

A G E N D A

**Planning & Zoning Commission
City Council Chambers – 800 Municipal Drive
January 14, 2016, at 3:00 p.m.**

Item		Page
1	Call Meeting to Order	
2	Approval of the Agenda	
3	Approval of the Minutes of the December 10, 2015 P&Z Meeting	75
4	Petition No. FP 15-07 – a request from Brad Salzman of Pinon Hills Community Church, represented by George Walters of Cheney-Walters-Echols Inc., for a Final Plan for property located on the northwest corner of Pinon Hills Boulevard and Dustin Avenue. (Cindy Lopez)	1
5	Petition No. PFP 15-01 – a request from Four Corners Land, LLC, represented by George Walters of Cheney-Walters-Echols, for a Preliminary Plan and Final Plat for 3.94 acres located at 2500 Farmington Avenue. (Keith Neil)	11
6	Petition No. PFP 15-02 – a request from the City of Farmington, represented by Nica Westerling, for a Preliminary Plan and Final Plat for the dedication of Piñon Hills Boulevard south of NM 516/E. Main Street to County Road 3000. (Cindy Lopez)	41
7	Petition No. SUP 15-08 – a request from Heather Alexander and Joshua Johnson for a Special Use Permit for a body art establishment in the Central Business District and a waiver to Farmington’s City Code Sec. 8.15.3 for property located at 115-A E. Main Street. (Steven Saavedra)	60
8	Business from: Floor: Chairman: Members: Staff:	
9	Adjournment	

The recommendation of the Planning and Zoning Commission is scheduled to be considered at the City Council Meeting on Tuesday, January 26, 2016.

ATTENTION PERSONS WITH DISABILITIES:

The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend a meeting and need an auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106, prior to the meeting so arrangements can be made.

COMMUNITY DEVELOPMENT STAFF REPORT
Final Plat of
Piñon Hills Community Church Subdivision
PETITION FP 15-07
January 14, 2015

1. PROJECT INFORMATION

Applicant	Piñon Hills Community Church
Representative	Brad Salzman
Date of Application	October 28, 2015
Requested Action	Final Plat Approval
Location	Dustin Avenue north of Piñon Hills Boulevard
Existing Land Use	Dustin Avenue Extension
Existing Zoning	RE-1 Residential Estates
Surrounding Zoning/ Land Use	West/North: RE-1 Residential Estates/Vacant South: SF-7 Single-family & OP Office Professional East: OP Office Professional & RE-1 Residential Estates
Notice	Publication of Notice is not required for final plats.
Staff Planner	Cynthia Lopez, Senior Planner

2. OTHER INFORMATION

Number of Lots	Road Dedication
Acres of Land	Parcel is 58.17 acres, dedicating 60 feet on east property line for Dustin Avenue
Minimum Lot Size	0.86 acres
Utilities	WATER: Per City Standards SEWER: Per City Standards ELECTRIC: Per City Standards
Access & Circulation	Road Dedication
Street Lights	Per City Standards
Fire Hydrants	Per City Standards
Drainage	Per City Standards

3. STAFF ANALYSIS

Project Description

The petitioner requests final plat approval of the road dedication for the extension of Dustin Avenue north of Saguaro Trail. The property is owned by Piñon Hills Community Church. Pursuant to *Plat Amendment Application Process* Section 8.8.8A of the Unified Development Code “A resubdivision or replat shall be required for any revision or replat involving dedication, vacation or relocation of a public street or other public right-of-way.” Section 8.8.8B states: “All resubdivision and replats require application and processing in accordance with the preliminary and final plat procedures of subsection 8.8.9D and subsection 8.8.9E, respectively.”

Piñon Hills Community Church is located at 5101 N. Dustin Avenue. The church was approved for a planned development (PD 08-01) on April 22, 2008 and an amendment to the planned development (PD 14-01) on July 22, 2014. The amendment specified that no new buildings can be constructed on the site until Dustin Avenue improvements have been extended to the north property line. The petitioner is proposing to dedicate the Dustin Avenue right-of-way (approximately 60' x 642') to the City in preparation of making improvements as specified in the amended planned development.

The Preliminary Plan for the dedication of North Dustin Avenue was approved by City Council on September 8, 2015.

4. ISSUES

City Engineering

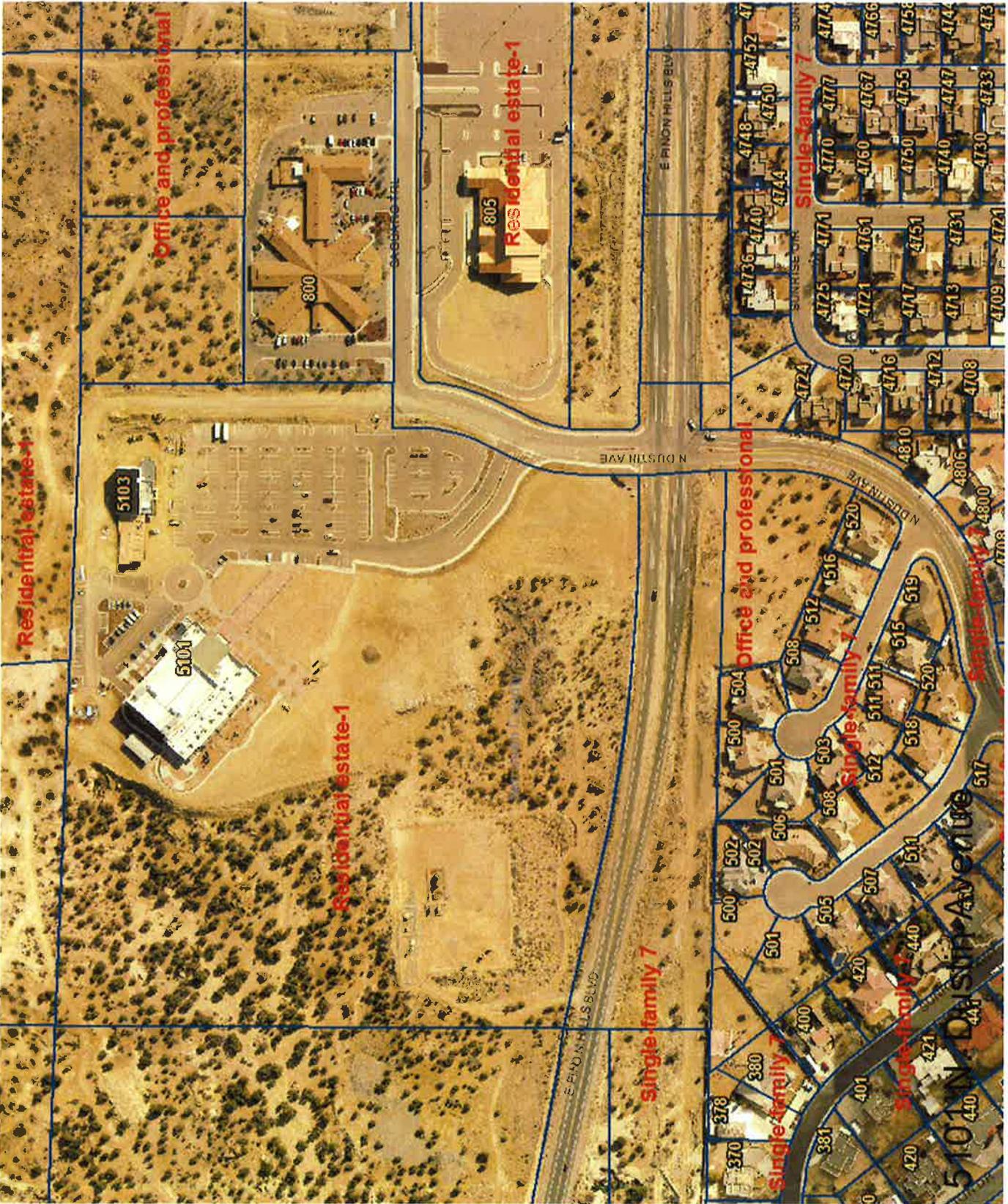
- The technical comments from the Preliminary Plat have been addressed. However, the improvement plans for the N. Dustin Extension must be revised, resubmitted, and approved with the improvement agreements prior to the acceptance of the final Mylar with the road dedication.

5. CONCLUSION

Staff feels that approval is appropriate.

6. RECOMMENDATION

The Community Development Department recommends **approval** of Petition FP 15-07 a request from Piñon Hills Community Church, represented by George Walters of Cheney-Walters-Echols Inc., for a final plat for the dedication of a road (0.86 acres) approximately 60 feet wide and 642 feet long (North Dustin Avenue) on the east side of Piñon Hills Community Church property located at 5101 N. Dustin, with the condition that the subdivision improvement plans must be revised, resubmitted, and approved by the City with the improvement agreements prior to the acceptance of the final Mylar with the road dedication.



PLANNING MEMO COMMENTS SUMMARY

FP 15-07 PINON HILLS COMMUNITY CHURCH

Deadline: 11/4/15

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	No comment
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Sims	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	No comment
ELEC	Electrical Engineering - Luwil Aligarbes	All power line belongs to FEUS are marked on the plat that meets the FEUS utility easement requirement. Looks good.
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	11/12/15-No comment at this time.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	
POLICE	Code Compliance -	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni McKnight	The technical comments from the Preliminary Plat have been address. However, the improvement plans for the N Dustin Extension must be revised, resubmitted, and approved with the improvement agreements prior to the acceptance of the final Mylar with the road dedication
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	No comment

Other Entities

New Mexico Gas Company	
CenturyLink-Willatto	No comment
Qwest Communications	
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI	
Williams Field Services	
Farmington School District	

PETITION APPLICATION



Incomplete applications will not be accepted.

Return completed application to:

Planning Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

PROJECT TYPE (Check Those Applicable)

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation and / or Zoning
<input type="checkbox"/> Preliminary Plat
<input checked="" type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to _____ District
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use: _____ |
|--|---|--|

INFORMATION

Applicant's Name: Pinon Hills Community Church	Project Location: Dustin/Pinon Hills
Address: 2400 N. Butler Avenue, Farmington, NM, 87401	Existing Use: Church
E-Mail:	Proposed Use: Church
Telephone: (505) 325-4541	Current Zoning:
Relationship to Property Owner:	Assessor's Parcel I.D. and/or Tax I.D. Number: R0560168

Legal Description of Subject Property: *See Attached Plat*

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes No
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: George T. Walters Email: gtw@c-w-e.com
 Phone: (505) 327-3303 Address: 909 West Apache, Farmington, NM, 87401

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (If any)
Name: Pinon Hills Community Church Phone: (505) 325-4541	Name: _____ Phone: _____
Address: 2400 N. Butler, Farmington, NM, 87401	Address: _____

OWNER CERTIFICATION

*(Physical and Mailing)

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review

Name: Pinon Hills Community Church, Brad Salzman Address: 2400 N. Butler, Farmington, NM, 87401

Owner's Signature: *Bradley J. Salzman* Phone / Email: 325-4541

****** STAFF USE ONLY ******

Received By <u>KW</u> Time _____ Date <u>10/28/15</u> Fee Received <u>\$20</u> Project File No. <u>FP 15-07</u> Date of Hearing/Meeting: <u>11/3/15</u>	<input type="checkbox"/> Blueline Copies of Plans _____ <input type="checkbox"/> Ownership Report (subject and surrounding properties) <input type="checkbox"/> Legal Description _____ <input type="checkbox"/> Detailed Statement of Proposed Use _____
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FINAL PLAT CHECKLIST

Return Application & Checklist to: **Development Services Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)
Final Plat Information**

Name of Subdivision	Pinon Hills Community Church Subdivision
Name of Owner	Pinon Hills Community Church
Name of Subdivider	Same
Name of Person who prepared the Plan	George T. Walters, P.S.
Location of Property by Streets	Dustin/Pinon Hills
Present Zoning of Property	
Present Uses of Property	Church
Date of Preliminary Plan Approval by City Council	August 27, 2015
Date of Construction Plan Approval by City Engineer	
No. of Acres in Total Tract	58.17 Acres
No. of Lots	1

Final Plat Check List

The following checklist identifies the information required to be shown on a final plat. The consulting engineer preparing the plat should review the checklist to insure that all required information is included.

- Boundary lines with accurate distances and bearings.
- Correct legal description.
- Lines of all proposed streets and alleys with their width and names.
- Accurate outline of any portions of the property intended to be dedicated or granted for public use.
- Line of departure of one street from another.
- Names and widths of adjoining streets and alleys.

- All lots designated by numbers or letters and streets, avenues and other grounds designated by names, letters or numbers.
- Location of all easements provided for public use, services or utilities.
- All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.
- Radii, arcs or chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- Location of all survey monuments and their descriptions.
- Name of the subdivision and the scale of the plat, north point, the name of owner or owners of [or] subdividers and date.
- A benchmark elevation referenced to a City of Farmington G.P.S. monument.
- Certificate of registered land surveyor, attesting the accuracy of the survey and the correct location of all monuments shown.
- Acknowledgment of the plat by the owner or owners and spouses, if any, or a duly authorized attorney.

Items to be included with Application

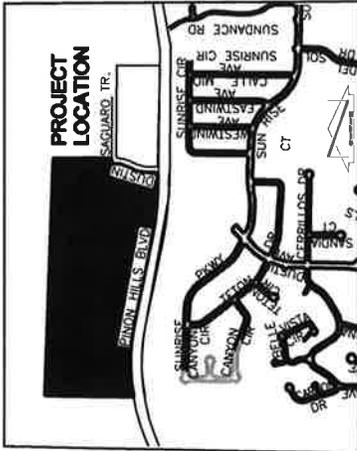
- Completed and signed Application Form.
- Completed and signed Final Plat Checklist.
- Eight (8) full size review prints of final plat on 18' x 24" sheet size.
- One copy reduced to an 8.5" x 11" sheet size.
- Application fee in the amount of \$2.00/lot.

I certify that the final plat of Pinon Hills Community Church Subdivision (Name of Subdivision) contains the required information as indicated above.

Swalt
Name of Person Preparing Plat

October 28, 2015
Date

PINON HILLS COMMUNITY CHURCH SUBDIVISION
 Lying in the N1/2 of Section 34,
 T30N R13W, N.M.P.M., in Farmington,
 San Juan County, New Mexico



VICINITY MAP
(n/s)

- REFERENCE LISTS:**
- R1. WARRANTY DEED B35H P65
 - R2. WARRANTY DEED B305 P687
 - R3. WARRANTY DEED B305 P687
 - R4. SURVEY PLAT B200 8479
 - R5. PATENT B959 P228
 - R6. SAN JUAN COUNTY ASSESSOR'S PLATS
 - R7. BLK TOWNSHIP PLAT T30N R13W

PLAT NOTES:

BASE OF BEARINGS IS THE CITY OF FARMINGTON
 GPS CONTROL NETWORK

DATE OF FIELD SURVEY: JULY 23, 2015

- ⊠ = SECTION CORNER AS NOTED
- ⊡ = QUARTER CORNER AS NOTED
- = SET 1/2" REBAR W/CAP LS 659
- ⊙ = SET 1/2" REBAR W/ALUM CAP LS 659
- = FOUND REBAR AS NOTED
- × = X MARK IN CONCRETE
- ◇ = SET PK NAIL W/WASHER
- = HWY DEPT BRASS CAP R/W MON
- = NOT SET

TRACT 1

A tract of land lying in the North half of the Northwest Quarter (NW/2 NW/4) of Section 34, T30N, R13W, N.M.P.M., Farmington, San Juan County, New Mexico being more particularly described as follows:

COMMENCING at the Northwest Corner of the above said Section 34;

THENCE: S87°56'37"E and along the north line of said Section 34 for a distance of 2548.93 feet to the North Quarter Corner of the above said Section 34;

THENCE: S1°15'00"E and along the East line of Lot 1 of the Farmington Family Washup Center as recorded in Book 1322 Page 975 for a distance of 652.85 feet to a point on the north right-of-way line of Seguro Trail LEAVING said line and N89°39'59"W for a distance of 60.00 feet to a point on the west line of Dustin Avenue;

THENCE: ALONG the west line of Dustin Avenue the following courses and distances; end S00°05'42"E for a distance of 50.84 feet;

THENCE: S00°WESTERLY and along the arc of a curve to the right a distance of 5234.40"W for a distance of 120.30 feet;

THENCE: S25°29'02"W for a distance of 80.06 feet;

THENCE: S00°WESTERLY and along the arc of a curve to the left for a distance of 132.00 feet and has a chord of 132.00 feet;

THENCE: S00°22'24"W for a distance of 82.32 feet to a point of intersection with the north right-of-way line of Pinon Hills Boulevard;

THENCE: ALONG said north right-of-way line the following courses and distances;

THENCE: NORTHWESTERLY and along the arc of a curve to the right for a distance of 588.84 feet whose radius is 304.60 feet and has a chord of 183°30'07"W for a distance of 585.97 feet;

THENCE: NORTHWESTERLY and along the arc of a curve to the left for a distance of 77.04 feet whose radius is 1970.06 feet and has a chord of N89°41'34"W for a distance of 786.02 feet to a point of intersection with the west line of the above said Section 34;

THENCE: LEAVING said point of intersection and along the west line of said Section 34 for a distance of 947.96 feet and back to the Point of Beginning.

Said tract of land contains 5817 acres more or less.

NORTH DUSTM AVENUE DEDICATION AREA

A tract of land lying in the North half of the Northwest Quarter (NW/2 NW/4) of Section 34, T30N, R13W, N.M.P.M., Farmington, San Juan County, New Mexico being more particularly described as follows:

COMMENCING at the North one-quarter corner of the above said Section 34;

THENCE: S00°05'42"E and along the North South West-section line and the West line of Lot 1 of the Farmington Family Washup Center as recorded in Book 1322 Page 975 for a distance of 622.85 feet to a point on the North right-of-way line of Dustin Avenue;

THENCE: LEAVING said line and N89°39'59"W for a distance of 60.00 feet to a point on the west line of Dustin Avenue;

THENCE: N00°05'42"W for a distance of 624.60 feet to a point on the North line of said Section 34;

THENCE: S87°56'37"E for a distance of 60.05 feet along said North line to the point of beginning.

Containing 0.88 ac.

RADIUS RETURN DEDICATION AREA

A tract of land lying in the North half of the Northwest Quarter (NW/2 NW/4) of Section 34, T30N, R13W, N.M.P.M., Farmington, San Juan County, New Mexico being more particularly described as follows:

COMMENCING at the Southeast corner of the above described Tract 1;

THENCE: N89°56'07"W for a distance of 20.24 feet along the North right-of-way line of Pinon Hills Boulevard;

THENCE: ALONG the North right-of-way line of said Tract 1 with a central angle of 90°44'35" with a chord bearing and distance of N45°43'E 28.45 feet to a point on the West right-of-way line of North Dustin Avenue;

THENCE: S00°05'42"E for a distance of 20.24 feet along said West right-of-way line to the Point of Beginning.

Containing 88 sq. ft.

Approved pursuant to Statute Bld 406, that requires all taxes, penalties, interest and fees through the current taxable year be paid prior to the division or combining of any real property in San Juan County.

San Juan County Treasurer

Date

DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That Pinon Hills Community Church, being sole Owners and Proprietors of the land above described, have made a subdivision of said land, and that said subdivision is named and shall be known as:

PINON HILLS COMMUNITY CHURCH SUBDIVISION

That the said subdivision as shown on this plat, is with the consent and in accordance with the desires of said Owner, and the streets and easements shown are dedicated for public use as such, together with easements for public utilities, including easements for running of service wires of pole type utilities, and easements for underground or overhead utility lines, and the maintenance of the same, and the right of ingress and egress to and from said easements.

Brad Salzman, Chief Executive Officer
 Pinon Hills Community Church

AFFIDAVIT

Now comes Brad Salzman, Chief Executive Officer, Pinon Hills Community Church, first duly sworn upon his oath and states that the subdivision shown hereon is correct, that the planning and zoning jurisdiction of the City of Farmington, New Mexico, is not applicable to this subdivision.

Brad Salzman, Chief Executive Officer
 Pinon Hills Community Church

State of New Mexico)
 County of San Juan)
 I ss:

The foregoing dedication and affidavit were acknowledged before me by Brad Salzman, Chief Executive Officer, Pinon Hills Community Church, the City of Farmington, New Mexico, and myself, a Notary Public.

Notary Public

APPROVAL

Approved pursuant to major subdivision procedure of the City of Farmington UDC

Date: _____
 By: _____
 Chairman, City of Farmington
 Planning Commission

Farmington Electrical Utility SVCS
 City Engineer

CenterLink
 New Mexico Gas Company

Water and Wastewater O&M Manager
 Enterprise Fragg Services, LLC

CERTIFICATION

I, George T. Walters, a New Mexico Professional Surveyor certify that I conducted and am responsible for this Boundary Survey Plat, that this Boundary Survey is true and correct to the best of my knowledge and belief, and that this Boundary Survey Plat meets the Minimum Standards for Surveying as set forth in the New Mexico Statutes. I further certify that this survey is a division of land as defined in the New Mexico Subdivision Act.

Date _____
 George T. Walters
 Professional Land Surveyor No. 6509
 State of New Mexico

CHEYNE WALTERS ECHOLS
 ENGINEERS • SURVEYORS

100 W. ADAMS ST. FARMINGTON, NEW MEXICO 87401 (505) 845-1234

ISSUE DATE: 07/28/2015 - CRT
 PRINTED: October 28, 2015
 FILE: \\G:\HW\GIS\15\012004G\T\W\04432PINON CHURCH\04432-2015 SUB.dwg

PINON HILLS COMMUNITY CHURCH SUBDIVISION
 Lying in the N1/2 of Section 34,
 T30N R13W, N.M.P.M., in Farmington,
 San Juan County, New Mexico

RO05153A
 2-075-175-064-066
 1380/137

RO05061
 2-075-175-412-115
 ALBUQUERQUE CITY OF
 959/728

FOUND 1952 USD/BLM
 BRASS CAPPED MONUMENT
 AT CORNER
 OF SECTIONS 27, 28, 33
 AND 34, T30N, R13W, N.M.P.M.
 N 10.3099 13500
 E 86022.3160

N00°39'31"E 947.96'

RO00754
 89-900-900
 FEDERAL

TRACT 1
 58.17±AC.
 RO050168
 2-075-175-482-478
 FARMINGTON CITY OF
 1391/75

TRACT 1
 58.17±AC.
 RO000401
 2-075-175-379-482
 FARMINGTON CITY OF
 1391/75

S87°58'37"E 2548.93'

SHEET 3 OF 3
 MATCH LINE

SHEET 2 OF 3
 MATCH LINE

R = 1970.06'
 L = 7710.4'
 D = 22°25'27"
 T = 390.52'
 CL = 756.12'
 CD = N89°41'54"W

PINON HILLS BLVD
 (20' ROW)

60' WIDE WILLIAMS
 FIELD SERVICES
 EASEMENT

RO05278
 2-075-175-482-472
 FARMINGTON CITY OF
 1197/56

N78°29'10"W 921.53'

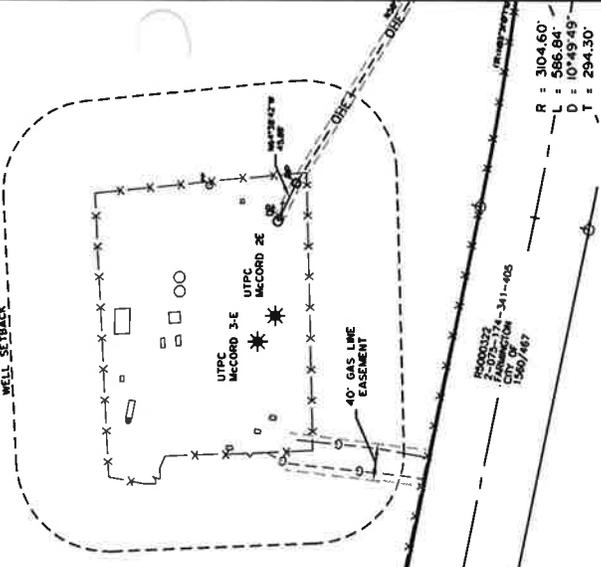
RO000322
 2-075-175-341-405
 FARMINGTON CITY OF
 1580/487



SCALE: 1"=100'
 SCALE IN FEET

NOTE: ENTERPRISE FIELD SERVICES, LLC:
 NATURAL GAS RIGHT-OF-WAY

We hereby certify that the above information was obtained from the records of the County Clerk of San Juan County, New Mexico, and that the same is true and correct. We further certify that the same is true and correct as of the date of this report. We warrant that the information contained herein is true and correct as of the date of this report. We warrant that the information contained herein is true and correct as of the date of this report. We warrant that the information contained herein is true and correct as of the date of this report.



R = 3104.60'
 L = 586.84'
 D = 10°49'49"
 T = 294.30'

PINON HILLS COMMUNITY CHURCH SUBDIVISION
 Lying in the N1/2 of Section 34,
 T30N R13W, N.M.P.M., in Farmington,
 San Juan County, New Mexico

R0005728
 2-075-174-264-066
 EAST 1/2 SECTION 34,
 T30N R13W
 1/30/79/4

TRACT 1
 58.17±AC.
 R0000401
 2-075-174-377-482
 CHURCH PINON HILLS
 COMMUNITY
 1/30/78/5

ROAD DEDICATION
 0.86±AC.

10' UTILITY
 EASEMENT

UTPC
 MCCORD 3-E

UTPC
 MCCORD 2-E

40' GAS LINE
 EASEMENT

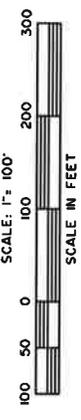
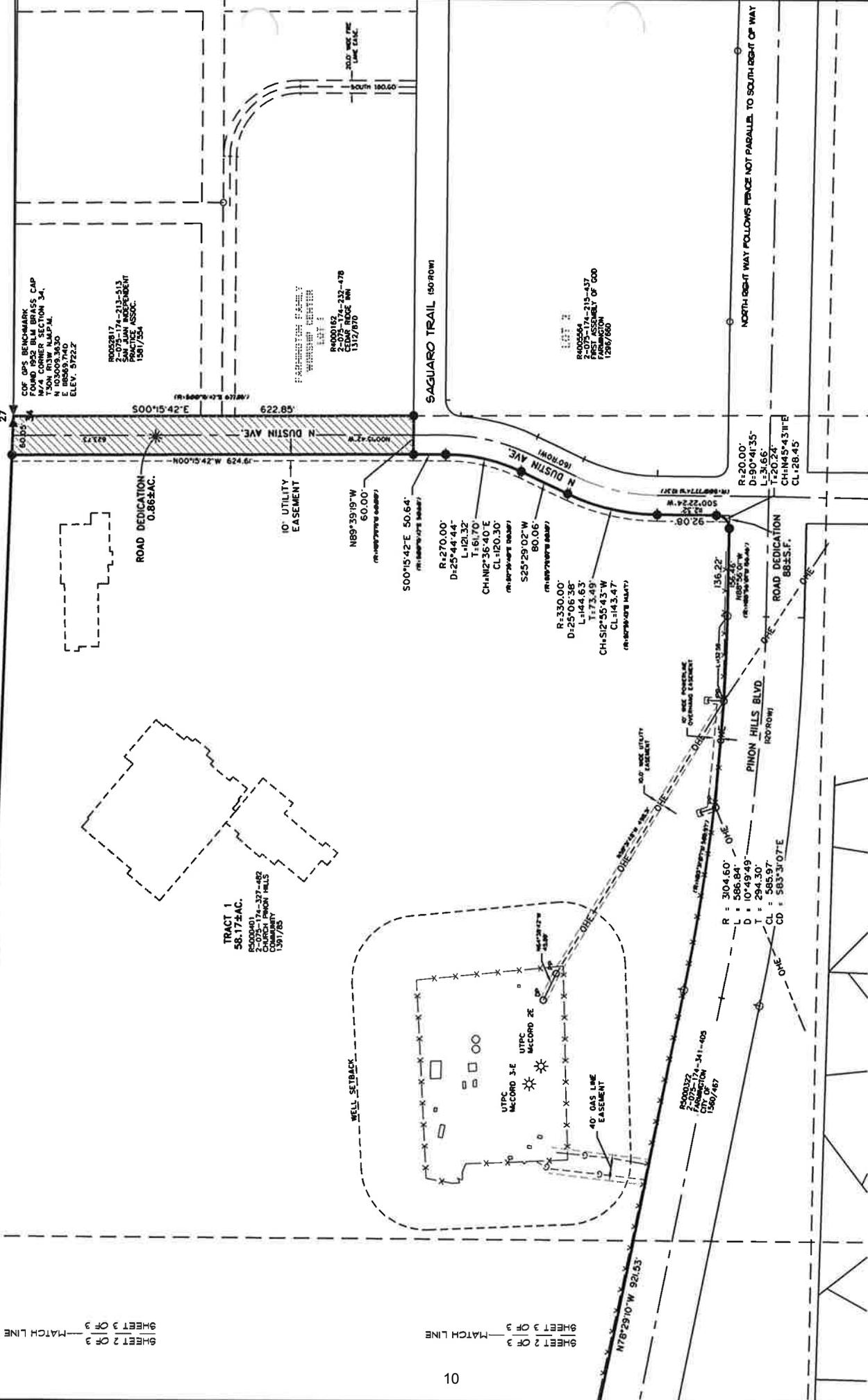
WELL SETBACK

SHEET 2 OF 3
 MATCH LINE

SHEET 3 OF 3
 MATCH LINE

SAGUARO TRAIL (60' ROW)

NORTH-RIGHT WAY FOLLOWS FENCE NOT PARALLEL TO SOUTH-RIGHT OF WAY



COMMUNITY DEVELOPMENT PETITION REPORT
Preliminary Plan and Final Plat for
Nyrgen Subdivision No. 5, Replat B
Petition No. PFP 15-01

A. STAFF REPORT, January 5, 2016

PROJECT INFORMATION

Applicant	Four Corners Land, LLC
Representative	George Walters, Cheney-Walters-Echols, Inc.
Date of Application	December 8, 2015
Requested Action	Preliminary Plan and Final Plat approval
Location	3.94 acres, Tract B of the Nyrgen Subdivision Number 5 Replat A. The subdivision is South of 30 th Street and East of Farmington Avenue. 2500 Farmington Avenue
Existing Land Use	Chiropractic Office, New Construction, Vacant Land
Existing Zoning	OP, Office Professional
Surrounding Zoning & Land Use	North: OP Office Professional: Professional Offices South: MF-M Multi-Family Medium Density: Residential East: SF-7 Single-Family Residential: Residential and Park West: SF-7 Single Family Residential: Residential and Farm Land
Staff Planner	Keith M. Neil, Associate Planner

SUBDIVISION INFORMATION

Number of Lots	3 lots
Acres of Land	3.94 acres
Lot Sizes	B-1: 0.75 acres, B-2: 2.18 acres, B-3: 1.01 acres
Utilities	Water: Per City standards. Sewer: Per City standards Electric: Per Electrical Engineering
Access & Circulation	Lots B-1 and Lot B-2 have access to Farmington Avenue.

GENERAL INFORMATION

The petitioner is requesting to replat the existing Lot B of the Nyrgen Subdivision No. 5, Replat A into three separate lots. Pursuant to section 6.3B of the UDC, lots of record are required to meet subdivision regulations from July 22, 1971 to the present. Per Section 6.9.1 of the UDC "Required Improvements" include "streets, and road construction for all street improvements including base, grading, curbs, gutters, sidewalks, pavement, street name signs, street regulatory signs, culverts, and bridges; Water and sewer lines installations including fire hydrants and manholes."

Proposed Lot B-1 was created through a warranty deed in July 1996 which did not comply with the subdivision regulations at that time. The City of Farmington does not recognize Lot

B-1 as being legally subdivided. Pond Chiropractic is the business located on Lot B-1.

Proposed Lot B-2 of 2.18 acres is currently being developed as a medical office. Lot B-3 as proposed is 1.01 acres created by eliminating an existing lot line on the southwest portion of the parcel. The southwest corner of the parcel being consolidated was obtained by WBR Properties from the City of Farmington in a land exchange that took place in September of 1996.

Per an agreement dated January 27, 1992, signed and recorded with the SJC Clerk's Office (B1148 P794) between the initial property owner, William Nygren, and the City of Farmington, "the City of Farmington is responsible for improvements on Cliffside Drive from Huntzinger Ave. to Farmington Ave. when the City believes it is an appropriate time for the improvements to take place. If the property owner wishes to develop land that is adjacent to Cliffside Drive, the owners shall be required to bear the cost of such improvement."

ISSUES

Electrical Engineering Staff- Luwil Aligarbes: 599-8321

- It looks like the existing underground electric power line is outside the 10' wide dedicated electric easement. Developer/Surveyor needs to verify the electric location in the field. Electric underground power line was flagged and spotted by our line department spotter.

Engineering Staff- Toni Sitta: 599-1399

- Please check the legal description. The west lot line for Lot B-2 is missing a bearing and distance description.
- Please double check the legal description for correctness. There is a discrepancy between the legal description for Tract B of the Nygren Subdivision No. 5 Replat A with the legal description on Book 1225 Page 897 and what is depicted on the surveyed area of the proposed Nygren Subdivision No. 5 Replat B.

Water/Wastewater Engineering Staff- Manuel Tso: 599-1315

- When Cliffside Drive roadway is being developed, waterline improvements are planned. Before engineered fill is placed below asphalt paving, the City of Farmington will place a PVC waterline below final graded native material.

Community Development Staff: 599-1333

- The agreement made between Mr. Nygren and the City of Farmington dated January 27, 1992 is filed with the San Juan County Clerk's Office and therefore is tied to the property, regardless of ownership. Per this agreement, development (subdivision or construction) of this property requires the property owner to improve the extension of Cliffside Drive from Huntzinger Avenue to Farmington Avenue. These improvements must be completed prior to the issuance of a Certificate of Occupancy for the new construction on proposed Lot B-2.

Legal Department Staff- Russell Frost: 599-1124

- In 1992, the Nygren family and the City of Farmington entered into an agreement in which the City was allowed an easement for Cliffside drive on the property in question, and the Nygrens were given paving credit for Farmington Avenue. In this agreement Nygrens agreed to pave Cliffside if they ever developed the property in question.

That agreement was filed with the County at Bk 1148 Pg 794. The legal description of the property or description of the property is provided in the agreement. Therefore, the agreement is binding on the successors in interest. Therefore, Four Corners Land, LLC is bound by the terms of the 1992 agreement because they are successors in interest to the Nygren family who signed the agreement. It is my opinion that Four Corners Land, LLC is responsible for the cost of paving Cliffside drive because Four Corners Land, LLC has triggered the clause which makes them responsible for the cost of paving.

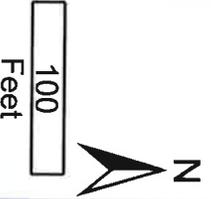
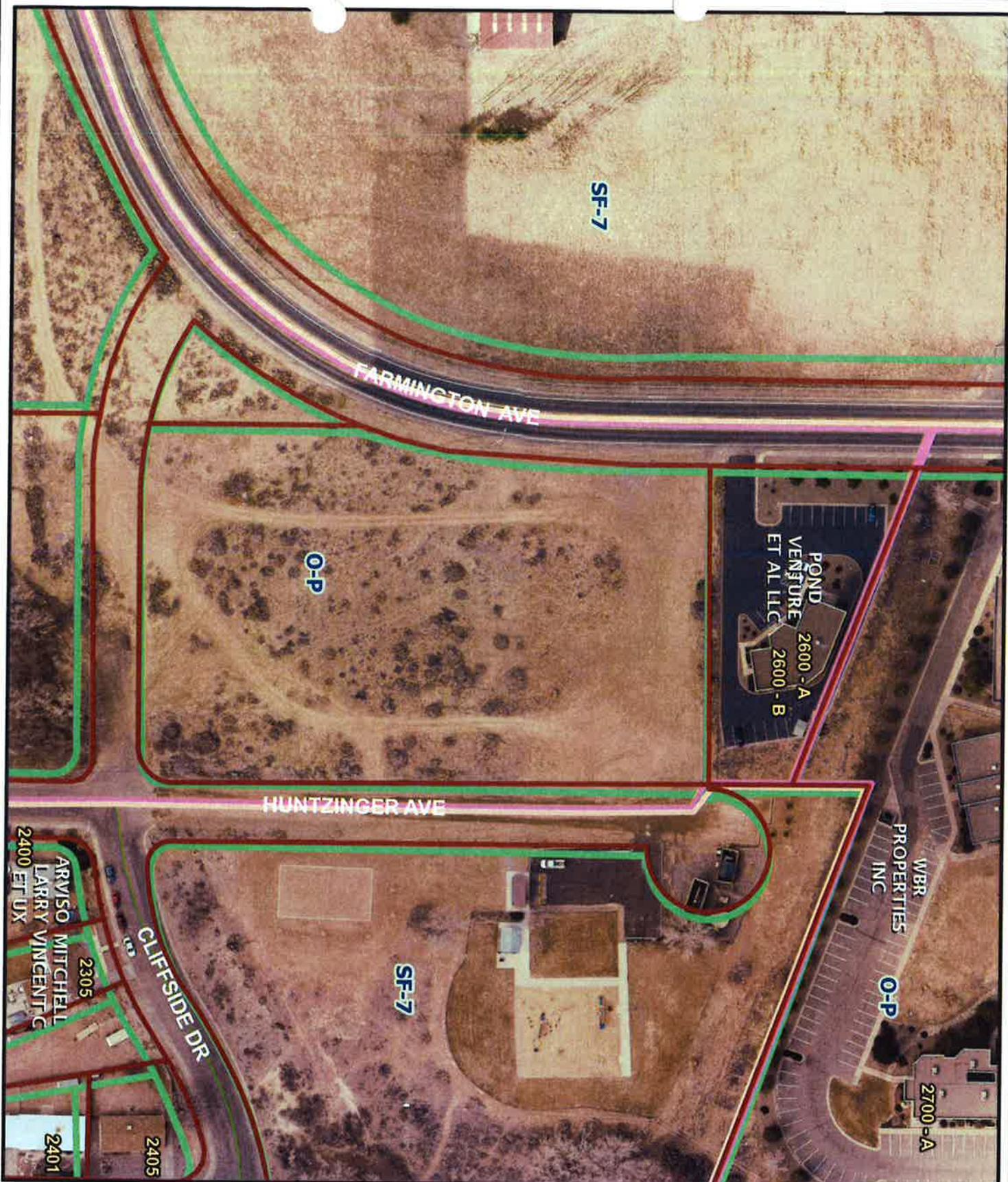
STAFF CONCLUSION

Staff concludes that approval of Petition PFP 15-01, Nygren Subdivision No. 5 Replat B, is appropriate as long as all conditions are met. This petition replats one existing lot into three separate lots. Approval will legitimize Lot B-1 by complying with the required subdivision standards.

STAFF RECOMMENDATION

The Community Development Department recommends **approval** of Petition PFP 15-01, a request from Four Corners Land, LLC, represented by Mr. George Walters of Cheney-Walters-Echols, Inc., for the Preliminary Plan and Final Plat for the Nygren Subdivision No. 5, Replat B, a 3-lot subdivision on 3.94 acres located south of 30th Street and east of Farmington Avenue at 2500 Farmington Avenue with the following conditions:

- a) Improvements, outlined in Section 6.9.1 of the UDC, to Cliffside Drive must be completed prior to the issuance of a Certificate of Occupancy for the medical office being constructed on proposed Lot B-2.
- b) If at any point and time access to proposed Lot B-2 from Huntzinger Avenue is desired, the property owner shall be responsible for improvements to the western half of Huntzinger Avenue from Cliffside Drive to the north property line of proposed Lot B-2.



AREA UNDER CONSIDERATION
Petition No. SP15-51 Nygren SD #5 Replat B

COMMUNITY
DEVELOPMENT
DEPARTMENT

Date: 12/7/2015

WARRANTY DEED

GABALDON CONSTRUCTION, a sole proprietorship, by STEVEN J. GABALDON and MARIE S. GABALDON, owners,
for consideration paid, grants to _____,
LONNIE L. POND, a single man, an undivided 45% interest,
whose address is PO Box 2332
Farmington, NM 87499 and
CATHERINE L. POND JACOBS, a married woman as her sole and separate property, an undivided 27.5%,
whose address is PO Box 2332
Farmington, NM 87499 and
DIANE M. POND MCCLELLAND, a married woman as her sole and separate property, an undivided 27.5% whose
address is PO Box 2332
Farmington, NM 87499

the following described real estate in San Juan County, New Mexico:

A tract of land being a portion of Tract B of the NYGREN SUBDIVISION NO. 5 REPLAT "A" as filed for record in Book 1153, Page 449, October 14, 1992, in N-38;
BEGINNING at the Northwest Corner of said Tract B;
THENCE: South 68°56'43" East for a distance of 286.02 feet along the North line;
THENCE: South 00°09'33" East for a distance of 70.74 feet;
THENCE: West for a distance of 267.83 feet to a point on the Easterly Right-of-Way of Farmington Avenue;
THENCE: North 00°14'13" East for a distance of 173.50 feet to the point of beginning.

SUBJECT to easements, reservations and restrictions of record or in place.

with warranty covenants.

WITNESS our hands and seals this 11th day of July, 1996.

Steven J. Gabaldon (Seal) Marie S. Gabaldon (Seal)
Steven J. Gabaldon, Attorney in Fact for Marie S. Gabaldon, his wife (Seal) Marie S. Gabaldon, by Attorney in Fact Steven J. Gabaldon (Seal)

ACKNOWLEDGEMENT FOR NATURAL PERSONS

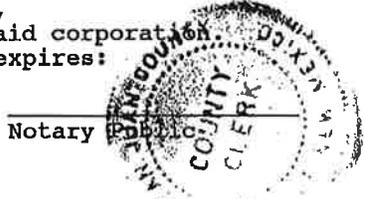
STATE OF NEW MEXICO
COUNTY OF San Juan SS.
This instrument was acknowledged before me on July 11, 1996 by STEVEN J. GABALDON, individually and as Attorney in Fact for MARIE S. GABALDON, his wife, owners of GABALDON CONSTRUCTION.

My commission expires: 5-15-99
Med. Mansuet
Notary Public

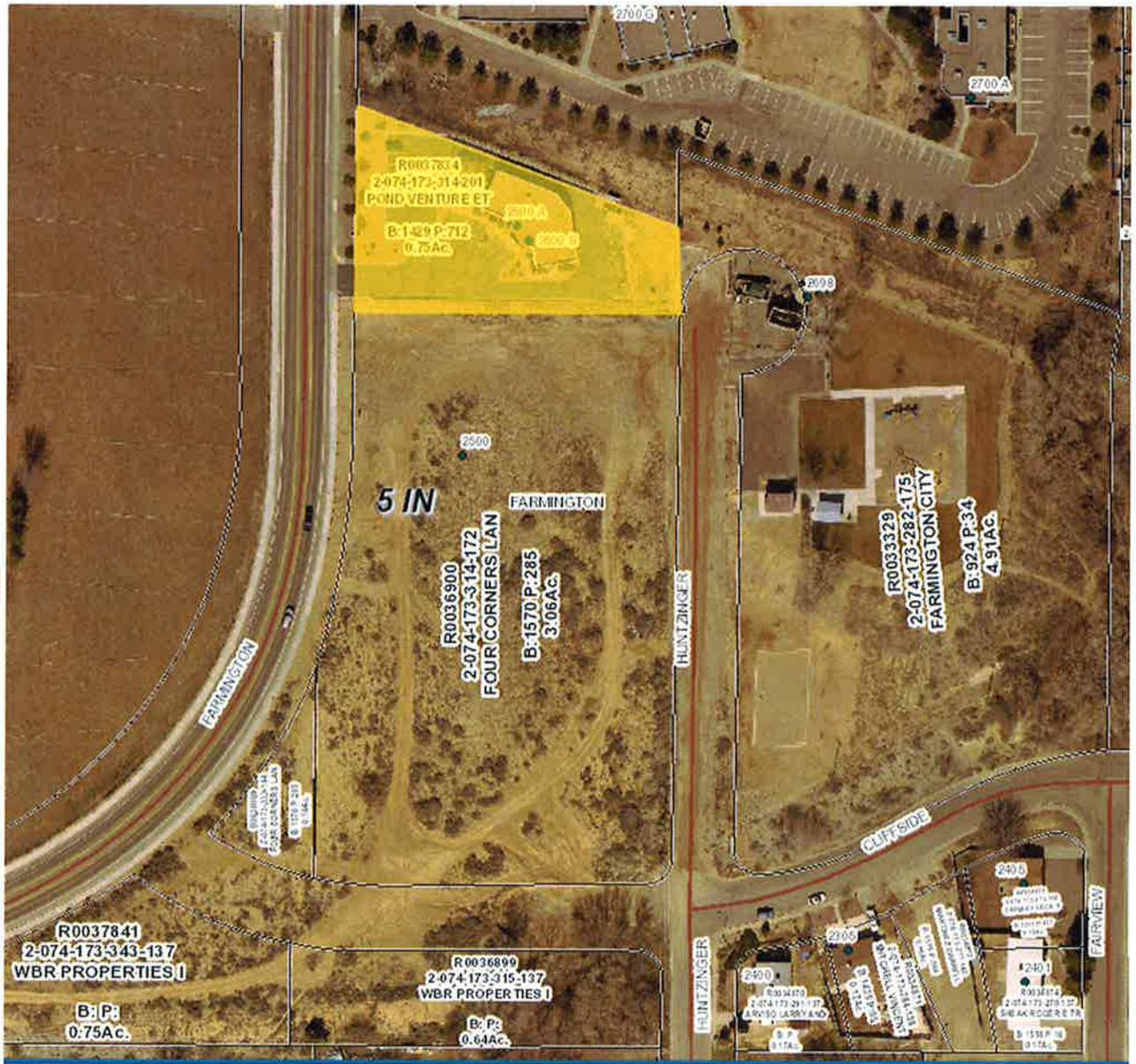


ACKNOWLEDGEMENT FOR CORPORATION
STATE OF NEW MEXICO)
COUNTY OF San Juan SS.

This instrument was acknowledged before me on , 19
by ,
of
a corporation,
on behalf of said corporation.
My commission expires:
(Seal)



FOR RECORDER'S USE ONLY



WARRANTY DEED

9/13/96

CITY OF FARMINGTON, a Municipal corporation, for consideration paid, grants to WBR PROPERTIES, INC., a New Mexico corporation whose address is 305 N. Behrend Farmington, NM 84701

the following described real estate in San Juan County, New Mexico:

A parcel of land in the West One-half Northeast Quarter Southwest Quarter (W1/2NE1/4SW1/4) of Section Two (2) in Township Twenty-nine (29) North, of Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, and described as follows:

BEGINNING at a point which is 147.73 feet North 00°14'13" East from the Southeast corner of the West One-half Northeast Quarter Southwest Quarter (W1/2NE1/4SW1/4) of Section 2;

THENCE: Along a curve to the right whose radius is 270.00 feet, a length of 94.52 feet, whose chord bears North 66°41'59" West 94.04 feet;

THENCE: Along a curve to the left whose radius is 430.00 feet, a length of 165.57 feet, whose chord bears North 31°57'34" East 164.55 feet;

THENCE: South 00°14'13" West 176.81 feet to the point of beginning.

Subject to restrictions, reservations and easements of record or in place.

with warranty covenants.

WITNESS its hand and seal this ___ day of September, 1996.

City of Farmington (Seal) (Seal)

BY: (Seal) (Seal)

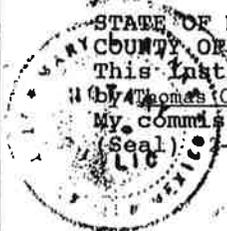
ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO COUNTY OF SAN JUAN)SS.

This instrument was acknowledged before me on September 13, 1996 by Thomas CA Taylor, Mayor of the City of Farmington, a municipal corporation, on behalf of said corporation

My commission expires: (Seal) 1-16-99

(Signature) Notary Public



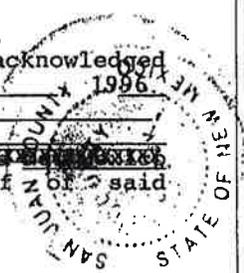
ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO) COUNTY OF San Juan)SS.

This instrument was acknowledged before me on September 13, 1996 by

of WBR PROPERTIES, INC., a New Mexico corporation, on behalf of said corporation.

My commission expires: (Seal)



FOR RECORDER'S USE ONLY

Notary Public

REC 5.00 DOC 2.00 NOT BROTHMAN

Land Exchange Agreement

This Land Exchange Agreement is entered into this 23rd day of July, 1996, by and between the City of Farmington, New Mexico (the "City"), and WBR Properties, Inc., a New Mexico Corporation ("WBR") whose address is 305 North Behrend Avenue, Farmington, New Mexico 87401, as follows:

RECITALS

WHEREAS, the City currently holds a right-of-way easement across the NW/4NW/4 Section 34, Twn. 30 N., Rng. 13 W. N.M.P.M., for the purpose of constructing and maintaining a portion of Piñon Hills Boulevard (PHB); and

WHEREAS, the City wishes to realign that proposed roadway in accordance with a revised alignment adopted as part of the Major Thoroughfare Plan on October 10, 1995, thereby rendering most of the existing right-of-way, referred to as Tract "A," and more particularly described in Exhibit "A" to this Agreement, surplus to the needs of the City; and

WHEREAS, WBR agrees to convey to the City, title to a tract of land necessary for the Piñon Hills Boulevard alignment, referred to as Tract "B," and more particularly described in Exhibit "B" to this Agreement, along with title to the uneconomic remnant referred to as Tract "C," and more particularly described in Exhibit "C" to this Agreement, lying between Tract B and the south property line of said NW/4NW/4 Section 34; and

WHEREAS, WBR wishes to acquire from the City, a tract of land located at the intersection of Farmington Avenue and Cliffside Drive, which was acquired by the City as part of the Farmington Avenue construction project and is surplus to the needs of the City, referred to as Tract "D" and more particularly described in Exhibit "D" to this agreement; and

WHEREAS, the net property to be acquired by the City (Tracts B+C less the right-of-way to be relinquished to WBR) equals 2.25 acres having an estimated value of \$6,000/acre or \$13,500; and

WHEREAS, Tract "D" to be acquired by WBR contains 6,543 square feet having an estimated value of \$1.00/sq. ft., or \$6,543; and

WHEREAS, land to be conveyed to the City from WBR is valued at \$6,957 greater than land to be conveyed to WBR from the City; and

WHEREAS, it is the desire of the parties to exchange their property on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **VALUE.** The parties hereby find and determine that the value of the real property to be conveyed to the City from WBR, exceeds the value of the real property conveyed to WBR from the City, including the relinquishment of the right-of-way easement, Tract "A." The City will pay WBR \$6,957, the amount necessary to balance the trade.
2. **EXCHANGE.** The parties agree to exchange properties as follows: The City will relinquish its right-of-way easement on Tract "A" and convey Tract "D" to WBR. WBR will convey Tracts "B" and "C" to the City.
3. **TITLE INSURANCE.** The parties agree that the conveyances of Tracts "B," "C" and "D" will be accompanied by the delivery of a title insurance policy in the form of American Land Title Association Form B, naming the party receiving the tract as the named insured. The policies shall be in an amount not less than the estimated value of the tract conveyed, as described in the recital paragraphs above. Each party shall deliver to the other, no later than 15 days prior to the closing, a commitment for the title insurance required to be delivered at closing, together with copies of all instruments listed as title exceptions in the commitment. Each party shall have five (5) business days after receipt of the commitment to object to any title exceptions shown therein. Each party shall pay for the cost of the title insurance on the property each party conveys in the exchange.
4. **EXCEPTIONS.** Title to Tracts "B," "C" and "D" shall be conveyed without exceptions or encumbrances except those shown in the appropriate title commitment and not objected to pursuant to Section 3 hereof.
5. **TAXES.** Taxes on Tracts "B" and "C" shall be prorated to the closing date. Tract "D" is currently tax exempt.
6. **CLOSING.** The closing for this transaction shall be at the offices of Guardian Abstract and Title Company, 221 North Auburn, Farmington, New Mexico. Closing shall take place on or before August 30 unless a later date is mutually agreed to by the parties.
7. **POSSESSION.** Possession of the properties shall remain in the conveying party until the date of closing.
8. **CLOSING COSTS.** Cost of survey (if any) and deed recording shall be paid by the receiving party on the property conveyed to it by the other party. The closing agent's fee and any other costs not specifically mentioned herein shall be shared equally. Each party shall pay its own attorney's fee.
9. **ENTIRE AGREEMENT.** This agreement shall constitute the entire agreement between the parties, and any prior understanding or representation of any kind preceding the date of this

Exhibit "A"
to
Land Exchange Agreement
Between
The City of Farmington and WBR Properties
Dated the _____ Day of _____, 1996

AN EASEMENT COVERING A PARCEL OF LAND IN THE NORTHWEST QUARTER NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 13 WEST, N.M.P.M., SAN JUAN COUNTY, NEW MEXICO, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N00°00'01"E A DISTANCE OF 400.05 FROM THE SW CORNER NW1/4NW1/4 SEC 33 T29N R13W.

THENCE: N 00°00'01" EAST A DISTANCE OF 122.47 FT TO A POINT

THENCE: S 78°29'10" EAST A DISTANCE OF 1292.71 FT TO A POINT

THENCE: S 01°30'04" WEST A DISTANCE OF 102.08 FT TO A POINT

THENCE: S 88°57'41" WEST A DISTANCE OF 89.60 FT TO A POINT

THENCE: N 78°29'10" WEST A DISTANCE OF 1198.55 FT TO A POINT TO THE POINT OF BEGINNING CONTAINING 154,046.48 SQUARE FEET OR 3.54 ACRES MORE OR LESS.

Exhibit "B"
to
Land Exchange Agreement
Between
The City of Farmington and WBR Properties
Dated the _____ Day of _____, 1996

A PARCEL OF LAND IN THE NORTHWEST QUARTER NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 13 WEST, N.M.P.M., SAN JUAN COUNTY, NEW MEXICO, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH LIES N00°00'01" EAST A DISTANCE OF 232.76 FT FROM THE SW CORNER NW1/4NW1/4 SEC 33 T29N R13W.
THENCE: AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 00°57'31" AN ARC DISTANCE OF 37.50 FT A CHORD BEARING OF S85°34'53 S85°34'51" EAST A DISTANCE OF 37.50 FT TO A POINT
THENCE: S 85°06'05" EAST A DISTANCE OF 712.72 FT TO A POINT AROUND A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 05°56'14" AN ARC DISTANCE OF 303.09 FT A CHORD BEARING OF S 88°04'12" EAST A DISTANCE OF 302.96 FT TO A POINT
THENCE: N 88°57'41" EAST A DISTANCE OF 210.63 FT TO A POINT
THENCE: N 01°30'04" EAST A DISTANCE OF 120.12 FT TO A POINT
THENCE: S 88°57'41" WEST A DISTANCE OF 215.95 FT TO A POINT AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 05°56'14" AN ARC DISTANCE OF 290.66 FT A CHORD BEARING OF N 88°04'12" WEST A DISTANCE OF 290.53 FT TO A POINT
THENCE: N 85°06'05" WEST A DISTANCE OF 712.72 FT TO A POINT AROUND A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°09'33" AN ARC DISTANCE OF 47.77 FT A CHORD BEARING OF N 85°40'52" WEST A DISTANCE OF 47.77 FT TO A POINT
THENCE: S 00°00'01" WEST A DISTANCE OF 120.27 FT TO A POINT TO THE POINT OF BEGINNING CONTAINING 151,861.97 SQUARE FEET OR 3.49 ACRES MORE OR LESS

Exhibit "C"
to
Land Exchange Agreement
Between
The City of Farmington and WBR Properties
Dated the _____ Day of _____, 1996

A PARCEL OF LAND IN THE NORTHWEST QUARTER NORTHWEST QUARTER (NW1/4NW1/4) OF SECTION 34, TOWNSHIP 30 NORTH, RANGE 13 WEST, N.M.P.M., SAN JUAN COUNTY, NEW MEXICO, AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE SW CORNER NW1/4NW1/4 SEC 33 T29N R13W.
THENCE: N 00°00'01" EAST
A DISTANCE OF 112.49 FT TO A POINT AROUND A CURVE TO THE RIGHT
THROUGH A CENTRAL ANGLE OF 00°57'31" AN ARC DISTANCE OF 37.50 FT
A CHORD BEARING OF S 85°34'51" EAST A DISTANCE OF 37.50 FT TO A POINT
THENCE: S 85°06'05" EAST A DISTANCE OF 712.72 FT TO A POINT
AROUND A CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 05°56'14"
AN ARC DISTANCE OF 303.09 FT A CHORD BEARING OF S 88°04'12" EAST
A DISTANCE OF 302.96 FT TO A POINT
THENCE: N 88°57'41" EAST A DISTANCE OF 210.63 FT TO A POINT
THENCE: S 01°15'05" WEST A DISTANCE OF 73.36 FT TO A POINT
THENCE: N 88°35'25" W A DISTANCE OF 1259.66 FT TO A POINT
TO THE POINT OF BEGINNING CONTAINING 100,817.07 SQUARE FEET OR 2.31 ACRES
MORE OR LESS.

Exhibit "D"
to
Land Exchange Agreement
Between
The City of Farmington and WBR Properties
Dated the _____ Day of _____, 1996

A PARCEL OF LAND IN THE WEST ONE-HALF NORTHEAST QUARTER SOUTHWEST QUARTER (W1/2 NE1/4 SW1/4) OF SECTION 2, TOWNSHIP 29 NORTH, RANGE 13 WEST, N.M.P.M., SAN JUAN COUNTY, NEW MEXICO, AND DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS 147.73 FEET N00°14'13" E FROM THE SOUTHEAST CORNER OF THE WEST ONE-HALF NORTHEAST QUARTER SOUTHWEST QUARTER (W1/2 NE1/4 SW1/4) OF SECTION 2;
THENCE: ALONG A CURVE TO THE RIGHT WHOSE RADIUS IS 270.00 FEET, A LENGTH OF 94.52 FEET, WHOSE CHORD BEARS N66°41'59" W, 94.04 FEET;
THENCE: ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 430.00 FEET, A LENGTH OF 165.57 FEET, WHOSE CHORD BEARS N31°57'34" E, 164.55 FEET;
THENCE: S00°14'13" W, 176.81 FEET TO THE POINT OF BEGINNING; CONTAINING 0.15 ACRES, MORE OR LESS.

First Amendment
to
Land Exchange Agreement

Handwritten notes:
New for Bayless to sign
7-9-97. Mike Sullivan will
call Title Co to ascertain if
Bayless has signed
L-13

This First Amendment to the "Land Exchange Agreement" dated 23rd day of July, 1996, between the parties listed below, is entered into this _____ day of _____, 1996, by and between the City of Farmington, New Mexico (the "City"), and WBR Properties, Inc., a New Mexico Corporation ("WBR") whose address is 305 North Behrend Avenue, Farmington, New Mexico 87401, as follows:

RECITALS

WHEREAS, the City and WBR did on the 23rd day of July, 1996 enter into an agreement to exchange certain real property; and

WHEREAS, a re-survey of the subject lands to be conveyed to the City by WBR revealed them to be 0.53 acres larger than previously calculated, and

WHEREAS, the City and WBR agree the value of the land to be conveyed to City is \$6,000/acre, and

WHEREAS, the property to be conveyed to the City is now valued at \$10,197 more than that to be conveyed to WBR.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

That Paragraph 1. of the "Land Exchange Agreement" be amended to reflect a payment at closing to WBR of \$10,197, in lieu of the previously agreed upon amount of \$6,957, in order to re-balance the trade and acknowledge the greater acreage being conveyed to the City.

ENTERED INTO AND EXECUTED the date first-above written.

CITY OF FARMINGTON

WBR Properties, Inc.

By: *S/TCT*
Thomas C. Taylor, Mayor

By: _____
Price M. Bayless, President

ATTEST:

 S/MLB
Mary L. Banks, City Clerk

State of New Mexico)
) ss
County of San Juan)

The foregoing instrument was acknowledged before me this _____ day of _____, 1996 by, Price M. Bayless, President, WBR Properties, Inc., on behalf of said Corporation.

Notary Public

My Commission Expires:

State of New Mexico)
) ss.
County of San Juan)

The foregoing instrument was acknowledged before me this 12th day of Sept, 1996 by Thomas C. Taylor, Mayor, City of Farmington, on behalf of said City.

S/ DLS

Notary Public

My Commission Expires:

9208508

794

1/27/92

AGREEMENT

THIS AGREEMENT made and entered into this 27th day of JANUARY, 1992, between NYGREN INVESTMENT COMPANY, a limited partnership existing under the laws of the State of New Mexico, herein referred to as "Owner", and the CITY OF FARMINGTON, a municipal corporation located in San Juan County, New Mexico, herein for convenience called the "City";

WITNESSETH;

WHEREAS, Owner owns and possesses certain tracts of real property within the City of Farmington which, together with other properties, are described and illustrated on the plat attached hereto as Exhibit "A" entitled "Farmington Avenue Property Acquisition Map" and which the City wishes to acquire for the future extension of Farmington Avenue; and

WHEREAS, Owner is willing to convey certain properties owned by it to the City upon the condition that the City shall provide certain credits against future paving costs on Farmington Avenue in favor of Owner or its successors and assigns in accordance with the action of the Farmington City Council on February 5, 1991;

NOW, THEREFORE, in consideration of mutual covenants between them, the parties agree as follows:

I

COVENANTS OF THE OWNER

1. Owner agrees:

(a) To transfer and convey to the City by dedication on the plat of Nygren Subdivision No. 5 the surface rights only to the tracts of land and real property which, subject to final plat survey, are described below with the general location thereof being shown on Exhibit "A" attached to this agreement:

- i. Tract No. 3 (Nygren to City - property acquired from Nygren for northward extension of Farmington Avenue across Nygren property)

A parcel of land in the East one-half of the Northeast Quarter of the Southwest Quarter (E½ NE¼ SW¼) of Section 2, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico, and described as follows:

Beginning at a point which is the Northwest corner of the East one-half of the Northeast Quarter of the Southwest Quarter (E½ NE¼ SW¼) of Section 2; THENCE: S89°21'31"E, 30.00 feet; THENCE: S00°14'13"W, 300.00 feet to the TRUE POINT OF BEGINNING:

- THENCE: S00°14'13"W, 465.40 feet;
- THENCE: Along a spiraled curve to the right whose chord bears S03°51'15"W 155.38 feet;
- THENCE: Along a curve to the right whose radius is 430.00 feet, a length of 74.65 feet, whose chord bears S15°57'10"W, 74.56 feet;
- THENCE: N00°14'13"E, 692.45 feet;
- THENCE: S89°21'31"E, 30.00 feet to the TRUE POINT OF BEGINNING, containing 0.44 acres, more or less.

- ii. Tract No. 13 (Nygren to City - property acquired from Nygren for eastward extension of Cliffside Drive)

A parcel of land in the East one-half of the Northeast Quarter of the Southwest Quarter (E½ NE¼ SW¼) of Section 2, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico, and described as follows:

Beginning at a point which is 96.66 feet N00°14'13"E from the Southwest corner of the East one-half of the Northeast Quarter of the Southwest Quarter (E½ NE¼ SW¼) of Section 2;

- THENCE: N00°14'13"E, 61.34 feet;
- THENCE: Along a curve to the left whose radius is 265.00 feet; a length of 62.54 feet;
- THENCE: S89°16'20"E, 208.99 feet;
- THENCE: Along a curve to the left whose radius is 30.00 feet, a length of 47.21 feet;
- THENCE: S00°09'33"W, 120.00 feet;
- THENCE: Along a curve to the left whose radius is 30.00 feet, a length of 47.04 feet;
- THENCE: N89°16'20"W, 209.32 feet;
- THENCE: Along a curve to the right whose radius is 325.00 feet, a length of 62.60 feet to the point of beginning, containing 0.35 acres, more or less.

(b) To grant to the City temporary construction easements required by the City for the construction and improvement of Farmington Avenue and Cliffside Drive as herein contemplated.

(c) That the covenants and agreements set forth in this Agreement constitute fair and adequate consideration for the conveyance of the foregoing tracts from Owner to the City.

(d) That the conveyance and dedication of Tracts 3 and 13 above referenced through the platting of the Nygren Subdivision No. 5 as set forth herein is granted and conveyed to the City with warranty covenants and such platting and dedication shall vest fee simple title to such tracts in the City free and clear of all liens, encumbrances, reservations and exceptions.

II

COVENANTS OF THE CITY

2. The City agrees:

(a) Subject to the understanding set forth in Article III, Section 4 hereof, to assume responsibility for the improvement and the paving of the east one-half of Farmington Avenue located on Tract 3 and the north and south halves of Cliffside Drive located on Tract 13 at such time as such portions of Farmington Avenue and Cliffside Drive require improvement in the future. The City further agrees, as part of this responsibility, to provide appropriate drainage, (but not to include any flood or storm drainage ponding or detention facilities on property of Owner or on property of others) , which is incidental to the construction of Farmington Avenue and Cliffside Drive and to provide customary drains, culverts, and incidental paving (excluding sidewalks) within the public right-of-way to meet the reasonable requirements of the Owner, provided that such responsibility shall not be construed as an undertaking by the City to resolve flooding and drainage problems which have historically existed on lands of the Owner and upon other lands in this area which are adjacent to or in the proximity of the proposed extension of Farmington Avenue and Cliffside Drive and which are not related to or an incident of the construction of

Farmington Avenue and Cliffside Drive and which have not been created or caused by the City. The provisions of this covenant shall constitute a covenant which shall run with the land and shall benefit the Owner, its heirs, successors and assigns. The construction obligation of the City under this provision shall be limited to preparation of the east one-half of Farmington Avenue located on Tract 3 and the north and south halves of Cliffside Drive located on Tract 13 for street installation, and shall include the installation of base course, paving, curb and gutter, and shall also include the construction and installation of customary drains, culverts, and incidental paving (excluding sidewalks) within the public right-of-way as aforesaid, and all engineering services in connection therewith. This obligation shall not include improvement of the west side of Farmington Avenue, and does not include the installation of sidewalks nor shall it include main line extension fees or Owner's connection to City water and sewer lines or other City utilities. This agreement shall not preclude or prevent the City from assessing other property owners for improvement of the other portions of Farmington Avenue or Cliffside Drive.

Subject to the understanding set forth in Article III, Section 4, the obligation to improve the east one-half of Farmington Avenue located on Tract 3 and the north and south halves of Cliffside Drive located on Tract 13 shall remain upon the City even though the cost of installation of such improvements shall increase over time.

III

MUTUAL COVENANTS BETWEEN THE PARTIES

3. The parties agree, for the purpose of this Agreement, that the City Land Subdivision Regulations do require the dedication of the rights-of-way described above, and that the City Council of the City of Farmington on February 5, 1991 did hereby grant to the Owner a variance from Article VIII of the Land Subdivision Regulations. Nothing herein contained shall relieve the Owner from

compliance with land subdivision or other regulations (including, but limited to, installation of water, sewer, and other utilities) except for the waivers of park dedication fees and waiver of street improvement costs specified in this Agreement pursuant to the approval by the Farmington City Council on February 5, 1991.

4. It is further expressly understood that the decision as to when Farmington Avenue shall be installed or improved depends upon the City budgetary processes and upon decisions made by the City Council concerning City-wide transportation planning and that such decisions shall rest solely with the City of Farmington and there shall be no obligation or liability placed upon the City for postponement of construction or for failure of the City to construct Farmington Avenue or Cliffside Drive.

5. Should the Owners wish to develop land adjacent to Farmington Avenue or Cliffside Drive which may require the improvement of Farmington Avenue or Cliffside Drive or any parts thereof prior to the time when the City shall determine that there is a need for Farmington Avenue or Cliffside Drive, as specified in paragraph 4 above, Owners shall be required to bear the cost of such improvement required by such development provided that any oversizing (i.e. greater street width or greater asphalt structure) shall be paid for by the City.

6. Notwithstanding the foregoing provisions, it is expressly understood by the parties that the terms and conditions of this Agreement are subject to the provisions of the Bateman Act which limits the creation of an indebtedness by a municipal governing body and should the City Council fail or refuse to appropriate funds for the street improvements herein contemplated that Owner's remedies shall be limited to the return of Tracts 3 and 13 by the City to the Owner or to an action by the Owner for inverse condemnation.

7. Owner shall pay all ad valorem taxes and assessments against the tracts to be conveyed to the City which may accrue for the tax year 1992. The City shall not make any further assessment against such property for the 1992 tax year and shall be responsible for all taxes and assessments after 1992.

8. This Agreement shall be deemed to be complete and accepted and the City shall be entitled to possession of Tracts 3 and 13 upon its execution and recording and upon filing of the executed plat of the Nygren Subdivision No. 5 in the records of the County Clerk of San Juan County, New Mexico. The Owner shall not be required to provide title insurance. The City shall provide all title insurance and evidence of title it may require. Each party shall pay for their own attorney fees which may be required in connection with this Agreement.

9. The terms of this Agreement shall be binding alike upon the parties hereto and upon their heirs, executors, personal representatives, successors, and assigns.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first above written.

NYGREN INVESTMENT COMPANY

CITY OF FARMINGTON

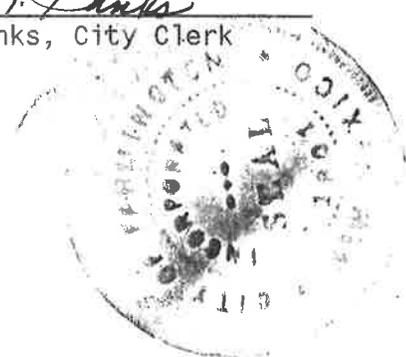
By: William H. Nygren
William H. Nygren
General Partner

BY: Thomas C. Taylor
Thomas C. Taylor, Mayor

ATTEST:

Joye Nygren
Joye Nygren, General Partner

Mary L. Banks
Mary L. Banks, City Clerk



STATE OF NEW MEXICO)
) ss
COUNTY OF SAN JUAN)

The foregoing Agreement was acknowledged before me this 24th day of January, 1992, by William H. Nygren, General Partner for Nygren Investment Company, a limited partnership existing under the laws of the State of New Mexico, for and on behalf of said partnership.



[Signature]
Notary Public

STATE OF NEW MEXICO)
) ss
COUNTY OF SAN JUAN)

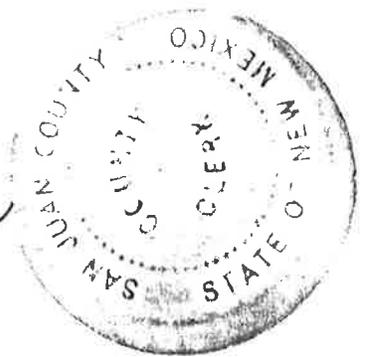
The foregoing Agreement was acknowledged before me this 27th day of January, 1992, by Thomas C. Taylor, Mayor of the City of Farmington, a municipal corporation, for and on behalf of said corporation.



[Signature]
Notary Public

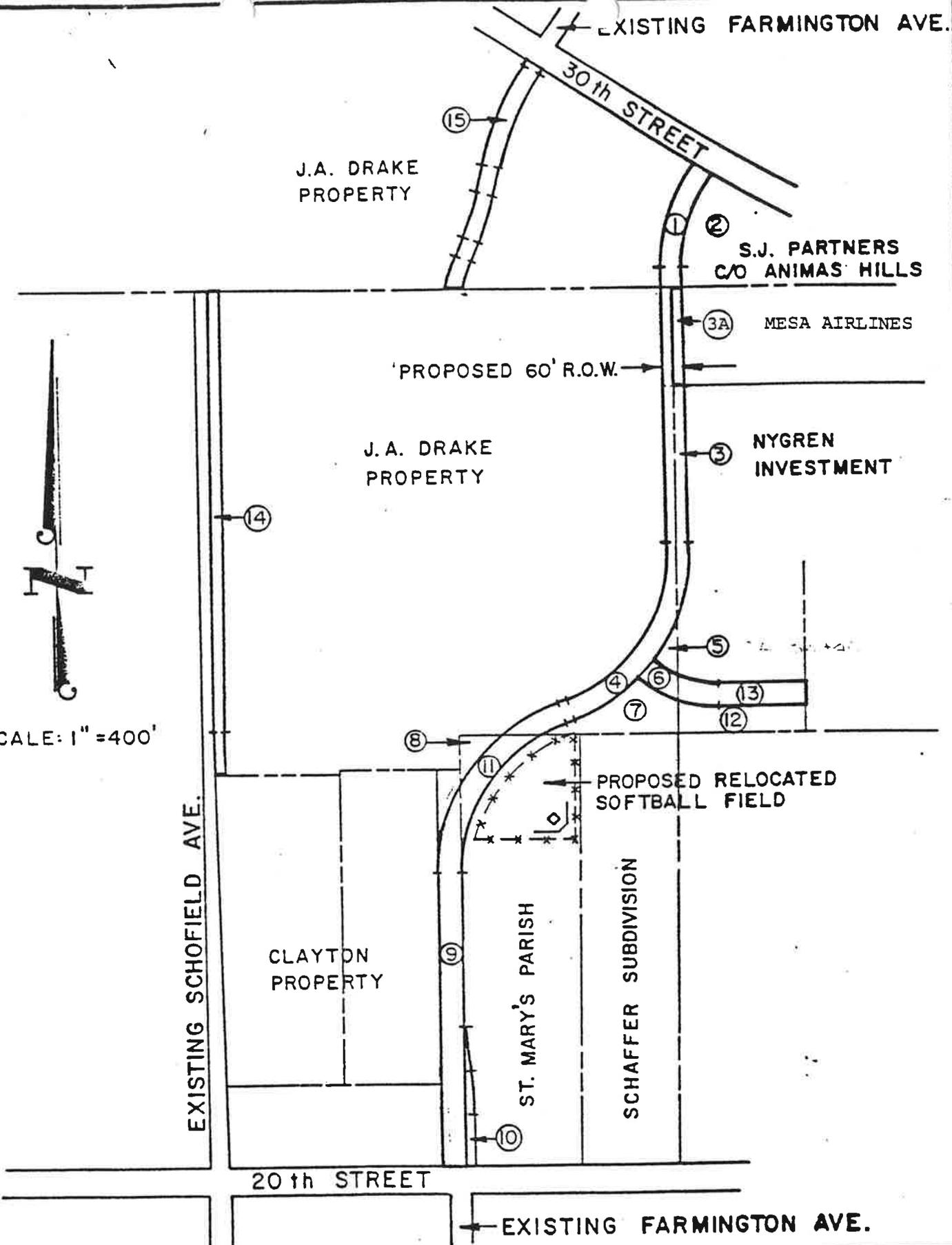
FILED OR RECORDED
BOOK 1148 PAGE 794
SAN JUAN COUNTY, NEW MEXICO

JUL 06 1992
AT 8:17 O'CLOCK A M
County Clerk
DEPUTY [Signature]
REC# 2058703 FEES 2.19⁰⁰





SCALE: 1" = 400'



**FARMINGTON AVENUE
PROPERTY ACQUISITION MAP
FEBRUARY 11, 1987**

**CITY OF
FARMINGTON
PUBLIC WORKS
DEPARTMENT**

PLANNING MEMO COMMENTS SUMMARY

PF 15-01 NYGREN SD

Deadline: 12-30-15

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	Building inspection has no comments on PF 15-01 Nygren SD
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Sims	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	No comment.
ELEC	Electrical Engineering - Luwil Aligarbes	It looks like the existing underground electric power line is outside the 10' wide dedicated electric easement. Developer/surveyor need to verify the electric location in the field. Electric underground power line was flagged and spotted by our line department spotter.
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	No comments from the fire marshal's office.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	<p>In 1992, the Nygren family and the City of Farmington entered into an agreement in which the City was allowed an easement for Cliffside drive on the property in question, and the Nygrens were given paving credit for Farmington Avenue. In this agreement Nygrens agreed to pave Cliffside if they ever developed the property in question.</p> <p>That agreement was filed with the County at Bk 1148 Pg 794. The legal description of the property or description of the property is provided in the agreement. Therefore, the agreement is binding on the successors in interest. Therefore, Four Corners Spine is bound by the terms of the 1992 agreement because they are successors in interest to the Nygren family who signed the agreement. It is my opinion that Four Corners Spine is responsible for the cost of paving Cliffside drive because Four Corners Spine has triggered the clause which makes them responsible for the cost of paving.</p>
POLICE	Code Compliance -	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni McKnight-Sitta	- Please check the legal description. The west lot line for Lot B-2 is missing a bearing and distance description.

		<p>- Please double check the legal description for correctness. There is a discrepancy between the Legal description for Tract B of the Nygren Subdivision No 5 Replat A with the Legal Description on Book 1225 Page 897 and what is depicted on the surveyed area of the proposed Nygren Subdivision Number 5, Replat B.</p> <p>- Please include dimensions as measured on the ground and the recorded dimensions, unless the two are equivalent</p>
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	When Cliffside Drive roadway is being developed, waterline improvements are planned. Before engineered fill is placed below asphalt paving the City of Farmington will place a pvc waterline below final graded native material.

Other Entities

New Mexico Gas Company	
CenturyLink-Willatto	No comment
Qwest Communications	
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI	
Williams Field Services	
Farmington School District	

PETITION APPLICATION

RECEIVED
DEC 12 2015
CITY OF FARMINGTON



Incomplete applications will not be accepted.

Return completed application to:

Planning Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317
(505) 599-1299 (fax)

PROJECT TYPE (Check Those Applicable)

- | | | |
|---|--|--|
| <input type="checkbox"/> Annexation and / or Zoning
<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Final Plan | <input checked="" type="checkbox"/> Summary Plat
<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to _____ District
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use: _____ |
|---|--|--|

INFORMATION

Applicant's Name: Four Corners Land, LLC	Project Location: Farmington Avenue/Cliffside
Address: 2500 FARMINGTON AVE	Existing Use: Commercial
E-Mail: THADRAY @ HOTMAIL.COM	Proposed Use: Commercial
Telephone: 215-2488	Current Zoning:
Relationship to Property Owner: SAME	Assessor's Parcel I.D. and/or Tax I.D. Number: R0037834

Legal Description of Subject Property: *See Attached Plat*

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes No
 If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name: George T. Walters Email: gtw@c-w-e.com
 Phone: (505) 327-3303 Address: 909 West Apache, Farmington, NM, 87401

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase)	MORTGAGE HOLDERS (if any) WELLS FARGO
Name: Four Corners Land LLC Phone: 215-2488	Name: WELLS FARGO Phone:
Address: 2500 FARMINGTON AVE	Address: 5BA LENDING, 625 MARQUETTE MINNEAPOLIS, MN 55402

OWNER CERTIFICATION

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application, I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Four Corners Land, LLC Address: 2801 N. BUTLER, SUITE 500G
 Owner's Signature: *[Signature]* Phone / Email: 215-2488

****** STAFF USE ONLY ******

Received By KW Time _____
 Date 12/2/15 Fee Received 28.50
 Project File No. Nygreen SD #5 Replat B SP15-51
 Date of Hearing/Meeting: _____

- Blueline Copies of Plans _____
- Ownership Report (subject and surrounding properties)
- Legal Description _____
- Detailed Statement of Proposed Use _____

RECEIVED
DEC 02 2015

SUMMARY PLAT APPLICATION

Incomplete applications will not be accepted.

Return completed application to:
Development Services Division
Community Development Dept.
City of Farmington
800 Municipal Drive
Farmington, NM 87401
(505) 599-1317

(505) 599-1299 (fax) **Summary Plat Type**

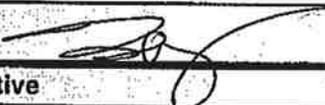
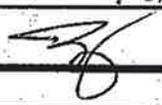
Boundary Line Adjustment Lot Consolidation Lot Split

Summary Plat Information

Name of Subdivision:	Nygren Subdivision Number 5, Replat B		
Location	Within City Limits?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Within the 5-mile Planning & Platting Jurisdiction?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Size of Property	3.19 Acres		
Current Use of Property	Commercial		

Contact Information

Applicant

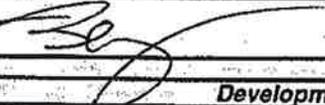
Name: Four Corners Land, LLC	Address: 4801 N. BUTLER SUITE 5000
Phone: 215-2488	City, State, Zip: FARMINGTON, NM 87402
Signature: 	Signature: 

Representative

Name: George T. Walters, P.S.	Address: 909 West Apache
Phone: (505) 327-3303	City, State, Zip: Farmington, NM 87401
Signature: 	Email: gtw@c-w-e.com

Owner Certification

I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Name: Four Corners Land, LLC	Address: 4801 N. BUTLER SUITE 5000
Phone: 215-2488	City, State, Zip: FARMINGTON, NM 87402
Signature: 	Signature: 

Development Services Acceptance (Staff Use Only)

Date	8 full size copies & 1 reduction	Current Zoning District
Time	Checklist signed	
Fee	Legal Description	
Initials	File No.	

**NYGREN SUBDIVISION NUMBER 5, REPLAT B
A REPLAT OF TRACT B OF THE NYGREN SUBDIVISION
NUMBER 5, REPLAT A, AND THE PROPERTY IN BOOK 1225 PAGE 897
LYING IN THE NE1/4 SW1/4 OF SECTION 2, T29N R13W, N1/4P1,
IN THE CITY OF FARMINGTON, SAN JUAN COUNTY, N.M.
FOR FOUR CORNERS LAND, LLC, AND
POND VENTURE ET AL, LLC.**



VICINITY MAP - N.T.S.

LEGAL DESCRIPTION

Tract B of the NYGREN SUBDIVISION NO. 5, REPLAT A, in the City of Farmington, New Mexico, as shown on the plat of said Subdivision filed for record in the Office of the San Juan County Clerk on October 14, 1952.

BOOK 1225 PAGE 897

A parcel of land in the West One-half Northern Quarter Southwest Quarter (W1/2NE1/4SW1/4) of Section Two (2) in Township Twenty-nine (29) North, of Range Thirteen (13) West, N.M.P.M., San Juan County, New Mexico, and described as follows:
Beginning at the Southeast corner of the West One-half Northern Quarter Southwest Quarter (W1/2NE1/4SW1/4) of Section 2;
THENCE: Along a curve to the right whose radius is 270.00 feet, 94.04 feet;
THENCE: Along a curve to the left whose radius is 430.00 feet, a length of 163.57 feet, whose chord bears North 3°37'54" East 163.57 feet;
THENCE: South 00°41'13" West 176.00 feet to the point of beginning.

Subject to easements, restrictions, and reservations of record or in fact.

PLAT NOTES

Based on bearing, The City of Farmington GPS Control Network
Date of Field Survey, January 22, 2014
All courses measured, unless noted

REFERENCE LIST

- R1. Warranty Deed Bk 1203 Pg 376
- R2. Warranty Deed Bk 1223 Pg 897
- R3. Warranty Deed Bk 1429 Pg 79
- R4. Plat of Nygren Subdivision Number Five, Report A, filed October 14, 1952

Approved pursuant to Senate Bill 406, that requires all taxes, penalties, interest and fees through the current taxable year, be paid prior to the division of a plat of any real property in San Juan County.

San Juan County Treasurer _____ Date _____



ISSUE DATE: 11/09/2015 - CRT
PRINTED: December 07, 2015
FILE: C:\ND\DWG-CRT\2014\CRT\14124 REPLAT\14124 REPLAT.dwg

- FOR REVIEW ONLY -

DECLARATION

KNOW ALL MEN BY THESE PRESENTS:

That Four Corners Land, LLC, and Pond Venture et al, LLC being the sole owners and proprietors of the above described subdivision of said land, and that said subdivision is named and shall be known as:

NYGREN SUBDIVISION NUMBER 5, REPLAT B

That the said subdivision, as shown on this plat, is with the consent and in accordance with the provisions of the laws of the State of New Mexico, and is shown and dedicated for public use as such, together with easements for public utilities, including easements for overhead or buried service wires of pole type utilities, and easements for underground or buried service wires with electric, gas, telephone, cable television, and other public utilities, and to appertain to and from said easements.

Thoddays A. Roy
Registered Agent, Four Corners Land, LLC.

Lonna L. Pond
Registered Agent, Pond Venture et al, LLC

AFFIDAVIT

New comes Thoddays A. Roy, registered agent for Four Corners Land, LLC, and Lonna L. Pond, registered agent for Pond Venture et al, LLC, last and jointly appearing before me on this day for the subdivision named herein as being within the legal bounds and pulling jurisdiction of the City of Farmington, New Mexico.

Thoddays A. Roy
Registered Agent, Four Corners Land, LLC.

Lonna L. Pond
Registered Agent, Pond Venture et al, LLC

State of New Mexico |
County of New Mexico |

The foregoing declaration and affidavit were acknowledged before me by Thoddays A. Roy, registered agent for Four Corners Land, LLC, the _____ day of _____, 20____.

My Commission Expires:

Notary Public

State of New Mexico |
County of New Mexico |

The foregoing declaration and affidavit were acknowledged before me by Lonna L. Pond, registered agent for Pond Venture et al, LLC, the _____ day of _____, 20____.

My Commission Expires:

Notary Public

CERTIFICATION

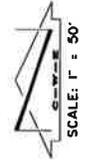
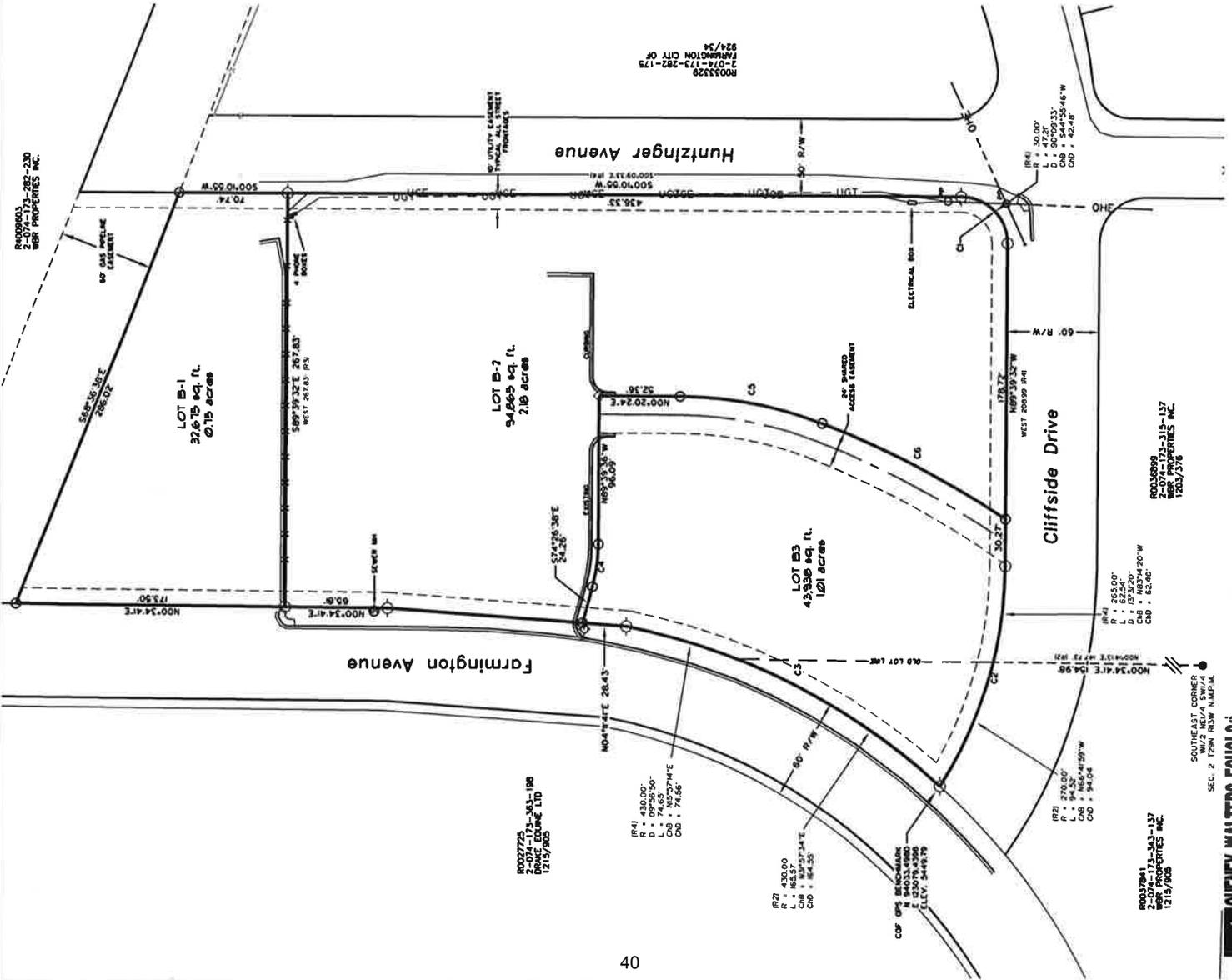
I, George T. Walters, a New Mexico Professional Surveyor, certify that I conducted and am responsible for this Boundary Survey Plat, that this Boundary Survey is true and correct to the best of my knowledge and belief, and that this Boundary Plat meets the Minimum Standards for Surveying in New Mexico.
I further certify that this is a division of land as defined in the New Mexico Subdivision Act.

Date _____
George T. Walters
Professional Land Surveyor No. 6159
State of New Mexico

NYGREN SUBDIVISION NUMBER 5, REPLAT B
 A REPLAT OF TRACT B OF THE NYGREN SUBDIVISION
 NUMBER 5, REPLAT A, AND THE PROPERTY IN BOOK 1225 PAGE 891
 LYING IN THE NE1/4 SW1/4 OF SECTION 2, T29N R13W, N1P1
 IN THE CITY OF FARMINGTON, SAN JUAN COUNTY, N.M.
 FOR FOUR CORNERS LAND, LLC, AND
 POND VENTURE ET AL, LLC.

- ⊠ = SECTION CORNER AS NOTED
- ⊞ = QUARTER CORNER AS NOTED
- = SET 1/2" REBAR W/CAP LS 6159
- ⊙ = SET 1/2" REBAR W/ALUMI CAP LS 6159
- ⊚ = FOUND 1/2" REBAR W/CAP LS 6159
- ⊗ = X MARK IN CONCRETE
- ◇ = SET PK NAIL W/WASHER
- = HWY DEPT BRASS CAP R/W HDN
- = NOT SET
- O—H— = OVERHEAD UTILITIES
- U—G— = UNDERGROUND ELECTRIC
- U—G— = UNDERGROUND TELEPHONE

NUMBER	R =	L =	D =	T =	LC =	CD =
CI	30.00	47.21	90°09'33"	30.08	42.49	N45°15'41"E
C2	265.00	149.87	32°24'10"	77.00	147.88	S73°27'27"E
C3	430.00	230.78	30°45'02"	183.24	228.02	N26°41'51"E
C4	104.50	27.75	151°2'58"	13.96	27.67	S68°03'07"E
C5	262.00	94.06	20°34'09"	47.54	93.55	N03°37'29"E
C6	592.00	134.50	13°01'04"	67.54	134.21	N27°25'05"E



COMMUNITY DEVELOPMENT PETITION REPORT
Preliminary Plan and Final Plat for
Pinon Hills Right-of-Way Subdivision No. 2
Petition No. PFP 15-02

A. STAFF REPORT, January 14, 2016

PROJECT INFORMATION

Applicant	City of Farmington
Representative	Nica Westerling, City Engineer
Date of Application	December 17, 2015
Requested Action	Preliminary Plan and Final Plat approval
Location	South of E. Main Street and Pinon Hills Blvd. intersection between Rancho de Animas Drive and Silver Avenue to County Road 3000
Existing Land Use	Residential/Park Land
Existing Zoning	Varies SF-5 to RA to Unincorporated
Surrounding Zoning & Land Use	North: IND Industrial South: Unincorporated San Juan County East: RE-20 Residential Estates, RA Rural Agricultural West: SF-7 Single-family
Subdivision Class	Class 3
Notice	Public notice is not required for Preliminary Plans or for Final Plats
Staff Planner	Cynthia Lopez, Senior Planner

SUBDIVISION INFORMATION

Number of Lots	30 lots
Acres of Land	82.88 ± acres
Minimum Lot Size	~ 2.8 acres
Utilities	Water: Per City standards. Sewer: Per City standards Electric: Per Electrical Engineering
Access & Circulation	Extension of Piñon Hills Boulevard/ extension of Hubbard to proposed Piñon Hills Boulevard and extension of Paseo del Rancho to proposed Piñon Hills Boulevard
Street Lights	Per City standards
Street Signs	Per City standards
Fire Hydrants	Per City standards
Drainage	Per City standards
Recreation	Per City standards

GENERAL INFORMATION

The petitioner is requesting a Preliminary Plan and Final Plat for the dedication of the extension of Pinon Hills Boulevard to the south of NM 516/E. Main Street to County Road 3000, for the consolidation of 30 lots into four (4) tracts of land, to grant nine (9) easements, to dedicate right-of-way for the extension of Paseo del Rancho, and to abandon the portion of Hubbard Street that was dedicated with the Sun Valley Subdivision No.2.

This plat would typically be processed as a Summary Plat. However, because the plat is dedicating two roadways and abandoning another roadway it is required to be processed through the major subdivision process. To expedite the major subdivision process Community Development is processing this plat as a Preliminary/Final Plat.

Pursuant to *Plat Amendment Application Process* Section 8.8.8A of the Unified Development Code “A resubdivision or replat shall be required for any revision or replat involving dedication, vacation or relocation of a public street or other public right-of-way.” The Sun Valley Subdivision No. 2 dedicated Hubbard Street when it was recorded. This plat will dedicate Pinon Hills Boulevard, dedicate a portion of Paseo del Rancho and abandon the portion of Hubbard Street that was dedicated with the Sun Valley Subdivision No.2.

The Sun Valley Subdivision No. 2 was recorded in the San Juan County Clerk’s Office on August 30, 1968. It was a 25 lot subdivision that the City of Farmington bought from the developer in its entirety. Another parcel of land that is part of this plat is the old railroad right-of-way which was deeded to the City of Farmington on April 28, 1971. The other lots were also purchased by the City of Farmington specifically for the future dedication of the extension of Piñon Hills Boulevard.

The plat proposes to dedicate 21.6558 acres of land for the right-of-way for the extension of Piñon Hills Boulevard. It also dedicates 0.0624 acres of right-of-way for the extension of Paseo del Rancho on Tract 4. Tract 1 will be 35.6667 acres of land. Tract 2 will be 13.9069 acres. Tract 3 will be 8.9016 acres and Tract 4 will be 2.7459 acres.

This plat will also grant several easements. Tract 1 has Easement 1 which is a drainage and slope easement of 5.3806 acres; Easement 2 which is a drainage easement of 0.0387 acres; Easement 3 which is a drainage easement of 0.0684 acres; and Easement 4 which is a drainage and slope easement of 0.0890 acres. Tract 2 has Easement 5 which is a drainage and slope of 6.2177 acres, and Easement 6 which is a drainage easement of 0.0838 acres. Tract 3 has Easement 7 which is a slope easement of 0.0756 acres and Easement 8 which is a slope easement of 0.7375 acres. Tract 4 has Easement 9 which is a slope easement of 0.0624 acres. This plat also dedicates 0.0624 acres for the extension of Paseo del Rancho onto Tract 4.

ISSUES

Technical and Corrective Changes: Toni Sitta – 599-1399

- Please include Match Lines on each of sheets 2 - 9.
- Please check legal description on Sheet 1. "Beginning at a point on the northerly right-of-way of County Road 3900", should this be County Road

3000? Sheet 3 shows the POB along the northerly ROW on CR 3000. The next two metes and bounds also reference CR 3900.

- Sheet 2 - TIE Distance from Cap Stamped T29N R12W S6 S5 S7 S8 shows 810.61, should this be 3810.61 as shown in legal description of Sheet 1.
- Please include a description (distances and bearings) for the "20' Utility Easement Granted with the Filing of this Plat" on Sheets 4 and 5, crossing Tracts 1 and 2.
- Please include a benchmark elevation referenced from City of Farmington GPS monument, including Northing & Easting on one corner of the surveyed lot.
- Please include missing measurements on "Hubbard Street 0.0293 Acres" Sheet 6, "Hubbard Street 0.2809 Acres" Sheet9, and other segments.
- Please check to see if there is a way to organize the curve data as it is shown on the surveyed area. It is confusing when reconstructing the survey, especially along the Pinon Hills Boulevard ROW.

Senior Planner: Cynthia Lopez – 599-1448

- The extension of Paseo del Rancho is mislabeled as Hubbard Street on Sheet 9 of 10.
- Is this plat subdividing the old Railroad Right-of-way into two lots/tracts? If so, should the remainder be designated on the plat?
- Pursuant to Section 8.8.9E(3) *Review and final action/recommendation by the commission* a Final Plat shall be reviewed by the Planning & Zoning Commission for approval. If approved the chairman of the commission shall mark and sign the plat as follows:

Approved pursuant to major subdivision procedure of the City of Farmington UDC

Date: _____

City of Farmington Planning Commission

By: _____

Chairman

- Indicate the City limit on the plat.
- Check the spelling of "County Road" on the plat. In many places the plat calls them out as "Country Road".

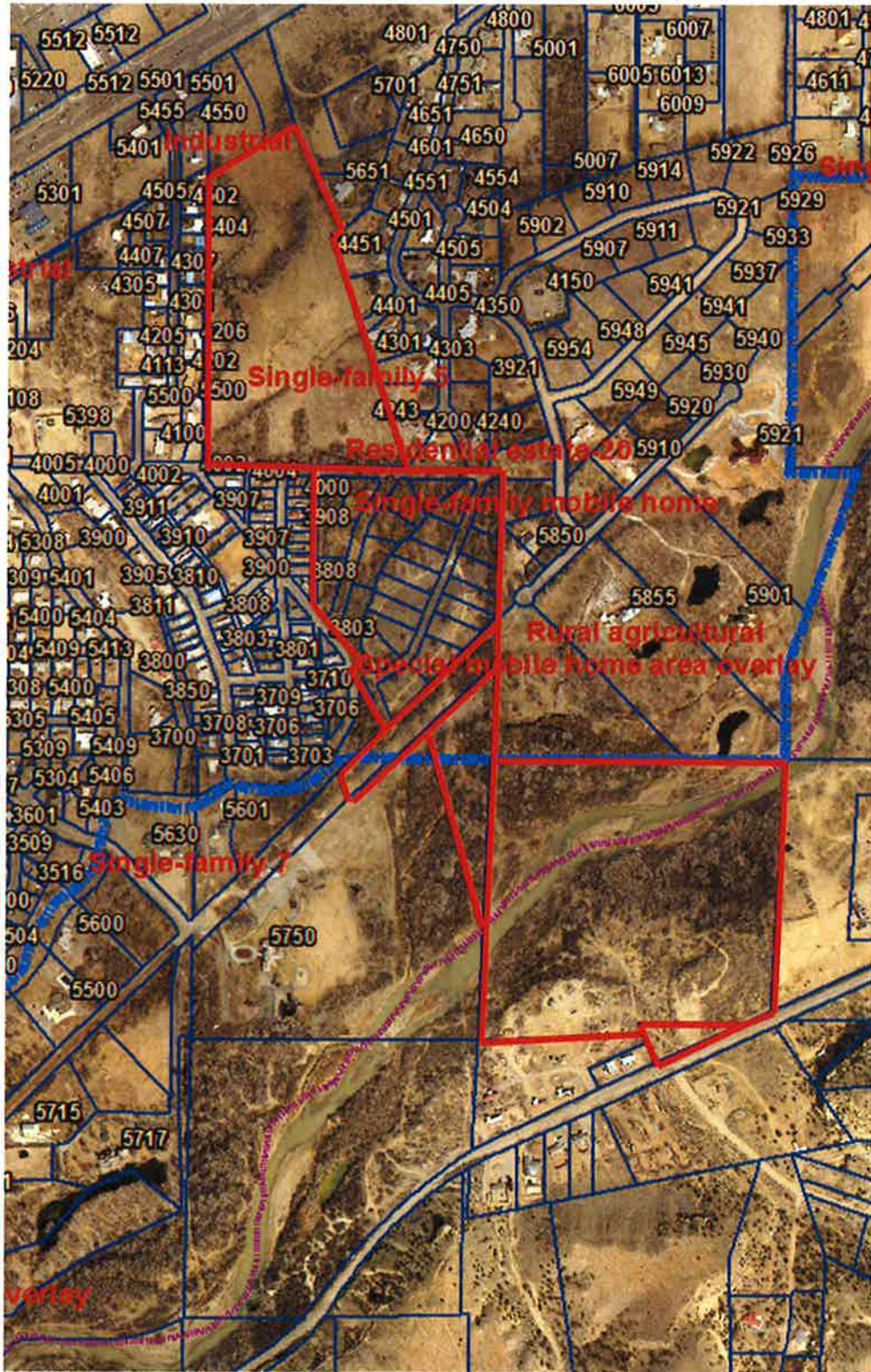
STAFF CONCLUSION

Staff concludes that approval of Petition PFP 15-02, Pinon Hills Right-of-Way Subdivision No. 2 is appropriate. The plat meets the requirements of the Unified Development Code with the modifications as noted in the ISSUES segment of this report.

STAFF RECOMMENDATION

The Community Development Department recommends **approval** of Petition PFP 15-02, a request from the City of Farmington, represented by Nica Westerling, City Engineer, for the Preliminary Plan and Final Plat for the Pinon Hills Right-of-Way Subdivision No. 2, a road dedication for the Piñon Hills Boulevard extension, a

consolidation of 30 lots into 4 tracts, granting nine (9) easements, the abandonment of a portion of Hubbard St. and dedicating right-of-way for the extension of Paseo del Rancho on 82.88± acres located south of NM 516/E. Main Street to County Road 3000.

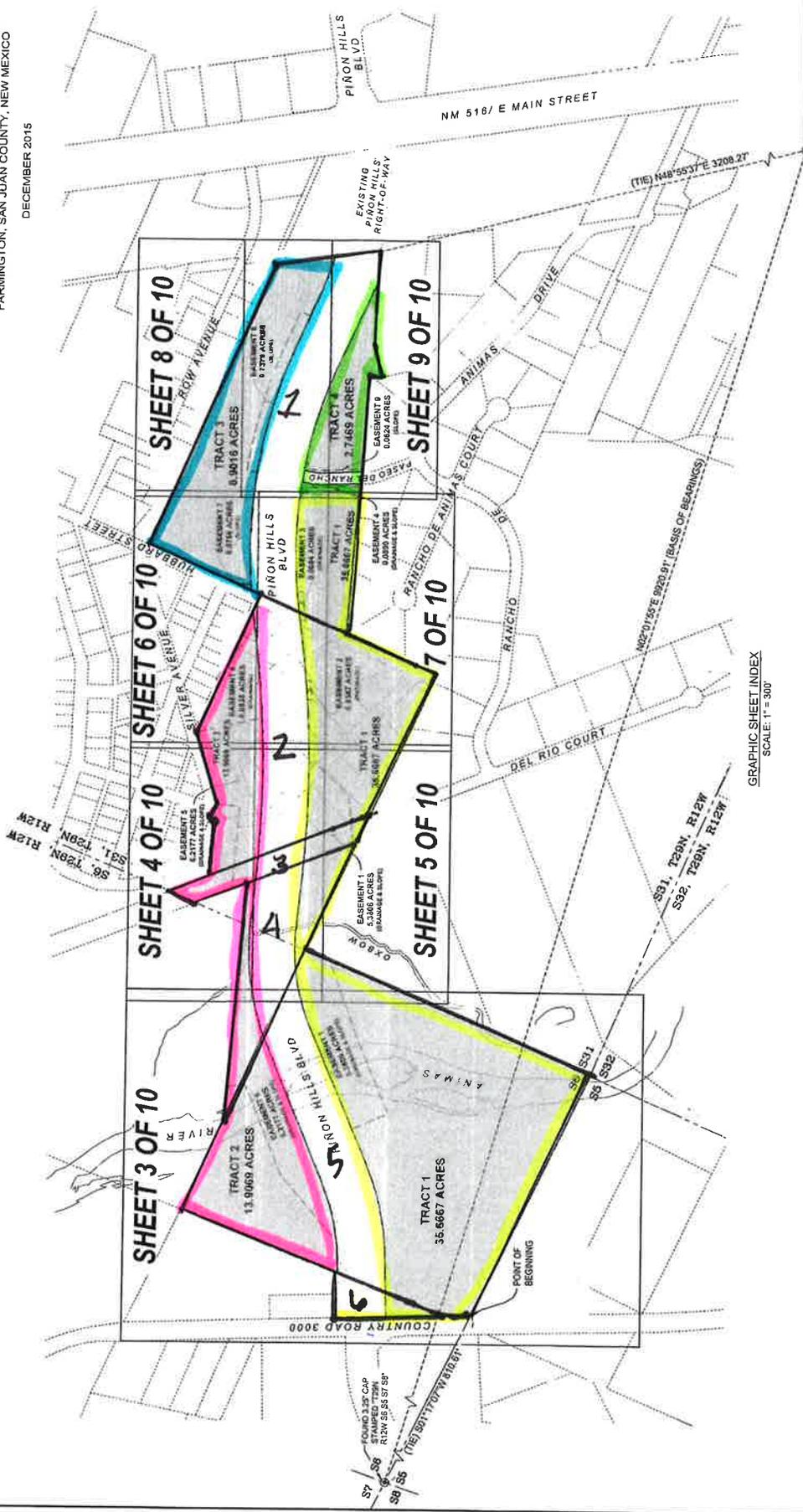


Pinon Hills Right-of-Way Subdivision No. 2

PLAT OF
**PIÑON HILLS RIGHT-OF-WAY
 SUBDIVISION No. 2**

WITHIN SECTION 6, TOWNSHIP 29 NORTH, RANGE 12 WEST, &
 SECTION 31, TOWNSHIP 31 NORTH, RANGE 12 WEST, N.M.P.M.,
 FARMINGTON, SAN JUAN COUNTY, NEW MEXICO

DECEMBER 2015



PIÑON HILLS RIGHT-OF-WAY SUBDIVISION No. 2
 61,222.1 ACRES (GROSS)
 21,655.8 ACRES (RIGHT-OF-WAY)
 82,877.9 ACRES (NET)

GRAPHIC SHEET INDEX
 SCALE: 1" = 300'

GPS COORDINATION MONUMENT "1" GPS 1185'
 GEOGRAPHIC COORDINATES (NAD 83)
 NAD STATE PLANE GRID COORDINATES (WEST ZONE)
 N = 210151.030 E = 226813.205
 NAD STATE PLANE GRID COORDINATES (WEST ZONE)
 N = 210081.030 E = 226713.205
 NAVD 1983 ELEVATION = 5502.845



300' 150' 0' 150' 300'
 SCALE: 1" = 300'

Bohannon & Huston
 Surveyors
 Albuquerque, NM 87102 (505) 833-3000

SHEET 2 OF 10

PLANNING MEMO COMMENTS SUMMARY

PFP 15-02 PINON HILLS RIGHT-OF-WAY SD #2

Deadline: 12/28/15

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	Building inspection has no comments on PFP 15-02 pinon Hills ROW SD
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Sims	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	No comment
ELEC	Electrical Engineering - Luwil Aligarbes	No comment or conflict with the plat for Pinon Hills Boulevard South, E. Main St to CR 3000.
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	Planning for hydrant placement, as discussed during the DRC meeting.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	
POLICE	Code Compliance -	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	
PW	Engineering – Toni Sitta	<ul style="list-style-type: none"> - Please include Match Lines on each of sheets 2 - 9. - Please check legal description on Sheet 1. "Beginning at a point on the northerly right-of-way of County Road 3900" Should this be County Road 3000? Sheet 3 shows the POB along the northerly ROW on CR 3000. The next two metes and bounds also reference CR 3900. - Sheet 2 - TIE Distance from Cap Stamped T29N R12W S6 S5 S7 S8 shows 810.61, should this be 3810.61 as shown in legal description of Sheet 1. - Please include a description (distances and bearings) for the "20' Utility Easement Granted with the Filing of this Plat" on Sheets 4 and 5, crossing Tracts 1 and 2. - Please include a benchmark elevation referenced from City of Farmington GPS monument, including Northing & Easting on one corner of the surveyed lot. - Please included missing measurements on "Hubbard Street 0.0293 Acres" Sheet 6, "Hubbard Street 0.2809 Acres" Sheet9, and other segments. - Please check to see if there is a way to organize the curve data as it is shown on the surveyed area. It is confusing when reconstructing the survey,

		especially along the Pinon Hills Boulevard ROW.
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	No comment

Other Entities

New Mexico Gas Company	
CenturyLink-Willatto	
Qwest Communications	
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI	
Williams Field Services	
Farmington School District	

PETITION APPLICATION

RECEIVED



**Incomplete applications
may not be accepted.**

**Return completed
application to:**

DEC 17 2015
Planning Division
Community Development Department
City of Farmington
800 Municipal Drive
Farmington, NM 87401 (505) 599-1317

PROJECT TYPE (Check Those Applicable)

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation / Zoning
<input checked="" type="checkbox"/> Preliminary Plat
<input checked="" type="checkbox"/> Final Plan | <input type="checkbox"/> Summary Plat
<input type="checkbox"/> Special Use Permit
<input type="checkbox"/> Variance (ARB) | <input type="checkbox"/> Zone Change to
<input type="checkbox"/> Temporary Use Permit
Proposed Length of Use:
<input type="checkbox"/> Well site equipment modification |
|--|---|--|

INFORMATION

Applicant's Name: Nica Westerling	Project Location: Pinon Hills and Main Street
Address: 800 Municipal Drive	Existing Use: vacant
E-Mail: nwesterling@fmtn.org	Proposed Use: road right of way and remainder tracts
Telephone: 505 599-1316	Current Zoning: <i>Various</i>
Relationship to Property Owner: City Engineer	Assessor's Parcel I.D. and/or Tax I.D. Number:

Legal Description of Subject Property:

Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes No

If Yes, please provide copy with application.

REPRESENTATIVE / CONTACT PERSON (if other than applicant)

Name:	E-Mail:
Phone:	Address:

OWNERSHIP

PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase) <i>Fee Simple</i>	MORTGAGE HOLDERS (If any) <i>N/A</i>
Name: City of Farmington	Phone: (505) 599-1316
Name:	Phone:
Address: 800 Municipal Drive	Address:

OWNER CERTIFICATION: I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.

Owner's Signature: *[Signature]*

****** STAFF USE ONLY ******

Received By Date Project File No. Date of Hearing/Meeting:	<input type="checkbox"/> Site Plan <input type="checkbox"/> Ownership List (subject and surrounding properties) <input type="checkbox"/> Legal Description <input type="checkbox"/> Project Description
---	--

PLAT OF PIÑON HILLS RIGHT-OF-WAY SUBDIVISION No. 2

WITHIN SECTION 6, TOWNSHIP 29 NORTH, RANGE 12 WEST, &
SECTION 31, TOWNSHIP 31 NORTH, RANGE 12 WEST, N.M.P.M.,
FARMINGTON, SAN JUAN COUNTY, NEW MEXICO

DECEMBER 2015

SUBDIVISION DATA

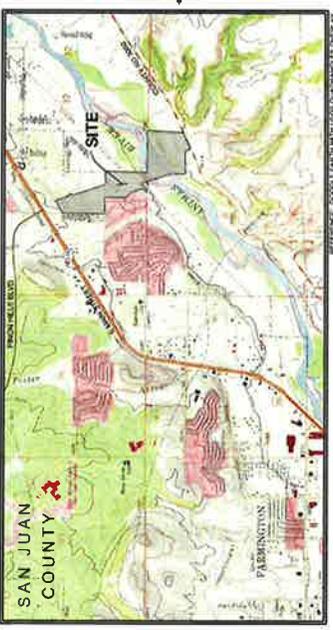
- Gross Subdivision Acreage: 61.2221 acres (subdivision net area minus total area of public street right-of-way)
- Number of Lots: 7
- Lot Area: 8,745.87 sq. ft. (2.00 acres)
- Lot Dimensions: 160' x 100'
- Lot Area: 16,000 sq. ft. (3.63 acres)
- Lot Dimensions: 160' x 100'
- Lot Area: 16,000 sq. ft. (3.63 acres)
- Lot Dimensions: 160' x 100'

PURPOSE OF PLAT

The purpose of this plat is to consolidate tracts and to dedicate public street right-of-way and grant easements as shown herein.

NOTES

- Beatings are New Mexico State Plane Grid Bearings (Western Zone) NAD 1983. Basis of Bearings is the County Clerk's Office. Round to 23 brass cap stamped T23N R12W S65 S57 S87 as shown herein. Bearing = N02°10'55"E
- Distances are ground distances.
- Horizontal Datum is NAD 1983. New Mexico State Plane West Zone. Project Combined Factor is 0.999662272. For transformation of file horizontal coordinates scale about 0.0. Vertical Datum is NAVD 1988 (GEOID12A)



REFERENCE LIST (KEYED NOTES):

- San Juan County Assessor's on-line parcel map (<http://www.sjassessor.net/Disclaimer.html>)
 - NIMDOT Right-of-Way Map N.M.P.# STP-99561(45) with a final map date of 08/14/2015
- RECORDS OF THE OFFICE OF THE COUNTY CLERK, SAN JUAN COUNTY, NEW MEXICO:**
- El Paso Natural Gas Company blanket right-of-way easements filed on 07/29/1984 in book 589, page 154, and on 08/05/1985 in book 610, page 142, on 08/11/1985 in book 607, page 207, on 08/26/1985 in book 632, page 243 and City of Farmington Electric Utility System and the Mountain States Telephone & Telegraph Company blanket right-of-way easements filed on 08/13/1974 in book 737, page 452 and on 02/14/1982 in book 1146, page 559
 - Warranty Deed filed on 04/22/2002 in book 1340, page 809 as document No. 2002060891 and on 04/22/2002 in book 1340, page 810 as document No. 2002060892
 - Warranty Deed filed on 01/02/1992 in book 1140, page 532 as document No. 9200018
 - Warranty Deed filed on 01/25/2012 in book 1535, page 462 as document No. 201100907
 - City of Farmington Electric Utility System and the Mountain States Telephone & Telegraph Company blanket right-of-way easements filed on 01/07/1994 in book 1175, page 578 as document No. 9400345
 - Warranty Deed filed on 04/28/1971 in book 691, page 8
 - Plat of SUN VALLEY SUBDIVISION filed on 08/05/1957 as document No. 168448
 - Plat of SUN VALLEY SUBDIVISION No. 2 filed on 08/09/1960 as document No. 166430
 - Plat of RANCHO DE ANIMAS, SUBDIVISION filed on 05/10/1996 in book 1218, page 284 as document No. 9807080
 - Plat of RANCHO DE ANIMAS, SUBDIVISION No. 2, PHASE filed on 01/28/2000 in book 1296, page 454 as document No. 200019420
 - Plat of RANCHO DE ANIMAS, SUBDIVISION No. 4 filed on 06/01/2001 in book 1332, page 1040 as document No. 200108765
 - Boundary Survey Plat for ARTHUR D., LINCOLN AND DATHY L. LINCOLN filed on 10/29/2000 in book 1310, page 758 as document No. 20016524
 - Warranty Deed filed on 12/06/2001 in book 1333, page 498 as document No. 20119555
 - El Paso Natural Gas Company blanket right-of-way easements filed on 09/19/1985 in book 1028, page 88 as document No. 200203989
 - Plat of PIÑON HILLS RIGHT-OF-WAY SUBDIVISION filed on 01/12/2012 in book 1534, page 1003 as document No. 201300727
 - Plat of FACHILLA SUBDIVISION REPLAT "C" filed on 05/24/2003 in book 137, page 740 as document No. 200320162
 - Warranty Deed filed on 01/31/2012 in book 1535, page 720 as document No. 201201165
 - Special Master's Deed file on 02/10/2014 in book 1989, page 188 as document No. 201401301
 - Warranty Deed filed on 04/10/1990 in book 1115, page 488
 - Warranty Deed filed on 04/25/1996 in book 1100, page 732
 - Warranty Deed filed on 05/31/1972 in book 706, page 78
 - Rental Estate Contract between M. Nadine Ulliam-Keller & Nicholas M. Keller (sellers) and Dallas Johnson & Nick Davis-Stockton (purchasers) filed on 01/17/2013 in book 1551, page 727 as document No. 201300727
 - Warranty Deed filed on 02/27/2015 in book 1564, page 45 as document No. 201502393
 - Plat of SELF SUBDIVISION filed on 01/18/1986 as document No. 168435
 - Plat of GARBER SUBDIVISION REPLAT A filed on 02/05/2008 in book 1489, page 508 as document No. 20081666
 - Plat of GARBER SUBDIVISION filed on 05/25/1989 in book 1282, page 3 as document No. 9905964
 - Warranty Deed filed on 12/21/2001 in book 1334, page 227 as document No. 200720448
 - Warranty Deed filed on 10/28/2010 in book 1517, page 332 as document No. 201013850

DESCRIPTION:

A certain tract of land situated within Section 31, Township 30 North, Range 12 West and Section 6, Township 29 North, Range 12 West, New Mexico County San Juan County New Mexico, being and comprising STEVEN CASAL DOUGLAS, shown on the plat filed in the office of the County Clerk of San Juan County, New Mexico on December 5, 2001 as Book 1333, Page 419.

SUN VALLEY SUBDIVISION NO. 2 as shown on the plat filed in the office of the County Clerk of San Juan County, New Mexico on August 30, 1958 as Document No. 168448 / Plat S-61.

A portion of the Denver and Rio Grande Western Railroad right-of-way, as described in the QUITCLAIM filed in the office of the County Clerk of San Juan County, New Mexico on April 22, 2012 as Book 1535, Page 462.

A tract of land as described in the WARRANTY DEED filed in the office of the County Clerk of San Juan County, New Mexico on January 2, 1992 as Book 1140, Page 532.

A WARRANTY DEED filed in the office of the County Clerk of San Juan County, New Mexico on April 22, 2002 as Book 1340, Page 810 (also shown as TRACT 1 on the BOUNDARY SURVEY FOR MESA LEASING COMPANY plat prepared by High Country Surveys).

and being more particularly described by New Mexico State Plane Grid Bearings (West Zone NAD 1983) and ground distances as follows:

BEGINNING at a point on the northern right-of-way of County Road 3900 (WHENCE a 3-1/2 inch S.I.M Brass cap stamped T23N R12W S65 S7 S8 1974, beam S0117707 West a distance of 9340.61 feet;

THENCE along the northern right-of-way of County Road 3900 South 65°36'15" West a distance of 565.90 feet to a 1-1/4 inch yellow plastic cap stamped "NM LS 6159";

THENCE leaving County Road 3900 along the western boundary North 24°22'30" West a distance of 190.58 feet;

THENCE South 86°44'48" West a distance of 711.86 feet to a 1-1/4 inch yellow plastic cap with illegible stamping;

THENCE North 07°29'46" East a distance of 426.53 feet;

THENCE North 17°52'10" West a distance of 1005.63 feet;

THENCE South 45°32'05" West a distance of 243.48 feet;

THENCE North 89°44'55" West a distance of 120.95 feet;

THENCE North 45°32'05" East a distance of 180.44 feet;

THENCE North 19°00'11" West a distance of 214.45 feet to a 1 inch yellow plastic cap stamped "NMPS 5579";

THENCE North 39°44'11" West a distance of 35.35 feet to a 5/8 inch rebar with no cap;

THENCE North 09°12'19" East a distance of 66.24 feet to a 1-1/4 inch yellow plastic cap stamped "NMPS 13978";

THENCE North 39°54'40" West a distance of 321.30 feet to a 1-1/4 inch yellow plastic cap with illegible stamping;

THENCE North 01°02'59" East a distance of 644.20 feet to a point mid way between two offset monuments, the northerly being a 1-1/4 inch yellow plastic cap with stamped "NMPS 13978" and the southerly being a 1-1/4 inch yellow plastic cap stamped "NM 8992 CO 10724";

THENCE North 69°07'04" West a distance of 521.98 feet;

THENCE North 00°59'11" East a distance of 1304.95 feet to the northwest corner being a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE along the northern boundary North 58°39'32" East a distance of 451.14 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE along the easterly boundary South 18°47'29" East a distance of 225.96 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE South 21°46'59" East a distance of 192.81 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE South 39°29'28" East a distance of 122.89 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE South 71°14'11" West a distance of 54.30 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE South 18°16'54" East a distance of 1104.64 feet to a 1 inch yellow plastic cap stamped "NM LS 6159";

THENCE South 68°49'39" East a distance of 421.41 feet;

THENCE South 01°49'58" West a distance of 1300.11 feet;

THENCE South 69°48'55" East a distance of 1322.35 feet;

THENCE South 03°39'42" West a distance of 1133.16 feet to the place and POINT OF BEGINNING.

Tract contains 82.878 acres, more or less.

AFFIDAVIT

New comes Tommy Roberts, first duly sworn upon his oath and states that the subdivision shown herein lies wholly within the planning and zoning jurisdiction of the City of Farmington, New Mexico.

State of New Mexico)
County of San Juan)
I, _____,)
do hereby certify that the foregoing was acknowledged before me by Tommy Roberts, the)
Notary Public)
My commission Expires: _____)

APPROVAL - CITY OF FARMINGTON

Approved and accepted pursuant to summary proceedings of the City of Farmington UDC on this _____ day of _____

By: _____
Community Development Director

City Engineer _____
Water and Wastewater O & M Manager _____
Farmington Electrical Utility Services _____
CenturyLink _____
Enterprise Field Services, LLC _____

SURVEYORS CERTIFICATION

I, Alan R. Benham, a registered Professional New Mexico Surveyor, certify that I am responsible for this survey and that this plat was prepared by me or under my supervision, shows all existing easements as shown on the plats of record, or made known to me by the owner, utility companies, or other interested parties and conforms to the Minimum Requirements of the Board of Registration for Professional Engineers and Professional Surveyors and is true and accurate to the best of my knowledge and belief.

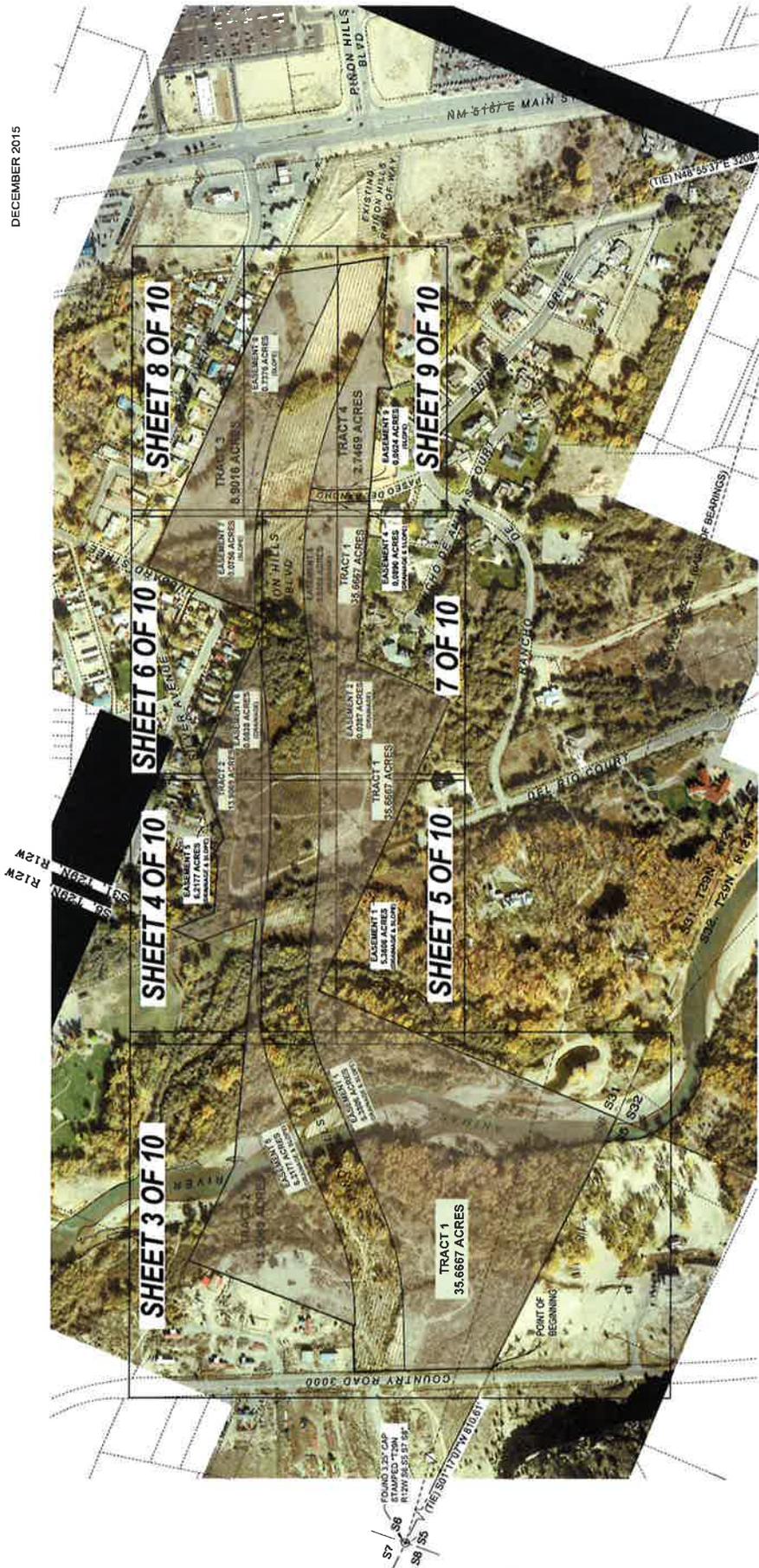
Alan R. Benham
New Mexico Professional Surveyor 15700



PLAT OF
**PIÑON HILLS RIGHT-OF-WAY
 SUBDIVISION No. 2**

WITHIN SECTION 6, TOWNSHIP 29 NORTH, RANGE 12 WEST, &
 SECTION 31, TOWNSHIP 31 NORTH, RANGE 12 WEST, N.M.P.M.,
 FARMINGTON, SAN JUAN COUNTY, NEW MEXICO

DECEMBER 2015



GRAPHIC SHEET INDEX
 SCALE: 1" = 300'

PIÑON HILLS RIGHT-OF-WAY SUBDIVISION No. 2

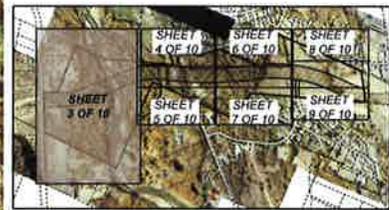
61.2221 ACRES (GROSS)
 21.6558 ACRES (RIGHT-OF-WAY)
 82.8779 ACRES (NET)

CITY OF FARMINGTON MONUMENT "11 GPS 1186"
 GEOGRAPHIC POSITION "MAD 83"
 NM STATE PLANE GRID COORDINATES (WEST ZONE)
 N = 2102661.686 E = 2637173.981
 MVD 1988 ELEVATION = 5302.846

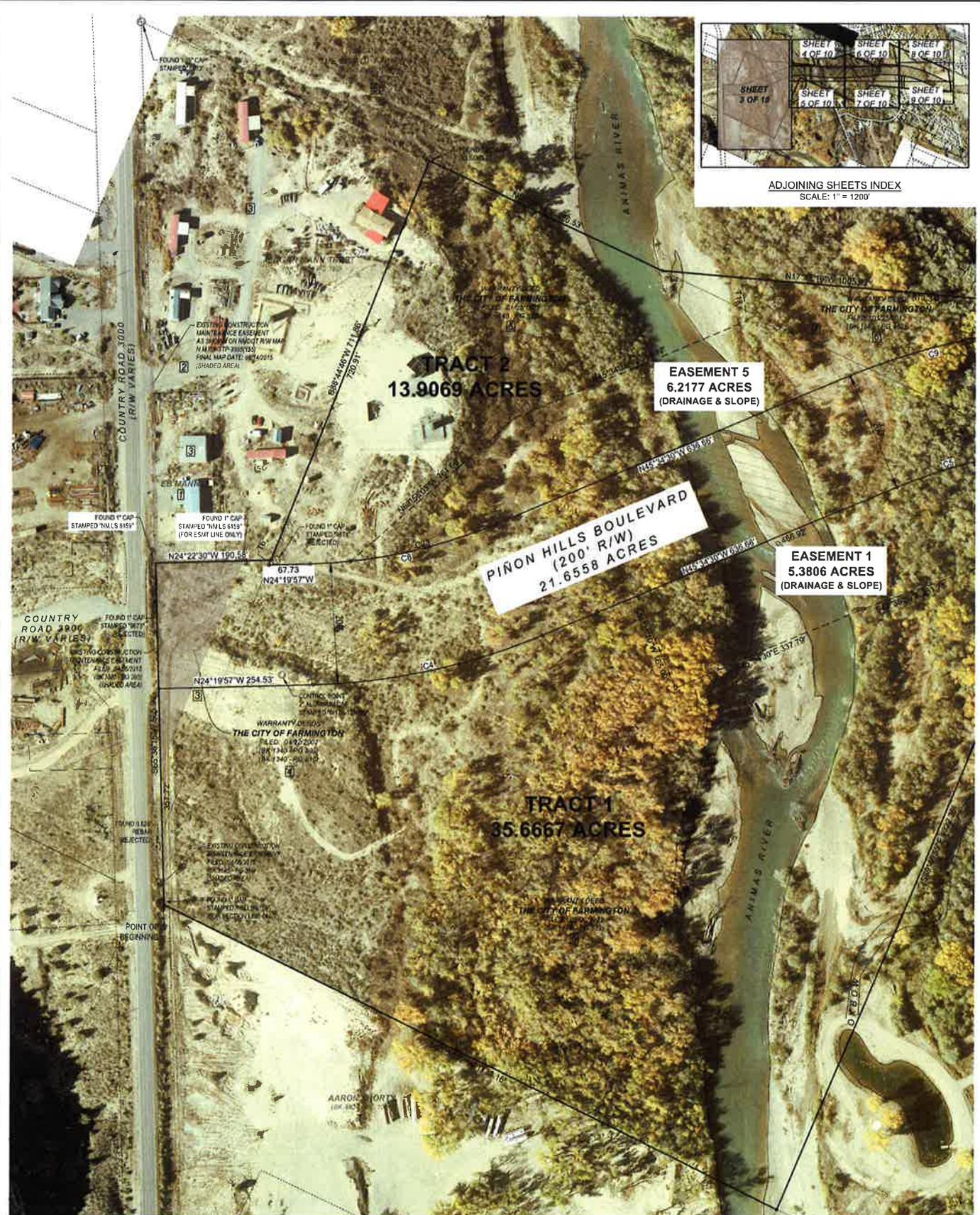


Bohannon & Huston
 Surveyors
 Albuquerque, NM 87109 (505) 825-1000

SHEET 2 OF 10

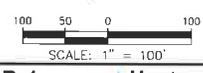


ADJOINING SHEETS INDEX
SCALE: 1" = 1200'

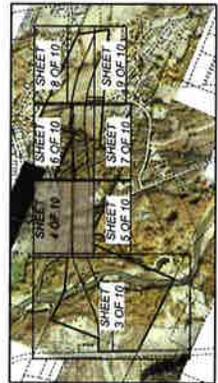


LEGEND	
⊙ FND-ALUMINUM CAP	— SUBDIVISION BOUNDARY LINE
⊙ FND-BRASS CAP	— TRACT LINE
X FND-CHISELED MARK IN CONCRETE	- - - NEW EASEMENT
○ FND-IRON PIPE	- - - EXISTING EASEMENT
⊗ FND-NAIL	- - - LOT LINE TO BE ELIMINATED
⊙ FND-NAIL AND SHINER	- - - RIGHT-OF-WAY TO BE VACATED
⊙ FND-REBAR NO CAP	- - - ADJOINING PROPERTY LINE
⊙ FND-REBAR WITH CAP	- - - RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT
⊙ SET REBAR WITH YELLOW PLASTIC CAP STAMPED 'NM PS 15/00'	

SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES



Bohannon & Huston
 Surveyors I 1500 Jefferson St. NE
 Albuquerque, NM 87109 (505) 873-1000



ADJOINING SHEETS INDEX
SCALE: 1" = 1200'

LEGEND

- IND-ALUMINUM CAP
- IND-BRASS CAP
- X IND-RISE MARK IN CONCRETE
- IND-IRON PIPE
- IND-MAIL
- IND-MAIL AND SHIMMER
- IND-REBAR NO CAP
- IND-REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC
- CAP STAMPED "M/F 15/100"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- LOT LINE TO BE ELIMINATED
- RIGHT-OF-WAY TO BE VACATED
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT



SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES

TRACT 1
35.6667 ACRES

TRACT 2
13.9069 ACRES

PINON HILLS BOULEVARD
(200' R/W)
21.6558 ACRES

NOTE: EXISTING LOT LINES WITHIN SUN VALLEY SUBDIVISION No. 2 TO BE ELIMINATED WITH THE FILING OF THIS PLAT AND ALL EXISTING RIGHT-OF-WAY VACATED WITH THE FILING OF THIS PLAT. ALL EXISTING EASEMENTS, INCLUDING THE UNDERLYING PUBLIC EASEMENTS (VACATED RIGHT-OF-WAY) TO REMAIN



**PINON HILLS BOULEVARD
(200' R/W)
21.6558 ACRES**

**EASEMENT
5.3895 ACRES
(INCORPORATED & SLOPED)**

**TRACT 10
36.6667 ACRES**

**SUN VALLEY
SUBDIVISION No. 10
1000 ACRES**

**EXISTING UTILITY EASEMENT
FILED 09/09/1988
DOCUMENT No. 10000**

LEGEND

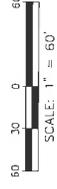
- FND-ALUMINUM CAP
- ⊙ FND-BRASS CAP
- ⊗ FND-CHISELED MARK IN CONCRETE
- FND-IRON PIPE
- ⊙ FND-IRON PIPE
- ⊙ FND-NAIL
- ⊙ FND-NAIL AND SHINER
- ⊙ FND-REBAR NO CAP
- ⊙ FND-REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC
- CAP STAMPED "NM PS 15702"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- LOT LINE TO BE ELIMINATED
- RIGHT-OF-WAY TO BE VACATED
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT

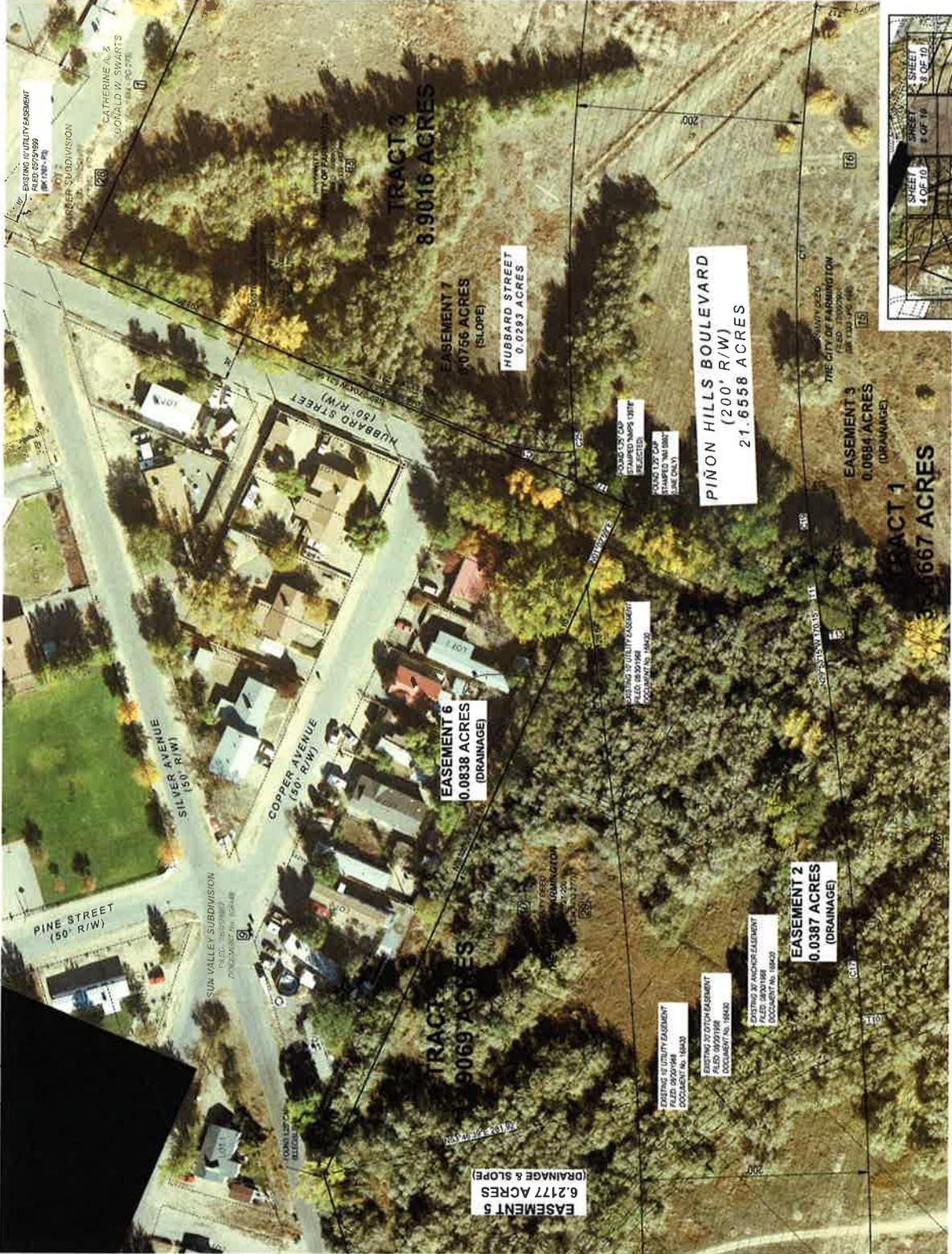
NOTE:
ALL EXISTING LOT LINES WITHIN SUN VALLEY SUBDIVISION No. 10 TO BE ELIMINATED WITH THE FILING OF THIS PLAT AND ALL EXISTING RIGHT-OF-WAY VACATED WITH THE FILING OF THIS PLAT
ALL EXISTING EASEMENTS, INCLUDING THE UNDERLYING PUBLIC EASEMENTS (VACATED RIGHT-OF-WAY) TO REMAIN



ADJOINING SHEETS INDEX
SCALE: 1" = 1200'

SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES



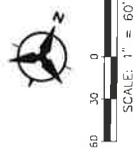


SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES

NOTE:
 ALL EXISTING LOT LINES WITHIN SUN VALLEY SUBDIVISION No. 2 TO BE ELIMINATED WITH THE FILING OF THIS PLAT AND ALL EXISTING RIGHT-OF-WAY VACATED WITH THE FILING OF THIS PLAT
 ALL EXISTING EASEMENTS, INCLUDING THE UNDERLYING PUBLIC EASEMENTS (VACATED RIGHT-OF-WAY) TO REMAIN

LEGEND

- FIN-ALUMINUM CAP
- FIN-BRASS CAP
- ✕ FIN-CRISSELED MARK IN CONCRETE
- FIN-IRON PIPE
- ⊗ FIN-MAIL
- ⊙ FIN-MAIL AND SHINER
- ⊖ FIN-REBAR NO CAP
- ⊕ FIN-REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC CAP STAMPED "N.M.P.S. 10/70"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- LOT LINE TO BE ELIMINATED
- RIGHT-OF-WAY TO BE VACATED
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT



ADJOINING SHEETS INDEX
 SCALE: 1" = 1200'



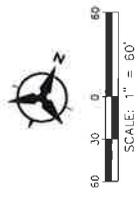
NOTE:
 ALL EXISTING LOT LINES WITHIN SUN VALLEY SUBDIVISION No. 2 TO BE ELIMINATED WITH THE FILING OF THIS PLAT AND ALL EXISTING RIGHT-OF-WAY VACATED WITH THE FILING OF THIS PLAT.
 ALL EXISTING EASEMENTS, INCLUDING THE UNDERLYING PUBLIC EASEMENTS (VACATED RIGHT-OF-WAY) TO REMAIN

SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES



LEGEND

- END-ALUMINUM CAP
- END-BASE CAP
- X END-CRISSELED MARK IN CONCRETE
- END-IRON PIPE
- END-MAIL
- END-MAIL AND SHINER
- END-REBAR NO CAP
- END-REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC
- CAP STAMPED "M/FPS 1500"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- LOT LINE TO BE ELIMINATED
- RIGHT-OF-WAY TO BE VACATED
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT



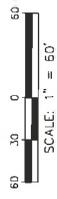
ADJOINING SHEETS INDEX
 SCALE: 1" = 1200'



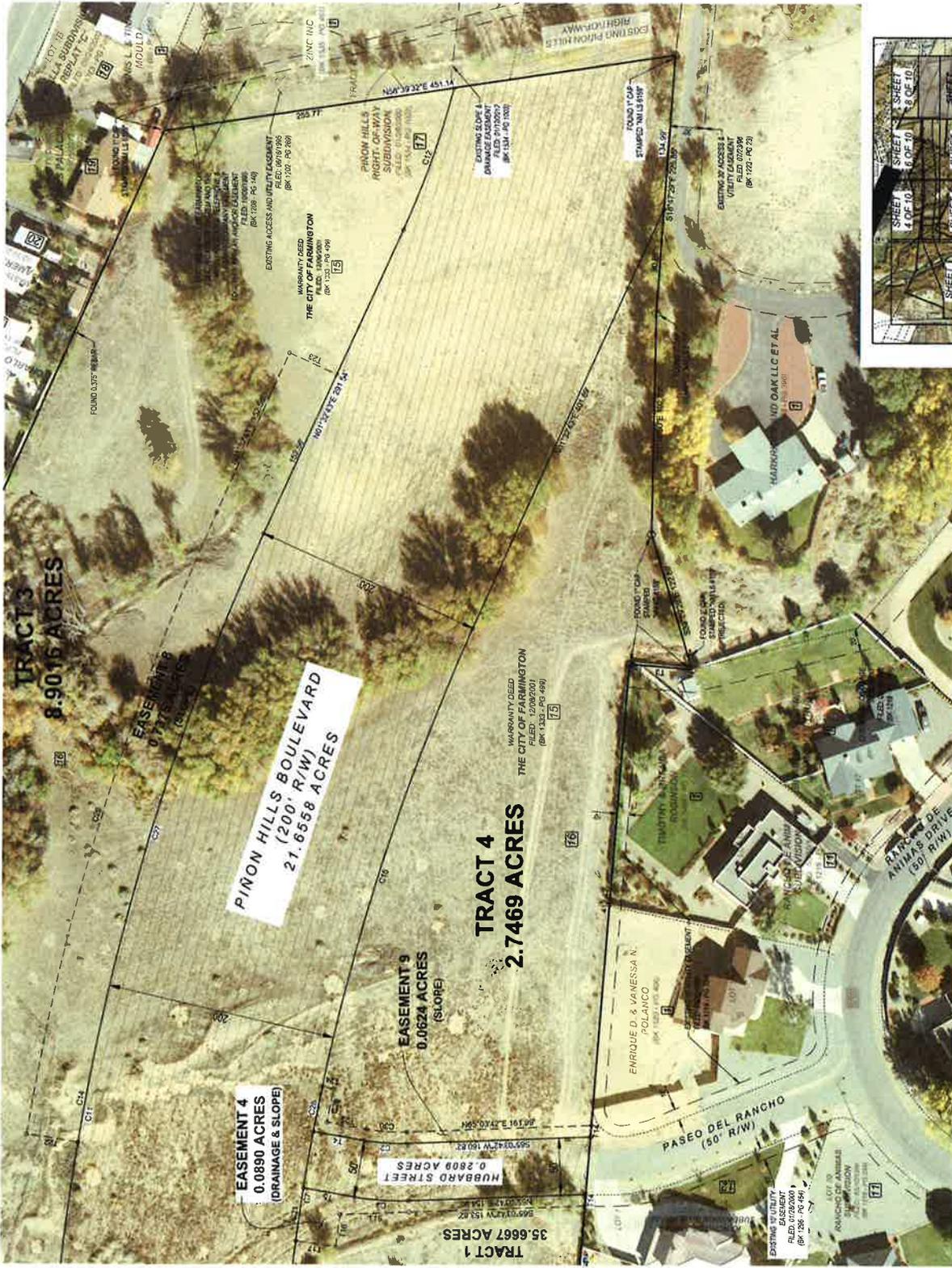
ADJOINING SHEETS INDEX
SCALE: 1" = 1200'

LEGEND

- END ALUMINUM CAP
- END BRASS CAP
- ⌵ RIGID-BEHELD MARK IN CONCRETE
- ⊗ RIGID-IRON PIPE
- RIGID-MAIL
- RIGID-MAIL AND SHINER
- ⊕ RIGID-REBAR NO CAP
- ⊕ RIGID-REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC
- CAP STAMPED "M P S 1500"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- - - - - LOT LINE TO BE ELIMINATED
- - - - - RIGHT-OF-WAY TO BE VACATED
- - - - - ADJOINING PROPERTY LINE
- - - - - RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE FILING OF THIS PLAT



SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES



LEGEND

- FND ALUMINUM CAP
- ⊗ FND BRASS CAP
- ⊗ FND CHISELED MARK IN CONCRETE
- FND IRON PIPE
- FND IRON MAIL
- ⊗ FND MAIL AND SHINER
- ⊗ FND REBAR NO CAP
- ⊗ FND REBAR WITH CAP
- SET REBAR WITH YELLOW PLASTIC
- CAP STAMPED "M/P/S 15700"
- SUBDIVISION BOUNDARY LINE
- TRACT LINE
- NEW EASEMENT
- EXISTING EASEMENT
- LOT LINE TO BE ELIMINATED
- RIGHT-OF-WAY TO BE VACATED
- ADJOINING PROPERTY LINE
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON WITH THE PLUNG OF THIS PLAT
- RIGHT-OF-WAY DEDICATED TO THE CITY OF FARMINGTON BY THE CITY OF FARMINGTON
- RIGHT-OF-WAY SUBDIVISION FILED ON 01/12/2012 IN BOOK 1534, PAGE 1005 AS DOCUMENT NO. 201202899



ADJOINING SHEETS INDEX
SCALE: 1" = 1200'

SEE SHEET 10 OF 10 FOR CURVE AND TANGENT TABLES

PLAT OF
PIÑON HILLS RIGHT-OF-WAY
SUBDIVISION No. 2

WITHIN SECTION 6, TOWNSHIP 29 NORTH, RANGE 12 WEST, &
 SECTION 31, TOWNSHIP 31 NORTH, RANGE 12 WEST, N.M.P.M.,
 FARMINGTON, SAN JUAN COUNTY, NEW MEXICO

DECEMBER 2015

CURVE AND TANGENT TABLES

Curve Data										Tangent Data			
ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BKG	ID	BEARING	DISTANCE				
C1	26°31'15"	41.24'	81.00'	175.00'	80.28'	N76°31'01"E	T1	N85°42'11"W	35.98'				
C2	12°04'09"	18.57'	36.86'	175.00'	36.79'	S71°05'46"W	T2	N68°12'19"E	69.24'				
C3	12°04'09"	23.79'	47.40'	235.00'	47.31'	N11°05'47"E	T3	S71°41'11"W	54.30'				
C4	21°14'33"	197.84'	391.14'	1055.00'	388.91'	N34°57'14"W	T4	S77°07'51"W	44.72'				
C5	28°43'36"	216.94'	428.88'	855.00'	424.20'	N31°12'42"W	T5	N77°07'51"E	44.47'				
C6	13°02'21"	501.70'	995.06'	4390.00'	996.91'	N23°22'05"W	T6	N85°44'46"E	9.05'				
C7	31°25'38"	531.64'	1056.66'	1890.00'	1023.91'	N14°10'16"W	T7	N89°07'04"W	45.67'				
C8	28°43'36"	160.34'	316.98'	855.00'	315.18'	N34°57'14"W	T8	N66°45'04"E	22.45'				
C9	28°43'36"	270.16'	528.95'	1055.00'	523.43'	N31°12'42"W	T9	N62°10'11"E	21.00'				
C10	13°02'21"	478.84'	953.55'	4190.00'	951.49'	N12°59'56"W	T10	S63°12'58"W	21.00'				
C11	29°05'17"	542.22'	1061.05'	2090.00'	1049.69'	N12°59'56"W	T11	N29°53'15"W	70.52'				
C12	09°17'29"	65.77'	131.25'	809.38'	131.11'	N03°15'28"W	T12	N61°42'43"E	24.00'				
C13	15°58'28"	265.19'	526.50'	1890.00'	525.24'	N21°54'01"W	T13	S60°06'45"W	24.00'				
C14	28°21'31"	528.05'	1034.44'	2090.00'	1023.52'	S12°38'03"E	T14	S18°16'54"E	10.07'				
C15	13°56'32"	231.10'	459.91'	1890.00'	458.78'	N05°25'34"W	T15	S65°03'42"W	59.52'				
C16	05°28'31"	248.33'	496.14'	4390.00'	495.87'	N20°05'07"W	T16	S14°53'52"E	27.87'				
C17	01°02'47"	40.09'	80.18'	4390.00'	80.18'	N27°18'25"W	T17	S74°40'13"W	35.00'				
C18	01°38'07"	26.97'	53.95'	1890.00'	53.94'	N29°04'11"W	T18	S85°27'20"W	72.02'				
C19	01°38'07"	26.94'	53.28'	1890.00'	53.27'	S29°04'11"E	T19	S45°32'05"W	74.24'				
C20	01°25'00"	23.37'	46.73'	1890.00'	46.73'	N14°37'17"W	T20	S71°15'23"W	87.92'				
C21	09°04'55"	332.78'	664.17'	4190.00'	663.47'	S37°23'22"E	T21	N88°57'01"W	66.13'				
C22	16°42'23"	125.54'	249.30'	855.00'	248.42'	S37°13'19"E	T22	S76°19'17"W	45.00'				
C23	20°37'25"	28.20'	55.79'	155.00'	55.49'	N73°32'32"E	T23	S88°27'17"E	45.00'				
C24	00°37'25"	10.00'	20.00'	2090.00'	20.00'	S46°32'21"E	T24	N78°48'57"E	10.00'				
C25	15°13'25"	284.32'	567.28'	2135.00'	565.61'	N06°04'00"W	T25	N77°07'51"E	34.61'				
C26	15°13'25"	279.30'	555.32'	2090.00'	553.69'	S06°04'00"E							
C27	15°13'25"	279.30'	555.32'	2090.00'	553.69'	N11°47'27"W							
C28	01°12'46"	20.00'	40.01'	1890.00'	20.71'	S11°36'13"E							
C29	00°54'20"	14.86'	29.71'	1890.00'	29.71'	N11°36'13"E							
C30	12°04'09"	17.44'	34.76'	185.00'	34.69'	N71°05'47"E							

COMMUNITY DEVELOPMENT PETITION REPORT
Special Use Permit for a Body Art Establishment
Petition SUP 15-08 – Mr. Tanks

A. STAFF REPORT, January 14 , 2016

PROJECT INFORMATION

Applicant	Heather Alexander and Joshua Johnson
Representative	N/A
Date of Application	12/16/2015
Requested Action	Special Use Permit for Body Art Establishment & A waiver to the distance of a body art establishment to a church
Location	115-A East Main Street
Existing Land Use	Commercial
Existing Zoning	CB Central Business District
Surrounding Zoning & Land Use	North: CB Central Business District / Commercial South: CB Central Business District / Commercial East: CB Central Business District / Commercial West: CB Central Business District / Commercial
Notice	Publication of Notice for public hearings of the Planning and Zoning Commission appeared in the Daily Times on Sunday December 27, 2015. Property owners within 100 feet were sent notice by certified mail, on Tuesday, December 22, 2015 and a sign was posted on Monday, January 4, 2016
Staff Planner	Steven Saavedra, Associate Planner

STAFF ANALYSIS

Project Description

The petitioner requests a special use permit to operate a body art establishment at 115-A East Main Street. The petitioner plans to operate from the hours of 11:00 am to 10:00 pm, Monday through Saturday. The subject property is currently vacant. In 2008, Farmington's City Council passed Ordinance 2008-1206, Body Art Safe Practices, creating Section 8-15 of the Farmington City Code (FCC). According to this section, a body art establishment must obtain a City business license, New Mexico state licensure under the New Mexico Body Art Safe Practices Act, pass state inspections, and operate only at its permanent location.

The operator of the body art establishment shall not administer body art on any one under the age of 18. The operator is required to obtain proof of age by government-issued photo identification and a second form of government-issued identification. Further, no one under 18 years old shall be admitted to the body art establishment. According to Section 8-15-3 of Farmington City Code, no body art establishment shall be located within 300 feet of a school, church, or residence unless waived by the City Council. The Journey Church, located at 207 E. Main Street Main is approximately 180-feet. The section also sets forth penalties for violation of the ordinance.

ISSUES

Planning Division: Steven Saavedra – 599-1282

- According to Table 2.3 of the City of Farmington Unified Development Code, a body art establishment in the CB Central Business District requires a special use permit.
- According to Section 8-15-3 of FCC, no body art establishment shall be located within 300 feet of a school, church or residence unless waived by the City Council. This distance is measured from the closest boundary line of the property on which the body art establishment is to be located to the closest boundary line of the prohibiting area. Please see the attached map showing the area under consideration.
- The Journey Church is located at 207 East Main Street and is approximately 180-feet from the petitioner's proposed body art establishment.
- Staff has recommended that the petitioner obtain a letter from the Church in support of this request.
- No schools are within 300 feet of the proposed body art establishment.

CONSIDERATION BY THE MRA COMMISSION DRAFT MRA MINUTES- December 17, 2015

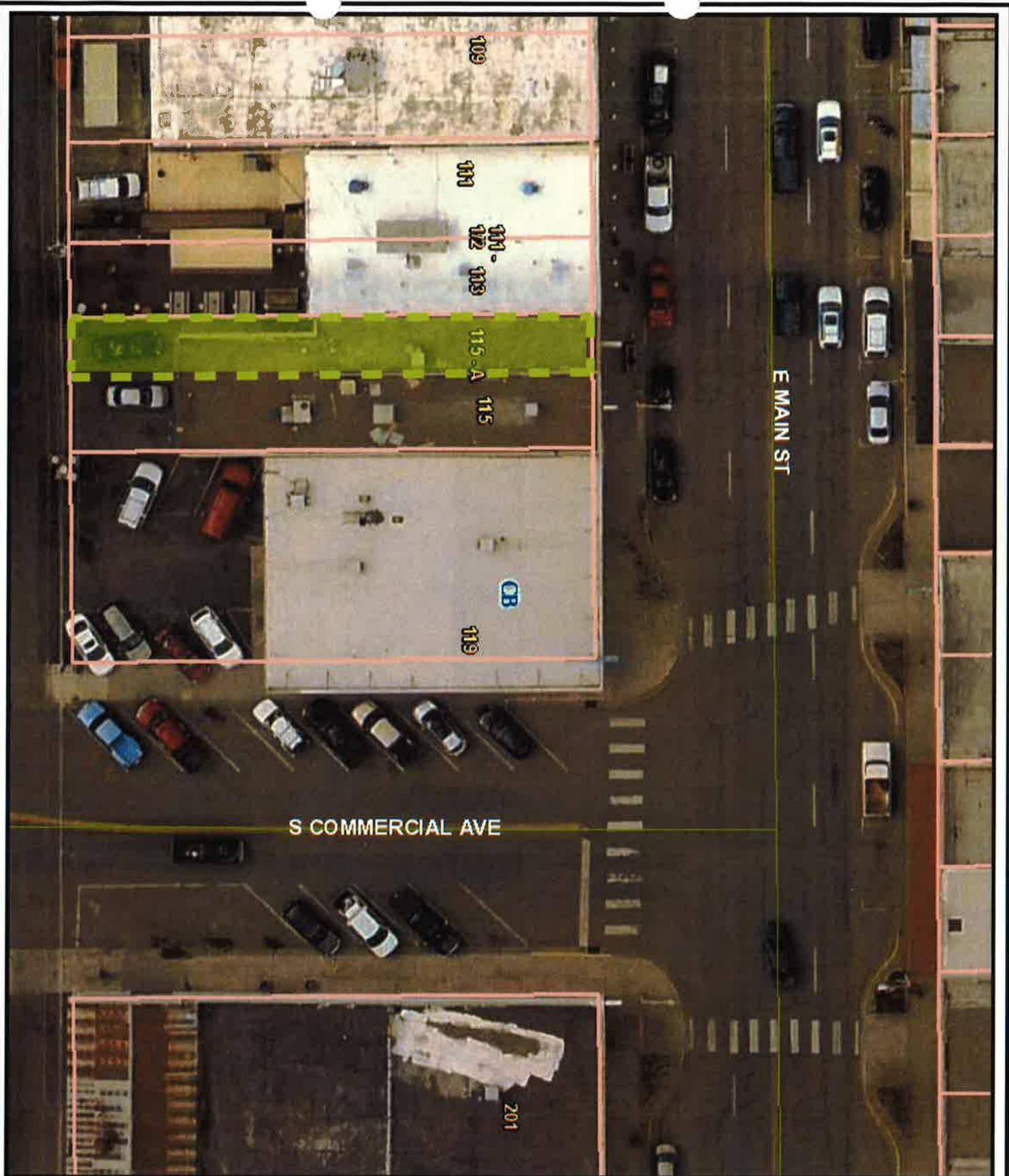
Cynthia Lopez stated that a tattoo parlor is going in at 115-A E. Main Street. Chair Thompson asked if there have been issues with previous tattoo parlors. Michael Bulloch stated that there have not been issues. Commissioner McNeil asked what the plan was for the window and façade of the building. Cynthia Lopez said the state regulates some conditions, and restrictions or conditions could be put in place to ask that the façade be tasteful. Personal property rights had to be taken into consideration when asking for any restrictions or conditions. The City has to consider legal ramifications when regulating signs. Commissioner Barbeau asked that the sign style not include any type of graffiti. She asked that the sign be professional. Cynthia Lopez noted that only the sign size and placement could be regulated. Also, the sign could not be sexually explicit.

STAFF CONCLUSION

Staff concludes that approval of SUP 15-08 is appropriate. A waiver to 8-15-3 restricting a body art establishment located within 300 feet of a school, church, or residence is also appropriate.

STAFF RECOMMENDATION

The Community Development Department recommends **approval** of Petition SUP 15-08 a request from Heather Alexander and Joshua Johnson for a special use permit to operate a body art establishment located at 115 East Main Street in the CB Central Business District with a waiver to the distance of the body art establishment to the church within 180-feet from the subject property.



25
Feet

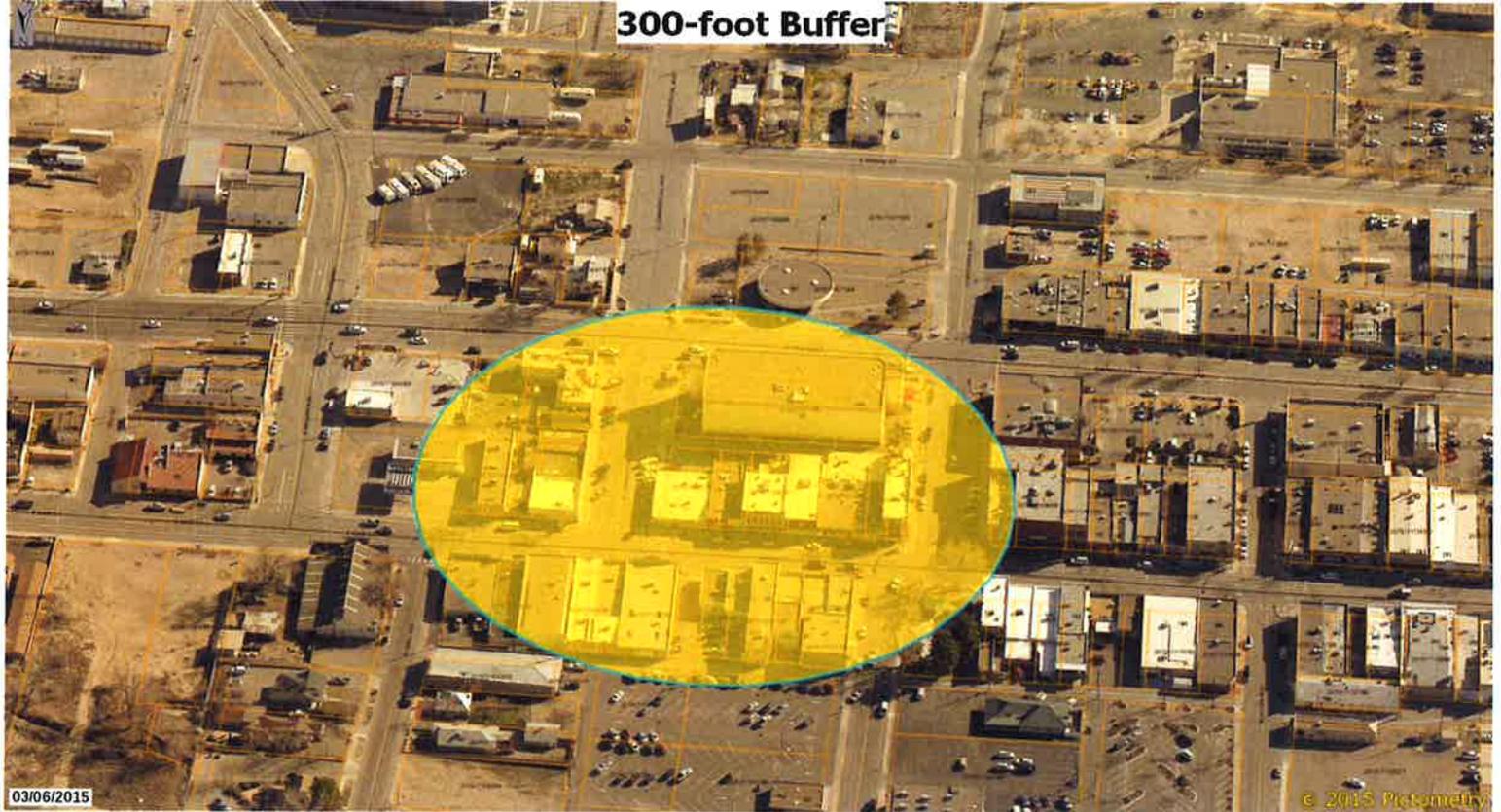


AREA UNDER CONSIDERATION
Petition No. SUP 15-08

**COMMUNITY
DEVELOPMENT
DEPARTMENT**

Date: 12/16/2015

300-foot Buffer



03/06/2015

© 2015 Pictometry



PLANNING MEMO COMMENTS SUMMARY

SUP 15-08 115A E. MAIN STREET

Deadline: 12/23/15

City of Farmington Departments

CD	Director – Mary Holton	Comments will be incorporated into the staff memo.
CD	Addressing – Planning Division	
CD	Chief Building Official – Derrick Childers	No comment
CD	Long Range Planner	
CD	MPO – Duane Wakan	
CD	Oil & Gas Inspector – Leona Sims	
CITY	City Manager's Office – Bob Campbell	
ELEC	Customer Care Manager – Nicki Parks	No comment
ELEC	Electrical Engineering - Luwil Aligarbes	No conflict
ELEC	T & D	
FIRE	Fire Marshall –Brandy Vega	No comments from our office at this time.
LEGAL	City Attorney – Jennifer Breakell	
LEGAL	Deputy City Attorney-Russel Frost	
POLICE	Code Compliance -	
POLICE	Sergeant Flores	
PRCA	Cory Styron	
PW	City Engineer- Nica Westerling	No engineering issues identified
PW	Engineering – Toni Sitta	I have no comments for SUP 15-08 115 E Main
PW	Streets Superintendent – Jim Couch	
PW	Traffic Engineer– Charles Trask	
PW	Water/Waste Water – Manuel Tso	No comment

Other Entities

New Mexico Gas Company	
CenturyLink-Willatto	No comment
Qwest Communications	
Enterprise Field Services	
Comcast Cable-Mark Johnson	
CH2MHILL OMI	
Williams Field Services	
Farmington School District	

PETITION APPLICATION

	<p>Incomplete applications will not be accepted.</p> <p>Return completed application to:</p>	<p>Planning Division Community Development Department City of Farmington 800 Municipal Drive Farmington, NM 87401 (505) 599-1317 (505) 599-1299 (fax)</p>										
<p>PROJECT TYPE (Check Those Applicable)</p> <table style="width: 100%;"> <tr> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Annexation and / or Zoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plan </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Summary Plat <input checked="" type="checkbox"/> Special Use Permit <input type="checkbox"/> Variance (ARB) </td> <td style="width: 33%; vertical-align: top;"> <input type="checkbox"/> Zone Change to _____ District <input type="checkbox"/> Temporary Use Permit Proposed Length of Use: _____ <input type="checkbox"/> Well site equipment modification </td> </tr> </table>			<input type="checkbox"/> Annexation and / or Zoning <input type="checkbox"/> Preliminary Plat <input type="checkbox"/> Final Plan	<input type="checkbox"/> Summary Plat <input checked="" type="checkbox"/> Special Use Permit <input type="checkbox"/> Variance (ARB)	<input type="checkbox"/> Zone Change to _____ District <input type="checkbox"/> Temporary Use Permit Proposed Length of Use: _____ <input type="checkbox"/> Well site equipment modification							
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<p>INFORMATION</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> Applicant's Name: <u>Heather Alexander</u> <u>Joshua Johnson</u> </td> <td style="width: 50%;"> Project Location: <u>115 E. Main</u> </td> </tr> <tr> <td> Address: <u>19013 E. 10th Ave.</u> </td> <td> Existing Use: <u>VACANT</u> </td> </tr> <tr> <td> E-Mail: <u>mrtankstattoos@gmail.com</u> </td> <td> Proposed Use: <u>Tattoo Shop</u> </td> </tr> <tr> <td> Telephone: <u>(505) 332-6259 (505) 338-3037</u> </td> <td> Current Zoning: _____ </td> </tr> <tr> <td> Relationship to Property Owner: <u>Lessee</u> </td> <td> Assessor's Parcel I.D. and/or Tax I.D. Number: _____ </td> </tr> </table>			Applicant's Name: <u>Heather Alexander</u> <u>Joshua Johnson</u>	Project Location: <u>115 E. Main</u>	Address: <u>19013 E. 10th Ave.</u>	Existing Use: <u>VACANT</u>	E-Mail: <u>mrtankstattoos@gmail.com</u>	Proposed Use: <u>Tattoo Shop</u>	Telephone: <u>(505) 332-6259 (505) 338-3037</u>	Current Zoning: _____	Relationship to Property Owner: <u>Lessee</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: _____
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Telephone: <u>(505) 332-6259 (505) 338-3037</u>	Current Zoning: _____											
Relationship to Property Owner: <u>Lessee</u>	Assessor's Parcel I.D. and/or Tax I.D. Number: _____											
Legal Description of Subject Property: <u>FARMINGTON ORIGINAL TOWNSHIP; LOT: 2A, Block: 1a</u> Is Property subject to deed restrictions, covenants, or homeowners' association agreements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide copy with application.												
<p>REPRESENTATIVE / CONTACT PERSON (if other than applicant)</p> <table style="width: 100%;"> <tr> <td style="width: 50%;">Name: _____</td> <td style="width: 50%;">E-Mail: _____</td> </tr> <tr> <td>Phone: _____</td> <td>Address: _____</td> </tr> </table>			Name: _____	E-Mail: _____	Phone: _____	Address: _____						
Name: _____	E-Mail: _____											
Phone: _____	Address: _____											
<p>OWNERSHIP</p> <table style="width: 100%;"> <tr> <td style="width: 50%;"> PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase) Name: <u>DIEMAN PROPERTIES LLC</u> Phone: <u>505-742-1680</u> Address: <u>PO BOX 70024 ALBUQUERQUE, NM 87197-0024</u> </td> <td style="width: 50%;"> MORTGAGE HOLDERS (If any) Name: <u>NONE</u> Phone: _____ Address: _____ </td> </tr> </table>			PROPERTY OWNER (Identify General Partners, Managing Partner, Corporation President and Secretary. Specify type of ownership interest: Fee, Real Estate Contract, Option to Purchase) Name: <u>DIEMAN PROPERTIES LLC</u> Phone: <u>505-742-1680</u> Address: <u>PO BOX 70024 ALBUQUERQUE, NM 87197-0024</u>	MORTGAGE HOLDERS (If any) Name: <u>NONE</u> Phone: _____ Address: _____								
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<p>OWNER CERTIFICATION * (Physical and Mailing)</p> <p>I certify that I am an owner and the information and exhibits herewith are true and correct to the best of my knowledge in filing this application. I am acting with the knowledge and consent of all persons in interest and understand that without the consent of all persons in interest the requested action cannot lawfully be accomplished. I give my permission for authorized officials of the City of Farmington or Planning and Zoning Commission to enter the premises described in this application. I understand applications will generally be reviewed by City Council at their first regular session following the P&Z review.</p>												
<table style="width: 100%;"> <tr> <td style="width: 50%;">Name: <u>Dieman Properties, LLC</u></td> <td style="width: 50%;">Address: <u>PO Box 70024 ALBUA - NM 87197-0024</u></td> </tr> <tr> <td>Owner's Signature: <u>[Signature]</u></td> <td>Phone / Email: <u>redigman@yahoo.com</u></td> </tr> </table>			Name: <u>Dieman Properties, LLC</u>	Address: <u>PO Box 70024 ALBUA - NM 87197-0024</u>	Owner's Signature: <u>[Signature]</u>	Phone / Email: <u>redigman@yahoo.com</u>						
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Owner's Signature: <u>[Signature]</u>	Phone / Email: <u>redigman@yahoo.com</u>											
<p>*** STAFF USE ONLY ***</p>												
Received By _____ Date _____ Fee Received _____ Project File No. _____ Date of Hearing/Meeting: _____		<input type="checkbox"/> Blueline Copies of Plans _____ <input type="checkbox"/> Ownership Report (subject and surrounding properties) _____ <input type="checkbox"/> Legal Description _____ <input type="checkbox"/> Detailed Statement of Proposed Use _____										

Document2

**P&Z PLANNING & ZONING COMMISSION
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the following application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico.

Petition No. SUP 15-08 - a request from Heather Alexander and Joshua Johnson for a Special Use Permit for a body art establishment in the Central Business District and a wavier to Farmington's City Code Sec. 8.15.3 for property located at 115-A E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Block 6, E. 32 ft. of Lot 2, Farmington, San Juan County, New Mexico.
Otherwise located at 115-A E. Main St.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that this petition will be considered at the regularly scheduled Public Hearing of the Planning and Zoning Commission of the City of Farmington on Thursday, January 14, 2016, at 3:00 p.m. in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this petition will be considered by the City Council on Tuesday, January 26, at 6:00 p.m., in the City Council Chambers. All interested individuals are invited to attend the hearing and shall have an opportunity to be heard with respect to the subject Petition.

Karen Walker
Administrative Assistant

Legal No. 72229 published in The Daily Times on December 27, 2015.

**NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT
PETITION NO. SUP 15-08**

December 22, 2015

Dear Property Owner:

Notice is hereby given that an application has been filed with the Planning and Zoning Commission of the City of Farmington, New Mexico, a request from Heather Alexander and Joshua Johnson for a Special Use Permit for a body art establishment in the Central Business District and a waiver to Farmington's City Code Sec. 8.15.3 for property located at 115-A E. Main Street, in the City of Farmington, San Juan County, New Mexico, as described below:

LEGAL DESCRIPTION

Block 6, E 32 ft. of Lot 2, Farmington, San Juan County, New Mexico.

Otherwise located at 115-A E. Main St.

Pursuant to the provisions of Section 3-21-6, New Mexico Statutes Annotated, 1978 Compilation, notice is hereby given that the petition will be heard in a public hearing by the Planning and Zoning Commission of the City of Farmington on **Thursday, January 14, 2016 at 3:00 p.m.** in the City Council Chambers at City Hall, 800 Municipal Drive, Farmington, New Mexico. If forwarded by the Commission, this item will be reviewed by the City Council on **Tuesday, January 26, 2016, at 6:00 p.m.** in the City Council Chambers. All persons shall have an opportunity to be heard why said application should be granted or denied. All persons in interest and citizens are invited to attend said hearing.

You are receiving this letter because you may own property within 100 feet (excluding public right-of-way) of the proposed change. You are invited to attend the hearings noted above or submit written comments prior to the meeting to the Planning Division -- Community Development Department at 800 Municipal Drive, Farmington, New Mexico 87401. Please be advised that this petition could be cancelled or withdrawn prior to the meeting date.

If you have any questions regarding this notice, or would like additional information regarding this petition, please contact Steven Saavedra at 505-599-1282 or ssaavedra@fmtn.org.

Sincerely,



Karen Walker
Administrative Assistant

GUARDIAN ABSTRACT & TITLE CO., INC.
221 NORTH AUBURN
FARMINGTON, NEW MEXICO 87401

PROPERTY OWNERS WITHIN 100 FEET, EXCLUDING ROADWAYS AND ALLEYS OF THE FOLLOWING DESCRIBED PROPERTY: **Original Townsite of Farmington Block 6, E 32 ft of Lot 2**

OWNER: Digman Properties, LLC
P.O Box 70024
Albuquerque, NM 87197-7197
1514/666

<u>ADJOINING OWNER</u>	<u>ADDRESS</u>	<u>LEGAL DESCRIPTION</u>
BS Enterprises LLP 1327/291, 1427/878 and 1388/276	101 E. Main Farmington, NM 87401-7401	Original Townsite of Farmington Block 6 W 18 ft. of Lot 2, E1/2 of Lot 3, W1/2 of Lot 3 and E 9 ft. of Lot 4 Original Townsite of Farmington Replat "B" Replat of West 41 feet Lot 4 and Lot 5 Block 6 Original Townsite of Farmington Lot 3B
Ferrari, Dominic 1593/791	4434 E. Crystal Lane Paradise Valley, AZ 85253	Replat of Lots 4 and 5 of Block 3 Original Townsite of Farmington, New Mexico Tract B
Cap-Can LLC 1216/120	108 N. Orchard Ste. 101 Farmington, NM 87401-6207	Replat of Lots 4 and 5 of Block 3 Original Townsite of Farmington, New Mexico Tract A

Z-C Inc. 1568/853	104 E. Main Farmington, NM 87401	Original Townsite of Farmington Block 3 W1/2 of Lot 3
McKinney, Phillip and Barbara 1555/606	101 E. Pinon Farmington, NM 87401-7401	Original Townsite of Farmington Block 3 E1/2 of Lot 3
Williams Family Trust 1295/692	P.O Box 1497 Farmington, NM 87499-1497	Original Townsite of Farmington Block 3 W1/2 of Lot 2
Cook, Jack D. Trustee 1580/43	116 E. Main St. Farmington, NM 87401	Original Townsite of Farmington Block 3 E1/2 of Lot 2
City of Farmington 676/21	800 Municipal Dr. Farmington, NM 87401-2663	Original Townsite of Farmington Block 3 W1/2 of Lot 1
Englebrecht, Lloyd H. and Dorothy R. Trustees 1332/558	1605 Camina Placer Farmington, NM 87401-8019	Original Townsite of Farmington Block 3 E1/2 of Lot 1 and McHenry's First Addition Block 1 Lot 8
124 East Main LLC 1517/267	126 E. Main S. Farmington, NM 87401-7401	McHenry's First Addition Block 1 Lot 7
126 East Main LLC 1517/269	126 E. Main St. Farmington, NM 87401-7401	McHenry's First Addition Block 1 Lot 6

Beckstead, Cloyd B and
Nona P.
1401/623

465 Road 6100
Kirtland, NM
87417-7417

Original Townsite of
Farmington
Block 7
W1/2 of Lot 4

Beckstead, Cloyd Bruce
1420/322

465 Road 6100
Kirtland, NM
87417-7417

Original Townsite of
Farmington
Block 7
Lot 5

Main Barber Shop II LLC
1576/143

1710 E. 22nd St.
Farmington, NM
87401-7401

Original Townsite of
Farmington
Block 7
Pt. of Lots 6, 7 and 8

Capstar Radio Operating
Company
1315/954

20880 Stoneoak
Parkway
San Antonio, TX
78258-8258

Original Townsite of
Farmington
Block 7
Pt. of Lots 6, 7, 8, 9
and 10

Wells Fargo Bank
New Mexico
641/91, 641/129, 727/481
730/42 and 1307/669

ATTN: Thomson Property
Tax Services
P.O Box 2609
Carlsbad, CA
92018-2018

Original Townsite of
Farmington
Block 6
Lots 6, 7, 8, 9, 10, 11, 12
13, 14 and 15

Hill, Nathan and
Carson, Sandra
1592/180

4780 Sunrise Circle
Farmington, NM
87401

Original Townsite of
Farmington
Block 6
Lot 1

R0023464
FARMINGTON CITY OF
928 / 73
0.24 Ac.

R0025602
DAVIS ANNIE CHARLENE TRUST
1548 / 509
0.17 Ac.

R2000359
FARMINGTON CITY OF
/
0.23 Ac.

ORCHARD

Not To Scale



N

R0021992
BS ENTERPRISES LLP
1388 / 275
0.1 Ac.

R0020145
BS ENTERPRISES LLP
1427 / 878
0.1 Ac.

R0031671
BS ENTERPRISES LLP
1327 / 291
0.12 Ac.

R0031667
DIGMAN PROPERTIES LLC
1514 / 666
0.09 Ac.

R0020369
Hill, Nathan
Carson, Sandra
1592/180

R0027723

Ferrari,
Dominic
1593/791
Z-C Inc
1568/853

McKinney, Phillip
Barbara
1555/606
Williams
Family Trust

12951/092
Cook, Jack
Trustee
1580/43

100, City of
Farmington
1576/21
Engelbrecht, Lloyd
Dorothy
Trustees

1332/558

124 E Main LLC
1517/267

126 E Main LLC
1517/269

R0020711
BASIN DEVELOPMENT
688 / 591
0.39 Ac.

R0023465
WELLS FARGO BANK NEW MEXICO
1641/91
1641/129
727/481
730/42
1307/669

29 - 13 - 16 - 1

100'

MAIN

100'

100'

100'

COMMERCIAL

100'

Capstar
Radio
Operating
Company
1315/954
Main Barber
Shop
1516/143

Beckstead, Cloyde
1420/322

Beckstead, Cloyde
Nona
1401/623



"We're People Helping People"

MICHAEL L. SMITH, President

ABSTRACT & TITLE CO., INC.
221 N. Auburn • Farmington, New Mexico 87401
(505) 325-2895 • FAX (505) 327-1585

December 9, 2015

City of Farmington
Planning and Development
800 Municipal Drive
Farmington, NM 87401

RE: Ownership Search for:
Original Townsite of Farmington
Block 6, E 32 ft. of Lot 2

OWNER: Digman Properties, LLC
P.O Box 70024
Albuquerque, NM 87197-7197
1514/666

Gentlemen:

Referring to the captioned matter, we enclose a list of the owners and their addresses pursuant to the San Juan County Records. A map has been provided to indicate location of each owner that is within 100' from subject property, excluding roadways and alleys. We certify the attached list to be complete and accurate as to such owners and their addresses according to the records of the San Juan County Clerk through December 8, 2015 at 5:00 p.m.

We trust this information will be sufficient for your purpose. If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

Michael L. Smith

MLS/cb
enclosures

WARRANTY DEED

Equity Investments II, LLC., a Colorado limited liability company, for consideration paid, grant to Digman Properties, LLC., a New Mexico limited liability company whose address is:

826 E Navajo Farmington nm 87401

the following described real estate in San Juan County, New Mexico:

The East Thirty-Two feet of Lot 2, in Block 6, of the ORIGINAL TOWN OF FARMINGTON, San Juan County, New Mexico, as shown on the Plat of said Townsite filed for record August 19, 1891.

SUBJECT TO taxes for the year 2010 and thereafter; mineral reservations and/or conveyances heretofore made; and any and all easements and servitudes, public or private, of whatsoever kind or nature, in existence at the date hereof;

with warranty covenants.

WITNESS our hands and seals this 31 day of Aug, 2010

Equity Investments II LLC

[Signature]
By: Sharilyn J. Townsend, Manager

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF SAN JUAN } SS.

Sworn to, subscribed and acknowledged before me this 31 day of August, 2010
by Sharilyn J. Townsend, manager of Equity Investments II, LLC., a Colorado limited liability company.

My commission expires: 4-23-12

[Signature]
Notary Public



201011127 08/31/2010 04:18 PM
1 of 1 B1514 P666 R \$9.00
San Juan County, NM DEBBIE HOLMES



MINUTES
PLANNING & ZONING COMMISSION

December 10, 2015

The Planning and Zoning Commission met in a regular session on December 10, 2015 at 3:00 p.m. in the City Council Chambers, 800 Municipal Drive, Farmington, New Mexico

P&Z Members Present:

Chair-Joyce Cardon
Shay Davis
Clint Freeman
Kristin Langenfeld
Cheryl Ragsdale
Paul Thompson

P&Z Members Absent:

Rory Jaquez
Cody Waldroup
Del Washburn

Staff Present:

Bob Campbell
Teri Clashin
Mary Holton
Cynthia Lopez
Toni Sitta
Steven Saavedra
Karen Walker

Others Who Addressed the Commission:

None

Call to Order

Chair Cardon called the meeting to order at 3:02 p.m. There being a quorum present the following proceedings were duly had and taken.

Presentation of the Agenda

Senior Planner Cindy Lopez mentioned that Petition No. FP 15-07 had been postponed by the petitioner until January 14, 2016.

Approval of the Minutes

A motion was made by Commissioner Davis and seconded by Commissioner Ragsdale to approve the minutes of the November 12, 2015 P&Z Meeting. This motion was approved unanimously by a 5-0 vote. NOTE: Commissioner Thompson arrived at 3:05 p.m.

Swearing in of Witnesses

All parties that wished to speak on behalf of any agenda item were sworn in by Karen Walker.

COMMUNITY DEVELOPMENT PETITION REPORT

Petition SUP 15-07- Outside Storage

935 Malta Avenue

Planning & Zoning Commission Discussion of Petition SUP 15-07 on December 10, 2015

Senior Planner Cindy Lopez presented the staff report for SUP 15-07, a request from William Cillessen for a Special Use Permit for outside storage for reels of stainless steel tubing and other small business related materials at 935 Malta Avenue in the GC General Commercial District.

The lot is one of many properties in the area owned by the petitioner. The property is leased to SP Services. The property is fenced with slats in the fence that blocks the view of the stored materials from the street. Several other properties in the area have been approved for special use permits for outside storage. This area of the City has business types that have the need for outside storage as part of the way they conduct business.

Staff recommends approval of Petition SUP 15-07.

Planning & Zoning Commission Action of Petition SUP 15-07 on December 10, 2015

A motion was made by Commissioner Freeman and seconded by Commissioner Davis to **approve** Petition SUP 15-07, a request from William Cillessen for a Special Use Permit for outside storage for reels of stainless steel tubing and other small business related materials at 935 Malta Avenue in the GC General Commercial District.

AYE: Chair Cardon, Commissioners Davis, Freeman, Langenfeld, Ragsdale, and Thompson.

NAY: None

Abstained: None

Absent: Commissioners Jaques, Waldroup, and Washburn.

Motion passed 6-0

Discussion and Action Regarding Meeting Dates that Fall on Holidays During 2016

Cindy Lopez stated that the second meeting of November, November 24, 2016, falls on Thanksgiving, and the December 29, 2016 meeting falls between Christmas and New Year. Chair Cardon noted that anytime there is a meeting during the holiday season there are usually issues in regards to obtaining a quorum.

Commissioner Thompson made a motion to cancel the meetings that fall on November 24, 2016 and December 29, 2016. Commissioner Ragsdale seconded the motion.

Motion passed 6-0

Business from the Floor: There was no business from the Floor.

Business from the Chair: There was no business from the Chair.

Business from the Members: There was no business from the Members.

Business from Staff: Cindy Lopez introduced Teri Clashin, the new CDBG planner.

Ms. Lopez reported ABD 15-01, a request for the Abandonment of a cul-de-sac east of Viento Avenue, and ZC 15-10, a request for a Zone Change from GC General Commercial to SF-7 Single Family Residential for 6401 E. Main Street stayed on consent and were approved at the November 10, 2015 City Council Meeting.

Adjournment: With no further business and a motion by Commissioner Davis and seconded by Commissioner Ragsdale, the Planning and Zoning Commission meeting of December 10, 2015 was adjourned at 3:15 p.m.

Joyce Cardon
Chair

Karen Walker
Administrative Assistant