



Meeting Date: March, 5, 2025
Staff Contact: Kristopher Cadena, Chief Engineer, Utility Development

TITLE: R-25-10 – Authorizing an Agreement for Water and Sewer Service for 7 Bar Retail

ACTION: Recommend Approval

SUMMARY:

This Resolution authorizes development located along the east of Coors Boulevard at the intersection of Coors Boulevard NW and 7 Bar Loop Road NW within the City Limits. The project consists of a Mixed-use development of (15) townhomes, retail, an office building, and a restaurant.

Water and wastewater service is contingent on the Developer constructing public water distribution and public sanitary sewer collector lines that tie to the existing infrastructure proximate to the property.

All services provided within the development will be subject to current Utility Expansion and Water Resource Charges.

FISCAL IMPACT:

None.

DEVELOPMENT AGREEMENT
7 Bar Retail

Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision, (“Water Authority”) and **A Management, Inc.**, a New Mexico limited liability corporation, (“Developer”) (together, “Parties”), agree as follows:

1. Recitals

- A.** A Management, Inc. is the “Developer” and owner of certain real property located in Cottonwood Crossings Phase 2 (collectively, the “Property”). The Property is shown on **Exhibit A** attached hereto and incorporated herein by reference. The Property is located outside of the Water Authority’s currently Established Service Area.
- B.** The legal description for the property is: Lots 2-A and 2-B, a portion of Lots 2-A, 2-B, 2-C and 2-D (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1,2,3,4,5, and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossings Phase II. The Property is more particularly described and shown on **Exhibit B** attached hereto and incorporated herein by reference.
- C.** The Property will develop as Mixed-use development of (15) townhomes, retail, an office building, and a restaurant.
- D.** The Property is located in Pressure Zone 2WR of the Corrales Trunk.
- E.** The Parties desire to agree upon terms and conditions pursuant to which the Water Authority will provide water and sanitary sewer service to the Property. As a condition of such service, the Developer shall construct, or cause to be constructed, extensions of existing public water and sanitary sewer lines and other necessary infrastructure improvements (collectively, “Facility Improvements”) under all applicable plans, specifications, requirements, and standards of the Water Authority. The Serviceability Letter for the Property reflecting necessary Facility Improvements referred to in this Agreement is attached hereto as **Exhibit C** and incorporated herein by reference and made a term of this Agreement.
- F.** The Facility Improvements referenced in this Agreement are not considered Master Plan improvements by the Water Authority. As such, reimbursement of construction costs associated with their construction will not be available through water and sewer UEC (defined below in Section 3.B) reimbursements.

2. Design and Construction of the Facility Improvements

- A.** The Developer will cause definitive designs and plans of the Facility Improvements to be produced which will include estimates of all costs and expenses. The Developer will not take service from the Facility Improvements until the Water Authority has approved the Facility Improvements. The Developer will obtain all necessary permits, assurances, and approvals from the Water Authority and City, and the Developer will deliver a copy of such permits, assurances, and approvals to the Water Authority prior to the start of construction. Construction will be handled through the Water Authority work order process.
- B.** The Developer will complete, or cause to be completed, construction of the Facility Improvements as approved by the City of Albuquerque Design Review Committee and the Water Authority, and in conformance with all applicable plans, specifications, and standards of the City and the Water Authority. The Water Authority shall provide service to the Property only after the Water Authority has accepted the Facility Improvements. The Water Authority shall accept, operate and maintain the Facility Improvements after the Developer conveys, at no expense to the Water Authority, all the Facility Improvements together with all real and personal property rights which the Water Authority deems reasonably necessary which shall be free and clear of all claims, encumbrances and liens for the construction, operation and maintenance. The provisions of this Agreement constitute covenants running with the referenced Property for the benefit of the Water Authority and its successors and assigns until terminated, and are binding on the Developer and their heirs, successors and assigns.
- C.** The contractor's one (1) year warranty period shall commence upon final project acceptance by the Water Authority. The Developer shall be responsible for conducting an 11 month warranty inspection. Developer shall be responsible for correcting any deficiencies found during the inspection to the satisfaction of the Water Authority.
- D.** The Developer will be responsible for close coordination of the project with the Water Authority during the design and construction phases, including review of design details, during the design process, and the approval of specifications and contract documents. The Water Authority will review and approve in a timely manner the design plans for construction and estimated cost, to ensure the designs meet Water Authority standards and follow the guidance provided in the City's Development Process Manual ("DPM") and/or applicable Water Authority Design Manuals.
- E.** To the extent relevant and applicable and to the extent there is no conflict with the terms of this Agreement, the usual procedures and documentation, including the Procedure "B", as defined in the Development Process Manual (DPM) of the City and Section 14-16-5-4(G) of the City IDO, will be followed and used for the Facility Improvements.

3. Service

- A. The 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 the concurrent connection of sanitary sewer service to the Water Authority's wastewater system.
 - B. The Developer or its successor shall pay Utility Expansion Charges (UEC) and the Water Resource Charges (WRCs) 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. 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.
4. **Financial Guarantee** - For any Master Plan Infrastructure required to be constructed by Developer herein, the Developer shall provide a financial guarantee in the form of a property lien that is acceptable to the Water Authority as assurance that the Master Plan Infrastructure will be completed and placed in service.
 5. **Termination.** If construction of the Facility Improvements by the Developer has not been completed and accepted by the Water Authority within seven years of the effective date of this Agreement, this Agreement shall automatically terminate, and the Water Authority and the Developer shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.
 6. **Water for Construction.** During the construction of the Facility Improvements, the Developer agrees to utilize alternative methods as approved by the City of Albuquerque's Air Quality Division for dust abatement and control including compost from the Water Authority, if economically feasible. The Developers may purchase water for construction from the Water Authority from the nearest approved fire hydrant in accordance with the Water Authority's Water and Sewer Rate Ordinance. Water purchased from the Water Authority shall be used only for construction.
 7. **Indemnification.** Until final acceptance of the Facility Improvements by the Water Authority, the Developer shall be solely responsible for the condition and maintenance of the Facility Improvements and the premises upon which the Facility Improvements are constructed. The Developer agrees to indemnify and hold harmless the Water Authority and its officials, agents, and employees from and against all suits, actions or claims of any character brought because of any injury or damage arising out of the design or construction of the Facility Improvements, or by reason of any act or omission, or misconduct of the Developer, its agents, employees or the Engineer or Contractor or its agents or employees. The indemnity required hereunder shall not be limited by reason of the specification of any particular insurance coverage in this

Agreement. Nothing herein is intended to impair any right or immunity under the laws of the State of New Mexico. The indemnification by the Developer herein does not extend to the negligent acts of the Water Authority.

- 8. Representations and Warranties of Developer.** The Developer represents and warrants that:
- A. Developer is a validly existing limited liability company 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 the Developer under the terms of the Agreement; and
 - C. The undersigned officer of the Developer is fully authorized to execute this Agreement on behalf of the Developer.
- 9. Notices.** Any notice to be given under this Agreement will be in writing and will be deemed to have been given when deposited with the United States Postal Service, postage prepaid and addressed as follows:

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:

A Management, Inc.
Pierre Amestoy
Owner
4461 Irving Boulevard NW
Albuquerque, NM 87114

- 10. Assignment.** This Agreement will not be assigned without the prior written consent of the Water Authority and the Developer. If so assigned, this Agreement shall extend to and be binding upon the successors and assigns of the parties hereto.
- 11. 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.

12. 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.

13. 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.

14. Effective Date. The effective date of this Agreement is the date last entered below.

In Witness Whereof, the parties hereto have executed this Agreement on the dates entered below.

**Albuquerque Bernalillo County
Water Utility Authority**

**Developer
A Management, Inc. ,
a New Mexico limited liability
corporation**

By: _____
Mark S. Sanchez
Executive Director

By: _____
Pierre Amestoy
Owner

Date: _____

Date: _____

Vendor: A Management, Inc.

Name of Person Filling out the Analysis: David Gutierrez

Name/Phone# of Project Manager: David Gutierrez, 505-415-9188

ACTION REVIEW COVER ANALYSIS

(For New Contracts/Additional Services/Change Orders/Purchase Orders & Adjustments)

1. What item is being requested for review? (CIRCLE ONE)

NEW CONTRACT / ADDITIONAL SERVICE / CHANGE ORDER

PURCHASE ORDER or ADJUSTMENT / **OTHER Development Agreement**

2. What will this item do?

Authorize public water and sanitary sewer extensions to provide water and sewer service to a mixed-use development of (15) townhomes, retail, an office building, and a restaurant outside the Established Service Area.

3. Why is it needed?

The project is located outside of the Established Service Area and ABCWUA mains need to be extended to serve this project. The Expansion Ordinance states that in this condition an approved development agreement is required.

4. How much will it cost and what is the funding source?

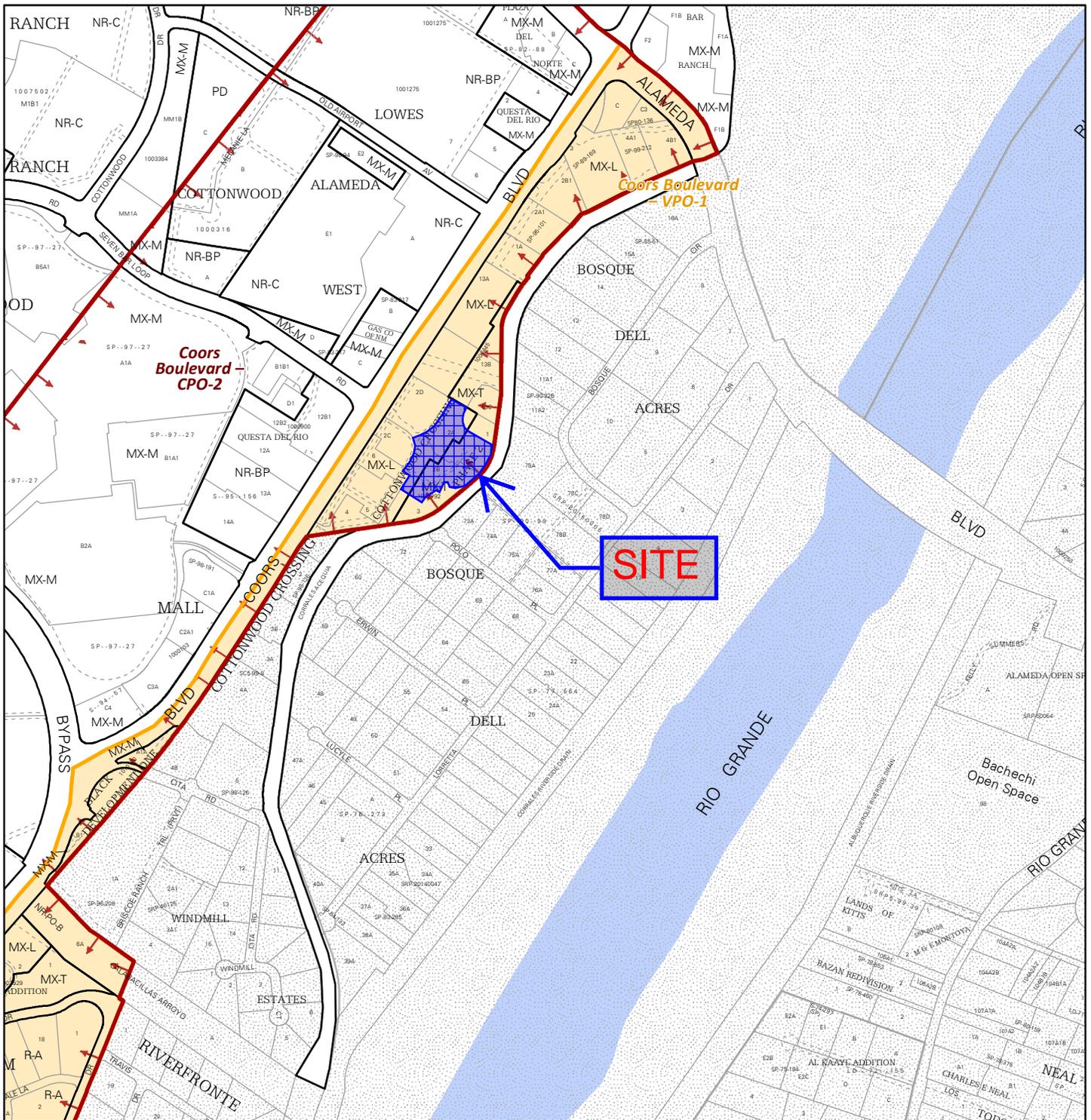
No costs will be incurred. Developer funded.

5. Does this action require/authorize any movement of funds within the CIP administratively or commits to a clean up in the future? No

6. What will happen if this/these item(s) is(are) not approved?

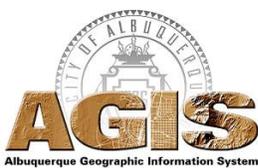
The development will not receive service and will not be constructed.

EXHIBIT A
Zone Atlas Map B-14

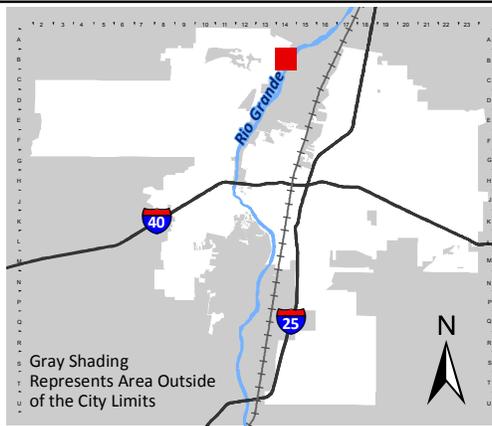


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

IDO Zone Atlas May 2018



IDO Zoning information as of May 17, 2018
The Zone Districts and Overlay Zones
are established by the
Integrated Development Ordinance (IDO).



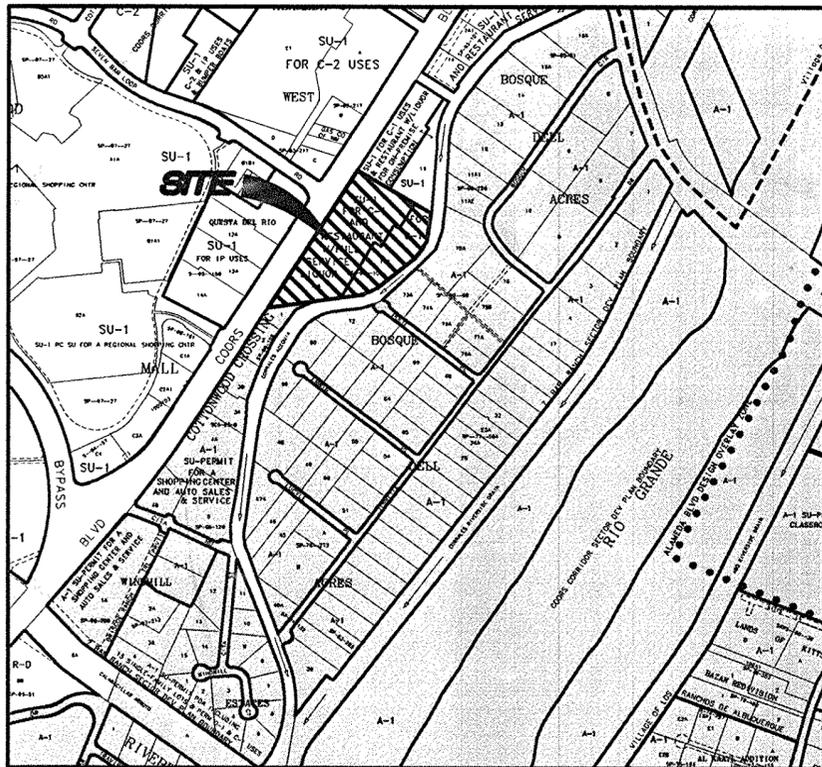
Zone Atlas Page:
B-14-Z

- Easement
- Escarpment
- Petroglyph National Monument
- Areas Outside of City Limits
- Airport Protection Overlay (APO) Zone
- Character Protection Overlay (CPO) Zone
- Historic Protection Overlay (HPO) Zone
- View Protection Overlay (VPO) Zone



EXHIBIT B
Existing Plat

Cottonwood Crossings Phase 2
Subdivision



VICINITY MAP
N.T.S.

SUBDIVISION DATA

1. City of Albuquerque Zone Atlas Page: B-14-Z
2. U.C.L.S. Log Number 2003461539
3. Total number of existing tracts: 2
4. Total number of new lots created: 6
5. Gross subdivision acreage: 9.7690 acres
6. Total mileage of full width streets created: 0.00 miles

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. See Sheet 4 of 4 for Additional Restrictions.

NOTE

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.

DISCLOSURE STATEMENT

The purpose of this plat is to create 6 new lots. Grant City of Albuquerque sidewalk, public water line, public sanitary sewer line, public storm sewer, private cross access, public overhead and dry utility easements. Vacate existing easements as shown hereon.

SHEET INDEX

- SHEET 1 - Approvals
- SHEET 2 - Legal Description, General Notes
- SHEET 3 - New Lot Boundaries and Existing Easements
Vacated by 03DRB-01780VPE
- SHEET 4 - New Easements Granted by this Plat

2884828772
6834256
Page: 1 of 4
92/19/2884 89-84R
Bk-2884C Pg-56
Maru Herrera Bern. Co. PLAT R 22.88

**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

NOVEMBER, 2003

TREASURER'S CERTIFICATION

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

- UPC# 101406519031820301 TRACT 14-A, BLACK RANCH
- UPC# 101406522431320303 TRACT 14-B, BLACK RANCH

[Signature]
Bernalillo County Treasurer's Office Date 2/11/04

PROJECT NUMBER: 1002792

Application Number: 04-00184

PLAT APPROVAL

Utility Approvals:

<i>[Signature]</i> PNM Electric Services	12-22-03 Date
<i>[Signature]</i> PNM Gas Services	12-22-03 Date
<i>[Signature]</i> QWest Corporation	12-19-03 Date
<i>[Signature]</i> Comcast	2-10-04 Date
<i>[Signature]</i> New Mexico Utilities	2-10-04 Date

City Approvals:

<i>[Signature]</i> City Surveyor	12-8-03 Date
N/A Real Property Division	Date
N/A Environmental Health Department	Date
<i>[Signature]</i> Traffic Engineering, Transportation Division	2-18-04 Date
<i>[Signature]</i> Utilities Development	2-18-04 Date
<i>[Signature]</i> Christine Sandoval Parks and Recreation Department	2/18/04 Date
<i>[Signature]</i> AMAFCA	2-13-04 Date
<i>[Signature]</i> Brad L. Byham City Engineer	2/18/04 Date
<i>[Signature]</i> Sheran Matson DRB Chairperson, Planning Department	2/18/04 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 trim 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.



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
November 26, 2003

SURVOTEK, INC.

Consulting Surveyors
5643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114 Phone: 505-897-3388
Fax: 505-897-3377

**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
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NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

NOVEMBER, 2003

GENERAL NOTES

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone - NAD 1927) originated at the Albuquerque Control Survey Monument "NM448-N12".
2. Distances are ground.
3. Distances along curved lines are arc lengths.
4. Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ().
5. All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
6. 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.
7. Field surveys were performed during the month of April, 2003.
8. Documents used in the preparation of this survey are as follows:
 - A. 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.
 - B. 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.
 - C. 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.
 - D. Title Report prepared for this property by Lawyers Title Insurance Company, Commitment for Title Insurance No. 972091SD, dated July 25, 1997.
9. 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.

**A.M.A.F.C.A. EASEMENTS RELEASED
BY SEPARATE DOCUMENT**

The following easements were released by the document entitled "QUITCLAIM DEED / RELEASE OF EASEMENT" filed February 12, 2004, Book A72, Page 9151, records of Bernalillo County, New Mexico.

- Ⓐ 30' Easement for Floodway & Storm Drainage Works to A.M.A.F.C.A. filed Dec. 18, 1992, Book BCR 92-30, page 2669, vacated by 03DRB-01780VPE.
- Ⓔ Temporary Road Easement to A.M.A.F.C.A. filed May 12, 1994, Book BCR 94-15, page 4448, vacated by 03DRB-01780VPE.
- Ⓒ Albuquerque Metropolitan Arroyo Flood Control Authority Easement filed August 10, 1983, Misc. 38A, pages 64-67, vacated by 03DRB-01780VPE.

LEGAL DESCRIPTION

Tracts numbered Fourteen-A (14-A) and Fourteen-B (14-B), Black Ranch, within the Town of Alameda Grant, Projected Section 8, Township 11 North, Range 3 East, N.M.P.M., Bernalillo County, City of Albuquerque, New Mexico, as the same is shown and designated on said plat, filed in the office of the County Clerk of Bernalillo County, New Mexico, on June 3, 1998, in Plat Book 98C, Folio 157.

Said parcel contains 9.7690 acres more or less.

DEDICATION

SURVEYED and REPLATTED and now comprising 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, 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 grant the easements as shown hereon and do hereby dedicate Lot 3 in fee simple with warranty covenants to the Albuquerque Metropolitan Arroyo Flood Control Authority. Said owner(s) and proprietor(s) do hereby grant the public utility easements to the use of the public forever, as shown hereon. 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.

OWNER: TRACTS 14-A and 14-B, BLACK RANCH
The Albert J. Black and Mary Jane Black Revocable Trust

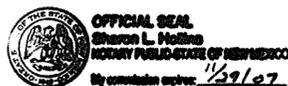
John F. Black
John F. Black, Trustee

ACKNOWLEDGEMENT

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
This Instrument was acknowledged before me on this 8th day of December, 2003, by John F. Black.

Sharon L. Hollins
Notary Public

My Commission expires: Nov. 29, 2007



EASEMENT TABLE

- Ⓐ 20' Sanitary Sewer Easement to New Mexico Utilities, Inc. filed September 21, 1981, Book Misc. 880, page 1, to remain.
- Ⓑ 10' Overhead Utility Easement to PNM & Mountain States Telephone & Telegraph filed Sept. 19, 1989, Book Misc. 790-A, page 499, vacated by 03DRB-01780VPE.
- Ⓒ Easement for Underground Storm Drainage Works to A.M.A.F.C.A. filed Dec. 18, 1992, Book BCR 92-30, page 2661, to remain.
- Ⓓ 30' Easement for Floodway & Storm Drainage Works to A.M.A.F.C.A. filed Dec. 18, 1992, Book BCR 92-30, page 2669, vacated by 03DRB-01780VPE.
- Ⓔ Temporary Road Easement to A.M.A.F.C.A. filed May 12, 1994, Book BCR 94-15, page 4448, vacated by 03DRB-01780VPE.
- Ⓕ Easement to PNM & US West, filed June 20, 1995, in Book BCR 95-14, page 6668, to remain.
- Ⓖ 10' Easement to PNM & US West, filed June 20, 1995, in Book BCR 95-14, page 6671, vacated by 03DRB-01780VPE.
- Ⓗ Reciprocal Easement filed Oct. 21, 1996, in Book BCR 96-28, page 2764, To Remain
- Ⓘ 10' Easement to New Mexico Utilities, filed April 24, 1998, in Book BCR 98-08, Page 8481, to remain.
- Ⓙ Easement to Mountain States Telephone & Telegraph, filed January 16, 1930, in Book 112, page 68. (Blanket Easement), to remain.
- Ⓚ Easement to Mountain States Telephone & Telegraph, filed March 28, 1930, in Book 112, page 196. (Blanket Easement), to remain.
- Ⓛ 30' Access Easement for the use of Tract 14-B per plat filed June 3, 1998, Vol. 98C, Folio 157. (Hatched area), To Remain
- Ⓜ 20' Easement to New Mexico Utilities, Inc., filed September 21, 1981, in Book Misc. 880, page 4, confined to adjoining property - to remain.
- Ⓝ 10' Easement to New Mexico Utilities, Inc., filed October 18, 1996, in Book BCR 96-28, page 1809, confined to adjoining property - to remain.
- Ⓒ Albuquerque Metropolitan Arroyo Flood Control Authority Easement filed August 10, 1983, Misc. 38A, pages 64-67, vacated by 03DRB-01780VPE.

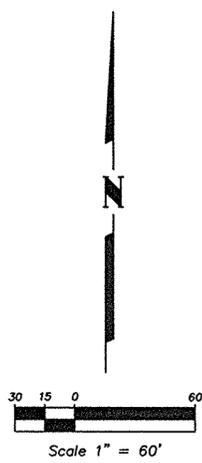
BOUNDARY INFORMATION AND EXISTING EASEMENTS

**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
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NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
NOVEMBER, 2003

SEE SHEET 2 OF 4 FOR KEYED EASEMENT INFORMATION

SEE SHEET 2 OF 4 FOR ADDITIONAL A.M.A.F.C.A. EASEMENT INFORMATION



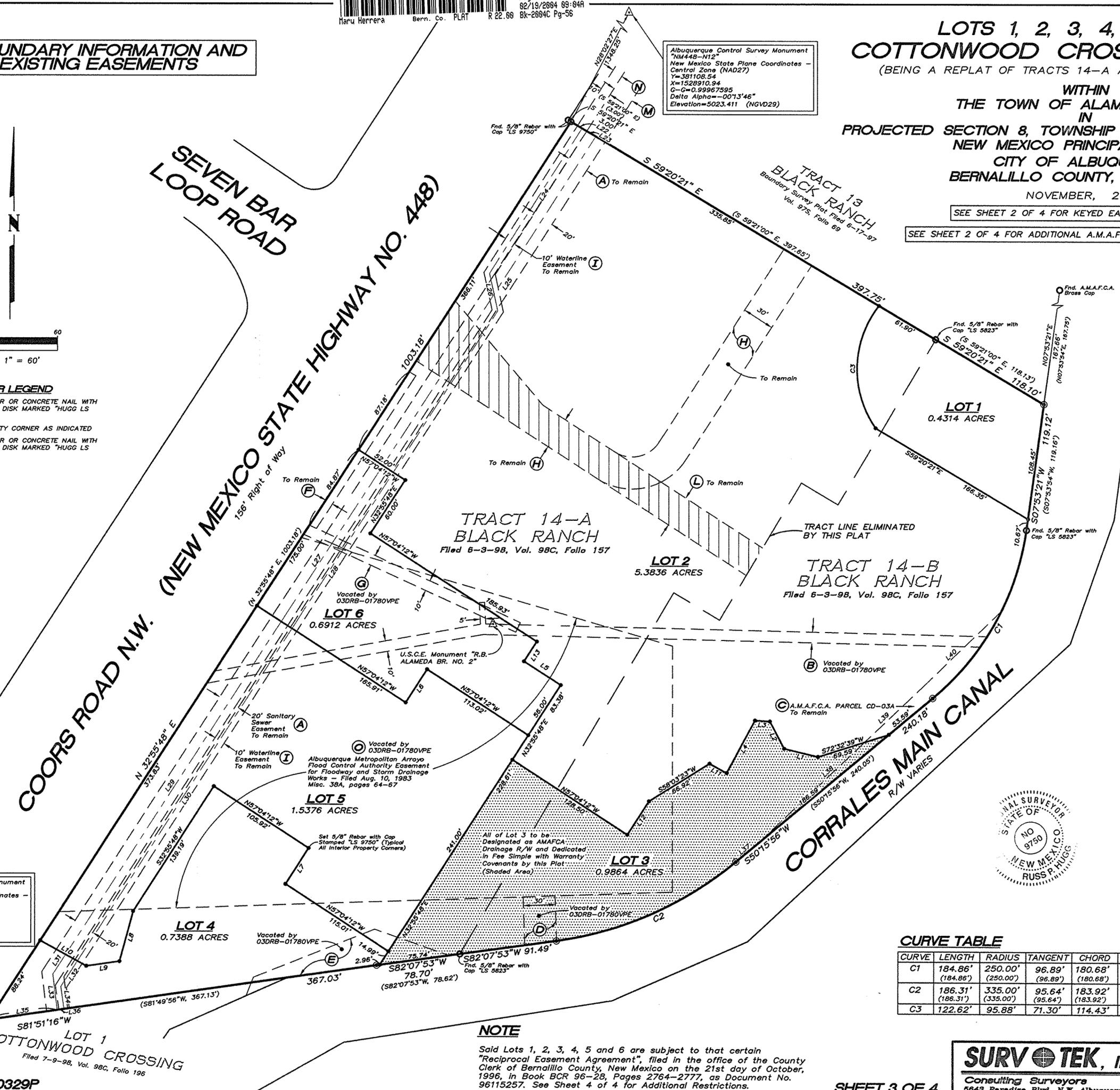
CORNER LEGEND

- ⊙ 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"

Albuquerque Control Survey Monument
"NM448-N12"
New Mexico State Plane Coordinates -
Central Zone (NAD27)
Y=381108.54
X=1528910.94
G-G=0.99967595
Delta Alpha=-00'13'46"
Elevation=5023.411 (NGVD29)

SEVEN BAR LOOP ROAD
COORS ROAD N.W. (NEW MEXICO STATE HIGHWAY NO. 448)

Albuquerque Control Survey Monument
"NM448-N10"
New Mexico State Plane Coordinates -
Central Zone (NAD27)
Y=377788.84
X=1524161.52
G-G=0.99967583
Delta Alpha=-00'14'09"
Elevation=5045.51 (NGVD29)



LINE TABLE

LINE	LENGTH	BEARING
L1	32.70'	N76°36'48"W
L2	28.72'	N27°52'55"W
L3	14.01'	N86°28'56"W
L4	55.93'	S28°23'32"W
L5	41.00'	N57°14'40"W
L6	37.00'	S32°55'48"W
L7	40.00'	S32°55'48"W
L8	48.64'	S15°11'06"W
L9	31.45'	S81°51'16"W
L10	49.25'	N61°19'09"W
L11	18.19'	N61°36'28"W
L12	37.36'	S32°55'48"W
L13	22.12'	S32°55'48"W
L22	12.16'	S59°20'21"E
L23	15.01'	S59°20'21"E
L24	161.06'	N32°38'46"E
L25	367.18'	S32°56'02"W
L26	35.96'	N12°21'14"W
L27	175.00'	S32°56'02"W
L28	175.00'	N32°50'11"E
L29	371.82'	S32°56'02"W
L30	370.88'	N32°50'11"E
L31	21.97'	S32°56'02"W
L32	28.57'	N32°50'11"E
L33	33.68'	S07°01'14"E
L34	21.10'	N08°09'48"W
L35	64.62'	S81°51'16"E
L36	6.49'	S81°51'16"E
L37	26.14'	N50°13'54"E
L38	138.63'	N46°31'30"E
L39	75.97'	N46°31'30"E
L40	102.38'	N45°54'06"E

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	184.86' (184.86')	250.00' (250.00')	96.89' (96.89')	180.68' (180.68')	S29°04'56"W (S29°05'55"W)	42°22'02" (42°22'02")
C2	186.31' (186.31')	335.00' (335.00')	95.64' (95.64')	183.92' (183.92')	S66°11'55"W (S66°11'55"W)	31°51'57" (31°51'57")
C3	122.62'	95.88'	71.30'	114.43'	S01°34'32"W	73°16'31"



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. See Sheet 4 of 4 for Additional Restrictions.

SURV TEK, INC.
Consulting Surveyors

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

NEW EASEMENTS GRANTED BY THIS PLAT

KEYED EASEMENTS

- (A) New Water Line Easement granted to New Mexico Utilities, Inc. by this plat. Easement to be 10' wide unless otherwise indicated.
- (B) New Private Access Easement granted to AMAFCA and MRGCD by this plat. Maintenance to be the responsibility of AMAFCA.

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 the 19th day of February, 2004, in Book 250402971, Pages 11 to 16, as Document No. 250402971.

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.

**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
NOVEMBER, 2003

SEE SHEET 2 OF 4 FOR ADDITIONAL A.M.A.F.C.A. EASEMENT INFORMATION

LINE TABLE

LINE	LENGTH	BEARING
L1	32.70'	N76°36'48"W
L2	28.72'	N27°52'55"W
L3	14.01'	N86°28'56"W
L4	55.93'	S28°23'32"W
L5	41.00'	N57°14'40"W
L6	37.00'	S32°55'48"W
L7	40.00'	S32°55'48"W
L8	48.64'	S15°11'06"W
L9	31.45'	S81°51'16"W
L10	18.19'	N61°36'28"W
L11	18.19'	S32°55'48"W
L12	22.12'	S32°55'48"W
L13	19.89'	S88°44'18"E
L14	40.91'	N46°20'05"E
L15	33.06'	S60°38'23"E
L16	15.89'	N57°04'12"W
L17	43.88'	N57°17'22"W
L18	23.67'	N57°02'27"W
L19	40.11'	N57°02'27"W
L20	12.16'	S59°38'43"E
L21	29.39'	N85°55'21"W
L22	161.06'	N32°38'46"E
L23	367.18'	S32°56'02"W
L24	35.96'	N12°21'14"W
L25	175.00'	S32°56'02"W
L26	175.00'	N32°56'11"E
L27	371.82'	S32°56'02"W
L28	370.88'	N32°50'11"E
L29	21.97'	S32°56'02"W
L30	28.57'	N32°50'11"E
L31	33.86'	S07°01'14"E
L32	21.10'	N08°09'48"W
L33	64.62'	N82°00'42"E
L34	6.49'	N80°16'28"E
L35	26.14'	N50°13'54"E
L36	138.63'	N46°31'30"E
L37	75.97'	N46°31'30"E
L38	102.38'	N45°54'06"E
L39	19.69'	S32°55'48"W
L40	23.55'	S32°55'48"W
L41	16.87'	S32°55'48"W
L42	48.94'	N57°04'12"W
L43	23.88'	S57°04'12"E
L44	2.13'	S32°55'48"W
L45	181.30'	S57°04'12"E
L46	20.59'	S28°23'32"W
L47	24.25'	S61°36'28"E
L48	46.47'	S28°23'32"W
L49	82.43'	S62°07'05"W
L50	107.33'	S32°55'48"W
L51	17.00'	S57°04'12"E
L52	34.87'	N57°04'12"W
L53	34.87'	N57°04'12"W
L54	56.91'	N57°04'12"W
L55	20.80'	N09°04'27"W
L56		
L57		

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	184.86' (184.86')	250.00' (250.00')	96.89' (96.89')	180.68' (180.68')	S29°04'56"W (S29°05'55"W)	42°22'02" (42°22'02")
C2	186.31' (186.31')	335.00' (335.00')	95.64' (95.64')	183.92' (183.92')	S66°11'55"W (S66°11'55"W)	31°51'57" (31°51'57")
C3	122.62'	95.88'	71.30'	114.43'	S01°34'32"W	73°16'31"
C4	71.71'	250.00'	36.10'	71.46'	N42°02'57"E	16°26'01"
C5	56.40'	105.00'	28.90'	55.72'	N41°41'00"W	30°46'24"
C6	55.66'	105.00'	28.50'	55.01'	N11°06'34"W	30°22'27"
C7	52.87'	105.00'	27.01'	52.32'	N18°30'14"E	28°51'09"
C8	72.96'	165.00'	37.09'	72.37'	N49°14'20"E	25°20'10"
C9	10.40'	165.00'	5.20'	10.40'	N34°45'54"E	3°36'42"
C10	29.04'	50.00'	14.94'	28.63'	N40°35'06"W	33°16'21"
C11	58.19'	100.00'	29.95'	57.37'	S40°37'09"E	33°20'27"
C12	10.16'	30.00'	5.13'	10.11'	N47°35'18"W	19°24'09"
C13	26.27'	150.00'	13.37'	26.63'	N32°47'36"W	10°11'13"
C14	22.60'	15.00'	13.69'	20.23'	S70°05'40"E	84°46'20"
C15	19.41'	15.00'	11.33'	18.09'	S30°25'05"W	74°09'05"

Albuquerque Control Survey Monument
"NM448-N12"
New Mexico State Plane Coordinates -
Central Zone (NAD27)
Y=381108.54
X=1528910.94
G=0.99967595
Delta Alpha=-00°13'46"
Elevation=5023.411 (NGVD29)

Albuquerque Control Survey Monument
"NM448-N10"
New Mexico State Plane Coordinates -
Central Zone (NAD27)
Y=377782.84
X=1524161.52
G=0.99967583
Delta Alpha=-00°14'09"
Elevation=5045.51 (NGVD29)

- 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



SURV TEK, INC.

Consulting Surveyors
5843 Paradise Blvd. N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

SEVEN BAR LOOP ROAD

NEW MEXICO STATE HIGHWAY NO. 448

COORS ROAD N.W.

CORRALES MAIN CANAL

LOT 1 COTTONWOOD CROSSING
Filed 7-9-98, Vol. 98C, Folio 196

LOT 6
0.6912 ACRES

LOT 5
1.5376 ACRES

LOT 4
0.7388 ACRES

LOT 3
0.9864 ACRES

LOT 2
5.3836 ACRES

LOT 1
0.4314 ACRES

All of Lot 3 to be
Designated as AMAFCA
Drainage R/W and Dedicated
in Fee Simple with Warranty
Covenants by this Plat.
(Shaded Area)

New 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 this Plat

U.S.C.E. Monument "R.B.
ALAMEDA BR. NO. 2"

New 20' Public Storm Sewer Easement
Granted by this Plat

New 10' Public
Overhead Utility
Easement Granted by
this Plat

New 10' City of Albuquerque
Side Walk Easement
Granted by this Plat

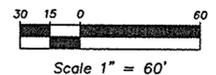
New 10' Public Overhead
Utility Easement
Granted by this Plat

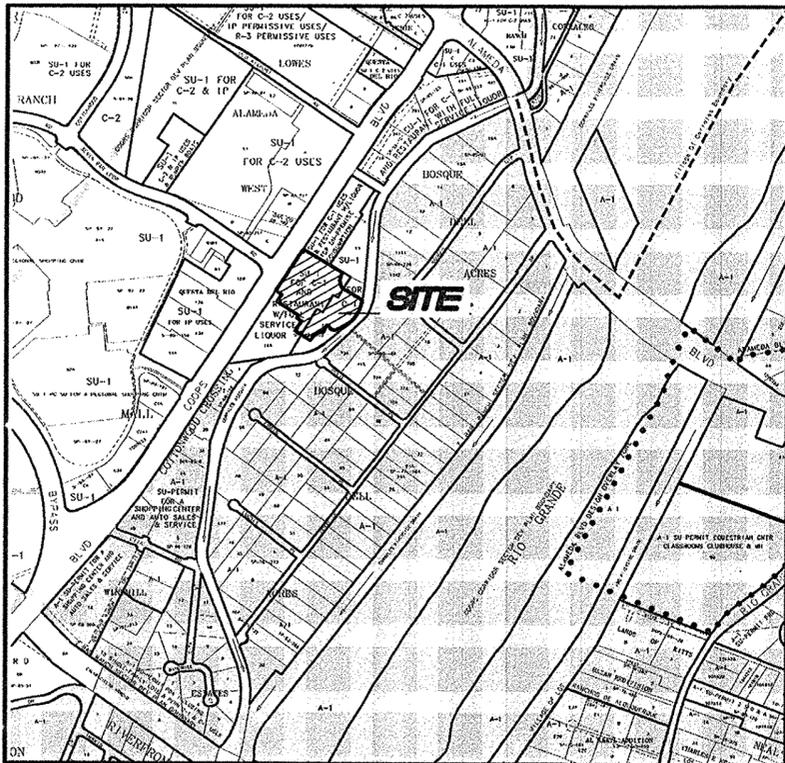
Fnd. 5/8" Rebar with
Cap "LS 9750"

Fnd. 5/8" Rebar with
Cap "LS 5823"

Fnd. A.M.A.F.C.A.
Brass Cap

Fnd. 5/8" Rebar with
Cap "LS 5823"





VICINITY MAP
N.T.S.

GENERAL NOTES

1. Bearings are New Mexico State Plane Grid Bearings (Central Zone - NAD 1927) originated at the Albuquerque Control Survey Monument "NM448-N12".
2. Distances are ground.
3. Distances along curved lines are arc lengths.
4. Record Plat or Dead bearings and distances, where they differ from those established by this field survey, are shown in parenthesis ().
5. All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
6. 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.
7. City of Albuquerque Zone Atlas Page: B-14-Z
8. U.C.L.S. Log Number 2004100808.
9. Total number of existing Lots: 1
10. Total number of new Lots created: 4
11. Gross subdivision acreage: 5.3836 acres
12. Documents used in the preparation of this survey are as follows:
 - A. 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.
 - B. 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.
 - C. 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.
 - D. Title Report prepared for this property by Lawyers Title Insurance Company, Commitment for Title Insurance No. 972091SD, dated July 25, 1997.

2884892818
6186311
Page: 1 of 3
87/81/2884 83-24P
Bk-2884C Pg-281
Mary Herrera Bern. Co. PLRT R 17.88

TREASURER'S CERTIFICATION

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

UPC# 1014065-190-318-20301, 1014065-224-313-20303

Reneville Santillo Reneve
Bernalillo County Treasurer's Office

7.104
Date

PUBLIC UTILITY EASEMENTS

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

- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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

PROJECT NUMBER: 1002792

Application Number: 04DRB-00943

PLAT APPROVAL

Utility Approvals:

<i>Learned B. Munk</i> PNM Electric Services	3-11-04 Date
<i>Learned B. Munk</i> PNM Gas Services	3-11-04 Date
<i>Loanita R. Ruffin</i> QWest Corporation	03/12/04 Date
<i>Rita Eubank</i> Comcast	3-11-04 Date
<i>[Signature]</i> New Mexico Utilities	3-12-04 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:

<i>[Signature]</i> City Surveyor	3-9-04 Date
N/A Real Property Division	Date
N/A Environmental Health Department	Date
<i>[Signature]</i> Traffic Engineering, Transportation Division	6-30-04 Date
<i>Roger A. Green</i> Utilities Development	6-30-04 Date
<i>Christina Sandoval</i> Parks and Recreation Department	6/30/04 Date
<i>Martin Eubank</i> AMA/CA	6-30-04 Date
<i>Bradley D. Bish</i> City Engineer	6/30/04 Date
<i>[Signature]</i> DRB Chairperson, Planning Department	6/30/04 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
NMP No. 9750
February 27, 2004



SHEET 1 OF 3

SURVOTEK, INC.

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

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.

2004092818
6166311
Page: 2 of 3
07/01/2004 03:24P
Bk-2804C Pg-201
Mary Herrera Bern. co. PLAT R 17.00

**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

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 new, true, 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 9th day of March, 2004, by John F. Black.

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'	S67°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

SURVTEK, INC.

Consulting Surveyors
6643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114
Phone: 505-897-3366
Fax: 505-897-3377

2804092818
 8186311
 Page: 3 of 3
 87/81/2884 83:24P
 Bk-2804C Pg-281
 Mary Herrera
 Bern. Co. PLAT R 17.88

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

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.

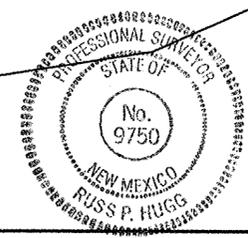
Manholes will be offset at all points of curvature, points of tangency, street intersections, and all other angle points to allow use of centerline monumentation.

SEVEN BAR LOOP ROAD
 COORS ROAD N.W.
 (NEW MEXICO STATE HIGHWAY NO. 448)

Albuquerque Control Survey Monument
 "NM448-N12"
 New Mexico State Plane Coordinates -
 Central Zone (NAD27)
 Y=381108.54
 X=1528910.94
 G-G=0.99967595
 Delta Alpha=-00'13"46"
 Elevation=5023.411 (NGVD29)

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.

Albuquerque Control Survey Monument
 "NM448-N10"
 New Mexico State Plane Coordinates -
 Central Zone (NAD27)
 Y=377788.84
 X=1324161.52
 G-G=0.99967583
 Delta Alpha=-00'14"09"
 Elevation=5045.51 (NGVD29)



- 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

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.

SHEET 3 OF 3

040131

SURVOTEK, INC.
 Consulting Surveyors
 6643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114
 Phone: 505-897-3368
 Fax: 505-897-3377

February 27, 2025

Chair
Klarissa Peña
City of Albuquerque
Councilor, District 3

Vice Chair
Barbara Baca
County of Bernalillo
Commissioner, District 1

Frank A. Baca
County of Bernalillo
Commissioner, District 2

Dan Lewis
City of Albuquerque
Councilor, District 5

Eric C. Olivas
County of Bernalillo
Commissioner, District 5

Louie Sanchez
City of Albuquerque
Councilor, District 1

Timothy M. Keller
City of Albuquerque
Mayor

Ex-Officio Member
Gilbert Benavides
Village of Los Ranchos
Board Trustee

Executive Director
Mark S. Sanchez

Website
www.abcwua.org

Derek R Bohannon
Tierra West LLC
5571 Midway Park PI NE
Albuquerque, NM 87109

RE: Water and Sanitary Sewer Serviceability #241207

Project Name: Retail @ 7 Bar

Project Address: 10080 Coors Blvd NW and 10088 Coors Blvd NW

Legal Description: Lots 2-A and 2-B, a portion of Lots 2-A, 2-B, 2-C and 2-D (Being a Replat of Tract 2, Cottonwood Crossing Phase II) and Lots 1,2,3,4,5, and 6, Plat of Lots 1, 2, 3, 4, 5 & 6 (Being a Replat of Tracts 14-A & 14-B Black Ranch), Cottonwood Crossings Phase II

UPC: 101406520329520320, 101406521531220323

Zone Atlas Map: B-14-Z

Dear Mr. Bohannon:

Project Description: The subject site is located northwest of Corrales Main Canal, within the City of Albuquerque. The proposed development consists of approximately 3.1391 acres and the property is currently zoned MX-L and MX-T for mixed use, light intensity and a transition zone. The property lies within the Pressure Zone 2WR in the Corrales Trunk.

The Request for Availability indicates plans to construct a development that consists of townhomes with separate lots, retail, restaurant, and office use.

Development Agreement Required: This property is outside of the Water Authority's Established Service Area. Pursuant to the System Expansion Ordinance, service to this property shall be subject to a Development Agreement approved by the Water Authority Board which will establish the conditions for service. Per this ordinance, Board approval shall only be given if the development conforms to the provisions of applicable comprehensive plans and/or planning documents or policies. Contact Utility Development regarding the Development Agreement process.

Existing Conditions:

Water infrastructure in the area consists of the following:

- Eight-inch PVC distribution line (project # 26-7290.81-05) along northwest of project site.

Sanitary sewer infrastructure in the area consists of the following:

- Eight-inch PVC sanitary sewer collector (project # 26-7290.81-05) along northwest of project site.

Water Service: New metered water service to the property can be provided contingent upon a developer-funded project to extend a public eight-inch waterline loop internal to the site such that each lot can obtain service and provide fire protection requirements. There shall also be an extension of the line along the Private Dr. noted on the utility

plan to extend to the northeastern property line to serve future development. Upon completion of the infrastructure construction, the development may receive service via routine connection to the newly constructed eight-inch distribution main along the private drive and associated access easements. The engineer is responsible for determining pressure losses and sizing the service line(s) downstream of the public water line to serve the proposed development.

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. Fire hydrants shall be on mains when water lines are extended, in conjunction with coordination with the Fire Marshal and according to spacing criteria that varies according to proposed land use adjacent to the water line. Water service will only be sold in conjunction with sanitary sewer service. Each legally platted property shall have individual, independent water services. No property shall share a water service with any other property.

Existing service lines and fire lines that will not be utilized are to be removed by shutting the valve near the distribution main. For fire lines, the line shall be capped near the public valve and valve access shall be grouted and the collar removed.

Non-Potable Water Service: Currently, there is no non-potable infrastructure available to serve the subject property.

Sanitary Sewer Service: New sanitary sewer service to the property can be provided contingent upon a developer-funded project to extend an eight-inch sanitary sewer line along the Private Dr. noted in the utility plan to the northeastern property line from the existing sanitary sewer stub from manhole B14-431. Additionally, an extension from the existing line south of manhole B-14-432 that will extend along the access corridor to the northeastern most residential lot being proposed. No property shall share a private sewer service with any other property. The engineer is responsible for sizing the service line(s) upstream of the public sanitary sewer line to serve the proposed development.

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 Fire Marshal's requirements, the instantaneous fire flow requirements for the project are 1,750 GPM gallons per minute. 1 fire hydrant is required. There are 2 existing hydrants available and 4 new hydrants are proposed with this project. As modeled using InfoWater™ computer software, the fire flow can be met by applying the required fire flow to the system as shown in the information provided by the requestor. Analysis was performed by simulating the required fire flow at along the required infrastructure at the proposed fire hydrants. For the residential portion of the site, hydrants must be spaced in accordance with the Fire Marshall requirements as well as the Development Process Manual.

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

The engineer is responsible for determining pressure losses and sizing of the fire line(s) downstream of the public water line to serve the proposed fire hydrants and/or fire suppression system. Private fire pumps shall not take suction directly from the public

water system. If private fire pumps are proposed to connect to the public system, coordination with the Water Authority is required to determine if the private pump will have adverse impacts on the public system such as cavitation and/or water hammer.

Cross Connection Prevention:

Any residential premises having existing private wells and who desire to connect to the public water system shall have two options as follows:

1. Customers shall permanently abandon the use of private wells by cutting and capping the well line as accepted by the Water Authority prior to connecting to the public water system; or
2. Customers who choose to maintain their private wells for irrigation purposes, shall completely sever the private well from the premises' potable plumbing system with no valves or means of connecting back into the premises' potable plumbing system unless a reduced pressure principal backflow prevention assembly approved by the Water Authority is installed at the terminal end of the water service from the public water system (e.g., service connection).

Contact Cross Connection at (505) 289-3465 for Moses Mondragon, or (505) 289-3454, for James Baca for more information.

Per the Cross Connection Prevention and Control Ordinance, all new non-residential premises must have a reduced pressure principal backflow prevention assembly approved by the Water Authority installed at each domestic service connection at a location accessible to the Water Authority. No tees, branches, possible connection fittings, or openings are allowed between the reduced principal backflow prevention assembly and the service connection unless protected by a backflow prevention assembly. These requirements also apply to all remodeled non-residential premises when the work area of the building undergoing repairs, alterations, or rehabilitation, as defined in the International Existing Building Code, exceeds 50 percent of the aggregate area of the building regardless of the costs of repairs, alteration, or rehabilitation.

All non-residential irrigation water systems connected to the public water system shall have a pressure vacuum breaker, spill-resistant pressure vacuum breaker, or a reduced pressure principal backflow prevention assembly installed after the service connection. Such devices shall be approved by the Water Authority. No tees, branches, possible connection fittings, or openings are allowed between the containment backflow prevention assembly and the service connection.

All non-residential customers connected via piping to an alternative water source or an auxiliary water supply and the public water system shall install a containment reduced pressure principal backflow prevention assembly approved by the Water Authority after the potable service connection.

All new services to private fire protection systems shall be equipped with a containment reduced pressure principal backflow prevention assembly approved by the Water Authority and Fire Marshal having jurisdiction installed after the service connection. No tees, branches, possible connection fittings, or openings are allowed between the containment backflow prevention assembly and the 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 private fire protection system meets or exceed ANSI/NSF Standard 60 61 throughout the entire private fire protection system, the fire sprinkler drain discharges into atmosphere, and there are no reservoirs, fire department connections nor connections from auxiliary water supplies.

The Water Authority recommends that all backflow (containment) devices be located above ground just outside the easement or road right-of-way, the containment backflow device can be installed within the building if there are no tees, branches, possible connection fittings, or openings between the reduced principal backflow prevention assembly and the service connection unless protected by another reduced pressure backflow prevention assembly device. Contact Cross Connection at (505) 289-3465 for more information.

Pretreatment – Industrial Use: The user is considered to potentially be a Significant Industrial User (as defined in the Sewer Use and Wastewater Control Ordinance (SUO) and summarized below) the user must obtain a Wastewater Discharge Permit from the Industrial Pretreatment Program and comply with all permitting requirements per the SUO section 3-4.

1. The industry falls under one or more EPA categorical pretreatment standards found in Title 40 Code of Federal Regulations, Chapter 1, Subchapter N, Sections 405-471
<https://www.ecfr.gov/current/title-40/chapter-1/subchapter-N>
2. The industry plans to discharge more than 25,000 gallons of wastewater per day.
3. Has reasonable potential to adversely affect the POTWs (sewer system) operation or for violating any pretreatment standard or requirement. (such as the potential to discharge a prohibited discharge SUO 3-2-1 or concentrated waste over a Local Limit SUO 3-2-3)

Pretreatment – Fats, Oils, and Greases: The development is for commercial use and has the potential to discharge Fats, Oils, Grease, and/or Solids (FOGS) to the sanitary sewer and/or falls under one of the applicable users in the SUO:

FOGS Applicability SUO Section 3-3-2 A.:

Users "...such as food service establishments, commercial food processors, automotive shops, auto wash racks, car washes, vehicle fueling stations, septic tank pumpers, grease rendering facilities, breweries/distilleries, bottling plants, commercial and industrial laundries, slaughterhouses & meat packing establishments (fish, fowl, meat, curing, hide curing), oil tank firms and transporters..."

Such Users must comply with all FOGS discharge requirements defined in SUO Section 3-3-2 and FOGS Policy including but not limited to:

1. Installation of an adequately sized Grease Interceptor (GI) approved by the appropriate code enforcement authority (City of Albuquerque, and/or Bernalillo County)
 - a. Interceptors and/or Separators are required for dumpster pads, outdoor pools, and outdoor washdown areas that have the potential to discharge grease, sand, solids, and flammable liquids to the sanitary sewer. The pad shall be installed at an elevation higher than the

surrounding grade. It is not required for dumpster pads to have a sewer connection.

- b. Placement of Interceptors in drive-thru or traffic lanes is not allowed.
2. All FOGS sources within the facility are plumbed to the GI as required by the appropriate plumbing code.
3. Long-term Best Management Practices (BMP), and GI maintenance such as pumping and manifest requirements.
4. Unobstructed access to inspections of the facility and records.

Easements and Property: 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. For larger meters that require a meter vault, a 35-foot by 35-foot 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. A Warranty Deed shall be required when a property is to be transferred to the Water Authority for the installation of facilities to be owned by the Water Authority such as pump stations, reservoirs, wells, lift stations, or any other facility.

The Water Authority shall be granted perpetual, exclusive easement(s) in gross for the construction, installation, maintenance, repair, modification, replacement, and operation of public water and sanitary lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.

No side yard easements are allowed for public Water Authority infrastructure. Rather a separate tract shall be created (owned by a Homeowner's Association) with an easement granted to the Water Authority for the public waterline and/or public sanitary sewer line.

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: The design and construction of all required improvements will be at the developer/property owner's expense. Improvements must be coordinated through the City of Albuquerque via the Work Order process. Designs must be performed by a licensed, professional engineer registered in the state of New Mexico. Construction must be performed by a licensed (GF 9 or GF 98) and bonded public utility contractor.

Utility Expansion Charge (UEC): 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 application for service. All charges and rates collected will be based on the ordinances and policies in effect at the time service is actually requested and authorized. Per the Rate Ordinance, each customer classification on the same premise requires a separate meter.

Contact Customer Service at (505) 842-9287 (option 3) for more information regarding UECs.

Water Resource Charge (WRC): Any expansion of water service outside of the Water Authority's Established Service Area will be assessed a Water Resource Charge(s) (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. Properties that receive only sewer service will not be charged a WRC.

Contact Customer Service at (505) 842-9287 (option 3) for more information regarding WRCs.

Water Use: All new development shall be required to meet the standard water usage of 180 gallons per household per day which is equivalent to 75 gallons per capita per day. Where available, outdoor water usage shall utilize reclaimed water. 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 Reduction 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, an approved development 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 if you have questions regarding the information presented herein or need additional information.

Sincerely,

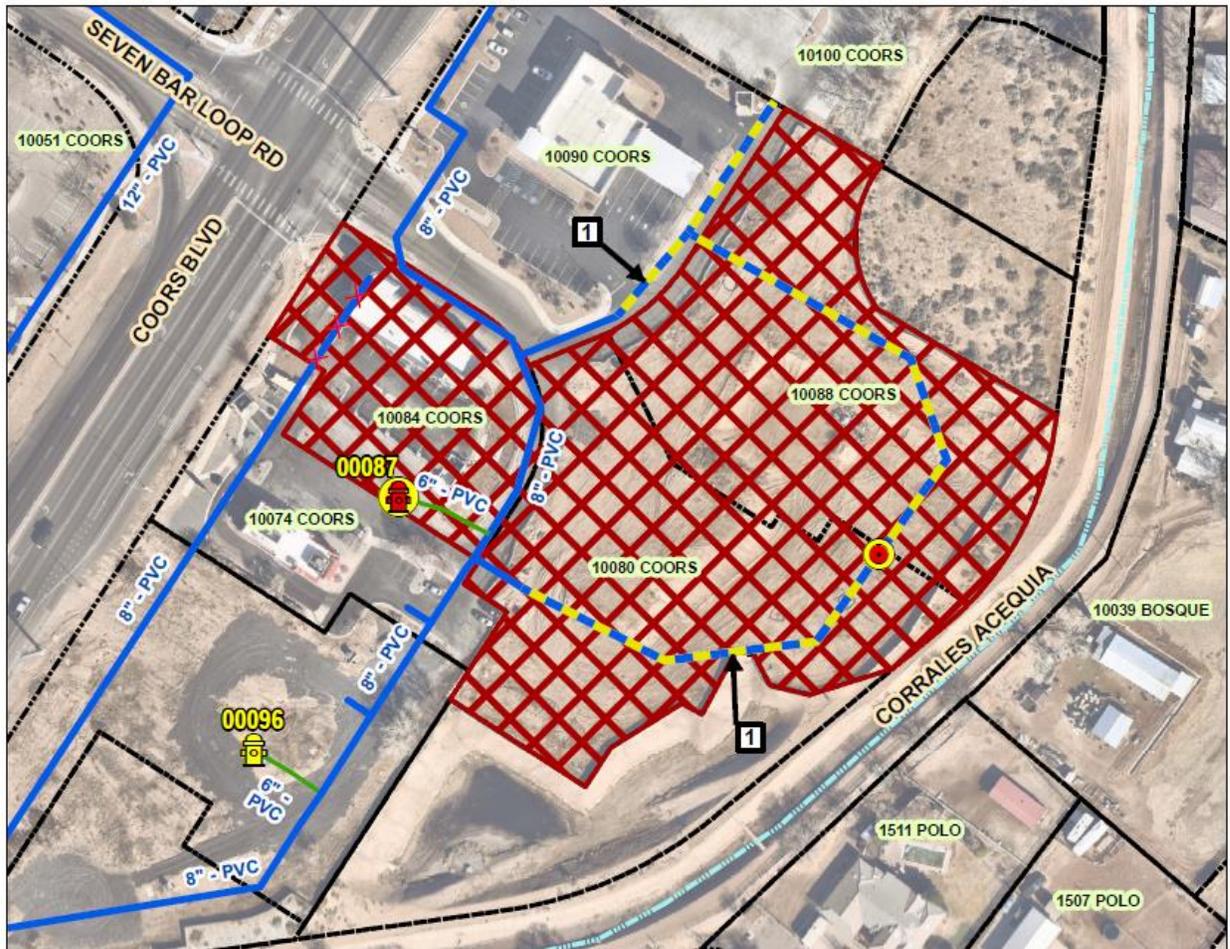


Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps

f/ **Serviceability #241207**

241207 - Water

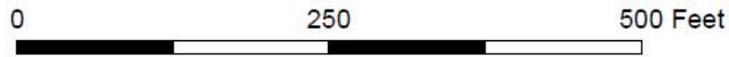


Legend

- | | |
|-------------------|--|
| Hydrant | Project Location |
| Water Pipe | Fire Flow Analysis Points |
| Subtype | Analysis Point (1) |
| Distribution Line | Analysis Point - Existing Hydrant (1) |
| Hydrant Leg | --- General Map Keyed Notes |
| Abandoned | 1 - Proposed 8-inch water line extension |



241207 - Sanitary Sewer



Legend

Sewer Manhole

Project Location

Sewer Pipe

--- General Map Keyed Notes

Subtype

1 - Proposed 8-inch SAS line extension

COLLECTOR

INTERCEPTOR

