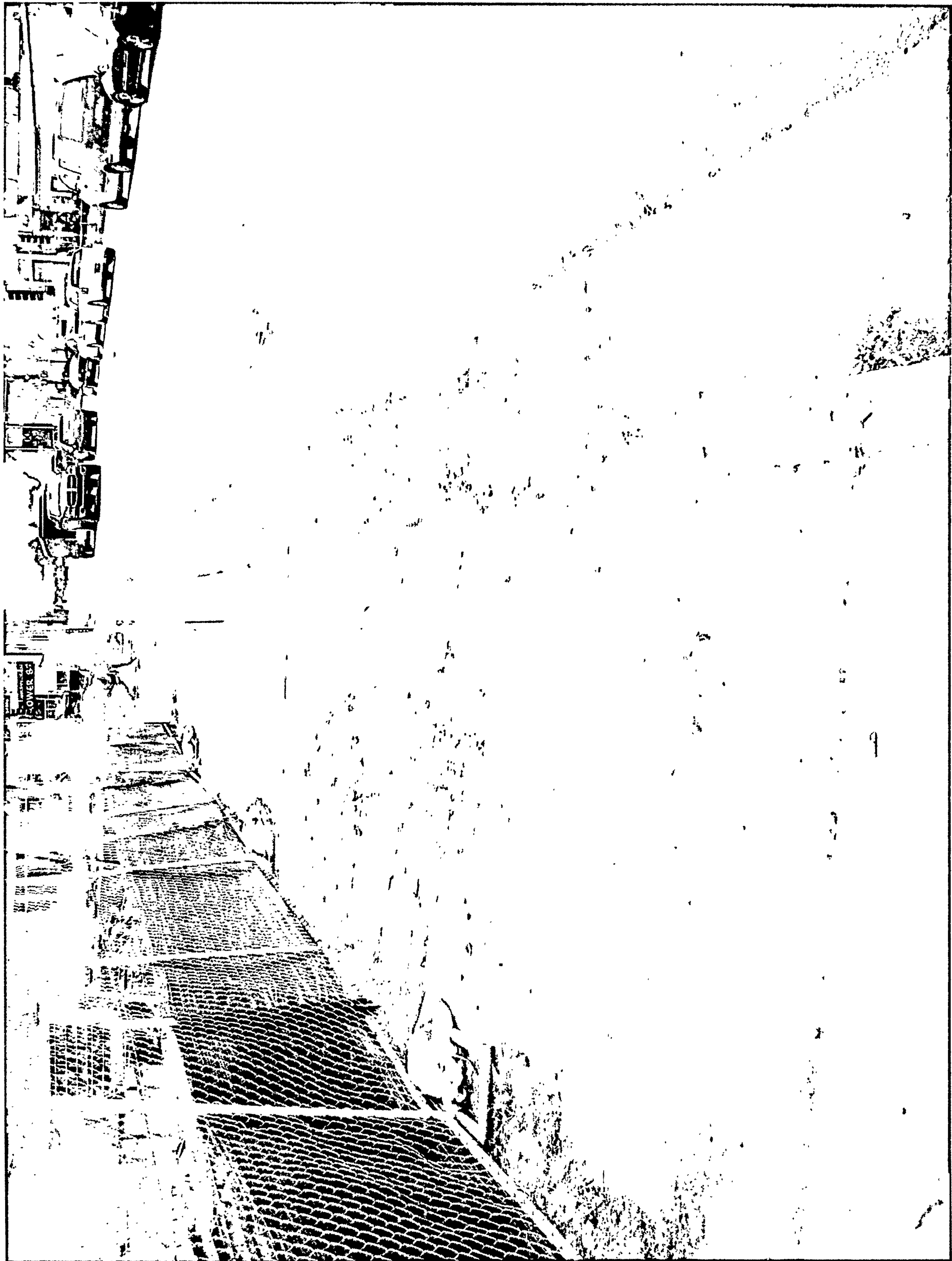
ISUZU

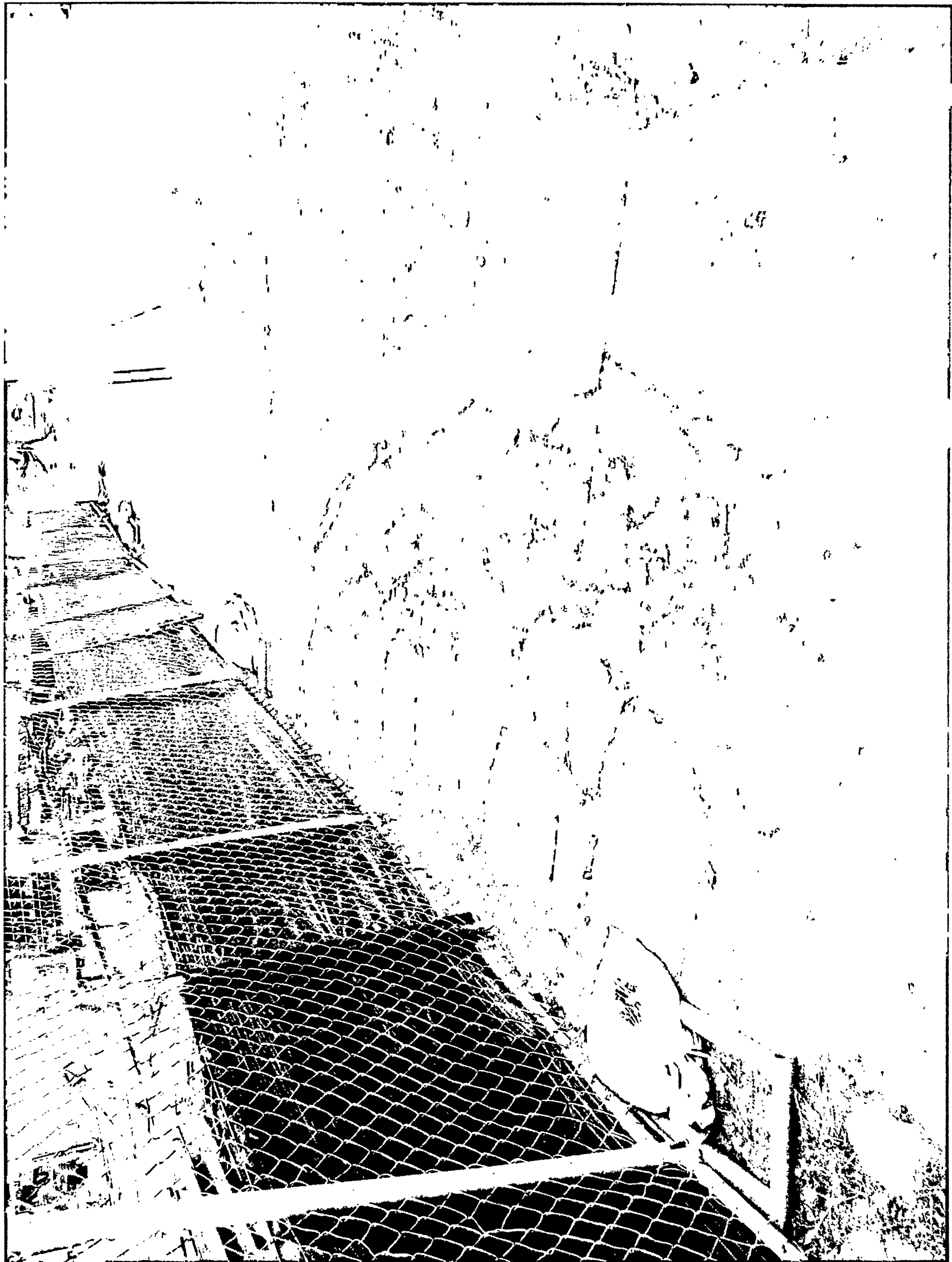
GRAYSON

NO
PARKING
TOW AWAY
ZONE

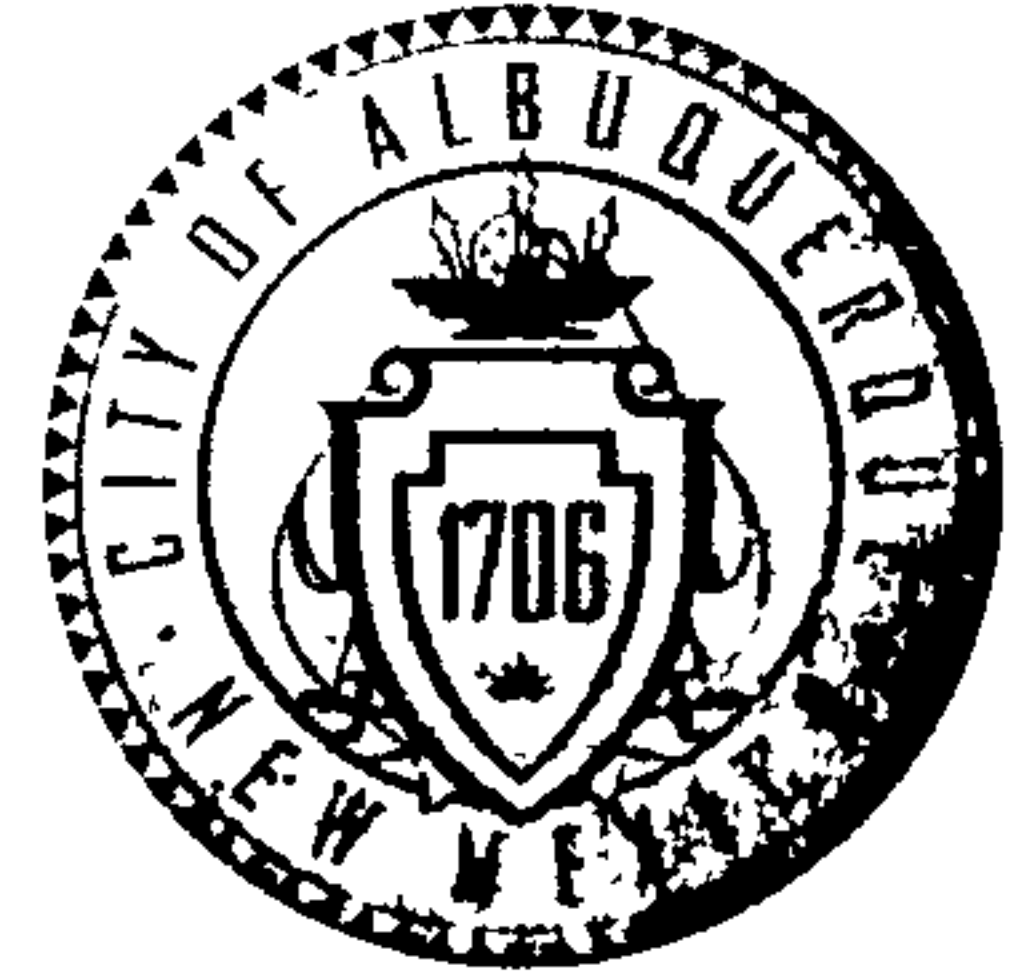








CITY OF ALBUQUERQUE



February 27, 2009

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

**Re: Jack in the Box, 7601 Menaul Blvd NE, Traffic Circulation Layout
Engineer's Stamp dated 02-20-09 (H19-D031)**

Dear Mr. Bohannon,

Based upon the information provided in your submittal received 2-23-09, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

1. For passenger vehicles, the minimum end island radius is 15 feet.
2. Provide a legend defining all linetypes and symbols.
3. The alley intersection must be built per City of Albuquerque Standard 2428, not 2425.
4. Pennsylvania is a collector roadway in this area. As such, it must have 6-foot wide sidewalk at the property line.
5. The proposed site encompasses 3 lots. As such, a cross lot access easement must be provided. Do these lots have a shared parking agreement?
6. Provide ramp details for all ramps. Call out the maximum slope.
7. Prior to any certificate of occupancy, the work order must be completed and closed out.
8. Explain why it is necessary to keep the 18-foot wide curb cut on Pennsylvania.
9. As lot 6 is a part of your project, a 6-foot sidewalk must be built along this Pennsylvania frontage.
10. Clarify the hatching shown on lot 6. Is this striping? Will there be any curbing?

If you have any questions, you can contact me at 924-3991.

Sincerely,

Kristal D. Metro, P.E.
Traffic Engineer, Planning Dept.
Development and Building Services

C: File

CITY OF ALBUQUERQUE



February 26, 2009

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

Re: Jack in The Box (1267)
7601 Menaul Blvd. NE, Grading and Drainage Plan
Engineer's Stamp dated 02-20-09 (H-19/D031)

Dear Mr. Bohannon,

Based upon the information provided in your submittal received 02-20-09, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov

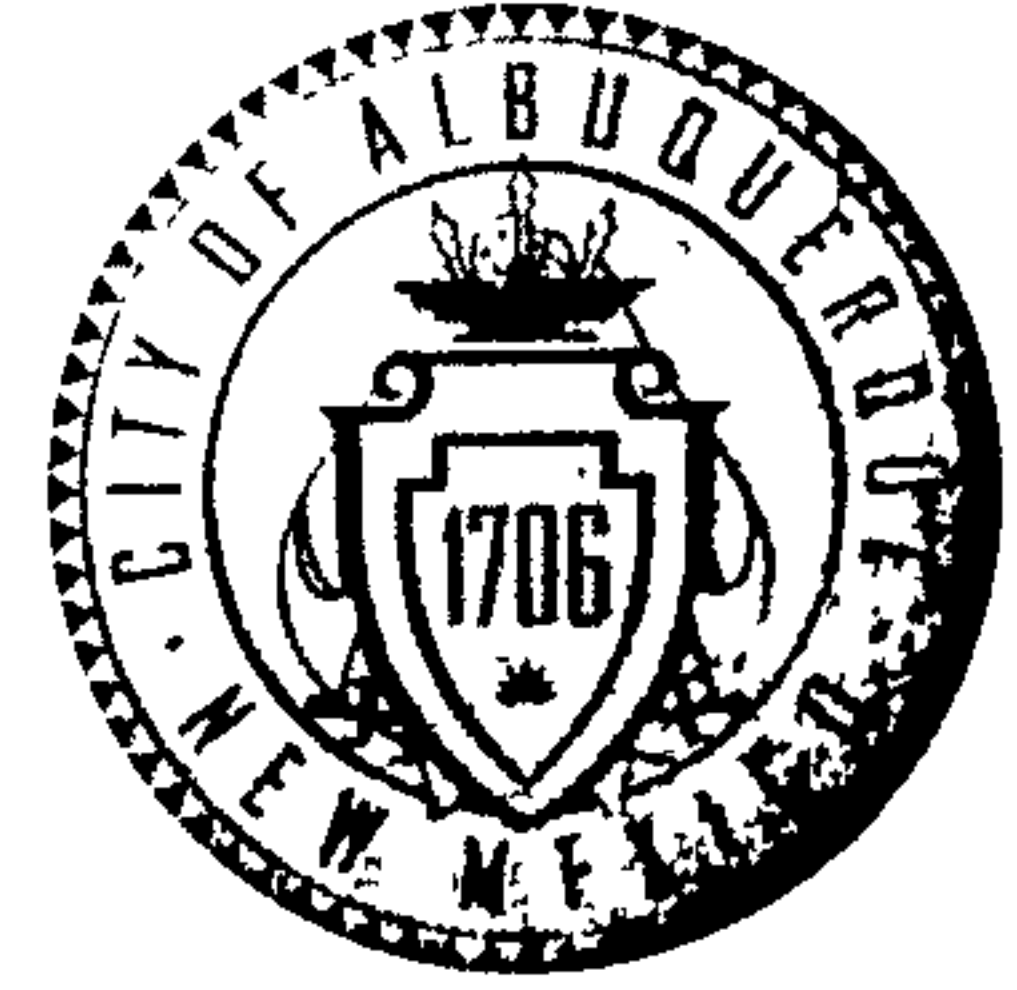
Basin 1:

- ✓ • Please provide spot elevations for driveway, parking lot and Refuse Enclosure (to ensure positive flow onto the alley).

Basin 2 & 3:

- ✓ • All curb openings must be serviced by a sidewalk culvert to avoid any runoff over the sidewalk.
- ✓ • Provide a swale from curb opening to proposed sidewalk culvert.
- ✓ • You'll need the invert elevations for the proposed sidewalk culvert.
- ✓ • Landscaping area: spots elevations are needed to ensure that runoff doesn't flow over the sidewalk.
- ✓ • Need to recheck some of the spot elevations around the drive thru lane and at the Manual entrance (western segment onto site).
- ✓ • The Manual drivepad will need some spot elevation points at the flowline.
- ✓ • No runoff will be allowed to drain from the wheelchair ramp onsite to the Manual frontage sidewalk.

CITY OF ALBUQUERQUE



I would like to meet with you to discuss these comments. Please contact me at 924-3630.

Sincerely,

Nilo E. Salgado-Fernandez, P.E.
Senior Engineer, Planning Dept.
Development and Building Services

C: File

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov