

PLANNING & ZONING COMMISSION MEETING

**PACKET - REGULAR MEETING
AUGUST 1, 2023**





**TOWN OF BERNALILLO
PLANNING AND ZONING COMMISSION
MEETING AGENDA**



A **REGULAR MEETING** of the **PLANNING AND ZONING COMMISSION** of the Town of Bernalillo will be held on **Tuesday, August 1, 2023**, at **6:30 p.m. in-person at Town Hall and virtually via Microsoft Teams** as provided in the information below.

If you are an individual with a disability and in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service, in order to attend or participate in the meeting, please contact the Town Clerk at 505-771-7128 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, may be available in various accessible formats. Please contact the Town Clerk if a summary or other type of accessible format is needed.

If you prefer to attend virtually, you may do so in compliance with the New Mexico Open Meetings Act by joining the Planning and Zoning Commission Meeting from your computer, tablet or smartphone via the following link: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 297 726 287 910

Passcode: 96wA8j

Or call in (audio only): 1-575-323-1898 Phone Conference ID: 156 218 431#

PLANNING AND ZONING COMMISSION AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
 - a) Regular Meeting of July 11, 2023
- 6. PUBLIC HEARINGS & ACTION ITEMS:**
 - a) **SUMP23-004:** SUMMARY PLAT TO VACATE A LOT LINE LOCATED BETWEEN 656 AND 662 CAMINO VISTA RIO, LEGALLY DESCRIBED AS LOTS 31 AND 32, BOSQUE ENCANTADO DE C DE BACA PHASE 2 SUBDIVISION, LOCATED IN TOWNSHIP 13 NORTH, RANGE 3 EAST, SECTION 36, NEW MEXICO PRINCIPAL MERIDIAN, SANDOVAL COUNTY, NEW MEXICO, ZONED R-1 AND CONTAINING APPROXIMATELY 1.89 ACRES.
 - b) **ZMA23-003:** ESTABLISHMENT OF ZONING FOR PREVIOUSLY UNZONED LAND LOCATED BETWEEN THE RIO GRANDE AND NAZCON SUBDIVISION LOTS 8-A AND 9-A AND THE DRAINAGE EASEMENT LABELED AS SUCH ON THE NAZCON SUBDIVISION PLAT, MORE SPECIFICALLY DESCRIBED IN AN ORDER ISSUED BY THE 13TH DISTRICT COURT AND FILED WITH THE COUNTY CLERK UNDER BOOK 426 PAGE 12346, LOCATED IN TOWNSHIP 13 NORTH, RANGE 4 EAST, SECTION 31, NEW MEXICO PRINCIPAL MERIDIAN, SANDOVAL COUNTY, NEW MEXICO, CONTAINING APPROXIMATELY 1.06 ACRES.

7. COMMISSION BUSINESS, DISCUSSION & UPDATES

- a) Planning Topics Discussion: none
- b) Decisions of Town Council/Ordinances/Appeals Filed/Status: none
- c) Planning and Zoning Department Update:
 - i. New Home Occupations – As of agenda print date, the number of new home occupations, permissive per Zoning Code Sec. 18, is: 0
 - ii. Building Coordination & Review – As of agenda print date, the number of building permits, placement permits, etc. reviewed for zoning and floodplain ordinance compliance, is: 9
- d) Next Meeting: Town Hall September 5, 2023 @ 6:30pm In-Person and Via Microsoft Teams.

8. ADJOURN

PUBLIC COMMENTS

Written comments should be emailed to the Planning Director at sshumsky@tobnm.gov or mailed to her at P.O. Box 638, Bernalillo, NM 87004. Written comments **received by 5pm, prior to the meeting**, will be distributed to the Planning Commission.

Members of the public attending on-line that wish to speak on any of the agenda items, or otherwise address the Planning and Zoning Commission, must type your full name and the agenda item you want to speak on, in the chat box. When the chairperson calls on you, state your name and address for the record. There is a 2-minute time limit per speaker.

An electronic version (PDF) of the final Agenda and Packet, including staff report, are available a minimum of 72 hours prior to the meeting at:

www.tobnm.gov/departments/planning_zoning/agendas_and_minutes.php

Locations of Agenda Postings in the Town of Bernalillo: T & T Supermart, Town Hall, US Post Office, Martha Liebert Public Library, Town Recreation Center and the Town's website at: <http://www.tobnm.gov>

MINUTES

MINUTES

July 11, 2023

IN THIS SECTION:

- **Draft Minutes for July 11, 2023**

1
2 **MINUTES OF A REGULAR MEETING**
3 **OF THE PLANNING & ZONING COMMISSION**
4 **OF THE TOWN OF BERNALILLO**
5 **HELD AT THE TOWN**
6 **July 11, 2023**

7 The Planning & Zoning Commission of the Town of Bernalillo met in person and virtually via
8 Microsoft Teams in regular session within the laws and rules of the Town on June 11, 2023 at
9 6:30pm.

10
11 **Due to technical difficulties, the meeting did not record. The following is a summary from the**
12 **staff reports, public testimony and the results of the vote.**

13
14 **ITEM 1: CALL TO ORDER**

15 Chairperson Duran called the meeting to order at 6:39 PM.

16
17 **ITEM 2: PLEDGE OF ALLEGIANCE**

18 Chairperson Duran led those attending in the Pledge of Allegiance.

19
20 **ITEM 3: ROLL CALL**

21 Upon roll call the following members were found present:

22
23 **PRESENT:**

24 Chairperson Juanita M. Duran
25 Commissioner Michael Griego
26 Commissioner Joseph Quintana
27 Commissioner Porter Dees (via Microsoft Teams)
28 Commissioner Dominick Lepore

29
30 **ABSENT:**

31 Commissioner Raul Montãno

32
33 **ALSO PRESENT (in person):**

34 Stephanie Shumsky, Planning & Zoning Director
35 Honora Langwell, Planning & Zoning Admin. Asst.
36 Martin Mares
37 Andrew & Juanita Roybal
38 Jason Smith
39 Michael Kloeppe
40 Liz Templeton
41 Sergio Carrillo
42 Jose Espinoza
43 Fran Narain

44
45 **A quorum was present.**

46
47 **ITEM 4: APPROVAL OF AGENDA**

48 Chairperson Duran said, at this time, we'll move on to approval of the agenda.

49

50 Commissioner Quintana made a motion to approve the agenda as presented.

51

52 The motion was seconded by Commissioner Lepore.

53

54 Chairperson Duran asked for a roll call vote.

55

56 Roll Call Vote:

57 Chairperson Duran - yes

58 Commissioner Griego - yes

59 Commissioner Quintana - yes

60 Commissioner Lepore - yes

61 Commissioner Dees - yes

62

63 **Motion Carried – Item Approved**

64

65 **ITEM 5: APPROVAL OF MINUTES FOR JUNE 6, 2023**

66 Chairperson Duran said she had the following corrections to the minutes:

67 *Line 122: Change "that's" to "that"*

68 *Line 134: Change "Merk" to "Merc"*

69 *Line 306: Add "Montãno" before "seconded"*

70

71 Commissioner Griego made a motion to approve the June 6, 2023, minutes as amended.

72

73 Commissioner Quintana seconded the motion.

74

75 Chairperson Duran asked for a roll call vote.

76

77 Roll Call Vote:

78 Chairperson Duran - yes

79 Commissioner Griego - yes

80 Commissioner Quintana - yes

81 Commissioner Lepore - yes

82 Commissioner Dees - yes

83

84 **Motion Carried – Item Approved**

85

86 Ms. Shumsky said, Madam Chair, that item passes.

87

88 **SWEARING IN OF WITNESSES**

89 Chairperson Duran swore in members of the audience who were going to testify before the

90 Commission. Anybody on Microsoft Teams will be sworn in right before testifying.

91

92 **ITEM 6: PUBLIC HEARINGS**

93

94 **ITEM 6A: SUMP23-003 SUMMARY PLAT FOR LOT LINE ADJUSTMENTS BETWEEN**
95 **THREE TRACTS AND THE AMENDMENT, VACATION AND DEDICATION OF**
96 **EASEMENTS, LOCATED AT THE NW INTERSECTION OF NM 528 AND IDALIA ROAD,**
97 **LEGALLY DESCRIBED A LANDS OF MILBOURNE ROY L, LOTS 3A AND 3B AND RIO**
98 **RANCHO ESTATES, UNIT 17, TRACT A1 LOCATED IN TOWNSHIP 12 NORTH, RANGE**
99 **3 EAST, SECTION 26, NEW MEXICO PRINCIPAL MERIDIAN, SANDOVAL COUNTY,**
100 **NEW MEXICO, ZONED C-1 AND SU (RIO RANCHO) AND CONTAINING**
101 **APPROXIMATELY 7.2824 ACRES.**

102 Huitt-Zollars, Inc. (Agent), on behalf of Sandoval County (Property Owner), requested approval
103 to amend lot lines and easements located on Lots 3-A and 3-B, Lands of Milbourne Roy L. AND
104 Tract A-1, Unit 17, Rio Rancho Estates, in Township 13 North, Range 3 East, Section 35 and 36,
105 New Mexico Principal Meridian, Town of Bernalillo, Sandoval County, New Mexico, Zone C-1
106 (Town of Bernalillo) and SU for Retail and Commercial Uses (Rio Rancho), containing
107 approximately 7.28
108

109 This request involves three existing lots. The request is to combine two of the lots into one and
110 amend, vacate or dedicate easements withing the lots. The lots are owned by Sandoval County.
111 The lots are adjacent to one another but two lie within the Town of Bernalillo and one lies within
112 the City of Rio Rancho.
113

114 Chairperson Duran said, Commissioner Quintana made a motion for approval, do I have a
115 second?

116 Commissioner Lepore seconded the motion.
117

118 Chairperson Duran said, I have a second from Commissioner Lepore. Can I have a roll call
119 please.
120

121 Roll Call Vote

122 Chairperson Duran – yes

123 Commissioner Griego – yes

124 Commissioner Quintana – yes

125 Commissioner Lepore – yes

126 Commissioner Dees - yes
127

128 Ms. Shumsky said, Madam Chair that item passes.
129
130

131 **ITEM 6B: VAR23-003 VARIANCE OF 2' TO THE 4' HEIGHT LIMIT FOR A SOLID**
132 **WALL IN THE R-R ZONE AT 1415 CALLE CIELO VISTA, LEGALLY DESCRIBED**
133 **AS LANDS OF THE THATCHER SUBDIVISION, TRACT G, LOCATED IN**
134 **TOWNSHIP 13 NORTH, RANGE 3 EAST, SECTION 36, NEW MEXICO PRINCIAL**
135 **MERIDIAN, SANDOVAL COUNTY, NEW MEXICO, ZONED R-R AND CONTAINING**
136 **APPROXIMATELY 1.16 ACRES**

137 Andrew Roybal (Property Owner) requests approval of a Variance of 2' to the 4' solid wall
138 height limit in the front setback at 1415 Calle Cielo Vista, legally described as Lands of
139 Thatcher, Tract G, located in Township 13 North, Range 3 East, Section 36, zoned R-R and
140 containing approximately 1.167 acres (according to Sandoval County Assessor records).

141
142 This is a request for a 2' variance to the 4' solid wall height limit within the front setback area.
143 The applicant constructed a solid CMU 6' tall wall along the front and side property lines within
144 the front setback. The applicant started construction of the wall without a permit. On May 24, the
145 applicant received a Correction Notice from the Town's Development Coordinator and was
146 informed that he needed a permit. He did not obtain a permit and continued to build the wall.
147 After the wall was complete, the applicant filed for a variance.

148
149 The applicant explained that the wall was for security/safety purposes.

150
151 Public Comment from Ms. Liz Templeton – like the way the wall looks.

152
153 Commissioner Quintana made a motion to deny the request.

154
155 Chairperson Duran said, I have a motion from Commissioner Quintana for denial, do I have a
156 second?

157
158 Commissioner Lert seconded the motion.

159
160 Chairperson Duran said, I have a second from Commissioner Lepore. Can I have a roll call
161 please.

162
163 Roll Call Vote

164 Chairperson Duran – yes

165 Commissioner Griego – yes

166 Commissioner Quintana – yes

167 Commissioner Lepore – yes

168 Commissioner Dees – yes

169
170 Ms. Shumsky said, Madam Chair that item is denied.

171
172 **ITEM 6C: CONDITIONAL USE PERMIT (CUP) FOR OUTDOOR STORAGE AT 623**
173 **NM 528 LEGALLY DESCRIBED AS VENADA PLAZA PARK SUBDIVISION, LOT 1**
174 **AND 2-A-1, LOCATED IN TOWNSHIP 13 NORTH, RANGE 3 EAST, SECTION 36,**
175 **NEW MEXICO PRINCIAL MERIDIAN, SANDOVAL COUNTY, NEW MEXICO,**
176 **ZONED C-1 AND CONTAINING APPROXIMATELY 8.21 ACRES.**

177 Martin Mares (Agent) for Larry Reetz Construction (Applicant), Western Hills Real Estate and
178 Development LLC and J Sando G LLC (Property Owners) requests approval of a Conditional
179 Use Permit to allow for Outdoor Storage of Lumber Material at 623 NM 528 and the lot to the
180 south, legally described as Venada Plaza Park Subdivision, Lot 1 and 2-A-1, located in
181 Township 13 North, Range 3 East, Section 36, New Mexico Principal Meridian, Town of
182 Bernalillo, Sandoval County, New Mexico, zoned C-1 and containing approximately 8.21 acres
183 (according to Sandoval County Assessor records).

184
185 The subject property is currently undeveloped. The Applicant would like to utilize the site for the
186 outdoor storage of wood trusses and other lumber materials. The outdoor storage would be a
187 temporary use lasting approximately 2-3 years while the construction project that the applicant is

188 involved in is completed. The trusses will be manufactured off-site, stored on-site for a short
189 period of time then used in the off-site construction project. Shipments of trusses and wall
190 panels will rotate to and from the site for about 2-3 years. Temporary access to the site was
191 reviewed and approved by NMDOT with some modifications. A very rough site plan was
192 provided that illustrates the storage location and the perimeter fencing location. A letter was
193 provided that discusses the hours of operation (6am-6pm), number of employees (3-4), and
194 parking (within the perimeter fencing). There are no utility services at the site. Therefore, there
195 can be no full-time, on-site employees.

196
197 Discussion ensued about security, perimeter fence, chain link, and distance from hydrant.

198
199 Commissioner Quintana made a motion for approval.

200
201 Chairperson Duran said, I have a motion from Commissioner Quintana, do I have a second?

202
203 Commissioner Lepore seconded the motion.

204
205 Chairperson Duran said, I have a second from Commissioner Lepore. Can I have a roll call
206 please.

207
208 Roll Call Vote

209 Chairperson Duran – yes

210 Commissioner Griego – yes

211 Commissioner Quintana – yes

212 Commissioner Lepore – yes

213 Commissioner Dees - yes

214
215 Ms. Shumsky said, Madam Chair, that item passes.

216
217 Chairperson Duran said, can I have a motion to adjourn?

218
219 Commissioner Quintana made a motion of approval.

220
221 Chairperson Duran said, I have a motion for Commissioner Quintana, do I have a second?

222
223 Commissioner Lepore seconded the motion.

224
225 Chairperson Duran asked for a roll call vote?

226
227 Roll Call Vote:

228 Chairperson Duran - yes

229 Commissioner Griego - yes

230 Commissioner Quintana- yes

231 Commissioner Lepore - yes

232 Commissioner Dees - yes

233
234 **Motion Carried – Item Approved**

- 235
- 236 Ms. Shumsky said, Madam Chair we are adjourned.
- 237
- 238 Chairperson Duran said we are adjourned at 7:31pm.

DRAFT

PUBLIC HEARING:
ITEM 6A

6A



TOWN OF BERNALILLO

"The City of Coronado"

Planning and Zoning Commission Meeting

Regular Meeting

August 1, 2023

Staff Report

PLANNING & ZONING DEPARTMENT

**Planning & Zoning
Director**

Stephanie Shumsky

**Development
Coordinator**

Jonathan Peaden

**Code Enforcement
Officer / GIS Tech**

Suzanne Hathon

**Planning & Zoning
Administrative Assistant**

Honora Langwell

PLANNING & ZONING COMMISSION

Juanita Duran
Chairperson

Joseph O. Quintana
Vice Chair

Porter Dees

Vacant

Michael Griego

Raul Montañño

Dominick Lepore

Subject:

CSI Cartesian Surveys, Inc. (Ryan Mulhall - Agent), on behalf of Mario and Nicole Leyba (Property Owners), requests approval to vacate a lot line between 656 and 662 Camino Vista Rio, legally described as Lots 31 and 32, Bosque Encantado de C' De Baca, Phase 2, in Township 13 North, Range 3 East, Section 36, New Mexico Principal Meridian, Town of Bernalillo, Sandoval County, New Mexico, Zoned R-1, containing approximately 1.89 acres.

Site Data:

Zone: R-1 (Single-Family Residential)

Surrounding Zoning: R-1 and R-R

Current Land Use: Single-Family Residential

Surrounding Land Uses: Single-Family Residential

Required Lot Size: 6,000sf

Proposed Lot Size: 82,506.99sf

Access: Camino Vista Rio

Utilities: Public

Required Parking: 2 spaces

Handicapped Parking Required: n/a

Required Setbacks: Front: 20'; Sides: 5'; Rear: 10'

Existing Setbacks (approx.): meets minimums

Summary of Request:

This request is to remove the lot line between Lot 31 and Lot 32 in order to combine the lots into one larger lot.

Plans, Policies and Regulations:

Comprehensive Land Use Plan (2022):

A Resolution, approving the current Comprehensive Plan and Future Land Use Plan, was adopted by the Town Council on June 13, 2022 (Resolution No. 6-13-2022).

The Plan contains goals, objectives and strategies that serve as a guide for policy decisions regarding future land uses and development of the Town.

The Comprehensive Land Use Plan provides a basis for determining key strategies to guide and manage the future development of the Town and is meant to act as a guide for making decisions about the physical development of the community.

The Plan contains the basic components necessary to understand the Town as a municipal jurisdiction as well as a living community that has evolved over the past

several centuries. It includes goals, objectives and strategies in the following categories:

- Land Use & Community Character
- Economic Development
- Transportation
- Infrastructure
- Community Services and Facilities
- Hazard Mitigation

Development patterns and changes in land use should further goals and policies of one, if not all, of these categories. Development or land use changes that have an unmitigated negative impact on any of these categories, should be critically considered and/or not approved.

The proposed re-plat facilitates the following Comprehensive Plan Goals and Objectives:

Chapter 4: Land Use & Community Character

Goal 2: Provide a balanced mix of land uses that accommodate a diversity of housing choices and business/employment opportunities.

Subdivision Regulations (Ord. 336 adopted February 13, 2023):

According to Section 3 of the Subdivision Regulations adopted by the Town Council in February 2023, the purpose of the Ordinance is:

1. To assure harmonious and orderly development of the Town and the surrounding area and thereby promote the health, safety, and general welfare of the Town and the surrounding area.
2. To ensure the coordination of all streets, utilities, facilities, and all other elements, both private and public, of community function within the subdivision, with all streets, utilities, and all other elements, both public and private, as they exist, or are planned for, in the area of jurisdiction or beyond, where applicable. This purpose includes the integration of the subdivision plan with the various elements of the Comprehensive Plan.
3. To secure equitable treatment of all subdivision plans by providing for uniform procedures and standards for observance by subdividers, the Commission and the Town Council.
4. In accordance with the alternate summary procedure authorized by Section 3-20-8 NMSA 1978, allow a shortened alternative procedure for certain types of subdivisions, as detailed in Section 14 of the Subdivision Regulations.

The proposed re-plat meets the standards listed above and in Section 14 of the Subdivision Regulations.

The proposed re-plat/re-subdivision of lot/s is allowed by the summary plat procedure detailed in Section 14 of the Subdivision Regulations since one or both of the following conditions exist:

- *The Subdivision contains no more than two lots.*
- *Re-subdivisions, where the combination or recombination of portions of previously platted lots does not increase the total number of tracts.*

Comprehensive Zoning Ordinance:

The subject property is zoned R-1, which allows single-family residential uses. A dwelling unit is located on existing Lot 31, which will be the northwestern half of the proposed lot 31-A.

The proposed lot size far exceeds the minimum size in the R-1 zone.

Mainstreet Overlay District:

The Design Guidelines are not applicable due to the location of the subject property.

Notifications:

Notices were posted at T&T Supermart, Town Hall, Public Library, US Post Office, Town of Bernalillo Recreation Center and on the Town of Bernalillo website. Notices were mailed (certified/return receipt requested) to abutting property owners within 100 feet of the subject site.

Planning Commission Options:

Make a motion to:

1. Approve the request, based on the findings and conditions recommended in the staff report (the staff report is part of the record); or
2. Approve the request, based on the findings and conditions, as amended from the staff report (indicate changes by reading them into the record); or
3. Approve the request, based on the following findings and conditions (indicate your own findings and conditions by reading them into the record); or
4. Defer the request (prior to start of hearing) to a subsequent date, time and location; or
5. Continue the request (if hearing has already started but additional time is needed for hearing) to a subsequent date, time and location; or
6. Deny the request.
7. A Tie results in a denial. Request may be appealed to the Town Council.

*Any adopted Findings and Conditions are deemed “Findings and Conclusions of Law” and are relayed to the applicant in an Official Notice of Decision.

Staff Recommendation:

Approval of SumP23-004, based on the following Findings and Conditions (see next page):

Findings:

1. **SumP23-004** is a request by CSI Cartesian Surveys, Inc. (Ryan Mulhall - Agent), on behalf of Mario and Nicole Leyba (Property Owners), for approval to vacate a lot line between 656 and 662 Camino Vista Rio, legally described as Lots 31 and 32, Bosque Encantado de C' De Baca, Phase 2, in Township 13 North, Range 3 East, Section 36, New Mexico Principal Meridian, Town of Bernalillo, Sandoval County, New Mexico, Zoned R-1, containing approximately 1.89 acres.
2. This request meets the criteria for a Summary Procedure. The plat has been prepared in accordance with summary procedures authorized by Section 3-20-8 NMSA, 1978.

Conditions:

1. The plat shall be signed by the Surveyor and Property Owner(s) prior to being signed by the Town's Public Works Director or Planning Commission Chairperson.
2. The plat must be recorded in the Office of the Sandoval County Clerk and two (2) copies, as recorded and properly stamped by the Sandoval County Clerk, must be provided to the Town of Bernalillo. An electronic copy of the recorded plat is also required.
3. The plat must be recorded within three months after the date of approval or the final plat will become null and void.

This page can be printed using your internet browser or by CTL + P
Account: R088049

Location

Parcel Number 1-018-073-494-458
Tax Area 101SH_R - 101SH_R
Situs Address 656 CAMINO VISTA RIO
Legal Summary Legal: S: 36 T: 13N R:
 3E Subd: BOSQUE ENCANTADO DE C
 DE BACA PH 2 Lot: 31

Owner Information

Owner Name FOGHI, ARMIN AND
 BOGLARKA
In Care Of Name LEYBA, MARIO
 AND NICOLE
Owner Address 656 CAMINO VISTA
 RIO
 BERNALILLO, NM 87004-5942
 UNITED STATES OF AMERICA

Assessment History

Actual Value (2023 - Residential Cap applied) \$2,045,480
Primary Taxable \$681,826
Tax Area: 101SH_R **Mill Levy:** 26.884

Type	Actual	Assessed	Acres	SQFT	Units
Residential Land	\$160,000	\$53,333	0.910	39639.600	1.000
Residential Improvement	\$1,885,480	\$628,493		10444.000	

Transfers

Sale Date
04/28/2021

Doc Description
REAL ESTATE CONTRACT
DEED
SOLE SEPERATE PROPERTY CONVEYAN
DEED

Images

Tax Year	Taxes
*2023	\$18,330.20
2022	\$17,796.32

* Estimated

- [Map](#)
- [Photo](#)
- [Sketch](#)
- [GIS](#)



**This page can be printed using your internet browser or by CTL + P
Account: R088050**

Location

Parcel Number 1-018-073-490-442
Tax Area 101SH_NR - 101SH_NR
Situs Address
Legal Summary Legal: S: 36 T: 13N R: 3E
 Subd: BOSQUE ENCANTADO DE C DE
 BACA PH 2 Lot: 32

Owner Information

Owner Name FOGHI, ARMIN AND
 BOGLARKA
In Care Of Name LEYBA, MARIO AND
 NICOLE
Owner Address 656 CAMINO VISTA RIO
 BERNALILLO, NM 87004-5942
 UNITED STATES OF AMERICA

Assessment History

Actual Value (2023) \$160,000
Primary Taxable \$53,333
Tax Area: 101SH_NR **Mill Levy:** 34.055

Type	Actual	Assessed	Acres	SQFT	Units
Non-Residential Land	\$160,000	\$53,333	0.983	42804.000	1.000

Transfers

Sale Date

[04/28/2021](#)
[08/28/2017](#)

Doc Description

[REAL ESTATE CONTRACT](#)
[SPECIAL WARRANTY DEED](#)
[SPECIAL MASTER DEED](#)
[PLAT](#)

Images

Tax Year	Taxes
*2023	\$1,816.24
2022	\$1,816.24

* Estimated

- [Photo](#)
- [GIS](#)





**TOWN OF BERNALILLO
PLANNING AND ZONING COMMISSION
MEETING NOTICE**



If you received this notice by certified mail, you are a Property Owner of Record within one hundred feet (100') of one or more of the properties listed below.

Notice is hereby given that a **REGULAR MEETING** of the **PLANNING AND ZONING COMMISSION** of the Town of Bernalillo will be held on **Tuesday, August 1, 2023**, at **6:30 p.m. in-person at Town Hall and virtually via Microsoft Teams** as provided in the information below.

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7. COMMISSION BUSINESS, DISCUSSION & UPDATES

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- b) Decisions of Town Council/Ordinances/Appeals Filed/Status: none
- c) Planning and Zoning Department Update:
 - i. New Home Occupations – As of agenda print date, the number of new home occupations, permissive per Zoning Code Sec. 18, is: _____
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PUBLIC COMMENTS

Written comments should be emailed to the Planning Director at sshumsky@tobnm.gov or mailed to her at P.O. Box 638, Bernalillo, NM 87004. Written comments **received by 5pm, prior to the meeting**, will be distributed to the Planning Commission.

Members of the public attending on-line that wish to speak on any of the agenda items, or otherwise address the Planning and Zoning Commission, must type your full name and the agenda item you want to speak on, in the chat box. When the chairperson calls on you, state your name and address for the record. There is a 2-minute time limit per speaker.

An electronic version (PDF) of the final Agenda and Packet, including staff report, are available a minimum of 72 hours prior to the meeting at:

www.tobnm.gov/departments/planning_zoning/agendas_and_minutes.php

Locations of Agenda Postings in the Town of Bernalillo: T & T Supermart, Town Hall, US Post Office, Martha Liebert Public Library, Town Recreation Center and the Town's website at: <http://www.tobnm.gov>

Town of Bernalillo, NM
SumP-004 - Abutters



1 inch = 83 feet

Date: 7/10/2023
Created by: S. Shumsky

Disclaimer: This map is for illustrative purposes only and should not be relied upon for decision-making.

August 1, 2023 PZ - ABUTTERS/NOTIFICATION - Certified Mail (APPLICANTS/AGENTS MAIL 1st CLASS)

ABUTTERS - ZMA23-003				
NAME	PRIMARY ADDRESS - P.O.R. MAILING	CITY, STATE, ZIP	CASE NUMBER	
Zarchary Snyder - Applicant	5800 San Francisco Rd NE	Albuquerque, NM 87109	ZMA23-003	
Troy & Cindy Beall	900 Camino Vista Rio	Bernalillo, NM 87004	ZMA23-003	
Albert & Herlinda	P.O. Box 2577	Corrales, NM 87048	ZMA23-003	
Southern Sandoval Cnty Arroyo Flood Control Authority	1041 Commercial Drive SE	Rio Rancho, NM 87124	ZMA23-003	
Josephne Sandoval	801 Sandoval Lane	Bernalillo, NM 87004	ZMA23-003	
ABUTTERS - SumP23-004				
NAME	PRIMARY ADDRESS - P.O.R. MAILING	CITY, STATE, ZIP	CASE NUMBER	
Mario & Nicole Leyba - Applicant	656 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Brian Martinez - Cartesian Surveys - Agent	P.O. Box 44414	Rio Rancho, NM 877174	SumP23-004	
Rudy Tenerio	Box 894	Bernalillo, NM 87004	SumP23-004	
Ernie Montoya	543 Sheriff's Posse Road	Bernalillo, NM 87004	SumP23-004	
Roberto & Lesly C' De Baca	499 Sheriff's Posse Road	Bernalillo, NM 87004	SumP23-004	
Scott & Michelle Jacobs	650 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Monica Lovato & Melanie Zamora	692 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Richard Fitts & Lisa Meisel	668 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Steve Kent	504 Avenida Los Suenos	Bernalillo, NM 87004	SumP23-004	
Richard & Carol Pettit	502 Avenida Los Suenos	Bernalillo, NM 87004	SumP23-004	
Bosque Del Rio Grande Homeowners Assocaition	P.O. Box 1844	Bernalillo, NM 87004	SumP23-004	





Town of Bernalillo
APPLICATION FOR
SUMMARY PLAT

Applicant: Mario & Nicole Leyba
SumP 23-004
Lot 31 & 32, Bosque Encantado de C

INSTRUCTIONS

In accordance with the Subdivision Regulations of the Town of Bernalillo, the Planning & Zoning Commission may approve certain subdivisions by a Summary procedure, which combines Preliminary and Final Plat requirements. Such Summary Approval may be given when at least one of the following conditions is true: 1) The proposed subdivision contains no more than two resulting lots (ie. a Lot-Split); 2) The proposed subdivision is a Re-Subdivision (ie. Re-Plat) where the combination, or recombination, of previously platted lots does not increase the total number of lots; or, 3) The proposed subdivision is a Vacation of existing lot line easements, rights-of-way, etc.. Type or print clearly on this form, and attach *2 (two) full-size copies or 12 (twelve) 11" x 17" copies* of the Summary Plat. Also include any required supplementary materials. Incomplete or inaccurate applications may delay the review process. The completed application package must be submitted to the Town of Bernalillo Planning & Zoning Commission through the Town Planner, and shall be in compliance with the Town of Bernalillo Subdivision Regulations and Standards. The application must be accompanied by the appropriate *Filing Fee of: Lot-Split: \$270.00; Re-Plat or Vacation: \$50.00.*

APPLICANT INFORMATION

Applicant: Mario and Nicole Leyba Phone: 505-218-0716
Address: 656 Camino Vista Rio Bernalillo, NM 87004

Agent (if any) CSI - Cartesian Surveys, Inc. Phone: 505-896-3050
Address: PO Box 44414 Rio Rancho, NM 87174

TYPE OF SUMMARY PLAT REQUESTED

- Lot-Split
- Re-Plat
- Vacation

GENERAL INFORMATION

Legal Description of Property: Lots 31 and 32, Bosque Encantado de C'De Baca, Phase 2

Current Zoning R-1

- Yes No Requires Zone Amendment?
- Yes No Requires Variance(s)?

ACKNOWLEDGEMENTS

Application is hereby made for a Summary approval of the subdivision of land proposed herein. I have examined, am familiar with, and have complied with, any and all requirements of the Subdivision Regulations and Standards of the Town of Bernalillo including, but not limited to: payment of administration fees, transfer of water rights, and dedication of land for public use. I have also complied with the requirements of any and all other applicable rules, regulations, and ordinances related to property development within the Town of Bernalillo. I further understand and agree that neither the Town nor any of its agents shall be held liable for any lack of understanding, or misinterpretation, on my part, of any said requirements.

Signature of Applicant or Agent: [Signature] Date: 7/4/2023

Receipt by Planning & Zoning Officer: [Signature] Date: 7/5/23

Application Fee Total: 139.10 Receipt #: 00997701

Hearing Location: Bernalillo Town Council Chambers Hearing Date & Time: 8/1/23

ACKNOWLEDGEMENTS

Application is hereby made for Summary Plat approval for the land described herein. I have examined, am familiar with, and will comply with, any and all requirements of the Subdivision Regulations and Design Standards of the Town of Bernalillo. I will also comply with the requirements of any and all other applicable rules, regulations, and ordinances related to land development within the Town of Bernalillo. I further understand and agree that neither the Town nor any of its agents shall be held liable for any lack of understanding, or misinterpretation, on my part, of any said requirements. Property owner authorization for this request is provided below and on the plat.

Signature of Applicant/Property Owner: *Yvonne Leyba* Date: 7-5-23

Signature of Agent (if any): *R J Miller* Date: 7/4/2023

Receipt by Planning & Zoning Officer: *HLA* Date: 7/5/23

Application Fee Total: 139.10 Receipt#: 00447701

Hearing Location: Bernalillo Town Council Chambers Hearing Date & Time: 8/1/23

WARRANTY DEED (Joint Tenants)

Account No. 80000100011288

Armin Foghi and Boglarka Foghi, husband and wife, as joint tenants for consideration paid, grant to Mario Leyba and Nicole Leyba, husband and wife, as joint tenants whose address is 656 Camino Vista Rio, Bernalillo, New Mexico 87004, the following described real estate in Sandoval County, New Mexico with warranty covenants:

Lots numbered Thirty-one (31) and Thirty-two (32), of BOSQUE ENCANTADO DE C' DE BACA, PHASE 2, Section 31, T13N, R4E and Section 36, T13N, R3E, N.M.P.M., Town of Bernalillo, Sandoval County, New Mexico, as the same is shown and designated on the Plat of Survey, filed in the Office of the County Clerk of Sandoval County, New Mexico, on March 4, 1999, in Vol. 3, folio 1836B, as Document No. 5619;

Subject to reservations, restrictions, covenants, easements of record, the lien of the Middle Rio Grande Conservancy District, taxes and assessments and the "Prior Obligations" (the "Permitted Exceptions").

WITNESS our hand and seal this 27th day of April, 2021.

*Armin Foghi by Gerry D. Richardson
as attorney-in-fact*

Armin Foghi, by Gerry D. Richardson
as attorney in fact

*Boglarka Foghi
by Gerry D. Richardson
as attorney-in-fact*

Boglarka Foghi, by Gerry D. Richardson
as attorney in fact

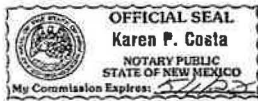
ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }
COUNTY OF SANDOVAL } SS.

This instrument was acknowledged before me this 27th day of April, 2021, by Gerry D. Anderson as attorney in fact for Armin and Boglarka Foghi

My commission expires: 5/1/22
(Seal)

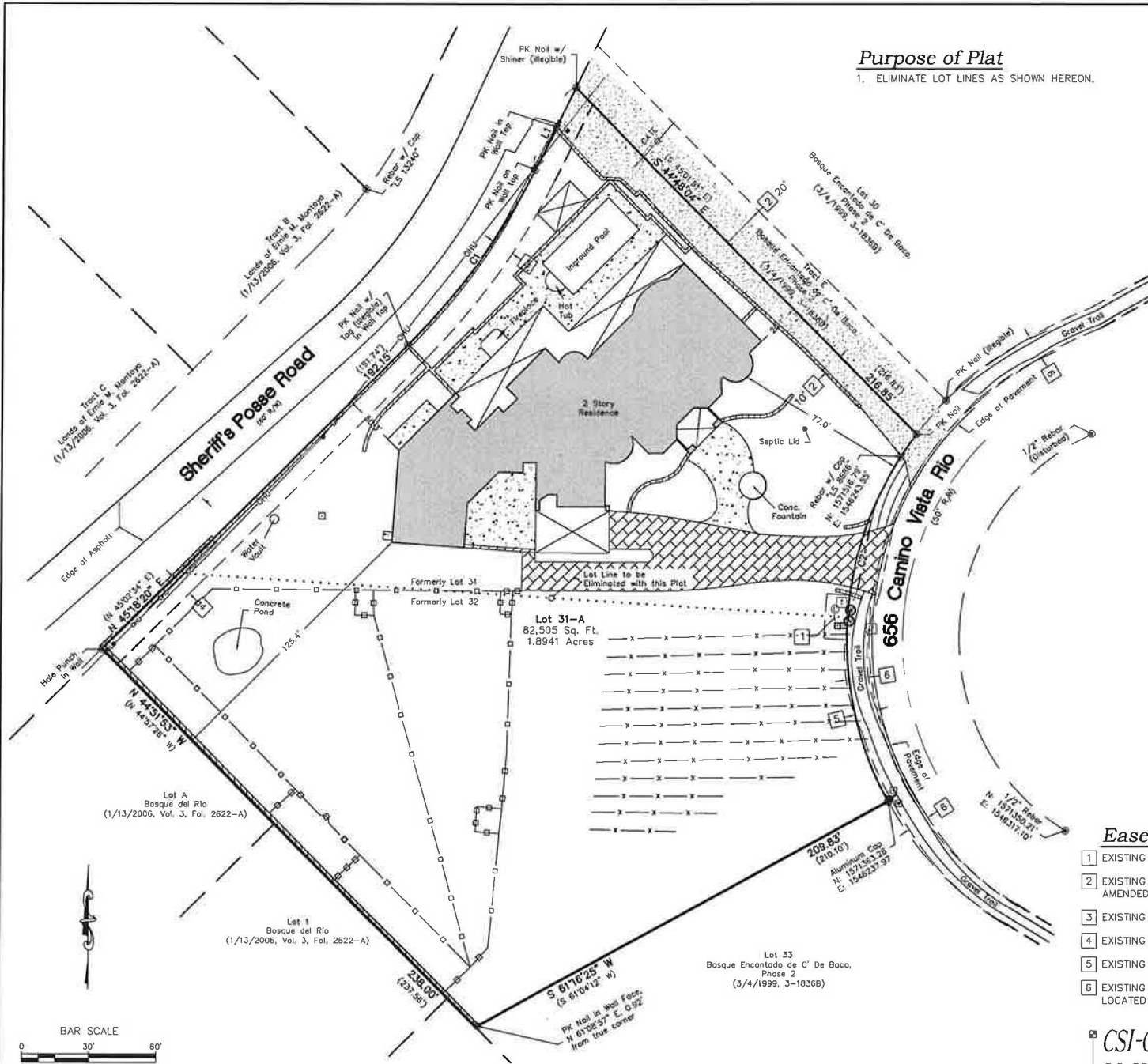
[Signature]
Notary Public



**Site Sketch for
Lot 31-A
Bosque Encantado de
C'De Baca, Phase 2
Being Comprised of
Lots 31 and 32,
Bosque Encantado de
C'De Baca, Phase 2
Town of Bernalillo
Sandoval County, New Mexico
June 2023**

Purpose of Plat

1. ELIMINATE LOT LINES AS SHOWN HEREON.



Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (3/4/1999, 3-1836B)
⊙	FOUND MONUMENT AS INDICATED
⊠	COVERED AREA
▤	CONCRETE
▨	ASPHALT
—x—	WIRE FENCE
— —	METAL FENCE
▨▨▨	BLOCK WALL
⊞	BOLLARD
⊞	UTILITY PEDESTAL
—●—	OVERHEAD UTILITY LINE
⊙	UTILITY POLE
⊙	ANCHOR
⊞	PULL BOX
⊙	LIGHT POLE
⊙	ELECTRIC METER
⊞	TRANSFORMER
⊙	WATER VALVE
⊙	WATER METER
⊞	FIRE HYDRANT
⊞	SIGN
↑	CURB CUT/INDICATION OF ACCESS TO ROADWAY

Easement Notes

- 1 EXISTING 10'x20' PNM EASEMENT (3/4/1999, 3-1836B)
- 2 EXISTING EMERGENCY ACCESS EASEMENT (6/26/2000, VOL. 403, FOL. 34020-34021) AMENDED BY (01/08/2008, VOL. 411, FOL. 663, DOC. NO. 200800663)
- 3 EXISTING 10' P.U.E. (12/10/2007, BK. 410, PG. 47357)
- 4 EXISTING 10' P.U.E. (12/10/2007, BK. 410, PG. 47354)
- 5 EXISTING 10' PUE (3/4/1999, VOL. 3, FOL. 1836-B, DOC. NO. 5619)
- 6 EXISTING 10' EASEMENT, LOCATION BASED ON CENTERLINE OF 6' GRAVEL TRAIL, AS LOCATED IN THE FIELD (3/4/1999, VOL. 3, FOLIO 1836-B, DOC. NO. 5619)

CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505) 891-0244
cartesianbrian@gmail.com

BAR SCALE



SCALE: 1" = 30'



Vicinity Map

Notes

- FIELD SURVEY PERFORMED IN MAY 2023
- ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
- THE PARCELS SHOWN HEREON ARE LOCATED IN PROJECTED SECTION 36, TOWNSHIP 13 NORTH, RANGE 3 EAST, NMPM
- THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).
- SUBDIVISION DATA

NUMBER OF LOTS REPLATTED:	2
NUMBER OF LOTS CREATED:	1
MILES OF ROAD CREATED:	0
ACREAGE IN ROADS:	0
ACREAGE DEDICATED BY THIS PLAT	0
TOTAL PLATTED ACREAGE:	1.8941 ACRES
- LOT LINES TO BE ELIMINATED SHOWN HEREON AS.....
- THE COORDINATES SHOWN HEREON ARE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-GROUND), USING A GROUND TO GRID FACTOR OF 0.99967192.

Free Consent

THE SUBDIVISION SHOWN AND DESCRIBED HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S) THEREOF. EXISTING AND/OR GRANTED PUBLIC UTILITY EASEMENTS (P.U.E) AS SHOWN HEREON, UNLESS NOTED OTHERWISE, ARE FOR THE COMMON AND JOINT USE OF GAS, ELECTRICAL POWER AND COMMUNICATION SERVICES FOR BURIED AND/OR OVERHEAD DISTRIBUTION LINES, CONDUIT AND PIPES FOR UNDERGROUND UTILITIES. SAID UTILITY COMPANIES HAVE THE RIGHT OF INGRESS/EGRESS FOR CONSTRUCTION OF, MAINTENANCE OF AND REPLACEMENT OF SAID UTILITIES INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS WITHIN SAID P.U.E. SAID OWNERS CERTIFY THAT THIS SUBDIVISION IS THEIR FREE ACT AND DEED

MARIO LEYBA _____ DATE _____

NICOLE LEYBA _____ DATE _____

STATE OF NEW MEXICO }
COUNTY OF } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ 20____
BY: MARIO AND NICOLE LEYBA, HUSBAND AND WIFE, OWNERS

By _____
NOTARY PUBLIC
MY COMMISSION EXPIRES _____

Indexing Information

Section 36, Township 13 North, Range 3 East, N.M.P.M.
Subdivision: Bosque Encantado de C'De Baca, Phase 2
Owner: Mario and Nicole Leyba
UPC #: 1018073494458 (Lot 31)
UPC #: 1018073494442 (Lot 32)

Purpose of Plat

- ELIMINATE LOT LINES AS SHOWN HEREON.

Documents

- PLAT OF RECORD FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON MARCH 4, 1999, IN VOL. 3, FOLIO 1836B, DOCUMENT NO. 5619.
- WARRANTY DEED (JOINT TENANTS) FOR SUBJECT PROPERTY, FILED IN THE SANDOVAL COUNTY CLERK'S OFFICE, ON MARCH 27, 2023, AS DOC. NO. 2023005580.

Legal Description

LOTS NUMBERED THIRTY-ONE (31) AND THIRTY-TWO (32) OF BOSQUE ENCANTADO DE C' DE BACA, PHASE 2, SECTION 31, T13N, R3E AND SECTION 36, T13N, R3E, N.M.P.M., TOWN OF BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON MARCH 4, 1999, IN VOL. 3, FOLIO 1836, AS DOCUMENT NO. 5619.

Town of Bernalillo Planning and Zoning Commission

APPROVED THE _____ DAY OF _____, 20____

By: _____ DATE _____
PLANNING AND ZONING CHAIRPERSON

Treasurer's Certificate

I, JENNIFER A TAYLOR, TREASURER OF SANDOVAL COUNTY, NEW MEXICO DO HEREBY CERTIFY THAT THE PREVIOUS TEN (10) YEARS PROPERTY TAXES HAVE BEEN PAID IN FULL.

SANDOVAL COUNTY TREASURER _____ DATE _____

Filing Information

STATE OF NEW MEXICO }
COUNTY OF SANDOVAL } SS
THIS INSTRUMENT WAS FILED FOR RECORD ON _____ AM/PM, _____ 20____
RECORDED IN VOLUME _____ OF RECORDS OF SAID COUNTY, FOLIO _____
BY _____
DEPUTY

Summary Plat for
Lot 31-A
Bosque Encantado de
C'De Baca, Phase 2
Being Comprised of
Lots 31 and 32,
Bosque Encantado de
C'De Baca, Phase 2
Town of Bernalillo
Sandoval County, New Mexico
June 2023

Plat Approvals

THE UTILITY COMPANY SIGNATURES SHOWN HEREON ARE BY AUTHORIZED COMPANY REPRESENTATIVES.

TOWN OF BERNALILLO, PUBLIC WORKS

QUEST CORPORATION D/B/A CENTURYLINK QC

PNM ELECTRIC

NEW MEXICO GAS COMPANY

COMCAST

Surveyor's Certificate

I, BRIAN J. MARTINEZ, A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION, AND MEETS THE MINIMUM REQUIREMENTS OF MONUMENTATION AND SURVEYS FOR THE CITY OF RIO RANCHO SUBDIVISION ORDINANCE CHAPTER 155, AND IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BRIAN J. MARTINEZ _____ DATE _____
N.M.R.P.S. No. 18374

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505) 891-0244
cartesianbrian@gmail.com





Vicinity Map

Notes

- FIELD SURVEY PERFORMED IN MAY 2023.
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MARIO LEYBA _____ DATE _____

NICOLE LEYBA _____ DATE _____

STATE OF NEW MEXICO }
COUNTY OF } SS

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BY: MARIO AND NICOLE LEYBA, HUSBAND AND WIFE, OWNERS

By _____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

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Owner: Mario and Nicole Leyba
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Town of Bernalillo Planning and Zoning Commission

APPROVED THE _____ DAY OF _____, 20__

BY: _____ DATE _____
PLANNING AND ZONING CHAIRPERSON

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Filing Information

STATE OF NEW MEXICO }
COUNTY OF SANDOVAL } SS

THIS INSTRUMENT WAS FILED FOR RECORD ON _____ AM/PM, _____ 20__
RECORDED IN VOLUME _____ OF RECORDS OF SAID COUNTY, FOLIO _____

BY _____
DEPUTY

Summary Plat for
Lot 31-A
Bosque Encantado de
C'De Baca, Phase 2
Being Comprised of
Lots 31 and 32,
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Town of Bernalillo
Sandoval County, New Mexico
June 2023

Plat Approvals

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TOWN OF BERNALILLO, PUBLIC WORKS

QWEST CORPORATION D/B/A CENTURYLINK GC

PNM ELECTRIC

NEW MEXICO GAS COMPANY

COMCAST

Surveyor's Certificate

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BRIAN J. MARTINEZ _____ DATE _____
N.M.R.P.S. No. 18374

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505) 891-0244
cartesianbrian@gmail.com



Easement Notes

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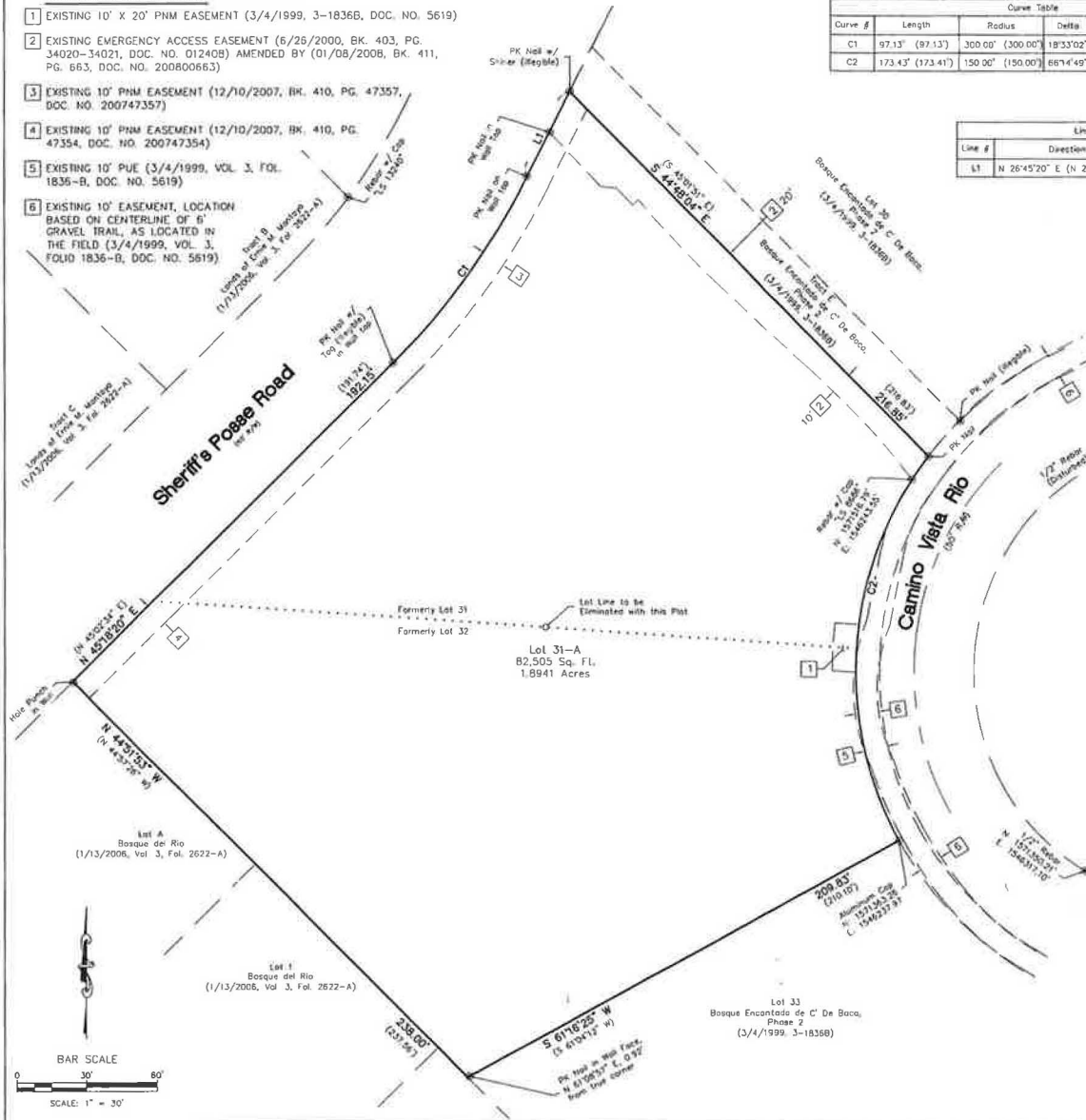
Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	97.13' (97.13')	300.00' (300.00')	18°33'02"	96.71'	N 36°01'49" E
C2	173.43' (173.41')	150.00' (150.00')	66°4'49"	163.93'	S 04°24'16" W

Line Table		
Line #	Direction	Length (ft)
L1	N 26°45'20" E (N 26°29'34" E)	40.46' (40.56')

Summary Plat for
Lot 31-A
Bosque Encantado de
C'De Baca Phase 2
Being Comprised of
Lots 31 and 32,
Bosque Encantado de
C'De Baca Phase 2
Town of Bernalillo
Sandoval County, New Mexico
June 2023

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
(N 90°00'00" E)	RECORD BEARINGS AND DISTANCES PER PLAT (3/4/1999, 3-1836-B)
⊙	FOUND MONUMENT AS INDICATED



Public Utility Easements

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

- A. Public Service Company of New Mexico ("PNM"), a New Mexico corporation, (PNM Electric) for installation, maintenance, and service of overhead and underground electrical lines, transformers, and other equipment and related facilities reasonably necessary to provide electrical services.
- B. 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 services.
- C. Qwest Corporation d/b/a Centurylink QC for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide communication services.
- D. Sparklight for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services
- D. Cable TV for the installation, maintenance, and service of such lines, cable, and other related equipment and facilities reasonably necessary to provide Cable services
- E. City of Rio Rancho Utilities (water and sanitary sewer) for installation, maintenance, and services of lines and other equipment and facilities reasonably necessary to provide services.

Included, is the right to build, rebuild, construct, reconstruct, locate, relocate, change, remove, replace, modify, renew, operate and maintain facilities for purposes described above, together with free access to, from, and over said easements, 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 Grantor, including sufficient working area space for electric transformers, with the right and privilege to trim and remove trees, shrubs or bushes which interfere with the purposes set forth herein. No building, sign, pool (aboveground 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. Property owners shall be solely responsible for correcting any violations of National Electrical Safety Code by construction of pools, decking, or any structures adjacent to or near easements shown on this plat. Easements for electric transformer/switchgears, as installed, shall extend ten (10) feet in front of transformer/switchgear doors and five (5) feet on each side.

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.

CSI-CARTESIAN SURVEYS INC.
 P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896-3050 Fax (505) 891-0244
 cartesianbrian@gmail.com

TOWN OF BERNALILLO
(505) 867-3311

REC#: 00447701 7/05/2023 10:45 AM
OPER: BD TERM: 001
REF#: 105009

TRAN: 305.0000 ZONING FEES
SUMMARY PLAT
07.05.23 BD
100-000-4042-1-2
Zoning Fees 139.10CR

TENDERED: 139.10 CHECK
APPLIED: 139.10-

Cf

PUBLIC HEARING:

ITEM 6B

6B



TOWN OF BERNALILLO

"The City of Coronado"

ITEM: ZMA23-003

PLANNING
&
ZONING
DEPARTMENT

**Planning & Zoning
Director**
Stephanie Shumsky

Development Coordinator
Jonathan Peadar

**Code Enforcement Officer
/ GIS Tech (Admin. Dept.)**
Suzanne Hathon

**Planning & Zoning
Administrative Assistant**
Honora Langwell

PLANNING
&
ZONING
COMMISSION

Juanita Duran
Chairperson

Joseph O. Quintana
Vice Chair

Michael Griego

Porter Dees

Vacant

Raul Montano

Dominick Lepore

Planning and Zoning Commission Meeting

*Regular Meeting
August 1, 2023*

Staff Report

Subject:

Zack Snyder and Phillip Lindborg (Property Owners) request the establishment of R-2 zoning for previously unzoned land located between the Rio Grande and Nazcon Subdivision Lots 8-A and 9-A and the Drainage Easement labeled as such on the Nazcon Subdivision Plat, more specifically described in an order issued by the 13th District Court and filed with the County Clerk under Book 426 Page 12346 (see Attachment), located in Township 13 North, Range 4 East, Section 31, New Mexico Principal Meridian, Sandoval County, New Mexico, Containing Approximately 1.06 Acres (according to Sandoval County Assessor records).

Site Data:

Existing Zoning: none

Proposed Zoning: R-2 (Multi-Family Residential)

Surrounding Zoning: R-2, R-1, C-1

Current Land Uses: undeveloped/drainage

Surrounding Land Uses: single-family residential, assisted living, Rio Grande

Required Lot Size: 4,000sf to 6,000sf (depending on future housing type)

Current Lot Size: approximately 1.06 ac

Access: Sheriff's Posse Road and a private road

Utilities: none constructed but future utilities will be public

Required Parking: depends on use/per zoning code

Handicapped Parking required: per zoning code

Required Setbacks: Front = 20'; Corner side = 10'; Non-corner side = 5'; Rear = 10'

Summary of Request:

This request is to establish R-2 zoning for a portion of land that was, until recently, a "no-mans land" between the Rio Grande and land owned by the applicants. The applicants recently completed the quiet title process to claim the land and received a judgement in their favor. The applicants want to eventually combine the newly acquired land with the adjacent land to the west, which they also own.

In May 2023, the Planning and Zoning Commission deferred a preliminary plat for the applicant's land to the west of the subject property. The preliminary plat was deferred indefinitely for several reasons, one of which was to give the applicants time to complete the quiet title process for the subject property.

Now that the quiet title process is complete, the applicants can combine the newly acquired land into the preliminary plat area.

Comprehensive Zoning Ordinance (Ord. No. 310):

The proposed R-2 zoning allows for a diverse mix of housing options including single-family and multi-family dwelling units.

Section 19. Process, Application and Approvals.

Zoning Ordinance, Section 19, describes the application, review and approval process for zone map amendments. In summary, after an application is received, the required public notice is given and the Planning Commission conducts a public hearing after which they make a recommendation to the Town Council. The Town Council, at a regular public meeting, considers the recommendation and any additional public comment and makes a decision about the application.

After a decision is made, the zoning change goes into effect and Town staff updates the Official Zone Map.

Applicable Plans, Goals, Policies and Regulations:

Comprehensive Land Use Plan (2022):

A Resolution, approving the current Comprehensive Plan and Future Land Use Plan, was adopted by the Town Council on June 13, 2022 (Resolution No. 6-13-2022).

The Plan contains goals, objectives and strategies that serve as a guide for policy decisions regarding future land uses and development of the Town.

The Comprehensive Land Use Plan provides a basis for determining key strategies to guide and manage the future development of the Town and is meant to act as a guide for making decisions about the physical development of the community.

The Plan contains the basic components necessary to understand the Town as a municipal jurisdiction as well as a living community that has evolved over the past several centuries. It includes goals, objectives and strategies in the following categories:

- Land Use & Community Character
- Economic Development
- Transportation
- Infrastructure
- Community Services and Facilities
- Hazard Mitigation

Development patterns and changes in land use should further goals and policies of one, if not all, of these categories. Development or land use changes that have an unmitigated negative impact on any of these categories, should be critically considered and/or not approved.

Comprehensive Plan goals and objectives apply to this request, as follows:

Chapter 4: Land Use & Community Character

Goal 1: Create an attractive live/work environment that reflects and is complementary to Bernalillo's character and context along the Rio Grande. *(furthered)*

Goal 2: Provide a balanced mix of land uses that accommodate a diversity of housing choices and business/employment opportunities. *(furthered)*

The following goals are not furthered by zoning that allows high density, residential development in close proximity to the Rio Grande. However, if R-2 zoning is approved, future development will be required to mitigate potential flood or fire risks through compliance with the Town's Flood Damage Prevention Ordinance and Fire Code regulations.

Chapter 9: Hazard Mitigation

Goal 1: Reduce the community's risk and vulnerability to natural and human-caused hazard events. *(not furthered)*

Goal 2: Minimize the community's vulnerability to and impact from flooding and dam failure. *(not furthered)*

Goal 3: Reduce the impact and risk to life and property from wildfires along the Rio Grande Bosque. *(not furthered)*

Future Land Use Scenario Map

The adopted Future Land Use Scenario Map identifies open space/drainage as the preferred land use for this area.

Subdivision Regulations (April 1997):

A division of land is not under consideration therefore, the Subdivision Regulations are not applicable to this request.

Flood Damage Prevention Ordinance (June 2008):

A portion of the subject property is located within FEMA designated flood zone "AE". Future redevelopment of the property will need to comply with the Town's Flood Damage Prevention Ordinance.

Housing Plan (March 2013):

The Town of Bernalillo's Housing Plan is furthered by this request because the proposed zoning will allow for a variety of housing types.

Mainstreet Overlay District:

The subject property is not located in the Mainstreet Overlay District therefore the Design Guidelines are not applicable to this request.

Notifications:

Meeting Agendas were posted at T&T Supermart, Town Hall, US Post Office, Public Library, Town Recreation Center and on the Town of Bernalillo website. The Meeting Notice was mailed (certified, return receipt requested) to abutting property owners within 100 feet of the subject site, as required.

Planning Commission Options:

Make a motion to recommend to the Town Council:

1. Approval of the request, based on the findings recommended in the staff report (the staff report is part of the record); or

2. Approval of the request, based on the findings, as amended from the staff report (indicate changes by reading them into the record); or
3. Approval of the request, based on the following findings (indicate your own findings and conditions by reading them into the record); or
4. Deferral of the request (prior to start of hearing) to a subsequent date, time and location; or
5. Continuation of the request (if hearing has already started but additional time is needed for hearing) to a subsequent date, time and location; or
6. Denial of the request; or
7. Tie, which results in a recommendation of denial.

*Any adopted Findings are deemed “Findings and Conclusions of Law” and are relayed to the applicant in an Official Notice of Decision.

Staff Recommendation:

Approval of ZMA23-003 based on the following Findings (see next page):

Findings:

1. **ZMA23-003** is a request by Zack Snyder and Phillip Lindborg (Property Owners) to establish R-2 zoning for previously unzoned land located between the Rio Grande and Nazcon Subdivision Lots 8-A and 9-A and the Drainage Easement labeled as such on the Nazcon Subdivision Plat, more specifically described in an order issued by the 13th District Court and filed with the County Clerk under Book 426 Page 12346, located In Township 13 North, Range 4 East, Section 31, New Mexico Principal Meridian, Sandoval County, New Mexico, Containing Approximately 1.06 Acres (according to Sandoval County Assessor records).
2. The requested zoning furthers some applicable Comprehensive Plan goals and policies.
3. The proposed zone map amendment will not create a spot zone because the property is adjacent to R-2 zoning to the west.

Attachment - Legal Description

FILED
13th JUDICIAL DISTRICT COURT
Sandoval County
6/26/2023 10:13 AM
AUDREY GARCIA
CLERK OF THE COURT
DS

STATE OF NEW MEXICO
COUNTY OF SANDOVAL
THIRTEENTH JUDICIAL DISTRICT COURT

ZACHARY J. SNYDER and
PHILLIP L. LINDBORG,
Plaintiffs,

v.

Case Number: D-1329-CV-2020-01614

ALBERT MILLER, AS TRUSTEE OF THE
MILLER FAMILY TRUST; HERLINDA
MILLER, AS TRUSTEE OF THE MILLER
FAMILY TRUST; JOSEPHINE G. SANDOVAL,
AS TRUSTEE OF THE JOSEPHINE G.
SANDOVAL REVOCABLE TRUST; SOUTHERN
SANDOVAL COUNTY ARROYO FLOOD
CONTROL AUTHORITY; BUREAU OF
RECLAMATION; UNITED STATES ARMY
CORP. OF ENGINEERS; STATE OF NEW MEXICO,
ALL UNKNOWN CLAIMANTS OF INTEREST
IN THE LAND ADVERSE TO PLAINTIFFS,
Defendants.

ORDER DISMISSING

THIS MATTER having come before the Court upon the joint Motion for Final Order Quieting Title by Plaintiffs and by Defendants Bureau of Reclamation and United States Army Corp of Engineers, and the Court having reviewed all pleadings and otherwise being fully informed makes the following CONCLUSIONS:

1. The Court has jurisdiction over the parties and the subject matter of this action.
2. Plaintiffs have demonstrated that they have standing to bring this action and that they are the real parties in interest.

Further, the Court FINDS:

3. Plaintiffs filed their Verified Complaint to Quiet Title to Real Estate and for Declaratory Judgment against Defendants (the "Complaint") in this action on October 12, 2020.

4. Defendants Albert Miller, as Trustee of the Miller Family Trust and Herlinda Miller, as Trustee of the Miller Family Trust, executed a Disclaimer of Interest, which was filed with this Court December 14, 2020.

5. Defendant Josephine G. Sandoval, as Trustee of the Josephine G. Sandoval Revocable Trust, executed a Verified Disclaimer of Interest, which was filed with this Court January 5, 2021.

6. Defendant State Of New Mexico, executed a Disclaimer of Interest, which was filed with this Court February 19, 2021.

7. Defendant Southern Sandoval County Arroyo Flood Control Authority executed a Disclaimer of Interest which was filed with this Court on April 28, 2023.

8. Defendants Bureau of Reclamation and the United States Army Corp of Engineers were dismissed from this action pursuant to this Court's order to Dismiss dated June 7, 2023 and stating that Defendants Bureau of Reclamation and the United States Army Corp of Engineers have no fee simple interest in and to the real property described in the *Verified Complaint for Quiet Title to Real Estate and for Declaratory Judgment* filed October 12, 2020.

9. This Court issued a default judgment against Defendant All Unknown Claimants of Interest in the Land Adverse to Plaintiffs on September 15, 2021.

IT IS THEREFORE ORDERED, ADJUSTED AND DECREED:

A. That Plaintiffs have fee simple and unencumbered title and estate in and to the real property legally described as:

A CERTAIN PARCEL OF LAND SITUATE IN SANDOVAL COUNTY, NEW MEXICO, WITHIN SECTION 31, TOWNSHIP 13 NORTH, RANGE 4 EAST, N.M.P.M., LOCATED BETWEEN THE RIO GRANDE AND THE FOLLOWING THREE LOTS:

LOTS 8-A AND 9-A OF THE PLAT ENTITLED "REPLAT PHASE II, LOTS 8-A, 9-A AND 10-A, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T 13 N, R 4 E, NMPM, BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, JANUARY 1996", FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON FEBRUARY 15, 1996 IN VOLUME 3, FOLIO 1380-A;

THAT TRACT ONLY IDENTIFIED AS "DRAINAGE EASEMENT" ON THE PLAT ENTITLED "PHASE II, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T13N, R4E, NMPM, BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, SEPTEMBER 1993" AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON CTOBER 21, 1993 IN VOLUME 3, FOLIO 1087-A;

SAID PARCEL BEING DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, BEING THE SOUTHEAST CORNER OF A LOT NINE-A (9-A), MARKED WITH A BATHEY MARKER WITH CAP "LS 14271";

THENCE, COINCIDING WITH THE EAST LOT LINE OF LOTS 9-A, 8-A AND THAT TRACT ONLY IDENTIFIED AS "DRAINAGE EASEMENT", THE FOLLOWING TWO COURSES:

N 04°43'11" E, A DISTANCE OF 449.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 8-A, MARKED BY A REBAR WITH CAP "LS 12651";

N 14°47'46" E, A DISTANCE OF 129.79 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, ALSO BEING THE NORTHEAST CORNER OF SAID "DRAINAGE EASEMENT" TRACT, MARKED BY A REBAR WITH YELLOW CAP "LS 12551";

THENCE, S 69°44'40" E, A DISTANCE OF 16.43 FEET TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL, BEING A POINT ON THE HIGH WATER LINE OF THE WEST BANK OF THE RIO GRANDE;

THENCE, FOLLOWING SAID HIGH WATER LINE, THE FOLLOWING EIGHT COURSES:

S 01°16'09" W, A DISTANCE OF 87.30 FEET TO AN ANGLE POINT;

S 03°21'06" W, A DISTANCE OF 88.65 FEET TO AN ANGLE POINT;

S 20°08'07" E, A DISTANCE OF 103.23 FEET TO AN ANGLE POINT;
 S 04°14'33" E, A DISTANCE OF 104.01 FEET TO AN ANGLE POINT;
 S 05°09'01" W, A DISTANCE OF 87.56 FEET TO AN ANGLE POINT;
 S 03°50'49" W, A DISTANCE OF 91.70 FEET TO AN ANGLE POINT;
 S 01°22'25" E, A DISTANCE OF 29.24 FEET TO AN ANGLE POINT;
 S 07°07'26" E, A DISTANCE OF 36.72 FEET TO THE SOUTHEAST CORNER
 OF THE HEREIN DESCRIBED PARCEL;
 THENCE, N 64°44'27" W, A DISTANCE OF 124.82 FEET TO THE POINT OF
 BEGINNING, CONTAINING 1.0587 ACRES (46,116 SQ. FT.), MORE OR
 LESS.

(the "Land").

B. That Defendants and any party claiming by or through them, are barred and forever estopped from having or claiming any lien upon or any right, title or interest in or to the Property or any part thereof, adverse to Plaintiffs, subject to the United States' statutory authority for river maintenance and flood control, as set forth in the federal Flood Control Act of 1948, the Flood Control Act of 1950, and under the Reclamation Act of June 17, 1902, including any amendments and supplements thereto; under the doctrine of navigational servitude arising from the Commerce Clause of the U.S. Constitution.

C. Plaintiff's title and estate in and to the Property is forever quieted and set at rest.

George P. Eichwald

 THE HONORABLE GEORGE P. EICHWALD

I, Audrey Garcia, Clerk of the District Court of Sandoval County, Bernalillo, New Mexico, hereby certify the foregoing is a true, correct and full copy of the instrument here with set out as appears of record in my office.

Dated this 28 day of June 2023
 By [Signature]
 Deputy

Respectfully submitted,

SPANGLER PACHECO & WERBELOW PA

By: s/Eric Rhoades

LeeAnn Werbelow

Eric Rhoades

Attorneys for Plaintiffs

Post Office Box 15698

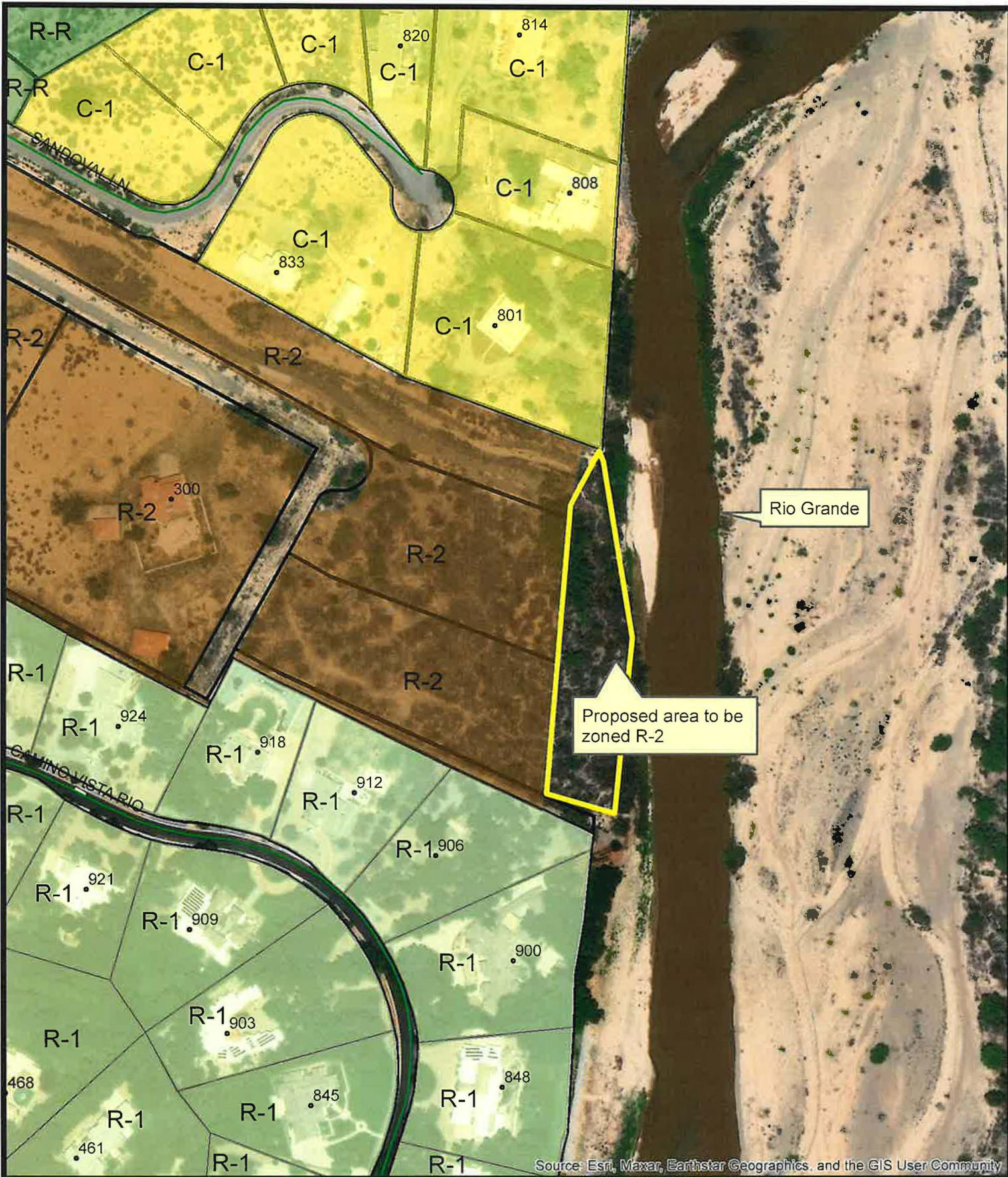
Rio Rancho, New Mexico 87174

(505) 892-3607

lw@lsplegal.com

er@lsplegal.com

Town of Bernalillo, NM
ZMA23-003 - Zoning



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



1 inch = 203 feet

Date: 7/14/2023
Created by: S. Shumsky

Disclaimer: This map is for illustrative purposes only and should not be relied upon for decision-making.

**This page can be printed using your internet browser or by CTL + P
Account: R032138**

Location

Parcel Number 1-019-073-185-515
 Tax Area 101SH_NR - 101SH_NR
 Situs Address
 Legal Summary Legal: S: 31 T: 13N R: 4E
 Subd: NAZCON PHASE 2 Lot: 8 A

Owner Information

Owner Name LINDBORG, PHILLIP L AND
 SNYDER, ZACHARY J
 Owner Address 5800 SAN FRANCISCO
 RD NE
 ALBUQUERQUE, NM 87109-4604
 UNITED STATES OF AMERICA

Assessment History

Actual Value (2023) \$69,371
 Primary Taxable \$23,124
 Tax Area: 101SH_NR Mill Levy: 34.055

Type	Actual	Assessed	Acres	SQFT	Units
Non-Residential	\$69,371	\$23,124	2.016	87812.604	1.000
Land					

Transfers

Sale Date
[04/22/2019](#)

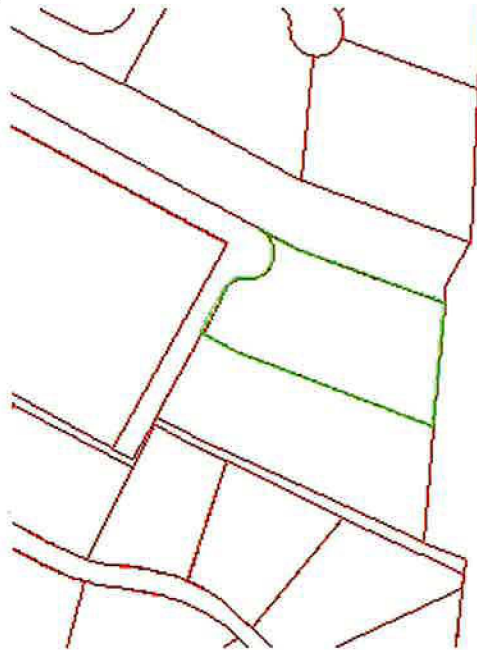
Doc Description
[WARRANTY DEED](#)
[SOLE SEPERATE PROPERTY CONVEYAN](#)
[PLAT](#)
[PLAT](#)
[WARRANTY DEED](#)

Images

Tax Year	Taxes
*2023	\$787.48
2022	\$787.48

* Estimated

- [Photo](#)
- [GIS](#)



**This page can be printed using your internet browser or by CTL + P
Account: R032139**

Location

Parcel Number 1-019-073-180-495
Tax Area 101SH_NR - 101SH_NR
Situs Address
Legal Summary Legal: S: 31 T: 13N R: 4E
 Subd: NAZCON PHASE 2 Lot: 9A

Owner Information

Owner Name LINDBORG, PHILLIP L AND
 SNYDER, ZACHARY J
Owner Address 5800 SAN FRANCISCO
 RD NE
 ALBUQUERQUE, NM 87109-4604
 UNITED STATES OF AMERICA

Assessment History

Actual Value (2023) \$74,571
Primary Taxable \$24,857
Tax Area: 101SH_NR **Mill Levy:** 34.055

Type	Actual	Assessed	Acres	SQFT	Units
Non-Residential Land	\$74,571	\$24,857	2.167	94394.520	1.000

Transfers

Sale Date

04/22/2019

Doc Description

WARRANTY DEED

SOLE SEPERATE PROPERTY CONVEYAN

PLAT

PLAT

AFFIDAVIT OF DEATH

WARRANTY DEED

PLAT

Images

Tax Year	Taxes
*2023	\$846.52
2022	\$846.52

* Estimated

- [Photo](#)
- [GIS](#)





**TOWN OF BERNALILLO
PLANNING AND ZONING COMMISSION
MEETING NOTICE**



If you received this notice by certified mail, you are a Property Owner of Record within one hundred feet (100') of one or more of the properties listed below.

Notice is hereby given that a **REGULAR MEETING** of the **PLANNING AND ZONING COMMISSION** of the Town of Bernalillo will be held on **Tuesday, August 1, 2023**, at **6:30 p.m. in-person at Town Hall and virtually via Microsoft Teams** as provided in the information below.

If you are an individual with a disability and in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service, in order to attend or participate in the meeting, please contact the Town Clerk at 505-771-7128 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, may be available in various accessible formats. Please contact the Town Clerk if a summary or other type of accessible format is needed.

If you prefer to attend virtually, you may do so in compliance with the New Mexico Open Meetings Act by joining the Planning and Zoning Commission Meeting from your computer, tablet or smartphone via the following link: <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>

Meeting ID: 297 726 287 910

Passcode: 96wA8j

Or call in (audio only): 1-575-323-1898 Phone Conference ID: 156 218 431#

PLANNING AND ZONING COMMISSION AGENDA - PRELIMINARY

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**
 - a) Regular Meeting of July 11, 2023
- 6. PUBLIC HEARINGS & ACTION ITEMS:**
 - a) **SUMP23-004:** SUMMARY PLAT TO VACATE A LOT LINE LOCATED BETWEEN 656 AND 662 CAMINO VISTA RIO, LEGALLY DESCRIBED AS LOTS 31 AND 32, BOSQUE ENCANTADO DE C DE BACA PHASE 2 SUBDIVISION, LOCATED IN TOWNSHIP 13 NORTH, RANGE 3 EAST, SECTION 36, NEW MEXICO PRINCIPAL MERIDIAN, SANDOVAL COUNTY, NEW MEXICO, ZONED R-1 AND CONTAINING APPROXIMATELY 1.89 ACRES.
 - b) **ZMA23-003:** ESTABLISHMENT OF ZONING FOR PREVIOUSLY UNZONED LAND LOCATED BETWEEN THE RIO GRANDE AND NAZCON SUBDIVISION LOTS 8-A AND 9-A AND THE DRAINAGE EASEMENT LABELED AS SUCH ON THE NAZCON SUBDIVISION PLAT, MORE SPECIFICALLY DESCRIBED IN AN ORDER ISSUED BY THE 13TH DISTRICT COURT AND FILED WITH THE COUNTY CLERK UNDER BOOK 426 PAGE 12346,

LOCATED IN TOWNSHIP 13 NORTH, RANGE 4 EAST, SECTION 31, NEW MEXICO PRINCIPAL MERIDIAN, SANDOVAL COUNTY, NEW MEXICO, CONTAINING APPROXIMATELY 1.06 ACRES.

7. COMMISSION BUSINESS, DISCUSSION & UPDATES

- a) Planning Topics Discussion: none
- b) Decisions of Town Council/Ordinances/Appeals Filed/Status: none
- c) Planning and Zoning Department Update:
 - i. New Home Occupations – As of agenda print date, the number of new home occupations, permissive per Zoning Code Sec. 18, is: _____
 - ii. Building Coordination & Review – As of agenda print date, the number of building permits, placement permits, etc. reviewed for zoning and floodplain ordinance compliance, is: _____
- d) Next Meeting: Town Hall September 5, 2023 @ 6:30pm In-Person and Via Microsoft Teams.

8. ADJOURN

PUBLIC COMMENTS

Written comments should be emailed to the Planning Director at sshumsky@tobnm.gov or mailed to her at P.O. Box 638, Bernalillo, NM 87004. Written comments **received by 5pm, prior to the meeting**, will be distributed to the Planning Commission.

Members of the public attending on-line that wish to speak on any of the agenda items, or otherwise address the Planning and Zoning Commission, must type your full name and the agenda item you want to speak on, in the chat box. When the chairperson calls on you, state your name and address for the record. There is a 2-minute time limit per speaker.

An electronic version (PDF) of the final Agenda and Packet, including staff report, are available a minimum of 72 hours prior to the meeting at:

www.tobnm.gov/departments/planning_zoning/agendas_and_minutes.php

Locations of Agenda Postings in the Town of Bernalillo: T & T Supermart, Town Hall, US Post Office, Martha Liebert Public Library, Town Recreation Center and the Town's website at: <http://www.tobnm.gov>

Town of Bernalillo, NM
ZMA23-003 - Abutters



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



1 inch = 203 feet

Date: 7/10/2023
Created by: S. Shumsky

Disclaimer: This map is for illustrative purposes only and should not be relied upon for decision-making.

August 1, 2023 PZ - ABUTTERS/NOTIFICATION - Certified Mail (APPLICANTS/AGENTS MAIL 1st CLASS)**ABUTTERS - ZMA23-003**

NAME	PRIMARY ADDRESS - P.O.R. MAILING	CITY, STATE, ZIP	CASE NUMBER	
Zarchary Snyder - Applicant	5800 San Francisco Rd NE	Albuquerque, NM 87109	ZMA23-003	
Troy & Cindy Beall	900 Camino Vista Rio	Bernalillo, NM 87004	ZMA23-003	
Albert & Herlinda	P.O. Box 2577	Corrales, NM 87048	ZMA23-003	
Southern Sandoval Cnty Arroyo Flood Control Authority	1041 Commercial Drive SE	Rio Rancho, NM 87124	ZMA23-003	
Josephne Sandoval	801 Sandoval Lane	Bernalillo, NM 87004	ZMA23-003	

ABUTTERS - SumP23-004

NAME	PRIMARY ADDRESS - P.O.R. MAILING	CITY, STATE, ZIP	CASE NUMBER	
Mario & Nicole Leyba - Applicant	656 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Brian Martinez - Cartesian Surveys - Agent	P.O. Box 44414	Rio Rancho, NM 877174	SumP23-004	
Rudy Tenerio	Box 894	Bernalillo, NM 87004	SumP23-004	
Ernie Montoya	543 Sheriff's Posse Road	Bernalillo, NM 87004	SumP23-004	
Roberto & Lesly C' De Baca	499 Sheriff's Posse Road	Bernalillo, NM 87004	SumP23-004	
Scott & Michelle Jacobs	650 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Monica Lovato & Melanie Zamora	692 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Richard Fitts & Lisa Meisel	668 Camino Vista Rio	Bernalillo, NM 87004	SumP23-004	
Steve Kent	504 Avenida Los Suenos	Bernalillo, NM 87004	SumP23-004	
Richard & Carol Pettit	502 Avenida Los Suenos	Bernalillo, NM 87004	SumP23-004	
Bosque Del Rio Grande Homeowners Assocaition	P.O. Box 1844	Bernalillo, NM 87004	SumP23-004	





"The City of Coronado"

Town of Bernalillo

APPLICATION FOR AMENDMENT to the ZONING ORDINANCE

(updated 9/9/22)

Applicant: Zachary Snyder
ZMA 23-003
10.1455 ac east of 300 Sheriff Posse RD

INSTRUCTIONS

In accordance with applicable Statutes of the State of New Mexico, and with the Town of Bernalillo Comprehensive Zoning Ordinance, an Amendment to the Ordinance may be granted by the Governing Body of the Town (the Town Council). Type or print clearly on this form and submit to the Governing Body of the Town of Bernalillo through the Town Planner. The application must be accompanied by 2 (two) full-size and 10 (ten) 11"x17" copies of an accurate Plot Plan or Survey showing: 1) the location and dimensions of the property that is the subject of the request; 2) locations of all existing or proposed structures on or adjacent to said property; 3) all streets, alleys, and easement on or adjacent to said property; and, 4) a North directional arrow, and graphic & written scales. Also include any required supplementary materials. Incomplete or inaccurate applications may delay the review process. The application must be accompanied by the appropriate *Filing Fee of \$200.00 (two-hundred dollars) + Notification Fee.*

TYPE OF ZONING AMENDMENT

- Text Change: _____
- Map Change: _____
- Special Use Zone: _____
- Est. of Zone ~~vs~~ Annexation: _____
(Includes Initial Zoning)

DESCRIPTION OF CHANGE

ESTABLISHMENT OF R-2 ZONING

APPLICANT INFORMATION

Property Owner: ZACHARY J. SNYDER Phone: 505.250.8595
 Mailing Address: 5800 SAN FRANCISCO RD NE Email: Zsnyder@snyder-const.com
ALBUQUERQUE, NM 87109
 Applicant/Agent: SAME AS ABOVE Phone: SAME AS ABOVE
 Mailing Address: _____ Email: _____

Legal Description of Property: SEE ATTACHED - TRACT A, NAZON SUBDIVISION, UNIT 2 AND LOTS 8-A, 9-A, AND A PORTION OF SD' PRIVATE
 Address of Property: 10.1455 AC EAST OF 300 SHERIFF'S POSSE RD, BERNALILLO, NM 87004

ACKNOWLEDGEMENTS

Application is hereby made for an Amendment to the Town's Comprehensive Zoning Ordinance. I have examined, am familiar with, and have complied with, any and all requirements of the Comprehensive Zoning Ordinance of the Town of Bernalillo. I have also complied with the requirements of any and all other applicable rules, regulations, and ordinances related to property development within the Town of Bernalillo. I further understand and agree that neither the Town nor any of its agents shall be held liable for any lack of understanding, or misinterpretation, on my part, of any said requirements.

Signature of Property Owner: [Signature] Date: 7/5/23

Signature of Applicant/Agent: [Signature] Date: 7/5/23

Receipt by Planning & Zoning Officer: [Signature] Date: 7/5/23

Application Fee Total: \$224.30 Receipt #: 00447759

Hearing Location: Bernalillo Town Council Chambers Hearing Date & Time: 8/1/23 6:30 pm

STATE OF NEW MEXICO
COUNTY OF SANDOVAL
THIRTEENTH JUDICIAL DISTRICT COURT

FILED
13th JUDICIAL DISTRICT COURT
Sandoval County
6/26/2023 10:13 AM
AUDREY GARCIA
CLERK OF THE COURT
DS

ZACHARY J. SNYDER and
PHILLIP L. LINDBORG,
Plaintiffs,

v.

Case Number: D-1329-CV-2020-01614

ALBERT MILLER, AS TRUSTEE OF THE
MILLER FAMILY TRUST; HERLINDA
MILLER, AS TRUSTEE OF THE MILLER
FAMILY TRUST; JOSEPHINE G. SANDOVAL,
AS TRUSTEE OF THE JOSEPHINE G.
SANDOVAL REVOCABLE TRUST; SOUTHERN
SANDOVAL COUNTY ARROYO FLOOD
CONTROL AUTHORITY; BUREAU OF
RECLAMATION; UNITED STATES ARMY
CORP OF ENGINEERS; STATE OF NEW MEXICO,
ALL UNKNOWN CLAIMANTS OF INTEREST
IN THE LAND ADVERSE TO PLAINTIFFS,
Defendants.

ORDER DISMISSING

THIS MATTER having come before the Court upon the joint Motion for Final Order Quietening Title by Plaintiffs and by Defendants Bureau of Reclamation and United States Army Corp of Engineers, and the Court having reviewed all pleadings and otherwise being fully informed makes the following CONCLUSIONS:

1. The Court has jurisdiction over the parties and the subject matter of this action.
2. Plaintiffs have demonstrated that they have standing to bring this action and that they are the real parties in interest.

Further, the Court FINDS:

3. Plaintiffs filed their Verified Complaint to Quiet Title to Real Estate and for Declaratory Judgment against Defendants (the "Complaint") in this action on October 12, 2020.

4. Defendants Albert Miller, as Trustee of the Miller Family Trust and Herlinda Miller, as Trustee of the Miller Family Trust, executed a Disclaimer of Interest, which was filed with this Court December 14, 2020.

5. Defendant Josephine G. Sandoval, as Trustee of the Josephine G. Sandoval Revocable Trust, executed a Verified Disclaimer of Interest, which was filed with this Court January 5, 2021.

6. Defendant State Of New Mexico, executed a Disclaimer of Interest, which was filed with this Court February 19, 2021.

7. Defendant Southern Sandoval County Arroyo Flood Control Authority executed a Disclaimer of Interest which was filed with this Court on April 28, 2023.

8. Defendants Bureau of Reclamation and the United States Army Corp of Engineers were dismissed from this action pursuant to this Court's order to Dismiss dated June 7, 2023 and stating that Defendants Bureau of Reclamation and the United States Army Corp of Engineers have no fee simple interest in and to the real property described in the *Verified Complaint for Quiet Title to Real Estate and for Declaratory Judgment* filed October 12, 2020.

9. This Court issued a default judgment against Defendant All Unknown Claimants of Interest in the Land Adverse to Plaintiffs on September 15, 2021.

IT IS THEREFORE ORDERED, ADJUSTED AND DECREED:

A. That Plaintiffs have fee simple and unencumbered title and estate in and to the real property legally described as:

A CERTAIN PARCEL OF LAND SITUATE IN SANDOVAL COUNTY, NEW MEXICO, WITHIN SECTION 31, TOWNSHIP 13 NORTH, RANGE 4 EAST, N.M.P.M., LOCATED BETWEEN THE RIO GRANDE AND THE FOLLOWING THREE LOTS:

LOTS 8-A AND 9-A OF THE PLAT ENTITLED "REPLAT PHASE II, LOTS 8-A, 9-A AND 10-A, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T 13 N, R 4 E, NMPM, BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, JANUARY 1996", FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON FEBRUARY 15, 1996 IN VOLUME 3, FOLIO 1380-A;

THAT TRACT ONLY IDENTIFIED AS "DRAINAGE EASEMENT" ON THE PLAT ENTITLED "PHASE II, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T13N, R4E, NMPM, BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, SEPTEMBER 1993" AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON CTOBER 21, 1993 IN VOLUME 3, FOLIO 1087-A;

SAID PARCEL BEING DESCRIBED BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, BEING THE SOUTHEAST CORNER OF A LOT NINE-A (9-A), MARKED WITH A BATHEY MARKER WITH CAP "LS 14271";

THENCE, COINCIDING WITH THE EAST LOT LINE OF LOTS 9-A, 8-A AND THAT TRACT ONLY IDENTIFIED AS "DRAINAGE EASEMENT", THE FOLLOWING TWO COURSES:

N 04°43'11" E, A DISTANCE OF 449.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 8-A, MARKED BY A REBAR WITH CAP "LS 12651";

N 14°47'46" E, A DISTANCE OF 129.79 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL, ALSO BEING THE NORTHEAST CORNER OF SAID "DRAINAGE EASEMENT" TRACT, MARKED BY A REBAR WITH YELLOW CAP "LS 12551";

THENCE, S 69°44'40" E, A DISTANCE OF 16.43 FEET TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL, BEING A POINT ON THE HIGH WATER LINE OF THE WEST BANK OF THE RIO GRANDE;

THENCE, FOLLOWING SAID HIGH WATER LINE, THE FOLLOWING EIGHT COURSES:

S 01°16'09" W, A DISTANCE OF 87.30 FEET TO AN ANGLE POINT;

S 03°21'06" W, A DISTANCE OF 88.65 FEET TO AN ANGLE POINT;

S 20°08'07" E, A DISTANCE OF 103.23 FEET TO AN ANGLE POINT;
S 04°14'33" E, A DISTANCE OF 104.01 FEET TO AN ANGLE POINT;
S 05°09'01" W, A DISTANCE OF 87.56 FEET TO AN ANGLE POINT;
S 03°50'49" W, A DISTANCE OF 91.70 FEET TO AN ANGLE POINT;
S 01°22'25" E, A DISTANCE OF 29.24 FEET TO AN ANGLE POINT;
S 07°07'26" E, A DISTANCE OF 36.72 FEET TO THE SOUTHEAST CORNER
OF THE HEREIN DESCRIBED PARCEL;

THENCE, N 64°44'27" W, A DISTANCE OF 124.82 FEET TO THE POINT OF
BEGINNING, CONTAINING 1.0587 ACRES (46,116 SQ. FT.), MORE OR
LESS.

(the "Land").


B. That Defendants and any party claiming by or through them, are barred and forever estopped from having or claiming any lien upon or any right, title or interest in or to the Property or any part thereof, adverse to Plaintiffs, subject to the United States' statutory authority for river maintenance and flood control, as set forth in the federal Flood Control Act of 1948, the Flood Control Act of 1950, and under the Reclamation Act of June 17, 1902, including any amendments and supplements thereto; under the doctrine of navigational servitude arising from the Commerce Clause of the U.S. Constitution.

C. Plaintiff's title and estate in and to the Property is forever quieted and set at rest.



THE HONORABLE GEORGE P. EICHWALD

I, Audrey Gallego, Clerk of the District Court of Sandoval County, Bernalillo, New Mexico, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in my Office.

Dated this 28th day of June 2023
By 
Deputy

Respectfully submitted,

SPANGLER PACHECO & WERBELOW PA

By: /s/Eric Rhoades

LeeAnn Werbelow

Eric Rhoades

Attorneys for Plaintiffs

Post Office Box 15698

Rio Rancho, New Mexico 87174

(505) 892-3607

lw@lsplegal.com

er@lsplegal.com

AERIAL PHOTOGRAPH



Indexing Information

Section 30 & 31, Township 13 North, Range 4 East, N.M.P.M.
 Subdivision: Nazcon Phase 2
 Owner: S25AFCA (Tract B and Drainage Easement)
 Plots: L. Lindberg and Zachary J. Snyder (50' Access Easement and Lots B-A & 9-A, Nazcon Ph II)
 UPC # 1-019-074-130-003 (Tract B and Drainage Easement)
 1-019-073-185-532 (50' Private Access Easement)
 1-019-073-136-503 (Tract A, Nazcon, Ph. II)
 1-019-073-185-515 (Lot B-A, Nazcon, Ph. II)
 1-019-073-180-695 (Lot 9-A, Nazcon, Ph. II)

Benchmark -NAVD 88

THE BENCHMARK ELEVATIONS SHOWN HEREON WERE OBTAINED BY GPS OBSERVATION DERIVED FROM AN OPUS SOLUTION USING THE FOLLOWING THREE STATIONS:
 023887 LAMN LOS ALAMOS COUNTY CORS ARP
 047585 P120 CLINESCORNER2007 CORS ARP
 022265 P107 GRANTS_____NM2006 CORS ARP

BASED UPON THE ACCURACIES AS DETERMINED USING THE NGS OPUS SOLUTIONS AND THE METHODS USED IN THE FIELD, THE PUBLISHED COORDINATES AND ELEVATIONS SHOWN HEREON HAVE THE FOLLOWING ACCURACIES:

X= 0.10
 Y= 0.10
 Z= 0.10

Notes

- FIELD SURVEY PERFORMED IN AUGUST & SEPTEMBER 2018 AND JULY, NOVEMBER AND DECEMBER 2019.
- ALL DISTANCES ARE GROUND DISTANCES; U.S. SURVEY FOOT.
- SOURCE INFORMATION FROM PLANS AND MARKINGS WERE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND UTILITIES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT SUCH EXCAVATION MAY BE NECESSARY. (NM811 TICKET NO 19NV080225)
- THE BASIS OF BEARINGS REFERENCES MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD-83-CENTRAL ZONE).
- THE COORDINATES SHOWN HEREON REFERENCE MODIFIED NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL-ZONE), USING A GROUND TO GRID FACTOR OF 0.99986869.

Surveyor's Certificate

I, WILL FLOTNER, JR., NEW MEXICO PROFESSIONAL SURVEYOR NO 14271, DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT AND THAT THIS INSTRUMENT IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT OR TRACTS.

Will Plotner, Jr. Date
 N.M.P.S. No. 14271



CSI-CARTESIAN SURVEYS INC.

P.O. BOX 44414 RIO RANCHO, N.M. 87174
 Phone (505) 896-3050 Fax (505) 891-0244

Measured Legal Description

A PORTION OF THE FIFTY FOOT (50') PRIVATE ROAD AND UTILITY EASEMENT SHOWN ON THE RE-PLAT PHASE II LOTS BA, 9A, & 10A, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T. 13 N., R. 4 E., N.M.P.M., BERNALILLO, SANDOVAL COUNTY, AS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON FEBRUARY 15, 1996 IN VOL. 3, FOLD 1380-A, BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED CORRIDOR, WHENCE A TIE TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY OF SHERIFF'S POSSE ROAD, ALSO BEING THE MOST WESTERLY CORNER OF PARCEL "B", NAZCON SUBDIVISION, UNIT 2, AS SHOWN AND DESIGNATED ON SAID PLAT, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON FEBRUARY 15, 1996, IN VOLUME 3, FOLD 1380-A, BEARS N 60°59'38" W, A DISTANCE OF 305.64 FEET, MARKED BY A 1/2" REBAR WITH CAP, ILLEGIBLE;

THENCE, FROM SAID POINT OF BEGINNING, RUNNING ALONG THE SOUTH BOUNDARY OF SAID PARCEL "B", BEARS S 60°59'38" E, A DISTANCE OF 749.56 FEET TO A POINT OF CURVATURE, BEING THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED CORRIDOR, MARKED BY A BATHEEY MARKER WITH CAP "LS 14271";

THENCE, 140.09 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A DELTA OF 160°31'53", AND A CHORD BEARING S 19°13'33" W, A DISTANCE OF 98.56 FEET TO A POINT OF REVERSE CURVE, MARKED BY A BATHEEY MARKER WITH CAP "LS 14271";

THENCE, 30.77 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 70°31'11", AND A CHORD BEARING S 84°13'54" W, A DISTANCE OF 28.86 FEET TO A POINT OF TANGENCY, MARKED BY A BATHEEY MARKER WITH CAP "LS 14271";

THENCE, S 28°58'18" W, A DISTANCE OF 99.56 FEET TO AN ANGLE POINT MARKED BY A BATHEEY MARKER WITH CAP "LS 14271";

THENCE, S 28°59'22" W, A DISTANCE OF 286.27 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED CORRIDOR, MARKED BY A PK NAIL WITH CAP "LS 14271";

THENCE, N 80°53'55" W, A DISTANCE OF 49.89 FEET TO THE SOUTHWEST CORNER OF TRACT A, NAZCON SUBDIVISION, PHASE II, AS SHOWN AND DESIGNATED ON SAID PLAT, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO, ON MAY 10, 1993, IN VOLUME 3, FOLD 1048-A, MARKED BY A BATHEEY MARKER WITH CAP "LS 14271";

THENCE, N 28°58'57" E, A DISTANCE OF 436.15 FEET TO AN ANGLE POINT, ALSO BEING THE NORTHEAST CORNER OF SAID TRACT A, MARKED BY BATHEEY MARKER WITH CAP "LS 14271";

THENCE, N 81°00'18" W, A DISTANCE OF 674.51 FEET TO A POINT OF CURVATURE, MARKED BY A 1/2" REBAR WITH CAP "LS 12651";

THENCE, 30.41 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, A DELTA OF 90°01'59", AND A CHORD BEARING S 74°01'27" W, A DISTANCE OF 35.48 FEET TO AN ANGLE POINT BEING A POINT OF NON-TANGENCY;

THENCE, N 28°59'53" E, A DISTANCE OF 75.51 FEET TO THE POINT OF BEGINNING, CONTAINING 1.4624 ACRES (63,700 SQ. FT.), MORE OR LESS.

AND

TRACT "A" AND PARCEL "B" AND THE TRACT IDENTIFIED AS DRAINAGE EASEMENT OF NAZCON SUBDIVISION, PHASE II, SECTIONS 30 AND 31, T. 13 N., R. 4 E., N.M.P.M., BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON MAY 10, 1993 IN VOL. 3, FOLD 1048-A.

AND

LOTS NUMBERED EIGHT-A (8-A) AND NINE-A (9-A) OF THE RE-PLAT PHASE II LOTS BA, 9A & 10A, NAZCON SUBDIVISION, SECTIONS 30 AND 31, T. 13 N., R. 4 E., N.M.P.M., BERNALILLO, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON FEBRUARY 15, 1996 IN VOL. 3, FOLD 1380-A.



Vicinity Map

Boundary Survey
 and
 Topographic Map
 for
 Tract A, Parcel B, & Lots 8-A and 9-A
 Nazcon Subdivision, Phase II
 and a portion of the 50' Private Road
 and Utility Easement and Tract
 Identified as "Drainage Tract"
 Town of Bernalillo
 Sandoval County, New Mexico
 December 2019

Documents

- PLAT OF RECORD FOR NAZCON SUBDIVISION, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON AUGUST 24, 1981 AS VOLUME 2, FOLD 380-B
- PLAT FOR NAZCON SUBDIVISION PHASE II, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON OCTOBER 21, 1993 AS VOLUME 3, FOLD 1087-A.
- QUIT CLAIM DEED FOR PARCELS A & B, NAZCON SUBDIVISION, FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON AUGUST 24, 1981 AS DOCUMENT NUMBER 20170900.
- PLAT FOR TRACT A, NAZCON SUBDIVISION UNIT 2 & LOTS B-A, 9-A AND A PORTION OF THE 50' PRIVATE ROAD AND UTILITY EASEMENT, NAZCON SUBDIVISION FILED IN THE SANDOVAL COUNTY CLERKS OFFICE ON DECEMBER 11, 2018 AS VOLUME 3, FOLD 4326.

Line #	Direction	Length (ft)
11	N 88°59'55" E (N 285°740' E)	35.87 [35.08]
12	N 81°00'18" W (N 61°00'35" W)	65.86 [65.82]
13	N 28°42'11" E (N 30°34'08" E)	28.86 [30.00]
14	N 28°02'28" E (N 28°51'43" E)	55.43
15	S 60°59'28" E (S 61°00'18" E)	71.67
16	S 60°59'23" W (S 61°00'05" W)	138.42 [138.38]

Curve #	Length	Radius	Delta	Chord Length	Chord Bearing
C1	30.77 [30.77]	25.00 [25.00]	192°11'	28.86	N 84°13'54" E
C2	140.09 [140.09]	50.00 [50.00]	160°31'53"	98.56	N 19°13'33" E
C3	28.41 [28.41]	25.00 [25.00]	80°01'59"	35.48	S 74°01'27" W
C4	31.78 [31.78]	38.52 [38.52]	471°07'	30.90	N 84°28'24" W
C5	73.21 [73.21]	83.27 [83.27]	44°58'11"	71.36	N 82°27'22" W
C6	61.85 [61.85]	103.00 [103.00]	32°46'	61.04	N 37°03'53" E

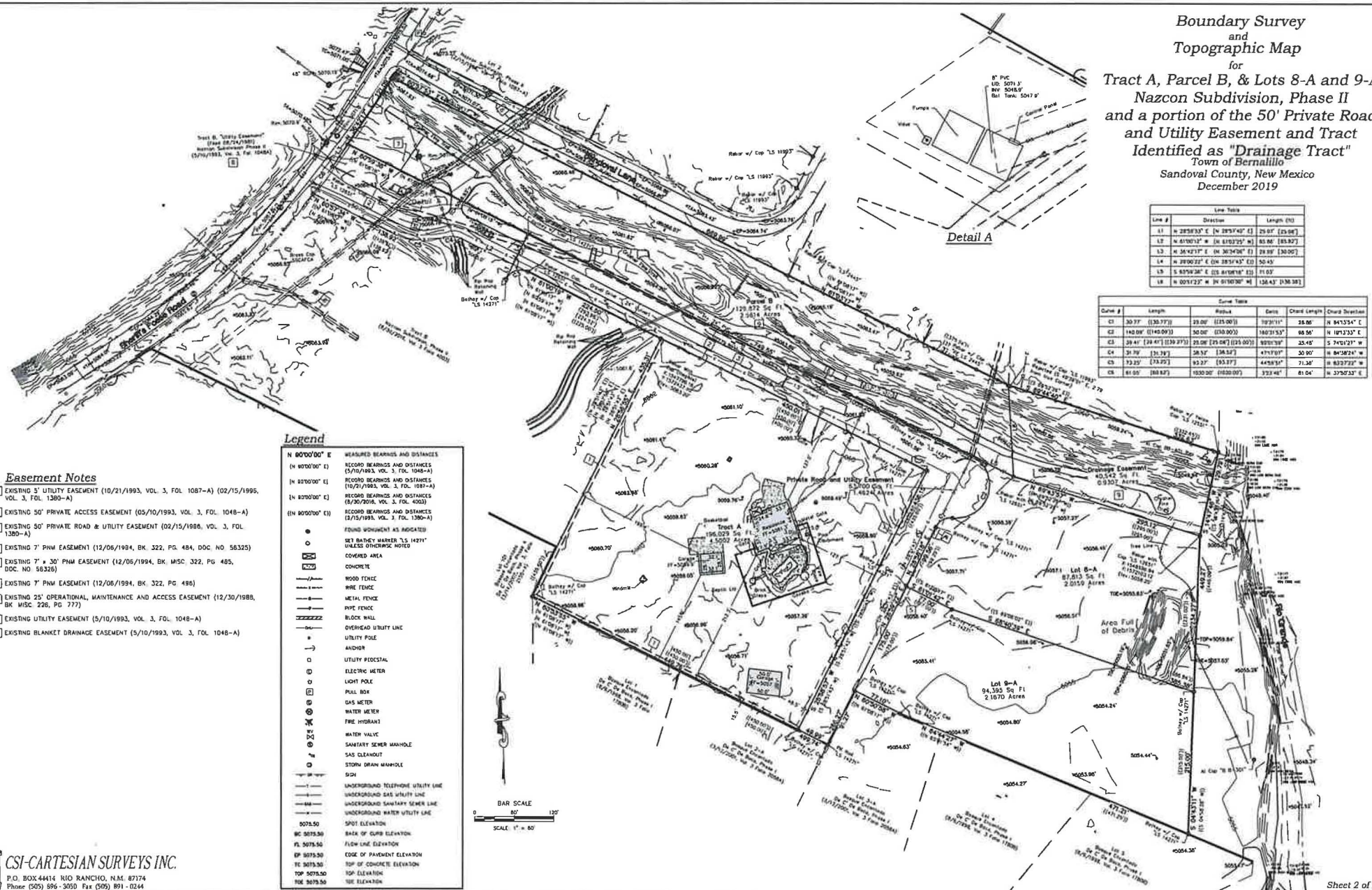
Boundary Survey
and
Topographic Map

for
Tract A, Parcel B, & Lots 8-A and 9-A
Nazcon Subdivision, Phase II
and a portion of the 50' Private Road
and Utility Easement and Tract
Identified as "Drainage Tract"
Town of Bernalillo
Sandoval County, New Mexico
December 1919

Line #	Direction	Length (ft)
11	N 28°57'33" E (N 28°57'40" E)	28.67' (28.68')
12	N 41°00'13" W (N 41°00'20" W)	83.86' (83.87')
13	N 36°42'17" E (N 36°42'20" E)	29.88' (29.89')
14	N 28°00'22" E (N 28°00'30" E)	30.43'
15	S 83°59'28" E (S 83°59'30" E)	11.03'
16	N 00°14'23" W (N 00°14'30" W)	126.43' (126.44')

Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C1	30.37' (30.37')	23.00' (23.00')	172°11'11"	28.06'	N 84°33'41" E
C2	140.00' (140.00')	50.00' (50.00')	160°31'53"	98.56'	N 10°13'33" W
C3	29.41' (29.41')	23.00' (23.00')	80°01'30"	25.48'	S 74°02'33" W
C4	31.70' (31.70')	26.57' (26.57')	47°17'07"	30.00'	S 84°58'24" W
C5	73.25' (73.25')	93.27' (93.27')	44°58'34"	71.36'	N 83°27'22" E
C6	81.60' (81.60')	103.20' (103.20')	32°14'48"	81.04'	N 37°02'32" E

Detail A



Easement Notes

- 1 EXISTING 3' UTILITY EASEMENT (10/21/1993, VOL. 3, FOL. 1087-A) (02/15/1995, VOL. 3, FOL. 1380-A)
- 2 EXISTING 50' PRIVATE ACCESS EASEMENT (05/10/1993, VOL. 3, FOL. 1048-A)
- 3 EXISTING 50' PRIVATE ROAD & UTILITY EASEMENT (02/15/1986, VOL. 3, FOL. 1380-A)
- 4 EXISTING 7' PNM EASEMENT (12/06/1994, BK. 322, PG. 484, DOC. NO. 56325)
- 5 EXISTING 7' x 30' PNM EASEMENT (12/06/1994, BK. MISC. 322, PG. 485, DOC. NO. 56326)
- 6 EXISTING 7' PNM EASEMENT (12/06/1994, BK. 322, PG. 498)
- 7 EXISTING 25' OPERATIONAL, MAINTENANCE AND ACCESS EASEMENT (12/30/1988, BK. MISC. 226, PG. 777)
- 8 EXISTING UTILITY EASEMENT (5/10/1993, VOL. 3, FOL. 1048-A)
- 9 EXISTING BLANKET DRAINAGE EASEMENT (5/10/1993, VOL. 3, FOL. 1048-A)

Legend

N 80°00'00" E
(N 80°00'00" E)
(N 80°00'00" E)
(N 80°00'00" E)
(N 80°00'00" E)

MEASURED BEARINGS AND DISTANCES
RECORD BEARINGS AND DISTANCES (5/10/1993, VOL. 3, FOL. 1048-A)
RECORD BEARINGS AND DISTANCES (10/21/1993, VOL. 3, FOL. 1087-A)
RECORD BEARINGS AND DISTANCES (8/20/2016, VOL. 3, FOL. 4003)
RECORD BEARINGS AND DISTANCES (2/15/1993, VOL. 3, FOL. 1380-A)

FINDING UNIFORMITY AS INDICATED
SET BATTERY MARKER "LS 14271" UNLESS OTHERWISE NOTED

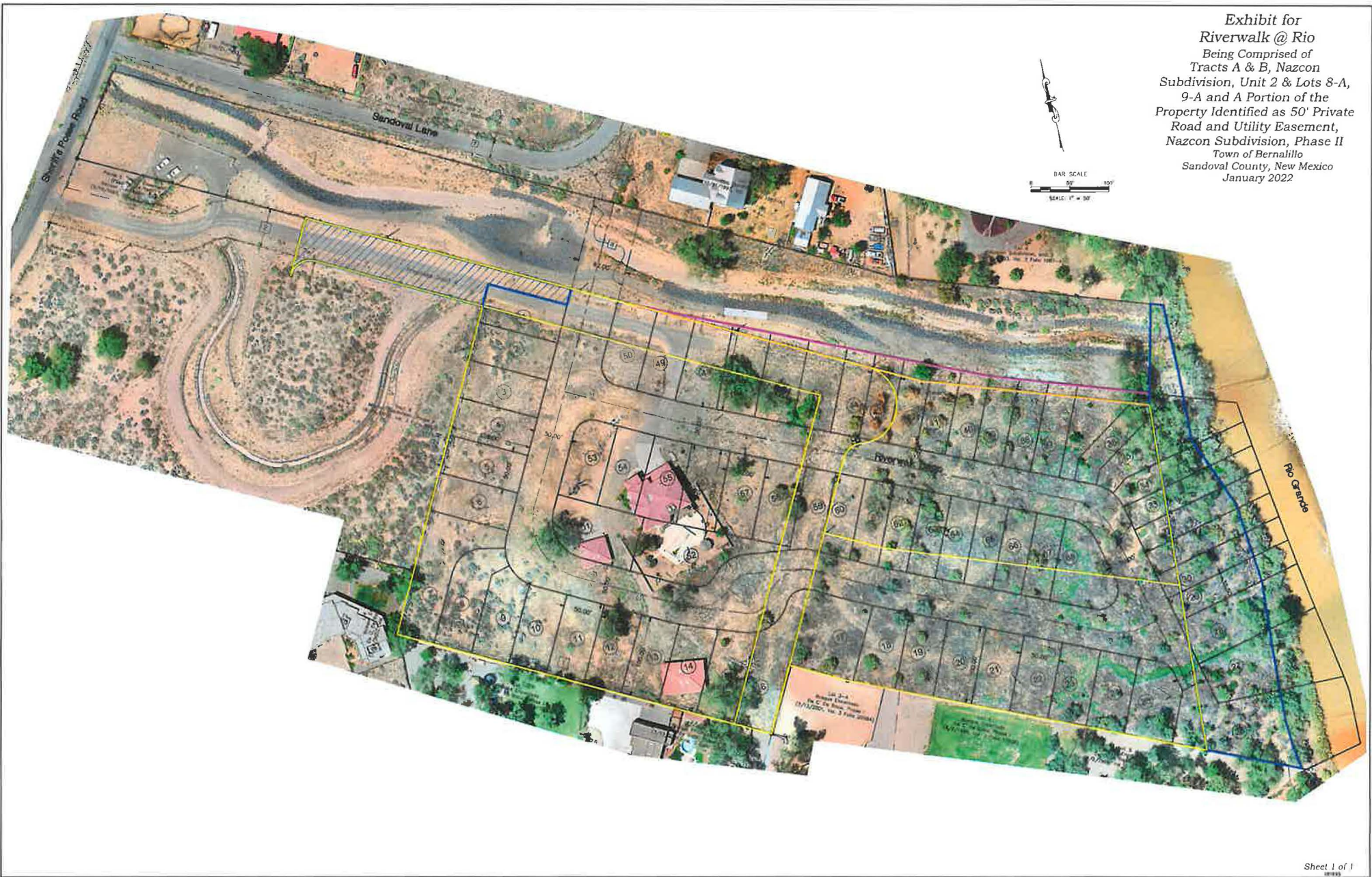
COVERED AREA
CONCRETE
WOOD FENCE
WIRE FENCE
METAL FENCE
PIPE FENCE
BLOCK WALL
OVERHEAD UTILITY LINE
UTILITY POLE
ANCHOR
UTILITY PIEDestal
ELECTRIC METER
LIGHT POLE
POLL BOX
GAS METER
WATER METER
FIRE HYDRANT
WATER VALVE
SANITARY SEWER MANHOLE
SAS CLEANOUT
STORM DRAIN MANHOLE
SIGN

UNDERGROUND TELEPHONE UTILITY LINE
UNDERGROUND GAS UTILITY LINE
UNDERGROUND SANITARY SEWER LINE
UNDERGROUND WATER UTILITY LINE

SPOT ELEVATION
BACK OF CURB ELEVATION
FLOW LINE ELEVATION
EDGE OF PAVEMENT ELEVATION
TOP OF CONCRETE ELEVATION
TOP ELEVATION
TIE ELEVATION

CSI-CARTESIAN SURVEYS INC.
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896-3050 Fax (505) 891-0244

Exhibit for
Riverwalk @ Rio
Being Comprised of
Tracts A & B, Nazcon
Subdivision, Unit 2 & Lots 8-A,
9-A and A Portion of the
Property Identified as 50' Private
Road and Utility Easement,
Nazcon Subdivision, Phase II
Town of Bernalillo
Sandoval County, New Mexico
January 2022



Town of Bernalillo Utility
829 S CAMINO DEL PUEBLO
BERNALILLO, NM 87004
505-867-3311

07/05/2023 14:12:35
MID: XXXXXXXXXXXX153 TID: XXXX154

CREDIT CARD

VISA SALE

Card # XXXXXXXXXXXX2183
SEQ #: 44
Batch #: 6
Trans #: 35
Approval Code: 02316G
TRANS ID: 583186728506256
Entry Method: Manual
Mode: Online
Card Code: M

SALE AMOUNT \$224.30

X _____

THANK YOU
MERCHANT COPY

TOWN OF BERNALILLO
(505) 867-3311

REC#: 00447759 7/05/2023 2:15 PM
OPER: BD TERM: 001
REF#: APPR 02316G

TRAN: 505.0000 ZONING FEES
ZONING APPLICATION FEE
07.05.23 BD
100-000-4042-1-2
Zoning Fees 224.30CR

TENDERED: 224.30 CREDIT CARD
APPLIED: 224.30

CHANGE: 0.00