

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

DESIGN HYDROLOGY SECTION 123 Central NW, Albuquerque, NM 87102 (505) 766-7644

February 17, 1986

C.A. Coonce & Associates 12324 PIneridge, NE Albuquerque, New Mexico 87112

RE: REVISED DRAINAGE PLAN FOR GOODYEAR TIRE STORE RECEIVED FEBRUARY 11, 1986 (L-19/D37)

Dear Mr. Coonce:

The referenced plan has been reviewed. The following is a list of certain items that must be addressed prior to final sign-off.

- New information sheet with resubmittal designation.
- 2. Engineer's stamp with signature and revision date.
- You will need to change your "Discussion" you are no longer providing a retention pond but a detention pond.
- 4. Your erosion control statement will need to indicate that the contractor will be responsible for any sediment that may be transported onto the City Right-of-Way.
- Please be advised that if the ponding area is used for open storage, you will need to take the displaced area into your pond volume requirement.

If you have any questions regarding this project, call me at 766-7644.

Cordially.

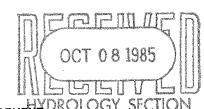
Carlos A. Montoya, P.E.

City/County Floodplain Administrator

BJM: CAM/bsj

MUNICIPAL DEVELOPMENT DEPARTMENT

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AGREEMENT ESTABLISHING DRAINAGE EASEMENT DROLOGY SECTION

AGREEMENT made this 19 th day of March, 1984, between Burton Newmark and M. Karen Newmark, his wife, and A. Frank Bowden and JoEllen Bowden, his wife.

RECITAL

1. Burton Newmark and M. Karen Newmark, his wife, are the owners of the premises in the City of Albuquerque, County of Bernalillo, State of New Mexico, described as:

The northerly 130 feet of the following described real estate, to wit:

A tract of land located in the south one-half (S 1/2) of the north one-half (N1/2) of the northeast one-quarter (NE1/4) of the northeast one-quarter (NE1/4) of Section Thirty (30), Township Ten (10) North, Range Four (4) East, NMPM, which is described as follows:

BEGINNING at the northwest corner of the tract herein described, which is a point 1,996.5 feet east of the quarter corner common to Sections 19 and 30, Township 10 North, Range 4 East, and 330 feet south of the north boundary of said Section 30; thence, east 257.5 feet to the northeast corner; thence, south 220 feet to the southeast corner; thence, west 257.5 feet to the southwest corner; and thence, north 220 feet to the northwest corner and the point of beginning. Excluding the westerly twenty (20) feet thereof, heretofore and on January 3, 1964, Quitclaimed by said Arthur F. Current and Dorothy O. Current, his wife, to the City of Albuquerque, for use as a portion of the public street

and hereinafter called the Newmark Property.

- 2. A. Frank Bowden, is the owner of the premises in the City of Albuquerque, County of Bernalillo, State of New Mexico, described as Lot One (1) of the Bowden Addition, and A. Frank Bowden and JoEllen Bowden, his wife, are the owners of Lot Two (2) of the Bowden Addition to the City of Albuquerque, N.M., as the same is shown and designated on the plat of said addition filed in the office of the County Clerk of Bernalillo County, N.M., on May 11, 1973; and A. Frank Bowden and JoEllen Bowden, his wife, are the owners of Lot Three (3) of the Bowden Addition to the City of Albuquerque, N.M., as the same is shown and designated on the plat of said addition filed in the office of the Clerk of Bernalillo County, N.M., on November 9, 1983, and hereinafter called the Bowden Property, and which immediately joins the Newmark Property to the west.
- 3. A recent topographical survey indicates that surface water from rainfall and snow on the Bowden Property drains to the northwest corner of the Bowden Property and

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then across the Newmark Property toward Virginia Street. In order to better control this natural runoff, the parties agree that the Bowdens may lay out a subterranean drainageway from the northwest corner of the Bowden Property across the most northerly five feet of the Newmark Property to drain into Virginia Street, S.E.

FOR THE REASONS set forth above, and in consideration of the mutual covenants and promises set forth herein, the parties agree as follows:

SECTION I. ESTABLISHMENT OF EASEMENT

Burton Newmark and M. Karen Newmark, his wife, hereby grant to A. Frank Bowden and JoEllen Bowden, his wife, a drainage easement extending five feet (5 feet) south from the northern boundary line of the Newmark Property and running in an east-west direction for approximately 237.5 feet from the east boundary line of the Newmark Property to Virginia Street, S.E.

SECTION II. BUILDING OF DRAINAGEWAY

A. Frank Bowden and JoEllen Bowden, his wife, agree that construction of the drainageway will be done using principles of good workmanship and that after completion of the work, the Newmark Property will be restored as nearly as possible to the same condition as before construction began.

SECTION III. BINDING EFFECT

Benefits and obligations of the covenants herein shall run with the land herein described so long as the drainageway continues to exist, and shall bind the respective parties hereto, their heirs, legal representatives, and assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement at Albuquerque, New Mexico, the day and year first above written.

BURTON NEWMARK

M. KAREN NEWMARK

A. FRANK BOWDEN

JO ELLEN BOWDE

<u>ACKNOWLEDGMENT</u>

STATE OF NEW MEXICO)	
COUNTY OF BERNALILLO)	SS.

The foregoing instrument was acknowledged before me this 2/day of March, 1984, by BURTON NEWMARK and M. KAREN NEWMARK, his wife.

NOTARY PUBLIC

My commission expires:

7/6/05



OFFICIAL SEAL

MARJORIE ARRINGTON

MOTARY PUBLIC - NEW MEXICO

Notary Bond Filed with Secretary of State

My Commission Expires

STATE OF NEW MEXICO) SS. COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 19th day of March, 1984, by A. FRANK BOWDEN and JO ELLEN BOWDEN, his wife.

NOTARY PUBLIC

My commission expires:

2-21-87

STATE OF NEW MEXICO COUNTY OF BERNALILLO FILED FOR RECORD

1984 MAR 21 PM 2: 19

CO. CERRY & RECORDER

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