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1 roadway improvement with a City project for the adjacent southern connection
2 to Unser Boulevard.

3 WHEREAS, the Development Review Board recommends that an extension
4 be granted for compliance with the SIA requirements until April 1, 2011.

5 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
6 ALBUQUERQUE:

7 Section 1. The Council finds that:

8 (A) AmGo requested an extension of the SIA required for the development
9 of the Sundance Estates Subdivision which includes, among other
10 infrastructure requirements, the construction of approximately 800 linear feet
11 of principal arterial paving, and results in a cumulative extension of a period
12 longer than 12 months.

13 (B) The extension to April 1, 2011 will not be injurious to the public safety,
14 health or welfare, or to adjacent property, the neighborhood or the community,
15 because this portion of Unser Boulevard will not be open to the public until a
16 connection to the south is completed by the City's Department of Municipal
17 Development.

18 (C) The extension will not conflict significantly with the goals and
19 provisions of any City, County or AMAFCA plan or policy, applicable zoning,
20 or other City ordinances, because this extension will coincide with the City's
21 Department of Municipal Development construction schedule for this portion
22 of Unser Boulevard.

23 (D) The extension will not hinder future planning, public right-of-way
24 acquisition, or the financing of public infrastructure improvements, because
25 the right-of-way for this portion of Unser Boulevard has been acquired; the
26 cost of the construction shall be the responsibility of AmGo; and Unser
27 Boulevard is planned and identified on the City's Long Range Roadway
28 Systems Map.

29 Section 2. Pursuant to § 14-14-5-3(C)(4) ROA 1994, the City Council hereby
30 approves an extension until April 1, 2011 for AmGo to comply with the
31 requirements to construct infrastructure in connection with the Sundance
32 Estates Subdivision as provided for in the SIA for the subdivision, including
33 the construction of Unser Boulevard, subject to the following conditions:

1 (A) AmGo shall start construction on this portion of Unser Boulevard no
2 later than January 1, 2011;

3 (B) AmGo shall financially guarantee the construction of this portion of
4 Unser Boulevard in the form of irrevocable letter of credit acceptable to the
5 City, or a cashier's check.

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