
Meeting Date: April 21, 2021

Staff Contact: Kristopher Cadena, Chief Engineer, Utility Development

TITLE: C-21-8 – Service Connection Agreement for Water and Sewer Service with Azann Holdings, LLC at 4590 Paradise Blvd NW

ACTION: Recommend Approval

SUMMARY:

Azann Holdings, LLC desires to connect to existing water and wastewater infrastructure located at 4590 Paradise Blvd NW. The proposed development is a 10,529 square foot daycare center on a currently vacant tract. The area is developing with commercial uses in the near vicinity as part of the Fountain Hills Plaza subdivision. The development is located outside of the Water Authority's Adopted Service Area, but within the City of Albuquerque. 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

Kiddie Academy West Side

**Azann Holdings, LLC
7010 Alameda Blvd NE
Albuquerque, NM 87113**

Albuquerque Bernalillo County Water Utility Authority, a New Mexico political subdivision ("Water Authority") and Azann Holdings, LLC, whose address is 7010 Alameda Blvd NE, Albuquerque, NM 87133, agree as follows:

1. Recitals

- A.** Azann Holdings, LLC ("Owner") is the owner of 4590 Paradise Blvd NW, Albuquerque NM 87114 (Legal Description: Tract A-2-B-2, Fountain Hills Plaza) ("Property"), more particularly described and as shown in the Zone Atlas Map and Fountain Hills Plaza subdivision Plat attached Hereto as **Exhibit A.1** and **Exhibit A.2**, respectively. The Serviceability Letter for the Property reflecting request for service referred to in this Agreement is attached hereto as **Exhibit B** and incorporated herein by reference.
- B.** The property is located outside the Water Authority's A d o p t e d Service Area.
- C.** Owner desires to connect to existing water and waste water infrastructure with a 6" Fire Line, 4" Sanitary Sewer Service, and a 2" Potable Water Service.
- D.** Water service to the Property will be taken from the existing 8" Water Line on Nunzio Ave NW. Wastewater service to the Property will tie into the existing 8" Sanitary Sewer Line Transecting the site. Installation of services shall be performed under the standard tapping permit or mini-work order process.
- E.** 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.** Owner 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.** Owner shall pay Utility Expansion Charges ("UECs") 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.** Owner 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, Owner 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 Connection to the waterline and sanitary sewer modifications by Owner 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 Owner shall have no further rights, obligations, or liabilities with respect to this Agreement, unless otherwise agreed in writing.
- 4. Indemnification.** Owner 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 Owner, its agents, representatives, contractors, or subcontractors, or arising from the failure of Owner, its agents, representatives, contractors, or subcontractors to perform any act or duty required of Owner herein. The indemnification by Owner will not extend to the negligent acts of the Water Authority.
- 5. Representations and Warranties of Owner.** Owner represents and warrants that:
 - A.** Owner is validly existing under the laws of the State of New Mexico.
 - B.** Owner has all the requisite power and authority to enter into this Agreement and bind Owner under the terms of the Agreement; and
 - C.** The undersigned officer of Owner is fully authorized to execute this Agreement on behalf of Owner.
- 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 Owner:
Azann Holdings, LLC
7010 Alameda Blvd NE

Albuquerque, NM 87113

7. **Assignment.** This Agreement will not be assigned without the prior written consent of the Water Authority and Owner.
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 Owner 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.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

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

**Albuquerque Bernalillo County
Water Utility Authority**

Owner

By: _____
Mark S. Sanchez
Executive Director

By: _____
Aleem Hasham, Managing
Member

Date: _____

Date: _____

STATE OF _____)
) ss.
COUNTY OF _____)

This instrument was acknowledged before me on this ____ day of _____, by _____ [name] _____, [title] of _____, [company name], a _____ [type of entity], on behalf of said company.

Notary Public

My Commission Expires:

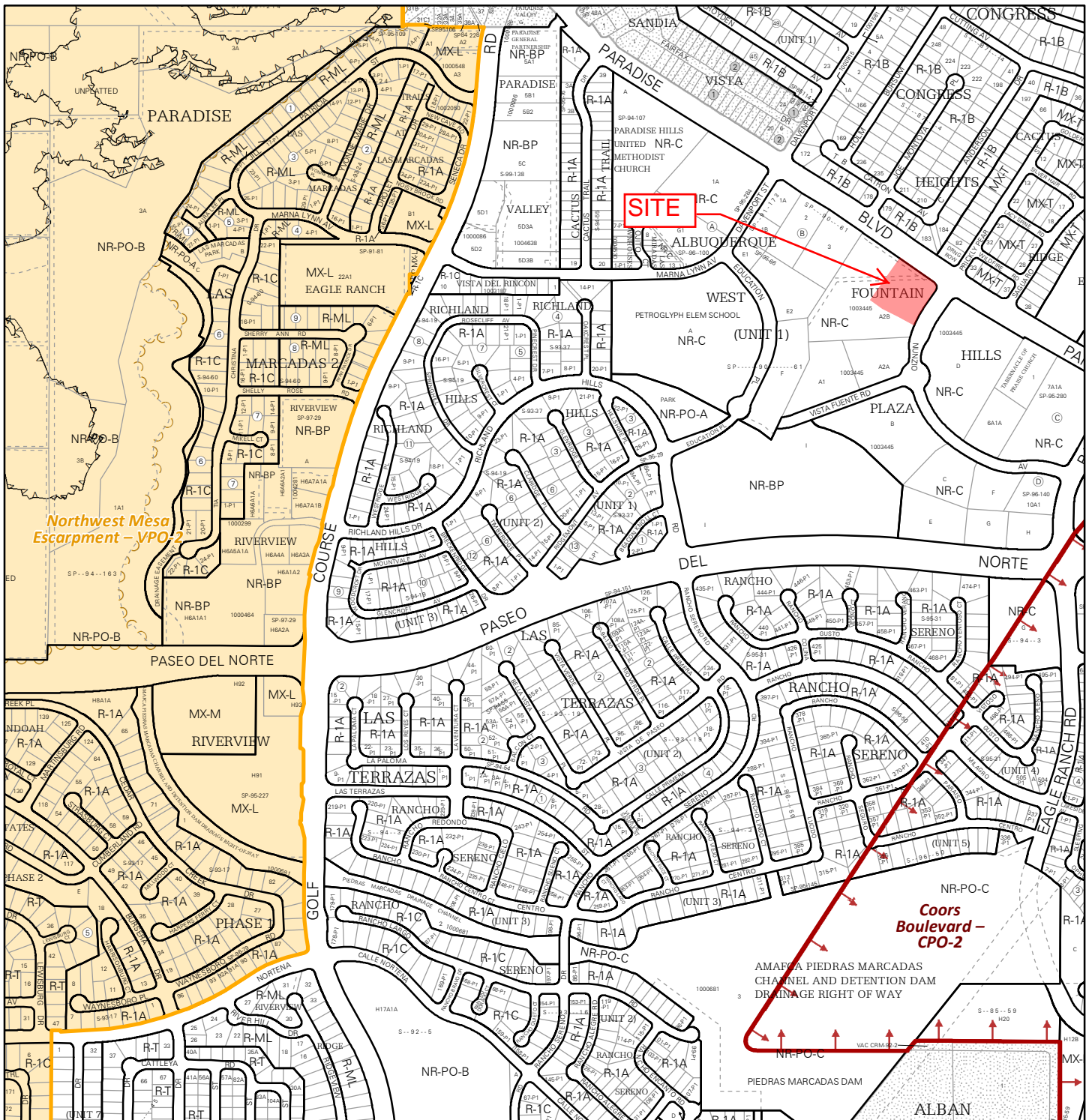
STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this ____ day of _____, by Mark S. Sanchez, Executive Director of the Albuquerque Bernalillo County Water Utility Authority, a political subdivision of the State of New Mexico, on behalf of said political subdivision.

Notary Public

My Commission Expires:

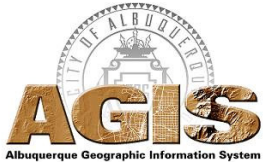
EXHIBIT A.1



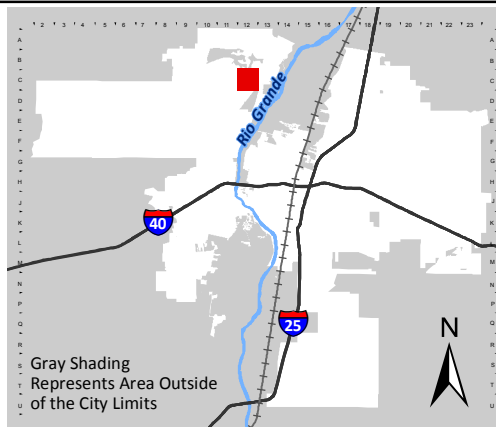
For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

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:
C-12-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 A.2

PLAT OF TRACTS A-2-B-1 & A-2-B-2
FOUNTAIN HILLS PLAZA SUBDIVISION

SHEETS 1 THRU 3



THE PURPOSE OF THIS REPEAT IS TO SUBDIVIDE TRACT A-2-B, FOUNTAIN HILLS PLAZA SUBDIVISION INTO 2 SEPARATE TRACTS, VACATE A 20 FEET UTILITY CONSTRUCTION EASEMENT AND 10 FEET UTILITY MAINTENANCE EASEMENT PER VACATION ACTION 50-2020-00013 AND TO GRANT ~~A 20 FEET~~ PUBLIC SANITARY SEWER EASEMENT AS SHOWN HEREON.


QTY. CASE NO. PR-2019-001695
ZONE ATLAS INDEX NO. C-12-C
DATE OF SURVEY SEPTEMBER 2019
TOTAL NO. OF LOTS EXISTING 1
TOTAL NO. OF LOTS CREATED 2

NOTES: _____
TOTAL WEIGHT OF 1/2" MOUNT STUDIES CREATED: 0.0000

1. FIELD SURVEY PERFORMED IN SEPTEMBER 2019.
2. ALL DISTANCES SHOWN ARE GROUND DISTANCES.
3. ALBUQUERQUE CONTROL STATIONS USED:

ALBUQUERQUE CONTROL STATION "9-C12, 2003" DATA:
STANDARD CITY OF ALBUQUERQUE BRASS CAP (FOUND IN)
NAD 1983 NEW MEXICO STATE PLANE GRID COORDINATES (CENTRAL ZONE)
X=1,512,517.253 US SURVEY FEET Y=1,521,648.218 US SURVEY FEET
ELEV=5,127.376 US SURVEY FEET (NAD 1988)
GROUND TO GRID FACTOR 0.999677378 DELTA ALPHA = (-)007'47.4"

NAD 1983 NEW MEXICO STATE PLANE GRID COORDINATES (CENTRAL ZONE)
 $X = 513,145.435$ SURVEY FEET $Y = 1,521,461.733$ SURVEY FEET
 ELEV = 5,095.033 SURVEY FEET (NAVD 1988)
 GROUND TO GRID FACTOR = 0.999678664 DELTA ALPHA = $-0^{\circ}00'44.138''$

5. CORNERS IDENTIFIED AS "SET," ARE 1/2" REBAR WITH CAP STAMPED "CA MEDINA PS 15702," AND DEPICTED AS, , UNLESS OTHERWISE INDICATED.


7. PRIOR TO SERVICE, APPROVAL FROM THE WATER AUTHORITY BOARD IS REQUIRED AS THE PROPERTY IS OUTSIDE OF THE ADOPTED SERVICE AREA.

NO PROPERTY WITHIN THE AREA OF THIS PLATING SHALL AT ANY TIME BE SUBJECT TO DEED RESTRICTION, COVENANT, OR BINDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR PARCELS WITHIN THE AREA OF THIS PLATING.

CHRISTOPHER A. WEDMA, NEW MEXICO GEOLOGICAL SURVEY NO. 45702, DO HEREBY CERTIFY THAT THIS PLAN AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WAS PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; MEETS THE MINIMUM REQUIREMENTS FOR DOCUMENTATION AND SURVEY OF THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE; WAS MADE IN ACCORDANCE WITH THE ACTS OF CONGRESS AND THE ACT OF RECORD OR MADE IN ACCORDANCE WITH THE ACTS OF CONGRESS AND OTHER LAWS OF THE UNITED STATES KNOWN TO ME BY THE OWNER(S) UTILITY COMPANIES OR OTHER PARTIES; AND THAT IT IS MY INTEREST; MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS EFFECTIVE JANUARY 24, 2006; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CHRISTOPHER A. MEDINA, NMPLS NO. 15702.
JAN. 23, 2020 DATE

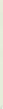
THE UNDERSIGNED OWNERS (S) AND/OR PROPRIETOR(S) OF THAT CERTAIN TRACT OF LAND HEREIN DESCRIBED AND BEING COMPRISED OF TRACT A-2-B, FOUNTAIN HILLS PLAZA, SUBDIVISION NO. 1, CITY OF TUCSON, PIMA COUNTY, ARIZONA, DO HEREBY GRANT, SELL, CONVEY, SHOW AND THE SAME IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS (S) AND/OR PROPRIETOR(S) AND SAID OWNER(S) AND/OR PROPRIETOR(S) WARRANT THAT THEY HOLD AMONG THEM CERTAIN RIGHTS AND INTERESTS IN THE TRACT OF LAND HEREIN DESCRIBED AND DO HEREBY GRANT AUTHORIZATION TO THE UNDERSIGNED ATTORNEY, HEREIN, SIGNED, SEALED, DATED AND THE PARCEL(S) HEREIN DESCRIBED AND DO HEREBY GRANT AUTHORIZATION AS SHOWN HEREON, SAID OWNER(S) AND/OR PROPRIETOR(S) DO HEREBY REPRESENT THAT THEY ARE SO AUTHORIZED TO ACT

BY:  MICHAEL MONTOYA, MANAGING MEMBER, NOVUS PROPERTIES, LLC

STATE OF New Mexico)
COUNTY OF Bernalillo)
) ss.

February 1, 2020, BY MICHAEL MONTOYA, MANAGING MEMBER, NOVUS PROPERTIES, LLC

NOTARY PUBLIC: *[Signature]*

 OFFICIAL SEAL

DOCUMENTS USED:

1. PLAT ENTITLED, "PLAT OF TRACTS A-2-A & A-2-B FOUNTAIN HILLS PLAZA SUBDIVISION," FILED WITH THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 15, 2018 IN BOOK 2018C, PAGE 30, DOCUMENT NUMBER 2018022726.

3. PLAT ENTITLED, "FOUNTAIN HILLS PLAZA SUBDIVISION," FILED WITH THE BERNALILLO COUNTY CLERK'S OFFICE ON SEPTEMBER 19, 2007 IN BOOK 2007C, PAGE 270, DOCUMENT NUMBER 2007134047.

4. PLAT ENTITLED, "ALBUQUERQUE WEST UNIT 1," FILED WITH THE BERNALILLO COUNTY CLERK'S OFFICE ON MARCH 8, 1990, IN

6. PLAT ENTITLED, "BOUNDARY SURVEY PLAT OF TRACT A-1 FOUNTAIN HILLS SUBDIVISION," FILED WITH THE BERNALILLO COUNTY CLERK'S OFFICE ON SEPTEMBER 23, 2014 IN BOOK 20145, PAGE 53, DOCUMENT NUMBER 20140785.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

A. PUBLIC SERVICE COMPANY OF NEW MEXICO ("PSNM"), A NEW MEXICO CORPORATION, (PSNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND ANY OTHER

B. NEW MICHAEL BASS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.

INCLUDED, IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADDJACENT LANDS OF

FOURTH HEREIN, NO BUILDING, SIGN, POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED 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 NEAR EASEMENTS

IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), NEW MEXICO GAS COMPANY (NMGC) AND QWEST CORPORATION D/B/A CENTURYLINK DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREIN. CONSEQUENTLY, TRANSFORMER/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

OWNER: NOWUS PROPERTIES, LLC
LEGAL: TRACTS A-2-B-1 & A-2-B-2
FOUNTAIN HILLS PLAZA SUBDIVISION

TRACTS A-2-B-1 & A-2-B-2
FOUNTAIN HILLS PLAZA SUBDIVISION
SITUATE WITHIN
PROJECTED SECTION 13, T. 11 N., R. 2 E., N.M.P.M.
TOWN OF ALAMEDA GRANT
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
JANUARY 2020

PROJECT NUMBER: PR-2019-001695
APPLICATION NUMBER: PS-2019-001695
UTILITY APPROVALS:

DATE	1/29/2020
PUBLIC SERVICE OF NEW MEXICO	
DATE	1/29/2020
NEW MEXICO GAS COMPANY	
DATE	1/29/2020
QUEST CORPORATION D/B/A CENTURY LINK	
DATE	2/12/20
COMCAST	

CITY APPROVALS:

Foran M. Rinnebover P.S.

CITY OF ALBUQUERQUE SURVEYOR

N/A	REAL PROPERTY DIVISION	DATE
<i>John V. Miller</i>	TRAFFIC ENGINEERING, TRANSPORTATION DIVISION	DATE
<i>Michael Castro</i>	ALBUQUERQUE BERNALILLO COUNTY WATER MUNICIPALITY AUTHORITY	DATE
<i>Mike Pa</i>	PARKS & RECREATION DEPARTMENT	DATE
<i>Dorothy J. York</i>	A.M.A.F.C.A.	DATE
<i>SC</i>	CITY ENGINEER	DATE
<i>Steve Macklin</i>	DEPT. CHAIRPERSON - PLANNING DEPT.	DATE

THIS IS TO CERTIFY THAT TAXES ARE CURRENT AND PAID ON

UNIFORM PROPERTY CODE # 1-012-064-428385-1-06-07

PROPERTY OWNER OF RECORD: NOVUS PROPERTIES, LLC

DEPARTMENT OF AGRICULTURE, UNITED STATES GOVERNMENT



TERRA LAND SURVEYS, LLC
P.O. BOX 2532 • CORRALES, NM 87048 •

EASEMENT VACATION & EXISTING TRACT LINES

PLAT OF
TRACTS A-2-B-1 & A-2-B-2
FOUNTAIN HILLS PLAZA SUBDIVISION
SITUATE WITHIN
PROJECTED SECTION 13, T. 11 N., R. 2 E., N.M.P.M.
TOWN OF ALAMEDA GRANT
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
JANUARY 2020

CURVE TABLE				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	DELTA ANGLE
C1	6486.09'	55.41'	55.70'	27.70°
C2	29.00'	40.67'	40.67'	90°
C3	525.33'	167.18'	166.48'	181.40°
C4	525.33'	166.41'	165.70'	181.40°
C5	525.33'	166.27'	165.70'	181.40°

LINE TABLE		
LINE	BEARING	DISTANCE
1.1	S34°53'46"W	1.00'
1.2	S80°54'31"E	47.02'

EASEMENT NOTES:

- 10.0' PUBLIC UTILITY EASEMENT
03/08/1990, BK. 90C, PG. 67
- 20.0' SANITARY SEWER EASEMENT
02/02/1999, BK. 9903, PG. 5221
- 10.0' DRAINAGE EASEMENT
03/08/1990, BK. 90C, PG. 67
- 7.41' SANITARY SEWER EASEMENT
03/08/1990, BK. 90C, PG. 67
- 20.0' UTILITY CONSTRUCTION EASEMENT
12/10/1973, BK. 344, PG. 808
- 10.0' UTILITY MAINTENANCE EASEMENT
12/10/1973, BK. 344, PG. 808
- 10.0' PUBLIC UTILITY EASEMENT
09/19/2007, BK. 2007C, PG. 270
- 1.0' PUBLIC ROADWAY EASEMENT
08/19/2007, BK. 2007C, PG. 270
- A BLANKET DRAINAGE FOR TRACT A-2-B
FOR THE BENEFIT OF LOT 3, BLOCK D,
FOUNTAIN HILLS PLAZA SUBDIVISION, UNIT
1, ALBUQUERQUE WEST THE PROPERTY
OWNERS OF SAID PARCELS ARE
RESPONSIBLE FOR THE MAINTENANCE OF
THE EASEMENT
03/15/2018, BK. 2018C, PG. 30
DOC# 2018022726
- 1.0' RIGHT-OF-WAY
REBAR
03/15/2018, BK. 2018C, PG. 30
DOC# 2018022726

VACATION NOTE:

10.0' UTILITY CONSTRUCTION EASEMENT AND UTILITY
MAINTENANCE VACATED PER VACATION ACTION **30-2030-30023**

RECORD DOCUMENT LEGEND

() RECORD BEARINGS & DISTANCES PER PLAT
PLAT OF TRACTS A-2-A & A-2-B
FOUNTAIN HILLS PLAZA SUBDIVISION
DECEMBER 2016, BK. 2016C, PG. 30
DOC# 2016022726

TRACT F-1
ALBUQUERQUE WEST
UNIT 1
04/26/2018
BK. 2018C, PAGE 50
DOC# 2018036224

TRACT A-1
FOUNTAIN HILLS
PLAZA SUBDIVISION
09/23/2014
BK. 2014S, PG. 53
DOC# 2014075785

TRACT A-2-A
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT D
FOUNTAIN HILLS PLAZA SUBDIVISION
09/19/2007
BK. 2007C, PG. 270
DOC# 2007134047

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TRACT A-2-B
FOUNTAIN HILLS
PLAZA SUBDIVISION
03/15/2018
BK. 2018C, PG. 30
DOC# 2018022726

TERRA LAND SURVEYS, LLC

P.O. BOX 2532 • CORRALES, NM 87048 • (505) 792-6513

PLAT OF

TRACTS A-2-B-1 & A-2-B-2 FOUNTAIN HILLS PLAZA SUBDIVISION SITUATE WITHIN PROJECTED SECTION 13, T. 11 N., R. 2 E., N.M.P.M. TOWN OF ALAMEDA GRANT CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO JANUARY 2020

LEGEND

- ▲ FOUND CONTROL MONUMENT (AS NOTED)
- ▽ FOUND CENTERLINE MONUMENT (AS NOTED)
- FOUND REBAR (AS NOTED)
- ◆ FOUND PK NAIL (AS NOTED)
- SET 1/2" REBAR WITH CAP STAMPED "CA MEDINA PS 15702"

CURVE TABLE			
CURVE	RADIUS	CHORD BEARING	DELTA ANGLE
C1	6486.09'	S55°20'55"E	97°29'22"
C2	6486.09'	S55°21'16"E	97°29'22"
C3	30.10'	S46°03'18"E	89°03'03"
C4	30.10'	S46°03'18"E	89°03'03"
C5	30.10'	S46°03'18"E	89°03'03"
C6	30.10'	S46°03'18"E	89°03'03"
C7	30.10'	S46°03'18"E	89°03'03"
C8	30.10'	S46°03'18"E	89°03'03"
C9	30.10'	S46°03'18"E	89°03'03"
C10	30.10'	S46°03'18"E	89°03'03"
C11	30.10'	S46°03'18"E	89°03'03"
C12	30.10'	S46°03'18"E	89°03'03"
C13	30.10'	S46°03'18"E	89°03'03"

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
E1	N54°54'05"W	10.00'
E2	S35°05'55"W	24.00'

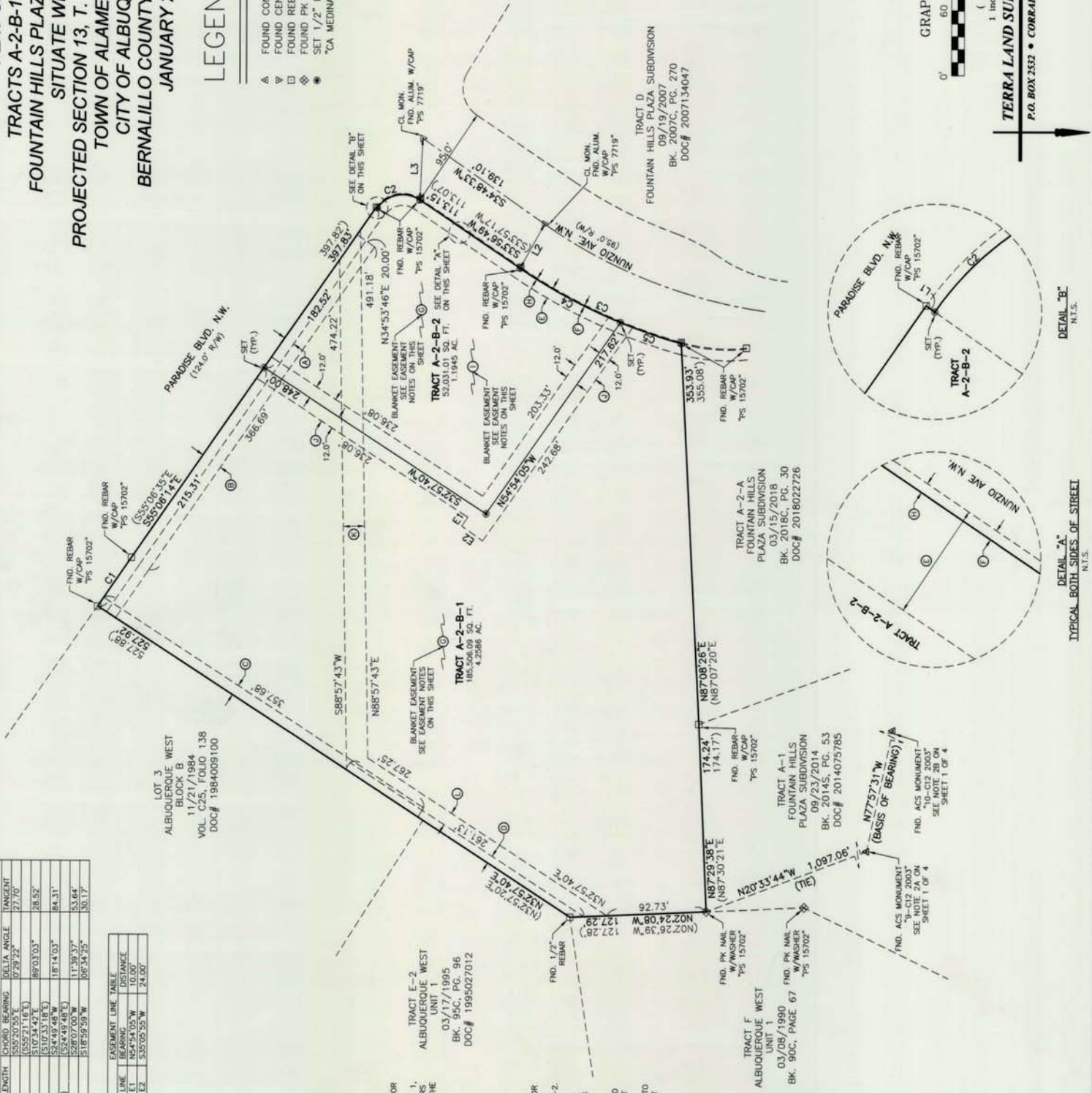
LINE TABLE		
LINE	BEARING	DISTANCE
L1	S34°53'46"W	1.00'
L2	S80°24'31"E	47.02'
L3	S87°29'20"E	57.36'

EASEMENT NOTES:

1. PUBLIC UTILITY EASEMENT 03/08/1990, BK. 90C, PG. 67
2. SANITARY SEWER EASEMENT 02/02/1999, BK. 9903, PG. 5221
3. 10.0' DRAINAGE EASEMENT 03/08/1990, BK. 90C, PG. 67
4. 7.41' SANITARY SEWER EASEMENT 03/08/1990, BK. 90C, PG. 67
5. 10.0' PUBLIC UTILITY EASEMENT 09/19/2007, BK. 2007C, PG. 270
6. 1.0' PUBLIC ROADWAY EASEMENT 09/19/2007, BK. 2007C, PG. 270
7. A BLANKET DRAINAGE FOR TRACT A-2-B FOR THE BENEFIT OF LOT 3, BLOCK D, ALBUQUERQUE WEST AND TRACT E-2, UNIT 1, ALBUQUERQUE WEST. THE PROPERTY OWNERS SHALL MAINTAIN AND BE RESPONSIBLE FOR THE MAINTENANCE OF THE EASEMENT. 03/15/2018, BK. 2018C, PG. 30 DOC# 2018022726
8. 1.0' RIGHT-OF-WAY 03/15/2018, BK. 2018C, PG. 30 DOC# 2018022726
9. A BLANKET DRAINAGE EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT FOR THE BENEFIT OF TRACT A-2-B-1, TO BE MAINTAINED BY OWNER'S OF TRACT A-2-B-2.
10. 24.0' PRIVATE ACCESS AND PRIVATE UTILITY EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT
11. 20.0' PUBLIC SANITARY SEWER EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT
12. 25.0' PUBLIC SANITARY SEWER EASEMENT TO BE GRANTED WITH THE FILING OF THIS PLAT

RECORD DOCUMENT LEGEND

- () RECORD BEARINGS & DISTANCES FOR PLAT "PLAT OF TRACTS A-2-A & A-2-B FOUNTAIN HILLS SUBDIVISION" FILED 03/15/2018, BK. 2018C, PG. 30 DOC# 2018022726



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

TERRA LAND SURVEYS, LLC

P.O. BOX 2532 • CORRALES, NM 87048 • (505) 792-0513

TYPICAL BOTH SIDES OF STREET

DETAIL "A"

N.T.S.

DETAIL "B"

N.T.S.

Exhibit B

July 14, 2020

Chair

Klarissa J. Peña
City of Albuquerque
Councilor, District 3

Vice Chair

Debbie O'Malley
County of Bernalillo
Commissioner, District 1

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 Pyskotsy
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Website
www.abcwua.org

Shawn Biazar
SBS Construction and Engineering, LLC
10209 Snowflake Ct. NW
Albuquerque, New Mexico 87114

RE: Water and Sanitary Sewer Serviceability Letter #200301

Project Name: Kiddie Academy West Side

Project Address: 4590 Paradise Blvd. NW

Legal Description: TR A-2-B PLAT OF TRACTS A-2-A & A-2-B FOUNTAIN HILLS

PLAZASUBDIVISION CONT 5.4609 AC

UPC: 101206442838510607

Zone Atlas Map: C-12

Dear Mr. Biazar:

Project Description: The subject site is located on the southwest corner of the intersection of Paradise Blvd. and Loma Fuente Ave. within the City of Albuquerque. The property consists of approximately 5.46 acres and is currently zoned NR-C for commercial use. The property lies within the Pressure Zone 2WR in the Corrales trunk. The request for information indicates plans to subdivide the existing site into Tract A-2-B-1 and Tract A-2-B-2 and develop A-2-B-2 to accommodate a 10,529.00 square foot daycare center.

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:

- 12 inch AC distribution main (project #07-002-75) along Paradise Blvd.
- Eight inch PVC distribution main (project #26-5844.80-10) along Loma Fuente Av.

Sanitary sewer infrastructure in the area consists of the following:

- Eight inch PVC collector line (project #26-5844.81-99) along Paradise Blvd.
- Eight inch AC collector line (project #NMUI-025-73) transecting the site.

Water Service: New metered water service to the property can be provided via routine connection to the existing infrastructure mentioned within the "Existing Conditions" section of this document. From the City Fire Marshal approved Fire One Plan it is understood that a new private hydrant, internal to the site, is proposed. Please note that the private hydrant shall be painted safety orange. It should also be noted that the bend between the "public" (existing valve #487) and "private" valves indicated on the Fire One Plan is prohibited. It is also understood that the existing fire line stub, available to the site from Loma Fuente Ave.

(built with project #26-5844.80-10), is sufficient for service. Service therefore is contingent upon verification that the aforementioned private hydrant is installed as well as the private valve (to be located just within the property line).

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 infrastructure mentioned within the "Existing Conditions" section of this document. From supplementary information provided with the request it is understood that the site intends to take sanitary sewer service from the onsite sanitary sewer line, this connection is approved. It is also understood that the building footprint comes in contact with, or very near to, the edge of the existing onsite sanitary sewer easement. Please note that the structure is to remain clear of the existing easement, structures (permanent or temporary) within this easement are prohibited. 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 1,750 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 from the approximate location of the fire line for the site. 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. Please note that the engineer designing the fire line 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 Tapping Permit 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 if you have questions regarding the information presented herein or need additional information.

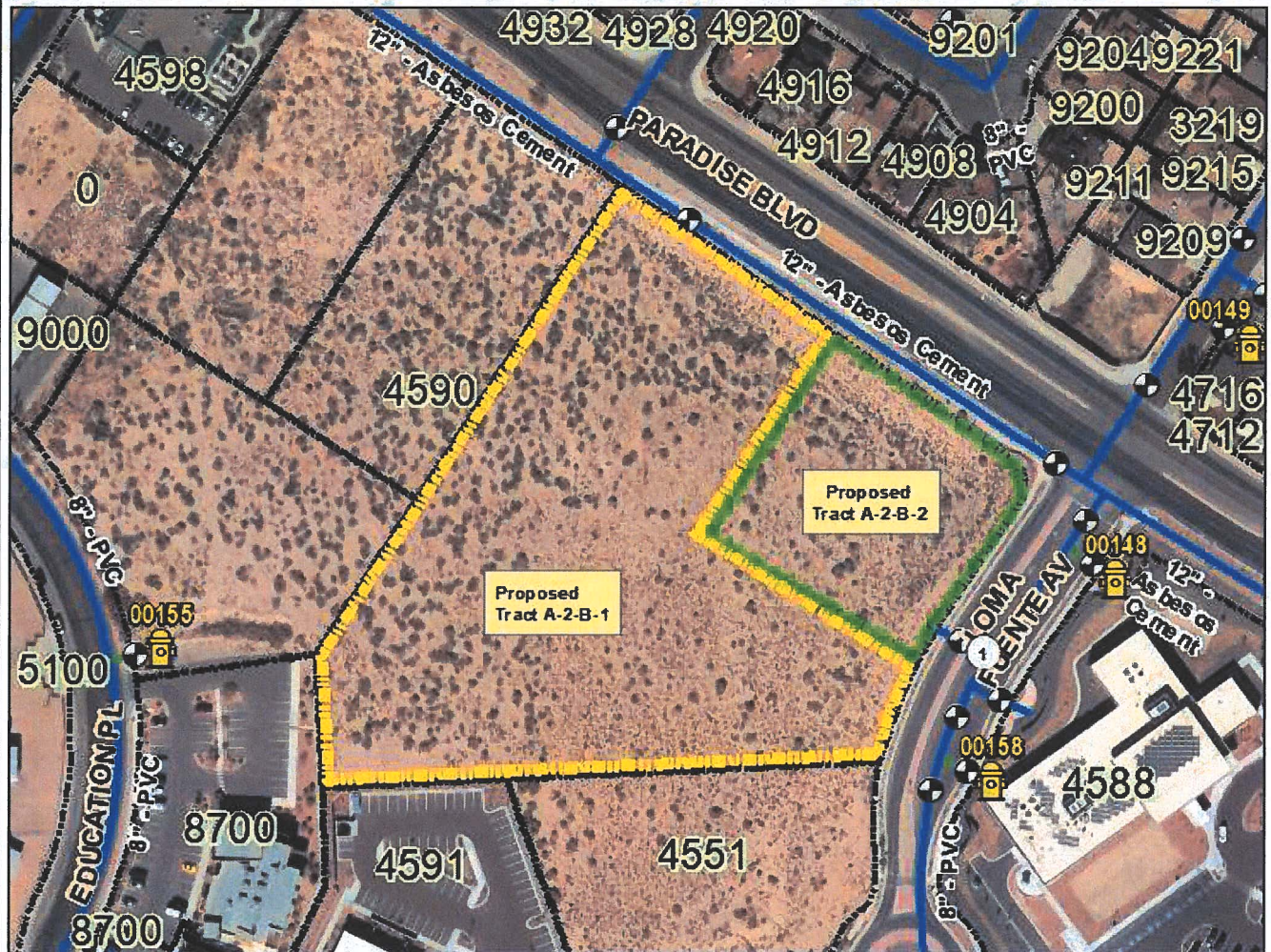
Sincerely,





Mark S. Sanchez
Executive Director

Enclosures: Infrastructure Maps (2)
f/ Serviceability Letter 200301

200301 - Water





Legend

-  Valve
-  Hydrant

Pipe

SUBTYPE

-  Distribution Line
-  Hydrant Leg

0 310 620 Feet

 -- Fire Flow Analysis Points

1. -- Analysis Point



200301 - Sanitary Sewer



Legend



Sewer Manhole

Sewer Pipe

SUBTYPE

COLLECTOR

0 310 620 Feet



Water Utility
Authority