DEVELOPMENT & BUILDING SERVICE CENTER
ONE STOP SHOP
600 SECOND ST. N.W.
ATTENTION: _____
505-924-3900

Records Withdrawal Form

Project No. L22-D020 **Date:** 12/12/05

Project Title: HIDDEN VALLEY SUBDV

a. File b. Mylars c. Redlines/Comments
d. Other DRAINAGE REPORT & PLANS

Requested by: GENNY DONART, ARFMAN ISAACSON & **Phone No.:** 268-8828
Name and Company

Comments:

_____

_____

_____

Anticipated Return Date: 12/14/05

I hereby accept full responsibility for the security of the above noted records/plans until return receipt acknowledgement is completed. Records/plans will be returned to the Development and Building Services Center on or before the indicted anticipated return date.

Delivery Picked Up By:

Name: Lance McHarlan **Organization:** Albreprographics
Print

Signed: _____ **Date:** 12/13/05

Office Use Only

Return Acknowledged:

Received By: Arlene V. Portillo **Date:** 12/14/05
Print

DRAINAGE INFORMATION SHEET

PROJECT TITLE: HIDDEN VALLEY ZONE ATLAS/DRNG. FILE #: L-22

LEGAL DESCRIPTION:

CITY ADDRESS:

ENGINEERING FIRM: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Joe Jones

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

OWNER: Mr. Gerhard Muller CONTACT: Mr. Gerhard Muller

ADDRESS: 2700 San Pedro NE-Suite 102, ABQ NM 87110 PHONE: 883-6213

ARCHITECT: N/A CONTACT: N/A

ADDRESS: PHONE:

SURVEYOR: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Fred Denney

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

CONTRACTOR: N/A CONTACT: N/A

ADDRESS: PHONE:

RECEIVED
FEB 25 1986
HYDROLOGY SECTION

PRE-DESIGN MEETING:

X YES
NO
X COPY OF CONFERENCE RECAP SHEET PROVIDED

DRB No.
EPC No.
PROJ. No.

TYPE OF SUBMITTAL:

X DRAINAGE REPORT
DRAINAGE PLAN
CONCEPTUAL GRADING & DRAINAGE PLAN
GRADING PLAN
EROSION CONTROL PLAN
ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

SECTOR PLAN APPROVAL
SKETCH PLAT APPROVAL
X PRELIMINARY PLAT APPROVAL
SITE DEVELOPMENT PLAN APPROVAL
FINAL PLAT APPROVAL
BUILDING PERMIT APPROVAL
X FOUNDATION PERMIT APPROVAL
CERTIFICATE OF OCCUPANCY APPROVAL
X ROUGH GRADING PERMIT APPROVAL
GRADING/PAVING PERMIT APPROVAL

OTHER (SPECIFY)

DATE SUBMITTED: 2/25/86

BY: Joe Jones
JOE JONES

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CONCLUSION	2
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F.E.M.A. FLOOD PROFILES	
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Exhibit II - F.E.M.A. Flood Plain Map	
Exhibit III - Drainage and Grading Plan	
Exhibit IV - Storm Drain Layout	
Exhibit V - Storm Drain Plan and Profile	
Exhibit VI - Detail Sheet	

DRAINAGE MANAGEMENT PLAN

HIDDEN VALLEY

I. PURPOSE

The purpose of this report is to determine an economical and effective storm water management plan for subject project.

II. GENERAL

The development site consists of 9.52 acres and is located within Hidden Valley Subdivision (See Exhibit I). Presently the site slopes from southeast to northwest, and all runoff flows to the Tijeras Arroyo located approximately 1,000 feet north of the site.

The soil onsite is of the Embudo Series Type "B", and the site is not located within a flood plain (See Exhibit II).

III. DRAINAGE

Presently the offsite runoff for the 6 hour, 100 year storm is 29.2 cfs. This runoff generally sheet flows across the site. Approximately 1/2 of this runoff is intercepted at Hidden Valley Drive and is discharged into an arroyo at the end of Hidden Valley Drive. The remaining runoff sheet flows northwest until it reaches the Tijeras Arroyo.

The site will be graded such that all offsite runoff will be intercepted by a Bar Ditch constructed along the southern side of the Ingress-Egress Easement (See Exhibit III). This Bar Ditch will direct 26.7 cfs into a trash grate type catch basin. The remaining 2.5 cfs will be intercepted by a Single "D" Catch Basin at the southwest corner of the site. This offsite runoff will then be conveyed to a discharge point near the Tijeras Arroyo.

III. DRAINAGE (Con't.)

The onsite runoff will be intercepted by Type "D" Catch Basins located at critical points onsite. This runoff combined with the offsite runoff will flow to the Tijeras Arroyo via a 42" storm drain located within an 8' buffer strip on Hidden Valley I.

The Hydraulic Grade Line for the proposed storm drain begins at an elevation of 5,517.0. This will be the approximate water surface elevation at this point in the Tijeras Arroyo during the 100-year storm according to the F.E.M.A. Flood Profiles.

Since the proposed site is to be constructed in two phases, the storm drain will be constructed as required for each phase. The entire storm drain, excluding Catch Basins 4 and 5, will be constructed as part of Phase I (See Exhibit III). The remaining portion of the storm drain will be constructed as part of Phase II.

?

IV. CONCLUSION

The proposed development site will be a privately owned subdivision maintained by a Homeowner's Association.

The developed onsite and the existing offsite stormwater runoff will be intercepted by an onsite storm drain system. This runoff will then be conveyed to a point near the Tijeras Arroyo and discharged to surface flow into the Arroyo.

Due to the fact that this is a private subdivision, all onsite storm drain improvements will be maintained by the Homeowner's Association.

DENNEY - GROSS & ASSOCIATES, INC.
ENGINEERS SURVEYORS PLANNERS
2400 COMANCHE ROAD N.E.
ALBUQUERQUE, NEW MEXICO 87107
(505) 884-0695

LOCATION HIDDEN VALLEY

PROJ. NO. 815.11

DATE 1/28/86

DESIGNER J. JONES

PAGE 1

UNDEVELOPED RUNOFF C-FACTOR

A = 23.2 Ac

APPROXIMATELY 66% UNDEVELOPED
34% DEVELOPED (4 HILLS)

NOTE: PRIMARILY THE OFFSITE SOIL IS TYPE Ta EXCEPT 1.7 ACRES IS TYPE Emb. (SEE SOILS MAP)

66% UNDEVELOPED (15.3 Ac)

APPROXIMATELY 10% IS TYPE "B" (Emb) 1.5 ACRES C = 0.34
APPROXIMATELY 56% IS TYPE "A" (Ta) 8.6 ACRES C = 0.16

34% DEVELOPED (7.9 Ac)

ASSUME 2000 SF AVG HOUSE

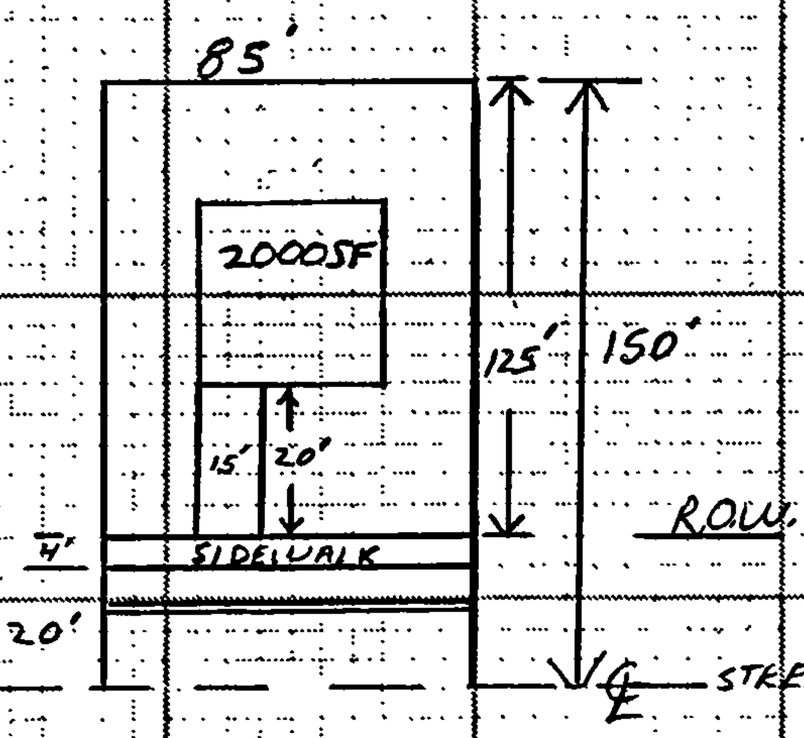
TYPICAL 4 HILLS LOT

TOTAL AREA = 85 X 150 = 12750 SF

IMPERVIOUS AREA = 2000 + 20 X 15
+ 20 X 85 + 4 X 85
= 4840 SF

$\frac{4340}{12750} = 0.34 = 34\%$

C = 0.33



N.T.S.

AVERAGE C FACTOR

0.1 X 0.34 = 0.034
0.56 X 0.16 = 0.0896
0.34 X 0.33 = 0.1122
0.2358

USE C = 0.24

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ENGINEERS SURVEYORS PLANNERS
2400 COMANCHE ROAD N.E.
ALBUQUERQUE, NEW MEXICO 87107
(505) 884-0695

LOCATION Hidden Valley

PROJ. NO. 815.11

DATE 2/12/86

DESIGNER J. Jones

PAGE 2

UNDEVELOPED RUNOFF

OFFSITE FLOW

A=25.7 Ac
C=0.24 (SEE SHT. 1)

$T_c = 0.0078 \frac{L^{.77}}{S^{.385}}$

L=2700'
S≅0.035

$T_c = 0.0078 \frac{(2700)^{.77}}{(0.035)^{.385}} = 12.4$ MINUTES

R=2.5 in (DPM 22.2 D-1)

$I = 6.84 R T_c^{-0.51}$ $I = 6.84(2.5)(12.4)^{-0.51} = 4.73$

RATIONAL METHOD

Q=CIA $Q = 0.24(4.73)(25.7) = 29.2$ cfs OFFSITE RUNOFF

ONSITE FLOW

A=9.52 Ac
0% IMPERVIOUS
C=0.34

$I = 6.84(2.5)(10)^{-.51} = 5.28$

$Q = CIA = 0.34(5.28)(9.52) = 17.1$ cfs

UNDEVELOPED ONSITE RUNOFF

TOTAL UNDEVELOPED RUNOFF = 29.2 + 17.1 = 46.3 cfs

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(505) 884-0695

LOCATION HIDDEN VALLEY

PROJ. NO. 815.11

DATE 2/18/86

DESIGNER J JONES

PAGE 3

ONSITE DEVELOPED RUNOFF

$Q = CIA$

$I = 5.28$

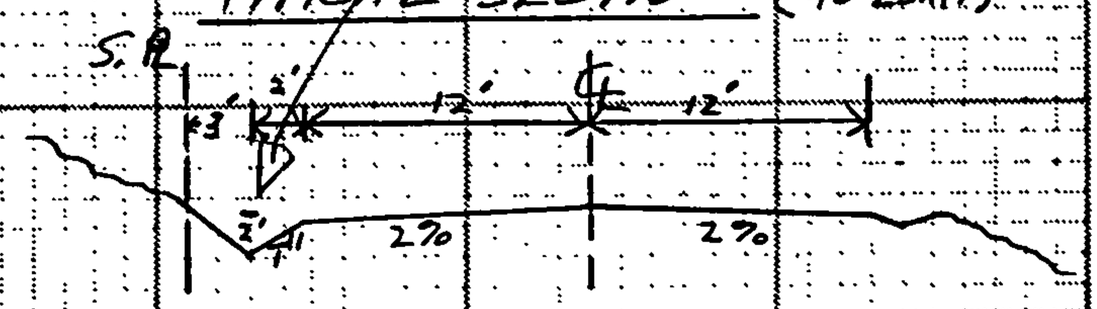
$A = 9.52$

$C = 0.50$ @ 36% IMPERVIOUS

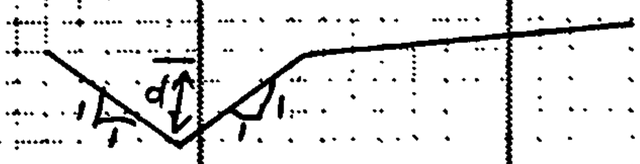
$Q = 0.5(5.28)(9.52) = \underline{25.1 \text{ cfs}}$

INGRESS-EGRESS ANALYSIS

TYPICAL SECTION (40' ESMT)



CHECK BAR DITCH CAPACITY



TRY $d = 1.85'$

$A = \frac{1}{2}(1.85 \times 3.7) = 3.42$

$R = A/P = 3.42/5.23 = 0.65$

MANNINGS

$Q = \frac{1.486}{n}(S)^{1/2} A R^{2/3}$

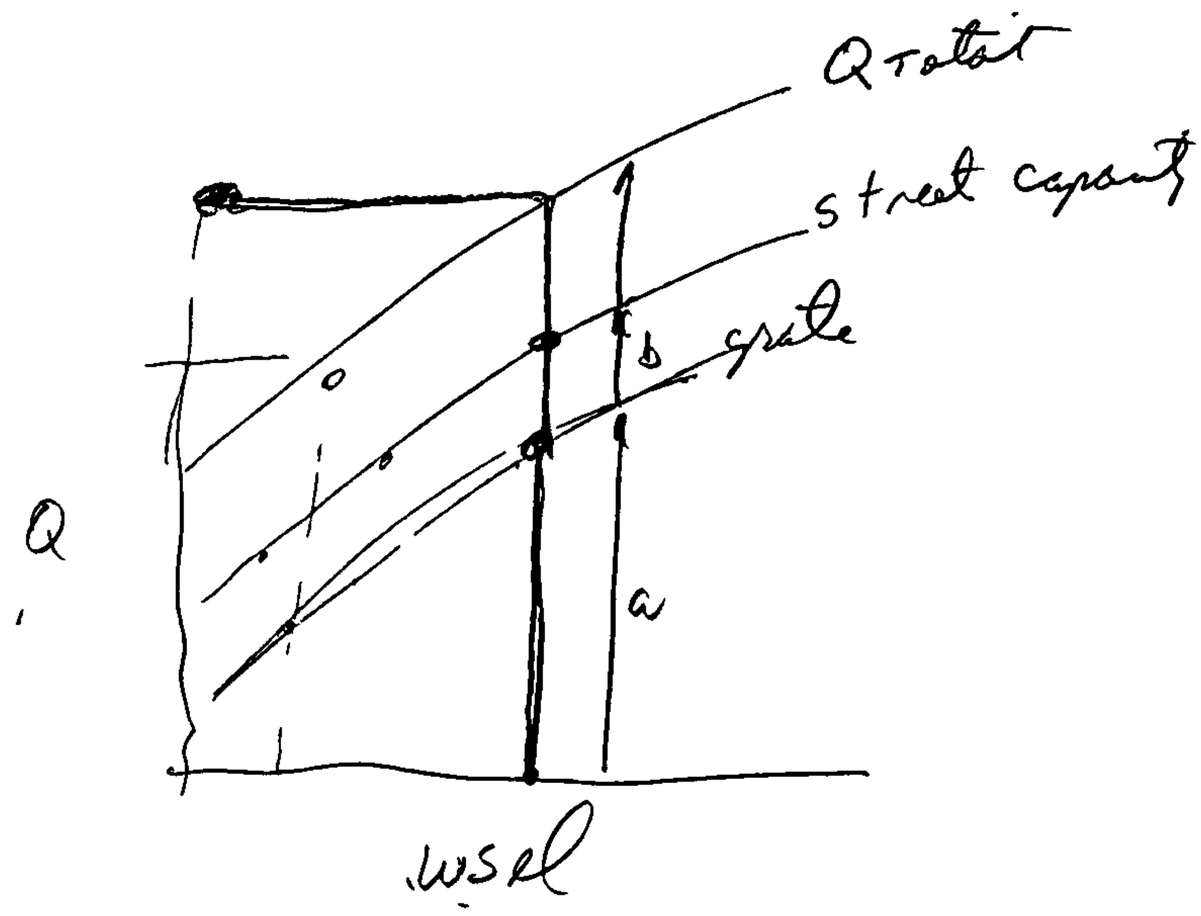
$n = 0.025$

$S = 0.03$

$Q = \frac{1.486}{0.025}(0.03)^{1/2}(3.42)(0.65)^{2/3}$

$\underline{Q = 26.4 \text{ cfs}}$

CONCLUSION - BAR DITCH WILL FLOW APPROXIMATELY 1.85' DEEP IN THE 100 YR 6 HR STORM.


Q total
street capacity
grate
Q
a
WSEL

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LOCATION HIDDEN VALLEY IV

PROJ. NO. 815.11

DATE 2/19/86

DESIGNER J JONES

PAGE 4

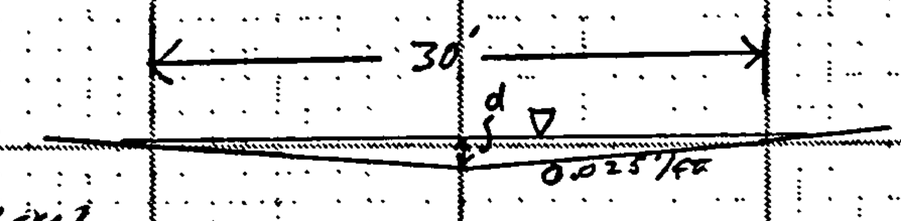
STREET FLOW ANALYSIS

MANNING'S

$Q = \frac{1.486}{n} S^{1/2} A R^{2/3}$

$n = 0.017$

$S = 0.02$



4" INVERTED CROWN

$Q = 12.4$ cfs (MAXIMUM FLOW ON STREET)

TRY $d = 0.3'$

$A = \frac{1}{2}(24 \times 0.3) = 3.6$ SF

$R = 3.6/24 = 0.15$

$Q = \frac{1.486}{0.017}(0.02)^{1/2}(3.6)(0.15)^{2/3}$

$Q = 12.5$ cfs

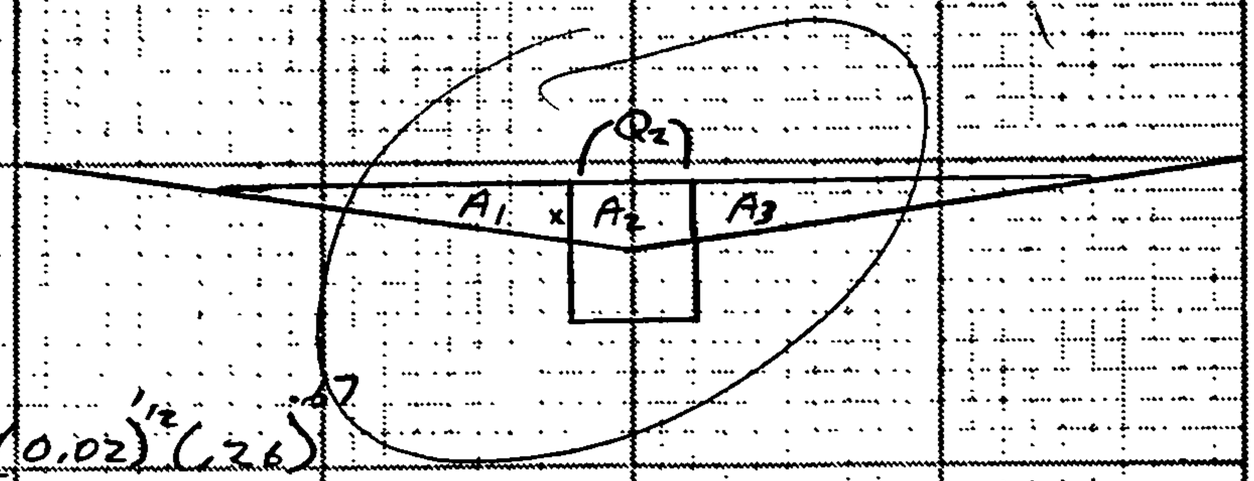
MAXIMUM DEPTH IN STREET IS APPROXIMATELY $= 0.3'$

CATCH BASIN (HACKBERRY TRAIL)

ASSUME: ALL FLOW CROSSING DIRECTLY OVER CATCH BASIN IS ACCEPTED.

DEPTH $= 0.3'$

$X = 0.22$



$A_2 = \frac{1}{2}(0.22 + 0.3)(6.5) = 1.69$ SF

$R = A/P = 1.69/6.5 = 0.26$

$V = \frac{1.486}{n} S^{1/2} R^{2/3}$

$V = \frac{1.486}{0.017}(0.02)^{1/2}(.26)^{.67}$

$V_2 = 5.01$ FPS

$Q_2 = A_2 V_2 = 1.69(5.01) = 8.5$ cfs

CONCLUSION: 3.9 cfs PASSES ON TO HIDDEN VALLEY DRIVE. 100YR STORM

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(505) 884-0695

LOCATION HIDDEN VALLEY

PROJ. NO. 815.11

DATE 2/21/86

DESIGNER J Jones

PAGE 5

RUNOFF TO HIDDEN VALLEY DRIVE

UNDEVELOPED OFFSITE RUNOFF (TO HIDDEN VALLEY DRIVE)

APPROXIMATELY 1/2 OF TOTAL OFFSITE FLOW

0.5 (29.2) = 14.6 cfs

ONSITE FLOW (TO HIDDEN VALLEY DRIVE)

APPROXIMATELY 60% OF TOTAL ONSITE FLOW

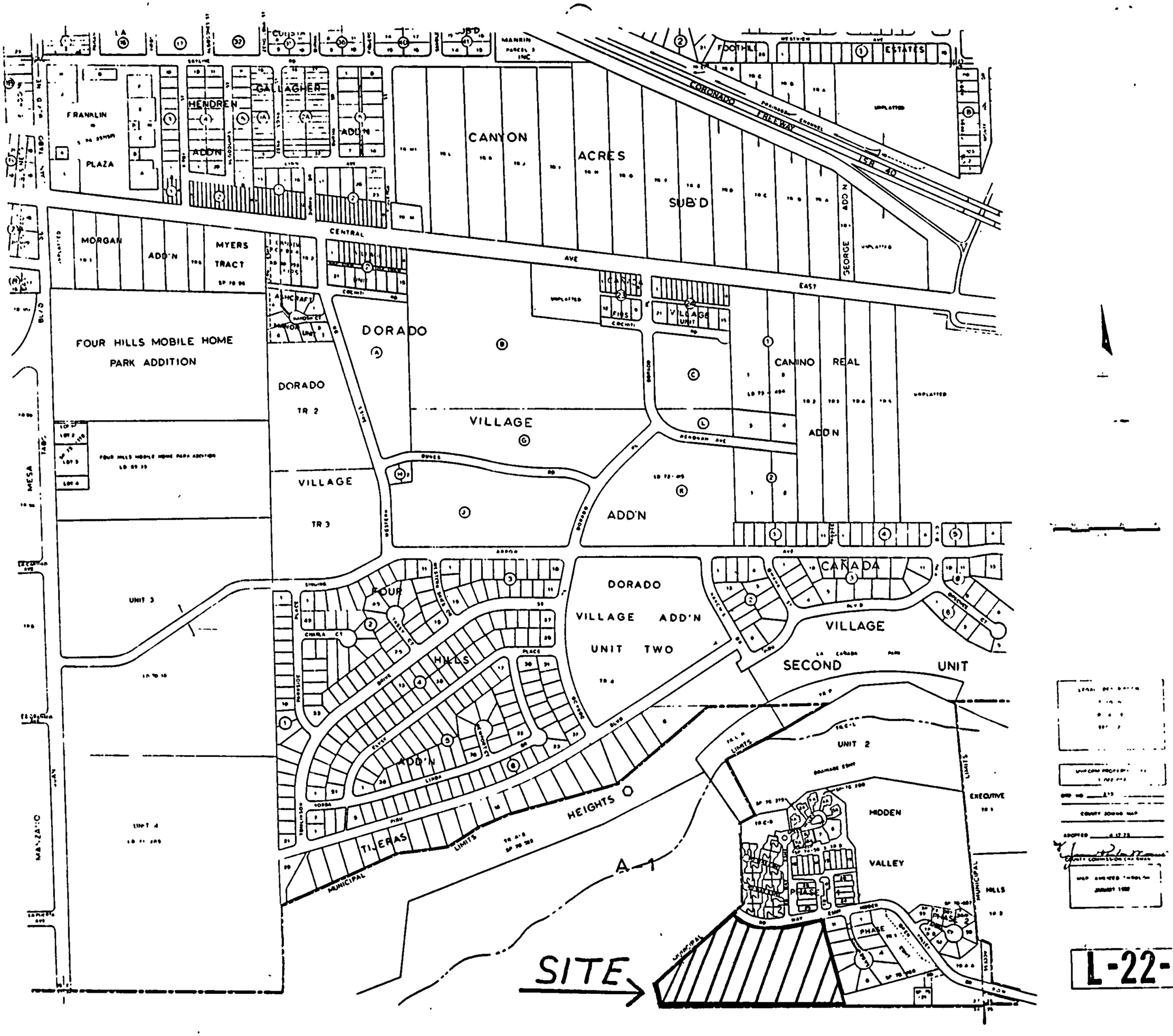
0.6 (17.1) = 10.3 cfs

TOTAL EXISTING RUNOFF TO HIDDEN VALLEY DRIVE 14.6 cfs
+ 10.3 cfs
24.9 cfs

TOTAL FLOW TO HIDDEN VALLEY DRIVE AFTER DEVELOPMENT

3.9 cfs (FROM HACKBERRY TRAIL)
+ 1.8 cfs (FREE DISCHARGE)
5.7 cfs FROM HIDDEN VALLEY III

EXHIBIT I


FRANKLIN
PLAZA
HENDREN
ADD'N
GALLAGHER
ADD'N
CANYON
ACRES
SUB'D
CORONADO
FREEWAY
I-SR 40
FOOTHILL
ESTATES
MORGAN
ADD'N
MYERS
TRACT
CENTRAL
AVE
EAST
GEORGE
ADD'N
FOUR HILLS MOBILE HOME
PARK ADDITION
DORADO
DORADO
TR 2
VILLAGE
TR 3
DORADO
VILLAGE
CAMINO
REAL
ADD'N
ADD'N
UNIT 3
UNIT 4
FOUR
HILLS
ADD'N
DORADO
VILLAGE ADD'N
UNIT TWO
CAÑADA
VILLAGE
SECOND
UNIT
UNIT 2
HIDDEN
VALLEY
EXECUTIVE
HILLS
PHASE
TIJERAS
HEIGHTS
MUNICIPAL
LIMITS
A-1
SITE
MESA
MANZANITO
L-22-Z

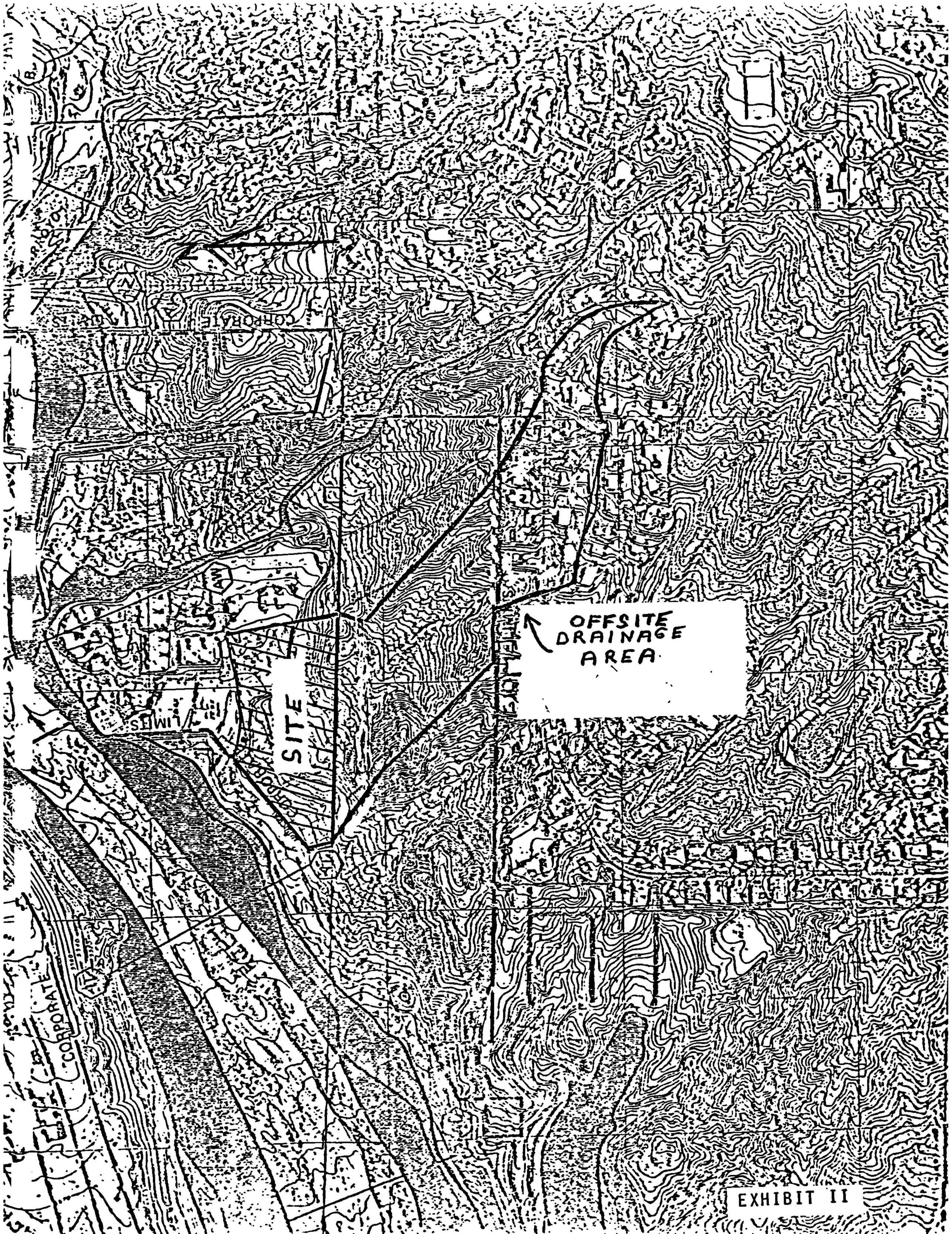


EXHIBIT II

SUMMARY OF HYDRAULIC CALCULATIONS

CLOSED CONDUIT

PROJECT: HIDDEN VALLEY III

LINE: MH #9 → S.W. "D" INLET

BY: J. JONES

DATE: 3/86

SHEET: 2 OF 2

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
STATION	STRUCT	D	Q	A	V	K	S_f	L	Δ	JUNCTION		LOSSES							E.G.	h_v	H.G.
										D	θ	h_f	h_b	h_j	h_{mh}	h_t	h_{misc}	Σ			
																					18.32
6+72.57	MH #9												.02		.02	.04		.08	18.48	.16	18.32
		24"	10	π	3.18	326	.0069	215				.19						.19	18.56	.16	18.4
4+57	CB #1																.01	.01	18.75	.16	18.59
		18"	6.4	1.77	3.62	151	.0018	290				.52						.52	18.76	.20	18.56
1+67	CB #4															.0003		.00	19.28	.20	19.08
		12"	2.5	.79	3.16	57.5	.0024	155				.37						.37	19.28	.20	19.08
0+16	CB #5																.01	.01	19.65	.16	19.49
																			19.66	.16	19.50

REMARKS:

MANNING'S n: RCP = 0.013
PVC = 0.009

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MAR 31 1986
HYDROLOGY SECTION

$S_f = \left(\frac{Q}{K}\right)^2$ $\quad K = \frac{1.486}{n}(A)(R)^{2/3}$ $\quad h_{mH} = 0.05\left(\frac{V^2}{2g}\right)$ $\quad h_b = K_b\left(\frac{V^2}{2g}\right)$

$h_v = \frac{V^2}{2g}$ $\quad h_t = 0.2\left(\frac{\Delta V^2}{2g}\right)^2$

SUMMARY OF HYDRAULIC CALCULATIONS

CLOSED CONDUIT

BY: J. JONES
DATE: 3/86
SHEET: 1 OF 2

PROJECT: HIDDEN VALLEY IV
LINE: OUTLET → TRASH GRATE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
STATION	STRUCT	D	Q	A	V	K	S_f	L	Δ	JUNCTION D	JUNCTION θ	LOSSES h_f	h_b	h_j	h_{mh}	h_t	h_{misc}	Σ	E.G.	h_v	H.G.	
																					17.00	
11+60	OUTLET						.002												17.34	0.34	17.00	
		42"	45.2	9.62	4.70	1005	0.002	487				.98						.98	18.32	0.34	17.98	
6+72.47	MH#9														.02	.09		.11	18.43	0.8	17.63	BRANCH TO TRASH GRATE
		30"	35.2	4.91	7.17	410	.0074	91				.67						.67	19.10	0.8	18.3	
7+53.88	MH#8												.14		.04			.18	19.28	0.8	18.48	
		30"	35.2	4.91	7.17	410	.0074	165				1.22						1.22	20.50	0.8	19.70	
5+88.88	D-D												.13			.02	.05	.20	20.78	1.12	19.58	
		24"	26.7	3.14	8.5	326	.0067	141				.95						.95	21.65	1.12	20.53	
4+47.73	MH#7												.20		.06	1.17		1.43	23.08	1.12	21.90	
		18"	26.7	1.77	15.1	151	.0313	448				14.02						14.02	37.10	3.54	33.56	
0+00	GRATE																.18	.18	37.28	3.54	33.74	

REMARKS:

MANNING'S n: RCP = 0.013
PVC = 0.009

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MAR 31 1986
HYDROLOGY SECTION

dtm & associates, inc
Denney-Tibljas-McLean & Associates, Inc.
Consulting Engineers ■ Planners ■ Surveyors

March 31, 1986

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MAR 31 1986
HYDROLOGY SECTION

HAND DELIVERED

Mr. Carlos Montoya
City of Albuquerque
Hydrology Department
123 Central Avenue NW
Albuquerque, NM 87103

Re: Hidden Valley Subdivision
DTM Job No. 815.11
(L-22/D20)

Dear Carlos:

Enclosed for your approval are additional calculations along with the Revised Drawings for the above referenced project. The comments of your March 17, 1986, letter have been addressed as follows:

1. We would like to receive a Rough Grading Permit as soon as the Preliminary Plat is approved.

2. The Hydraulic Grade Line Table is enclosed.

3. The enclosed calculations indicate a velocity of such that erosion protection will be necessary. A 6" layer of D_{50}=6" cobbles will be placed in the bar ditch. (See enclosed Detail Sheet)

4. A note has been added to the Drainage Plan to construct a berm around Phase I to divert any runoff to the Storm Drain Facilities.

5. Private Storm Drain Easements have already been submitted.

6. The 3.9 cfs, that the catch basin in Hackberry Trail does not intercept during the 100-year storm, flows into Hidden Valley Drive. This runoff then flows west and discharges into an existing arroyo. Downstream drainage easements for this 3.9 cfs cannot be acquired. Please note that all of the undeveloped runoff, 46.3 cfs, presently flows northwest to the Tijeras Arroyo. We are proposing to intercept and convey to the Tijeras Arroyo all of the developed and undeveloped runoff except approximately 3.9 cfs.

2400 COMANCHE ROAD, NE ■ ALBUQUERQUE, NM 87107
TELEPHONE (505) 884-0696

We feel that it is obvious that existing drainage conditions will be much improved with the proposed Storm Drain. Since volume and frequency of runoff have been practically eliminated, we feel that easements downstream should not be necessary.

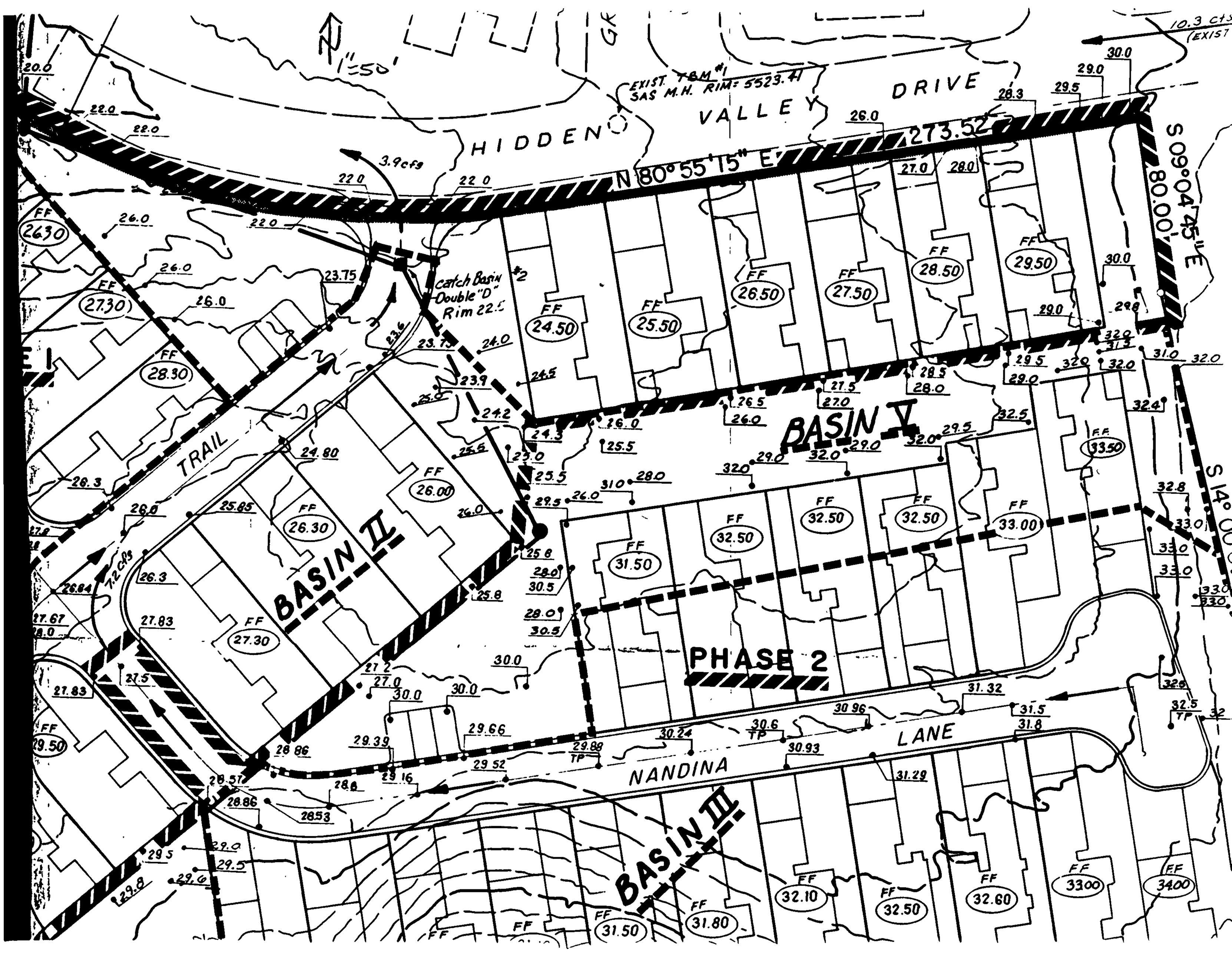
This should address all comments received for subject project. If you have any questions, please feel free to call.

Sincerely,

Joe Jones

Joe Jones

JJ/klb
Enclosures
cc: Mr. Gerhard Muller


1"=50'
HIDDEN VALLEY DRIVE
EXIST. TBM #1
SAS M.H. RIM= 5523.41
10.3 cfs (EXIST)
N 80°55'15" E 273.52'
S 09°04'45" E 80.00'
S 14°00'
3.9cfs
catch Basin #2
Double "D"
Rim 22.5
BASIN I
BASIN II
BASIN III
PHASE 2
TRAIL
NANDINA LANE
7.2 cfs
FF 26.30
FF 27.30
FF 28.30
FF 26.00
FF 27.30
FF 24.50
FF 25.50
FF 26.50
FF 27.50
FF 28.50
FF 29.50
FF 31.50
FF 32.50
FF 32.50
FF 33.00
FF 33.50
FF 32.10
FF 32.50
FF 32.60
FF 33.00
FF 34.00
FF 31.50
FF 31.80

FILE COPY

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

April 28, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED APRIL 18 & 22, 1986

Dear Mr. Jones:

The above referenced report is approved.

Prior to Final Plat sign-off, we will require that the Drainage Covenant be finalized.

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

Cordially,

Carlos A. Montoya

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/bsj

815.11

B. H. SWINBURNE, CHAIRMAN
WILLIAM V HEREFORD, VICE-CHAIRMAN
FRANCES McCOY, SECRETARY-TREASURER
R. WARD HUNNICUTT, DIRECTOR
REX FUNK, DIRECTOR

RICHARD E. LEONARD
EXECUTIVE ENGINEER

Albuquerque
Metropolitan
Arroyo
Flood
Control
Authority

P. O. BOX 25851 · ALBUQUERQUE, N. M. 87125
TELEPHONE 884-2215

April 17, 1986

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APR 22 1986
HYDROLOGY SECTION

Joe Jones
D.T.M. & Associates, Inc.
2400 Comanche Road NE
Albuquerque, New Mexico 87107

Subject: HIDDEN VALLEY IV D.M.P.
February 1986

Dear Joe:

The detail for the storm sewer outfall into Tijeras Arroyo as shown on sheet 10 is satisfactory except for the following:

1. Plan calls for 8" Type II bedding; specifications call for a minimum of 12" -- specifications govern.

2. Specifications call for gradation to be shown on plans; hence, show Type II bedding on plans.

Sincerely,

Dan Sabo

Dan Sabo
Drainage Engineer

DS:cn

RECEIVED
APR 21 1986
DENNEY-TIBLJAS-McLEAN
& ASSOCIATES, INC.

DRAINAGE INFORMATION SHEET

PROJECT TITLE: HIDDEN VALLEY PHASE IV ZONE ATLAS/DRNG. FILE #: L-22/D20

LEGAL DESCRIPTION: Hidden Valley Phase IV

CITY ADDRESS:

ENGINEERING FIRM: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Joe Jones

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

OWNER: Gerhard Muller CONTACT: Gerhard Muller

ADDRESS: 601 Hidden Valley SE, Albuq., NM 87123 PHONE: 292-5851

ARCHITECT: N/A CONTACT: N/A

ADDRESS: PHONE:

SURVEYOR: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Steve Youtsey

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

CONTRACTOR: CONTACT:

ADDRESS: PHONE:

RECEIVED
APR 22 1986
HYDROLOGY SECTION

PRE-DESIGN MEETING:

X YES
___ NO
___ COPY OF CONFERENCE RECAP SHEET PROVIDED

DRB No.
EPC No.
PROJ. No.

TYPE OF SUBMITTAL:

X DRAINAGE REPORT
___ DRAINAGE PLAN
___ CONCEPTUAL GRADING & DRAINAGE PLAN
___ GRADING PLAN
___ EROSION CONTROL PLAN
___ ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

___ SECTOR PLAN APPROVAL
___ SKETCH PLAT APPROVAL
___ PRELIMINARY PLAT APPROVAL
___ SITE DEVELOPMENT PLAN APPROVAL
X FINAL PLAT APPROVAL
___ BUILDING PERMIT APPROVAL
___ FOUNDATION PERMIT APPROVAL
___ CERTIFICATE OF OCCUPANCY APPROVAL
___ ROUGH GRADING PERMIT APPROVAL
___ GRADING/PAVING PERMIT APPROVAL

___ OTHER _____ (SPECIFY)

DATE SUBMITTED: April 22, 1986

BY: Joe Jones
JOE JONES

REV. 10/85

DRAINAGE INFORMATION SHEET

PROJECT TITLE: HIDDEN VALLEY PHASE IV ZONE ATLAS/DRNG. FILE #: L-22/D20

LEGAL DESCRIPTION: Hidden Valley Phase IV

CITY ADDRESS:

ENGINEERING FIRM: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Joe Jones

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

OWNER: Gerhard Muller CONTACT: Gerhard Muller

ADDRESS: 601 Hidden Valley SE, Albuq., NM 87123 PHONE: 292-5851

ARCHITECT: N/A CONTACT: N/A

ADDRESS: PHONE:

SURVEYOR: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Steve Youtsey

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

CONTRACTOR: CONTACT:

ADDRESS: PHONE:

RECEIVED
APR 18 1986
HYDROLOGY SECTION

PRE-DESIGN MEETING:

X YES
___ NO
___ COPY OF CONFERENCE RECAP SHEET PROVIDED

DRB No.
EPC No.
PROJ. No.

TYPE OF SUBMITTAL:

X DRAINAGE REPORT
___ DRAINAGE PLAN
___ CONCEPTUAL GRADING & DRAINAGE PLAN
___ GRADING PLAN
___ EROSION CONTROL PLAN
___ ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

___ SECTOR PLAN APPROVAL
___ SKETCH PLAT APPROVAL
___ PRELIMINARY PLAT APPROVAL
___ SITE DEVELOPMENT PLAN APPROVAL
X FINAL PLAT APPROVAL
___ BUILDING PERMIT APPROVAL
___ FOUNDATION PERMIT APPROVAL
___ CERTIFICATE OF OCCUPANCY APPROVAL
___ ROUGH GRADING PERMIT APPROVAL
___ GRADING/PAVING PERMIT APPROVAL

___ OTHER _____ (SPECIFY)

DATE SUBMITTED: April 17, 1986

BY: Joe Jones
JOE JONES

REV. 10/85

FILE COPY

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

April 11, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED MARCH 31, 1986

Dear Mr. Jones:

I have reviewed the referenced plan and forward the following comments:

1. The following comments refer to the ditch for the off-site flows:

   A. The side slopes appear too steep. Please submit information that concurs with the 1:1 side slopes for rip-rap.

   B. Please submit calculation in determining the D_{50} size.

   C. The mannings "n" value appears low in using the D_{50} of six inches.

   D. The thickness, bedding requirements, and freeboard of the rip-rap were not addressed.

   E. The site plan indicates trees will be placed in the "V" channel. How will this affect the hydraulics of the channel?

   F. Vandelism may be a continuous maintenance problem with the loose rip-rap section. However, the private system will be the responsibility of the homeowners.

2. Please address erosion from the "V" channel and the outlet pipe structure.

3. The drainage covenant should include the "V" channel and the outlet pipe structure.

4. AMAFCA should be included in the review of this drainage plan.

5. The ingress-egress easement should include a drainage easement.

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

Cordially,

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/bsj

DENNEY-TIBLJAS-McLEAN & ASSOC., INC.
2400 COMANCHE ROAD N.E.
ALBUQUERQUE, N.M. 87107
TELEPHONE: (505) 884-0696

RECEIVED
APR 07 1986
HYDROLOGY SECTION

LETTER OF TRANSMITTAL

DATE: April 7, 1986
DTM JOB NO.:
ATTENTION:
RE: Grant of Easements in Hidden Valley IV

TO Mr. Carlos Montoya
City of Albuquerque
Hydrology Dept.

GENTLEMEN:

WE ARE SENDING YOU ☑ ATTACHED ☐ UNDER SEPARATE COVER VIA _____ THE FOLLOWING ITEMS:

☐ SHOP DRAWINGS ☐ PRINTS ☐ PLANS ☐ PROJECT ESTIMATE ☐ SPECIFICATIONS
☐ COPY OF LETTER ☐ CHANGE ORDER ☐ _____

COPIES	DATE	NO.	DESCRIPTION

THESE ARE TRANSMITTED as checked below.

☐ FOR APPROVAL ☐ APPROVED AS SUBMITTED ☐ RETURN _____ COPIES FOR DISTRIBUTION
☑ FOR YOUR USE ☐ APPROVED AS NOTED ☐ RETURN _____ SIGNED ORIGINALS
☐ AS REQUESTED
☐ FOR REVIEW AND COMMENT ☐ _____
☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS

Carlos,
These are the Grant of Easement Documents recorded in the Bernalillo County Clerk's office on April 7, 1986 (Document No.'s 8629732 thru 8629736.
Also, attached is a Drainage Covenant that must be signed by the Assistant City Attorney and by the City's Chief Administrative Officer

COPY TO _____

SIGNED: John Metzgar

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE

DRAINAGE INFORMATION SHEET

PROJECT TITLE: HIDDEN VALLEY PHASE IV ZONE ATLAS/DRNG. FILE #: L-22/D20

LEGAL DESCRIPTION: Hidden Valley Phase IV

CITY ADDRESS:

ENGINEERING FIRM: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Joe Jones

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

OWNER: Gerhard Muller CONTACT: Gerhard Muller

ADDRESS: 601 Hidden Valley SE, Albuq., NM 87123 PHONE: 292-5851

ARCHITECT: N/A CONTACT: N/A

ADDRESS: PHONE:

SURVEYOR: DENNEY-TIBLJAS-McLEAN & ASSOC, INC. CONTACT: Steve Youtsey

ADDRESS: 2400 Comanche NE, Albuquerque, NM 87107 PHONE: 884-0696

CONTRACTOR: CONTACT:

ADDRESS: PHONE:

RECEIVED
MAR 31 1986
HYDROLOGY SECTION

PRE-DESIGN MEETING:

X YES
___ NO
___ COPY OF CONFERENCE RECAP SHEET PROVIDED

DRB No.
EPC No.
PROJ. No.

TYPE OF SUBMITTAL:

X DRAINAGE REPORT
___ DRAINAGE PLAN
___ CONCEPTUAL GRADING & DRAINAGE PLAN
___ GRADING PLAN
___ EROSION CONTROL PLAN
___ ENGINEER'S CERTIFICATION

CHECK TYPE OF APPROVAL SOUGHT:

___ SECTOR PLAN APPROVAL
___ SKETCH PLAT APPROVAL
X PRELIMINARY PLAT APPROVAL
___ SITE DEVELOPMENT PLAN APPROVAL
X FINAL PLAT APPROVAL
___ BUILDING PERMIT APPROVAL
___ FOUNDATION PERMIT APPROVAL
___ CERTIFICATE OF OCCUPANCY APPROVAL
___ ROUGH GRADING PERMIT APPROVAL
___ GRADING/PAVING PERMIT APPROVAL

___ OTHER _____ (SPECIFY)

DATE SUBMITTED: 3/31/86

BY: Joe Jones
JOE JONES

REV. 10/85

FILE COPY

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

March 17, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87106

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED FEBRUARY 25, 1986

Dear Mr. Jones:

I have reviewed the referenced plan and forward the following comments:

1. Rough grading cannot be released prior to Preliminary Plat approval.

2. Please submit the hydraulic grade line tables for the storm drain system.

3. Please give more details for the ingress-egress road swale.

4. How will Phase I be protected from off-site flows?

5. Please show the private drainage easements for the storm drains.

6. Flows from the subdivision need drainage easements when they cross adjacent downstream properties. Please address flows from Hidden Valley Road and flows from the storm drain system.

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

Cordially,

Carlos A. Montoya

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/bs:

dtm & associates, inc
Denney-Tibljas-McLean & Associates, Inc.
Consulting Engineers ■ Planners ■ Surveyors

RECEIVED
MAR 13 1986
HYDROLOGY SECTION

March 11, 1986

Mr. Richard Dineen, Chairman
Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Re: Street Orientation Variance
Hidden Valley IV Preliminary Plat
DRB-85-488
DTM Job No. 815.11

Dear Richard:

Please accept this as a Formal Request for a Street Orientation Variance on subject Plat. This orientation conforms to the Site Plan as approved by both the EPC and DRB.

Very truly yours,

Gary W. Tibljas, P.E.

GWT/klb
Enclosure

2400 COMANCHE ROAD, NE ■ ALBUQUERQUE, NM 87107
TELEPHONE (505) 884-0696

D.R.B. Case No. 85-488
D.R.C. Project No.
Date Submitted 3-12-86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Private Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
8"	Waterline	Hackberry Trail	Hidden Valley Dr	Nandina Lane
6"	Waterline	Nandina Way	Hackberry Trail	Cul-de-Sac on Nandina Way
8"	Sanitary Sewer	Hackberry Trail	Manhole No. 5	Manhole No. 6
8"	Sanitary Sewer	Nandina Way	Manhole No. 1	Manhole No. 2
8"	Sanitary Sewer	Nandina Lane	Manhole No. 2	Manhole No. 4
	Residential Paving	Hackberry Trail	Hidden Valley Dr	End of Cul-de-Sac on Hackberry Trail
	Residential Paving	Nandina Way	Hackberry Trail	End of Cul-de-Sac on Nandina Way
	Residential Paving	Nandina Lane	Hackberry Trail	End of Cul-de-Sac on Nandina Lane
12"	Storm Sewer	6' Buffer Zone	CB#5 (Sta 0+16)	Sta 1+67
18"	Storm Sewer	6' Buffer Zone	Sta 1+67	Sta 4+57
24"	Storm Sewer	6' Buffer Zone	Sta 4+57	MH#9 (Sta 6+72)
42"	Storm Sewer	6' Buffer Zone	MH#9 (Sta 6+72)	Sta 11+60
18"	Storm Sewer		Priv. Ingress/ Egress Easement	MH#7 (Sta 4+73)
24"	Storm Sewer		MH#7 (Sta 4+47)	CB#2 (Sta 5+81)

D.R.B. Case No. 85-488
D.R.C. Project No.
Date Submitted 3-13-86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV
(CONTINUED)

Size	*Type Improvement	Location	From	To
30"	Storm Sewer		CB#2 (Sta 5+81)	MH#9 (Sta 8+52)
12"	Storm Sewer	Nandina Way	CB#1	Sta 0+00
12"	Storm Sewer	Hackberry Trail	CB#4	Sta 0+00
	Gravel Ingress/ Egress Easement Road		West Boundary	Hidden Valley Dr

Private
- retaining walls - south property line
- headwall & wire enclosed riprap
- Subject to AMAFCA's approval for h/h outfall

Prepared by: G.W.T.
Print Name: Gary W. Tibljas
Firm: Denney-Tibljas-McLean & Associates, Inc.

****

Development Review Board Member Approvals

Traffic Date

WUD Date

Parks & Rec. Date

City Engineer/AMAFCA Date

DRB Chairman Date

D.R.B. Case No. 85-488
D.R.C. Project No. _____
Date Submitted 3/12/86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Public Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
4'dia.	Sanitary Sewer, MH	Hackberry Trail	Nandina Circle	
4'dia.	Sanitary Sewer, MH	W. of Hackberry Trail	in common area	

Prepared by: [signature]
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc. Page 1 of 1

****

Development Review Board Member Approvals

Traffic Date WUD Date Parks & Rec. Date

City Engineer/AMAFCA Date DRB Chairman Date

dtm & associates, inc
Denney-Tibljas-McLean & Associates, Inc.
Consulting Engineers ■ Planners ■ Surveyors

February 24, 1986

RECEIVED
FEB 25 1986
HYDROLOGY SECTION

HAND DELIVERED

Mr. Carlos Montoya
City of Albuquerque
Hydrology Department
123 Central Avenue NW
Albuquerque, NM 87103

Re: Hidden Valley
DTM Job No. 815.11
(L22-D20)

Dear Carlos:

Enclosed for your approval is one copy of the Drainage and Grading Plan for the above referenced project.

The comments from your October 3, 1985, letter have been addressed as follows:

1. The drainage basins have been added.

2. Hidden Valley Drive is a private road maintained by Hidden Valley Homeowner's Association.

3. Offsite and onsite undeveloped runoff to Hidden Valley Drive has been reduced from 24.9 cfs undeveloped to 5.7 cfs developed runoff for the 100-year, 6-hour storm. Since this is a reduction of approximately 77% of existing runoff, easements and erosion control measures should not be required.

Check?

4. The hydraulic grade has been included.

5. The unimproved areas onsite will be grassed and maintained by Hidden Valley Homeowner's Association. These areas will be allowed to free discharge into the streets. The storm drain has been sized to accept these flows.

6. An erosion control plan has been added.

7. This will be a gravel surfaced road with a Cobbled Bar Ditch along the southern edge.

2400 COMANCHE ROAD, NE ■ ALBUQUERQUE, NM 87107
TELEPHONE (505) 884-0696

8. a) Stagecoach Road, from the east and west intersections of Lampost Circle, drains across the site. We sent our Survey Crew out to find actual elevations of both intersections. According to the field notes, it appears that the majority of flows through the west intersection of Lampost Circle and Stagecoach Road will flow west and do not contribute to our site. The limits shown on the F.E.M.A. Map in the enclosed report are the offsite limits for our subdivision. Speakman Drive is not a part of this basin.

   b) The above mentioned offsite drainage area flows to a Double "C" Catch Basin. This Catch Basin discharges through a 24" RCP and Headwall directly toward our site. These flows have been included in the analysis of Hidden Valley IV.

   c) The offsite basin does include some developed flows. However, this is Type "A" Soil and these are large lots. A closer analysis has indicated that a C-Value of 0.24 is more appropriate and has, therefore, been used.

9. Mr. John Findlay owns the property on which we are proposing discharge. He has stated that this would be OK due to the fact that the area is inundated with flood waters during the 100-year storm anyway. We will obtain the appropriate easements for the discharge outlet.

10. The Tijeras Arroyo will flow at an elevation of approximately 5517.0 feet during the 100-year storm. This has been taken into account in the analysis of the storm drain. Also, the Headwall will be anchored and backfilled around such that it will remain intact during the 100-year storm.

This should address all comments concerning Hidden Valley IV. If you have any further questions, please feel free to call.

Sincerely,

Joe Jones

Joe Jones

JJ/klb
Enclosure

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

October 21, 1985

Mr. Joe Jones
DTM & Associates
2400 Comanche NE
Albuquerque, NM 87108

REF: DRAINAGE REPORT FOR HIDDEN VALLEY (L22-D20) RECEIVED OCTOBER 3, 1985

Dear Mr. Jones:

I have reviewed the referenced plan dated October 3, 1985 and forward the following comments:

1. Please show the basins for the subdivision.

2. Require City approved street grades for Hidden Valley Drive.

3. Flows from Hidden Valley Drive requires the following information:
   a. Drainage easements downstream.
   b. Erosion control.

4. Require hydraulic grade line for the storm drain system. Please show calculations for the outlet structure.

5. Please address the following items for the unimproved areas in the subdivision area:
   a. Erosion control.
   b. Sediment control.
   c. Outlet to the streets.

6. Require an erosion control plan for the subdivision.

7. Please address erosion control for the 22 foot drainage easement on the south property line.

8. The off-site drainage map does not show enough detail to determine flow. Please address the following comments:
   a. What is the impact of Stagecoach Road, Lamp Port Circle, Sagebrush Trail and Speakman Drive on the off-site basin?

b. Please address if any hydraulic structures are functioning in the off-site basin.
c. The off-site basin appears to include developed flows. Please address the fact that you used a C of 0.21 for the rational formula.

9. Please address the ownership of properties which you drain downstream to.

10. Address the impact of the Tijeras Arroyo Floodplain to your outlet structure and bank stability for the subdivision.

Should you have any further questions, please feel free to call me at 766-7644.

Sincerely,

Carlos A. Montoya

Carlos A. Montoya, PE
City/County Flood Plain Admin.

CAM:mrk

dtm & associates, inc
Denney-Tibljas-McLean & Associates, Inc.
Consulting Engineers ■ Planners ■ Surveyors

October 3, 1985

RECEIVED
OCT 03 1985
HYDROLOGY SECTION

HAND DELIVERED

Mr. Carlos Montoya
City of Albuquerque-Hydrology
123 Central NW
Albuquerque, NM 87103

Re: Hidden Valley Subdivision
DTM Job No. 815.11

Dear Mr. Montoya:

Enclosed for your approval is one copy of the drainage and grading plan for the above referenced project.

The development site is located just north of Four Hills Subdivision and approximately 1,100 feet south of the Tijeras Arroyo. Presently all onsite and offsite storm water runoff flows into the Tijeras Arroyo via overland flow and tributary arroyos.

After development, flows will also be directed into the Tijeras Arroyo; therefore, a copy of this report has been submitted to AMAFCA for their review.

If you have any questions, please feel free to call.

Sincerely,

Joe Jones

Joe Jones

JJ/klb
Enclosure

2400 COMANCHE ROAD, NE ■ ALBUQUERQUE, NM 87107
TELEPHONE [505] 884-0696

MUNICIPAL DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION/DESIGN HYDROLOGY SECTION

CONFERENCE RECAP

DRAINAGE FILE/ZONE ATLAS PAGE NO.: L22 DATE: 9-5-85

PLANNING DIVISION NOS: EPC: _____ DRB: _____

SUBJECT: Meadow Valley VI

STREET ADDRESS (IF KNOWN): _____

SUBDIVISION NAME: _____

APPROVAL REQUESTED:

X	PRELIMINARY PLAT	____	FINAL PLAT
X	SITE DEVELOPMENT PLAN	____	BUILDING PERMIT
____	OTHER	____	ROUGH GRADING

	WHO	REPRESENTING
ATTENDANCE:	Joe Jones	
	Carla A Morgan	

FINDINGS:

1. Drainage report per DPM
2. Drainage report for preliminary plat approval
3. infrastructure list required for preliminary plat
4. financial guarantee for final plat approval
5. must convey off-site flows through property
6. Require following on drainage conditions
   - A. easements
   - B. who owns property
   - C. erosion control

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED:	Carla A Morgan	SIGNED:	Joe Jones
TITLE:		TITLE:	
DATE:	9-5-85	DATE:	9-5-85

NOTE PLEASE PROVIDE A COPY OF THIS RECAP WITH THE DRAINAGE SUBMITTAL

L22/D20 #2817

FIGURE 11 AGREEMENT FORM (Procedure "B")

RECEIVED
MAY 27 1986
HYDROLOGY SECTION

86 45545

AGREEMENT TO CONSTRUCT
SUBDIVISION IMPROVEMENTS
PUBLIC AND PRIVATE

THIS AGREEMENT made this 20th day of May, 1986, by and between the City of Albuquerque, New Mexico (hereinafter referred to as "City") and Western Holding Company (hereinafter referred to as "Developer") pursuant to Section 6 of the City's Subdivision Ordinance (Enactment No. 56-1983, effective June 29, 1983).

WHEREAS, the Developer is developing certain lands within the City of Albuquerque, County of Bernalillo, State of New Mexico known as Hidden Valley IV (hereinafter referred to as the "Subdivision"); and

WHEREAS, the Developer has submitted and the City has approved a preliminary plat identified as Hidden Valley IV describing the Subdivision; and

WHEREAS, the preliminary plat submitted by the Developer proposes both private and public infrastructure improvements within the subdivision; and

WHEREAS, Section 6 of the City's Subdivision Ordinance requires the Developer to install and construct certain public improvements at no cost to the City; and

WHEREAS, the City requires the execution of an Agreement to construct said public improvements, together with actual satisfactory construction or acceptable guarantees of construction as specified below, as a prerequisite to approval of a Final Plat of the Subdivision; and

WHEREAS, the Developer must obtain City approval of construction plans, specifications, and cost estimates for the improvements and upon City approval of such construction plans, specifications, and cost estimates the City is

prepared to issue the Developer a Work Order permitting the commencement of construction activities upon execution of this Agreement and payment of all required fees, all as set forth and specified in Exhibit "A", which is attached hereto and incorporated herein as if fully set forth in this Agreement; and

WHEREAS, the City is willing to inspect or monitor the private inspection of the improvements during the course of their construction and accept said improvements upon their satisfactory completion, all as set forth and specified in Exhibit "B", which is attached hereto and incorporated herein as if fully set forth in this Agreement; and

WHEREAS, the Developer financially guarantees the satisfactory completion of the infrastructure construction required herein and the payment of all labor and material costs and charges, all as set forth and specified in Exhibit "C", which is attached hereto and incorporated herein as if fully set forth in this Agreement;

NOW, THEREFORE, in consideration of the above, the City and the Developer hereby agree as follows:

1. The Developer shall, on or before the 1st day of January, 19 87, complete to the satisfaction of the City the improvements required for the Subdivision as set forth, specified and referenced in Exhibit "A" attached hereto. The improvements which the Developer shall satisfactorily complete within the time limitation stated above are described and identified in Exhibit "D", which is attached hereto and incorporated herein as if fully set forth in this Agreement.

The time limitation stated above may be extended by the City Engineer for a period not to exceed twelve (12) months if the Developer shows adequate reasons for said extension.

2. After execution of this Agreement, payment of all fees as specified in Exhibit "A" attached hereto, and, if applicable, delivery of the financial guarantee specified in Exhibit "C" attached hereto, the Developer shall be issued a Work Order by the City. The Developer shall advise the City Engineer in advance of the actual start of construction and arrange for all inspections required and specified in Exhibit "B" attached hereto. The Developer shall permit the City or other participating agencies to make such tests and inspections during the construction of the improvements and upon completion of the improvements as are necessary or desirable.

3a) Prior to final acceptance of the completed Public Improvements by the City, the Developer shall furnish to the City Engineer all documentation of the completion of construction as set forth and specified in Exhibit "A" attached hereto.

3b) Prior to release of financial assurance, the Developer shall either provide Certification by a New Mexico registered Professional Engineer that the required Private Improvements have been constructed in compliance with approved plans and specifications or the Developer shall make necessary arrangements for Certification by the City Engineer that the required improvements are satisfactorily completed.

4. Until acceptance of the improvements by the City, the Developer shall be solely responsible for maintaining the premises being subdivided in a safe condition. The Developer agrees to defend, indemnify and hold harmless the City and its officers, agents and employees from and against all suits, actions or claims of any character brought because of any injury or damage arising out of the design or construction of the improvements or by reason of any act or

omission, or misconduct of the Developer, his agents, employees or the Engineer or Contractor or their agents or employees. The indemnity required hereunder shall not be limited by reason of the specifications of any particular insurance coverage in this Agreement. Nothing herein is intended to impair any right or indemnity under the laws of the State of New Mexico.

5. The Developer shall procure or cause to be procured and maintain public liability insurance in the amount of not less than One Million Dollars ($1,000,000) combined single limit for accidents or occurrences which cause bodily injury, death or property damage to any member of the public resulting from any condition of the lands of the subdivision or improvements therein or the construction activities thereon. The insurance policy must name the City of Albuquerque, its employees, and elected officials, as their interest may appear, as additional insureds. The Developer shall maintain such insurance until acceptance of the improvements by the City. Any cancellation provision must provide that if the policy is cancelled prior to the expiration date hereof, materially changed, or not renewed, the issuing company will mail 30 days written notice to the City, attention City Engineer. The Developer shall furnish the City Engineer a certificate of said insurance prior to issuance of a Work Order for construction of the improvements.

6. If at the time that construction of the Project is completed the City does not own the real property on or in which the improvements are constructed, the Developer shall convey such real property and property rights as the City deems necessary, together with all improvements, to the City free and clear of all claims, encumbrances and liens prior to final acceptance of the improvements by the City. Conveyance may be by appropriate dedication on the final plat of the subdivision.

7. At the time of acceptance of the completed improvements or any portion thereof by the City, the Developer shall furnish or cause to be furnished a bond or other suitable guarantee in a form and with a surety satisfactory to the City to guarantee the completed project against defective materials and workmanship for a period of three (3) years following the date of acceptance by the City.

8. The City shall either perform or monitor the performance of inspections during the course of construction of the improvements and inspect the improvements upon their completion in a timely manner, all as set forth and specified in Exhibit "B" attached hereto.

9. The City shall designate a Construction Engineer and/or Inspector for this project.

10. The City shall make available at established reproduction costs for the use of the Developer or its agents all of its maps, records, laboratory tests, or other data pertinent to the work to be performed by the Developer or its agents pursuant to this Agreement and also any other maps, records, or other materials available to the City upon the City's request to any other public agency or body.

11a) The City shall issue a Certificate of Completion and Acceptance for the Public Improvements upon final completion to the City's satisfaction of the Improvements as described in the plans and specifications as set forth and specified in Exhibit "A" attached hereto.

11b) The City shall issue a Certificate of Completion for the Private Improvements upon final completion to the City's satisfaction of the Private Improvements as described in the plans and specifications as set forth and specified in Exhibit "A" attached hereto.

12. If the Developer has requested Final Plat approval by the City prior to the actual construction of the improvements, the City will approve the Final Plat for recordation upon execution of this Agreement, payment of all fees specified in Exhibit "A" attached hereto, delivery of the financial guarantee specified in Exhibit "C" attached hereto and full compliance with the City's Subdivision Ordinance.

13. This Agreement shall not be assigned except with the written consent of the parties hereto and the express written concurrence of any surety who has undertaken to guarantee the completion of the Improvements. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.

14. In the event of the sale, conveyance, or assignment of the Subdivision or any portion thereof, the City will not release the Developer from its obligations under this Agreement and will continue to hold the Developer responsible for all Improvements until a successor in interest to the Developer has posted a suitable guarantee and entered into a Subdivision Improvement Agreement with the City. At such time as acceptable security has been posted by the Developer's successor in interest and the Agreement executed, the City will release the guarantee.

15. Should there be a conflict between the terms and conditions of this Agreement (with Exhibits A, B, C and D) and the terms and conditions of any other document referred to herein, the terms and conditions of this Agreement (with Exhibits A, B, C and D) shall govern.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

DEVELOPER: WESTERN HOLDING CO.

CITY OF ALBUQUERQUE, NEW MEXICO

546

Signed

James N. Hicks, Jr. 5/2/86
Principal Engr., Design Div.
Public Works Dept.

Date

(Name)

(Title) PRESIDENT

ATTEST:

Elizabeth A. Marquez / DEPUTY 5/20/86
City Clerk

Jane Romo
Chief Administrative Officer

REVIEWED AS TO FORM ONLY:

Adelia W. Kearny
Assistant City Attorney

James D. Lewis 5/15
City Attorney

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

The foregoing instrument was acknowledged before me this 3rd day of April, 1986, by Gerhard Muller, President of Western Holding Co.

Pauline Champion
Notary Public

My commission expires:
4-12-89

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

~~The foregoing instrument was acknowledged before me this _____ day of _____, 19___, by _____, James N. Hicks, Jr., Principal Engineer, Design Division, Public Works Dept. of the City of Albuquerque.~~

~~My commission expires:~~ ~~Notary Public~~

_____

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

The foregoing instrument was acknowledged before me this 19th day of May, 1986, by Gene Romo, Chief Administrative Officer of the City of Albuqerque.

Priscilla Phillips
Notary Public

My commission expires:
3-17-90

FIGURE 11
EXHIBIT "A"

TO SUBDIVISION IMPROVEMENT AGREEMENT
EXECUTED BY AND BETWEEN WESTERN HOLDING COMPANY (DEVELOPER)
AND CITY OF ALBUQUERQUE, NEW MEXICO (CITY) ON
THE 20th DAY OF May, 1986.

1. COMMITMENT TO CONSTRUCT IMPROVEMENTS.

The Developer shall construct in a manner satisfactory to the City the improvements identified in Paragraph 1 of the Subdivision Improvement Agreement, which are shown in greater detail on the Developer's proposed and approved Subdivision Improvements Plan, which was filed with the office of the City Engineer and identified as Project No. 2817.

2. DESIGN AND CONSTRUCTION METHODS.

As soon as reasonably practical after approval of the Developer's Preliminary Plat of the Subdivision, the Developer shall submit to the City Engineer final construction plans, specifications, and cost estimates for the proposed public improvements. At this time, the Developer shall pay all fees required under Section 12.D of the City's Subdivision Ordinance and Paragraph 4 of this Exhibit.

The Developer has engaged Denney-Tibljas-McLean & Associates, Inc., as Engineer(s) for the construction project, who are Registered Professional Engineers in the State of New Mexico. The Developer shall ensure that the Engineer(s), in such capacity, shall provide the following services prior to, during, and after construction of the improvements:

Design Subdivision, submit Construction Drawings to City of Albuquerque for approval, generate Change Orders and Payment Estimates during construction, monitor and stake during construction and furnish Record Drawings.

The Developer shall ensure that the Engineer(s) perform all of the above services in a satisfactory manner and submit to the City Engineer any reports required by the City Engineer. 549

The Developer ~~has~~ Will engage a contractor & will notify the City Engineer of selection in writing prior to issuance of work order as Contractor(s), who is properly licensed in the State of New Mexico. The Developer shall ensure that the Contractor(s), in such capacity, shall in a manner satisfactory to the City construct the improvements as shown on Developer's proposed Subdivision Improvements Plan (Project No. 2817), incorporating any change orders approved by the City Engineer, City of Albuquerque Interim Standard Specifications for Public Works Construction, 1985, and all other applicable laws, regulations, and policies. Construction Surveying and testing shall be performed as set forth in Exhibit "B" of the Subdivision Improvement Agreement between Developer and the City.

3. COMPLETION OF CONSTRUCTION.

The Developer shall report the completion of construction in writing to the City Engineer. Upon receipt of the report, the City Engineer or his representative shall visually inspect the public improvements to verify completion of construction according to plan. Subsequent to verification, the Developer shall submit to the City Engineer a "final acceptance package", which shall consist of the following documents:

a. "As-built" drawings of reproducible quality, depicting all construction of the public improvements as actually accomplished in the field and certified by a New Mexico Registered Professional Engineer or Land Surveyor, as appropriate,

b. A list of quantities of contract items in place, using the bid items in the City Engineers Standard Estimated Unit Prices. This list shall

be divided into the following categories as applicable:

(1) Sanitary sewer items and quantities;

(2) Water service items and quantities;

(3) Street paving quantities;

(4) Street curb and gutter quantities; and

(5) Storm drainage improvements and quantities.

The City shall concurrently provide a written certification from the City Engineer that the construction has been performed in substantial compliance with the City of Albuquerque Interim Standard Specifications for Public Works Construction, 1985, and with the approved final plans and specifications for public improvements. If the City is acting as the Contractor for all or a portion of the improvements constructed pursuant to this Agreement, the City shall prepare its own final acceptance package documents for those improvements actually constructed by the City.

Upon receipt of the Developer's "final acceptance package", the City Engineer shall review it for completeness and accuracy. If the documentation has been satisfactorily completed, the City Engineer shall approve the package and issue a Certificate of Completion and Acceptance. Any financial guarantee provided by the Developer in accordance with Section 6.D.2 of the City's Subdivision Ordinance and as described in Exhibit "C" to the Subdivision Improvement Agreement between the Developer and the City shall be released no later than sixty (60) days after approval of the final acceptance package by the City Engineer.

4. PAYMENT OF FEES.

Prior to issuance of a Work Order, the Developer shall pay to the City the following fees:

Type of Fee	Amount
Engineering Fee	2% of actual construction cost + $60/calendar day for the duration of the Contract.
Excavation Fee	As required per approved City Engr. Est.
Sidewalk	As required per approved City Engr. Est.

Prior to final acceptance of the improvements by the City, the Developer shall pay any other City fees which may have been incurred during the course of construction.

FIGURE 11
EXHIBIT "B"
TO SUBDIVISION IMPROVEMENT AGREEMENT
EXECUTED BETWEEN WESTERN HOLDING COMPANY (DEVELOPER)
AND THE CITY OF ALBUQUERQUE (CITY)
ON THE 20th DAY OF May, 1986.

1. CONSTRUCTION INSPECTION METHODS

Inspection of the subdivision improvement construction shall be performed by Denney-Tibljas-McLean & Assoc., Inc., on Private facilities, and by Denney-Tibljas-McLean & Assoc., Inc., on Public facilities, both being New Mexico Registered Professional Engineers, in accordance with all applicable laws, ordinances and regulations. If said inspection is performed by an entity other than the City, the City may monitor said inspection and the Developer shall ensure that the inspecting entity provides all inspection results, reports and related data to the City as required for review. The City retains the right to perform its own general overall inspection of the construction project at any time prior to final acceptance of the improvements if deemed necessary or advisable by the City Engineer. For any inspections performed by the City, the Developer shall pay to the City a reasonable fee therefor.

2. CONSTRUCTION SURVEYING.

Construction surveying for the subdivision improvement project shall be performed by Denney-Tibljas-McLean & Assoc., Inc., on Private facilities and by Denney-Tibljas-McLean & Associates, Inc., on Public facilities in accordance with all applicable laws, ordinances and regulations. If said construction surveying is performed by an entity other than the City, the City may monitor said construction surveying and the Developer shall ensure that the construction surveying entity provides all construction surveying field notes, plats, reports and related data to the City as required for review. If any

construction surveying is performed by the City, the Developer shall pay to the City a reasonable fee therefor.

3. FIELD TESTING.

Field testing of the subdivision improvement construction shall be performed by Geo-Test of Albuquerque, Inc., on Private facilities and by Geo-Test of Albuquerque, Inc., on Public facilities, each being a certified testing laboratory under the supervision of a New Mexico Registered Professional Engineer, in accordance with the technical standards contained in the applicable contract documents and all applicable laws, ordinances and regulations. If any field testing is performed by an entity other than the City, the City may monitor said field testing and the Developer shall ensure that the field testing entity provides all field testing results, reports and related data to the City as required for review. If any field testing is performed by the City, the Developer shall pay to the City a reasonable fee therefor.

4. RECORD TESTING.

Notwithstanding the provisions of Paragraph 3 above, the City retains the right to perform any and all record testing which may be deemed necessary or advisable by the City Engineer and the Developer shall pay to the City a reasonable fee therefor.

FIGURE 11
EXHIBIT "C"
TO SUBDIVISION IMPROVEMENT AGREEMENT
EXECUTED BETWEEN WESTERN HOLDING COMPANY (DEVELOPER)
AND THE CITY OF ALBUQUERQUE (CITY)
ON THE _____ DAY OF _____, 19____.

1. PLAT APPROVAL STATUS.

The Developer has requested final plat approval by the City prior to construction of the Subdivision Improvements described in Paragraph 1 of the Subdivision Improvement Agreement. If the Developer has not requested final plat approval prior to construction of the improvements, no financial guarantee is required by the City. However, the Developer understands and agrees that the City will not approve the Developer's proposed plat until the improvements are completed in accordance with the Agreement to which this document is attached as an Exhibit.

If the Developer has requested final plat approval prior to the construction of the improvements, a financial guarantee in an amount of not less than 125 percent of the costs of completing the improvements (as estimated by the City Engineer) is required pursuant to the City's Subdivision Ordinance. Said financial guarantee must be irrevocable in form and may be effected by a bond, letter of credit, escrow deposit, or other acceptable pledge of liquid assets payable to the City in the event of Developer's default under the Subdivision Improvement Agreement.

2. FINANCIAL GUARANTEE.

With respect to the Subdivision Improvement Agreement to which this document is attached as an Exhibit, the Developer has acquired or is able to acquire the following described financial guarantee (describe fully, indicate amount, indentification number, names of bank or bonding entity, inclusive dates of guarantee, and all other relevant information):

H.S. Pickrell Company Irrevocable Letter of Credit and Agreement No. 90000424 in the amount of $269,605.36, dated April 7, 1986, signed by Lawrence R. Goad, Vice President.
Inclusive dates: January 1, 1987 - March 13, 1987

The Developer understands and agrees that the original executed financial guarantee described above must be delivered to the City prior to the City's approval and filing of the Final Subdivision Plat; and must be in an amount of not less than 125 percent of the cost of completing the improvements, as estimated by the City Engineer.

In the event the Developer shall fail or neglect to fulfill his obligations under this Agreement, the City shall have the right to construct or cause to be constructed the Improvements specified herein, as shown on the Final Plat and in the plans and specifications as approved, and the Developer as Principal and the surety or sureties shall be jointly and severally liable to pay to and indemnify the City, the total cost to the City thereof, including but not limited to, engineering, legal, and contingent costs together with any damages, either direct or consequential, which the City may sustain on account of the failure of the Developer to carry out and execute all of the provisions of the Agreement to which this document is attached as an Exhibit. The City shall have the unconditional right to call upon the financial guarantee provided by the Developer described in this paragraph for the purposes specified and in the amounts enumerated in such guarantee.

3. PROCEDURES FOR REDUCTION OF FINANCIAL GUARANTEE UPON PARTIAL COMPLETION OF IMPROVEMENTS.

The Developer may request a reduction in the amount of financial guarantee upon partial completion of the subdivision improvements. To qualify for a financial guarantee reduction, the completed improvements must be of a free-standing nature, functionally independent of any uncompleted

improvements, and completed in substantial compliance with the subdivision improvement construction plans as determined by an inspection conducted by the City.

If the completed improvements meet the above requirements, the City Engineer will then estimate the cost of completing the remaining improvements. The Developer may then submit the following documents to the City for review and approval:

a) A revised financial guarantee in an amount of not less than 125 percent of the City Engineer's estimated cost of completing the remaining improvements;

b) A release of the original financial guarantee for execution by the City;

c) Documentation that the completed improvements and the land in which the completed improvements are located are subject to no liens, claims or other encumbrances;

d) A bond or other suitable instrument guaranteeing the completed improvements against defective materials and workmanship for a period of three (3) years as set forth in Paragraph 7 of the Subdivision Improvement Agreement between the Developer and the City.

Upon receipt of the above-described documents in forms acceptable to the City, the City shall issue a Certificate of Completion and Acceptance for the completed improvements and accept the revised financial guarantee tendered by the Developer.

D.R.B. Case No. 85-488
D.R.C. Project No. 2817
Date Submitted ~~3/12/86~~ 4/1/86.

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Public Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
4'dia.	Sanitary Sewer, MH	Hackberry Trail	Nandina Circle	
4'dia.	Sanitary Sewer, MH	W. of Hackberry Trail	in common area	

Prepared by: [signature]
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc.

****

Development Review Board Member Approvals

Traffic Date

WUD Date

Parks & Rec. Date

City Engineer/AMAFCA Date

DRB Chairman Date

D.R.B. Case No. 85-488
D.R.C. Project No. 2817
Date Submitted 3/27/86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Private Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
8"	Waterline	Hackberry Tr.	Hidden Valley Dr.	Hackberry Tr. Cul-de-Sac
8"	Waterline	Nandina Lane	Hackberry Trail	Nandina Ln. Hammer Head
6"	Waterline	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
8"	Sanitary Sewer	Nandina Lane	Hackberry Trail	Nandina Ln. Hammer Head
8"	Sanitary Sewer	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
8"	Sanitary Sewer	Hackberry Tr.	90° Curve in Hackberry Trail	Hackberry Tr. Cul-de-Sac
	Fire Hydrants ~~(2)~~	Nandina Ln/Hackberry Trail		
	Residential Paving (26' Asphalt)	Hackberry Tr.	Hidden Valley Dr.	End of Hackberry Tr. Cul-de-Sac
	Residential Paving (26' Asphalt)	Nandina Way	Hackberry Trail	End of Nandina Way Cul-de-Sac
	Residential Paving (26' Asphalt)	Nandina Lane	Hackberry Trail	End of Nandina Lane Hammer Head
12"	Storm Sewer	Along Western Property Line	SW Corner of Proj.	Back of Hackberry Tr. Cul-de-Sac

Size	*Type Improvement	Location	From	To
18"	Storm Sewer	Along Western Property Line	Back of Hackberry Tr. Cul-de-Sac	Back of Nandina Way Cul-de-Sac
24"	Storm Sewer	Along Western Property Line	Back of Nandina Way Cul-de-Sac	Storm Sewer Manhole in Hidden Valley Dr. at NW Corner of Site
18"	Storm Sewer	Along Rear Lot Lines of Lots 7-9 & 27-31	South Property Line of Project (South of Lot 31)	NE Corner of Lot 7
24"	Storm Sewer	Within Common Area	NE Corner of Lot 7	Entrance to Subd. at Hackberry Tr. and Hidden Valley Dr.
30"	Storm Sewer	Within Common Area	Entrance to Subd. at Hackberry Tr. & Hidden Valley Dr.	Storm Sewer Manhole at NW Corner of Site in Hidden Valley Drive
42"	Storm Sewer	Within Common Area	Manhole in Hidden Valley Dr. at NW Corner of Site	Tijeras Arroyo (488' North of Hidden Valley Drive)
12"	Storm Sewer	Nandina Way	Back of Cul-de-Sac	24" Storm Sewer along Western Boundary
12"	Storm Sewer	Hackberry Tr.	Back of Cul-de-Sac	18" Storm Sewer along Western Boundary
24'	Gravel Surface Ingress/Egress Easement	Along Southern Property Line of Subdivision	SW Corner	~~SE Corner~~ Hidden Valley Road

Size	*Type Improvement	Location	From	To
4'Dia.	Build Sanitary Sewer Manhole on Existing 12" Main	Hackberry Tr.	Intersection of Hackberry Tr. and Nandina Lane and Nandina Way	
4'Dia.	Build Sanitary Sewer Manole on Existing 12" Main	Hackberry Tr.	At PI of Centerlines of Hackberry Tr. (at 90° Curve)	

* PRIVATE INFRASTRUCTURES

Prepared by: G. W. T.
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc. Page 3 of 3

****

Development Review Board Member Approvals

Traffic Date 4-1-86 WUD Date Parks & Rec. Date 4-1-86

City Engineer/AMAFCA Date DRB Chairman Date 4-1-86

*
- RETAINING WALLS — ALONG THE SOUTH PROPERTY LINE
- HEADWALL AND WIRE ENCLOSED RIP RAP

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1986 MAY 21 PM 3:27

M BK 354A PG 540-560
DOLORES C. WALLER
CO CLERK & RECORDER
DEPUTY

FILED WITH CITY CLERK'S OFFICE
5/28/86

H. S. PICKRELL COMPANY
MORTGAGE BANKERS

UNITED BANK TOWER
3300 NORTH CENTRAL AVENUE
POST OFFICE BOX 7400
PHOENIX, ARIZONA 85011
PHONE (602) 264-8600

April 7, 1986

IRREVOCABLE LETTER OF CREDIT AND AGREEMENT NO. 90000424

AMOUNT: $269,605.36

Mr. Gene Romo
Chief Administrative Officer
City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87103

Dear Mr. Romo:

At the request of WESTERN HOLDING COMPANY, a New Mexico corporation, we establish our Irrevocable Letter of Credit in your favor for the account of WESTERN HOLDING COMPANY, to the extent of and not exceeding TWO HUNDRED SIXTY NINE THOUSAND SIX HUNDRED FIVE DOLLARS AND THIRTY SIX CENTS ($269,605.36).

This Letter of Credit has been established to insure the completion of offsite improvements required for development of Phase IV, Hidden Valley, Bernalillo County, New Mexico, such property also being described on Exhibit "A" attached hereto and incorporated herein by reference, as provided by the Agreement between WESTERN HOLDING COMPANY and the CITY OF ALBUQUERQUE, which Agreement is recorded in Book Misc., 354A, at pages 540 to 560, of the records of the County of Bernalillo, State of New Mexico (the "Agreement"). A Draft or Drafts for any amount up to, but not in excess of TWO HUNDRED SIXTY NINE THOUSAND SIX HUNDRED FIVE DOLLARS AND THIRTY SIX CENTS ($269,605.36) is/are available at

sight at H. S. PICKRELL COMPANY, 3300 Central Avenue North, Suite 2400, Phoenix, Arizona 85012, between the date hereof and March 13, 1987.

When presented for negotiation, the Draft(s) is/are to be accompanied by the following document:

The City's notarized certification stating that WESTERN HOLDING COMPANY has failed to comply with the terms of the Agreement, and also certifying that "the undersigned is Chief Administrative Officer of the City of Albuquerque and is authorized to sign this statement," and also certifying that the amount of the draft does not exceed 125% of the cost of completing the improvements specified in the Agreement.

We hereby agree with the drawer of Draft(s) drawn under and in compliance with the terms of this credit that such Draft(s) will be duly honored on the presentation to the drawee, if negotiated between the date hereof and March 13, 1987.

The Draft(s) drawn under this credit must be endorsed and contain the clause: "Drawn under Letter of Credit and Agreement No. 90000424 of H. S. PICKRELL COMPANY, dated April 7, 1986;" the amount of such Draft(s) must be endorsed on the reverse side

thereof and this Letter of Credit must be attached to that Draft which exhausts this credit.

This credit is subject to the Uniform Customs and Practice for Documentary Credits (1983 Revision), International Chamber of Commerce, Publication No. 400.

This credit terminates at 5:00 o'clock p.m., New Mexico time, March 13, 1987.

H. S. PICKRELL COMPANY,
an Arizona corporation

By: _____
Lawrence R. Goad
Vice President

APPROVED AS TO FORM:

CITY OF ALBUQUERQUE

_____
Assistant City Attorney

_____ 5/15
City Attorney

PARCEL ONE (HIDDEN VALLEY PHASE IV):

A TRACT OF LAND SITUATE WITHIN THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AND BEING WITHIN SECTION 27, TOWNSHIP 10 NORTH, RANGE 4 EAST, N.M.P.M., AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE TRACT HEREIN DESCRIBED, WHENCE THE CORNER COMMON TO SECTIONS 26, 27, 34 AND 35 OF TOWNSHIP 10 NORTH, RANGE 4 EAST, N.M.P.M., BEARS S 89 DEG 14'10" E, 778.67 FEET, SAID COMMON CORNER ALSO BEING THE SOUTHEAST CORNER OF HIDDEN VALLEY, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "HIDDEN VALLEY, AN ADDITION TO THE CITY OF ALBUQUERQUE", FILED IN THE OFFICE OF THE BERNALILLO COUNTY CLERK ON SEPTEMBER 13, 1974, IN BOOK D6, PAGE 84,
THENCE N 89 DEG 14'10" W, 1,075.34 FEET TO THE SOUTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;
THENCE N 12 DEG 41'10" W, 123.00 FEET;

THENCE N 49 DEG 27'40" E, 596.92 FEET TO THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED, SAID CORNER BEING A POINT ON CURVE ON THE SOUTHERN RIGHT-OF-WAY LINE OF HIDDEN VALLEY DRIVE, S.E.;
THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE OF HIDDEN VALLEY DIRVE, S.E., 282.32 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 49 DEG 46'21" AND A CHORD THAT BEARS S 74 DEG 11'35" E, 273.53 FEET TO THE POINT OF TANGENCY;
THENCE CONTINUING N 80 DEG. 55'15" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF HIDDEN VALLEY DRIVE, S.E., 273.52 FEET TO THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;
THENCE S 09 DEG 04'45" E, 80.00 FEET;
THENCE S 14 DEG 00'00" E, 424.58 FEET TO THE POINT OF BEGINNING.

86 29732

RECEIVED
APR 07 1986
HYDROLOGY SECTION

GRANT OF EASEMENT

The GRANTOR WESTERN HOLDING COMPANY for and in consideration of the sum of One Dollar ($1.00) the receipt whereof is hereby acknowledged, hereby grants to Hidden Valley Community Services Association existing under and by virtue of the laws of the State of New Mexico, its successors and assigns, the right to excavate for, install, maintain, remove and/or replace on the real property hereinafter described situated in the County of Bernalillo, State of New Mexico, drainage facilities for the purpose of conveying surface water.

That certain parcel of land situate within Section 27, Township 10 North, Range 4 East of the New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico; being a portion of Tract L-H as shown and designated on the plat entitled "Hidden Valley Unit" as filed for Public Record in the Office of the Bernalillo County Clerk on February 11, 1975, in Volume D6, Folio 119 and being more particularly described as follows:

BEGINNING at the most southerly point of said Tract L-H, being the northwesterly corner of Tract C-R as shown and designated on the plat entitled "Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on February 11, 1975, in Volume D6, Folio 120;

Thence, N 34°00'00" W, 50.00 feet along the west boundary of said Tract L-H;

Thence, N 63°04'10" E, 40.00 feet;

Thence, S 34°00'00" E, 50.00 feet to the south boundary of said Tract L-H, being the north boundary of said Tract C-R;

Thence, S 63°04'10" W, 40.00 feet along said south boundary of Tract L-H, being said north boundary of Tract C-R, to the POINT OF BEGINNING of the parcel of land herein described.

The above delineated parcel of land contains 0.0456 acres, more or less.

THE GRANTEE, its successors and assigns and its agents and employees, shall at all times have free access to said drainage facilities for the purpose of maintaining, repairing, operating, removing and/or replacing same.

IN WITNESS WHEREOF, the GRANTOR WESTERN HOLDING COMPANY by Gerhard Mulle
EXECUTED THIS AGREEMENT THE 2nd day of April, 1986

WESTERN HOLDING COMPANY

WITNESS

Kari Biernacki

GERHARD MULLER, PRESIDENT

State of New Mexico)
)ss.
County of Bernalillo)

On this 2nd day of April A.D., 1986, before me, Pauline Champion A Notary Public in and for said County and State, residing therein duly commissioned and sworn, personally appeared Kari Biernacki known to me to be the person whose names subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That she resides in Albuquerque, New Mexico, and that she was present and says that Gerhard Muller President of Western Holding Company personally known to her to be the same person whose name is subscribed to the within and annexed Instrument, execute and deliver the same, and her name is thereto as a Witness. In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pauline Champion
Notary Public in and for said County and State

My Commission Expires:

4-12-89

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1986 APR -7 AM 10: 37

BK 338 PG 991-992
DOLORES C. WALLER
CO. CLERK & RECORDER

DEPUTY

86 29733

GRANT OF EASEMENT

993

The GRANTOR WESTERN HOLDING COMPANY for and in consideration of the sum of One Dollar ($1.00) the receipt whereof is hereby acknowledged, hereby grants to Hidden Valley Community Services Association existing under and by virtue of the laws of the State of New Mexico, its successors and assigns, the right to excavate for, install, maintain, remove and/or replace on the real property hereinafter described situated in the County of Bernalillo, State of New Mexico, drainage facilities for the purpose of conveying surface water.

That certain parcel of land situate within Section 27, Township 10 North, Range 4 East of the New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico; being the westernly eight feet (8.00') of Tract C-R as shown and designated on the plat entitled "Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on February 11, 1975, in Volume D6, Folio 120 and containing 0.0219 acres, more or less.

THE GRANTEE, its successors and assigns and its agents and employees, shall at all times have free access to said drainage facilities for the purpose of maintaining, repairing, operating, removing and/or replacing same.

IN WITNESS WHEREOF, the GRANTOR WESTERN HOLDING COMPANY by Gerhard Mulle EXECUTED THIS AGREEMENT THE 2nd day of April, 19 86

WITNESS

Kari Biernacki

WESTERN HOLDING COMPANY

GERHARD MULLER, PRESIDENT

State of New Mexico)
)ss.
County of Bernalillo)

On this 2nd day of April A.D., 19 86, before me, Pauline Champion A Notary Public in and for said County and State, residing therein duly commissioned and sworn, personally appeared Kari Biernacki known to me to be the person whose names subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That s he resides in Albuquerque, New Mexico, and that she was present and says that Gerhard Muller President of Western Holding Company personally known to her to be the same person whose name is subscribed to the within and annexed Instrument, execute and deliver the same, and her name is thereto as a Witness. In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pauline Champion
Notary Public in and for said County and State

My Commission Expires:

4-12-89

86 29734

995

GRANT OF EASEMENT

The GRANTOR WESTERN HOLDING COMPANY for and in consideration of the sum of One Dollar ($1.00) the receipt whereof is hereby acknowledged, hereby grants to Hidden Valley Community Services Association existing under and by virtue of the laws of the State of New Mexico, its successors and assigns, the right to excavate for, install, maintain, remove and/or replace on the real property hereinafter described situated in the County of Bernalillo, State of New Mexico, drainage facilities for the purpose of conveying surface water.

That certain parcel of land situate within Section 27, Township 10 North, Range 4 East of the New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico; being a portion of Tract C-1 as shown and designated on the plat entitled "Replat of a Part of Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on September 26, 1980, in Volume C17, Folio 81 and being more particularly described as follows:

BEGINNING at the most westerly corner of said Tract C-1, being on the northern boundary of a private road known as Hidden Valley Drive;

Thence, N 49°27'40" E, 24.85 feet along the western boundary of said Tract C-1;

Thence, N 00°26'00" E, 353.04 feet continuing along said western boundary to the northwest corner of said Tract C-1;

Thence, S 89°34'00" E, 2.00 feet along the northern boundary of said Tract C-1;

Thence, S 00°26'00" W, 24.50 feet along the eastern boundary of said Tract C-1;

Thence, S 42°25'20" E, 8.81 feet continuing along said eastern boundary of Tract C-1;

Thence, S 00°26'00" W, 44.49 feet across a portion of said Tract C-1 to a Point On Curve (POC) on said eastern boundary of Tract C-1, being on the boundary of a private road known as Willow Court;

Thence, Southernly, 22.22 feet along the arc of a curve to the left (said arc having a radius of 20.00 feet, a central angle of 63°39'48" and a chord which bears S 00°26'00" W, 21.10 feet) along said eastern boundary of Tract C-1, being said boundary of Willow Court, to a Point On Curve (POC).

Thence, S 00°26'00" W, 139.91 feet along said eastern boundary and across Tract C-1 to a Point On Curve on said eastern boundary being on the boundary of a private road known as Cottonwood Court;

Thence, Southernly, 22.22 feet along the arc of a curve to the left (said arc having a radius of 20.00 feet, a central angle of 63°39'48" and a chord which bears S 00°26'00" W, 21.10 feet) along said eastern boundary of Tract C-1, being said boundary of Cottonwood Court, to a Point On Curve (POC);

Thence, S 00°26'00" W, 99.14 feet along said eastern boundary of Tract C-1;

Thence, S 39°04'58" W, 26.28 feet across a portion of said Tract C-1 to a Point On Curve on the southern boundary of Tract C-1, being on said northern boundary of Hidden Valley Drive;

Thence, Northwesternly, 13.01 feet along the arc of a curve to the right (said arc having a radius of 275.00 feet, a central angle of 02°42'36" and a chord which bears N 52°16'20" W, a distance of 13.01 feet) to said most westerly corner of Tract C-1, being the POINT OF BEGINNING of the parcel of land herein described.

The above delineated parcel of land contains 0.0656 acres, more or less.

THE GRANTEE, its successors and assigns and its agents and employees, shall at all times have free access to said drainage facilities for the purpose of maintaining, repairing, operating, removing and/or replacing same.

IN WITNESS WHEREOF, the GRANTOR Western Holding Company by Gerhard Mulk EXECUTED THIS AGREEMENT THE 2nd day of April, 19 86

WESTERN HOLDING COMPANY

WITNESS

Kari Biernacki

GERHARD MULLER, PRESIDENT

State of New Mexico)
)ss.
County of Bernalillo)

On this 2nd day of April A.D., 1986, before me, Pauline Champion A Notary Public in and for said County and State, residing therein duly commissioned and sworn, personally appeared Kari Biernacki known to me to be the person whose names subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That she resides in Albuquerque, New Mexico, and that she was present and says that Gerhard Muller President of Western Holding Company personally known to her to be the same person whose name is subscribed to the within and annexed Instrument, execute and deliver the same, and her name is thereto as a Witness. In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pauline Champion
Notary Public in and for said County and State

My Commission Expires:

4-12-89

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1986 APR -7 AM 10: 36

BK 5384 PG 195-197
DOLORES C. WALLER
CO CLERK & RECORDER

DEPUTY

GRANT OF EASEMENT

The GRANTOR WESTERN HOLDING COMPANY for and in consideration of the sum of One Dollar ($1.00) the receipt whereof is hereby acknowledged, hereby grants to Hidden Valley Community Services Association existing under and by virtue of the laws of the State of New Mexico, its successors and assigns, the right to excavate for, install, maintain, remove and/or replace on the real property hereinafter described situated in the County of Bernalillo, State of New Mexico, drainage facilities for the purpose of conveying surface water.

That certain parcel of land situate within Section 27, Township 10 North, Range 4 East of the New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico; Being a portion of "Road Way Easement (Hidden Valley Drive)" as shown and designated on the plat entitled "Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on February 11, 1975, in Volume D6, Folio 120, and being more particularly described as follows:

BEGINNING at a point on the western boundary of said Hidden Valley Phase I, being the westernmost corner of Tract C-1 as shown and designated on the plat entitled "Replat of a Part of Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on September 26, 1980, in Volume C17, Folio 81;

Thence, Southeasternly 13.01 feet along the arc of a curve to the left being on the southern boundary of Tract C-1 (said arc having a radius of 275.00 feet, a central angle of 2°42'36" and a chord which bears S 52°16'20" E, a distance of 13.01 feet);

Thence, S 08°24'52" E, 65.77 feet across a portion of said Hidden Valley Drive to a Point on Curve (POC) of the southern boundary of said Hidden Valley Phase I;

Thence, northwesternly 71.00 feet along the arc of a curve to the right being said southern boundary of Hidden Valley Phase I (said arc having a radius of 325.00 feet and a central angle of 12°31'01" and a chord which bears N 55°33'55" W, a distance of 70.86 feet) to the most westerly corner of said Hidden Valley Drive;

Thence, N 49°27'40" E, 50.70 feet to the said most westerly corner of Tract C-1, being the POINT OF BEGINNING of the parcel of land herein described.

The above delineated parcel of land contains 0.0487 acres, more or less.

THE GRANTEE, its successors and assigns and its agents and employees, shall at all times have free access to said drainage facilities for the purpose of maintaining, repairing, operating, removing and/or replacing same.

IN WITNESS WHEREOF, the GRANTOR WESTERN HOLDING COMPANY by Gerhard Mulle EXECUTED THIS AGREEMENT THE 2nd day of April, 19 86

WITNESS

Kari Biernacki

WESTERN HOLDING COMPANY

GERHARD MULLER, PRESIDENT

State of New Mexico)
)ss.
County of Bernalillo)

On this 2nd day of April A.D., 1986, before me, Pauline Champion A Notary Public in and for said County and State, residing therein duly commissioned and sworn, personally appeared Kari Biernacki known to me to be the person whose names subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That she resides in Albuquerque, New Mexico, and that she was present and says that Gerhard Muller President of Western Holding Company personally known to her to be the same person whose name is subscribed to the within and annexed Instrument, execute and deliver the same, and her name is thereto as a Witness. In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pauline Champion
Notary Public in and for said County and State

My Commission Expires:

4-12-89

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

1986 APR -7 AM 10: 36

BK 338 PG 998-999
DOLORES C. WALLER
CO. CLERK & RECORDER

DEPUTY

X - 86 29736

GRANT OF EASEMENT

1000

The GRANTOR WESTERN HOLDING COMPANY for and in consideration of the sum of One Dollar ($1.00) the receipt whereof is hereby acknowledged, hereby grants to Hidden Valley Community Services Association existing under and by virtue of the laws of the State of New Mexico, its successors and assigns, the right to excavate for, install, maintain, remove and/or replace on the real property hereinafter described situated in the County of Bernalillo, State of New Mexico, drainage facilities for the purpose of conveying surface water.

That certain parcel of land situate within Section 27, Township 10 North, Range 4 East of the New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico; being the westernly six feet (6.00') of Lot 46 as shown and designated on the plat entitled "Hidden Valley Phase I" as filed for Public Record in the Office of the Bernalillo County Clerk on February 11, 1975, in Volume D6, Folio 120 and containing 0.0038 acres, more or less.

THE GRANTEE, its successors and assigns and its agents and employees, shall at all times have free access to said drainage facilities for the purpose of maintaining, repairing, operating, removing and/or replacing same.

IN WITNESS WHEREOF, the GRANTOR WESTERN HOLDING COMPANY by Gerhard Mulle EXECUTED THIS AGREEMENT THE 2nd day of April, 1986

WITNESS

Kari Biernacki

WESTERN HOLDING COMPANY

GERHARD MULLER, PRESIDENT

State of New Mexico)
)ss.
County of Bernalillo)

On this 2nd day of April A.D., 1986, before me, Pauline Champion A Notary Public in and for said County and State, residing therein duly commissioned and sworn, personally appeared Kari Biernacki known to me to be the person whose names subscribed to the within Instrument, as a Witness thereto, who being by me duly sworn, deposes and says: That she resides in Albuquerque, New Mexico, and that she was present and says that Gerhard Muller President of Western Holding Company personally known to her to be the same person whose name is subscribed to the within and annexed Instrument, execute and deliver the same, and her name is thereto as a Witness. In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Pauline Champion
Notary Public in and for said County and State

My Commission Expires:

4-12-89

8969915

AGREEMENT

THIS AGREEMENT is entered into, effective this 26th day of July, 1989, in consideration of the mutual promises herein contained, by and between Hidden Valley Community Services Association, Inc., a New Mexico Non-Profit Corporation (HVCSA) and A & M, a New Mexico General Partnership, consisting of John Kochis and C. J. Mead, sole General Partners of A & M,

WHEREAS, HVCSA is the owner of the real property consisting of common area and roadways, situated in Bernalillo County, New Mexico, and known as Hidden Valley Subdivision,

WHEREAS, A & M is the owner of the real property, which is located in a generally southerly direction from the lands belonging to HVCSA,

WHEREAS, A & M has been granted access for ingress and egress and reasonable access to the tract or tracts of lands described as Casitas Coronado Subdivision, which easement falls across and upon the lands belonging to HVCSA, which easements are particularly described in that certain grant of easement of roadways, drainage and private and public utilities, a copy of which is attached as Exhibits A and B,

WHEREAS, the parties hereto have now reached an agreement with respect to specifying the exact location and description of such easement of A & M for the placement of utilities to serve A & M's property, for reasonable ingress and egress, and to provide for landscaping maintenance of such easement, and do now desire to set forth specifically the terms of their agreement in writing, and

RECEIVED
JUN 22 1994

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties do covenant and agree as follows:

1. A & M hereby releases to HVCSA, including the members of HVCSA, their heirs and assigns, any and all right, title, and interest in and to the existing easement established by the language of the Deed dated February 16, 1976, recorded in volume 977, pages 104 - 106, records of Bernalillo County, as above noted, and agree that the same may be extinguished.

2. HVCSA grants to A & M, its successors and assigns, the following easements for the placement of utilities and for ingress and egress to the lands of A & M, as the same are described and are specifically hereinafter detailed:

> Easement 1 - Roadways, drainage, private and public utilities, as described in Exhibit A, attached.
>
> Easement 2 - Drainage, private and public utilities, as described in Exhibit B, attached.

The easements granted herein are subject to the rights and obligations heretofore granted to John Findlay, Margaret F. Findlay and Berchman H. Savoie, by Agreement dated September 9, 1986, and recorded in volume MS-489A, pages 319 - 326, which easements and the obligations herein assumed shall be pertinent to and will run with the lands belonging to A & M, which are all of those lands contained in Casitas Coronado Subdivision, located in Section 34, T.10N, R4E, NMPM.

3. As further consideration for the release of the existing easement and grant of the easements above described, A & M further agrees as follows:

(a) A & M, at such time as any portion of the paving is done within such Casitas Coronado Subdivision, will cause a one (1) inch paving mat to be placed on the roadway leading westerly from the intersection of the new fifty (50) foot easement described in Exhibit A with the access road through Hidden Valley, extending in a westerly direction for a distance of approximately one thousand three hundred and fifty (1350) feet to the western boundary of Hidden Valley Phase IV, which paving will be twelve (12) feet in width. Such one (1) inch mat shall be placed upon a six (6) inch subgrade which has been compacted ninety five percent (95%) in accordance with ASTM specifications.

(b) A & M shall pave that portion of the roadway easement granted in Exhibit A for the distance from Hidden Valley Drive southwesterly to the entrance to Casitas Coronado, which paving shall be of a quality and character no less adequate than that presently employed by HVCSA on Hidden Valley Drive.

(c) A & M, its successors and assigns, assume and agree to assist in the maintenance of the roadway from Four Hills Road to the intersection between Hidden Valley Drive and the entrance to Casitas Coronado Subdivision, and will participate in such maintenance with HVCSA on a formula of shared cost and labor, upon a ratio determined by computing the total number of home owners in Casitas Coronado Subdivision, as they bear to the total

number of home owners in Hidden Valley, as computed on the 1st day of each year. This ratio shall continue throughout the calendar year and shall apply to all maintenance, repair, replacement expenses and costs of such roadway.

(d) A & M, its successors and assigns shall deliver to HVCSA, prior to commencement of the improvement upon the easement herein granted in Exhibit A, or upon property belonging to HVCSA, a financial guaranty in an amount determined by the construction costs of the contractor performing the work, which guaranty shall be in the form of a bond or a letter of credit, and shall be limited only to those improvements to be done on such easement or lands belonging to HVCSA.

(e) A & M shall landscape the easement described in Exhibit A, and a twenty (20) foot strip on each side of the easement, as it relates to the final landscaping plan. Upon failure of A & M or its successors to maintain such landscaping, Hidden Valley may do such maintenance and shall have the option to recover such expense from A & M or its successors.

(f) A & M, its successors and assigns, shall submit all plans for landscaping of the area involving properties belonging to HVCSA or of the easement described in (e), supra, for comments and approval within thirty (30) days prior to commencement of such landscaping.

4. The parties agree that the repair, maintenance and upkeep of the private ingress and egress easement herein conveyed, as described in Exhibit A, once such road is constructed as herein provided and the lands which are the subject of such private easement, shall be the responsibility of

A & M, its successors and assigns.

5. The parties further agree that there shall be no parking permitted upon such private easement.

6. In development of lands belonging to or under the control of A & M, A & M agrees to install an adequate surface water drainage system conforming to generally accepted engineering standards.

7. The parties agree that should any party not perform any obligation incumbent upon that party, then, after reasonable notice and demand thereof having been given, and upon failure of the defaulting party to cure, the party effected by such failure may, at its option, perform such obligation and thereafter seek and obtain reimbursement from such party defaulting upon the said obligation. The parties agree that any controversy arising under the terms of this agreement shall be settled by arbitration and in furtherance thereof any party or its assigns or grantees may petition the presiding judge of the District Court for Bernalillo County, New Mexico, for the appointment of a single arbitrator, whose judgment shall be binding upon the parties to such arbitration, and upon petition to the District Court such award shall become a final judgment with respect to that controversy in accordance with the Arbitration Laws of the State of New Mexico, provided, however, that the parties to such arbitration shall not thereby have waived any rights under the laws of the State of New Mexico with regard to arbitration or appeals therefrom. In any such action the prevailing party shall recover its costs of

arbitration, including reasonable attorney fees. In any action where the parties have waived, by consent or otherwise, recourse arbitration in accordance with this paragraph 7 the Laws of the State of New Mexico shall govern the interpretation of the terms of this Agreement.

8. A & M covenants and agrees that it will cause to be established a non-profit corporation similar to that of HVCSA, consisting only of members who are owners of lots in Casitas Coronado Subdivision and does further agree to assign to it all of the rights, duties and obligations granted or assumed by it in this Agreement, so that after all of such lots have been sold by A & M, such homeowners corporation shall have assumed by resolution all of the duties, obligations and responsibilities herein set forth and assumed by A & M. Upon proper establishment of such homeowners association and the adoption of a resolution assuming all of such duties and responsibilities herein imposed or assumed, A & M shall be released from any further liability or responsibility under this Agreement.

9. This Agreement constitutes the entire agreement between the parties herein and merges herein all prior agreements and understandings of the parties hereto regarding the matters herein addressed. This Agreement may not be modified or terminated, in whole or in part, except by the written consent of the parties hereto, their successors or assigns, duly executed and acknowledged.

10. For purpose of such notice as may be required herein and for any other purpose of this Agreement such notice and communication shall be effected by placing such in the United

States Mail, postage pre-paid, addressed to the party as follows:

Hidden Valley Community Services Association, Inc.
605 Green Valley Drive, SE
Albuquerque, New Mexico 87123

A & M
8019 Edith, NE
Albuquerque, New Mexico 87113

Any change of the addresses listed above, which Notice or other communication shall be effective, shall be the responsibility of the party whose address has so changed. In the absence of any such written notice of change, correspondence addressed to the party at the address as given, as provided herein, shall be effective for the purpose of this Agreement.

IN WITNESS WHEREOF, we have hereunto set our hands and seals at Albuquerque, New Mexico this 26th day of July, 1989.

HIDDEN VALLEY COMMUNITY
SERVICES ASSOCIATION, INC.

David Boone

By: DAVID BOONE, President

A & M

By: C. J. MEAD, General Partner

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

BEFORE ME, a Notary Public for the State of New Mexico, personally appeared David Boone, President of Hidden Valley Community Services Association, a New Mexico Non-Profit Corporation, and C. J. Mead, General Partner of A & M, a New Mexico General Partnership, who did execute the foregoing Agreement and did acknowledge the same to be their own free act and deed, and pursuant to authority granted.

Done at Albuquerque, New Mexico this 26th day of July, 1989.

My Commission Expires:

3/31/91

NOTARY PUBLIC

RECEIVED
MAR 31 1986
HYDROLOGY SECTION

DENNEY - GROSS & ASSOCIATES, INC.
ENGINEERS SURVEYORS PLANNERS
2400 COMANCHE ROAD N.E.
ALBUQUERQUE, NEW MEXICO 87107
(505) 884-0695

LOCATION HIDDEN VALLEY

PROJ. NO. 815.11

DATE 2/18/86 REV. 3/20/86*

DESIGNER J JONES

PAGE 3

ONSITE DEVELOPED RUNOFF

$Q = CIA$

$I = 5.28$

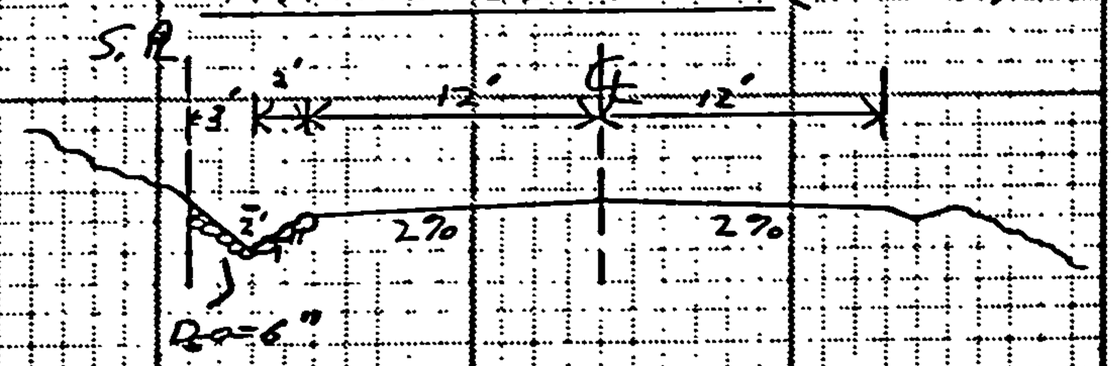
$A = 9.52$

$C = 0.50$ @ 36% IMPERVIOUS

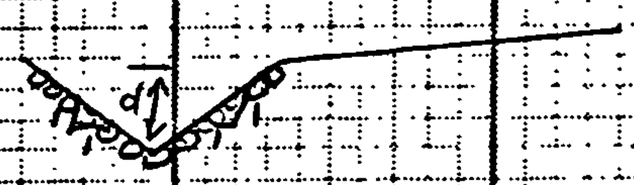
$Q = 0.5(5.28)(9.52) = \underline{25.1 \text{ cfs}}$

INGRESS-EGRESS ANALYSIS

TYPICAL SECTION (40' ESMT)



CHECK BAR DITCH CAPACITY



TRY $d = 1.85'$

$A = \frac{1}{2}(1.85 \times 3.7) = 3.42$

$R = A/P = 3.42/5.23 = 0.65$

MANNINGS

$Q = \frac{1.486}{n}(S)^{1/2} A R^{2/3}$

$n = 0.025$

$S = 0.03 \rightarrow$ SLOPE @ CATCH BASIN

$Q = \frac{1.486}{0.025}(0.03)^{1/2}(3.42)(0.65)^{2/3}$

$Q = \underline{26.4 \text{ cfs}}$

* CHECK VELOCITY

$Q = AV$

$V = 26.7/3.42 = \underline{7.8 \text{ fps}}$

ACTUAL $Q = 26.7$

CONCLUSION - BAR DITCH WILL FLOW APPROXIMATELY 1.85' DEEP IN THE 100 YR 6 HR STORM.

PLACE 6" LAYER OF $D_{50} = 6"$ COBBLES IN BAR DITCH

P

#2817

82267

DRAINAGE COVENANT

561

86 45546

THIS COVENANT made this _____ day of _____, 19____, by and between the City of Albuquerque, a municipal corporation, (City) and Western Holding Company _____ (Owner, which term includes _____ successors and assigns.)

RECITAL

The Owner is owner of certain real property located at Hidden Valley Subdivision in Albuquerque, New Mexico, (The Property) and more particularly described as follows:

Hidden Valley IV, Phase I

That pursuant to City ordinances, regulations, and other applicable laws, the Owner is required to install and/or maintain certain drainage facilities on the Property, and the parties wish to provide for an agreement as to the obligations and responsibilities for same.

DESCRIPTION OF FACILITIES

The following facilities are to be constructed and/or maintained by the owner:

All storm drain facilities servicing Hidden Valley IV between the Southern Private Ingress-Egress Easement to the outfall at the Tijeras Arroyo.

12" pipe - 155'
18" pipe - 290'
24" pipe - 349'
30" pipe - 270'
42" pipe - 488'
Outlet Structure
Riprap at Outlet
Bar Ditch Adjacent to Ingress-Egress Easement

CONSTRUCTION OF DRAINAGE FACILITIES

The Owner shall construct the drainage facilities in accordance with standards, plans, and specifications prescribed and approved by the City.

MAINTENANCE OF FACILITIES

The Owner shall, at his cost in accordance with the standards, plans, and specifications prescribed by the City, maintain said drainage facility. The City shall have the right to enter periodically upon the Property to inspect the drainage facility.

FAILURE TO COMPLY AND LIEN

In the event that the Owner shall fail to construct the drainage facility in accordance with standards, plans, and specifications prescribed and approved by the City or fail to adequately maintain said facilities, the City shall give the Owner notice in writing to construct, correct, or maintain said facilities, and if the Owner fails to comply therewith within 30 days, the City may enter upon said property to perform the necessary construction or maintenance. The cost of the City's performing such construction or maintenance shall be paid by the Owner. In the event the Owner fails to pay said cost within thirty (30) days after being billed for same, the City may file a lien against the Property.

LIABILITY

The City shall not be liable for any damages to the Owner resulting from its construction, modification, or maintenance of said facilities.

NOTICE

The written notice provided for herein shall be accomplished by mailing same to:

601 Hidden Valley Dr. SE

The Owner may change said address by giving written notice, certified mail, return receipt requested, to the City Engineer, City Hall, at 505 Marquette Street, Albuquerque, New Mexico, 87103.

INDEMNIFICATION AND HOLD HARMLESS

The Owner agrees to defend, indemnify, and hold harmless, the City, its officials, agents and employees from and against any and all claims, actions, suits, or proceedings of any kind brought against said parties for or on account of any matter arising from the drainage facility provided for herein or the Owner's failure to construct, maintain, or modify the drainage facility under this Covenant.

COVENANT RUNNING WITH THE PROPERTY

The obligation of the Owner set forth herein shall be binding upon the Owner, his heirs, and assigns, and the property of the Owner as described herein and will run with said property until released by the City.

OWNER

By: _____

Title: Gen. Mgr.

REVIEWED BY THE LEGAL DEPARTMENT: AS TO FORM ONLY

Assistant City Attorney

CITY OF ALBUQUERQUE

Chief Administrative Officer

RECOMMEND:

City Engineer

CAM

ATTEST:

City Clerk/DEPUTY 5/20/86

Approved As To Form

City Attorney

Date: 5/15/86

ACKNOWLEDGEMENTS

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

The foregoing instrument was acknowledged before me this 18th day of APRIL, 19 86, by ERIC P. MULLER, GENERAL MANAGER

(Name of Officer) (Title)

WESTERN HOLDING COMPANY, INC., a NEW MEXICO CORPORATION
(Name of Corporation) (State of Incorporation)

corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
June 04, 1986

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
1986 MAY 21 PM 3:27
BOL. JRES C. WALLER
CO. CLERK & RECORDER
DEPUTY
Book 3544 PG 561-565

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

The foregoing instrument was acknowledged before me this 19th day of May, 1986, by Gene Romo Chief Administrative Officer of the City of Albuquerque, municipal corporation, on behalf of said corporation.

Notary Public

My Commission Expires:
3-17-90

candlelight homes, inc.
western development company, inc.

Western Holding Company

Gerhard Muller
president

April 30, 1986

City of Albuquerque
P. O. Box 1313
Albuquerque, New Mexico 87103

CITY OF ALBUQUERQUE:

Please consider this POWER OF ATTORNEY, authority for Eric P. Muller to sign the Drainage Covenants for the Hidden Valley Subdivision entered into between Western Development Company, Inc. and the City of Albuquerque.

Gerhard Muller,
President

Subscribed and sworn to before me this 30th day of April, 1986.

NOTARY PUBLIC

November 16, 1987
MY COMMISSION EXPIRES:

650 e. montana, suite a las cruces, n.m. 88001 phone (505) 526-9716

L22/D20

March 17, 1986

Development Review Board
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

Re: Hidden Valley IV
Site Development Plan
Z-74-33-1

Gentlemen:

Per the findings of the DRB on subject Site Development Plan approval, we transmit herewith a statement of understanding and clarification relative to the EPC's Conditional Approval of Z-74-33-1.

The EPC, at their January 17, 1986, meeting approved subject Development Plan contingent upon the Hidden Valley South Plat providing proper access from Hidden Valley Drive (Private Right-of-Way from Four Hills Road) to the Four Hills Ranch's Southeast Corner. This statement serves the purpose of clarifying that Hidden Valley Drive is a private roadway for the use of Hidden Valley residents. Four Hills Ranch may use Hidden Valley Drive from Four Hills Road to the intersection of said road with the newly platted access road as illustrated on the Hidden Valley South Plat. Four Hills Ranch will then gain access to its property on the newly platted access from Hidden Valley Drive to its Southeast Corner.

Very truly yours,

Gerhard Muller, President
Western Holding Company

David Boone, President
Hidden Valley Community Services Assn.

L22/D 20

RECEIVED
APR 03 1986
HYDROLOGY SECTION

D.R.B. Case No. 85-488
D.R.C. Project No. 2817
Date Submitted ~~3/12/86~~ 4/1/86.

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Public Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
4'dia.	Sanitary Sewer, MH	Hackberry Trail	Nandina Circle	
4'dia.	Sanitary Sewer, MH	W. of Hackberry Trail	in common area	

Prepared by: [signature]
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc.

****

Development Review Board Member Approvals

Traffic Date

WUD Date

Parks & Rec. Date

City Engineer/AMAFCA Date

DRB Chairman Date

D.R.B. Case No. 85-488
D.R.C. Project No. 2817
Date Submitted 3/27/86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Private Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
8"	Waterline	Hackberry Tr.	Hidden Valley Dr.	Hackberry Tr. Cul-de-Sac
8"	Waterline	Nandina Lane	Hackberry Trail	Nandina Ln. Hammer Head
6"	Waterline	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
8"	Sanitary Sewer	Nandina Lane	Hackberry Trail	Nandina Ln. Hammer Head
8"	Sanitary Sewer	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
8"	Sanitary Sewer	Hackberry Tr.	90° Curve in Hackberry Trail	Hackberry Tr. Cul-de-Sac
	Fire Hydrants ~~(2)~~	Nandina Ln/Hackberry Trail		
	Residential Paving (26' Asphalt)	Hackberry Tr.	Hidden Valley Dr.	End of Hackberry Tr. Cul-de-Sac
	Residential Paving (26' Asphalt)	Nandina Way	Hackberry Trail	End of Nandina Way Cul-de-Sac
	Residential Paving (26' Asphalt)	Nandina Lane	Hackberry Trail	End of Nandina Lane Hammer Head
12"	Storm Sewer	Along Western Property Line	SW Corner of Proj.	Back of Hackberry Tr. Cul-de-Sac

Size	*Type Improvement	Location	From	To
18"	Storm Sewer	Along Western Property Line	Back of Hackberry Tr. Cul-de-Sac	Back of Nandina Way Cul-de-Sac
24"	Storm Sewer	Along Western Property Line	Back of Nandina Way Cul-de-Sac	Storm Sewer Manhole in Hidden Valley Dr. at NW Corner of Site
18"	Storm Sewer	Along Rear Lot Lines of Lots 7-9 & 27-31	South Property Line of Project (South of Lot 31)	NE Corner of Lot 7
24"	Storm Sewer	Within Common Area	NE Corner of Lot 7	Entrance to Subd. at Hackberry Tr. and Hidden Valley Dr.
30"	Storm Sewer	Within Common Area	Entrance to Subd. at Hackberry Tr. & Hidden Valley Dr.	Storm Sewer Manhole at NW Corner of Site in Hidden Valley Drive
42"	Storm Sewer	Within Common Area	Manhole in Hidden Valley Dr. at NW Corner of Site	Tijeras Arroyo (488' North of Hidden Valley Drive)
12"	Storm Sewer	Nandina Way	Back of Cul-de-Sac	24" Storm Sewer along Western Boundary
12"	Storm Sewer	Hackberry Tr.	Back of Cul-de-Sac	18" Storm Sewer along Western Boundary
24'	Gravel Surface Ingress/Egress Easement	Along Southern Property Line of Subdivision	SW Corner	~~SE Corner~~ Hidden Valley Road

Size	*Type Improvement	Location	From	To
4'Dia.	Build Sanitary Sewer Manhole on Existing 12" Main	Hackberry Tr.	Intersection of Hackberry Tr. and Nandina Lane and Nandina Way	
4'Dia.	Build Sanitary Sewer Manole on Existing 12" Main	Hackberry Tr.	At PI of Centerlines (at 90° Curve)	of Hackberry Tr.

* PRIVATE INFRASTRUCTURES

Prepared by: G. W. T.
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc. Page 3 of 3

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Development Review Board Member Approvals

Traffic Date 4-1-86 WUD Date Parks & Rec. Date 4-1-86

City Engineer/AMAFCA Date DRB Chairman Date 4-1-86

*

- RETAINING WALLS — ALONG THE SOUTH PROPERTY LINE
- HEADWALL AND WIRE ENCLOSED RIP RAP

174

Look OK

Also

Discuss with Carlos

D.R.B. Case No. 85-488
D.R.C. Project No. _____
Date Submitted 3/12/86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

Following is a summary of Public Infrastructure required to be constructed or financially guaranteed to be constructed for the above development.

Size	*Type Improvement	Location	From	To
4'dia.	Sanitary Sewer, MH	Hackberry Trail	Nandina Circle	
4'dia.	Sanitary Sewer, MH	W. of Hackberry Trail	in common area	

Signed

included

retaining wall

headwall & rock end pip rap

Prepared by: _____
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc.

Page 1 of 4

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Development Review Board Member Approvals

Traffic Date

WUD Date

Parks & Rec. Date

City Engineer/AMAFCA Date

DRB Chairman Date

274

D.R.B. Case No. 85-488
D.R.C. Project No. 2817
Date Submitted 3/27/86

FIGURE 11

EXHIBIT "D"
to Subdivision Improvements Agreement

DEVELOPMENT REVIEW BOARD (D.R.B.)
REQUIRED INFRASTRUCTURE LISTING
for HIDDEN VALLEY IV

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Size	*Type Improvement	Location	From	To
8"	Waterline	Hackberry Tr.	Hidden Valley Dr.	Hackberry Tr. Cul-de-Sac
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6"	Waterline	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
8"	Sanitary Sewer	Nandina Lane	Hackberry Trail	Nandina Ln. Hammer Head
8"	Sanitary Sewer	Nandina Way	Hackberry Trail	Nandina Way Cul-de-Sac
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	Fire Hydrants (2)	Nandina Ln/Hackberry Trail		
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12"	Storm Sewer	Along Western Property Line	SW Corner of Proj.	Back of Hackberry Tr. Cul-de-Sac

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12"	Storm Sewer	Hackberry Tr.	Back of Cul-de-Sac	18" Storm Sewer along Western Boundary
	Gravel Surface Ingress/Egress Easement	Along Southern Property Line of Subdivision	SW Corner	SE Corner

Size	*Type Improvement	Location	From	To
4'Dia.	Build Sanitary Sewer Manhole on Existing 12" Main	Hackberry Tr.	Intersection of Hackberry Tr. and Nandina Lane and Nandina Way	
4'Dia.	Build Sanitary Sewer Manole on Existing 12" Main	Hackberry Tr.	At PI of Centerlines of Hackberry Tr. (at 90° Curve)	

* PRIVATE IMPROVEMENTS

Prepared by: G.W.T.
Print Name: Gary W. Tibljas, P.E.
Firm: Denney-Tibljas-McLean & Assoc., Inc.

Page 3 of 3

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Development Review Board Member Approvals

Traffic Date

WUD Date

Parks & Rec. Date

City Engineer/AMAFCA Date

DRB Chairman Date

*

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

April 28, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED APRIL 18 & 22, 1986

Dear Mr. Jones:

The above referenced report is approved.

Prior to Final Plat sign-off, we will require that the Drainage Covenant be finalized.

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

Cordially,

Carlos A. Montoya

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/bsj

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

April 11, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87107

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED MARCH 31, 1986

Dear Mr. Jones:

I have reviewed the referenced plan and forward the following comments:

1. The following comments refer to the ditch for the off-site flows:

   A. The side slopes appear too steep. Please submit information that concurs with the 1:1 side slopes for rip-rap.

   B. Please submit calculation in determining the D_{50} size.

   C. The mannings "n" value appears low in using the D_{50} of six inches.

   D. The thickness, bedding requirements, and freeboard of the rip-rap were not addressed.

   E. The site plan indicates trees will be placed in the "V" channel. How will this affect the hydraulics of the channel?

   F. Vandelism may be a continuous maintenance problem with the loose rip-rap section. However, the private system will be the responsibility of the homeowners.

2. Please address erosion from the "V" channel and the outlet pipe structure.

3. The drainage covenant should include the "V" channel and the outlet pipe structure.

4. AMAFCA should be included in the review of this drainage plan.

5. The ingress-egress easement should include a drainage easement.

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

Cordially,

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/bsj

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

March 17, 1986

Joe Jones
Denney-Tibljas-McLean & Associates, Inc.
2400 Comanche Road, NE
Albuquerque, New Mexico 87108

RE: DRAINAGE REPORT FOR HIDDEN VALLEY SUBDIVISION
(L-22/D20) RECEIVED FEBRUARY 25, 1986

Dear Mr. Jones:

I have reviewed the referenced plan and forward the following comments:

1. Rough grading cannot be released prior to Preliminary Plat approval.

2. Please submit the hydraulic grade line tables for the storm drain system.

3. Please give more details for the ingress-egress road swale.

4. How will Phase I be protected from off-site flows?

5. Please show the private drainage easements for the storm drains.

6. Flows from the subdivision need drainage easements when they cross adjacent downstream properties. Please address flows from Hidden Valley Road and flows from the storm drain system.

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

Cordially,

Carlos A. Montoya

Carlos A. Montoya, P.E.
City/County Floodplain Administrator

CAM/cs;

City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

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

October 21, 1985

Mr. Joe Jones
DTM & Associates
2400 Comanche NE
Albuquerque, NM 87108

REF: DRAINAGE REPORT FOR HIDDEN VALLEY (L22-D20) RECEIVED OCTOBER 3, 1985

Dear Mr. Jones:

I have reviewed the referenced plan dated October 3, 1985 and forward the following comments:

1. Please show the on-site basins for the subdivision.

2. Require City approved street grades for Hidden Valley Drive.

3. Flows from Hidden Valley Drive requires the following information:
   a. Drainage easements downstream.
   b. Erosion control.

4. Require hydraulic grade line for the storm drain system. Please show calculations for the outlet structure.

5. Please address the following items for the unimproved areas in the subdivision area:
   a. Erosion control.
   b. Sediment control.
   c. Outlet to the streets.

6. Require an erosion control plan for the subdivision.

7. Please address erosion control for the 22 foot drainage easement on the south property line.

8. The off-site drainage map does not show enough detail to determine flow. Please address the following comments:
   a. What is the impact of Stagecoach Road, Lamp Port Circle, Sagebrush Trail and Speakman Drive on the off-site basin?

b. Please address if any hydraulic structures are functioning in the off-site basin.
c. The off-site basin appears to include developed flows. Please address the fact that you used a C of 0.21 for the rational formula.

9. Please address the ownership of properties which you drain downstream to.

10. Address the impact of the Tijeras Arroyo Floodplain to your outlet structure and bank stability for the subdivision.

Should you have any further questions, please feel free to call me at 766-7644.

Sincerely,

Carlos A. Montoya

Carlos A. Montoya, PE
City/County Flood Plain Admin.

CAM:mrk

ASSIGNMENT OF AGREEMENT
DATED JULY 26, 1989

WHEREAS, on the 26th day of July, 1989, A & M, a New Mexico general partnership consisting of John Kochis and C. J. Mead, sole general partners, by C. J. Mead, general partner, did enter into an Agreement with the Hidden Valley Community Services Association, Inc., a New Mexico non-profit corporation, which Agreement was recorded August 11, 1989, in Book MS78A, Page Nos. 399-411, as Document No. 8969915, in the office of the County Clerk of Bernalillo County, New Mexico; and

WHEREAS, by Paragraph 8 of such Agreement, A & M did undertake to establish a non-profit corporation consisting of the owners of lots in Casitas Coronado Subdivision, and did agree to assign to such Homeowners Association all of the rights, duties and obligations granted or assumed by A & M in such Agreement; and

WHEREAS, on the 13th day of August, 1993, the said C. J. Mead did cause to be incorporated Coronado Terrace Homeowners Association, Inc., a non-profit New Mexico corporation, which consists of all of the owners of the lots in Casitas Coronado Subdivision;

NOW THEREFORE, A & M, a New Mexico general partnership, by C. J. Mead, general partner, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, does ASSIGN and quitclaim unto the said Coronado Terrace Homeowners Association, Inc., all right, title, interest, and obligations assumed and established by the Agreement of July 26, 1989, to the Coronado Terrace Homeowners Association, Inc.;

AND Coronado Terrace Homeowners Association, Inc., does accept

such assignment, and does covenant and agree to perform all obligations and duties required to be performed by A & M, a New Mexico general partnership, and does agree to hold such partnership and the members thereof harmless from any further obligation or duties hereunder.

IN WITNESS WHEREOF we have hereunto set our hands and seals at Albuquerque, New Mexico, this 25th day of January, 1994.

A & M

By: _____
C.J. MEAD, General Partner

CORONADO TERRACE HOMEOWNERS ASSOCIATION, INC.

By: _____
C. J. MEAD, President

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

BEFORE ME a Notary Public for the State of New Mexico, personally appeared C. J. Mead, General Partner of A & M, a New Mexico general partnership, and President of Coronado Terrace Homeowners Association, Inc., a New Mexico non-profit corporation, did execute the foregoing Assignment of Agreement Dated July 26, 1989, and did acknowledge the same to be his own free act and deed, and pursuant to authority granted at Albuquerque, New Mexico this 25th day of January, 1994.

_____
NOTARY PUBLIC

My commission expires:
10-29-95

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED

94 JAN 26 PM 12:53

JUDY D. WOODWARD
CO. CLERK & RECORDER

943 6201 - 6205

GRANT OF EASEMENT

FOR

PRIVATE ROADWAY, DRAINAGE, PRIVATE AND PUBLIC UTILITIES

THIS INDENTURE made and executed this 26th day of July, 1989, by and between HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC., a a New Mexico Non-Profit Corporation in the County of Bernalillo and State of New Mexico, hereinafter called the Grantors, and A & M a a New Mexico General Partnership, hereinafter called Grantee.

WITNESSETH, that for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do sell, convey and deliver unto the Grantee, a permanent easement as right-of-way including the permanent right to enter upon the real estate hereinafter described at any time it may see fit and construct, maintain and repair a road, drainage improvements, and private and public utilities across, through, and under the lands hereinafter described and the further right to remove trees, bushes, undergrowth and obstructions interfering with the location, construction and maintenance of said road, drainage improvements and utilities.

The land affected by the grant of this easement and right-of-way is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

A certain parcel of land located in Bernalillo County, New Mexico, being within Section 27, Township 10 North, Range 4 East of the NMPM. Being a portion of "HIDDEN VALLEY SOUTH", as filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 26, 1986 in Book C-29, Page 200. The parcel being described lies within areas designated as PRIVATE INGRESS - EGRESS EASEMENT, 150' PNM easement, Drainage R.O.W., or Open Space. The parcel being described is a strip of land 50 feet in width (having a 50' radius fillet at the Northeast corner) and is described by metes and bounds as follows:

Beginning at the Southeast corner of the parcel (from whence the corner common to Sections 26, 27, 34, and 35, Township 10 North, Range 4 East of the NMPM bears S 89 03' 04" E, 462.94 feet; THE BEARINGS USED HEREON ARE NEW MEXICO STATE PLACE COORDINATE SYSTEM GRID AND ARE ROTATED 0 DEG 11' 06" CLOCKWISE FROM THE RECORD PLAT REFERENCED ABOVE);

thence N 89 03' 04" W, 59.97' to a point;
thence N 34 27' 36" E, 160.13' to a point of curvature;
thence 104.80 feet along a curve concave to the Southeast (Radius = 325.00', Delta = 18 28' 30", Chord = N 43 41' 51" E 104.34') to a point of tangency;
thence N 52 56' 06" E, 83.84' to the Northwest corner'
thence S 37 03' 54" E; 78.64' along the Southerly line of HIDDEN VALLEY DRIVE to a point of curvature;

EXHIBIT No. A

thence 17.81 feet along the Southerly line of HIDDEN VALLEY DRIVE being a curve concave to the Northeast (Radius = 250.00', Delta = 04 04' 56", Chord = S 39 06' 22" E, 17.81') to the Northeast corner;
thence 74.98 feet along a curve concave to the South (Radius 50.00', Delta = 85 55' 04", Chord = N 84 06' 22" W 68.15') to a point of tangency;
thence S 52 56' 06" W, 34.60' to a point of curvature;
thence 88.67 feet along a curve concave to the Southeast (Radius 275.00', Delta = 18 28' 30", Chord = S 43 41' 51" W 88.29') to a point of tangency;
thence S 34 27' 36" W, 127.03' to the Southeast corner and point of beginning containing 0.38366 acres (16,712.4 square feet) more or less.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for aforesaid road, drainage improvements, and utilities.

The Grantors do hereby convenant with Grantee that they are lawfully seized and possessed of the real estate above described and that they have a good and lawful right to convey it or any part thereof, that it is free from all encumbrances except those of record and taxes due and owing the Treasurer of Bernalillo County and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted provided, however, that the Grantee agrees to save Grantors harmless for any and all liability that may arise as a result of the construction and use of easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals this 26th day of July, 1989.

David Boone, President

DAVID BOONE, President
Hidden Valley Community Services Association, Inc.

C. J. MEAD, General Parnter
A & M, a New Mexico General Partnership

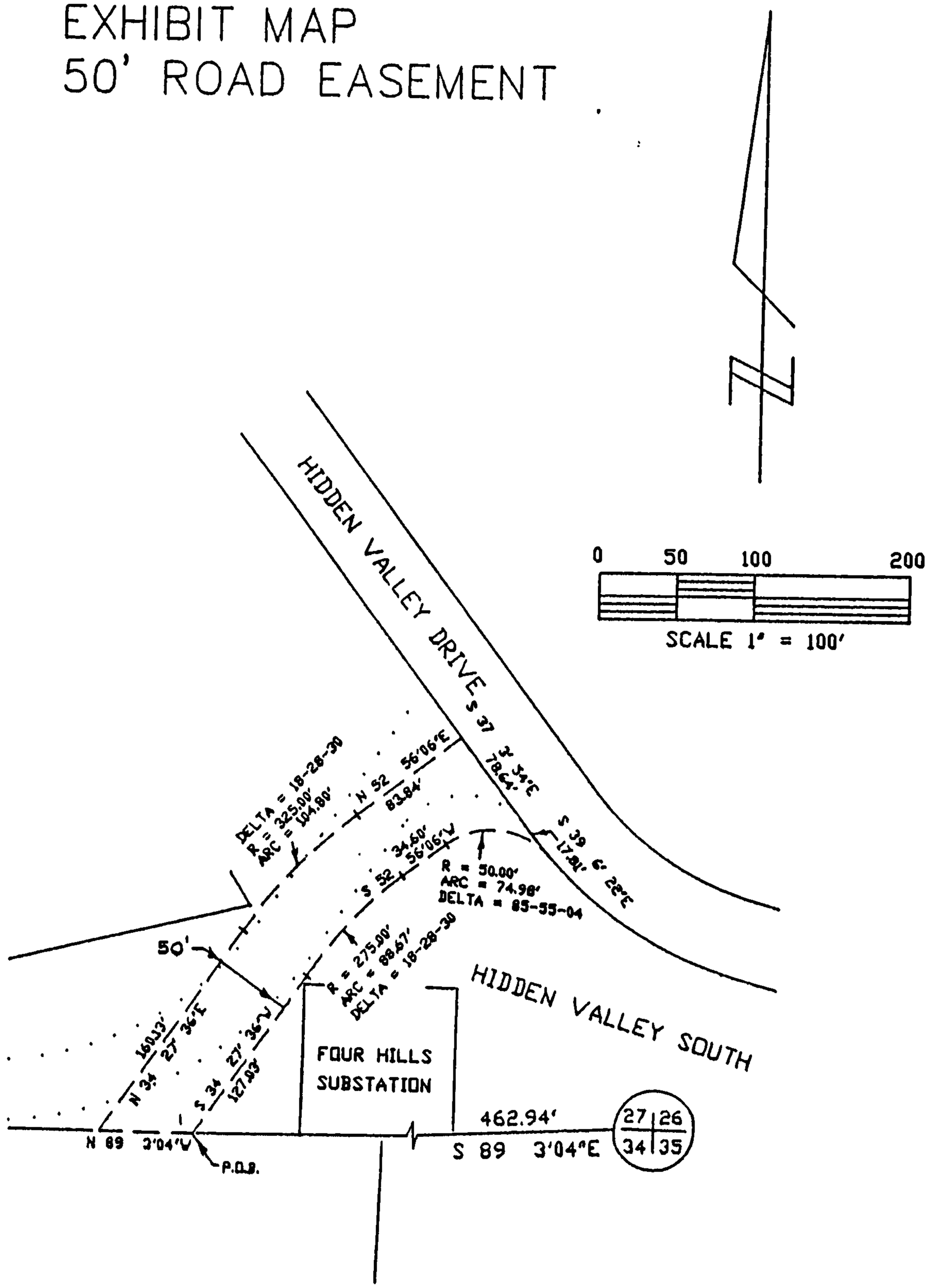
STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me on this 26th day of July, 1989, by DAVID BOONE and C. J. MEAD

Notary Public

My Commission Expires:
10-29-91

EXHIBIT MAP
50' ROAD EASEMENT



GRANT OF EASEMENT

FOR

DRAINAGE, PRIVATE AND PUBLIC UTILITIES

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WITNESSETH, that for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do sell, convey and deliver unto the Grantee, a permanent easement as right-of-way including the permanent right to enter upon the real estate hereinafter described at any time it may see fit and construct, maintain and repair drainage improvements and private and public utilities across, through, and under the lands hereinafter described and the further right to remove trees, bushes, undergrowth and obstructions interfering with the location, construction and maintenance of said drainage improvements and utilities.

The land affected by the grant of this easement and right-of-way is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

A certain tract of land lcoated in Bernalillo County, New Mexico, being within Section 27, Township 10 North, Range 4 East of the NMPM. Being a portion of "HIDDEN VALLEY SOUTH", as filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 26, 1986 in Book C-29, Page 200. The parcel being described lies within the PRIVATE INGRESS - EGRESS EASEMENT, or within the 150' PNM easement. Being further described by metes and bounds as follows:

Beginning at the Southeast corner of the parcel (from whence the corner common to Sections 26, 27, 34, and 35, Township 10 North, Range 4 East of the NMPM bears S 88° 29' 50" E, 517.10 feet; THE BEARINGS USED HEREON ARE NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID AND ARE ROTATED 0 DEG 11' 06" CLOCKWISE FROM THE RECORD PLAT REFERENCED ABOVE);

thence N 89° 03' 04" W, 1338.12 feet to the Southwest corner;
thence N 12° 30' 04" W, 30.85 feet to the Northwest corner;
thence S 89° 03' 04" E, 1341.18 feet to a point;
thence N 34° 27' 36" E, 131.67 feet to a point;
thence N 76° 46' 56" E, 29.70 feet to the Northeast corner;
thence S 34° 27' 36" W, 176.37 feet to the Southeast corner and point of beginning containing 0.9934 acres (43,274.3 square feet) more or less.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for aforesaid utilities.

EXHIBIT No. B

The Grantors do hereby convenant with Grantee that they are lawfully seized and possessed of the real estate above described and that they have a good and lawful right to convey it or any part thereof, that it is free from all encumbrances except those of record and taxes due and owing the Treasurer of Bernalillo County and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted provided, however, that the Grantee agrees to save Grantors harmless for any and all liability that may arise as a result of the construction and use of easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals this 26th day of July, 1989.

David Boone, President

DAVID BOONE, President
HIDDEN VALLEY COMMUNITY SERVICES ASSOCIATION, INC.

C. J. MEAD, General Partner
A & M, a New Mexico General Partnership

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me on this 26th day of July, 1989, by David Boone and C. J. Mead.

Notary Public

My Commission Expires:
10-29-91

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD
89 AUG 11 AM 10: 47
MS78A 399-411
RECORDER
P.NELSON

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 1, 2001

Rich Gantner
6703 Academy NE, Suite A
Albuquerque New Mexico 87109

RE: Hidden Valley Drainage Complaint

Dear Mr. Gantner:

Thank you for discussing the drainage complaint matter at the referenced subdivision. I wanted to review the problem that the downstream owner has and go over the possible solution that we arrive at during our meeting. Attached is a copy of the drainage plan for the area. About two thirds of the runoff from your lot should go to Nandina Lane and the rest to the common area. The downstream owner is complaining that runoff could enter his house from the common area swale. Inspection shows that the common lot swale is very shallow with a flat slope.

As we discussed you were going to gutter as much as you could from the house to Nandina Lane and let the rest drain to the common area. Also, if you were to build on the other lots in that area you would address this drainage situation.

If you have any questions please call me a 924-3982.

Sincerely,

Carlos A. Montoya
City/County Floodplain Administrator

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 1, 2001

Jay Rodecap
837 Hackberry Trail SE
Albuquerque New Mexico 87123

RE: Hidden Valley Drainage Complaint

Dear Mr. Rodecap:

We have received a drainage complaint from a resident downstream of the house development on Nandina Lane. The complaint is that they are concerned that runoff from the new development will damage their house. Also, the swale in the common area is very shallow and has a flat slope. I have contacted the builder and the developer of the upstream development to address this drainage problem. A field inspection of the area shows that the common area swale will not carry much runoff. The downstream houses are lower than the swale and they could possibly be damaged from a minor amount of runoff. The City has no public right-of-way in this area and therefore cannot make any improvements. Any corrections to this problem will have to be made by the homeowners association.

If you have any questions please call me a 924-3982.

Sincerely,

Carlos A. Montoya
City/County Floodplain Administrator

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER

Et

Thank You
City Of Albuquerque
Treasury Division

11/01/2001 10:25AM LOC: ANEX
WS# 006 TRANS# 0005
RECEIPT# 00012152-00012152
PERMIT# 0113392 TRSNDM

Trans Amt	$387.99	
Applic Plan Ck		$8.24
Building Permit		$301.75
Park Development		$78.00
CK		$387.99
CHANGE		$0.00

Thank You

Thank You
Thank You
Thank You
CHANGE $0.00
Thank You
City Of Albuquerque
Treasury Division

11/01/2001 10:41AM LOC: ANEX
WS# 006. TRANS# 0007
RECEIPT# 00012154-00012154

City of Albuquerque
P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

May 1, 2001

Ronald Heinze
Poni Funding
7908 Menaul NE
Albuquerque New Mexico 87110

RE: Hidden Valley Drainage Complaint

Dear Mr. Heinze:

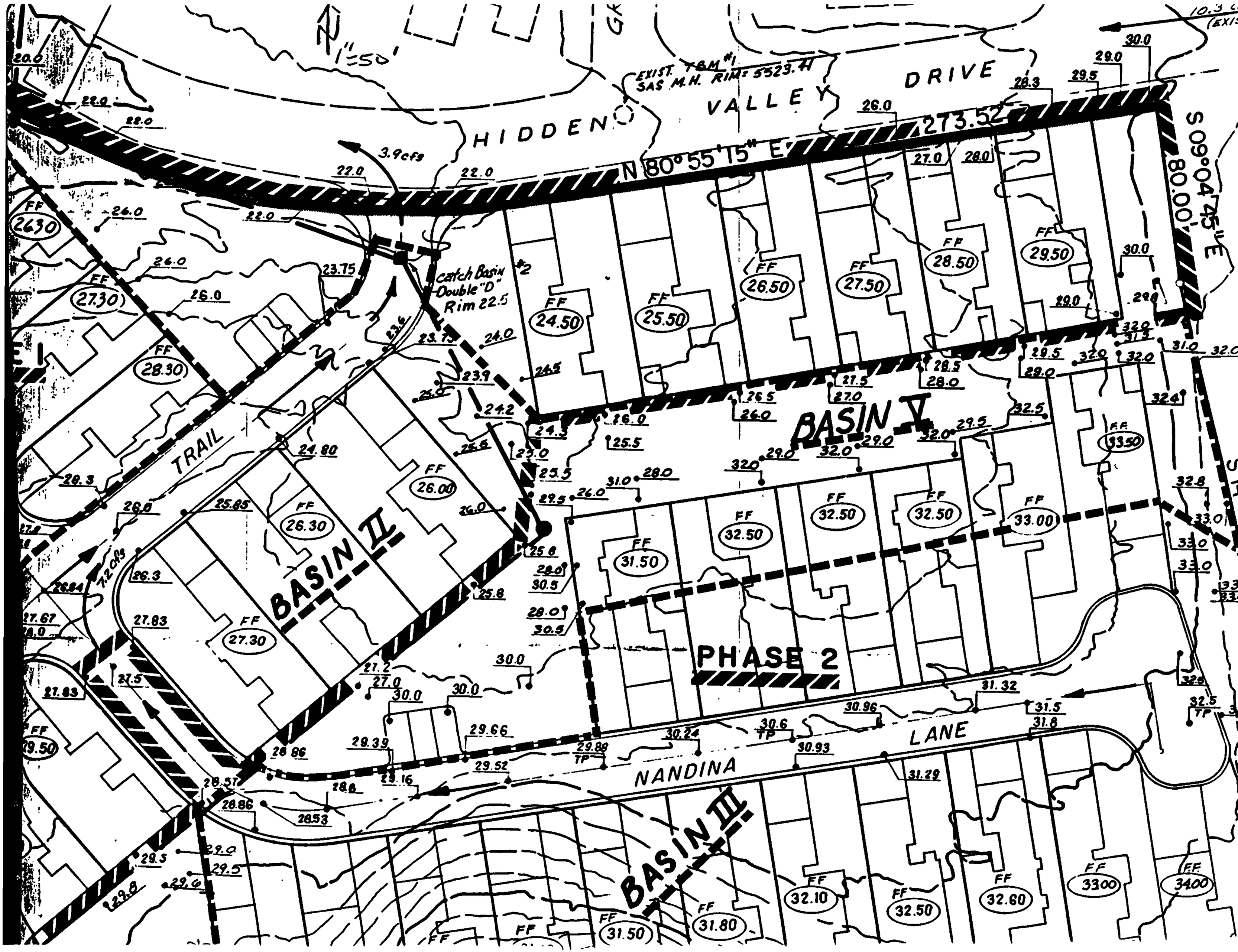
I have met Mr. Gantner at the referenced subdivision. We discussed the drainage problem and a possible solution. I wanted to advise you that further construction on Nandina Lane should address the drainage concerns. I have attached a drainage plan for the area that should give you some drainage guidance.

If you have any questions please call me a 924-3982.

Sincerely,

Carlos A. Montoya
City/County Floodplain Administrator

THE CITY OF ALBUQUERQUE IS AN EQUAL OPPORTUNITY/REASONABLE ACCOMMODATION EMPLOYER


1"=50'
HIDDEN VALLEY DRIVE
EXIST. TBM #1
SAS M.H. RIM=5523.41
N 80°55'15" E 273.52'
S 09°04'45" E
80.00'
3.9cfs
catch Basin #2
Double "D"
Rim 22.5
BASIN I
BASIN II
BASIN III
PHASE 2
TRAIL
NANDINA LANE
7.2 cfs
FF 26.30
FF 27.30
FF 28.30
FF 26.00
FF 24.50
FF 25.50
FF 26.50
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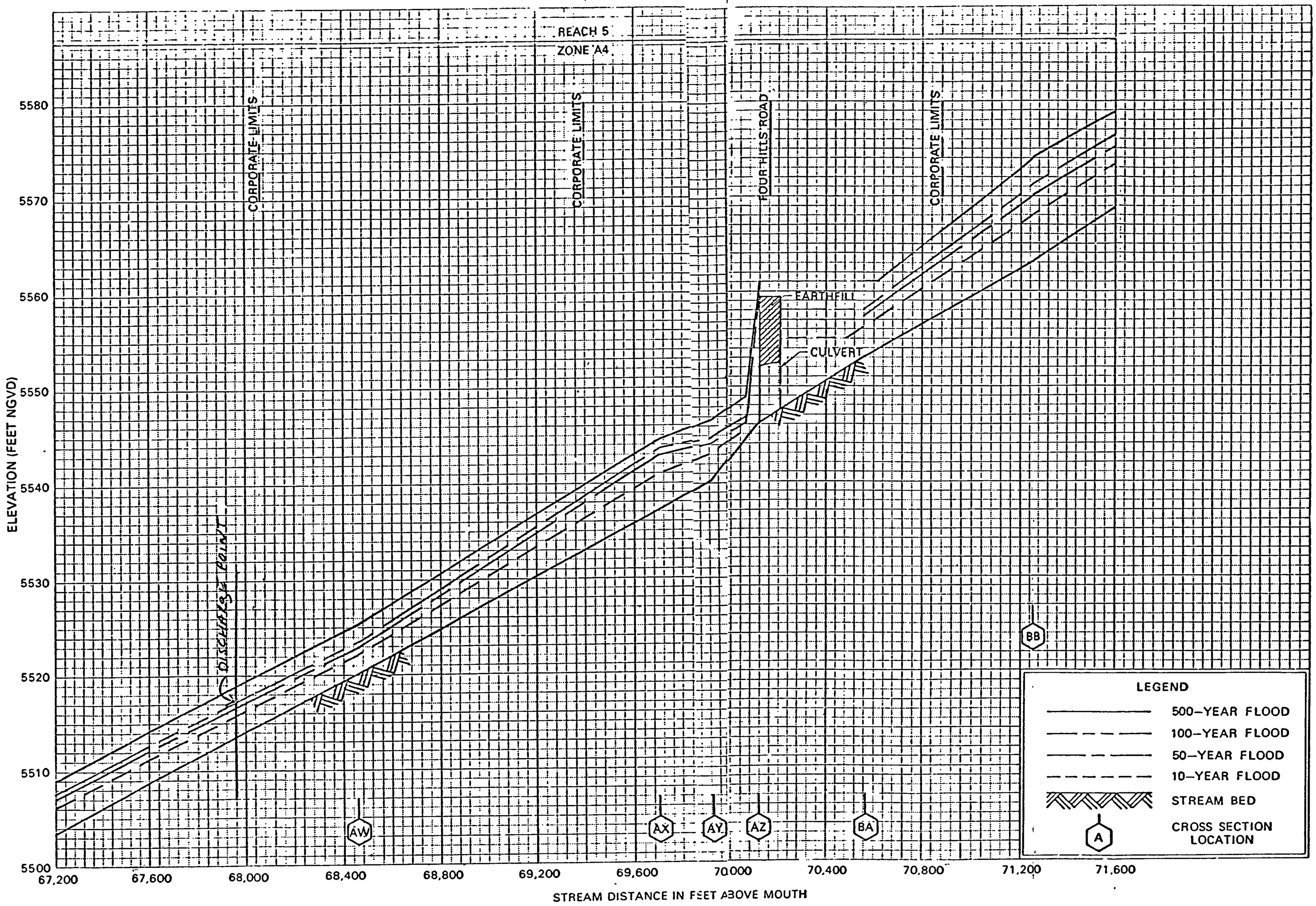
FF 34.00



FLOOD PROFILES

TISERAS ARROYO

FEDERAL EMERGENCY MANAGEMENT AGENCY

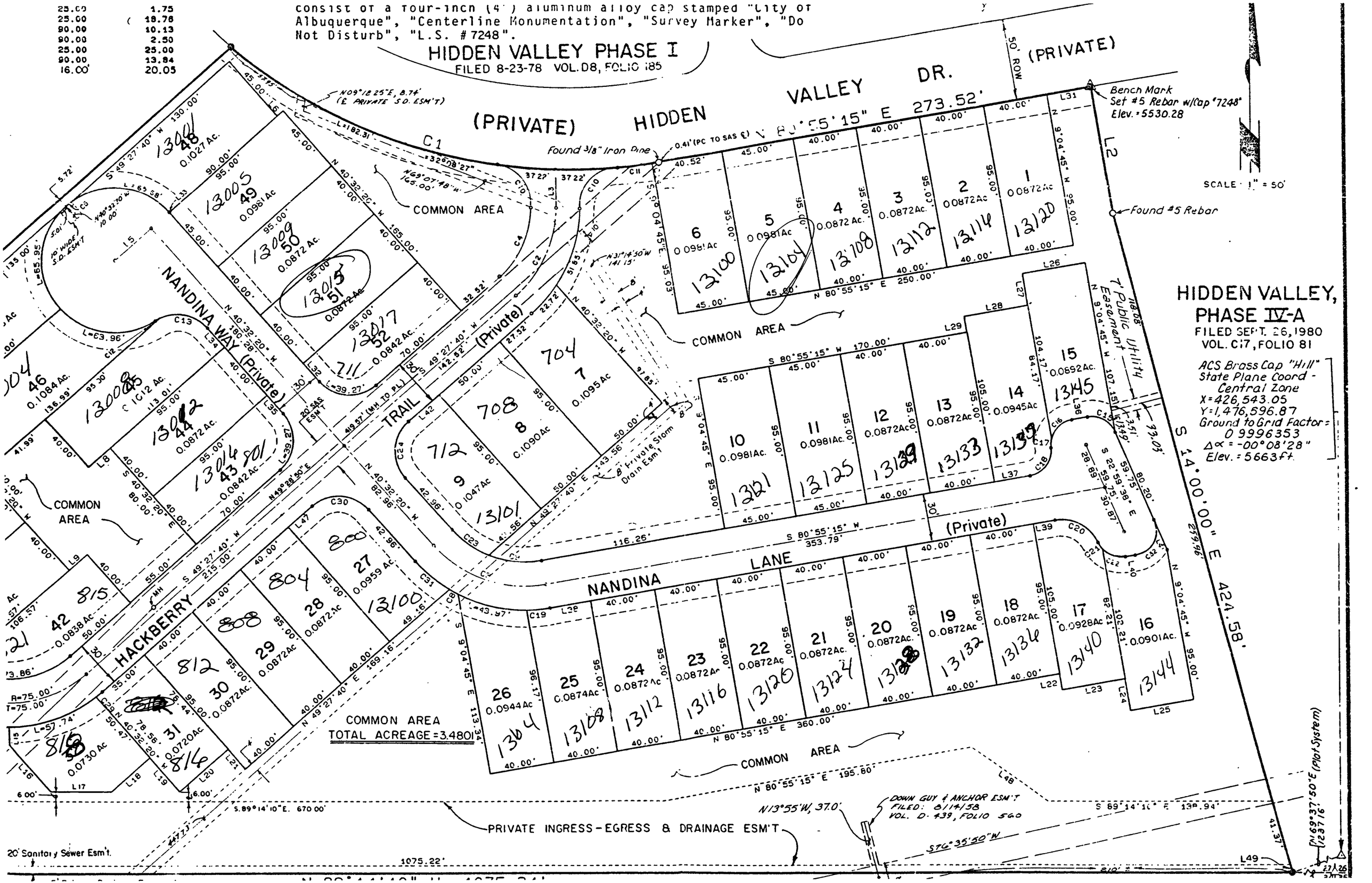
CITY OF ALBUQUERQUE, NM

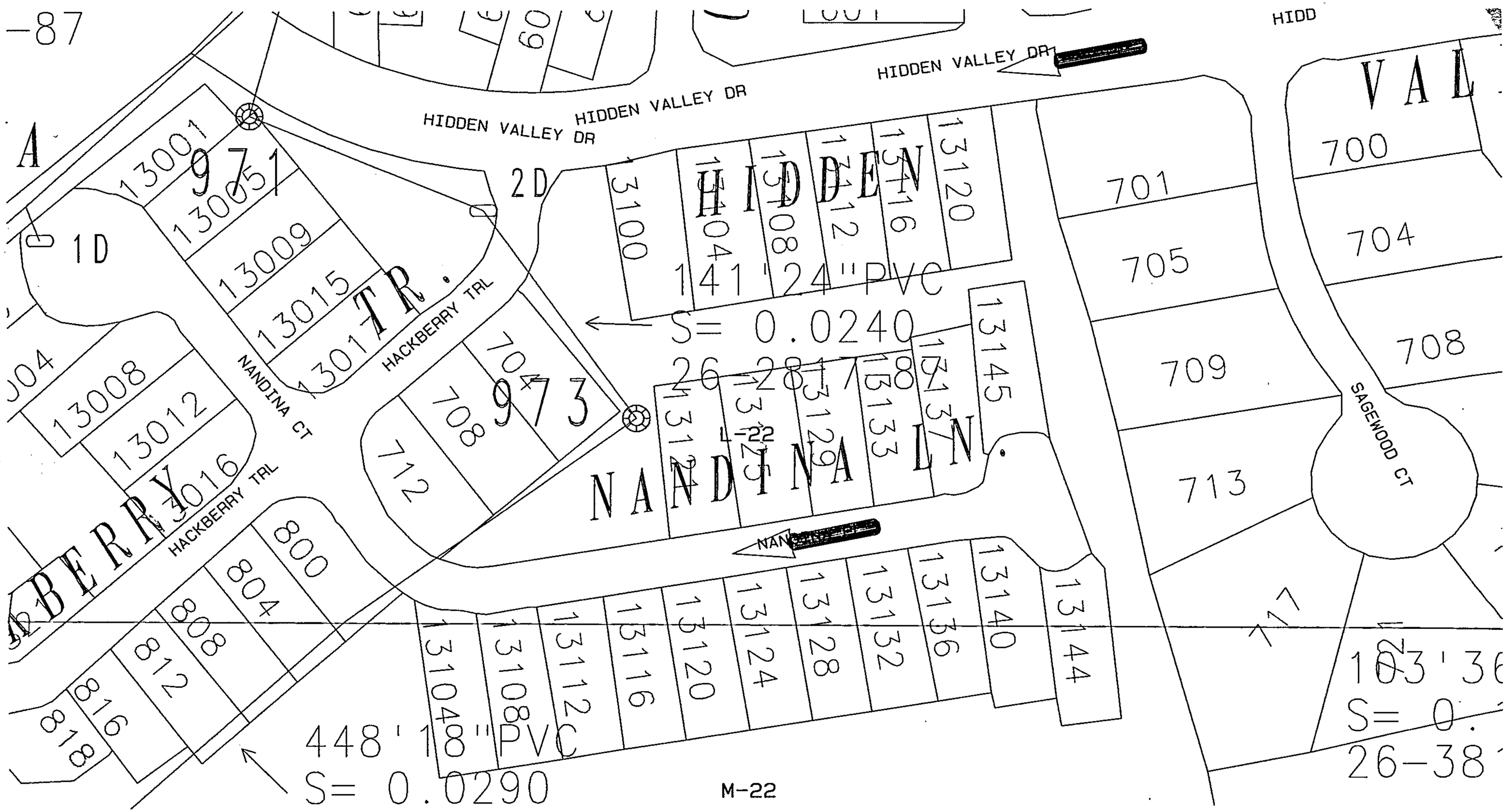
(BERNALILLO COUNTY)

38P

25.00	1.75
25.00	18.78
90.00	10.13
90.00	2.50
25.00	25.00
90.00	13.84
16.00	20.05

consist of a four-inch (4") aluminum alloy cap stamped "City of Albuquerque", "Centerline Monumentation", "Survey Marker", "Do Not Disturb", "L.S. #7248".

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HACKBERRY TRL
NANDINA CT
NANDINA LN
SAGEWOOD CT
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M-22
141' 24" PVC
S= 0.0240
26-2817
448' 18" PVC
S= 0.0290
103' 36
S= 0.
26-38