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Meeting Date: November 17, 2021

Staff Contact: Kristopher Cadena, Chief Engineer, Utility Development

**TITLE: R-21-30 – Authorizing an Agreement for Water and Sewer Service for Volcano Mesa**

**ACTION: Recommend Approval**

**SUMMARY:**

The development is located along the north side of Oakridge Street just east of Red Stone Road within the City Limits, but is outside of the Water Authority Adopted Service Area. This location is generally south of Paseo Del Norte and west of Universe Boulevard. The proposed development is a 72-unit single family subdivision.

The property lies within Pressure Zone 4W in the Corrales Trunk.

Water and wastewater service is contingent on the Developer constructing distribution and 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.

# ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-21-30

1 **RESOLUTION**

2 **AUTHORIZING AN AGREEMENT FOR WATER AND SEWER SERVICE FOR**  
3 **VOLCANO MESA**

4 WHEREAS, DR Horton, Inc., is the developer and owner of real property to be  
5 developed as 72 residential lots and 7 tracts for single family housing, located  
6 southwest of the intersection of Paseo del Norte and Universe Boulevard on Oakridge  
7 Street, within the City of Albuquerque but outside of the Water Authority's Adopted  
8 Service Area; and

9 WHEREAS, the property which is located outside the service area of the Water  
10 Authority will require a development agreement for the extension and/or connection of  
11 water and sewer lines to the Water Authority's water and sewer system; and

12 WHEREAS, the Water Authority's Water and Wastewater System Expansion  
13 Ordinance requires that new service developed outside the Water Authority's service  
14 area will incur no net expense to the Water Authority and be subject to provisions of  
15 relevant updated planning documents as approved by the City and/or County; and

16 **BE IT RESOLVED BY THE WATER AUTHORITY:**

17 Section 1. DR Horton, Inc. will obtain all permits, assurances, and approvals  
18 from the Water Authority and the City of Albuquerque development/design review  
19 process. Construction of water and/or sewer lines shall be in conformance with the  
20 plans approved by the Water Authority and all applicable plans, specifications,  
21 requirements, and standards of the Water Authority.

22 Section 2. The expansion of the System shall incur no net expense to the Water  
23 Authority and be subject to current Utility Expansion and Water Resource Charges.

24 Section 3. DR Horton, Inc. will be responsible for close coordination of the  
25 project with the Water Authority during the design and construction phases, including  
26 the review of the design details during the design process, and the approval of  
27 specifications and contract documents.

1           Section 4. The Executive Director is authorized to enter into the agreement with  
2 DR Horton, Inc. for the provision of water and sewer service.

## DEVELOPMENT AGREEMENT VOLCANO MESA

**Albuquerque Bernalillo County Water Utility Authority**, a New Mexico political subdivision, (“Water Authority”) and DR Horton, Inc., a Delaware Corporation (“Developer”) (together, “Parties”), agree as follows:

### 1. Recitals

- A. DR Horton Inc. is the “Developer” and owner of certain real property located in Tract 2, The Trails Unit 2 (collectively, the “Property”). The Property is more particularly described and shown on **Exhibit A** attached hereto and incorporated herein by reference. The Property is located in the former New Mexico Utilities, Inc. ("NMUI") service area, outside the Water Authority’s currently adopted Water Service Area.
- B. The Property will develop as approximately 72 residential lots and 7 tracts for single family housing.
- C. The Property is described as: existing Tract 2, The Trails Unit 2, which is proposed for subdivision as Lots 1-72 and Tracts A-G, Volcano Mesa at the Trails.
- D. The Property is located in Pressure Zone 4W 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 B** 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 connect the Facility Improvements to the existing water and sanitary sewer lines within the City of Albuquerque (“City”) public right-of-way or within public easements 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 City 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 City. 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 DPM of the City and Section 14-16-5-4(G) of the City IDO, will be followed and used for the Facility Improvements.

- F. Upon completion of all Work Order projects, the Developer shall provide to the Water Authority a completed Asset Data Table of the assets installed/constructed or any other asset information required of the Water Authority.

### 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, the Developer agrees that it will incorporate water conservation guidelines that will seek to achieve water usage of no more than 180 gallons per household which is equivalent to seventy-five (75) gallons per capita per day.
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 corporation under the laws of the State of Delaware.
  - 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:

DR Horton, Inc.  
Attn: Brent Lesley, Manager  
4400 Alameda Blvd NE  
Albuquerque, NM 87133

**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.

**Developer**  
**DR Horton, Inc.,**  
**a Delaware corporation**

By: \_\_\_\_\_  
Brent Lesley  
Land Manager

Date: \_\_\_\_\_

[illegible]

Notary Public

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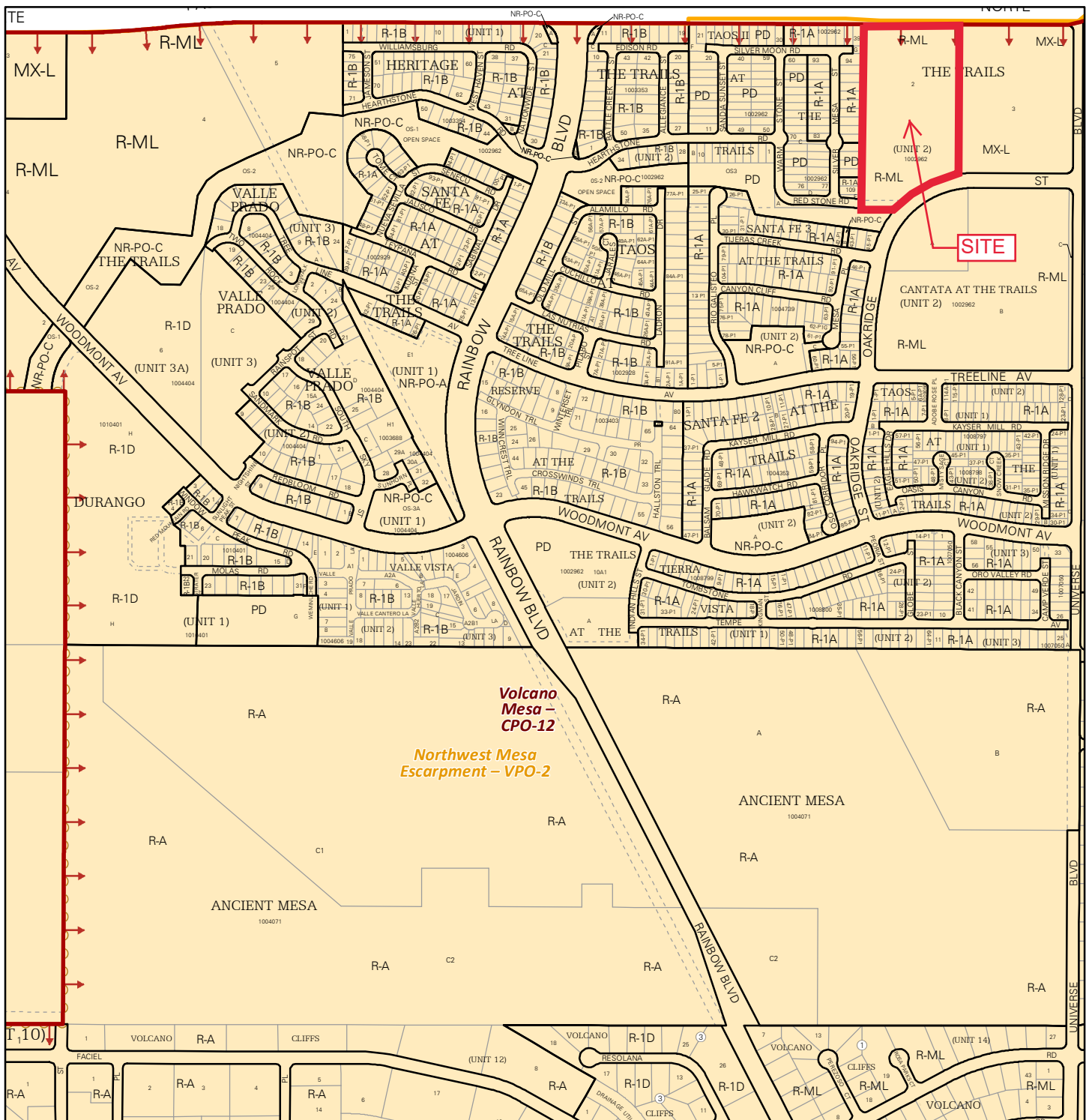
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Notary Public

My Commission Expires:

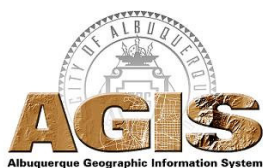
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**EXHIBIT A.1**  
**ZONE ATLAS MAP C-09**

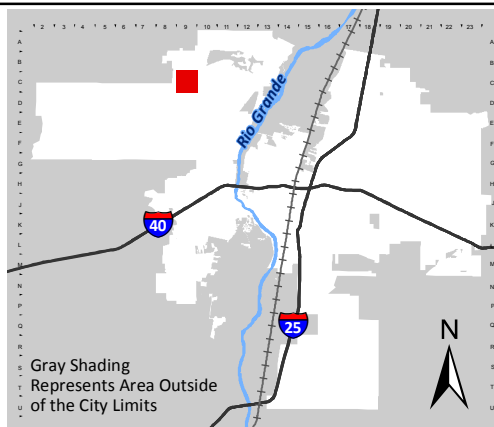


For more details about the Integrated Development Ordinance visit: <http://www.cabq.gov/planning/codes-policies-regulations/integrated-development-ordinance>

# 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).



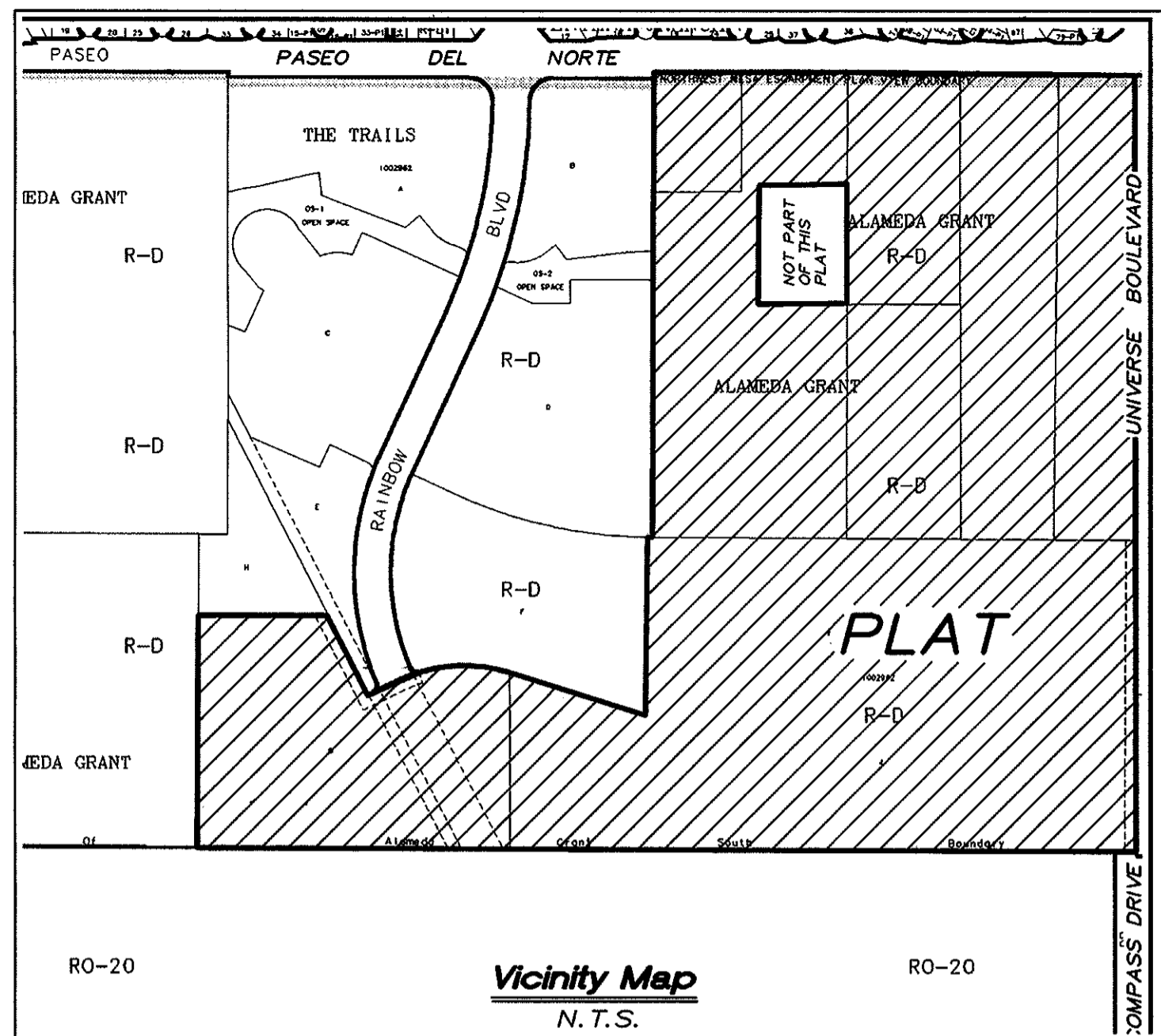
Zone Atlas Page:  
**C-09-Z**

- 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

0 250 500 1,000 Feet

**EXHIBIT A.2**  
**EXISTING PLAT**

**BULK LAND PLAT OF THE**  
**TRAILS UNIT 2**



#### GENERAL NOTES

- Bearings are grid based upon the New Mexico State Plane Coordinate System, Central Zone (NAD 27).
- Distances are ground.
- Record plat bearings and distances where they differ from those measured by field survey are shown in parenthesis ( ).
- All corners are a 5/8" rebar and cap stamped "HUGG L.S. 9750" unless otherwise indicated hereon.
- Albuquerque City Zone Atlas page C-9.
- U.C.L.S. Log Number 2004340101.
- No direct access to Paseo Del Norte or Universe Boulevard will be allowed.
- All street centerline monumentation shall be installed at all centerline PC's, PT's, angle points and street intersections and shown thus ( ). 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.

#### SUBDIVISION DATA

- Total number of existing Tracts: 11
- Total number of Tracts created: 14
- Total mileage of full width streets created: 1.40 miles.
- Gross Subdivision acreage: 189.65 acres.
- Tracts OS-3 and OS-4 are Private Open Space Areas conveyed to the Trails Unit 2 Homeowners Association. Maintenance of said Tracts shall be the responsibility of said Trails Unit 2 Homeowners Association. There shall be no direct vehicular access from adjacent tracts, parcels or lots.

#### DISCLOSURE STATEMENT

The purpose of this Bulkland Plat is to:

- Show the various Public Roadway and Utility Easements which were vacated by DRB-04-1321.
- Create the Fourteen (14) Bulk Parcels shown hereon to facilitate platting of future Trails Units.
- Dedicate the Additional street right of way for Universe Boulevard and Paseo Del Norte and the new street right of ways for Rainbow Boulevard, Woodmont Avenue, and Oakridge Street to the City of Albuquerque in fee simple with warranty covenants by this plat.
- Grant the additional Public Utility Easements as shown hereon.

#### TREASURERS CERTIFICATION

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

\* See Attached UPC's & OWNERS

*M. J. E. L.*  
Bernalillo County Treasurer  
Date: 18 Oct 04

#### 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 overhead and 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.
- QWest Corporation for the 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 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 underground water and sanitary sewer lines, valves and other equipment and facilities reasonably necessary to provide water and sanitary sewer 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 Gas Services (PNM) 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.

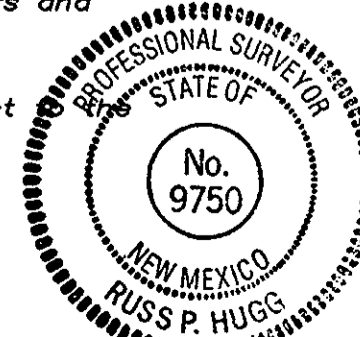
#### SHEET INDEX

- |                |  |
|----------------|--|
| SHEET 1 OF 6 - | Approvals, General Notes, Etc...               |
| SHEET 2 OF 6 - | Legal Description, Free consent and dedication |
| SHEET 3 OF 6 - | Overall Bulk Plat Boundary                     |
| SHEET 4 OF 6 - | North 1/2 of Trails Unit 2                     |
| SHEET 5 OF 6 - | South 1/2 of Trails Unit 2                     |
| SHEET 6 OF 6 - | Curve and Line Tables                          |

#### SURVEYORS 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 best of my knowledge and belief.

*Russ P. Hugg*  
NMPS No. 9750  
August 16, 2004



#### BULK LAND PLAT OF

## THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS G AND J, THE TRAILS AND UNPLATTED DEED PARCELS)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
IN  
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2004



PROJECT NUMBER: 1002962  
Application Number: 04DRB-01322

#### PLAT APPROVAL

##### Utility Approvals:

<i>Leonard D. Mark</i> PNM Electric Services	10-15-04 Date
<i>Leonard D. Mark</i> PNM Gas Services	10-15-04 Date
<i>David R. Muller</i> QWest Corporation	10-11-04 Date
<i>Rita Erickson</i> Comcast	9-2-04 Date
<i>[Signature]</i> New Mexico Utilities	9-2-04 Date

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.

##### City Approvals:

<i>[Signature]</i> City Surveyor	8-25-04 Date
<i>N/A</i> Real Property Division	9/22/04 Date
<i>N/A</i> Environmental Health Department	9/22/04 Date
<i>[Signature]</i> Traffic Engineering, Transportation Division	9-22-04 Date
<i>Ryan A. Hugg</i> Utilities Development	9-22-04 Date
<i>Christine Sandford</i> Parks and Recreation Department	9/22/04 Date
<i>Bradley L. Brigham</i> AMAFCA	9/22/04 Date
<i>Bradley L. Brigham</i> City Engineer	9/22/04 Date
<i>Sharon Matson</i> DRB Chairperson, Planning Department	10/18/04 Date

SHEET 1 OF 6

**SURVOTEK, INC.**

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

040806\_BULKPLAT.DWG

## LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Alameda Grant in projected Section 16, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising the following: All of Tracts G and J of the Trails as the same are shown and designated on the plat entitled "BULK LAND PLAT OF THE TRAILS (A REPLAT OF A PORTION OF TRACT 4, BLACK RANCH), ALBUQUERQUE, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 15, 2003 in Plat Book 2003C, Page 375; All of those unplatted parcels of land situate within the Town of Alameda Grant in projected Section 16, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico as described in those certain Warranty Deeds filed in the office of the County Clerk of Bernalillo County, New Mexico on: October 15, 2003 in Book A66, page 3165; August 17, 2003 in Book A65, page 697; September 24, 2003 in Book A65, page 5666; September 17, 2003 in Book A65, page 695; December 15, 2003 in Book A70, page 1736; September 17, 2003 in Book A65, page 694; July 8, 2004 in Book A80, page 5429 and July 2, 2003 in Book A59, page 5015 more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Coordinate System, Central Zone (NAD 27) grid bearings and ground distances as follows:

BEGINNING at the Northeast corner of said Tract G, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place) whence the Albuquerque Control Survey Monument "UNION 1969" bears N 23° 28' 16" W, 1559.45 feet distant; Thence,

S 27° 16' 18" E, 370.96 feet along a line common to said Tract G and Tract E of the Trails to the Southwest corner of said Tract E (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

Northeasterly, 11.45 feet on the arc of a curve to the right (said curve having a radius of 672.00 feet, a central angle of 00° 58' 34" and a chord which bears N 64° 24' 38" E, 11.45 feet) to a point of tangency (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

N 63° 55' 21" E, 126.54 feet to a point of curvature (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

Northeasterly, 474.25 feet on the arc of a curve to the right (said curve having a radius of 628.00 feet, a central angle of 43° 16' 06" and a chord which bears N 85° 33' 24" E, 463.06 feet) to a point of tangency (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

S 72° 48' 33" E, 614.89 feet to the Southeast corner of said Tract F and an angle point on the West line of said Tract J (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

N 00° 30' 19" E, 749.23 feet along a line common to said Tracts F and J to a point on curve and the Northwest corner of said Tract J (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); said point also being the Northeast corner of said Tract F and a point on curve on the Southerly line of Tract D, The Trails; Thence,

Southeasterly, 22.80 feet along a line common to said Tracts D and F, The Trails on the arc of a curve to the left (said curve having a radius of 2000.00 feet, a central angle of 00° 39' 11" and a chord which bears S 89° 49' 00" E, 22.80 feet) to the Southeast corner of said Tract D (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

N 00° 06' 04" E, 1955.83 feet along the Easterly line of said Tracts B, D and OS-2, The Trails to the Northeast corner of said Tract B (a 5/8" Rebar and cap stamped "L.S. 5978" found in place), said point being a point on the southerly line of Paseo Del Norte and a point on the South line of Projected Section 16, Township 11 North, Range 2 East; Thence,

S 89° 48' 21" E, 2058.47 feet along said southerly line of Paseo Del Norte and the South line of Projected Section 16, Township 11 North, Range 2 East to the projected section corner common to Sections 9, 10, 15 and 16, Township 11 North, Range 2 East (a 5/8" Rebar and cap stamped "L.S. 9750" set) said point being the Northeast corner of the parcel herein described; Thence,

S 00° 16' 10" W, 1961.76 feet along the East line of Projected Section 16, Township 11 North, Range 2 East to the Northeast corner of said Tract J, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

S 00° 16' 10" W, 1315.62 feet along the said East line of Projected Section 16, Township 11 North, Range 2 East to the Southeast corner of said Tract J, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place) said point being a point on the Southerly Boundary of the Town of Alameda Grant; Thence Northwesterly along said Southerly Boundary of the Town of Alameda Grant for the following four (4) courses:

N 89° 40' 43" W, 1064.68 feet to the 6-1/2 mile marker on said Southerly Boundary of the Town of Alameda Grant (a 3-1/4" brass cap found in place); Thence,

N 89° 44' 42" W, 1588.93 feet to the corner common to said Tracts G and J, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

N 89° 44' 33" W, 1053.27 feet to the 7 mile marker on said Southerly Boundary of the Town of Alameda Grant (a 3-1/4" brass cap found in place); Thence,

N 89° 40' 58" W, 266.70 feet to the Southwest corner said Tract G, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place); Thence,

N 00° 15' 20" E, 978.73 feet to the Northwest corner said Tract G, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place) said point also being the Southwest corner of said Tract H, The Trails; Thence,

S 89° 37' 33" E, 550.24 feet along a line common to said Tracts G and H to the point of beginning of the parcel herein described.

Said parcel contains 189.6538 acres, more or less.

### EXCEPTING THEREFROM:

That certain parcel of land situate within the Town of Alameda Grant in projected Section 16, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising All of that certain unplatted parcel of land as described in that certain Warranty Deed filed in the office of the County Clerk of Bernalillo County, New Mexico on: January 1, 2000 in Book A1, page 4988 more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Coordinate System, Central Zone (NAD 27) grid bearings and ground distances as follows:

BEGINNING at the Northeast corner of said Warranty Deed parcel whence the Northeast corner of Tract B, The Trails (a 5/8" Rebar and cap stamped "L.S. 5978" found in place) as the same is shown and designated on the plat entitled "BULK LAND PLAT OF THE TRAILS (A REPLAT OF A PORTION OF TRACT 4, BLACK RANCH), ALBUQUERQUE, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 15, 2003 in Plat Book 2003C, Page 375 bears N 42° 29' 18" W, 664.90 feet distant; Thence,

S 89° 45' 40" E, 450.00 feet to the Northeast corner of said Warranty Deed parcel; Thence,

S 00° 06' 45" W, 489.04 feet to the Southeast corner of said Warranty Deed parcel; Thence,

N 89° 43' 58" W, 450.20 feet to the Southwest corner of said Warranty Deed parcel; Thence,

N 00° 08' 08" E, 488.82 feet to the Northeast corner and point of beginning of the parcel herein described.

Said parcel contains 5.0520 acres, more or less.

### FREE CONSENT AND DEDICATION

SURVEYED and REPLATTED and now comprising, "BULK LAND PLAT OF THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS G AND J, THE TRAILS AND UNPLATTED DEED PARCELS) WITHIN THE TOWN OF ALAMEDA GRANT IN PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", 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 to the use of the public forever, the public utility easements as shown hereon. Said owner(s) and proprietor(s) do hereby dedicate the additional and new street right of ways as shown hereon to the City of Albuquerque in fee simple with warranty covenants. Said owner(s) and proprietor(s) do hereby warrant that they hold among them, complete and indefeasible title in fee simple to the land subdivided. Said owner(s) and proprietor(s) do hereby consent to all of the foregoing and do hereby represent that they are so authorized to act.

### OWNER(S)

THE TRAILS, LLC  
Longford Group, Inc., its Manager

By James R. Baker 10.6.04  
James R. Baker, Division President Date

THE TRAILS COMMUNITY ASSOCIATION, INC.

By Tracy Murphy 10.7.04  
Tracy Murphy, President Date

### ACKNOWLEDGEMENT

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO SS

The foregoing instrument was acknowledged before me this 6<sup>th</sup>  
day of October, 2004, by James R. Baker,

Division President of The Trails, LLC.

Abria Jean Sanchez My commission expires 3-19-07  
Notary Public

## BULK LAND PLAT OF

# THE TRAILS UNIT 2

(BEING A REPLAT OF TRACTS G AND J, THE TRAILS AND UNPLATTED DEED PARCELS)

WITHIN

THE TOWN OF ALAMEDA GRANT

IN

PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST

NEW MEXICO PRINCIPAL MERIDIAN

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

AUGUST, 2004

### NOTICE OF SUBDIVISION PLAT CONDITIONS

TRACTS 1 thru 12 AND TRACTS OS-3 AND OS-4  
THE TRAILS UNIT 2

The plat of TRACTS 1 THRU 12 AND TRACTS OS-3 AND OS-4, THE TRAILS UNIT 2 has been granted a variance or waiver from certain subdivision requirements pursuant to Section 7 of the City of Albuquerque Subdivision Ordinance.

Future subdivision of lands within this plat, zoning Site Development Plan approvals, and development permits may be conditioned upon dedication of right-of-way and easements, and/or upon infrastructure improvements by the owner for water, sanitary sewer, streets, drainage, grading, and parks in accordance with current resolutions, ordinances, and policies in effect at the time for any specific proposal.

The City and AMAFCA (with reference to drainage) may require and/or permit easements to be added, modified, or removed when future plats and/or Site Development Plans are approved.

By its approval of this subdivision, the City makes no representation or warranties as to availability of utilities, or final approval of all requirements including (but not limited to) the following items: water and sanitary sewer availability; future street dedications and/or improvements; park and open space requirements; drainage requirements and/or improvements; and excavation, filling, or grading requirements. Any person intending development of lands within this subdivision is cautioned to investigate the status of these items.

At such time as all such conditions have been satisfactorily met, the City Engineer shall approve a recordable document, removing such conditions from all of from a portion of the area within the subject subdivision.

Note: There is a Notice of subdivision plat conditions for Tracts 1 thru 12 and OS-3 and OS-4, The Trails Unit 2, filed in the office of the County Clerk of Bernalillo County, New Mexico on October 18, 2004 in Book A85, page 6157.

### BLANKET EASEMENT NOTES

- Tracts OS-3 and OS-4 are subject to a blanket access, public open space and public storm drain easements to be granted with the filing of this plat. Said Tracts OS-3 and OS-4 are also subject to a blanket easement for public water and public sanitary sewer to be granted to the City of Albuquerque and New Mexico Utilities, Inc. with the filing of this plat.
- Existing Tracts G and J, The Trails are subject to a blanket easement for public access, public storm drain, public water and public sanitary sewer granted to the City of Albuquerque by plat filed December 15, 2003 in Plat Book 2003C, page 375.
- Existing Tracts G, H and J, The Trails are subject to a public water easement for a future well site granted to New Mexico Utilities, Inc. by plat filed December 15, 2003 in Plat Book 2003C, page 375.

Blanket Easements pertaining to Tracts G and J as defined in Notes 2 and 3 above are VACATED by DRB 04 13221.  
All Blanket Easements pertaining to Tract H are to remain.

### ACKNOWLEDGEMENT

STATE OF Nevada  
COUNTY OF Clark SS

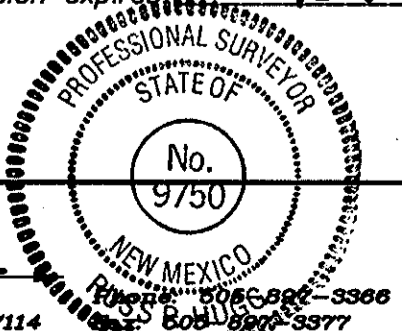
The foregoing instrument was acknowledged before me this 7<sup>th</sup>  
day of October, 2004, by Tracy Murphy, President of The Trails Community Association, Inc.

Crystal House My commission expires 5/5/07  
Notary Public

SHEET 2 OF 6

**SURV+TEK, INC.**

Consulting Surveyors  
6643 Paradise Blvd. N.W. Albuquerque, New Mexico 87114



**BULK LAND PLAT OF  
THE TRAILS UNIT 2**

(BEING A REPLAT OF TRACTS G AND J, THE TRAILS  
AND UNPLATTED DEED PARCELS)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
IN  
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
AUGUST, 2004

Albuquerque Control Survey Monument "UNION 1969"  
New Mexico State Plane Coordinates, Central  
Zone (NAD 27) as published:  
Y= 1523,444.96  
X= 323,409.02  
Ground to grid factor= 0.99966044  
Delta Alpha = -00'16"30"  
Elevation= 5522.0 (NGVD29-Trip)

Albuquerque Control Survey Monument "A-810"  
New Mexico State Plane Coordinates, Central  
Zone (NAD 27) as published:  
Y= 1527,976.48  
X= 327,545.73  
Ground to grid factor= 0.99966354  
Delta Alpha = -00'16"30"  
Elevation= 5429.35 (NGVD29)

VENTANA RANCH SUBDIVISION

PASEO DEL NORTE

Existing 20' Public Easement for  
general public road purposes and  
placement, maintenance and  
operation of public utilities as  
reserved in Warranty Deed filed  
June 19, 1969 in Book D862,  
page 539  
VACATED BY 04 DRB-1321

2058.47' PROJECTED SECTION 9

PROJECTED SECTION 10

PROJECTED SECTION 15

Note:

See Sheets 4 and 5 for additional  
Existing Easements and New Easements  
to be granted by this plat.

Note:

All existing Interior Deed lines and  
Public Roadway and Utility Easements  
reserved in the original Warranty  
Deeds contained within the Bulk Plat  
Boundary as shown and designated  
hereon, are hereby VACATED by this  
Plat and Vacation Action  
04-DRB 1321.

SONRIS BAPTIST CHURCH  
FILED: MAY 17, 1999  
(BK.9907, PG.4853)

UNPLATTED  
PARCEL 1-6  
The Trails, LLC  
Special Warranty Deed  
Filed Sept. 24, 2003  
Book A65, Page 5664

UNPLATTED  
PARCEL 3-8  
The Trails, LLC  
Special Warranty Deed  
Filed Sept. 24, 2003  
Book A65, Page 5664

Albuquerque Control Survey Monument "7-C10"  
New Mexico State Plane Coordinates, Central  
Zone (NAD 27) as published:  
Y= 1521,775.00  
X= 325,854.34  
Ground to grid factor= 0.9996634  
Delta Alpha = -00'16"30"  
Elevation= 5422.388 (NGVD29)

Note:  
All existing Interior Deed lines and  
Public Roadway and Utility Easements  
reserved in the original Warranty  
Deeds contained within the Bulk Plat  
Boundary as shown and designated  
hereon, are hereby VACATED by this  
Plat and Vacation Action  
04 DRB 1321.

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- July 2, 2004  
Book A80, Page 5429

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 695

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 1736

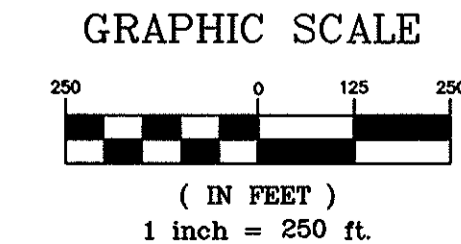
UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 5666

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 5666

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 5666

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 5666

UNPLATTED  
THE TRAILS, LLC  
WARRANTY DEED  
filed- Dec. 15, 2003  
Book A65, Page 5666



**SURVITEK, INC.**

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

SHEET 3 OF 6

**BULK LAND PLAT OF  
THE TRAILS UNIT 2**

(BEING A REPLAT OF TRACTS G AND J, THE TRAILS  
AND UNPLATTED DEED PARCELS)

WITHIN

**THE TOWN OF ALAMEDA GRANT**

IN

**PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST**

**NEW MEXICO PRINCIPAL MERIDIAN**

**CITY OF ALBUQUERQUE**

**BERNALILLO COUNTY, NEW MEXICO**

**AUGUST, 2004**

(Variable width right of way)

**PASEO DEL NORTE**

**PASEO DEL NORTE**

**PASEO DEL NORTE**

**PASEO DEL NORTE**

(Variable width right of way)

**PROJECTED SECTION 9**

**PROJECTED SECTION 10**

**TRACT A  
THE TRAILS**

Filed December 15, 2003 in Plat Book 2003C, Page 375

**TRACT B  
THE TRAILS**

**TRACT 1**

12.3383 Ac.

**TRACT 2**

10.3965 Ac.

**TRACT 3**

10.5715 Ac.

**TRACT OS-1**

**TRACT OS-2**

**TRACT OS-3**

2.9758 Ac.

**TRACT D  
THE TRAILS**

Filed December 15, 2003 in Plat Book 2003C, Page 375

**TRACT 4**

19.3591 Ac.

**TRACT 5**

20.2276 Ac.

**TRACT E  
THE TRAILS**

**TRACT F  
THE TRAILS**

**TRACT 6**

17.0028 Ac.

**TRACT 7**

14.2392 Ac.

**UNPLATTED  
PARCEL 1-6**

The Trails, LLC  
Special Warranty Deed  
Filed Sept. 24, 2003  
Book A65, Page 5664

**UNPLATTED  
PARCEL 4-7**

The Trails, LLC  
Special Warranty Deed  
Filed Sept. 24, 2003  
Book A65, Page 5664

SEE SHEET 5 OF 6



( IN FEET )  
1 inch = 200 ft.

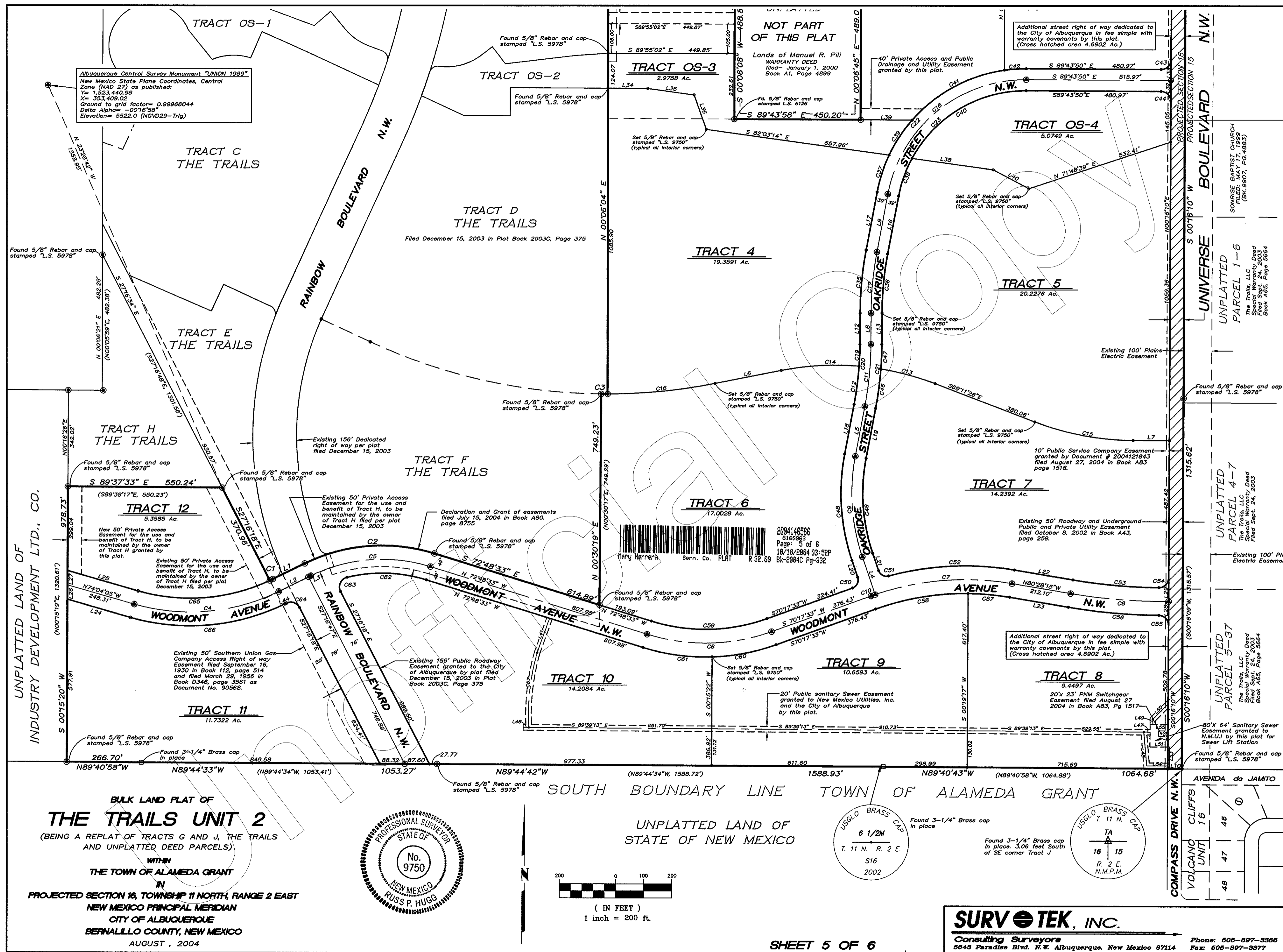
**SHEET 4 OF 6**

**SURV TEK, INC.**

Consulting Surveyors

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

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



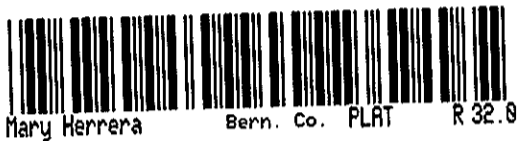
BULK LAND PLAT OF  
**THE TRAILS UNIT 2**

(BEING A REPLAT OF TRACTS G AND J, THE TRAILS  
AND UNPLATTED DEED PARCELS)

WITHIN  
THE TOWN OF ALAMEDA GRANT  
IN  
PROJECTED SECTION 16, TOWNSHIP 11 NORTH, RANGE 2 EAST  
NEW MEXICO PRINCIPAL MERIDIAN  
CITY OF ALBUQUERQUE  
BERNALILLO COUNTY, NEW MEXICO  
AUGUST, 2004

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	CHORD	CHORD BEARING	DELTA
C1	11.45'	672.00'	5.72'	11.45'	N64°24'38"E	0°58'34"
C2	474.25'	628.00'	249.08'	463.06'	S85°33'24"W	43°16'06"
C3	22.80'	2000.00'	11.40'	22.80'	S89°49'00"E	0°39'11"
C4	528.64'	721.00'	276.83'	516.88'	N84°55'38"E	42°00'34"
C5	437.25'	579.00'	229.64'	426.93'	S85°33'24"W	43°16'06"
C6	450.80'	700.00'	233.53'	443.05'	N88°44'30"E	36°53'54"
C7	494.53'	1000.00'	252.43'	489.51'	S85°21'43"W	28°20'05"
C8	350.97'	2000.00'	175.94'	350.52'	S85°29'53"E	10°03'16"
C9	362.69'	700.00'	185.51'	358.64'	S03°57'45"E	29°41'11"
C10	15.74'	1000.00'	7.87'	15.74'	S70°44'36"W	0°54'07"
C11	221.79'	1200.00'	111.21'	221.48'	N05°35'09"E	10°35'24"
C12	136.54'	1161.00'	68.35'	136.46'	S07°30'41"W	6°44'18"
C13	200.90'	1000.00'	100.79'	200.56'	N74°56'46"W	11°30'39"
C14	278.67'	1000.00'	140.25'	277.77'	N86°50'22"E	15°58'01"
C15	358.49'	1000.00'	181.19'	356.57'	S79°27'38"E	20°32'24"
C16	384.49'	2000.00'	192.84'	383.90'	N84°21'51"E	11°00'53"
C17	219.10'	1200.00'	109.86'	218.80'	S05°31'17"W	10°27'41"
C18	693.92'	500.00'	415.97'	639.56'	S50°30'39"W	79°31'03"
C19	78.05'	1161.00'	39.04'	78.03'	S02°13'00"W	03°51'06"
C20	214.59'	1061.00'	107.60'	214.28'	N05°35'09"E	10°35'24"
C21	229.00'	1239.00'	114.83'	228.68'	S05°35'09"W	10°35'24"
C22	748.05'	539.00'	448.42'	689.44'	S50°30'39"E	79°31'03"
C23	639.79'	461.00'	383.53'	589.67'	S50°30'39"W	79°31'03"
C24	88.48'	578.00'	44.32'	88.39'	N68°18'40"E	8°46'13"
C25	Deleted					
C26	Deleted					
C27	Deleted					
C28	Deleted					
C29	Deleted					
C30	Deleted					
C31	Deleted					
C32	Deleted					
C33	Deleted					
C34	Deleted					
C35	226.22'	1239.00'	113.43'	225.91'	S05°31'17"W	10°27'41"
C36	211.98'	1161.00'	106.29'	211.69'	S05°31'17"W	10°27'41"
C37	137.94'	539.00'	69.35'	137.56'	S18°05'01"W	14°39'47"
C38	142.75'	461.00'	71.95'	142.18'	N19°37'22"E	17°44'29"
C39	149.64'	539.00'	75.31'	149.16'	S33°22'07"W	15°54'25"
C40	497.05'	461.00'	275.77'	473.32'	N59°22'53"E	61°46'34"
C41	381.94'	539.00'	199.39'	374.00'	S61°37'21"W	40°36'03"
C42	78.52'	539.00'	39.33'	78.45'	S86°05'46"W	8°20'48"
C43	54.98'	35.00'	35.00'	49.50'	N45°16'10"E	90°00'00"
C44	54.98'	35.00'	35.00'	49.50'	N44°43'50"W	90°00'00"
C45	55.02'	35.00'	35.05'	49.53'	N44°46'05"W	90°04'31"
C46	141.74'	1239.00'	70.95'	141.66'	N07°36'12"E	6°33'16"
C47	87.27'	1239.00'	43.65'	87.25'	N02°18'30"E	4°02'08"
C48	382.89'	739.00'	195.85'	378.62'	S03°57'45"E	29°41'11"
C49	342.48'	661.00'	175.18'	338.66'	S03°57'45"E	29°41'11"
C50	46.65'	30.00'	29.53'	42.09'	N25°44'36"E	89°05'53"
C51	45.20'	30.00'	28.14'	41.05'	S61°58'20"E	86°20'01"
C52	451.64'	1049.00'	229.37'	448.16'	S87°11'42"W	24°40'06"
C53	307.92'	1951.00'	154.28'	307.60'	S84°59'32"E	9°02'34"
C54	55.11'	35.00'	35.13'	49.59'	N45°22'41"E	90°13'01"
C55	54.86'	35.00'	34.88'	49.41'	N44°37'51"W	89°48'02"
C56	324.01'	2049.00'	162.34'	323.67'	S85°00'03"E	9°03'37"
C57	149.02'	951.00'	74.66'	148.87'	N84°57'35"W	8°58'41"
C58	336.25'	951.00'	169.90'	334.51'	S80°25'18"W	20°15'31"
C59	419.24'	651.00'	217.18'	412.04'	N88°44'30"E	36°53'54"
C60	233.13'	749.00'	117.51'	232.19'	N79°12'33"E	17°50'00"
C61	249.23'	749.00'	125.78'	248.08'	S82°20'30"E	19°03'54"
C62	285.78'	530.00'	146.45'	282.33'	N68°15'22"W	30°53'38"
C63	63.27'	35.00'	44.45'	55.00'	S24°30'46"W	103°34'08"
C64	54.25'	35.00'	34.28'	48.98'	N71°40'28"W	88°48'21"
C65	481.26'	672.00'	251.47'	471.05'	N85°24'55"E	41°02'00"
C66	564.57'	770.00'	295.65'	552.01'	N84°55'38"E	42°00'34"
C67	268.64'	800.00'	135.60'	267.38'	S06°21'09"W	19°14'23"

LINE TABLE		
LINE	LENGTH	BEARING
L1	126.54'	N63°55'21"E
L2	126.54'	S63°55'21"W
L3	8.72'	N63°55'21"E
L4	141.45'	N18°48'20"W
L5	179.63'	S10°52'50"W
L6	240.99'	S78°51'21"W
L7	129.13'	S89°43'50"E
L8	110.76'	N00°17'27"E
L9	208.92'	S10°45'07"W
L10	50.00'	N89°40'43"W
L11	50.03'	S17°18'38"E
L12	110.76'	N00°17'27"E
L13	110.76'	N00°17'27"E
L14	446.14'	S27°16'18"E
L15	186.95'	S63°55'34"W
L16	208.92'	S10°45'07"W
L17	208.92'	S10°45'07"W
L18	179.63'	S10°52'50"W
L19	179.63'	S10°52'50"W
L20	63.40'	N18°48'20"W
L21	64.66'	N18°48'20"W
L22	212.10'	N80°28'15"W
L23	212.10'	N80°28'15"W
L24	234.56'	N74°04'05"W
L25	262.06'	N74°04'05"W
L26	50.89'	N00°15'20"E
L27	50.89'	N00°15'20"E
L28	84.18'	N00°16'10"E
L29	83.82'	N00°16'10"E
L30	Deleted	
L31	Deleted	
L32	74.00'	N00°16'10"E
L33	74.00'	N00°16'10"E
L34	140.39'	S89°54'08"E
L35	167.26'	S81°59'57"E
L36	129.67'	S19°31'15"E
L37	Deleted	
L38	292.28'	S82°03'14"E
L39	183.29'	S89°44'24"E
L40	143.83'	S62°09'00"E
L41	130.01'	N19°58'29"E
L42	Deleted	
L43	Deleted	
L44	6.33'	S63°55'20"W
L45	20.00'	N00°06'04"E
L46	20.00'	N89°39'13"W
L47	22.03'	S89°39'13"E
L48	120.23'	S04°49'15"E
L49	18.74'	N00°00'00"W
L50	76.85'	N45°00'00"E
L51	64.00'	S89°43'50"E
L52	80.00'	N00°16'10"E
L53	77.23'	N00°16'10"E
L54	75.36'	S89°40'43"E
L55	54.00'	S89°40'50"E



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Page: 6 of 6  
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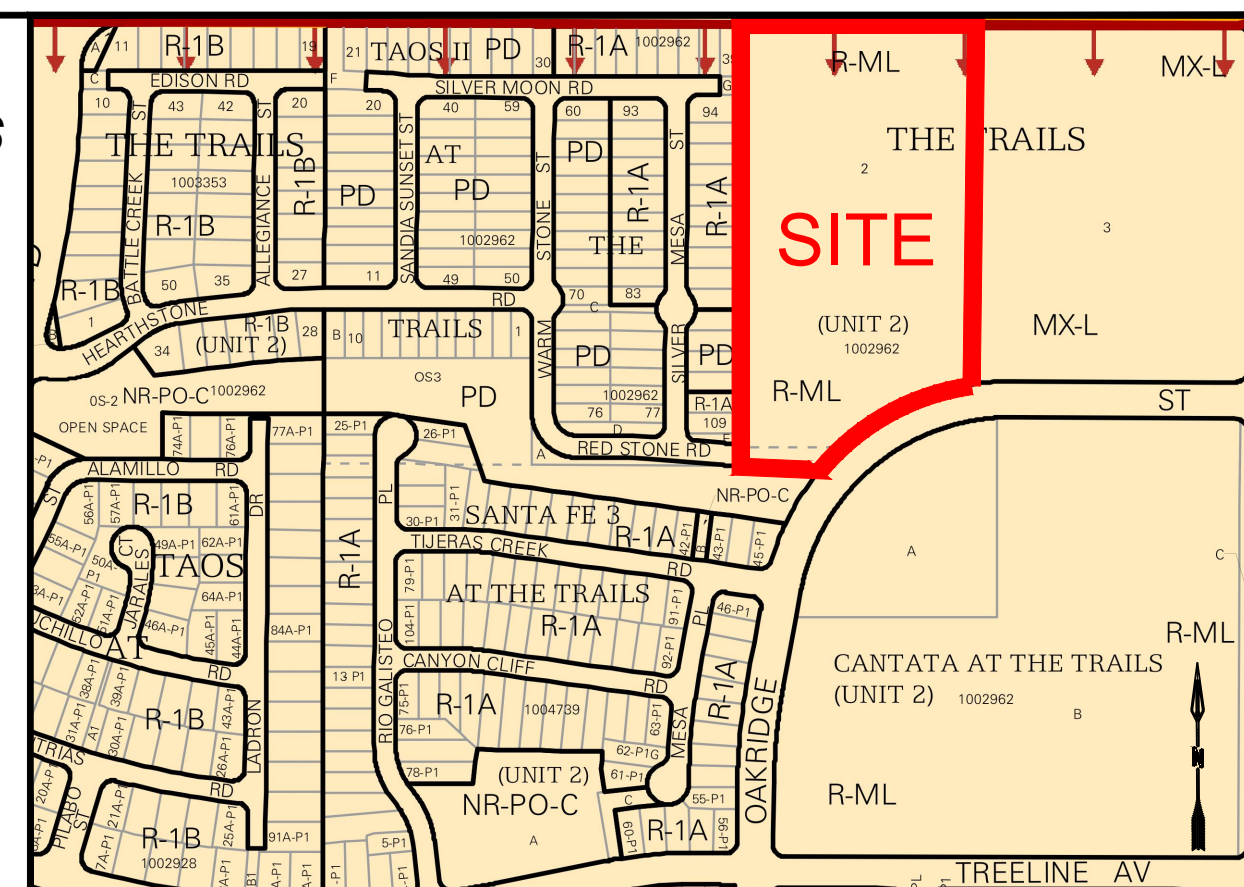
SHEET 6 OF 6

**SURVOTEK, INC.**

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

**EXHIBIT A.3**  
**PROPOSED PLAT**

**VOLCANO MESA AT THE TRAILS**

**SEPTEMBER 2021**

**LOCATION MAP**  
ZONE ATLAS MAP C-09-Z

SCALE: NT\$

## RECORD AND MEASURED LEGAL DESCRIPTION

TRACT NUMBERED TWO (2), OF THE TRAILS UNIT 2, AS THE SAME IS SHOWN AND DESIGNATED ON A PLAT ENTITLED, "BULK LAND PLAT OF THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS G AND J, THE TRAILS AND UNPLATTED DEED PARCELS) WITHIN THE TOWN OF ALAMEDA GRANT, IN PROJECTED SECTION 36, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AUGUST 2004", FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON OCTOBER 18, 2004 IN PLAT BOOK 2004C, PAGE 332.

## GENERAL NOTES

1. EXISTING ZONING: R-ML - MULTI-FAMILY - LOW DENSITY
2. A PROPOSED ZONING: MULTI-FAMILY - LOW DENSITY
3. PROPOSED AREA: 10.4 AC  
NUMBER OF LOTS: 72  
NUMBER OF TRACTS: 7  
PROPOSED DENSITY: 6.9 DU/AC
4. MIN. LOT DIMENSIONS: 40' X 105'  
MIN. LOT AREA: 4,200 SQFT
5. ALL STREETS, UTILITIES, AND STORM DRAIN IMPROVEMENTS ARE TO BE PUBLIC AND TO BE DEDICATED TO THE CITY OF ALBUQUERQUE FOR MAINTENANCE.
6. LOT SETBACKS SHALL CONFORM TO THE INTEGRATED DEVELOPMENT ORDINANCE.
7. NO LOTS SHALL HAVE DIRECT ACCESS TO PASEO DEL NORTE BLVD.
8. TRACTS A-G TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION

### SIDE DATA

ZONE ATLAS NO.	C-09-Z
ZONING	R-ML
MILES OF FULL WIDTH STREET CREATED	0.39 MILE
NO. OF EXISTING TRACTS	1
NO. OF LOTS CREATED	72
NO. OF HOA TRACTS CREATED	7

## EASEMENT NOTES

- 1 EXISTING 40' PRIVATE ACCESS AND PUBLIC DRAINAGE AND UTILITY EASEMENT (10/18/2004, 2004C-332)
- 2 EXISTING 20' PNM EASEMENT (3/23/2004, BK. A74, PG. 7747, DOC. NO. 2004037858) AS SHOWN ON THE PLAT (10/18/2004, 2004C-332)
- 3 EXISTING 10' P.U.E. (11/09/2017, 2017C-124)
- 4 EXISTING 20' WATER EASEMENT GRANTED TO ABCWUA (11/09/2017, 2017C-124)
- 5 EXISTING BLANKET PRIVATE ACCESS, DRAINAGE AND SANITARY SEWER EASEMENT, ACROSS TRACT G (11/09/2017, 2017C-124)
- 6 NEW BLANKET WATER EASEMENT GRANTED TO ABCWUA WITH THIS PLAT.
- 7 NEW BLANKET SANITARY SEWER EASEMENT GRANTED TO ABCWUA WITH THIS PLAT.
- 8 NEW BLANKET PUBLIC PEDESTRIAN ACCESS EASEMENT.
- 9 NEW BLANKET DRAINAGE AND STORM DRAIN EASEMENT GRANTED TO THE CITY OF ALBUQUERQUE WITH THIS PLAT.
- A PORTION OF EXISTING 40' PRIVATE ACCESS AND PUBLIC DRAINAGE AND UTILITY EASEMENT TO THE VACATED BY THIS PLAT.

SURVEY NOTES

1. ALL BOUNDARY CORNERS SHOWN (● / ○) ARE FOUND REBAR W/CAP.
2. ALL STREET CENTERLINE MONUMENTATION SHALL BE INSTALLED AT ALL CENTERLINE PCS, PTS, ANGLE POINTS, AND STREET INTERSECTIONS AND SHOWN THUS (▲), AND WILL BE MARKED BY (4") ALUMINUM CAP STAMPED "CITY OF ALBUQUERQUE" CENTERLINE MONUMENTATION MARKED, DO NOT DISTURB PLS 9750".
3. THE SUBDIVISION BOUNDARY WILL BE TIED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM AS SHOWN.
4. BASIS OF BEARINGS WILL BE NEW MEXICO STATE PLANE BEARINGS.
5. DISTANCES SHALL BE GROUND DISTANCES.
6. MANHOLES WILL BE OFFSET AT ALL POINTS OF CURVATURE, TANGENCY STREET INTERSECTIONS, AND ALL OTHER ANGLE POINTS TO ALLOW USE OF CENTERLINE MONUMENTATION.

### LEGEND

- SUBDIVISION BOUNDARY LINE  
- - - - PROPERTY LINE

### Solar Collection Note

NO PROPERTY WITHIN THE AREA OF REQUESTED FINAL ACTION SHALL AT ANY TIME BE SUBJECT TO A DEED RESTRICTION, COVENANT, OR BUILDING AGREEMENT PROHIBITING SOLAR COLLECTORS FROM BEING INSTALLED ON BUILDINGS OR ERECTED ON THE LOTS OR PARCELS WITHIN THE AREA OF PROPOSED PLAT, THE FOREGOING REQUIREMENT SHALL BE A CONDITION TO APPROVAL OF THIS PLAT.

APPROVED

Loren N. Risenhoover P.S.  
CITY SURVEYOR

BRENT LESLEY  
MANAGER, DR HORTON

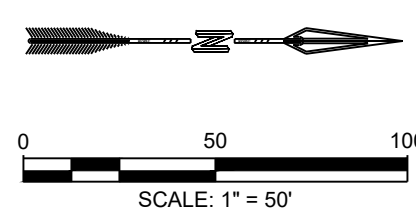
9/20/2021  
DATE

DATE \_\_\_\_\_

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD DIRECTION
C1	381.96' (381.94')	539.00' (539.00')	40°36'08"	374.02'	S 61°36'52" W

### Benchmark -NAVD 88

ACS MONUMENT "2\_C9" HAVING AN ELEVATION OF 5454.55.



**EXHIBIT B**  
**SERVICABILITY LETTER #210734**

June 3, 2021

Jeremy Shell  
RESPEC  
5971 Jefferson St NE Suite 101  
Albuquerque, NM 87114

**RE: Water and Sanitary Sewer Serviceability Letter #210419**

**Project Name: Tract 2**

**Project Address: Oakridge St NW**

**Legal Description: TR 2 BULK LAND PLAT OF THE TRAILS UNIT 2 (BEING A REPLAT OF TRACTS G & J THE TRAILS AND UNPLATTED DEED PARCELS) CONT 10.3965 AC**

**UPC: 100906444647910105**

**Zone Atlas Map: C-9**

Dear Mr. Shell:

**Project Description:** The subject site is located on Oakridge St, south of Paseo Del Norte and west of Universe Blvd, within the municipal limits of the City of Albuquerque. The property consists of approximately 10.3965 acres and is currently zoned R-ML for Residential – Multi-family Low Density. The property lies within the Pressure Zone 4W in the Corrales trunk. The request for information indicates plans to develop a single-family residential subdivision.

**Development Agreement:** Pursuant to the System Expansion Ordinance, this property is outside of the Water Authority service area and the Water Authority Board must approve a Development Agreement to serve this property and establish requirements as a condition of service. Contact Utility Development in regards to Development Agreements.

**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 Ductile Iron transmission main (project # 26-5975.81-10) along Paseo Del Norte
- Eight-inch PVC distribution main (project # 26-7384.87-18) along Silver Moon Rd
- Eight -inch PVC distribution main (project # 26-7384.87-18) along Silver Mesa St
- Eight -inch PVC distribution main (project # 26-7384.87-18) along Red Stone Rd
- Eight -inch PVC distribution main (project # 26-7384.87-18) along Oakridge St

Sanitary sewer infrastructure in the area consists of the following:

- Eight -inch PVC collector line (project #26-7384.87-18) along Silver Moon Rd
- Eight -inch PVC collector line (project #26-7384.87-18) along Silver Mesa St
- Eight -inch PVC collector line (project #26-7384.87-18) along Red Stone St

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County of Bernalillo  
Commissioner, District 5

**Ex-Officio Member**  
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Village of Los Ranchos  
Board Trustee

**Executive Director**  
Mark S. Sanchez

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

**Water Service:** New metered water service to the property can be provided contingent upon a developer funded project to extend waterlines from project #26-7384.87-18 covering the frontages of the proposed lots, including along Oakridge St. Each lot shall have separate water service. 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 contingent upon a developer funded project to extend lines along the frontages of the proposed development and tied into the capped line at Red Stone Rd. Each lot shall have separate sanitary sewer services.

**Fire Protection:** A standard fire hydrant flow of 1,500 gallons-per-minute has been applied to the existing/proposed infrastructure. As modeled using InfoWater™ computer software, the fire flow can be met. Flow was taken from two nodes representing two of the proposed hydrants. 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.

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

**Cross Connection Prevention:** 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 plugging the wells as accepted by the Water Authority prior to connecting to the public water system; or 2) Customers who choose to maintain their private wells shall completely sever the private well from the premises' potable plumbing system and shall install a reduced pressure principle backflow prevention assembly approved by the Water Authority at the terminal end of the water service from the public water system (e.g., service connection).

**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. Side yard easements are not acceptable for either water or sanitary sewer. Acceptable easements must be documented prior to approval of service.

**Pro Rata:** As described in this statement, the extension of public water and sanitary sewer lines may be eligible for partial reimbursement through the Pro Rata process as detailed in the Water Authority Water and Wastewater System Expansion Ordinance. Pro Rata has been assessed for this property in the amount of \$4,215.48 for water

Jeremy Shell  
RESPEC  
Page 3

infrastructure under project #730070 and \$47,021.44 for Sewer infrastructure under project #738487 for a total amount of \$51,236.92. These charges are assessed to the property due to its ability to benefit from and/or take service from the previously installed infrastructure. Payment will be required as a condition of approvals from the Water Authority.

**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, New Mexico registered, professional engineer. 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 requested and authorized.

**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.

**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 (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](mailto:kcadena@abcwua.org) if you have questions regarding the information presented herein or need additional information.

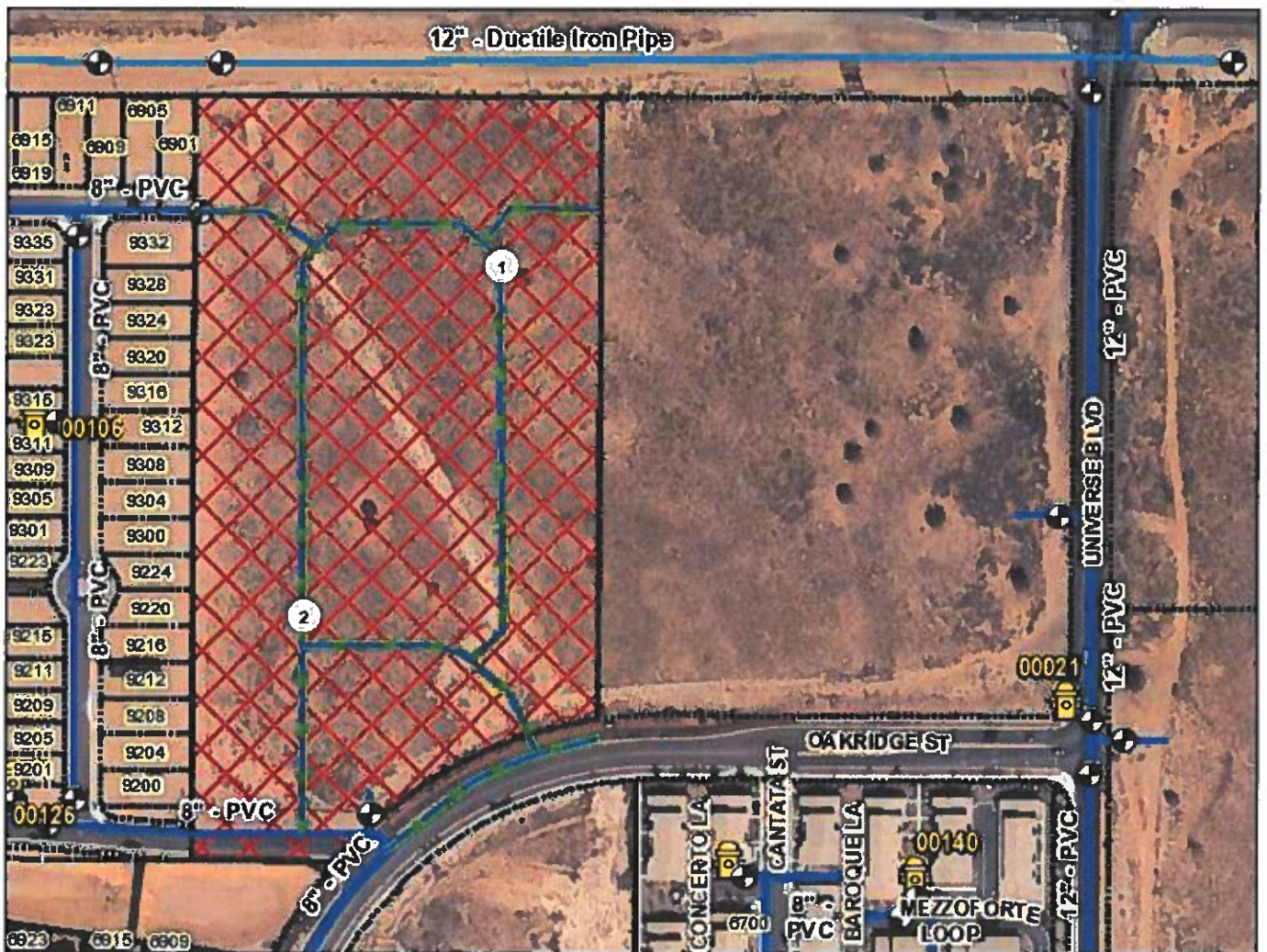
Sincerely,



Mark S. Sanchez  
Executive Director

Enclosures: Infrastructure Maps (2)  
f/ Serviceability Letter 210419

# 210419 - Water



## Legend

Project Location

Valve

Hydrant

## Pipe

### SUBTYPE

Distribution Line

Hydrant Leg

In Zone Transmission

0 410 820 Feet

## General Map Notes:

-- Proposed Waterline Extensions

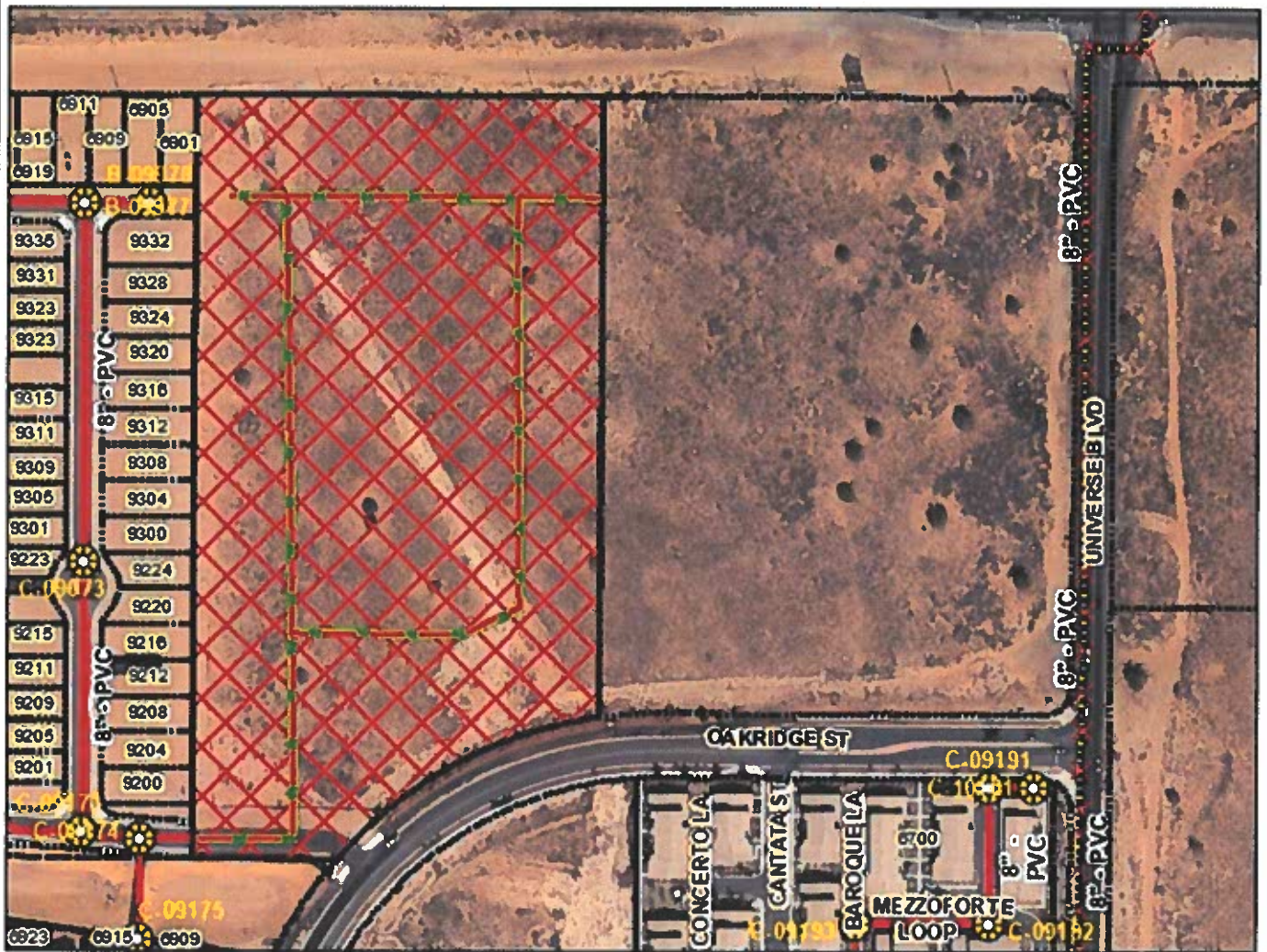
○ -- Fire Flow Analysis Points

1 -- Analysis Point - Proposed Fire Hydrant

2 -- Analysis Point - Proposed Fire Hydrant



# 210419 - Sanitary Sewer



## Legend

Project Location

Sewer Manhole

## Sewer Pipe

### SUBTYPE

COLLECTOR

FORCE MAIN

ABANDONED

0 410 820 Feet

## General Map Notes:

-- Proposed Sewer Extensions

