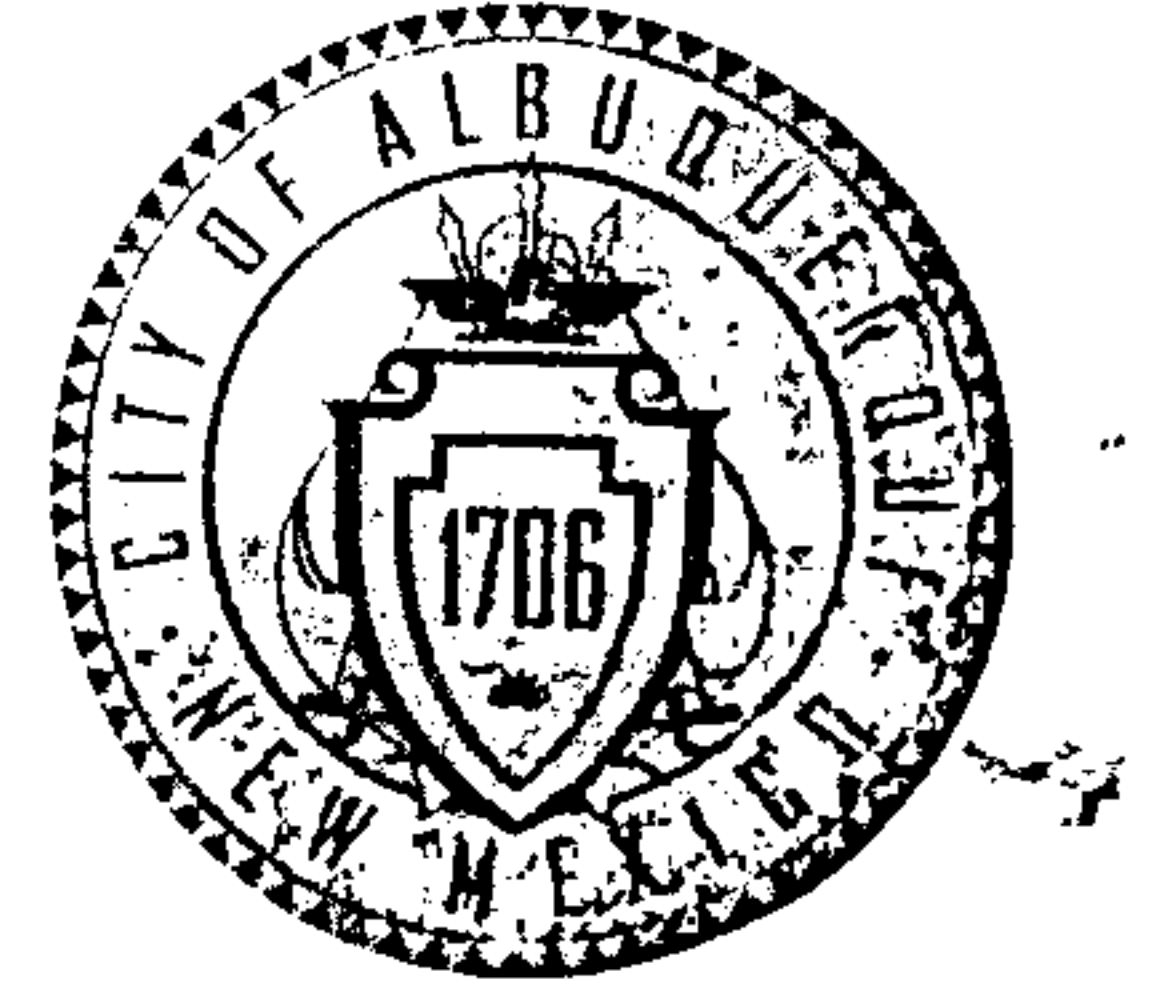


CITY OF ALBUQUERQUE



September 9, 2008

Philip W. Clark, P.E.
Clark Consulting Engineers
19 Ryan Road
Edgewood, NM 87015

**Re: Miller's Insulation Office Addition, 424 Kinley NE,
(J-14/D159)**

Approval of Permanent Certificate of Occupancy,

Engineer's Stamp Dated: 10-05-07

Certification dated 9-08-2008

Mr. Clark,

PO Box 1293

Based upon the information provided in your submittal received 9/09/08, the above referenced certification is approved for release of Permanent Certificate of Occupancy by Hydrology.

Albuquerque

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

NM 87103

Sincerely,

Timothy Sims

Plan Checker-Hydrology, Planning Dept
Development and Building Services

www.cabq.gov

C: CO Clerk—Katrina Sigala
file

DRAINAGE AND TRANSPORTATION INFORMATION SHEET
(REV 12/05)

PROJECT TITLE: Miller's office (Insulation) ZONE MAP: J-14/D159
DRB#: _____ EPC#: _____ WORK ORDER#: _____

LEGAL DESCRIPTION: _____
CITY ADDRESS: 424 Kinley NE 87102

ENGINEERING FIRM: Clark Consulting Engineers CONTACT: Phil
ADDRESS: 19 Ryan Road PHONE: 281-2444 & FAX
CITY, STATE: Edgewood, NM ZIP CODE: 87015

OWNER: Miller's Insulation CONTACT: _____
ADDRESS: _____ PHONE: _____
CITY, STATE: _____ ZIP CODE: _____

ARCHITECT: Mark Weaver CONTACT: _____
ADDRESS: _____ PHONE: 255-8046
CITY, STATE: _____ ZIP CODE: _____

SURVEYOR: En Precision CONTACT: Larry
ADDRESS: _____ PHONE: _____
CITY, STATE: Albuquerque NM ZIP CODE: _____

CONTRACTOR: Enterprise Bldg. Corp CONTACT: Dave Brown
ADDRESS: _____ PHONE: _____
CITY, STATE: _____ ZIP CODE: _____

TYPE OF SUBMITTAL:

☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL
☐ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL G & D PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☒ ENGINEER'S CERT (HYDROLOGY)
☐ CLOMR/LOMR
☐ TRAFFIC CIRCULATION LAYOUT
☐ ENGINEER'S CERT (TCL)
☐ ENGINEER'S CERT (DRB SITE PLAN)
☐ OTHER (SPECIFY) _____

CHECK TYPE OF APPROVAL SOUGHT:

☐ SIA/FINANCIAL GUARANTEE RELEASE
☐ PRELIMINARY PLAT APPROVAL
☐ S. DEV. PLAN FOR SUB'D APPROVAL
☐ S. DEV. FOR BLDG. PERMIT APPROVAL
☐ SECTOR PLAN APPROVAL
☐ FINAL PLAT APPROVAL
☐ FOUNDATION PERMIT APPROVAL
☐ BUILDING PERMIT APPROVAL
☒ CERTIFICATE OF OCCUPANCY
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ WORK ORDER APPROVAL
☐ OTHER (SPECIFY) _____

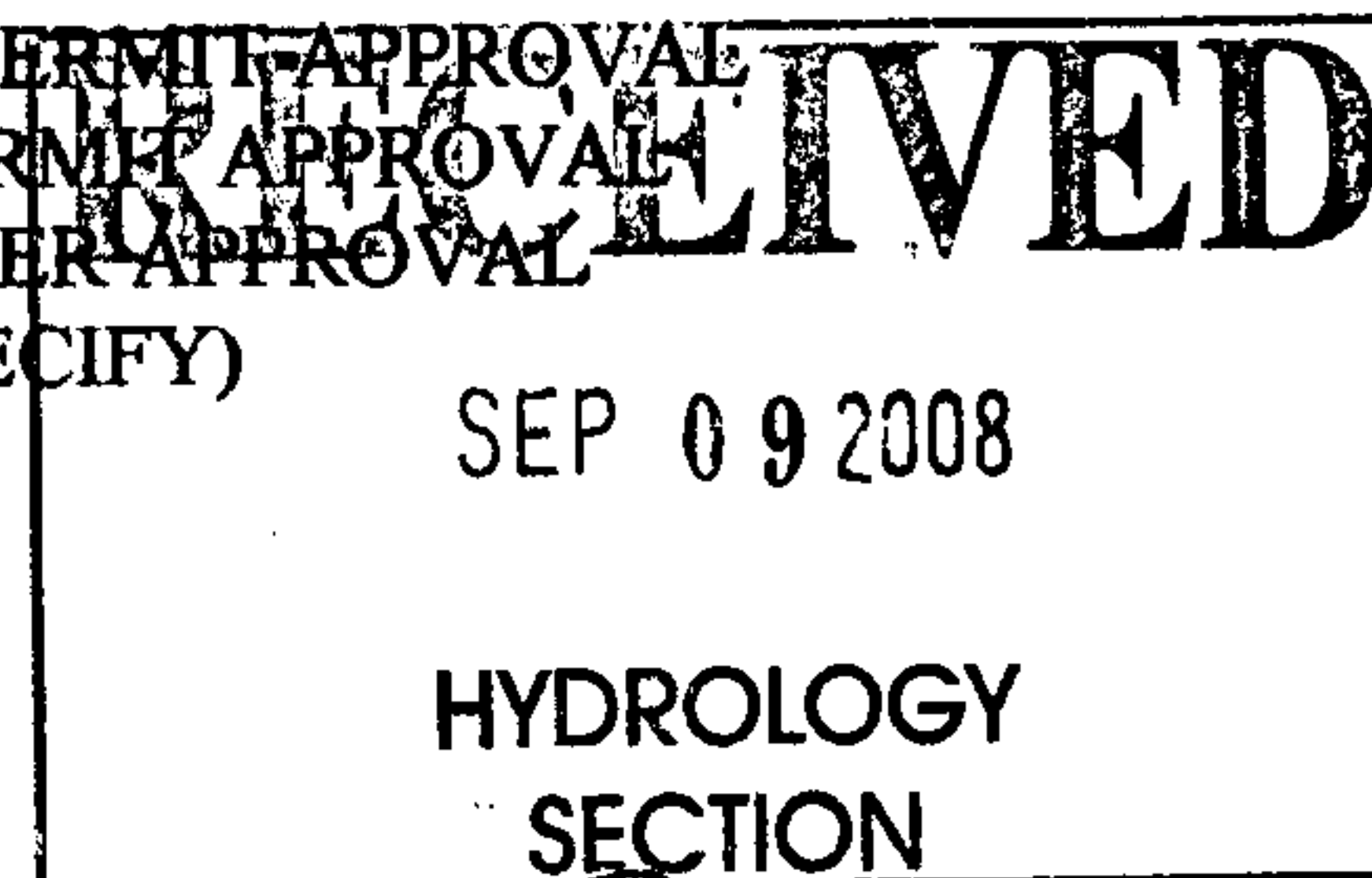
WAS A PRE-DESIGN CONFERENCE ATTENDED:

☐ YES
☐ NO
☐ COPY PROVIDED

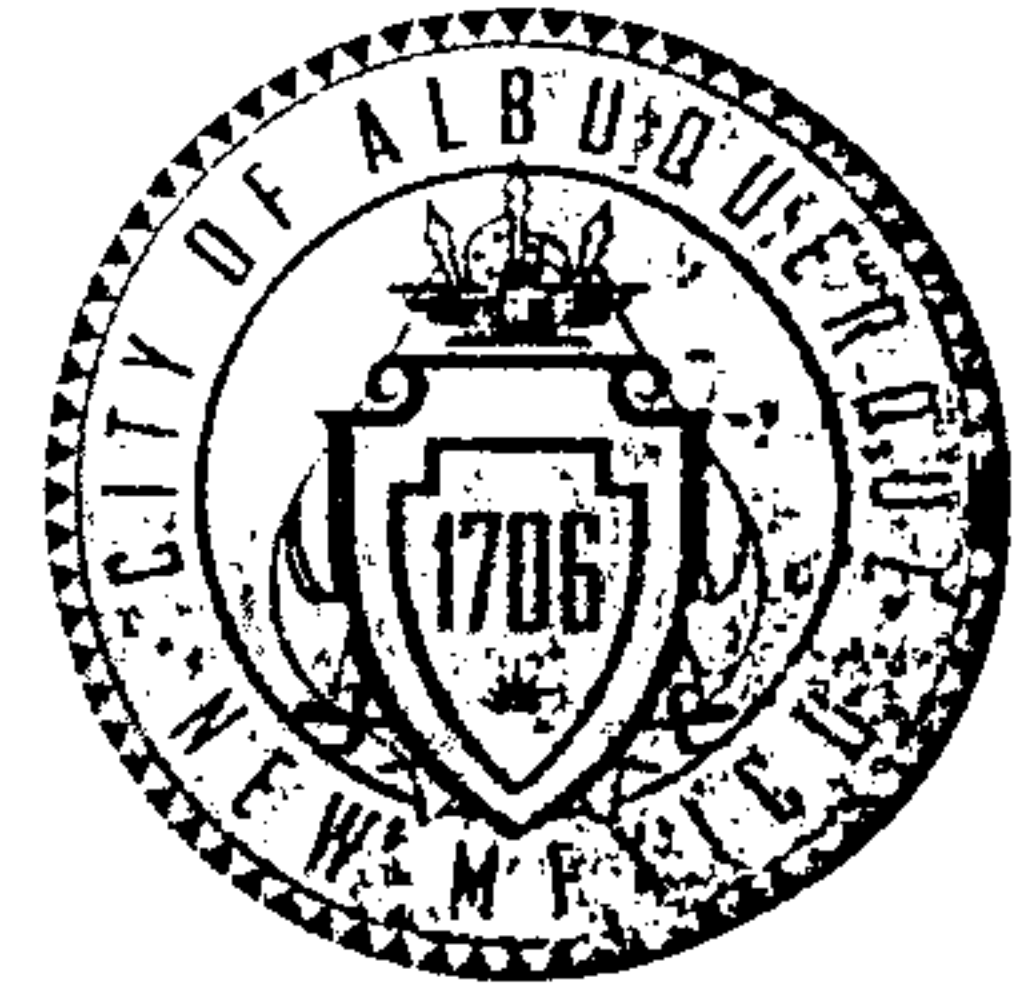
DATE SUBMITTED: 9/8/08 BY: ONE

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.



CITY OF ALBUQUERQUE



September 26, 2008

Mark Weaver, R.A.
MW Architecture
1245 Princeton Dr. NE
Albuquerque, NM 87106

**Re: Millers Insulation Company, 424 Kinley Avenue NE,
Certificate of Occupancy – Transportation Development
Architect's Stamp dated 12-31-07 (J14-D159)
Certification dated 9-25-08**

Dear Mr. Weaver,

PO Box 1293

Based upon the information provided in your submittal received 9-25-08, the above referenced certification is approved for release of permanent Certificate of Occupancy by Transportation Development.

Albuquerque

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

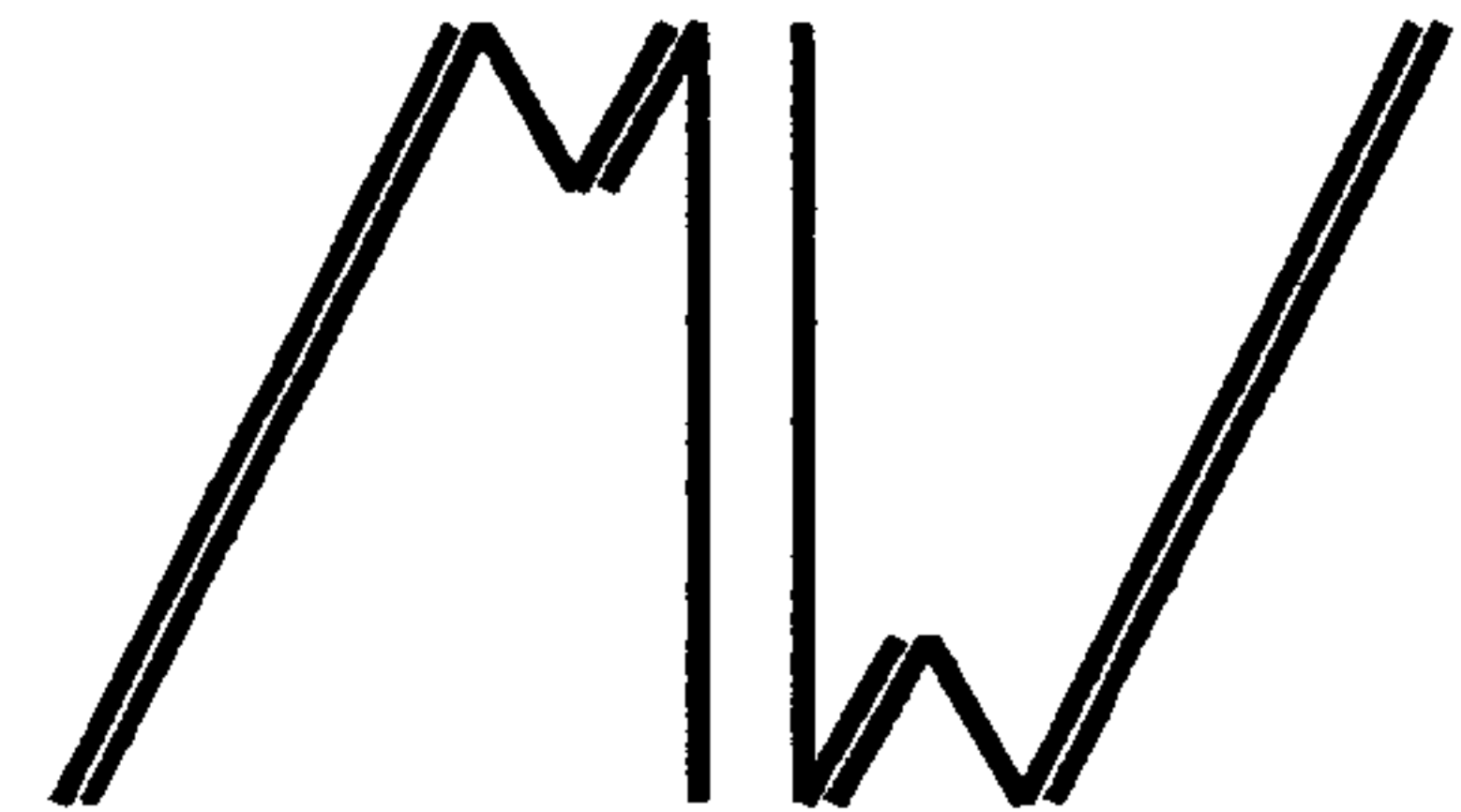
NM 87103

Sincerely,

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

www.cabq.gov

C: CO Clerk
File



ARCHITECTURE

1245 PRINCETON DR. NE
ALBUQUERQUE, NM 87106
(505) 255-8046

25 September 2008

traffic certification

Millers Insulation Company
424 Kinley Ave. NE, Albuquerque

I, Mark Weaver, NMRA, of the firm MW Architecture, hereby certify that this project is in substantial compliance with and in accordance with the design intent of the approved TCL plan dated 12-31-07. The record information edited onto the original design document has been obtained by Mark Weaver of the firm MW Architecture. I further certify that I have personally visited the project site on 09-18-08 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 Certificate of Occupancy.

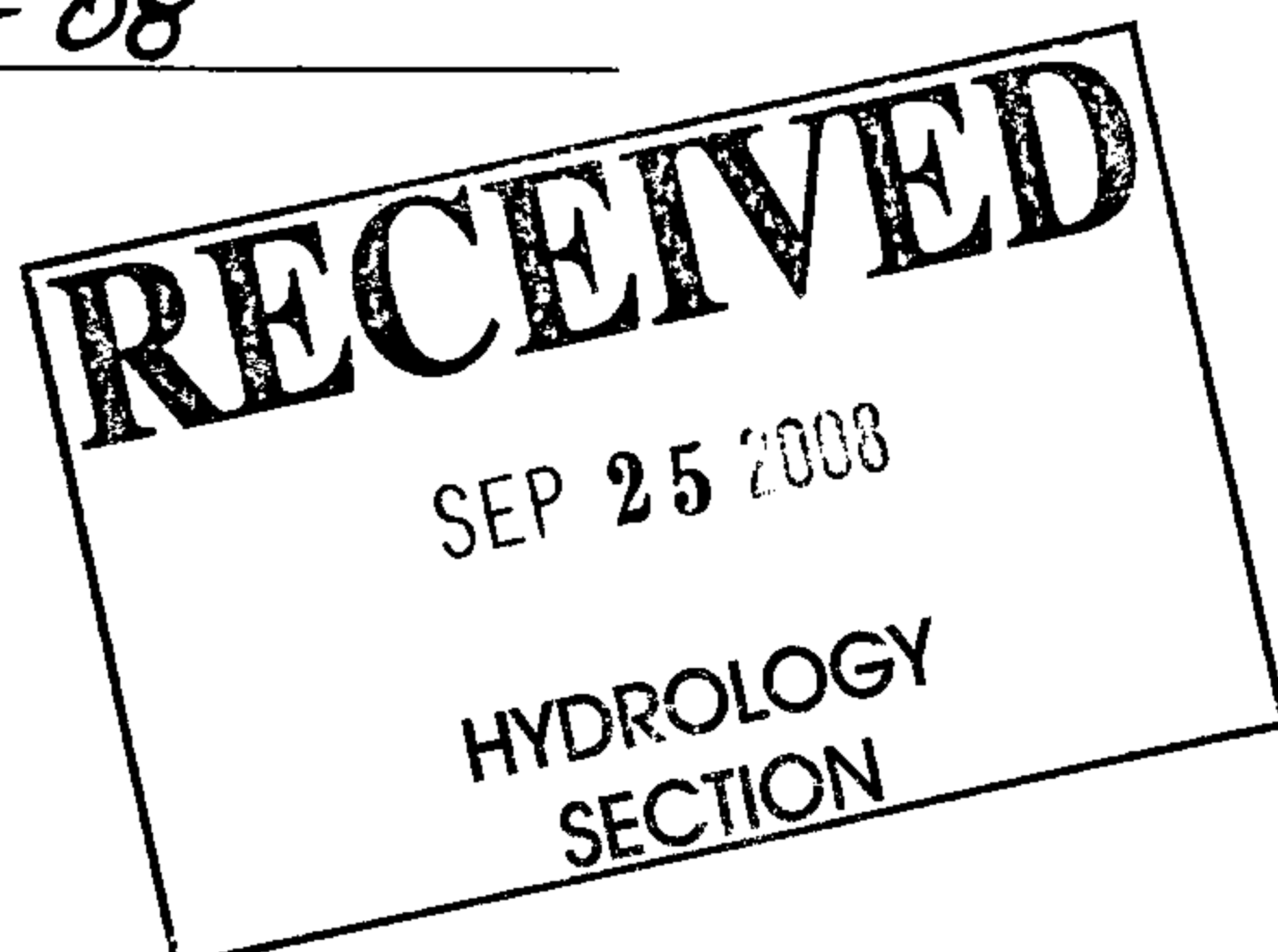
Exceptions:

1. The new fire hydrant which is shown to be installed across the street from the subject site is currently under construction, and is not fully completed at this date. (All on-site work is complete, and all traffic-related work items are complete.)

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.


signature of engineer or architect

09-25-08
date



DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(Rev. 12/2005)

PROJECT TITLE: Millers Insulation Company ZONE MAP/DRG. FILE # J-14/D159
DRB#: _____ EPC#: _____ WORK ORDER#: _____

LEGAL DESCRIPTION: Lots 1-18, Block 4, Springer Transfer Co. Addition No. 1
CITY ADDRESS: 424 Kinley Ave. NE.

ENGINEERING FIRM: _____
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

OWNER: Millers Insulation Co.
ADDRESS: 424 Kinley Ave NE
CITY, STATE: Albuquerque, NM

CONTACT: Desiree Miller
PHONE: 924-2214
ZIP CODE: 87102

ARCHITECT: MW Architecture
ADDRESS: 1245 Princeton Dr NE
CITY, STATE: Albuquerque, NM

CONTACT: Mark Weaver
PHONE: 255-8046
ZIP CODE: 87106
(fax 255 4834)

SURVEYOR: _____
ADDRESS: _____
CITY, STATE: _____

CONTACT: _____
PHONE: _____
ZIP CODE: _____

CONTRACTOR: Enterprise Builders Corp.
ADDRESS: PO Box 3987
CITY, STATE: Albuquerque, NM 87190

CONTACT: Chris Baca
PHONE: 857-0050
ZIP CODE: 87190

TYPE OF SUBMITTAL:

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ DRAINAGE REPORT
☐ DRAINAGE PLAN 1st SUBMITTAL
☐ DRAINAGE PLAN RESUBMITTAL
☐ CONCEPTUAL G & D PLAN
☐ GRADING PLAN
☐ EROSION CONTROL PLAN
☐ ENGINEER'S CERT (HYDROLOGY)
☐ CLOMR/LOMR
☒ TRAFFIC CIRCULATION LAYOUT
☒ ENGINEER'S/ARCHITECT'S CERT (TCL)
☐ ENGINEER'S CERT (DRB SITE PLAN)
☐ OTHER

- ☐ SIA/FINANCIAL GUARANTEE RELEASE
☐ PRELIMINARY PLAT APPROVAL
☐ S. DEV. PLAN FOR SUB'D APPROVAL
☐ S. DEV. 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)

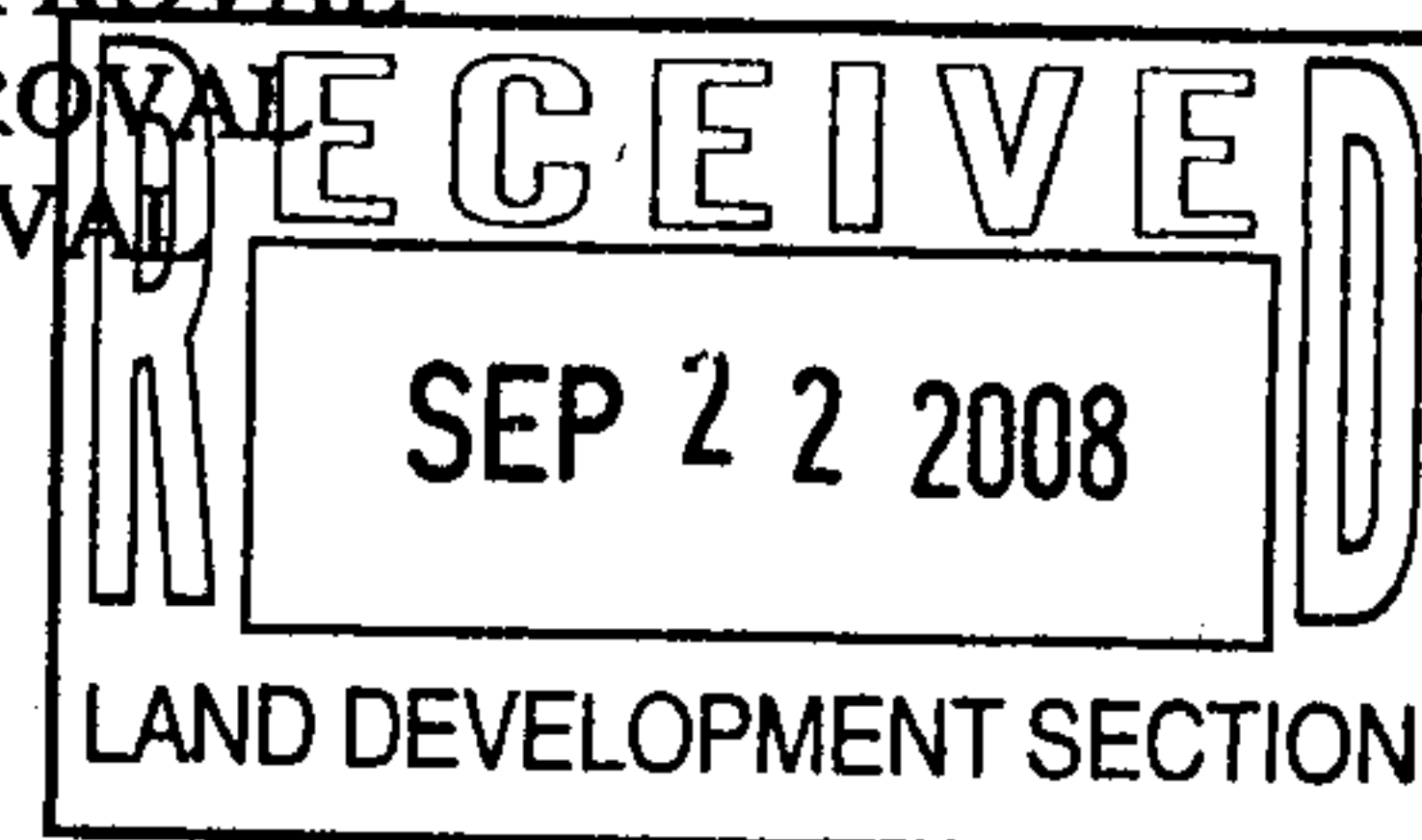
WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
☐ NO
☐ COPY PROVIDED

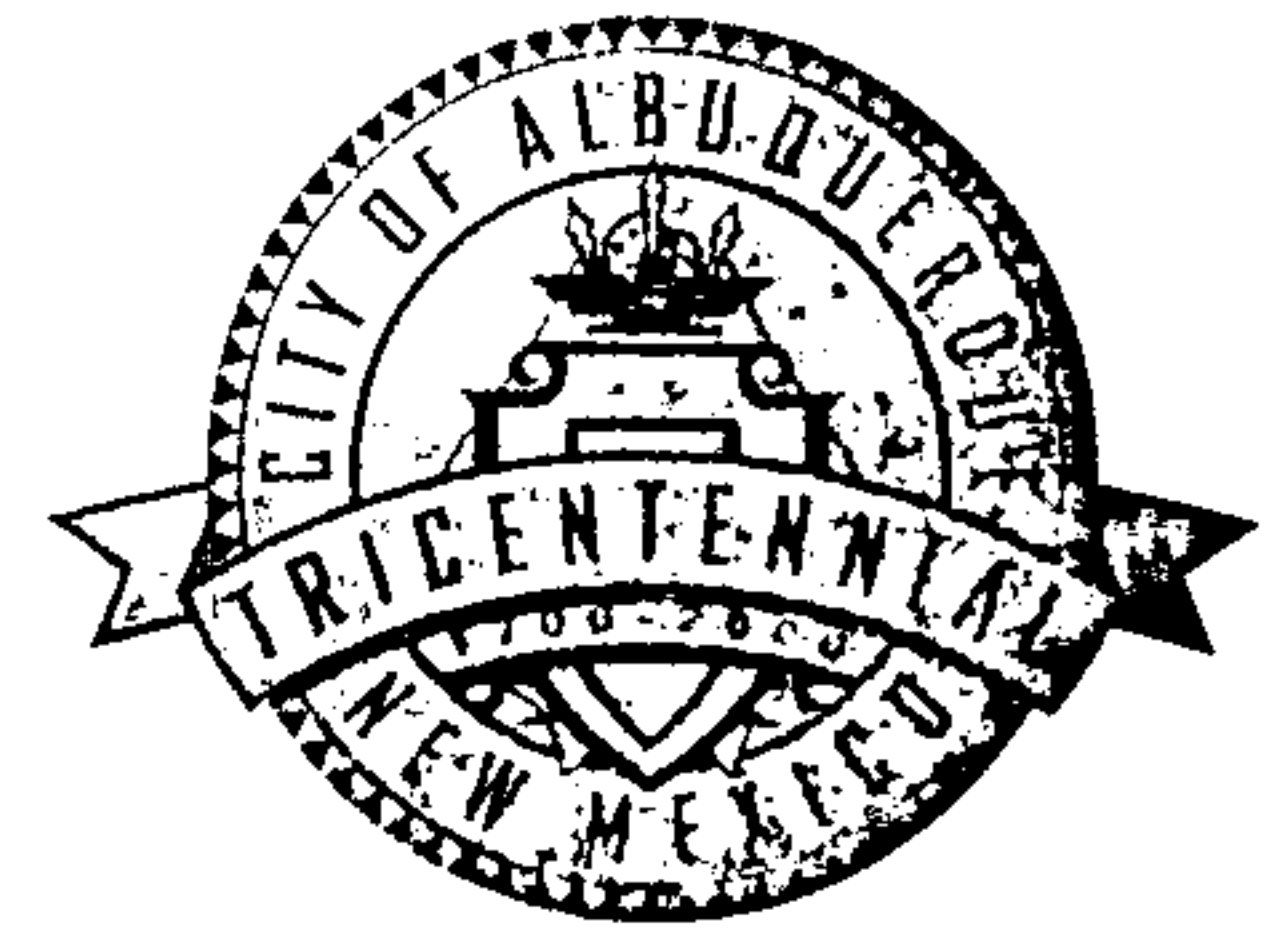
SUBMITTED BY: Mark Weaver MW DATE: 09-22-08

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.



CITY OF ALBUQUERQUE



January 4, 2008

Mark Weaver, R.A.
MW Architecture
1245 Princeton Dr. NE
Albuquerque, NM 87106

Re: Millers Insulation Co. Office Building Addition, 424 Kinley Avenue NE,
Traffic Circulation Layout
Architect's Stamp dated 12-31-07 (J14-D159)

Dear Mr. Weaver,

The TCL submittal received 1-04-08 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

Albuquerque

New Mexico 87103

www.cabq.gov

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.

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.
Senior Engineer, Planning Dept.
Development and Building Services

C: File

J-14/D159

DECLARATION OF ACCESS EASEMENTS
(ALBUQUERQUE, NEW MEXICO)

This Declaration of Access Easements ("Declaration") is executed as of 11/28, 2007 (the "Effective Date"), by Joseph Miller ("Declarant").

Preliminary Statement

A. Declarant is the owner in fee of that certain real property located in the City of Albuquerque, Bernalillo County, New Mexico, more particularly described in Exhibit "A" attached hereto and made a part hereof ("Parcel 1"). Declarant also is the owner in fee of that certain real property located adjacent to Parcel 1 ("Parcel 2") and more particularly described in Exhibit "B" attached hereto and made a part hereof. Declarant also is the owner in fee of that certain real property located adjacent to Parcel 1 ("Parcel 3") and more particularly described in Exhibit "C" attached hereto and made a part hereof.

B. Parcel 1, Parcel 2 and Parcel 3 are depicted on the site plan attached hereto as Exhibit "D" (the "Site Plan") and made a part hereof. Parcel 1, Parcel 2 and Parcel 3 are sometimes referred to herein collectively as the "Parcels" or individually as a "Parcel". The term "Owner" shall refer to Declarant and its respective successors and assigns to all or any interest in Parcel 1, Parcel 2 or Parcel 3 as the case may be. The term "Owners" shall refer to all persons or entities owning interests in all of the Parcels.

C. In order to effectively develop and operate the Parcels, Declarant hereby intends (i) to establish various access easements burdening and benefitting the Parcels and (ii) to impose obligations for maintenance of the easements as set forth below.

NOW, THEREFORE, Declarant declares as follows:

1. Declaration and Grant of Mutual Access and Mutual Roadway Easement and Maintenance Obligations.

1.1 Declaration of Easements. Declarant, as the owner of all of the Parcels, does hereby establish, declare, grant and convey to Declarant, its successors and assigns as the Owner or Owners of the Parcels or any one of them, and the employees, tenants, customers, invitees and licensees of any said Owner or Owners, non-exclusive perpetual easements, rights and privileges (collectively, the "Easements") to go over, upon and across such portions of each of the Parcels that are, respectively, from time to time developed and utilized by the Owners thereof, for the purpose of pedestrian and vehicular traffic including, without limitation, curb cuts, median breaks, drive aisles and driveways (collectively, the "Access Easement Areas") for the benefit of every other Parcel and such Parcel Owners' employees tenants, customers, invitees and licensees. No monetary fee or charge for access of vehicles shall ever be imposed on the Parcels or any portion thereof.

The Easements established pursuant to this Declaration (i) are made and imposed upon the Parcels subject to the rights, estates, covenants, and liabilities created by any and all instruments of record in Bernalillo County, New Mexico, affecting title to the Parcels as of the date of the execution

Doc# 2007169773

12/19/2007 08:11 AM Page: 1 of 10
DEC R:\$27.00 M. Toulouse, Bernalillo County



hereof and (ii) shall apply to the portions of the Parcels over which Access Easement Areas are located from time to time by the Owner, and (iii) shall be subject to all laws, regulation and ordinances of governmental authorities applicable to the construction, operation, maintenance and other use of the Access Easement areas for the purposes for which the Easements have been granted as set forth in the Declaration. The Owner of a Parcel shall be entitled to modify the location of the Easements with such Owner's Parcel from time to time, upon condition that such modifications shall not materially restrict access for the other Owners or their employees, tenants, customers, invitees and licensees.

1.2 Maintenance Obligations. Each Owner shall be responsible for repairing, cleaning and maintaining in good repair and condition the Access Easement Areas located within such Owner's respective Parcel. In the event the Owner of a Parcel does not maintain the Access Easement Areas with its Parcel in good repair and condition through the term of this Declaration (the "Defaulting Owner"), then any other Owner (the "Curing Owner") shall have the right to give the Defaulting Owner written notice of such failure. If the Defaulting Owner fails to cure or commence to cure and to diligently pursue to cure such failure (but only if said failure will take more than thirty (30) days to cure despite such diligent pursuit) within thirty (30) days of such Owner's receipt of notice of such failure, the Curing Owner may correct such failure. The Defaulting Owner shall pay to the Curing Owner the actual reasonable and verified costs of such maintenance within thirty (30) days after receipt of an invoice for the same. The actual reasonable and verified costs incurred by the Curing Owner pursuant to this Section shall constitute a lien against the Defaulting Owner's Parcel. The lien shall attach and take effect only upon recordation of a claim of lien in the Real Property record of Bernalillo County, New Mexico by the party making the claim. The claim of lien shall include the following: the name of the lien claimant; a statement concerning the basis for the claim of lien; an adequate legal description of the Defaulting Owner's Parcel; a description of the work performed giving rise to the claim of lien; and a statement that the lien is claimed pursuant to the terms of the Declaration. The lien claimant shall promptly record a complete release of such lien upon payment in full by the Defaulting Owner of all costs and expenses incurred in connection with the work performed pursuant to the authority granted to the curing owner under this Section. The self help rights granted to the Curing Owner pursuant to this section shall not form the basis for any lien or claim, other than the lien provided for herein, and all work performed by the Curing Owner shall be made in good and workmanlike manner and condition.

Each Parcel Owner shall have, and is hereby granted, a temporary, nonexclusive easement for incidental encroachments upon any other Parcel which may occur as a result of the exercise of rights under this section to maintain the Access Easement Areas located on another Parcel so long as customary insurance is maintained protecting both the Curing Owner and Defaulting Owner from the risks involved.

2. Beneficiaries of Easements. The Easements and the other rights and privileges granted in this Declaration are for the benefit of each Parcel, each Owner of the Parcel, and for such Owner's successors, assigns, tenants, occupants, employees, agents, customers and invitees, and the customers, employees and invitees of such tenants and Occupants. The Owner of a parcel may grant the benefit of the Easements and the right and privileges under the Declaration to the tenants and other occupants of such Owner's Parcel for the duration of such occupancy and to the employees, tenants, customers, invitees and licensees thereof; but the same are not intended nor shall they be

construed as creating any right in or for the benefit of the general public nor shall they affect any real property outside the Parcels.

3. **Term.** This Declaration and the Easements created hereby shall encumber the Parcels perpetually. If for any reason this Declaration is required to have defined term, then such term shall be for a period of fifty (50) years commencing on the Effective Date of this Declaration, or such lesser period if and to the extent a lesser period is required by applicable law, and thereafter the term hereof shall be renewed automatically for successive ten (10) year periods unless all Owners of the Parcels and any parties owning at that time any security interest in any of the Parcels execute and record in the Real Property records of Bernalillo County, New Mexico, a statement terminating this Declaration within sixty (60) days of the expiration of such statutory period or any ten (10) year renewal.

4. **Indemnity.** By accepting title to a Parcel, the Owner thereof shall be deemed to have hereby covenanted and agreed to indemnify and hold harmless the Owners of the other Parcels from and against any damage, liability, claims, actions, demands, costs, and expenses (including reasonable attorney's fees) of any kind arising out of or connected with any of the following: (a) any breach of the terms and provisions of this Declaration; (b) any injury to or death of persons or damage property which arises out of the use by Owner's or its employees, customers, invitees and licensees (collectively, and "Owner's Related Parties") of the Access Easement Areas (but not including claims caused by the negligence of will act or omission of an Owner and such Owner's related Parties or the exercise of the rights and privileges granted herein; and /or (c) any mechanics', materialmen's, or similar liens or claims for lien which arise out of the use of the Easements by an Owner. These indemnity provision are limited to the extent necessary to comply with New Mexico Statutes 56-7-1.

5. **Reservation of Right in Access Easement Areas.** Notwithstanding anything to the contrary contained herein, each Owner of a Parcel shall be deemed to have reserved the following rights with respect to any Access Easement Areas located on such Owner's Parcel:

(a) Except as expressly provided herein, the exclusive right to use the surface areas of the remainder of such Owner's parcel, exclusive of the Access Easement Areas, the right to use the surface areas of the Access Easement Areas as a roadway but for no other purpose (subject only to the provision of this Declaration), and the exclusive right to use the subsurface areas of such Owner's Parcel for any reason and in such matter as the Owner deems proper and which does not unreasonably interfere with another Owner's use and enjoyment of the Access Easement Areas or the exercise of its right and privileges hereunder. With respect to the Access Easement Areas, no Owner shall grow tree, shrubs or other vegetation, erect improvements on the roadway or barrier on or to the applicable roadway or nearby public thoroughfares, or make any other use of the Access Easement Areas that may unreasonably interfere with the exercise by any other Owner of such Owner's rights and privileges under this Declaration; and

(b) The right to grant additional access, utility, or other easements over, upon, and under; and the right to grant others the right to use the Access Easement Areas for purposes which do not unreasonably interfere with any other Owner's use and enjoyment of the Access Easement Areas or which imposes on any other Owner any additional monetary obligations not otherwise assumed hereunder.

No Owner shall construct any improvements or grant any right to any other part to construct any improvements or obstruction on the Access Easement Areas which would materially and negatively interfere with the rights of the other Owners. Absent the written consent of all other Owners (which consent shall not unreasonably be withheld, hindered or delayed), no Owner shall make any changes to the Access Easement Areas which would materially obstruct or diminish the proposed of the easements granted herein but reasonable relocation of the Access Easements within a Parcel shall be permitted.

6. **Mortgage Subordination.** Any future mortgage or deed of trust, or other form of lien affecting any portion or all of a Parcel shall at all times be subject and subordinate to the terms of this Declaration, except to the extent expressly otherwise provided herein. Any party foreclosing any such mortgage or deed or trust or acquiring title by deed in lieu of foreclosure or trustee's sale, shall acquire title subject to all of the terms and provisions of this Declaration.

7. **Covenants Running with the Land.** Every Declaration, covenant, promise, undertaking, condition, easement, right, privilege, option and restriction made, granted or assumed, as the case may be, by a party hereto is made by such party not only personally for the benefit of the other party but also as the owner of such party's Parcel, and shall constitute covenants running with the land and equitable servitude on the Easement Areas. Any transference of all or any part of a Parcel shall automatically be deemed, by acceptance of the title to all or any portion of said Parcel, to have received and be entitled to all of the benefits, easements, rights, and privileges and to have assumed all obligation of this Declaration relating thereto to the extent of its interest said parcel and to have agreed with the then owner or owners of all other portion of the other Parcel to execute any and all instruments and to do any and all things reasonable required to carry out the intention of the Declaration, and the transferor shall upon the completion of such transfer be relieved of all further liability under this Declaration except liability with respect to matters that may have arisen during its period of ownership of the portion of the Parcel so conveyed that remain unsatisfied.

8. **Non-Dedication.** Nothing contained in this Declaration shall be deemed to be a gift or dedication of any portion of a Parcel to the general public or for any public use or purpose whatsoever, it being the intention of the parties and their successor and assigns that nothing in this Declaration, expressed or implied, shall confer upon any person, other than the Owners and their respective successors and assigns and right or remedies under or by reason of this Declaration.

9. **Severability.** If any provision of this Declaration, or portion thereof, or the application thereof to any person or circumstances, shall, to any extent be held invalid, inoperative or unenforceable, the remainder of this Declaration, or the application of such provision or portion thereof to any other persons or circumstances, shall not be affected thereby. Each provision of the Declaration shall be valid and enforceable to the fullest extent permitted by Law.

10. **Governing Law.** This Declaration shall be construed in accordance with the law of the State of New Mexico.

11. **Headings.** The Article and section headings in the Declaration are for convenience only, shall in any way define or limit scope of content of the Declaration, and shall not be considered

in any constriction or interpretation of this Declaration or any party thereof.

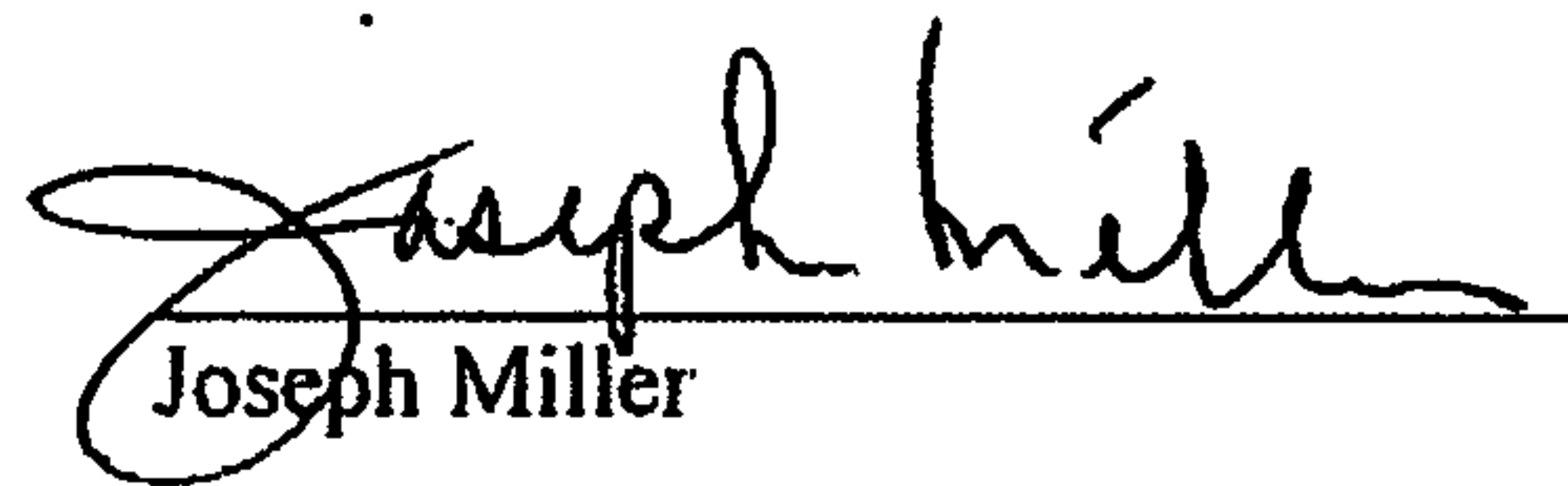
12. **Relationship of Owners.** Nothing in the Declaration shall be construed to make any future Owners of the Parcels partners or joint venturers or render any such Owner liable for the debts or obligations of the other Owners.

13. **Priority.** This Declaration shall be superior an prior to any mortgages, deeds of trust, financing statements, security interest, and other lien now or hereafter affecting the Parcels.

14. **Binding Effect.** This Declaration shall be biding upon and inure to the benefit of Declarant and Declarant's respective successors and assigns acquiring an interest in a Parcel.

15. **Modifications, Amendments and Termination.** This Declaration may be amended, modified, or terminated at any time by declaring in writing, executed and acknowledged by Owners holding all free ownership in all of the Parcels.

DECLARANT:


Joseph Miller

ACKNOWLEDGMENTS

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

This Instrument was acknowledged this 28th day of November, 2007, before me the undersigned notary public, by Joseph Miller.

My Commission Expires:

8-24-09

Judy Perez Mendez
NOTARY PUBLIC

N:\DANP\Miller's Insulation\declaration of access wpd

Exhibit A

Lots numbered One (1) through Eighteen (18), both inclusive, in Block numbered Four (4) of SPRINGER TRANSFER CO.'S ADDITION, NO. 1, to the City of Albuquerque, New Mexico, as the same are shown and designated on the amended plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45.

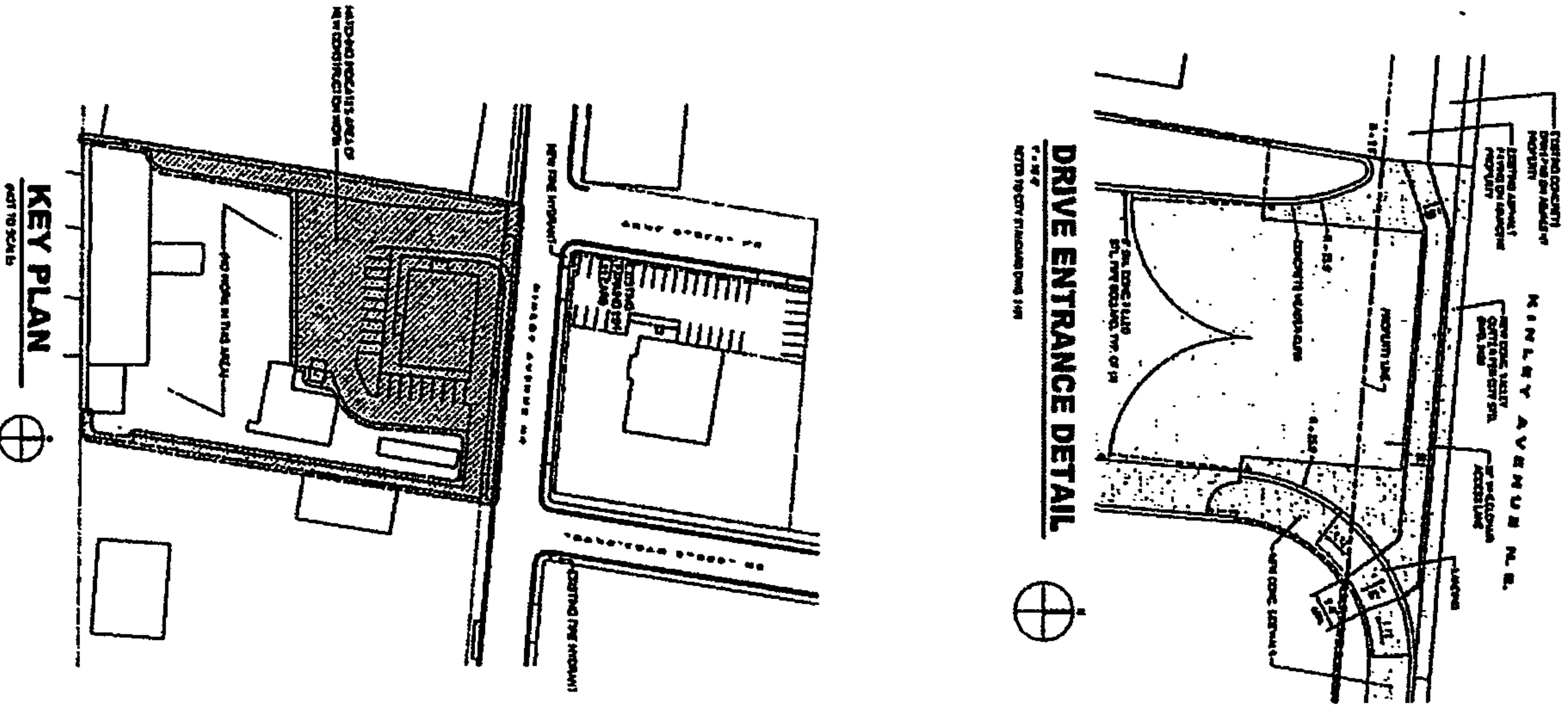
Exhibit B

The West Fifteen (15') feet of a strip of land shown on the amended plat of SPRINGER CO.'S ADDITION NO. 1, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45, as that portion of North Edith Street bounded on the North by East McKinley Avenue and on the South by the Southern boundary of said Addition, the land hereby conveyed being the West Fifteen (15') feet of that portion of North Edith Street conveyed by the Quitclaim Deed of Bernalillo County, New Mexico, executed on April 7, 1947, and recorded in Book D45, page 5, records of Bernalillo County, New Mexico.

Exhibit C

That portion of North Arno Street as shown on the amended plat of SPRINGER TRANSFER CO.'S ADDITION NO. 1, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45, lying East of a line commencing at a point on the extension of the South line of East McKinley Avenue, which point is midway between the Northeast corner of Lot 10, Block 3 of said Addition and the Northwest corner of Lot 9, Block 4 of said Addition, and ending at a point on the South boundary of said Addition, which point is midway between the Southeast corner of Lot 18, Block 3 of said Addition and the Southwest corner of Lot 1, Block 4 of said Addition.

Exhibit D



PROJECT DATA

PROJECT DESCRIPTION: A new 10,000 sq. ft. office building with 10,000 sq. ft. of parking space. The building is located at 424 Kihley Ave. NE, Albuquerque, NM. The project is owned by Miller's Insurance Co. and is being developed by Miller's Insurance Co. The project is a new construction and is expected to be completed in 2024.

FLOOR AREA CALCULATIONS

EXISTING FLOOR AREA: 10,000 sq. ft.
NEW FLOOR AREA: 10,000 sq. ft.
TOTAL FLOOR AREA: 20,000 sq. ft.

PARKING CALCULATIONS

EXISTING PARKING: 10 spaces
NEW PARKING: 10 spaces
TOTAL PARKING: 20 spaces

LANDSCAPE AREA CALCULATIONS

EXISTING LANDSCAPE: 10,000 sq. ft.
NEW LANDSCAPE: 10,000 sq. ft.
TOTAL LANDSCAPE: 20,000 sq. ft.



OFFICE BUILDING ADDITION MILLER'S INSURANCE CO. 424 KIHLEY AVE. NE, ALBUQUERQUE	
DATE: 10/10/2023	SCALE: 1/8" = 1'-0"
TCL	

EASEMENT

THIS DEED OF EASEMENT is made this 28 day of November 2007 by and between JOSEPH MILLER (hereinafter referred to as "Owner"); and the CITY OF ALBUQUERQUE, (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, The Owner is the owner of certain real property (the "Property") as shown on the plat dated October 26, 2007 and prepared by Mark Weaver of MW Architecture (the "Plat"), which Plat is attached hereto.

WHEREAS, it is the desire and intent of Owner to grant and convey unto the City the easement in the location as shown on the Plat and as hereinafter provided;

NOW THEREFORE, in consideration of the premises and the sum of One Dollar (\$1 00), cash in hand paid, the receipt of which is hereby acknowledged, Owner does ~~hereby grant and convey~~ unto the City an easement and right-of-way for the purpose of ~~using a wheelchair ramp~~ over and across the Property as shown on the Plat, subject to the following terms and conditions:

1. The easement and right-of-way shall be non-exclusive and utilized by the City and its agents, assigns, invitees and patrons as a wheelchair ramp on the Property

~~2. This easement does not extend to any of the parts of the Owner's property.~~

3. The construction, repair and maintenance of the wheelchair ramp within the easement areas shall be the responsibility of the City.

IN WITNESS WHEREOF, the Owner has caused this Deed of Easement to be executed under seal by its duly authorized representative

Doc# 2007169772

12/19/2007 08:11 AM Page: 1 of 3
EASE R:\$13.00 M. Toulouse, Bernalillo County



FURTHER WITNESS the following signatures and seals.

By: Joseph Miller
Joseph Miller

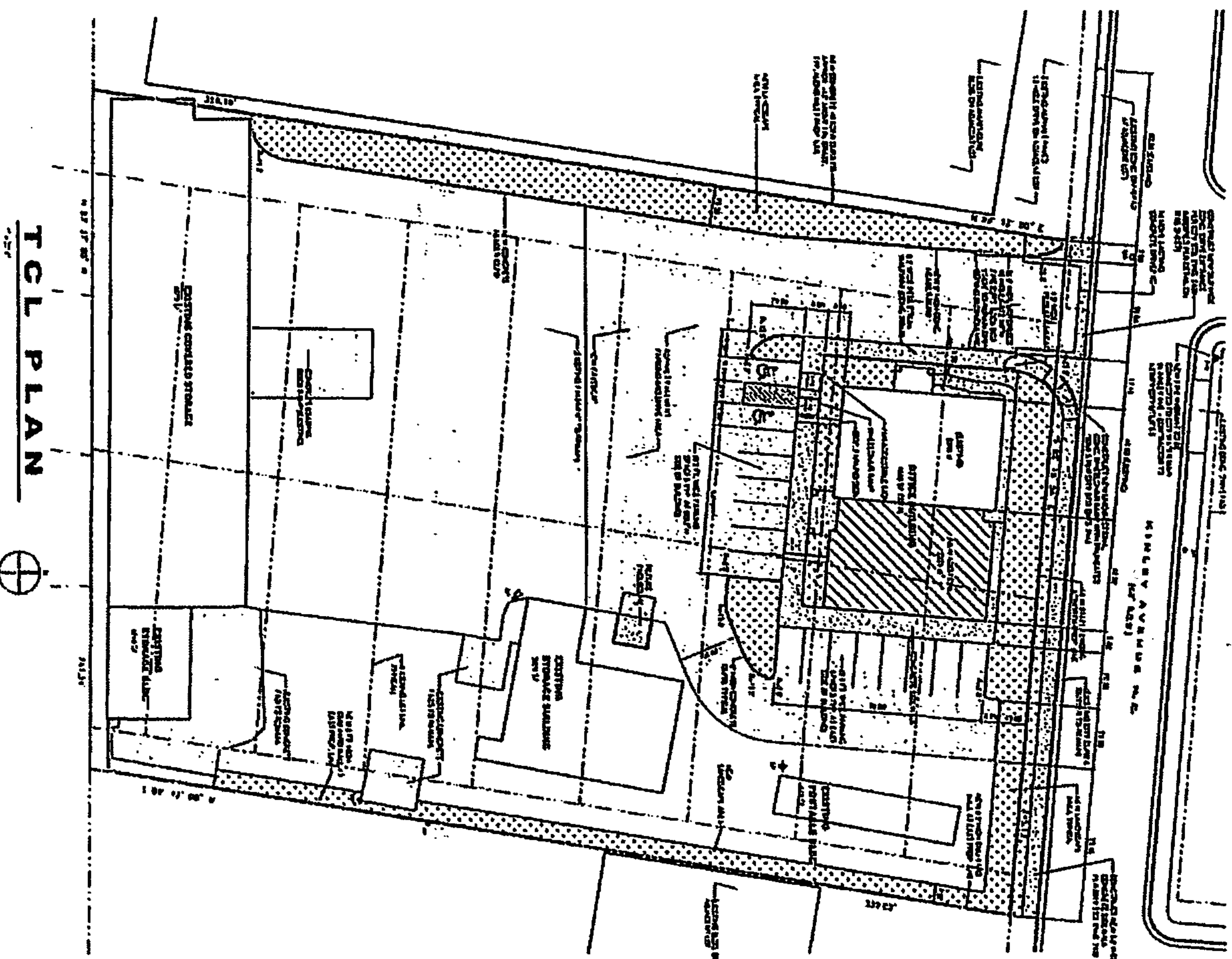
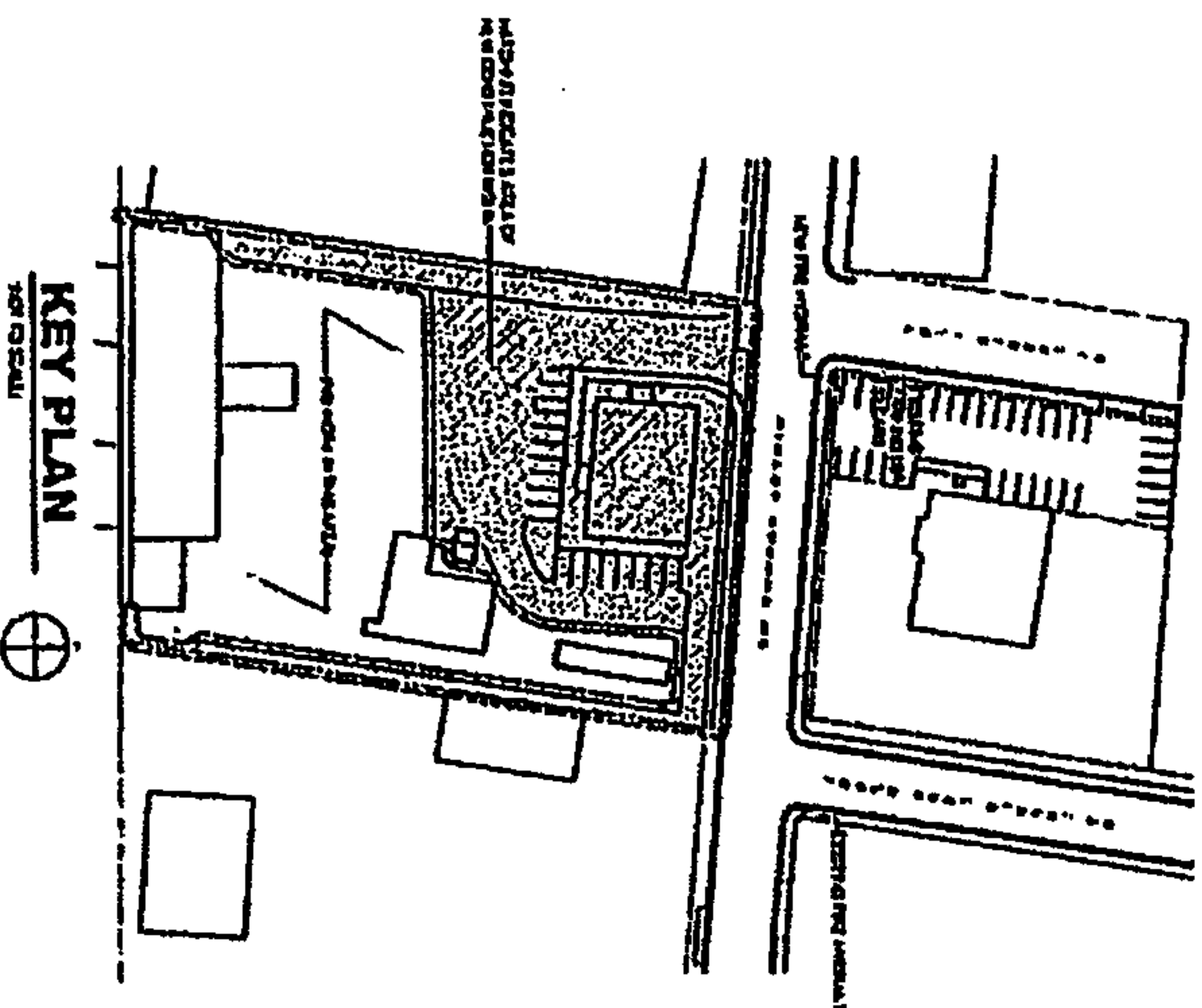
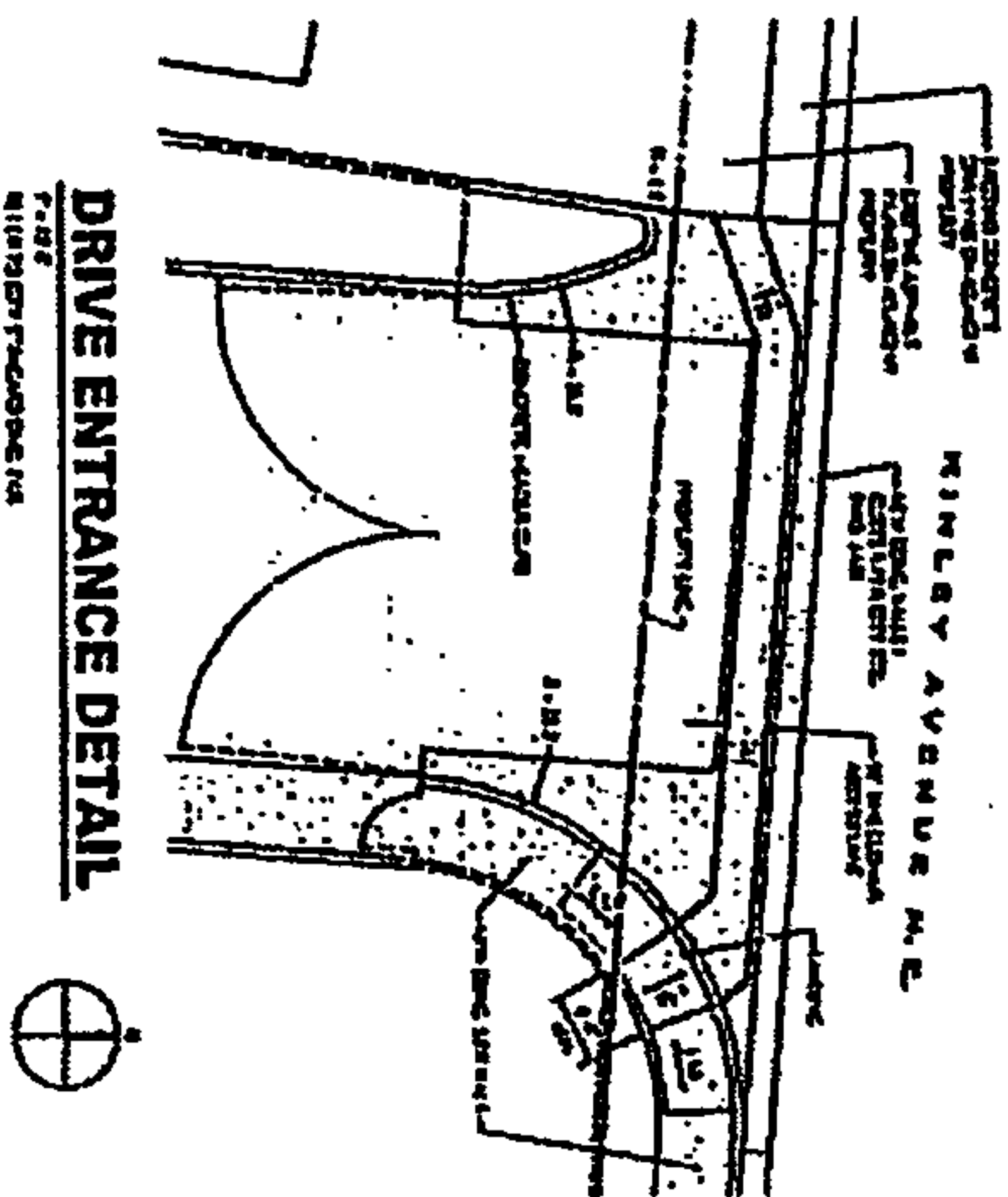
ACKNOWLEDGMENT

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

On this 28th day of November, 2007, before me personally appeared Joseph Miller, to me known to be the person described in and who executed the foregoing instrument.

My Commission Expires:
8-24-09

Judy Perez Mendez
NOTARY PUBLIC



PROJECT DATA

PROJECT NAME: MINERVA AVENUE N.E. DRIVE ENTRANCE
 PROJECT LOCATION: 424 MINERVA AVENUE N.E., ALBUQUERQUE, NM 87102
 PROJECT OWNER: MINERVA AVENUE N.E. DRIVE ENTRANCE
 PROJECT DATE: 10/1/2010
 PROJECT SCALE: 1" = 100'

FLOOR AREA CALCULATIONS

EXISTING DRIVE AREA: 1,200 sq. ft.
 TOTAL DRIVE AREA: 1,200 sq. ft.

PARKING CALCULATIONS

EXISTING DRIVE AREA: 1,200 sq. ft.
 TOTAL DRIVE AREA: 1,200 sq. ft.
 TOTAL DRIVE AREA: 1,200 sq. ft.

LANDSCAPE AREA CALCULATIONS

EXISTING DRIVE AREA: 1,200 sq. ft.
 TOTAL DRIVE AREA: 1,200 sq. ft.
 TOTAL DRIVE AREA: 1,200 sq. ft.



OFFICE BUILD ADDITION MINERVA AVENUE N.E. DRIVE ENTRANCE 424 MINERVA AVENUE N.E., ALBUQUERQUE, NM 87102		TCL	
DATE: 10/1/2010 BY: [Signature]		[Signature]	

d. Joseph Miller, or his assigns, shall have the right from time to time to reconstruct the parking areas on Property A and to relocate this non-exclusive parking easement to the general parking areas located on the Property A as relocated and constructed. During periods of construction, Joseph Miller shall have a right to limit parking within the parking areas being reconstructed as is reasonable and necessary.

2. Joseph Miller also hereby grants and conveys a non-exclusive parking easement on and across the paved parking lot areas that are from time to time located on Property B. This parking easement is for the purpose of parking for the employees, tenants, customers, guests, invitees and licensees of Joseph Miller and Miller's Insulation, Inc. The parking on the Property B shall be and is made subject to the following restrictions:

a. The right to park vehicles within the parking easement is limited to parking of such vehicles in designated general parking areas.

b. The parking easement and the right to use such area for parking shall be limited to normal business hours (9:00 a.m. to 5:00 p.m. Monday through Friday).

c. The ingress, egress, and regress of any of the above designated person, and their passenger vehicles, to any and from any portion of the Property B and adjacent public streets thereto shall not unreasonably interfere with activities ordinarily scheduled at the Property B; and

d. Joseph Miller, or his assigns, shall have the right from time to time to reconstruct the parking areas on the Property B and to relocate this non-exclusive parking easement to the general parking areas located on the Property B as relocated and constructed. During periods of construction, Joseph Miller shall have a right to limit parking within the parking areas being reconstructed as is reasonable and necessary.


3. Joseph Miller and/or his assigns shall at all times and at their own cost and expense keep their respective general parking areas in good, clean and tenantable condition, free of any nuisance or condition not permitted by applicable zoning, building and site regulations. The foregoing shall not require Joseph Miller or his assigns to alter or change in any manner their respective parking areas (as improved or as reconstructed).

4. Joseph Miller and/or his assigns shall at all times, as condition of the use of the parking areas, carry, at their sole cost and expense, insurance under a policy for bodily injury liability insuring against any and all liability of the insured with respect to the parking lots or arising out of the use thereof by Joseph Miller, Miller's Insulation, Inc., or their officers, directors, employees, guests, and other licensees and invitees of any of them. The amount of coverage required for said insurance shall be periodically reviewed by the parties hereto and adjusted to current levels of insurance coverage customary for the Albuquerque metropolitan area.

5. If a dispute arises in connection with this Instrument resulting in a lawsuit, the prevailing party shall be entitled to reasonable costs and attorney's fees incurred in connection with such lawsuit.

6. The easements herein granted are perpetual easements subject to the terms above.

IN WITNESS WHEREOF, the parties have executed this Instrument effective as of the date first stated above.


Joseph Miller

ACKNOWLEDGMENT

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

This Instrument was acknowledged this 10 day of December 2007, before me the undersigned notary public, by Joseph Miller.

My Commission Expires: 1/31/09

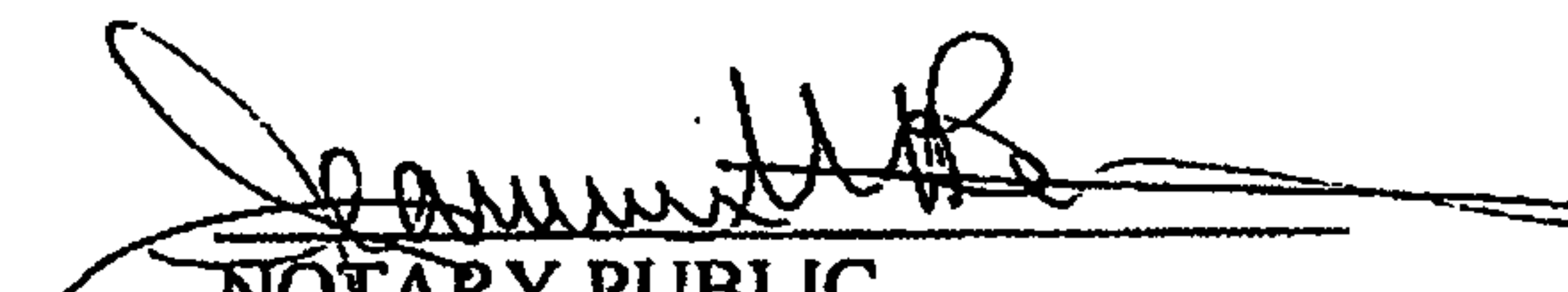

NOTARY PUBLIC

EXHIBIT A

924-2218

Lots numbered One (1) through Eighteen (18), both inclusive, in Block numbered Four (4) of SPRINGER TRANSFER CO.'S ADDITION, NO. 1, to the City of Albuquerque, New Mexico, as the same are shown and designated on the amended plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45.

AND:

The West Fifteen (15') feet of a strip of land shown on the amended plat of SPRINGER CO.'S ADDITION NO. 1, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45, as that portion of North Edith Street bounded on the North by East McKinley Avenue and on the South by the Southern boundary of said Addition, the land hereby conveyed being the West Fifteen (15') feet of that portion of North Edith Street conveyed by the Quitclaim Deed of Bernalillo County, New Mexico, executed on April 7, 1947, and recorded in Book D45, page 5, records of Bernalillo County, New Mexico.

AND:

That portion of North Arno Street as shown on the amended plat of SPRINGER TRANSFER CO.'S ADDITION NO. 1, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1946, in Plat Book C1, folio 45, lying East of a line commencing at a point on the extension of the South line of East McKinley Avenue, which point is midway between the Northeast corner of Lot 10, Block 3 of said Addition and the Northwest corner of Lot 9, Block 4 of said Addition, and ending at a point on the South boundary of said Addition, which point is midway between the Southeast corner of Lot 18, Block 3 of said Addition and the Southwest corner of Lot 1, Block 4 of said Addition.

CITY OF ALBUQUERQUE



**Planning Department
Transportation Development Services Section**

January 3, 2008

Mark Weaver, R.A.
MW Architecture
1245 Princeton Dr. Ne
Albuquerque, NM 87106

Re: TCL Submittal for Building Permit Approval for Miller Insulation Company
424 Kinley Ave. NE [J-14 / D159]
Architect Stamp, 12/31/07

Dear Mr. Baker:

P.O. Box 1293

Albuquerque

The location referenced above, dated December 31, 2007, is not acceptable and requires modification to the Traffic Circulation Layout (TCL) prior to Building Permit release as stated on the attached Site Plan, and red-lined TCL markup with comments.

New Mexico 87105

Public infrastructure or work required within City of Albuquerque Right-of-way shown on these plans is for information only and will need a separate DRC work order to construct these items (If applicable).

www.cabq.gov

Please resubmit revised TCL after addressing typed and marked up comments. Submit plan along with checklist and all current and past red-lined, mark-up copies. Contact me at (505)924-3630 if you need any further instruction for resubmittal.

Sincerely,

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

c: Engineer
Hydrology file
File

CITY OF ALBUQUERQUE



October 16, 2007

Mark Weaver, R.A.
MW Architecture
1245 Princeton Dr. NE
Albuquerque, NM 87106

**Re: Millers Insulation Company, 424 Kinley Ave. NE, Lots 1-18,
Traffic Circulation Layout, Architect's Stamp dated 10-05-07 (J-14/D159)**

Dear Mr. Weaver,

Based upon the information provided in your submittal received 10-05-07, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

- ☒ 1. Clarify existing conditions verses proposed conditions.
- ☒ 2. Include all standard specifications drawings numbers for all sidewalk, curb & gutter, and wheelchair ramps.
- ☒ 3. All wheelchair ramps within the city right-of-way are required to have truncated domes.
- ☒ 4. Define the width of the pedestrian path.
- 5. Consider redesigning the wheelchair ramp at the handicapped parking stalls.
- ☒ 6. Clarify the location of the "steel fence." Will this affect the pedestrian path?
- ☒ 7. With a 22-foot drive aisle, parking stalls are required to be 9.5 feet in width.
- ☒ 8. Build notes are needed for the entrances.
- ☒ 9. Provide a ramp detail showing the slope value; if the ramps are located outside of the Right-of-Way an easement will be required.
- ☒ 10. A re-platform cross lot access easement is needed.
- ☒ 11. Update the vicinity map; also show the existing lot lines.
- ☒ 12. Show the location of the nearest drives on the adjacent lots.
- ☒ 13. Your proposed plan places a portion of the required parking on a different lot. Has zoning given their permission for this? - zoning ok ✓

ok'd
4' wide
pad/landing

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov

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

Sincerely,

Kristal Metro, P.E.
Senior Engineer
Development and Building Services

C: File

12/28/07 -
highlighted comments
addressed

CITY OF ALBUQUERQUE



October 22, 2007

Phillip W. Clark, P.E.
Clark Consulting Engineers
19 Ryan Road
Edgewood, NM 87015

Re: 424 Kinley NE, Engineer's Stamp dated 10-5-07 (J14/D159)

Dear Mr. Clark,

Based upon the information provided in your submittal received on October 8, 2007, the above referenced plan is approved for Building Permit. Please attach a copy of this letter and the 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.

This project will also require a National Pollutant Discharge Elimination System (NPDES) permit. Inquiries regarding this permit should be directed to Sertil Kandar at 768-3645. In addition to submitting an NOI to the EPA and preparing a SWPPP, please send a copy of the SWPPP on a CD in .pdf format to Kathy Verhage with the Department of Municipal Development Storm Drainage Division at the following address.

P.O. Box 1293

Albuquerque

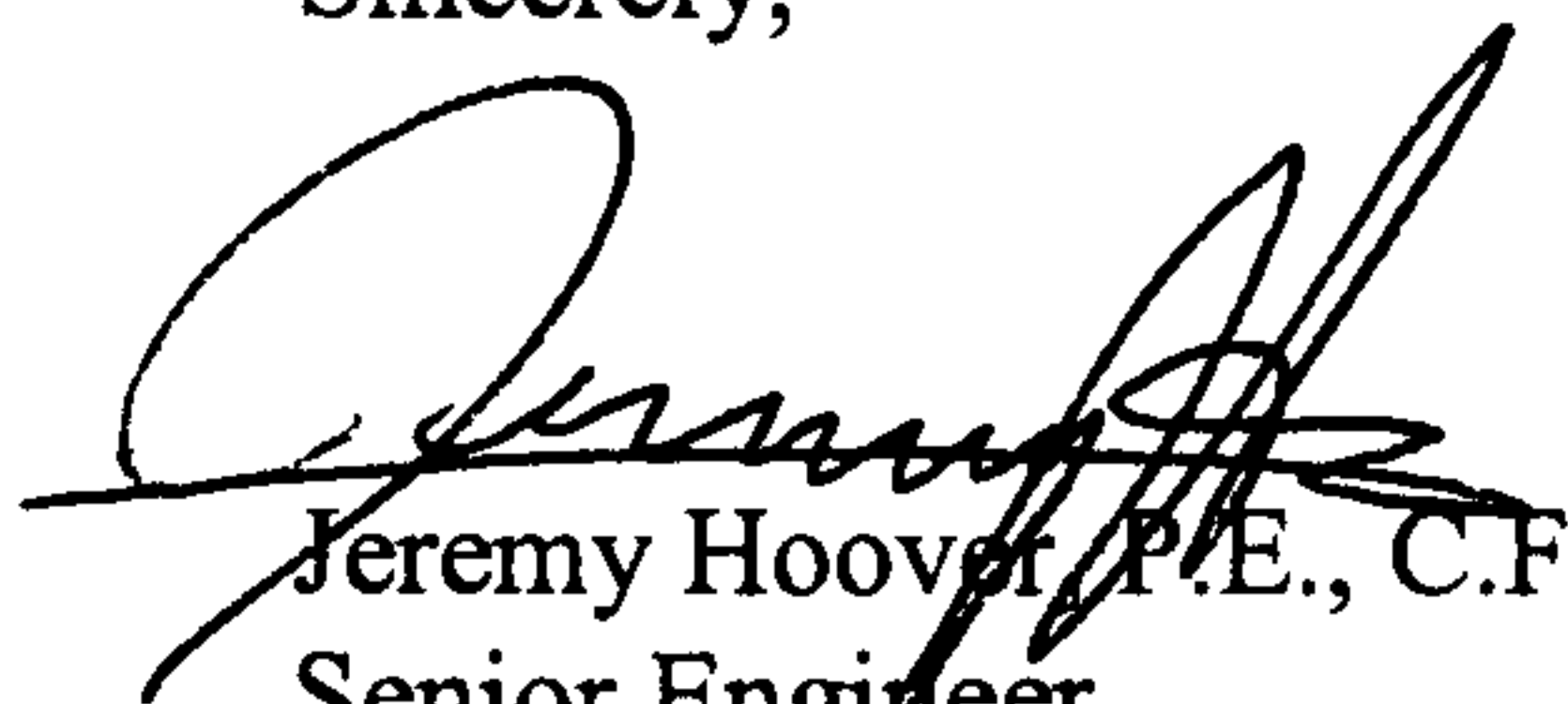
New Mexico 87103

Department of Municipal Development
Storm Drainage Division
P.O. Box 1293, One Civic Plaza, Rm. 301
Attn: Kathy Verhage
Albuquerque, NM 87103

If you have any questions, you can contact me at 924-3990.

Sincerely,

www.cabq.gov


Jeremy Hoover, P.E., C.F.M.
Senior Engineer
Hydrology Section
Development and Building Services

cc: file J14/D159
Kathy Verhage, DMD Storm Drainage