

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2010- 7

3
4
5 AN ORDINANCE

6 ANNEXING THE "PAVILION" TRACT OF LAND LYING CONTIGUOUS WITH THE
7 SANTA FE CORPORATE LIMITS COMPRISING 296.020 ACRES MORE OR LESS
8 GENERALLY BOUNDED BY NEW MEXICO ROUTE 599 (NM 599) ON THE EAST,
9 AND THE SANTA FE AIRPORT ON THE NORTH AND WEST, SANTA FE COUNTY
10 LAND ON THE SOUTH AND WEST, AND LYING WITHIN TOWNSHIP 16N, RANGE
11 8E, SECTION 22, NEW MEXICO PRIME MERIDIAN, SANTA FE COUNTY, STATE OF
12 NEW MEXICO ("THE PAVILION" ANNEXATION CASE NO. 2010-09).

13
14 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

15 **Section 1.** Pursuant to Section 3-7-17 NMSA 1978, the following described land
16 (the "Property") is annexed to the City of Santa Fe, thereby extending the corporate
17 limits of the city: Certain parcels of land lying within Township 16N, Range 8E, Section
18 22, New Mexico Prime Meridian, Santa Fe County, State Of New Mexico,
19 particularly described in the attached Annexation Plat [EXHIBIT A] and Master Plan
20 [EXHIBIT B] incorporated herein by reference.

21 **Section 2.** The annexation action with respect to the subject property affected
22 by this Ordinance is subject to conditions of approval applicable to this annexation and
23 any future Development Plan for the property. The conditions are outlined in the
24 attached table summarizing City of Santa Fe Development Review Team technical
25 memoranda and conditions approved by the Planning Commission on March 4, 2010

REC'D CITY CLERK RECORDED 12/18/2010

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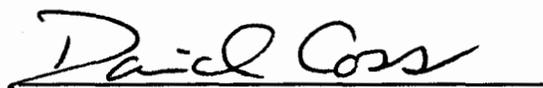
[EXHIBIT C].

Section 3. A petition (the "Petition") was accompanied by an annexation plat [EXHIBIT A] showing the external boundaries of the Property proposed to be annexed and the relationship of the Property proposed to be annexed to the existing boundary of the city, as well as the Annexation Agreement [Exhibit D].

Section 4. It is in the best interest of the City of Santa Fe and the owners and inhabitants of such contiguous Property that the Property be annexed.

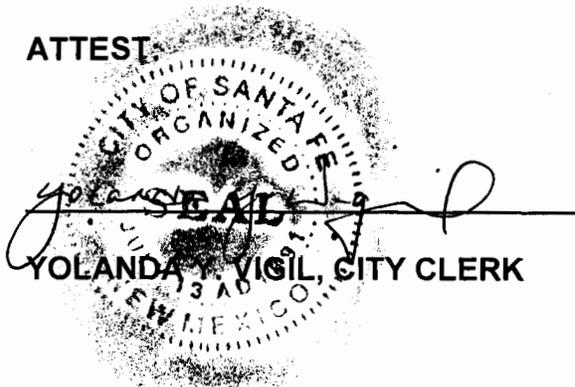
Section 5. This ordinance shall be published one time by title and general summary and shall become effective five days after publication.

PASSED, APPROVED AND ADOPTED this 28th day of April, 2010.



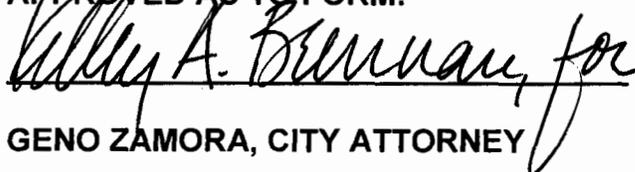
DAVID COSS, MAYOR

ATTEST:



YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY



CITY OF SANTA FE REVIEW

1. TOTAL LENGTH OF BOUNDARY TO BE ANNEXED = 32008.89'
 2. LENGTH OF BOUNDARY CONTIGUOUS WITH EXISTING CITY BOUNDARY = 12055.53' OR 38%
 3. ANNEXATION AGREEMENT - 50% ANNEXATION AGREEMENT
 RICHARD CHATROOP 11/16/10
 CITY PLANNER APPROVED BY CITY COUNCIL AT THEIR MEETING OF 11/16/2010
 DATE 12/10/10
 ANNEXATION WILL NO. 2010-12
 ANNEXATION ORDINANCE NO. 2010-7



CITY NOTES

- THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD WHICH PERTAIN.
- THIS PROPERTY LIES WITHIN MULTIPLE FLOOD ZONES (SEE LEGEND) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP PANEL NO. 350499E-302D, 5/17/08.
- RECORDING OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL BY THE CITY OF ANY ENCROACHMENTS AND PRIVATE IMPROVEMENTS.
- EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICE INCLUDING SETTING UP SEPARATE METER SERVICE ACCOUNTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE S.F.C. 1987, AND SUBSEQUENT AMENDMENTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, S.F.C. 1987 AND SUBSEQUENT AMENDMENTS.
- BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE.

VICINITY MAP DEDICATION AND AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS, HAVE CAUSED TO BE PREPARED THESE LANDS SHOWN HEREON. THIS ANNEXATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE MEANS AND DESIRES OF SAID OWNERS. UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS ANNEXATION CONTAINS 358,272 AC. --- AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

Richard P. Cook
 RICHARD P. COOK, PRESIDENT COMMERCIAL CENTER AT 599, INC.
 STATE OF NEW MEXICO
 COUNTY OF BERNALILLO
 I, RICHARD P. COOK, PRESIDENT COMMERCIAL CENTER AT 599, INC. DO HEREBY SWEAR AND AFFIRM THAT I AM THE PRESIDENT OF COMMERCIAL CENTER AT 599, INC. AND THAT THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SIGNED BEFORE ME BY RICHARD P. COOK, PRESIDENT COMMERCIAL CENTER AT 599, INC. ON THIS DAY OF 12/10/2010.
 RICHARD P. COOK, Notary Public

CITY APPROVAL

COMCAST CABLE CO. DATE 10-22-10
 PUBLIC SERVICE CO. OF N.M. ELECTRIC DELIVERY DATE 10-22-10
 DIRECT COMMUNICATIONS DATE 10-22-10
 NEW MEXICO GAS CO. DATE 10-22-10

LEGEND AND NOTES

- NO ACTIVITY WHICH DISTURBS OR SURFACE SHALL OCCUR WITHIN THE BOUNDARIES OF THE CULTURAL PROPERTIES PRESERVATION EASEMENT REFLECTED ON THIS PLAT. THE ENCROACHMENT OF THE CULTURAL PROPERTIES PRESERVATION EASEMENT AS MARKED BY A LICENSED NEW MEXICO SURVEYOR SHALL BE FENCED WITH SMALL AND THIN STRANDS OF PLAIN WIRE PRIOR TO THE START OF ANY GROUND DISTURBING ACTIVITIES. THE PORTION OF THE EASEMENT THAT PROBES DISTURBING ACTIVITIES SHALL BE ORANGE SHOW FENCING AFFIXED TO THE WIRE STRANDS. ALL FENCING SHALL BE MONITORED AND MAINTAINED THROUGHOUT THE LIFE OF ALL GROUND DISTURBING ACTIVITIES. FENCING MAY BE REMOVED WHEN ALL GROUND DISTURBING ACTIVITIES IN ADJACENT PARCELS HAS CEASED.
1. BASIS OF BEARING TAKEN FROM NEW MEXICO DEPARTMENT OF TRANSPORTATION CONTROL MARK NEW MEXICO PROJECT NO. 10-NM-023-30102277-999-599 -11022 NM-084-2(12)151 BY WILLIAM A. BOWERS N.M.P.S. 11765 AND 11765-23-06
2. THIS PLAT IS SUBJECT TO ALL EASEMENTS, COVENANTS AND CONDITIONS OF RECORD.
- DENOTES FLOOD HAZARD ZONE X OUTSIDE 0.2% ANNUAL FLOOD
 - DENOTES FLOOD HAZARD ZONE X SUBJECT TO INUNDATION 0.2% ANNUAL FLOOD
 - DENOTES FLOOD HAZARD ZONE A SUBJECT TO INUNDATION 1% ANNUAL FLOOD
 - DENOTES FLOOD HAZARD ZONE A CHANNEL SUBJECT TO INUNDATION 1% ANNUAL FLOOD
 - DENOTES POINT FOUND 11011 CAP OR AS NOTED
 - DENOTES POINT SET THIS SURVEY
 - DENOTES POINT CALCULATED
 - DENOTES BRASS MONUMENT
 - DENOTES HWY. DEPT. ALUM. R/W MONUMENT
 - DENOTES EDGE OF EASEMENT
 - DENOTES FENCE LINE

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON ARE AN ACCURATE DELINEATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY SUPERVISION AND THAT THE SAME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEET THE STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.

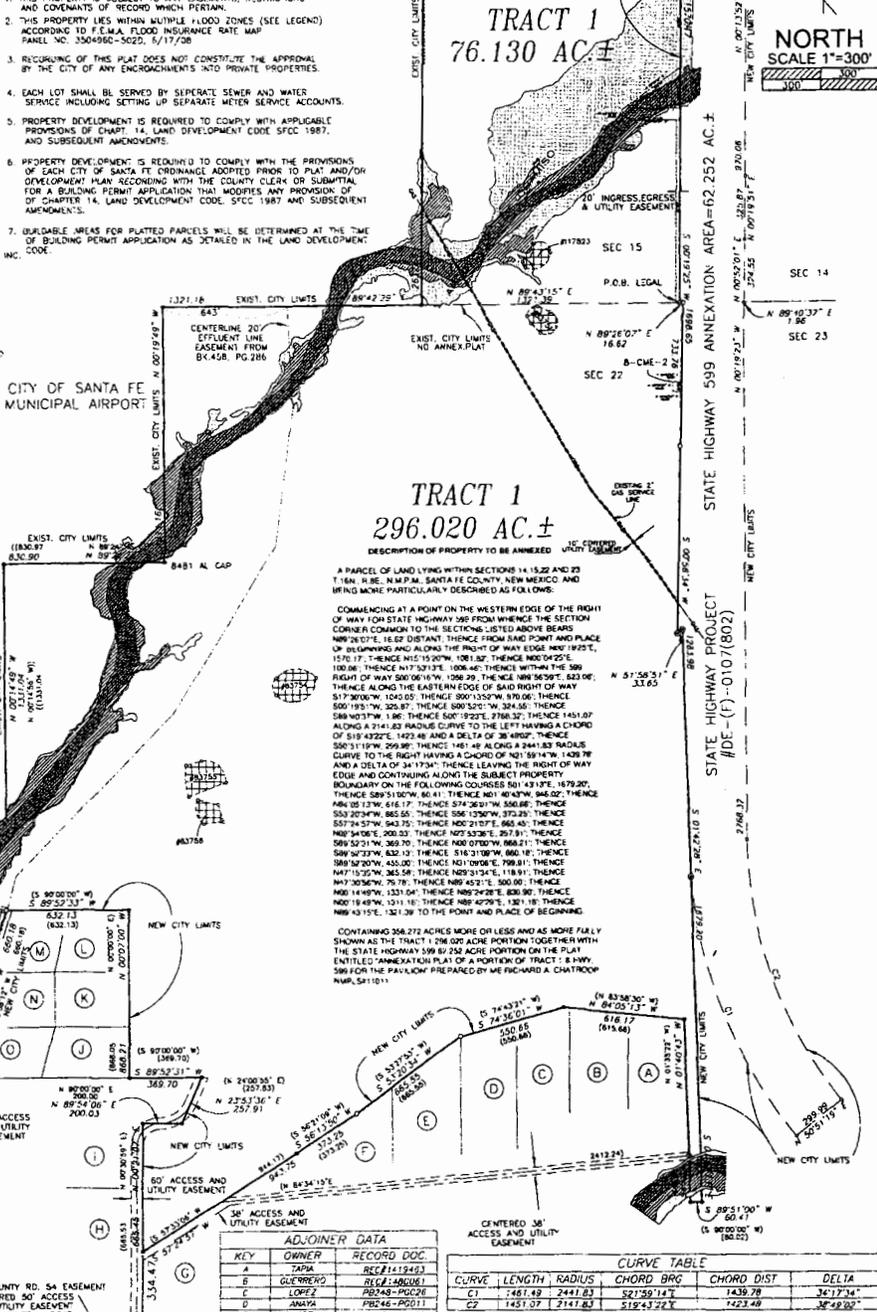
RICHARD A. CHATROOP N.M.P.S. #11011

ADJOINER DATA

KEY	OWNER	RECORD DOC.
M	CRESTEN	REC#121192
N	DRYER	REC#1710246
O	SANDORAL	REC#181-PG011
P	SENE	REC#181-PG003
Q	SOLE	REC#181-PG032
R	CHAMBER	REC#181-PG030
S	TAPPA	REC#181-PG030
T	LOPEZ	REC#12124382

PLAT REFERENCES

- THE FOLLOWING PLATS WERE USED IN THE DETERMINATION OF LOT LINES, EASEMENTS AND RIGHT-OF-WAYS AND ARE REFERRED TO IN THIS PLAT.
- "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.S.#453 AND FILED IN PLAT BOOK 346, PG. 008 ON OCT. 15, 1996, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.S.#453 AND FILED IN PLAT BOOK 346, PG. 007 ON OCT. 15, 1996, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.S.#453 AND FILED IN PLAT BOOK 346, PG. 008 ON OCT. 15, 1996, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "LAND DIVISION AND LOT LINE ADJUSTMENT FOR COOK OF TRACT 1A & TRACT 1B" BY RICHARD A. CHATROOP N.M.P.S.#11011 AND FILED IN PLAT BOOK 332, PG. 005 ON APR. 28, 1996, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO. RECORD DATA SHOWN IN ()
 - "CITY OF SANTA FE COUNTY OF SANTA FE RIGHT OF WAY MAPS DE-0107(802) BY SALVADOR E. VIGIL N.M.P.S.# 4405 FINAL MAP DATE APR. 7, 1988. NOT RECORDED.
 - "SANTA FE MUNICIPAL AIRPORT PROPERTY BOUNDARY SURVEY AND MONUMENTATION OF 60.000 AC. SANTA FE PUBLIC WORKS DEPARTMENT BY CRESCHENDO TORRES N.M.S.# 8481, DATED AUG. 16TH, 1951.
 - "LOT LINE ADJUSTMENT PLAT PREPARED FOR COOK-DIRECTORS OF LA CIENEGA ESTATES CORP." BY GARY DAWSON N.M.P.S.#27014 AND FILED IN PLAT BOOK 591, P.C.S. 045-046 IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO. RECORD DATA SHOWN IN ()
 - "LOT CONSOLIDATION FOR LLC LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.S.#453 AND FILED IN PLAT BOOK 349, PG. 005 IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "BOUNDARY AND EASEMENT SURVEY OF TRACT 1 FOR COMMERCIAL CENTER AT 599 INC." BY RICHARD A. CHATROOP N.M.P.S.#11011 AND FILED IN PLAT BOOK PG. 005 IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.



ADJOINER DATA

KEY	OWNER	RECORD DOC.
A	TAPPA	REC#121192
B	GUERRERO	REC#121192
C	LOPEZ	REC#181-PG032
D	ANAYA	REC#181-PG032
E	RUSSELL	REC#1266303
F	CURRAN	REC#117923
G	ARAGON	REC#12124382
H	TRIZELLO	REC#12124382
I	POLLACKOWSKI	REC#12124382
J	SALBIDOR	REC#181-PG011
K	35.78	REC#181-PG032

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BRG	CHORD DIST	DELTA
C1	7481.49	2441.83	521°59'14"	1439.79	36°17'34"
C2	1457.07	2147.63	512°43'22"	723.49	32°49'00"

ANNEXATION PLAT OF A PORTION OF TRACT 1 & HWY. 599 FOR COMMERCIAL CENTER AT 599, INC.

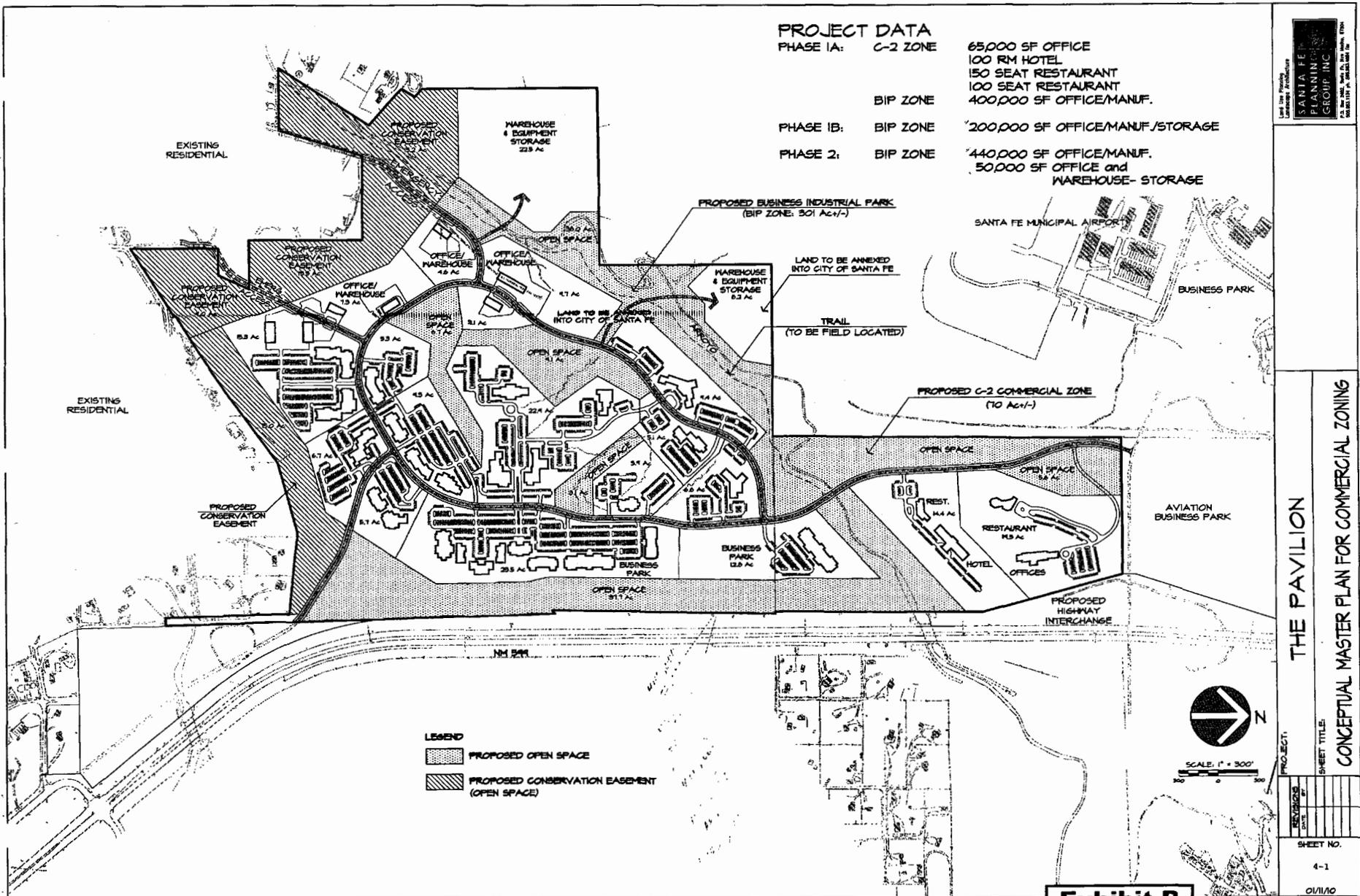
LYING WITHIN SECTIONS 15 & 22, T16N, R9E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

RICK CHATROOP
 PROFESSIONAL LAND SURVEYOR
 NEW MEXICO REGISTRATION NO. 11011
 (505) 470-0007 110 WAGON TRAIL RD., CERRILLOS, NM. 87010

RECORDING INFORMATION FOR THE COUNTY CLERK
 OWNER: COMMERCIAL CENTER AT 599, INC.
 LOCATION: LYING WITHIN SECTIONS 15 & 22, T16N, R9E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO.

SFP-CT-EDM RECORDED 12/10/2010

Exhibit A to Ord 2010-7



PROJECT DATA

PHASE 1A: C-2 ZONE 65,000 SF OFFICE
 100 RM HOTEL
 150 SEAT RESTAURANT
 100 SEAT RESTAURANT
 400,000 SF OFFICE/MANUF.

BIP ZONE

PHASE 1B: BIP ZONE 200,000 SF OFFICE/MANUF./STORAGE

PHASE 2: BIP ZONE 440,000 SF OFFICE/MANUF.
 50,000 SF OFFICE and
 WAREHOUSE-STORAGE



THE PAVILION
 CONCEPTUAL MASTER PLAN FOR COMMERCIAL ZONING

PROJECT:	
SHEET TITLE:	
DATE:	
BY:	
CHECKED BY:	
DATE:	
SHEET NO.:	4-1
DATE:	01/11/10

Exhibit B
 to Ordinance 2010-7

2010/01/11 10:00 AM

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

	Conditions	Department	Staff
1	Solid Waste Management Division: <ul style="list-style-type: none"> • The concept plan is fine. But, there is not enough information for review as a development. All inquires of solid waste must be met by my office. 	Solid Waste	Randall Marco February 8, 2010
2	Fire Marshall Requirements to apply at time of Development Plan/proposed construction: <ul style="list-style-type: none"> • Comply with IFC 2006 edition. • Provide a water system that complies with Appendix C of IFC 2006 edition. • Provide roadways that comply with Appendix D of IFC 2006 edition. • All roadways to be no greater than 10% grade. • All buildings shall be reviewed for access and water availability as per IFC 2006 edition. 	Fire Department	Angelo Ortega February 16, 2010
3	Technical Review Division Requirements: <ul style="list-style-type: none"> • All plan sheets shall show the Special Flood Hazard Area and reference the appropriate FIRM. • Arroyo crossings must meet all federal, state, and local laws. • All provisions of Articles 14-3.9 (Development in Special Flood Hazard Areas) and 14-8.3 (Flood Regulations) of the Santa Fe Land Development Code must be followed in developing this land. • If approved as a General Plan Amendment, Annexation, Rezoning, and Lot Split, FUTURE SUBMITTALS MUST MEET ALL PROVISIONS OF THE LAND DEVELOPMENT CODE. Approval of the Conceptual Master Plan does not waive the requirement to satisfy Floodplain and Terrain Management regulations. Variances may be required and are NOT considered to be entitlements based on approval of the Master Plan. • If the project moves forward with submittal of Subdivision Plats and/or Development Plans, a variance may be required for disturbance of over 30% slopes. All provisions of Article 14-8.2 must be followed. 	Land Use Technical Review	Risana Zaxus February 15, 2010
4	Wastewater Management Requirements: <ul style="list-style-type: none"> • The plans indicate that the Development is to be served by a central sewer lift station(s). All costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s) are to be paid by the Development. • The City of Santa Fe shall own the sewer lift station(s) and the City shall be reimbursed for all costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s). • The Development shall be required to establish a permanent “business park association” for this and other purposes. Permanent escrow accounts shall be placed with the City of Santa Fe for the maintenance, repair, replacement and operational cost of the sewer lift station(s). 	Wastewater Management	Stan Holland February 8, 2010

Exhibit C

to Ordinance 2010-7

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

5	<p>Archaeology/Historic Preservation Division: The decision of the Archaeological Review Committee (ARC) at their February 4,2010 meeting was to postpone the report pending revision of the report by the Applicant and its resubmission with the following direction to the Applicant:</p> <ol style="list-style-type: none"> 1.) Revisit the sites which have been identified in the previous reports and update them as to current conditions, description, and recommendations; 2.) The report shall contain all standard sections required by the ordinance, in particular, that an environmental section be included within the report; 3.) The report shall include a title history of the property; 4.) In preparation of the final report, use NMAC 4.10.15.9, ff [following appropriate pages] as a general guideline for including appropriate material including an abstract, administrative data and so forth, as set out in NMAC guidelines, which are mentioned here as a general guideline only, and not as a point-by-point requirement; 5.) Provide explicit, written justification for the acceptance of the work that was done previously under standards which are different from current City ordinance - why we should accept work which was done previously under a different standard than what is required under the City ordinance; 6.) Provide an additional description of the Camino de los Carros; 7.) Provide a written justification of the reasons that no new reconnaissance of the subject property is needed; and 8.) Correct any typographical errors mentioned or otherwise discovered in the process of redoing the report. 	Archeology/Historic Preservation	Marissa Barrett
6	<p>Traffic Engineering Division. Following are conditions to be placed on the annexation agreement:</p> <ol style="list-style-type: none"> a. Any proposed access to or improvements on New Mexico Department of Transportation (NMDOT) Highway Systems shall receive ultimate approval from the NMDOT. b. All proposed use of City owned property for purposes of roadway infrastructure shall receive Public Works Committee, Finance Committee, and City Council approval prior to submittal for Final Subdivision Plat and/or Final Development Plan. c. The developer shall be responsible for all costs associated with constructing the NM 599/Jaguar interchange. d. The developer shall be responsible for all costs associated with the construction of Jaguar Drive from its current terminus to the NM 599/Jaguar interchange. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department. e. The developer shall be responsible for all costs associated with the construction of a roadway from the NM 599/Jaguar interchange to the Santa Fe Municipal Airport. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department. f. The developer shall provide a stub-out for a future connection to the I-25 frontage road. The design and location of the stub-out shall be reviewed and approved by the City of Santa Fe Public Works Dept. 	Traffic Engineering	John Romero February 8, 2010
7	<p>Stormwater Management Division:</p> <ul style="list-style-type: none"> • Provide a report that addresses the City of Santa Fe Stormwater Utility MS4 and how Post Development Runoff Control and Pollutant Removal pre-treatment will be achieved. • Provide a Stormwater Quality Post Development Runoff Control Pre-treatment plan indicating structural 	Public Works Stormwater	Jim L. Salazar February 10, 2010

CITY OF SANTA FE
 RECEIVED
 FEBRUARY 10, 2010

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

	<p>BMPs that will be used for pollutant removal and runoff pre-treatment prior to discharge to drainageways and the MS4.</p> <ul style="list-style-type: none"> • Provide a note stating that the development is subject to the requirements of the SFCC Chapter XIII Stormwater Utility including the Stormwater Utility Service Charge and Stormwater Illicit Discharge Control requirements. • Provide a note stating that the development is subject to the requirements of NPDES General MS4 Discharge Permit No. NMR040000 and NPDES Construction General Permit No. NMR100000. • Provide a note as follows: Construction is subject to the requirements of NPDES Construction General Discharge Permit No. NMR100000 and that a Stormwater Pollution Prevention Plan must be prepared by a qualified professional and a Notice of Intent (NOI) for coverage must be filed with the EPA. Construction stormwater discharges are not permitted until a minimum of seven (7) calendar days after EPA acknowledgement of a complete NOI. • Provide a note as follows: City of Santa Fe Stormwater Illicit Discharge Control. SFCC 13-2 prohibits the discharge of pollutants including sediment, slurries, mud, plasters, concrete rinsates and any construction materials, wastes and garbage, etc. to the storm drain system. The storm drain system includes roads, streets, curbs, gutters, drop inlets, piped storm drains, culverts, retention and detention basins, natural and man-made drainage channels, arroyos, rivers and any facility and appurtenance by which stormwater is collected and/or conveyed. • Provide a note as follows: City of Santa Fe Terrain and Stormwater Regulations. SFCC 14-8.2 requires that construction disturbed area shall be protected against erosion. Sediment must be contained on the disturbed area by the use of temporary erosion and sediment control devices such as silt fencing, swales, berms, geotextiles, sediment basins and traps. Protection for storm drain inlets shall be provided to prevent the entry of sediment from the site while still allowing the entry of stormwater. Control devices shall be kept in place and used until the disturbed area is permanently stabilized. • Provide a note as follows: The contractor shall not remove silt fences and mulch socks or other temporary erosion and sediment control devices until disturbed areas are stabilized. Soil stabilization and erosion control measures shall be completed within 21 calendar days after completion of construction or other soil disturbance activities on the site. If the time of year is not conducive to planting, then planting may be delayed until the next appropriate planting season provided that all temporary erosion control measures are maintained until permanent erosion control measures are implemented. Temporary erosion control measures shall be selected, designed and installed with an appropriate seed base to provide erosion control for at least three years without active maintenance. Temporary erosion control measures shall be selected, designed and installed to achieve 70 percent vegetative cover within three years. • Show and label any public stormwater system components. • Under Utility Companies: List Stormwater Utility, City of Santa Fe Stormwater Management Office as Contact and 955-2132 as Telephone. 		
8	<p>Current Planning Division:</p> <ul style="list-style-type: none"> • Include all required elements on the Annexation and Dedication Plats as per the Annexation Submittal packet (existing easements, floodplain, tract boundaries with references to legal lots of record and property owner signatures, existing and proposed city limits, roadway dedication details, etc.) 	Current Planning	Daniel Esquibel

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

	<ul style="list-style-type: none"> The Master Plan shall address City Transit needs and impacts 30 days prior to requesting placement on Governing Body agenda for staff analysis. Approval of the Annexation Agreement is subject to the review and approval of the City Attorney. Development shall comply with Chapter XXI of SFCC 1987 		
9	<p>Current Planning Division:</p> <ul style="list-style-type: none"> No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exists a comprehensive and equitable mechanism for implementing the dedication of easements and right-of-way necessary for infrastructure serving any and all phases and sub-phases of the Pavilion Annexation Master Plan which will be affected by the approved development plan or plat, and for financing and coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exist adequate provisions for coordinating dedication, financing and constructing infrastructure necessary for the orderly development of lands adjoining the Pavilion Master Plan boundaries, including but not limited to “stubbing out” trails, roads and utility easements, and/or provisions for pro-rata contributions to off-site improvements that may be impacted by the approved development plan or plat. This note shall be placed on the Master Plan and included in the annexation agreement. 	Current Planning	Greg Smith
10	<ul style="list-style-type: none"> The Applicant will provide private security services throughout construction. 	City Council 4/28/10	Councilor Bushee
11	<ul style="list-style-type: none"> The Applicant will complete the exchange of water rights between the City and Santa Fe County prior to recording the Annexation. 	City Council 4/28/10	Councilor Calvert
12	<ul style="list-style-type: none"> Provide pedestrian and bicycle connectivity to the Tierra Contenta Trail. 	City Council 4/28/10	Councilor Calvert
13	<ul style="list-style-type: none"> The Applicant shall work to achieve the most downwardly focused lighting technology possible at the time of implementation. 	City Council 4/28/10	Councilor Calvert
14	<ul style="list-style-type: none"> The Applicant shall comply with the setback as mapped in the Highway Corridor Plan, and approximately 285 feet along NM 599, for the BIP portion of the site that is below the Arroyo Chamiso. 	City Council 4/28/10	Councilor Bushee
15	<ul style="list-style-type: none"> Any construction debris from the site shall be taken to the Caja del Rio Landfill. 	City Council 4/28/10	Councilor Romero

**ANNEXATION AGREEMENT
THE PAVILION**

This Annexation Agreement ("Agreement") is made and entered into this 10th day of December, 2010, by and between the City of Santa Fe, New Mexico, a New Mexico Municipal Corporation ("City") and Commercial Center at 599, Inc., by Richard Cook ("Landowner").

RECITALS

A. Landowner is the owner of certain real property situated in Santa Fe County, New Mexico consisting of approximately 295 acres, said property being situated within Sections 15 and 22, Township 16 North, Range 8 East, New Mexico Primary Meridian as more fully described in the Annexation Plat attached hereto as Exhibit 1 and incorporated herein by this reference, and hereinafter referred to as the "Property."

B. Landowner desires to obtain annexation of, and the City agrees to annex, the Property into the City subject to the terms and conditions hereinafter set forth.

C. Landowner desires to develop and the City agrees to the development of the Property subject to and upon the terms and conditions hereinafter set forth.

AGREEMENTS

NOW, THEREFORE, in consideration of the premises, the following agreements and undertaking of the parties, the parties agree as follows:

1. **The Annexation Plat (Exhibit 1).**

A. Landowner agrees to prepare an annexation plat in compliance with the requirements of Chapter 14, SFCC 2001 ("SFCC").

SEP 15 2010 12:18:28 PM

REC'D CITY CLERK RECORDED 12/18/2010

B. The annexation plat shall dedicate to the City improvements and easements as determined during the development review process.

2. **Conditions of Annexation (Exhibit 2).** The Landowner agrees to comply with the conditions of approval imposed by the Santa Fe City Council as set forth in Exhibit 2 to this Agreement.

3. **Development of the Property.**

A. This Agreement anticipates development of the Property substantially in accordance with the Master Plan, the terms and conditions contained herein and in accordance with the Pavilion Office Complex Annexation Case # 2010-9, and approved by Ordinance No. 2010-7 (**Exhibit 3**).

B. The Property shall be developed in accordance with the Master Plan, approved development plans, subdivision plats, the Phasing Plan for the Property and the SFCC, recognizing that the Master Plan and Phasing Plan are conceptual in nature and accordingly the Master Plan and Phasing Plan may be modified through the development approval process without the necessity for an amendment of the plans.

C. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exists a comprehensive and equitable mechanism for implementing the dedication of easements and right-of-way necessary for infrastructure serving any and all phases and any sub-phases within the Property which will be affected by the approved development plan or plat, and for financing and coordinating the construction of that infrastructure.

D. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exist adequate provisions

REC'D BY RECORDED 12/18/2010

for coordinating dedication, financing and constructing infrastructure necessary for the orderly development of lands adjoining the Property boundaries, including but not limited to “stubbing out” trails, roads and utility easements, and/or provisions for pro-rata contributions to off-site improvements that may be impacted by the approved development plan or plat.

4. **Rezoning of Property.** The Property shall be rezoned to designations C-2 and BIP as provided in rezoning application Cases #2010-10 and #2010-11, approved in conjunction with the annexation of the Property, as Ordinance No. 2010-8.

5. **City Services.**

A. **Fire and Police Protection.** Fire and Police protection for the Property will be provided by current existing City Police and Fire Department facilities and personnel. A fire protection plan shall be submitted with each phase for Property to show the size of the water mains and fire hydrant locations.

B. **Refuse.** Refuse disposal services shall be provided in accordance with applicable City ordinances and policies. Construction debris shall be disposed of at the Caja del Rio transfer station.

C. **Water Service.** A Water Right Exchange Agreement between Santa Fe County and Richard P. Cook was approved at the October 12, 2010 Board of County Commissioners meeting and effective on that date (**Exhibit 4**). Water service will be provided for the development of the Property by the City of Santa Fe. Prior to the development of the Property, the Landowner agrees to connect the proposed development to the City water delivery system using dedicated easements. The Landowner shall reserve easements through the Property (where required) to be shown on a final development plan.

D. ***Storm Water, Wastewater Collection and Sewer Service.*** Concurrent with the development of the Property, the Landowner shall construct storm water and wastewater improvements to service the Property in accordance with the Santa Fe City Code using existing and proposed easements. The storm water and wastewater systems referenced above shall be designed and constructed in accordance with City regulations, guidelines and ordinances. All plans, reports and construction documents relating to the design and construction of the storm water collection systems shall be reviewed and approved by the City prior to any construction. The Development is to be served by a central sewer lift station(s). The City of Santa Fe shall own the sewer lift station(s) and the City shall be reimbursed for all costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s). All costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s) are to be paid by the Development. The Development shall be required to establish a permanent “business park association” for this and other purposes. Permanent escrow accounts shall be placed with the City of Santa Fe for the maintenance, repair, replacement and operational cost of the sewer lift station(s).

E. ***Streets and Other Rights of Way.*** Streets within and outside the Property, as stipulated below, shall be constructed in accordance with City standards, applicable laws, rules, regulations, City approvals and the Santa Fe City Code. Upon completion of construction and approval by the City, the streets delineated as public streets shall be dedicated to the City as public rights of way and maintained by the City at its expense. The Landowner shall be responsible for the construction and shall bear all expenses associated with construction. Additionally:

REC'D CITY CLERK DECEMBER 12/18/2018

(1) Proposed access to and improvements on New Mexico Department of Transportation (“NMDOT”) Highway Systems shall receive approval from the NMDOT.

(2) All proposed use of City owned property for purposes of roadway infrastructure shall receive Public Works Committee, Finance Committee and City Council approval prior to submittal for Final Subdivision Plat and/or Final Development Plan.

(3) Landowner shall be responsible for all costs associated with constructing the NM 599/Jaguar interchange.

(4) Landowner shall be responsible for all costs associated with the construction of Jaguar Drive from its current terminus to the NM 599/Jaguar interchange. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department.

(5) Landowner shall be responsible for all costs associated with the construction of a roadway from the NM 599/Jaguar interchange to the Santa Fe Municipal Airport. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department.

(6) Landowner shall provide a stub-out for a future connection to the I-25 frontage road. The design and location of the stub-out shall be reviewed and approved by the City of Santa Fe Public Works Department.

F. **Letter of Credit or Bond.** All required improvements for water, storm and wastewater collection, roads and rights-of-way shall be constructed in accordance with the time constraints set by the City and when completed to the satisfaction of the City,

said improvements shall be dedicated to the City for its use in perpetuity. The Landowner shall provide a letter of credit, in a form acceptable to the City, for the required improvements to the Property. The amount of the letter of credit shall be based on a certified engineer's estimate acceptable to the City.

6. **Archeological Review Ordinance.** The Landowner shall comply with the SFCC in regard to archeological review of the Property.

7. **Utilities.** The Property shall be served only with underground utilities, except as may be approved by the City and/or the State Public Regulation Commission in accordance with the applicable policies and regulations.

8. **Traffic Impact Report.** Prior to the development of the Property a final traffic impact report, illustrating the traffic generated and the impact of the circulation on systems within the Property and surrounding area shall be provided to the City by Landowner.

9. **Parks.** Open space and parks shall be dedicated to the City or in-lieu-of fees paid as required by the Santa Fe City Code.

10. **Wells and Water Rights.** The Landowner agrees that no well shall be drilled on the Property and no water rights shall be transferred to permit a diversion of water from the Property after the date of this Agreement.

11. **Impact Fees.** The Landowner agrees to pay applicable City impact fees.

12. **Assignment.** The Landowner may sell, transfer or assign this Agreement and Landowner's rights and obligations hereunder, provided such transferee shall execute and deliver an agreement by which such transferee assumes liability and agrees to perform all obligations of the Landowner under this Agreement, without further liability hereunder, and provided the City consents to such sale, transfer or assignment, which consent shall not be unreasonably withheld,

REC'D BY RECORDED 12/18/2018

delayed or denied. Any assignee(s) shall be bound to the terms and conditions of this Agreement to the same extent that the Landowner was originally bound. Without limiting the foregoing, this Agreement runs with the land and binds and shall bind each and every owner of the Property, whether such person is the Landowner or any successor-in-interest to the Property.

13. **Captions.** The captions and paragraph headings of this Agreement are not necessarily descriptive, or intended or represented to be descriptive, of all the provisions thereunder, and in no manner shall such captions and paragraph headings be deemed or interpreted to limit the provisions of this Agreement.

14. **Execution of Documents.** The parties agree to execute all documents expressly described or implied by this Agreement.

15. **Severability.** If any provision of this Agreement, or the application of such provisions to any person or circumstances, shall be held invalid, the remainder of this Agreement, or the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

16. **No Waiver.** No waiver of a breach of any of the terms contained in this Agreement shall be construed to be a waiver of any succeeding breach of the same or any other term.

17. **Numbers and Genders.** Wherever used herein, unless the context shall otherwise provide, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders.

18. **Governing Law.** This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of New Mexico.

985 CLERK RECORDED 12/18/2019

19. **Binding Effect.** This Agreement shall be binding upon, and inure to the benefit of, the parties and their respective heirs, successors and permitted assigns.

20. **Agreement.** This Agreement states the entire agreement of the parties. The provisions of this Agreement shall be modified only in writing. This Agreement shall not relieve Landowner from complying with present or future City ordinances, duly adopted resolutions or regulations applicable to the development.

21. **Amendments.** Any amendments to this Agreement shall be reviewed by the Planning Commission (or successor or replacement body) and recommendation regarding approval made, and then sent to the City Council for final action, except as provided herein at paragraph 3.

IN WITNESS WHEREOF, this Agreement is entered into the day and year written above.

CITY OF SANTA FE

LANDOWNER:
COMMERCIAL CENTER AT 599, INC.,
a New Mexico corporation

By: David Coss
Name: David Coss
Title: Mayor

By: Richard P. Cook
Name: Richard P. Cook
Title: President

ATTEST:
Yolanda Y. Wolf
Yolanda Y. Wolf, City Clerk
APPROVED AS TO FORM:
Geno Zamora
Geno Zamora
City Attorney

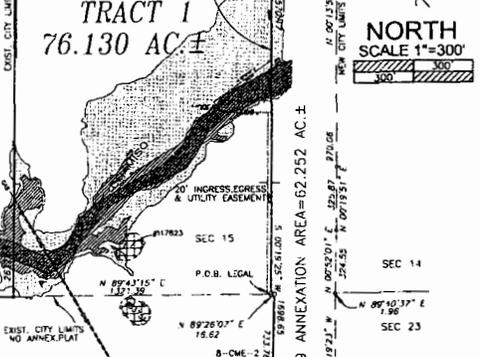


CITY OF SANTA FE REVIEW

1. TOTAL LENGTH OF BOUNDARY TO BE ANNEXED = 32008.60'
 2. LENGTH OF BOUNDARY CONTIGUOUS WITH EXISTING CITY BOUNDARY = 12055.53' 308'
 3. APPROVED FOR REPRESENTATION BY THE CITY ENGINEER FOR LAND USE: *Risana Bernal* 4/15/10
 DATE: 4/15/10
 CITY PLANNER: *Richard P. Cook* 4/15/10
 DATE: 4/15/10
 APPROVED BY CITY COUNCIL AT THEIR MEETING OF 4/15/2010
 DATE: 4/15/2010
 MAYOR: *Dr. Dora* 12/8/10
 DATE: 12-8-10
 ANNEXATION BILL NO. 2010-12
 ANNEXATION ORDINANCE NO. 2010-7

CITY NOTES

- THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD WHICH PERTAIN.
- THIS PROPERTY LIES WITHIN MULTIPLE FLOOD ZONES (SEE LEGEND) ACCORDING TO F.E.M.A. FLOOD INSURANCE RATE MAP PANEL NO. 320490-502D, 6/17/78.
- RECORDING OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL BY THE CITY OF ANY ENCUMBRANCES AND PRIVATE PROPERTIES.
- EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICE INCLUDING SETTING UP SEPARATE WATER SERVICE ACCOUNTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHARTER 14, LAND DEVELOPMENT CODE SFCC 1987, AND SUBSEQUENT AMENDMENTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
- QUALIFIABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE.



VICINITY MAP

DEDICATION AND AFFIDAVIT

ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S), HAVE CAUSED TO BE ANNEXED THOSE LANDS SHOWN HEREON THIS ANNEXATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE CITY AND DESIRES OF SAID OWNER(S). UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES OTHER THAN ARE GRANTED AS SHOWN. THIS ANNEXATION CONTAINS 338,272 AC.± AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.
 Richard P. Cook
 RICHARD P. COOK, PRESIDENT COMMERCIAL CENTER AT 599, INC.
 STATE OF NEW MEXICO
 COUNTY OF SANTA FE
 I, RICHARD P. COOK, COUNTY CLERK, DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS SHOWN, ACKNOWLEDGED AND RECORDED BEFORE ME BY RICHARD P. COOK, PRESIDENT COMMERCIAL CENTER AT 599, INC.
 DAY OF November, 2010
 My Commission Expires: February 21, 2013 NOTARY PUBLIC

CITY APPROVAL

COMCAST CABLE CO. DATE 10-22-10
 PUBLIC SERVICE CO. OF N.M. ELECTRIC UTILITIES DATE 10-22-10
 QWEST COMMUNICATIONS DATE 10-22-10
 NEW MEXICO GAS CO. DATE 10-22-10

LEGEND AND NOTES

- NO ACTIVITY WHICH DISTURBS GROUND SURFACE SHALL OCCUR WITHIN THE BOUNDARIES OF THE CULTURAL PROPERTIES PRESERVATION EASEMENT FOR DETAILED DATA REFER TO PLAT OF NOTE #9.
1. DENOTES FLOOD HAZARD ZONE X OUTSIDE 0.2% ANNUAL FLOOD SUBJECT TO INUNDATION 0.2% ANNUAL FLOOD
2. DENOTES FLOOD HAZARD ZONE K SUBJECT TO INUNDATION 1% ANNUAL FLOOD
3. DENOTES FLOOD HAZARD ZONE AE SUBJECT TO INUNDATION 1% ANNUAL FLOOD
4. DENOTES FLOOD HAZARD ZONE AE CHANNEL SUBJECT TO INUNDATION 1% ANNUAL FLOOD
5. DENOTES POINT FOUND 11001 CAP OR AS NOTED
6. DENOTES POINT SET THIS SURVEY
7. DENOTES POINT CALCULATED
8. DENOTES BRASS MONUMENT
9. DENOTES HWY DEPT. ALLUM. RW/MONUMENT
10. DENOTES EDGE OF EASEMENT
11. DENOTES FENCE LINE

SURVEYORS CERTIFICATE

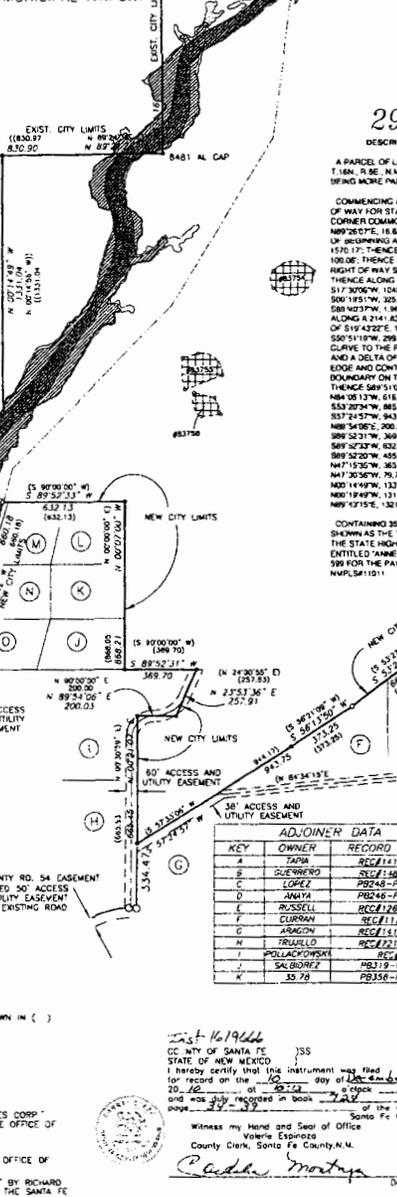
I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON ARE AN ACCURATE DELINEATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON SEPTEMBER 15TH, 2010, AND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND MEET THE STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.
 RICHARD A. CHATROOP N.M.P.L.S. #11011

ADJOINER DATA		
KEY	OWNER	RECORD DOC.
M	VELLA	REC 221129
N	CRESPIAN	PB 117-PC046
O	ORTIZ	PB 130-PC039
P	SANDRINA	PB 139-PC021
Q	SENA	PB 104-PC001
R	SOLIS	PB 150-PC030
S	CHAVEZ	PB 150-PC030
T	TAPIA	PB 150-PC030
U	LOPEZ	REC 1243821

PLAT REFERENCES

- "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.L.S.#8553, AND FILED IN PLAT BOOK 348, PG. 007 ON OCT. 1ST, 1996 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.L.S.#8553, AND FILED IN PLAT BOOK 348, PG. 008 ON OCT. 1ST, 1996 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.L.S.#8553, AND FILED IN PLAT BOOK 348, PG. 009 ON OCT. 1ST, 1996 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "LAND DIVISION AND LOT LINE ADJUSTMENT FOR COOK OF TRACT 1A & TRACT 1B" BY RICHARD A. CHATROOP N.M.P.L.S.#11011, AND FILED IN PLAT BOOK 348, PG. 005 ON APR. 29TH, 1996. OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO. RECORD DATA SHOWN IN ()
- "CITY OF SANTA FE COUNTY OF SANTA FE RIGHT OF WAY MAPS DE-0107(802) BY SAULUS E. VIDAL N.M.P.S.# 4405 FINAL MAP DATE APR. 17TH, 1988 NOT RECORDED.
- "SANTA FE MUNICIPAL AIRPORT PROPERTY BOUNDARY SURVEY AND MONUMENTATION OF CITY AND COUNTY PUBLIC WORKS DEPARTMENT BY CRESWEND TORRES VULF 8481, DATED AUG. 16TH, 1991.
- "LOT LINE ADJUSTMENT PLAT PREPARED FOR COOK-OWNERS OF LA CIENEGA ESTATES COOP" BY CAS JAMISON N.M.P.S.#8214 AND FILED IN PLAT BOOK 348, PGS 345-348 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO. RECORD DATA SHOWN IN ()
- "LOT CONSOLIDATION FOR LLC LIMITED LIABILITY" BY RAYMOND A. ORTIZ N.M.P.L.S.#8553 AND FILED IN PLAT BOOK 349, PG. 005 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "BOUNDARY & EASEMENT SURVEY OF TRACT 1 FOR COMMERCIAL CENTER AT 599, INC." BY RICHARD A. CHATROOP N.M.P.L.S.#11011 AND FILED IN PLAT BOOK 349, PG. 005 IN THE OFFICE OF THE COUNTY CLERK.

CITY OF SANTA FE MUNICIPAL AIRPORT

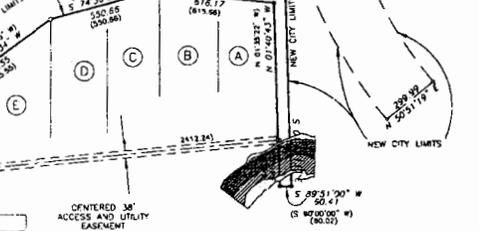


COMMENCING AT A POINT ON THE WESTERN EDGE OF THE RIGHT OF WAY FOR STATE HIGHWAY 599 FROM WHENCE THE SECTION CORNER COMMON TO THE SECTIONS LISTED ABOVE BEARS N 89°20'18" E 18.82 DISTANT; THENCE FROM SAID POINT AND PLACE OF BEGINNING AND ALONG THE FRONT OF WAY EDGE N 19°23' E 1570.17; THENCE N 15°20' W 1201.82; THENCE N 04°24' E 1008.00; THENCE N 17°31' E 1096.46; THENCE WITHIN THE 99' RIGHT OF WAY 500'06.16 W 108.29; THENCE N 89°58'59" E 823.90; THENCE ALONG THE EASTERN EDGE OF SAID RIGHT OF WAY 517'30.06 W 104.05; THENCE S 90°13'52" E 970.00; THENCE 500'195.7 W 329.87; THENCE S 90°52'01" W 374.50; THENCE S 88°40'37" W 1.86; THENCE S 90°19'22" E 276.32; THENCE 1451.07 ALONG A 2141.83 RADIUS CURVE TO THE LEFT HAVING A CHORD OF 519.4322; THENCE 1423.48 AND A DELTA OF 38°49'02"; THENCE 550'513.0 W 228.98; THENCE 1481.48 ALONG A 2441.83 RADIUS CURVE TO THE RIGHT HAVING A CHORD OF 181'58.14 W 163.79 AND A DELTA OF 34°17'34"; THENCE LEAVING THE RIGHT OF WAY EDGE AND CONTINUING ALONG THE SUBJECT PROPERTY BOUNDARY ON THE FOLLOWING COURSE: S 61°43'17" E 1679.30; THENCE S 89°19'06" W 841.11; THENCE N 10°42'36" E 788.00; THENCE N 84°08'13" W 616.17; THENCE S 74°36'11" W 540.80; THENCE S 53°20'34" W 885.50; THENCE S 89°17'50" W 372.90; THENCE S 53°24'57" W 943.75; THENCE N 21°07' E 865.45; THENCE N 89°58'59" E 208.32; THENCE N 02°32'06" E 251.81; THENCE S 89°52'17" W 368.70; THENCE N 02°07'00" W 868.21; THENCE S 89°52'17" W 368.70; THENCE S 16°31'09" W 880.18; THENCE S 89°52'17" W 455.30; THENCE N 10°08'16" W 861.78; THENCE N 15°23'01" W 865.88; THENCE N 29°31'34" E 118.01; THENCE N 41°30'56" W 79.78; THENCE N 89°45'17" E 500.00; THENCE N 02°14'06" W 123.00; THENCE N 89°19'22" E 839.90; THENCE N 02°14'06" W 123.00; THENCE N 89°42'29" E 1321.18; THENCE N 89°17'50" E 1321.18 TO THE POINT AND PLACE OF BEGINNING.

DESCRIPTION OF PROPERTY TO BE ANNEXED

COMMENCING AT A POINT ON THE WESTERN EDGE OF THE RIGHT OF WAY FOR STATE HIGHWAY 599 FROM WHENCE THE SECTION CORNER COMMON TO THE SECTIONS LISTED ABOVE BEARS N 89°20'18" E 18.82 DISTANT; THENCE FROM SAID POINT AND PLACE OF BEGINNING AND ALONG THE FRONT OF WAY EDGE N 19°23' E 1570.17; THENCE N 15°20' W 1201.82; THENCE N 04°24' E 1008.00; THENCE N 17°31' E 1096.46; THENCE WITHIN THE 99' RIGHT OF WAY 500'06.16 W 108.29; THENCE N 89°58'59" E 823.90; THENCE ALONG THE EASTERN EDGE OF SAID RIGHT OF WAY 517'30.06 W 104.05; THENCE S 90°13'52" E 970.00; THENCE 500'195.7 W 329.87; THENCE S 90°52'01" W 374.50; THENCE S 88°40'37" W 1.86; THENCE S 90°19'22" E 276.32; THENCE 1451.07 ALONG A 2141.83 RADIUS CURVE TO THE LEFT HAVING A CHORD OF 519.4322; THENCE 1423.48 AND A DELTA OF 38°49'02"; THENCE 550'513.0 W 228.98; THENCE 1481.48 ALONG A 2441.83 RADIUS CURVE TO THE RIGHT HAVING A CHORD OF 181'58.14 W 163.79 AND A DELTA OF 34°17'34"; THENCE LEAVING THE RIGHT OF WAY EDGE AND CONTINUING ALONG THE SUBJECT PROPERTY BOUNDARY ON THE FOLLOWING COURSE: S 61°43'17" E 1679.30; THENCE S 89°19'06" W 841.11; THENCE N 10°42'36" E 788.00; THENCE N 84°08'13" W 616.17; THENCE S 74°36'11" W 540.80; THENCE S 53°20'34" W 885.50; THENCE S 89°17'50" W 372.90; THENCE S 53°24'57" W 943.75; THENCE N 21°07' E 865.45; THENCE N 89°58'59" E 208.32; THENCE N 02°32'06" E 251.81; THENCE S 89°52'17" W 368.70; THENCE N 02°07'00" W 868.21; THENCE S 89°52'17" W 368.70; THENCE S 16°31'09" W 880.18; THENCE S 89°52'17" W 455.30; THENCE N 10°08'16" W 861.78; THENCE N 15°23'01" W 865.88; THENCE N 29°31'34" E 118.01; THENCE N 41°30'56" W 79.78; THENCE N 89°45'17" E 500.00; THENCE N 02°14'06" W 123.00; THENCE N 89°19'22" E 839.90; THENCE N 02°14'06" W 123.00; THENCE N 89°42'29" E 1321.18; THENCE N 89°17'50" E 1321.18 TO THE POINT AND PLACE OF BEGINNING.

ADJOINER DATA		
KEY	OWNER	RECORD DOC.
A	TAPIA	REC 1121493
B	QUEVEDO	REC 1580081
C	LOPEZ	PB 148-PC026
D	ANAYA	PB 146-PC011
E	RUSSELL	REC 1268303
F	DURRAN	REC 112172
G	ARAGON	REC 1243821
H	TRUJILLO	REC 1215034
I	POLLACKOWSKI	REC 1
J	SALGOMEZ	REC 1
K	35.78	PB 150-PC019



ANNEXATION PLAT OF A PORTION OF TRACT 1 & HWY. 599 FOR COMMERCIAL CENTER AT 599, INC.

LYING WITHIN SECTIONS 15 & 22, T16N, R8E, N.M.P., SANTA FE COUNTY, NEW MEXICO.

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

SFC CLERK RECORDED 12/10/2010

Exhibit 1 to Pavilion Annexation Agreement

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

	Conditions	Department	Staff
1	Solid Waste Management Division: <ul style="list-style-type: none"> • The concept plan is fine. But, there is not enough information for review as a development. All inquires of solid waste must be met by my office. 	Solid Waste	Randall Marco February 8, 2010
2	Fire Marshall Requirements to apply at time of Development Plan/proposed construction: <ul style="list-style-type: none"> • Comply with IFC 2006 edition. • Provide a water system that complies with Appendix C of IFC 2006 edition. • Provide roadways that comply with Appendix D of IFC 2006 edition. • All roadways to be no greater than 10% grade. • All buildings shall be reviewed for access and water availability as per IFC 2006 edition. 	Fire Department	Angelo Ortega February 16, 2010
3	Technical Review Division Requirements: <ul style="list-style-type: none"> • All plan sheets shall show the Special Flood Hazard Area and reference the appropriate FIRM. • Arroyo crossings must meet all federal, state, and local laws. • All provisions of Articles 14-3.9 (Development in Special Flood Hazard Areas) and 14-8.3 (Flood Regulations) of the Santa Fe Land Development Code must be followed in developing this land. • If approved as a General Plan Amendment, Annexation, Rezoning, and Lot Split, FUTURE SUBMITTALS MUST MEET ALL PROVISIONS OF THE LAND DEVELOPMENT CODE. Approval of the Conceptual Master Plan does not waive the requirement to satisfy Floodplain and Terrain Management regulations. Variances may be required and are NOT considered to be entitlements based on approval of the Master Plan. • If the project moves forward with submittal of Subdivision Plats and/or Development Plans, a variance may be required for disturbance of over 30% slopes. All provisions of Article 14-8.2 must be followed. 	Land Use Technical Review	Risana Zaxus February 15, 2010
4	Wastewater Management Requirements: <ul style="list-style-type: none"> • The plans indicate that the Development is to be served by a central sewer lift station(s). All costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s) are to be paid by the Development. • The City of Santa Fe shall own the sewer lift station(s) and the City shall be reimbursed for all costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s). • The Development shall be required to establish a permanent “business park association” for this and other purposes. Permanent escrow accounts shall be placed with the City of Santa Fe for the maintenance, repair, replacement and operational cost of the sewer lift station(s). 	Wastewater Management	Stan Holland February 8, 2010

Exhibit 2

*Pavilion Annexation
Agreement*

0102/01/21 09:00 AM RECEIVED

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

5	<p>Archaeology/Historic Preservation Division: The decision of the Archaeological Review Committee (ARC) at their February 4,2010 meeting was to postpone the report pending revision of the report by the Applicant and its resubmission with the following direction to the Applicant:</p> <ol style="list-style-type: none"> 1.) Revisit the sites which have been identified in the previous reports and update them as to current conditions, description, and recommendations; 2.) The report shall contain all standard sections required by the ordinance, in particular, that an environmental section be included within the report; 3.) The report shall include a title history of the property; 4.) In preparation of the final report, use NMAC 4.10.15.9, ff [following appropriate pages] as a general guideline for including appropriate material including an abstract, administrative data and so forth, as set out in NMAC guidelines, which are mentioned here as a general guideline only, and not as a point-by-point requirement; 5.) Provide explicit, written justification for the acceptance of the work that was done previously under standards which are different from current City ordinance - why we should accept work which was done previously under a different standard than what is required under the City ordinance; 6.) Provide an additional description of the Camino de los Carros; 7.) Provide a written justification of the reasons that no new reconnaissance of the subject property is needed; and 8.) Correct any typographical errors mentioned or otherwise discovered in the process of redoing the report. 	Archeology/Historic Preservation	Marissa Barrett
6	<p>Traffic Engineering Division. Following are conditions to be placed on the annexation agreement:</p> <ol style="list-style-type: none"> a. Any proposed access to or improvements on New Mexico Department of Transportation (NMDOT) Highway Systems shall receive ultimate approval from the NMDOT. b. All proposed use of City owned property for purposes of roadway infrastructure shall receive Public Works Committee, Finance Committee, and City Council approval prior to submittal for Final Subdivision Plat and/or Final Development Plan. c. The developer shall be responsible for all costs associated with constructing the NM 599/Jaguar interchange. d. The developer shall be responsible for all costs associated with the construction of Jaguar Drive from its current terminus to the NM 599/Jaguar interchange. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department. e. The developer shall be responsible for all costs associated with the construction of a roadway from the NM 599/Jaguar interchange to the Santa Fe Municipal Airport. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department. f. The developer shall provide a stub-out for a future connection to the 1-25 frontage road. The design and location of the stub-out shall be reviewed and approved by the City of Santa Fe Public Works Dept. 	Traffic Engineering	John Romero February 8, 2010
7	<p>Stormwater Management Division:</p> <ul style="list-style-type: none"> • Provide a report that addresses the City of Santa Fe Stormwater Utility MS4 and how Post Development Runoff Control and Pollutant Removal pre-treatment will be achieved. • Provide a Stormwater Quality Post Development Runoff Control Pre-treatment plan indicating structural 	Public Works Stormwater	Jim L. Salazar February 10, 2010

0102/07/27 09:00:00 AM 000

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

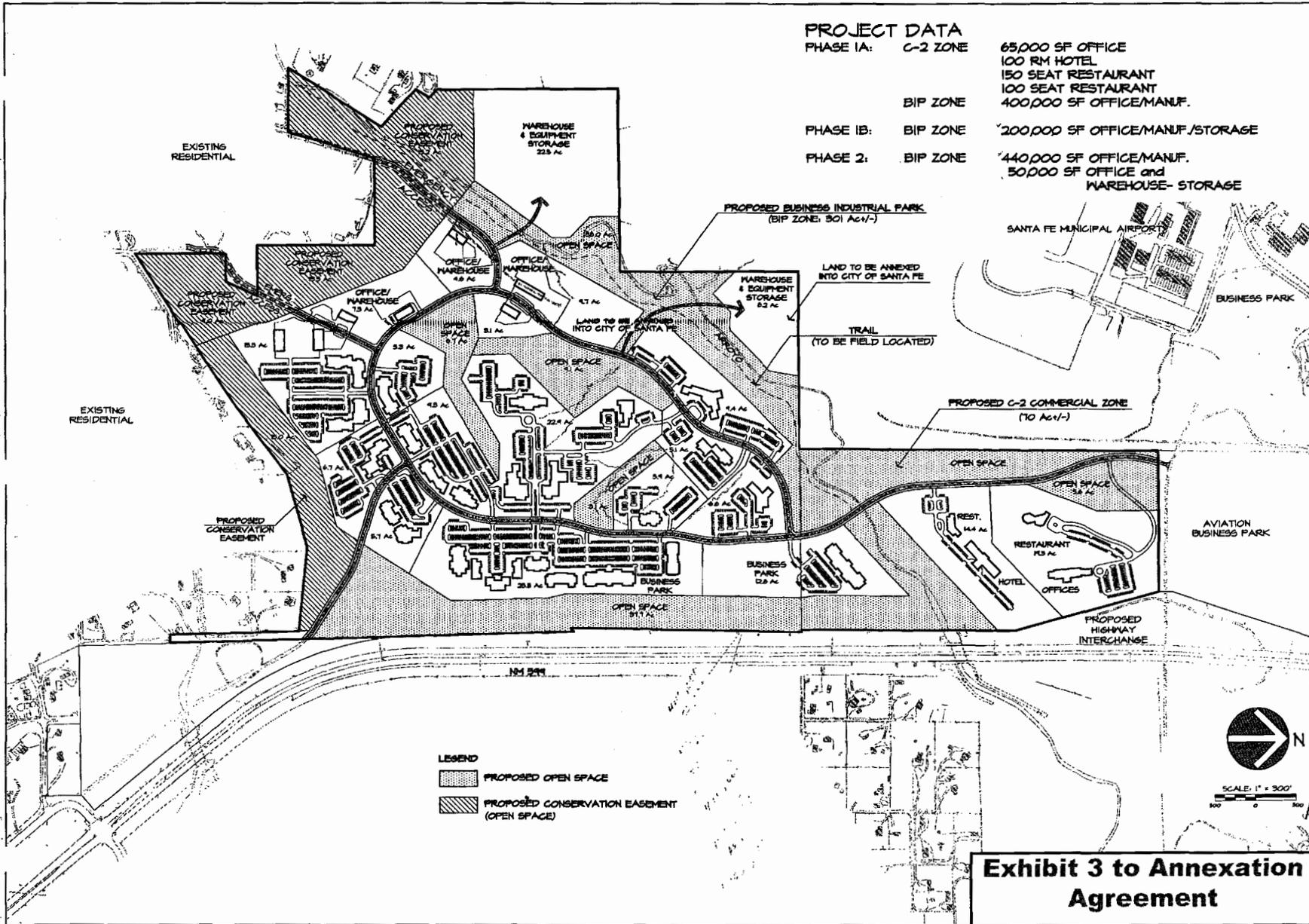
	<p>BMPs that will be used for pollutant removal and runoff pre-treatment prior to discharge to drainageways and the MS4.</p> <ul style="list-style-type: none"> • Provide a note stating that the development is subject to the requirements of the SFCC Chapter XIII Stormwater Utility including the Stormwater Utility Service Charge and Stormwater Illicit Discharge Control requirements. • Provide a note stating that the development is subject to the requirements of NPDES General MS4 Discharge Permit No. NMR040000 and NPDES Construction General Permit No. NMR100000. • Provide a note as follows: Construction is subject to the requirements of NPDES Construction General Discharge Permit No. NMR100000 and that a Stormwater Pollution Prevention Plan must be prepared by a qualified professional and a Notice of Intent (NOI) for coverage must be filed with the EPA. Construction stormwater discharges are not permitted until a minimum of seven (7) calendar days after EPA acknowledgement of a complete NOI. • Provide a note as follows: City of Santa Fe Stormwater Illicit Discharge Control. SFCC 13-2 prohibits the discharge of pollutants including sediment, slurries, mud, plasters, concrete rinsates and any construction materials, wastes and garbage, etc. to the storm drain system. The storm drain system includes roads, streets, curbs, gutters, drop inlets, piped storm drains, culverts, retention and detention basins, natural and man-made drainage channels, arroyos, rivers and any facility and appurtenance by which stormwater is collected and/or conveyed. • Provide a note as follows: City of Santa Fe Terrain and Stormwater Regulations. SFCC 14-8.2 requires that construction disturbed area shall be protected against erosion. Sediment must be contained on the disturbed area by the use of temporary erosion and sediment control devices such as silt fencing, swales, berms, geotextiles, sediment basins and traps. Protection for storm drain inlets shall be provided to prevent the entry of sediment from the site while still allowing the entry of stormwater. Control devices shall be kept in place and used until the disturbed area is permanently stabilized. • Provide a note as follows: The contractor shall not remove silt fences and mulch socks or other temporary erosion and sediment control devices until disturbed areas are stabilized. Soil stabilization and erosion control measures shall be completed within 21 calendar days after completion of construction or other soil disturbance activities on the site. If the time of year is not conducive to planting, then planting may be delayed until the next appropriate planting season provided that all temporary erosion control measures are maintained until permanent erosion control measures are implemented. Temporary erosion control measures shall be selected, designed and installed with an appropriate seed base to provide erosion control for at least three years without active maintenance. Temporary erosion control measures shall be selected, designed and installed to achieve 70 percent vegetative cover within three years. • Show and label any public stormwater system components. • Under Utility Companies: List Stormwater Utility, City of Santa Fe Stormwater Management Office as Contact and 955-2132 as Telephone. 		
8	<p>Current Planning Division:</p> <ul style="list-style-type: none"> • Include all required elements on the Annexation and Dedication Plats as per the Annexation Submittal packet (existing easements, floodplain, tract boundaries with references to legal lots of record and property owner signatures, existing and proposed city limits, roadway dedication details, etc.) 	Current Planning	Daniel Esquibel

01/23/11 10:11 AM RECEIVED

The Pavilion – Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)

	<ul style="list-style-type: none"> The Master Plan shall address City Transit needs and impacts 30 days prior to requesting placement on Governing Body agenda for staff analysis. Approval of the Annexation Agreement is subject to the review and approval of the City Attorney. Development shall comply with Chapter XXI of SFCC 1987 		
9	<p>Current Planning Division:</p> <ul style="list-style-type: none"> No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exists a comprehensive and equitable mechanism for implementing the dedication of easements and right-of-way necessary for infrastructure serving any and all phases and sub-phases of the Pavilion Annexation Master Plan which will be affected by the approved development plan or plat, and for financing and coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exist adequate provisions for coordinating dedication, financing and constructing infrastructure necessary for the orderly development of lands adjoining the Pavilion Master Plan boundaries, including but not limited to “stubbing out” trails, roads and utility easements, and/or provisions for pro-rata contributions to off-site improvements that may be impacted by the approved development plan or plat. This note shall be placed on the Master Plan and included in the annexation agreement. 	Current Planning	Greg Smith
10	<ul style="list-style-type: none"> The Applicant will provide private security services throughout construction. 	City Council 4/28/10	Councilor Bushee
11	<ul style="list-style-type: none"> The Applicant will complete the exchange of water rights between the City and Santa Fe County prior to recording the Annexation. 	City Council 4/28/10	Councilor Calvert
12	<ul style="list-style-type: none"> Provide pedestrian and bicycle connectivity to the Tierra Contenta Trail. 	City Council 4/28/10	Councilor Calvert
13	<ul style="list-style-type: none"> The Applicant shall work to achieve the most downwardly focused lighting technology possible at the time of implementation. 	City Council 4/28/10	Councilor Calvert
14	<ul style="list-style-type: none"> The Applicant shall comply with the setback as mapped in the Highway Corridor Plan, and approximately 285 feet along NM 599, for the BIP portion of the site that is below the Arroyo Chamiso. 	City Council 4/28/10	Councilor Bushee
15	<ul style="list-style-type: none"> Any construction debris from the site shall be taken to the Caja del Rio Landfill. 	City Council 4/28/10	Councilor Romero

SEC OF BPA RECORDED 12/18/2010



PROJECT DATA

PHASE 1A:	C-2 ZONE	65,000 SF OFFICE 100 RM HOTEL 150 SEAT RESTAURANT 100 SEAT RESTAURANT 400,000 SF OFFICE/MANUF.
	BIP ZONE	
PHASE 1B:	BIP ZONE	200,000 SF OFFICE/MANUF./STORAGE
PHASE 2:	BIP ZONE	440,000 SF OFFICE/MANUF. 30,000 SF OFFICE and WAREHOUSE-STORAGE



THE PAVILION
 CONCEPTUAL MASTER PLAN FOR COMMERCIAL ZONING

Exhibit 3 to Annexation Agreement

PROJECT:	THE PAVILION
REVISIONS:	
DATE:	
SHEET TITLE:	CONCEPTUAL MASTER PLAN FOR COMMERCIAL ZONING
SHEET NO.:	4-1
DATE:	01/11/10

**WATER RIGHT EXCHANGE AGREEMENT
BETWEEN SANTA FE COUNTY AND RICHARD P. COOK**

This Agreement between Santa Fe County ("County") and Richard P. Cook ("Cook") is effective as of the last date of signature below.

WHEREAS, Cook has transferred water rights to the Buckman Diversion Project with the County as co-applicant for future service from the Santa Fe County water utility to serve the development of Cook property within the County; and

WHEREAS, the ongoing annexation process of County property into the City of Santa Fe's municipal boundaries will result in the inclusion of Cook's property within the boundaries of the City of Santa Fe and within the City of Santa Fe's water utility service area; and

WHEREAS, Cook owns 110.1065 acre-feet per year consumptive use ("afy") of pre-1907 water rights consisting of 81.4 afy of Oso 8 water rights' (OSE File No. SD-07137 into SP-4842), 18.6765 afy of Peña Blanca water rights (OSE File No. SD-02205 into SP-04842) and 10.03 afy of Peña Blanca water rights (OSE File No. SD-06920 into SP-04842) for use at property located on the west side of NM 599 in the Santa Fe County water utility service area and for property on the east side of NM 599, and these rights are fully permitted by the Office of the State Engineer for diversion by Santa Fe County from the Buckman Direct Diversion ("BDD"), in accordance with Santa Fe County water utility requirements; and

WHEREAS, the Cook property has been approved for annexation and future City water service to the property; and

WHEREAS, Santa Fe County owns 110.1065 afy of pre-1907 water rights consisting of 84.84 afy of Twinning and Whitehouse water rights (OSE File Nos. SD-03179, SD-03179-A, SD-03179-AA into RG-20516, *et al.*), 6.13 afy of Chavez water rights (OSE File No. SD-06454 into RG-20516, *et al.*) and 19.1365 afy of Baldonado water rights (OSE File No. SD-05023 into RG-20516, *et al.*) in the City's Buckman wellfield; and

WHEREAS, Cook and the County desire to exchange title to 110.1065 afy of their respective water rights described above;

NOW, THEREFORE, the County and Cook agree to the following:

1. Cook and County will prepare and execute title documents and the Office of the State Engineer forms necessary to convey:
 - a. Cook to County 110.1065 acre-feet per year consumptive use ("afy") of pre-1907 water rights consisting of 81.4 afy of Oso 8 water rights (OSE File No. SD-07137 into SP-4842), 18.6765 afy of Peña Blanca water rights (OSE File No. SD-02205 into SP-04842) and 10.03 afy of Peña Blanca water rights (OSE File No. SD-06920 into SP-04842);

Exhibit 4

*Pavilion Annexation
Agreement*

REC'D BY RECORDED 12/18/2010

- b. County to Cook 110.1065 afy of pre-1907 water rights consisting of 84.84 afy of Twinning and Whitehouse water rights (OSE File No.s SD-03179, SD-03179-A, SD-03179-AA into RG-20516, *et al.*), 6.13 afy of Chavez water rights (OSE File No. SD-06454 into RG-20516, *et al.*) and 19.1365 afy of Baldonado water rights (OSE File No. SD-05023 into RG-20516, *et al.*).
2. Promptly following the execution of this Agreement, each party shall provide to the other party a search and report or other acceptable abstract of title of the lands to which the water rights were originally appurtenant (move-from lands) reasonably demonstrating title to the water rights in the conveying party free and clear of any encumbrances or liens. In addition, Cook shall demonstrate to the county's reasonable satisfaction that no encumbrance on, or defect of, title to the water rights being conveyed by Cook has occurred since transfer of the rights to the BDD. At closing of the exchange, Cook agrees to pay the County for its costs and fees in performing this Agreement not to exceed \$5,000.00.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY, NEW MEXICO

By: [Signature]
Harry Montoya, Chair

[Signature: Richard P. Cook]
RICHARD P. COOK, Individually and as
Manager of Oso 8 Investments, LLC

ATTEST:
[Signature: Valerie Espinoza]
Valerie Espinoza, County Clerk

Approved as to form:
[Signature]
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
ANNEXATION AGREE (N/C)
PAGES: 24

I Hereby Certify That This Instrument Was Filed for
Record On The 10TH Day Of December, 2010 at 03:34:55 PM
And Was Duly Recorded as Instrument # 1619759
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy [Signature] County Clerk, Santa Fe, NM



CITY OF SANTA FE REVIEW

1. TOTAL LENGTH OF BOUNDARY TO BE ANNEXED = 3708.87'
 2. LENGTH OF BOUNDARY CONTIGUOUS WITH EXISTING CITY BOUNDARY = 1203.53' OR 34%
 3. ANNEXATION AGREEMENT INFORMATION
 APPROVED BY CITY COUNCIL AT THEIR MEETING OF 11/16/10
 APPROVED BY CITY CLERK AT THEIR MEETING OF 12/22/10
 APPROVED BY CITY CLERK AT THEIR MEETING OF 12/22/10

AMENDMENT BILL NO. 2010-12
 AMENDMENT ORDINANCE NO. 2010-7
CITY NOTES

- THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD WHICH PERTAIN TO THIS PROPERTY.
- THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONES (SEE LEGEND) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP PANEL NO. 36049A-0201, 8/17/79.
- RECORDING OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL BY THE CITY OF ANY ENCROACHMENTS INTO PRIVATE PROPERTIES.
- EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICE INCLUDING SETTING UP SEPARATE METER SERVICE ACCOUNTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHARTER 14, LAND DEVELOPMENT CODE, SPEC 1897 AND SUBSEQUENT AMENDMENTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE APPLICABLE PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDED WITH THE COUNTY CLERK OR SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHARTER 14, LAND DEVELOPMENT CODE, SPEC 1897 AND SUBSEQUENT AMENDMENTS.
- BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS INDICATED IN THE LAND DEVELOPMENT CODE.

VICINITY MAP
DEDICATION AND AFFIDAVIT
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS, HAVE CAUSED TO BE RECORDED THESE LANDS SHOWN HEREON. THIS ANNEXATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE PROVISIONS OF THE CONSTITUTION, STATUTES AND ORDINANCES OF THE COUNTY OF SANTA FE, NEW MEXICO. ALL UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS ANNEXATION CONTAINS 358,272 AC. ± AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

Richard P. Chatroop
 Richard P. Chatroop, President Commercial Center at 599, INC.
 Santa Fe, New Mexico 87505
 My foregoing instrument was shown, acknowledged and read before me by Richard P. Chatroop, President Commercial Center at 599, INC. on this 22nd day of December, 2010.
 My commission expires February 28, 2012.

UTILITY APPROVAL
 COUNCIL CABLE CO. DATE 12/22/10
 PUBLIC SERVICE CO. OF N.M. ELECTRIC DATE 12/22/10
 WEST COMMUNICATIONS DATE 12/22/10
 NEW MEXICO GAS CO. DATE 12/22/10

LEGEND AND NOTES
 DENOTES REVISION OR CORRECTION
 FOR OBTAINED DATA REFER TO PLAT OF NOTE #
 NO ACTIVITY WHICH DISTURBS SURFACE SHALL OCCUR WITHIN THE BOUNDARIES OF THE ORIGINAL PROPERTIES, EXCEPT AS INDICATED ON THIS PLAT. THE ORIGINAL PROPERTIES, INCLUDING ALL EASEMENTS, SHALL BE RECORDED WITHIN 90 DAYS OF THE RECORDING OF THIS PLAT. THE ORIGINAL PROPERTIES, INCLUDING ALL EASEMENTS, SHALL BE RECORDED WITHIN 90 DAYS OF THE RECORDING OF THIS PLAT. THE ORIGINAL PROPERTIES, INCLUDING ALL EASEMENTS, SHALL BE RECORDED WITHIN 90 DAYS OF THE RECORDING OF THIS PLAT.

- BASES OF BEARING TAKEN FROM "NEW MEXICO DEPARTMENT OF TRANSPORTATION CONTROL MAP AND RECORD PROJECT NO. 94-448-222-1(102)171 989-599 (1102) 94-084-2(102)181" BY WILLIAM A. BOWEN SURV. 11/183 AND DATED 3-23-08.
- THIS PLAT IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND CONDITIONS OF RECORD.
- DENOTES FLOOD HAZARD ZONE # OUTSIDE 0.2% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE # SUBJECT TO INUNDATION 0.2% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE # SUBJECT TO INUNDATION 1% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE # SUBJECT TO INUNDATION 1% ANNUAL FLOOD
- DENOTES POINT FOUND 10511 CAP ON AS NOTED
- DENOTES POINT SET BY THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES BRASS MONUMENT
- DENOTES MONUMENT ALUM. 4" X 4" MONUMENT # 47258711 (28000)
- DENOTES EDGE OF EASEMENT
- DENOTES FENCE LINE

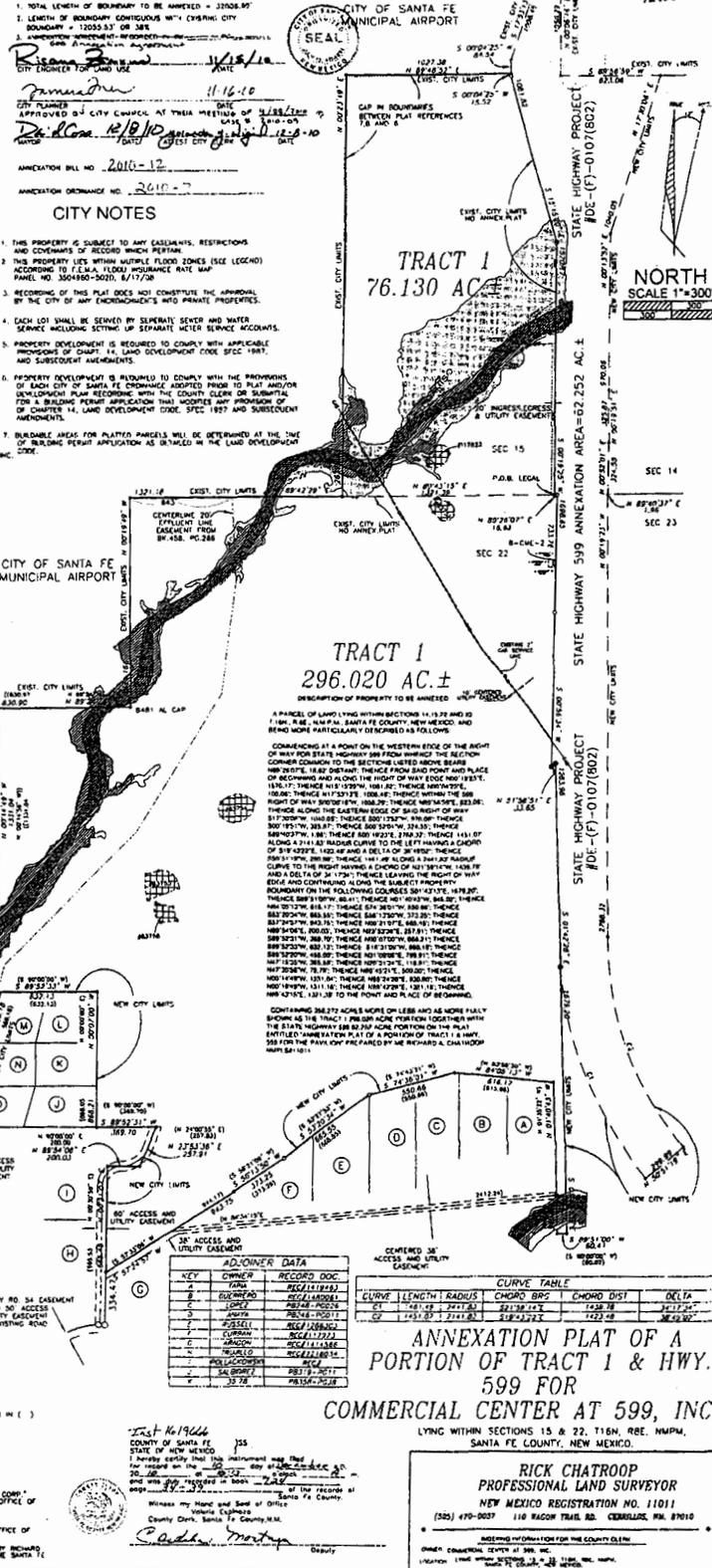
SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON ARE AN ACCURATE DECLARATION OF THE TRUTH AND FACTS AS FAR AS I AM CONCERNED IN CONNECTION WITH THE PLAT AND THE NOTES AND THAT I HAVE BEEN DULY QUALIFIED AND LICENSED BY THE STATE OF NEW MEXICO AND MEET THE STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.

Richard P. Chatroop
 RICHARD P. CHATROOP
 N.M.P.L.S. #11011

ADJOINER DATA

KEY	OWNER	RECORD DOC.
A	MELIA	PC021128
B	CHENYANG	PC021128
C	CHENYANG	PC021128
D	CHENYANG	PC021128
E	CHENYANG	PC021128
F	CHENYANG	PC021128
G	CHENYANG	PC021128
H	CHENYANG	PC021128
I	CHENYANG	PC021128
J	CHENYANG	PC021128
K	CHENYANG	PC021128
L	CHENYANG	PC021128
M	CHENYANG	PC021128
N	CHENYANG	PC021128
O	CHENYANG	PC021128
P	CHENYANG	PC021128
Q	CHENYANG	PC021128
R	CHENYANG	PC021128
S	CHENYANG	PC021128
T	CHENYANG	PC021128
U	CHENYANG	PC021128
V	CHENYANG	PC021128
W	CHENYANG	PC021128
X	CHENYANG	PC021128
Y	CHENYANG	PC021128
Z	CHENYANG	PC021128

- PLAT REFERENCES**
- THE FOLLOWING PLATS WERE USED IN THE DETERMINATION OF LOT LINES BY SURVEYING AND RECORD OF DEEDS AND RECORD DOCUMENTS FOR THIS PLAT.
- PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY BY RICHARD P. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 348, PG. 003 ON OCT. 15, 1988, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY BY RICHARD P. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 348, PG. 003 ON OCT. 15, 1988, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY BY RICHARD P. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 348, PG. 003 ON OCT. 15, 1988, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "LAND DIVISION AND LOT LINE ADJUSTMENT FOR COOK OF TRACT 1A & TRACT 1B" BY RICHARD A. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 333, PG. 006 ON APR. 28, 1988, IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - CITY OF SANTA FE COUNTY OF SANTA FE BOULEVARD OF WAY MAP DE-0107(802) BY SALVADOR C. VON HUNFELT 4405 FINAL MAP DATE APR. 7TH, 1988.
 - SANTA FE MUNICIPAL AIRPORT PROPERTY BOUNDARY SURVEY AND DEMONSTRATION OF PUBLIC RIGHTS PUBLIC WORKS DEPARTMENT BY CRESCENDO TORRES MARSE 8441, SANTA FE, NEW MEXICO.
 - "0.01 LMP ADJUSTMENT PLAT PREPARED FOR COOK-CONNECTIONS OF LA CIENEGA ESTATES CORP." BY CARL DUNSON SURV. 11/183 AND FILED IN PLAT BOOK 361, PGS. 045-048 IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "0.01 CONSIDERATION FOR LA CIENEGA LIMITED LIABILITY" BY RICHARD P. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 348, PG. 003 IN THE OFFICE OF THE COUNTY CLERK, SANTA FE COUNTY, NEW MEXICO.
 - "BOUNDARY & EASEMENT SURVEY OF TRACT 1 FOR COMMERCIAL CENTER AT 599, INC." BY RICHARD P. CHATROOP, N.M.P.L.S. #11011, AND FILED IN PLAT BOOK 350, PG. 001 IN THE OFFICE OF THE COUNTY CLERK.



ANNEXATION PLAT OF A PORTION OF TRACT 1 & HWY. 599 FOR COMMERCIAL CENTER AT 599, INC.

LYING WITHIN SECTIONS 15 & 22, T16N, R9E, N10MPM, SANTA FE COUNTY, NEW MEXICO.

RICK CHATROOP
 PROFESSIONAL LAND SURVEYOR
 NEW MEXICO REGISTRATION NO. 11011
 (505) 470-0057 110 WAGON TRAIL RD. CERRILLOS, NM. 87610

Exhibit A to Ord. 2010-7

