

Planning Department Transportation Development Services Section

November 30, 2006

Thomas E. Robson, Registered Architect 2301 Juan Tabo NE, South Suite Albuquerque, NM 87112

Re: Certification Submittal for Final Building Certificate of Occupancy for

RV-USA, [K-21 / D4] 11117 Skyline Dr. NE

Architect's Stamp Dated 11/22/06

Dear Mr. Robson:

Sincerely,

P.O. Box 1293

The TCL / Letter of Certification submitted on November 30, 2006 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

www.cabq.gov

New Mexico 87103

Nilo E. Salgadø-Fernandez, P.E.

Senior Traffic Engineer

Development and Building Services

Planning Department

C:

Engineer
Hydrology file
CO Clerk

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CITY OF ALBUQUERQUE PERMIT FOR EXCAVATION, CONSTRUCTION AND BARRICADING

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VOID UNTIL VALIDATED BY CITY TREASURER

ARRLICANT

ISSUED BY

PERMITTEE AGREES TO ASSUME ALL LIABILITY, INCLUDING INDEMNIFYING, DEFENDING AND HOLDING THE CITY HARMLESS FOR ALL DAMAGES OR INJURY TO PERSONS OR PROPERTY RESULTING FROM PERMITTEE'S EXCAVATION AND/OR BARRICADE WORK. THIS PERMIT IS GRANTED IN CONSIDERATION OF PERMITTEE'S ASSUMING SAID LIABILITY AND IS APPROVED FOR THE WORK DESCRIBED ABOVE. IN ACCORDANCE WITH SECTION 6-5-2-1 ET SEQ. R.O. (1994), PERMITTEE AGREES TO COMPLY WITH ALL APPLICABLE CITY RULES, REGULATIONS AND ORDINANCES. AND WHEN EXCAVATING, TO PATCH OR PLATE PRIOR TO OPENING TO TRAFFIC IN ACCORDANCE WITH APPLICABLE RULES, REGULATIONS AND ORDINANCES. PLEASE CALL 924-3400 FOR ADDITIONAL INFORMATION.



Planning Department Transportation Development Services Section

November 27, 2006

Thomas E. Robson, Registered Architect, ROBSON & ASSOCIATES 2301 Juan Tabo NE, South Suite Albuquerque, NM 87112

Re: Certification Submittal for Final Building Certificate of Occupancy for

RV-USA Covered Storage, [K-21 / D4]

11117 Skyline Dr. NE

Architect's Stamp Dated 11/22/06

Dear Mr. Robson:

P.O. Box 1293 The TCL / Letter of Certification submitted on November 22, 2006 is not sufficient

for acceptance by this office for final Certificate of Occupancy (C.O.).

No permit was issued for the entrance work and so no inspection for entrance was accomplished. You'll need to pull permit for work within City of Albuquerque right of way and have an inspection for concrete work on entrance and wheel

chair ramps.

Sincerely

New Mexico 87103 Once above requirements have been met, then resubmit acceptable package

along with fully completed Drainage Information Sheet to front counter personnel

for log in and evaluation by Transportation.

www.cabq.gov

Albuquerque

Nilo E. Salgado-Fernandez, P.E.

Senior Traffic Engineer

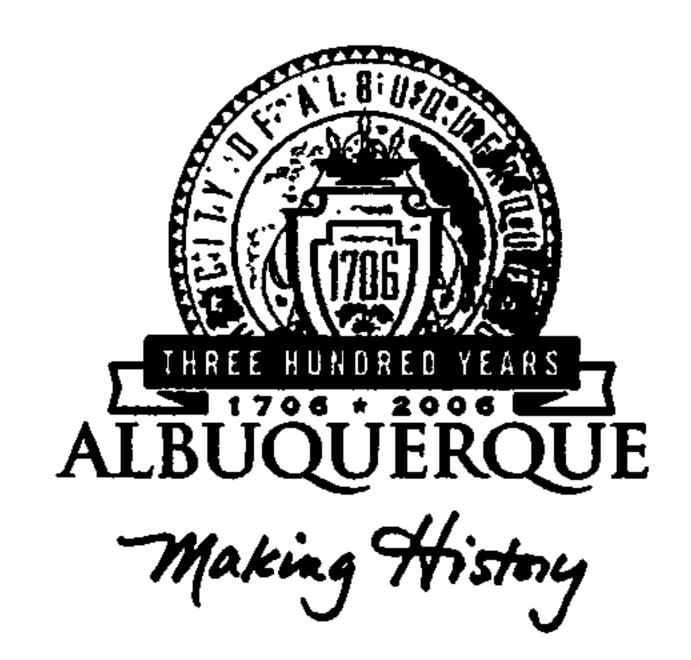
Development and Building Services

Planning Department

c: Engineer

Hydrology file

CO Clerk



Planning Department Transportation Development Services Section

March 17, 2006

Tom Robson
Robson & Associates Architects
3201 Juan Tabo NE South Suite
Albuquerque NM 87112

Re: Traffic Circulation Layout (TCL) Submittal for Building Permit Approval for Offices and Warehouse for RV- USA [K-21/D-4]-

(5113 Gomanshe), Albuquerque, NM Sport Comb, 11117 Skyling for NE Engineer's/Architect's Stamp Dated 02/22-06

Dear Mr. Robson,

The TCL submittal dated 03-07-06 is approved for building permit. The plan is stamped and signed as approved. Two copies of the plan that is stamped as approved will be required: one for each of the building permit plans and the original to be kept by you 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 then a copy of the original TCL that was stamped as approved by the City which includes a statement that identifies the outstanding items that need to be constructed or the items that have not been built in "substantial compliance". This statement requires a NM registered architect or engineer stamp to be dated. Submit this TCL with a completed <u>Drainage and Transportation Information Sheet</u> 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 needs stamp 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 <u>Drainage and Transportation Information Sheet</u> 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,

Wilfred A. Gallegos, PE

Development and Building Services

cc: Hydrology file

File

DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 06/22/2005)

PROJECT TITLE: RV-USA TCL (2 nd Submittal)			ZONE MAP/DRG. FILE #_K-21-Z DH			
DRB#:	EPC#:	<u></u>	WORK ORDER#:			
LEGAL DESCRIPTION:	LOTS 1 AND 2, BLOCK 66, B	BEL AIR SI	UBDIVISION			
CITY ADDRESS:			· - · · · · · · · · · · · · · · · · · ·			
ENGINEERING FIRM:	Frank D. Lovelady, P.E.		CONTACT:	Frank Lovelady		
	300 Alamosa Road NE		PHONE:	345-2267		
CITY, STATE:	Albuquerque, NM		ZIP CODE:	87107		
OWNER:	RV-USA		CONTACT: _	Mike Warren		
ADDRESS:	11117 Skyline Road NE		PHONE:	239-4041		
	Albuquerque, NM		ZIP CODE:	87123		
ARCHITECT:	Tom Robson		CONTACT:	Tom Robson		
ADDRESS:	2301 Juan Tabo Blvd. NE, Soutl	h Suite	PHONE:	332-1176		
	Albuquerque, NM		ZIP CODE:	87112		
SURVEYOR:	Harris Surveying Company		CONTACT: _	Tony Harris		
	2412 Monroe Dr. NE		PHONE:	889-8056		
	Albuquerque, NM		ZIP CODE:	87110		
CONTRACTOR:	Unknown at this point		CONTACT:			
ADDRESS:			PHONE:			
		<u> </u>	ZIP CODE:			
TYPE OF SUBMITTAL:		CHECK	TYPE OF APPROVAL	SOUGHT:		
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CONCEPTUAL			S. DEV. FOR BLDG. F	PERMIT APPROVAL		
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NO			ΙΔΝΓ	DEVELOPMENT SECTION		
COPY PROVI	DED					
SUBMITTED BY: Fran	k D. Lovelady, P.E. for Tom Rol	bson. Archi	itect DATE: Ma	arch 7, 2 <u>006</u>		

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.

PARKES 13 Olf site @ Existing COCATION.

St.D. SPECS. DRWNG ##

SDWK.??

CAll port 308 SUD

- 3/14/00 FRANK. L. Will COMEDOWN



September 28, 2006

Mr. Frank Lovelady, P.E. 300 Alamosa Road NE Moriarty, New Mexico 87107

Re: RV-USA

11117 Skyline Road NE

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

Engineer's Stamp dated 03/23/2006 (K-21/D4)

Certification dated 09/28/2006

Dear Frank:

Based upon the information provided in your submittal received 09/28/2006, the above referenced certification is approved for release of Permanent Certificate of Occupancy by P.O. Box 1293 Hydrology.

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

Albuquerque

New Mexico 87103

www.cabq.gov C:

CO Clerk

File

Sincerely, Orlene V. Patillo

Arlene V. Portillo

Plan Checker, Planning Dept. - Hydrology

Development and Building Services

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DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 06/22/2005)

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Frank D. Lovelady, P.E.		CONTACT:	Frank Lovelady
		PHONE:	345-2267
Albuquerque, NM	Z	IP CODE:	87107
TOST TICE A		YANTA CT.	Mike Warren
			239-4041
			87123
Albuquerque, inivi			<u> </u>
Tom Robson		CONTACT:	Tom Robson
			332-1176
Albuquerque, NM		ZIP CODE:	87112
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			889-8056
Albuquerque, NM		IP CODE:	8/110
Ron Miller Construction		CONTACT:	Ron Miller
	F	PHONE:	269-2300
Albuquerque, NM		ZIP CODE:	87123
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Frank D. Lovelady, P.E.

SUBMITTED BY: _____

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Planning Department Transportation Development Services Section

November 27, 2006

Thomas E. Robson, Registered Architect, ROBSON & ASSOCIATES 2301 Juan Tabo NE, South Suite Albuquerque, NM 87112

Re: Certification Submittal for Final Building Certificate of Occupancy for

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chair ramps.

Sincerely

New Mexico 87103 Once above requirements have been met, then resubmit acceptable package

along with fully completed Drainage Information Sheet to front counter personnel

for log in and evaluation by Transportation.

www.cabq.gov

Albuquerque

Nilo E. Salgado-Fernandez, P.E.

Senior Traffic Engineer

Development and Building Services

Planning Department

c: Engineer

Hydrology file

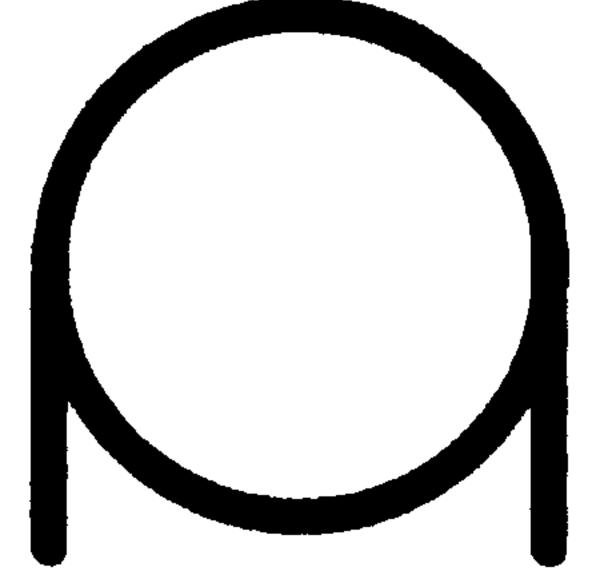
CO Clerk

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

PROJECT TITLE: KV-USA	ZONE MAP/DRG. FILE #K-ZIDY
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ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
OWNER:	CONTACT:
ADDRESS:	PHONE:
CITY, STATE:	ZIP CODE:
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ARCHITECT: TILIFIAS TO JUSSOV LYCH	TEST CONTACT: OH KOBSOM
ADDRESS: 2201 JUNA TABO 16	PHONE: <u>332-//7()</u>
CITY, STATE: ALBIO, NH	ZIP CODE: <u>多7() Z</u>
SURVEYOR:	
ADDRESS:	CONTACT:
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CONTRACTOR:	CONTACT:
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	CK TYPE OF APPROVAL SOUGHT:
DRAINAGE REPORT	SLA/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
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SUBMITTED BY:	DATE: 11 200

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ROBSON & ASSOCIATES

ARCHITECTS - PLANNERS
2301 JUAN TABO N.E. ♦ SOUTH SUITE
ALBUQUERQUE, N.M. 87112
Phone 505-332-1176

November 22, 2006

Mr. Wilfred A. Gallegos, PE
Development & Building Services
City of Albuquerque
Planning Department
P.O. Box 1293
Albuquerque, New Mexico 87103

RE: C.O. RV-USA Covered Storage
11117 Skyline Drive N.E. Albuq., N.M.
Traffic Circulation Layout

Dear Mr. Gallegos,

I am writing this letter to certify that the above project was built in substantial compliance with the Traffic Circulation Layout provided to your department and dated 2/22/06. The layout was approved by your department and dated 3/17/06. The original stamped approval is attached to this letter.

1187

STERED ARC

If you have any questions or comments please feel free to call me at your convenience.

Respectfully,

Thomas E. Robson, Architect



June 9, 2006

Frank D. Lovelady, P.E. 300 Alamosa Road NW Albuquerque, NM 87107

Re: RV – USA Covered Storage Addition, 11117 Skyline Rd NE, Grading and

Drainage Plan

Engineer's Stamp dated 3-23-06 (K21-D4)

Dear Mr. Lovelady,

Based upon the information provided in your submittal received 6-09-06, 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.

P.O. Box 1293

Albuquerque

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. Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required.

New Mexico 87103

This project requires a National Pollutant Discharge Elimination System (NPDES) permit. If you have any questions regarding this permit please feel free to call the DMD Storm Drainage Design section at 768-3654 (Charles Caruso).

www.cabq.gov

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: Edward Elwell, DMD Street / Storm Maintenance Antoinette Baldonado, Construction Services Charles Caruso, DMD Storm Drainage Design File

DRAINAGE EASEMENT AGREEMENT

This Drainage Easement Agreement ("Agreement") is made as of June 8, 2006, by and between Michael J. Warren and Carol Warren, as Trustees of the Michael J. Warren and Carol Warren Revocable Trust under Trust Agreement dated December 6, 2002 ("Warren") and the Regents of the University of New Mexico, a body corporate of the State of New Mexico (collectively "UNM").

WHEREAS, UNM owns certain land which is more particularly described on Exhibit A, attached hereto and incorporated herein ("UNM Property").

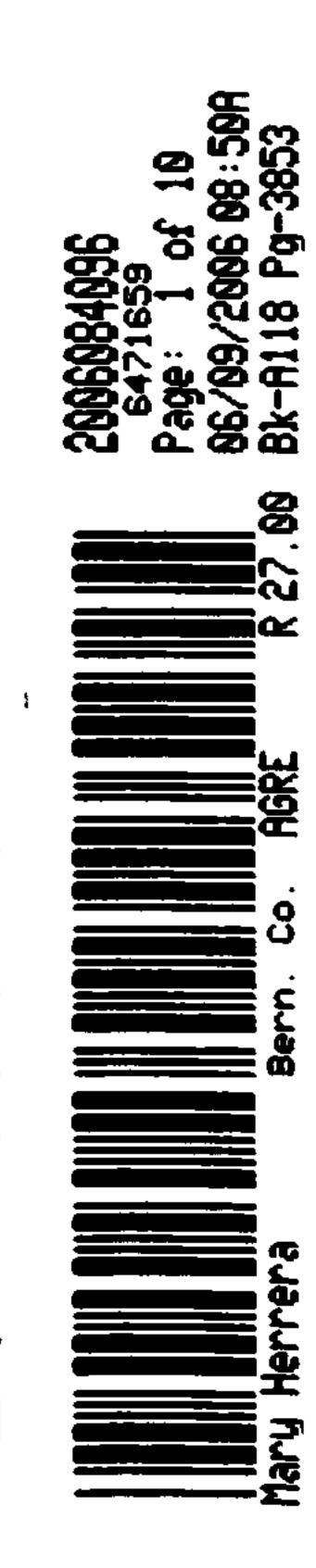
WHEREAS, Warren owns certain land immediately adjacent to UNM Property, which is more particularly described on Exhibit B, attached hereto and incorporated herein ("Warren Property").

WHEREAS, UNM Property and the Warren Property are sometimes collectively referred to in this Agreement as the "Property."

WHEREAS, the parties desire to enter into this Agreement.

NOW, THEREFORE, in consideration of the foregoing, the payment of money by Warren to UNM, the mutual agreements contained in this Agreement, and other good and valuable consideration, it is agreed as follows:

- 1. <u>Recitals</u>. The above recitals are incorporated herein as operative provisions of this Agreement.
- Easement, UNM hereby grants Warren a non-exclusive easement for surface water drainage ("Easement") on and across the portion of UNM Property which is more particularly described on Exhibit C ("Easement Property").
- 3. <u>Warren Maintenance</u>. Warren, at Warren's expense, shall repair and maintain the Easement, the Easement Property and all channels, grates, pipes, and other items and improvements (collectively "Improvements") constructed on the Easement Property for the purpose of handling surface waters from the Warren Property.
- 4. <u>Mechanic's Liens</u>. In conjunction with the responsibilities, actions and activities pursuant to this Agreement, Warren shall prevent the filing of any mechanic's or materialmen's lien against UNM's Property. Warren, at Warren's expense, shall remove all liens on the UNM Property arising out of Warren's activities regarding the Easement and/or this Agreement. It is specifically agreed that Warren shall give UNM at least five (5) days prior written notice before engaging in any activity which could give rise to a lien on UNM's Property. In conjunction with such work, UNM may post notices of non-responsibility and take other action as is reasonably necessary to prevent the attachment of a mechanic's or materialmen's lien against the UNM Property.
- 5. <u>Warren Insurance</u>. Warren shall procure and maintain general liability insurance and property damage insurance covering the Easement. All insurance shall



name UNM as an insured or "additional insured" regarding use of the Easement and/or the Easement Property. All insurance policies shall be in a form, with deductibles and with a company reasonably acceptable to UNM. Warren shall provide a certificate of insurance to UNM. Warren shall provide proof of payment of premiums. The insurance policy shall provide that it cannot be cancelled without at least thirty (30) days prior written notice to UNM.

6. Construction of Improvements.) Warren agrees to construct the Improvements related to the Easement on the Easement Property as set forth in this Agreement. The location, type, materials, design, scope and all other aspects of the Improvements shall be subject to UNM's prior review and written approval. Warren agrees to submit to UNM all plans and specifications regarding the Improvements. All construction of the Improvements ("Work") shall be approved, and permits issued, by the City of Albuquerque. Such approvals may be obtained in conjunction with a site development plan for the proposed project by Warren on the Warren Property. The Work shall be done by contractors approved by UNM who are licensed to perform the Work. All of the Work shall be performed in a good and workmanlike manner, and in a manner consistent with the requirements of all applicable governmental and quasigovernmental authorities. Warren shall be solely responsible for obtaining all licenses, permits (including building permits) and other approvals related to the Work. Prior to the beginning of the Work, Warren shall give UNM written notice. The written notice shall specify the contractor, contact information for the contractor, and the contact person. Warren authorizes UNM to contact each such contractor performing all or any portion of the Work. UNM shall be permitted to post notices of non-responsibility and take other action reasonably appropriate to prevent the UNM Property from becoming subject to any mechanic's, materialmens or other lien. Warren agrees to promptly pay for all of the Work. The Work shall be promptly commenced and shall continuously and promptly continued to completion, without stoppages, or delays. Upon completion of construction of the Improvements, UNM, in its sole discretion, may obtain an "AS BUILT" survey. If UNM obtains an "AS BUILT" survey, Warren shall promptly reimburse UNM for all expenses incurred by UNM in conjunction with such survey. In conjunction with the Work, each contractor shall deliver a certificate of insurance naming UNM as an additional insured. The contractor's insurance as evidenced by the certificate of insurance shall be from a company, in an amount, covering risks and otherwise acceptable to UNM in its sole and absolute discretion.

- 7. <u>Insurance</u>. All insurance procured pursuant to this Agreement shall provide that the insurance carrier will give at least thirty (30) days prior written notice to UNM before changing or canceling any insurance policy. Warren must provide to UNM both proof of insurance and proof of payment of all insurance premiums regarding the insurance to be obtained by such party pursuant to this Agreement. In the event Warren fails to provide proof of insurance and/or proof of payment of premiums, UNM can obtain such insurance and recover from Warren the expense of such insurance. The specific risks covered and the amount of all deductibles regarding all insurance policies obtained must be reasonably acceptable to UNM. The form of policy, scope of coverage and the insurance company issuing the insurance policy also must be reasonably acceptable to UNM.
- 8. <u>Warren Indemnification</u>. Warren hereby indemnifies, holds harmless, and agrees to defend (with attorneys selected by UNM) UNM from all losses, liens, claims,



damages, liabilities and expenses, including but not limited to costs and attorneys' fees, resulting from any injury to any person or any loss or damage to any property caused by or resulting from the construction, use, operation or maintenance of the Easement and/or otherwise related to the Easement and/or the Easement Property. Warren agrees to notify UNM in writing within ten (10) days, of the occurrence of any event or omission, which could give rise to a claim subject to indemnification pursuant to this paragraph.

- 9. <u>Limitation of Indemnification</u>. To the extent applicable, if at all, the indemnifications contained in this Agreement are subject to and limited by the provisions of Section 56-7-1 of the New Mexico Statutes, as amended from time to time.
- 10. <u>Default</u>. In the event Warren breaches or defaults regarding any obligation pursuant to this Agreement, after ten (10) days written notice from UNM to Warren and Warren's failure to cure, UNM shall be entitled to all rights and remedies available at law, in equity, pursuant to this Agreement, or otherwise. In addition to the foregoing, after notice and Warren's failure to cure, UNM may terminate this Agreement by recording a written notice of easement termination in the real property records of the County Clerk of Bernalillo County, New Mexico.
- 11. <u>Notice</u>. Any notice required or permitted to be given under this Agreement shall be in writing and may be either hand-delivered, sent by recognized overnight courier or mailed, postage prepaid, certified mail, return receipt requested, addressed to the parties as follows:

Warren:

Michael J. Warren and Carol Warren, Trustees of the Michael J. Warren and Carol Warren Revocable Trust, under Trust Agreement dated December 6, 2002 c/o RV USA 11117 Skyline, NE Albuquerque, NM 87123

UNM:

c/o Real Estate Office Attn: Kim D. Murphy, Director University of New Mexico 1712 Las Lomas, NE Albuquerque, NM 87131-3181

If any notice is hand-delivered, it shall be deemed given upon delivery. If any notice is sent by recognized overnight courier, it shall be deemed given upon delivery by the courier. If any notice is mailed, it shall be deemed given three business days after deposit in the United States mail. A party may change its address for notices by sending a notice to UNM pursuant to the terms of this paragraph.



- 12. Entire Agreement. This Agreement comprises the entire agreement of the parties regarding the items and subject matter covered by this Agreement.
- 13. <u>No Other Interest</u>. The parties represent to each other that they do not hold any interest in the other person's property as a result of adverse possession, prescriptive easement, acquiescence, waiver, and/or pursuant to any other similar legal theory or doctrine. UNM and Warren agree that UNM may take such action in the future as is reasonably necessary to prevent the acquisition of prescriptive rights, adverse possession rights and/or other similar rights by any person or entity in all or any portion of the UNM Property.
- 14. Costs and Attorney Fees. If this Agreement is breached by any party, the breaching party shall be liable to the non-breaching party for all costs and expenses, including but not limited to attorneys' fees, incurred by the non-breaching party as a result of the breach.
- 15. <u>Invalidity</u>. If any provision of this Agreement is determined to be invalid or unenforceable, all of the remaining provisions of this Agreement shall remain in full force and effect.
- 16. Governing Law. This Agreement shall be governed by the law of the State of New Mexico.
- 17. <u>Captions</u>. The headings or captions used in this Agreement are for convenience and reference only, and in no way define, limit or describe the scope, meaning or intent of this Agreement or any part, section, paragraph or subparagraph of this Agreement.
- 18. <u>No Dedication</u>. Nothing in this Agreement shall be deemed to be a dedication of any portion of the Property to or for the general public, or for any public purpose or use whatsoever.
- 19. <u>Additional Documents</u>. The parties to this Agreement agree to execute such other and further documents as are reasonably necessary to carry out the terms and provisions of this Agreement.
- 20. Relationship. The relationship between UNM and Warren is, and in the future shall be construed to be, that of independent parties. Warren and UNM are not, and in the future shall not be deemed to be, in partnership, joint venture or any other similar relationship or arrangement. Furthermore, nothing in this Agreement shall be deemed or construed to create the relationship of principal and agent between the parties.
- 21. <u>Successors and Assigns</u>. This Agreement shall be recorded in the real property records of the County Clerk of Bernalillo County, New Mexico. The Easement shall run with the land. This Agreement shall bind and extend to the heirs, representatives, successors and assigns of the parties to this Agreement. If all or any portion of the Warren Property is assigned, sold, given, leased, mortgaged, transferred or otherwise conveyed, the assignee/successor shall take the conveyed interest subject to the provisions of this Agreement. It is the intent of the parties that the owner of the



Warren Property at all times be personally liable to the owner of UNM Property for the responsibilities, costs and obligations established by this Agreement.

- Representations. Each party hereby represents and warrants to the other party as follows:
 - Such party is the sole owner of their property. Α.
- Such party is fully authorized to enter into this Agreement and В. perform the obligations and responsibilities created by this Agreement.
- 23. Non-Disturbance. Warren agrees to perform all activities on the UNM Property in a reasonable manner which minimizes the disruption and inconvenience to the UNM Property.
- Waiver. Warren waives and releases all claims against UNM arising out of and/or related to the Easement, the Easement Property and/or this Agreement.
- Expenses. Prior to the execution of this Agreement, Warren shall pay UNM all expenses which UNM incurs, or which UNM anticipates it will occur, in conjunction with this Agreement, including but not limited to:
 - The negotiated payment for the Easement; Α.
 - Title research and review expenses; and, B.
 - C. Attorneys' fees.

WARREN:

UNM:

THE MICHAEL J. WARREN AND CAROL WARREN REVOCABLE TRUST, under Trust Agreement dated December 6, 2002

THE REGENTS OF THE UNIVERSITY OF NEW MEXICO, a body corporate of the State of New Mexico

MICHAEL J. WARREN,

CAROL WARREN.

Print Namé: DA\ HARRIS. **President**

ACKNOWLEDGMENTS

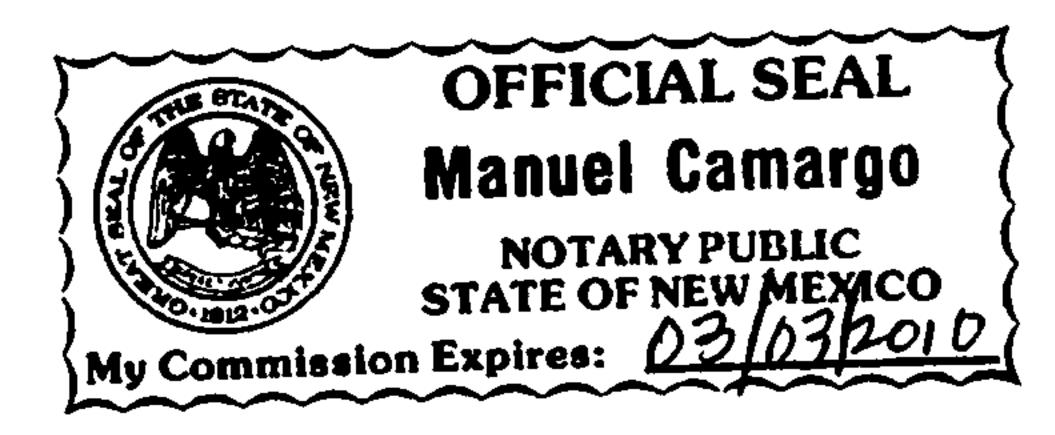
SS

This instrument was acknowledged before me on MAY 24th, 2006, by Michael J. Warren, as Trustee of The Michael J. Warren and Carol Warren Revocable Trust, under Trust Agreement dated December 6, 2002

Notary Public

(Seal)

My Commission Expires: 03/03/20/0



STATE OF NEW MEXICO) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on <u>MAY 24th</u>, 2006, by Carol Warren, as Trustee of The Michael J. Warren and Carol Warren Revocable Trust, under Trust Agreement dated December 6, 2002

Notary Public

(Seal)

Manuel Camargo

NOTARY PUBLIC

STATE OF NEW MEXICO

My Commission Expires: 03/03/2011

My Commission Expires: 03/03/2016

STATE OF NEW MEXICO	
COUNTY OF BERNALILLO) ss.)
This instrument was ackr David W. Harris, Acting Presider Mexico, a body corporate of the S	nowledged before me on, 2006, but on behalf of The Regents of the University of New Mexico.
OFFICIAL Ivan A. Par NOTARY PU STATE OF NEW My Commission Expires:	Notary Public My Commission Expires: June 24,2007 SEAL amo BLIC

APPROVED AS TO FORM FOR UNM:

HURLEY, TOEVS, STYLES, HAMBLIN & PANTER, P.A.

By:______MARK STYLES

P:\mss\UNM\Drainage\3 Drainage Easement Agreement.doc



EXHIBIT A

(UNM Property)

A CERTAIN TRACT OF LAND SITUATE WITHIN SECTION 21, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT BEING A POINT ON THE NORTHERLY LINE OF SKYLINE ROAD, BEING COMMON WITH THE SOUTHWEST CORNER OF THE ONDES TRACT A, AS FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON FEBRUARY 14, 1979 IN VOLUME C14, FOLIO 109, RUNNING THENCE N 87' 38' 00" W., ALONG THE NORTHERLY LINE OF SKYLINE ROAD, A DISTANCE OF 259.31 FEET TO THE SOUTHWEST CORNER, BEING A POINT ON THE EASTERLY LINE OF MORRIS STREET; THENCE ALONG THE EASTERLY LINE OF MORRIS STREET FOR THE NEXT 3 CALLS: 228.96 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 329.67 FEET AND A CHORD BEARING AND DISTANCE OF N 34° 50' 12" E, 224.38 FEET TO A POINT OF REVERSE CURVE; 183.56 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 377.38 FEET AND A CHORD BEARING AND DISTANCE OF N 40' 47' 53" E, 181.76 FEET TO A POINT OF REVERSE CURVE; 16.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 25 FEET AND A CHORD BEARING AND DISTANCE OF N 46' 15' 51" E, 15.85 FEET TO THE MOST NORTHERLY CORNER; THENCE S 00' 07' 00" E, A DISTANCE OF 343.43 FEET TO THE SOUTHEAST CORNER AND PLACE OF BEGINNING CONTAINING 1.1182 ACRES

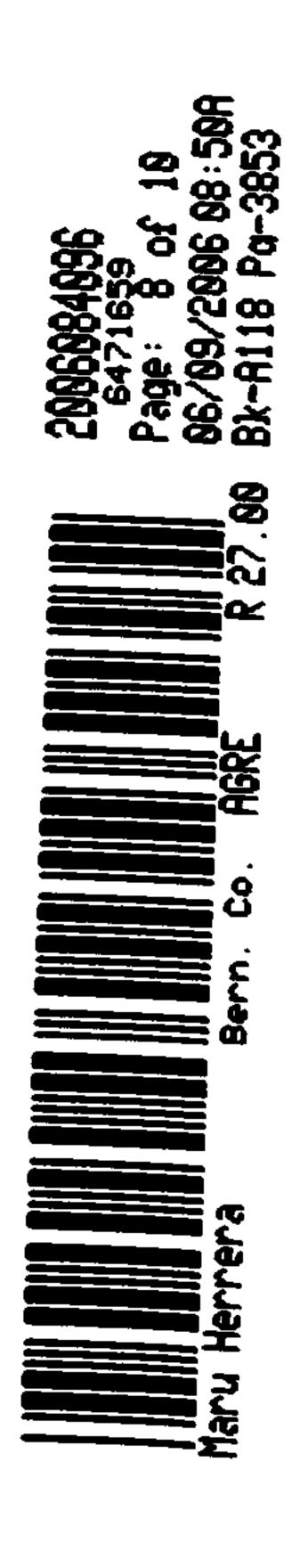


EXHIBIT B

(Warren Property)

Tract lettered "A", Summary Plat of ONDES TRACT "A", comprising portion of SW1/4, SW1/4, SE1/4 of Section 21, T10N, R4E, N.M.P.M., Albuquerque, New Mexico, as the same is shown and designated on the Summary Plat of said Division, filed in the office of the County Clerk of Bernalillo County, New Mexico, on February 14, 1979, in Plat Book C14, folio 109.

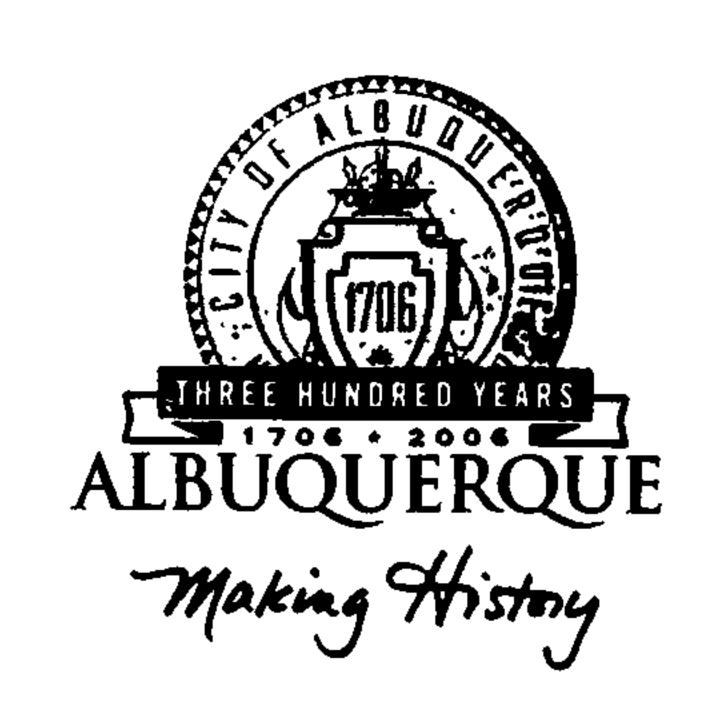


EXHIBIT C

(Easement Property)

A CERTAIN TRACT OF LAND BEING A DRAINAGE EASEMENT WITHIN AN UNPLATTED TRACT OF LAND SITUATE WITHIN SECTION 21, TOWNSHIP 10 NORTH, RAGE 4 EAST OF THE N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, SAID DRAINAGE EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EASTERLY LINE OF SAID DRAINAGE EASEMENT, BEING THE. NORTHWEST CORNER OF THE SUMMARY PLAT OF ONDES TRACT A, AS FILED IN THE OFFICE OF THE COUNTY THENCE AS AN EASEMENT S 00° 07° 00" E, A DISTANCE OF 4.75 FEET TO THE SOUTHEAST CORNER; THENCE S 89° 53′ 00" W, A DISTANCE OF 4.00 FEET TO THE SOUTHWEST CORNER; THENCE IN THE NORTHWEST CORNER, BEING A POINT ON THE EASTERLY LINE OF MORRIS STREET; THENCE FEET TO THE NORTHWEST CORNER, BEING A POINT ON THE EASTERLY LINE OF MORRIS STREET; THENCE HAVING A RADIUS OF 368.96 FEET AND A CHORD BEARING AND DISTANCE OF N 29° 48′ 54" E, 4.00 FEET TO THE NORTHEAST CORNER; THENCE S 60° 33′ 14" E, A DISTANCE OF 25.89 FEET TO A POINT; THENCE S 00° 07′ 00" E, A DISTANCE OF 41.72 FEET TO THE POINT AND PLACE OF BEGINNING





March 24, 2006

Frank D. Lovelady, P.E. 300 Alamosa Road NW Albuquerque, NM 87107

Re: RV – USA Covered Storage Addition, 11117 Skyline Rd NE, Grading

and Drainage Plan

Engineer's Stamp dated 3-23-06 (K21-D4)

Dear Mr. Lovelady,

Based upon the information provided in your submittal received 3-23-06, the above referenced plan is ready for Building Permit approval once the following comment is addressed:

P.O. Box 1293

Albuquerque

 The proposed drainage easement must be recorded prior to building permit approval. Please provide a copy of this recorded easement, as well as written permission from the property owner (University of New Mexico) allowing the proposed construction on their site.

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

New Mexico 87103

www.cabq.gov

Sincerely,

Kristal D. Metro, P.E.

Senior Engineer, Planning Dept.

Development and Building Services

C: File

TRANSMISSION OK

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CITY OF ALBUQUERQUE



March 24, 2006

Frank D. Lovelady, P.E. 300 Alamosa Road NW Albuquerque, NM 87107

Re:

RV – USA Covered Storage Addition, 11117 Skyline Rd NE, Grading

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Albuquerque

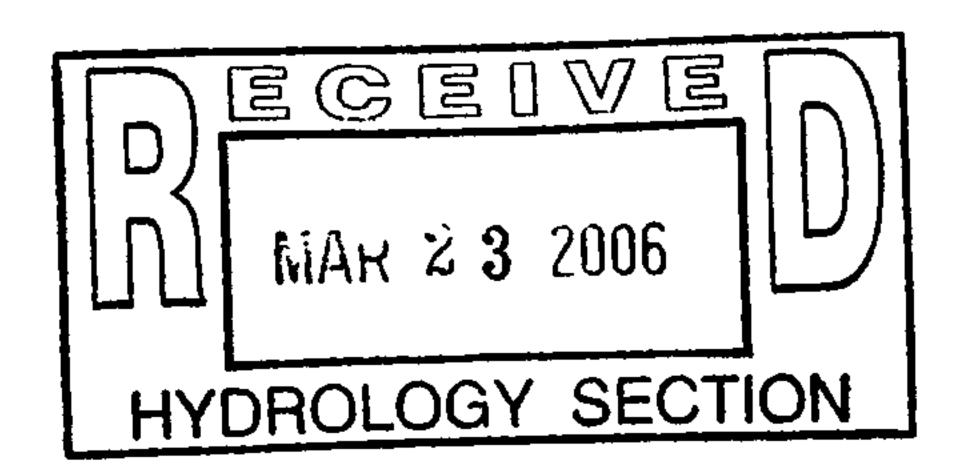
If you have any questions, you can contact me at 924-3981.

New Mexico 87103

www.cabq.gov

Sincerely,

Kristal D. Metro. P.E.



Frank D. Lovelady. PE

300 Alamosa Road NW, Albuquerque, New Mexico 87107 Phone (505) 345-2267 Fax (505) 345-2115

March 23, 2006

Kristal D. Metro, P.E., Senior Engineer, Planning Dept. Development and Building Services City of Albuquerque P.O. Box 1293 Albuquerque, NM 87103

RE: RV-USA Covered Storage Addition, 11117 Skyline Road NE, Grading and Drainage Plan, Engineer's Stamp Dated 2-22-06 and Revised 03-23-06 (K21 – D4):

Dear Ms. Metro:

With regard to your letter of March 22, 2006, attached is the revised grading and drainage plan referenced above. The changes requested in your letter are addressed below in the same numerical order.

- 1. The DPM defines Treatment D as "Impervious areas, pavements and roofs". I can understand that certain gravel areas subject to heavy traffic can become compacted to the point of being fairly impervious. This site however will have very little traffic since RVs are only being stored, not serviced.
- 2. I meant to provide you with a copy of a letter from Mr. Thomas N. Neale, the University of New Mexico, to the owner, Mr. Mike Warren. I will include a copy of the letter for your information with this submittal. The current status is that it's a catch 22 situation. The drainage plan must be approved, or at least conditionally approved, before the University will grant the easement. The easement width was determined by the channel width necessary to convey the flow. I checked with Brad Bingham regarding the possibility of a minimum easement width and he said it can be any width as long as it carries the flow since it is a private easement, not a public easement.
- The percentage now adds up to 100 percent.
- The legal description and the address have been changed on the info sheet.
- The edge of roof on the south side has been shown.
- The legend has been updated.
- The mobile home has been removed.
- The hydrology zone has been changed from 4 to 3.
- 9. The executive summary has been revised to be consistent with the description on the plan.
- ■10 Spot elevations have been provided for the swales.
- Il. Fechnically, the boundary between zone atlas pages is the section line. The zone atlas book that I have does not show section corners. The site is actually shown

on both K-21 and L-21. I confused the situation by showing a portion of the L-21 page and calling it K-21. I have now changed the reference under the vicinity map to read L-21. As to where the boundary actually is, I have no idea.

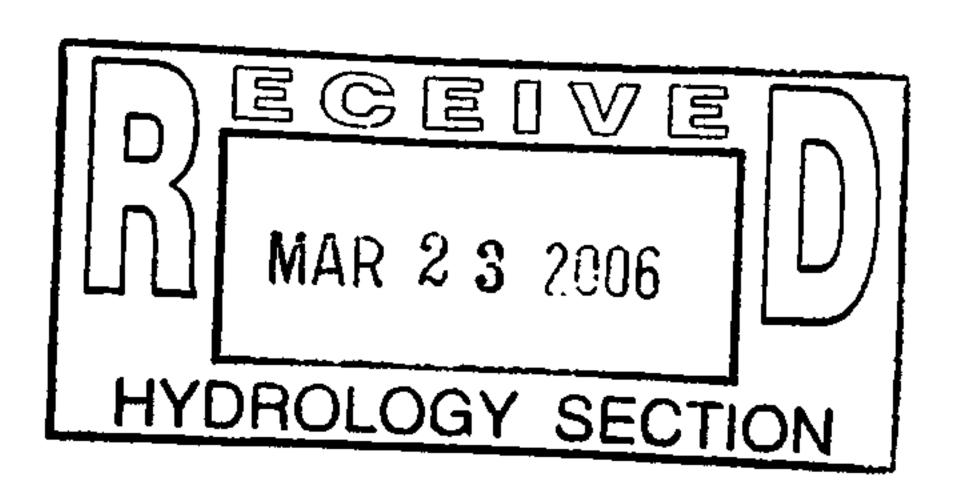
12:1 have provided standard sheet sizes. It was necessary to add a second sheet for the calculations, etc.

13. Instead of using the term "detention pond", it would be more appropriate to call it a stilling basin. As I said on the first submittal, "No attempt has been made to use the pond to reduce peak discharge." By definition, a detention pond is for the purpose of reducing flow to an allowable quantity. Therefore, my use of the term was confusing. I have now changed it on the plan to read "stilling basin".

If you have any questions or if you require additional information, please contact me at 345-2267.

Sincerely,

Frank D. Lovelady, PE



Feb 10 06 04:39p

UNM Real Estate

(505) 277-6290

p. 1



The University of New Mexico Real Estate Office 1712 Las Lomas NE Albuquerque, NM 87131 (505) 277-4620 (505) 277-6290 Fex

February 9, 2006

Mr. Mike Warren

11117 Skyline Road NE Albuquerque, NM 87123

RE: Proposed Drainage Easement across UNM-owned land located at the northeast corner of Morris Street and Skyline Road, in Albuquerque, New Mexico

Dear Mike:

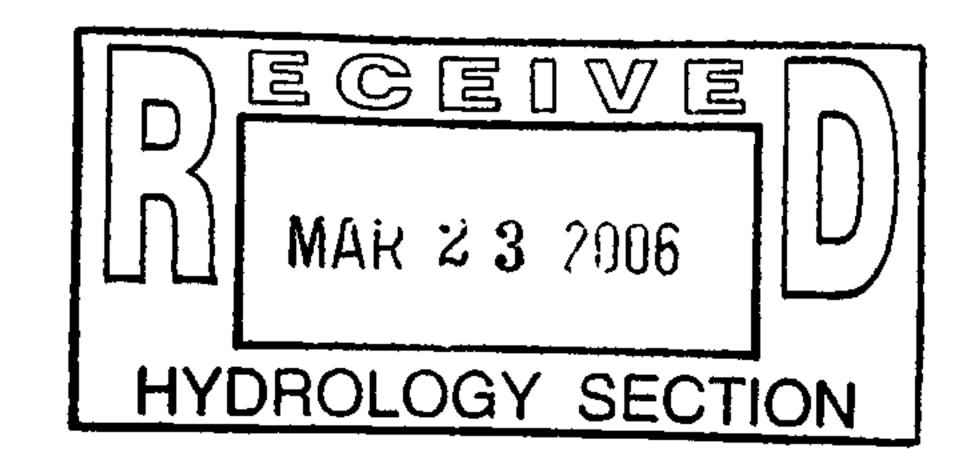
Based on our meeting and the information you provided pertaining to the proposed drainage easement across the northeast corner of the UNM property located at the northeast of Morris Street and Skyline Road NE (as indicated on the attached schematic drawing), UNM would be willing to grant a drainage easement subject to the following conditions:

- 1. The drainage improvements within the proposed easement area are approved by the City of Albuquerque as part of the site development plan submitted for the proposed RV USA project on the adjoining Tract A, Ondes Tract Subdivision.
- 2. UNM will require reimbursement of all legal costs associated with the creation of the Easement Agreement.
- 3. Construction of the proposed improvements on UNM-owned land will be the sole responsibility of the owner of Tract A. UNM will incur no costs associated with construction within the proposed essement area.
- 4. The owner of Tract A will compensate UNM for the fair market value of the land encumbered by the proposed easement.
- 5. UNM will be indemnified and held harmless for any damage, loss or liability associated with construction, operation and maintenance of the proposed drainage easement.

Please feel free to contact me with any question or comments.

Respectfully.

Thomas M. Neale



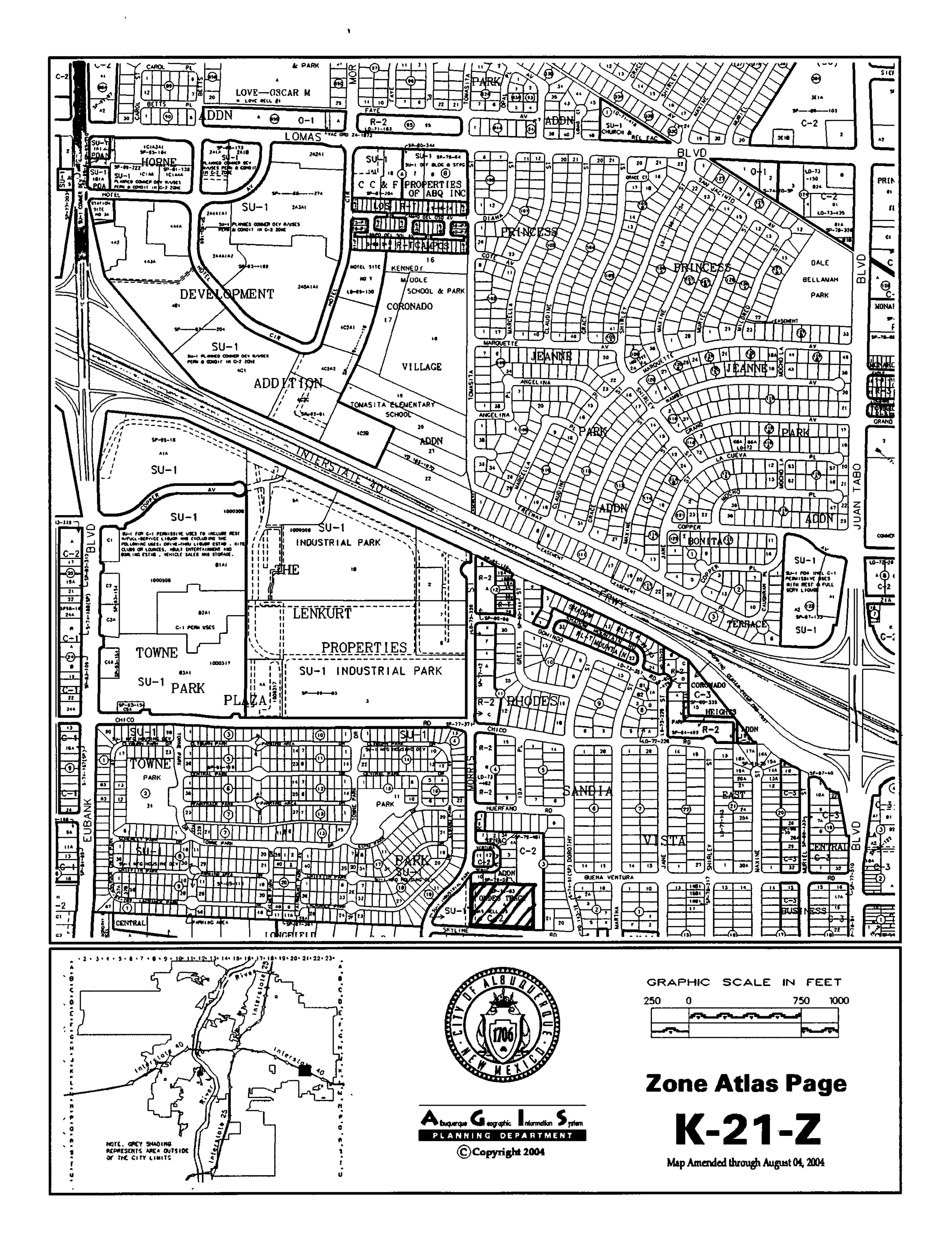
DRAINAGE AND TRANSPORTATION INFORMATION SHEET (Rev. 06/22/2005)

K-21	04
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ENGINEERING FIRM	: Frank D. Lovelady, P.E.		CONTACT:	Frank Lovelady	
· · · · · · · · · · · · · · · · · · ·	300 Alamosa Road NE		PHONE:	345-2267	
CITY, STATE	: Albuquerque, NM		ZIP CODE:	87107	
OWNER:	RV-USA		CONTACT:	Mike Warren	
ADDRESS:	11117 Skyline Road NE		PHONE:	239-4041	
	E: Albuquerque, NM		ZIP CODE:	87123	
CITI, SIAIL	. <u>Miouquerque, ivivi</u>		_ ZH CODE	01123	
ARCHITECT:	Tom Robson	<u> </u>	_ CONTACT:	Tom Robson	
ADDRESS:	2301 Juan Tabo Blvd. NE, Sou	th Suite	PHONE:	332-1176	
CITY, STATE	: Albuquerque, NM		ZIP CODE:	87112	
SURVEYOR:	Harris Surveying Company		_ CONTACT: _	Tony Harris	
	2412 Monroe Dr. NE		PHONE:	889-8056	
	: Albuquerque, NM	· · · · · · · · · · · · · · · · · · ·			
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NO (Distus					
COPY PROV	IDED			HYDROLOGY SECTION	
SUBMITTED BY:	Frank D. Lovelady, P.E.		DATE: Marci	h 23. 2006	

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.



ALBUQUERQUE

Making Wistony

March 22, 2006

Frank D. Lovelady, P.E. 300 Alamosa Road NW Albuquerque, NM 87107

Re: R.V. USA Covered Storage Addition, Skyline Rd NE, Grading and Drainage Plan Engineer's Stamp dated 2-22-06 (K21-D4)

Dear Mr. Lovelady,

Based upon the information provided in your submittal received 2-22-06, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

- 1. If the majority of this site is gravel, why do the calculations show the site as predominantly land condition C and not D?
- 2. Prior to building permit approval, recording information must be provided for the drainage easement shown on the area west of the site. What is the current status of this easement? How was the width of this easement determined?
- 3. Check the proposed land treatment areas. Currently, the percentages sum to 110.5%.
- 4. The legal description and city address are incorrect on the drainage and transportation information sheet.
- 5. Show the extents of the proposed storage buildings.
- 6. Update the legend to accurately reflect the symbol for swale.
- 7. Why show a recently removed mobile home?
- 8. The above referenced site is located in hydrology zone 3, not 4. Please adjust the calculations accordingly.
- 9. Proposed conditions in the executive summary describe the area west of the site as owned by the City of Albuquerque, while the plan describes the area as owned by the University of New Mexico.
- 10. Provide spot elevations along the swales.
- 11. Show the boundary between zone atlas page K-21 and L-21.
- 12. Per the Development Process Manual, Chapter 27, Section 1, "Standard sheets must be 24" by 36" having a margin of 2" along the left and 1" on the top and bottom. Use of non-standard sheets must have prior approval of the City Engineer or City Architect in writing."
- 13. The executive summary describes a proposed detention pond to be used to reduce the peak discharge. Please provide calculations and additional information for this pond (WSE, volume, depth, etc.).

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

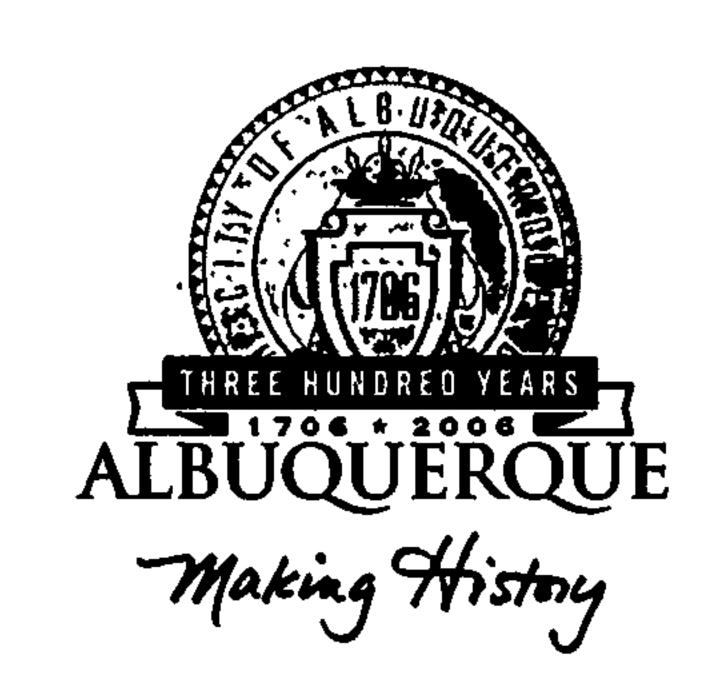
C: File

P.O. Box 1293

Albuquerque

New Mexico 87103

www.cabq.gov



February 27, 2006

Tom Robson, R.A.

Robson & Associates --Architects
2301 Juan Tabo Blvd. NE South Suite
Albuquerque, NM 87123

Re: Lots 1 & 2 Block. 66 Bel Air Subdivision, 5113 Comanche NE, Traffic Circulation Layout Architect's Stamp dated 02-22-06 (K21-D4)

Dear Mr. Robson,

Based upon the information provided in your submittal received 02-17-06, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

- 1. Please, refer to all appropriate City Standards; the drawing number should be included in this reference.
- 2. Include a vicinity map.
- 3. Provide and label all parking stalls and ADA parking.
- 4. Provide more information on the ADA ramps at the drive-pad entrance.
- 5. Provide street names for adjacent streets.

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

New Mexico 87103

P.O. Box 1293

Albuquerque

Sincerely,

www.cabq.gov

Wilfred A. Gallegos, P.E.

Traffic Engineer, Planning Dept.

Development and Building Services

C: file WAG:tes