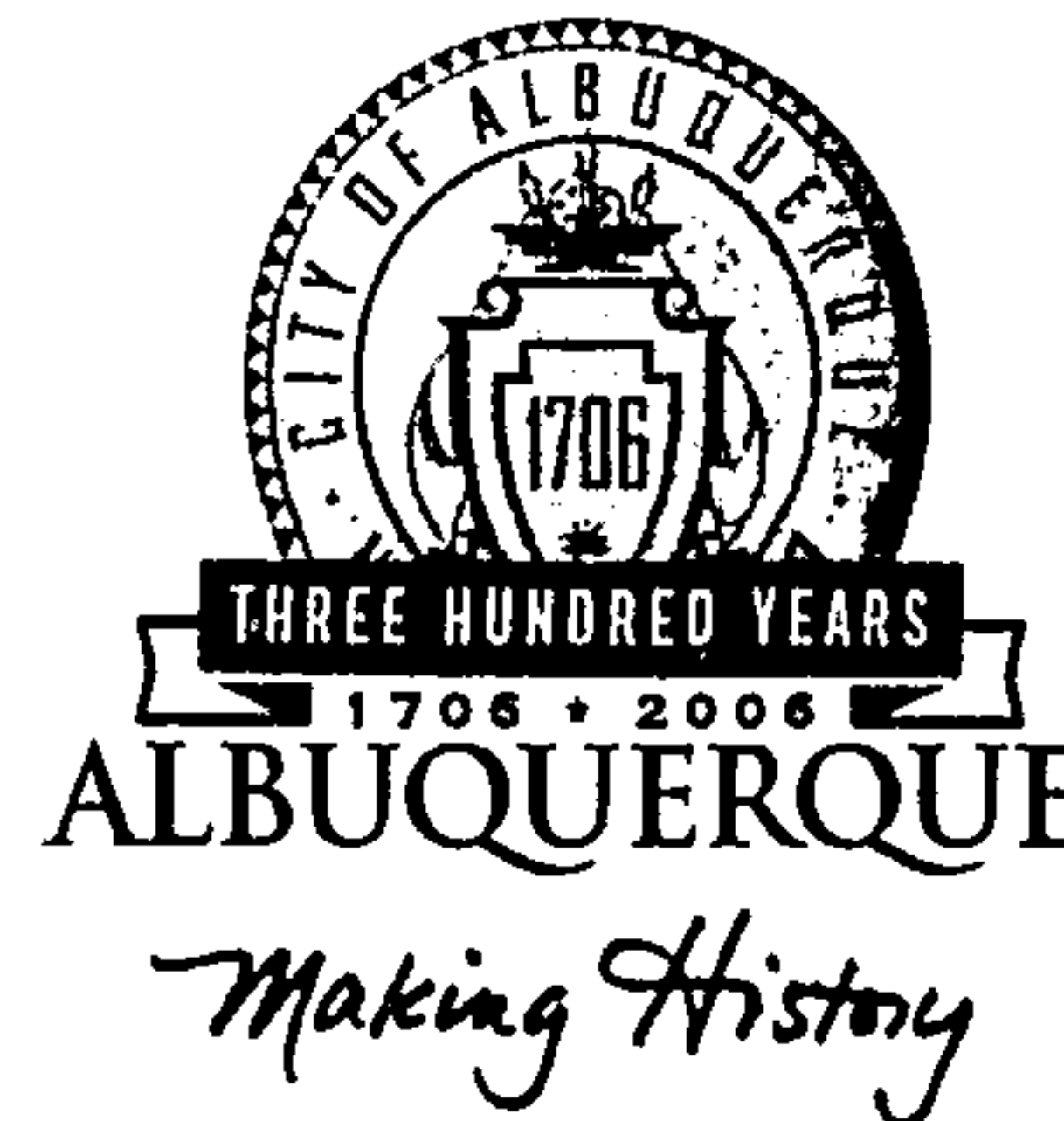


# CITY OF ALBUQUERQUE



**Planning Department  
Transportation Development Services Section**

June 27, 2005

William E. Burk III, Registered Architect

9617 La Playa NE  
Albuquerque, NM 87111

Re: Approval of Temporary Certificate of Occupancy (C.O.) for  
Metal Fabrication Shop, [M-10 / D16C]  
7010 Huseman Place SW  
Architect's Stamp Dated 06/16/05

Dear Mr. Burk:

Based on the information provided on your submittal dated June 27, 2005, the above referenced project is approved for a 30-day Temporary C.O.

P.O. Box 1293

A Temporary C.O. has been issued allowing the outstanding sidewalk issue to be completed within this time period. When these remaining issues have been fully completed, are in substantial compliance, and a final Certification for Transportation has been resubmitted to the City's Hydrology office for approval, a Permanent C.O. will be issued.

Albuquerque

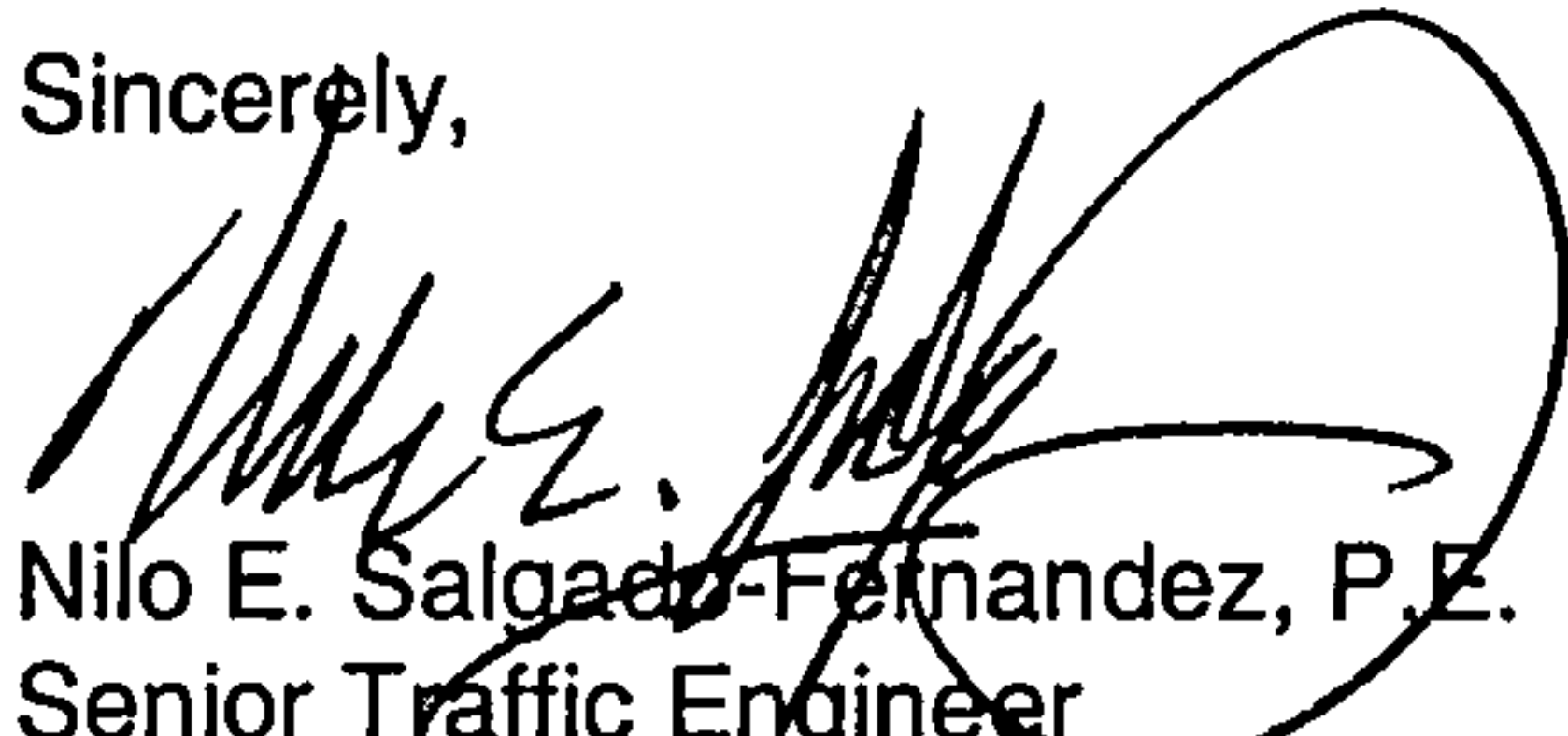
The Certification package for Final C.O. must include an exact copy of the approved TCL, or signed off D.R.B. Site Plan, which is in each of the two City Permit Plan Sets—the contractor's City field set and the City's plan set in the basement of the Plaza Del Sol building. Package also must include a letter of certification on designer's letterhead-stamped with his seal, signed, and dated. Submit package along with fully completed Drainage Information Sheet to front counter personnel for log in and evaluation by Transportation.

New Mexico 87103

[www.cabq.gov](http://www.cabq.gov)

If you have any questions, please call me at 924-3630.

Sincerely,

  
Nilo E. Salgado-Fernandez, P.E.  
Senior Traffic Engineer  
Development and Building Services  
Planning Department

c: Engineer  
Hydrology file  
CO Clerk

DRB 1001144

NSF issued

30 day temp 6-27-05  
(letter lost)

# DRAINAGE AND TRANSPORTATION INFORMATION SHEET

(REV. 1/28/2003rd)

PROJECT TITLE: METAL FABRICATION SHOP ZONE MAP/DRG. FILE #: M-10/D16C  
DRB #: \_\_\_\_\_ EPC#: \_\_\_\_\_ WORK ORDER#: \_\_\_\_\_

LEGAL DESCRIPTION: LOT 11, COORS + ARENAL INDUSTRIAL SUBDIVISION  
CITY ADDRESS: 7010 HUSEMAN PL, SW

ENGINEERING FIRM: ABQ ENGINEERING INC.  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

ARCH OWNER: BILL BURK THIRD ARCHITECT  
ADDRESS: 9617 LA PLAYA NE  
CITY, STATE: ALBANY NM 87111

CONTACT: BILL BURK  
PHONE: 292-6566  
ZIP CODE: \_\_\_\_\_

OWNER: TED + KATHLEEN TELLES  
ADDRESS: 7010 HUSEMAN PL SW  
CITY, STATE: ALBANY NM

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

SURVEYOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

## CHECK TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1<sup>st</sup> SUBMITTAL, REQUIRES TCL or equal
- ☐ DRAINAGE PLAN RESUBMITTAL
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
- ☐ CDMR/LMR
- ☒ TRAFFIC CIRCULATION LAYOUT (TCL)
- ☐ ENGINEERS CERTIFICATION (TCL)
- ☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
- ☐ OTHER

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D. APPROVAL
- ☒ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☒ CERTIFICATE OF OCCUPANCY (PERM.)
- ☐ CERTIFICATE OF OCCUPANCY (TEMP.)
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY)

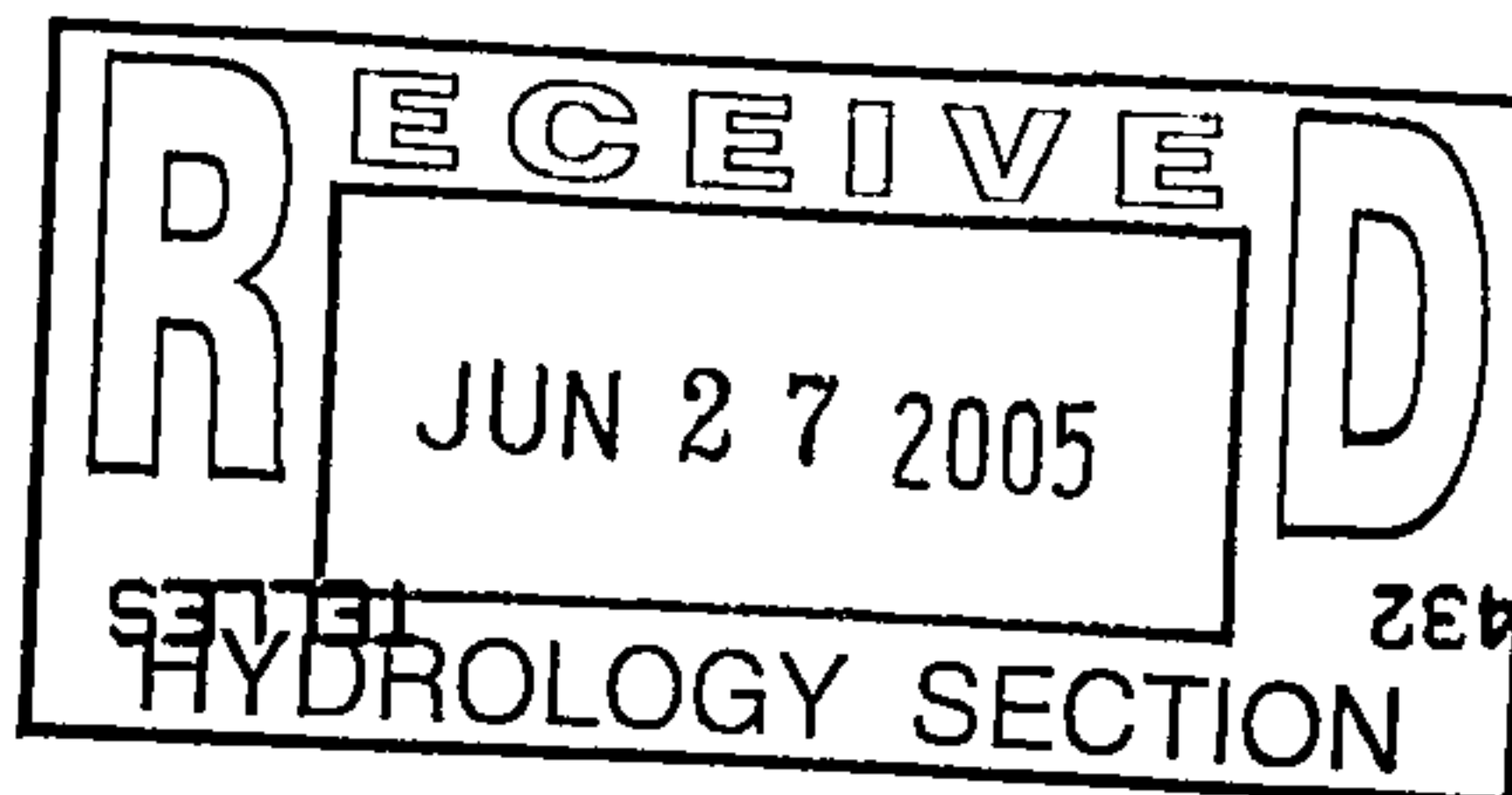
## WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
- ☐ NO
- ☐ COPY PROVIDED

DATE SUBMITTED: 6/18/05 BY: William E. Burk III ARCHITECT

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. Drainage Report: Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.





Bill Burk, third, Architect

construction inspection  
architecture • interiors • graphics

\*\*\*

June 18, 2005

#03-34

Kristal D Metro  
Engineering Associates, Planning Dept.  
Development and Building Services  
City of Albuquerque  
PO Box 1293,  
Albuquerque, NM 87103

RE: Metal Fabrication Shop for Toby & Kathleen Telles  
7010 Huseman Pl SW  
Traffic Circulation Layout Certification

Dear Ms Metrol:

On May 26, 2005 I visited the site of the above project. The project is in Substantial Compliance with the TCL approved on 2/17/04.

No sidewalk was installed at the street, but the Owner tells me that, according to ABQ Engineering, the Civil Consultant, no sidewalk is required for this subdivision.

The striped aisle is on the wrong side for the space to be van accessible, so I directed the Owner to relocate the accessible space to the other side of the aisle.

The sidewalk in front of the building is less than 8' wide, but bumpers installed 2' from the edge will keep cars from overhanging the sidewalk.

The City Approved TCL with my certification is enclosed. If you have questions about the above, please give me a call.

Very truly yours,

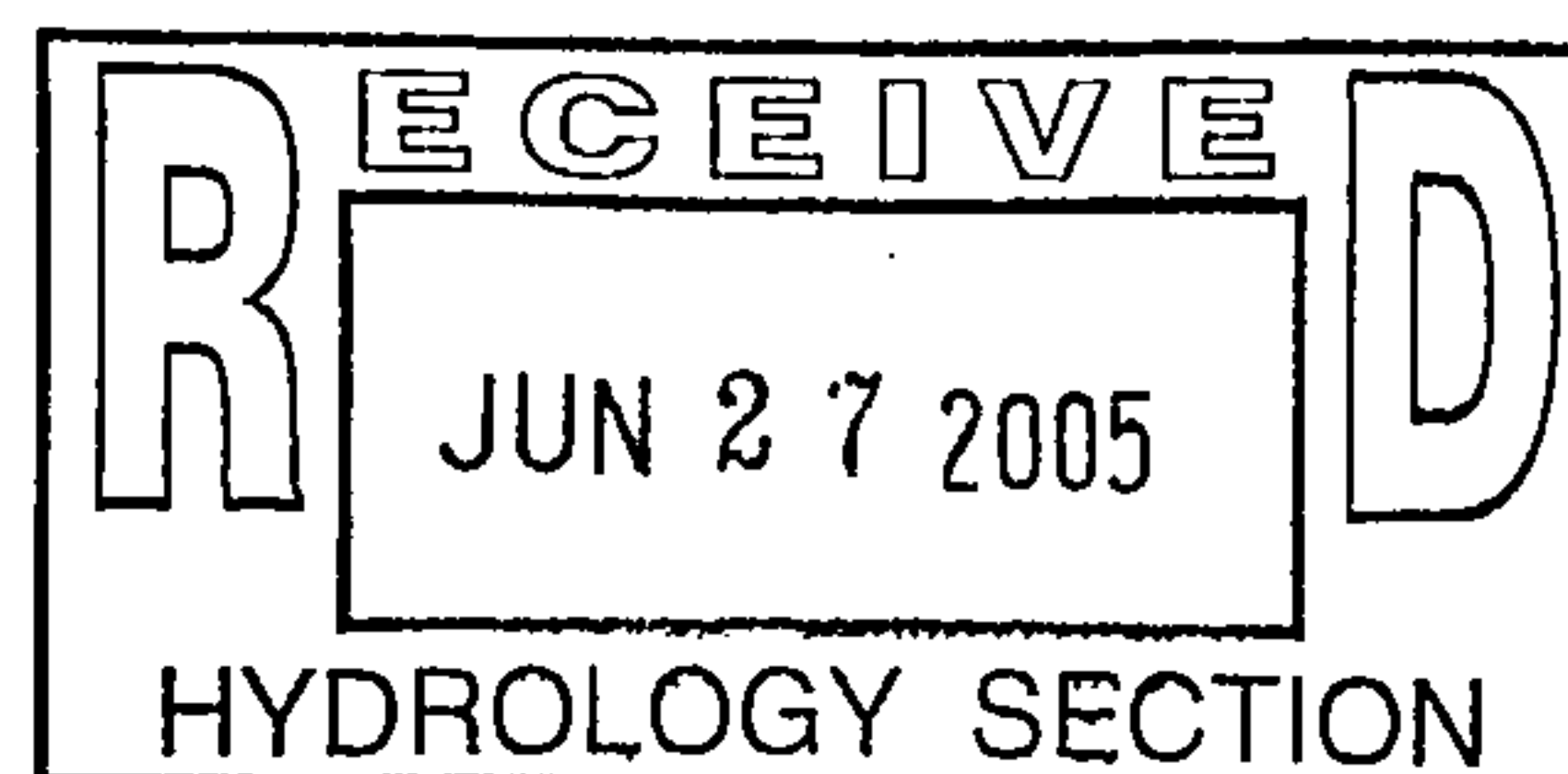
BILL BURK THIRD, ARCHITECT

*William E Burk III*  
William E Burk, III  
Architect

WEBIII/cbb

Encl

CC Toby & Kathleen Telles



9617 La Playa NE  
Albuquerque, NM 87111  
(505) 292-6566 • Fax (505) 294-7232  
Email – Bburkiii@earthlink.net



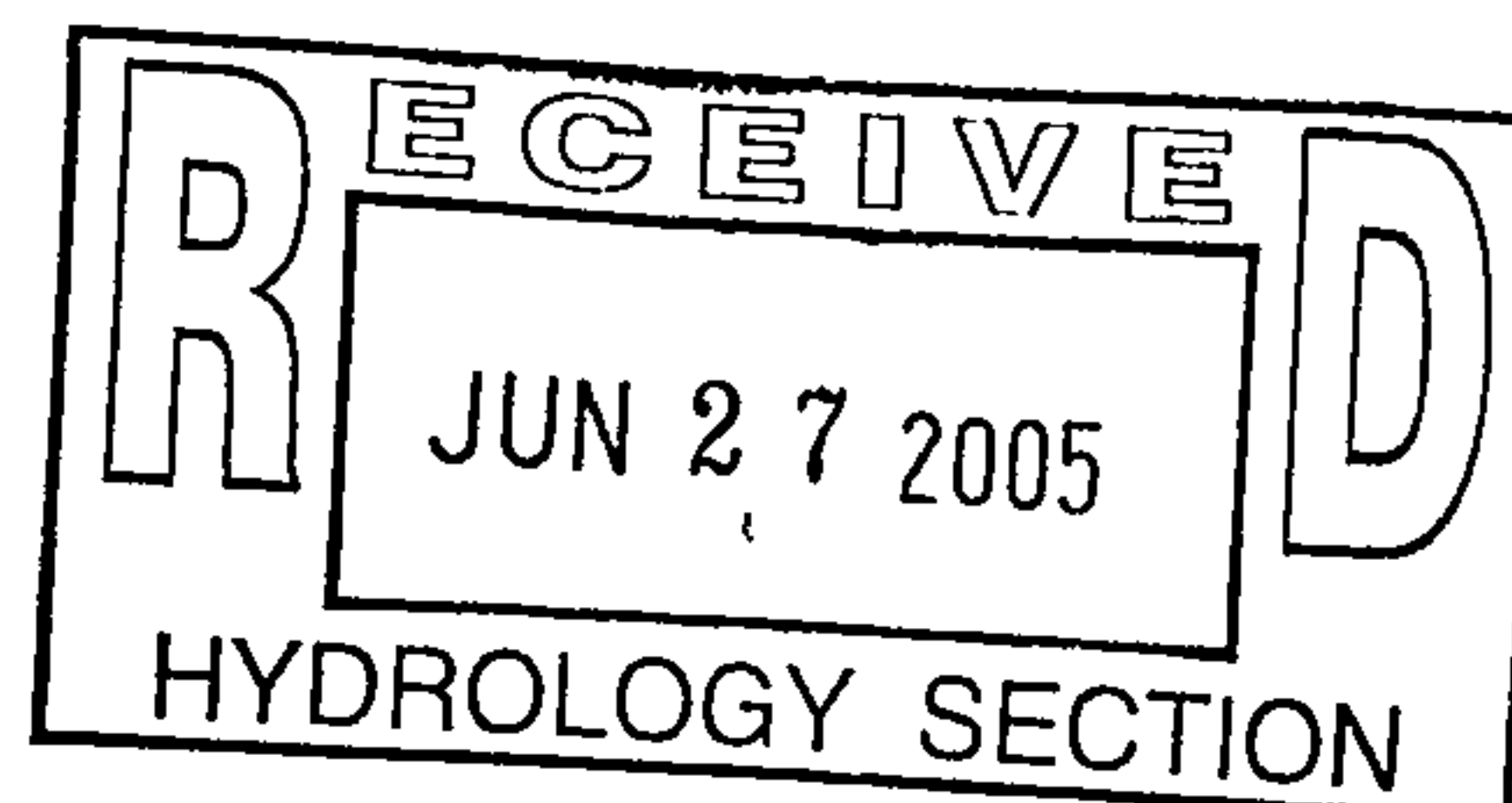
TRAFFIC CERTIFICATION

I, William E. Burk III, ~~NMPE~~ OR NMRA #494, OF THE FIRM BILL BURK THIRD ARCH., HEREBY CERTIFY THAT THIS PROJECT HAS IS IN SUBSTANTIAL COMPLIANCE WITH AND IN ACCORDANCE WITH THE DESIGN INTENT OF THE APPROVED PLAN DATED 2/17/04. THE RECORD INFORMATION EDITED ONTO THE ORIGINAL DESIGN DOCUMENT HAS BEEN OBTAINED BY The above OF THE FIRM                     . I FURTHER CERTIFY THAT I HAVE PERSONALLY VISITED THE PROJECT SITE ON 5/26/2005 AND HAVE DETERMINED BY VISUAL INSPECTION THAT THE SURVEY DATA PROVIDED IS REPRESENTATIVE OF ACTUAL SITE CONDITIONS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS CERTIFICATION IS SUBMITTED IN SUPPORT OF A REQUEST FOR Certificate of Occupancy

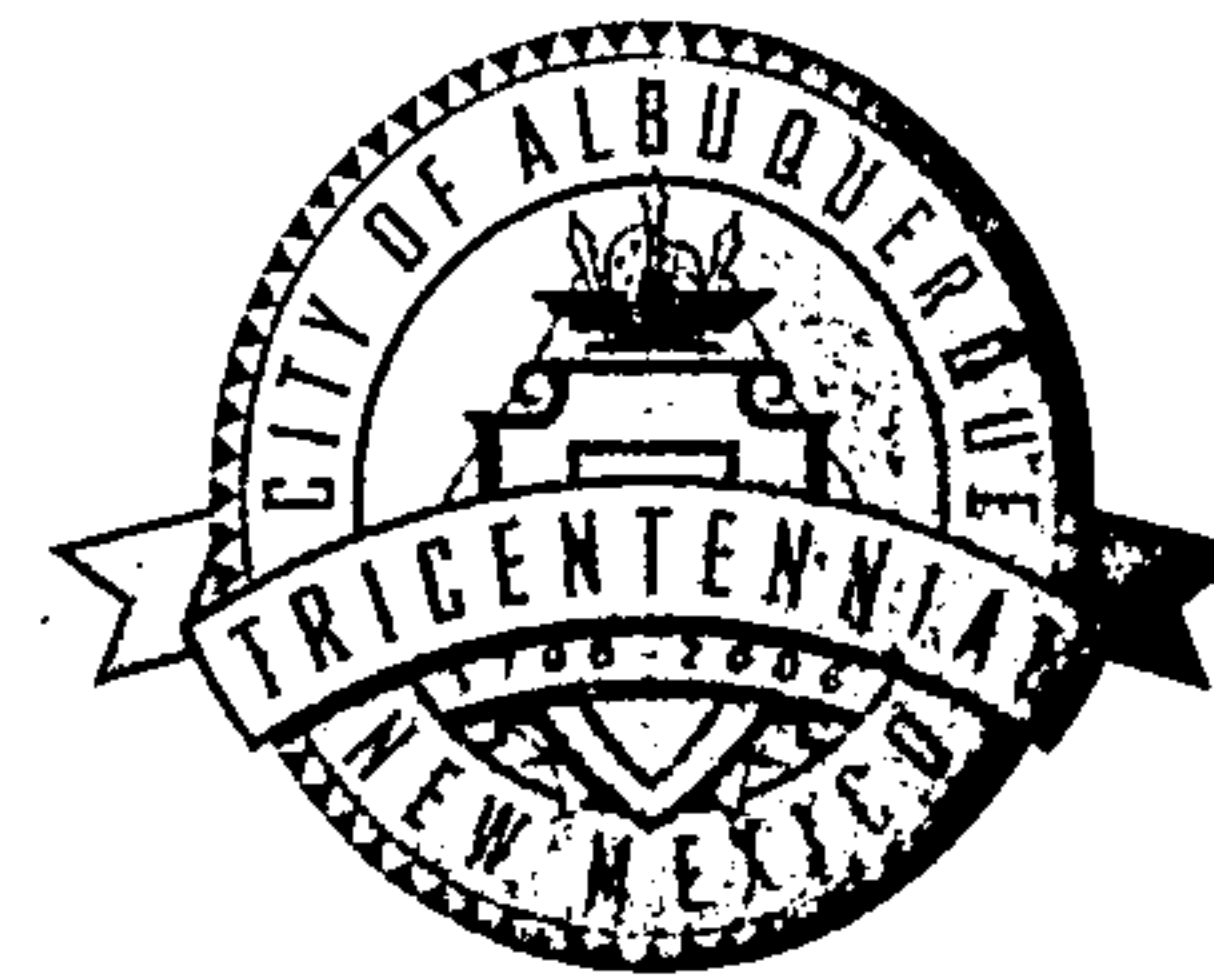
THE RECORD INFORMATION PRESENTED HEREON IS NOT NECESSARILY COMPLETE AND INTENDED ONLY TO VERIFY SUBSTANTIAL COMPLIANCE OF THE TRAFFIC ASPECTS OF THIS PROJECT. THOSE RELYING ON THE RECORD DOCUMENT ARE ADVISED TO OBTAIN INDEPENDENT VERIFICATION OF ITS ACCURACY BEFORE USING IT FOR ANY OTHER PURPOSE.

William E. Burk III  
Signature of Engineer or Architect  
No. 494  
ALBUQUERQUE  
N. M.  
REGISTERED ARCHITECT  
6/16/05  
Date

ENGINEER'S OR ARCHITECT'S STAMP



# CITY OF ALBUQUERQUE



March 12, 2008

Eufracio Sabay, P.E.  
c/o Bernie J. Montoya  
**BJM Development Consultant**  
8624 Casa Verde Ave. NE  
Albuquerque, NM 87120

**Re: Metal Fabrication Shop, 7010 Huseman Pl. Sw,  
Approval of Permanent Certificate of Occupancy (C.O.)  
Engineer's Stamp dated 03/03/08 (M-10/D016C)  
Certification dated 3/03/08**

P.O. Box 1293

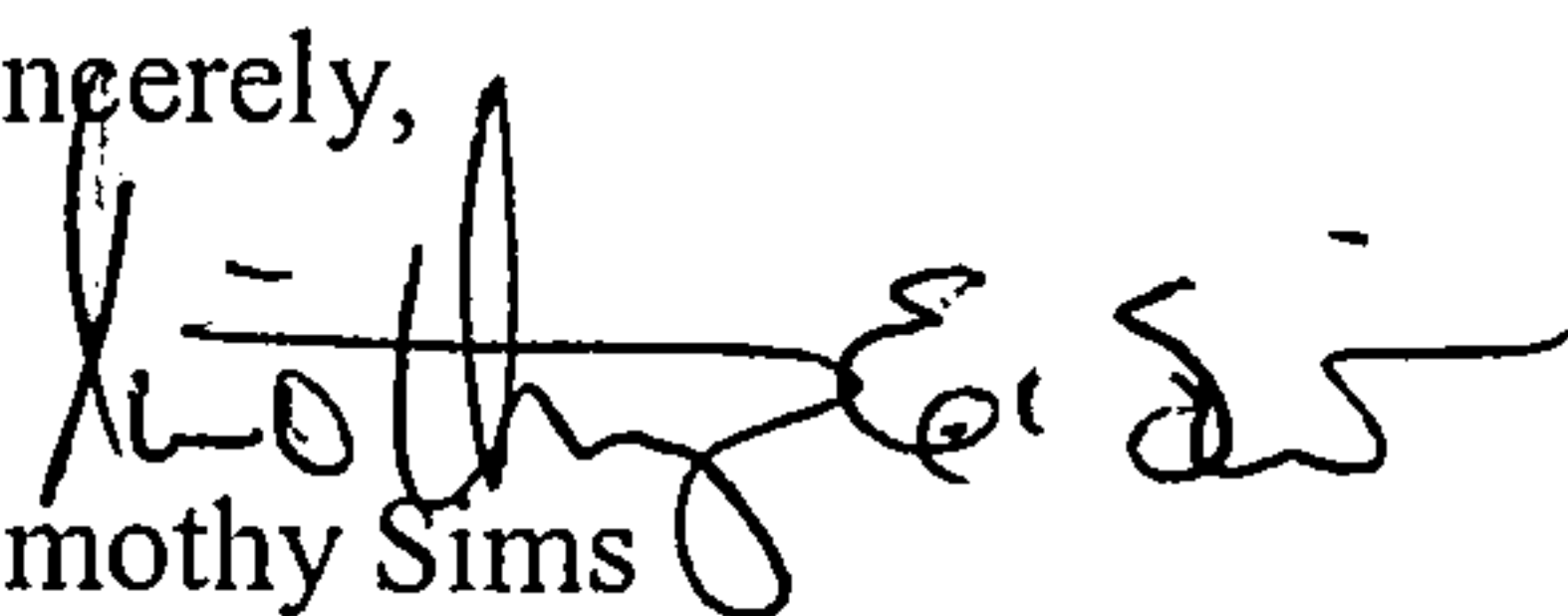
Based upon the information provided in your submittal received 3/05/08, the above referenced certification is approved for release of Permanent Certificate of Occupancy by Hydrology.

Albuquerque

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

Sincerely,

New Mexico 87103



Timothy Sims  
Plan Checker-Hydrology,  
Development and Building Services

[www.cabq.gov](http://www.cabq.gov)

C: CO Clerk—Katrina Sigala  
File





NORTH EAST CORNER

~~FAST~~  
cam

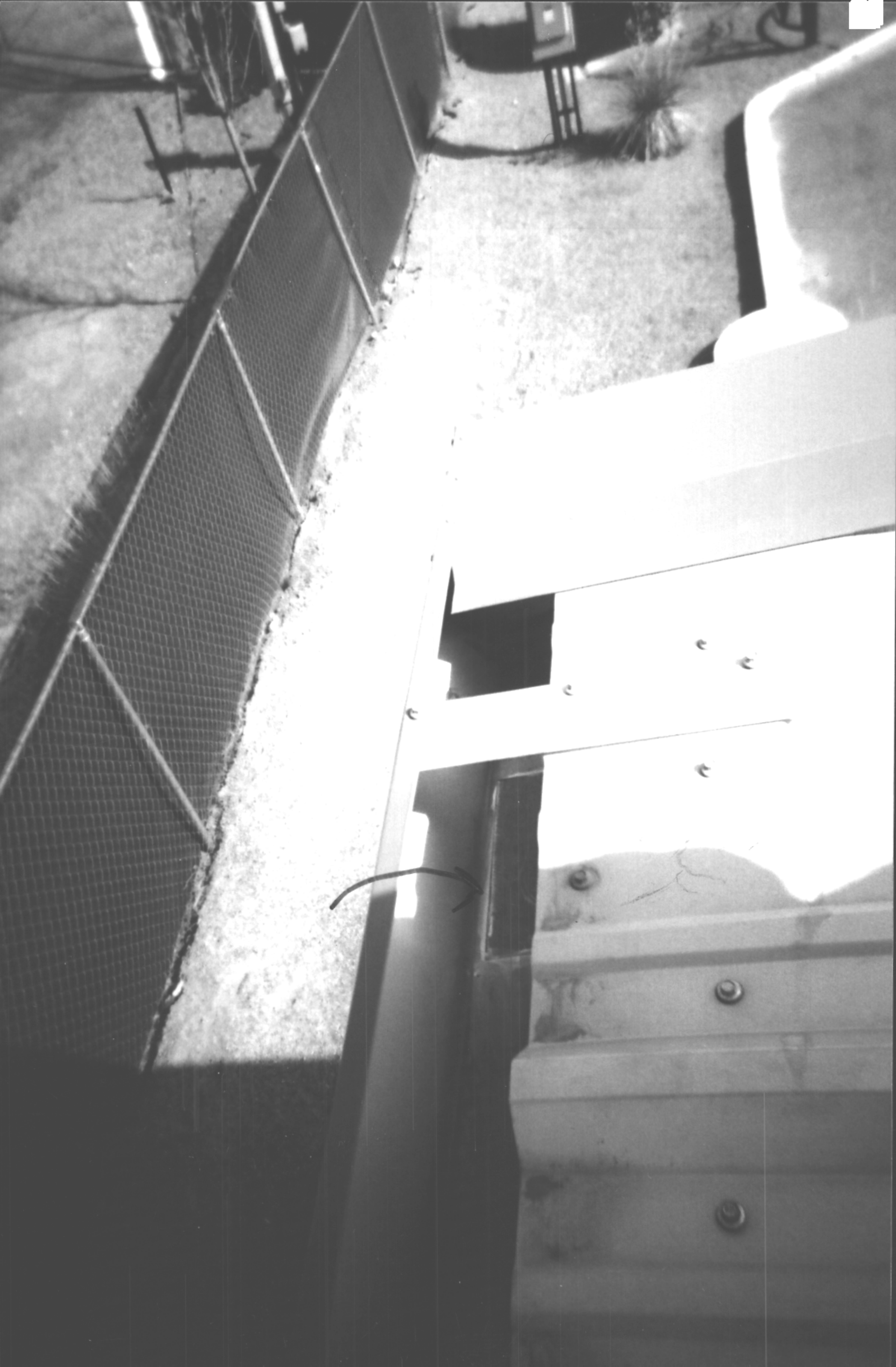




EAST CENTER

EAST

CENTER



NORTH WEST

CORNER

NORTH WEST

CORNER



# DRAINAGE INFORMATION SHEET

m-10/D16C

PROJECT TITLE: METAL FABRICATION SHOP FOR TOBY AND CATHERINE TELLES ZONE MAP/DRG. FILE #M10-D16C

DRB #:

PC#: N/A

WORK ORDER#:

LEGAL DESCRIPTION: LOT 11 COORS-ARENAL INDUSTRIAL  
CITY ADDRESS: 7010 HUSEMAN PLACE S.W.

ENGINEERING FIRM: BJM DEVELOPMENT CONSULTANT  
ADDRESS: 8624 CASA VERDE AVE. N.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT: BERNIE J. MONTOYA  
PHONE: 250-7719  
ZIP CODE: 87120

OWNER: TOBY & CATHERINE TELLES  
ADDRESS: 7010 HUSEMAN PLACE S.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT:  
PHONE:  
ZIP CODE:

ARCHITECT:  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

SURVEYOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

CONTRACTOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

## TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☒ ENGINEER'S CERTIFICATION/AS-BUILT
- ☐ PAVING PLAN
- ☐ TCL CERTIFICATION
- ☐ RESUBMITTAL
- WAS A PRE-DESIGN CONFERENCE ATTENDED:
- ☐ YES VERBAL WITH KRSITAL METRO
- ☐ NO
- ☐ COPY PROVIDED

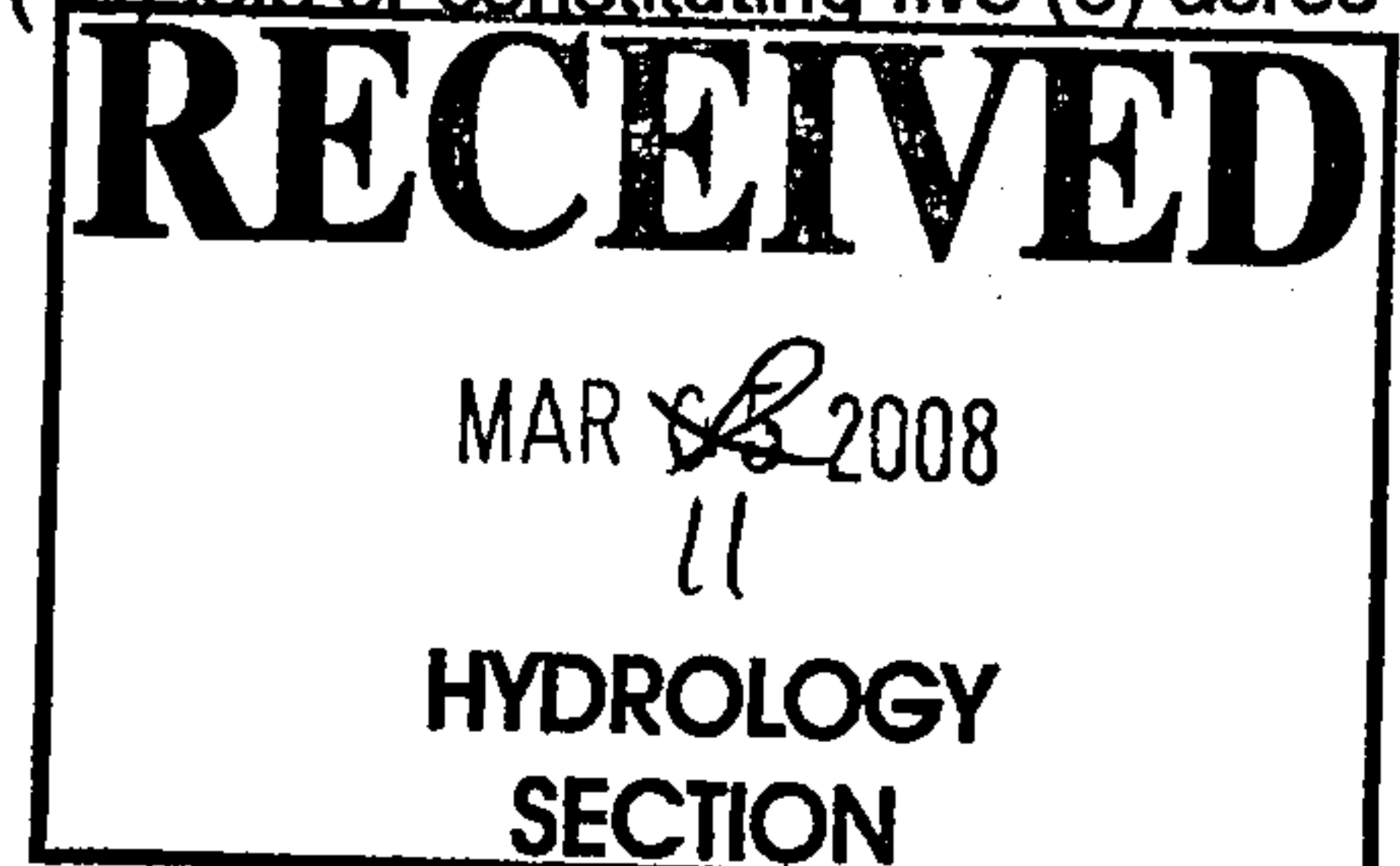
## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D. APPROVAL
- ☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☒ CERTIFICATE OF OCCUPANCY APPROVAL
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY) CERTIFICATION

DATE SUBMITTED: 3/5/2008 BY: Bernie J Montoya

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plan:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.





# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

February 10, 2004

William Burk III, R.A.  
9617 La Playa NE  
Albuquerque, NM 87111

**Re: Metal Fabrication Shop for Toby and Kathleen Telles, 7010 Huseman Pl. SW, Traffic Circulation Layout**

**Architect's Stamp dated 11-03-03 (M10/D16C)**

Dear Mr. Burk,

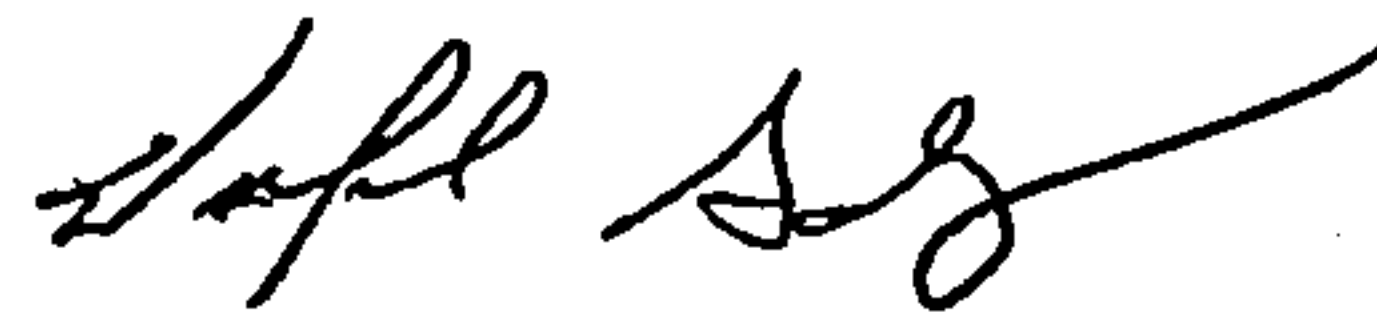
Based upon the information provided in your submittal received 2-06-04, the above referenced plan cannot be approved for Building Permit until the following comments are addressed:

1. Please show a vicinity map.
2. Please ensure all ramps are ADA compliant.
3. A five-foot keyway is required for deadend parking aisles.
4. A 6-foot wide sidewalk will be required along Huseman Place unless previously waived through a DRB or EPC action.
5. Is the 6-foot pedestrian way constructed of concrete sidewalk? How does it connect to the sidewalk along Huseman Place?
6. The landscaped area just south of the entrance needs to provide adequate turning radii. If heavy vehicles are expected to enter this area, a 25-foot radius will be required. Otherwise, a 15-foot radius will be sufficient.
7. What is the width of the handicapped parking space access aisle? Is this aisle flush with the sidewalk? If not, an ADA accessible ramp will be required.
8. Increase the width of the sidewalk along the north side of the proposed building to 6 feet.

9. Does the loading area interfere with the adjacent parking spaces? How will these spaces be protected?
10. There are several blocks shown on the east side of the proposed building in the loading area. What do these blocks indicate?

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

Sincerely,



Wilfred A. Gallegos, P.E.  
Traffic Engineer, Planning Dept.  
Development and Building Services

C: file



**DRAINAGE AND TRANSPORTATION INFORMATION SHEET**  
(REV. 1/28/2003rd)

M-10/D16C

PROJECT TITLE: METAL FABRICATION SHOP  
FOR TOBY + KATHLEEN TELLES

DRB #: \_\_\_\_\_ EPC#: \_\_\_\_\_ ZONE MAP/DRG. FILE #: M-10  
WORK ORDER#: \_\_\_\_\_

LEGAL DESCRIPTION: LOT 11 COORS + ARENAL INDUSTRIAL PARK SEC 34 + 35  
CITY ADDRESS: 7010 HUSEMAN PL SW TION RZE

ENGINEERING FIRM: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

OWNER: TOBY + KATHLEEN TELLES  
ADDRESS: 5620 MARLANE DR SW  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: 873-0432  
ZIP CODE: 87121

ARCHITECT: BILL BURK  
ADDRESS: 9617 LA PLAYA NE  
CITY, STATE: ALB NM 87111

CONTACT: BILL  
PHONE: 292-6566  
ZIP CODE: 87111

SURVEYOR: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY, STATE: \_\_\_\_\_

CONTACT: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
ZIP CODE: \_\_\_\_\_

CONTRACTOR: ANDREW SANDOVAL  
ADDRESS: 621 ELLINGTON DR SW  
CITY, STATE: ALB NM

CONTACT: ANDREW SANDOVAL  
PHONE: 489-2316  
ZIP CODE: 87105

CHECK TYPE OF SUBMITTAL:

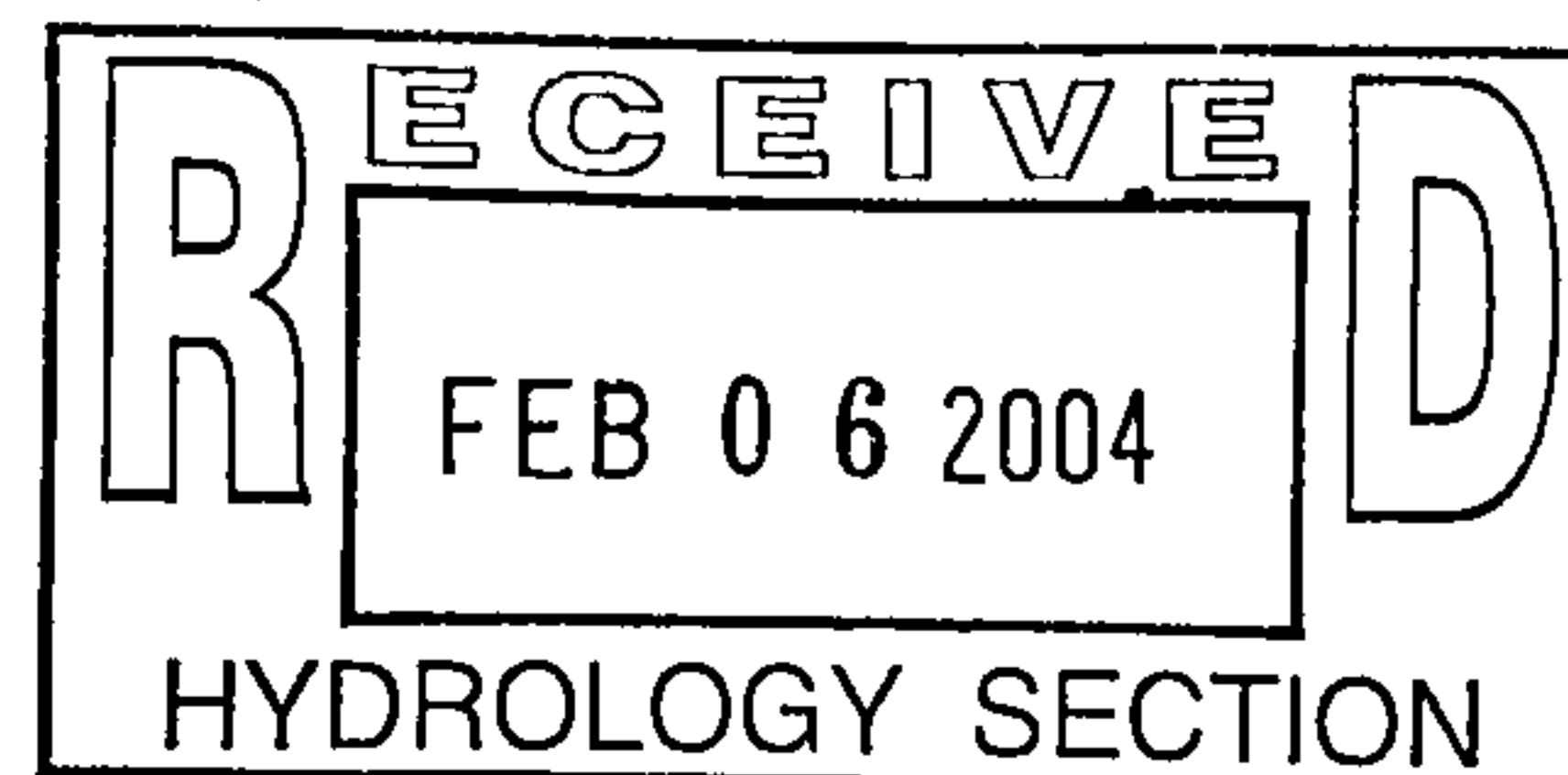
- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN 1<sup>st</sup> SUBMITTAL, *REQUIRES TCL or equal*
- ☐ DRAINAGE PLAN RESUBMITTAL
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☐ ENGINEER'S CERTIFICATION (HYDROLOGY)
- ☐ CLOMR/LOMR
- ☒ TRAFFIC CIRCULATION LAYOUT (TCL)
- ☐ ENGINEERS CERTIFICATION (TCL)
- ☐ ENGINEERS CERTIFICATION (DRB APPR. SITE PLAN)
- ☐ OTHER

CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D. APPROVAL
- ☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☐ CERTIFICATE OF OCCUPANCY (PERM.)
- ☐ CERTIFICATE OF OCCUPANCY (TEMP.)
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY)

WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES
- ☒ NO
- ☐ COPY PROVIDED



DATE SUBMITTED: \_\_\_\_\_ BY: William E. Burk III  
BILL BURK, ARCHITECT

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development defines the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. Conceptual Grading and Drainage Plan: Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. Drainage Plans: Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. Drainage Report: Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or



# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

April 26, 2004

Wallace Bingham, P.E.  
Bingham Engineering  
6344 Belcher NE  
Albuquerque, NM 87109

**Re: Metal Fabrication Shop for Toby and Catherine Telles, 7010 Huseman Pl  
SW, Grading and Drainage Plan**

**Engineer's Stamp dated 3-25-04 (M10/D16C)**

Dear Mr. Bingham,

Based upon the information provided in your submittal received 3-26-04, the above referenced plan is approved for Building Permit. Please attach a copy of this approved plan to the construction sets prior to sign-off by Hydrology. Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required.

This project requires a National Pollutant Discharge Elimination System (NPDES) permit. If you have any questions regarding this permit please feel free to call the DMD Storm Drainage Design section at 768-3654 (Charles Caruso) or 768-3645 (Bryan Wolfe).

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

Sincerely,

Kristal D. Metro  
Engineering Associate, Planning Dept.  
Development and Building Services

C: Charles Caruso, DMD Storm Drainage Design  
File

# DRAINAGE INFORMATION SHEET

M-10/D16C

PROJECT TITLE: METAL FABRICATION SHOP FOR TELLES  
DRB #: PC#: N/A

ZONE MAP/DRG. FILE # M10  
WORK ORDER#:

LEGAL DESCRIPTION: LOT 11 COORS & ARENAL INDUSTRIAL SUBDIVISION  
CITY ADDRESS: 7010 HUSEMAN PL. S.W.

ENGINEERING FIRM: BJM DEVELOPMENT CONSULTANT  
ADDRESS: 8624 CASA VERDE AVE. N.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT: BERNIE J. MONTOYA  
PHONE: 250-7719  
ZIP CODE: 87120

OWNER: TOBY & CATHERINE TELLES  
ADDRESS: 7010 HUSEMAN PL. S.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT:  
PHONE:  
ZIP CODE:

ARCHITECT: BILL BURK III  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

SURVEYOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

CONTRACTOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

## TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT  
☒ DRAINAGE PLAN  
☐ CONCEPTUAL GRADING & DRAINAGE PLAN  
☐ GRADING PLAN  
☐ EROSION CONTROL PLAN  
☐ ENGINEER'S CERTIFICATION  
☐ CLOMR/LOMR  
☐ OTHER

## WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES  
☐ NO  
☐ COPY PROVIDED

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE  
☐ PRELIMINARY PLAT APPROVAL  
☐ S. DEV. PLAN FOR SUB'D. APPROVAL  
☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL  
☐ SECTOR PLAN APPROVAL  
☐ FINAL PLAT APPROVAL  
☒ FOUNDATION PERMIT APPROVAL  
☒ BUILDING PERMIT APPROVAL  
☐ CERTIFICATE OF OCCUPANCY APPROVAL  
☐ GRADING PERMIT APPROVAL  
☐ PAVING PERMIT APPROVAL  
☐ WORK ORDER APPROVAL  
☐ OTHER (SPECIFY)

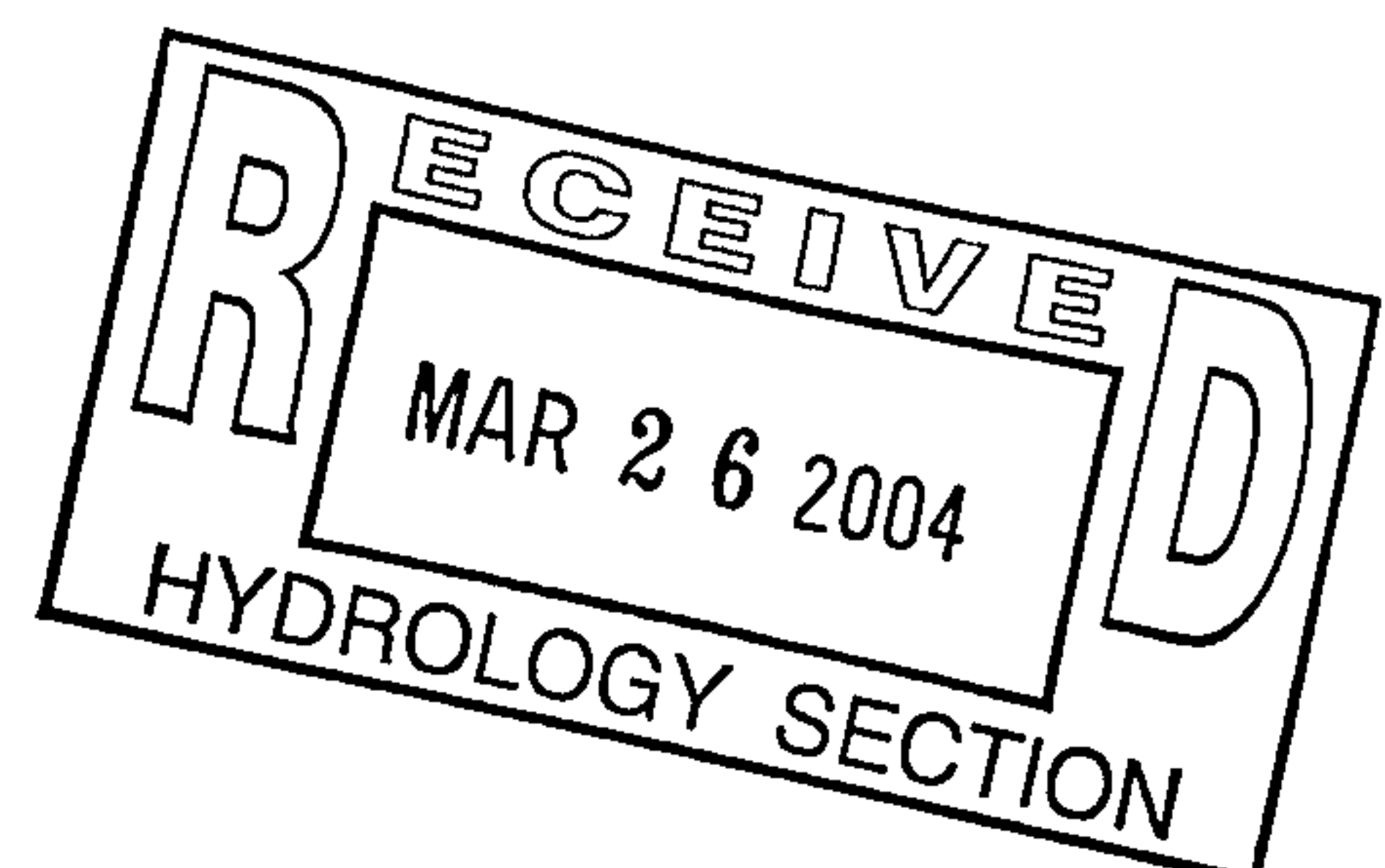
DATE SUBMITTED: 3/26/04

BY: *Bernie J. Montoya*

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

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- 2. Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
- 3. Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.

*Fee Req.*





**PRIVATE FACILITY  
DRAINAGE COVENANT**

4/8/2004

This Drainage Covenant, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person" "husband and wife," "corporation of the State of NEW MEXICO," or "partnership":]

Toby L. & Catherine G. Telles "HUSBAND AND WIFE" ("Owner"),  
whose address is 7010 HUSEMAN PLACE S.W., and the City of Albuquerque,  
a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico  
87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Owner signs  
this Covenant.

1. Recital. The Owner is the owner of the following described real property located at [give legal description, and street address:] LOT 11 COORS - ARENAL  
INDUSTRIAL PARK 7010 HUSEMAN PLACE S.W.  
Filed in the OFFICE OF THE COUNTY CLERK OF BERNALILLO  
COUNTY, NEW MEXICO ON JUNE 13, 2002 in Book 2062C,  
in Bernalillo County, New Mexico (the "Property"). Page 206

Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain drainage facilities on the Property, and the parties wish to enter into this Covenant to establish the obligations and responsibilities of the parties.

2. Description and Construction of Drainage Facility. The Owner shall construct the following "Drainage Facility" within the Property at the Owner's sole expense in accordance with the standards, plans and specifications approved by the City:  
TWO PONDING AREAS AS SHOWN ON THE DRAINAGE PLAN TITLED  
METAL FABRICATION SHOP FOR TOBY & CATHERINE TELLES

The Drainage Facility is more particularly described in Exhibit A attached hereto and made a part hereof.

3. Maintenance of Drainage Facility. The Owner shall maintain the Drainage Facility at the Owner's sole cost in accordance with the approved Drainage Report and plans.

4. Benefit to Property. The Owner acknowledges and understands that the Drainage Facility required herein to be constructed on the Owner's property is for the private benefit and protection of the Owner's property and that failure to maintain such facility could result in damage or loss to the Property.

5. Inspection of Drainage Facility. The City shall have no duty or obligation whatsoever to perform any inspection, maintenance or repair of the Drainage Facility, it being the duty of the Owner, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specifications.

6. Liability of City. The Owner understands and agrees that the City shall not be liable to the



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Owner, its heirs, successors or assigns, or to any third parties for any damages resulting from the Owner's failure to construct, maintain or repair the Drainage Facility.

7. Indemnification. The Owner owns and controls the Drainage Facility and shall not permit the Drainage Facility to constitute a hazard to the health or safety of the general public. The Owner agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractor or subcontractors to perform any act or duty required of the Owner herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney's fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the respective indemnitee, or the agents or employees of the respective indemnitee; or (2) the giving of or the failure to give direction or instructions by the respective indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

8. Assessment. Nothing in this Covenant shall be construed to relieve the Owner, its heirs, assigns and successors from an assessment against the Owner's Property for improvements to the Property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.

9. Binding on Owner's Property. The covenants and obligations of the Owner set forth herein shall be binding on the Owner, its heirs, assigns and successors and on the Owner's Property and constitute covenants running with the Owner's Property until released by the City. This Covenant can only be released by the City's Chief Administrative Officer with the concurrence of the City Engineer.

10. Entire Covenant. This Covenant contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

11. Changes to Covenant. Changes to this Covenant are not binding unless made in writing, signed by both parties.

12. Effective Date of Covenant. This Covenant shall be effective as of the date of signature of the Owner.



Mary Herrera

Bern. Co. COV

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OWNER'S ACKNOWLEDGMENT

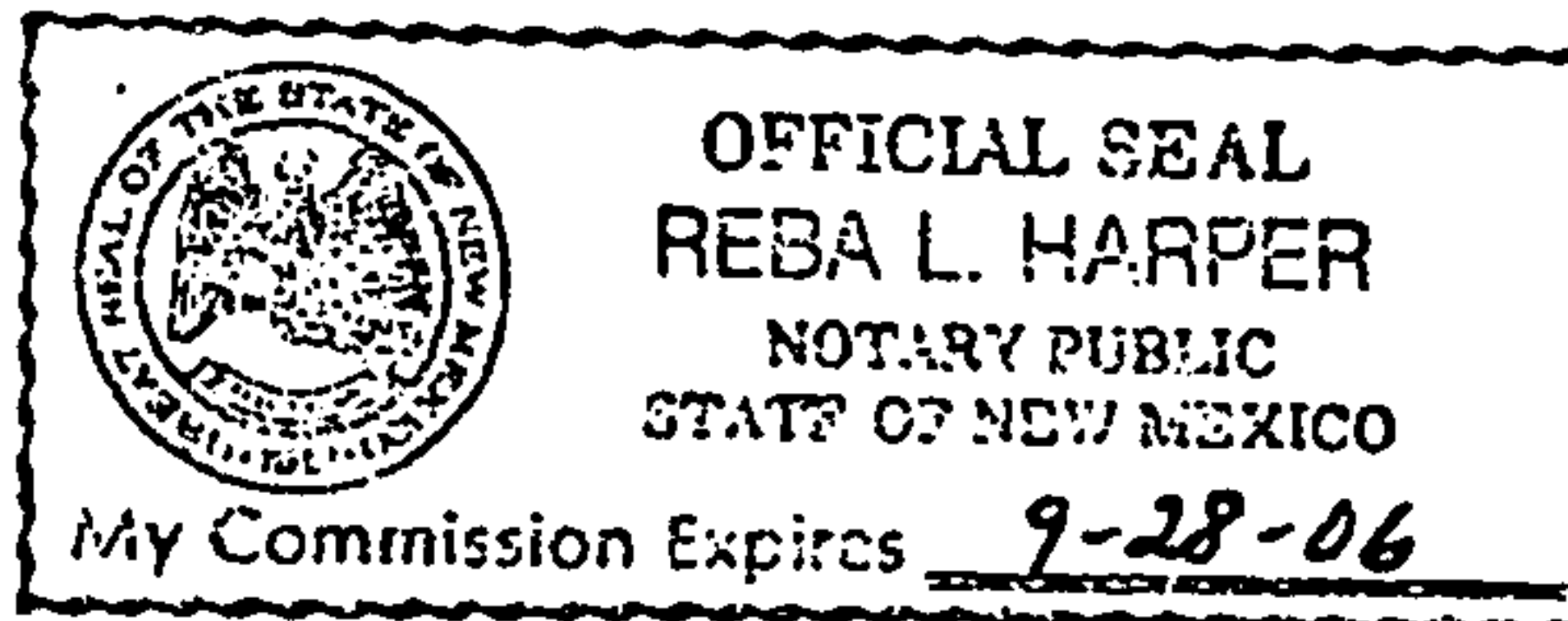
STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on MARCH 16, 2004, by TOBY L.  
TELLES, CATHERINE G. TELLES, on behalf of \_\_\_\_\_.

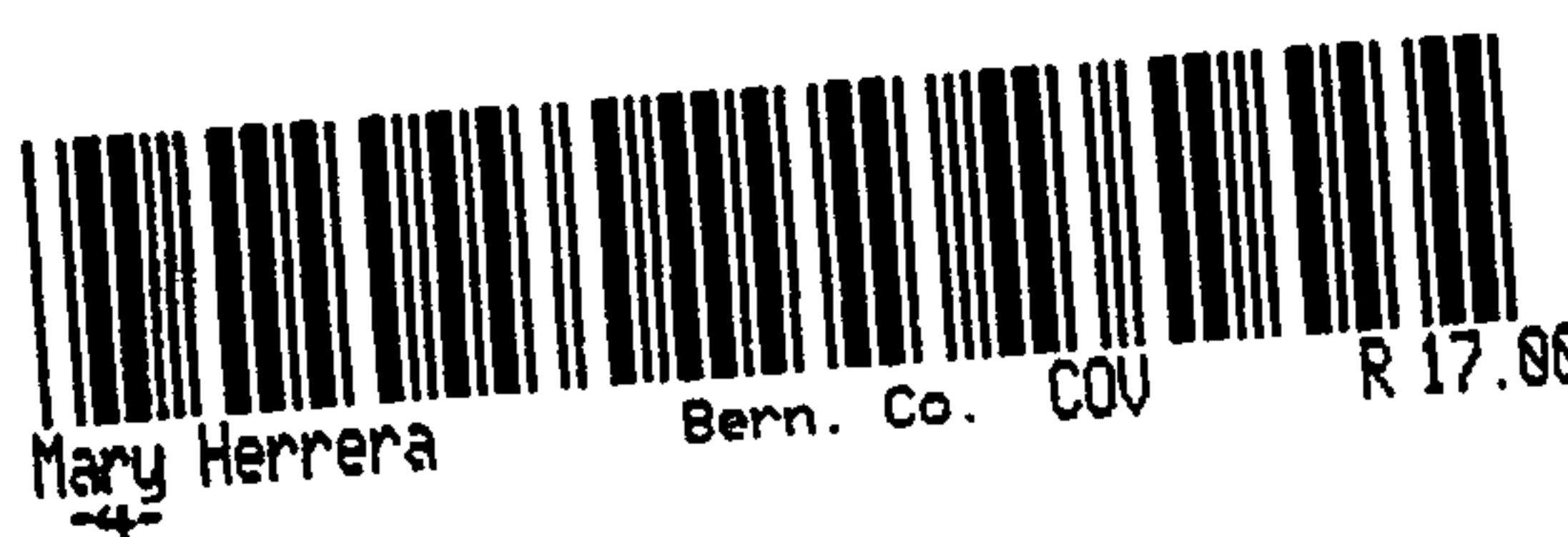
Reba L. Harper  
Notary Public

My Commission Expires:

9-28-06



[EXHIBIT A ATTACHED]



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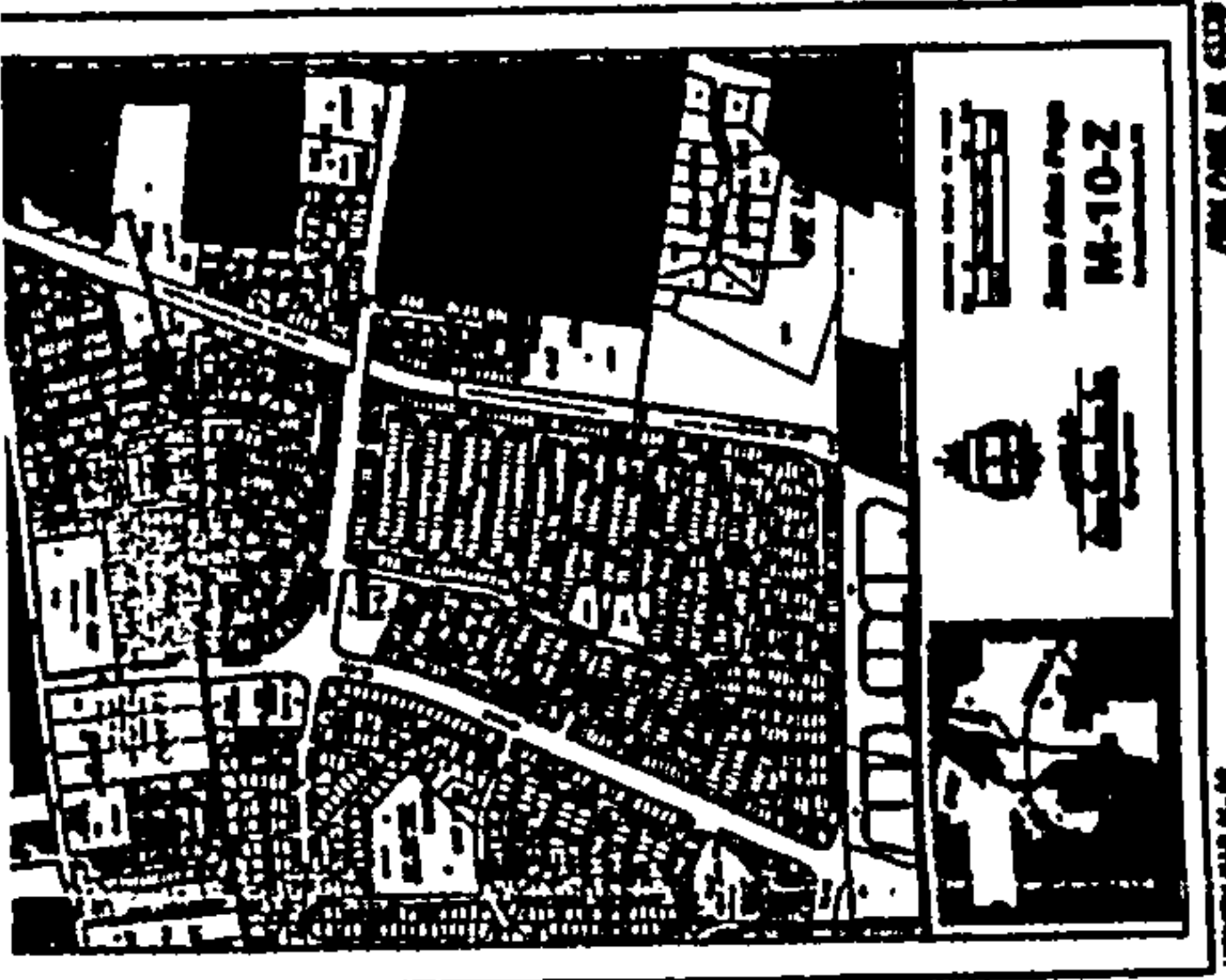


FIGURE 1-1  
AERIAL MAP OF SITE

**DESIGN CONDITIONS**

THE FOLLOWING ITEMS CONCERNING LOT 11 CORNER-ADJACENT INDUSTRIAL PARK (199 HUSEMAN PLACE E) ARE CONTAINED HEREIN:

**DESIGN CONDITIONS**

AS SHOWN BY THE AERIAL MAP, THE SITE CONTAINS 1.9 ACRES AND IS LOCATED WEST OF THE INTERSECTION OF CORNER-ADJACENT INDUSTRIAL PARK AND HUSEMAN PLACE. THE SITE IS BOUND BY HUSEMAN PLACE TO THE WEST, CORNER-ADJACENT INDUSTRIAL PARK TO THE EAST, AND A 100-FOOT WIDE RIGHT-OF-WAY TO THE SOUTH. THE SITE IS NOT LOCATED WITHIN A DESIGNATED FLOOD ZONE.

**DESIGN CONDITIONS**

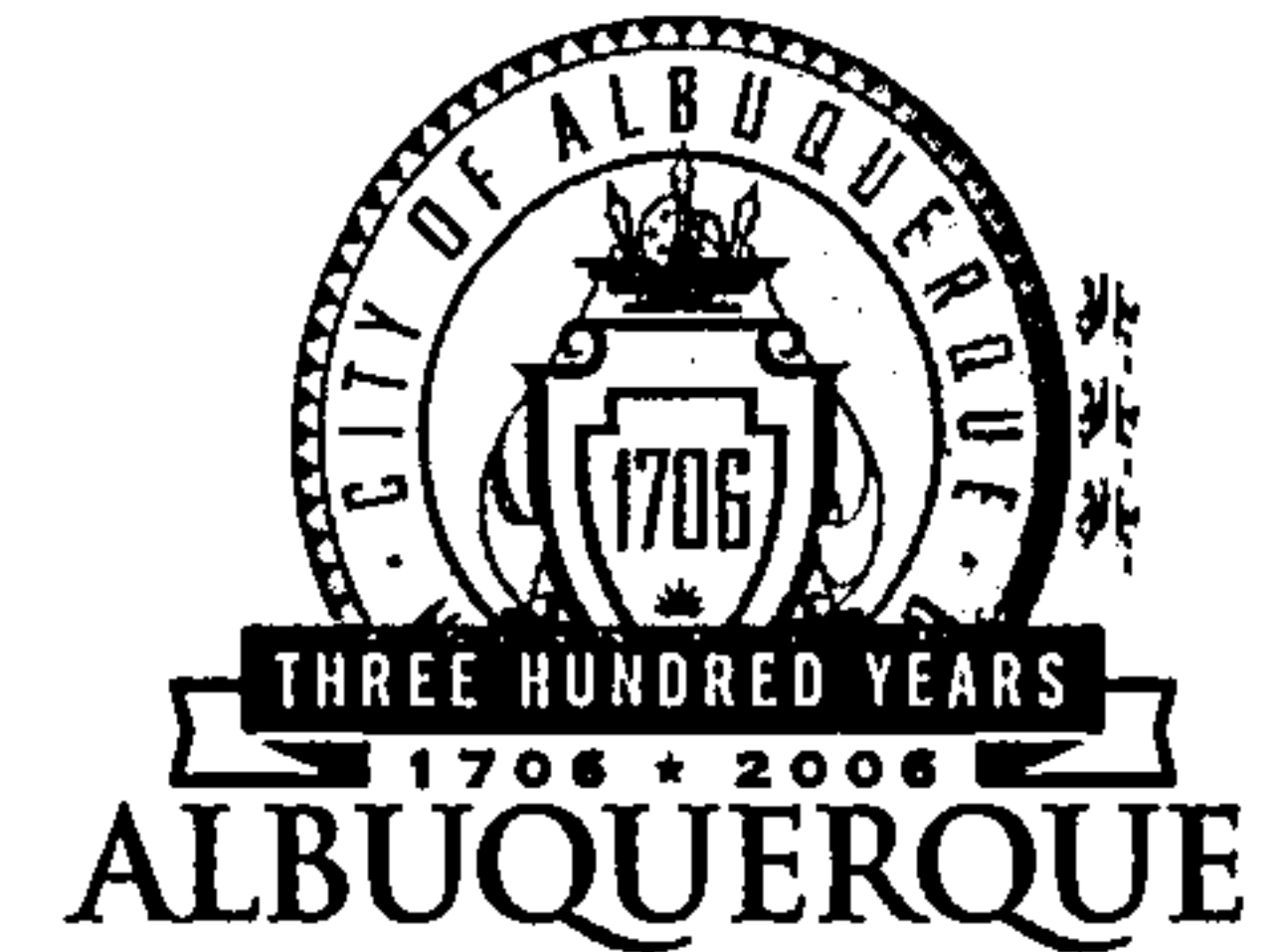
AS SHOWN BY THE GRADING/PAVING PLAN, THE PROJECT WILL CONSIST OF A 30,000 S.F. BUILDING ALONG WITH ASSOCIATED PARKING AND LANDSCAPING AREAS. A MASTER DRAINAGE PLAN HAS BEEN PREPARED BY AND ENGINEERING INC. IN MARCH OF 2004. THE DRAINAGE PLAN SHOWS THE SITE IS TO BE DRAINAGE TO THE SOUTH, TO THE 100-FOOT WIDE RIGHT-OF-WAY. THE DESIGN RECOMMENDATIONS STIPULATED ON THE MASTER DRAINAGE PLAN HAVE BEEN FOLLOWED FOR THE DESIGN OF THE ABOVE AUTOMATED SITE. THE FLOODING AREAS HAVE BEEN LIMITED TO THE AUTOMATED SITE. THE FLOODING AREAS HAVE BEEN LIMITED TO THE AUTOMATED SITE. THE FLOODING AREAS HAVE BEEN LIMITED TO THE AUTOMATED SITE.

|                              |                 |                |
|------------------------------|-----------------|----------------|
| PROJECT AREA = 1 ac.         |                 |                |
| WELLS TOTAL FABRICATION SHOP |                 |                |
| ZONE 1                       |                 |                |
| PRECIPITATION                | 300 = 2.58 in.  |                |
|                              | 1000 = 8.65 in. |                |
|                              | 1000 = 2.67 in. |                |
| EXCESS PRECIPITATION         |                 | PEAK DISCHARGE |
| PRECIPITANT A 0.44 in.       |                 | 1.39 cfs       |
| PRECIPITANT B 0.47 in.       |                 | 1.43 cfs       |
| PRECIPITANT C 0.49 in.       |                 | 1.47 cfs       |
| PRECIPITANT D 0.51 in.       |                 | 1.51 cfs       |
| PRECIPITANT E 0.53 in.       |                 | 1.55 cfs       |
| PRECIPITANT F 0.55 in.       |                 | 1.59 cfs       |
| PRECIPITANT G 0.57 in.       |                 | 1.63 cfs       |
| PRECIPITANT H 0.59 in.       |                 | 1.67 cfs       |
| PRECIPITANT I 0.61 in.       |                 | 1.71 cfs       |
| PRECIPITANT J 0.63 in.       |                 | 1.75 cfs       |
| PRECIPITANT K 0.65 in.       |                 | 1.79 cfs       |
| PRECIPITANT L 0.67 in.       |                 | 1.83 cfs       |
| PRECIPITANT M 0.69 in.       |                 | 1.87 cfs       |
| PRECIPITANT N 0.71 in.       |                 | 1.91 cfs       |
| PRECIPITANT O 0.73 in.       |                 | 1.95 cfs       |
| PRECIPITANT P 0.75 in.       |                 | 1.99 cfs       |
| PRECIPITANT Q 0.77 in.       |                 | 2.03 cfs       |
| PRECIPITANT R 0.79 in.       |                 | 2.07 cfs       |
| PRECIPITANT S 0.81 in.       |                 | 2.11 cfs       |
| PRECIPITANT T 0.83 in.       |                 | 2.15 cfs       |
| PRECIPITANT U 0.85 in.       |                 | 2.19 cfs       |
| PRECIPITANT V 0.87 in.       |                 | 2.23 cfs       |
| PRECIPITANT W 0.89 in.       |                 | 2.27 cfs       |
| PRECIPITANT X 0.91 in.       |                 | 2.31 cfs       |
| PRECIPITANT Y 0.93 in.       |                 | 2.35 cfs       |
| PRECIPITANT Z 0.95 in.       |                 | 2.39 cfs       |
| PRECIPITANT AA 0.97 in.      |                 | 2.43 cfs       |
| PRECIPITANT AB 0.99 in.      |                 | 2.47 cfs       |
| PRECIPITANT AC 1.01 in.      |                 | 2.51 cfs       |
| PRECIPITANT AD 1.03 in.      |                 | 2.55 cfs       |
| PRECIPITANT AE 1.05 in.      |                 | 2.59 cfs       |
| PRECIPITANT AF 1.07 in.      |                 | 2.63 cfs       |
| PRECIPITANT AG 1.09 in.      |                 | 2.67 cfs       |
| PRECIPITANT AH 1.11 in.      |                 | 2.71 cfs       |
| PRECIPITANT AI 1.13 in.      |                 | 2.75 cfs       |
| PRECIPITANT AJ 1.15 in.      |                 | 2.79 cfs       |
| PRECIPITANT AK 1.17 in.      |                 | 2.83 cfs       |
| PRECIPITANT AL 1.19 in.      |                 | 2.87 cfs       |
| PRECIPITANT AM 1.21 in.      |                 | 2.91 cfs       |
| PRECIPITANT AN 1.23 in.      |                 | 2.95 cfs       |
| PRECIPITANT AO 1.25 in.      |                 | 2.99 cfs       |
| PRECIPITANT AP 1.27 in.      |                 | 3.03 cfs       |
| PRECIPITANT AQ 1.29 in.      |                 | 3.07 cfs       |
| PRECIPITANT AR 1.31 in.      |                 | 3.11 cfs       |
| PRECIPITANT AS 1.33 in.      |                 | 3.15 cfs       |
| PRECIPITANT AT 1.35 in.      |                 | 3.19 cfs       |
| PRECIPITANT AU 1.37 in.      |                 | 3.23 cfs       |
| PRECIPITANT AV 1.39 in.      |                 | 3.27 cfs       |
| PRECIPITANT AW 1.41 in.      |                 | 3.31 cfs       |
| PRECIPITANT AX 1.43 in.      |                 | 3.35 cfs       |
| PRECIPITANT AY 1.45 in.      |                 | 3.39 cfs       |
| PRECIPITANT AZ 1.47 in.      |                 | 3.43 cfs       |
| PRECIPITANT BA 1.49 in.      |                 | 3.47 cfs       |
| PRECIPITANT BB 1.51 in.      |                 | 3.51 cfs       |
| PRECIPITANT BC 1.53 in.      |                 | 3.55 cfs       |
| PRECIPITANT BD 1.55 in.      |                 | 3.59 cfs       |
| PRECIPITANT BE 1.57 in.      |                 | 3.63 cfs       |
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| PRECIPITANT BL 1.71 in.      |                 | 3.91 cfs       |
| PRECIPITANT BM 1.73 in.      |                 | 3.95 cfs       |
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| PRECIPITANT BO 1.77 in.      |                 | 4.03 cfs       |
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| PRECIPITANT BX 1.97 in.      |                 | 4.43 cfs       |
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| PRECIPITANT CB 2.03 in.      |                 | 4.55 cfs       |
| PRECIPITANT CC 2.05 in.      |                 | 4.59 cfs       |
| PRECIPITANT CD 2.07 in.      |                 | 4.63 cfs       |
| PRECIPITANT CE 2.09 in.      |                 | 4.67 cfs       |
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| PRECIPITANT CG 2.13 in.      |                 | 4.75 cfs       |
| PRECIPITANT CH 2.15 in.      |                 | 4.79 cfs       |
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| PRECIPITANT CN 2.27 in.      |                 | 5.03 cfs       |
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| PRECIPITANT CP 2.31 in.      |                 | 5.11 cfs       |
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| PRECIPITANT DX 5.31 in.      |                 | 11.11 cfs      |
| PRECIPITANT DX 5.33 in.      |                 | 11.15 cfs      |
| PRECIPITANT DX 5.35 in.      |                 | 11.19 cfs      |
| PRECIPITANT DX 5.37 in.      |                 | 11.23 cfs      |
| PRECIPITANT DX 5.39 in.      |                 | 11.27 cfs      |
| PRECIPITANT DX 5.41 in.      |                 | 11.31 cfs      |
| PRECIPITANT DX 5.43 in.      |                 | 11.35 cfs      |
| PRECIPITANT DX 5.45 in.      |                 | 11.39 cfs      |
| PRECIPITANT DX 5.47 in.      |                 | 11.43 cfs      |
| PRECIPITANT DX 5.49 in.      |                 | 11.47 cfs      |
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| PRECIPITANT DX 5.53 in.      |                 | 11.55 cfs      |
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| PRECIPITANT DX 5.57 in.      |                 | 11.63 cfs      |
| PRECIPITANT DX 5.59 in.      |                 | 11.67 cfs      |
| PRECIPITANT DX 5.61 in.      |                 | 11.71 cfs      |
| PRECIPITANT DX 5.63 in.      |                 | 11.75 cfs      |
| PRECIPITANT DX 5.65 in.      |                 | 11.79 cfs      |
| PRECIPITANT DX 5.67 in.      |                 | 11.83 cfs      |
| PRECIPITANT DX 5.69 in.      |                 | 11.87 cfs      |
| PRECIPITANT DX 5.71 in.      |                 | 11.91 cfs      |
| PRECIPITANT DX 5.73 in.      |                 | 11.95 cfs      |
| PRECIPITANT DX 5.75 in.      |                 | 11.99 cfs      |
| PRECIPITANT DX 5.77 in.      |                 | 12.03 cfs      |
| PRECIPITANT DX 5.79 in.      |                 | 12.07 cfs      |
| PRECIPITANT DX 5.81 in.      |                 | 12.11 cfs      |
| PRECIPITANT DX 5.83 in.      |                 | 12.15 cfs      |
| PRECIPITANT DX 5.85 in.      |                 | 12.19 cfs      |
| PRECIPITANT DX 5.87 in.      |                 | 12.23 cfs      |
| PRECIPITANT DX 5.89 in.      |                 | 12.27 cfs      |
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| PRECIPITANT DX 5.95 in.      |                 | 12.39 cfs      |
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| PRECIPITANT DX 7.29 in.      |                 | 15.07 cfs      |
| PRECIPITANT DX 7.31 in.      |                 | 15.11 cfs      |
| PRECIPITANT DX 7.33 in.      |                 | 15             |





# CITY OF ALBUQUERQUE



(05/11/05: Received a call from Monte Bingham to pull back the C.O. ~~the C.O.~~ <sup>Bernie</sup> Montoya had assured him that the G/D was in compliance, but when he went out there, it had not been completed per approved City plan.)

May 6, 2005

Wallace Bingham, PE  
**BINGHAM ENGINEERING**  
6344 Belcher St. NE  
Albuquerque, NM 87109

**Re: METAL FABRICATION SHOP FOR TOBY AND CATHERINE  
TELLES**

**7010 Huseman Place SW**

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

**Engineer's Stamp dated 03/25/2004 (M10/D16C)**

**Certification dated 05/06/2005**

P.O. Box 1293

Dear Monte:

Albuquerque

Based upon the information provided in your submittal received 05/06/2005, the above referenced certification is approved for release of Permanent Certificate of Occupancy by Hydrology.

New Mexico 87103

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

[www.cabq.gov](http://www.cabq.gov)

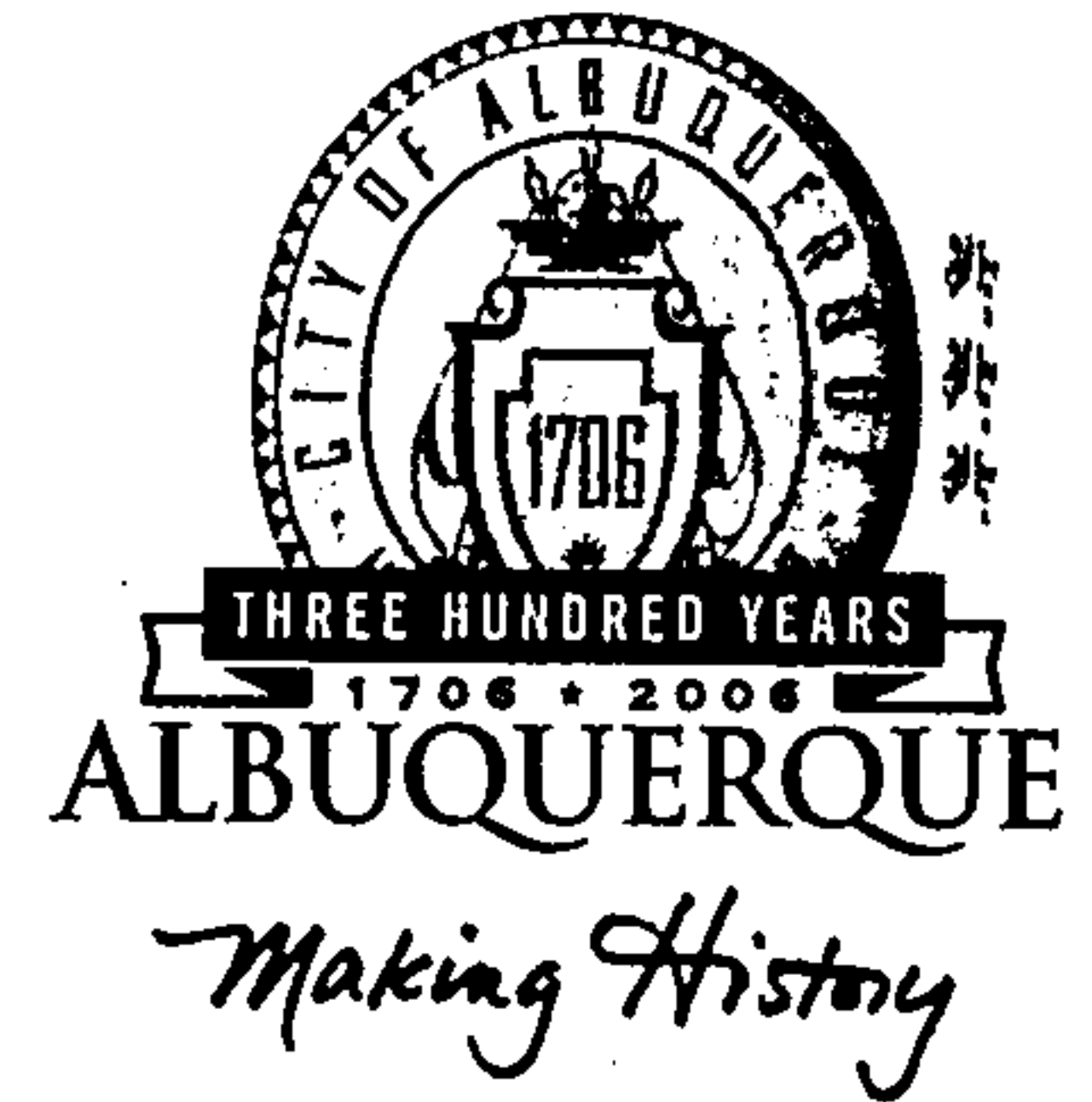
Sincerely,

Arlene V. Portillo  
Plan Checker, Planning Dept. - Hydrology  
Development and Building Services

C: Phyllis Villanueva  
File



# CITY OF ALBUQUERQUE



May 6, 2005

Wallace Bingham, PE  
**BINGHAM ENGINEERING**  
6344 Belcher St. NE  
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Arlene V. Portillo  
Plan Checker, Planning Dept. - Hydrology  
Development and Building Services

[www.cabq.gov](http://www.cabq.gov)

C: Phyllis Villanueva  
File

## DRAINAGE INFORMATION SHEET

PROJECT TITLE: METAL FABRICATION SHOP FOR TOBY AND CATHERINE TELLES ZONE MAP/DRG. FILE #M10-D16C

DRB #:

PC#: N/A

WORK ORDER#:

LEGAL DESCRIPTION: LOT 11 COORS-ARENAL INDUSTRIAL  
CITY ADDRESS: 7010 HUSEMAN PLACE S.W.

ENGINEERING FIRM: BJM DEVELOPMENT CONSULTANT  
ADDRESS: 8624 CASA VERDE AVE. N.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT: BERNIE J. MONTOYA  
PHONE: 250-7719  
ZIP CODE: 87120

OWNER: TOBY & CATHERINE TELLES  
ADDRESS: 7010 HUSEMAN PLACE S.W.  
CITY, STATE: Albuquerque, New Mexico

CONTACT:  
PHONE:  
ZIP CODE:

ARCHITECT:  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

SURVEYOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

CONTRACTOR: N/A  
ADDRESS:  
CITY, STATE:

CONTACT:  
PHONE:  
ZIP CODE:

### TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT
- ☐ DRAINAGE PLAN
- ☐ CONCEPTUAL GRADING & DRAINAGE PLAN
- ☐ GRADING PLAN
- ☐ EROSION CONTROL PLAN
- ☒ ENGINEER'S CERTIFICATION
- ☐ PAVING PLAN
- ☐ TCL CERTIFICATION
- ☐ RESUBMITTAL

### WAS A PRE-DESIGN CONFERENCE ATTENDED:

- ☐ YES VERBAL WITH KRSITAL METRO
- ☐ NO
- ☐ COPY PROVIDED

### CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SIA / FINANCIAL GUARANTEE RELEASE
- ☐ PRELIMINARY PLAT APPROVAL
- ☐ S. DEV. PLAN FOR SUB'D. APPROVAL
- ☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL
- ☐ SECTOR PLAN APPROVAL
- ☐ FINAL PLAT APPROVAL
- ☐ FOUNDATION PERMIT APPROVAL
- ☐ BUILDING PERMIT APPROVAL
- ☒ CERTIFICATE OF OCCUPANCY APPROVAL
- ☐ GRADING PERMIT APPROVAL
- ☐ PAVING PERMIT APPROVAL
- ☐ WORK ORDER APPROVAL
- ☐ OTHER (SPECIFY) CERTIFICATION

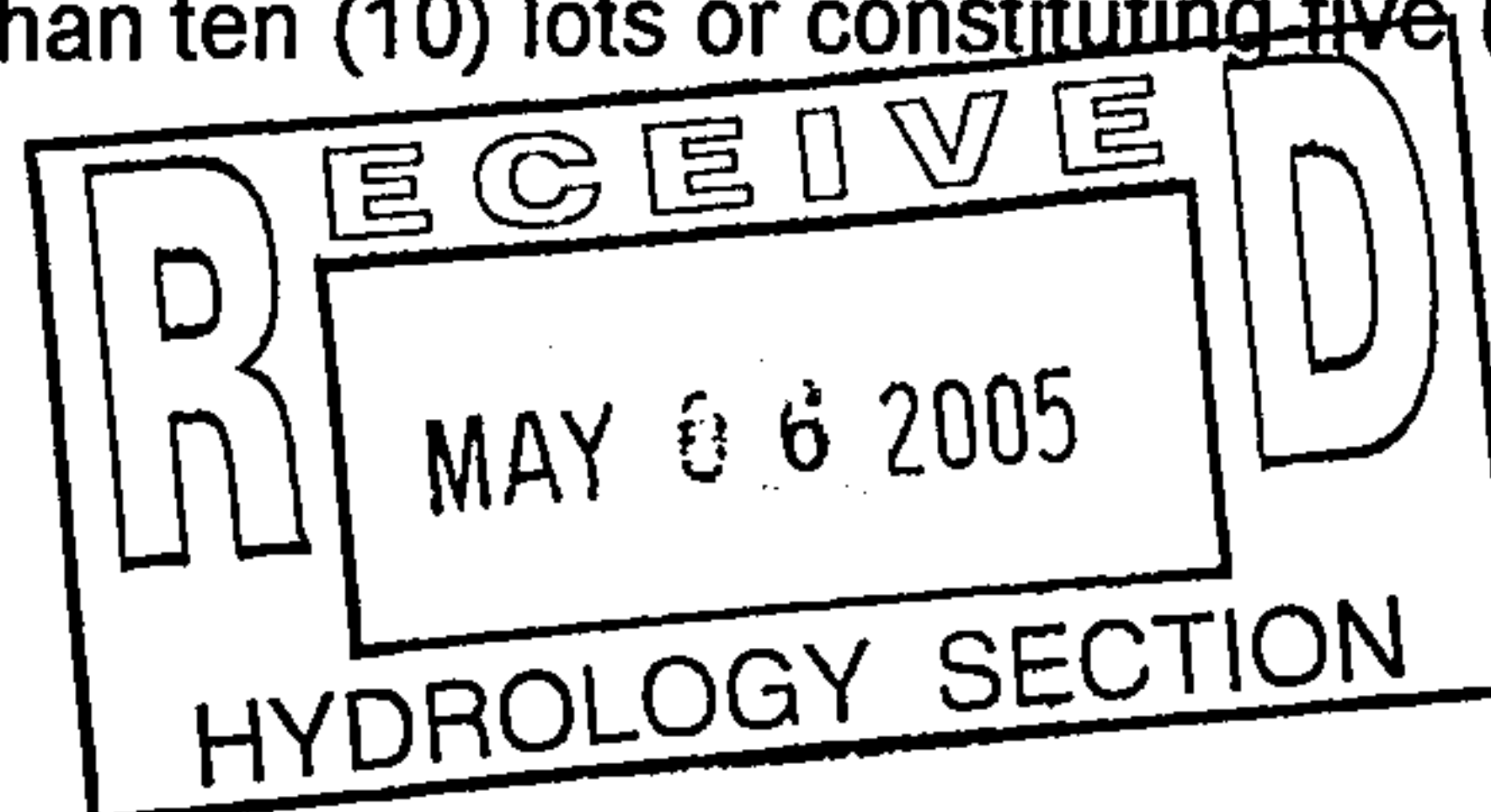
DATE SUBMITTED: 5-6-2005

BY:

*Bernie Montoya*

Requests for approvals of Site Development Plans and/or Subdivision Plats shall be accompanied by a drainage submittal. The particular nature, location and scope of the proposed development define the degree of drainage detail. One or more of the following levels of submittal may be required based on the following:

1. **Conceptual Grading and Drainage Plan:** Required for approval of Site Development Plans greater than five (5) acres and Sector Plans.
2. **Drainage Plans:** Required for building permits, grading permits, paving permits and site plans less than five (5) acres.
3. **Drainage Report:** Required for subdivisions containing more than ten (10) lots or constituting five (5) acres or more.





# City of Albuquerque

P.O. BOX 1789 ALBUQUERQUE, NEW MEXICO 87103

Attn: Bernie  
839-0451

3-26-04

Wallace Bingham, P.E.  
Bingham Engineering  
6544 Belcher NE  
Albuquerque, NM 87109

**Re: Metal Fabrication Shop for Toby and Catherine Telles, 7010 Huseman Pl  
SW, Grading and Drainage Plan**

**Engineer's Stamp dated 3-25-04 (M10/D16C)**

Dear Mr. Bingham,

Based upon the information provided in your submittal received 3-26-04, the above referenced plan is approved for Building Permit. Please attach a copy of this approved plan to the construction sets prior to sign-off by Hydrology. Prior to Certificate of Occupancy release, Engineer Certification per the DPM checklist will be required.

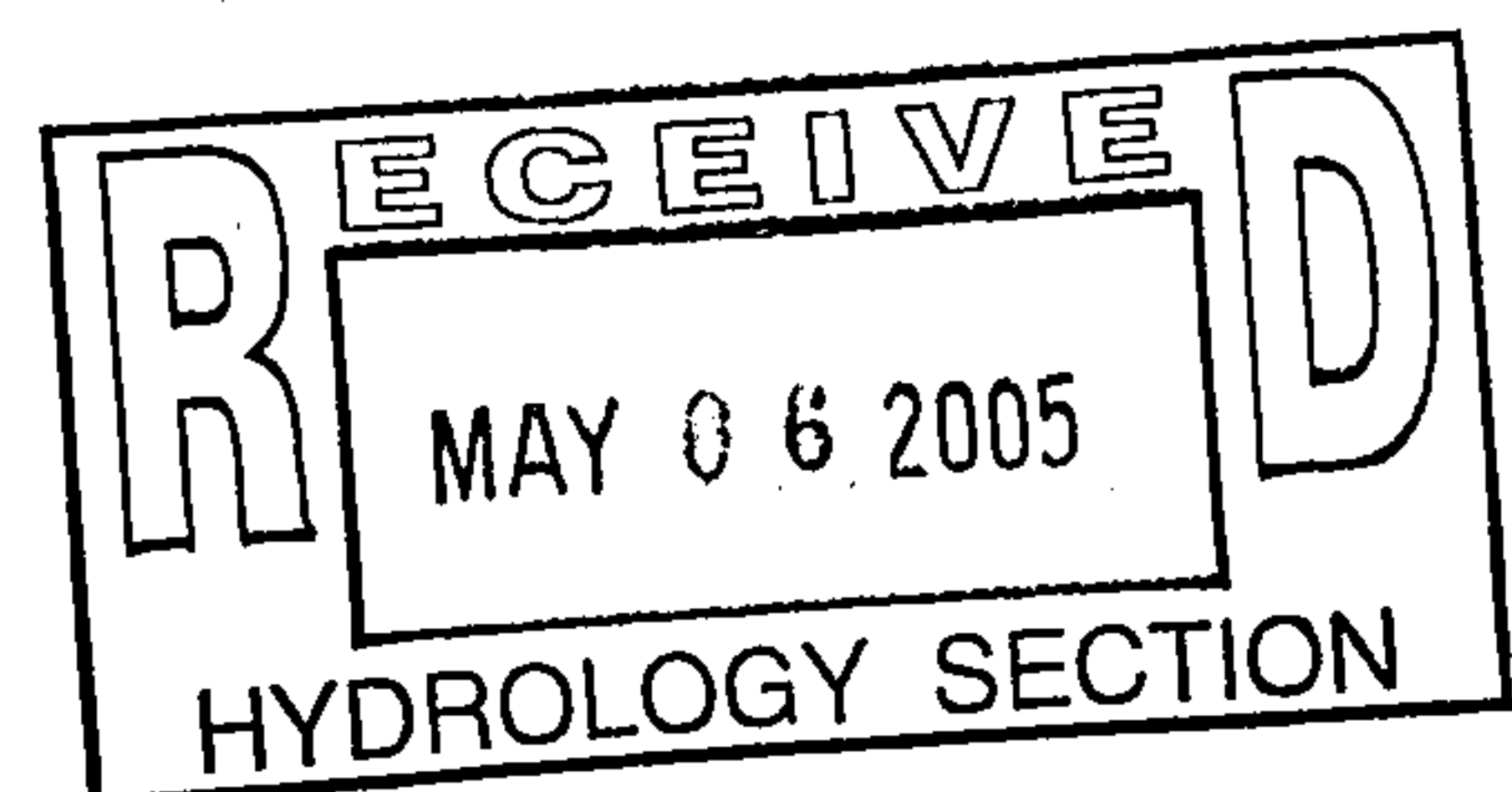
This project requires a National Pollutant Discharge Elimination System (NPDES) permit. If you have any questions regarding this permit please feel free to call the DMD Storm Drainage Design section at 768-3654 (Charles Caruso) or 768-3645 (Bryan Wolfe).

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

Sincerely,

Kenneth D. Metro  
Engineering Associate, Planning Dept.  
Development and Building Services

C. Charles Caruso, DMD Storm Drainage Design  
File





1700  
M-10/0916C  
667082  
#1

PRIVATE FACILITY  
DRAINAGE COVENANT

4/8/2004

This Drainage Covenant, between [state the name of the present real property owner exactly as shown on the real estate document conveying title to the present owner and state the legal status of the owner, for example, "single person" "husband and wife," "corporation of the State of NEW MEXICO," or "partnership":]

Toby L. & Catherine G. Telles "HUSBAND AND WIFE" ("Owner"),  
whose address is 7010 HUSEMAN PLACE S.W., and the City of Albuquerque,  
a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico  
87103, is made in Albuquerque, Bernalillo County, New Mexico and is entered into as of the date Owner signs  
this Covenant.

1. Recital. The Owner is the owner of the following described real property located at [give legal description, and street address:] LOT 11 COORS - ARENAL  
INDUSTRIAL PARK 7010 HUSEMAN PLACE S.W.  
Filed in the OFFICE OF THE COUNTY CLERK OF BERNALILLO  
COUNTY, NEW MEXICO ON JUNE 13, 2002 in BOOK 20624,  
in Bernalillo County, New Mexico (the "Property"). Page 206  
TH

Pursuant to City ordinances, regulations and other applicable laws, the Owner is required to construct and maintain certain drainage facilities on the Property, and the parties wish to enter into this Covenant to establish the obligations and responsibilities of the parties.

2. Description and Construction of Drainage Facility. The Owner shall construct the following "Drainage Facility" within the Property at the Owner's sole expense in accordance with the standards, plans and specifications approved by the City:

TWO PONDING AREAS AS SHOWN ON THE DRAINAGE PLAN TITLED  
METAL FABRICATION SHOP FOR TOBY & CATHERINE TELLES

The Drainage Facility is more particularly described in Exhibit A attached hereto and made a part hereof.

3. Maintenance of Drainage Facility. The Owner shall maintain the Drainage Facility at the Owner's sole cost in accordance with the approved Drainage Report and plans.

4. Benefit to Property. The Owner acknowledges and understands that the Drainage Facility required herein to be constructed on the Owner's property is for the private benefit and protection of the Owner's property and that failure to maintain such facility could result in damage or loss to the Property.

5. Inspection of Drainage Facility. The City shall have no duty or obligation whatsoever to perform any inspection, maintenance or repair of the Drainage Facility, it being the duty of the Owner, its heirs, successors and assigns to construct and maintain the facility in accordance with approved plans and specifications.

6. Liability of City. The Owner understands and agrees that the City shall not be liable to the



Mary Herrera

Bern. Co. COV

R 17.00

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Page: 1 of 5  
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Owner, its heirs, successors or assigns, or to any third parties for any damages resulting from the Owner's failure to construct, maintain or repair the Drainage Facility.

7. Indemnification. The Owner owns and controls the Drainage Facility and shall not permit the Drainage Facility to constitute a hazard to the health or safety of the general public. The Owner agrees to indemnify, defend and hold harmless the City, its officials, agents and employees, from any claims, actions, suits or other proceedings arising from or out of the negligent acts or omissions of the Owner, its agents, representatives, contractors or subcontractors or arising from the failure of the Owner, its agents, representatives, contractor or subcontractors to perform any act or duty required of the Owner herein; provided, however, to the extent, if at all, Section 56-7-1 NMSA 1978 is applicable to this Agreement, this Agreement to indemnify will not extend to liability, claims, damages, losses or expenses, including attorney's fees, arising out of (1) the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs or specifications by the respective indemnitee, or the agents or employees of the respective indemnitee; or (2) the giving of or the failure to give direction or instructions by the respective indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

8. Assessment. Nothing in this Covenant shall be construed to relieve the Owner, its heirs, assigns and successors from an assessment against the Owner's Property for improvements to the Property under a duly authorized and approved Special Assessment District. The parties specifically agree that the value of the Drainage Facility will not reduce the amount assessed by the City.

9. Binding on Owner's Property. The covenants and obligations of the Owner set forth herein shall be binding on the Owner, its heirs, assigns and successors and on the Owner's Property and constitute covenants running with the Owner's Property until released by the City. This Covenant can only be released by the City's Chief Administrative Officer with the concurrence of the City Engineer.

10. Entire Covenant. This Covenant contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

11. Changes to Covenant. Changes to this Covenant are not binding unless made in writing, signed by both parties.

12. Effective Date of Covenant. This Covenant shall be effective as of the date of signature of the Owner.



Mary Herrera

Bern. Co. COV

R 17.00

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Page: 2 of 5

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CITY OF ALBUQUERQUE:

ACCEPTED:

By: Richard D. Dwork

Jay J. Czar

Chief Administrative Officer

Dated: 4-08-04

OWNER:

Catherine S. Telles  
Johy L. Telles

By: \_\_\_\_\_

Title: \_\_\_\_\_

Dated: \_\_\_\_\_

APPROVED:

Reviewed by:

Richard D. Dwork

Director, Public Works Dept.

Richard D. Dwork

City Engineer

12/2 4/1/04

3/21/04

CITY'S ACKNOWLEDGMENT

STATE OF NEW MEXICO )

) ss

COUNTY OF BERNALILLO )

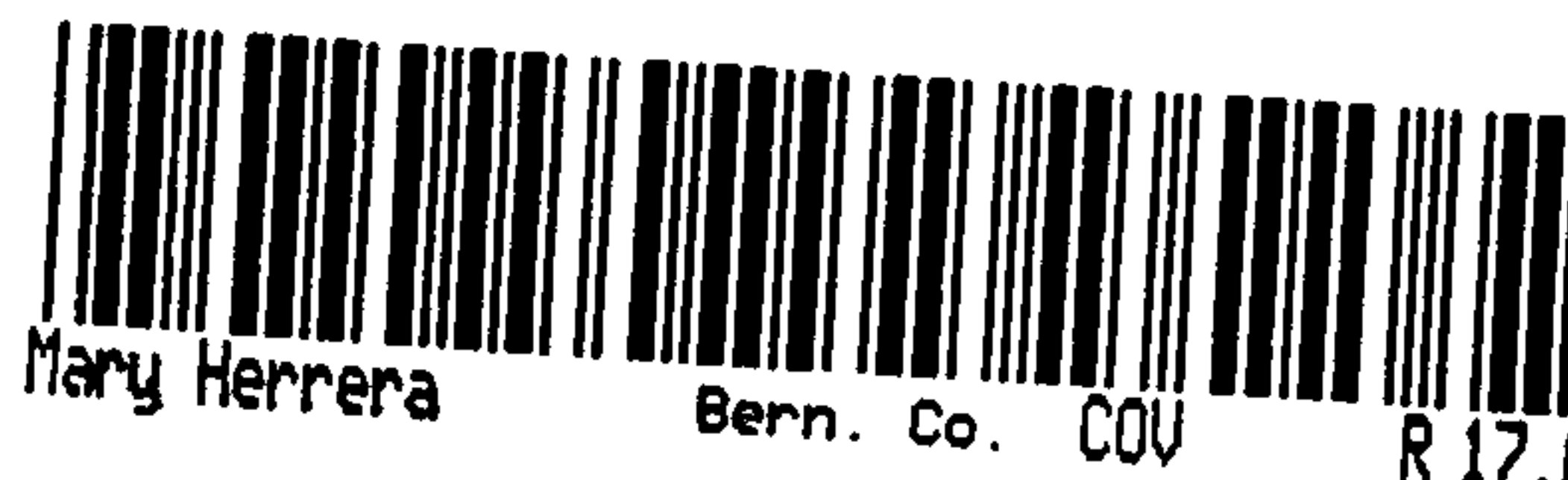
Richard Dwork

This instrument was acknowledged before me on April 8, 2004, by Jay J. Czar, Chief Administrative Officer for the City of Albuquerque, a New Mexico municipal corporation, on behalf of the corporation.

Gloria S. Saavedra  
Notary Public

My Commission Expires:

11-25-2007



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Page: 3 of 5  
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OWNER'S ACKNOWLEDGMENT

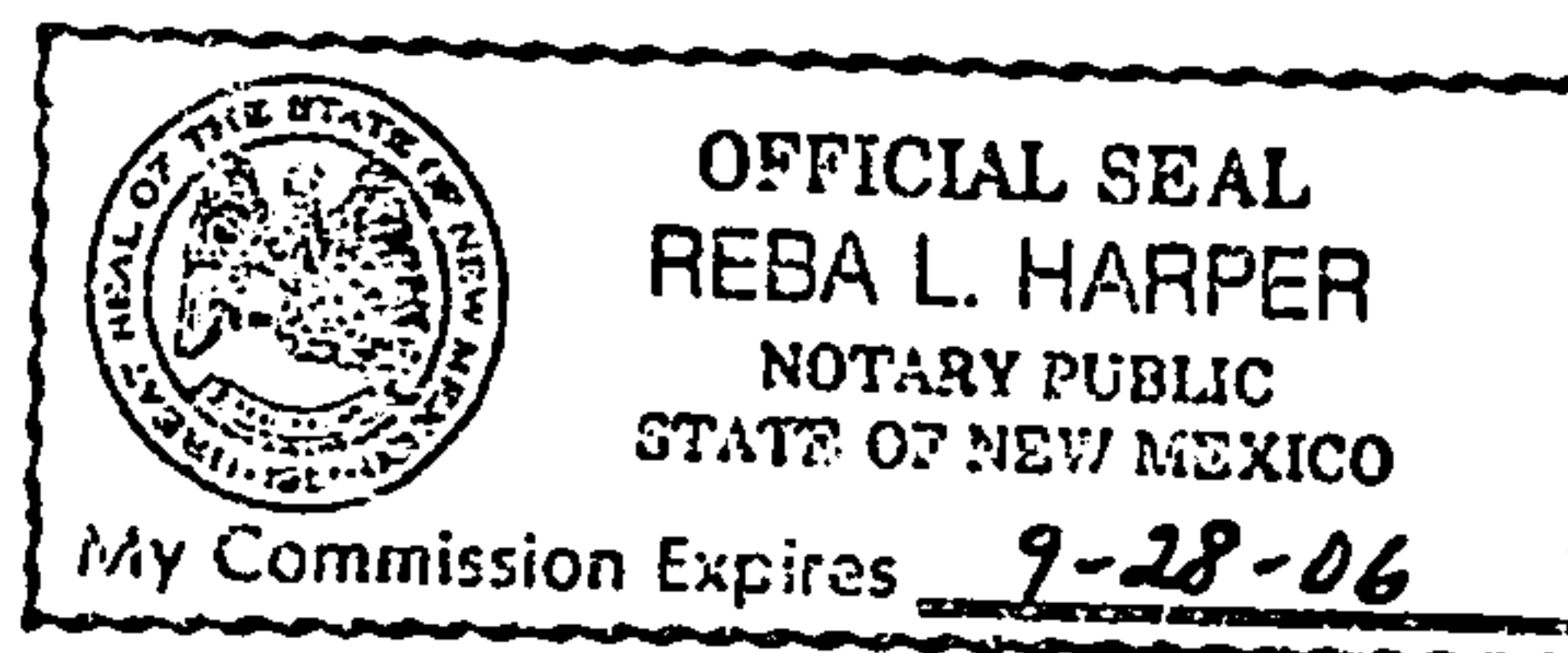
STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on March 16, 2004, by Toby L. Telles, Catherine G. Telles, on behalf of \_\_\_\_\_.

Reba L. Harper  
Notary Public

My Commission Expires:

9-28-06



[EXHIBIT A ATTACHED]



## LEGAL DESCRIPTION

# BENCH-MARK

MR. N. COOKS & ARCADE INDUSTRIES  
SOUTHERN BENTONVILLE COUNTY  
BENTONVILLE, NEW MEXICO

NOTICE TO CONTRACTOR

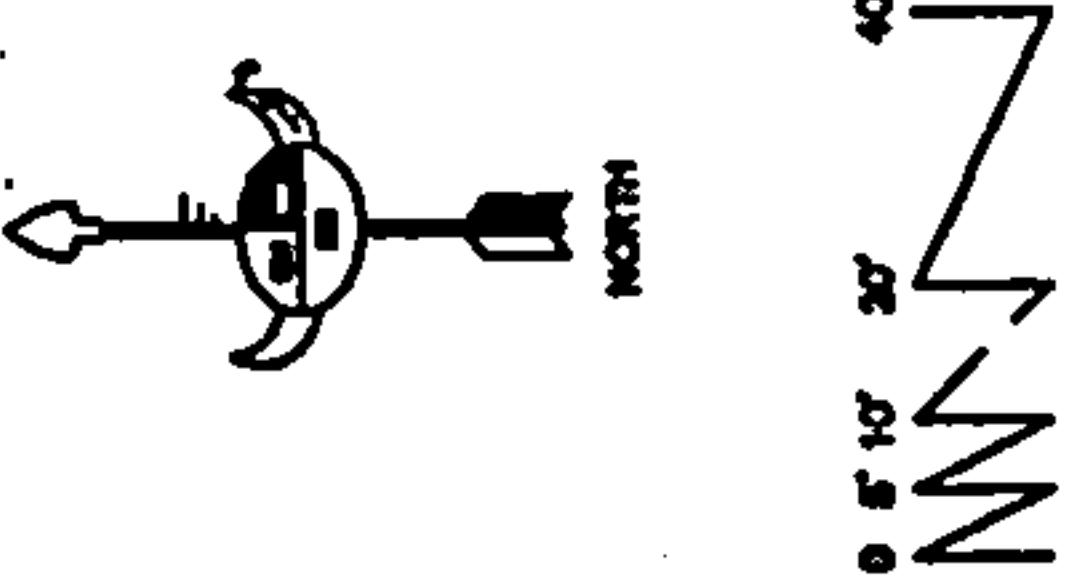
1. Any excavation/construction permit will be required before beginning any work within the City right-of-way. Approved copy of this plan must be submitted at the time of application for permit.
2. All work detailed in this plan to be performed, except as otherwise stated or provided hereon, shall be constructed in accordance with City of Albuquerque Standard Specification for Public Works Construction.
3. Two working days prior to any excavation, contractor must contact line locating Services for locating existing utilities, (260-1990 ).
4. Prior to construction, the contractor shall excavate and verify the horizontal and vertical location of all construction. Should a conflict exist, the contractor shall notify the engineer so that the conflict can be resolved with a minimum amount of delay.
5. Backfill compaction shall be according to Commercial use.
6. All work on this project shall be performed in accordance with applicable Federal, State and local laws, rules and regulations concerning construction safety and health.
7. Maintenance of this facilities shall be the responsibility of the owner of the property served.

## SYMBOL LEGEND

EXISTING CONTOUR  
DESIGN CONTOUR  
PROPOSED SPOT ELEVATION  
PROPERTY LINE  
EASEMENT LINE  
FLOW DIRECTION  
EXISTING SPOT ELEVATION  
DOWN SLOPE (NO TO SCALE)

### ABBREVIATION LEGEND

|                       | PC1 | PC2 | PC3 | PC4 | PC5 | PC6 | PC7 |
|-----------------------|-----|-----|-----|-----|-----|-----|-----|
| TOP OF CONC APRON     | -   | -   | -   | -   | -   | -   | -   |
| TOP OF CURB           | -   | -   | -   | -   | -   | -   | -   |
| TOP OF ASPHALT        | -   | -   | -   | -   | -   | -   | -   |
| TOP OF MEND           | -   | -   | -   | -   | -   | -   | -   |
| BOTTOM OF POLE        | -   | -   | -   | -   | -   | -   | -   |
| FINISHED FLOOR        | -   | -   | -   | -   | -   | -   | -   |
| TOP OF SIDEWALK       | -   | -   | -   | -   | -   | -   | -   |
| TOP OF RETAINING WALL | -   | -   | -   | -   | -   | -   | -   |



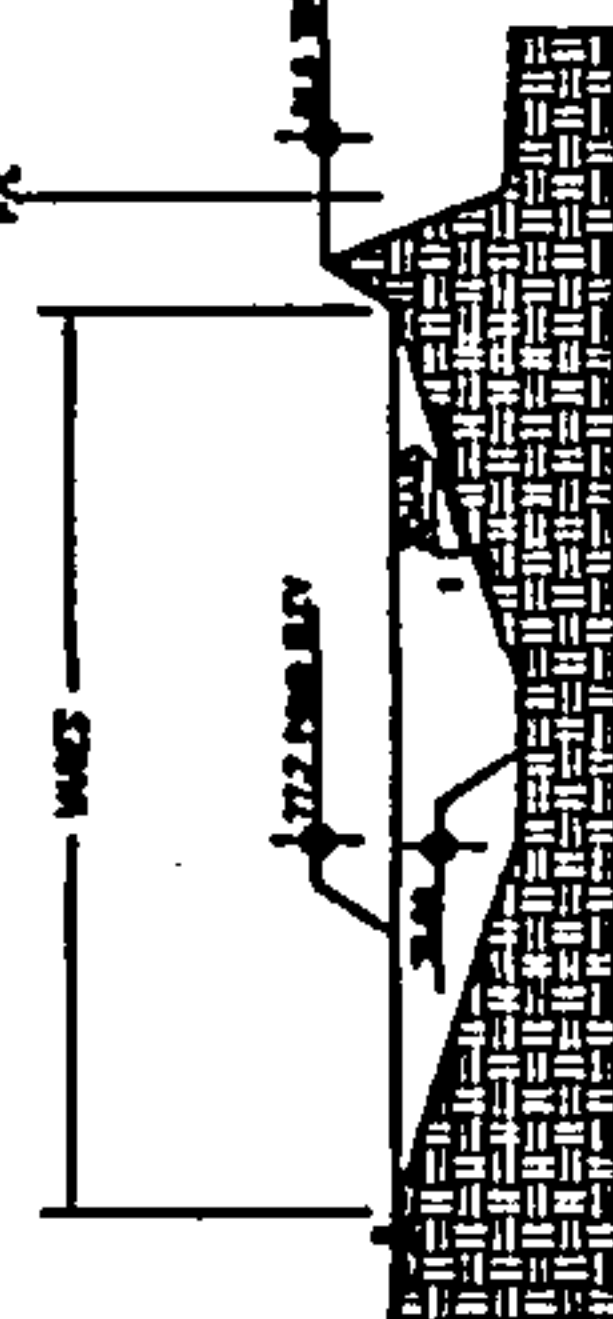
# GRADING & DRAINAGE PLAN

[illegible]

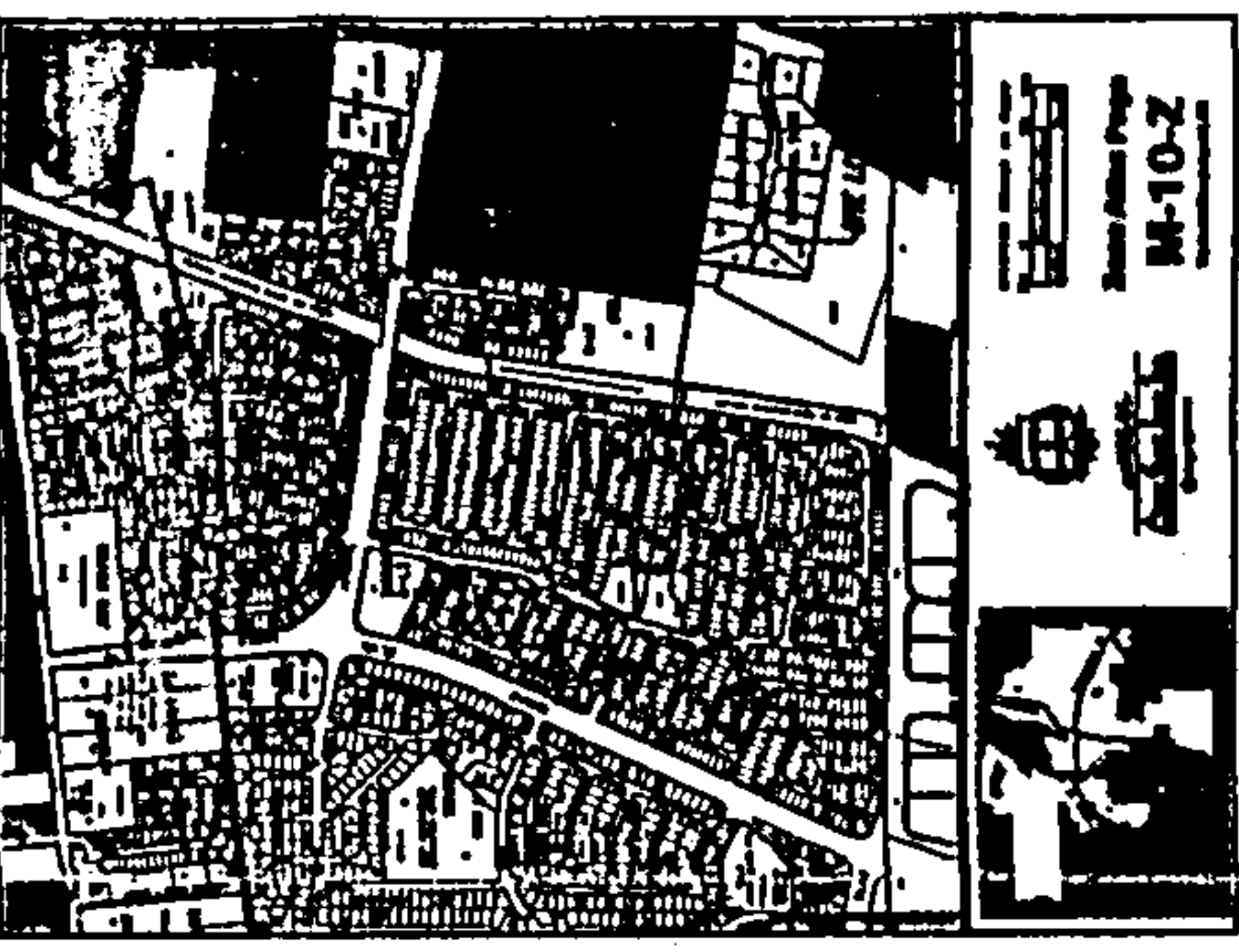
| PUMP VOLUMES |         |        |        |        |        |        |        |        |                            |
|--------------|---------|--------|--------|--------|--------|--------|--------|--------|----------------------------|
|              | CHUCKER | PUMP 1 | PUMP 2 | PUMP 3 | PUMP 4 | PUMP 5 | PUMP 6 | PUMP 7 | VOLUME<br>CUT OFF          |
|              | AREA    | AREA   | AREA   | AREA   | AREA   | AREA   | AREA   | AREA   |                            |
| 0072.2       | 107     | 69     | 470    | 639    |        |        |        |        |                            |
| 0077         | 74      | 127    | 683    | 134    | 6.7    | 224    |        |        |                            |
| 0078         | 97      | 49     | 139    | 1317   | 1069   | 1.0    | 1309   |        |                            |
| 0075         | 24.1    | 22     | 26.6   | 100    | 1.0    | 148    |        |        |                            |
| TOTAL        |         |        |        |        |        |        |        |        |                            |
|              |         |        |        |        |        |        |        |        | PUMP VOLUME REQUIRED 1.55P |

## LANDSCAPE NOTES

**ON AND AREA SHALL HAVE GRAVEL BOTTOM AND CAN BE USED FOR EQUIPED LANOCAPING.**



## SECTION A-A



**WILLIAMSON, JAMES**

TRAILER INC.-CROSS 44 127 SHAWNEE ST. CHICAGO, ILL 2  
CROSSING TRAILER INC. 201 S. 20TH ST. MINNEAPOLIS, MINN 55402

**1000**

[illegible]

**1020572** **00121271**

[illegible][illegible]

## EXHIBIT A



# CONTRACT CONTROL FORM

## PRELIMINARY REVIEW

Contact Person Kathy Jaramillo  
Phone No. 924-3996

Project # 667082  
CCN# 200200902  
New or Ext. #       

Type of Agreement: private facility drainage covenant

Description/Project Name: Coors/Arenal Industrial Park

Planning Dept./Div.: Design Review

Developer: Joby E. Cathemir Telles

Contract Amount \$ 0 SIA Contract Period: 4/8/04 - 12/31/2024

Contract Amount \$        SIA Contract Period:       

Contract Amount \$        S/W Contract Period:       

### DRAFT CONTRACT:

Rec'd by Legal:        Rejected/Returned to Dept.: KJL 4/2/04

Returned to Legal:        /        Approved:        Initials:       

### FINANCIAL GUARANTY:

Letter of Credit No.:        Date:        Attached: Yes        No.        Initial       

Other: Type        Date:        Attached: Yes        No.        Initial       

## FINAL CONTRACT REVIEW

### APPROVALS REQUIRED:

|                    | Date Delivered | Returned to Dept. | Approved By | Approval Date  |
|--------------------|----------------|-------------------|-------------|----------------|
| Utility Div        |                |                   |             |                |
| Hydrology Div      | <u>3/30/04</u> | <u>3/30/04</u>    | <u>BUB</u>  | <u>3/30/04</u> |
| Transportation Div |                |                   |             |                |
| DRC Chairman       | <u>3/30/04</u> | <u>3/31/04</u>    | <u>ED</u>   | <u>3/31/04</u> |
| Legal Dept         | <u>4/1/04</u>  | <u>4-7-04</u>     | <u>KJL</u>  | <u>4/7/04</u>  |
| City Engineer      | <u>4-8-04</u>  | <u>4-08-04</u>    | <u>TOP</u>  | <u>4-08-04</u> |
| PWD Director       |                |                   |             |                |
| Finance            |                |                   |             |                |
| City Clerk         |                |                   |             |                |
| CAO                |                |                   |             |                |

### DISTRIBUTION:

User Department.        Date: 4/14/04 By:         
Vendor                
City Clerk 4/20/04         
Treasury                
Other:



**ADDENDUM TO COVER PAGE**

4-1-04

(Date)

TO: Kevin Curran, Assistant City Attorney, Legal Department

FROM: Project Administrator, Project Review Sec., PWD

SUBJECT: PROJECT NAME: Cover (Amenal Industrial Park) PROJECT # 667082

The attached documents have been review, approved, initialed and/or signed by the DRC Chairman and are submitted for your action as noted.

| ITEM   | ACTION   |   | Comments |
|--|--|---|----------|
|  | Review & Approval  | Reference   |          |
| Procedure "A".....                             | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Procedure "B".....                             | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Procedure "B" Modified Non Work Order.....     | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Procedure "C".....                             | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Procedure "C" Modified.....                    | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Special Agreement.....                         | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Sidewalk Deferral Agreement.....               | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Amendment.....                                 | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Assignment.....                                | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Financial Guarantee.....                       | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Construction Paperwork:                        |  |   |          |
| Contractors Proposal.....                      | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Performance/Warranty Bonds.....                | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Labor/Material Bonds.....                      | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Certificate of Insurance.....                  | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Engineers Cost Estimate.....                   | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Extension.....                                 | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Release/Agreement.....                         | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Release/Financial Guarantee.....               | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Calling Notice.....                            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Letter of Commitment.....                      | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Reduction Letter.....                          | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| License Agreement.....                         | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Monitoring Well Permit.....                    | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Agreement & Covenant.....                      | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Drainage Covenant.....                         | <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Revocable Permit.....                          | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Encroachment.....                              | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Permanent Easement.....                        | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Temporary Easement.....                        | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Power of Attorney .....                        | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Certificate of Work Order Completion .....     | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Certificate of Completion and Acceptance ..... | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Grading & Drainage Certification .....         | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Notice of Acceptance - Centerline Monu. ....   | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |
| Corporate Resolution .....                     | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>            | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | _____    |

Other:

\_\_\_\_\_

Please Call 1-800-439-96 at 439-96 if you have any questions regarding the above or when the documents are ready to be picked up.

No. of Attachments (1)