CITY OF ALBUQUERQUE



May 10, 2017

Jake Bordenave, P.E., P.S Bordenave Designs PO Box 91194 Albuquerque, NM 87199

RE: Garcia Honda Gen 3 Service Bldg and Car Wash

BP-2017-37340 and BP-2017-18065

8301 Lomas NE

Request for Certificate of Occupancy - Permanent

Hydrology Final Inspection - Approved Engineer's Stamp Date 8/29/18 (J19D072)

Certification Dated: 5/1/18

Dear Mr. Bordenave,

Based on the certification received 5/2/18, this project is approved in support of release of

Certificate of Occupancy (Permanent) by Hydrology.

PO Box 1293

If you have any questions, you can contact me at 924-3695 or dpeterson@cabq.gov.

Albuquerque

Sincerely,

NM 87103

Dana Peterson, P.E.

Senior Engineer, Planning Dept.

www.cabq.gov

Development and Review Services

C: Email Serna, Yvette M.; Fox, Debi; Tena, Victoria C.; Sandoval, Darlene M.

CITY OF ALBUQUERQUE



May 8, 2017

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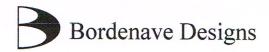
City of Albuquerque

Planning Department

Development & Building Services Division

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (REV 09/2015)

DRB#: EPC#:	Building Permit #: 2012 - City Drainage #: 19/5
Legal Description: Lots 19-24, BLOCS	Work Order#:
City Address: 8301 LOMAS NE	ALE, NM 87
1.U. DOX 91194 . 97	Contact:
Fax#: 81	1-9105 E-mail: jakebordonava@con
Address:	Contact:
Phone#: Fax#:	MM, 87110
	E-mail:
Address: 2428 BAYLOR SE O	F106 Contact: M. Loo
Fax#:	E-mail:
Other Contact: Address:	Contact:
Phone#: Fax#:	Contact.
rax#:	E-mail:
DEPARTMENT: HYDROLOGY/ DRAINAGE TRAFFIC/ TRANSPORTATION MS4/ EROSION & SEDIMENT CONTROL	CHECK TYPE OF APPROVAL/ACCEPTANCE SOUGHT: BUILDING PERMIT APPROVAL
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May 1, 2018

City of Albuquerque Hydrology, Planning Dept. PO Box 1293 Albuquerque, NM 87103

Attn: Dana Peterson, PE

Re: J19/D072

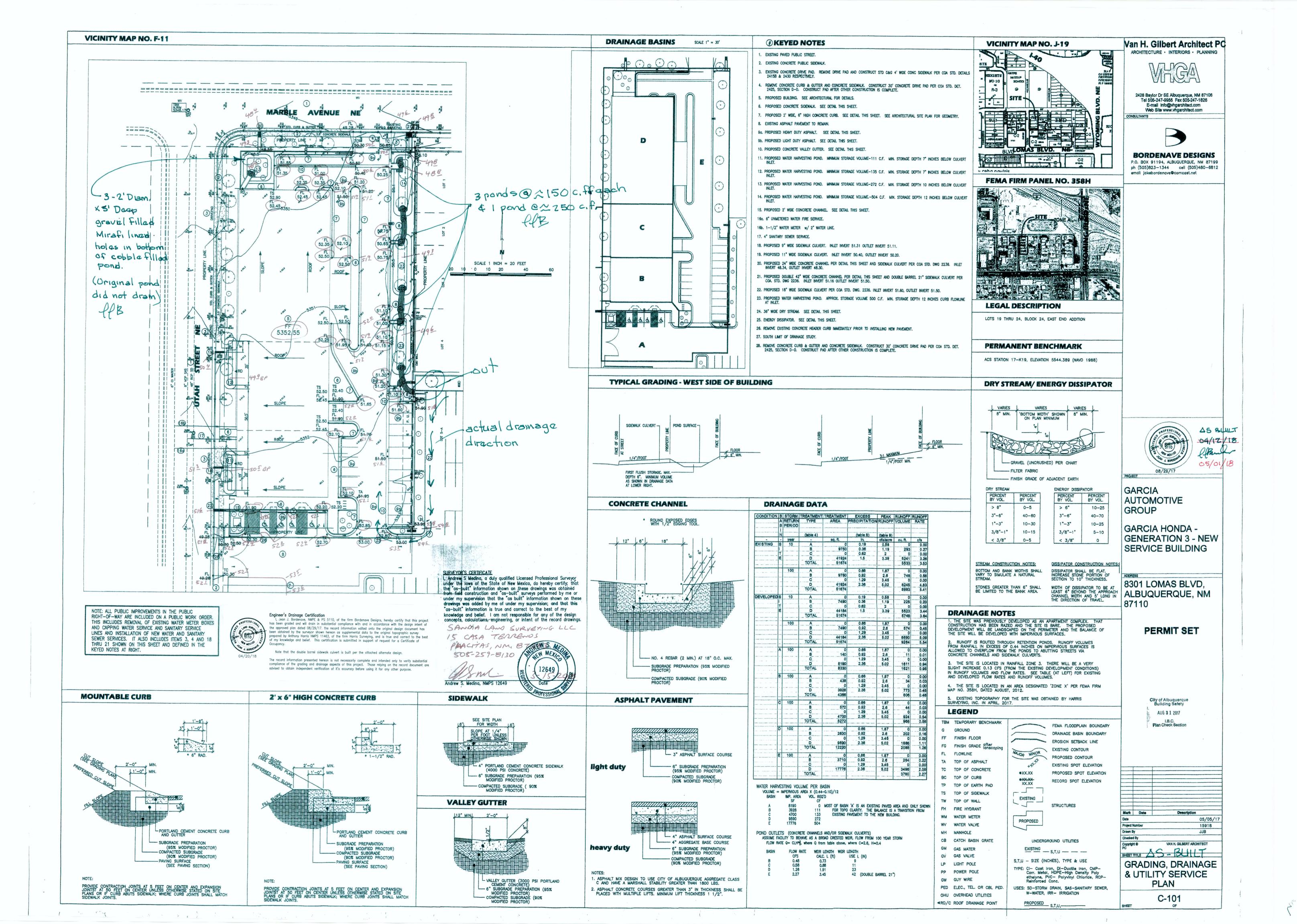
The following is written in response to your comments (dated 04/19/18) on the subject project. The responses are in the same order as your comments.

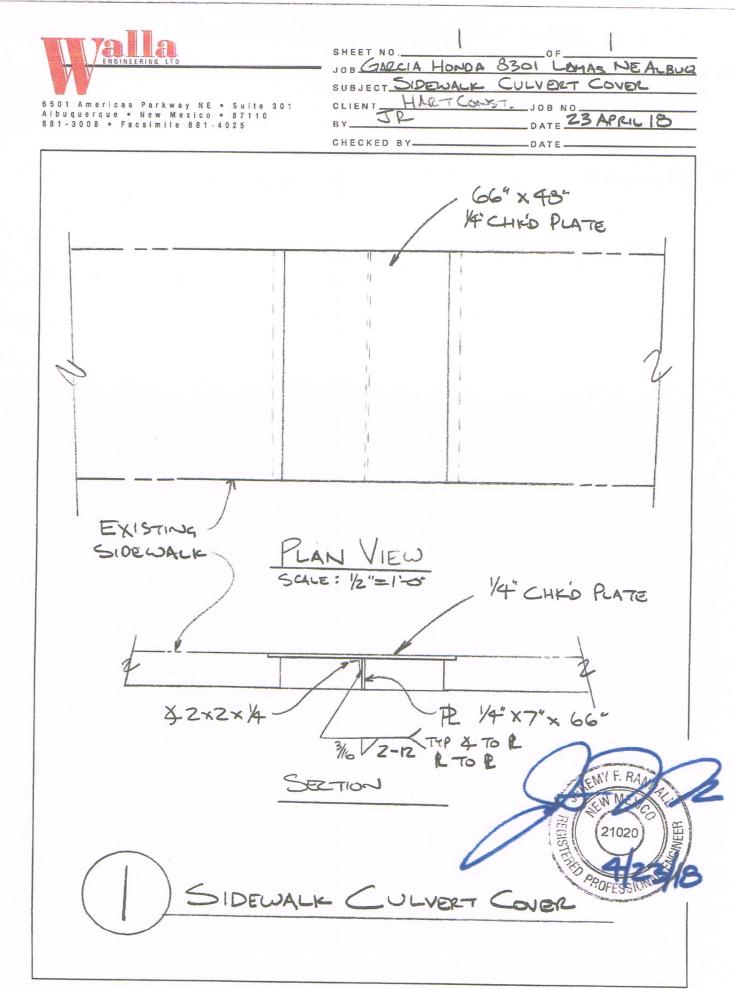
- 1. The Drainage Certification language per the DPM has been added to the Certification Drawing.
- 2. The sidewalk culvert construction has been revised as follows:
 - a. see item e,
 - b. screws have been welded to the plate,
 - c. screws are flush with plate,
 - d. plate is flush with sidewalk,
 - e. the 2 barrel sidewalk culvert detail has been approved by the City of Albuquerque. A copy of the approved design is attached.

Thank you for your review and comments.

Sincerely,

Jean J.(Jake) Bordenave





519-010

PRIVATE FACILITY DRAINAGE COVENANT

This Drainage Covenant ("Covenant"), between Guadal quivir LLC ("Owner"), whose address is P.O. Box 26207 Albuquerque NM 87125 and whose telephone number is (505) 260 - 5188 and the City of Albuquerque, New Mexico, a municipal corporation whose address is P.O. Box 1293, Albuquerque, New Mexico 87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Owner signs this Covenant

1. Recital. The Owner is the current owner of the following described real property located at [give legal description, and street address] Lots 19 Hiru 24, Block 24, East End Addition
Book BII Folio 151
recorded on
in the records of the Bernalillo County Clerk, State of New Mexico (the "Property").
Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain drainage facilities on the Property, and the parties wish to enter into this Covenant to establish the obligations and responsibilities of the parties.
2. <u>Description and Construction of Drainage Facility</u> . The Owner shall construct the following "Drainage Facility" within the Property at the at the Owner's sole expense in accordance with the standards, plans and specifications approved by the City:
RETENTION PONDS & OVERFLOW FACILITIES
The Drainage Facility is more particularly described in Exhibit A attached hereto and made a part hereof.

- Maintenance of Drainage Facility. The Owner shall maintain the Drainage Facility at 3. Owner's sole cost in accordance with the approved Drainage Report and plans.
- 4. Benefit to Property. The Owner acknowledges and understands that the Drainage Facility required herein to be constructed on the Owner's property is for the private benefit and protection of the Owner's property and that failure to maintain such facility could result in damage or loss to the Property.
- 5. Inspection of Drainage Facility. The City shall have no duty or obligation whatsoever to perform any inspection, maintenance or repair of the Drainage Facility, it being the duty of the Owner, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specifications.



- 6. <u>Liability of City</u>. The Owner understands and agrees that the City shall not be liable to the Owner, its heirs, successors or assigns, or to any third parties for any damages resulting from the Owner's failure to construct, maintain or repair the Drainage Facility.
- 7. <u>Indemnification</u>. The Owner owns and controls the Drainage Facility and shall not permit the Drainage Facility to constitute a hazard to the health or safety of the general public. The Owner agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractors or subcontractors to perform any act or duty required of the Developer or Owner herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Covenant, this Covenant to indemnify will not extend to liability, claims, damages, losses or expenses, including attorneys' fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the respective indemnitee, or the agents or employees of the respective indemnitee; or (2) the giving of or the failure to give direction or instructions by the respective indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.
- 8. <u>Assessment</u>. Nothing in this Covenant shall be construed to relieve the Owner, its heirs, assigns and successors from an assessment against the Owner's property for improvements to the property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.
- 9. <u>Binding on Owner's Property</u>. The covenants and obligations of the Owner set forth herein shall be binding on the Owner, its heirs, assigns and successors and on the Owner's property and constitute covenants running with the Owner's property until released by the City. This Covenant can only be released by the City's Chief Administrative Officer with concurrence of the City Engineer.
- 10. <u>Entire Covenant</u>. This Covenant contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.
- 11. <u>Changes to Covenant</u>. Changes to this Covenant are not binding unless made in writing, signed by both parties.
- 12. <u>Effective Date of Covenant</u>. This Covenant shall be effective as of the date of signature of the Owner.

OWNER:	CITY OF ALBUQUERQUE:	
By [signature]:	By:	
Name [print]: Edward T. Garcia	Shahab Biazar, P.E., City Engineer	
Title: Managing Member	Dated: 9/1/17	
Dated: 8 · 29 · 17		
OWNER'S ACKNOWLEDGMENT		
STATE OF NEW MEXICO)		
)SS		
COUNTY OF BERNALILLO)		
This instrument was acknowledged before no 2017, by Edward T. Garcia Managing Member Guadalquirir	ne on this day of August, (name of person signing permit), (title of person signing permit) of (Owner).	
(SEAL)	osae & Silvon	
OFFICIAL SEAL Rosae L. Gibson NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 7.5.2020	y Public ommission Expires: 7.5.2020	
CITY'S ACKNOWLEDGMENT		
STATE OF NEW MEXICO)		
COUNTY OF BERNALILLO)ss)	0.00501	
This instrument was acknowledged before me on this day of		
Mary.	Moulette Rabacie	
CONTE LOCEAL)	Notary Public	
TOTARY	My Commission Expires: March 17,262	
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(FXHIRIT A AT	TACHED)	

EXHIBIT A

LOTS 19-24, BLK 24, UNIT A, EAST END ADDITION

MARBLE AVENUE NE

