

March 27, 1997

Martin J. Chávez, Mayor

Jeff Mortensen  
Jeff Mortensen & Associates  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87199

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32), 1700 MILES RD SE.  
ENGINEER'S CERTIFICATION FOR CERTIFICATE OF OCCUPANCY.  
ENGINEER'S CERTIFICATION DATED MARCH 25, 1997.**

Dear Mr. Mortensen:

Based on the information provided on your March 25, 1997 submittal, the above referenced project is approved for Certificate of Occupancy.

If I can be of further assistance, please feel free to contact me at 924-3986.

Sincerely,

Bernie J. Montoya CE  
Engineering Associate

c: Andrew Garcia

**[File]**

Good for You, Albuquerque!

P.O. Box 1293, Albuquerque, New Mexico 87103



## DRAINAGE INFORMATION SHEET

940867

PROJECT TITLE: MILES ROAD ENTERPRISE ZONE ATLAS/DRNG. FILE #: M15-D32  
DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: 5319.90  
LEGAL DESCRIPTION: LOT 1, BLOCK A, KIRTLAND ADDITION  
CITY ADDRESS: 1700 MILES ROAD S.E.  
ENGINEERING FIRM: Jeff Mortensen & Assoc., Inc. CONTACT: Gary Bittner  
ADDRESS: 6010-B Midway Park Blvd. N.E. PHONE: 345-4250  
OWNER: JOHN LORENTZEN CONTACT: \_\_\_\_\_  
ADDRESS: 2909 YALE S.E. PHONE: 843-7633  
ARCHITECT: ARCHITECTS WEST CONTACT: Bill Johnson  
ADDRESS: 3500 COMANCHE N.E. PHONE: 888-8885  
SURVEYOR: JEFF MORTENSEN & ASSOC. CONTACT: Chuck Cala  
ADDRESS: 6010-B MIDWAY PARK BLVD N.E. PHONE: 345-4250  
CONTRACTOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

## TYPE OF SUBMITTAL:

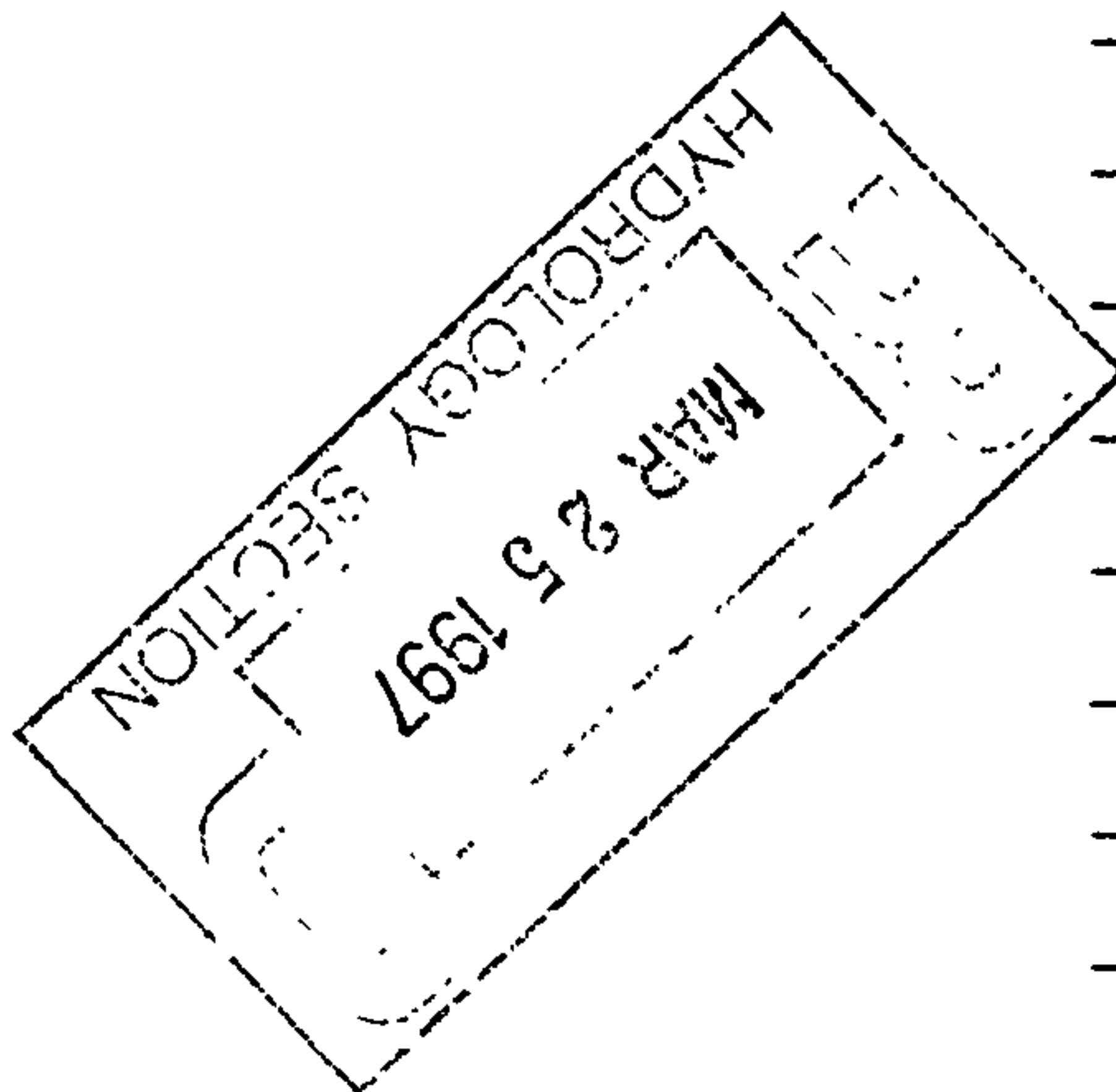
- ☐ DRAINAGE REPORT  
☐ DRAINAGE PLAN  
☐ CONCEPTUAL GRADING & DRAINAGE PLAN  
☐ GRADING PLAN  
☐ EROSION CONTROL PLAN  
☒ ENGINEER'S CERTIFICATION  
☐ OTHER

## •PRE-DESIGN MEETING:

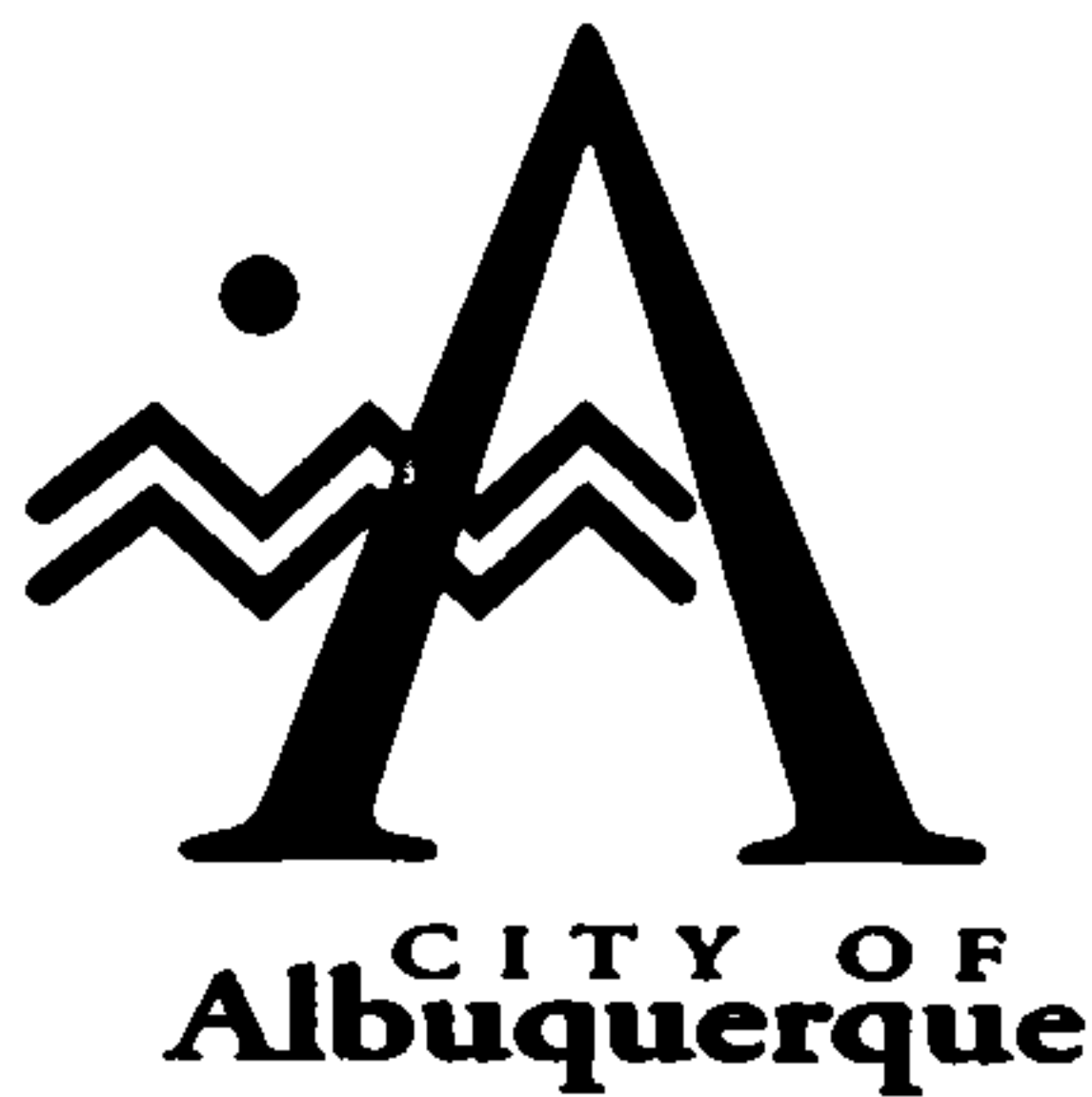
- ☐ YES  
☐ NO  
☐ COPY PROVIDED

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SKETCH PLAT APPROVAL  
☐ 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 (perm.)  
☐ GRADING PERMIT APPROVAL  
☐ PAVING PERMIT APPROVAL  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☐ OTHER \_\_\_\_\_ (SPECIFY)



DATE SUBMITTED: 3/25/97  
BY: Gary R. Bittner *GRB*



October 30, 1996

**Martin J. Chávez, Mayor**

John Lorentzen  
2909 Yale SE  
Albuquerque, NM 87106

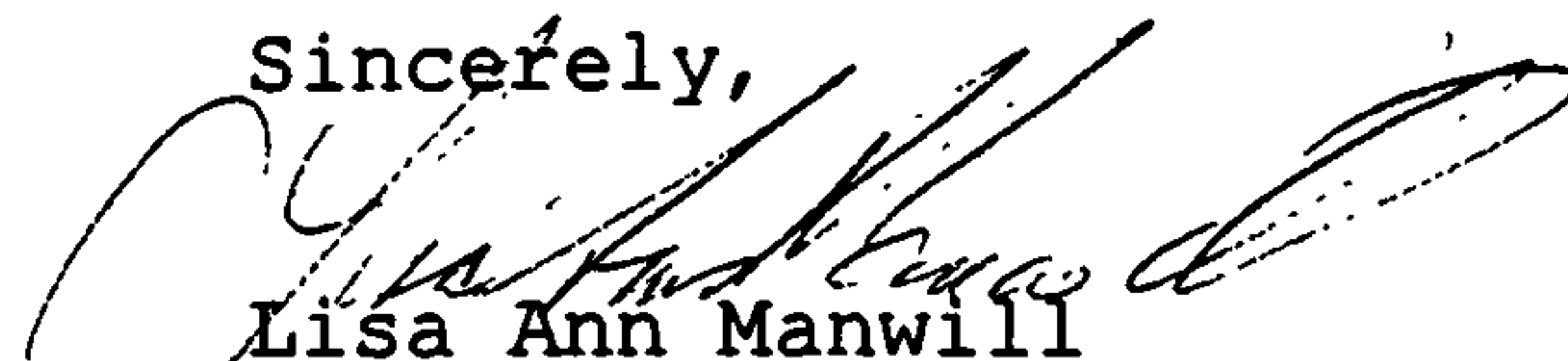
**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32). 30-DAY  
TEMPORARY CERTIFICATE OF OCCUPANCY.**

Dear Mr. Lorentzen:

Based on an Engineer's Certification, by Jeff Mortensen, the above referenced project was approved for a 30-day Temporary Certificate of Occupancy. The Temporary Certificate of Occupancy was granted, by the Hydrology Division, on October 24, 1996.

If I can be of further assistance, please feel free to contact me at 768-3622.

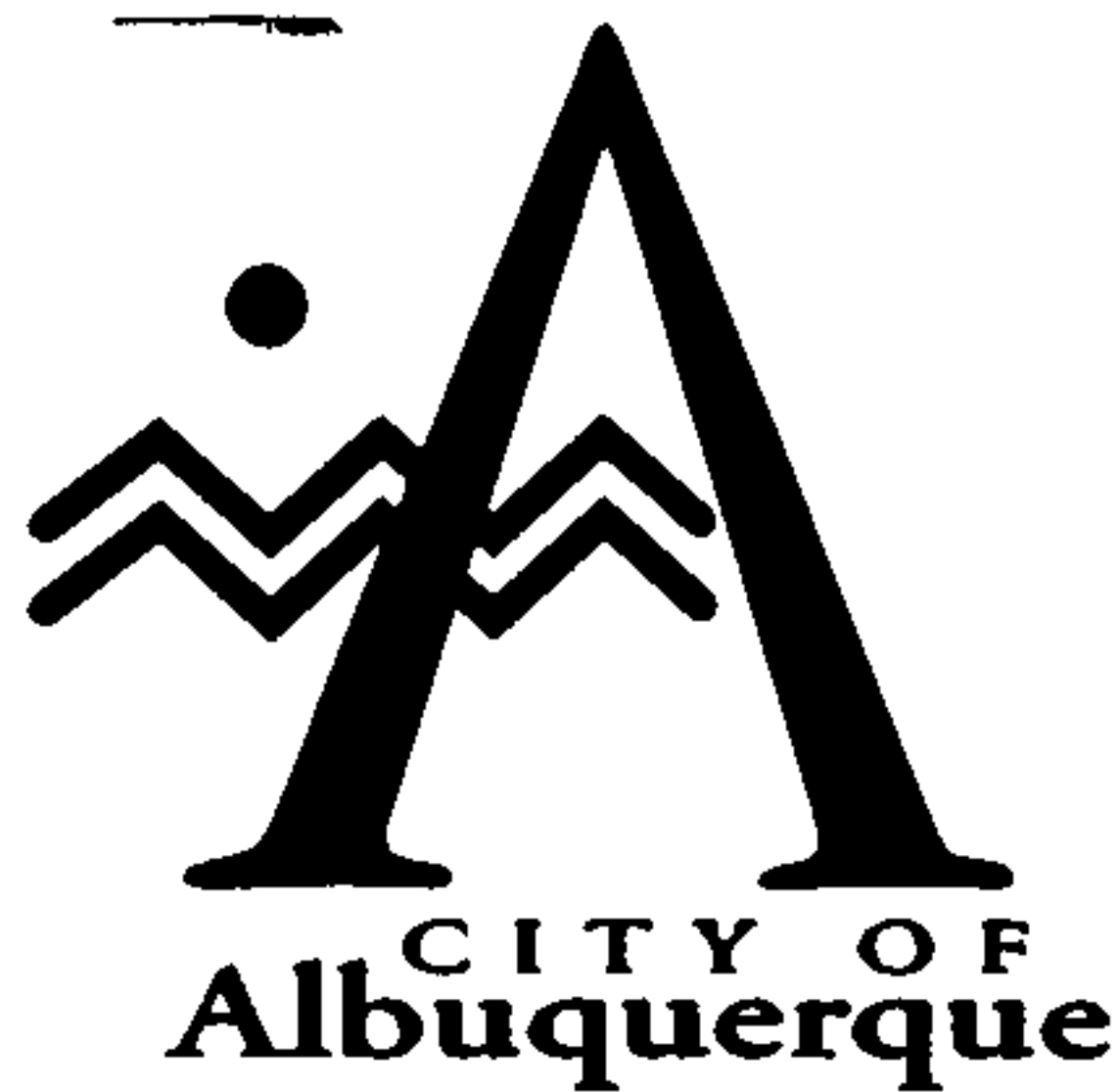
Sincerely,



Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Jeff Mortensen  
File





April 29, 1996

Martin J. Chávez, Mayor

Jeff Mortensen  
Jeff Mortensen & Assoc.  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87109

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32) SUPPLEMENTAL  
INFORMATION SUBMITTED ON 4-26-96. ENGINEER'S STAMP DATED  
4-25-96.**


Dear Mr. Mortensen:

Based on the above referenced submittal, it is understood that if the vacation of Miles Road expires or the vacation of the public alley expires, the grading plan dated 4-25-96 will take the place of the originally approved grading plan for Building Permit dated 3-26-96.

The Soils Removal Agreement is acknowledged and you are approved for Grading Permit.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely,



Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Fred Aguirre  
Kevin Curran  
John Lorentzen  
Andrew Garcia  
File

Good for You. Albuquerque!





# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

April 15, 1996

Graeme Means  
Jeff Mortensen & Assoc.  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87109

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32) DRAINAGE AND  
GRADING PLAN FOR BUILDING PERMIT APPROVAL. ENGINEER'S STAMP  
DATED 3-26-96.**

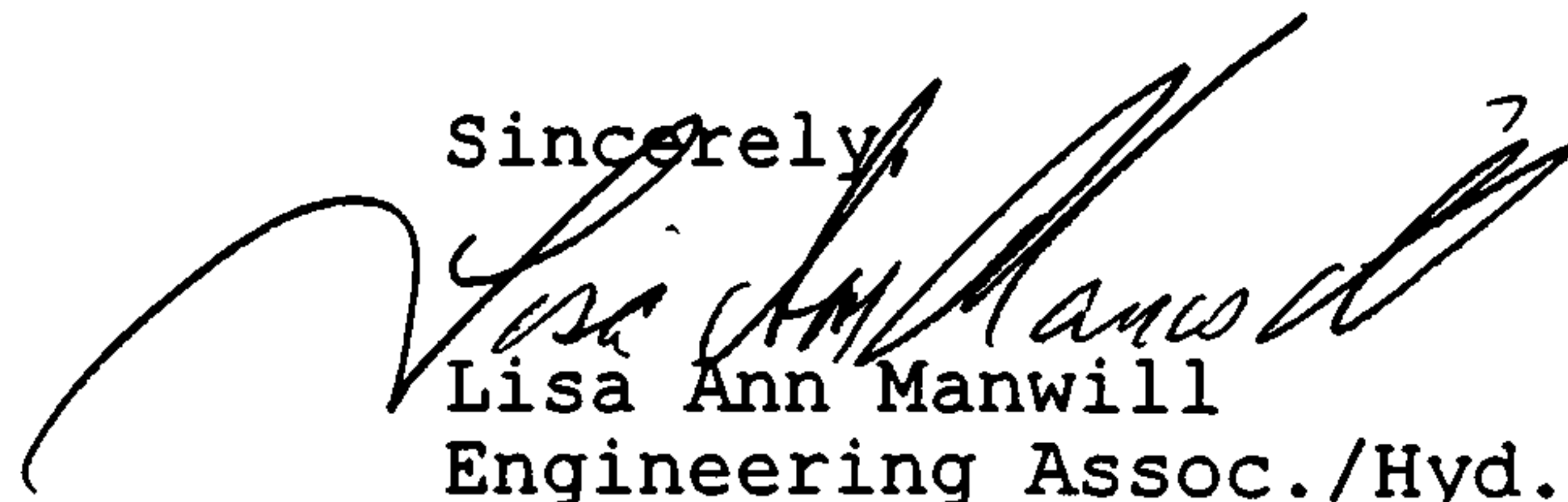
Dear Mr. Means:

Based on the information provided on your March 26, 1996  
submittal, the above referenced project is approved for Building  
Permit.

Prior to Certificate of Occupancy approval, an Engineer's  
Certification will be required.

If I can be of further assistance, please feel free to contact me  
at 768-3622.

Sincerely,



Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Andrew Garcia  
(File)





# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

March 21, 1996

Graeme Means  
Jeff Mortensen & Assoc.  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87109

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32) DRAINAGE AND  
GRADING PLAN FOR FOUNDATION AND BUILDING PERMIT APPROVAL.  
ENGINEER'S STAMP DATED 3-14-96.**


Dear Mr. Means:

Based on the information provided on your March 15, 1996  
submittal, the above referenced project is approved for  
Foundation Permit.

Prior to Building Permit approval, you will have to show how  
flows will get to Gibson Ave. if Miles Road is not built. I feel  
fairly certain that Miles road will not be constructed before  
this project.

If I can be of further assistance, please feel free to contact me  
at 768-3622.

Sincerely,



Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Fred Aguirre  
Andrew Garcia  
File

## DRAINAGE INFORMATION SHEET

940867

PROJECT TITLE: ENTERPRISE/MILES RD ZONE ATLAS/DRNG. FILE #: M15-D32

DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_

LEGAL DESCRIPTION: LOT 1, BLK A, KENTLAND ADD'L.CITY ADDRESS: 1700 MILES RD SEENGINEERING FIRM: JEFF MORTENSEN & ASSOC. CONTACT: JEFF MORTENSENADDRESS: 6010-B MIDWAY PARK BLVD NE PHONE: 345-4250OWNER: JOHN LORENTZEN <sup>502-1000</sup> CONTACT: SAMSADDRESS: 2909 YALE SE <sup>87100</sup> PHONE: 843-7633ARCHITECT: ARCHITECT'S WEST CONTACT: BILL JOHNSONADDRESS: 3500 COMMUNE NE PHONE: 888-3885SURVEYOR: JEFF MORTENSEN & ASSOC CONTACT: JEFF MORTENSENADDRESS: 6010-B MIDWAY PARK BLVD NE PHONE: 345-4250CONTRACTOR: \_\_\_\_\_ CONTACT: OWNER

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

## TYPE OF SUBMITTAL:

- ☐ DRAINAGE REPORT  
☐ DRAINAGE PLAN  
☐ CONCEPTUAL GRADING & DRAINAGE PLAN  
☐ GRADING PLAN  
☐ EROSION CONTROL PLAN

☒ ENGINEER'S CERTIFICATION☒ OTHER PAVING PLAN

## PRE-DESIGN MEETING:

- ☐ YES  
☐ NO  
☐ COPY PROVIDED

Verbal  
 Coave 30-day  
 Temp on  
 10/24/96

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SKETCH PLAT APPROVAL  
☐ 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 (Temp)  
☐ GRADING PERMIT APPROVAL  
☐ PAVING PERMIT APPROVAL  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☐ OTHER \_\_\_\_\_ (SPECIFY)

DATE SUBMITTED: 10-24-96BY: JEFFREY G. MORTENSEN

1055



JEFF MORTENSEN & ASSOCIATES, INC. □ ENGINEERS & SURVEYORS □ (505) 345-4250  
6010-B MIDWAY PARK BLVD. N.E. □ ALBUQUERQUE □ NEW MEXICO 87109 □ FAX (505) 345-4254

940867

April 25, 1996

Ms. Lisa Manwill  
Hydrology Section  
Public Works Department  
City of Albuquerque  
P. O. Box 1293  
Albuquerque, NM 87103

FOR BP  
M15-D32

Re: Enterprise/Miles Road Office Building (M15-D32)

Dear Lisa:

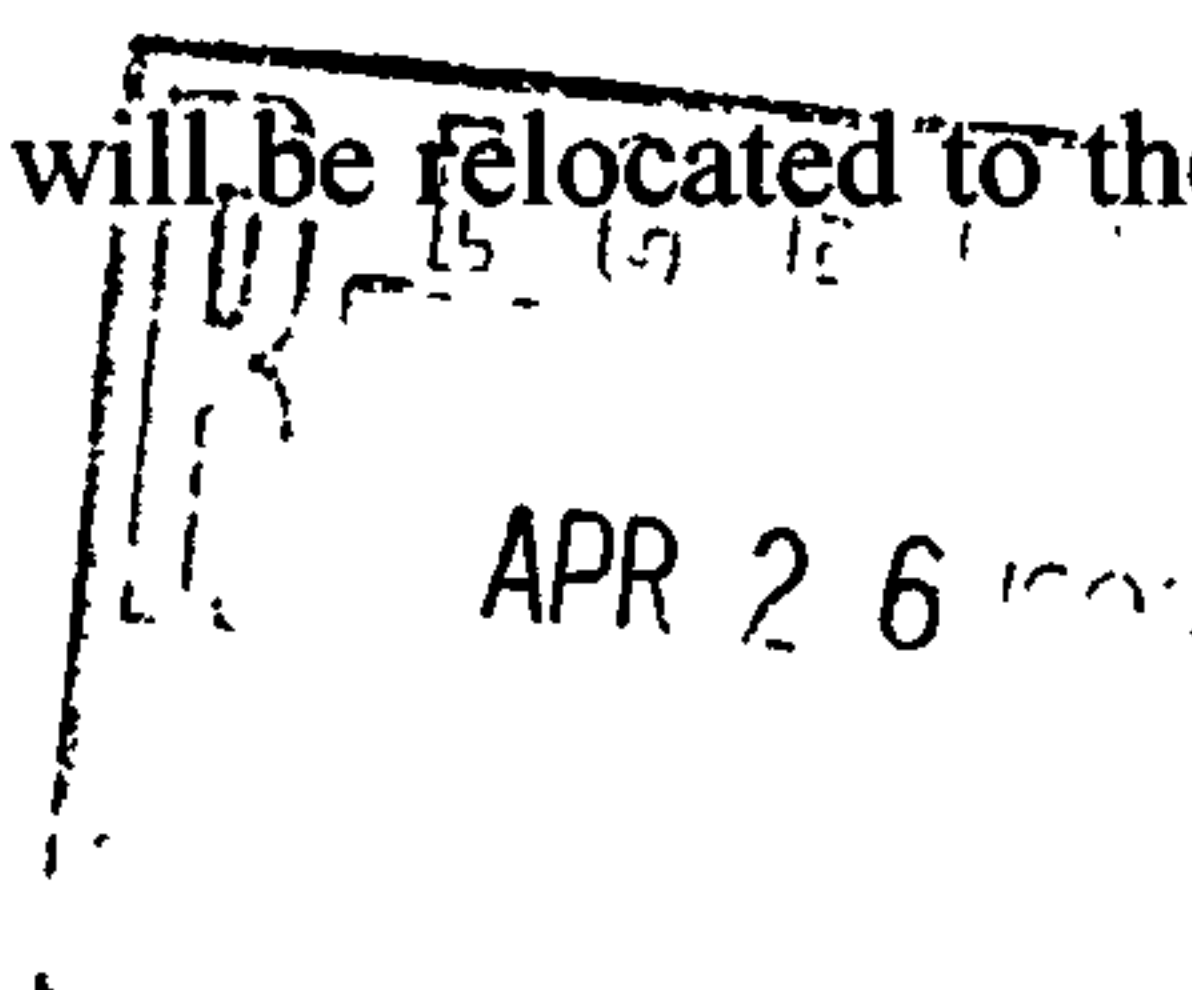
Per the meeting of April 23, 1996, we submit this letter of understanding.

In the event that the vacation of Miles Road expires and is hence voided, the following will occur:

1. The proposed curb and paving at the north end of the site within the current Miles Road right-of-way will be eliminated.
2. A curb will be constructed along the pre-vacation property line in order to channel divert stormwater runoff to the west and prevent that stormwater runoff from flowing uncontrolled onto the Miles Road right-of-way.

In the event that the vacation of the public alley expires and is hence voided, the following will occur:

1. The private paving within the alley that lies along the east and south edges of the site will be deleted.
2. The wall proposed for the south edge of the site will be relocated to the north edge of the alley.





940867

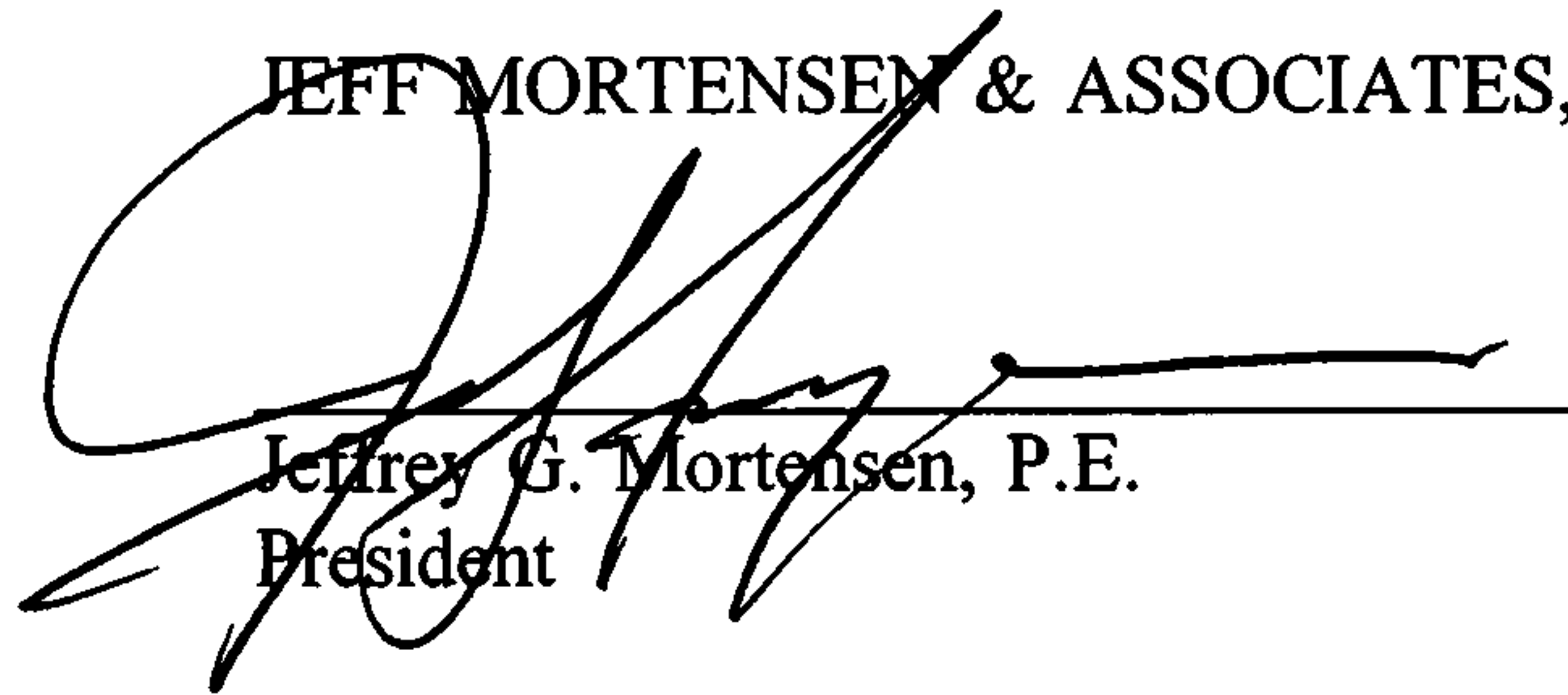
April 25, 1996

Page 2

The above apply only if the vacation of the Miles Road right-of-way is not finalized. This represents the "contingency plan" in that event. The implementation of this contingency plan will be preceded by an amended/revised plan for City approval. We anticipate this to be a requirement for Certificate of Occupancy. If you should have any questions or comments regarding this information, or if we can be of further assistance to you, please do not hesitate to call. Your cooperation and assistance have been greatly appreciated.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.

A large, stylized handwritten signature in black ink, appearing to read 'JGM', is written over a horizontal line. Below the line, the text 'Jeffrey G. Mortensen, P.E.' and 'President' is printed.

JGM:dsj

Enclosures

xc: John Lorentzen w/prints (2)



JEFF MORTENSEN & ASSOCIATES, INC. □ ENGINEERS & SURVEYORS □ (505) 345-4250  
6010-B MIDWAY PARK BLVD. N.E. □ ALBUQUERQUE □ NEW MEXICO 87109 □ FAX (505) 345-4254

950926

April 29, 1996

Mr. Kevin J. Curran  
Legal Department  
City of Albuquerque  
P. O. Box 1293  
Albuquerque, NM 87103

Re: Miles Road Surplus Right-of-Way Soil Removal Agreement

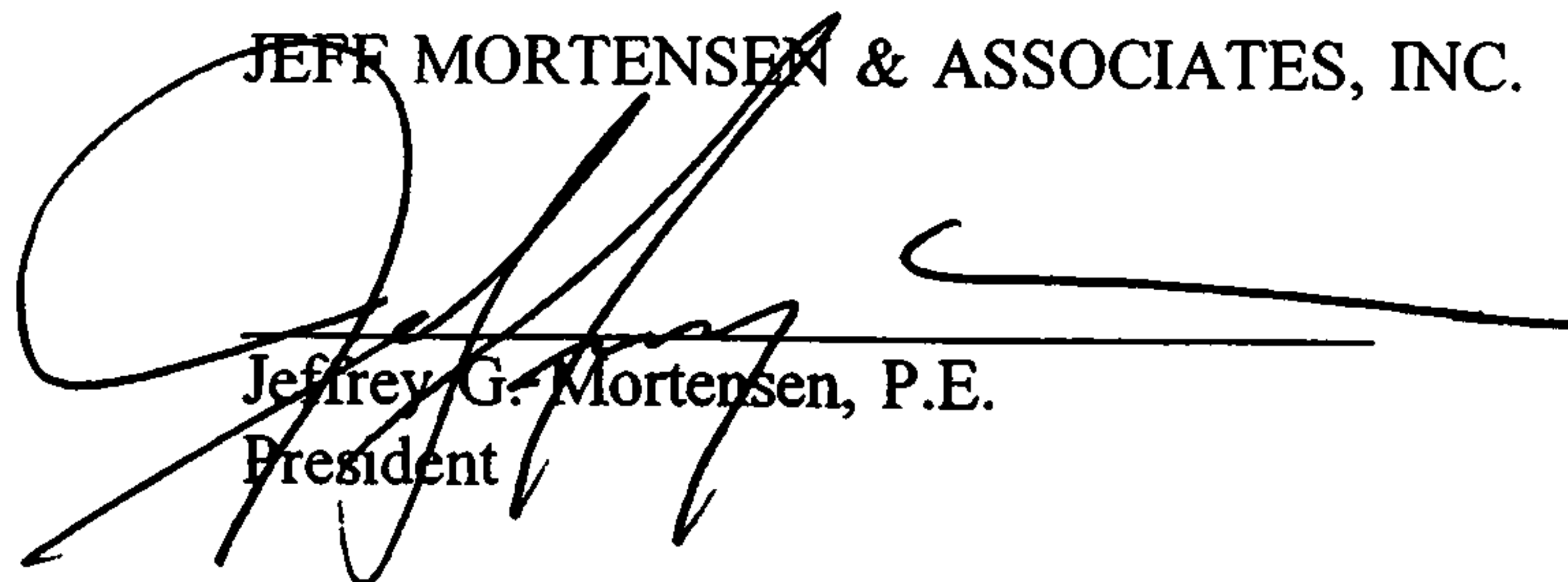
Dear Kevin:

Transmitted herewith is the additional Exhibit you requested for the above referenced project. Please note that this is not a Boundary Survey, it is merely an exhibit to graphically illustrate the area in which soil will be removed upon approval of the Agreement. This Exhibit is provided for illustrative purposes only.

If you should have any questions or comments regarding this information, or if we can be of further assistance to you, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.



Jeffrey G. Mortensen, P.E.  
President

JGM:dsj

Enclosure

xc: John Lorentzen w/enclosure  
Lisa Manwill w/enclosure



UTILITY SEWER EASEMENT GRANTED  
TO THE CITY OF  
MAINTENANCE  
THE RESPONSIBILITY OF THE UNDERLYING  
OWNER

EXHIBIT

GIBSON BOULEVARD S.E.

(RIGHT-OF-WAY LINES)

FD. REBAR W/CAP STAMPED  
"LS3243" TAGGED W/WASHER  
STAMPED "NMPS 11184"

489.72'

FORMER MILES ROAD S.E. VACATED BY V-95-9  
(PUBLIC UTILITY EASEMENTS RETAINED)  
THIS PLAT

S 89°43'39" E

710.80'

S 89°43'39" E MILES ROAD S.E.

288.07' (60' R.O.W.)

CL1

CL2

CL3

CL4

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CL6

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CL13

CL14

CL15

CL16

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CL21

STREET RIGHT-OF-WAY  
TO THE CITY OF  
BY THIS PLAT

FORMER LOT 1, BLOCK A  
KIRTLAND ADDITION, UNIT 2  
(PUBLIC UTILITY EASEMENTS RETAINED)

TRACT C  
1.3566 ACRES

10' PUBLIC UTILITY  
EASEMENT GRANTED  
BY THIS PLAT

PROPERTY LINES  
ELIMINATED BY  
THIS PLAT

PROPERTY LINES  
ELIMINATED BY  
THIS PLAT

FORMER WALKER DRIVE S.E.  
VACATED BY V-95-9  
(PUBLIC UTILITY EASEMENTS RETAINED)

TRACT E  
0.5589 ACRES

UNPLATTED

N 79°07'43" W 356.37'  
PUBLIC SANITARY SEWER  
EASEMENT RETAINED BY  
THIS PLAT.

CL1

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BLOCK A, KIRTLAND ADDITION, UNIT 2  
FILED 8-19-1953, D1-98

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950926

PROJECT TITLE: Miles Road S.E. Surplus R.O.W. ZONE ATLAS/DRNC. FILE #: M-15  
DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_  
LEGAL DESCRIPTION: A portion of Miles Road S.E.  
CITY ADDRESS: Miles Road S.E.  
ENGINEERING FIRM: Jeff Mortensen & Associates CONTACT: Jeffrey C. Mortensen  
ADDRESS: 6010-B Midway Park Blvd. N.E. PHONE: 345-4250  
OWNER: City of Albuquerque CONTACT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
DEVELOPER: \_\_\_\_\_ CONTACT: John Lorentzen  
ADDRESS: 2909 Yale S.E. PHONE: 847-7633  
SURVEYOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
CONTRACTOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

TYPE OF SUBMITTAL:

☐ DRAINAGE REPORT  
☒ DRAINAGE PLAN  
☐ CONCEPTUAL GRADING & DRAINAGE PLAN  
☒ GRADING PLAN  
☐ EROSION CONTROL PLAN  
☐ ENGINEER'S CERTIFICATION  
☒ OTHER Supplemental Information

PRE-DESIGN MEETING:

☐ YES  
☐ NO  
☐ COPY PROVIDED

CHECK TYPE OF APPROVAL SOUGHT:

☐ SKETCH PLAT APPROVAL  
☐ 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  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☒ OTHER SOILS (SPECIFY)  
REMOVAL AND RESTORATION

DATE SUBMITTED: April 29, 1996  
BY: Jeffrey G. Mortensen





JEFF MORTENSEN & ASSOCIATES, INC. □ ENGINEERS & SURVEYORS □ (505) 345-4250  
6010-B MIDWAY PARK BLVD. N.E. □ ALBUQUERQUE □ NEW MEXICO 87109 □ FAX (505) 345-4254

950924  
April 25, 1996

Ms. Lisa Manwill  
Hydrology Section  
Public Works Department  
City of Albuquerque  
P. O. Box 1293  
Albuquerque, NM 87103

*MIS-D32  
Supplemental Info.  
for BP*

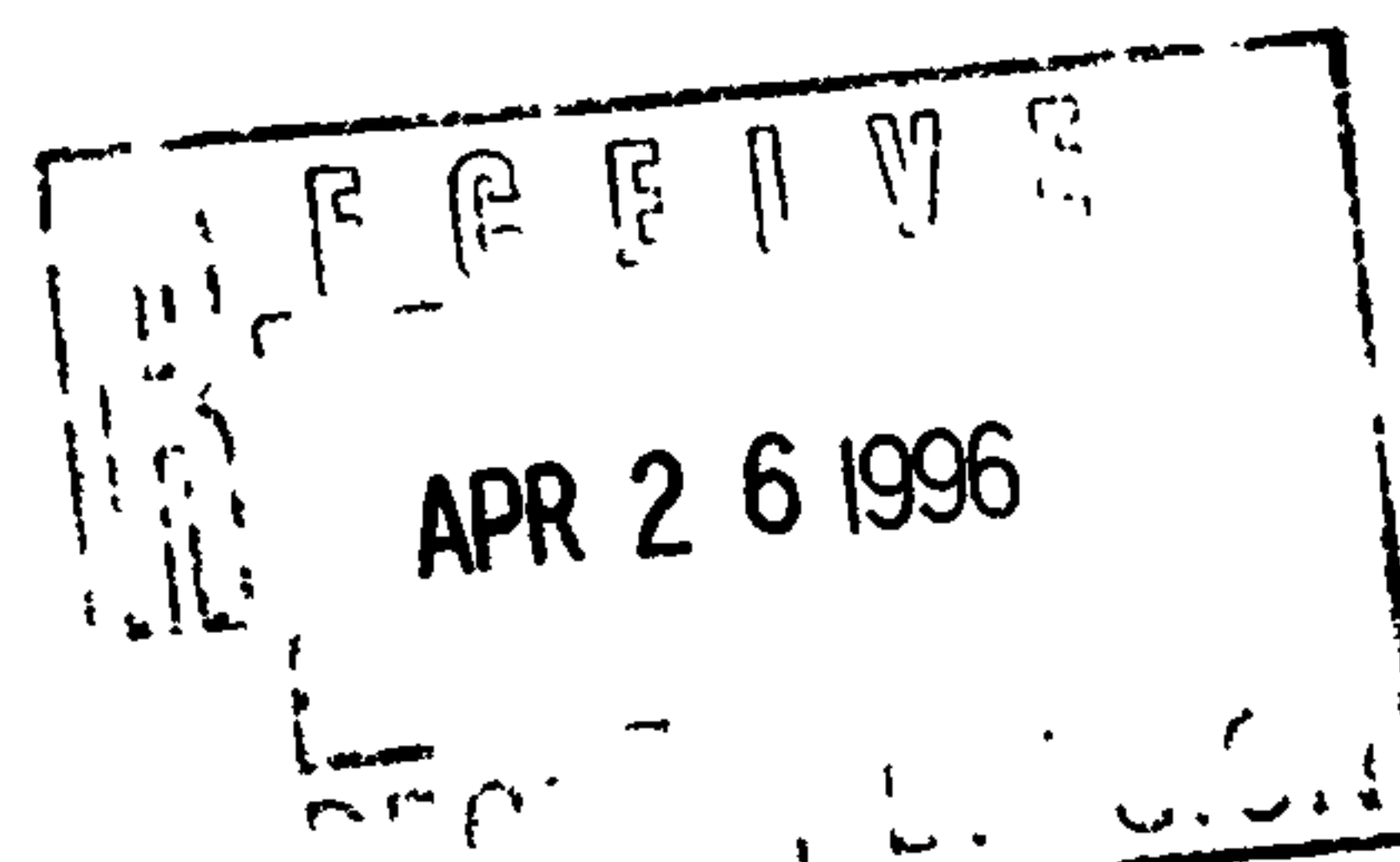
Re: Miles Road S.E. Surplus Right-of-Way Grading and Drainage Plan

Dear Lisa:

Transmitted herewith is a revised Plan for the above referenced project. You will note that we have addressed the comments raised during our April 23, 1996 meeting. Those items are summarized as follows:

1. Hay bales have been specified at the west end of the grading to mitigate water-borne soil erosion.
2. Existing flow paths and drainage basin boundary limits have been graphically incorporated onto the plan.
3. A typical hay bale section has been incorporated to provide sufficient direction for installation of the hay bales.
4. The following note, requested by Mr. Kevin Curran, has been added:

**This plan is subject to execution of a soil removal agreement with the City of Albuquerque.**



950924

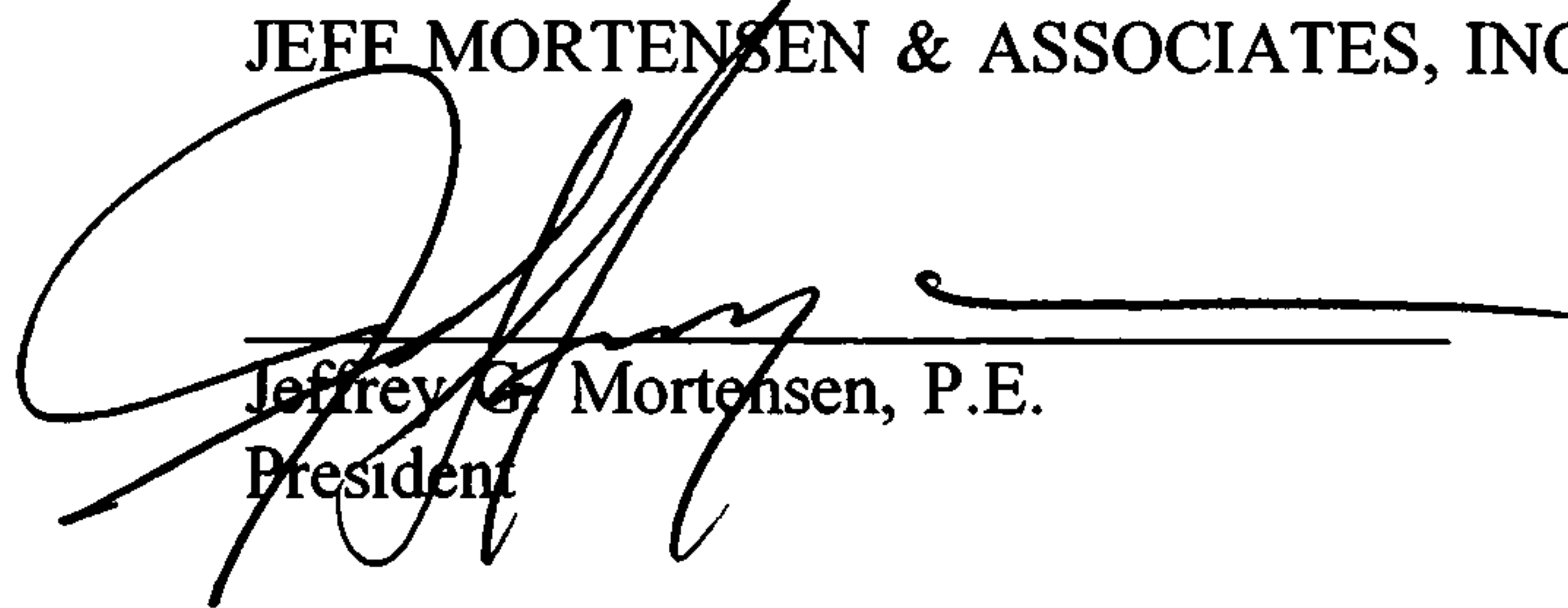
April 25, 1996

Page 2

I believe that this addresses all issues relative to this portion of the project. If you should have any questions or comments regarding this supplemental information, please do not hesitate to call.

Sincerely,

JEFF MORTENSEN & ASSOCIATES, INC.



Jeffrey G. Mortensen, P.E.  
President

JGM:dsj

Enclosure

xc: John Lorentzen w/enclosure

Kevin Curran w/enclosure

940867

PROJECT TITLE: ENTERPRISE/MILES RD OFFICE BLDG. ZONE ATLAS/DRNG. FILE #: M-15/D32

DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_

LEGAL DESCRIPTION: TRACT, AIRPORT CENTER

CITY ADDRESS: MILES RD SE. 1700 Miles Rd SE.

ENGINEERING FIRM: JEFF MORTENSEN & ASSOC. CONTACT: GRAEME MEANS

ADDRESS: 6010-B MIDWAY PARK BLVD NE PHONE: 345-4250

OWNER: JOHN LORENTZEN CONTACT: JOHN LORENTZEN

ADDRESS: 2909 YALE S.E. PHONE: 843-7633

ARCHITECT: ARCHITECTS WEST CONTACT: BILL JOHNSON

ADDRESS: 3500 COMANCHE BLVD NE PHONE: 888-8885

ADDRESS: BLDG A, SUITE 1

SURVEYOR: JMA CONTACT: CHUCK CALA

ADDRESS: \_\_\_\_\_ PHONE: 345 4250

CONTRACTOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_

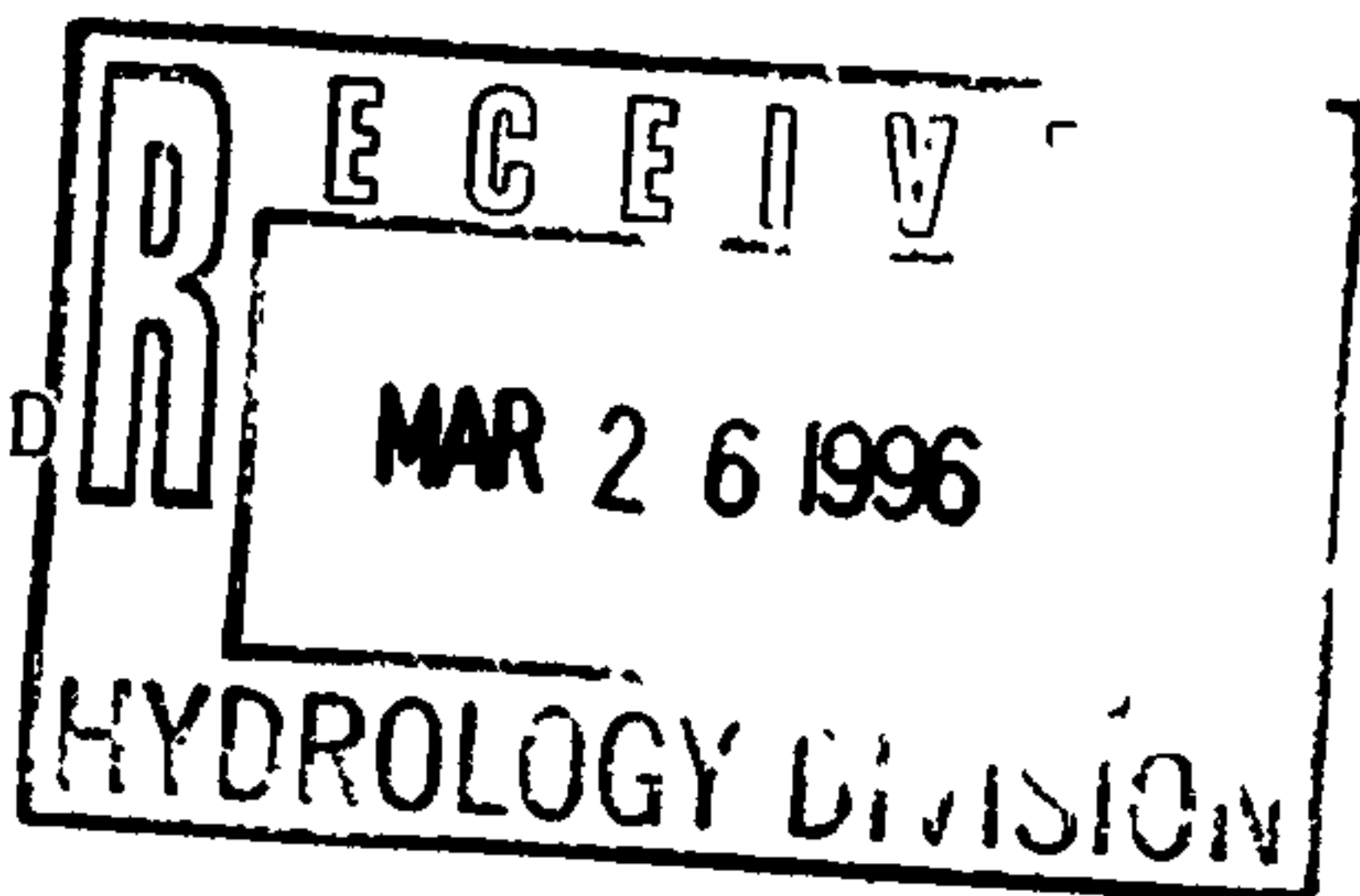
ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

TYPE OF SUBMITTAL:

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

PRE-DESIGN MEETING:

- ☐ YES
- ☐ NO
- ☐ COPY PROVIDED



CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SKETCH PLAT APPROVAL
- ☐ 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
- ☐ S.A.D. DRAINAGE REPORT
- ☐ DRAINAGE REQUIREMENTS
- ☒ OTHER AGREEMENT AND COVENANT (SPECIFY)

DATE SUBMITTED: 3-26-96

BY: GRAEME MEANS



JEFF MORTENSEN & ASSOCIATES, INC.

☐ 6010-B MIDWAY PARK BLVD. N.E.  
☐ ALBUQUERQUE ☐ NEW MEXICO 87109  
☐ ENGINEERS ☐ SURVEYORS (505) 345-4250  
FAX 345-4254

## TRANSMITTAL

VIA: ☒ DELIVERY

☐ PICKUP

☐ FAX

TO: TERRI MARTIN	DATE: 3/26/96
C.O.A. PROJECT REVIEW	PROJECT: ENTERPRISE / MILES RD
	OFFICE BLDG
	JOB NO: 940867
ATTN:	
RE: AGREEMENT AND COVENANT	

### WE ARE SENDING:

QTY.	DESCRIPTION	FOR
1	AGREEMENT AND COVENANT	PROCESSING

REMARKS: TERRI, PLEASE HAVE WHOMEVER DO  
WHATEVER TO THIS SO IT CAN BE FILED.  
PLEASE LET ME KNOW IF THERE IS ANYTHING  
I CAN DO OR IF THERE ARE ANY QUESTIONS  
I CAN ANSWER

JEFF MORTENSEN & ASSOCIATES, INC.  
MAR 26 1996

THANKS HYDRO

BY: GRAEME MORTENSEN

RECEIVED: \_\_\_\_\_

DATE: \_\_\_\_\_

XC: C.O.A. HYDROLOGY SECTION



## AGREEMENT AND COVENANT

This Agreement and Covenant, between the City of Albuquerque, New Mexico ("City") and John Lorentzen and Lois Ann Lorentzen ("User") is made in Albuquerque, New Mexico and is entered into as of the date of recording this Agreement with the Bernalillo County Clerk.

1. Recital. The User is the owner of certain real property ("User's Property") located at Miles Road S.E., in Albuquerque, New Mexico, and more particularly described as:

Lot 1, Block A, Kirtland Addition, Unit 2

The City is the owner of certain real property, easement or public right-of-way ("City's Property") in the vicinity of, contiguous to, abutting or within User's Property, and more particularly described as:

Miles Road S.E.

The User wishes to construct upon, improve or repair and to maintain the following "Improvement" on the City's Property (or already has done so):

Temporary Asphaltic Concrete Rundown Channel

A sketch of the proposed or existing Improvement is attached as Exhibit A and made a part of this Agreement.

The City agrees to permit the Improvement to exist on the City's Property provided the User complies with the terms of this Agreement.

2. City Use of City's Property and City Liability. The City has the right to enter upon the City's Property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the User. If the Work affects the Improvement the City will not be financially or otherwise responsible for rebuilding or repairing the Improvement. The User promptly will repair the Improvement to the City's satisfaction. The cost of repairing the Improvement will be paid by User.

3. User's Responsibility for Improvement. The User will be solely responsible for constructing, maintaining, repairing and, if required, removing the Improvement, all in accordance with standards required by the City as per the approved Grading and Drainage Plan M15/D32 on file at City Hydrology. The User will be solely responsible for paying all related costs. The User will not permit the Improvement to constitute a hazard to the health or safety of the general public or to interfere with the City's use of the City's Property. The User will conform with all

applicable laws, ordinances and regulations.

4. Use of the Improvement. If the City's Property is a public right-of-way, it shall be open to the use of the general public at all times, subject to reasonable curtailment during periods of construction, maintenance or repair.

5. Demand for Repair, Modification or Removal. The City may send written notice ("Notice") to the User requiring the User to repair, modify or remove the Improvement within \_\_\_ days ("Deadline") and the User will comply promptly with the requirements of the Notice. If removal is demanded, the City also may require the User to return the City's Property to its original condition by the Deadline. The User will perform all required work by the Deadline, at User's sole expense.

6. Failure to Perform by User and Emergency Work by City If the User fails to comply with the terms of the Notice by the Deadline stated, or, if the City determines that an emergency condition exists, the City may perform the work itself. The City then may assess the User for the cost of the work and for any other expenses or damages which result from User's failure to perform. The User agrees promptly to pay the City the amount assessed. If the User fails to pay the City within thirty (30) days after the City gives the User written notice of the amount due, the City may impose a lien against User's Property for the total resulting amount.

7. Cancellation of Agreement and Release of Covenant. This Agreement may be cancelled and User's covenants released by the City at will by the City's mailing to the User notice of the City's intention to record a Cancellation and Release with the Bernalillo County Clerk. The Cancellation and Release will be effective thirty (30) days after the date of mailing the notice to the User unless a later date is stated in the notice or the Cancellation and Release. After the effective date, the City will record the Cancellation and Release with the Bernalillo County Clerk.

8. Condemnation. If any part of the User's Property is ever condemned by the City, the User will forego all claims to compensation for any portion of User's structure which encroaches on City Property and for severance damage to the remaining portion of User's structure on User's Property.

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



10. Notice. For purposes of giving formal written notice to the User, User's address is:

2909 Yale S.E.  
Albuquerque, NM 87106

Notice may be given to the User either in person or by mailing the notice by regular U.S. mail, postage paid. Notice will be considered to have been received by the User within 3 days after the notice is mailed if there is no actual evidence of receipt. The User may change User's address by giving written notice of the change by certified mail, return receipt requested, to the City Engineer at P.O. Box 1293, Albuquerque, New Mexico 87103.

11. Indemnification. The User 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 as a result of User's use of the City's Property. 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 indemnitee, or the agents or employees of the indemnitee; or (2) the giving of or the failure to give direction or instructions by the indemnitee, where such giving or failure to give directions or instructions is the primary cause of bodily injury to persons or damage to property.

12. Term. This Agreement shall continue until revoked by the City pursuant to Section 7 above.

13. Binding on User's Property. The covenants and obligations of the User set forth herein shall be binding on User, his heirs, assigns and successors and on User's Property and constitute covenants running with User's Property until released by the City.

14. Entire Agreement. This Agreement 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.

15. Changes of Agreement. Changes to this Agreement are not binding unless made in writing, signed by both parties.

17. Captions. The captions to the sections or paragraphs of this Agreement are not part of this Agreement and will not affect the meaning or construction of any of its provisions.

Robert E. Gurule, Director  
Public Works Department

**Rick Roybal, City Engineer**  
**Construction Management/PWD**

[illegible]

**Notary Public**



STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

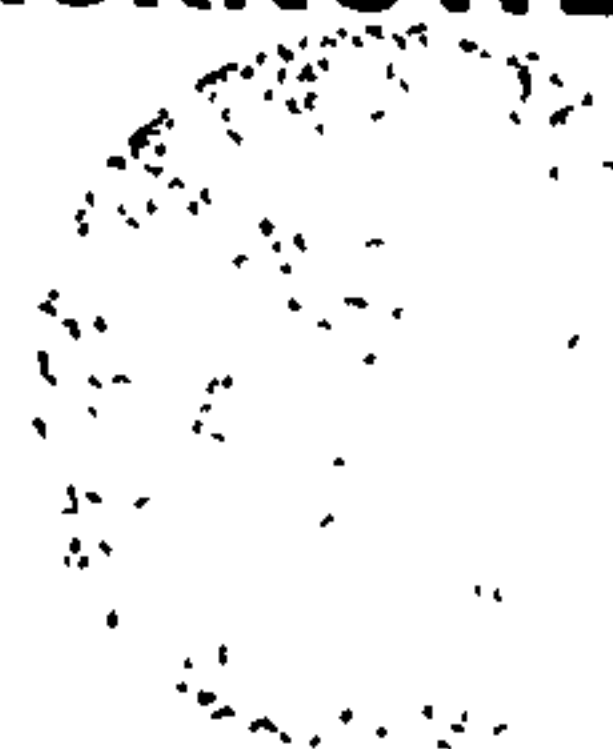
This instrument was acknowledged before me on \_\_\_\_\_,  
199\_\_\_\_\_, by Robert E. Gurule, Director, Public Works Department for the City of  
Albuquerque, a New Mexico municipal corporation, on behalf of the corporation.

\_\_\_\_\_  
Notary Public

My Commission Expires:  
\_\_\_\_\_

**USER'S ACKNOWLEDGEMENT**

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



OFFICIAL SEAL  
JUAN M. CALA  
NOTARY PUBLIC - STATE OF NEW MEXICO  
Notary Bond Filed with Secretary of State  
My Commission Expires 2.4.98

This instrument was acknowledged before me on March 26,  
1996, by John Lorentzen and Lois Ann Lorentzen, husband and wife, on behalf of John Lorentzen and Lois Ann Lorentzen

Juan M. Cala  
Notary Public

My Commission Expires:

2.4.98

## OFFICE

PROJECT TITLE: ENTERPRISE/MILES RD BUILDING ZONE ATLAS/DRNG. FILE #: M

DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_

LEGAL DESCRIPTION: TRACT C, AIRPORT CENTERCITY ADDRESS: MILES RD. SE.ENGINEERING FIRM: JEFF MORTENSEN & ASSOC.CONTACT: GRAEME MEANADDRESS: 6010-B MIDWAY PARK BLVD NEPHONE: 345-4250OWNER: JOHN LORENTZENCONTACT: JOHN LORENTZENADDRESS: 2909 YALE S.E.PHONE: 843-7633ARCHITECT: ARCHITECTS WESTCONTACT: BILL JOHNSONADDRESS: 3500 COMANCHE BLVD NE  
BUILDING A, SUITE 1PHONE: 888-8885SURVEYOR: JMACONTACT: CHUCK CALA

ADDRESS: \_\_\_\_\_

PHONE: 345-4250

CONTRACTOR: \_\_\_\_\_

CONTACT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

## TYPE OF SUBMITTAL:

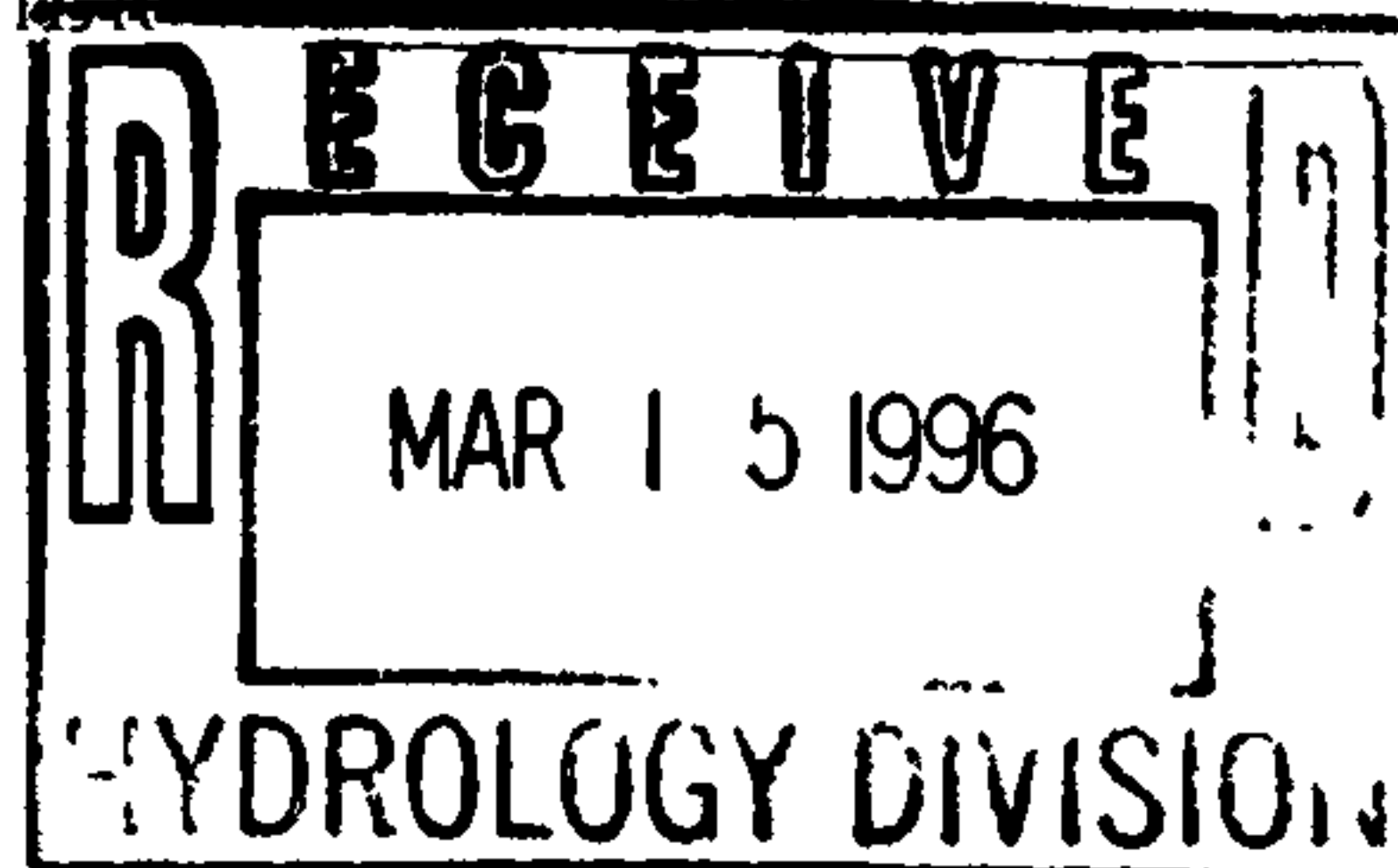
☐ DRAINAGE REPORT☒ DRAINAGE PLAN☐ CONCEPTUAL GRADING & DRAINAGE PLAN☒ GRADING PLAN☐ EROSION CONTROL PLAN☐ ENGINEER'S CERTIFICATION☐ OTHER

## CHECK TYPE OF APPROVAL SOUGHT:

☐ SKETCH PLAT APPROVAL☐ 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☐ S.A.D. DRAINAGE REPORT☐ DRAINAGE REQUIREMENTS☐ OTHER

(SPECIFY)

## PRE-DESIGN MEETING:

☐ YES☐ NO☐ COPY PROVIDEDDATE SUBMITTED: 03-15-96BY: GRAEME MEANS



# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

February 9, 1996

Graeme Means  
Jeff Mortensen & Assoc.  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87109

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32) DRAINAGE AND  
GRADING PLAN FOR FOUNDATION AND BUILDING PERMIT APPROVAL.  
ENGINEER'S STAMP DATED 1-26-96.**

Dear Mr. Means:

Based on the information provided on your January 29, 1996  
submittal, the above referenced project is approved for  
Foundation Permit only.

Prior to Building Permit approval, you will have to demonstrate  
adequate down stream capacity for the proposed discharge.

If I can be of further assistance, please feel free to contact me  
at 768-3622.

Sincerely,

Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Fred Aguirre  
Andrew Garcia  
File

940867

PROJECT TITLE: ENTERPRISE/MILES RD ZONE ATLAS/DRNG. FILE #: M-15/D32  
 DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_  
 LEGAL DESCRIPTION: LOT 1, BLOCK A, KIRTLAND ADDITION, UNIT 2  
 CITY ADDRESS: MILES RD S.E.  
 ENGINEERING FIRM: JEFF MORTENSEN & ASSOC. CONTACT: GRAEME MEANS  
 ADDRESS: 6010-B MIDWAY PK BLVD NE PHONE: 345-4250  
 OWNER: JOHN LORENTZEN CONTACT: OWNER  
 ADDRESS: 2909 YALE S.E. PHONE: 843-7633  
 ARCHITECT: ARCHITECTS WEST CONTACT: OWNER  
 ADDRESS: 3500 COMANCHE NE PHONE: \_\_\_\_\_  
 SURVEYOR: JMA CONTACT: CHUCK CALA  
 ADDRESS: 6010-B MIDWAY PK BLVD NE PHONE: \_\_\_\_\_  
 CONTRACTOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

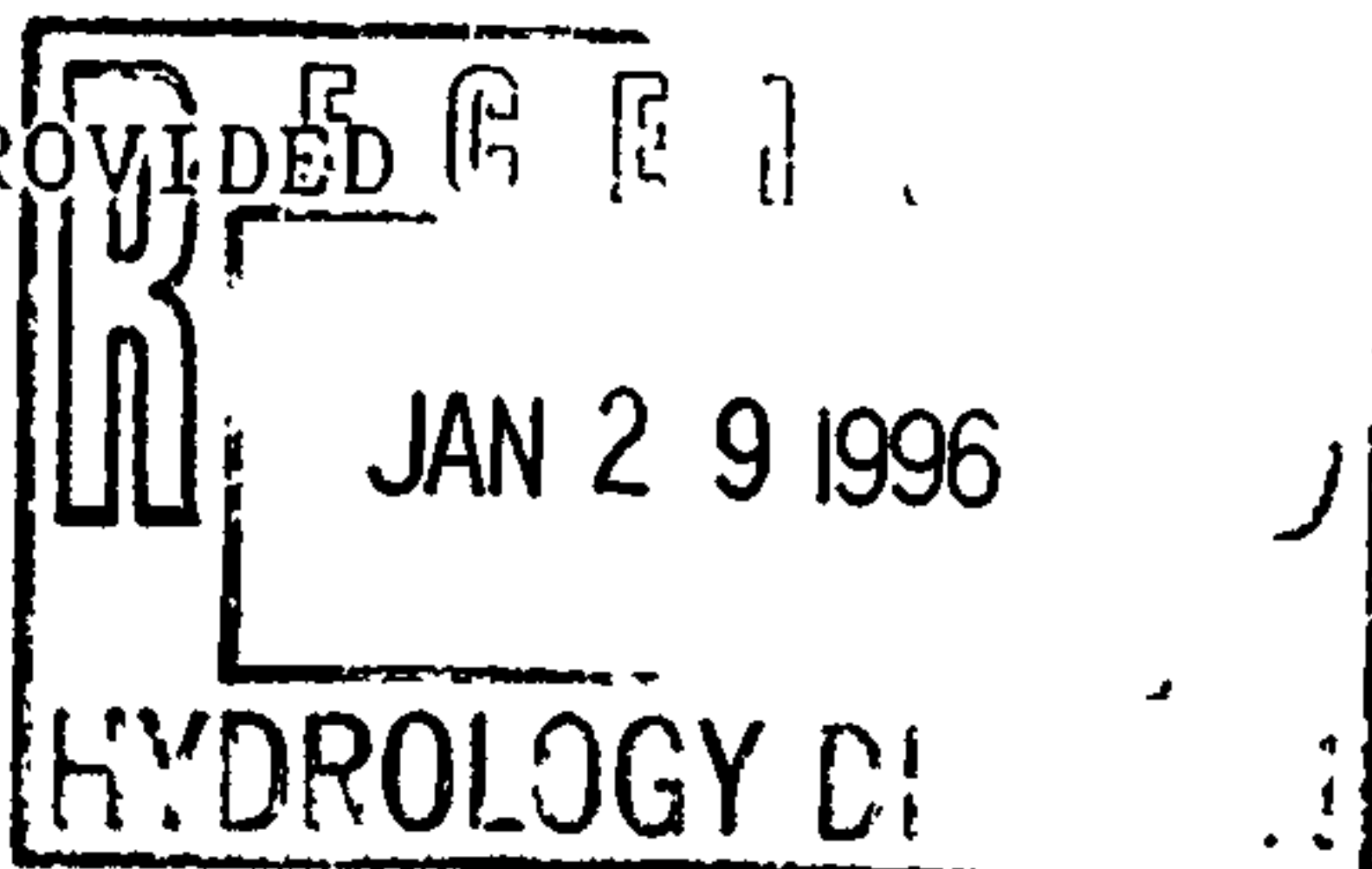
## TYPE OF SUBMITTAL:

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

## PRE-DESIGN MEETING:

- ☒ YES  
☐ NO

☐ COPY PROVIDED ☐ ☐



## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SKETCH PLAT APPROVAL  
☐ 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  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☐ OTHER \_\_\_\_\_ (SPECIFY)

DATE SUBMITTED: 01/29/96

BY: J. GRAEME MEANS





# ***City of Albuquerque***

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

January 5, 1996

Graeme Means  
Jeff Mortensen & Assoc.  
6010-B Midway Park Blvd. NE  
Albuquerque, NM 87109

**RE: LORENTZEN/MILES ROAD OFFICE BUILDING (M15-D32) DRAINAGE AND  
GRADING PLAN FOR FOUNDATION AND BUILDING PERMIT APPROVAL.  
ENGINEER'S STAMP DATED 12-22-95.**

Dear Mr. Means:

Based on the information provided on your December 22, 1995  
submittal, City Hydrology has the following comments:

1. Provide a comprehensive drainage report for DRB 94-501 per the City Engineer's request. I have included a copy of the City Engineer's comments, dated 11-21-95, regarding this project. Please be certain to address all these comments prior to your next submittal.
2. Provide a copy of the approved plat showing current easements and vacations.
3. A covenant will be required for the detention pond.
4. How did you come up with your allowable discharge rate from the pond?
5. Please show grades on the proposed driveway and Miles Road.
6. Provide an infrastructure list.

If I can be of further assistance, please feel free to contact me at 768-3622.

Sincerely

  
Lisa Ann Manwill  
Engineering Assoc./Hyd.

c: Fred Aguirre  
Andrew Garcia  
File

enclosure

PROJECT TITLE: LORENTZEN/MILES ROADZONE ATLAS/DRNG. FILE #: M-15/132

DRB #: \_\_\_\_\_ EPC #: \_\_\_\_\_ WORK ORDER #: \_\_\_\_\_

LEGAL DESCRIPTION: LOT 1, BLOCK A, KIRTLAND ADDITION, UNIT 2CITY ADDRESS: MILE RD S.E.ENGINEERING FIRM: JEFF MORTENSEN ASSOC CONTACT: GRAEME MEANSADDRESS: 6010-B MIDWAY PK BLVD NE PHONE: 345-4250OWNER: JOHN LORENTZEN CONTACT: JOHN LORENTZENADDRESS: 2909 YALE S.E. PHONE: 843-7633ARCHITECT: ARCHITECTS WEST CONTACT: OWNERADDRESS: 3500 COMANENS NE PHONE: \_\_\_\_\_SURVEYOR: JMA CONTACT: CHUCK CAAADDRESS: 6010-B MIDWAY PARK NE PHONE: 345-4250

CONTRACTOR: \_\_\_\_\_ CONTACT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_

## TYPE OF SUBMITTAL:

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

## PRE-DESIGN MEETING:

- ☒ YES  
☐ NO  
☒ COPY PROVIDED

## CHECK TYPE OF APPROVAL SOUGHT:

- ☐ SKETCH PLAT APPROVAL  
☐ PRELIMINARY PLAT APPROVAL  
☐ S. DEV. PLAN FOR SUB'D. APPROVAL  
☐ S. DEV. PLAN FOR BLDG. PERMIT APPROVAL  
☐ SECTOR PLAN APPROVAL  
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☒ BUILDING PERMIT APPROVAL  
☐ CERTIFICATE OF OCCUPANCY APPROVAL  
☐ GRADING PERMIT APPROVAL  
☐ PAVING PERMIT APPROVAL  
☐ S.A.D. DRAINAGE REPORT  
☐ DRAINAGE REQUIREMENTS  
☐ OTHER \_\_\_\_\_ (SPECIFY)

DATE SUBMITTED: 12/22/95BY: J. GRAEME MEANS

CITY OF ALBUQUERQUE  
PUBLIC WORKS DEPARTMENT  
UTILITY DEVELOPMENT DIVISION/HYDROLOGY SECTION

940863

PRE-DESIGN CONFERENCE

DRAINAGE FILE/ZONE ATLAS PAGE NO.: M 15

DATE: 11/17/94

EPC NO.:

DRB NO.:

ZONE:

SUBJECT:

Ready Return Lot (RENTAL)

STREET ADDRESS:

LEGAL DESCRIPTION:

Lot 2 KIRTLAND ADDN

APPROVAL REQUESTED:

PRELIMINARY PLAT

FINAL PLAT

SITE DEVELOPMENT PLAN

BUILDING PERMIT

X GRADING/PAVING PERMIT

OTHER

ATTENDANCE:

WHO

Lorentzen, John  
GRAEME MEANS  
FRED AGUIRRE

REPRESENTING

Owner  
JEFF MORTENSEN  
City

FINDINGS:

- An approved drainage plan is required for the subject request.
- One paved access is required for the proposed development. Need to discuss with Transportation criteria for the access treatment.
- Downstream capacity ~~is~~ information is required to determine if control discharge is required.

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:

John J. Aguirre

SIGNED:

Græme Means

TITLE:

TITLE:

DATE:

11/17/94

DATE:

11/17/94



[illegible]