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:

June 12, 2018

TO:

Board of County Commissioners

FROM:

Miguel "Mike" Romero, Development Review Specialist Sr.

VIA:

Katherine Miller, County Manager

Penny Ellis-Green, Growth Management Director

Vicki Lucero, Building and Development Services Manager

FILE REF:

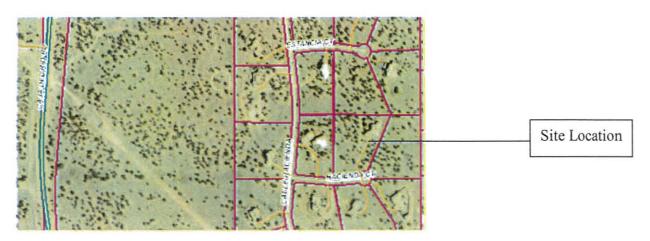
CASE # PCEV 18-5110 Roxane Beck Vacation of Easement

ISSUE:

Roxane Beck, Applicant, (Sommer Karnes & Associates LLP) Joseph Karnes, Agent, request approval to vacate a platted 25'ft, wide drainage easement on Lot 20 of the La Villa Escondida Subdivision (Book 460 Page 037-039) totaling 3.04 acres.

The property is located at 7 Hacienda Court (lot 20), within Section 23, Township 17 North, Range 8 East, (Commission District 2).

Vicinity Map:



SUMMARY:

The subject property was created through a subdivision plat, La Villa Escondida Subdivision, on November 17, 2000, and is considered a legal lot of record. The Applicant acquired the real property as indicated by the warranty deed recorded in the records of the Santa Fe County Clerk on January 11, 2005, as Instrument No. 1362393.

The subject property has a dwelling unit that was permitted by the Applicant as Permit No. 04-618. The site plan that was submitted as part of the permit shows the home setback from the existing 25' ft. drainage easement. Prior to construction, the building site was moved and the home was built on the drainage easement based upon a vacation and extinguishing of easement document that was never approved by the BCC. The Applicant requests to vacate a 25' ft. wide platted drainage easement that runs across the northeast corner of the property (Refer to Exhibit 6). The easement on Lot 20 was created by a subdivision plat, La Villa Escondida Subdivision (Book 460 Page 037-039), which was recorded in the Santa Fe County Clerk's Office on November 17, 2000. The La Villa Escondida Subdivision plat was approved by the Board of County Commissioners (BCC) and the Santa Fe County Land Use Administrator. The plat also reflects other drainage easements on separate properties that border the subject property to the north, northeast and northwest that tie into the drainage easement located on the Applicant's property. No prior plats were located for this easement. The Applicant requests to have the easement vacated in order to sell her home.

Applicant's Statement:

The easement was created by the subdivision plat, which was recorded in 2000. In 2004, a document vacating and extinguishing the easement was prepared and signed by Charlie Gonzales for the County of Santa Fe, Jim Borrego on behalf of the La Villa Escondida Home Owners Association (HOA), and the property owners Marc and Roxane Martin. Subsequently, a home was built on the property within what was thought to be the vacated drainage easement.

Recently, in conjunction with the Applicants sale of the property, it was discovered that the 2004 vacation was never recorded and as a result, the easement still exists.

Staff Response:

Under the prior Land Development Code (Ordinance No. 1996-10), the Applicant would have been required to file an application requesting to vacate the 25' ft. wide platted drainage easement. This would have required the Applicant to present her case at a public hearing before the BCC. In addition, the Applicant would have been required to provide a Drainage Analysis prepared by a Certified Professional Engineer proving that the drainage easement peak flows were insignificant and no impact to the neighboring properties would occur. The previous code required setbacks where drainage flow is 25 cfs or greater. However, no application was submitted and no Drainage Analysis was prepared and provided to staff at that time.

Chapter 7, Section 7.17.5.2., of The Sustainable Land Development Code (SLDC) states, No development shall disturb any existing watercourse or other natural drainage system, in a manner which causes a change in watercourse capacity or time to peak, time of concentration or lag time or other natural drainage system or increase of the pre-development storm water discharge. Erosion

setbacks shall be provided for structures adjacent to natural arroyos, channels, or streams such that:
(a) a minimum setback of 25' shall be provided from all arroyos with flow rates of 100 cubic feet per second (100 cfs); or (b) a minimum setback of 75' shall be provided from all FEMA designated 100 year Floodplains. Setbacks from FEMA designated Floodplains may be reduced if bank stabilization or stream bed and bank stability is designed or provided by a professional engineer. In no case, shall the setback be reduced to less than 25'. In addition, Note 7 on the Subdivision Plat for La Villa Escondida states that "Existing natural drainageways will not be modified or impeded without the written approval of the land use administrator or county hydrologist. Development shall not impede historic rates or patterns to or from the subdivision. Based on the Drainage Analysis provided by the engineer, staff affirms by vacating the drainage easement on Lot 20, the vacation will not impede natural flow patterns to or from the subdivision.

The Applicant has provided a Drainage Analysis, prepared by Morey Walker (Registered Professional Engineer) stating that "There is not any visible drainage ditch/arroyo within the drainage easement. The area around the house is very stable and no define drainage swales were noted. After reviewing the existing topo, the drainage area above the residence is minimal (< 1 acre.) No concentration of runoff was evident in the existing upstream drainage area. The existing house was adequately constructed to allow any minor offsite sheet flow drainage to be routed around the house. Given the foregoing, including the lack of either a historic or existing drainage ditch/arroyo within the drainage easement, the runoff through the drainage easement is sheet flow only. A drainage easement should not be based upon sheet flow since there is not a concentration of discharge to make a drainage easement visible. The lack of a drainage ditch or arroyo within this easement should have been field verified and the easement should not have been shown on the recorded plat. The vacation of the 25' ft. wide drainage easement located on Lot 20, within the La Villa Escondida Subdivision will not have any detrimental effects on this lot or surrounding lots" (Refer to Exhibit 2).

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 5, Section 5.11.2. Vacation of Approved Plat.

- 5.11.2.1. Applicability. Any final plat filed in the Office of the County Clerk may be vacated, or a portion of the final plat may be vacated, if:
 - 1. the owners of the land proposed to be vacated sign an acknowledged statement, declaring the final plat or a portion of the final plat to be vacated;
 - 2. The statement is approved by the Board; and
 - **3.** if the plat or portion of plat, to be vacated was initially approved through an administrative process, the Administrator may approve the vacation or partial vacation of the plat.

Chapter 7, Section 7.17.5.2. All Other Development. Subdivision, multi family, non-residential and single family residential development shall comply with the following standards:

- 1. Drainage structures shall be designed and sized to detain or safely retain storm water on site.
- 2. Storm drainage facilities shall have the sufficient carrying capacity to accept peak discharge runoff from the development.
- 3. The peak discharge of storm water resulting from the development shall not exceed the peak discharge calculated prior to the development and differences between pre- and post-development discharge shall be detained or retained on site. Calculation of the design peak discharge of storm water shall be based on a one hundred (100) year frequency, twenty-four (24) hour duration rainstorm.
- **4.** No development shall disturb any existing watercourse or other natural drainage system, in a manner which causes a change in watercourse capacity or time to peak, time of concentration or lag time or other natural drainage system or increase of the pre-development storm water discharge.
- **5.** All natural drainage ways and arroyos which traverse or affect one or more lots or development sites shall be identified on the plan and/or plat.
- channels, or streams such that: (a) a minimum setback of 25' shall be provided from all arroyos with flow rates of 100 cubic feet per second (100 cfs); or (b) a minimum setback of 75' shall be provided from all FEMA designated 100 year Floodplains. Setbacks from FEMA designated Floodplains may be reduced if bank stabilization or stream bed and bank stability is designed or provided by a professional engineer. In no case shall the setback be reduced to less than 25'.
- 7. For single-family residences, where a proposed development site is located outside of a regulated one hundred (100) year flood plain and on slopes less than ten percent (10%) and the proposed development site, including patios, garages, accessory structures, driveways and other development that decreases the permeability of infiltration of pre-development surfaces is no more than six thousand (6,000) square feet and total impermeable surfaces (roofs, paved areas, patios, etc.) do not exceed twenty-five hundred (2,500) square feet, a retention/detention pond(s) or check dams(s) with a minimum volume of six hundred (600) cubic feet shall be installed at a location to be approved by the Code Administrator. Such ponds shall be integrated with the landscaping or re-vegetation on the lot.

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 Applicants 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 May 22, 2018. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on May 22, 2018, 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.

The Application was submitted on May 10, 2018.

RECOMMENDATION:

Approval to vacate a 25' ft. wide platted drainage easement on Lot 20 totaling 3.04 acres based on the Drainage Analysis submitted; subject to the following condition:

1. The Applicant shall file the portion of the Final Plat (lot 20) affected by the vacated easement with the County Clerk's Office within 90 days of recording the order granting the vacation of easement or the approval will be null and void.

EXHIBITS:

- 1. Applicants Letter of Request
- 2. Drainage Analysis
- 3. Noticing
- 4. Letter of Support
- 5. Unofficial Document Vacating and Extinguishing Easement
- 6. Recorded Survey Plat
- 7. Aerial of Site and Surrounding Area

SOMMER KARNES & ASSOCIATES LLP

Mailing Address Post Office Box 2476 Santa Fe, New Mexico 87504-2476

Street Address 200 West Marcy Street, Suite 133 Santa Fe, New Mexico 87501

Telephone:(505) 989-3800 Facsimile:(505) 982-1745 Karl H. Sommer, Attorney at Law khs@sommerkarnes.com Joseph M. Karnes, Attorney at Law jmk@sommerkarnes.com Denise M. Thomas, Attorney at Law deniset@sommerkarnes.com Mychal L. Delgado Advanced Certified Paralegal mld@sommerkarnes.com

> John R. Fox Attorney at Law johnf@sommerkarnes.com Of Counsel

May 10, 2018

Via Email - miromero@santafecountynm.gov and hand delivery

Miguel Romero, Senior Development Review Specialist Santa Fe County 102 Grant Avenue Santa Fe, NM 87504-0276

Re: Application to Vacate Easement – 7 Hacienda Court (the "Property")

Dear Miguel:

The attached application requests that the BCC approve vacation of the existing 25' wide drainage easement across the northeast corner of the Property (the "Easement") on the basis that there is no arroyo or drainage course within the Easement. I understand that the application will be scheduled for the June 12 BCC meeting.

The Easement was created by the subdivision plat, which was recorded in 2000. In 2004, a document vacating and extinguishing the Easement was prepared and signed by Charlie Gonzales for the County of Santa Fe, Jim Borrego on behalf of the La Villa Escondida HOA and the property owners Marc and Dr. Roxane Martin (the "2004 Vacation"). Subsequently, a home was built on the Property within what was thought to be the vacated easement.

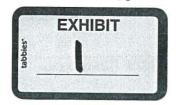
Recently, in conjunction with Dr. Martin's sale of the Property, it was discovered that the 2004 Vacation was never recorded and as a result, the Easement still exists.

Included with the application is a stamped letter from Engineer Morey Walker confirming that there is no arroyo or drainage course within the Easement and that the house does not interfere with any natural drainage course.

Please review the application and confirm that the request will be placed on the June 12, 2018 BCC agenda. If you have any questions or concerns, please let me know.

Sincerely,

Joseph M. Karnes





Walker Engineering

Morey Walker & Associates Engineering, Inc.

905 Camino Sierra Vista Santa Fe, NM 87505 (505) 820-7990

May 9, 2018

Mr. Joseph Karnes Sommer Karnes & Associates, LLP PO Box 2476 Santa Fe, NM 87504-2476

Ref:

#7 Hacienda Court

Lot 20 La Villa Escondida Subdivision

Drainage Easement Vacation

Dear Joseph,

Per your request, I have reviewed the site conditions concerning the vacation of the existing 25' wide drainage easement on the referenced lot. My findings are as follows:

- There is not any visible drainage ditch/arroyo within the drainage easement. I walked both the upstream and downstream conditions. The area around the house is very stable and no define drainage swales were noted.
- After reviewing the existing topo, the drainage area above the residence is minimal (< 1 acre). No concentration of the runoff was evident in the existing upstream drainage area.
- The existing house was adequately constructed to allow any minor offsite sheet flow drainage to be routed around the house.
- 4. Drainage Analysis. Given the foregoing, including the lack of either a historic or existing drainage ditch/arroyo within the drainage easement, the runoff through the drainage easement is sheet flow only. A drainage easement should not be based upon sheet flow since there is not a concentration of discharge to make a drainage easement viable. The lack of a drainage ditch or an arroyo within this easement should have been field verified and the easement should not have been shown on the recorded plat.

Based upon my findings, the vacation of the 25' wide drainage easement on Lot 20 La Villa Escondida will not have any detrimental effects on this lot or the surrounding lots. If you have any questions or need further information, please do not hesitate to contact me.

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

Jounty: Santa Fe

Printed In: Santa Fe New Mexican

Printed On: 2018/05/22

LEGAL # 84370

CASE # PCEV 18-5110 Roxane Beck Vacation of Easement NOTICE OF PUBLIC HEARING

Notice is hereby given that public hearing will be held to consider a request by Roxane Beck, Applicant, (Sommer Karnes & Associates LLP) Joseph Karnes, Agent, request approval to vacate a platted 25'ft. wide drainage easement on one lot totaling 3.04 acres. The property is located at 7 Hacienda Court (lot 20), within Section 23, Township 17 North, Range 8 East, (Commission District 2).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 12th day of June 2018, at 5:00 p.m. on a petition to the Santa Fe County 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.

Il comments, questions and objections to the proposal may be submitted to the County Land se Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

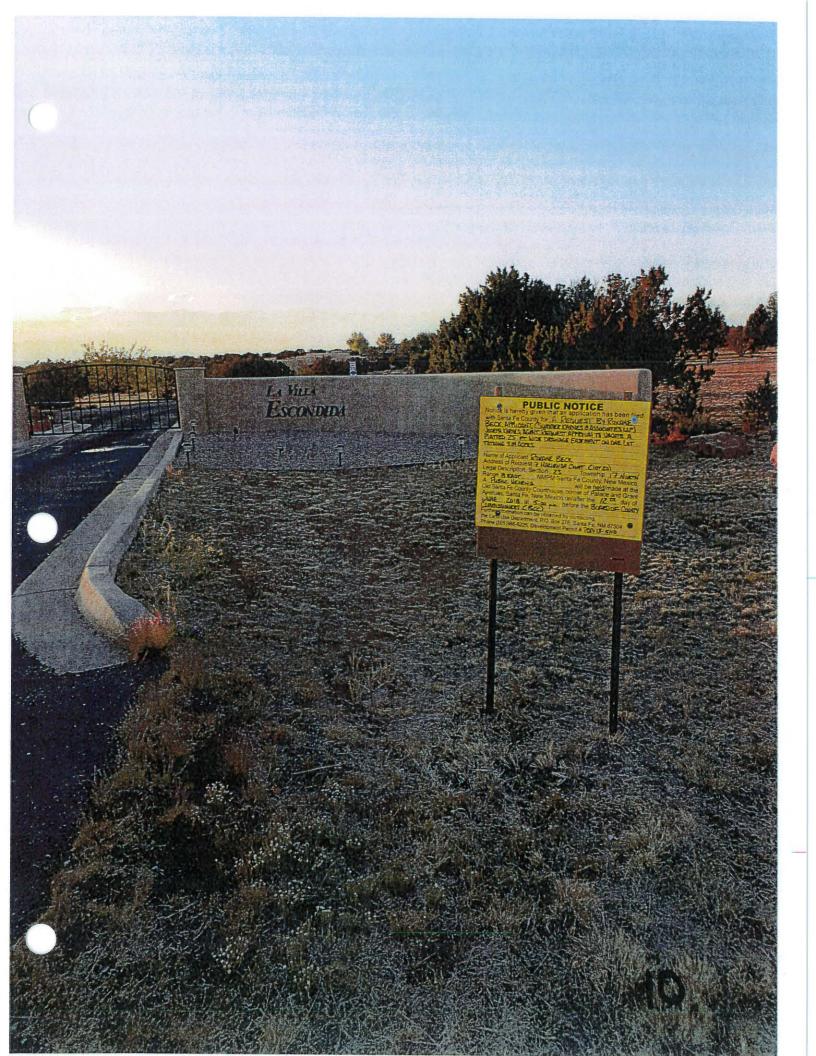
Pub.: May 22, 2018

Public Notice ID:



CERTIFICATION OF POSTING

I herby Code.	certify that the public notice posting regarding the Sustainable Land Development
	Case # 18-5/10 was posted for 15 days on the property beginning
	The 22 day of 199 9 2018 **
	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 day of
minimum miles	MAY ,2018, By JOSEPH KARCHES.
DO TARY STATE OF NEW MACHINE	Notary Public
11111111 1 CO 63111	My Commission Expires:
Seditations page	6/2/10



TRUJILLO, BOB LEE PO BOX 8770 SANTA FE NM 87504	VALERIO, ADAM F & KELLY BORREGO OJINAGA 6 CALLE QUERIDO SANTA FE NM 87506	VALERIO, ADAM F & KELLY BORREGO OJINAGA 7 CALLE QUERIDO SANTA FE NM 87506
BOWMAN, DAVID G & NANCY H 2931 E CALLE SIN PECADO TUCSON AZ 85718	JESSEN, NICHOLAS C & PENNY P 1 CALLE HACIENDA SANTA FE NM 87505	MOTOLA, ALEXANDER M V & KIMBERLY LANTIS(TRUST) 2 HACIENDA CT SANTA FE NM 87506
BORREGO, ROBERTO R & DEBORAH K 4 CALLE CARINO SANTA FE NM 87506	WHETSTONE, EARL SR C/O FRANK VIGIL PO BOX 16451 STANFORD CT 94309	GONZALES, PATRICIO M & KARMELLA BORREGO-GONZALES RT 10 BOX 92 H SANTA FE NM 87501
KING BROTHERS RANCH BOX 2670 MORIARTY NM 87035	AYER, DAVID H & KATHRYN M STARK 33 CALLE HACIENDA SANTA FE NM 87506	HIATT, DAVID M & SUSAN U 118 CLOVERLEAF AVE SAN ANTONIO TX 78209-3819
BENNETT FAMILY REVOCABLE TRUST C/O ROBERT & LAUREL BENNETT 7113 SENTINEL RD ROCKFORD IL 61107	SMITH, MICHAEL J & MARILYN D. 34 CALLE HACIENDA SANTA FE NM 87506	SEAWRIGHT, MARTHA ALEXANDRA (TRUSTEE) 1441-C PASEO DE PERALTA SANTA FE NM 87501
MARSE, LINDA MOODY 4 ESTANCIA CT SANTA FE NM 87506	BORREGO-OJINAGA REVOCABLE TRUST 7 CALLE QUERIDO SANTA FE NM 87506	BORREGO, ANDREW R 3056 AGUA FRIA ST SANTA FE NM 87507
BAGLEY, MARK H & MARY M 7 ESTANCIA CT SANTA FE NM 875069	HAMILTON, MONICA 13791 HUTCHINGS CT ROYAL OAKS CA 95076-5333	SKY LIMIT LLC 3056 AGUA FRIA SANTA FE NM 87501
BORREGO, ROBERTO R & ROMERO, DEBORAH K 4 CALLE CARINO SANTA FE NM 87506	GERBSON, STEVE & OLIVA LOUISE AYALA 4791 DEL MORENO PL WOODLAND HILLS CA 91364-4627	RICE, KENNETH D & BARBARA J 149 E ALAMEDA SANTA FE NM 87501
MARTIN, ROXANE BECK 7 HACIENDA CT SANTA FE NM 87506	SALVA TIERRA HOA RO C/O GARY JACOBS 18 COLUMBINE LANE SANTA FE NM 87506	LOS SUENOS TAIL ALLIANCE RO C/O STEVEN SCHWARTZ 10 COPPERMALLOW ROAD SANTA FE NM 87506

NORTHWEST RESIDENTS UNITED RO

C/O MONA SHOUP 7 TECOLOTE CIRCLE SANTA FE NM 87506

Miguel Romero

From:

Joseph M. Karnes <josephk@sommerkarnes.com>

Sent:

Tuesday, May 22, 2018 4:03 PM

To:

Miguel Romero

Subject:

FW: 7 Hacienda Court - Vacation of Drainage Easement

Hello Miguel,

Please include the following in the record for this application and let me know any questions.

Thank you

Joseph

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

NOTE: If you are a client, do not forward this email to anyone because doing so may cause you to waive the attorney-client privileg or other protected communications.

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

From: garywjacobs@gmail.com [mailto:garywjacobs@gmail.com]

Sent: Tuesday, May 22, 2018 4:01 PM

To: Joseph M. Karnes

Subject: Re: 7 Hacienda Court - Vacation of Drainage Easement

Dear Mr. Karnes:

I have reviewed your email request wherein you seek on behalf of your client, Roxane Beck, the vacation of a drainage easement across the property at 7 Hacienda Court Santa Fe, NM.

On behalf of Roxane Beck you have submitted an application to the Board of Santa Fe County Commissioners to vacate the drainage easement in question.

The easement in question does not affect, as best I can determine, the property constituting the Salva Tierra HOA Community. I suspect we are receiving notice of your request because we are a Registered Organization with Santa Fe County and our map of interest includes the area of your client's property.

1

Your email also contains a report from civil engineer Morley Walker that there is no arroyo or drainage channel within the easement you seek to vacate and that there will be no negative impacts from vacating the drainage easement.

om the enclosed notice I see your hearing on this issue is scheduled for June 12th. I will be unable to attend this hearing but want to say that based on the above representations, that there will be no negative impacts from vacating the drainage easement, Salva Tierra HOA has no objection to your application on behalf of Roxane Beck to the property at 7 Hacienda Court.

I trust this response will assist you in advancing your clients application. Sincerely, Gary Jacobs STHOA President

Sent from my iPhone

VACATION AND EXTINGUISHMENT OF EASEMENT

THE UNDERSIGNED. FOR AND BEHALF OF:

VILLA ESCONDIDA HOMEOWNERS ASSOCIATION THE COUNTY OF SANTA FE, THE OWNER OF LOT 20, THE OWNER OF LOT 21

DO HEREBY VACATE, EXTINGUISH, RELEASE, WAIVE, QUITCLAIM, AND DISCHARGE THEIR RIGHTS, AND INTEREST TO AN EASEMENT GRANTED AND CREATED BY THAT CERTAIN PLAT OF SURVEY ENTITLED "LA VILLA ESCONDIDA SUBDIVISION", SAID PLAT BEING PREPARED BY RICHARD A. CHATROOP NMPLS No. 11011, AND BEING RECORDED IN THE SANTA FE COUNTY CLERKS OFFICE IN PLAT BOOK 460, PAGES 037-039. BEING COMPRISED OF A PORTION OF LOT 20 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERNMOST END OF THE CENTERLINE OF A 25' WIDE STRIP FROM WHENCE THE NORTHEASTERN CORNER OF LOT 20 BEARS NORTH 23°38'21" EAST, A DISTANCE OF 156.99';

THENCE NORTH 28°49'44" WEST, A DISTANCE OF 164.16' TO THE NORTHERNMOST END OF SAID STRIP;

THE HEREIN DESCRIBED AREA IS INTENDED TO BE THE SAME EASEMENT SHOWN ON THAT CERTAIN PLAT OF SURVEY ENTITLED "BOUNDARY SURVEY OF LOT 20 OF LA VILLA ESCONDIDA SUBDIVISION", SAID PLAT BEING PREPARED BY RICHARD A. CHATROOP NMPLS No 11011, AND IS MORE PARTICULARY SHOWN ON THE ATTACHED "EXHIBIT A".

THIS VACATION AND EXTINGUISHMENT OF EASEMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED:

OWNERS OF LOT 20
MARC MARTIN
Dr. Hexane Martin
DR. ROXANE MARTIN
STATE OF NEW MEXICO))SS COUNTY OF SANTA FE) THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF, 2004 BY MARC & DR. ROXANE MARTIN
NOTARY PUBLIC EXHIBIT

OWNER OF LOT 21
OWNER LOT 21
STATE OF NEW MEXICO))SS
COUNTY OF SANTA FE) THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF, 2004 BY OWNER OF LOT 21
NOTARY PUBLIC
LA VILLA ESCONDIDA HOME OWNERS ASSOCIATION
JIM BORREGO, FOR THE LA VILLA ESCONDIDA HOME OWNERS ASSOC.
STATE OF NEW MEXICO)
)SS COUNTY OF SANTA FE)
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF, 2004 BY JIM BORREGO, FOR THE VILLA ESCONDIDA HOME OWNERS ASSOCIATION
NOTARY PUBLIC
THE COUNTY OF SANTA FE CHARLIE GONZALEZ, FOR THE COUNTY OF SANTA FE
STATE OF NEW MEXICO))SS
COUNTY OF SANTA FE)
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
NOTARY PUBLIC

VACATION OF

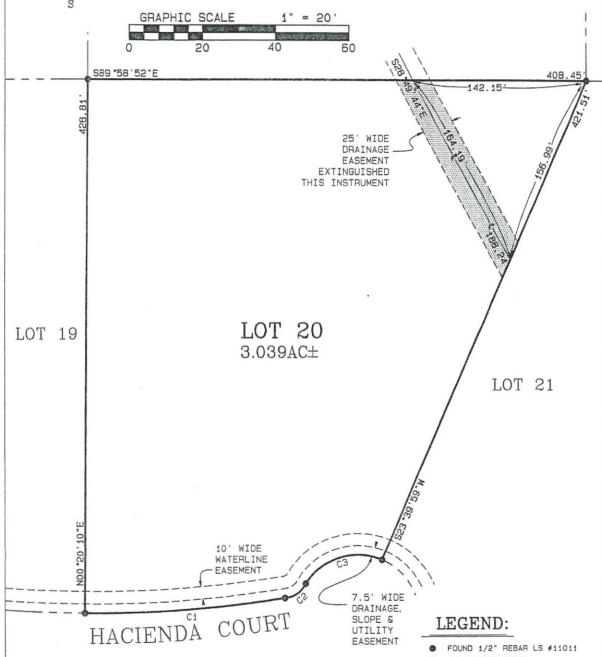
EXHIBL A" FOR A

EASEMENT

LOT 20 VILLA ESCONDIDA

CITY AND COUNTY OF SANTA FE, NEW MEXICO WITHIN T17N, R8E, PROJECTED SECTION 23.

WITHIN



LINE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	975.00	9 *35 ' 09"	163.121	162.93	N85 *54 ' 16 "E
C2	20.76'	60 *02 ' 33"	21.76	20.77	N56 '30 ' 39 "E
C3	50.00	80 *58 ' 35"	70.67	64,93	S72 *30 ' 56 " W

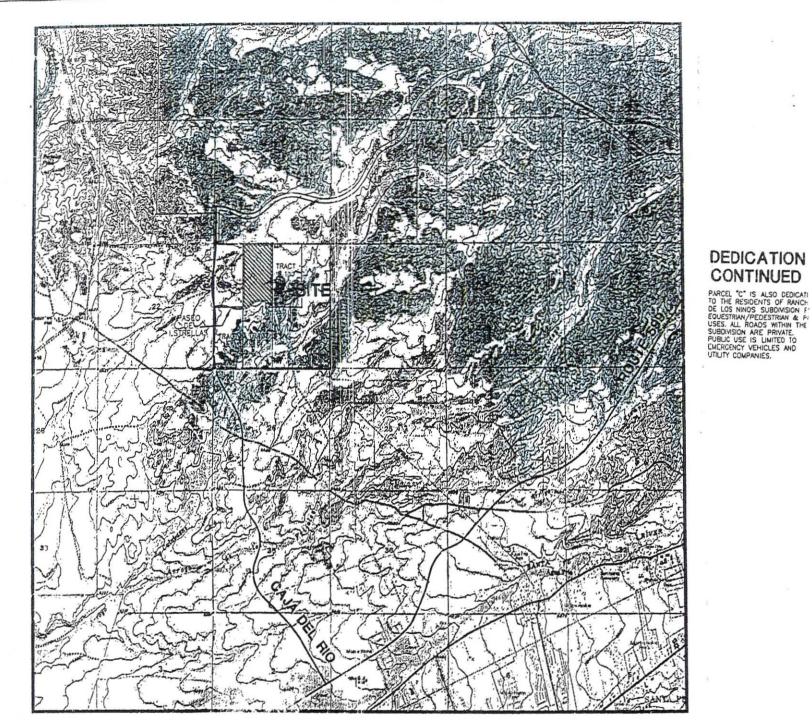
NOTES

- REFER TO PLAT OF SURVEY ENTITLED "LA VILLA ESCONDIDA SUBDIVISION." PREPARED BY RICHARD A. CHATROOP NMPLS No. 11011, AND RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE IN BOOK 460 PAGES 037-039.
- REFER TO PLAT OF SURVEY ENTITLED "BOUNDARY SURVEY OF LOT 20 OF THE VILLA ESCONDIDA SUBDIVISION," PREPARED BY RICHARD A. CHATROOP NMPLS No. 11011 ON OCTOBER SECOND 2003.

- 0 CALCULATED POINT FIRE HYDRANT
- SANITARY SEWER CLEANOUT UTILITY POLE
- UP .
- GM +0+ GS + GAS METER
- GAS STUBOUT SANITARY CLEANOUT WATER VALVE CO O
- SANITARY SEWER MANHOLE

- OVERHEAD UTILITY LINE -0-0-0-0-0- COYOTE FENCE ----- EDGE OF DIRT ROAD BUILDING LINE

-- EDGE OF EASEMENT



VICINITY MAP SCALE 1-2000'

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND TH. 17.5 F 2. ARE AN ACCURATE DELINEATION OF A FIELD 18.7 F 19. BY W. OR UNDER MY DIRECTION ON OCT. 1 ST 18. AT 18. IRUE AND CORRECT TO THE BEST OF MY KNOV 18. BF 18. AND MEET THE STANDARDS FOR PROFESSIONAL AND 18. PACTICING IN NEW MEXICO.

CITY REVIEW



UTILITY COMPANIES



PNN GAS SERVICES - FLANGLE LANGUAL DAIS 07-10-00

LEGEND AND NOTES

- B DENOTES POINT FOUND MEDRANO CAP
- O DENOTES POINT SET THIS SURVEY
- . DENOTES POINT CALCULATED
- DENOTES BRASS MONUMENT

DENOTES EDGE OF EASEMENT - DENOTES OVERHEAD LINES -x --- DENOTES FENCE LINE

- OF BEAKING TAKEN FROM "LOT LINE ADJUSTMENT KING BROS. RANCH" BY JAMES J. MEDRANO S #5217, AND DATED APR. 30TH, 1999. J IN PLAT BOOK 413, PC, 015 ON MAR. 7TH, 1999 IN THE CE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- IN PARENTHESES IS FROM PLAT OF NOTE #1. WHERE IT RS FROM DATA SHOWN.
- PLAT IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND JITIONS OF RECORD.

DE JICATION AND AFFIDAVIT

ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED , HAVE CAUSED TO BE SUBDIVIDED THOSE LANDS SHOWN HIS DIVISION IS MADE WITH THE FREE CONSENT AND SANCE WITH THE WISHES AND DESIRES OF SAD OWNER(S).

3° & "C" ARE DEDICATED TO THE LA VILLA ESCONDIDA HOMEOWNERS HACESS EASEMENTS GRANTED FOR PROMPT USE. UTILITY:

ARE GRANTED TO THE APPROPRIATE COMPANIES FOR ICE, INSTALLATION, REPAIR AND FOR EXISTING UTILITIES. AND SLOPE EASEMENTS ARE GRANTED AS SHOWN WITH LE THE RESPONSIBILITY OF THE LOT OWNERS. WATERLINE S FOR SHARED WELL WATERLINES ARE GRANTED FOR THE IF LOTS SERVED. OTHER EASEMENTS ARE GRANTED AS

ION CONTAINS 78.22 AC.+-, AND LES WITHIN THE AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF NEW MEXICO.

COING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND ED BEFORT ME BY RICHARD BORREGO MANAGER SKY LIMIT, LLC.

ENOTARY PUBLIC

"A", 2.018 AC.±, WAS GRANTED TO THE PASED DE ESTRELLAS ROAD MAINTENANCE ASSOCIATION, INC. A NEW MEXICO NON-PROFIT CORP. ON MAY 13TH, 1999.

PRESIDENT, PASEO DE ESTRELLAS ROAD MAINT. ASSOC., INC.

STATE ! NEW MEXICO COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND

SUBSCRIBED BEFORE ME BY DON KING PRESIDENT PASED DE ESTRELLAS ROAD MAINTENANCE ASSOCIATION, INC.

DAY OF aluly 2000 Payogle unberig MY COMMISSION EXPIRES 533 MUS

NOTES AND CONDITIONS CONTINUED

- 13. ON ANY CON! LOT, NO FENCE, HEDGE OR OTHER PLANTING OR STRUCTURE THE! WILL OILSING BETWEEN A HEIGHT OF 3' AND 9' ABOVE THE CENTERLINE GRADES OF INTERSECTING STREETS SHALL BE ERECTED, PLACED OR MAINTAINED WITHIN THE SITE DISTANCE TRIANGLE REQUIRED BY MASHTO
- 14. A CLUSTER WELL WATER SYSTEM SERVING NO MORE THAN 4 LOTS PER WELL WILL BE UTILIZED. SHARED WELL AGREEMENT ARE RECORDED IN BOOK 1123 Recorded Deciment No. 1136 623
- 15. FOR HOMES/GARAGES OF 3500 SO.FT. OR LESS, 1054 CU.FT. OF DETERTION POND IS REQUIRED ON EACH LOT. FOR DEVELOPMENTS WITH MORE THAN 3500 SQ.FT. OF STRUCTURES, ADDITIONAL PONDING SHALL BE REQUIRED.
- 18. THE FRONT YARD BUILDING SETBACK FROM THE STREETS (FARCEL B) SHALL BE 50' MINIMUM. THE REAR AND SIDE BUILDING SETBACKS SHALL BE 25' MINIMUM UNLESS OTHERWISE NOTED ON THE PLAT.
- 17. DECLARATION OF RESTRICTIVE COVENANTS ARE RECORDED IN BOOK 1828 , PAGE(S)(415-72) AS DOCUMENT NO. 1134 (429)

Mamue The for

SANTA FE COUNTY APPROVAL, 460037 NOTES AND CONDITIONS.

APPROAD BY THE BOARD . COUNTY CONVISSIONE S. Repland O. ary ja leveca i jui man's ITTEST COUNTY CHALF APPROVED BY THE SANTA : EXTRATERRITORIAL ZONING COMMISSION AT 11- I MEETING OF TANILARY 14, 2000 DUNTY LAND USE ADMINISTRATOR

- MAINTENANCE OF PRIVATE ACCESS EALGMENTS TO BE RESPONSIBILITY OF LA VILLA ESCONDIDA MOMEOWNERS ASSOC. THIS PARCEL LIES WITHIN ZONE X AREAS OUTSIDE 500 YR FLOOD PLAIN AS SHOWN ON F.I.R.M. PANEL \$350069 1758 DATED 11/04/88.
- 3. WATER WELL WITHDRAWAL ON THESE LOTS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK RECORDED IN BOOK 1226 PAGE 722-723

 DOCUMENT NO. 1136 630
- 4. ON SITE WASTEWATER DISPOSAL SHALL BE THE RESPONSIBILITY OF THE LOT OWNERS, AND MUST BE APPROVED BY THE NEW MEXICO ENVIRONMENTAL DEPARTMENT
- 5. THE PARCELS AS PLATTED HEREON ARE SUBJECT TO ANTICLE 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 RESCUF IMPACT FEES AT THE TIME OF APPLICATION FOR BUILDING PERMITS.
- APPLICATION FOR BUILDING PERMITS.

 7. EXISTING NATURAL DRAINAGEWAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY MYDROLOGIST, DEVELOPMENT SHALL NOT IMPEDE HISTORIC FLOW RATES OR PATTERNS TO OR FROM THE SUBDIMISION.
- B. THE SUBDIVISION DISCLOSURE STATEMENT RECARDING THESE TRACTS IS FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED IN BOOK NO. 1828 PAGE(S) 727 740

- 9. LOT SIZES WERE DERIVED FROM AN APPROVED HYDROLOGY TEST 9. COI SIZES WERE DECIVED TO MAKE THE SANTA FE COUNTY LAND DEVELOPMENT CODE. THE SOIL RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE TO SEVERE REGARDING UNITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD MODIFE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.
- SERIE STREEM OF B AN ALERTHANDE STREET AND THE SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASTLENTS OR ROADS. AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE LASTLENTS OR ROADS, IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.
- 12 ALL RESIDENTIAL DWELLINGS WITHIN THIS SUBDIVISION SHALL INSTALL AUTOMATIC FIRE PROTECTION SPRINKLER SYSTEMS IN COMPLIANCE WITH NEPA 13-R AND/OR 13-D AS APPLICABLE TO THE WATER SOURCE AVAILABLE OUTPUT.

SUBDIVISION PLAT FOR SKY LIMIT, L.L.C.

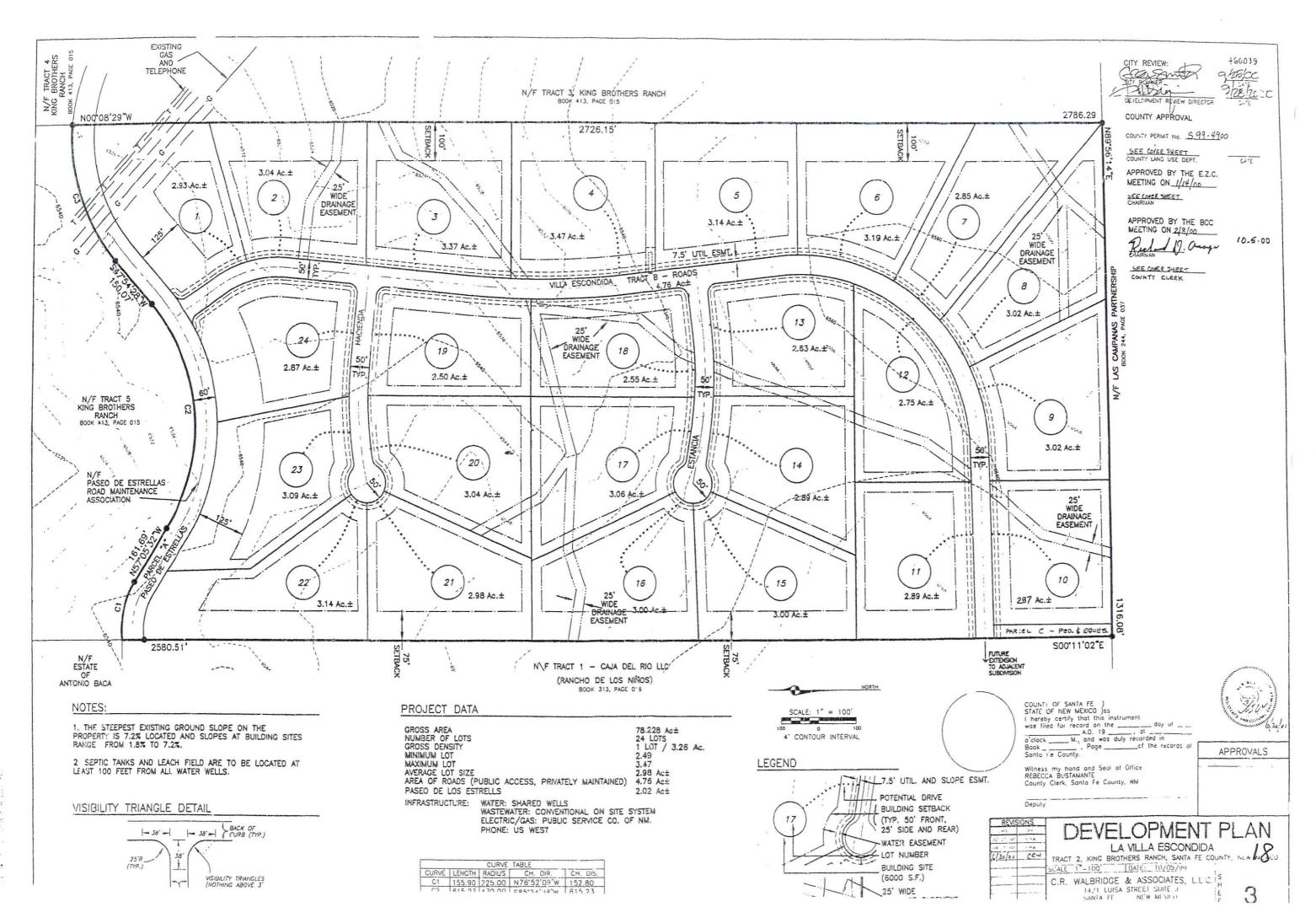
OF LA VILLA ESCONDIDA SUBDIVISION

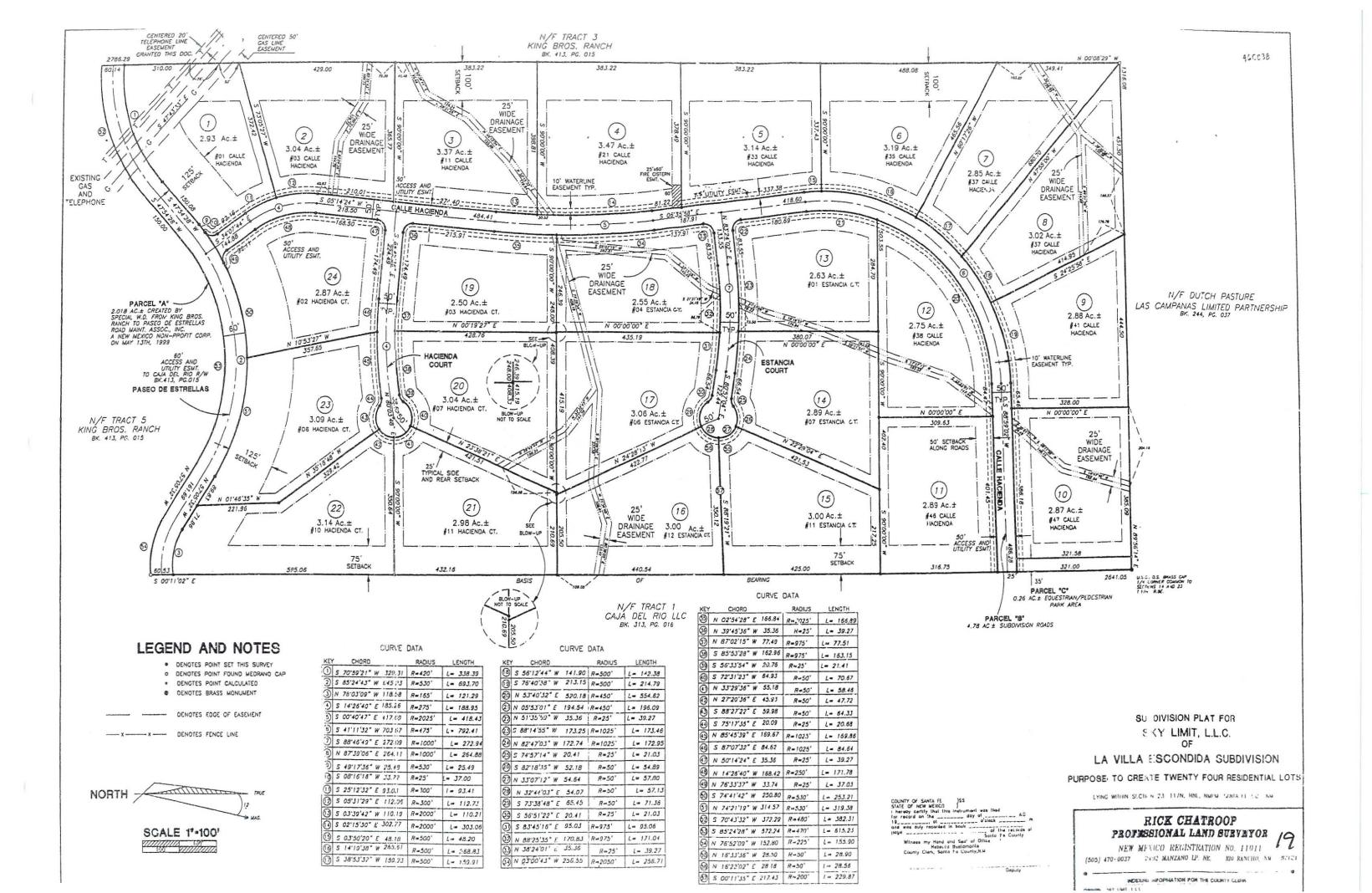
PURPOSE TO CREATE TWENTY FOUR RESIDENTIAL LOTS LYING WITHIN SECTION 23, TITN, RBC, NUITH, SANTA IE CO. NO

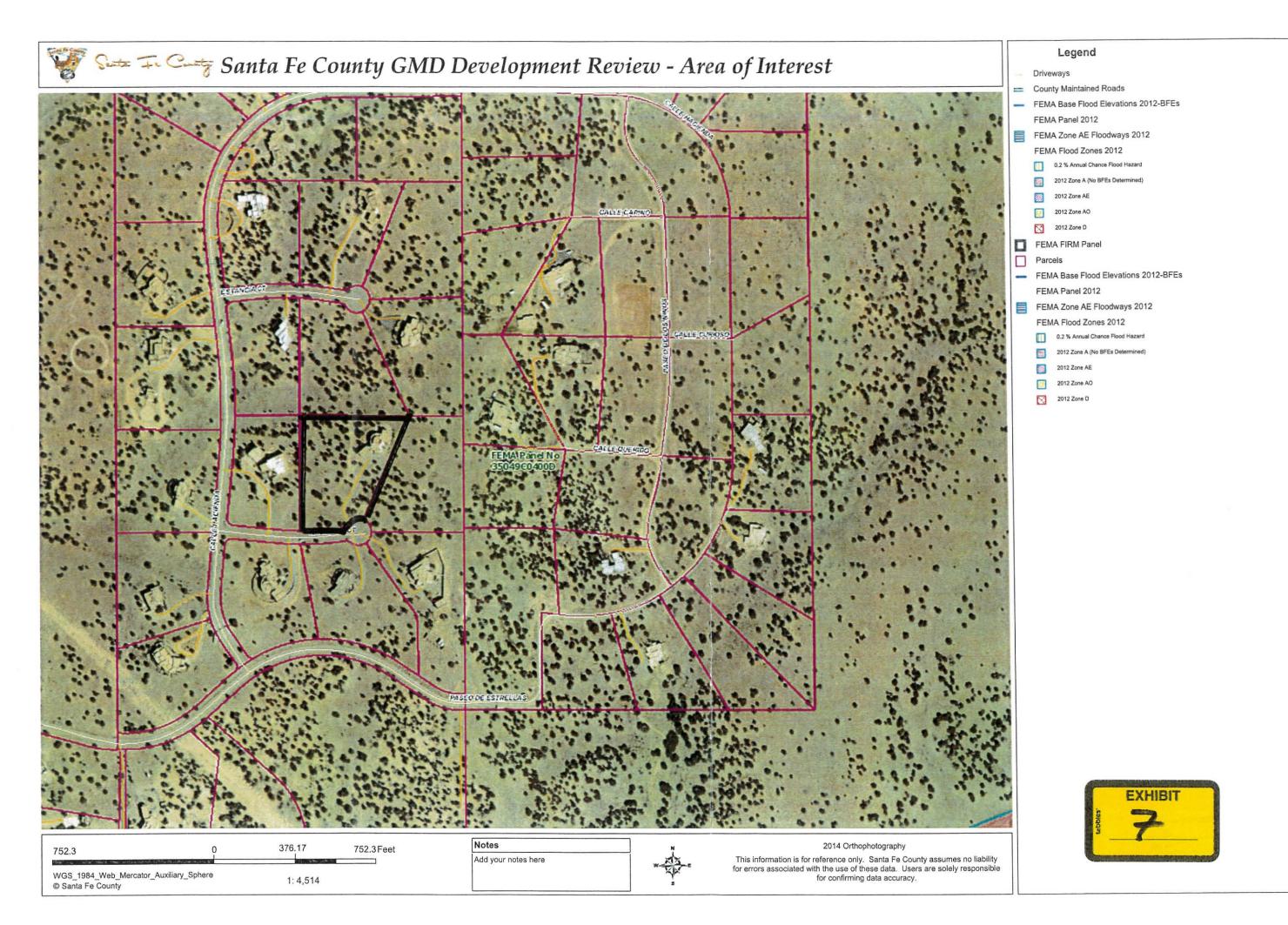


LOGATION LYING WITHIN SECTION 23, 117H, HALL NUMBER

SHEET 4A







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