

July 23, 2007

Jake Bordenave, P.E.
Bordenave Designs
PO Box 91194
Albuquerque, NM 87109

Re:

Popeye's Chicken & Biscuits, 2600 Juan Tabo NE, Approval of Permanent Certificate of Occupancy (C.O.) Engineer's Stamp dated 10/04/2006 (H-22/D76) Certification dated 07/22/2007

Based upon the information provided in your submittal received 07/23/2007, the above referenced certification is approved for release of Permanent Certificate of Occupancy by Hydrology.

P.O. Box 1293

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

Albuquerque

Singerely,

Timot

Timothy Sims

Plan Checker-Hydrology, Planning Dept.

Development and Building Services

www.cabq.gov

New Mexico 87103

C: CO Clerk-Katrina Sigala

File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 01/06 - KDM)

PROJECT TITLE:	POPEYE"S CHICKEN & BISQ	UITS	ZONE MA	P: <u>H22 / ()</u>
DRB#:	EPC#:	WORK	ORDER#:	
LEGAL DESCRIPTION:	Lot 1A, Block 101, Bre	ntwood Hills Subdivi	sion	
CITY ADDRESS:				
ENGINEERING FIRM:				J. Bordenave
	PO Box 91194	· · · · · · · · · · · · · · · · · · ·	PHONE:	823-1344
CHI, SIAIE.	Albuquerque, NM		ZIP CODE:	87109
OWNER: Popeye	's Chicken & Bisquits		CONTACT:	P. Joseph
ADDRESS:			PHONE:	263-6965
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87191-4903
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ARCHITECT:	Ken Hovey	<u> </u>	CONTACT: _	K. Hovey
ADDRESS:	3808 Simms Ave. SE		PHONE:	259-8458
CILI, SIAIE:	Albuquerque, NM	·	ZIP CODE:	87108
SURVEYING FIRM:	Hall Surveying, Inc.	LICENSED SUR	VEYOR:	Cliff
ADDRESS:	12805 Menaul Blvd. NE		PHONE:	292-6727
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87112
PROFESSIONAL LICENS	ED SURVEYOR SIGNATURE	LICENSE	NO	DATE
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CONTRACTOR:	P J Development		CONTACT: _	P. Joseph
ADDRESS:	PO Box 14903		PHONE:	263-6965
CITY, STATE:	Albuquerque, NM	···-	ZIP CODE:	87191 - 4903
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Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal The particular nature, location, and scope to 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 Plan: 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.



Planning Department Transportation Development Services Section

July 2, 2007

Kenneth R. Hovey, Registered Architect 433 Sierra Drive SE Albuquerque, NM 87108

Re:

Certification Submittal for Final Building Certificate of Occupancy for

Popeyes Chicken Resturant, [H-22 / D76]

2600 Juan Tabo Blvd NE

Architect's Stamp Dated 06/28/07

P.O. Box 1293

Dear Mr. Hovey:

The TCL / Letter of Certification submitted on June 29, 2007 is sufficient for acceptance by this office for final Certificate of Occupancy (C.O.). Notification has been made to the Building and Safety Section.

Albuquerque

Sincerely,

New Mexico 87103

www.cabq.gov

Nilo E. Salgado-Fernandez, P.E.

Senior Traffic Engineer

Development and Building Services

Planning Department

c: Engineer

Hydrology file

CO Clerk

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 12/05)

	35 CHICKEN RESTAURANT	
DRB#:	EPC#:	WORK ORDER#:
LEGAL DESCRIPTION:	TRACT 1-A BLOCK IN 1	BRUTUOD HILLS SUB-DIVISION
CITY ADDRESS:	600 JUAN TABO BIL	BRENTWOOD HILLS SUB-DIVISION
ENICINIEEDINIC EIDM.		
ENGINEERING FIRM: ADDRESS:		CONTACT: PHONE:
CITY, STATE:	· · · · · · · · · · · · · · · ·	ZIP CODE:
OWNER: WOOL	5 FOMILY TOUST	CONTACT: WWA CONTACT
ADDRESS:	P.O. Box 14903	PHONE: 934-6965
CITY, STATE:	ABON MM.	ZIP CODE: 8-1-91
ARCHITECT:	2-1 11 m 112 m	CONTRACT. KINA A -KI
ADDRESS:	427 HONEY 427 SUE 24 (QIUS <	CONTACT: <u>ドラハ ルーパライ</u> PHONE: 259 845 8
CITY, STATE:	A-P-1C) NM	ZIP CODE: Q110Q
		<u> </u>
SURVEYOR:	• · · · · · · · · · · · · · · · · · · ·	CONTACT:
ADDRESS:		PHONE:
CITY, STATE:		ZIP CODE:
CONTRACTOR:	J. BELGANGATS	CONTACT:
ADDRESS:	100x 140 p3	PHONE: 463-6965
CITY, STATE:	Aison MM	ZIP CODE: R-191
TYPE OF SUBMITTAL:		ECK TYPE OF APPROVAL SOUGHT:
DRAINAGE REF	_	SIA/FINANCIAL GUARANTEE RELEASE
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WAS A PRE-DESIGN CO	NFERENCE ATTENDED:	·
YES		JUN 2 9 2007
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SUBMITTED BY:	子 レハバデ	DATE: 6-20-07
	· · · · · · · · · · · · · · · · · · ·	DAID

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.

KEN HOVEY, ARCHITECT 433 SIERRA DRIVE SE ALBUQUERQUE, NEW MEXICO 87108 PHONE: (505) 259-8458

June 28, 2007

City of Albuquerque Transportation Department 600 Second Street NW

Subject: Architect's TCL Certification for Popeyes Chicken Restaurant, 2600 A and Taco Bueno Restaurant, 6060 San Mateo Blvd. NE, Suite B, Albuquerque, NM.

I, Ken Hovey, prepared the Traffic Circulation Layout (TCL) for the subject projects located at 2600 Juan Tabo Blvd. NE, and more particularly described as Tract 1-A, Block 101, Brentwood Hills Subdivision..

I have visited the site and performed a visual inspection of the as-built construction and I find that it is in substantial compliance with the approved TCL dated 10/13/06.

I have submitted, herewith, a copy of the approved TCL with redlines showing any departure from the approved plan. The submitted plan is representative of actual site conditions and is true and correct to the best of my knowledge and belief.

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

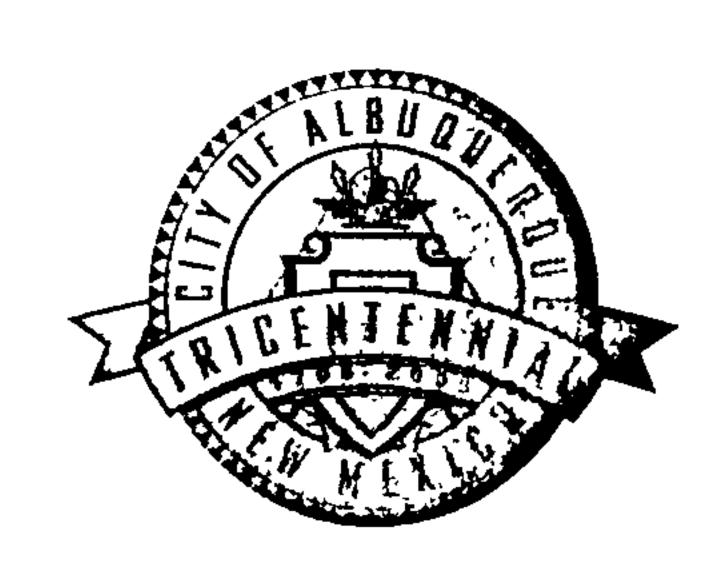
This Architect's certification is submitted in support of issuance of a Certificate of Occupancy for the subject addresses.

If you have any questions, or if further discussion is required, please don't hesitate to contact me at (505) 259-8458 or by email at ken hovey@msn.com.

OF NEW MARKET

Sincerely,

Ken Hovey



December 27, 2006

Mr. Jake Bordenave, P.E. **BORDENAVE DESIGNS** P.O. Box 91194 Albuquerque, NM 87109

Re: POPEYE'S CHICKEN - EAST CENTRAL

2600 Juan Tabo Blvd. NE

Approval of Temporary Certificate of Occupancy (C.O.)

Engineer's Stamp dated 10/04/2006 (H-22/D076)

Certification dated 12/22/2006

P.O. Box 1293

Dear Jake,

Albuquerque

Based upon the information provided in your submittal received 12/27/2006, the above referenced certification is approved for release of 30-day Temporary Certificate of Occupancy by Hydrology.

New Mexico 87103

Upon completion of the exceptions listed in your Drainage Certification, please resubmit an updated certification for Permanent C.O.

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

www.cabq.gov

Sincerely,

Arlene V. Portillo

Plan Checker, Planning Dept. - Hydrology

Development and Building Services

Irlane U. Butilla

C:

C.O. Clerk

File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 01/06 - KDM)

PROJECT TITLE:	POPEYE"S CHICKEN &		ZONE MAI	
DRB#:	EPC#:	WOKK	ORDER#:	
LEGAL DESCRIPTION:	Lot 1A, Block 10	1, Brentwood Hills Subdivi	sion	
CITY ADDRESS:	2600 Juan Tabo NE at			
ENGINEERING FIRM:			CONTACT: _	J. Bordenave
ADDRESS:	PO Box 91194		PHONE:	823-1344
CITY, STATE:	Albuquerque, NM		ZIP CODE:	8/109
OWNER: Popeye	's Chicken & Bisquits		CONTACT:	P. Joseph
ADDRESS:	PO Box 14903		PHONE:	263-6965
	Albuquerque, NM		ZIP CODE:	87191-4903
_				
ARCHITECT:	Ken Hovey		CONTACT: _	K. Hovey
ADDRESS:	3808 Simms Ave. SE		PHONE:	<u>259-8458</u>
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87108
OT ID VESTINIO TITONA.	TT-11 Chambanaina - Tu	T TOURNIOUS OF IT	NATURACIDA	C1:66
SURVEYING FIRM:	Hall Surveying, Inc.	LICENSED SUF	PHONE:	<u>Cliff</u> 292-6727
ADDRESS:	12805 Menaul Blvd. NE Albuquerque, NM	· · · · · · · · · · · · · · · · · · ·	ZIP CODE:	87112
CITT, STATE.	Atouqueique, ivivi			07112
PROFESSIONAL LICENS	SED SURVEYOR SIGNATU	RE LICENSE	E NO.	DATE
CONTRACTOR:	P J Development		CONTACT:	P. Joseph
	PO Box 14903	· · · · · · · · · · · · · · · · · · ·	PHONE:	263-6965
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87191-4903
TYPE OF SUBMITTAL:		CHECK TYPE OF APPRO	·································	
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CLOMR/LOME	,	BUILDING PER		
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DATE SUBMITTED:	December 22, 2006		BAYDROMAR	OrdengyeCTION:
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3. Drainage Report: Required for subdivision containing more than ten (10) lots or constituting five (5) acres or more.



October 12, 2006

Jean J. Bordenave, P.E. Bordenave Designs PO Box 91194 Albuquerque, NM 87199

Re: Popeyes Chicken & Biscuits, Juan Tabo/Lexington Ave Grading and Drainage Plan Engineer's Stamp dated 10-04-06 (H22-D76)

Dear Mr. Bordenave,

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

Based upon the information provided in your submittal received 10-10-06, 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.

A separate permit (SO#19) is required for construction within City Right of Way. A copy of this approval letter must be on hand when applying for the excavation permit.

dincerely.

If you have any questions, you can contact me at 924-3977.

Rudy E. Rael, Associate Engineer
Planning Department.
Development and Building Services

C: Liz Sanchez, Excavation Permits File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 01/06 - KDM)

PROJECT TITLE: POPEYE'S CHICKEN & BIS	QUITS ZONE MAP:	H22/D7
DRB#: EPC#:	WORK ORDER#:	
LEGAL DESCRIPTION: Lot 1A, Block 101 B	rontrero o d III:11- Costo dinaini	
CITY ADDRESS: Juan Tabo NE at Lexi	rentwood Hills Subdivision	
Judit 1 abb 1415 at 150A	iigtoii	·
ENGINEERING FIRM: Bordenave Designs	CONTACT:	J. Bordenave
ADDRESS:PO Box 91194		823-1344
CITY, STATE: <u>Albuquerque, NM</u>		87109
OWNER: Popeye's Chicken & Bisquits	CONTACT:	P. Joseph
ADDRESS: PO Box 14903		<u> 263-6965</u>
CITY, STATE: <u>Albuquerque, NM</u>	ZIP CODE:	<u>37191-4903</u>
ARCHITECT: Ken Hovey	CONTRA COR.	77° TT
ADDRESS: 3808 Simms Ave. SE		K. Hovey
CITY, STATE: Albuquerque, NM		259-8458 37108
	Zir CODE,	3/100
SURVEYING FIRM: Hall Surveying, Inc.	LICENSED SURVEYOR:	Cliff
ADDRESS: <u>12805 Menaul Blvd. NE</u>		292-6727
CITY, STATE: <u>Albuquerque, NM</u>		37112
PROFESSIONAL LICENSED SURVEYOR SIGNATURE	LICENSE NO.	DATE
		DAIL
CONTRACTOR: P J Development ADDRESS: PO Box 14903	······································	P. Joseph
ADDRESS: <u>PO Box 14903</u> CITY, STATE: <u>Albuquerque, NM</u>		263-6965
CITT, DIATE. Amuqueique, IVIVI	ZIP CODE:	37191-4903
TYPE OF SUBMITTAL:	CK TYPE OF APPROVAL SOUGHT:	
DRAINAGE REPORT	SIA/FINANCIAL GUARANTEE R	ELEASE
DRAINAGE PLAN 1 st SUBMITTAL	PRELIMINARY PLAT APPROVA	
x_ DRAINAGE PLAN RESUBMITTAL	S. DEV. PLAN FOR SUB'D APPR	
CONCEPTUAL G & D PLAN	S. DEV. FOR BLDG. PERMIT API	PROVAL
GRADING PLAN	SECTOR PLAN APPROVAL	
EROSION CONTROL PLAN	FINAL PLAT APPROVAL	
ENGINEER'S CERT (HYDROLOGY)	FOUNDATION PERMIT APPROV	AL
	X BUILDING PERMIT APPROVAL	
TRAFFIC CIRCULATION LAYOUT ENGINEER'S CERT (TCL)		
ERGINEER S CERT (ICL)	CERTIFICATE OF OCCUPANCY	
ENGINEER'S CERT (DRR SITE DI ANI)	GRADING PERMIT APPROVAL	
ENGINEER'S CERT (DRB SITE PLAN) OTHER (SPECIFY)	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL	
ENGINEER'S CERT (DRB SITE PLAN) OTHER (SPECIFY)	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL	
· · · · · · · · · · · · · · · · · · ·	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL	
· · · · · · · · · · · · · · · · · · ·	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL	
OTHER (SPECIFY)	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL OTHER (SPECIE) C	
OTHER (SPECIFY) WAS A PRE-DESIGN CONFERENCE ATTENDED:YES xNO	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL OTHER (SPECIES) C	
OTHER (SPECIFY) WAS A PRE-DESIGN CONFERENCE ATTENDED: YES	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL OTHER (SPECIES) C	
OTHER (SPECIFY) WAS A PRE-DESIGN CONFERENCE ATTENDED:YES xNO	GRADING PERMIT APPROVAL PAVING PERMIT APPROVAL WORK ORDER APPROVAL OTHER (SPECIE) C	

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location, and scope to 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 Plan: 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.



October 13, 2006

Ken Hovey, R.A. 3808 Simms Ave. SE Albuquerque, NM 87108

Re:

Popeye's Chicken, 2600 Juan Tabo Blvd. NE, Traffic Circulation Layout

Architect's Stamp dated 10-12-06 (H22-D76)

Dear Mr. Hovey,

The TCL submittal received 10-12-06 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.

P.O. Box 1293

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.

Albuquerque

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.

www.cabq.gov

New Mexico 87103

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.

Senior Engineer, Planning Dept. Development and Building Services

CC:

file

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 12/05)

PROJECT TITLE: HEBS WILLIAM ROOMWAY	ZONE MAP/DRG. FILE #
DRB#: EPC#:	WORK ORDER#:
A	ENTWEED MILLS SUBDIVISION
CITY ADDRESS: 2600 JVAN CARD DU	(2, 1) 5.
ENGINEERING FIRM:	CONTACT:
ADDRESS:	_ PHONE:
CITY, STATE:	_ ZIP CODE:
OWNER: UDODS ROMILY TRIGT	CONTACT: RICK
ADDRESS: 1.08x1 4903	PHONE: 4 6965
CITY, STATE: BLEVO NM	ZIP CODE: <u>87191</u>
ARCHITECT: HOND HODEN	CONTACT: 130
ADDRESS: 2808 Simus We se	PHONE: 257 845803以
CITY, STATE: KIDUID. AM D	ZIP CODE: 37108 USS
SURVEYOR:	CONTACT: 大松 3 4 3 ~ 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3 -
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
CONTRACTOR: PJ DEVERAMENTS	CONTACT: MR, JOSEPH
ADDRESS: PO BOX 14703	PHONE: 263 695
CITY, STATE: MODULE AM	ZIP CODE: <u>8-1, 91</u>
TVDE OF CIDMITTAI.	TYDE OF ADDDOMAT COLICITY.
TYPE OF SUBMITTAL: CHECK DRAINAGE REPORT	TYPE OF APPROVAL SOUGHT: SIA/FINANCIAL GUARANTEE RELEASE
DRAINAGE PLAN 1 st SUBMITTAL .	PRELIMINARY PLAT APPROVAL
DRAINAGE PLAN RESUBMITTAL	S. DEV. PLAN FOR SUB'D APPROVAL
CONCEPTUAL G & D PLAN	S. DEV. FOR BLDG. PERMIT APPROVAL
GRADING PLAN	SECTOR PLAN APPROVAL
EROSION CONTROL PLAN	FINAL PLAT APPROVAL
ENGINEER'S CERT (HYDROLOGY) CLOMR/LOMR	FOUNDATION PERMIT APPROVAL
TRAFFIC CIRCULATION LAYOUT	_BUILDING PERMIT APPROVAL _CERTIFICATE OF OCCUPANCY (PERM)
ENGINEER/ARCHITECT CERT (TCL)	CERTIFICATE OF OCCUPANCY (TEMP)
ENGINEER/ARCHITECT CERT (DRB S.P.)	GRADING PERMIT APPROVAL
ENGINEER/ARCHIPÉCT CERT (AA)	PAVING PERMIT APPROVAL
OTHER (SPECIFY)	WORK ORDER APPROYAL (V)
1500m	OTHER (SPECIEY)
WAS A PRE-DESIGN CONFERENCE ATTENDED:	· OCT 1 2 2006 -
YES YES	
$\frac{1}{NO}$	LAND DEVELOPMENT SECTION
COPY PROVIDED	LAND DEVLLOT
SUBMITTED BY: VEN HOLET	DATE: 12.06

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define 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 Plan: 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.

Oct 12 2006 10:43AM HP LASERJET 3200

2006/AUG/25/FR: 01:44 ?M RIO CRANDE TITLE

FAX No. 505 875 6038

P. Q08/012

THE CLOSS THE PARTY.

DECLARATION OF PASSOCIONES. COMMENTS.

THIS DECLARATION is entered into effective the 4th day of movember, 1999, by THE CHAPPER PANTLY LIMITED DARTHERABIN, a New Mexico limited partnership ("Declarant").

WHEREAS, Declarant is the owner of the following described real property located in the County of Bernalillo, State of New Mexico, to wit:

Tracts 1-A and 3-A, Block 101, Breatwood
Hills Subdivision within Section 10, Township
10 North, Range & Mast, MMSM. City of
Albuquerque, Bernalillo County, New Mexico,
as the same is shown and designated on the
plat thereof filed in the Office of the
County Glank of Bernalillo County, New Mexico
on the day of Markott. 1999 in Volume

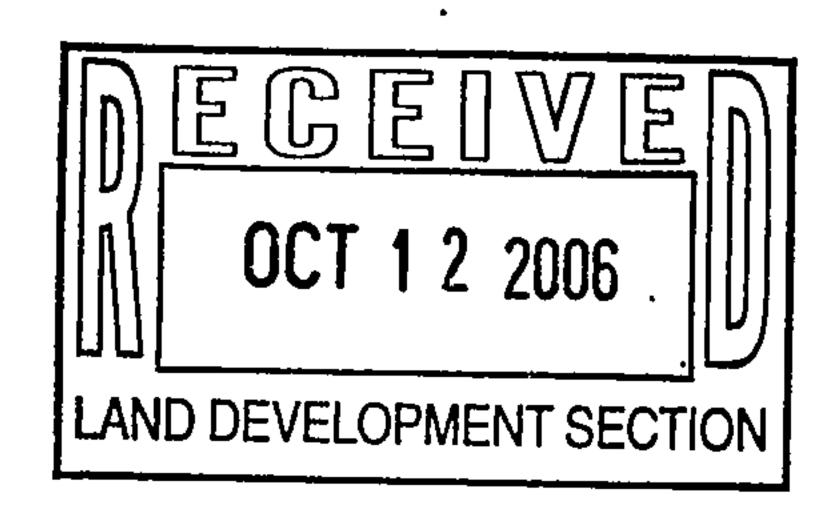
(individually "frace 1-%" and "Trace 2-%" and collectively "Traces"); and

WHEREAS, Declarant deplies to create easements, commants and restrictions related to the Tracts.

NOW, THEREFORE

- 1. Declarant beneby declares that:
- a. Tract 3-A is subject to a perpetual non-exclusive essent for the tenefit of Tract 1-A, over, through and scross the southern sifteen feet (5.15') of the western ninety-five feet (W.95') of Tract 3-A for the purpose of scosss, ingress and egress by webicular and pedestrian traffic.
- b. Tract 3-A is subject to a perpetual non-exclusive comment for the benefit of Fract 1-A, over, through and across the "Accouse Areas" (as hereinafter defined) located on Tract 2-A





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for the purpose of access, ingress, agrees and movement by vehicular and pedestrian traffic to and from Tract 1-A, and apecifically an essengent to and from the thirty foot (301) wide success element created by that certain Agreement filed February E, 1985 in Sook NS, 198A. Page 984 within Tract A, Brantwood Hills Subdivision as shown and designated on the plat filed in Volume C18, folio 193 and adjoining Tract 2-A to the north ("Tract A Essenant"), for so long as the Tract A Essenant exists.

- e. Tract 1-A is subject to a perpetual non-exclusive seasons for the benefit of Trace 2-A, ever, through and across the northern lifteen feet (N.15') of the western ninety-five feet (N.55') of Tract 1-A for the purpose of access, ingress and egress by vehicular and pedestrian traffic.
- d. Tract 1-A is subject to a perpetual non-exclusive essence for the benefit of Tract 2-A, over, though and across the Access Areas located on Tract 1-A for the purpose of Access, ingress, agrees and novement by vehicular and padestrian traffic to and from Tract 2-A.
- designated and used by the owners thereof from time to time for vehicular and pedestrian access, ingress, agrees and movement to and from Juan Tabo Boulevard, Lexington Avenue, Track A Resoment, and the twenty foot (201) public alley to the east of the Tracts.
- If, the Access and Arcess May be relocated by the owners of the Tracts, provided said Arcess Mayses are not blocked at may time,



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nor may the owners of the Tracts plans any barriers or obstructions within or adjoining Access Areas to prevent the resonable soccess, ingress, agrees and movement of vehicular and pedestrian traffic thereon, and reasonable access to the Tract A Essenant as long as it exists. The essenants created by Paragraphs la and lo bereof, and the Tract A Essenant may not be relocated except by an amendment to this Agreement executed by the then owner of Tract 1-A and the then owner of Tract 2-A, which amendment must be recorded in the real estate records of Bernslillo County, New Mexico.

- 2. The development and use of Trade 2-A must comply with the fits Plan attached herets as Exhibit "A" and incorporated herein by reference ("fits Flan") until Movember 15, 2004, unless approved in writing by Declarant.
- 3. After the construction of the paved areas on a Tract, the owner of said Tract shall maintain all easements created by this Declaration in good order and repair, including, but not limited to removing paper, debrie, enow, ica and raffuse, and repairing and replacing lighting, asphalt, striping and directional signage. If any owner does not maintain said easements, as required hereby, and such failure continues for thirty (38) days after written demand to said owner, the owner of the other Tract way undertake such maintenance. In such event, the owner providing the maintenance shall be reimbursed by the owner responsible for the maintenance for all reasonable costs



Oct 12 2006 10:448M HP LASERJET 3200

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chereof, including attornay's fees, together with interest at eighteen percent (18%) per sonum until paid in full.

- 4. Commanding at the time development starts on a Tract, and chareafter, the owner of maid Tracs shell maintain public liebility insurance in an amount of not less than \$1,000,000.00 pingle limit with a company receiving a Best's Insurance Reports rating of not less than A-VIII for claims related to use of the essements on haid owner's Tract, paning the owner of the other Treat we an additional insured. The coner of each Tract shall provide copies of the insurance policy required by this Declaration to the other owner and the insurance policy shall require not less than thirty (30) days prior written notice to the other coner in the event the insurance is canceled or amended. The limits of coverage provided by this Peragraph are subject to adjustment, upon demand by the number of mither Tract, to an amount not to exceed the increase in the Consumer Frice Index or minifar index mutually agreed upon by the owners of both Tracts from January 1, 2000 to the date of the proposed incresss.
- E. In the event may party is required to enforce the provisions besend by judicial proceedings, the prevailing party shall be entitled to resomable attorney's fees and court costs from the non-prevailing party.
- its successors and sesigns in all respents and shall be deemed to

Ady J. Modern South Co. Let 15

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FAX No. 505 875 8038

P. C12/312

IN WITNESS WHEREOF, the undersigned bas executed this Declaration effective the date first bereinsbove set forth.

THE CHAPPEE HAMILY LIMITED PARTNERSHIP.

a New Maxico limited persperahip

COLUMN WEN TO ETATE

COUNTY OF BERHALILLO

This Instrument was acknowledged before we on Meninalian. CHAPFEE FAMILY LEMITED SARTHERENIP, a Way Maxico Limicod parenership.

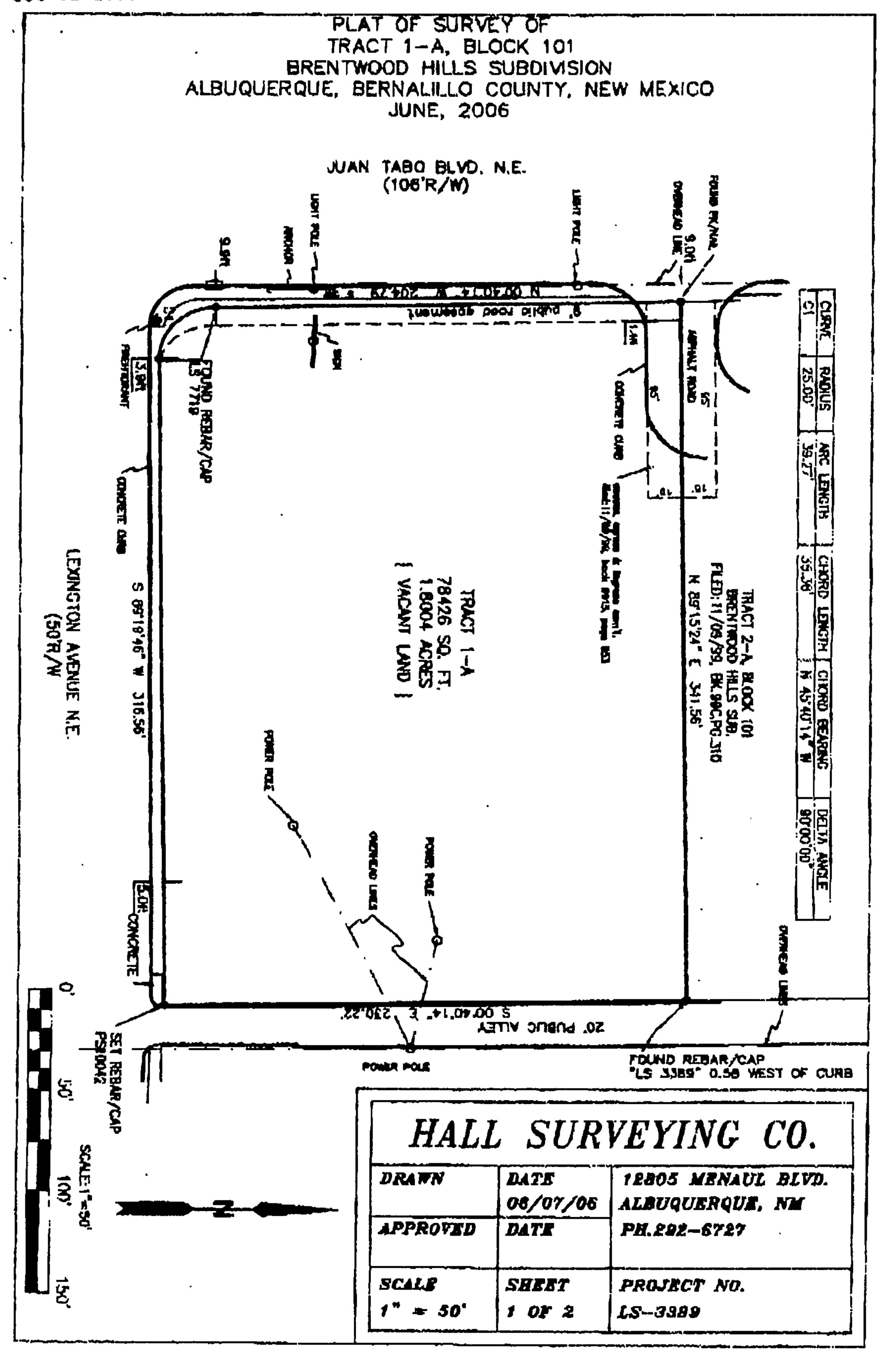
MY COMMISSION EXPIRES

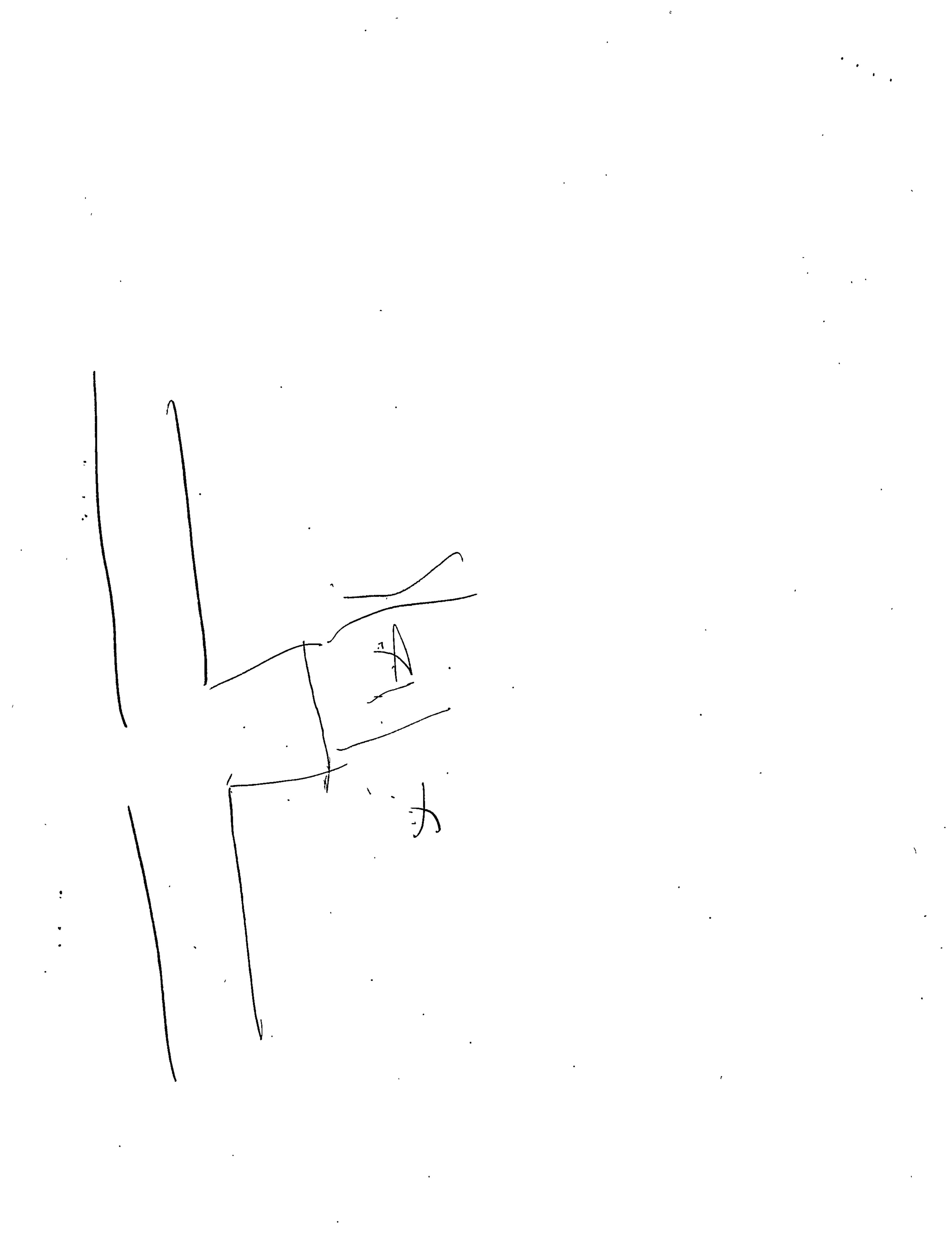
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P - 1

PLAT OF SURVEY OF
TRACT 1-A, BLOCK 101
BRENTWOOD HILLS SUBDIVISION
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JUNE, 2006

DESCRIPTION
TRACT 1-A IN BLOCK 101 OF BRENTWOOD HILLS SUBDIVISION AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY. NEW MEDICO ON NOVEMBER 8, 1999 IN PLAT BOOK BSC. FOLIO 310.

NOTES

No. 02308338

- 1) THIS SURVEY IS BASED ON THE PLAT OF RECORD, DISTANCES ARE GROUND,
 2) THIS SURVEY SHOWS ALL EASEMENTS PER commitment for title insurance from RIO CRANDE TITLE CO.
- 5) ENCROACHMENTS
 1) ASPHALT ROAD AND CURB AT NORTHWEST CORNER extend outside access, ingress & egress esmit.
 by upto 1.4'.

FLOOD INFORMATION
TRACT 1-A,BLOCK 101 APPEARS TO FALL IN ZONE X AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, PER FJ.R.M. PANEL 357 OF 825 MAP #3500100387 EFFECTIVE DATE NOVEMBER 18, 2003.

SURVEYORS CERTIFICATION

TO: SANFORD L. WOODS, SR., LAWYERS TITLE INSLITANCE CORP., FIRST FEDERAL BANK AND MICHAEL J MCDEFNOTT;

I, PRESTON EL HALL, NEW MCDICO PROFESSIONAL SURVEYOR, HEREBY CERTIFY THAT THIS

BOUNDARY SURVEY PLAT WAS FREPARED FROM AN ACTUAL DROUND SURVEY PERFORMED BY ME OR UNDER

MY SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE

BEST OF MY KNOWLEDGE AND BELIEF. THAT THIS BUNNDARY SURVEY PLAT AND THE FIELD SURVEY UPON

WHICH IT IS BASED MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT THIS SURVEY PLAT

OF AN EXISTING TRACT OR TRACTS.

PRESTON E. HALL

Tutte Kall

05/07/06 OATE REMSED: 8/28/06

HALL SURVEYING CO.			
DRAWN	DATE 08/07/06	12805 MENAUL BLVD. ALBUQUERQUB, NM	
APPROVED	DATE	PH.292~6727	
SCALE	SHEET	PROJECT NO.	
1" - 50'	2 OF 2	LS-3389	

•



October 11, 2006

Ken Hovey, R.A. 3808 Simms Ave. SE Albuquerque, NM 87108

Re: Popeye's Chicken, 2600 Juan Tabo Blvd. NE, Traffic Circulation Layout Architect's Stamp dated 9-22-06 (H22-D76)

Dear Mr. Hovey,

Based upon the information provided in your submittal received 10-02-06, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

- 1. Provide a sidewalk easement for all public sidewalk located outside of the right-of-way, or redesign the sidewalk at the drivepad on Lexington Avenue.
- 2. The proposed sidewalk along Lexington Avenue must be 6 feet in width. Please place the proposed sidewalk at the property line, not the back of curb.
- 3. List radii for all curves shown.
- 4. Provide a copy of the cross lot access easement.
- 5. Please provide more information about the existing driveway and wheelchair ramps to ensure that these are ADA compliant. The ramps will require truncated domes. Provide a ramp detail.
- 6. The handicapped space to the left of the 8-foot wide van access aisle is a van accessible space. The note under Off Street Parking Provided states: "Two HC spaces all designated van accessible." However, only one handicapped space is van accessible. Please correct this note and adjust your parking signs accordingly. In addition, please note that this phase provides 33 proposed parking spaces, not 34.
- 7. Please refer to all applicable city standards.
- 8. It appears that the landscaping islands do not provide adequate protection for the parking spaces; extend the landscape islands an additional two feet (approximate) or to the end of the parking stalls.
- 9. The pedestrian path needs to be 6 feet wide.
- 10. What are the existing conditions of the site? Clarify existing versus proposed versus future conditions. Are the parking spaces shown to the north of the proposed building part of phase 2? What is proposed for this area with phase 1? Please provide more detail.
- 11. Include a copy of solid waste approval.

If you have any questions, you can contact me at 924-3981.

Sincerely,

Kristal D. Metro, P.E.

Senior Engineer, Planning Dept.

Development and Building Services

C: File

Albuquerque - Making History 1706-2006

Albuquerque

P.O. Box 1293

New Mexico 87103

www.cabq.gov

H-22/D76

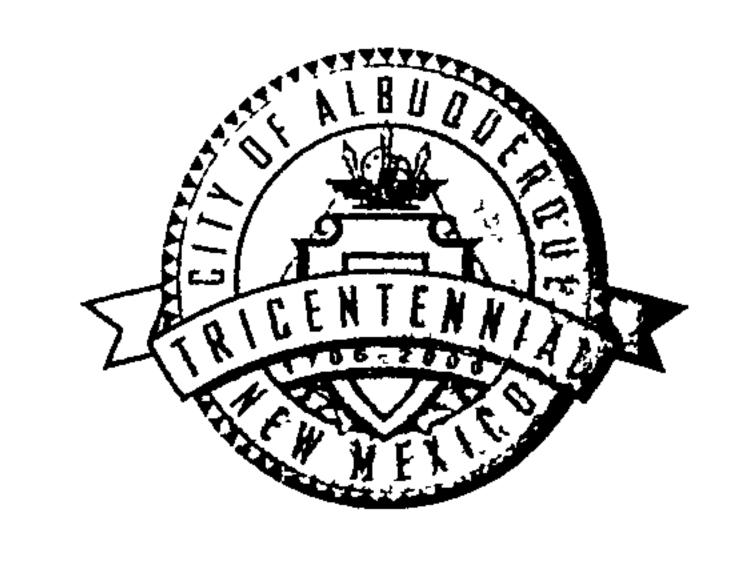
DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 12/05)

PROJECT TITLE: TOPOS CHICKEN RESTA	JEANT ZONE MAP/DRG FILE # H2Z
DRB#: EPC#:	WORK ORDER#:
LEGAL DESCRIPTION: TRACT 1-15, Floc	K 101 BROW TWOOD THUS ALLA
CITY ADDRESS: 2600 JUKN TAP	K 101 BROWTWOOD MILLS APPLY S EURO, MB
ENGINEERING FIRM:	CONTACT:
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
OWNER: WOODS PAMILY TRYST	CONTACT: MR, JOSEPH
ADDRESS: 60, 60x 14903	PHONE: 505-934-6945
CITY, STATE: BURNED, 1M1	ZIP CODE:
ARCHITECT: KET HOVEY	
ADDRESS: 300 SIMMS AVE	CONTACT: KENHOVEY SET PHONE: SOS-259-84-58
CITY, STATE: A A A	A
CITT, STATE	ZIP CODE:
SURVEYOR:	CONTACT:
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
$P_1 \cap D_{-1}$	
CONTRACTOR: LIVERATIVE TO THE CONTRACTOR:	CONTACT: 205 7635
ADDRESS: 10, 150, 15103	PHONE:
CITY, STATE:	ZIP CODE: <u>8-7-191</u> 8-191
TYPE OF SUBMITTAL:	CHECK TYPE OF APPROVAL SOUGHT:
DRAINAGE REPORT	SIA/FINANCIAL GUARANTEE RELEASE
DRAINAGE PLAN 1 st SUBMITTAL	PRELIMINARY PLAT APPROVAL
DRAINAGE PLAN RESUBMITTAL	S. DEV. PLAN FOR SUB'D APPROVAL
CONCEPTUAL G & D PLAN	S. DEV. FOR BLDG. PERMIT APPROVAL
GRADING PLAN	SECTOR PLAN APPROVAL
EROSION CONTROL PLAN	FINAL PLAT APPROVAL
ENGINEER'S CERT (HYDROLOGY)	FOUNDATION PERMIT APPROVAL
CLOMR/LOMR	BUILDING PERMIT APPROVAL
TRAFFIC CIRCULATION LAYOUT	CERTIFICATE OF OCCUPANCY (PERM)
ENGINEER/ARCHITECT CERT (TCL)	CERTIFICATE OF OCCUPANCY (TEMP)
ENGINEER/ARCHITECT CERT (DRB S.P.)	GRADING PERMIT APPROVAL
ENGINEER/ARCHITECT CERT (AA)	PAVING PERMIT APPROVAL
OTHER (SPECIFY)	WORK ORDER APPROVAL
•	OTHER (SPECIFY)
	一一一一一一一
WAS A PRE-DESIGN CONFERENCE ATTENDED:	· In E 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
YES	110) Tare or 2 2008 111111
NO	OCT 0 2 2006
COPY PROVIDED	
	LAND DEVELOPMENT SECTION
SUBMITTED BY: KAY 10 KG	DATE: DE LOS

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope to the proposed development define 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 Plan: 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.

Med SW esmit - or redesign 16' sidewalk reeded along Lexington I Provide more into to ensure the existing diversery and ramps are ADA : compliant / Copy of cross lot access esent Meed to add sign to van accessible space (to the left of the 8' aisle) Handscape relands do not provide adequate protestion for the parling spaces - should extend out approx 2 ft more May proposed SW at the PL. Provide 6' pedestran accesa Reed ramp status What we the existing conditions of the site? Med all radii values Indut Provide copy of refuse approval Clarify future works va. proposed works



October 2, 2006

Jean Bordenave, P.E.
Bordenave Designs
P.O. Box 91194
Albuquerque, NM 87199

Re: Popeye's Chicken and Biscuits Restaurant, Juan Tabo Boulevard at Lexington Avenue, Grading and Drainage Plan

Engineer's Stamp dated 9-18-06 (H22-D76)

Dear Mr. Bordenave,

Based upon the information provided in your submittal received 9-26-06, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

- 1. An offsite drainage map is shown, but the offsite drainage is not defined or quantified.
- 2. What is the status of the 20 foot public alley? Is it currently paved?
- 3. Is the refuse enclosure existing or proposed?
- 4. Please clarify what items on the plan are existing and what items are proposed.
- 5. Provide invert elevations for the proposed sidewalk culvert.
- 6. Two copies of the plan must be provided when an SO#19 permit is required.
- 7. Please update your SO#19 notes on the plan (see attached notes for reference).
- 8. What does the cross hatching indicate?
- 9. A valley gutter detail is not shown on sheet C.3. Please provide a detail or refer to the appropriate City Standard.

If you have any questions, you can contact me at 924-3981.

Sincerely,

Kristal D. Metro, P.E.

Senior Engineer, Planning Dept.

Development and Building Services

C: File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV 01/06 - KDM)

PROJECT TITLE:	POPEYE"S CHICKEN & BISQU	JITS	ZONE MAI	P: <u>H22</u> /D
	EPC#:	WORK	ORDER#:	
TECAL DECORPTON	. Tat 1 A Dlaste 101 Dron	twood Wille Subdivi	cion	
LEGAL DESCRIPTION: CITY ADDRESS:			51011	<u></u>
CITY ADDRESS:	Juan Tabo IND at Lexing	LOIL		
ENGINEERING FIRM:	Bordenave Designs		CONTACT: _	J. Bordenave
	PO Box 91194		PHONE:	823-1344
	Albuquerque, NM		ZIP CODE:	87109
	's Chicken & Bisquits	<u>. </u>	CONTACT: _	P. Joseph
	PO Box 14903		PHONE:	<u>263-6965</u>
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87191-4903
A DOMETICE OT.	TZ am Tilavare		CONTACT: _	K. Hovey
ARCHITECT:	Ken Hovey		PHONE:	259-8458
ADDRESS:	3808 Simms Ave. SE	<u> </u>	ZIP CODE:	87108
CITY, STATE:	Albuquerque, NM	<u> </u>	. ZII CODE,	07100
SURVEYING FIRM:	Hall Surveying, Inc.	LICENSED SUI	RVEYOR:	Cliff
ADDRESS:	12805 Menaul Blvd. NE		PHONE:	292-6727
 -	Albuquerque, NM	<u> </u>	ZIP CODE: _	87112
<u> </u>		· · · · · · · · · · · · · · · · · · ·		
				_
PROFESSIONAL LICEN	SED SURVEYOR SIGNATURE	LICENSI	E NO.	DATE
CONTRACTOR:	P J Development		CONTACT: _	P. Joseph
	PO Box 14903		_ PHONE:	263-6965
	Albuquerque, NM		ZIP CODE: _	87191-4903
TYPE OF SUBMITTAL	<u>.</u> : <u>CHEC</u>	K TYPE OF APPRO	OVAL SOUGH	
DRAINAGE R				
	EPORT	SIA/FINANCIA	L GUARANTE	E RELEASE
	EPORT LAN 1 st SUBMITTAL	SIA/FINANCIA PRELIMINARY	L GUARANTE	E RELEASE VAL
DRAINAGE P	EPORT LAN 1 st SUBMITTAL LAN RESUBMITTAL	SIA/FINANCIA PRELIMINARY S. DEV. PLAN I	L GUARANTE PLAT APPRO FOR SUB'D AP	E RELEASE VAL PROVAL
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Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location, and scope to 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 Plan: 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 subdivision containing more than ten (10) lots or constituting five (5) acres or more.

You have an offsite drainage wap, but you do not define the quantity of offsite flow What is the status of the 20 public alley? clo it powed? Kefuse enclosene- is this existing? Clarify what's existing wa. proposed on the site Provide inverto for the sidewalk adverts 2 copies for 5019 Update 5019 notes Vally Dutter detail is not shown on sheet C.3

- provide a detail or refer to
appropriate City Std Define the depth of the concrete channel