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Meeting Date: March 23, 2022

Staff Contact: Kristopher Cadena, Chief Engineer, Utility Development

**TITLE: C-22-13 – Approving Service Connection Agreement for Water and Sewer Service with JB Holding, LLC at 10084 Coors Blvd NW**

**ACTION: Recommend Approval**

**SUMMARY:**

JB Holding, LLC desires to connect to existing water and wastewater infrastructure located at 10084 Coors Boulevard NW. The location is at the southeast corner of the intersection of Coors Boulevard NW and Seven Bar Loop Road NW. The development will consist of a commercial car wash enterprise. The site is currently vacant. The development is located outside of the Water Authority's Adopted Service Area, but within the City of Albuquerque. Pursuant to Water Authority Resolution No. R-05-13, Enhancing the Water Conservation Ordinance, the developer agrees to incorporate water conservation guidelines. Pursuant to Water Authority Water Waste Reduction Ordinance, the developer agrees to incorporate design, installation and maintenance practices to mitigate water waste. No additional infrastructure requirements are needed to provide water and wastewater service to this property other than a service agreement approved by the Water Authority Board.

As a condition of service, the owner will be required to:

- Comply with the ordinances, resolutions, plans, and regulations of the Water Authority
- Obtain concurrent water and wastewater service
- Pay the Utility Expansion Charge (UEC) at the rates that are imposed at the time of a service connection
- Pay the Water Resource Charge (WRC)

**FISCAL IMPACT:**

None

**SERVICE CONNECTION  
AGREEMENT**

**Take 5 10084 Coors Blvd**

**JB Holding, LLC  
5901 Wyoming Blvd. NE #J-275  
Albuquerque, NM 87109**

**Albuquerque Bernalillo County Water Utility Authority**, a New Mexico political subdivision ("Water Authority") and JB Holding, LLC, whose address is 5901 Wyoming Blvd. NE, #J-275, Albuquerque, NM 87109, agree as follows:

**1. Recitals**

- A.** JB Holding, LLC ("Developer") is the owner of certain real property located at 10084 Coors Blvd NW (collectively, the "Property"). The Property is shown on **Exhibit A** attached hereto and incorporated herein by reference.
- B.** The legal description for the property is: Lot 2-C of the Cottonwood Crossing Subdivision, Bernalillo County. The Property is more particularly described and shown on **Exhibit B** attached hereto and incorporated herein by reference.
- C.** The Property will develop as a commercial car wash enterprise.
- D.** The Serviceability Letter for the Property reflecting request for service referred to in this Agreement is attached hereto as **Exhibit C** and incorporated herein by reference.
- E.** The property is located outside the Water Authority's A d o p t e d Service Area within the region previously serviced by New Mexico Utilities, Inc.
- F.** Developer desires to connect services (collectively, "Connections") to existing water and waste water infrastructure with a 1.5-inch domestic water service meter, 3/4-inch irrigation water service meter, and a six-inch sanitary sewer service lateral.
- G.** Water service to the Property will be taken from the existing eight-inch PVC water main along the property's southeastern boundary. Wastewater service to the Property will tie into the existing eight-inch PVC collector main along the property's southeastern boundary. Installation of services shall be performed under the standard tapping permit or mini-work order process.
- H.** All developments located outside of the Water Authority's service area will be assessed a Water Resource Charge (WRC) as provided in the Water Authority's Water and Sewer Rate Ordinance for the development of new water resources, rights and supplies necessary to serve the development.

## 2. Service

- A. Developer shall comply with the Water Authority's Water and Sewer System Expansion Ordinance, as amended from time to time. Connection for water service shall require concurrent sewer service connection to the Water Authority's wastewater system.
  - B. Developer shall pay Utility Expansion Charges ("UECs") and WRC at the rates that are imposed at the time of a service connection, as provided in the Water Authority's Water and Sewer Rate Ordinance, as amended from time to time.
  - C. Developer shall pay all outstanding Pro Rata assessments in full at the time of service application.
  - D. Pursuant to Water Authority Resolution No. R-05-13, Developer agrees that it shall incorporate water conservation guidelines that shall achieve water usage of seventy-five (75) gallons per capita per day.
3. **Termination.** If construction of the Connections to the waterline and sanitary sewer modifications by Developer has not been completed and accepted by the Water Authority within seven (7) years of the effective date of this Agreement, this Agreement shall automatically terminate, and the Water Authority and Developer shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.
4. **Indemnification.** Developer will indemnify and hold harmless the Water Authority and its officials, agents, and employees from any claims, actions, suits, or other proceedings arising from the acts or omissions of Developer, its agents, representatives, contractors, or subcontractors, or arising from the failure of Developer, its agents, representatives, contractors, or subcontractors to perform any act or duty required of Developer herein. The indemnification by Developer will not extend to the negligent acts of the Water Authority.
5. **Representations and Warranties of Developer.** Developer represents and warrants that:
- A. Developer is validly existing under the laws of the State of New Mexico.
  - B. Developer has all the requisite power and authority to enter into this Agreement and bind Developer under the terms of the Agreement; and
  - C. The undersigned officer of Developer is fully authorized to execute this Agreement on behalf of Developer.
6. **Notices.** Any notice to be given under this Agreement will be in writing and will be deemed to have been given when deposited in the United States Mail postage prepaid addressed:

If to the Water Authority:  
Mark S. Sanchez  
Executive Director  
Albuquerque Bernalillo County  
Water Utility Authority  
One Civic Plaza, Room 5012  
Albuquerque, New Mexico 87102

If to Developer:  
JB Holding, LLC  
5901 Wyoming Blvd. NE #J-275  
Albuquerque, NM 87109

7. **Assignment.** This Agreement will not be assigned without the prior written consent of the Water Authority and Developer.
8. **Miscellaneous.** This Agreement will be governed by and interpreted in accordance with the laws of the State of New Mexico. The headings used in this Agreement are for convenience only and shall be disregarded in interpreting the substantive provisions of the Agreement. This Agreement binds and benefits the Water Authority and their successors, assigns, and transferees and The Developer and their successors, assigns and transferees. Time is of the essence of each term of this Agreement. If any provision of this Agreement is determined by a court of competent jurisdiction to be void, invalid, illegal, or unenforceable, that portion will be severed from this Agreement and the remaining parts will remain in full force as though the invalid, illegal, or unenforceable portion had never been a part of this Agreement.
9. **Integration; Interpretation.** This Agreement contains or expressly incorporates by reference the entire agreement of the parties with respect to the matters contemplated by this Agreement and supersedes all prior negotiations. This Agreement may only be modified in writing executed by both parties.
10. **Approval.** This Agreement is subject to the approval of the Board of Directors of the Water Authority and will not become effective until approved by the Water Authority.
11. **Effective Date.** The effective date of this Agreement is the date last entered below.

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**EXHIBIT A**  
**ZONE ATLAS MAP B-14**



**EXHIBIT B  
EXISTING PLAT**

**LOT 2-A, 2-B, 2-C, 2-D  
COTTONWOOD CROSSING, PHASE II  
SUBDIVISION**

# LOTS 2-A, 2-B, 2-C AND 2-D COTTONWOOD CROSSING, PHASE II

(BEING A REPLAT OF TRACT 2, COTTONWOOD CROSSING PHASE II)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
IN  
PROJECTED SECTION 8, TOWNSHIP 11 NORTH, RANGE 3 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO

FEBRUARY, 2004

PROJECT NUMBER: 1002792

Application Number: 04 DRB-00943

### PLAT APPROVAL

Utility Approvals:

<u>Leonard B. Mank</u> PNM Electric Services	<u>3-11-04</u> Date
<u>Lead G. Mank</u> PNM Gas Services	<u>3-11-04</u> Date
<u>Rearita R. Griffin</u> QWest Corporation	<u>03/12/04</u> Date
<u>Rita Euchs</u> Comcast	<u>3-11-04</u> Date
<u>[Signature]</u> New Mexico Utilities	<u>3-12-04</u> Date

These properties lie within the New Mexico Utilities, Inc. (NMU, Inc.) Franchise area. Water and Sanitary Sewer capabilities are based upon the NMU, Inc. facilities, not the City of Albuquerque.

City Approvals:

<u>[Signature]</u> City Surveyor	<u>3-9-04</u> Date
N/A Real Property Division	Date
N/A Environmental Health Department	Date
<u>[Signature]</u> Traffic Engineering, Transportation Division	<u>6-30-04</u> Date
<u>[Signature]</u> Utilities Department	<u>6-30-04</u> Date
<u>Christina Sandoval</u> Parks and Recreation Department	<u>6/30/04</u> Date
<u>[Signature]</u> AMAFCA	<u>6-30-04</u> Date
<u>[Signature]</u> City Engineer	<u>6/30/04</u> Date
<u>[Signature]</u> DRB Chairperson, Planning Department	<u>6/30/04</u> Date

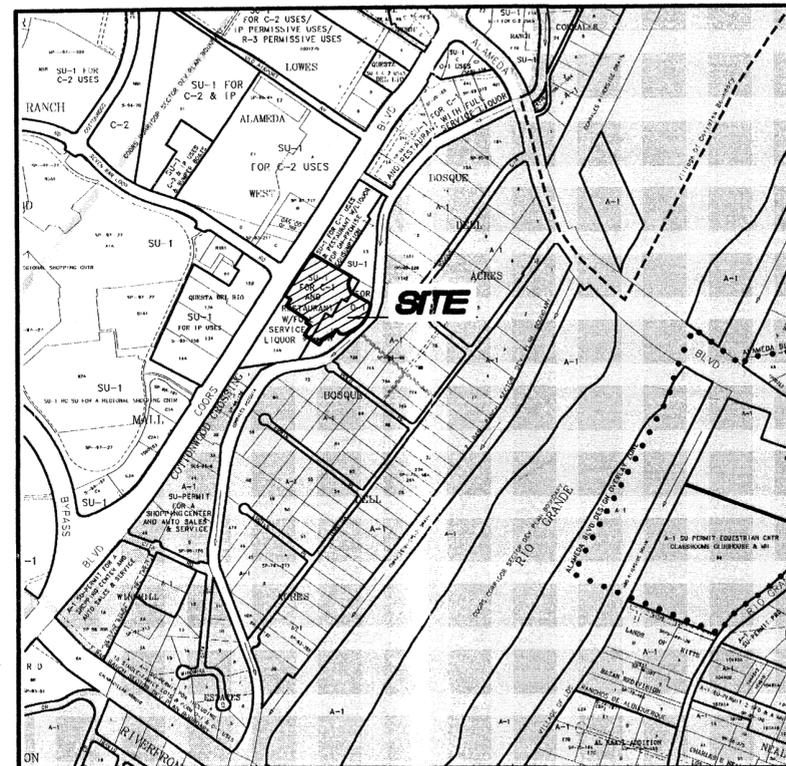
### SURVEYOR'S CERTIFICATION

I, Russ P. Hugg, New Mexico Professional Surveyor Number 9750, hereby certify that this plat of survey was prepared from field notes of an actual ground survey performed by me or under my supervision; that it meets the Standards for Land Surveys in New Mexico as adopted by the New Mexico State Board of Registration for Professional Engineers and Professional Surveyors; that it meets the minimum requirements for surveys and monumentation of the Albuquerque Subdivision Ordinance; that it shows all easements of record; and that it is true and correct to the best of my knowledge and belief.

[Signature]  
Russ P. Hugg  
NMPS No. 9750  
February 27, 2004

SHEET 1 OF 3

**SURV+TEK, INC.**  
Consulting Surveyors  
5643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114  
Phone: 505-897-3365  
Fax: 505-897-3377



VICINITY MAP  
N.T.S.

### GENERAL NOTES

- Bearings are New Mexico State Plane Grid Bearings (Central Zone - NAD 1927) originated at the Albuquerque Control Survey Monument "NM448-N12".
- Distances are ground.
- Distances along curved lines are arc lengths.
- Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ( ).
- All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- All corners that were set are either a 5/8" rebar with cap stamped "HUGG L.S. 9750" or a concrete nail with brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- City of Albuquerque Zone Atlas Page: B-14-Z
- U.C.L.S. Log Number 2004100808.
- Total number of existing Lots: 1
- Total number of new Lots created: 4
- Gross subdivision acreage: 5.3836 acres
- Documents used in the preparation of this survey are as follows:
  - Plat entitled "TRACTS 14-A AND 14-B, BLACK RANCH, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, JANUARY 1998", filed June 3, 1998, in Volume 98C, Folio 157, records of Bernalillo County, New Mexico.
  - Survey entitled "BOUNDARY SURVEY PLAT, TRACTS 13 AND 14, BLACK RANCH, TOWN OF ALAMEDA GRANT, BERNALILLO COUNTY, NEW MEXICO, JUNE 1997", filed June 17, 1997, in Volume 97S, Folio 69, records of Bernalillo County, New Mexico.
  - Plat entitled "LOTS 1 THRU 5, COTTONWOOD CROSSING, TOWN OF ALAMEDA GRANT, BERNALILLO COUNTY, NEW MEXICO, FEBRUARY, 1998", filed July 9, 1998, in Volume 98C, Folio 196, records of Bernalillo County, New Mexico.
  - Title Report prepared for this property by Lawyers Title Insurance Company, Commitment for Title Insurance No. 972091SD, dated July 25, 1997.

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### TREASURER'S CERTIFICATION

This is to certify that taxes are current and paid on the following property:

UPC# 1-014-065 190 318 20301, 1-014-065 224 313 20303

Bernita Scuttlou-Koehn 7/04  
Bernalillo County Treasurer's Office Date

### PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- PNM Electric Services for installation, maintenance and service of underground electrical lines, transformers and other equipment and related facilities reasonably necessary to provide electrical service.
- PNM Gas Services for installation, maintenance and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas service.
- QWest Corporation for installation, maintenance and service of such lines, cable and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to, ground pedestals and closures.
- Comcast Digital Cable for the installation, maintenance and service of such lines, cable and other related equipment and facilities reasonably necessary to provide Cable TV service.
- New Mexico Utilities, Inc. for the installation, maintenance, and service of such lines across the easement and related equipment and facilities reasonably necessary to provide Sanitary Sewer and Water Service.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate, and maintain facilities for the purposes described above, together with free access to, from, and over said easements, including sufficient working area space for electric transformers, with the right and privilege to trimmed and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat.

Easements for electric transformers/switchgears; as installed, shall extend ten feet (10') in front of transformer/switchgear doors and five feet (5') on each side.

### DISCLAIMER

In approving this plat, PNM Electric Services and PNM Gas Services did not conduct a Title Search of the properties shown hereon. Consequently, PNM does not waive nor release any easement or easement rights to which it may be entitled.

### DISCLOSURE STATEMENT

The purpose of this plat is to: Divide existing Lot 2 into four (4) new lots as shown hereon and to show the vacation of the private access easement vacated by APP# 04DRB-00218

No new public utility easements are created by this plat.



# LOTS 2-A, 2-B, 2-C AND 2-D COTTONWOOD CROSSING, PHASE II

(BEING A REPLAT OF TRACT 2, COTTONWOOD CROSSING PHASE II)

WITHIN  
 THE TOWN OF ALAMEDA GRANT  
 IN  
 PROJECTED SECTION 8, TOWNSHIP 11 NORTH, RANGE 3 EAST  
 NEW MEXICO PRINCIPAL MERIDIAN  
 CITY OF ALBUQUERQUE  
 BERNALILLO COUNTY, NEW MEXICO

FEBRUARY, 2004

### LEGAL DESCRIPTION

All of Lot numbered Two (2) of Cottonwood Crossing, Phase II as the same is shown and designated on the plat entitled "LOTS 1, 2, 3, 4, 5 AND 6, COTTONWOOD CROSSING, PHASE II (BEING A REPLAT OF TRACTS 14-A AND 14-B, BLACK RANCH) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 8, TOWNSHIP 11 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, filed in the office of the County Clerk of Bernalillo County, New Mexico on February 19, 2004 in Plat Book 2004C, Page 56.

Said parcel contains 5.3836 acres more or less.

### FREE CONSENT

SURVEYED and REPLATTED and now comprising LOTS 2-A, 2-B, 2-C and 2-D, COTTONWOOD CROSSING, PHASE II (BEING A REPLAT OF TRACT 2, COTTONWOOD CROSSING PHASE II) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 8, TOWNSHIP 11 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, is with the free consent of and in accordance with the wishes and desires of the undersigned owner(s) and proprietor(s) thereof. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby certify that they are so authorized to act. Said owners averment that they hold a very clear, complete and indefeasible title in fee simple to the land subdivided.

OWNER: LOT 2, COTTONWOOD CROSSING, PHASE II  
 The Albert J. Black and Mary Jane Black Revocable Trust

*John Black*  
 John Black, Trustee

### ACKNOWLEDGEMENT

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on this 9<sup>th</sup> day

of March, 2004, by John F. Black.

*Sharon L. Hollins*  
 Sharon L. Hollins

Notary Public  
 11/29/2007  
 My Commission expires:



OFFICIAL SEAL  
 Sharon L. Hollins  
 NOTARY PUBLIC-STATE OF NEW MEXICO  
 My commission expires: 11/29/07

### CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	122.62'	95.88'	71.30'	114.43'	S01°34'32"W	73°16' "
C2	184.86'	250.00'	96.89'	180.68'	N29°04'56"E	42°22'03"
C3	83.36'	165.00'	42.59'	82.48'	N47°25'59"E	28°56'52"
C4	158.97'	250.00'	82.28'	156.31'	N26°06'56"E	36°26'03"
C5	25.89'	250.00'	12.96'	25.88'	N47°17'57"E	5°56'00"
C6	56.40'	105.00'	28.90'	55.72'	N41°41'00"W	30°46'24"
C7	55.66'	105.00'	28.50'	55.01'	N11°06'34"W	30°22'27"
C8	52.87'	105.00'	27.01'	52.32'	N18°30'14"E	28°51'09"
C9	29.04'	50.00'	14.94'	28.63'	N40°35'06"W	33°16'21"
C10	58.19'	100.00'	29.95'	57.37'	S40°37'09"E	33°20'27"
C11	10.16'	30.00'	5.13'	10.11'	N47°35'18"W	19°24'09"
C12	26.67'	150.00'	13.37'	26.63'	N32°47'36"W	10°11'13"
C13	22.20'	15.00'	13.69'	20.23'	S70°05'40"E	84°46'20"
C14	75.07'	150.00'	38.34'	74.29'	N47°17'45"E	28°40'26"
C15	91.69'	180.00'	46.86'	90.70'	N47°33'09"E	29°11'12"
C16	19.41'	15.00'	11.33'	18.09'	S30°25'05"W	74°09'05"
C17	103.62'	150.00'	53.97'	101.57'	N13°08'23"E	39°34'49"
C18	141.37'	90.00'	90.00'	127.28'	N12°04'12"W	90°00'00"
C19	83.36'	165.00'	42.59'	82.48'	N47°25'59"E	28°56'52"
C20	108.54'	105.00'	59.68'	103.77'	N03°19'00"E	59°13'36"

### LINE TABLE

LINE	LENGTH	BEARING
L1	10.66'	S07°53'21"W
L2	53.59'	S50°15'56"W
L3	69.59'	S72°32'39"W
L4	32.70'	N76°36'48"W
L5	28.72'	N27°52'55"W
L6	14.01'	N86°28'56"W
L7	55.93'	S28°23'32"W
L8	18.19'	N61°36'28"W
L9	66.92'	S58°03'23"W
L10	37.36'	S32°55'48"W
L11	83.38'	S32°55'48"W
L12	41.00'	N57°14'40"W
L13	22.12'	S32°55'48"W
L14	60.00'	N32°55'48"E
L15	52.00'	N57°04'12"W
L16	62.24'	S32°55'49"W
L17	11.00'	N32°55'48"E
L18	37.00'	S57°04'12"E
L19	23.13'	N32°55'48"E
L20	2.09'	N67°30'58"E
L21	40.11'	N57°02'27"W
L22	23.67'	N57°02'27"W
L23	29.39'	N85°55'21"W
L24	48.94'	N57°04'12"W
L25	23.88'	S57°04'12"E
L26	15.89'	N57°04'12"W
L27	43.88'	N57°17'22"W
L28	30.80'	S67°30'58"W
L30	37.14'	S67°29'37"W
L31	62.24'	S32°55'48"W
L32	69.63'	S32°55'48"W
L33	17.00'	S57°04'12"E
L34	107.33'	S32°55'48"W
L35	82.43'	S62°07'05"W
L36	46.47'	S28°23'32"W
L37	20.59'	S28°23'32"W
L38	181.30'	S57°04'12"E
L39	24.25'	S61°36'28"E
L40	33.06'	S60°38'23"E
L41	184.73'	S69°01'55"E
L42	106.53'	N46°20'05"E
L43	36.03'	N46°20'05"E
L44	19.89'	S88°44'18"E
L45	156.73'	S57°04'12"E
L46	289.60'	S70°45'57"W



SHEET 2 OF 3

**SURV TEK, INC.**

Consulting Surveyors  
 5643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114

Phone: 505-897-3366  
 Fax: 505-897-3377

# LOTS 2-A, 2-B, 2-C AND 2-D COTTONWOOD CROSSING, PHASE II

(BEING A REPLAT OF TRACT 2, COTTONWOOD CROSSING PHASE II)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
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PROJECTED SECTION 8, TOWNSHIP 11 NORTH, RANGE 3 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO

FEBRUARY, 2004

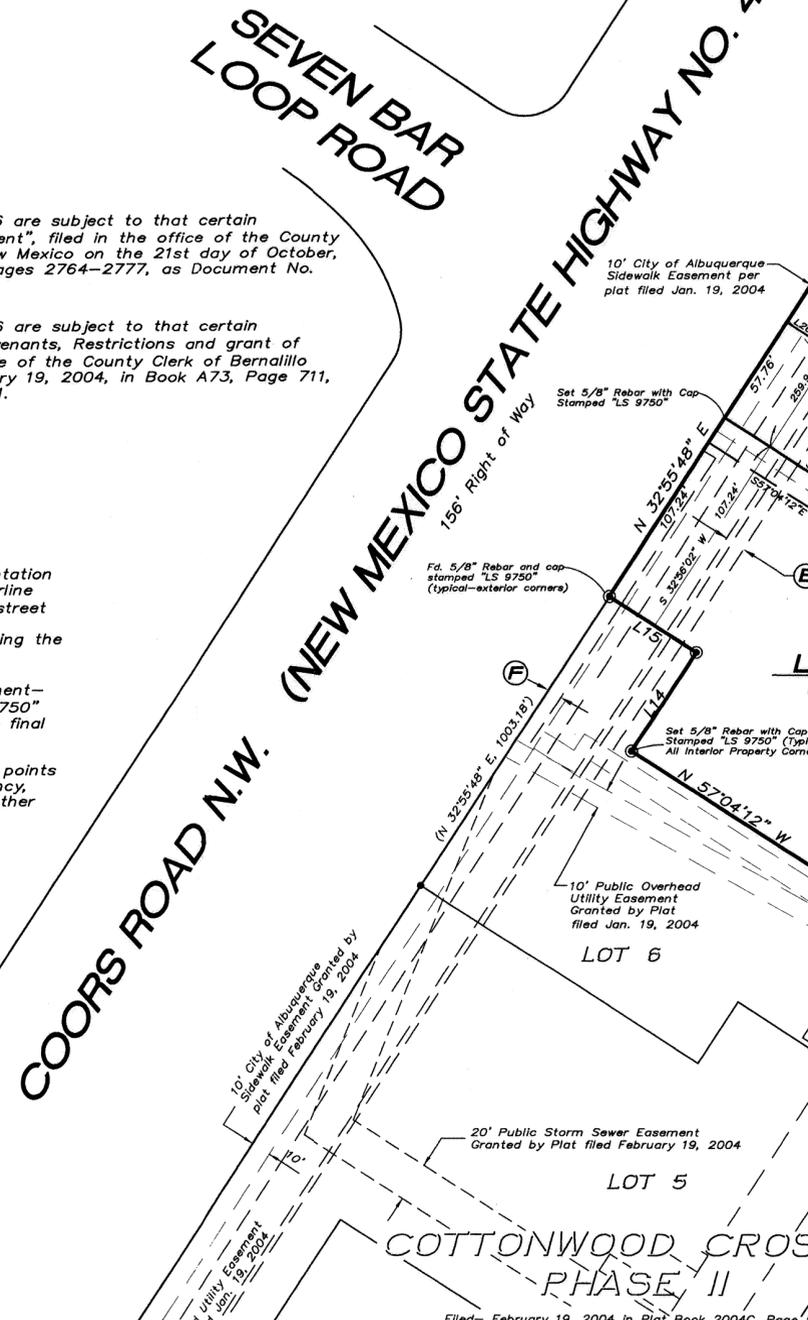


Albuquerque Control Survey Monument  
"NM448-N12"  
New Mexico State Plane Coordinates -  
Central Zone (NAD27)  
Y=381108.54  
X=1528910.94  
G-C=0.99967595  
Delta Alpha=-00'13.46"  
Elevation=5023.411 (NGVD29)

**NOTE**  
Said Lots 1, 2, 3, 4, 5 and 6 are subject to that certain "Reciprocal Easement Agreement", filed in the office of the County Clerk of Bernalillo County, New Mexico on the 21st day of October, 1996, in Book BCR 96-28, Pages 2764-2777, as Document No. 96115257.

Said Lots 1, 2, 3, 4, 5 and 6 are subject to that certain "Declaration of Protective Covenants, Restrictions and grant of Easements", filed in the office of the County Clerk of Bernalillo County, New Mexico on January 19, 2004, in Book A73, Page 711, as Document No. 2004020771.

**NOTE**  
All street centerline monumentation shall be installed at all centerline PC's, PT's, angle points and street intersections. All centerline monumentation will be set using the standard four (4") aluminum monument stamped "City of Albuquerque Centerline Monument-Do not disturb, PS Number 9750" and will be set flush with the final asphalt lift.  
Manholes will be offset at all points of curvature, points of tangency, street intersections, and all other angle points to allow use of centerline monumentation.



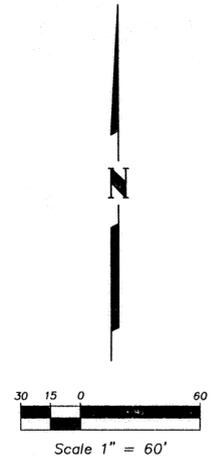
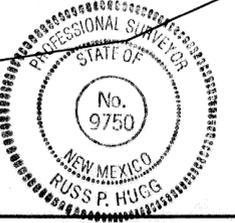
Private Cross Access Easement for the Joint Use and Benefit of Lots 1 through 6 (to be Maintained by Lots 1 through 6). New Public Water and Public Sanitary Sewer Easement to New Mexico Utilities, Inc. and New Dry Utility Easement Granted by plat filed January 19, 2004 and by that certain "Declaration of Protective Covenants, Restrictions and Grant of Easements", filed February 19, 2004 in Book A73, page 711.

### EASEMENT LEGEND

- (A) Existing Water Line Easement granted to New Mexico Utilities, Inc. by plat filed February 19, 2004 in Plat Book 2004C, page 56. Easement to be 10' wide unless otherwise indicated.
- (B) Existing Private Access Easement granted to AMAFCA and MRGCD by plat filed February 19, 2004 in Plat book 2004C, page 56. Maintenance to be the responsibility of AMAFCA.
- (C) Existing Private Access Easement per Reciprocal Easement Agreement filed Oct. 21, 1996, in Book BCR 96-28, page 2764. VACATED by 04DRB-00278.
- (D) 20' Sanitary Sewer Easement to New Mexico Utilities, Inc. filed September 21, 1981, Book Misc. 880, page 1, to remain.
- (E) 10' Easement to New Mexico Utilities, filed April 24, 1998, in Book BCR 98-08, Page 8481.
- (F) Easement to PNM & US West, filed June 20, 1995, in Book BCR 95-14, page 6668, to remain.

### CORNER LEGEND

- SET 5/8" REBAR OR CONCRETE NAIL WITH CAP OR BRASS DISK MARKED "HUGG LS 9750"
- FOUND PROPERTY CORNER AS INDICATED
- SET 5/8" REBAR OR CONCRETE NAIL WITH CAP OR BRASS DISK MARKED "HUGG LS 9750"
- SET 4" ALUMINUM CENTERLINE MONUMENT



Albuquerque Control Survey Monument  
"NM448-N10"  
New Mexico State Plane Coordinates -  
Central Zone (NAD27)  
Y=377788.84  
X=1524161.52  
G-C=0.99967583  
Delta Alpha=-00'14.09"  
Elevation=5045.51 (NGVD29)

SHEET 3 OF 3

040131

**SURV TEK, INC.**

Consulting Surveyors  
5643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114  
Phone: 505-897-3366  
Fax: 505-897-3377

**EXHIBIT C**  
**SERVICABILITY LETTER #210518**

July 16, 2021

**Chair**

Steven Michael Quezada  
County of Bernalillo  
Commissioner, District 2

**Vice Chair**

Klarissa J. Peña  
City of Albuquerque  
Councilor, District 3

Walt Benson  
County of Bernalillo  
Commissioner, District 4

Pat Davis  
City of Albuquerque  
Councilor, District 6

Trudy E. Jones  
City of Albuquerque  
Councilor, District 8

Timothy M. Keller  
City of Albuquerque  
Mayor

Charlene Pyskoty  
County of Bernalillo  
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*Executive Director*  
Mark S. Sanchez

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[www.abcwua.org](http://www.abcwua.org)

Jesus Lopez  
RESPEC  
5971 Jefferson Street NE, Suite 101  
Albuquerque, NM 87109

**RE: Water and Sanitary Sewer Serviceability Letter #210518**  
**Project Name: Car Wash USA Cottonwood Crossing**  
**Project Address: 10084 Coors Boulevard NW**  
**Legal Description: LOT 2-C Lots 2-A, 2-B, 2-C, and 2-D. Cottonwood Crossing**  
**Phase 2**  
**UPC: 101406517730820325**  
**Zone Atlas Map: B - 14**

Dear Mr. Lopez:

**Project Description:** The subject site is located on Coors Boulevard at the intersection of Seven Bar Loop and Coors Boulevard, within City of Albuquerque limits. The proposed development consists of approximately 0.79 acres and the property is currently zoned MX-L for mixed-use, low intensity. The property lies within the Pressure Zone 2WR in the Corrales trunk. The request for information indicates plans to develop the lot for commercial use. Services will be used for a car wash.

**Service Connection Agreement:** As this development is outside the Water Authority's Adopted Service Area, a Service Connection Agreement must be approved by the Water Authority Board. The developer shall coordinate with the Utility Development Section of the Water Authority to obtain a Service Connection Agreement.

**Water Resource Charge:** All developments located outside of the Water Authority's Adopted Service Area will be assessed a Water Resource Charge (WRC) as provided in the Water Authority's Water and Sewer Rate Ordinance for the development of new water resources, rights and supplies necessary to serve the development. The WRC shall not be used for reimbursement of master planned facilities.

**Existing Conditions:** Water infrastructure in the area consists of the following:

- Eight-inch PVC distribution main (project #26-7290.81-05) along easement along the eastern perimeter of the site.
- Eight-inch PVC distribution main (project #26-7290.81-05) along easement along the north west perimeter of the site, abandoned left as is.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC collector line (project #26-7290.81-05) along easement along the south-east perimeter of the site.
- 24-inch Asbestos Concrete interceptor line (project #07-007-80) along easement along the north west perimeter of the site.

**Water Service:** New metered water service to the property can be provided via routine connection to the existing eight-inch main along the eastern perimeter, as noted in the "Existing Conditions" section above. Connection to the water main on the western perimeter of the site is prohibited due to its abandoned status.

Existing metered service and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main and capping the line near the valve. For fire lines, the valve access shall be grouted and collar removed. Service is also contingent upon compliance with the Fire Marshal's instantaneous fire flow requirements. Water service will not be sold without adequate fire protection. Water service will only be sold in conjunction with sanitary sewer service.

**Sanitary Sewer Service:** Sanitary sewer service can be provided via routine connection to the existing eight inch main along the eastern perimeter, as noted in the "Existing Conditions" section above. Connection to the 24-inch main is prohibited, due to Water Authority Legislation and Ordinance Section Seven: Water and Wastewater System Expansion.

All food service establishments must install a grease trap upstream of the domestic private sewer connection prior to discharge into the public sanitary sewer lines.

**Fire Protection:** From the request for availability the instantaneous fire flow requirements for the project are 1,500 gallons-per-minute and one (1) hydrant. As modeled using InfoWater™ computer software, the fire flow can be met. Analysis was performed by simulating the desired flow at the approximate location of hydrant 87.

Existing plans propose the relocation of the existing public hydrant 87. Development is contingent upon the following:

1. All new or relocated existing public hydrants as well as their exact locations must be determined through the City of Albuquerque Fire Marshal's Office and verified through the Utility Development Office prior to sale of service.
2. All onsite hydrants and hydrants located outside of existing public waterline easements are to be considered private and painted safety orange.

Any changes to the proposed connection points shall be coordinated through Utility Development.

Engineer is responsible for determining pressure losses and sizing of the private water line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system.

**Cross Connection Prevention:** Per the Cross Connection Ordinance, all new non-residential premises must have a reduced pressure principle backflow prevention assembly approved by the Water Authority and installed at each domestic service connection at a location accessible to the Water Authority. All new fire line services to fire protection systems shall be equipped with a reduced pressure principle backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction at each service connection. A double check valve assembly approved by the Water Authority and Fire Marshal having jurisdiction may be installed instead of a reduced pressure backflow prevention assembly provided the fire protection system contains ANSI/NSF Standard 60 or 61 water piping throughout the entire fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections, connections from auxiliary water supplies, antifreeze nor other additives. The Water Authority requests that all backflow (containment) devices be located above ground just outside the easement or roadway right-of-way. Contact Cross Connection at 289-3454 for more information.

**Easements:** Exclusive public water and sanitary sewer easements are required for all public lines that are to be constructed outside of any dedicated rights-of-way. A minimum width easement of 20 feet is required for a single utility and 25 feet for water and sewer both within the same easement. Easements for standard sized water meters need to be five feet by five feet and include the length of the water service if located on private property. For larger meters that require a meter vault, a 35 feet by 35 feet easement is required. Actual easement widths may vary depending on the depth of the lines to be installed. Acceptable easements must be documented prior to approval of service.

**Pro Rata:** Pro Rata is not owed and the property can utilize the services available upon completion of the requirements of this statement to connect to water and sanitary sewer.

**Design and Construction** of all required improvements will be at the developer / property owner's expense. Improvements must be coordinated through the Water Authority Mini Work Order process. Construction must be performed by a licensed and bonded public utility contractor.

**Costs and Fees:** In addition to installation and construction costs, any new metered water services will be subject to both water and sanitary sewer Utility Expansion Charges (UEC) payable at the time of service application. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized.

**Water Use:** All new commercial developments shall be subject to the requirements for water usage and water conservation requirements as defined by the Water Authority, particularly the Water Waste Ordinance. Where available, outdoor water usage shall utilize reclaimed water.

**Closure:** This serviceability letter does not provide a commitment from the Water Authority to provide services to the development. It only provides details of infrastructure that is available and potential precursors for the proposed development. For service to be provided, a Board approved service connection agreement must be supplemented by this serviceability letter. The serviceability letter will remain in effect for a period of one (1) year from the date of issue and applies only to the development identified herein. Its validity is, in part, contingent upon the continuing accuracy of the information supplied by the developer. Changes in the proposed development may require reevaluation of availability and should be brought to the attention of the Utility Development Section of the Water Authority as soon as possible.

Please feel free to contact Mr. Kristopher Cadena in our Utility Development Section at (505) 289-3301 or email at [kcadena@abcwua.org](mailto:kcadena@abcwua.org) if you have questions regarding the information presented herein or need additional information.

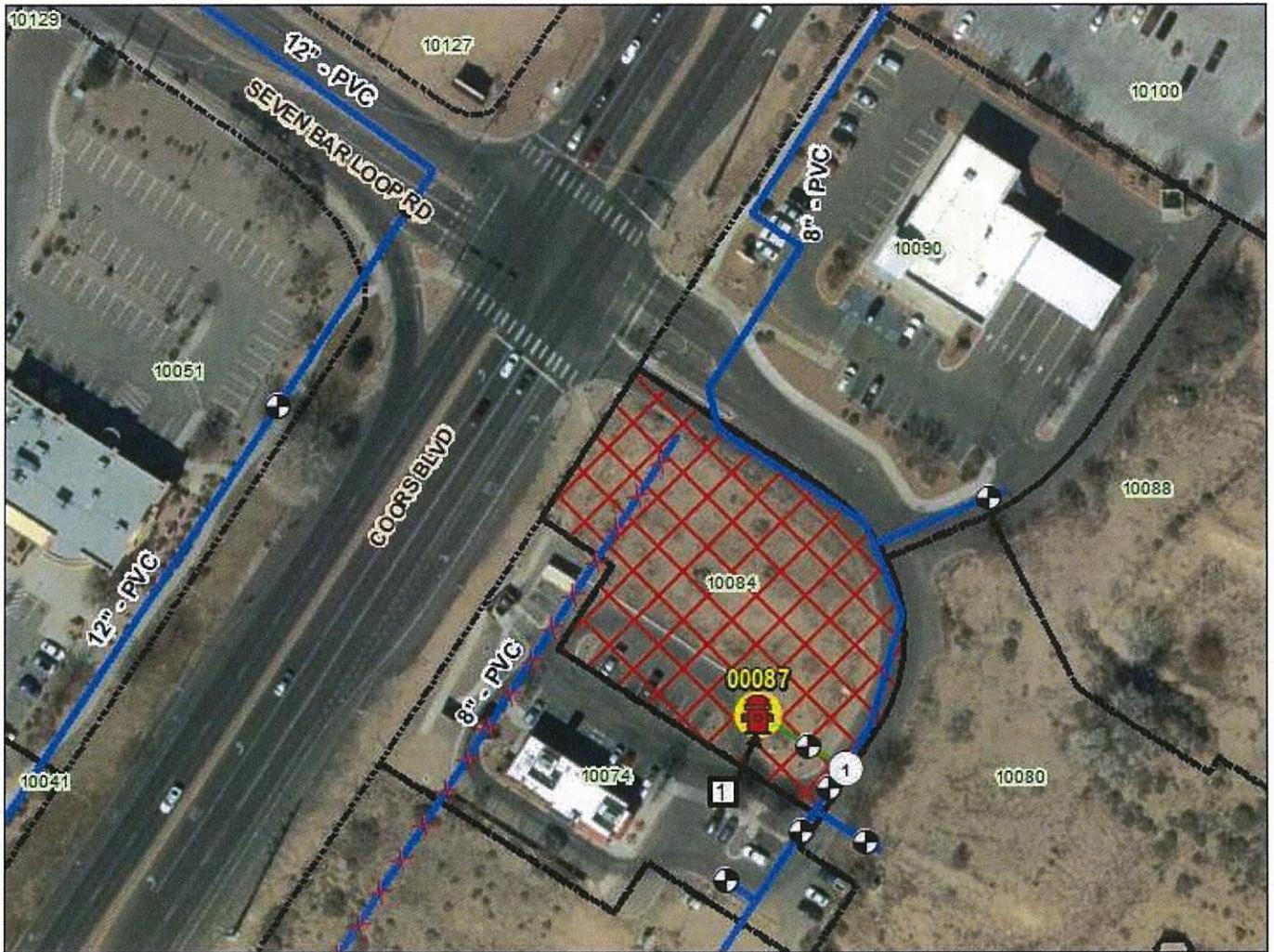
Sincerely,



Mark S. Sanchez  
Executive Director

Enclosures: Infrastructure Maps (2)  
f/ Availability Statement 210518

# 210518 - Water



## Legend

Project Location

Valve

Hydrant

## Pipe

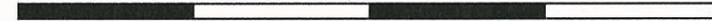
### SUBTYPE

Distribution Line

Hydrant Leg

Abandoned

0 195 390 Feet



--- General Map Keyed Notes

1. --- Fire Hydrant 00087 To Be Relocated

--- Fire Flow Analysis Points

1. --- Analysis Point

# 210518 - Sanitary Sewer



## Legend

-  Project Location
-  Sewer Manhole

## Sewer Pipe SUBTYPE

-  COLLECTOR
-  INTERCEPTOR

0 195 390 Feet

