

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: January 27, 2015

TO: Board of County Commissioners

FROM: Miguel "Mike" Romero, Development Review Specialist Sr. *MP*

VIA: Katherine Miller, County Manager *KM*
Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building & Development Services Manager *VL*
Wayne Dalton, Building & Development Services Supervisor *WD*

FILE REF: BCC CASE # PCEV 14-5410 Richard Berman Vacation of Easement

ISSUE:

Richard Berman, Applicant, (Paramount Surveys, Inc.) Paul Rodriguez, Agent, request approval to vacate three (3) platted drainage easements on one lot totaling 1.397 acres.

The property is located at 35 Blue Canyon Way, within Section 20, Township 17 North, Range 9 East, (Commission District 2).

Vicinity Map:



SUMMARY:

The subject property (Tract F-1) was created through a Family Transfer/Land Division on March 6, 1998 and is considered a legal lot of record. The Applicant acquired the real property by warranty deed recorded as instrument 1712040 in the Santa Fe County Clerk's records on the 15th day of July 2013.

The subject property has an accessory structure that was permitted by the previous property owner as permit #05-1197. Currently, there is no dwelling unit on the subject property. The Applicant requests to vacate three (3) platted drainage easements that run east to west through the property (Refer to Exhibit 4). The three (3) drainage easements were created by a previous plat titled Plat of Survey for Jose A. Martinez (Book 219 Page 023), which was recorded in the Santa Fe County Clerk's Office on the 29th day of January 1991. The plat, Plat of Survey for Jose A. Martinez was approved by the Extraterritorial Zoning Commission (EZC) and the Santa Fe County Land Use Administrator. The plat also reflects other drainage easements on separate properties that border the subject property to the north and south. However, none of these other drainage easements tie into the three (3) drainage easements being vacated. No prior plats were located for this easement. The lots that border east and west of the subject property do not show drainage easements on their recorded survey plats. The Applicant requests to have the three (3) drainage easements vacated to acquire buildable area.

The Applicant has provided a Drainage Analysis, prepared by Jorge Gonzalez (Registered Professional Engineer) concluding that the three (3) drainage easements are small with peak flows of five (5) cubic feet per second (CFS) or less. Ordinance 2008-10 requires setbacks where drainage is 25cfs or greater. The Applicant's drainage report shows that the flows in these areas are less therefore; the flow would not need to be identified in a drainage easement. The drainage easements do not continue on to the adjacent properties. Based on the Drainage Analysis submitted peak flows within the property are insignificant. Therefore, there will be no impact to the neighboring properties if there drainage easements were to be vacated.

The Applicant has provided sufficient noticing by providing notice to the New Mexican, which was published on November 18, 2014. The Applicant has also provided certified mail receipts (dated November 18, 2014) and certification of posting acknowledgment that the public notice has been posted for 21 days on the property.

Article V, § 5.7.1 (Cause) states, any Final Plat filed in the office of the County Clerk may be vacated or a portion of the Final Plat if:

- a) The owners of the land proposed to be vacated sign an acknowledgment statement, declaring the Final Plat or a portion of the Final Plat to be vacated, and the statement is approved by the Board; or
- b) The Board finds that a plat was obtained by misrepresentation or fraud and orders a statement of vacation to be prepared by the County.

Article V, § 5.7.2 (Action) states, "Action shall be taken at a public meeting. In approving the vacation of all or a part of a Final Plat, the Board shall decide whether the vacation will adversely affect the interests of persons on contiguous land or of persons within the subdivision being vacated. In approving the vacation of all or a portion of a Final Plat, the Board may require that roads dedicated to the County in the Final Plat continue to be dedicated to the County."

Article V, § 5.7.3 (Filing) states, "The approved statement declaring the vacation of a portion or all of a Final Plat shall be filed in the office of the County Clerk."

Article V, § 5.7.4 (Utilities) states, "The rights of any utility existing before the total or partial vacation of any Final Plat are not affected by the vacation of a Final Plat."

This Application was submitted on October 9, 2014.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and find the project is in compliance with County criteria for this type of request.

APPROVAL SOUGHT: Approval to vacate three (3) platted drainage easements on one lot totaling 1.397 acres.

GROWTH MANAGEMENT AREA: SDA 2

HYDROLOGIC ZONE: Santa Fe Urban Area Hydrologic Zone, minimum lot size per Code is 2.5 acres per dwelling unit. Lot size can be reduced to 1 acre with Community Water or Community Sewer. Lot size can be further reduced to 0.5 acres with Community Water and Sewer.

FIRE PROTECTION: Agua Fria Fire District.

WATER SUPPLY: Shared Domestic Well

LIQUID WASTE: None

VARIANCES: None

AGENCY REVIEW:	<u>Agency</u>	<u>Recommendation</u>
	Fire Prevention Division	Letter of Approval

STAFF RECOMMENDATION: Approval to vacate three (3) platted drainage easements on one lot totaling 1.397 acres based on the Drainage Analysis submitted; subject to the following condition:

1. The Applicant shall file the portion of the Final Plat (Tract F-1) affected by the vacated easements with the County Clerk's Office within 90 days of recording the order granting the vacation of easement or the approval will be null and void. (As per Article V § 5.7.3).

EXHIBITS:

1. Letter of request
2. Article V, § 5.7 (Vacations of Plats)
3. Site Photographs
4. Site Plan (Proposed Plat)
5. Recorded Survey Plat
6. Recorded Warranty Deed
7. Permit #05-1197
8. Jose A. Martinez Plat
9. Neighboring Plats
10. Aerial of Site and Surrounding Area
11. Drainage Analysis
12. Fire Prevention Letter
13. Public Noticing

October 15, 2014

Attn: Mike Romero
Santa Fe County Land Use Review
Santa Fe County
P.O. Box 276
Santa Fe, New Mexico 87504-0276

Dear Mike,

I, Richard Berman, am the property owner of a tract of land known as Tract F-1. I am asking the Board of County Commissioners to consider vacating three Drainage Easements that situate on my tract. It is belief that these drainage easements are minimal and do not cause any threats to anybody regarding flood waters. If the BCC agrees to uphold my request and vacate the said Drainage Easements, it is my belief that the adjoining property owners to my East and West will not be adversely affected by this decision.

The property is located at within Section 20, T17N, R9E, N.M.P.M., County of Santa Fe, New Mexico.

If you have any questions, suggestions or comments regarding this submittal, please feel free to call me at any time. Home: 505-473-2733 or Mobile: 505-670-9851.

Sincerely,



Richard Berman



1.27.15
RICHARD BERMAN
3212 LA PAZ LANE
SANTA FE, N.M. 87507

TO: miromero@co.santa-fe.nm.us

PLEASE BE ADVISED THAT PAUL RODRIGUEZ
OF PARAMOUNT SURVEYS WILL BE ACTING AS
MY AGENT TO HELP VACATE 3 DRAINAGE
EASEMENTS ON MY PROPERTY LOCATED AT:
35 BLUE CANYON WAY, SANTA FE, N.M. 87507

IF YOU HAVE ANY QUESTIONS OR I MAY BE OF
FURTHER ASSISTANCE PLEASE CONTACT ME
AT (505) 473-2733 or (505) 670-9851

THANK YOU.

Richard Berman



--- PARAMOUNT SURVEYS, INC. ---

1151 Cerro Gordo Rd.,
Santa Fe, NM 87501
Paul A. Rodriguez, President

Phone: 505-820-2340
Fax: 505-913-2225
paulrodriguez@paramountsurveys.com

August 21, 2014

Attn: John Lovato
Santa Fe County Land
Use review
Santa Fe County.
P.O. Box 276,
Santa Fe, NM 87504-0276

Re: Easement Vacation plat for Richard Berman

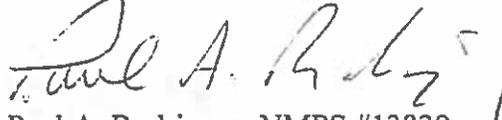
Dear John,

Enclosed herewith is a submittal for an easement vacation. Based on our field visit with you and Matt Martinez we are submitting this easement Vacation Plat for the purpose of vacating the Drainage Easements as depicted on the plat enclosed herewith. It is our understanding that these drainage's don't hold enough of a threat (if any) to justify such an easement. Please review and get back to me with any necessary changes and or additions to this submittal.

The property is located at within Section 20, T17N, R9E, N.M.P.M., County of Santa Fe, New Mexico.

If you have any questions, suggestions or comments regarding this submittal, please feel free to call me at any time.

Sincerely,


Paul A. Rodriguez, NMPS #13839

5.7 Vacation of Plats

- 5.7.1 Cause. Any final plat filed in the office of the County Clerk may be vacated or a portion of the final plat may be vacated if:
- the owners of the land proposed to be vacated sign an acknowledged statement, declaring the final plat or a portion of the final plat to be vacated, and the statement is approved by the Board; or
 - the Board finds that a plat was obtained by misrepresentation or fraud and orders a statement of vacation to be prepared by the County.
- 5.7.2 Action. Action shall be taken at a public meeting. In approving the vacation of all or a part of a final plat, the Board shall decide whether the vacation will adversely affect the interests of persons on contiguous land or of persons within the subdivision being vacated. In approving the vacation of all or a portion of a final plat, the Board may require that roads dedicated to the County in the final plat continue to be dedicated to the County.
- 5.7.3 Filing. The approved statement declaring the vacation of a portion or all of a final plat shall be filed in the office of the County Clerk
- 5.7.4 Utilities. The rights of any utility existing before the total or partial vacation of any final plat are not affected by the vacation of a final plat.

5.8 Requirements Prior to Sale, Lease or Other Conveyance

It is unlawful to sell, lease, or otherwise convey land within a subdivision before the following conditions have been met:

- Final plat approval. The final plat shall be approved by the Board and shall be filed with the County Clerk. If a subdivision lies within more than one county, the final plat shall be approved by the Board of each county in which the subdivision is located and shall be filed with the County Clerk of each county in which the subdivision is located.
- Relevant documents. The subdivider shall furnish the Board a sample copy of sales contracts, leases and any other documents that will be used to convey an interest in the subdivided land.
- Permanent markers. All corners of all parcels and blocks within a subdivision shall be permanently marked with metal stakes in the ground and a reference stake placed beside one corner of each parcel.

5.9 Succeeding Subdivisions

Any proposed subdivision may be combined and upgraded for classification purposes by the Board with a previous subdivision if the proposed subdivision includes:

- Part of a previous subdivision that has been created in the preceding seven (7) year period; or
- Any land retained by a subdivider after creating a previous subdivision when the previous subdivision was created in the preceding seven (7) year period.

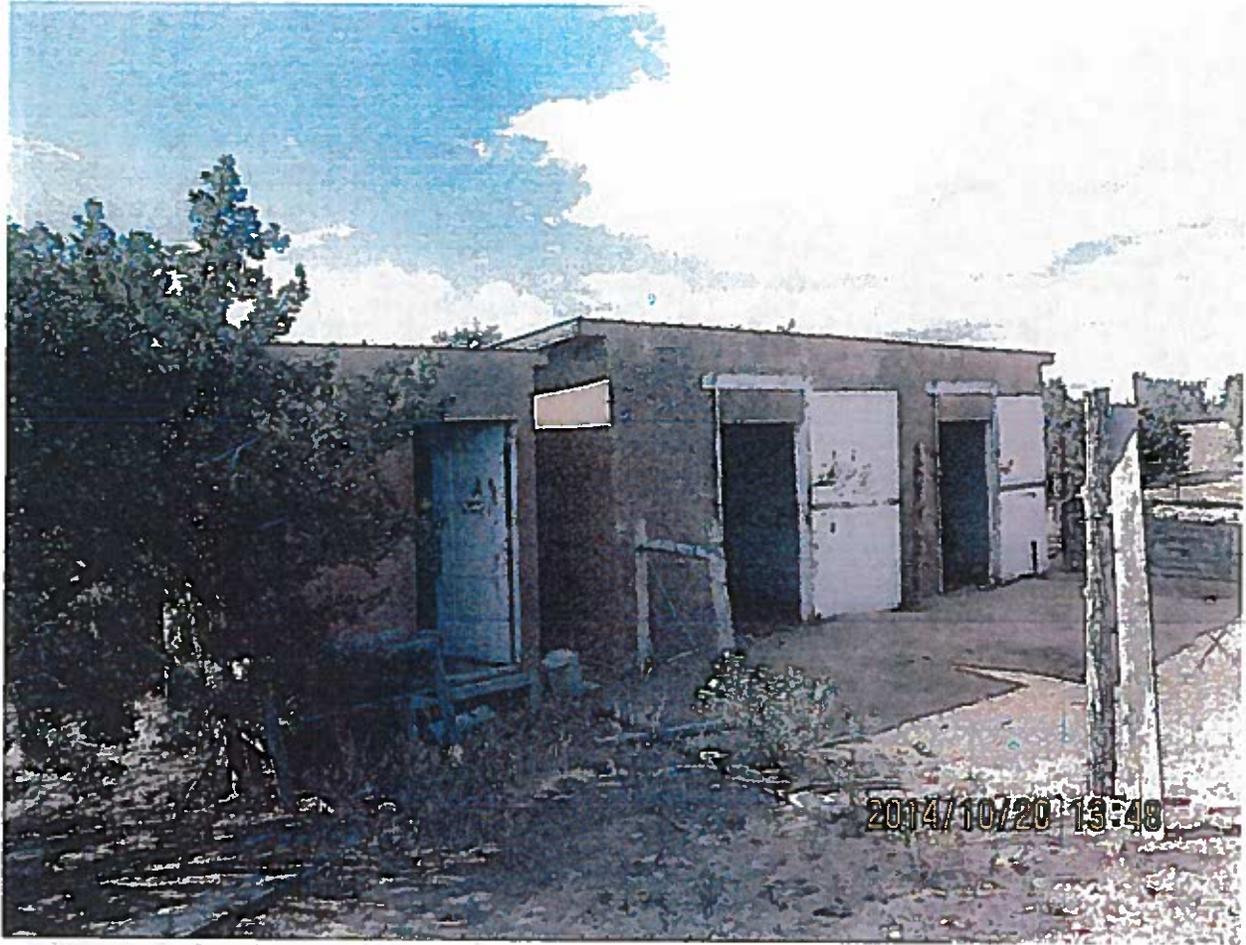
History. Section 5 was updated and revised by Ordinance 1996-8 for the purpose of clarification and to bring this Section into compliance with the NMSA.





EXHIBIT
3

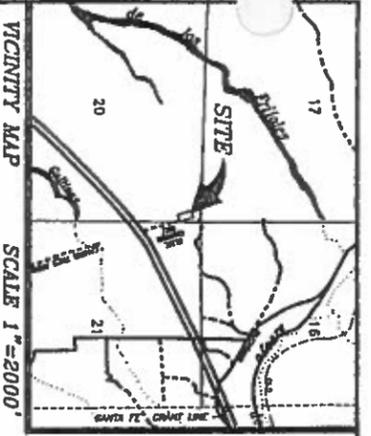










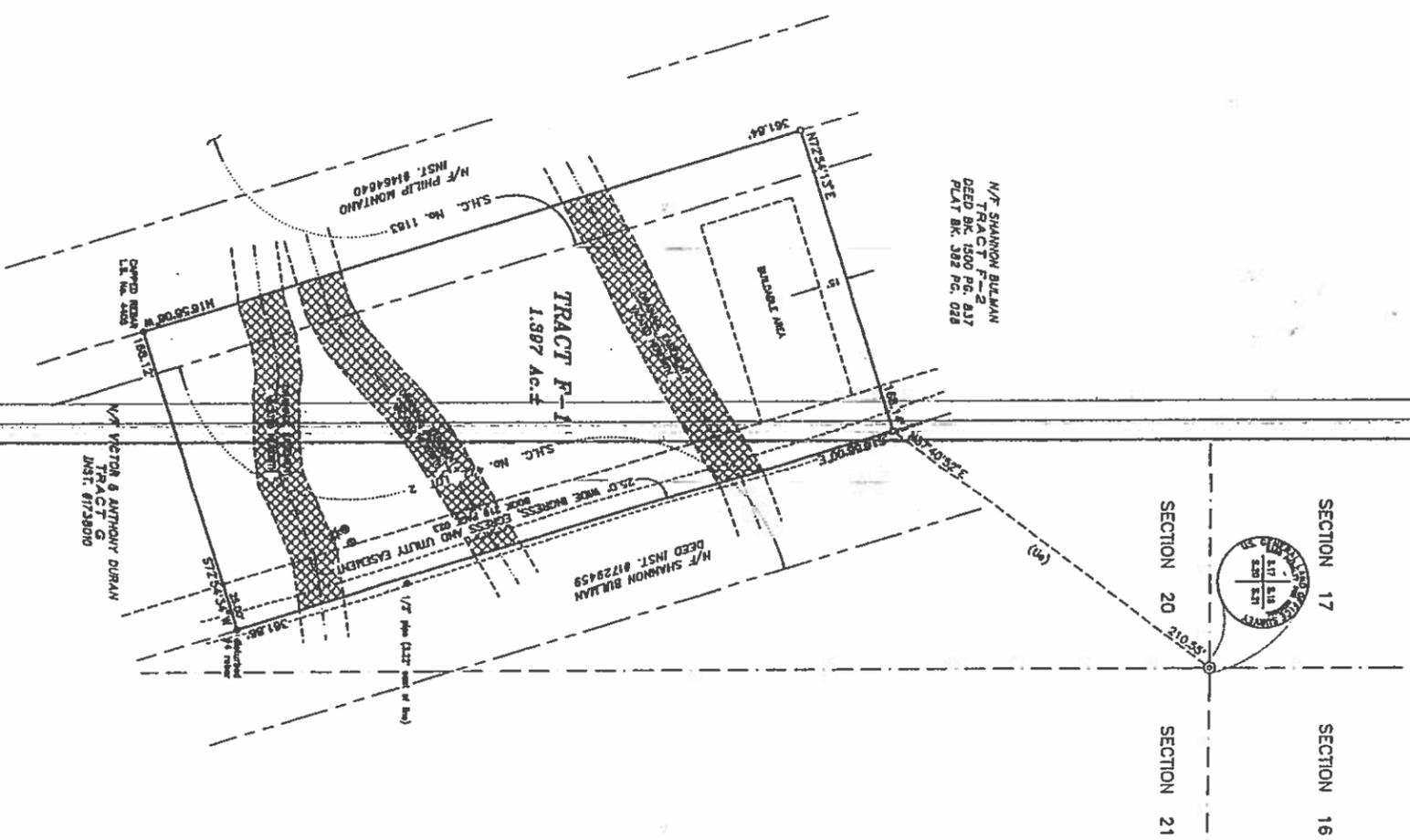


- LEGEND / PLAT REFERENCE**
- BEARINGS BASED ON THE PLAT TITLED "BOUNDARY RE-PLAT OF SURVEY REBUILT TO MATCHED & BAY LUNING TRACT F-1 BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13839 DATED JANUARY 19, 2005. SAID PLAT WAS RECORDED IN BOOK 578 PAGE 035, ON JANUARY 19, 2005, AS RECEPTION No. 1383,451, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO
- INDICATES MONUMENT FOUND AND USED AS INDICATED
 - INDICATES U.S.G.L.O. BRASS CAP, USED WITH THIS SURVEY.
 - INDICATES No. 4 REBAR WITH CAP, U.S. No. 12899L
 - INDICATES CALCULATED POINT NOT SET.
 - INDICATES WATER WELL PUMP.
 - INDICATES WATER WELL HEAD.
 - * INDICATES WATER SPOUT.
 - ▨ INDICATES VACATED EASEMENT PER THIS PLAT.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT AND THE SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL AND THAT THE DATA SHOWN HEREON IS TRUE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS. THIS PLAT WORK WAS PERFORMED FOR THE PURPOSE OF CREATING

PAUL A. RODRIGUEZ, N.M.P.S. No. 13839, DATE



DEDICATION / AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS: THAT THE UNDERSIGNED (OWNER) AND PRO-PRIETORS HAS CAUSED TO BE REPLANTED THE LANDS SHOWN HEREON, LYING AND BEING DESCRIBED IN THE PLAT ABOVE, WITH THE NEW CORNER, AND THAT APPLICABLE TO THE PLAT ABOVE WITH THE NEW CORNER, AND THAT ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED (OWNER) AND PRO-PRIETORS, THESE LANDS LIE WITHIN THE PLANNING AND ZONING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO, AND THE UNDERSIGNED (OWNER) HAS CAUSED THE LANDS TO BE REPLANTED WITH THE NEW CORNER, AND THAT THE UNDERSIGNED (OWNER) HAS CAUSED THE LANDS TO BE REPLANTED WITH THE NEW CORNER.

RICHARD BERMAN)
 STATE OF NEW MEXICO) ss
 COUNTY OF SANTA FE)
 ON THIS DAY OF 2014, THE FOREGOING INSTRUMENT WAS INSTRUMENTED BEFORE ME BY THE PERSON(S) WHOSE NAMES APPEAR ABOVE.

NOTARY PUBLIC COMMISSION EXPIRES
SANTA FE COUNTY APPROVAL

COUNTY LAND USE ADMINISTRATOR DATE
 COUNTY RURAL ADDRESSING DIRECTOR DATE
 COUNTY DEVELOPMENT PERMIT NO. 14
 COUNTY FIRE MARSHAL
 COUNTY TREASURER

(TRACT F-1) U.P.C. No. 1-050-099-500-490

RECORDING INFORMATION FOR COUNTY CLERK	ESSEMENT SURVEY
SECTION 20, 17TH REG. N.M.P.L.	RICHARD BERMAN
N/A	



ESSEMENT VACATION PLAT PREPARED FOR
 RICHARD BERMAN
 TRACT F-1,
 WITHIN A PORTION OF S.B.C. No. 1183 & S.B.C. 422 LOT 2, SECTION 20, 17TH REG. SURVEY, SANTA FE COUNTY, NEW MEXICO





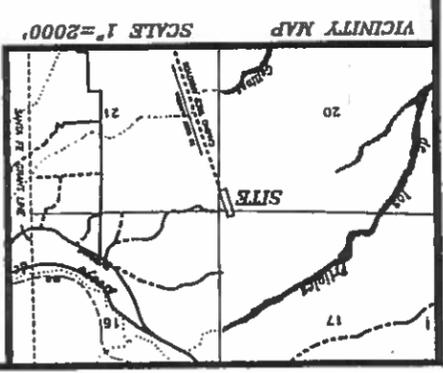
NOTES HEREON ARE A TRUE COPY OF THE ORIGINAL SURVEY AND CORRECT TO THE BEST OF THE SURVEYOR'S KNOWLEDGE AND BELIEF AND MEET THE REQUIREMENTS OF THE CIVIL ENGINEERING ACT AND MEET THE REQUIREMENTS OF THE CIVIL ENGINEERING ACT AND MEET THE REQUIREMENTS OF THE CIVIL ENGINEERING ACT.

CITY OF SANTA FE REVIEW
 SUBMISSION ENGINEER: [Signature]
 DATE: 12-4-97
 CITY PLANNING: [Signature]
 DATE: 12-2-97

NOTES AND CONDITIONS
 PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS, POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD CONSULT WITH THE NEW MEXICO ENVIRONMENTAL DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
 SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENTS (S) OR ROAD(S) AS SHOWN, PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATION.
 THIS PROPERTY IS SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD WHICH PERTAIN.
 THOSE AREAS DEPICTED AS BUILDABLE AREAS DO NOT EXCEED A SLOPE OF 15 PERCENT.
 THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF EXISTING NATURAL DRAINAGEWAYS OF THE LAND USE ADMINISTRATION OR WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATION OR COUNTY HYDROLOGIST.
 THE PARCELS AS PLATTED HEREON ARE SUBJECT TO SECTION 17.1 OF THE CZO.
 TERRAIN MANAGEMENT REQUIREMENTS (SECTION 2 OF THE CZO) SHALL BE COMPLIED WITH AT THE TIME OF BUILDING PERMIT APPLICATION FOR EACH LOT.
 SANITARY SEWERS ARE NOT AVAILABLE TO SUBJECT PROPERTY, ON-SITE SEWER DISPOSAL SYSTEMS MUST BE PERMITTED AND APPROVED BY NEW MEXICO ENVIRONMENTAL DEPARTMENT.
 PRIVATE ACCESS ROADS SHALL BE DEVELOPED IN COMPLIANCE WITH SECTION 15.2 OF THE CZO.

SANTA FE COUNTY APPROVAL
 COUNTY LAND USE ADMINISTRATION: [Signature]
 DATE: 5-5-98
 COUNTY DEVELOPMENT PERMIT NO. 97-4630
 COUNTY PUBLIC WORKS DIRECTOR: [Signature]
 DATE: 11/25/97

LEGEND / PLAT REFERENCE
 BEARING BASED ON THAT PLAT THEO "FAMILY TRANSFER PLAT OF SURVEY FOR JOSE A. MARTINEZ, BY SALVADOR C. VIGIL, M.T.S. NO. 4405, DATED MAY 14, 1980, RECORDED IN BOOK 219, SANTA FE COUNTY CLERK, NEW MEXICO (DATA WHERE DEFERENT) PAGE 023, AS RECEIVED NO. 728,140, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO (DATA WHERE DEFERENT).
 DENOTES MONUMENT FOUND AND USED AS INDICATED
 DENOTES U.S.G.L.O. BRASS CAP, USED WITH THIS SURVEY.
 DENOTES NO. 4 REBAR WITH CAP SET, L.S. NO. 1285B.
 DENOTES CALCULATED POINT NOT SET.
 DENOTES UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE.
 DENOTES ELECTRIC METER.
 DENOTES GAS METER.
 DENOTES FENCE LINE.



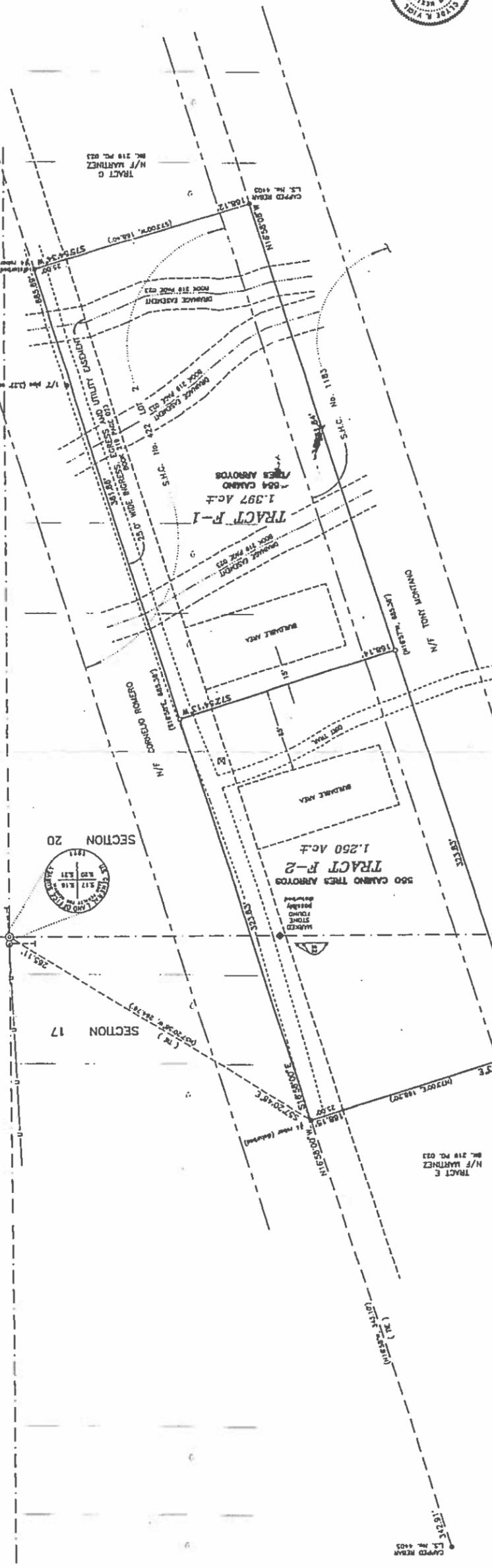
FAMILY TRANSFER
 FOR MICHAEL C. MANNING & AMY MANNING
 DRAWN BY: P.A.R.
 APPROVED BY: C.R.V.
 DATE: 10/12/97
 SCALE: 1" = 40'

FAMILY TRANSFER SURVEY PREPARED FOR MICHAEL C. and AMY MANNING

BEARING INFORMATION FOR THE COUNTY CLERK
 THIS PLAT CREATES TWO RESIDENTIAL LOTS

STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 I, Surveyor, do hereby certify that the instrument was filed for record on the 12th day of December, 1997, at 10:14-97.
 Witness my hand and seal of office this 12th day of December, 1997.
 County Clerk

SCALE 1" = 40'



E.Z.C. SIGNATURE
 ACCEPTED BY THE EXTRAJURISDICTIONAL ZONING COMMISSION AT ITS MEETING ON: 9-11-1997
 CHAIRMAN: [Signature]

NOTARY PUBLIC
 COMMISSION EXPIRES: 12-21-98
 ON THIS DAY OF May, 1997, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR ABOVE.

STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 OFFICIAL SEAL
 PAUL A. RODRIGUEZ
 NOTARY PUBLIC

MICHAEL C. MANNING
 DATE: 11-21-97

AMY MANNING
 DATE: 11-21-97

KNOW ALL PERSONS BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S) HAS CAUSED TO BE REPLICATED THE LANDS SHOWN HEREON, THING AND BEING SITUATE WITHIN THE COUNTY OF SANTA FE, NEW MEXICO, ALL THAT APPEARS ON THIS PLAT IN THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) AND PROPRIETOR(S). THESE LANDS ARE WITHIN THE PLANNING AND ZONING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO. MAINTENANCE OF THE ACCESS EASEMENTS AS SHOWN HEREON IS TO BE THE RESPONSIBILITY OF THE LAND OWNER(S). AN EASEMENT IS HEREBY GRANTED FOR ALL EXISTING UTILITIES.

DEDICATION / AFFIDAVIT

Return to Dona Ana Title Company
File No. 1837202-SF01 SG

e - Recorded 1712040 07/15/13 SFC

SPECIAL WARRANTY DEED

Los Alamos National Bank, for consideration paid, grant to Richard Berman, an unmarried man, whose address is PO Box 23629, Santa Fe, NM 87501, the following described real estate in Santa Fe County New Mexico:

TRACT F-1, AS SHOWN AND DELINEATED ON THE PLAT OF SURVEY ENTITLED "BOUNDARY RE-PLAT OF SURVEY PREPARED FOR MICHAEL & AMY MANNING TRACT F-1, WITHIN A PORTION OF S.H.C. NO. 1183, AND S.H.C. 422, LOT 2, SECTION 20, T17N., R9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO", FILED FOR RECORD ON JANUARY 19, 2005, AS DOCUMENT NO. 1363451, RECORDED IN PLAT BOOK 578, PAGE 036, RECORDS OF SANTA FE COUNTY, NEW MEXICO

BEING AND INTENDED TO BE:

TRACT F-1 AS SHOWN AND DELINEATED ON THE PLAT OF SURVEY ENTITLED "FAMILY TRANSFER SURVEY PREPARED FOR MICHAEL C. AND AMY MANNING...", FILED FOR RECORD ON MARCH 6, 1998, AS DOCUMENT NO. 1014957, IN PLAT BOOK 382, PAGE 28, RECORDS OF SANTA FE COUNTY, NEW MEXICO.

Subject to patent reservations, restrictions, and easements of record and taxes for the year 2013 and subsequent years.

with special warranty covenants.

WITNESS our hands and seal this fifteenth day of July, 2013.



Los Alamos National Bank


By: Joaquin Sanchez, In-House
Inspector

Representative Capacity

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SPECIAL WARRANTY DEED
PAGES: 1

I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of July, A.D., 2013 at 03:54:42 PM
And Was Duly Recorded as Instrument # 1712040
Of The Records Of Santa Fe County

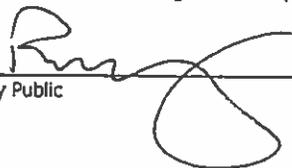
Deputy - EROMERO

Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

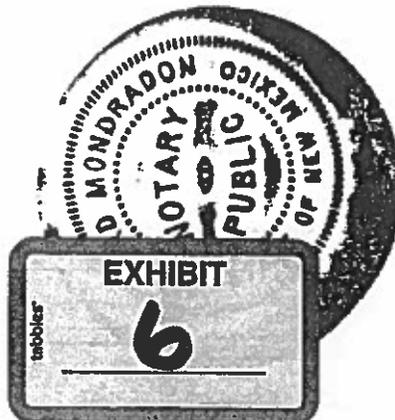
State of New Mexico)
County of Santa Fe) §

This instrument was acknowledged before me on July 15, 2013, by Joaquin Sanchez as In-House Inspector of Los Alamos National Bank, a New Mexico National Banking Association, on behalf of said Association.

My commission expires: 6/7/14


Notary Public

(Seal)



SD003NM

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SANTA FE COUNTY

DEVELOPMENT PERMIT APPLICATION

CONTROL # CS-1197

COMPLETE APPLICATION DATE _____

ISSUE DATE _____

APPLICANT INFORMATION

OWNER NAME: _____

VARGAS

(LAST)

Arturo

(FIRST)

(MIDDLE)

MAILING ADDRESS: _____

521 Airport Rd. #33 S.F. NM

STREET OR P.O. NUMBER

CITY

STATE

ZIP

87507HOME PHONE: (_____) 473-9611WORK PHONE: (_____) 473-5836

AGENT/CONTRACTOR NAME: _____

Home Owner

(LAST)

(FIRST)

(MIDDLE)

AGENT/CONTRACTOR ADDRESS: _____

STREET OR P.O. NUMBER

CITY

STATE

ZIP

AGENT HOME PHONE: (_____) _____

WORK PHONE: (_____) _____

PROPERTY INFORMATION

COUNTY RURAL ADDRESS: _____

#35 Blue Canyon Way

THIS ADDRESS IS AVAILABLE FROM THE SANTA FE COUNTY RURAL ADDRESSING DEPT. 995-2732

PROPERTY LOCATION ID: _____

TAXES PAID: (Y / N) _____

ACREAGE: 1.25LEGAL DESCRIPTION - TOWNSHIP: 16 NRANGE: 8 ESECTION: 1 Q1

Q2

Q3

SUBDIVISION: _____

GRANT/CLAIM: _____

UNIT: _____

TRACT: _____

BLOCK: _____

LOT: _____

DEED RECORDED AS - Deed Book _____

Page: _____

PLAT RECORDED AS - Plat Book _____

Page _____

Date Recorded _____

Date Recorded: _____

WATER RESTRICTIONS RECORDED AS - Book _____

Page _____

ACRE FEET ALLOTTED - _____

WELL METER READING: _____

WELL METER SERIAL NUMBER: _____

PROJECT INFORMATION

PROJECT: _____

CONCRETEPROJECT TYPE: BPRXTOTAL ROOFED AREA TO BE CONSTRUCTED: 900 Sq. Ft.

MATERIAL: _____

WoodESTIMATION (from appraisal): \$ 700⁰⁰

EXISTING LOTS: _____

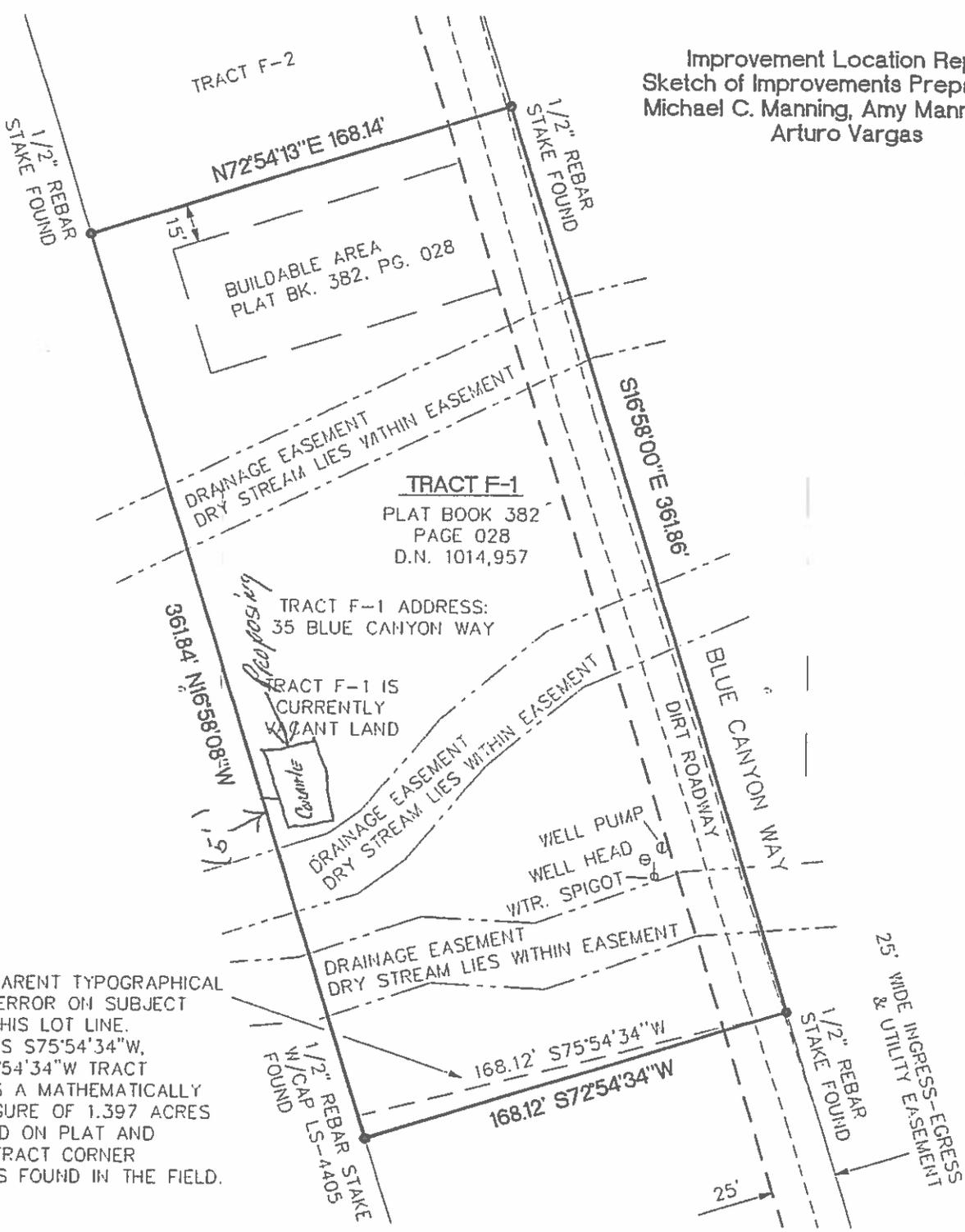
STRUCTURES: 0SQ. FT.: 0

ALL INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND I AUTHORIZE SANTA FE COUNTY INSPECTIONS ON THIS PERMIT.

APPLICANT: ANTONIO VARGASDATE: 8-30-02

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Improvement Location Report
 Sketch of Improvements Prepared for
 Michael C. Manning, Amy Manning and
 Arturo Vargas



NOTE: APPARENT TYPOGRAPHICAL DRAFTING ERROR ON SUBJECT PLAT ON THIS LOT LINE. PLAT READS S75°54'34\"/>

THIS IS NOT A SURVEY FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE

PLAT REFERENCE: TRACT F-1, OF MANNING FAMILY TRANSFER SURVEY, AS SHOWN ON PLAT FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, ON MARCH 6, 1998, IN PLAT BOOK 382, PAGE 028, AS DOCUMENT NO. 1014,957.

NOTE: IMPROVEMENT LOCATION IS BASED ON THE ABOVE MENTIONED SURVEY. NO MONUMENTS WERE SET. THIS TRACT SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD WHICH PERTAIN. THIS REPORT IS NOT TO BE RELIED ON FOR THE ESTABLISHMENT OF FENCES, BUILDINGS OR OTHER FUTURE IMPROVEMENTS.

Site Plan

Project nbr/desc . . : 05 00001197 VARGAS, ARTURO CORRALE
Project type . . . : BUILDING PERMIT, RES. ACCESS STRUCTURE

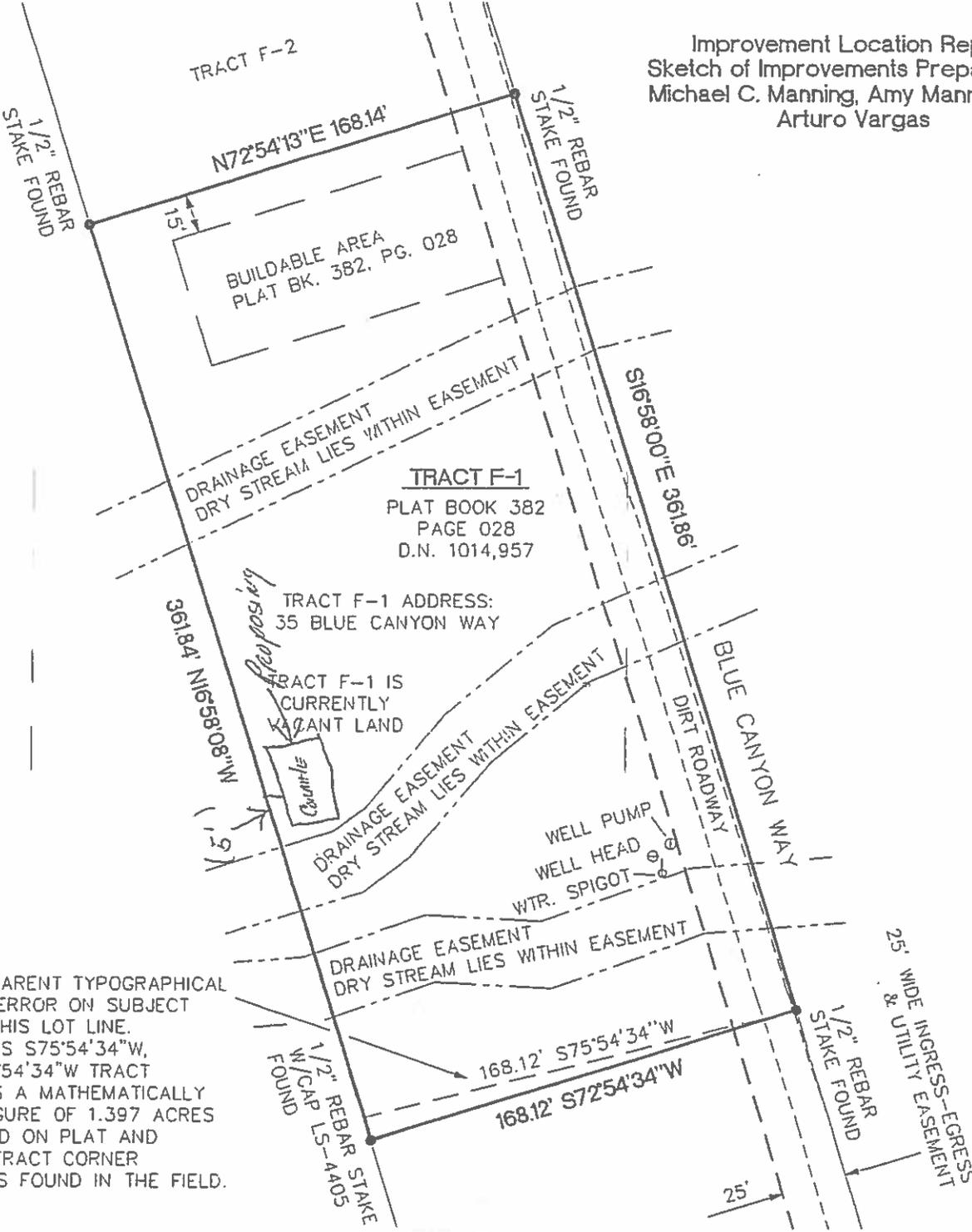
Select fees due, press Enter.
1=Select entire amount

Opt	Amount to apply	Bal Due	Fee Description	Trans amt
-	45.00	45.00	INSPECTION FEE / PERMITS	45.00
-	15.00	15.00	GRADING AND CLEARING PERMIT	15.00
-	1.00	1.00	BUILDING PERMIT FEE	1.00
-	247.50	247.50	FIRE IMPACT FEE AGUA FRIA EZ2	247.50
-	15.00	15.00	CONS APP FEE, UP TO 100,000	15.00

Total 323.50

F3=Exit F5=Select all fees F12=Cancel

Improvement Location Report
 Sketch of Improvements Prepared for
 Michael C. Manning, Amy Manning and
 Arturo Vargas



NOTE: APPARENT TYPOGRAPHICAL DRAFTING ERROR ON SUBJECT PLAT ON THIS LOT LINE. PLAT READS S75°54'34"W, USING S72°54'34"W TRACT F-1 FORMS A MATHEMATICALLY CLOSED FIGURE OF 1.397 ACRES AS LABELED ON PLAT AND MATCHES TRACT CORNER MONUMENTS FOUND IN THE FIELD.

THIS IS NOT A SURVEY FOR USE BY A PROPERTY OWNER FOR ANY PURPOSE

PLAT REFERENCE: TRACT F-1, OF MANNING FAMILY TRANSFER SURVEY, AS SHOWN ON PLAT FILED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, ON MARCH 6, 1998, IN PLAT BOOK 382, PAGE 028, AS DOCUMENT NO. 1014,957.

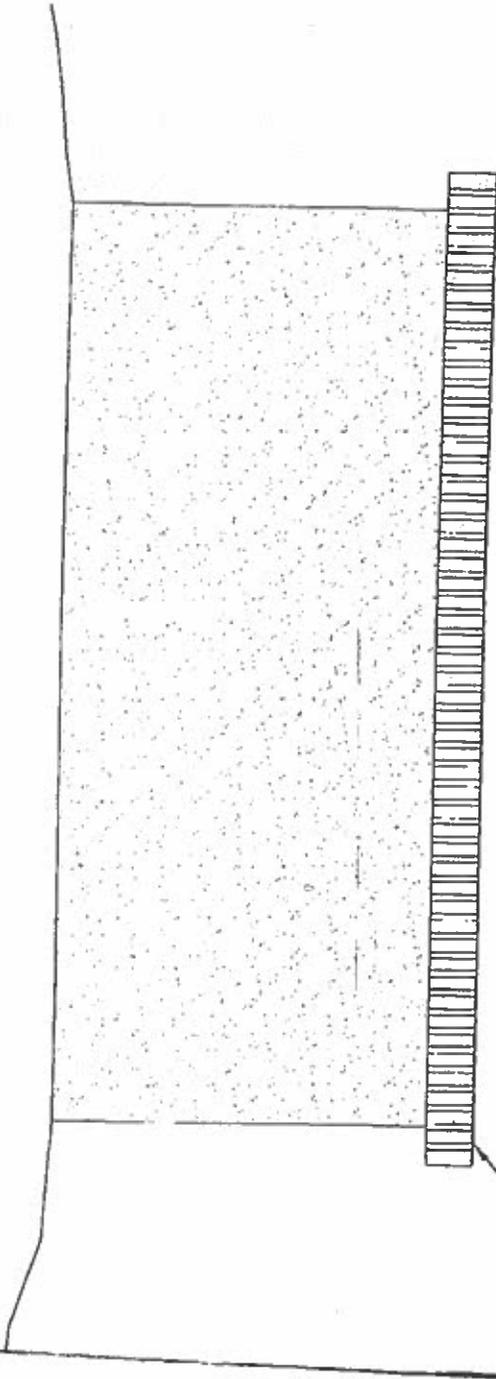
NOTE: IMPROVEMENT LOCATION IS BASED ON THE ABOVE MENTIONED SURVEY, NO MONUMENTS WERE SET. THIS TRACT IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD WHICH PERTAIN. THIS REPORT IS NOT TO BE RELIED ON FOR THE ESTABLISHMENT OF FENCES, BUILDINGS OR OTHER FUTURE IMPROVEMENTS.

Site Plan

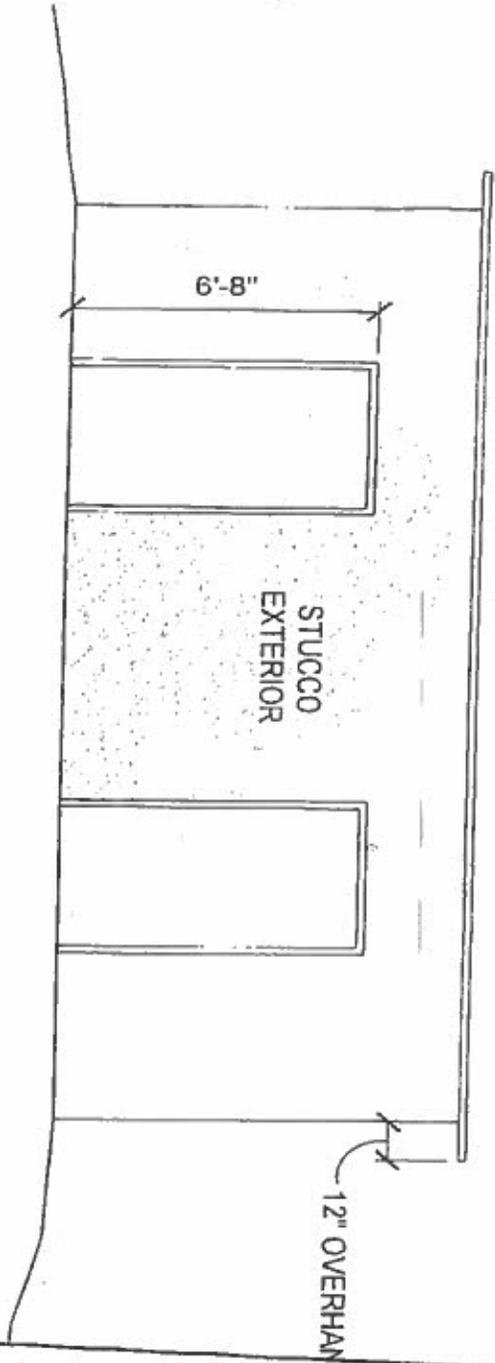
ZD

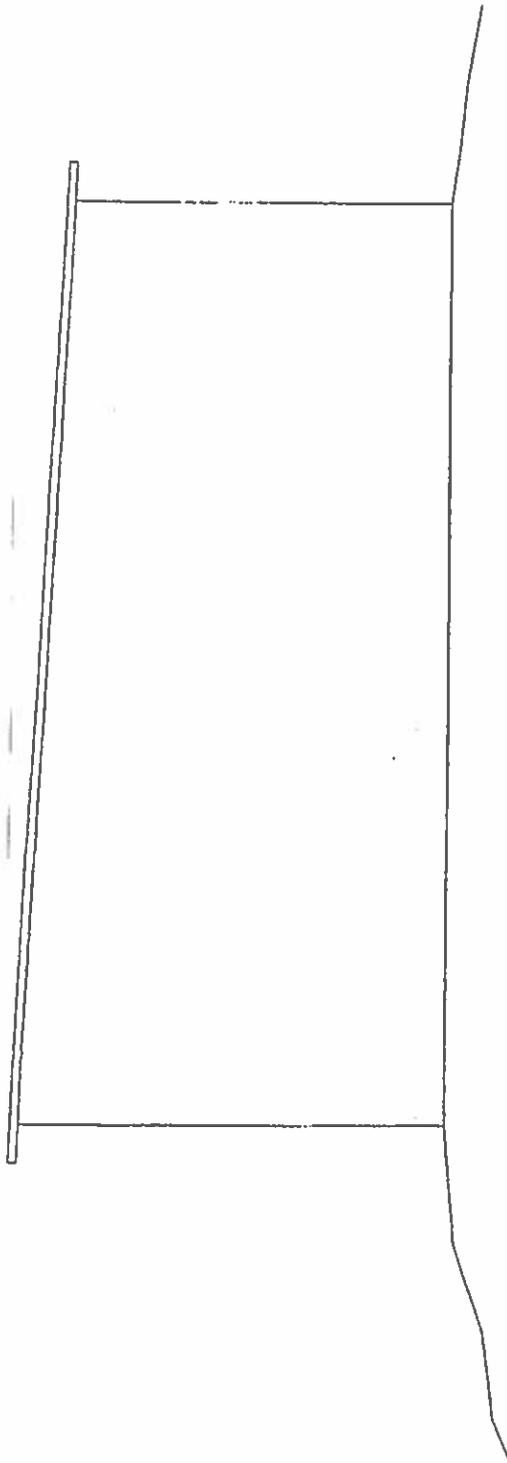
ELEVATION
1/4"=1'-0"

BACK ELEVATION



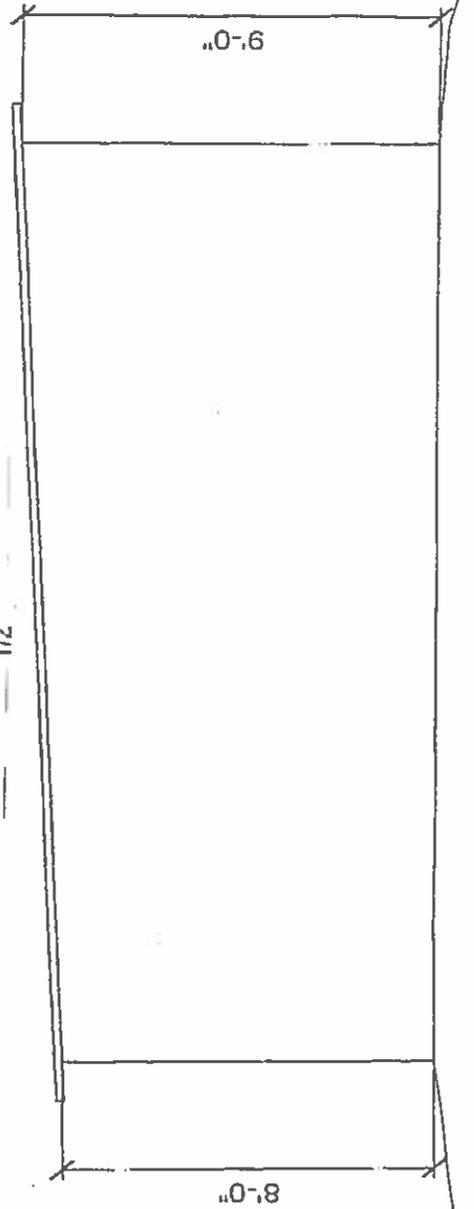
FRONT ELEVATION





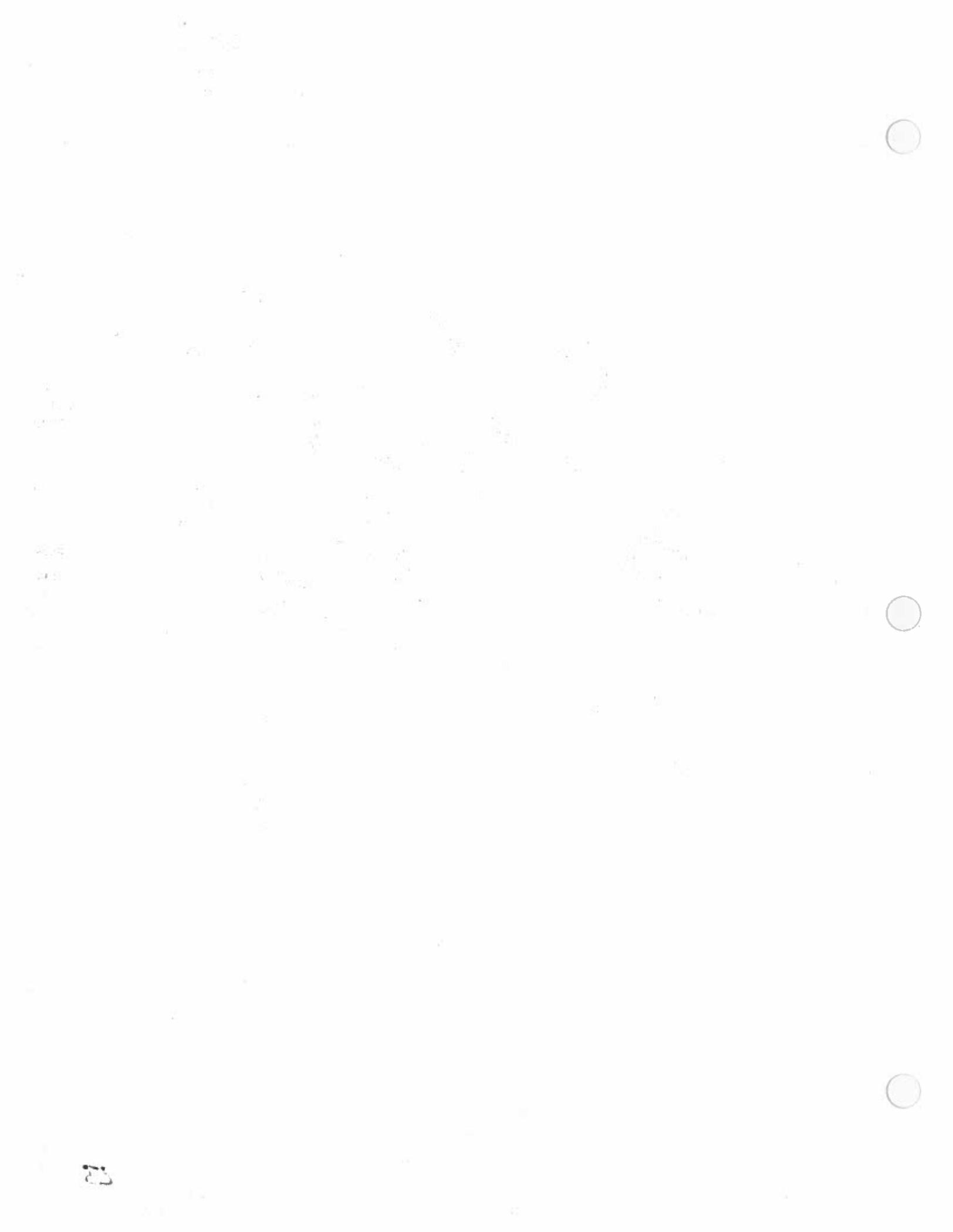
RIGHT ELEVATION

12
1/2



LEFT ELEVATION

ELEVATIONS
1/4"=1'-0"



REAL ESTATE CONTRACT

THIS CONTRACT IS MADE in triplicate this 14th day of January, 2005, by and between Michael C. Manning and Amy Manning, husband and wife, as joint tenants whose address is 3220 Siringo Road, Santa Fe, New Mexico 87507 hereinafter called the Seller, and Arturo Vargas, a single man whose address is 521 Airport Rd., #33, Santa Fe, NM 87507 hereinafter called the Purchaser. Whenever a masculine pronoun is used, it shall also be considered as referring to the female gender and plural pronouns, whichever is proper.

1. SALE: The Seller, in consideration of the promises and agreements herein made by the Purchaser, agrees to sell and convey to the Purchaser the following described real estate, hereinafter called the Property, in the County of Santa Fe, and State of New Mexico:

All of Tract F-1 as shown on Plat of Survey entitled "FAMILY TRANSFER SURVEY PREPARED FOR MICHAEL C. AND AMY MANNING", filed for record as Document Number 1014,957, appearing in Plat Book 382 at page 28, records of Santa Fe County, New Mexico. (MORE PARTICULARLY DESCRIBED IN ATTACHED EXHIBIT "A")

The Seller agrees, upon completion of all terms and conditions of this contract by the Purchaser, that the Purchaser shall then receive the Warranty Deed and related documents placed in escrow with this Contract.

2. PRICE AND PAYMENT: The Purchaser agrees to buy the above-described Property and to pay Seller therefore the total sum of One Hundred Thirty Nine Thousand Nine Hundred Dollars (\$139,900.00), payable as follows: Twenty One Thousand Dollars (\$21,000.00), cash down payment, the receipt of which is hereby acknowledged, and the balance of One Hundred Eighteen Thousand Nine Hundred Dollars (\$118,900.00), payable as follows:

Purchaser shall pay Owner the principal sum of (\$118,900.00) plus interest at the rate of (6.0%) per annum on the unpaid balance in monthly installments of (\$712.87), including interest. The first monthly installment shall begin on February 14, 2005 and is due and payable on the 15th day of each month thereafter until the entire principal and any unpaid interest are paid in full.

There shall be a (Balloon) Payment due on or before (36) months from said contract date or earlier if Purchaser obtains Construction Financing.

There shall be a late charge of (\$50.00) for any installment not received by the Escrow Agent within (15) days of due date.

There shall not be a prepayment penalty.

The installments for this contract are amortized over a (30) year term.

The payments as above provided shall be paid to the escrow agent and continue until the entire unpaid balance of the purchase price (exclusive of any prior lien or obligation being assumed) plus any accrued interest due to the seller is fully paid. Said unpaid balance shall bear interest at the rate of Six percentum (6.0%) per annum from the effective date January 14, 2005 APPLICATION OF PAYMENTS: Check and initial only one of the following two paragraphs.

(a) Payments, excepting prepayments, shall be applied to regularly scheduled installments in the order in which the same were due and shall be credited as though, the payments were made on their respective due dates.

(b) Payments shall be applied as of the date of receipt by Escrow Agent first to accrued interest then to principal balance of this Contract.

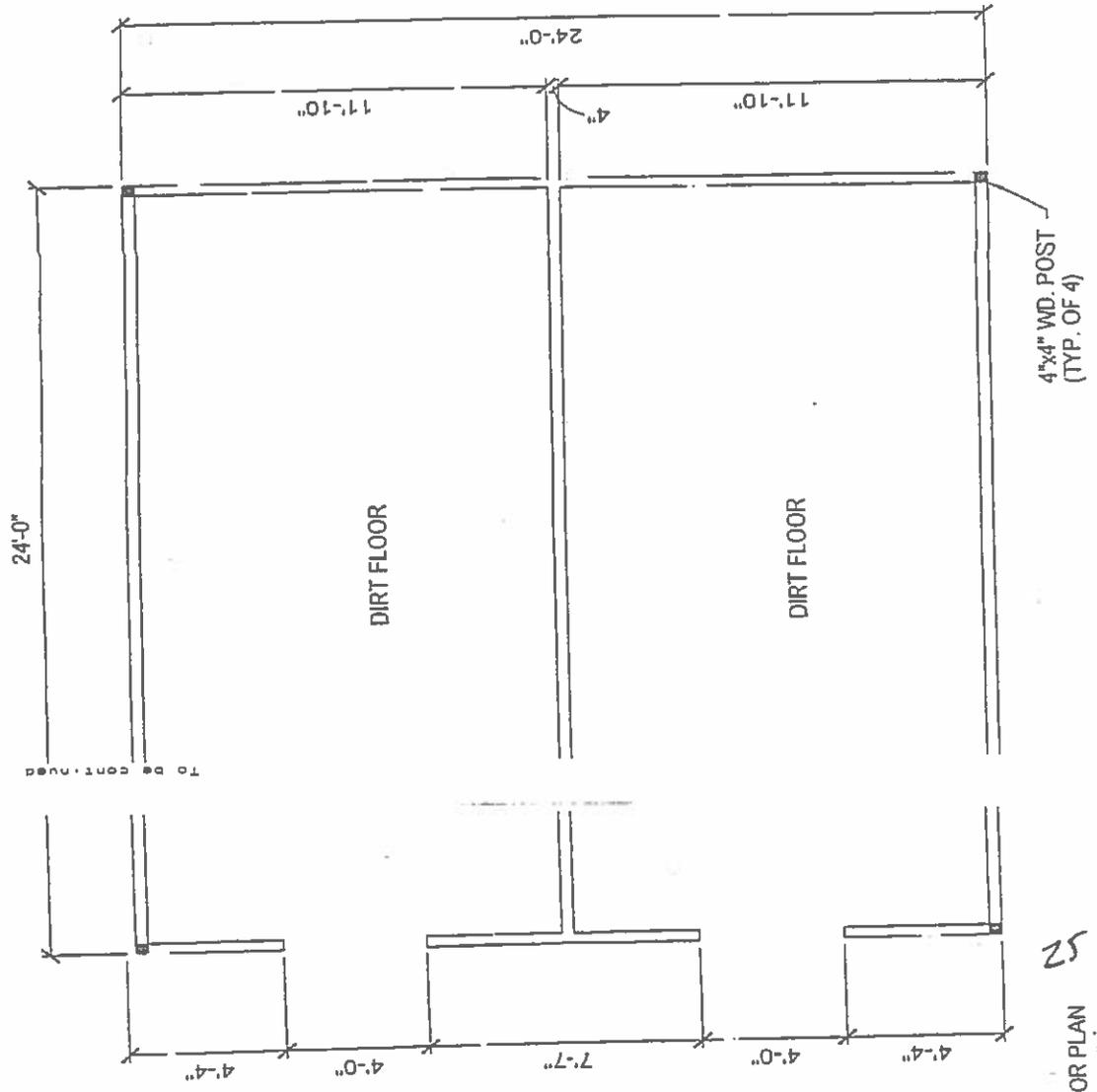
All payments shall be assumed to be regular payments, and not prepayments, unless otherwise specified by Purchaser in writing at the time of delivering such payments to Escrow Agent. Unless otherwise provided, Purchaser may prepay the unpaid balance in whole or in part at any time. Any prepayment shall be credited first to accrued interest, then to the principal balance of this Contract exclusive of assumed liens or obligations, then to assumed liens or obligations as described in this paragraph. Notwithstanding any prepayments, Purchaser shall make the next regularly scheduled payments.

Should Purchaser fail to make any of the payments or perform any other obligations required hereunder, including the payment of any assumed obligation, and if Seller's attorney makes written demand therefore pursuant to Paragraph 5 below, the Purchaser shall pay within the time allowed the additional sum of \$150.00, unless otherwise stated, for Seller's attorney's fees.

SFC CLERK RECORDED 01/20/2005

24

A.V. [Signature] (6)



52

FLOOR PLAN
1/4" = 1'-0"

FAMILY TRANSFER
Plat of Survey
for

219023

Jose A. Martinez

Know all men by these presents:

That Jose A. Martinez has caused to divide these lands as shown hereon, lying and being situate in a portion of SMC 1183 and SMC 422 Lot 2 in Section 17, Section 20, and Section 21 T17N R9E. N.M.P.M. County of Santa Fe, State of New Mexico. That the easements and divisions are hereby represented in accordance with wishes and desires of the undersigned owner. That the purpose of this division is for a family transfer.

Jose A. Martinez
Jose A. Martinez

State of New Mexico) s.s.
County of Santa Fe)

The foregoing instrument was acknowledged by me this 14 day of May, 1990
My commission expires 6-02-92 *Salvador E. Vigil*
Notary Public



Approvals

David G. Chavez 1-25-91
County Land Use Administrator

Santa Fe County Development Permit N° 90-660

Approved by the Extra Territorial Zoning Commission of the City of Santa Fe, State of New Mexico at its meeting of: 6-14-90

6-14-90 *Chairman* N/A Secretary

Reviewed by

David G. Chavez 1-25-91
Technical Review Division Director
Tom Patten 1-25-91
City Planner
J. H. I. L. 1-25-91
City Public Works Director

Utilities

H. Brumback 5/15/90 Public Service Company
R. F. Young 5/14/90 Mountain Bell Telephone
R. Colson 5/14/90 Gas Company of New Mexico
Frank L. B... 5-14-90 Sangre de Cristo Water Co.

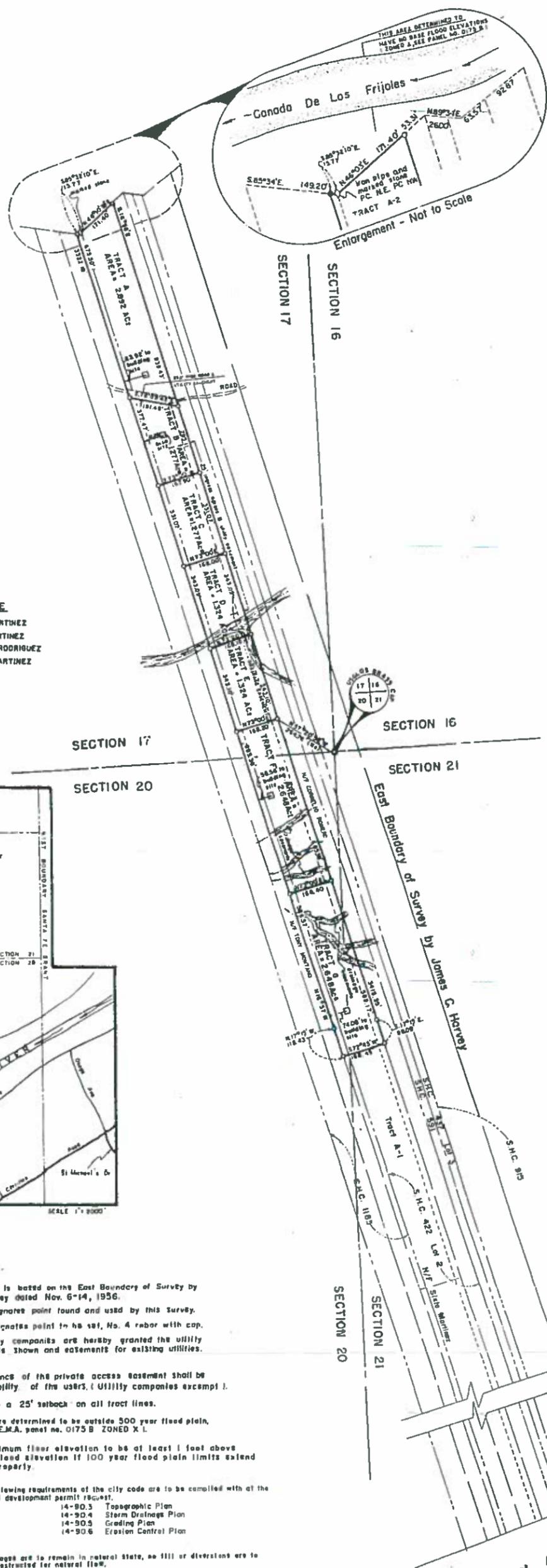
NOTE

This plat is for planning and zoning jurisdiction of the City and County of Santa Fe, New Mexico.

Certificate

I hereby certify that the plat and the notes hereon were prepared under my direction for the purpose of dividing the parcel shown hereon into seven tracts as per Mr. Jose A. Martinez' instructions. That this plat meets the minimum standards for surveys in New Mexico.

Salvador E. Vigil 05 / 14 / 1990
SALVADOR E. VIGIL Registered Professional Surveyor N.M. No. 4405



OWNERSHIP SCHEDULE

TRACT B	JESSE W. MARTINEZ
TRACT C	DIEGO J. MARTINEZ
TRACT D	GERARDINE A. RODRIGUEZ
TRACT E	MARTIN F. MARTINEZ



- Notes
- Meridian is based on the East Boundary of Survey by J.C. Harvey dated Nov. 6-14, 1956.
 - W Designates point found and used by this survey.
 - D Designates point in his set, No. 4 rebar with cap.
 - The utility companies are hereby granted the utility easements shown and easements for existing utilities.
 - Maintenance of the private access easement shall be responsibility of the users. (Utility companies except).
- is a 25' setback on all tract lines.
- are determined to be outside 500 year flood plain, F.E.M.A. panel no. 0175 B ZONED X L.
- Minimum floor elevation to be at least 1 foot above flood elevation if 100 year flood plain limits extend properly.
- Following requirements of the city code are to be complied with at the time of development permit request:
- 14-90.3 Topographic Plan
 - 14-90.4 Storm Drainage Plan
 - 14-90.5 Grading Plan
 - 14-90.6 Erosion Control Plan
- Although are to remain in natural state, no fill or diversions are to be constructed for natural flow.



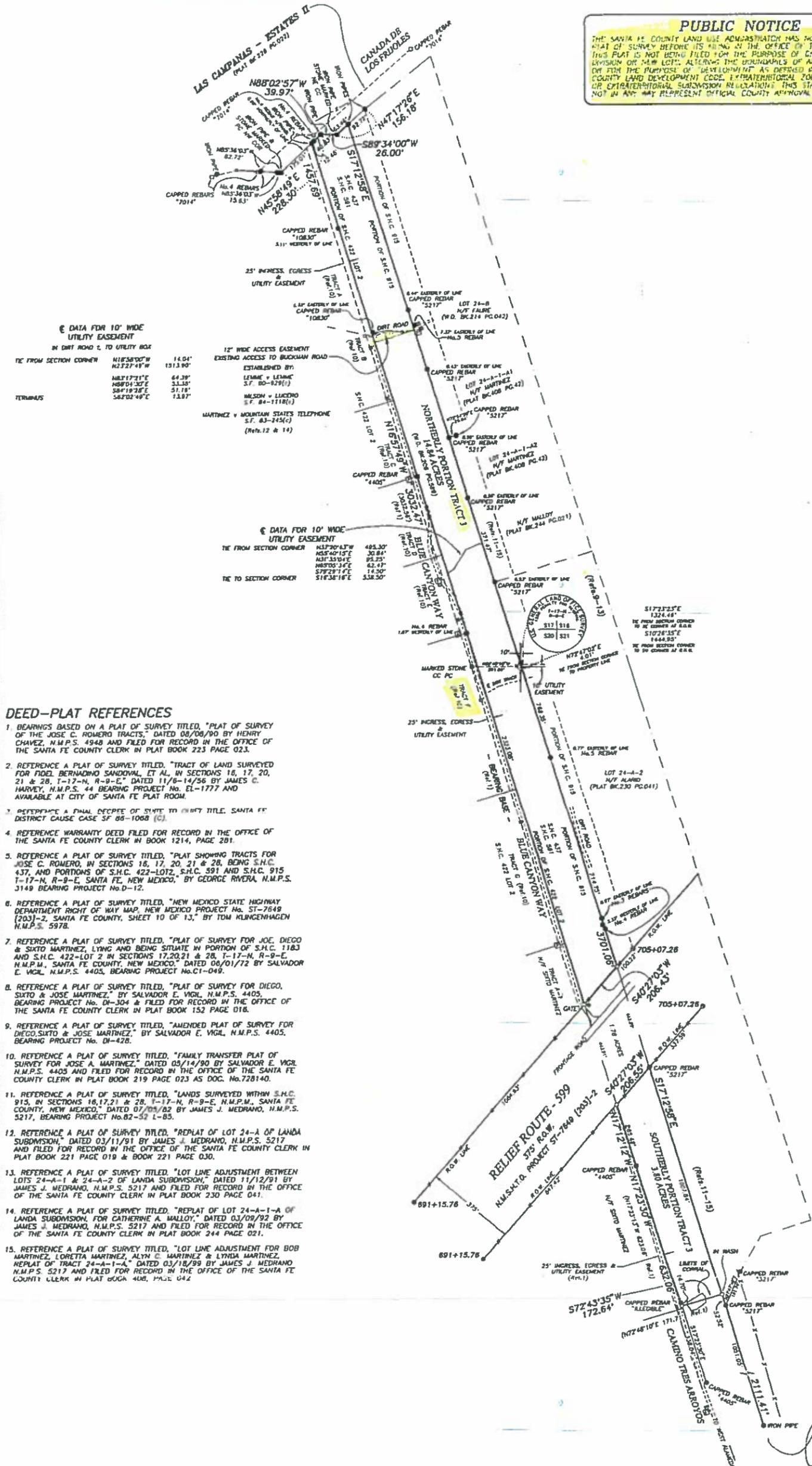
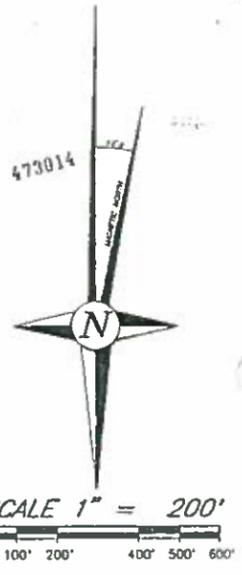
Land Surveying Company, Inc.
1314 APACHE AVE. P.O. BOX 1833
SANTA FE, NEW MEXICO
(505) 471-8783



FAMILY TRANSFER
PLAT OF SURVEY FOR JOSE A. MARTINEZ
LYING AND BEING SITUATE IN A PORTION OF SMC 1183 AND SMC 422 LOT 2 IN SECTION 17, SECTION 20, AND SECTION 21, T. 17 N. R. 9 E. N.M.P.M. COUNTY OF SANTA FE, STATE OF NEW MEXICO.

Project N° DI-416

PUBLIC NOTICE
 THE SANTA FE COUNTY LAND USE ADMINISTRATOR HAS NOT REVIEWED THIS PLAT OF SURVEY BEFORE ITS FILING IN THE OFFICE OF THE COUNTY CLERK. THIS PLAT IS NOT BEING FILED FOR THE PURPOSES OF CREATING A SUBDIVISION OR "NEW LOTS", ALTERING THE BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSES OF "DEVELOPMENT" AS DEFINED IN THE SANTA FE COUNTY LAND DEVELOPMENT CODE, EXTRAJURISDICTIONAL ZONING ORDINANCE, OR EXTRAJURISDICTIONAL SUBDIVISION REGULATIONS. THIS STATEMENT DOES NOT IN ANY WAY REPRESENT OFFICIAL COUNTY APPROVAL OF THIS PLAT.



DATA FOR 10' WIDE UTILITY EASEMENT IN DIRT ROAD 2 TO UTILITY BOX

BE FROM SECTION CORNER	N18°58'00"W	14.04'
	N17°27'41"W	1313.90'
	N81°17'31"E	44.38'
	N88°04'30"E	31.35'
	S84°19'28"E	51.78'
	S67°02'49"E	13.87'

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	N88°04'30"E	31.35'
	S84°19'28"E	51.78'
	S67°02'49"E	13.87'

DEED-PLAT REFERENCES

1. BEARINGS BASED ON A PLAT OF SURVEY TITLED, "PLAT OF SURVEY OF THE JOSE C. ROMERO TRACTS," DATED 08/08/90 BY HENRY CHAVEZ, N.M.P.S. 4948 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 223 PAGE 023.
2. REFERENCE A PLAT OF SURVEY TITLED, "TRACT OF LAND SURVEYED FOR FIDEL BERNARDINO SANDOVAL, ET AL, IN SECTIONS 16, 17, 20, 21 & 28, T-17-N, R-9-E" DATED 11/8-14/56 BY JAMES C. HARVEY, N.M.P.S. 44 BEARING PROJECT NO. EL-1777 AND AVAILABLE AT CITY OF SANTA FE PLAT ROOM.
3. REFERENCE A FINAL DECREE OF STATE IN DEED TITLE, SANTA FE DISTRICT CAUSE CASE SF 86-1008 (C).
4. REFERENCE WARRANTY DEED FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 1214, PAGE 281.
5. REFERENCE A PLAT OF SURVEY TITLED, "PLAT SHOWING TRACTS FOR JOSE C. ROMERO, IN SECTIONS 16, 17, 20, 21 & 28, BEING S.H.C. 437, AND PORTIONS OF S.H.C. 422-L0T2, S.H.C. 591 AND S.H.C. 915 T-17-N, R-9-E, SANTA FE, NEW MEXICO," BY GEORGE RIVERA, N.M.P.S. 3149 BEARING PROJECT NO. D-12.
6. REFERENCE A PLAT OF SURVEY TITLED, "NEW MEXICO STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP, NEW MEXICO PROJECT NO. ST-7649 [203]-2, SANTA FE COUNTY, SHEET 10 OF 13," BY TOM KLINGENHAGEN, N.M.P.S. 5978.
7. REFERENCE A PLAT OF SURVEY TITLED, "PLAT OF SURVEY FOR JOE, DIEGO & SIXTO MARTINEZ, LYING AND BEING SITUATE IN PORTION OF S.H.C. 1183 AND S.H.C. 422-L0T 2 IN SECTIONS 17, 20, 21 & 28, T-17-N, R-9-E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO," DATED 06/01/72 BY SALVADOR E. VIGIL, N.M.P.S. 4405, BEARING PROJECT NO. C1-049.
8. REFERENCE A PLAT OF SURVEY TITLED, "PLAT OF SURVEY FOR DIEGO, SIXTO & JOSE MARTINEZ," BY SALVADOR E. VIGIL, N.M.P.S. 4405, BEARING PROJECT NO. D1-304 & FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 152 PAGE 018.
9. REFERENCE A PLAT OF SURVEY TITLED, "AMENDED PLAT OF SURVEY FOR DIEGO, SIXTO & JOSE MARTINEZ," BY SALVADOR E. VIGIL, N.M.P.S. 4405, BEARING PROJECT NO. D1-428.
10. REFERENCE A PLAT OF SURVEY TITLED, "FAMILY TRANSFER PLAT OF SURVEY FOR JOSE A. MARTINEZ," DATED 05/14/90 BY SALVADOR E. VIGIL, N.M.P.S. 4405 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 219 PAGE 023 AS DOC. NO. 728140.
11. REFERENCE A PLAT OF SURVEY TITLED, "LANDS SURVEYED WITHIN S.H.C. 915, IN SECTIONS 16, 17, 21 & 28, T-17-N, R-9-E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO," DATED 07/05/82 BY JAMES J. MEDRANO, N.M.P.S. 5217, BEARING PROJECT NO. 82-52 L-85.
12. REFERENCE A PLAT OF SURVEY TITLED, "REPLAT OF LOT 24-A OF LANDA SUBDIVISION," DATED 03/11/91 BY JAMES J. MEDRANO, N.M.P.S. 5217 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 221 PAGE 019 & BOOK 221 PAGE 030.
13. REFERENCE A PLAT OF SURVEY TITLED, "LOT LINE ADJUSTMENT BETWEEN LOTS 24-A-1 & 24-A-2 OF LANDA SUBDIVISION," DATED 11/12/91 BY JAMES J. MEDRANO, N.M.P.S. 5217 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 230 PAGE 041.
14. REFERENCE A PLAT OF SURVEY TITLED, "REPLAT OF LOT 24-A-1-A OF LANDA SUBDIVISION, FOR CATHERINE A. WALLOY," DATED 03/09/92 BY JAMES J. MEDRANO, N.M.P.S. 5217 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 244 PAGE 021.
15. REFERENCE A PLAT OF SURVEY TITLED, "LOT LINE ADJUSTMENT FOR BOB MARTINEZ, LORETTA MARTINEZ, ALYN C. MARTINEZ & LYNDIA MARTINEZ, REPLAT OF TRACT 24-A-1-A," DATED 03/18/99 BY JAMES J. MEDRANO, N.M.P.S. 5217 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 408, PAGE 042.

LEGEND

- MONUMENT FOUND AND USED, AS NOTED.
- N.M.S.H.T.O. R.O.W. BRASS CAP
- CAPPED REBAR "5824" SET.
- COMPUTED POINT, NOT SET.
- U.S.G.L.O. BRASS CAP.
- UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE.
- TELEPHONE PEDESTAL
- POWER BOX.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE FIELD SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL, AND THAT THE DATA SHOWN HEREON ARE TRUE AND CORRECT. I FURTHER CERTIFY THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS. FIELD WORK COMPLETED ON 03/17/01.

THIS IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT AND IS NOT A LAND DIVISION, OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

Robert L. Benavides 5-10-01
 ROBERT L. BENAVIDES N.M.P.S. 5824 DATE



PROFESSIONAL LAND SURVEYING
 ROBERT L. BENAVIDES
 N.M.P.S. 5824
 3011 CIELO COURT
 SUITE B
 SANTA FE, NEW MEXICO 87505

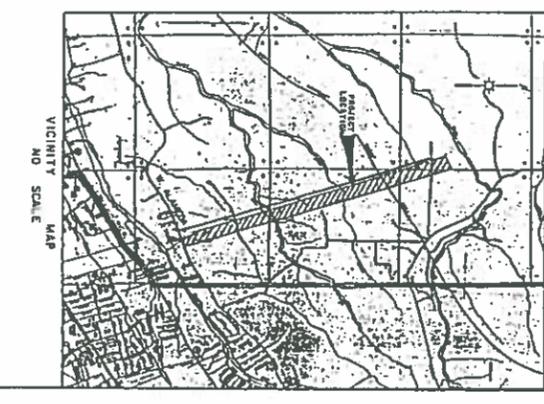
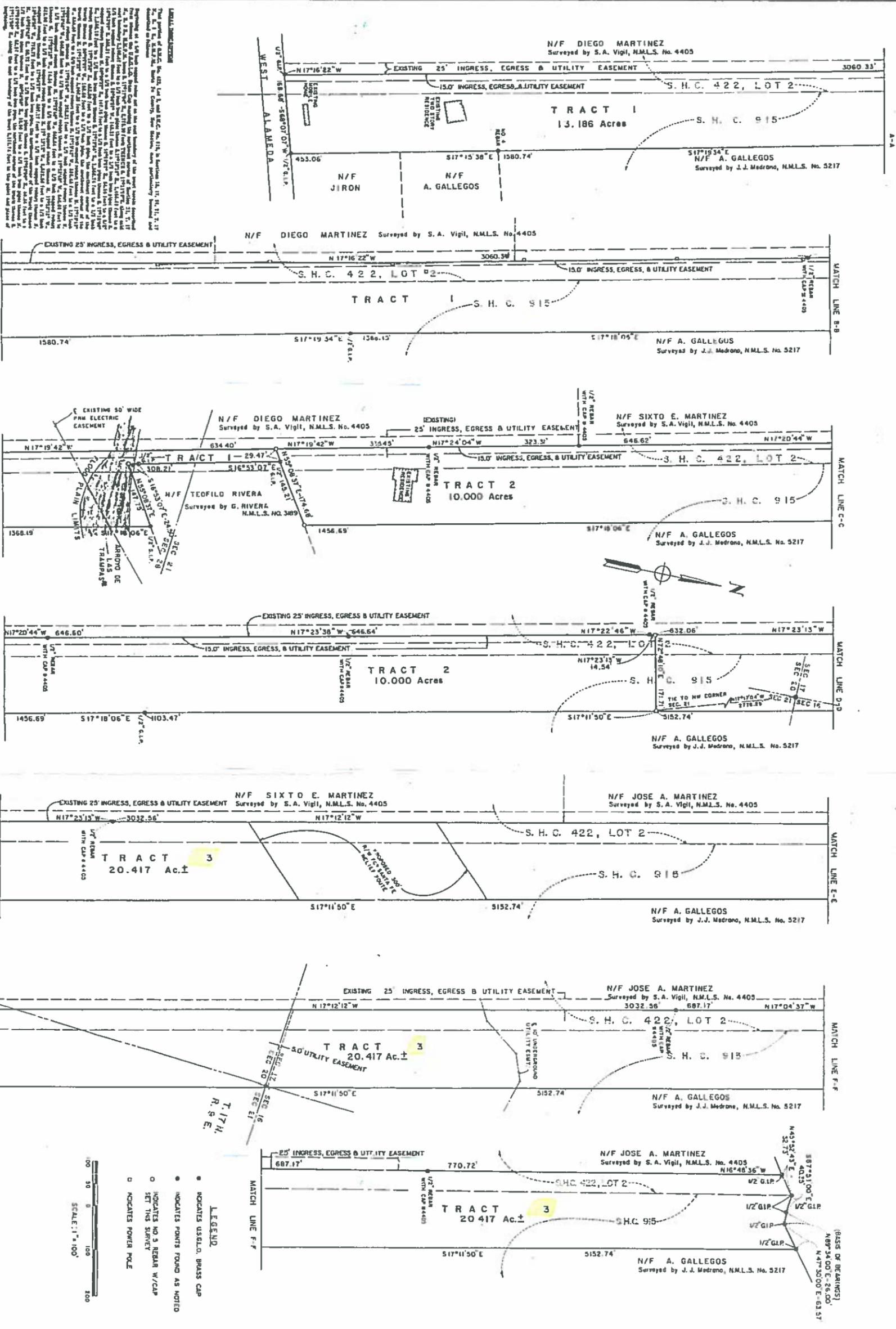
COUNTY OF SANTA FE
 STATE OF NEW MEXICO
 I hereby certify that this instrument was filed for record on the 10 day of March, A.D. 2001 at 1:51 o'clock P.M. and was duly recorded in book 223 page 017 of the records of Santa Fe County.

Witness my hand and Seal of Office of
 Rebecca Bustamante
 County Clerk, Santa Fe County, N.M.

Marcella Salazar
 Deputy



BOUNDARY SURVEY PREPARED FOR		SCALE
SECTION(s)	16, 17, 20, 21	1" = 200'
TOWNSHIP	T-17-N	DATE
RANGE	R-9-E	05/10/01
GRANT	N/A	DRAWN-BY
N.M.P.M.		PLS
		CHECKED-BY
		R.L.B.
		PROJECT No.
		0-678



SURVEYOR'S CERTIFICATE

ON THE BASIS OF MY PERSONAL INSPECTION AND BELIEF I HEREBY CERTIFY THAT THIS PLAT IS AN ACCURATE REPRESENTATION OF THE SURVEYED LAND AND THAT THE BEARINGS AND DISTANCES THEREON ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Jose C. Romero
 Jose C. Romero
 Surveyor
 Santa Fe, N.M. 87504

NOTES

1. THE LANDS SHOWN HEREON ARE INTENDED TO BE THE LANDS CONVEYED TO JOSE C. ROMERO BY DEED DATED 8/17/14 AND RECORDED IN BOOK 204, PAGE 248.

2. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F A. GALLEGOS IS SHOWN BY A DOTTED LINE.

3. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F DIEGO MARTINEZ IS SHOWN BY A DOTTED LINE.

4. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F JOSE A. MARTINEZ IS SHOWN BY A DOTTED LINE.

5. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F A. GALLEGOS IS SHOWN BY A DOTTED LINE.

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9. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F DIEGO MARTINEZ IS SHOWN BY A DOTTED LINE.

10. THE BOUNDARY BETWEEN THE SURVEYED LAND AND THE ADJACENT LAND OF N/F JOSE A. MARTINEZ IS SHOWN BY A DOTTED LINE.

LEGEND

- INDICATES USUALLY BRASS CAP
- INDICATES POINTS FOUND AS NOTED
- INDICATES NO. 3 BEARINGS W/CAP
- SET THIS SURVEY
- INDICATES POWER POLE

PLAT OF THE SURVEY OF THE JOSE C. ROMERO TRACTS

IN SECTIONS 16, 17, 20, 21 AND 28 BEING IN S.H.C. NO. 422, S.H.C. 915 AND A PORTION S.H.C. NO. 422, LOT 2, S.H.C. 915 AND S.H.C. NO. 915, T.17N., R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO

DEDICATION:

AND ALL ARE BY THESE PRESENTS THAT THE PORTIONS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC AS A HIGHWAY AND SHALL BE OPEN TO THE PUBLIC FOR THE USE OF THE PUBLIC.

AFFIDAVIT:

I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original plat of the survey of the lands shown hereon, and that I am a duly licensed surveyor in the State of New Mexico.

Jose C. Romero
 Jose C. Romero
 Surveyor
 Santa Fe, N.M. 87504

APPROVAL:

STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original plat of the survey of the lands shown hereon, and that I am a duly licensed surveyor in the State of New Mexico.

Jose C. Romero
 Jose C. Romero
 Surveyor
 Santa Fe, N.M. 87504

OFFICIAL SEAL

223023

UTLITIES:

EXISTING UTILITIES ARE SHOWN BY DOTTED LINES.

NEW UTILITIES ARE SHOWN BY SOLID LINES.

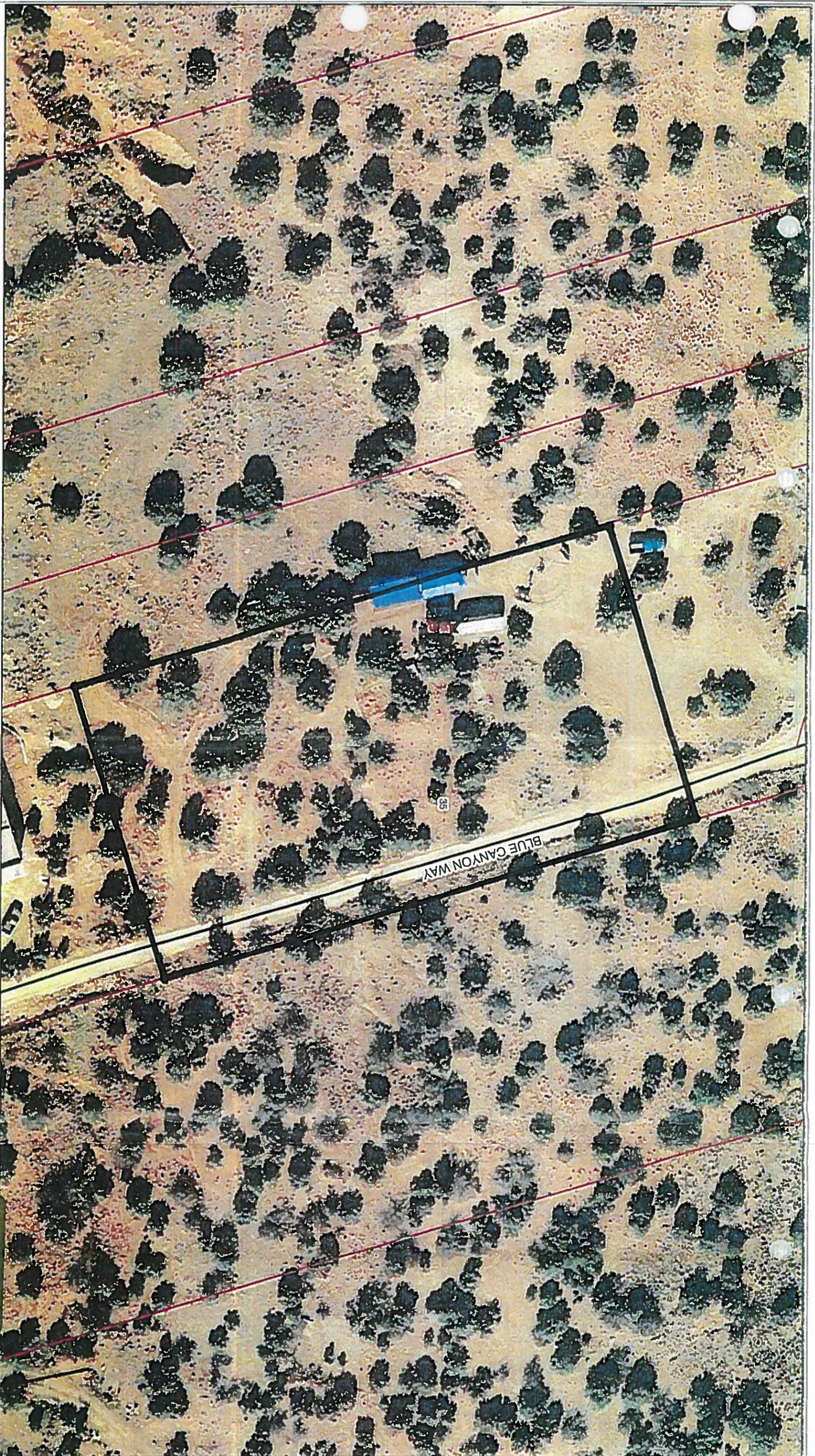
APPROVAL:

LAND DEVELOPMENT FIRM NO. 90-1089

Jose C. Romero
 Jose C. Romero
 Surveyor
 Santa Fe, N.M. 87504

APPROVAL:

DATE: 8/18/14



Legend

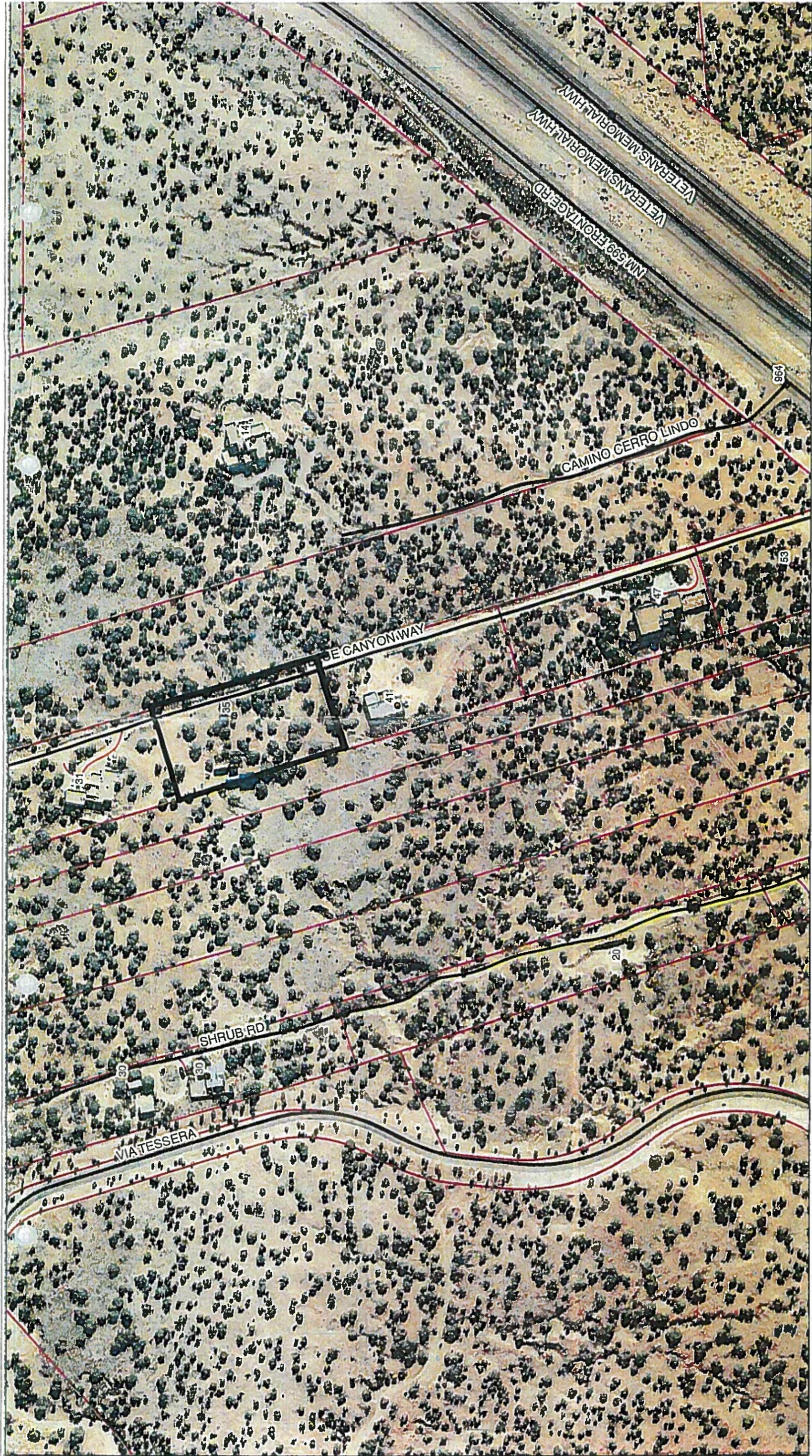
-  ROADS
-  DRIVEWAYS
-  PARCELS



2008 Imagery
2 FOOT CONTOURS

This information is for reference
Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for





Legend

-  ROADS
-  DRIVEWAYS
-  PARCELS

1:1,920

1 inch represents 160 feet



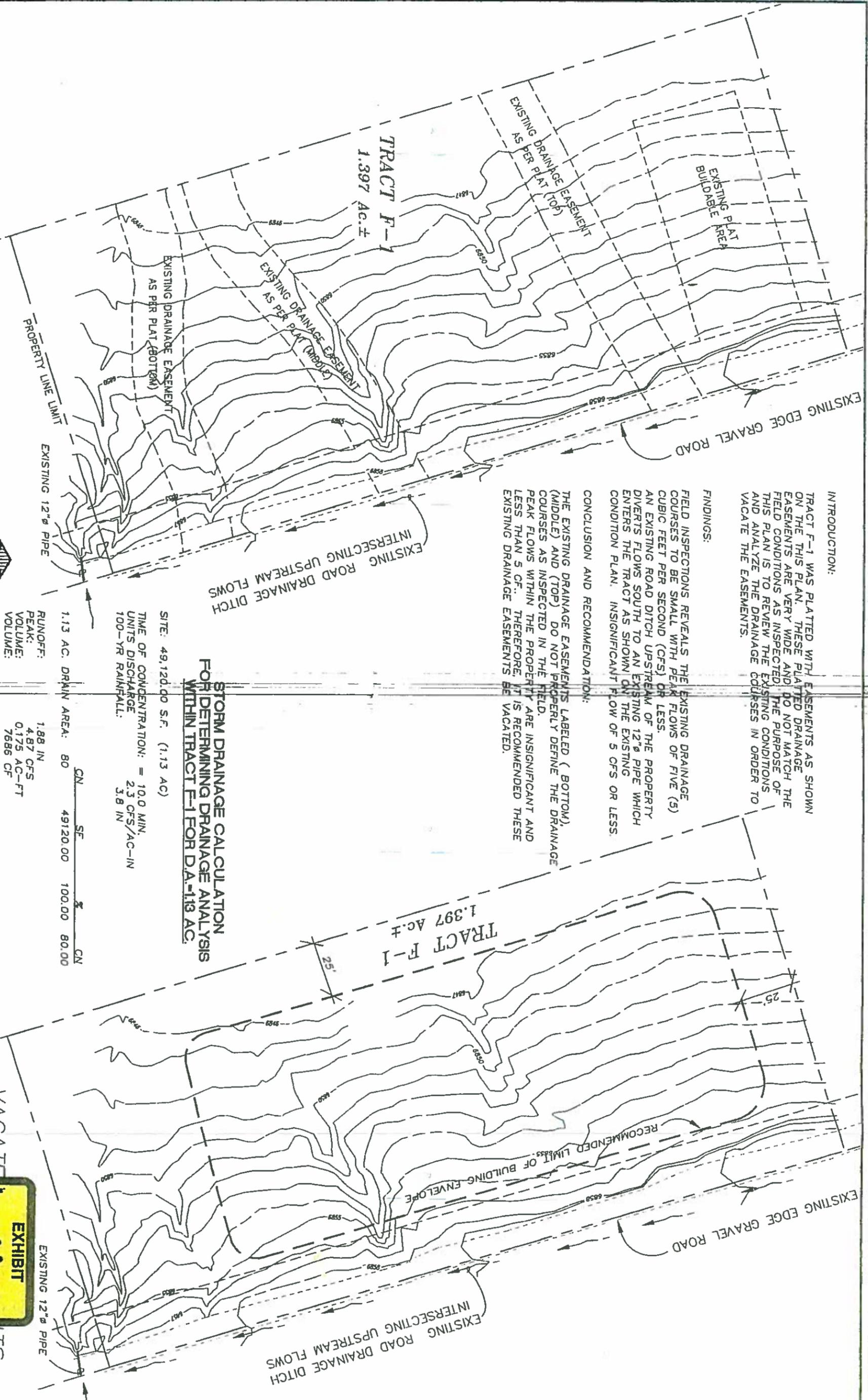
2008 Imagery
2 FOOT CONTOURS

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Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for
confirming data accuracy.



EXISTING CONDITIONS

1" = 20'-0"



INTRODUCTION:

TRACT F-1 WAS PLATTED WITH EASEMENTS AS SHOWN ON THIS PLAN. THESE PLATTED DRAINAGE EASEMENTS ARE VERY WIDE AND DO NOT MATCH THE FIELD CONDITIONS AS INSPECTED. THE PURPOSE OF THIS PLAN IS TO REVIEW THE EXISTING CONDITIONS AND ANALYZE THE DRAINAGE COURSES IN ORDER TO VACATE THE EASEMENTS.

FINDINGS:

FIELD INSPECTIONS REVEALS THE EXISTING DRAINAGE COURSES TO BE SMALL WITH PEAK FLOWS OF FIVE (5) CUBIC FEET PER SECOND (CFS) OR LESS. AN EXISTING ROAD DITCH UPSTREAM OF THE PROPERTY DIVERTS FLOWS SOUTH TO AN EXISTING 12" PIPE WHICH ENTERS THE TRACT AS SHOWN ON THE EXISTING CONDITION PLAN. INSIGNIFICANT FLOW OF 5 CFS OR LESS.

CONCLUSION AND RECOMMENDATION:

THE EXISTING DRAINAGE EASEMENTS LABELED (BOTTOM), (MIDDLE) AND (TOP) DO NOT PROPERLY DEFINE THE DRAINAGE COURSES AS INSPECTED IN THE FIELD. PEAK FLOWS WITHIN THE PROPERTY ARE INSIGNIFICANT AND LESS THAN 5 CF. THEREFORE, IT IS RECOMMENDED THESE EXISTING DRAINAGE EASEMENTS BE VACATED.

STORM DRAINAGE CALCULATION FOR DETERMINING DRAINAGE ANALYSIS WITHIN TRACT F-1 FOR D.A.-113 AC.

SITE: 49,120.00 S.F. (1.13 AC)
 TIME OF CONCENTRATION: = 10.0 MIN.
 UNITS DISCHARGE: 2.3 CFS/AC-IN
 100-YR RAINFALL: 3.8 IN

1.13 AC. DRAIN AREA: 80 CN 49120.00 SF 100.00 AC 80.00 CN

RUNOFF: 1.88 IN
 PEAK: 4.87 CFS
 VOLUME: 0.175 AC-FT
 VOLUME: 7686 CF

VACATE

EXHIBIT 11

TRACT F-1 35 BLUE CANYON WAY
 SANTA FE, NEW MEXICO

Daniel "Danny Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Hollan
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	11/21/2014		
Project Name	Richard Berman		
Project Location	35 Blue Canyon Way		
Description	Vacation of Drainage Easement	Case Manager	Miguel Romero
Applicant Name	Richard Berman	County Case #	14-5410
Applicant Address	3212 La Paz Ln Santa Fe, NM 87507	Fire District	Agua Fria
Applicant Phone	505-670-9851		
Review Type:	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>	Final <input checked="" type="checkbox"/>
	Wildland <input type="checkbox"/>	Variance <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
Project Status:	Approved <input checked="" type="checkbox"/>	Approved with Conditions <input type="checkbox"/>	Denial <input type="checkbox"/>
	Inspection <input type="checkbox"/> Lot Split <input type="checkbox"/>		

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated.

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) *When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*

- **Roadways/Driveways**



Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Roads shall meet the minimum County standards of 20' wide for fire apparatus access roads within this type of proposed development.

Driveways at the time of building shall meet the minimum County standards for fire apparatus access roads of a minimum 12' wide all-weather driving surface and an unobstructed vertical clearance of 13' 6" within this type of proposed development. If a gate is proposed it shall be minimum 14' wide.

▪ **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

Section 901.4.5 Street or Road Signs. (1997 UFC) When required by the Chief, streets and roads shall be identified with approved signs.

▪ **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) The gradient for a fire apparatus access road shall not exceed the maximum approved.

This driveway shall not exceed 11% slope and shall have a minimum 28' inside radius on curves.

▪ **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.

To prevent the possibility of emergency responders being locked out, all access gates should be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

▪ **Fire Extinguishers**

Article 10, Section 1002.1 General (1997 UFC) Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

General Requirements/Comments

- **Inspections/Acceptance Tests**

Shall comply with Article 1, Section 103.3.2=~~New Construction and Alterations~~ of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

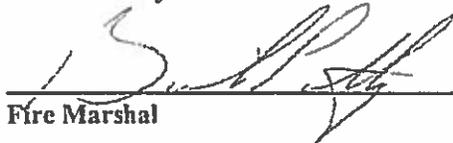
- **Permits**

As required

Final Status

Recommendation for Final Development Plan approval with the above conditions applied.

Buster Patty



Fire Marshal

11-21-14
Date

Through: David Sperling, Chief

File: DevRev/Agua Fria/Richard Berman/11.21.14

Cy: Miguel Romero, Land Use
Applicant
File

CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding Land Development Case # PCEV 14-5410 was posted for 21 days on the property beginning

The 18 day of NOVEMBER, 2014. **

[Handwritten Signature]

Signature

*Photo of posting must be provided with certification

**PLEASE NOTE: Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 21 days. It is the applicant's responsibility to ensure that the notice is on the property for the full 21 days.

STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 18 day of NOVEMBER, 2014, By RICHARD BERMAN

[Handwritten Signature]
Notary Public



My Commission Expires:
02.22.15







The newspapers of New Mexico make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web (www.PublicNoticeAds.com), not scattered among thousands of government web pages.

County: Santa Fe
Printed In: Santa Fe New Mexican
Printed On: 2014/11/18

LEGAL # 97747

BCC CASE # PCEV 14-5410

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held to consider a request by Richard Berman, Applicant, (Paramount Surveys, Inc.) Paul Rodriguez, Agent, for approval to vacate three (3) platted drainage easements on one lot totaling 1.397 acres. The property is located at #35 Blue Canyon Way, Within Section 20, Township 17 North, Range 9 East, (Commission District 2).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 9th day of December 2014, at 5:00 p.m. on a petition to the Board of County Commissioners.

Please forward all comment and questions to the County Land Use Administration Office at 986-6225.

All interested parties will be heard at the Public Hearing prior to the Commission taking action. All comments, questions, and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Published in The Santa Fe New Mexican on November 18, 2014.

Public Notice ID: 21933962

7012 3050 0000 6871 0255

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
Domestic Mail Only; No Insurance Coverage Provided

For delivery information visit our website at www.usps.com

MAJESTIC SPECIAL USE

Sent To: **PHILIP MONROD**
 Street, Apt. No., or PO Box No.: **6912 8805 PACIFIC AVE**
 City, State, ZIP+4: **MARYSVILLE, WA 98270**

Postage \$ **\$6.49**
 Certified Fee \$ **\$3.30**
 Return Receipt Fee (Endorsement Required) \$ **\$2.70**
 Restricted Delivery Fee (Endorsement Required) \$ **\$0.00**
 Total Postage & Fees \$ **\$6.49**

Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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SANTA FE NM SPECIAL USE

Sent To: **SHANNON SULLMAN**
 Street, Apt. No., or PO Box No.: **PO BOX 6773**
 City, State, ZIP+4: **SANTA FE, NM 87502-6773**

Postage \$ **\$6.49**
 Certified Fee \$ **\$3.30**
 Return Receipt Fee (Endorsement Required) \$ **\$2.70**
 Restricted Delivery Fee (Endorsement Required) \$ **\$0.00**
 Total Postage & Fees \$ **\$6.49**

Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

SANTA FE NM SPECIAL USE

Sent To: **MICHAEL & AMY MARVIN**
 Street, Apt. No., or PO Box No.: **PO BOX 4910**
 City, State, ZIP+4: **SANTA FE, NM 87502**

Postage \$ **\$6.49**
 Certified Fee \$ **\$3.30**
 Return Receipt Fee (Endorsement Required) \$ **\$2.70**
 Restricted Delivery Fee (Endorsement Required) \$ **\$0.00**
 Total Postage & Fees \$ **\$6.49**

Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006

U.S. Postal Service™
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For delivery information visit our website at www.usps.com

SANTA FE NM SPECIAL USE

Sent To: **AMY MARVIN**
 Street, Apt. No., or PO Box No.: **PO BOX 4910**
 City, State, ZIP+4: **SANTA FE, NM 87502**

Postage \$ **\$6.49**
 Certified Fee \$ **\$3.30**
 Return Receipt Fee (Endorsement Required) \$ **\$2.70**
 Restricted Delivery Fee (Endorsement Required) \$ **\$0.00**
 Total Postage & Fees \$ **\$6.49**

Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006

7012 3050 0000 6871 0279

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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For delivery information visit our website at www.usps.com

SANTA FE NM SPECIAL USE

Sent To: **CHRISTINA STEPHAN**
 Street, Apt. No., or PO Box No.: **3212 IMPAR LALE**
 City, State, ZIP+4: **LA JOLLA, CA 92037**

Postage \$ **\$6.49**
 Certified Fee \$ **\$3.30**
 Return Receipt Fee (Endorsement Required) \$ **\$2.70**
 Restricted Delivery Fee (Endorsement Required) \$ **\$0.00**
 Total Postage & Fees \$ **\$6.49**

Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
Domestic Mail Only; No Insurance Coverage Provided

For delivery information visit our website at www.usps.com

SANTA FE NM SPECIAL USE

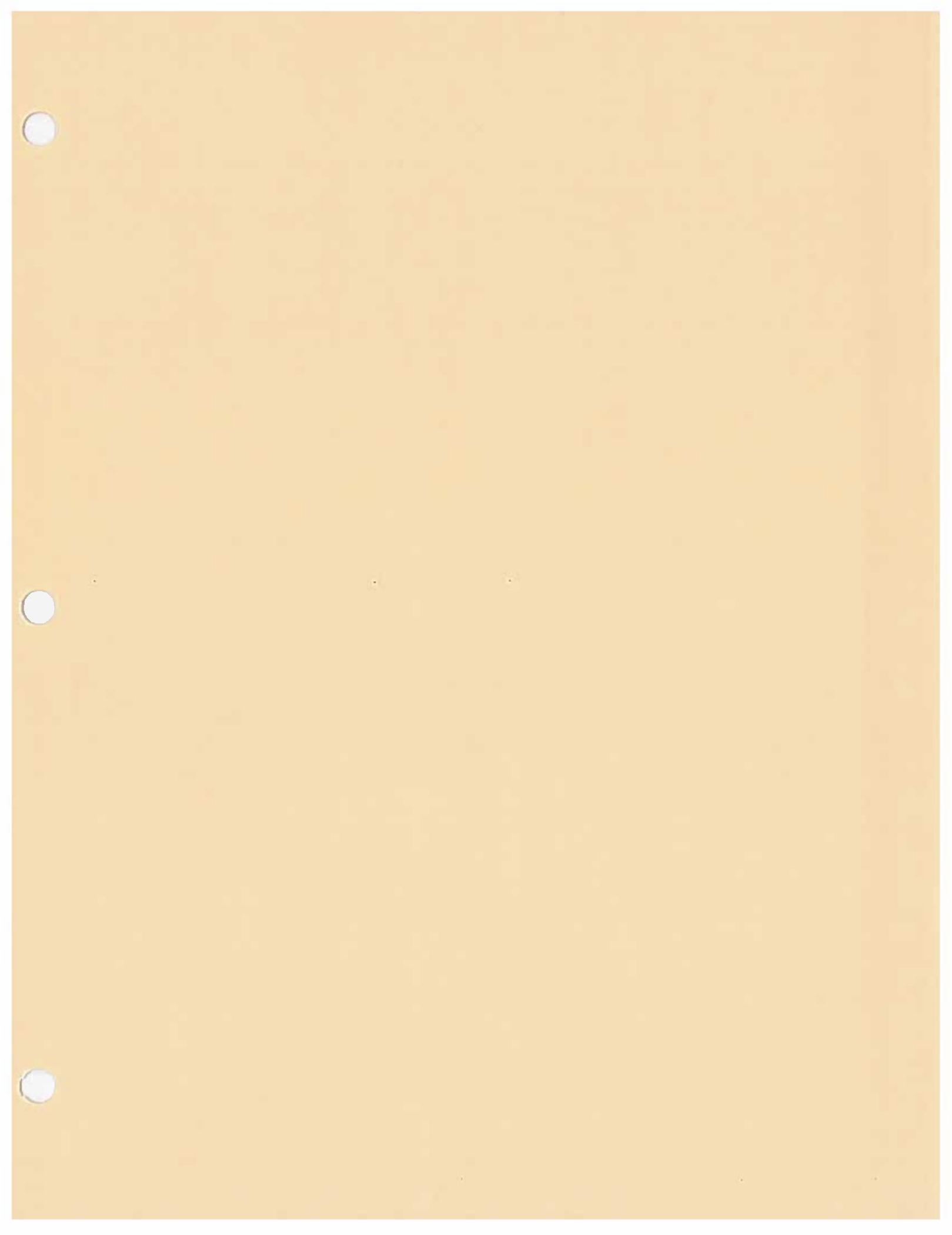
Sent To: **CHRISTINA STEPHAN**
 Street, Apt. No., or PO Box No.: **3212 IMPAR LALE**
 City, State, ZIP+4: **LA JOLLA, CA 92037**

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Postmark Here: **SANTA FE NM 03 NOV 18 2014**

Post Office: **0500**

PS Form 3800, August 2006



Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: January 21, 2015

TO: Board of County Commissioners

FROM: John M. Salazar, Development Review Specialist Sr. *JMS*

VIA: Katherine Miller, County Manager *KM*
Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building and Development Services Manager *VL*
Wayne Dalton, Building and Development Services Supervisor *WD*

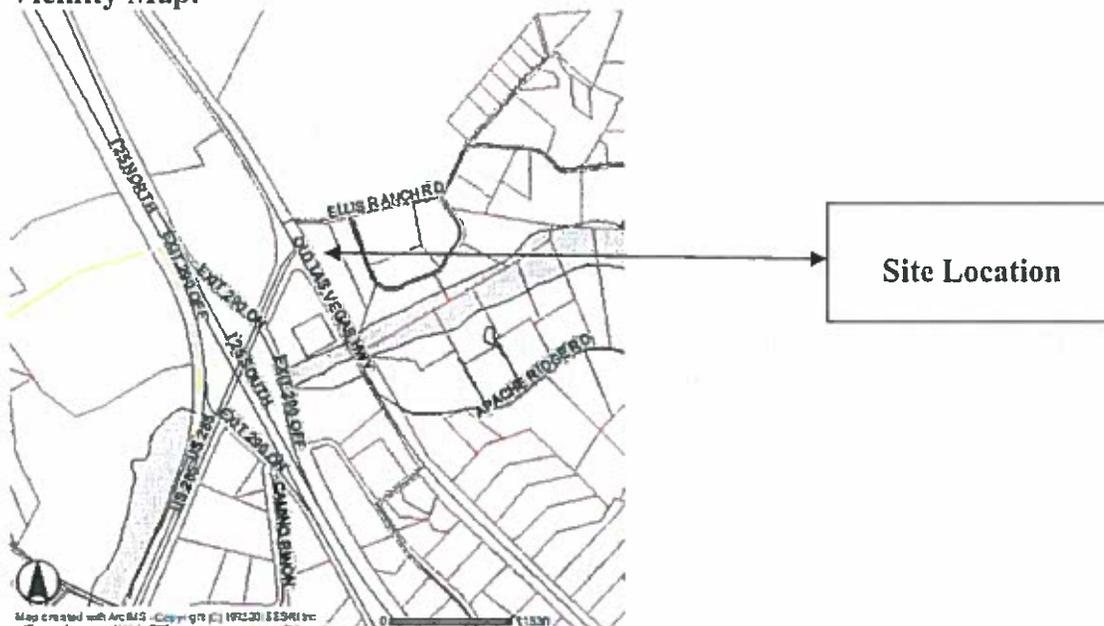
FILE REF.: BCC CASE #MIS 15-5020 Craft, LLC D/B/A Café Fina Beer & Wine License

ISSUE:

Craft, LLC D/B/A Café Fina, Applicant, request approval for a restaurant beer and wine liquor license.

The property is located at 624 Old Las Vegas Highway, near Ellis Ranch Road, within Section 3, Township 15 North, Range 10 East, (Commission District 4).

Vicinity Map:



SUMMARY:

The Applicant requests approval of a Restaurant Beer and Wine Liquor License, to be located at Café Fina.

This property is acknowledged by Santa Fe County as a legal non-conforming commercial property for restaurant and/or food service. An Administrative Development Plan for the prior establishment known as Station Café & Restaurant was approved and recorded with conditions in 2008.

Ordinance No. 2005-8 (U.S. 285 South Highway Corridor Zoning District) designates this site as Neighborhood Mixed Use which allows for beer and wine to be served in a restaurant as a permitted use.

The State Alcohol and Gaming Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. Legal notice of this request has been published in the newspaper. The Board of County Commissioners is required to conduct a public hearing on the request to grant a Restaurant Beer and Wine Liquor License at this location.

This Application was submitted on January 5, 2015.

Growth Management staff has reviewed this project for compliance with pertinent Code requirements and finds the following facts to support this submittal: Ordinance No. 2005-08 designates this site as a Neighborhood Mixed Use Sub-district which allows restaurants serving liquor as a permitted use; the County Growth Management Department acknowledges that the property is a legal non-conforming commercial property for a restaurant and/or food service use; the Applicant has met the State of New Mexico requirements for noticing, distance from schools and churches.

APPROVAL SOUGHT: Approval of a Restaurant Beer and Wine Liquor License.

GROWTH MANAGEMENT AREA: El Centro, SDA-2

AGENCY REVIEW:	<u>Agency</u>	<u>Recommendation</u>
	NM Alcohol & Gaming	Preliminary Approval

Distance from nearest Church – 4.9 miles
Distance from nearest School – 2.2 miles

STAFF RECOMMENDATION: Approval of a Restaurant Beer & Wine Liquor License to be located at 624 Old Las Vegas Highway.

EXHIBITS:

- 1- Letter of Intent
- 2- Zoning Statement
- 3- Site Plan
- 4- Alcohol and Gaming Division Letter of Preliminary Approval
- 5- Aerial of Site
- 6- County Business License
- 7- NMED Permit

Café Fina
324 Old Las Vegas Highway
Santa Fe, NM 87508
2008ob@comcast.net
808 466 3886

October 30, 2014

Jose Larrañaga
Zoning Statement Case Manager
Santa Fe County Planning and Zoning
102 Grant St.
Santa Fe, NM 87508

Dear Mr Larrañaga,

I am applying for a Restaurant/Beer and Wine license with The New Mexico Regulation and Licensing Department, Alcohol and Gaming Division.

In order to complete my application I will need a zoning statement indicating that the property is designated "Neighborhood Mixed Use" and is acknowledged by the county as a legal, non-conforming, commercial restaurant property that allows for beer and wine to be served with meals.

Café Fina is a full-service restaurant that is open everyday from 7am-3am and Friday, Saturday and Sunday evening from 5:30pm to 9pm

Sincerely,



Bob



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

November 17, 2014

Café Fina
Patrick M. O'Brien
624 Old Las Vegas Highway
Santa Fe, NM 87508

Re: Zoning Statement

Dear Mr. O'Brien:

I am submitting confirmation regarding the zoning status of the Café Fina Restaurant.

The property is acknowledged by the county as a legal non-conforming commercial property for restaurant and/or food service use. An Administrative Development Plan, for the prior establishment known as Station Café & Restaurant, was approved and recorded with conditions in 2008.

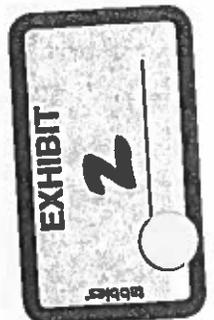
Ordinance No. 2005-08 (U.S. 285 South Highway Corridor Zoning District) designates this site as Neighborhood Mixed Use which allows for beer and wine to be served in a restaurant as a permitted use. The zoning on this site allows for beer and wine to be served with meals.

If you have any questions contact me at 986-6225.

Sincerely,

Vicki Lucero
Building and Development Services Manager

Cc; Jose E. Larrañaga
Development Review Team Leader

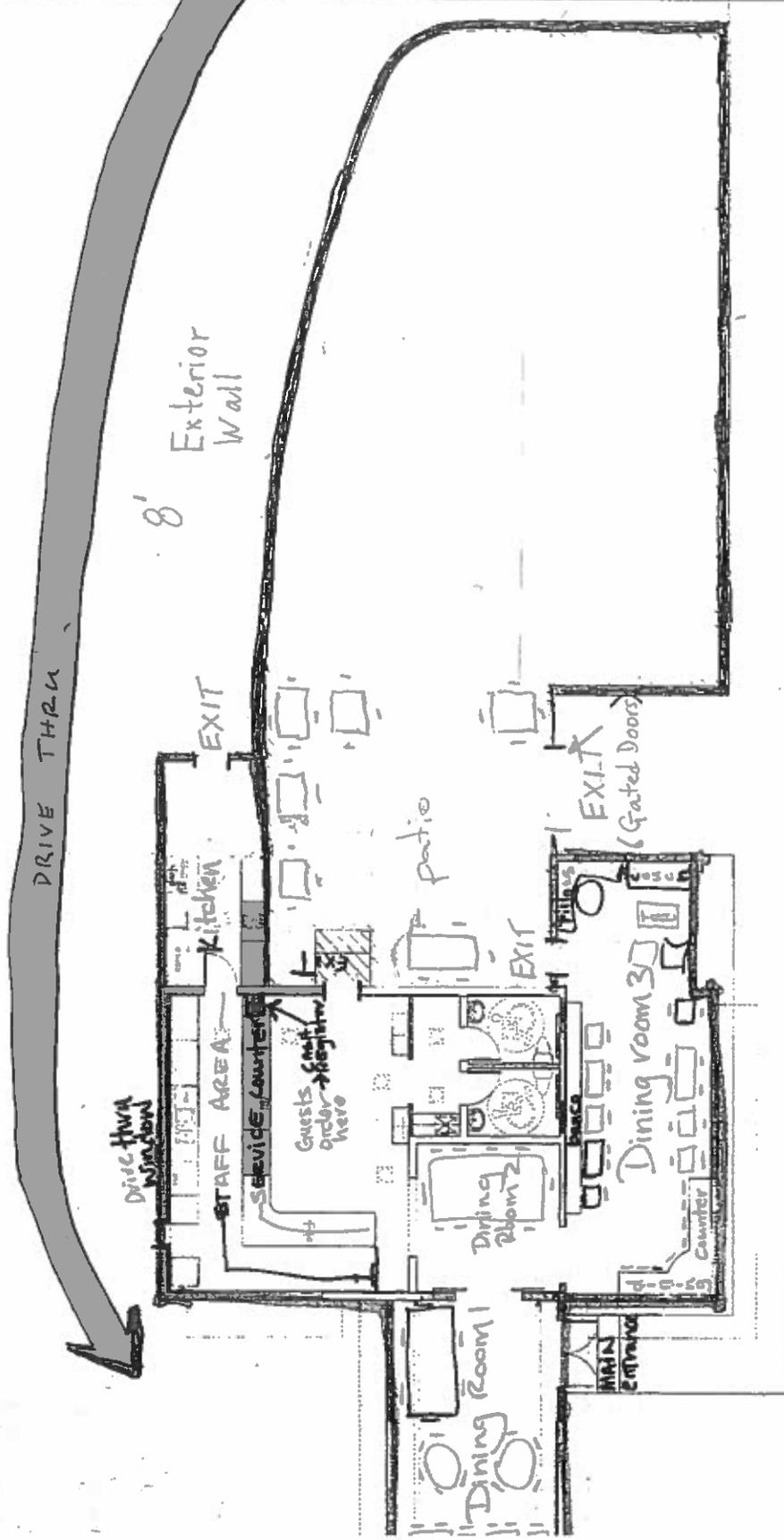


(E)

(N)

(W)

DESIGN SOLUTIONS DESIGN AND DRAWING SERVICES 724 S. CURT AND ASSOCIATES 674 WEST 84th STREET SANTA FE, NM PH 505 988 0249 FAX 505 988 1025	624 OLD LAS VEGAS HIGHWAY SANTA FE, NEW MEXICO	DATE: 8-20-07 REVISION: DATE: DRAWN BY: CHECKED BY: IT: JAMES BOON	A-9
--	---	--	-----



Sq Ft = 1478 heated
 1920 patio
 3398 total sq ft.

OLD LAS VEGAS HIGHWAY

EXHIBIT
3
 Exhibit



New Mexico Regulation and Licensing Department
ALCOHOL AND GAMING DIVISION

Toney Anaya Building • 2550 Cerrillos Road • Santa Fe, New Mexico 87505
(505) 476-4875 • Fax (505) 476-4595 • www.rld.state.nm.us

December 29, 2014

Certified Mail No.: 7006 3450 0001 4339 3521

Susana Martinez
GOVERNOR

Robert "Mike" Unthank
SUPERINTENDENT

James C. McKay
CHIEF GENERAL
COUNSEL

Mary Kay Root
DIRECTOR

Jose E. Larrañaga
Commercial Development Case Manager
Building and Development Services
Santa Fe County
102 Grant Avenue
Santa Fe, NM, 87504

Re: License No. / Appl. No.: Appl. No. 933578
Applicant Name: Craft, LLC
Doing Business As: Café Fina
Proposed Location: 624 Old Las Vegas Highway
Santa Fe, NM 87505

ATTENTION: Department or person responsible for conducting or preparing the public hearing for liquor license transfers or issuance of new liquor licenses.

Greetings:

The Director of the Alcohol and Gaming Division has reviewed the referenced Application and granted Preliminary Approval; it is being forwarded to you in accordance with Section 60-6B-4 NMSA of the Liquor Control Act.

Within forty-five (45) days after receipt of a Notice from the Alcohol and Gaming Division, the governing body shall hold a Public Hearing in the question of whether the department should approve the proposed issuance or transfer. Notice of the Public Hearing required by the Liquor Control Act shall be given by the governing body by publishing a notice of the date, time, and place of the hearing at least once a week for two consecutive weeks in a newspaper of general circulation within the territorial limits of the governing body, which requires that two weeks of publication must be satisfied before a hearing can be conducted. The notice shall include: (A) Name and address of the Applicant/Licensee; (B) The action proposed to be taken by the Alcohol and Gaming Division; and (C) The location of the licensed premises. The governing body is required to send notice by certified mail to the Applicant of the date, time, and place of the Public Hearing. The governing body may designate a Hearing Officer to conduct the hearing. A record shall be made of the hearing.

THE APPLICANT IS SEEKING A RESTAURANT BEER AND WINE LICENSE WITH ON PREMISE CONSUMPTION ONLY.

Alcohol and Gaming Division
(505) 476-4875

Boards and Commissions Division
(505) 476-4600

Construction Industries Division
(505) 476-4700

Financial Institutions Division
(505) 476-4885

Manufactured Housing Division
(505) 476-4770

Securities Division
(505) 476-4580

Administrative Services Division
(505) 476-4800



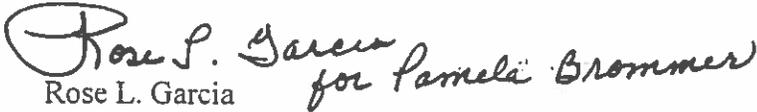
The governing body may disapprove the issuance or transfer of the license if:

- 1) The proposed location is within an area where the sale of alcoholic beverages is prohibited by the laws of New Mexico. (The governing body may disapprove if the proposed location is within 300 feet of a church or school unless the license has been located at this location prior to 1981 or unless the Applicant/Licensee has obtained a waiver from the Local Option District governing body for the proposed licensed premises).
- 2) The issuance or transfer would be in violation of a zoning or other ordinance of the governing body. The governing body may disapprove if the proposed location is not properly zoned. Because this office is in receipt of a Zoning Statement from the governing body, this is not a basis for disapproval.
- 3) The issuance would be detrimental to the public health, safety, or morals of the residents of the Local Option District. Disapproval by the governing body on public health, safety, or morals must be based on and supported by substantial evidence pertaining to the specific prospective transferee or location and a copy of the record must be submitted to the Alcohol and Gaming Division.

Within thirty (30) days after the Public Hearing, the governing body shall notify the Alcohol and Gaming Division as to whether the local governing body has approved or disapproved the issuance or transfer of the license by signing the enclosed original Page 1 of the Application. The original Page 1 of the Application must be returned together with the notice of publication(s). **If the governing body fails to either approve or disapprove the issuance or transfer of the license within thirty days after the Public Hearing, the Director will give Final Approval to the issuance or transfer of the license.**

If the governing body disapproves the issuance or transfer of the license, it shall notify the Alcohol and Gaming Division within thirty (30) days setting forth the reasons for the disapproval. A copy of the Minutes of the Public Hearing shall be submitted to the Alcohol and Gaming Division with the notice of disapproval (Page 1 of the Application page noting disapproval).

Sincerely,


Rose L. Garcia
for Pamela Brommer

Hearing Officer

NM Regulation & Licensing Dept.

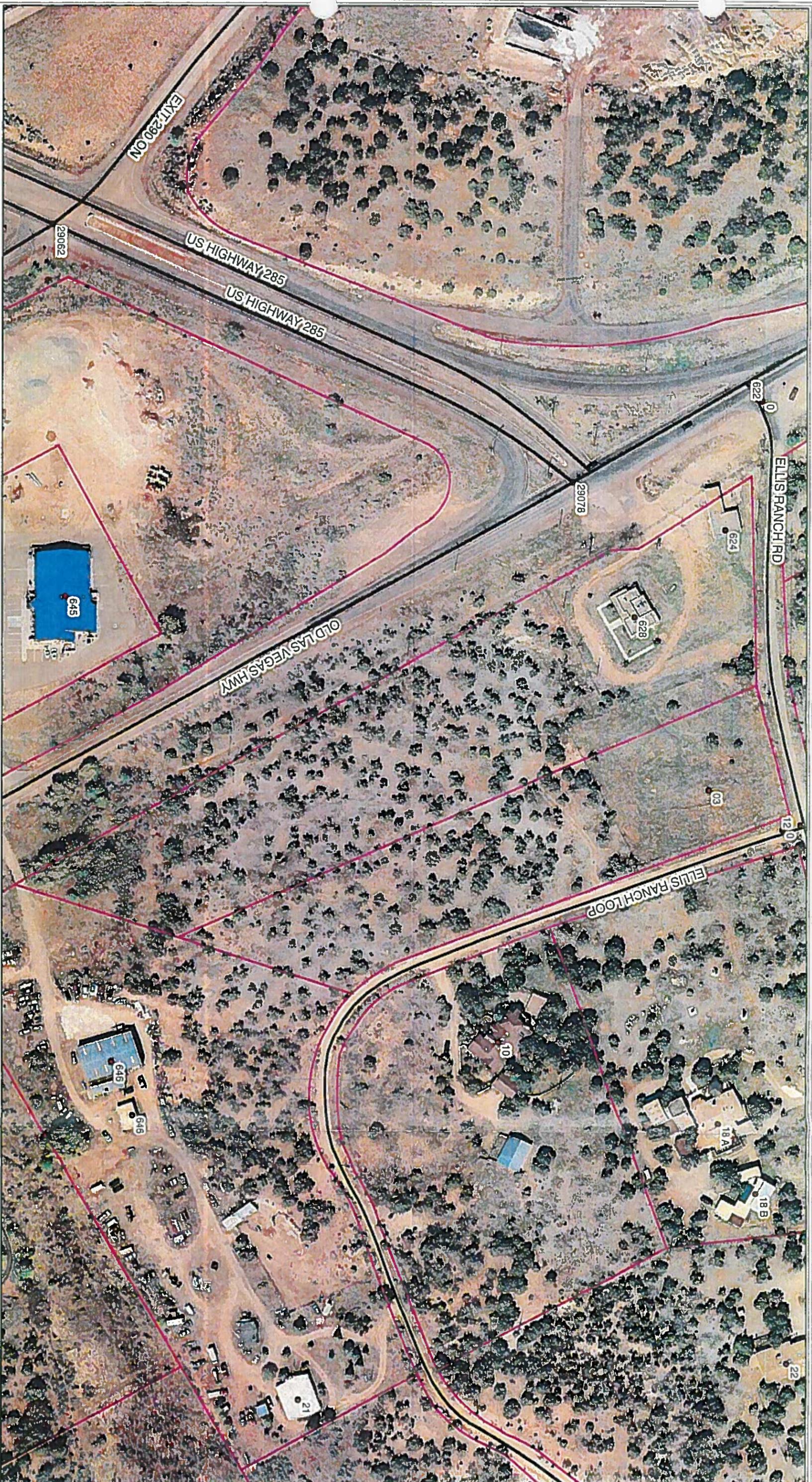
Alcohol & Gaming Division

Phone: 505-476-4552

Fax: 505-476-4595

Email: rosel.garcia@state.nm.us

Enclosures: Original Page 1 of Application
Copy of Page 2 of Application
Zoning Statement



Legend
 ROADS
 PARCELS



2008 Imagery
 2 FOOT CONTOURS

This information is for reference only.
 Santa Fe County assumes no liability for
 errors associated with the use of these
 User are solely responsible for
 confirming data accuracy.



COMMERCIAL BUSINESS Registration

Registration No: 13593

Permit No: 12-4057

Permit Type: COMMERCIAL BUSINESS

Santa Fe County

State of New Mexico, County of Santa Fe

WHEREAS, PATRICK MURPHY O'BRIEN, a resident of 2881 CAMINO DEL PRADO, SANTA FE, NM 87507

County and State at large, and one of the members of the firm known as

CARL PINA

has made application for registration as COMMERCIAL BUSINESS; therefore

Registration Has Been Granted

to the said, CARL PINA to carry on said business at

6340 DIABLO VEGAS HIGHWAY, SANTA FE, NM 87505

in said County and State for a period of 12 months, commencing on the 31 day of January, 2014

and ending on the 31 day of December 2014 under the provisions of the law in such cases made and provided.

In Witness Whereof, I have hereunto set my hand and affixed the seal

of the Treasurer at Santa Fe, N.M., this 1

day of January 2014

Shirley H. Hulse
SANTA FE COUNTY TREASURER

EXHIBIT
6

17452



State of New Mexico
Environment Department

FOOD ESTABLISHMENT PERMIT

This is to certify that Craft LLC

Owner of: Cafe Fina

Is hereby granted a permit to operate a food establishment

At: 624 Old Las Vegas Highway; Santa Fe, NM 87505

Type of Establishment: Food Service - Restaurant

Limitations or Restrictions: _____

Failure to maintain and operate the establishment in compliance with the Regulations (7.6.2 NMAC) may result in suspension or revocation of this permit by an authorized representative of this Department. This permit shall be renewed annually.

Date Issued: 30-JUN-14 Permit Number: 28263 - PRF20140001

Expiration Date: 30-JUN-15 Authorizing Official: Gloria Juul-Uwahkwe

This permit is not transferable to another individual, establishment, or location.

This permit must be displayed in a conspicuous place.



