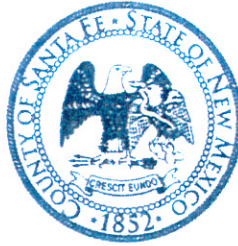


Henry P. Roybal
Commissioner, District 1

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: May 9, 2018

TO: Board of County Commissioners

FROM: Jose E. Larrañaga, Development Review Team Leader

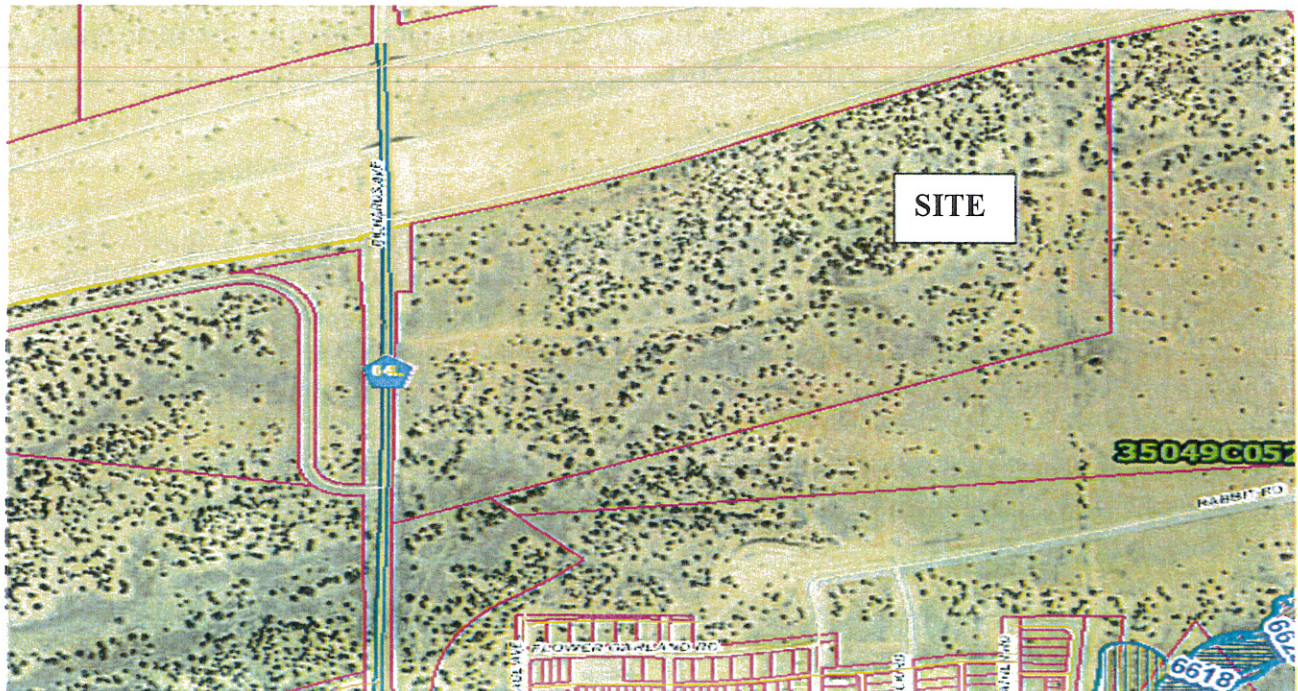
VIA: Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building and Development Services Manager

FILE REF.: BCC Case # SLTE 18-5010 Saleh Phase 1 Plat Extension

ISSUE:

Senemar, LLC, Applicant, Design Enginuity, Agent, request an extension of the recording of an approved Preliminary and Final Plat. Saleh Phase 1 creates 3 commercial lots on 24 ± acres. The property is located on the south side of I-25 and east of Richards Avenue, within Section 16, Township 16 North, Range 9 East (Commission District 5).

Vicinity Map:



HISTORY:

On April 14, 2015, the Board of County Commissioners (BCC) approved a Master Plan for the Saleh development to allow a Phased Mixed Use Development on a 64 acre \pm site. The approval included a variance of Santa Fe County Ordinance No. 2000-12, the Community College District Ordinance (CCDO), Section 6.E.3.c, which amended the Code (Ordinance No. 1996-10) in order to allow a no-outlet roadway to exceed 300 feet and a variance of the CCDO, Section 6.7, Road Design Standards, to allow deviation from design standards required of a Living Priority Road.

The uses allowed by the approved Master Plan for Phase 1, consisting of 24.16 acres, includes the following: 13.55 acres of Open Space which includes passive space, parks, plaza (.33 acres), trails, roads, drainage facilities, wastewater treatment facilities, stables, riding academies (maximum 20 horses), and cemeteries; Neighborhood Center consisting of 7.39 acres which includes cemeteries/funeral homes (maximum 5 acre cemetery and 10,000 square foot funeral home) and churches/religious institutions (maximum seating for 125 persons); and an Employment Center consisting of 1.82 acres which includes air-conditioned storage facility with allowable caretaker unit (single building with a common entrance to all units, maximum 60,000 square feet) and RV and boat storage facility.

The use list for Phase 2, consisting of 35.68 acres, includes the following: 16.13 acres of Open Space which includes passive space, parks, plaza (.33 acres), playground (.25 acres), trails, roads, drainage facilities, wastewater treatment facilities, stables, riding academies and cemeteries; Employment Center consisting of 18.97 acres which includes apartments, condos or townhomes, shopping center, hotel, restaurants, and office/retail.

On January 12, 2016, the Board of County Commissioners (BCC) approved a request for a Master Plan Amendment to allow 12 commercial lots on a 64 \pm acre site, to increase the amount of seating allowed in the church/religious institution use, and for Preliminary and Final Plat and Development Plan to create 3 commercial lots on 24 \pm acres, for Saleh Phase 1. The BCC Final Order was recorded on April 13, 2016. (Exhibit 1)

SUMMARY:

Ordinance No. 2016-9, the Sustainable Land Development Code (SLDC) Chapter 5, Section 5.8.7 (Expiration of Final Plat) states: "Any approved or conditionally approved final plat, shall be recorded within twenty-four (24) months after its approval or conditional approval or the plat shall expire. Prior to the expiration of the final plat, the subdivider may request, from the Board, an extension of the final plat for a period of time not exceeding thirty-six (36) months." (Exhibit 3)

The Applicant requests an extension of the recording of the approved Preliminary and Final Plat for Saleh Phase 1, in accordance with Section 5.8.7 of Ordinance 2016-9, the Sustainable Land Development Code (SLDC).

The Applicant states, "we request a three (3) year extension of the recording of Saleh Phase-1 Plat, due to construction delays of the Northeast Connector which are not in the developer's control." (Exhibit 2)

Saleh Phase 1 and 2 was subject to utilizing the City of Santa Fe Water Utility. The City is unable to continue water service to the County from the Richards East Connection that supports the service for the proposed development. As a result a point of connection from the Rancho Viejo Tank is required. Also due to increased demand for wastewater services from multiple developments in the adjacent areas, including failing sewer systems similar to the on-site wastewater facility proposed for Saleh Phase 1, the County intends to provide wastewater services to this area in the near future. (Exhibit 8)

The Applicant acquired the property by warranty deed recorded as Instrument #1403256 in the Santa Fe County Clerk's records dated November 28, 2005.

Design Enginuity is authorized by the Applicant to pursue the request for an extension of the recording of the approved Preliminary and Final Plat for Saleh Phase 1 as evidenced by a copy of the written authorization contained in the record. (Exhibit 4)

Notice requirements were met as per 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 April 30, 2018. Additionally, notice of hearing was published in the Santa Fe New Mexican on April 30, 2018, as evidenced by a copy of that 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. (Exhibit 5)

This Application was submitted on February 7, 2018.

STAFF RECOMMENDATION: **Staff recommends approval of the request for a three (3) year time extension of the recording of Preliminary and Final Plat, to create 3 commercial lots on 24 ± acres, for Saleh Phase 1, subject to the following previously imposed conditions:**

Previously imposed Conditions:

1. The Applicants shall comply with all review agency comments and conditions, conditions shall be noted on the recorded Plat and Development Plan. (Exhibit 6)
2. The Partial Assignment of the Water Contract must be conveyed to the Applicant prior to recordation of the Final Plat.
3. The County shall not execute the Water Delivery Agreement until the Applicant pays all outstanding Service Charges due under the Water Contract that are attributable to the 10% interest created by the Partial

Assignment. The Applicant shall pay all such charges and enter into the Water Delivery Agreement before recordation of the Final Plat for Phase 1 in the records of the Santa Fe County Clerk.

SFCU shall not provide water service to Saleh unless and until the Applicant and the County enter into a Water Delivering and Line Extension Agreement ("Water Delivery Agreement"), the Applicant designs, constructs and dedicates to the County all required infrastructure in accordance with SFCU specifications, the County accepts the dedication, and water delivery is scheduled for Saleh in accordance with Resolution 2006-57.

Due to changes in water and wastewater service these two previously imposed conditions should be removed and replaced with new conditions # 10 and #11.

4. Applicant must incorporate the 8 recommended technical review conditions (SFCU) onto the plat for Phase 1, as written in the November 3, 2015 letter from SFCU. (Exhibit 7)

Saleh shall seek to have the wastewater connected to the City or other wastewater treatment facility. Saleh shall connect to a community waste water system for Phase 2 and shall abandon and remove the Phase 1 septic system. Any on-site wastewater facility shall be permitted by and come under the regulation of the New Mexico Environmental Department or the Water Quality Control Commission Regulations, as appropriate.

5. Preliminary and Final Plat and Development Plan for Saleh Phase 1 with appropriate signatures shall be recorded with the County Clerk.
6. The Applicant shall submit a financial guarantee, in sufficient amount to assure completion of all required improvements prior to Final Plat recordation of Phase 1.

Due to changes Staff recommends the following additional Conditions be Imposed:

7. Prior to recordation of the Preliminary and Final Plat the Plat shall be amended to depict water service for Saleh Phase 1 and Phase 2 with a point of connection from the Rancho Viejo Tank.

8. Saleh Phase 1 and 2 shall take access via the northeast connector utilizing two access points (Saleh Avenue and North Willow Back Road).
9. The Preliminary and Final Plat for Saleh Phase 1 shall not be recorded until such time that the northeast connector is operational.
10. SFCU shall not provide water service to Saleh unless and until the Applicant and the County enter into an Amended Water Line Extension and Water Delivery Agreement ("Water Delivery Agreement") to provide water service for Saleh Phase 1 and 2 with a point of connection from the Rancho Viejo Tank, the Applicant designs, constructs and dedicates to the County all required infrastructure in accordance with SFCU specifications, the County accepts the dedication, and water delivery is scheduled for Saleh in accordance with Resolution 2006-57. (Amending Previously imposed Condition # 4)
11. Saleh shall connect to the County's wastewater utility. Before recordation of the Final Plat for Phase 1 the Water Delivery Agreement shall be amended to include the design, construction, and dedication to the County of all required infrastructure in accordance with SFCU specifications, and payment for any upsize costs the County incurs to accommodate the wastewater services required for the development. (Amending Previously imposed Condition # 6)
12. The Applicant shall grant a 120 foot wide road easement along the northern portion of the property for construction of the N.E. Connector.
13. The Applicant shall be responsible for the design and construction of any intersections tying into the N.E. Connector, subject to approval by the County Public Works Department. These intersections may require additional easement.

NB-5

EXHIBITS:

1. Final Order and Recorded Amended Master Plan
2. Applicants Request
3. Chapter 5, Section 5.8.7
4. Authorization
5. Legal Notice
6. Master Plan review agency comments and conditions
7. SFCU Water/Sewer Availability Assessment (1/13/15)
8. May 11, 2018 SFCU Letter
9. Proposed Subdivision Plat for Saleh Phase 1

NB-5a

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

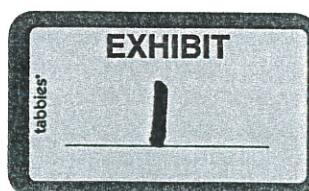
Katherine Miller
County Manager

**CDRC CASE # ZA/S 14-5491 SALEH
MASTER PLAN AMENDMENT, PRELIMINARY AND FINAL PLAT AND
DEVELOPMENT PLAN
SENEMAR, LLC, APPLICANT
DESIGN ENGINEERING, AGENT**

ORDER

THIS MATTER came before the Board of County Commissioners for the County of Santa Fe (Board) for hearing on January 12, 2016, on a request by Senemar, LLC (Applicant) for a Master Plan Amendment to allow 12 commercial lots on a 64 ± acre site and to increase the amount of seating allowed in the church/religious institution use. The Applicant also requests Preliminary and Final Plat and Development Plan approval to create 3 commercial lots on 24 ± acres, for Saleh Phase 1. The Board, having reviewed the Application, supplemental materials, staff report, and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requested a Master Plan Amendment to allow 12 commercial lots on a 64 ± acre site and to increase the amount of seating allowed in the church/religious institution use. Additionally, the Applicant requests Preliminary and Final Plat approval, to create 3 commercial lots on 24 ± acres, and Final Development Plan for Saleh Phase 1, in conformance with Santa Fe County Land Development Code, Ordinance No. 1996-10 (Code) as amended by Santa Fe County Ordinance 2000-12, the Community College District Ordinance (CCDO).



NB-6

SFC CLERK RECORDED BA/13/2816

2. The Property is located on the south side of I-25 and east of Richards Avenue, within the Community College District, within Section 16, Township 16 North, Range 9 East, Commission District 5.

3. The owner acquired the Property by warranty deed recorded on November 28, 2005, as Instrument #1403256 in the record of the Santa Fe County Clerk. Design Enginuity is authorized by the Applicant to pursue the request for a Master Plan Amendment to the existing Master Plan for a Phased Mixed Use Development on a 64 acre \pm site, Preliminary and Final Plat, and Final Development Plan approval for Saleh Phase 1, as evidenced by a copy of the written authorization contained in the record.

4. On November 19, 2015, the County Development Review Committee (CDRC) recommended approval (5-1) of the request for a Master Plan Amendment to allow 12 commercial lots on a 64 \pm acre site, to increase the amount of seating allowed in the church/religious institution use, and for Preliminary and Final Plat and Development Plan for Saleh Phase 1 to create 3 commercial lots on 24 \pm acres.

5. Notice requirements were met as per Article II Section 2.4.2, of the Code. In advance of a hearing on the Application, the Applicant provided a certification of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one days on the property, beginning on December 22, 2015. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on December 22, 2015, as evidenced by a copy of that legal notice contained in the record. Receipts for certified mailing of notices of the hearing were also contained in the record for all adjacent property owners.

6. On April 14, 2015, the Board approved a Master Plan to allow a Phased Mixed Use Development on a 64 acre \pm site. The approval included a variance of Santa Fe County Ordinance No. 2000-12, the Community College District Ordinance (CCDO), Section 6.E.3.c, which amends the Code to allow a no-outlet roadway to exceed 300 feet and a variance of the CCDO, Section 6.7, Road Design Standards, to allow deviation from design standards required of a Living Priority Road.

7. The uses allowed by the approved Master Plan for Phase 1, consisting of 24.16 acres, includes the following: 13.55 acres of Open Space which includes passive space, parks, plaza, trails, roads, drainage facilities, wastewater treatment facilities, stables, riding academies (maximum 20 horses), and cemeteries; 7.39 acres of Neighborhood Center which includes cemeteries/funeral homes (maximum 5 acre cemetery and 10,000 square foot funeral home) and churches/religious institutions (maximum seating for 125 persons); and 1.82 acres of Employment Center which includes an air-conditioned storage facility with allowable caretaker unit (single building with a common entrance to all units, maximum 60,000 square feet) and an RV and boat storage facility.

8. The Master Plan Amendment will allow up to 12 lots to be created and will increase the seating for the church from 125 seats to 400 seats.

9. The Preliminary and Final Plat will create 3 commercial lots on 24 \pm acres, and Final Development Plan for Saleh Phase 1. The 3 commercial lots include 14.16 acres (58%) of open space and 2 roadways, which include wet and dry utilities installed in the roadways. There will be a 200 to 700 foot setback between the

commercial lots and Richard's Avenue. Saleh Avenue will be paved with curb and gutter and parking permitted along the street.

10. The applicable requirements under the Code as amended by the CCDO which govern this request are:

a. CCDO, Section 4.B.1.b states:

All lands within the Community College District are zoned for the uses allowed in the Land Use Table. The purpose of the Master Plan is to establish the extent and scope of the project including, without limitation, the uses for the project, the site specific information to determine the relationship between the landscape types, the zones and the project, and the relationship of its phases and multiple components with adjacent environment and its overall needs for services and infrastructure.

b. Article V, Section 5.2.1.b of the Code states:

A Master Plan is comprehensive in establishing the scope of a project, yet is less detailed than a Development Plan. It provides a means for the County Development Review Committee and the Board to review projects and the sub-divider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a Preliminary and Final Plat approval.

c. Article V, Section 5.2.6.a, Amendments and Future Phase Approvals, of the Code states:

Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.

d. Article V, Section 5.3.1c, Conformance with Master Plan and Preliminary Development Plan, of the Code states:

A preliminary plat may be submitted for only a phase or portion of the entire project so long as it conforms to the approved master plan and preliminary development plan submitted pursuant to Sections 5.2 and 7 of this Section, respectively.

e. Article V, Section 5.4.1a of the Code states:

...At the discretion of the Code Administrator, preliminary and final plats may be reviewed for approval simultaneously. Final plats for subdivisions proposed to be phased shall be submitted as indicated on the phasing schedule submitted with the master plan as specified in Section 5.2. above. The final plat shall comply with the New Mexico Subdivision Act and these regulations.

11. The following facts support the request for a Master Plan Amendment, Preliminary and Final Plat approval, and Development Plan approval for Saleh Phase 1. The Application established the extent and scope of the project including: the uses for the project, the zones of the project, specific information regarding the relationship between the landscape types, the relationship of the project's phases the interaction of the phases with the adjacent environment, and the project's overall needs for services and infrastructure. The Application is in conformance with the Santa Fe Growth Management Plan as amended by the Community College District Plan. The Application established the viability of the project to function at each completed phase. The Application established conformance to the CCDO in regards to roads and trails, community facilities, design and construction standards, and open space standards. The Applicant's proposed Master Plan Amendment conforms to the eligible uses allowed under a Neighborhood Center and Employment Center. The Application satisfies the submittal requirements set forth in the CCDO, Section 4.B.2, Submittals, and the Code's submittal requirements.

12. The review comments from the following State Agencies: New Mexico Department of Transportation (NMDOT), New Mexico Environmental Department

SFC CLERK RECORDED 84/13/2016

(NMED), New Mexico Historic Preservation Department (SHPO), and the Office of the State Engineer (OSE), as well as, County staff have established that that the Application is in compliance with State requirements, CCDO requirements, and Code requirements.

13. At public hearing before the Board on January 12, 2016, staff recommended approval for a Master Plan Amendment to allow 12 commercial lots on a 64 ± acre site and increase the amount of seating allowed in the church/religious institution use; Preliminary Plat, Final Plat, and Development Plan approval for Saleh Phase 1 to create 3 commercial lots on 24 ± acres, subject to the following conditions recommended by both staff and the CDRC:

- 1) The Applicant shall comply with all review agency comments and conditions as per Article V, Section 7.1.3.c. Conditions shall be noted on the recorded Master Plan Amendment, Plat and Development Plan.
- 2) The Partial Assignment of the Water Contract must be conveyed to the Applicant prior to recordation of the Final Plat.
- 3) The County shall not execute the Water Delivery Agreement until the Applicant pays all outstanding Service Charges due under the Water Contract that are attributable to the 10% interest created by the Partial Assignment. The Applicant shall pay all such charges and enter into the Water Delivery Agreement before recordation of the Final Plat for Phase 1 in the records of the Santa Fe County Clerk.
- 4) SFCU shall not provide water service to Saleh unless and until the Applicant and the County enter into a Water Delivering and Line Extension Agreement ("Water Delivery Agreement"), the Applicant designs, constructs and dedicates to the County all required infrastructure in accordance with SFCU specifications, the County accepts the dedication, and water delivery is scheduled for Saleh in accordance with Resolution 2006-57.
- 5) Applicant must incorporate the 8 recommended technical review conditions onto the plat for Phase 1, as written in the November 3, 2015, letter from SFCU.

SFC CLERK RECORDED BA-13/2016

- 6) Saleh shall seek to have the wastewater connected to the City or other wastewater treatment facility. Saleh shall connect to a community waste water system for Phase 2 and shall abandon and remove the Phase 1 septic system. Any on-site wastewater facility shall be permitted by and come under the regulation of the New Mexico Environmental Department or the Water Quality Control Commission Regulations, as appropriate.
- 7) Preliminary and Final Plat and Development Plan for Saleh Phase 1 with appropriate signatures shall be recorded with the County Clerk, as per Article V, Section 5.4.5.
- 8) The Applicant shall submit a financial guarantee, in sufficient amount to assure completion of all required improvements prior to Final Plat recordation of Phase 1, as per Article V, Section 9.9.
- 9) Master Plan Amendment with appropriate signatures shall be recorded with the County Clerk, as per Article V, Section 5.2.5.
 - a) Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board (Article V, Section 5.2.7).

14. Oralynn Guerrerortiz, Agent, spoke in favor of the Application and addressed all questions and concerns raised by the Board.

15. At the public hearing no one spoke either in favor or opposition to the Application.

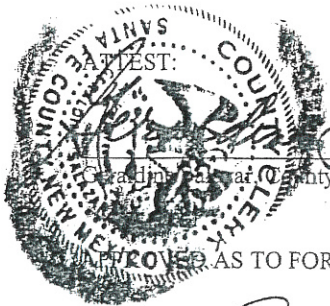
WHEREFORE the Board of County Commissioners for the County of Santa Fe hereby approves the request for a Master Plan Amendment to allow 12 commercial lots on a 64 ± acre site and increase the amount of seating allowed in the church/religious institution use; Preliminary and Final Plat and Development Plan approval for Saleh Phase 1 to create 3 commercial lots on 24 ± acres. The motion to approve the Application passed by a unanimous 5-0 vote.

IT IS SO ORDERED

This Order was approved by the Board of County Commissioners for the County of Santa
on this 12th day of April, 2016

The Board of County Commissioners for the County of Santa Fe

By: Miguel M. Chavez
Miguel M. Chavez, Chairperson



Geraldine Salazar
Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer
Gregory S. Shaffer, County Attorney

SFC CLERK RECORDED 84/13/2816

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of April, 2016 at 01:14:24 PM
and Was Duly Recorded as Instrument # 1791096
of The Records Of Santa Fe County

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



DESIGN ENGINEUNITY



1421 Luisa Street Suite E, Santa Fe, New Mexico 87505
PO Box 2758 Santa Fe, New Mexico 87504
(505) 989-3557 FAX (505) 989-4740
E-mail oralynn@designengineunity.biz

February 2, 2018

Santa Fe County Board of County Commissioners
Hand Delivered

RE: Saleh Phase 1 - Final Plat Extension Request

Dear Commissioners,

As the agent for the Saleh project located in the Community College District, we respectfully request a 3-year extension of the recording of Saleh Phase 1 Plat due to construction delays of the Northeast Connector which are not in the developer's control. Saleh is a mixed use project located at the southeast intersection of Dinosaur Trail and I-25. The project received Master Plan approval by the BCC in January 2016 (Attachment A). The project is to be accessed off the Northeast Connector. There are provisions to allow a temporary access off Richard's Avenue until the Northeast Connector is installed, but those plans call for about \$200,000 of improvements, including traffic signal improvements, that will be removed when the Northeast Connector is installed. The Developer would prefer not to install improvements that will be demolished and delay project development to coordinate better with the opening of the Northeast Connector. We understand that project, while delayed, is still a high priority with the County and will likely be under construction within the next 2 years.

Sincerely,

Oralynn Guerrerortiz, PE



1. the final plat approval application has been received and deemed complete;
2. the final plat substantially conforms to the preliminary plat and all conditions and requirements are complied with;
3. the final plat and all documents required are in a form acceptable for recording with the County Clerk;
4. the development and subdivision improvement agreements have been signed and notarized and are otherwise fully executed; and
5. the administrative and final plat fees have been deposited with the Administrator, together with proper security.

5.8.6.4. Conditions. The Board may introduce conditions or mitigation requirements not a part of the preliminary plat only upon finding that:

1. key elements of the application were incorrect and the approval relied on the incorrect facts;
2. there is a change in state or federal law; or
3. approval of the final plat will create conditions substantially affecting the public health, welfare or safety.

5.8.6.5. Scope of Approval. Approval of the final plat by the Board shall not be deemed to constitute acceptance of any offer of dedication, or deposit of any deed or grant of easement until all improvements have been constructed and satisfactorily completed by the developer in accordance with the development order approving the final plat, the approved construction plans and any development or subdivision improvement agreement entered into.

5.8.6.6. Denial of Final Plat. A denial of a final plat by the Board shall be accompanied by a finding identifying the requirements that have not been met.

→ **5.8.7. Expiration of Final Plat.** Any approved or conditionally approved final plat, shall be recorded within twenty-four (24) months after its approval or conditional approval or the plat shall expire. Prior to the expiration of the final plat, the subdivider may request, from the Board, an extension of the final plat for a period of time not exceeding thirty-six (36) months.

5.8.8. Recording. Upon approval of a final plat, the final plat, subdivision covenants, disclosure statement, and any other relevant document(s) shall be recorded in the office of the County Clerk. The original Mylar drawing, together with related documents, shall be dated and signed by the Board Chair, the Administrator, Rural Addressing, Fire Marshal, appropriate utility companies, and other appropriate signatures. The County Clerk shall not accept for filing any final plat subject to the New Mexico Subdivision Act that has not been approved as provided in the Subdivision Act and the SLDC. Whenever separate documents are to be recorded concurrently with the final plat, the county clerk shall cross-reference such documents.

5.8.9. Expiration period. Where no expiration period is provided for in a development order or development agreement, all approvals of development orders or voluntary development agreements shall expire after:



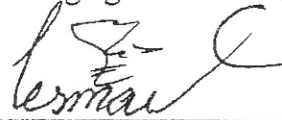
AUTHORIZATION OF AGENT

TO: All applicable Government Agencies.

This will serve as confirmation that the undersigned owner hereby appoints **Oralynn Guerrerortiz of Design Enginuity** as its authorized agent concerning all city, county, and governmental agency applications including but not limited to permitting applications for the property known as Saleh, located in Section 16, Township 16 North, Range 9 East, in Santa Fe County, New Mexico.

Esmail Haidari

Managing Member of Senemar, LLC



Date: Feb 02, 2018



NB-17

SANTA FE NEW MEXICAN

Ad Proof / Order Confirmation / Invoice

LEGAL # 84262

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held to consider a request by Senemar, LLC for an extension of the recording of an approved Preliminary and Final Plat. Saleh Phase 1 creates 3 commercial lots on 24 +/- acres. The property is located on the south side of I-25 and east of Richards Avenue, within Section 16, Township 16 North, Range 9 East (Commission District 5).

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 29th day of May at 2:00 PM on a petition to the Santa Fe County Hearing Officer on a petition to the Board of County Commissioners.

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

All interested parties will be heart at the Public Hearing prior to the Hearing Officer/Planning 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.

Please forward affidavit of publication to the County Land Use Administrator, P.O. Box 276, Santa Fe, New Mexico 87504-0276.

Written verification of the publication shall be provided to the Administrator prior to the public hearing.

Pub.: April 30, 2018

Account Number

1184

Ad Order Number

0000225964

DESIGN ENGINEUTY, LLC



To be sent First Class Mail to all property owners within 500 ft. (excluding right of ways) of subject property and any Community Organizations and/or Registered Organizations recognized by the County, within the geographic area in which the development is proposed. Mailings must be sent out on or prior to **April 30, 2018**. A list of persons sent a mailing shall be provided to the Administrator prior to the public hearing.

BCC Case # SLTE 18-5010 Saleh Phase 1 Plat Extension

Dear Property Owner:

Notice is hereby given that a public hearing will be held to consider a request by Senemar, LLC for an extension of the recording of an approved Preliminary and Final Plat. Saleh Phase 1 creates 3 commercial lots on 24 \pm acres. The property is located on the south side of I-25 and east of Richards Avenue, within Section 16, Township 16 North, Range 9 East (Commission District 5).

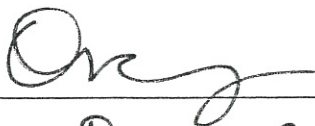
A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 29th day of May 2018, at 2 p.m. on a petition to the Board of County Commissioners.

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 Hearing Officer/Planning 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, N.M. 87504-0276; or presented in person at the hearing.

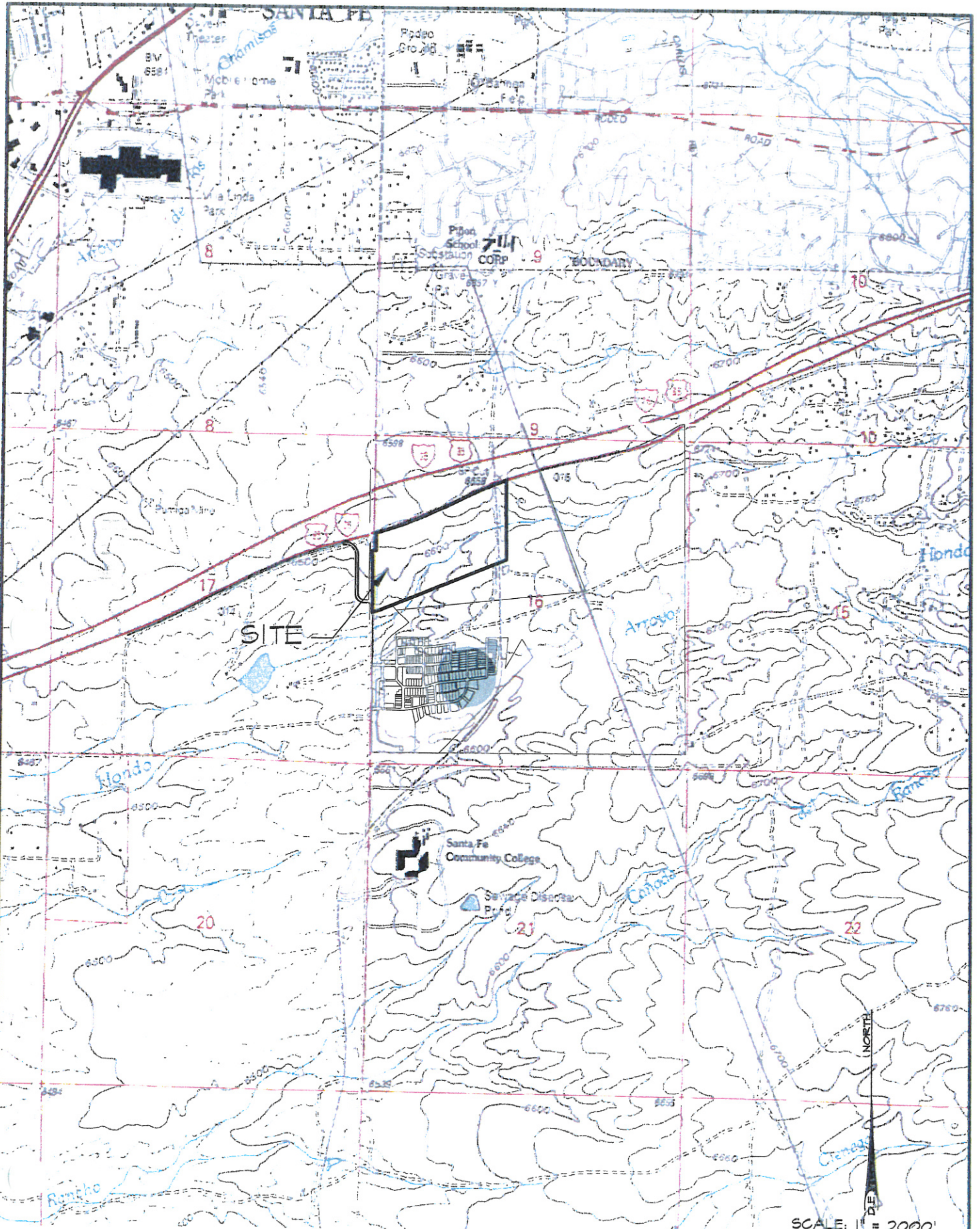
Sincerely:



Dralynn Guerrero, Design Engineer
505-989-3557

Encl: Vicinity Map

NB-19



VICINITY MAP

NB-20

NEW MEXICO LAND CONSERVANCY
5430 RICHARDS AVE
SANTA FE, NM 87508

PETCHESKY, JANE WING
5430 RICHARDS AVE
SANTA FE, NM 87508

EAKIN, D W & H H TRICKEY
8220 SAN PEDRO DR NE #500
ALBUQUERQUE, NM 87113

NEW MEXICO LAND CONSERVANCY
5430 RICHARDS AVE
SANTA FE, NM 87508

HOMEWISE INC
1301 SILER RD
SANTA FE, NM 87507

OSHARA VILLAGE LLC
4 WILLOW BACK RD
SANTA FE, NM 87508

G E RICHARDS PROPERTY LLC
400 RABBIT RD, SUITE 200
SANTA FE, NM 87501

SEBESTA, RONALD E REAL ESTATE
PO BOX 22100
SANTA FE, NM 87502

LUJAN, WILLIAM E SR & JANET
4029 BROWN DR
TINKER AFB, OK 73145-9142

SERNA, LOREN A & LORI L
PO BOX 5572
SANTA FE, NM 87502-5572

SEBESTA, RON & NINA
109 MEJOR LADO
SANTA FE, NM 87508-2307

LUCERO, KATHRYN LOVATO
2824 PUEBLO JACONA
SANTA FE, NM 87507

CATANACH, MICHAEL H & COLLEEN
3417 CALLE VIEJO
SANTA FE, NM 87507

BRANSFORD, GILBERT J & CHRIS D
4245 MENFORD LANE
SANTA FE, NM 87507

GALLEGOS, P PATRICK & DORIS M
3270 OJOS DE JO
SANTA FE, NM 87507

BUSTAMANTE, ALEX
3254 OJOS DE JO
SANTA FE, NM 87507

PADILLA, TROY A & REBECCA ANAYA-
PADILLA
3210 A OJOS DE JO
SANTA FE, NM 87507

PADILLA, ADRIAN E & JENNIFER C
3210 OJO DE JO # B
SANTA FE, NM 87507

MARQUEZ, WILLIAM & ROMANA L
3210 OJO DE JO # B
SANTA FE, NM 87507

MACIAS, LEOPOLDO III & ESTELA MACIAS
3049 PUEBLO PUYE
SANTA FE, NM 87507

CAMARENA, ALFONSO & GABRIELA I
3053 PUEBLO PUYE
SANTA FE, NM 87507

SINGLEY, MICHAEL & LAUREN
3061 PUEBLO PUYE
SANTA FE, NM 87507

VIGIL, LISA & ROBERT M
3052 PUEBLO PUYE
SANTA FE, NM 87507

GOLDBERG, MARIA LUISA S
3060 PUEBLO PUYE
SANTA FE, NM 87507

MCKENNA, JOHN JR & JACQUELYN
73 FORD LN
COLCHESTER, VT 05446

SANTA FE GATEWAY ALLIANCE RO
C/O KATHERINE BILTON
131 E. CHILI LINE RD
SANTA FE, NM 87508

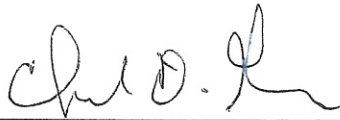
TURQUOISE TRAIL HOA RO
C/O KAREN YANK
PO BOX 23775
SANTA FE, NM 87502

CAMPOS CONEJOS HOA RO
C/O RICHARD ROTTO
48 CAMINO MARQUITA
SANTA FE, NM 87508

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CERTIFICATION OF POSTING

I hereby certify that the public notice posting regarding an extension of the recording of an approved Preliminary and Final Plat for Saleh Phase 1 for Senemar, LLC, Case # SLTE 18-5010 was posted for 30 days on the property beginning the 30th, day of April, 2018. **



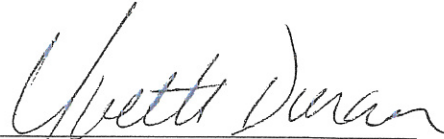
Signature

*Photo of posting taken from a public road must be provided with affidavit.

****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. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

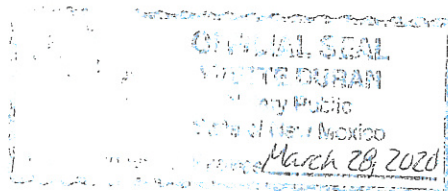
The foregoing instrument was acknowledged before me this 30th day of April, 2018, By Charlie Gonzales.



Notary Public

My Commission Expires:

March 28, 2020



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NB-23

ARCHAEOLOGIC:

An archaeological survey report, prepared by Feliz Colbri in January 1997, was submitted and reviewed by the State Historic Preservation Division (HPD). HPD states "LA 116033, a portion of the New Mexico Central Railroad grade, is eligible for listing on the State and National Registers at the local levels in the area of transportation. The LA 116033 is present within the proposed subdivision. The Application illustrates the railroad grade as a designated trail and is within an open space easement. As long as the railroad grade is maintained as a trail, retains the appearance of a railroad grade, and remains in an open space easement, this office has no concerns."

ACCESS AND TRAFFIC:

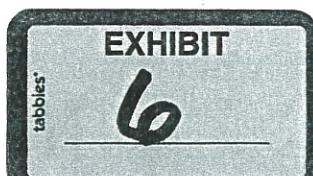
A Preliminary Traffic Report was submitted for the development. Traffic impacts will be limited during the first phase. The second phase will be tied to the development of the Northeast Connector. Prior to proceeding with Phase 2, the traffic impacts will be analyzed to determine if additional improvements are warranted.

Phase 1 will temporarily take access directly off Richards Avenue, at the intersection of Richards Avenue/Dinosaur Trail. The existing 3-way traffic signal will be modified to a 4-way signal. Phase 2 will take access via the northeast connector utilizing two access points (Saleh Avenue and North Willow Back Road). The temporary road (extension of Dinosaur Trail) will be abandoned and reclaimed upon completion of the northeast connector and Saleh Avenue and North Willow Back Road as part of the Phase 2 development. Public Works has reviewed the Application and supports this project subject to the following condition: according to the AM peak hour trip generation for Phase 1, as submitted by Design Enginuity, 18 vehicles are entering the proposed development. According to the N.M.D.O.T. State Access Management Manual this amount of traffic warrants left turn and right turn deceleration lanes on Richards Avenue.

New Mexico Department of Transportation reviewed the Application and determined that this development will not impact any State Transportation System.

FIRE PROTECTION:

La Cienega Fire District: Santa Fe County will provide the water source for fire protection; fire hydrants shall be located within the site; six fire hydrants are proposed to be located on the site: Cul-de-sacs shall be a minimum 50' radius; automatic fire prevention sprinkler systems shall be required;



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shall comply with Article 1, § 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.

WATER SUPPLY:

Phase 1 water budget is 2.5 acre feet. Saleh has 3 acre-feet available under the assigned First Amended Initial Customer Contract for Commitment of Water Service (dated November 10, 1994 "Water Contract"), subject to fulfilling the terms and conditions of the water contract. Phase 2 preliminary estimated water demand is 68 acre feet. Resolution No. 2006-57 requires a 20% add on which brings the water use to 84 a/f/y. This will require a contract/water commitment approved by the BCC.

Santa Fe County Utilities (SFCU) is ready, willing and able to provide water service to this development subject to the following conditions being met prior to Preliminary Development Plan: in order for Saleh to use the 3 acre-feet available under the assigned First Amended Initial Customer Contract for Commitment of Water Service (dated November 10, 1994 "Water Contract"), Esmail Haidair shall fulfill the terms and conditions of the water contract; Saleh shall provide water rights for any portion of the project's total water budget that exceeds the commitment in the Water Contract. The project will be required to annually report total development water usage to SFCU and provide SFCU with additional water rights if the 5-year rolling average usage exceeds the approved estimated budget; in accordance to Resolution No. 2006-57 "adopting a Santa Fe County Water Resource Department Line Extension and Water Service Policy" or any subsequent water development policy, Saleh's water requirements (e.g. New Water Delivery) will need to be approved by the Board of County Commissioners. Per Resolution 2006-57, Section IX.C, such approval may require justification for a water budget that exceeds 35 acre-feet/year; Saleh shall enter into a water service agreement with SFCU, which will define Saleh's and SFCU's commitments and obligations and specify requirements, like connection locations, hydraulic analyses, water infrastructure design approval process, cost allocation, metering requirements, construction standards, inspections, easement dedications, and acceptance; Saleh shall obtain a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order to supply the proposed total 84.312 acre-feet/year

demand through the City system; Saleh shall construct and dedicate all water infrastructure identified by the City's water utility hydraulic modeling.

The Office of the State Engineer (OSE) reviewed the Application and stated that the development is not formally covered under the New Mexico Subdivision Act and the OSE declines to provide an opinion at this time.

LIQUID WASTE:

The CCDO requires that the development be served by a community sewer system. The Code defines a Community Liquid Waste Disposal System as a system that will treat more than 2,000 gallons of liquid waste per day. A private collection system and treatment plant is defined as a Community Liquid Waste Disposal System in the Code.

At full build out of the first phase a total of 691 gallons per day (gpd) of wastewater will be generated. Each lot will tie into a sewer system that will flow into a single wastewater treatment system. In Phase 1, this treatment system will be a conventional septic tank and leach field regulated by the New Mexico Environment Department. This system will be owned and maintained by the Saleh Owners Association. At Phase 2 development wastewater generated by Phases I and 2 will be conveyed to a private wastewater treatment system to be developed in the southwest corner of the project. The conventional septic tank and leach field utilized by Phase 1 will be abandoned and the site reclaimed as per New Mexico Environment Department requirements. The construction of the wastewater system will be phased. Alternatively a connection could be constructed to the Oshara Village wastewater collection system or the Ranchland Utilities (Rancho Viejo's) wastewater collection system.

Santa Fe County Utilities (SFCU) does not have utility wastewater service available to Saleh at this point. For Phase 2, SFCU recommends that Saleh seek to have its wastewater connected to the City or other wastewater treatment facility. If an on-site wastewater facility is utilized it shall be permitted by and come under the regulation of the New Mexico Environmental Department or the Water Quality Control Commission Regulations, as appropriate.

New Mexico Environment Department reviewed the Application and stated the following: individual septic systems to be adequately sized and permitted; abandonment

of all septic systems be done properly, according to established regulations.

SOLID WASTE:

The development will have a series of dumpsters that will be screened and gated. Weekly collection of waste will be contracted with a local waste collection company. The solid waste, for each use of the development, will be evaluated at Final Development Plan.

**FLOODPLAIN &
TERRAIN MANAGEMENT:**

Terrain Management for Saleh has been reviewed for compliance with the Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance 2008-10 (Flood Damage Prevention and Stormwater Management). The site contains slopes less than 15% with minimal 30% slopes. The majority of 15%-30% slopes are dedicated to open space. The Plan complies with the Land Development Code requirements and Ordinance No. 2008-10 (Flood Damage Prevention and Stormwater Management).

The site is not located within a 100 year FEMA Special Flood Hazard Area. The project proposes 5 ponding locations for proposed road disturbances and each lot will provide ponding for onsite drainage. The project complies with the Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance No. 2008-10, (Flood Damage Prevention and Stormwater Management).

SIGNAGE AND LIGHTING:

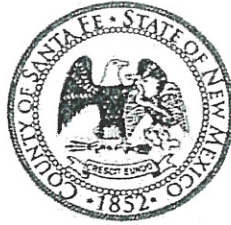
The Applicant proposes one monument sign not to exceed 150 square feet in sign area. The Application conceptually illustrates the placement and dimensions of the proposed sign, therefore the Application meets the requirement set forth in Article VIII, § 7.14 (Sign Regulations).

The Applicant has proposed to keep lighting minimal along the streets and trails. It is anticipated only 2 LED street lamps will be installed in Phase 2, both on the street next to parks and both with cut off shades. The covenants shall state that the Saleh lot owners are responsible for maintenance and electric bills associated with the street lamps. Lighting will be regulated by the project covenants which will require cut off LED lighting for anything taller than 8 feet. The Applicant shall provide scaled height dimensions for the pole mounted lights. The Applicant shall provide cut sheets for illumination of signage. The Applicant has not provided lighting detail. Additional information and submittals are

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

SANTA FE COUNTY UTILITIES

January 13, 2015

Oralynn Guerrerortiz, PE
Design Enginuity
1421 Luisa Street Suite E
Santa Fe, NM 87505

RE: WATER/SEWER AVAILABILITY ASSESSMENT, CDRC CASE # Z 14-5490 SALEH MASTER PLAN

Dear Mrs. Guerrerortiz:

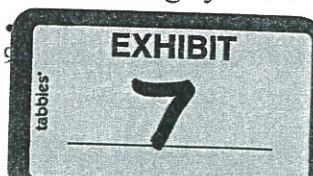
I understand that you are the representative of Senemar, LLC, the developing entity of Saleh. In response to our email correspondences (10/14/2014 and 10/15/2014) and a December 11, 2014, Santa Fe County Growth Management Department's request for master plan development review, this letter identifies that Santa Fe County Utilities (SFCU) is ready, willing, and able to provide water to the Saleh project with the requirements specified herein. While Santa Fe County Utilities (SFCU) does not provide wastewater service in the development's area, SFCU does recommend that Saleh seek to use the collection and treatment systems of neighboring wastewater systems.

The Saleh project is under development at the southeast corner of I-25 and Richards Ave. The Saleh development plan proposes mixed uses. The first phase includes a church, funeral home, cemetery, horse stables, and storage facility, with an estimated water budget of 2.46 acre-feet/year. The second phase, slated to be constructed upon completion of the NE connector, will include a mixed commercial district, potentially including medical offices, a hotel, restaurants, business offices, and retail shops and is estimated to require a water budget of 67.8 acre-feet/year. The total water budget for the project, including the 20% add-on required by Resolution No. 2006-57 is 84.312 acre-foot/year. The project may use a current 3 acre-feet Water Contract of Esmail Haidair, which was originally granted to Greer Enterprises, Inc., and then assigned to Taurus Group, Inc.

Please be aware that any statements made herein refer solely to the parcel and development concept you have described in your written inquiry and appurtenant documentation you submitted. If the parcel location or development concept is modified, or the construction conditions are modified in the future, this letter will be automatically invalidated, unless otherwise indicated in writing by SFCU.

•Physical: 424 NM 599 Santa Fe, NM 87507 • Fax (505) 9

NM 87504 • Phone (505) 992-9870
.gov



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Water Availability Assessment

SFCU is ready, willing, and able to provide water service to Saleh, as long as the following requirements are met before final plat approval:

- 1) In order for Saleh to use the 3 acre-feet available under the assigned First Amended Initial Customer Contract for Commitment of Water Service (dated November 10, 1994; "Water Contract"), Esmail Haidair shall fulfill the terms and conditions of the Water Contract. In particular, the Water Contract obligates Saleh to a service charge of \$92/month per acre-foot. SFCU will need to work with Esmail Haidair to assess how much, if any of the payments have been made since the Water Contract was assigned to 11/15/2005.
- 2) Saleh shall provide water rights for any portion of the project's total water budget that exceeds the commitment in the Water Contract. The project will be required to annually report total development water usage to SFCU and provide SFCU with additional water rights if the 5-year rolling average usage exceeds the approved estimated budget.
- 3) In accordance to Resolution No. 2006-57 "Adopting a Santa Fe County Water Resource Department Line Extension and Water Service Policy" or any subsequent water development policy, Saleh's water requirements (e.g. New Water Delivery) will need to be approved by the Board of County Commissioners. Per Resolution No. 2006-57, Section IX.C, such approval may require justification for a water budget that exceeds 35 acre-feet/year.
- 4) Saleh shall enter into a Water Service Agreement with SFCU, which will define Saleh's and SFCU's commitments and obligations and specify requirements, like connection locations, hydraulic analyses, water infrastructure design approval process, cost allocation, metering requirements, construction standards, inspections, easement dedications, and acceptance.
- 5) Saleh shall obtain a letter from the City of Santa Fe Water Division (City) that identifies what, if any, additional water utility infrastructure is needed in order to supply the proposed total 84.312 acre-foot/year demand through the City system.
- 6) Saleh shall construct and dedicate all water infrastructure identified by the City's water utility hydraulic modeling.

SFCU has a 16-inch transmission line approximately 200 feet from the proposed property boundary. For water service, SFCU will likely have Saleh connect to the existing this 16-inch transmission line and extend the line from its existing location through and to the furthest property development boundary. Other options for a connection may exist, which we can discuss with you in the future. Saleh will be required to meet all other conditions in Resolution No. 2006-57, Resolution No. 2012-88, and all other SFCU water-related ordinances and resolutions.

Sewer Service

SFCU does not have utility wastewater service available to Saleh at this point. I understand that Phase 1 of the development will use on-lot conventional wastewater systems. For Phase 2, SFCU highly recommends that Saleh seek to have its wastewater connected to the City or other wastewater treatment facility. Saleh may opt to develop its own wastewater treatment system, which would need to be permitted by and come under

the regulation of the New Mexico Environment Department pursuant to the Liquid Waste Disposal and Treatment Regulations (20.7.3 NMAC) or the Water Quality Control Commission Regulations (20.6.2 NMAC), as appropriate. SFCU would not be involved with the ownership, operation or maintenance of private systems. However, if you ultimately connect to the City's sewer system, the customers would be SFCU customers and the County may (or may not) accept the infrastructure as public facilities.

Conditions of Master Plan Approval:

- 1) Applicant must submit the sewer service design to SFCU for review before final plat approval.
- 2) The applicant is responsible for the design and construction of this project in its entirety and pays for all costs associated with the wastewater system. Santa Fe County is not responsible for any costs incurred in order to ensure compliance with the County's ordinances or other applicable rules and regulations.
- 3) If SFCU is willing and able to provide sewer collection, treatment and disposal services for this area at some point in the future, your development (including future private owners) would be required to decommission an existing wastewater collection and treatments systems and connect to SFCU sanitary sewer system at the developments expense. County ownership/maintenance of the system stops at the sewer collection line where the customer's sewer connects.

We look forward to working with you toward the successful completion of this project. Please contact SFCU Associate Engineer Paul Casaus at (505) 986-6364 or contact me at 992-9872 if you have any questions and or concerns.

Respectfully,



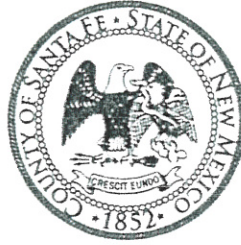
Claudia Borchert, Director
Santa Fe County Utilities Division

CC: Vicki Lucero, Building and Development Manager, Santa Fe County Growth Management Department (via email to: vlucero@santafecountynm.gov)
Jose Larranga, Development Review Team Leader (via email to: joselarra@santafecountynm.gov)
Greg Shaffer, Santa Fe County Attorney (via email to gshaffer@santafecountynm.gov)
Nick Schiavo, Public Utilities Director, City of Santa Fe (via email to: naschiavo@ci.santa-fe.nm.us)

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: May 11, 2018

TO: Jose Larranaga, Santa Fe County Land Use Department

FROM: Ted Chlastawa, Utility Engineer, Utilities

VIA: John Dupuis, Utilities Director

RE: SLTE 18-5010 Saleh Phase 1 Final Plat Extension

Summary: The enclosed information submitted to us has been reviewed and direction on how the applicant should proceed is provided below with suggested changes to the conditions of approval.

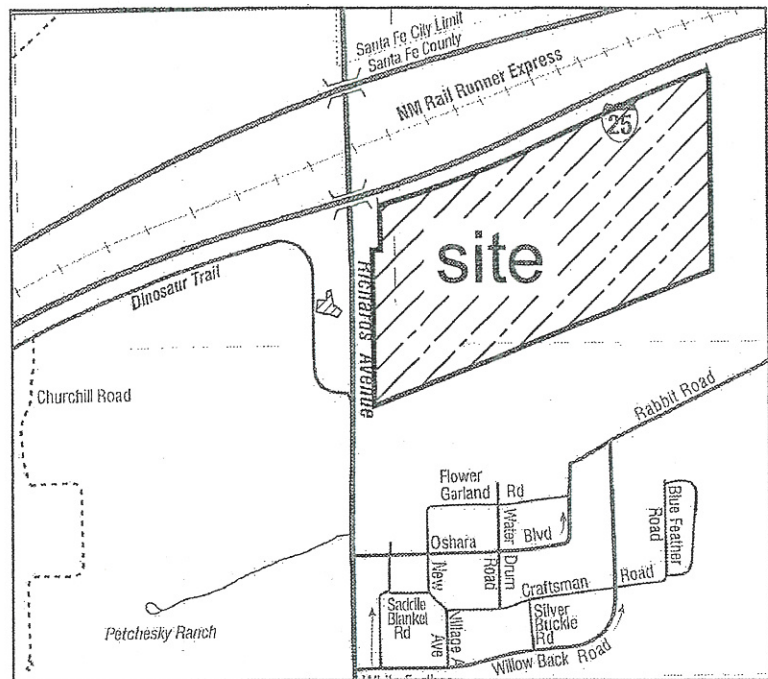
Details:

Since the time we have reviewed this in 2016 and the initial application was approved the circumstances have changed. The City of Santa Fe is unable to continue water service to the County from the Richards East Connection that supports the service for the proposed development. As a result a point of connection from the Rancho Viejo Tank is required. Also due to increased demand for wastewater services from multiple developments in the adjacent areas, including failing sewer systems similar to the on-site wastewater facility proposed for Saleh Phase 1, the County intends to provide wastewater services to this area in the near future. Based on the changes SFCU recommends that the condition of approval number four and six be changed to:

4. SFCU shall not provide water service to Saleh unless and until the Applicant and the County enter into an Amended Water Line Extension and Water Delivery Agreement ("Water Delivery Agreement") to provide water service for Saleh Phase 1 and 2 with a point of connection from the Rancho Viejo Tank, the Applicant designs, constructs and dedicates to the County all required infrastructure in accordance with SFCU specifications, the County accepts the dedication, and water delivery is scheduled for Saleh in accordance with Resolution 2006-57.

6. Saleh shall connect to the County's wastewater utility. Before recordation of the Final Plat for Phase 1 the Water Delivery Agreement shall be amended to include the design, construction, and dedication to the County of all required infrastructure in accordance with SFCU specifications, and payment for any upsize costs the County incurs to accommodate the wastewater services required for the development.





VICINITY MAP (NTS)

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS shown on this plat are granted for the common and joint use of:

- NEW MEXICO GAS COMPANY for installation, maintenance and service of natural gas lines, valves and other equipment and facilities reasonably necessary to provide natural gas.
- PUBLIC SERVICE COMPANY OF NEW MEXICO for the installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment, fixtures, structures and related facilities reasonably necessary to provide electrical service.
- CENTURY LINK for installation, maintenance and service of all buried and aerial communication lines and other related equipment and facilities reasonably necessary to provide communication services, including but not limited to above ground pedestals and closures.
- CABLE TV for the installation, maintenance, and service of such lines, cable and other related equipment and facilities reasonably necessary to provide Cable TV services.
- SANTA FE COUNTY UTILITIES DIVISION for the installation, maintenance, and service of such lines and other related equipment and facilities reasonably necessary to provide services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, modify, renew, operate and maintain facilities for the purposes described above, together with free access to, from, and over said right of way and easement, with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein and with the right to utilize the right of way and easement to extend services to customers of Grantees, and to trim and remove trees, shrubs or bushes which interfere with the purpose set forth herein. No building, sign, pool (above ground or subsurface), hot tub, concrete or wood pool decking, or other structure shall be erected or constructed on said easements, nor shall any well be drilled or operated thereon.

Disclaimer

In approving this plat, Public Service Company of New Mexico (PNM) and New Mexico Gas Company (NMGC) did not conduct a Title Search of the properties shown hereon. Consequently, PNM and NMGC do not waive or release any easement or easement rights which may have been granted by prior plat, replat or other document and which are not shown on this plat.

UTILITIES APPROVAL

NEW MEXICO GAS COMPANY	DATE
PNM ELECTRIC SERVICES	DATE
CENTURY LINK	DATE
COMCAST	DATE

SALEH PHASE 1 SUBDIVISION DEDICATION AND AFFIDAVIT

Know all persons by this presents that Senemar, LLC, a New Mexico Limited Liability Corporation, as the owner (the "Owner") of the lands shown on this subdivision plat (the "Plat") which are located within Santa Fe County, New Mexico, hereby consent to platting of lands as shown hereon and further consent to subdivision of lands to create commercial lots as shown hereon. This subdivision is named and shall be known as Saleh Phase 1 (the "Subdivision"). All that appears on this plat is made with the free consent and in accordance with the desires of the Owner.

Grants of Easements:

Utility Easements. The utility companies identified hereon, and their successors in interest are granted easements as shown hereon and within 10 feet of the Saleh Avenue right-of-way for the construction, maintenance, repair and operation of utilities in providing utility service to the Subdivision.

Open Space Reservation. Tracts ____ and ____ are hereby reserved for use as open space, recreational facilities, stables, a cemetery, trails, drainage, drainage facilities, landscaping, liquid waste sewer mains, reclaimed water lines and infiltration galleries and use by the Association and such other parties as the Owner may grant easements to for their use and enjoyment. The members of the Association are hereby granted the right to use these Tracts subject to the Declaration of Restrictive Covenants for Saleh, recorded on _____, in the records of the Santa Fe County Clerk, under Instrument No. _____, the By-laws of the Association, and any rules and regulations adopted by the Association.

Grant of Trail Easements. The public trail easements shown within Tract ____ are hereby granted for public use, subject to the rules and regulations adopted by the Association.

Grant of Drainage Easements. Drainage easements are granted as shown for the purpose of maintaining the flow of storm waters. Such easements are granted to the Association, its members and to the adjoining lot owners whose surface drainage naturally flows through such easements. The Association is responsible for maintaining all drainage structures and easements.

Excavation Easements. Excavation easements for cut and fill slopes for all roadway improvements and drainage structures are hereby granted to the Association and reserved by Owner, for the placement, construction, maintenance, repair and replacement of roadways and roadway appurtenances including easements for road retaining walls, cut and fill slopes, drainage improvements, which easements will vary in width as construction and maintenance requires. Any roadway improvements cut or fill slopes and drainage improvements installed or constructed by Owner within the boundary of any lots or tracts shown hereon are deemed to be within the easement granted hereby.

Jurisdiction. This subdivision lies within the planning and platting jurisdiction of the County of Santa Fe, New Mexico.

OWNER

SENEMAR, LLC
A New Mexico Corporation

Esmail Haidari, Managing Member

The foregoing was sworn, acknowledged and subscribed before me by Esmail Haidari Managing Member of Senemar, LLC, a New Mexico Corporation, on behalf of the corporation, this ____ day of _____, 2016.

Notary Public

My commission expires: _____

SPECIAL BUILDING PERMIT CONDITIONS

- THESE LOTS ARE SUBJECT TO UTILIZING THE SANTA FE COUNTY WATER SYSTEM. INDIVIDUAL WELLS ARE NOT PERMITTED.
- THESE LOTS ARE SUBJECT TO USING THE SALEH SEWER SYSTEM. NO INDIVIDUAL WASTEWATER SYSTEM SHALL BE ALLOWED.
- THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION FOR DEVELOPMENT PERMIT.
- INDIVIDUAL LOT DETENTION PONDS ARE REQUIRED.

SURVEYORS CERTIFICATE

I, RICHARD A. CHATROOP, A NEW MEXICO PROFESSIONAL SURVEYOR NO. 11011, DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL FIELD SURVEY UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECTION ON SEPT. 8TH, 2015; THAT I AM RESPONSIBLE FOR THIS SURVEY AND THAT IT MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RICHARD A. CHATROOP N.M.P.L.S. #11011



COUNTY APPROVALS

County Development Permit No. _____

Approved by the Board of County Commissioners at their meeting of _____

Chairperson _____ Date _____

Attested by _____ Date _____
County Clerk

Approved by the County Development Review Committee at their meeting of _____

Chairperson _____ Date _____

Approved by _____ Date _____
County Land Use Administrator

Approved by _____ Date _____
County Fire Marshal

Approved by _____ Date _____
County Public Works Director

Approved by _____ Date _____
County Utilities Director

Approved by _____ Date _____
County Rural Addressing Director

Acknowledged by _____ Date _____
County Treasure

PURPOSE: THE PLAT CREATES 3 COMMERCIAL LOTS, 2 OPEN SPACE LOTS, 1 ROAD RIGHT-OF-WAY LOT AND A REMAINDER LOT.

NOTES AND CONDITIONS

- Maintenance of access road, sidewalks, ramps, wastewater lines and facilities, parks, trails, open space and drainage structures to be the responsibility of the Association.
- The sewer lines, treatment facilities and infiltration gallery within the road, park and open space tracts shall be maintained by the Association. Trails, landscaping and recreational facilities installed by the Owner or the Association, within the open space (this includes the parks) shall be maintained by the Association.
- According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Community Panel No 35049C0526E, Dated 12/4/12, this property lies in Zone X.
- The approval of this plat does not constitute the approval of any further development including building permits. All standard County permits and fees must be in place prior to commencement of construction activity of any kind. Development permits for building construction will not be issued until required improvements for roads, fire protection, terrain management, and drainage are completed and approved.
- These lots must be connected to the private sewer system installed by the Owner. Sanitary sewer individual service lines within the lots shall be the responsibility of the lot owner to construct and maintain.
- No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Fire Marshal and the access roads are deemed passable by the Fire Marshal.
- All outdoor lighting shall be shielded.
- All utility lines shall be underground.
- All lots are subject to a 10-Foot utility easement adjacent to Saleh Avenue right-of-way.
- Buildings may not be within designated utility or drainage easements. There are no minimum building setbacks.
- This plat is subject to that certain Declaration of Restrictive Covenants for Saleh, filed in the Office of the County Clerk and recorded as Instrument No. _____.
- The Saleh Disclosure Statement is filed in the Office of the County Clerk and recorded as Instrument No. _____.
- Water use on these lots is restricted by the Declaration of Restrictive Covenants for Saleh, recorded as Instrument No. _____.
- Lot owners shall comply with County Rainwater Harvesting requirements.
- Wastewater treatment facility related buildings and Association owned landscaping tool sheds are the only buildings permitted in Open Space.

SUBDIVISION
PLAT FOR
PHASE 1
OF

SALEH SUBDIVISION

LYING WITHIN SECTION 16, T.16N., R.9E., N.M.P.M., COUNTY OF SANTA FE, NM.

RICK CHATROOP
LAND SURVEYOR

ISTRATION NO. 11011
RAIL RD. CERRILLOS, NM 87010

FOR THE COUNTY CLERK
1-094-120-249

T.16N., R.9E., N.M.P.M., COUNTY OF

COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO }
I hereby certify that this instrument was filed _____ day of _____ A.D. _____
for record on the _____ day of _____ A.D. _____
and was duly recorded in book _____ of the records of Santa Fe County.

Witness my Hand and Seal of Office
Geraldine Salazar
County Clerk, Santa Fe County, N.M.

Deputy



NB-32

CURVE TABLE					
CURVE	ARC	RADIUS	CHORD	LENGTH	DELTA
C1	24.13	77.00	N76°40'33"E	24.03	17°57'05"
C2	265.19	513.77	N52°54'48"E	262.25	29°34'25"
C3	105.92	513.77	N32°13'13"E	105.74	11°48'45"
C4	190.73	1078.38	N16°09'57"E	190.48	10°08'01"
C5	120.23	299.39	S28°40'59"W	119.42	23°00'31"
C6	240.43	1057.64	N11°05'56"W	239.91	13°01'29"
C7	137.44	225.77	S24°33'32"E	135.33	34°52'46"
C8	20.70	225.28	S44°37'50"E	20.70	5°15'55"
C9	20.01	225.28	S49°48'27"E	20.00	5°05'18"
C10	101.29	225.28	S65°13'54"E	100.44	25°45'37"
C11	43.55	1549.95	S80°55'08"E	43.55	1°36'36"
C12	203.12	1549.95	S85°28'41"E	202.98	7°30'31"
C13	235.65	1493.95	S84°42'49"E	235.40	9°02'15"
C14	249.93	1113.64	N11°05'06"W	249.41	12°51'32"
C15	102.22	169.77	S24°45'01"E	100.68	34°29'49"
C16	107.77	169.28	S60°14'10"E	105.96	36°28'36"
C17	296.63	284.24	S48°56'14"W	283.35	59°47'36"
C18	6.03	1098.38	N11°18'46"E	6.03	0°18'53"
C19	111.15	279.39	S28°47'22"W	110.42	22°47'42"
C20	68.08	883.13	N08°51'54"E	68.06	4°25'01"
C21	137.69	883.13	N15°32'24"E	137.55	8°56'00"
C22	248.24	983.13	N14°40'02"E	247.58	14°28'02"

LINE TABLE		
LINE	LENGTH	BEARING
L1	105.58	N85°39'06"E
L2	86.54	N25°17'16"E
L3	15.90	S13°48'21"E
L4	19.08	S75°45'02"E
L5	2.41	S75°45'02"E
L6	57.92	S75°45'02"E
L7	56.00	S00°46'03"W
L8	48.68	S75°45'02"E
L9	18.88	S13°48'21"E
L10	29.81	S75°45'02"E
L11	56.21	N71°16'16"E
L12	13.12	N21°27'32"E
L13	37.26	N21°27'32"E
L14	12.78	S71°51'39"E
L15	21.13	S74°43'41"E
L16	41.23	S21°27'32"W

LEGEND AND NOTES

- △ RIGHT OF WAY RAIL - STATION AS NOTED
- DENOTES POINT FOUND SMITH & WILLIAMSON GAP
- DENOTES POINT SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES PHASE LINE
- DENOTES EASEMENT LINE
- DENOTES CENTERLINE
- DENOTES FENCELINE

N/F TRACT 2-A N/F G E RICHARDS PROPERTY LLC PLAT BK. 626, PGS. 1-3

REMAINDER
FUTURE PHASE 2
39.53 AC. ±

SUBDIVISION PLAT FOR PHASE 1 OF SALEH SUBDIVISION

LYING WITHIN SECTION 16, T.16N., R.9E., N.M.P.M., COUNTY OF SANTA FE, NM.

N/F TRACT 2-A N/F G E RICHARDS PROPERTY LLC PLAT BK. 626, PGS. 1-3

COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO }
I hereby certify that this instrument was filed
for record on the _____ day of _____ A.D.
20____ at _____ o'clock _____ m.
and was duly recorded in book _____ of the records of
page _____ Santa Fe County,
New Mexico.
Witness my Hand and Seal of Office
Geraldine Salazar
County Clerk, Santa Fe County, N.M.

RICK CHATROOP
PROFESSIONAL LAND SURVEYOR
NEW MEXICO REGISTRATION NO. 11011
(505) 470-0037 110 WAGON TRAIL RD. CERRILLOS, NM. 87010

INDEXING INFORMATION FOR THE COUNTY CLERK
SENEAR, LLC UPC# 1-051-094-120-249
LOCATION: LYING WITHIN SECTION 16, T.16N., R.9E., N.M.P.M., COUNTY OF SANTA FE, NM.
SHEET 2

NB-33

