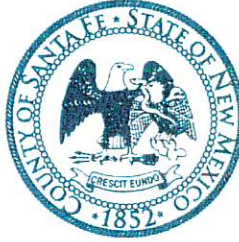


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: October 26, 2017

TO: Santa Fe County Hearing Officer

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

VIA: Penny Ellis-Green, Growth Management Director *PEG*
Vicki Lucero, Building and Development Services Manager *VL*

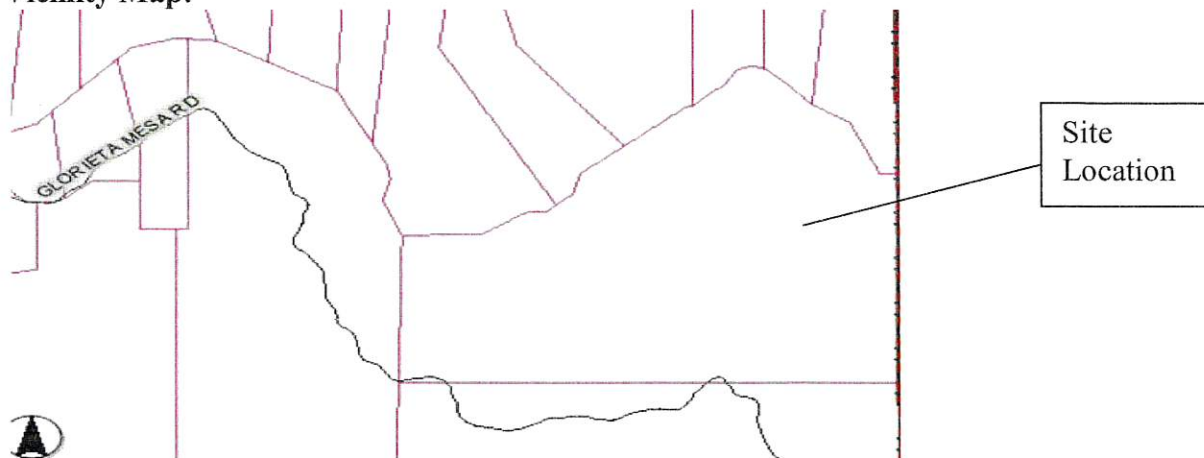
FILE REF.: CASE # V17-5090 Fredance, LLC Variance

ISSUE:

Fredance, LLC, Applicant, Sommer, Karnes and Associates (Joseph Karnes) Agent, request a variance to the requirements set forth in the Sustainable Land Development Code (SLDC) of Chapter 7, Table 7-13, Rural Road Classification and Design Standards to allow a road with a 30 ft. Right-of-Way rather than the required 50 ft. Right-of-Way for local roads.

The property is located within the Rural Fringe Zoning District at 325 Glorieta Mesa Road, within Section 12, Township 15 North, Range 11 East (Commission District 4).

Vicinity Map:



SUMMARY:

The Applicant, Fredance, LLC is the owner of the property at 325 Glorieta Mesa Road as indicated by the warranty deed recorded in the records of the Santa Fe County Clerk on January 9, 2007, as Instrument No. 1466386. The applicant is requesting a variance to allow a right-of-way easement to be less than the required 50 ft. right-of-way easement for local roads providing access for non-residential uses.

The property at 325 Glorieta Mesa Road consists of 164.5 acres within the Rural Fringe Zoning District. The property is accessed off of S.R. 50 onto La Joya Rd., which is a County maintained road. La Joya Rd. turns into Forest Service Rd. 612, which is a U.S. Forest Service maintained Public Road, which then turns onto U.S. Forest Service Road 612B, which is identified as a Private Forest Service Road (USFS) with a 30 ft. right-of-way (ROW) easement that is approximately 2.1 miles long and then turns into Glorieta Mesa Rd., which is a private road that is approximately 1.8 mile long. Glorieta Mesa Road has a 30 ft. easement.

The Applicant states that they along with their development partner will be proposing a non-residential religious use on a portion of the subject property. A religious use is a permitted use per the SLDC. However, any non-residential use requires a minimum 50 ft. ROW for local roads up to the point where they access a Public Road. Therefore, the Applicant is requesting a variance to allow a 30 ft. ROW prior to proceeding with their application for the religious use.

The Applicant requests a variance of Chapter 7, Table 7-13, Rural Road Classification and Design Standards to allow 2.1 miles of an existing Private U.S. Forest Service Road and a 1.8 mile portion of Private Easement (Glorieta Mesa Road) to have a 30 ft. ROW rather than the required 50 ft. right-of way easement required in Ordinance No. 2016-9, the Sustainable Land Development Code (SLDC) Table 7-13: Rural Road Classification and Design Standards (SDA-2 and SDA-3) for Local Roads. The design standards for Local Roads are 2, 10 ft. driving lanes with a minimum ROW of 50 ft., and a 9% max grade with 3 inches of base course (Exhibit 4).

The Applicant's agent states, to facilitate future development of the subject property, which is not proposed by this application, the Applicant requests a variance to the road easement standard for the existing U.S. Forest Service Road Easement (2.1 miles) and the Private Easements (1.8 miles). The Private U.S. Forest Service Easement along with the Private Easements and the existing road within those easements otherwise comply with the SLDC requirements. In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of U.S. Forest Service Road 612B, including the Applicant. The 30 ft. wide Private Easement was created in 2005 by a Summary Review Subdivision and Lot Line Adjustment Plat, book 587 page 015. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the association, including the subject property. The Applicant's agent further states in conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20 ft.

Staff Response:

U.S. Forest Service Road 612B and Glorieta Mesa Road are required to meet Santa Fe County Road Standards for local roads which would require two driving lanes each lane must be a minimum of 10 ft. in width, a max grade of 9%, with a 50 ft. easement, and 3 in. of base course as stated in Chapter 7 table 7-13 Rural Road Classification and Design Standards (SDA-2 and SDA-3). The Applicant is only asking for a variance of the ROW, not a variance to the road improvements. Staff conducted a site visit and feels that the off-site road (Glorieta Mesa Rd.) is in good condition and with some maintenance can meet the SLDC requirements for width.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which govern this Application are the following:

Chapter 8, Section 8..6.3. Rural Fringe (RUR-F) Purpose:

The purpose of the Rural Fringe (RUR-F) district is to designate areas suitable for a combination of estate-type residential development, agriculture uses and other compatible uses. The RUR-F designation provides an intermediate step in development density between typical open space and agricultural/ranching lands and primarily residential (low density) parcels. This zone also serves to protect agricultural and environmental areas that are inappropriate for more intense development due to their sensitivity. The RUR-F zone accommodates primarily large lot residential, ecotourism, equestrian uses and renewable resource-based activities, seeking a balance between conservation, environmental protection and reasonable opportunity for development. Density transfers and clustered development shall be allowed in order to support continued farming and/or ranching activities, conserve open space or protect scenic features and environmentally sensitive areas.

Chapter 4, Section 4.9.7.1, Variances, Purpose, states:

The purpose of this Section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements and standards of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

Chapter 4, Section 4.9.7.4, Variance Review criteria states:

A variance may be granted by only a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) based upon the following criteria:

1. where the request is not contrary to public interest;
2. where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and

- exceptional practical difficulties or exceptional and undue hardship on the owner;
and
3. so that the spirit of the SLDC is observed and substantial justice is done.

Chapter 4, Section 4.9.7.5 Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant files a plat implementing the variance or substantial construction of the building or structure authorized by the variance occurs within that time.

The Applicant has addressed the variance criteria as follows:

1. Where the request is not contrary to the public interest;

Applicant's Statement: In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of Forest Road 612B, including the Applicant. The 30-foot wide Private Easement was created in 2005. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the Association, including the Subject Property. In conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20-feet. In sum, the existing road within the USFS Easement and the Private Easement is adequate and the easements themselves were adequate to issue several development permits prior to adoption of the SLDC, but the 30-foot wide USFS Easement and Private Easement do not comply with the current SLDC width requirement of 50-feet. Approval to the requested variance would allow for the USFS Easement and private Easement and the existing road to continue being used for vehicular access to the Subject Property and for development to occur on the Subject Property, subject to future approval of a development plan and permit application. Given the rural nature of the area and the relatively limited number of properties served by the USFS Easement and the Private Easement, and the low-intensity zoning adopted by the SLDC, it is not likely that the existing road within the USFS Easement or the Private Easement will ever need to be expanded beyond its existing 2-lane, minimum 20' wide condition. Allowing for the existing USFS Easement and road to be utilized for their intended purpose of serving properties within the Association and development thereon furthers the public interest and is not contrary to the public interest.

Staff Response: Chapter 7, Section 7.11.11.5, states; Residential development may reduce the road easement width for off-site and on-site roads to no less than 20 ft. if adequate drainage control is provided and may allow the surface to be hard packed dirt with compaction of 95% of the maximum density. Chapter 7, Section 7.11.11.4.3 states; other land divisions and subdivisions exemptions may reduce the road easement width for off-site and on-site roads to no less than 20 ft. if adequate drainage control is provided and may allow the surface to be hard packed dirt with compaction of 95% of the maximum density. However, a non-residential use requires a minimum 50 ft. ROW for local roads up to the point where they access a Public Road.

2. Where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties and undue hardship to the owner;

Applicant's Statement: Strict application of the SLDC would mean that the USFS Easement and the Private Easement and the Code-compliant road within those easements could not be used to access development on the Subject Property. The USFS Easement has been in existence for over 16 years and the Private Easement has been in existence for 12 years, and until adoption of the SLDC those easements were sufficient for issuance of development permits for other properties within the Association. A County Code revision resulting in the inability to develop the Subject Property for otherwise Code-compliant uses would result in undue hardship to the applicant. Achieving grant of a new easement by the USFS and the private owners would cause peculiar and exceptional practical difficulties and may be impossible to achieve. Such a burden would likely have the practical effect of rendering the subject property and the other properties served by the USFS Easement and Private Easement impracticable. The circumstance resulting from the new SLDC easement width requirement and its impact on the USFS Easement and the Private Easement was not caused by the applicant and constitutes an extraordinary and exceptional situation that is contrary to the intent of the USFS when it granted the USFS Easement and the private owners in granting the Private Easement.

Staff Response: The SLDC would allow residential development, Land Divisions and Subdivision exemptions with a minimum ROW of 30 ft. However, for non-residential development meeting local road standards, the minimum ROW required would be 50 ft.

3. So that the spirit of the SLDC is observed and substantial justice is done.

Applicant's Statement: As addressed above, County staff has concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC standards. It is only the (paper) easement that does not comply with the SLDC easement width requirement. The County zoned the subject Property as Rural Fringe. Approval of the requested variance will facilitate economically productive use of the Subject Property in a manner consistent with the existing

zoning, thereby furthering the spirit of the SLDC and ensuring that substantial justice is done to ameliorate a Code conflict with the USFS Easement granted by the United States and the Private Easement, which was not caused by the Applicant. As shown on the attached site plan, the Applicant and its development partner, The Wholeness, a non-profit organization, desire to achieve a religious use on a portion of the Subject Property offering an all-denominational direct spiritual experience of the natural healing and awakening frequencies of Mother Earth, as amplified and made more accessible by the crystal Mahavakya Technology. The private facilities desired to be established on a portion of the Subject Property include a Crystal Earth Pavilion and other ancillary structures to enable guests to enjoy an optimum personal communion with Mother Earth. Resolution of the existing access issue by approval of the requested variance is a prerequisite to submittal of a development plan and permit applicant to allow for the desired religious use on the Subject Property.

Given that the variance is a necessary pre-requisite for achievement of the desired use, this application triggers the Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. §§ 2000cc, *et seq.*), which prohibits governmental action that:

1. treats churches or other religious assemblies or institutions on less than equal terms with nonreligious institutions;
2. discriminates against any assemblies or institutions on the basis of religion or religious denomination;
3. totally excludes religious assemblies from a jurisdiction; or
4. unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

Staff Response: Chapter 8, Section 8.6.3. of the SLDC, Rural Fringe zoning district allows religious facilities as a permitted use as specified in Appendix B: Use Matrix. A permitted use application is subject to an administrative approval, provided that it meets the design standards of the SLDC.

As required by the SLDC, the Applicant presented the Application to the Technical Advisory Committee (TAC) on February 20, 2017, at the regularly scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, Section 4.4.4.3, Pre-application TAC Meeting.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on October 11, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on October 11, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on April 21, 2017.

This Application was scheduled to go before the Santa Fe County Hearing Officer on June 22, 2017. However, this case had to be tabled three times due to legal access/easement issues with the United States Forest Service (USFS). At this time the USFS has confirmed that they will be working with the Applicants to amend the easement agreement in order to provide legal access.

RECOMMENDATION:

The Applicant did provide responses to the variance review criteria. Staff recommends denial of a variance from Ordinance No. 2016-9 the Sustainable Land Development Code (SLDC) Chapter 7, Table 7-13, Rural Road Classification and Design Standards (SDA-2 and SDA-3). If the Hearing Officer recommends approval of the Applicant's variance request, staff recommends imposition of the following condition of approval:

1. No development permits will be issued to the Applicant unless and until the new easement agreement has been issued and recorded by the United States Forest Service (USFS).

Staff requests the Hearing Officer memorialize findings of fact and conclusion of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on December 21, 2017.

EXHIBITS:

1. Applicants Request
2. Recorded Survey Plat
3. Aerial of Site and Surrounding Area
4. Chapter 7, Table 7-13 Rural Road Classification and Design Standards
5. Noticing
6. Road Access to 325 Glorieta Mesa Road

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Of Counsel

June 14, 2017

Miguel Romero, Case Planner
Santa Fe County Growth Management Department
102 Grant Avenue
Santa Fe, NM 87501

Re: Fredance, LLC Variance Application Submittal (Updated)

Dear Jon:

On behalf of Fredance, LLC, please find the attached documents comprising the Application for a variance to the requirements set forth in SLDC Table 7-13 requiring a minimum right-of-way of 50 feet for local roads providing access for non-residential uses and to SLDC section 7.11.11 regarding road access. As addressed below, the 164.5 acre subject property (the "Subject Property") is accessed via Forest Road 612B pursuant to a 30-foot ROW easement granted by the United States Forest Service (the "USFS Easement") and across a stretch private land pursuant to a 30-foot ROW (Book 587 Page 015, the "Private Easement"). The application requests a variance to allow for the USFS Easement and the Private Easement and the existing road within those easements to be used to access future non-residential development on the subject property, which requires a 50-foot easement width.

Please find attached the following documents comprising the Application:

1. Application Fee check #7027 in the amount of \$900.00;
2. Completed Santa Fe County/Fire Department Application Form;
3. Approved Emergency 911 Assigned Address form;
4. Warranty Deed in to Fredance, LLC (Instrument No. 14662386);
5. Survey Plat showing the Subject Property (Book 623, page 34);
6. Vicinity Map with directions;
7. Proof of Taxes Paid;
8. Site Plan to scale, including detail of the Subject Property showing planned future development that is not part of this application;
9. Plat showing existing USFS Easement – subject of the variance request (Book 525, page 024);
10. USFS Easement with the Glorieta Mesa Ranch Road Maintenance Association (the "Association") – subject of the variance request (Book 2638, pages 848-851); and 1 NBC-8

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Miguel Romero

June 14, 2017

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11. Plat showing 50' access easement from USFS Easement to the Subject Property (Book 691, page 049).
12. Plat Showing Private Easement recorded in Plat Book 587 Page 015.

The Subject Property is 164.5 acres in size and is currently vacant. To facilitate future development of a portion of the Subject Property, which is not proposed by this application, the applicant requests a variance to the road easement standard for the existing USFS Easement and the Private Easements. The USFS Easement and the Private Easements and the existing road within those easements otherwise comply with SLDC requirements.

As shown on the attached site plan, the applicant and its development partner, The Wholeness, a non-profit organization, desire to achieve a non-residential religious use on a portion of the Subject Property offering an all-denominational direct spiritual experience of the natural healing and awakening frequencies of Mother Earth, as amplified and made more accessible by the crystal Mahavakya Technology. The private facilities desired to be established on a portion of the Subject Property include a Crystal Earth Pavilion and other ancillary structures to enable guests to enjoy an optimum personal communion with Mother Earth. Resolution of the existing access issue by approval of the requested variance is a prerequisite to submittal of a development plan and permit applicant to allow for the desired religious use on the Subject Property, which is planned to be submitted if this variance application is approved.

Access to the Subject Property is from SR 50, which provides access between Glorieta and Pecos is as follows: turn right on La Joya Road, which is a County-maintained public road. La Joya Road bears south, ascends Glorieta Mesa and becomes Forest Road 612, a US Forest Service-maintained public road. At the top of Glorieta Mesa, turn left on Forest Road 612B and proceed east to the Subject Property. The 30-foot wide USFS Easement (aka Glorieta Mesa Road) extends from its intersection with Forest Road 612 east to the east boundary of the Santa Fe National Forest, which is coterminous with the west boundary of the Pecos Pueblo Grant (see Book 525, page 024). Glorieta Mesa Road continues to the east, providing access to the Subject Property and other developed and undeveloped properties within the Association via the Private Easement and then via a 50-foot wide access easement across private land (see Book 691 Page 049).

The Planning Commission may grant a variance based on satisfaction of the criteria addressed below. The applicant requests a variance to the requirements set forth in SLDC Table 7-13 requiring a minimum right-of-way of 50 feet for local roads and to SLDC section 7.11.11 regarding road access to allow for the 30-foot wide USFS Easement and the 30-foot wide Private Easement to be used to serve future development on the Subject Property, which the applicant intends be carried out pursuant to a future development plan and development permit application.

1. where the request is not contrary to the public interest;

Response: In 2003, the U.S. Forest Service granted the USFS Easement to the Glorieta Mesa NBC-9

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Miguel Romero

June 14, 2017

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Ranch Road Maintenance Association, which is comprised of the owners of properties within the Pecos Pueblo Land Grant east of Forest Road 612B, including the applicant. The 30-foot wide Private Easement was created in 2005. There is an existing road within the USFS Easement and the Private Easement that provides access to lands and existing development within the Association, including the Subject Property. In conjunction with this application, County Growth Management Department and County Fire Department staff carried out a site visit and concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC requirements, except perhaps for some areas where road maintenance is needed to maintain an effective road width of 20-feet. In sum, the existing road within the USFS Easement and the Private Easement is adequate and the easements themselves were adequate to issue several development permits prior to adoption of the SLDC, but the 30-foot wide USFS Easement and Private Easement do not comply with the current SLDC width requirement of 50-feet.

Approval to the requested variance would allow for the USFS Easement and private Easement and the existing road to continue being used for vehicular access to the Subject Property and for non-residential development to occur on a portion of the Subject Property, subject to future approval of a development plan and permit application. Given the rural nature of the area and the relatively limited number of properties served by the USFS Easement and the Private Easement, and the low-intensity zoning adopted by the SLDC, it is not likely that the existing road within the USFS Easement or the Private Easement will ever need to be expanded beyond its existing 2-lane, minimum 20' wide condition. Allowing for the existing USFS Easement and road to be utilized for their intended purpose of serving properties within the Association and development thereon furthers the public interest and is not contrary to the public interest.

2. where due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties and undue hardship to the owner;

Response: Strict application of the SLDC would mean that the USFS Easement and the Private Easement and the Code-compliant road within those easements could not be used to access the planned non-residential development on the Subject Property. The USFS Easement has been in existence for over 16 years and the Private Easement has been in existence for 12 years, and until adoption of the SLDC those easements were sufficient for issuance of development permits for other properties within the Association. A County Code revision resulting in the inability to develop the Subject Property for otherwise Code-compliant non-residential uses would result in undue hardship to the applicant. Achieving grant of a new easement by the USFS and the private owners would cause peculiar and exceptional practical difficulties and may be impossible to achieve. Such a burden would likely have the practical effect of rendering the subject property and the other properties served by the USFS Easement and Private Easement impracticable for their intended non-residential religious purpose. The circumstance resulting from the new SLDC easement width requirement and its impact on the USFS Easement and the Private Easement was

NBC-10

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Miguel Romero

June 14, 2017

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not caused by the applicant and constitutes an extraordinary and exceptional situation that is contrary to the intent of the USFS when it granted the USFS Easement and the private owners in granting the Private Easement.

3. so that the spirit of the SLDC is observed and substantial justice is done.

Response: As addressed above, County staff has concluded that the existing road within the USFS Easement and the Private Easement complies with applicable SLDC standards. It is only the (paper) easement that does not comply with the SLDC easement width requirement. The County zoned the subject Property as Rural Fringe. Approval of the requested variance will facilitate economically productive use of the Subject Property in a manner consistent with the existing zoning, thereby furthering the spirit of the SLDC and ensuring that substantial justice is done to ameliorate a Code conflict with the USFS Easement granted by the United States and the Private Easement, which was not caused by the applicant.

Given that the variance is a necessary pre-requisite for achievement of the desired non-residential use, this application triggers the Religious Land Use and Institutionalized Persons Act of 2000 (42 U.S.C. §§ 2000cc, *et seq.*), which prohibits governmental action that:

- (1) treats churches or other religious assemblies or institutions on less than equal terms with nonreligious institutions;
- (2) discriminates against any assemblies or institutions on the basis of religion or religious denomination;
- (3) totally excludes religious assemblies from a jurisdiction; or
- (4) unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

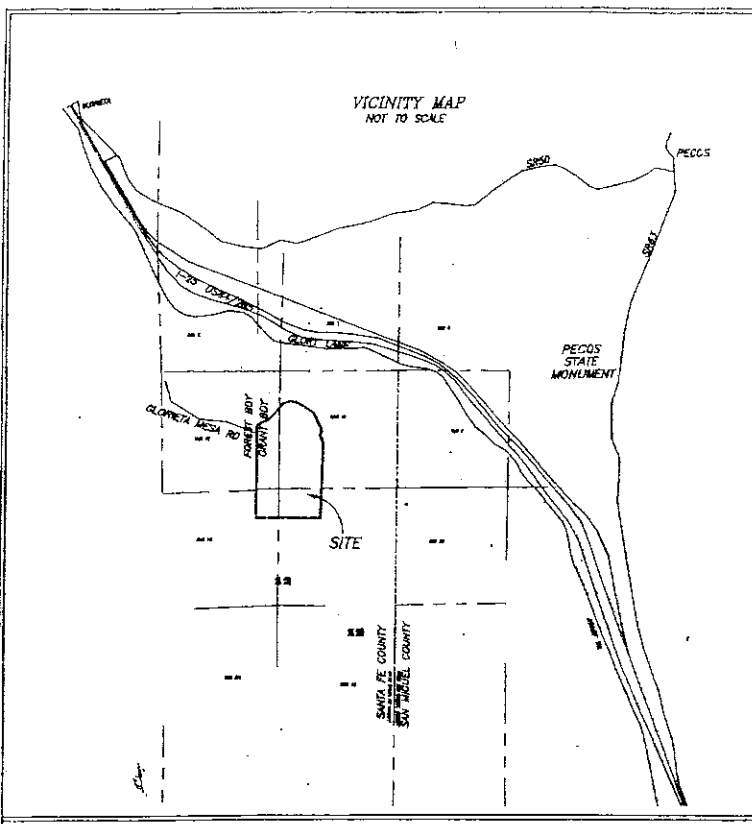
We appreciate County staff's efforts to identify the entitlements necessary to achieve the applicant's objectives and look forward to working with you to process the applicant and present it to the Planning Commission.

Please confirm your receipt of this information, let me know whether the application is deemed complete and direct any questions concerning the foregoing to my attention.

Sincerely,


Joseph M. Karnes

11-11-17



LINE	BEARING	DIST
L1	S68°15'25"E	116.13'
L2	S52°46'25"E	133.50'
L3	S85°25'29"E	57.81'
L4	S85°25'29"E	146.69'
L5	N70°01'21"E	199.07'
L6	N32°34'56"E	181.61'
L7	N18°40'55"E	185.05'
L8	N43°23'45"E	240.08'
L9	N94°47'48"E	197.13'

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 8th DAY OF FEBRUARY, 2004, TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAT ARE CORRECT, TRUE AND MEET THE MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO.

GARY E. DANSON, N.M.P.L.S. 7014

LEGEND
BEARINGS ARE DERIVED FROM GPS OBSERVATIONS, REFERRED TO THE NAD 83 STATE PLANE, CENTRAL ZONE MERIDIAN. DISTANCES ARE GROUND, GROUND TO GRID SCALE FACTOR = .99584

- F DENOTES BRASS CAP, OR AS SHOWN, FOUND
- R DENOTES REBAR, OR AS SHOWN, FOUND
- S DENOTES REBAR, OR AS SHOWN, SET
- C DENOTES CALCULATED POINT NOT SET
- AUE DENOTES PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT
- C/L DENOTES CENTERLINE
- DENOTES CENTERLINE OF NATURAL DRAINAGE WAY EASEMENT
- DENOTES BUILDING SITE, SLOPES LESS THAN 15%

BOUNDARY DATA IN PARENTHESIS IS FROM PRIOR PLATS OR DOCUMENTS

— DENOTES BOUNDARY OF LANDS DEALT WITH BY THIS PLAT INFORMATION OUTSIDE OF THIS BOUNDARY IS BACKGROUND INFORMATION ONLY, NOT VERIFIED FOR ACCURACY AND IS NOT PART OF THIS PLAT.

THIS PLAT SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

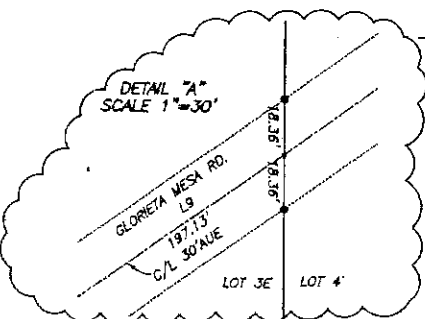
WATER AND FIRE PROTECTION NOTE
The 10,000 gallon system and draft hydrant at each residence shall be in place, tested, approved and operable prior to the start of any building construction. Plans and locations for said system shall be submitted prior to the installation for approval by the Santa Fe County Fire Department and shall meet all minimum requirements. The water storage system shall incorporate the use of a tank water level monitoring system. The water level shall be maintained by an external water source or well. Residential fire protection sprinkler systems are required for all residences.

Water produced from well UP-3436 will be treated at the wellhead to within Environmental Protection Agency (EPA) National Drinking Water Standards. The water treatment system will be installed by the seller prior to any water delivery to the five (5) lots served by said well. The seller will initially perform system maintenance. Upon private ownership of all five (5) lots, responsibility for maintenance of the entire water system, including the water treatment system, will revert to the shared well association defined in the well sharing agreement for UP-3436.

Water use on each lot, from well UP-3436, will be limited to 0.25 acre-feet per annum (afa) by Santa Fe County Land Use Department. Upon submittal of additional hydrologic information, the water use may be increased to a maximum of 0.60 afa per lot, or a total of 3.0 afa from well UP-3436.

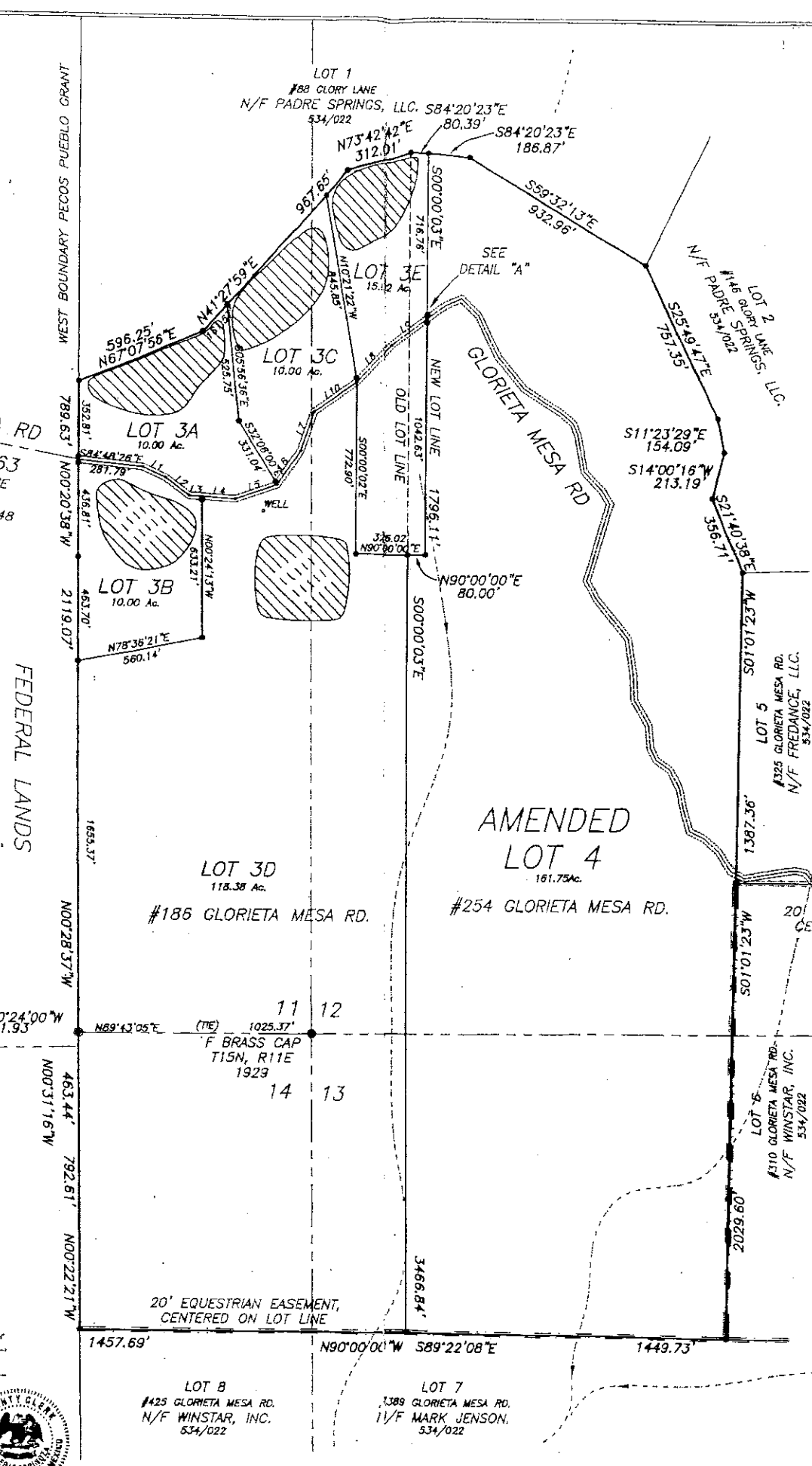
NOTE:
BUILDING PERMITS FOR LOTS 3A THROUGH 3E SHALL NOT BE ISSUED UNTIL COUNTY ROAD 63 MEETS SANTA FE COUNTY ROAD STANDARDS, THE APPROVAL OF THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT AND THE U.S. FOREST SERVICE. OFFSITE ROAD IMPROVEMENTS SHALL INCLUDE THE IMPROVEMENT OF ROAD GRADES OF COUNTY ROAD 63, WHICH ACCORDING TO SANTA FE COUNTY CODE, MUST BE 11% OR LESS TO ALLOW FOR THE SATISFACTORY INGRESS AND EGRESS OF EMERGENCY VEHICLES AND 911 SERVICES.

LOT#	ADDRESS
3A	#175 GLORIETA MESA ROAD
3B	#174 GLORIETA MESA ROAD
3C	#199 GLORIETA MESA ROAD
3D	#186 GLORIETA MESA ROAD
3E	#209 GLORIETA MESA ROAD



COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 10th day of May 2004 A.D. at 1:30 o'clock P.M. and was duly recorded in book 377, page(s) 615 of the records of Santa Fe County.

Witness my Hand and Seal of office
VALERIE ESPINOZA
County Clerk, Santa Fe County, N.M.
Deputy



DEDICATION AND AFFIDAVIT
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE CAUSED TO BE DIVIDED THOSE LANDS SHOWN HEREON. THE SAID DIVISION AND LOT LINE ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND TO EXISTING UTILITIES NOT SHOWN, OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS DIVISION AND LOT LINE ADJUSTMENT CONTAINS 328 AC., MORE OR LESS. THERE IS NO ROAD DEDICATION.

THIS DIVISION LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, N.M.
OWNER LOT 3: FREDANCE, LLC.

BY: BOB SHERWIN, MANAGING DIRECTOR
STATE OF NEW MEXICO
COUNTY OF SANTA FE
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 3-28-05 BY BOB SHERWIN, MANAGING DIRECTOR OF FREDANCE, LLC.
NOTARY PUBLIC MY COMMISSION EXPIRES: 8-17-06

OWNER LOT 4
WILLIAM AND TONI SCHACKEL
STATE OF NEW MEXICO
COUNTY OF SANTA FE
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 3-29-05 BY WILLIAM AND TONI SCHACKEL
NOTARY PUBLIC MY COMMISSION EXPIRES: 8-17-06

SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS

APPROVED BY:
LAND USE ADMINISTRATOR DATE 4-10-05 RURAL ADDRESSING DATE 4-18-05 FIRE DEPARTMENT DATE 4-26-05
COUNTY DEVELOPMENT PERMIT NO. 04-3101 & 04-3102

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR STATE HIGHWAY DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

LANDS SHOWN HEREON LIE WITHIN ZONE "X" (LANDS OUTSIDE THE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL No. 350089-0275B, DATED 11/4/88.

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(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 ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.
THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.

SOILS RATING: PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENTAL DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

ALL BUILDABLE AREAS SHOWN HAVE SLOPES LESS THAN 15% AND THERE ARE NO NATURAL DRAINAGE WAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS. NO BUILDING IS ALLOWED WITHIN 25' OF THE BANK OF A DRAINAGE EASEMENT.

NO ARCHAEOLOGICAL NON-DISTURBANCE EASEMENTS HAVE BEEN CREATED ON THESE LOTS AS DEFINED BY TAMARCH CULTURAL MANAGEMENT SERVICES, CONSULTING ARCHAEOLOGIST, AND DESCRIBED IN REPORT NO. MICROACTIVITY 82218. (SEE PLAT BOOK 534, PAGE 022)

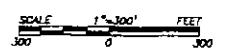
DEVELOPMENT ON THESE LOTS IS SUBJECT TO THE SANTA FE COUNTY URBAN WILDLAND CODE.

WATER USE/WELL WITHDRAWAL ON THESE LOTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS DOCUMENT NO. 1371913.

THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE LOTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS DOCUMENT NO. 1371914.

LOT SIZES WERE DERIVED FROM AN APPROVED HYDROLOGY TEST.

"TITLE AND INDEXING INFORMATION FOR COUNTY CLERK"
SUMMARY REVIEW SUBDIVISION AND LOT LINE
ADJUSTMENT PLAT PREPARED FOR
FREDANCE, LLC. &
WILLIAM & TONI SCHACKEL,
OF LOT 3, RECORDED IN BOOK 534, PAGE 022 &
LOT 4, RECORDED IN BOOK 560, PAGE 001
SECTIONS 11, 12, 13 AND 14, T15N, R11E, NMPM, WITHIN THE
PECCO PUEBLO GRANT, EXC. 331, PG. 367.
#186 & 254 GLORIETA MESA ROAD
SANTA FE COUNTY NEW MEXICO.



NBC-13
DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
2502A CAMINO ENTRADA
SANTA FE, N.M.
FILE# 6459 DATE: 3-10-05

PUBLIC NOTICE: SANTA FE CO.,
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 PURPOSE OF
CREATING A SUBDIVISION OR NEW LOTS, ALTERING THE
BOUNDARIES OF ANY EXISTING LOTS OR FOR THE PURPOSE
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.

PLAT SHOWING AN EASEMENT SURVEY
LYING WITHIN PORTIONS OF
THE SE 1/4 OF SECTION 10, THE SW 1/4 OF SECTION 11,
THE SE 1/4 OF SECTION 11, THE NE 1/4 OF SECTION 11,
AND GOVERNMENT LOT 2 OF SECTION 11
TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE
NEW MEXICO PRINCIPAL MERIDIAN
LOCATED ON GLORIETA MESA
COUNTY OF SANTA FE
STATE OF NEW MEXICO
OLD FOREST TRAIL ROAD, RIGHT-OF-WAY EASEMENT GRANTED BY THE UNITED
STATES OF AMERICA TO WINSTAR, INC.

EXHIBIT "A"

LEGEND

- UNITED STATES GENERAL LAND OFFICE BRASS CAP
MONUMENT, Found as noted
SURVEY MONUMENT, Set, this survey
1/2 inch rebar YASER 8123 aluminum cap
Witness Corner
FENCE LINE
EXISTING DIRT ROAD (SHADED AREA)

GOV.
LOT 2
END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

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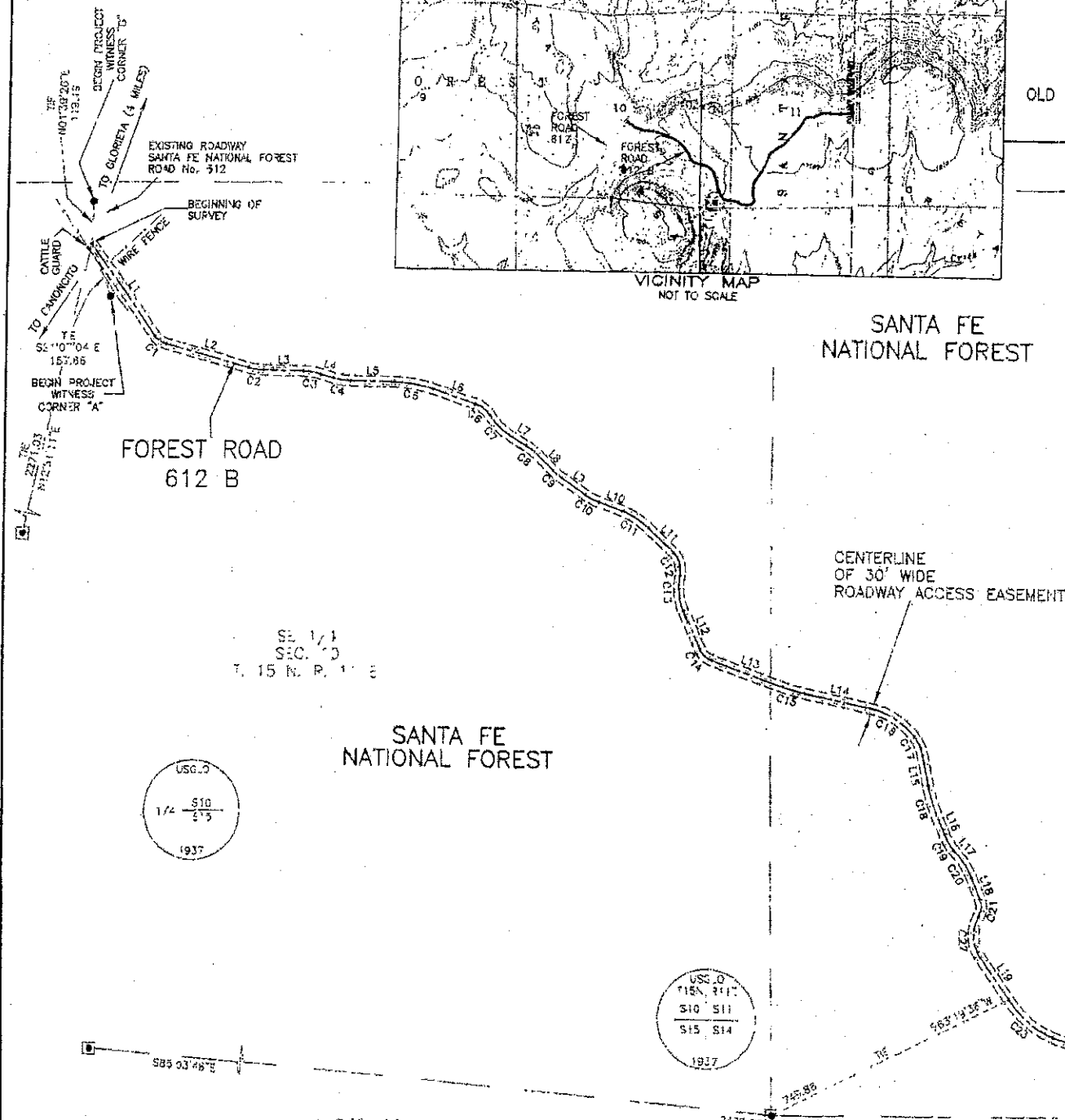
END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

END PROJECT
WITNESS
CORNER "A"
(ON WEST
BOUNDARY
PECOS PUEBLO
GRANT)

CURVE	LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
C1	43.70	30.00	S89°22'06"E	39.93
C2	44.60	35.00	S89°41'43"E	44.52
C3	43.74	35.00	S89°41'43"E	44.52
C4	50.50	35.00	S89°41'43"E	50.41
C5	110.40	35.00	S89°41'43"E	110.00
C6	41.80	35.00	S89°41'43"E	41.80
C7	41.80	35.00	S89°41'43"E	41.80
C8	41.80	35.00	S89°41'43"E	41.80
C9	41.80	35.00	S89°41'43"E	41.80
C10	41.80	35.00	S89°41'43"E	41.80
C11	41.80	35.00	S89°41'43"E	41.80
C12	41.80	35.00	S89°41'43"E	41.80
C13	41.80	35.00	S89°41'43"E	41.80
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C40	41.80	35.00	S89°41'43"E	41.80
C41	41.80	35.00	S89°41'43"E	41.80
C42	41.80	35.00	S89°41'43"E	41.80
C43	41.80	35.00	S89°41'43"E	41.80
C44	41.80	35.00	S89°41'43"E	41.80
C45	41.80	35.00	S89°41'43"E	41.80

INDEXING INFORMATION FOR COUNTY CLERK	
A PLAT OF EASEMENT SURVEY	
SECTIONS	10 & 11
TOWNSHIP	15N
RANGE	11E
NMPM	
WINSTAR, INC.	
WITHIN	
SECTIONS 10 AND 11	
T. 15 N., R. 11 E.,	
N.M.P.M.	
GLORIETA MESA	
SANTA FE COUNTY, NEW MEXICO	
YASER LAND SURVEYS	
DATE: 06/14/02	
SCALE: 1"=200'	
1 of 1	



CURVE	LENGTH	CHORD	CHORD BEARING	CHORD LENGTH
C1	43.70	30.00	S89°22'06"E	39.93
C2	44.60	35.00	S89°41'43"E	44.52
C3	43.74	35.00	S89°41'43"E	44.52
C4	50.50	35.00	S89°41'43"E	50.41
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C43	41.80	35.00	S89°41'43"E	41.80
C44	41.80	35.00	S89°41'43"E	41.80
C45	41.80	35.00	S89°41'43"E	41.80

REFERENCE DOCUMENTS

- 1) A PLAT OF A DEPENDENT RESURVEY, TOWNSHIP 15 NORTH, RANGE 11 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, AS ADOPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE ON MARCH 4, 1940.
- 2) SUPPLEMENTAL PLAT SHOWING PRIVATE CLAIMS IN SECTIONS 1, 2, 6, 7, 11, 12, 13, 14, 17, 18, 19, 20, 23, 25 WITHIN THE PECOS PUEBLO GRANT, TOWNSHIP 15 NORTH, RANGES 11 AND 12 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO, AS SAID PLAT WAS ADOPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE ON NOVEMBER 13, 1934.

SURVEYOR'S CERTIFICATE

I, SCOTT YAGER, DO HEREBY CERTIFY THAT THIS EASEMENT PLAT AND THE FIELD SURVEY ON WHICH WAS BASED WERE COMPLETED BY ME OR UNDER MY DIRECTION, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEET THE MINIMUM STANDARDS FOR AN EASEMENT SURVEY IN THE STATE OF NEW MEXICO, AS ADOPTED 2/2/94.

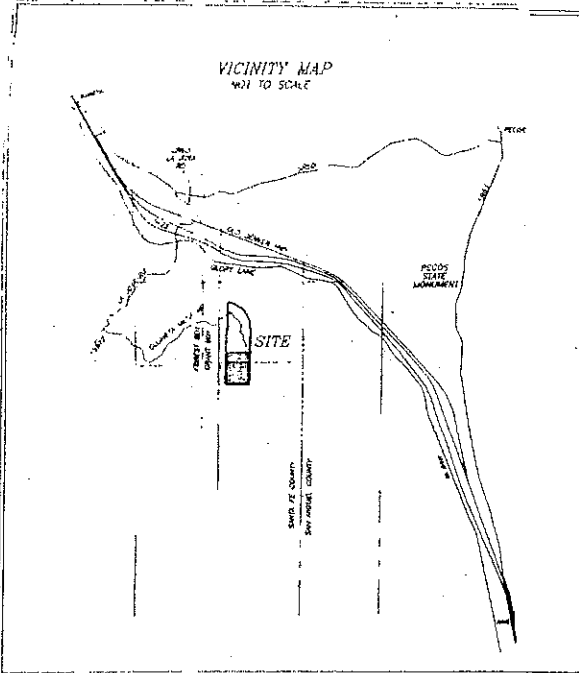
SCOTT YAGER NMS 8123 6/14/02

SURVEYOR'S NOTES

- 1) BEARINGS SHOW HEREON WERE BASED ON ASTRONOMIC OBSERVATIONS.
- 2) THE PURPOSE OF THIS SURVEY IS TO LOCATE THE CENTERLINE OF AN EXISTING DIRT ROAD FOR THE PURPOSE OF DESCRIBING AND IDENTIFYING ITS LOCATION, BEGINNING AT A POINT IDENTIFIED AS "BEGINNING OF SURVEY" ON THIS PLAT AT THE INTERSECTION OF THE SANTA FE NATIONAL FOREST ROAD NO. 312 TO A POINT IDENTIFIED AS "END OF SURVEY" ON THIS PLAT, BEING A POINT ON A LINE SAID LINE BEING THE EAST BOUNDARY OF THE SANTA FE NATIONAL FOREST, WHICH IS COMMON WITH THE WEST BOUNDARY OF THE PECOS PUEBLO GRANT.
- 3) THIS PLAT REPRESENTS AN EASEMENT SURVEY. IT DOES NOT REPRESENT A BOUNDARY SURVEY.
- 4) DATES OF FIELD WORK APRIL 9 - 11, 2002
- 5) AREA OF EASEMENT: 6.24 Acres +/-

1252-075
COUNTY OF SANTA FE
STATE OF NEW MEXICO
I, SCOTT YAGER, DO HEREBY CERTIFY THAT THIS PLAT AND THE FIELD SURVEY ON WHICH WAS BASED WERE COMPLETED BY ME OR UNDER MY DIRECTION, ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEET THE MINIMUM STANDARDS FOR AN EASEMENT SURVEY IN THE STATE OF NEW MEXICO, AS ADOPTED 2/2/94.

SCOTT YAGER NMS 8123 6/14/02



SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 22nd DAY OF SEPTEMBER, 2008 TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND PLAT ARE CORRECT, TRUE AND MEET THE MINIMUM STANDARDS FOR LAND SURVEYS IN NEW MEXICO.

GARY E. LAWSON, N.M.P.L.S. 7014

LEGEND

BEARINGS ARE DERIVED FROM GPS OBSERVATIONS, REFERRED TO THE NAD 83 STATE PLANE, CENTRAL ZONE MERIDIAN. DISTANCES ARE GROUND, UNADJUSTED TO GRID SCALE FACTOR = .999584

- DENOTES BRASS CAP, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, FOUND
- DENOTES REBAR, OR AS SHOWN, SET
- DENOTES CALCULATED POINT NOT SET
- DENOTES CENTERLINE
- DENOTES PRIVATE ACCESS AND PUBLIC UTILITY EASEMENT

DENOTES CENTERLINE OF NATURAL DRAINAGE WAY EASEMENT 25' BUILDING SETBACK FROM CHANNEL EDGES

DENOTES 5 A. BUILDING SITE, SLOPES LESS THAN 15%

BOUNDARY DATA IN PARENTHESIS IS FROM PRIOR PLATS OR DOCUMENTS

DENOTES BOUNDARY OF LANDS DEALT WITH BY THIS PLAT INFORMATION OUTSIDE OF THIS BOUNDARY IS BACKGROUND INFORMATION ONLY, NOT VERIFIED FOR ACCURACY AND IS NOT PART OF THIS PLAT

THIS PLAT SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD

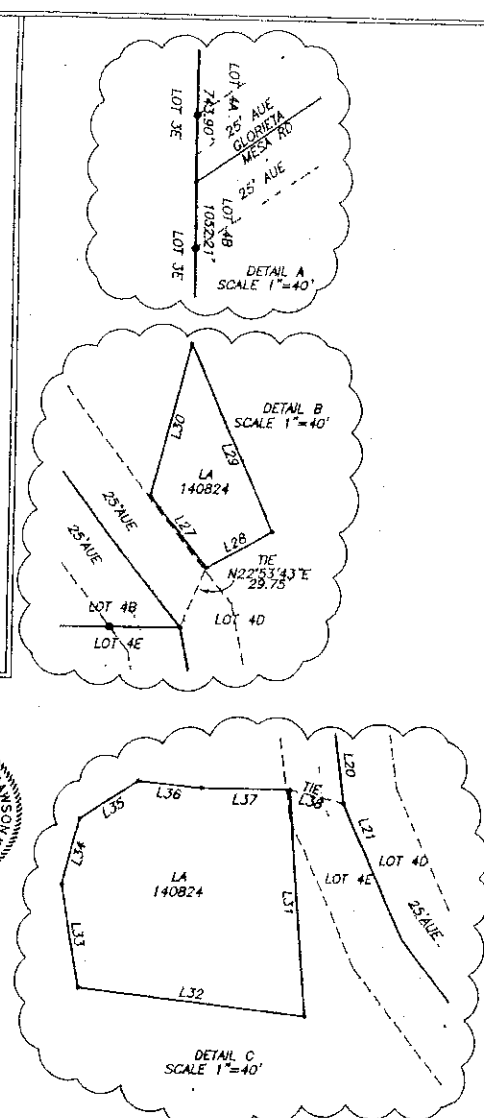
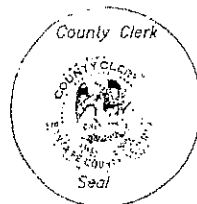
REFERENCE DOCUMENTS

WARRANTY DEED TO WILLIAM AND TONI SCHACKEL 2581/594
QUITCLAIM DEED TO WILLIAM AND TONI SCHACKEL INST# 1341521
QUITCLAIM DEED TO WILLIAM AND TONI SCHACKEL INST# 1341519

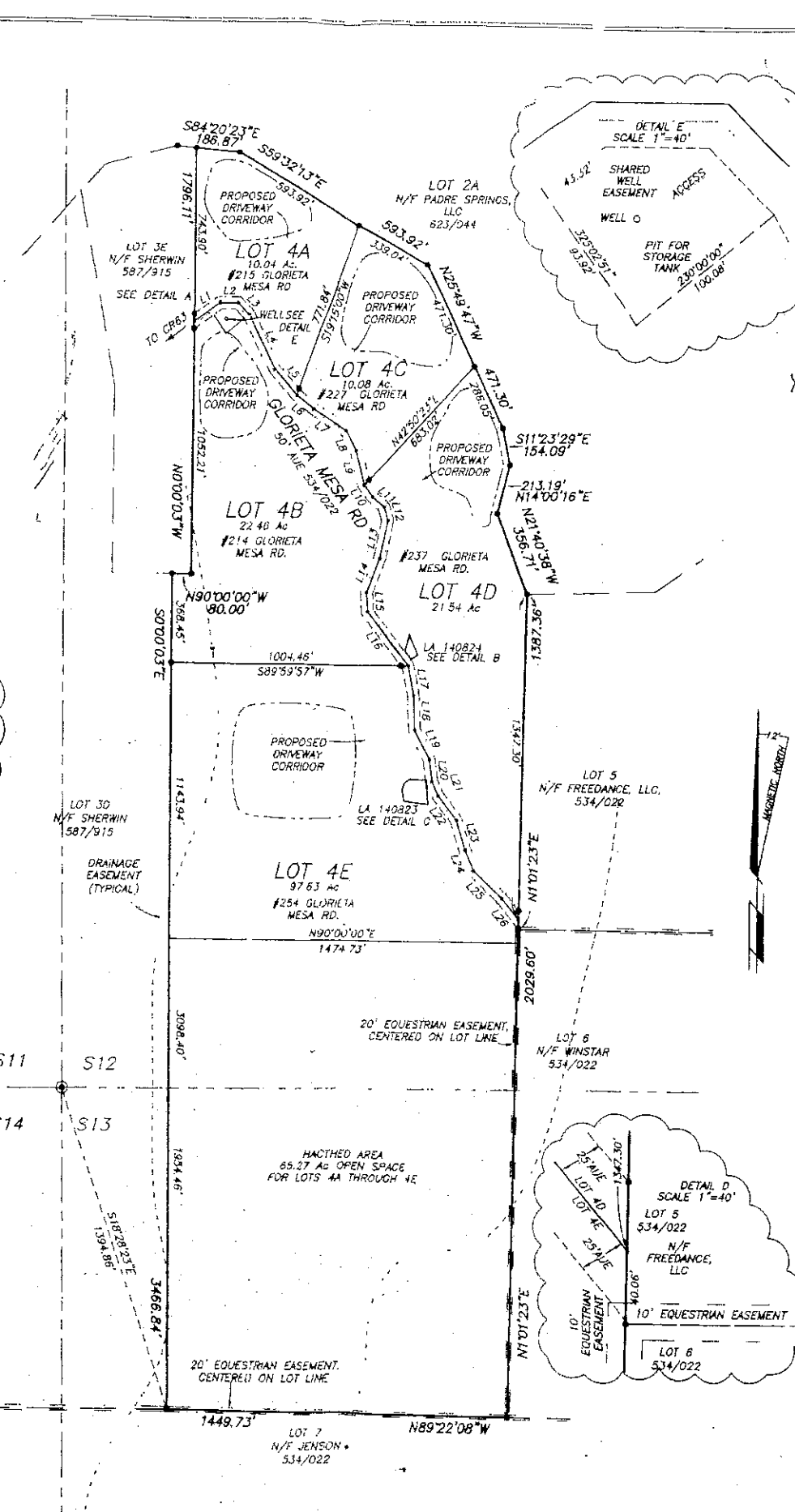
24th 154/183

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 22nd day of September, 2008, and was duly recorded in book 671, page 154, at the records of Santa Fe County.

Witness my hand and seal of office
VALERIE ESPINOZA
County Clerk, Santa Fe County, N.M.
Deputy



LINE	BEARING	DISTANCE
L1	N55°02'51"E	132.96
L2	S89°56'58"E	76.58
L3	S44°28'42"E	66.83
L4	S26°41'48"E	250.95
L5	S42°09'31"E	146.43
L6	S53°45'00"E	91.26
L7	S58°17'46"E	159.67
L8	S27°45'31"E	93.90
L9	S13°10'00"E	151.26
L10	S35°25'39"E	63.09
L11	S48°05'39"E	65.71
L12	S16°06'57"E	55.96
L13	S11°40'17"W	159.12
L14	S20°56'34"W	150.99
L15	S03°04'39"E	81.07
L16	S38°13'25"E	281.59
L17	S11°23'52"E	124.15
L18	S02°17'50"E	145.73
L19	S27°58'41"E	133.70
L20	S07°52'48"E	90.32
L21	S24°23'11"E	86.26
L22	S38°27'54"E	126.48
L23	S17°35'19"E	127.62
L24	S22°22'15"E	93.82
L25	S17°24'31"E	164.68
L26	S39°23'22"E	115.74
L27	S38°44'05"E	41.14
L28	N60°27'40"E	33.59
L29	N24°01'27"W	91.73
L30	S14°28'53"W	70.49
L31	S04°21'08"E	100.91
L32	N83°34'07"W	103.26
L33	N10°03'24"W	46.42
L34	N14°37'15"E	30.60
L35	N58°14'26"E	31.80
L36	S84°48'20"E	28.44
L37	S89°23'02"E	39.97
L38	S78°46'29"E	25.23



DEDICATION AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED TO BE SUBMITTED THOSE LANDS SHOWN HEREON. THE SAID SUBMISSION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND TO EXISTING UTILITIES NOT SHOWN, OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS DIVISION CONTAINS 181.75 AC., MORE OR LESS. THERE IS NO ROAD DEDICATION.

THIS DIVISION LIES WITHIN THE PLANNING AND PLATING JURISDICTION OF THE COUNTY OF SANTA FE, N.M.

OWNER(S)

WILLIAM SCHACKEL
TONI SCHACKEL

6810049

STATE OF NEW MEXICO
COUNTY OF SANTA FE
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 9-24-2008 BY WILLIAM SCHACKEL AND TONI SCHACKEL.

Notary Public 23-2011
NOTARY PUBLIC ANY COMMISSION EXPIRES: (SEAL)

SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS

APPROVED BY:

Land Use Administrator, DATE 7-24-08
Rural Addressing, DATE 7-24-08
Fire Department, DATE 7-24-08

COUNTY DEVELOPMENT PERMIT NO. 08-3021

MAINTENANCE OF ACCESS ROADS AND UTILITY EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT OR STATE HIGHWAY DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.

LANDS SHOWN HEREON LIE WITHIN ZONE "X" (LANDS OUTSIDE THE 500 YEAR FLOOD PLAIN) ACCORDING TO THE FEDERAL FLOOD INSURANCE RATE MAP PANEL NO. 35049C-0800D, DATED 6/17/08

EXISTING NATURAL DRAINAGE WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW PATTERNS TO OR FROM THESE LOTS.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(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 ADMINISTRATOR.

THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMIT.

SOILS RATING: PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENTAL DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

ALL BUILDABLE AREAS SHOWN HAVE SLOPES LESS THAN 10% AND THERE ARE NO NATURAL DRAINAGE WAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS. NO BUILDING IS ALLOWED WITHIN 25' OF THE BANK OF A DRAINAGE EASEMENT.

WATER QUALITY: ALL PRIMARY EPA WATER QUALITY STANDARDS, ASIDE FROM URANIUM AND RADIONUCLIDES, WERE BELOW DRINKING WATER QUALITY STANDARDS. WATER QUALITY EXCEEDS THE SECONDARY MAXIMUM CONTAMINANT LEVELS FOR: TOTAL DISSOLVED SOLIDS, TURBIDITY, SULFATE, SODIUM AND IRON.

EACH LOT MUST CONTAIN A WATER METER AND THE YEARLY WATER METER READING MUST BE SUBMITTED TO SANTA FE COUNTY WITHIN 2 WEEKS OF JANUARY 1ST EACH YEAR.

ONLY ONE WELL, UP-3574, SHALL BE PERMITTED TO SERVE THESE LOTS. THIS WELL SHALL BE SUBJECT TO A SHARED WELL AGREEMENT. THESE LOTS ARE SUBJECT TO THE REQUIREMENTS OF A WELL SHARING AGREEMENT FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541814.

WATER USE/WELL WITHDRAWAL ON THESE LOTS IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541816.

THE SUBDIVISION DISCLOSURE STATEMENT REGARDING THESE LOTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AS INSTRUMENT # 1541816.

LOT SIZES WERE DERIVED FROM AN APPROVED HYDROLOGY TEST.

AN ARCHAEOLOGICAL NON-DISTURBANCE EASEMENT HAS BEEN CREATED WITHIN THE LIMITS OF SITES LA140823 AND LA 140824 AS DEFINED BY STEPHEN POST, CONSULTING ARCHAEOLOGIST, AND DESCRIBED IN REPORT NO. NMCRIS85284. ALL GROUND DISTURBING ACTIVITIES ARE PROHIBITED WITHIN THE LIMITS OF SAID EASEMENTS AS DEFINED IN SAID REPORT, EXCEPT IN COMPLIANCE WITH SECTION 3.4.3D OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

SPECIAL BUILDING PERMIT CONDITIONS

1. BUILDINGS ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLAND INTERFACE CODE.
2. DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.
3. BUILDING PERMITS FOR THESE PLATTED LOTS SHALL NOT BE ISSUED UNTIL SANTA FE COUNTY ROAD 63 MEETS COUNTY ROAD STANDARDS. THE APPROVAL OF THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT AND THE U.S. FOREST SERVICE OFFSITE ROAD IMPROVEMENTS SHALL INCLUDE THAT THE GRADES OF COUNTY ROAD 63 BE 11% OR LESS TO ALLOW SATISFACTORY INGRESS AND EGRESS OF EMERGENCY VEHICLES AND 911 SERVICES.
4. A 10,000 GALLON CISTERN AND DRAFT HYDRANT SHALL BE REQUIRED AT EACH RESIDENCE AND SHALL BE IN PLACE, TESTED, APPROVED, AND OPERABLE PRIOR TO THE START OF ANY BUILDING CONSTRUCTION. PLANS FOR SAID SYSTEM SHALL BE SUBMITTED PRIOR TO THE INSTALLATION FOR APPROVAL BY THE SANTA FE COUNTY FIRE DEPARTMENT AND SHALL MEET ALL MINIMUM REQUIREMENTS. THE WATER STORAGE SYSTEM SHALL INCORPORATE THE USE OF A TANK WATER LEVEL MONITORING SYSTEM. THE WATER LEVEL SHALL BE MAINTAINED BY AN EXTERNAL WATER SOURCE OR WELL.
5. AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEMS SHALL BE REQUIRED AS PER 1997 UNIFORM FIRE CODE, ARTICLE 10, SECTION 1003.2 IN ACCORDANCE WITH THE BUILDING CODE AS ADOPTED BY THE STATE OF NEW MEXICO AND/OR THE COUNTY OF SANTA FE, MEETS THE REQUIREMENTS OF NFPA 13D.

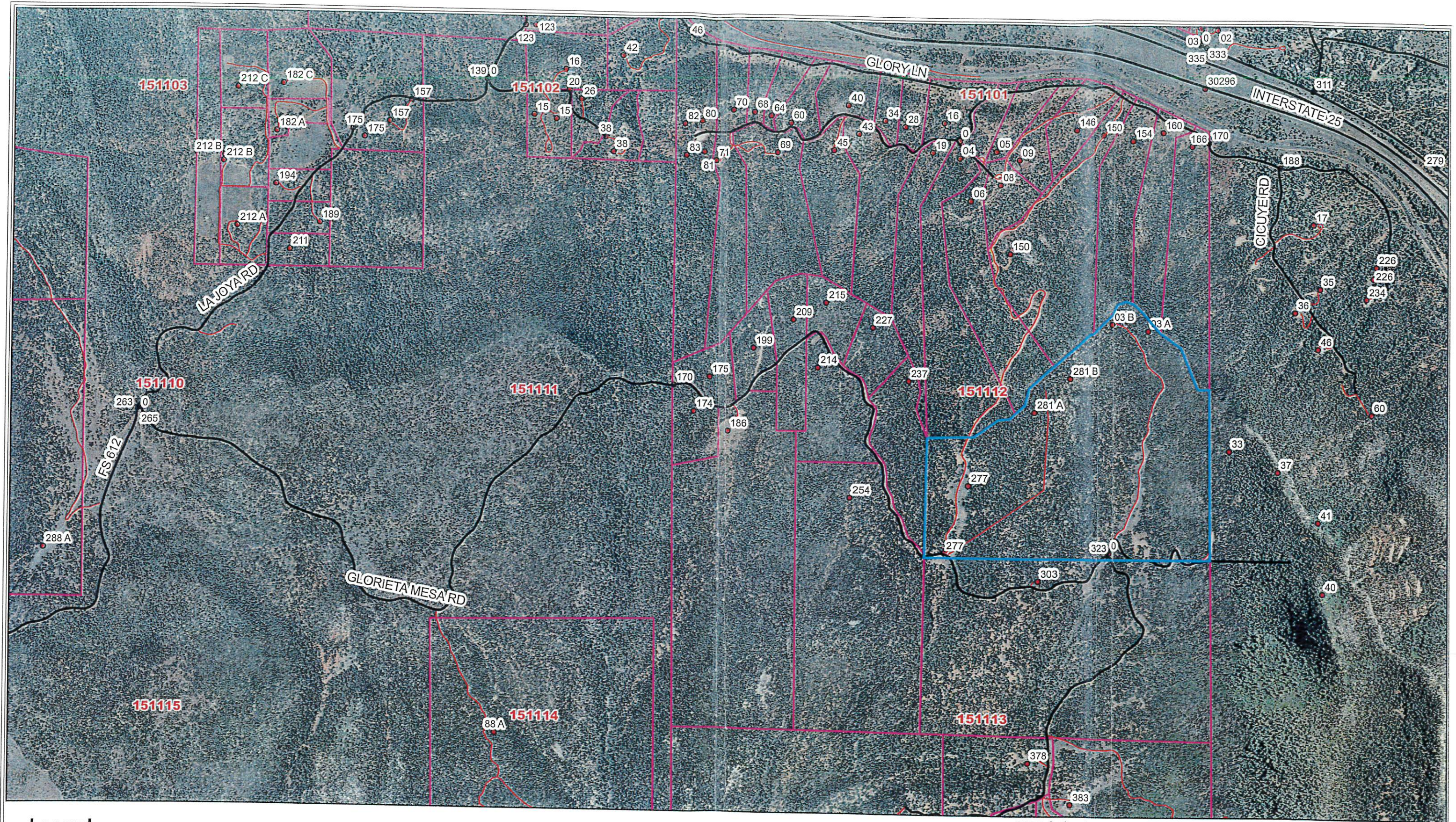
TITLE AND INDEXING INFORMATION FOR COUNTY CLERK

SUMMARY REVIEW SUBDIVISION PLAT
PREPARED FOR
WILLIAM AND TONI SCHACKEL
OF AMENDED LOT 4, RECORDED IN BOOK 587, PAGE 015
SECTIONS 12, AND 13, T15N, R11E, NMPM.
PECOS PUEBLO GRANT, EXC.331, PC.367
SANTA FE COUNTY NEW MEXICO.

SCALE 1"=300' FEET

NRC-15

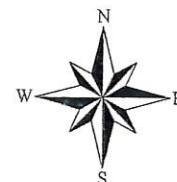
DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
2502 CAMINO ENTRADA
SANTA FE, N.M. 505-471-6850
FILE# 8253 DATE: 9/22/08



Legend

- ROADS
- DRIVEWAYS
- Parcels

1:12,500
1 inch represents 1,041.66667 feet
0 285 570 1,140 1,710 2,280 Feet



2008 Orthophotography
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of this information.
Users are solely responsible for



Table 7-13: Rural Road Classification and Design Standards (SDA-2 and SDA-3).

	Avg. daily traffic	# of driving lanes	Lane width (ft)	Non-vehicular side paths	Bike lanes	Minimum ROW (ft)	Design Speeds (mph)	Max % Grade	Min. agg. base course	Min. bit. pavement	Max % Super-elev.
Major arterial or highway	5000 +	2-4	12	n/a	Two 5 ft. on-road	150	Level: 70 Rolling: 70 Mount.: 50-60	5%	6"	6"	8%
Minor arterial	2000 to 4999	2 - 4	12	n/a	Two 5 ft. on-road	120	Level: 60-75 Rolling: 50-60 Mount.: 40-50	5%	6"	5"	8%
Collector	401-1999	2	11	n/a	n/a	80	Level: 40-60 Rolling: 20-50 Mount.: 20-40	8%	6"	4"	8%
Local	0-400	2	10	n/a	n/a	50	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	3"	n/a	8%
Cul-de-Sac	0 to 300	2	10	n/a	n/a	38	Level: 30-50 Rolling: 20-40 Mount.: 20-30	9%	63"	n/a	n/a
Residential Driveway	n/a	1	14	n/a	n/a	20	n/a	10 %	n/a	n/a	n/a

7.11.3. General Requirements. Adequate roads shall be provided such that the arrangement, character, extent, width and grade of each shall conform to this Section.

7.11.3.1. Connectivity. The arrangement of roads in any development shall provide for the continuation or appropriate projection of existing or proposed highway or arterial roads in surrounding areas according to the Official Map, and shall provide reasonable means of ingress and egress to surrounding property. Roads within subdivisions shall not be gated unless the road is a dead end road serving no more than five (5) lots.

7.11.3.2. Road Names. Road names or numbers shall not duplicate or be similar to the names or numbers of existing roads; if the proposed road is an extension of an existing road, then the proposed road shall have the name of the existing road. All road names and numbers shall be assigned by the Santa Fe County Rural Addressing Division.

7.11.3.3. Service Life. Pavement shall be designed for a 20-year service life, and the design of pavement structures shall conform to the New Mexico Standard Specifications for Road and Bridge Construction. Pavement design documentation shall be prepared and signed by, or shall be under the supervision of, a professional engineer.

7.11.3.4. Rules of Intersection. Section 7.11 fails to adequately address

LEGAL #83314

CASE #V 17-5090
Fredance, LLC

NOTICE OF PUBLIC
HEARING

Notice is hereby that a public hearing will be held to consider a request by Fredance LLC, Applicant, Sommer, Karnes and Associates (Joseph Karnes), Agent, for a Variance to the requirements set forth in the Sustainable Land Development Code (SDLC) Table 7-13 (Rural Road Classification and Design Standards) (SDA-2 and SDA-3) to allow a road with a 30' ft. Right-of-Way rather than the required 50' ft. Right-of-Way for local roads. The property is located within the Rural Fringe Zoning District, at 325 Glorieta Mesa Road, within Section 12, Township 15 North, Range 11 East (Commission District 4).

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 26th day of October, 2017, at 3 p.m. on a petition to the Santa Fe County Hearing Officer, and on December 21, 2017, at 4:00 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments 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 October 11, 2017.

Account Number

1724

Ad Order Number

0000210535

SOMMER KARNES AND ASSOCIATES



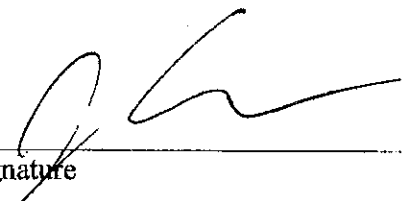
NBC-18

CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding Sustainable Land Development Code.

Case # V17-5090 was posted for 15 days on the property beginning

The 10th day of October
2017. **


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 15 days. It is the applicant's responsibility to ensure that the notice is on the property for the full 15 days.

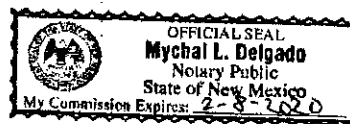
STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

The foregoing instrument was acknowledged before me this 11th day of
October, 2017, By Joseph Karnes


Notary Public

My Commission Expires:

2-8-2020



NBC-19

PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for A VARIANCE TO THE REQUIREMENTS SET FORTH IN THE SUSTAINABLE LAND DEVELOPMENT CODE (SLDC) TABLE 7-13 RURAL ROAD CLASSIFICATION & DESIGN STANDARDS, SDA-2, & SDA-3, TO ALLOW A ROAD WITH A 30' FT. RIGHT-OF-WAY RATHER THAN THE REQUIRED 50' FT. RIGHT-OF-WAY FOR LOCAL ROADS.

Name of Applicant FREDONCE, LLC

Address of Request # 325 GLORIETA MESA RD.

Legal Description: Section 12 Township 15 NORTH

Range 11 EAST NMPM Santa Fe County, New Mexico.

A PUBLIC HEARING

will be held at the

Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on/after the 26TH day of

October, 2017, at 3:00 pm before the SFC Hearing Officer

& ON December 21, 2017 @ 4:00 pm BEFORE THE SFC Planning Commission.

Further information can be obtained by contacting,

the Land Use Department, P.O. Box 276, Santa Fe, NM 87504

Phone (505) 986-6225. Development Permit # V17-5090

NBC-21

PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for A VARIANCE TO THE REQUIREMENTS SET FORTH IN THE SUSTAINABLE LAND DEVELOPMENT CODE (SLDC) TABLE 7-13, Rural Road Classification & Design STANDARDS, SDA-2 & SDA-3 TO ALLOW A ROAD WITH A 30' FT. RIGHT-OF-WAY FORTHER THAN THE REQUIRED 50' FT. RIGHT-OF-WAY FOR LOCAL ROADS.

Name of Applicant FREDANCE, LLC.

Address of Request # 325 GLOCESTER MESA RD.

Legal Description: Section 12 Township 15 North

Range 11 East NMPM Santa Fe County, New Mexico.

A Rural Home

will be benefitted at the

Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on/after the 26 day of October, 2017, at 3:00 pm before the SFC HEARINGS COMMISSION.

ON DECEMBER 21, 2017 @ 4:00 PM before the SFC PLANNING COMMISSION.

Further information can be obtained by contacting:

the Land Use Department, P.O. Box 276, Santa Fe, NM 87504

Phone (505)986-6225. Development Permit # N17-5070

William and Toni Shackel
33 Bluestem Drive
Santa Fe, NM 87502

Brad and Kathleen Holian
303 Glorieta Mesa Road
Glorieta, NM 87535

Padre Springs LLC
218 Camino La Tierra
Santa Fe, NM 87506

Keith and Denise Shauder
PO Box 590625
Houston, TX 77259

NBC-22

- La Joya Road (County Road - Public)
- Forest Road 612 (US Forest Service - Public)
- Forest Road 612B/ Clorieta Mesa Road (US Forest Service - Private)
- Clorieta Mesa Road (Private - 30' Easement)
- Clorieta Mesa Road (Private - 50' Easement)
- Property Service Road

☐ Subject Property 164.5 ac.

EXHIBIT
6

164.5 ac.

Glenn's Freedom Ranch

 $\mathbb{Z} \times \mathbb{Z}$

Miguel Romero

From: Joseph M. Karnes <josephk@sommerkarnes.com>
Sent: Wednesday, June 07, 2017 11:23 AM
To: Miguel Romero
Subject: Fredance - Road Exhibit
Attachments: Fredance Road Exhibit.pdf

Hello Miguel

Please see the attached exhibit, which can be made part of the application.

The approximate distances are:

La Joya Road – 0.4 mi

FR 612 – Public – 1.4 mi

FR 612B Forest Service private – 2.1 mi

Glorieta Mesa Road – Private 30' easement - 1.8 mi

Glorieta message Road – Private – 50' easement – 0.7 mi

The Gary Frank letter is out for execution.

If you have any other questions, please let me know.

Thank you,

Joseph Karnes
Sommer Karnes & Associates, LLP
PO Box 2476
Santa Fe, NM 87504-2476
(505) 989-3800
joseph@sommerkarnes.com

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DISCLAIMER: DO NOT read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee. If you have received this communication in error, please call this office immediately at (505) 989-3800 and ask to speak to the sender of the communication. Also, please e-mail a response to the sender and notify him/her that you have received the communication in error. Thank you

NBC-24