

1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 Section 1. That the appropriations for the project as stated below are hereby
4 made as indicated:

5 Purpose	Source	Appropriation
6 Public Works		
7 SAD 228	Assessments	\$28,000,000
8	Total Appropriation	\$28,000,000

9 The appropriations of these assessments are hereby made for the purpose of
10 constructing the District with the provision that the actual amounts will be adjusted to
11 reflect the final costs.

12 The Water Utility Connection Fee, estimated to be \$5,034.00 per property owner,
13 will be partially credited to the property owner at the time of the property's connection by
14 waiving the connection fee, and the remainder is expected to be credited by the
15 assessment cost to be incurred in a future and separate Special Assessment District.
16 These credits will offset the assessment cost of \$3,002,863 incurred by the installation
17 of the 30" Water Transmission Line.

18 Section 2. That Wilson & Company, Engineers & Architects (the "Engineers"),
19 professional engineers duly licensed under the laws of the State of New Mexico, are
20 hereby authorized to prepare, submit and file with the City Clerk the following:

21 A. Preliminary plans for the contemplated Improvements showing:

22 (1) For each type of curb, gutter, sidewalk, median and street, a typical
23 section of the proposed improvements, the type of material to be used and the
24 approximate thickness and width of the material, approximate location of type within the
25 project; preliminary design grades plotted against existing ground elevation;
26 approximate location of street lighting; and

27 (2) For each type of storm sewer or drain, sanitary sewer, water line,
28 electric utility or natural gas line, the type of material and the approximate diameter(s) of
29 all trunk lines, distribution lines, stub outs, collection lines, mains; approximate location
30 within project, preliminary design grades plotted against existing ground elevations; and

31 (3) For each other major improvement component, a general description.

32 B. An estimate of the Improvements total cost by lump sum or unit prices. The
33 estimate of the cost shall also include, without limiting the generality of the foregoing, the

1 advertising, appraising, tax reimbursement, capital improvement, expansion,
2 construction period interest, reserve fund, financing, engineering, printing, legal, and
3 such other expenses as in the judgment of the Engineers are necessary to pay the
4 complete cost of the Improvements.

5 C. An assessment plat showing the area to be included in the District and an
6 addendum thereto showing the amount of maximum benefit estimated to accrue to each
7 tract or parcel of land in the District on the front-foot, zone, area or other equitable basis
8 and including an Engineer's Report on the method used in determining such benefits.

9 Section 3. The Improvements shall be constructed for, and the District shall be
10 generally comprised of, the following streets, areas, and parts thereof;

11 **PAVING AND STORM DRAINAGE IMPROVEMENTS**

- 12 Agua Fria Court (Unit 22) - Papagayo Road to a cul-de-sac ending the street.
- 13 Alderete Court (Unit 22) - Camino Alderete to cul-de-sac ending the street.
- 14 Alto Rey Court (Unit 22) – Papagayo Road to a cul-de-sac ending the street.
- 15 Azor Lane (Unit 19) - Aguila Street to Vista del Prado.
- 16 Calle Nortena (Units 26 & 27) - Paseo del Norte to Rosa Parks Rd.
- 17 Calle Plata (Unit 26) - Paseo del Norte to Rosa Parks Rd.
- 18 Camino Alderete (Unit 22) - Kimmick Drive to Petirrojo Road at a curve.
- 19 Camino Alta (Unit 22) - Kimmick Street to Canavio Place.
- 20 Camino Alto (Unit 22) - Papagayo Road to a corner then easterly to a cul-de-sac
21 ending the street.
- 22 Camino Alto Court (Unit 22) - Camino Alto to a cul-de-sac ending the street.
- 23 Camino Del Oeste (unit 19) – Vista Del Prado to Urraca Street.
- 24 Canavio Place (Units 18 & 22) - Papagayo Road to Camino Alderete.
- 25 Canoncito Drive (Unit 22) –Kimmick Drive to Canavio Place.
- 26 Compass Drive (Units 18 & 19) - Kimmick Drive to Petirrojo Road.
- 27 Compass Court (Unit 18) – Compass Drive to a cul-de-sac ending the street.
- 28 Cuervo Place (Unit 18) - Compass Drive to Aguila Street.
- 29 Escarpment Drive (Unit 18 to be platted) – Petirrojo Road to a cul-de-sac ending
30 the street.
- 31 Kimmick Drive; also platted as 81st Street (Units 18, 22, & 26) – Unser Blvd. to
32 325' East of Camino de Paz and Rosa Parks Rd to Paseo del Norte.

- 1 Metro Lane (frontage; Unit 18) – from Sujeto Road (to be platted) to Kimmick
- 2 Drive
- 3 Old Atrisco (Units 13 & 25) - Scenic Rd to Lynn Dr.
- 4 Papagayo Road (Units 18 & 22) - Compass Drive to Camino Alderete to end the
- 5 street.
- 6 Pato Road (Unit 18) - Papagayo Road to Urraca Street.
- 7 Petirrojo Road (Units 18 & 22) - Compass Drive to Camino Alderete.
- 8 Picardia Place (Units 18 & 22) - Petirrojo Road to Petirrojo Road.
- 9 Rio Aguilar Street (Units 18 & 19) – Papagayo Road to south of Azor Lane.
- 10 Rosa Parks Road (Units 26 & 27) - 300ft West of Calle Plata to Calle Nortena.
- 11 Sujeto Road (Unit 18) – Unser Blvd. to Aguila Street.
- 12 Urraca Street (Units 18-22) - Kimmick Drive to Camino del Oeste.
- 13 Vista del Prado (Unit 19) – Azor Lane to Urraca Street.
- 14 Vista del Prado Court (Unit 19) – s Vista del Prado to a cul-de-sac ending the
- 15 street.
- 16 **SANITARY SEWER IMPROVEMENTS**
- 17 Agua Fria Court (Unit 22) - Papagayo Road to a cul-de-sac ending the street.
- 18 Alderete Court (Unit 22) - Camino Alderete to cul-de-sac ending the street.
- 19 Alto Rey Court (Unit 22) – Papagayo Road to a cul-de-sac ending the street.
- 20 Azor Lane (Unit 19) - Aguila Street to Vista del Prado.
- 21 Calle Nortena (Units 26 & 27) - Paseo del Norte to Rosa Parks Rd.
- 22 Calle Plata (Unit 26) - Paseo del Norte to Rosa Parks Rd.
- 23 Camino Alderete (Unit 22) - Kimmick Drive to Petirrojo Road at a curve.
- 24 Camino Alta (Unit 22) - Kimmick Street to Canavio Place.
- 25 Camino Alto (Unit 22) - Papagayo Road to a corner then easterly to a cul-de-sac
- 26 ending the street.
- 27 Camino Alto Court (Unit 22) - Camino Alto to a cul-de-sac ending the street.
- 28 Camino Del Oeste (unit 19) – Vista Del Prado to Urraca Street.
- 29 Canavio Place (Units 18 & 22) - Papagayo Road to Camino Alderete.
- 30 Canoncito Drive (Unit 22) –Kimmick Drive to Canavio Place.
- 31 Compass Drive (Units 18 & 19) - Kimmick Drive to Petirrojo Road.
- 32 Compass Court (Unit 18) – Compass Drive to a cul-de-sac ending the street.
- 33 Cuervo Place (Unit 18) - Compass Drive to Aguila Street.

- 1 Escarpment Drive (Unit 18 to be platted) – Petirrojo Road to a cul-de-sac ending
2 the street.
- 3 Kimmick Drive; also platted as 81st Street (Units 18, 22, & 26) – Unser Blvd. to
4 325' East of Camino de Paz and Rosa Parks Rd to Paseo del Norte.
- 5 Metro Lane (frontage; Unit 18) – from Sujeto Road (to be platted) to Kimmick
6 Drive
- 7 Old Atrisco (Units 13 & 25) - Scenic Rd to Lynn Dr.
- 8 Papagayo Road (Units 18 & 22) - Compass Drive to Camino Alderete to end the
9 street.
- 10 Pato Road (Unit 18) - Papagayo Road to Urraca Street.
- 11 Petirrojo Road (Units 18 & 22) - Compass Drive to Camino Alderete.
- 12 Picardia Place (Units 18 & 22) - Petirrojo Road to Petirrojo Road.
- 13 Rio Aguilar Street (Units 18 & 19) – Papagayo Road to south of Azor Lane.
- 14 Rosa Parks Road (Units 26 & 27) - 300ft West of Calle Plata to Calle Nortena.
- 15 Sujeto Road (Unit 18) – Unser Blvd. to Aguila Street.
- 16 Urraca Street (Units 18-22) - Kimmick Drive to Camino del Oeste.
- 17 Vista del Prado (Unit 19) – Azor Lane to Urraca Street.
- 18 Vista del Prado Court (Unit 19) - s Vista del Prado to a cul-de-sac ending the
19 street.
- 20 **WATER IMPROVEMENTS**
- 21 Agua Fria Court (Unit 22) - Papagayo Road to a cul-de-sac ending the street.
- 22 Alderete Court (Unit 22) - Camino Alderete to cul-de-sac ending the street.
- 23 Alto Rey Court (Unit 22) – Papagayo Road to a cul-de-sac ending the street.
- 24 Azor Lane (Unit 19) - Aguila Street to Vista del Prado.
- 25 Calle Nortena (Units 26 & 27) - Paseo del Norte to Rosa Parks Rd.
- 26 Calle Plata (Unit 26) - Paseo del Norte to Rosa Parks Rd.
- 27 Camino Alderete (Unit 22) - Kimmick Drive to Petirrojo Road at a curve.
- 28 Camino Alta (Unit 22) - Kimmick Street to Canavio Place.
- 29 Camino Alto (Unit 22) - Papagayo Road to a corner then easterly to a cul-de-sac
30 ending the street.
- 31 Camino Alto Court (Unit 22) - Camino Alto to a cul-de-sac ending the street.
- 32 Camino Del Oeste (unit 19) – Vista Del Prado to Urraca Street.
- 33 Canavio Place (Units 18 & 22) - Papagayo Road to Camino Alderete.

- 1 Canoncito Drive (Unit 22) –Kimmick Drive to Canavio Place.
- 2 Compass Drive (Units 18 & 19) - Kimmick Drive to Petirrojo Road.
- 3 Compass Court (Unit 18) – Compass Drive to a cul-de-sac ending the street.
- 4 Cuervo Place (Unit 18) - Compass Drive to Aguila Street.
- 5 Escarpment Drive (Unit 18 to be platted) – Petirrojo Road to a cul-de-sac ending
- 6 the street.
- 7 Kimmick Drive; also platted as 81st Street (Units 18, 22, & 26) – Unser Blvd. to
- 8 325' East of Camino de Paz and Rosa Parks Rd to Paseo del Norte.
- 9 Metro Lane (frontage; Unit 18) – from Sujeto Road (to be platted) to Kimmick
- 10 Drive
- 11 Old Atrisco (Units 13 & 25) - Scenic Rd to Lynn Dr.
- 12 Papagayo Road (Units 18 & 22) - Compass Drive to Camino Alderete to end the
- 13 street.
- 14 Pato Road (Unit 18) - Papagayo Road to Urraca Street.
- 15 Petirrojo Road (Units 18 & 22) - Compass Drive to Camino Alderete.
- 16 Picardia Place (Units 18 & 22) - Petirrojo Road to Petirrojo Road.
- 17 Rio Aguilar Street (Units 18 & 19) – Papagayo Road to south of Azor Lane.
- 18 Rosa Parks Road (Units 26 & 27) - 300ft West of Calle Plata to Calle Nortena.
- 19 Sujeto Road (Unit 18) – Unser Blvd. to Aguila Street.
- 20 Urraca Street (Units 18-22) - Kimmick Drive to Camino del Oeste.
- 21 Vista del Prado (Unit 19) – Azor Lane to Urraca Street.
- 22 Vista del Prado Court (Unit 19) - s Vista del Prado to a cul-de-sac ending the
- 23 street.
- 24 **DRY UTILITY IMPROVEMENTS**
- 25 Agua Fria Court (Unit 22) - Papagayo Road to a cul-de-sac ending the street.
- 26 Alderete Court (Unit 22) - Camino Alderete to cul-de-sac ending the street.
- 27 Alto Rey Court (Unit 22) – Papagayo Road to a cul-de-sac ending the street.
- 28 Azor Lane (Unit 19) - Aguila Street to Vista del Prado.
- 29 Calle Nortena (Units 26 & 27) - Paseo del Norte to Rosa Parks Rd.
- 30 Calle Plata (Unit 26) - Paseo del Norte to Rosa Parks Rd.
- 31 Camino Alderete (Unit 22) - Kimmick Drive to Petirrojo Road at a curve.
- 32 Camino Alta (Unit 22) - Kimmick Street to Canavio Place.

- 1 Camino Alto (Unit 22) - Papagayo Road to a corner then easterly to a cul-de-sac
- 2 ending the street.
- 3 Camino Alto Court (Unit 22) - Camino Alto to a cul-de-sac ending the street.
- 4 Camino Del Oeste (unit 19) – Vista Del Prado to Urraca Street.
- 5 Canavio Place (Units 18 & 22) - Papagayo Road to Camino Alderete.
- 6 Canoncito Drive (Unit 22) –Kimmick Drive to Canavio Place.
- 7 Compass Drive (Units 18 & 19) - Kimmick Drive to Petirrojo Road.
- 8 Compass Court (Unit 18) – Compass Drive to a cul-de-sac ending the street.
- 9 Cuervo Place (Unit 18) - Compass Drive to Aguila Street.
- 10 Escarpment Drive (Unit 18 to be platted) – Petirrojo Road to a cul-de-sac ending
- 11 the street.
- 12 Kimmick Drive; also platted as 81st Street (Units 18, 22, & 26) – Unser Blvd. to
- 13 325’ East of Camino de Paz and Rosa Parks Rd to Paseo del Norte.
- 14 Metro Lane (frontage; Unit 18) – from Sujeto Road (to be platted) to Kimmick
- 15 Drive
- 16 Old Atrisco (Units 13 & 25) - Scenic Rd to Lynn Dr.
- 17 Papagayo Road (Units 18 & 22) - Compass Drive to Camino Alderete to end the
- 18 street.
- 19 Pato Road (Unit 18) - Papagayo Road to Urraca Street.
- 20 Petirrojo Road (Units 18 & 22) - Compass Drive to Camino Alderete.
- 21 Picardia Place (Units 18 & 22) - Petirrojo Road to Petirrojo Road.
- 22 Rio Aguilar Street (Units 18 & 19) – Papagayo Road to south of Azor Lane.
- 23 Rosa Parks Road (Units 26 & 27) - 300ft West of Calle Plata to Calle Nortena.
- 24 Sujeto Road (Unit 18) – Unser Blvd. to Aguila Street.
- 25 Urraca Street (Units 18-22) - Kimmick Drive to Camino del Oeste.
- 26 Vista del Prado (Unit 19) – Azor Lane to Urraca Street.
- 27 Vista del Prado Court (Unit 19) - s Vista del Prado to a cul-de-sac ending the
- 28 street.

29 ALL IN THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO.

30 Section 4. The contemplated construction of the Improvements shall consist of

31 and include the following:

- 32 A. The Street Improvements shall include excavation, embankment and paving
- 33 consisting of compacted subgrade, asphalt-concrete base course, and asphalt-concrete

1 surface; drainage structures; concrete curbs, gutters and sidewalks, street lighting, and
2 necessary conduits and/or crossings for future private utility extensions. The curb and
3 gutters shall be adjacent to the edge of the pavement.

4 B. The Storm Drainage Improvements shall include excavation, grading,
5 trenching, removal and replacement of any obstacles, pipe laying; box culverts, head
6 walls, manholes, backfilling, rip-rap and concrete energy dissipaters, concrete aprons,
7 and concrete run down. All storm drain pipe and box culverts shall be reinforced
8 concrete. All Storm Drainage Improvements shall be located within the street right-of-
9 way or drainage right-of-way.

10 C. The Sanitary Sewer Improvements shall include excavation, trenching, pipe-
11 laying, and backfilling; removal and replacement of any paving and other obstacles;
12 collection lines shall be polyvinyl chloride pipe, or where necessary, ductile iron pipe;
13 manholes shall be located in street intersection or as required pump station and force
14 main. Main stubs shall be provided at locations where future intersections or extensions
15 are anticipated.

16 Collection lines shall generally be located along the centerline of the rights-of-
17 way. Service stubs shall be 4-inch diameter cast iron soil pipe for residential services.

18 D. The Water Improvements shall include excavation, trenching, pipe-laying,
19 valves, pump station, pressure reducing valves, fire hydrants, and backfilling; removal
20 and replacement of any paving and other obstacles; distribution lines; service lines shall
21 be installed per current design standards.

22 E. The Utility Improvements (Electric and Gas) shall include the trenching and
23 backfill by the SAD Contractor, and the furnishing and installing of the utility lines and
24 appurtenances by the utility companies.

25 Section 5. For each of the contemplated Improvements, the basis of assessment
26 shall generally be as follows:

27 A. For Street Improvements the assessment will be levied on an area, unit or
28 front-foot basis against those tracts or parcels of land abutting those portions of the
29 streets being improved, and to pay the costs of improving intersections, on a unit basis
30 against those tracts or parcels of land abutting that portion of any street which is within
31 one-half of the distance to the next intersection from an intersection which is being
32 improved and which is formed in part or whole by said street or, where the intersecting
33 street dead ends without intersecting another street after such intersection, against those

1 tracts or parcels abutting that portion of the street extending from the intersection.

2 B. For Drainage Improvements the assessment will be levied against those tracts
3 or parcels of land situated wholly or partially within the drainage basin in which and
4 through which the Drainage and Street Improvements are being placed. Assessments
5 will be levied against each tract or parcel of land on an area basis in proportion to the
6 drainage that each tract or parcel of land contributes to the total basin flow and/or in
7 proportion to the flood protection received by and the elimination of potential flooding to
8 the access to, each tract or parcel of land due to the construction of the Drainage
9 Improvements and the diversion of drainage flows by the platted street system.

10 C. For Sanitary Sewer Improvements the assessment will be levied on a unit or
11 front-foot basis against those tracts or parcels of land abutting the street right-of-way in
12 which and through which the Sanitary Sewer Improvement shall be placed. Sanitary
13 sewer service connections will be assessed against those tracts or parcels of land in the
14 District on a direct cost basis to each such tract or parcel of land specifically benefited
15 by such service.

16 D. For Water Improvements assessments will be levied on a unit or front-foot
17 basis against those tracts or parcels of land abutting the street right-of-way in which and
18 through which the Water Improvements shall be placed. Water service connections will
19 be assessed against tracts or parcels of land in the District on a direct cost basis to
20 each such tract or parcel of land specifically benefited by such service.

21 E. For Utility Improvement assessments will be levied on a unit or front-foot
22 basis against those tracts or parcels of land abutting the street right-of-way in which and
23 through which the Utility Improvements shall be placed.

24 F. The basis of assessment set forth in paragraphs A through E of this Section 5
25 may be modified by the Engineers in preparing the addendum to the assessment plat
26 and Engineer's Report if the Engineers find that such modification is necessary or
27 advisable to more equitably distribute the assessment of benefits associated with any of
28 the Improvements. Any such modifications are subject to Council approval by
29 subsequent resolution.

30 Section 6. The property owners within the District shall be responsible for the
31 following off-site Improvements:

32 A. Paving and Storm Drainage:

1 Paseo del Norte (Units 26 & 27) - 300ft West of Calle Plata to 400ft East
2 of Calle Nortena.

3 Rainbow Boulevard (Units 13, 14, & 25) Rainbow Boulevard to Unser
4 Boulevard.

5 Universe/Scenic Boulevard (Units 14 & 25) - Perezoso Trail to Old Atrisco.

6 Unser Boulevard (Units 14 & 18) - Rainbow Boulevard to Kimmick Street.

7 B. Sanitary Sewer:

8 Paseo del Norte (Units 26 & 27) - 300ft West of Calle Plata to 400ft East
9 of Calle Nortena.

10 Rainbow Boulevard (Units 13, 14, & 25) Rainbow Boulevard to Unser
11 Boulevard.

12 Universe/Scenic Boulevard (Units 14 & 25) - Perezoso Trail to Old Atrisco.

13 Unser Boulevard (Units 14 & 18) - Rainbow Boulevard to Kimmick Street.

14 C. Water:

15 Paseo del Norte (Units 26 & 27) - 300ft West of Calle Plata to 400ft East
16 of Calle Nortena.

17 Rainbow Boulevard (Units 13, 14, & 25) Rainbow Boulevard to Unser
18 Boulevard.

19 Universe/Scenic Boulevard (Units 14 & 25) - Perezoso Trail to Old Atrisco.

20 Unser Boulevard (Units 14 & 18) - Rainbow Boulevard to Kimmick Street.

21 30" Water Transmission Line – Scenic Boulevard to New Mexico Utilities
22 Tank #6.

23 D. Dry Utilities:

24 Paseo del Norte (Units 26 & 27) - 300ft West of Calle Plata to 400ft East
25 of Calle Nortena.

26 Rainbow Boulevard (Units 13, 14, & 25) Rainbow Boulevard to Unser
27 Boulevard.

28 Universe/Scenic Boulevard (Units 14 & 25) - Perezoso Trail to Old Atrisco.

29 Unser Boulevard (Units 14 & 18) - Rainbow Boulevard to Kimmick Street.

30 Section 7. All development within the District shall be subject to the design
31 standards in the Northwest Mesa Escarpment Plan as applicable, as well as the pending
32 design standards in the Volcano Cliffs Sector Plan.

1 Section 8. The Council hereby declares its intention to issue bonds, which may be
2 in the form of a loan agreement with the New Mexico Finance Authority, the interest of
3 which may be excludable from gross income for the owner thereof for Federal Income Tax
4 purposes under the Internal Revenue Code of 1986, as amended, for the purpose of
5 defraying, in whole or part, the costs of construction of the aforementioned Improvements,
6 and including, without limitation, the reimbursement of City funds and accounts for costs
7 incurred and expenditures made during the period of designing, planning, constructing,
8 and financing the Improvements.
9

1 PASSED AND ADOPTED THIS _____ DAY OF _____, 2010 BY
2 A VOTE OF _____ FOR AND _____ AGAINST.

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Don Harris, President

7

City Council

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9 APPROVED THIS _____ DAY OF _____, 2010

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Richard Berry, Mayor

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City of Albuquerque

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16 ATTEST:

17

18

City Clerk

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20 Bill No. R-_____