HYDROLOGY K23/D16 NO PLANS

K23/D16

No Plans

LETTERHEAD OF PAUL A. PHILLIPS Attorney and Counsellor

September 8, 1978

K23-D16

Mr. and Mrs. John McAllister
400 Cenaroca Ct. N.E.
Albuquerque, New Mexico

City of Albuquerque
Engineering Department
City Hall
Fourth and Marquette N.W.
Albuquerque, New Mexico

AMAFCA
2600 Prospect N.E.
Albuquerque, New Mexico

Dear Sir or Madam:

I write you on behalf of my client Robertson Construction Company, Inc. which is building a house on Lot 8 Block 14 Wells Sandia Manor Subdivision, Albuquerque (14019 Skyline Dr. NE) for Gary Kather. A very serious drainage problem exists which is beyond the control of either the Kathers or Robertson. It derives from the failure of the persons interested in certain lots and right of way in the Cenaroca Subdivision to the north to respect the drainage easements over the Cenaroca Subdivision which would benefit the Kather's lot if respected and developed.

In platting Cenaroca Subdivision, a drainage easement was dedicated over the South 5 feet of Lot 8 (really SE 5') and the North 5 feet of Lot 7 in Block B which face on a cul de sac terminating Turner Drive. This drainage easement would drain into a ten foot drainage and utility easement over the South 10 feet of the Cenaroca Subdivision, including Lots 18, 19, and 20 of Block B in that subdivision, and be carried out to Skyline Drive where it intersects with the South 10 feet of Lot 20 in Block B, Cenaroca Subdivision. A concrete drainage channel has been planned over both the drainage easement between Lots 8 and 7 in Block B and over the South 10 feet of Lots 18, 19, and 20 in Block B, Cenaroca. Also, of course, development of the cul de sac terminating Turner Drive is also planned. When that development is done, if the drainage easements are respected and concreted, Lot 8 in Block 14 Wells Sandia Manor will be protected. At present however, the lack of development of Turner Drive, the failure to channel the drainage into the easement between Lots 8 and 7 Block B and the failure to channel the drainage over the South 10 feet of Lots 18, 19, and 20 in Block B Cenaroca all combine to threaten Lot 8 in Block 14, Wells Sandia Manor with serious flooding. Further, a concrete block wall is presently being constructed over the rear of Lot 19 Block B Cenaroca right astride the 10 foot drainage and utility easement over the South 10 feet of that lot.

In order to protect its building on Lot 8, Block 14 Wells Sandia Manor, Roberson has dug a temporary channel across Lots 8 and 17 in Block B Cenaroca, draining water from Turner Drive into Cenaroca Court. Roberson has not cut a channel over the drainage easements because to do so would have driven the water against the block wall under construction on Lot 19 which in turn, would have resulted in flooding Lots 9 and 10 in Block 14 Wells Sandia Manor.

We demand that the concrete block wall astride the drainage easement on Lot 19 Block B Cenaroca be removed forthwith. The city should design and construct adequate channels through the drainage easements dedicated in Cenaroca Subdivision promptly. At the very least, design of temporary floodway should be made by the City and AMAFCA so that pending concreting of the drainage easements in Cenaroca the lots in Block 14 Wells Sandia Manor will be protected.

Sincerely yours,

Paul A. Phillips

PAP/mks

cc: Mr. Billy D. Neil
3616 Stardust Dr. N.E.

Mr. Don Dean
14001 Skyline Rd. N.E.

Mr. Bill Richardson
14007 Skyline Rd. N.E.

PAUL A. PHILLIPS
ATTORNEY AND COUNSELOR AT LAW
619 SANDIA SAVINGS BUILDING
ALBUQUERQUE, NEW MEXICO 87102

TELEPHONE (505) 765-1900

September 26, 1978

Mr. Robby L. Roberson
Roberson Construction Company, Inc.
9212 Trumbull, S. E.
Albuquerque, New Mexico

Re: Wells Sandia Manor
Lot 8, Block 14

Dear Robby:

I haven't received any response from anyone to my letter of September 8 to the city, to AMAFCA and to the neighbors, particularly the McAllisters. Have you heard anything? It seems to me we may have to bring an action against McAllister. Please call me within the week if you haven't heard anything.

Sincerely,

Paul

Paul A. Phillips

PAP/ih

CITY OF ALBUQUERQUE, NEW MEXICO
CITY ENGINEER'S OFFICE

MEMORANDUM - October 10, 1978

TO: Malcolm de Vesty, Assistant City Attorney
FROM: Bruno Conegliano, Assistant City Engineer-Hydrology
SUBJECT: ENCROACHMENT OF BLOCK WALL

This memo is to request the assistance of your office in notifying Mr. John Carl McCallister, 400 Cenaroca Ct. N.E. that the block wall recently completed on the East side of Lot 19, Block C, Cenaroca Addition, is encroaching on a 10' City of Albuquerque Drainage Easement. Said easement, 10 ft. in width, runs along the Southern boundary line of the mentioned addition (see attachment) and is presently needed by the City to provide drainage relief to Turner Ct. Construction plans are being prepared for the execution of the drainage improvements and the obstruction and encroachment should be removed at the earliest possible time.

BC/tl

attachment

✓ file

PAUL A. PHILLIPS
ATTORNEY AND COUNSELOR AT LAW
519 SANDIA SAVINGS BUILDING
ALBUQUERQUE, NEW MEXICO 87102
TELEPHONE (505) 765-1000

October 24, 1978

Mr. Robby Lynn Roberson
Roberson Construction Company, Inc.
9212 Trumbull, S. E.
Albuquerque, New Mexico

Re: Wells Sandia Manor and
Cenaroca Subdivision

Dear Robby Lynn:

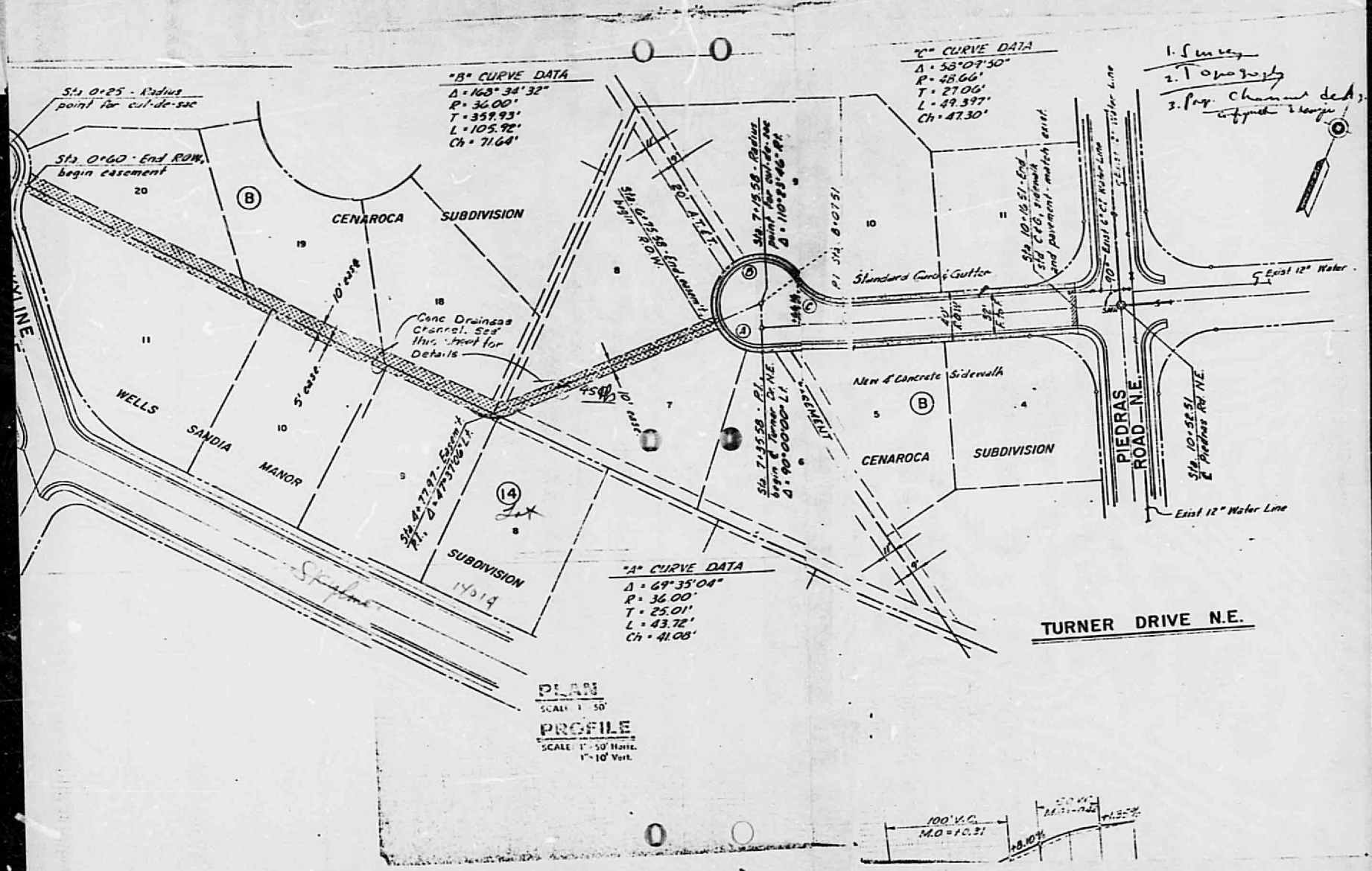
For your information and to assure you that something is being done in the City Engineer's office and the City Attorney's office, I enclose copy of memorandum from the Engineer's office to the City Attorney's office dated October 10, 1978, and a copy of letter dated October 23, 1978, from the City Attorney's office to Mr. McCallister about the block wall.

Sincerely yours,

Paul A. Phillips

PAP/ih

Enclosures


"B" CURVE DATA
Δ = 168° 34' 32"
R = 36.00'
T = 359.93'
L = 105.92'
Ch = 71.64'
"C" CURVE DATA
Δ = 58°07'50"
R = 48.66'
T = 27.06'
L = 49.397'
Ch = 47.30'
"A" CURVE DATA
Δ = 69°35'04"
R = 36.00'
T = 25.01'
L = 43.72'
Ch = 41.08'
Sta 0+25 - Radius point for cul-de-sac
Sta 0+60 - End ROW, begin easement
CENAROCA SUBDIVISION
WELLS SANDIA MANOR SUBDIVISION
Conc Drainage Channel. See this sheet for Details
Standard Curb & Gutter
New 4' Concrete Sidewalk
PIEDRAS ROAD N.E.
Exist 12" Water
Exist 12" Water Line
TURNER DRIVE N.E.
PLAN
SCALE 1" = 50'
PROFILE
SCALE 1" = 50' Horiz.
1" = 10' Vert.
100' V.C.
M.O. = +0.31
+8.10%
+1.55%