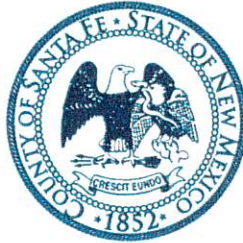


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: June 28, 2017

TO: Board of County Commissioners

FROM: John M. Salazar, Development Review Specialist Sr. *JMS*

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director *PEO*
Vicki Lucero, Building and Development Services Manager *PEO FOR UL*

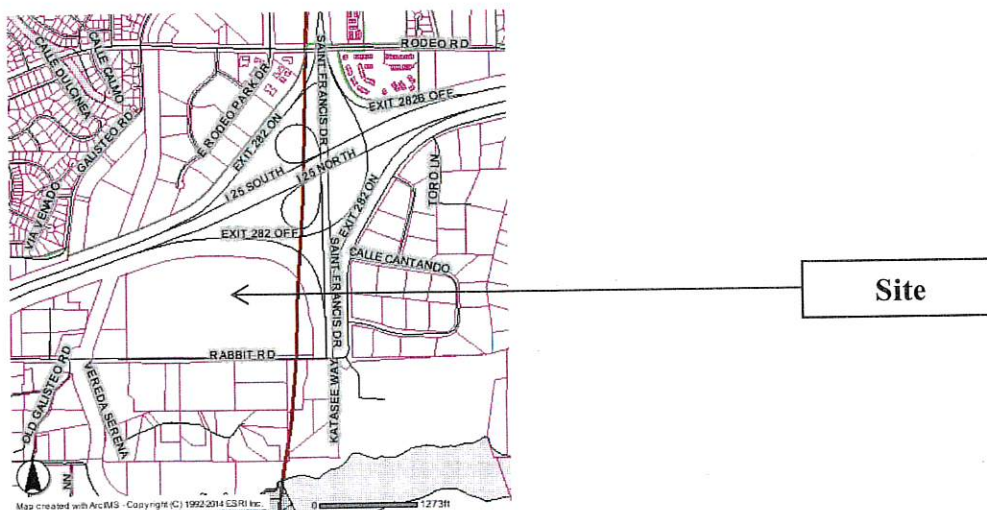
FILE REF.: CASE # 10-5364 St. Francis South Preliminary Plat Approval for Phases 1-4 and Final Plat Approval for Phases 1 & 2

ISSUE:

Vegas Verdes, LLC, Applicant, JenkinsGavin, Inc., Agent, request Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots, on 68.94 acres, of the St. Francis South Mixed-use Subdivision.

The property is located at 199 Rabbit Road, via St. Francis Drive, within Section 11, Township 16 North, Range 9 East, (Commission District 4).

VICINITY MAP:



SUMMARY:

On June 13, 2017, the BCC tabled this case in order to allow the Applicant more time to gather more information from NMDOT, to research historical traffic counts on Rabbit Road and to address the residential aspect required from the original Master Plan approval. Staff has spoken to NMDOT who have agreed that, as the County will ultimately own the road, the County should determine improvements.

Historical traffic counts have been submitted by the Applicant's traffic engineer. The traffic counts show the percentage change between 2010 and 2015 at the Rabbit Road/St. Francis intersection southbound turning left with an 11.8% increase and turning right with a 16% increase in the AM. The same intersection in the PM shows a 6.3% drop in traffic turning left and a 16.8% increase turning right. Breaking those numbers down further, the most significant increase occurred between 2010 and 2013 where the left turn increased 5.9% and the right turn increased 17.7% in the AM. The left turn southbound increased 3.1% while the right turn increased 9.2% in the PM. (Exhibit 9)

The approved Master Plan use list includes all housing types permitted including multi-family apartments, senior housing and live/work. The Applicant has also resubmitted an updated water budget which proposes an assisted living facility. An assisted living facility is considered a residential use therefore; this would satisfy the residential aspect required by the original Master Plan.

History of the Subdivision:

On September 16, 2010, the County Development Review Committee (CDRC) recommended approval of a request for Master Plan Zoning for a mixed-use subdivision (commercial, residential and community service) consisting of 22 lots on 68.94 acres, more or less, with approximately 760,000 sq. ft. of structures at full build out.

On December 14, 2010, the Board of County Commissioners (BCC) approved the Master Plan Zoning for the mixed-use subdivision consisting of 22 lots on 69 acres,

On January 14, 2014, the BCC approved a request for Master Plat Authorization to proceed with the creation of up to 22 mixed-use lots on 69 acres.

On March 21, 2017, the Santa Fe County Hearing Officer recommended approval of a variance request to reduce the width of the right-of-way for the loop road within the subdivision to 70 feet.

On May 18, 2017, the Santa Fe County Planning Commission approved the variance request to reduce the right-of-way width of the internal road to 70 feet.

The site for the development is located in SDA-1 within a Planned Development District (PDD) in the SLDC, which requires residential uses and allows commercial, retail, recreational, community and employment uses.

The Applicant now requests Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots, on 68.94 acres.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2016-9 (SLDC), which governs this Application are the following:

Chapter 5, Section 5.7.1, Applicability, states:

Preliminary plat approval is required for all major subdivisions in accordance with this Section and the procedures as set forth in Table 4-1.

Chapter 5, Section 5.7.2, Application, states:

An application for preliminary plat approval shall be filed with the Administrator and include all information and submittals required by this Chapter, Chapter 4, and any additional submittals required by the Administrator as provided in the application form.

Chapter 5, Section 5.8.1, Final Plat, When Required, states:

Final plat approval is required for all subdivisions, both major and minor. No final plat shall be recorded until a final plat has been approved as provided in this section, or in the case of a minor subdivision as provided in Section 5.6.

Chapter 5, Section 5.8.2, Application, states:

An application for final plat approval shall be filed with the Administrator and include all information and submittals required by this Chapter. If the approved preliminary plat permitted phasing or sectionalizing, the application shall submit an application only for the phase(s) proposed.

Chapter 5.8.3 Compliance with Preliminary Plat (Major Subdivisions), states:

The final plat for a major subdivision shall conform to the approved amended preliminary plat, including all conditions and mitigation requirements contained within the development order approving the preliminary plat. No deviation from the approved or approved amended preliminary plat, together with all conditions and mitigation requirements, shall be authorized to be granted at final approval; any deviation from the development order granting the preliminary plat approval shall require an amendment.

The Applicant's request for Preliminary Plat approval for Phases 1-4, which consists of 22 lots and Final Plat approval of Phase 1, consisting of 4 lots and Phase 2, consisting of 8 lots meets the requirements of the SLDC.

The Applicant presented the Application to the Technical Advisory Committee (TAC) on October 20, 2016, at the regularly scheduled meeting, as required by Chapter 4, Section 4.4.4.3 Pre-application TAC Meeting and Table 4-1.

The Applicant conducted a pre-application neighborhood meeting which took place on November 16, 2016 at the Genoveva Chavez Community Center and submitted the report as required by Chapter 4, Section 4.4.4.

Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, and Section 4.6.5, Specific Notice Applicable to Subdivisions of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one days on the property, beginning on May 26, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on May 23, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record.

This Application was submitted on February 27, 2017.

This Application was reviewed for compliance with the applicable standards as set forth in the SLDC as follows:

ENVIRONMENTAL IMPACT REPORT (Section 6.3)

The Applicant submitted an EIR which addressed biological resources; geology, topography, and soils; water resources; air quality; noise; archaeological, cultural, and historic resources; and scenic resources. The Applicant's report states, "Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects."

ADEQUATE PUBLIC FACILITIES & SERVICES ASSESSMENT (Section 6.4)

The project site is within the Santa Fe County Utilities service area boundary. A Memorandum of Understanding between Santa Fe County and the City of Santa Fe was recorded in the County Clerk's Office on November 11, 2016 in which water and sewer services will be provided to the mixed-use subdivision.

The development will be served by two access points on Rabbit Rd. connected by a private interior loop road. A variance to reduce the right-of-way width from 120 to between 70 and 82 feet was approved by the Planning Commission on May 18, 2017. The interior loop road will be improved to Minor Arterial standards to include two 12 foot wide drive lanes, a 12 foot wide landscaped median, two 5 foot wide bicycle lanes, curb and gutter, and 5 foot wide sidewalks with a landscape buffer.

A looped natural trail system for pedestrian, equestrians and bicyclists that connects to the NM 599 pedestrian-equestrian underpass will be developed.

The traffic counts that the applicant submitted shows that the development will create traffic in levels associated with a minor arterial road. Rabbit Road currently has no shoulders or bike lanes so does not meet the criteria for an arterial road and improvements will be necessary to add bike lanes on either side and a trail on one side.

WATER SERVICE AVAILABILITY REPORT (Section 6.5)

The Project will be served by the Santa Fe County Water System which will connect to the City of Santa Fe Water System. The developer will install a new 8" public line which will connect to existing City infrastructure in Rodeo Business Park north of I-25 and extend to the Project within a bore under I-25. A Memorandum of Understanding between the City of Santa Fe and Santa County for water and sewer service was recorded on November 17, 2016 as Instrument #1809962.

TRAFFIC IMPACT ASSESSMENT (Section 6.6)

The Traffic Impact Analysis for St. Francis South indicates that for a 2023 BUILD implementation year, the southbound intersection of Rabbit Road and the west driveway with a roundabout will operate at a level D, and the intersection at St. Francis and Rabbit road will continue to operate at an A or B level up until 2023 when the LOS will drop to a C level after full build out.

The Traffic Impact Analysis states 75% of the direction of traffic approaching the western driveway for Phase 1 will come from Rabbit Road/St. Francis Drive intersection. When Phase 2 is developed along with the eastern driveway, 65% of the approaching traffic entering the property will come from the Rabbit Road/St. Francis Drive intersection while 75% of the traffic leaving the property out of the western driveway will exit the area via the same intersection.

Chapter 12 of SLDC requires a min level of service of D for roads located within SDA-1. The State Access Management Manual, September 2001 edition, of New Mexico State Highway and Transportation Department determines that Minimum Acceptable Level of Service Standards for an unsignalized intersection Rural Minor Arterial is a Level of Service D.

ACCESS (Section 7.4) AND ROAD DESIGN STANDARDS (Section 7.11)

The development will be served by two access points on Rabbit Rd. connected by a private interior loop road. A variance to reduce the right-of-way from 120 to between 70 and 82 feet was approved by the Planning Commission on May 18, 2017. The interior loop road will be improved to Minor Arterial standards to include two 12 foot wide drive lanes, a 12 foot wide landscaped median, two 5 foot wide bicycle lanes, curb and gutter, and 5 foot wide sidewalks with a landscape buffer.

Santa Fe County Public Works supports the proposal with the following conditions:

1. Applicant shall provide a Geo-Technical Engineering Report prior to construction or bonding.
2. Applicant shall comply with all NMDOT regulatory requirements for driveway access onto Rabbit Rd.

Per a meeting with Staff on June 29, 2017, the applicant is proposing to build out Rabbit Road along the subject properties frontage from St. Francis Drive to the Rail Trail trailhead per the cross section improvements required for the NE connector project. This section requires two 11ft driving lanes, two 6 ft bike lanes, a taper or swales and a trail on one side of Rabbit Road (Cross section provided in Exhibit 8)

FIRE PROTECTION (Section 7.5)

The Applicant proposes a series of four pressurized fire hydrants. Hydrants are within 500 feet of all buildable areas within Phases 1 and 2. Three are located along the interior loop road while one

is located on the cul-de-sac road located in Phase 1. The Fire Marshal is requiring that each facility constructed shall have automatic fire suppression systems.

The Santa Fe County Fire Marshal approved the proposal with the following conditions:

1. Roadway shall meet County Standards
2. Driveways shall meet County Standards
3. Automatic fire protection system shall be required within all constructed facilities
4. Hydrants shall be in place and tested prior to building structures

LANDSCAPING AND BUFFERING (Section 7.6)

The Applicant states that all open space will remain undisturbed and will remain in its natural condition during the infrastructure improvements. Any requisite additional landscaping in the required 25 foot buffer area will be installed as part of each individual lot's development. Landscaping will be installed in the 12 foot wide on-site roadway median and in the planting strips between the driveway and sidewalks. Vegetation will include a mix of deciduous and evergreen trees and a variety of shrubs.

All disturbed areas will be re-vegetated with native grasses.

LIGHTING (Section 7.8)

The Applicant is proposing one pole light at each entrance which shall not exceed 25 feet in height and must comply with County requirements.

SIGNS (Section 7.9)

The Applicant is proposing one monument subdivision sign at each entrance which will be set back a minimum of 25 feet from the right-of-way with a maximum height of 10 feet. The face of each sign is 180 square feet. This complies with Chapter 7, Section 7.9.

PARKING/LOADING (Section 7.10)

Parking will be addressed by each individual lot owner through their site development plan.

WATER SUPPLY, WASTE WATER & WATER CONSERVATION (Section 7.13)

The Project will be served by the Santa Fe County Water System which will connect to the City of Santa Fe Water System. The developer will install a new 8" public line which will connect to existing City infrastructure in Rodeo Business Park north of I-25 and extend to the Project within a bore under I-25. A Memorandum of Understanding between the City of Santa Fe and Santa County for water and sewer service was recorded on November 17, 2016 as Instrument #1809962.

The Project will be served by the Santa Fe County Wastewater Collection System, which will discharge into the City's wastewater collection and treatment system, per the MOU referenced above. A new 8" sewer line will connect to an existing manhole in Rodeo Business Park and extend to the project within a bore under I-25 per the MOU mentioned above.

Water conservation and water harvesting will be addressed through each individual lot's site development plan.

The Applicant is proposing a water budget of 45.67 acre feet per year, a 20% line loss is then added to make a total of 54.8 acre feet per year.

The project needs a water allocation approved by the Board for the full water budget amount plus line loss of 20% prior to being granted preliminary plat approval.

The project needs an approved water delivery agreement and a wastewater collection agreement approved by the Board prior to Final plat approval.

The water allocation and water and wastewater agreements are on the same BCC agenda as this application; this project is only deemed complete to move forward for public hearing if both of these items are approved by the Board.

OPEN SPACE (Section 7.15)

Per Planning Division review, (Exhibit 3), a total of 30% open space is required to be dedicated as open space.

The Applicant is proposing open space along the Project's perimeter and a 25 foot landscape/open space buffer along the interior loop road and a 10 foot landscape/This open space is required to be identified on the plat and must total a minimum of 30%.

The Applicant proposes that a sidewalk/trail and bicycle lanes which will be constructed in the Rabbit Road right-of-way that will connect to the Rail Trail west of the Project.

PROTECTION OF HISTORIC AND ARCHAEOLOGICAL RESOURCES (Section 7.16)

The applicant submitted an Archaeology report with the initial Master Plan request on the entire acreage, the archaeological inventory of the Project area revealed no significant cultural resources. The Historic Preservation Division stated that they did not have any concerns with the application as no historic properties were being affected.

TERRAIN MANAGEMENT (Section 7.17)

The proposed development has been designed to protect the natural vegetation while minimizing soil erosion and sediment transport during storms. The roads have been designed to follow the natural contours of the land and minimize disturbance.

The Applicant is proposing that all increase in stormwater runoff due to the development of roads will be collected in swales located in the 100 foot open space buffer along Rabbit Road and will serve as a passive irrigation for the vegetation. The impervious areas including roadways and gravel areas requiring ponding is 5,584 cubic feet. The Applicant is providing 5,600 cubic feet of ponding with the proposed swales.

Each lot will be individually responsible for collecting stormwater in on-site retention ponds and water harvesting cisterns as proposed on each lot for irrigation of landscaping.

OPERATION AND MAINTENANCE OF COMMON IMPROVEMENTS (Section 7.23)

The Applicant has submitted covenants, conditions and restrictions for the St. Francis South Subdivision. These covenants, conditions and restrictions will be enforced by the St. Francis South Lot Owners Association. The Lot Owners Association is responsible for the maintenance of all

private roadways, terrain management structures, drainages and common easement landscaping and signs.

AFFORDABLE HOUSING (Chapter 13)

The Preliminary and Final Plat does not include any individual residential lots therefore, affordable housing does not apply.

AGENCY REVIEW (Exhibit 3)

<u>Agency</u>	<u>Review Comment</u>
NMDOT	Approval w/Conditions
NMED	No Comment
OSE	Approval
SHPO	No Historic Properties Affected
County Public Works	Approval w/Conditions
County Fire Marshal	Approval w/Conditions
County Utilities	Approval w/Conditions
County Planning Division	Approval w/Conditions
Soil and Water	No Comment
Santa Fe Public Schools	No Comment
County Open Space and Trails	Approval w/Conditions
County Affordable Housing	No Comment

RECOMMENDATION:

Building and Development Services staff reviewed this project for compliance with conditions of the Preliminary and Final Plat approval and for compliance with pertinent SLDC requirements, and found that the facts presented support the request for Preliminary Plat approval for Phases 1-4 and Final Plat approval for Phases 1 and 2 of the St. Francis South Mixed-use subdivision. If the water allocation agreement, the water delivery and waste water collection agreement are approved by the BCC on this agenda, Staff recommends approval subject to the following conditions:

1. Compliance with applicable review comments from the following:
 - a. NMDOT
 - b. NMED
 - c. OSE
 - d. SHPO
 - e. Soil and Water
 - f. Santa Fe Public Schools
 - g. County Public Works
 - h. County Fire Marshal
 - i. County Utilities
 - j. County Planning Division
 - k. County Open Space and Trails
 - l. County Affordable Housing

2. Preliminary and Final Plat with appropriate signatures shall be recorded with the County Clerk's office.
3. All Staff redlines and comments shall be addressed prior to plat recordation. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat.
4. Water restrictions and conservation covenants shall be filed in the County Clerk's Office and referenced on the plat.
5. A financial guaranty shall be submitted for all off-site and on-site improvements, prior to Final Plat recordation.
6. Compliance with conditions of the Original Master Plan.
7. The two proposed Street lights located at each of the entrances shall not exceed 25 feet in height.
8. Access permits must be obtained from NMDOT prior to plat recordation
9. Applicant shall be required to plat 38' internal easements with a 60' radius cul-de-sac turnaround on all internal cul-de-sacs.
10. Lots 3 ,4, 5, 6, 7,8, 9, 10 ,11, 12; 18, 19, 20, 21 shall be required to gain access through internal cul-de-sacs only, these lots shall not access directly onto the main loop road
11. Lots 13, 14; Lots 15, 16; Lots 1, 2 shall be required to share driveways.
12. Access to Lot 22 shall be directly across shared driveway for Lots 1&2.
13. Lots 15&16 shared driveway shall be directly across Lots 13&14 shared driveway.
14. Access to Lot 17 shall be directly across internal cul-de-sac road between Lots 7&10.
15. All Roads/easements being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
16. If multiple lots are purchased by one owner/developer and lots are consolidated, the Land Use Administrator is authorized to approve the lot consolidation and vacation of easements through an administrative plat approval.
17. A TIA is required for all lot development and future platting, and shall include existing development and approvals to analyze the cumulative effect within the entire development and analyze all existing traffic on Rabbit Road to determine when intersection improvements are warranted.
18. The Applicant shall be responsible for all design and construction costs associated with the two intersection connections with Rabbit Road. These improvements shall be constructed when warranted, no later than Phase 3 development.
19. The applicant is responsible for improvements to Rabbit Road from the intersection with St Francis Drive to the railroad crossing to the west of their property to the design cross section in Exhibit 8 as part of this final plat approval.
20. The Applicant shall identify a total of 30% open space on the plat.
21. The water delivery agreement and wastewater collection agreement shall be complied with prior to recordation of the final plat.

EXHIBITS:

1. Development Report, SRA's and MOU for Water & Sewer Service
2. Proposed Plans
3. Reviewing Agency Responses
4. Aerial Photo of Site
5. Legal Notice
6. May 18, 2017 Planning Commission Meeting Minutes
7. Letters of Opposition
8. Cross section of proposed improvements to Rabbit Road
9. Historic Traffic Counts on Rabbit Road
10. Executive Summary for Traffic Impact Analysis



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South
Preliminary/Final Plat Application

February 24, 2017



Contents*

- 1. Application Report & Attachments**
- 2. Water & Sewer MOU**
- 3. Adequate Public Facilities Assessment (“APFA”)**
- 4. Fiscal Impact Analysis (“FIA”)**
- 5. Environmental Impact Report (“EIR”)**
- 6. Subdivision Disclosure Statement**
- 7. Covenants, Conditions & Restrictions (“CC&Rs”)**
- 8. Representative Architectural Style Photos**

***Under Separate Cover:**

- Traffic Impact Analysis (3 copies)**
- Neighborhood Meeting Report (2 copies)**



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South

Application Report & Attachments



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

February 24, 2017

Vicente Archuleta
Growth Management Division
Santa Fe County
102 Grant Avenue, Suite 101
Santa Fe, NM 87501

**RE: St. Francis South
Preliminary Plat Application, Phases 1 – 4
Final Plat Applications, Phases 1 and 2**

Dear Vicente:

This letter is respectfully submitted on behalf of Vegas Verdes, LLC in application for Preliminary and Final Plat approval by the Board of County Commissioners at their meeting of June 13, 2017. The ±68.9-acre subject property is located at 199 Rabbit Road and is zoned PDD (Planned Development District). Preliminary Plat approval is requested for 22 lots (Phases 1 – 4) and Final Plat approval for Phase 1 comprising four lots and Phase 2 comprising eight lots, as shown on the attached plans.

Project Summary

The subject property is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road to the south, and two large residential lots to the west. The Master Plan for the 22-lot Large Scale Mixed-Use Project (“the Project”) was approved by the Board of County Commissioners at their meeting of December 14, 2010 as Case #Z 10-5360. The Project is approved for a mix of commercial and residential development as outlined in the attached Permissible Use List. At build out, the gross building area is anticipated to be approximately 760,000 square feet. An application for a Variance from SLDC Table 7-12, Urban Road Classification and Design Standards (SDA-1) was submitted on January 20, 2017 to be heard by the Hearing Officer on March 23, 2017 and by the Planning Commission on May 18, 2017.

Compliance with the applicable Sustainable Design Standards is addressed below.

Access

The Project will be served by two access points on Rabbit Road connected by an interior, private loop road. The west entrance will be the primary, full access and the east entrance will be

limited access with right-in, right-out, and left-in turning movements. The Phase 1 access improvements are as follows: (1) construction of the west entrance and approximately 700 linear feet of the on-site road, which will terminate in a temporary emergency turnaround; and (2) construction of a right-turn deceleration lane in Rabbit Road at the west entrance. Phase 2 access improvements include the following: (1) completion of the on-site roadway; (2) construction of the east entrance; (3) median and left turn lane improvements in Rabbit Road serving both entrances; and (4) a right turn deceleration lane at the east entrance. A roundabout is proposed at the west entrance, to be constructed at Phase 2 or such time that the Project's traffic generation warrants intersection control. Please refer to the attached plans for further details.

A sidewalk and bike lane will be constructed in the Rabbit Road right-of-way and will connect to the Rail Trail west of the Project. The phasing of the construction is as follows: Phase 1 – segment between the west entrance and the Rail Trail; Phase 2 – segment between the two Project entrances; and Phase 3 – segment between the east entrance and the east property boundary.

In accordance with the Master Plan approval, the Traffic Impact Analysis must be updated with each phase of development. Therefore, a Traffic Impact Analysis ("TIA") addressing Phases 1 and 2 prepared by Santa Fe Engineering Consultants is submitted herewith for your review.

Fire Protection

The Project will be served by a series of four fire hydrants set along the interior access drive. Furthermore, it is anticipated that many, if not all, of the facilities to be developed will be constructed with automatic fire suppression systems. Please refer to the attached utility plans for further information.

Landscaping and Buffering

In accordance with the provisions of SLDC Section 7.6.4.1, a 25-foot wide landscape buffer will be provided within the open space along the north, east, and south boundaries adjacent to the I-25, St. Francis Drive, and Rabbit Road rights-of-way. The open space will remain undisturbed and in its natural condition during the infrastructure improvements. Any requisite additional landscaping in the requisite 25-foot buffer area will be installed as part of individual lot development. Landscaping will also be installed in the 12' wide on-site roadway median and in the planting strips between the driveway and the sidewalks. The vegetation will include a mix of deciduous and evergreen trees and a variety of shrubs. In addition, all disturbed areas will be re-vegetated with native grasses. Furthermore, each lot will be landscaped at the time of development in accordance with County requirements, to include setback areas, parking lot screening, internal landscape islands, etc. Please refer to the Landscape and Signage Plan for further details.

Fences and Walls

The property is currently fenced with wire fencing. There is no other fencing on the property and none is proposed with this application.

Lighting

Pole lights are proposed at each entrance and the fixtures will be full cut-off and shielded in compliance with County requirements. Additional lighting will be provided in the future as part of the development of each lot.

Signs

A monument sign is proposed at each entrance, which will be set back a minimum of 25 feet with a maximum height of 10 feet in accordance with SLDC requirements. Please refer to the attached Landscape and Signage Plan for details.

Parking

Requisite parking will be provided as part of the development of each lot. No parking will be constructed as part of this application and on-street parking on the internal loop road is prohibited.

Utilities

Water Service: The Project will be served by the Santa Fe County Water System, which will connect to the City of Santa Fe Water System. A new 8" public line will connect to existing City infrastructure in Rodeo Business Park north of I-25 and extend to the Project within a bore under the freeway. A Memorandum of Understanding ("MOU") between the City of Santa Fe and Santa Fe County for water and sewer service was recorded on November 17, 2016 as Instrument #1809962. Please refer to the attached utility plans and the City-County MOU for further information.

The estimated annual water budget is 54.44 acre feet per year (please see attached Water Budget).

Liquid Waste Disposal: The Project will be served by the Santa Fe County Wastewater Collection System, which will discharge into the City's wastewater collection and treatment system, per the MOU referenced above. A new 8" sewer line will connect to an existing manhole in Rodeo Business Park and extend to the project within a bore under I-25.

Solid Waste Disposal: Each facility within the Project will contract individually with a local waste collection firm.

Water Harvesting

At the time of lot development, active water harvesting will be provided in accordance with SLDC Section 7.13.11.7. The cisterns for each facility will be sized in accordance with its landscaping water budget and based on the highest monthly water demand.

Open Space & Trails

Per SLDC §7.15.3.3, 30% passive open space is required. The subdivision plat establishes 13.75 acres (20%) of passive open space along the Project's perimeter. The remaining 10% of required open space will be provided on the individual lots as they are developed. As described above, a sidewalk and bicycle lane will be constructed in the Rabbit Road right-of-way that will connect to the Rail Trail west of the Project.

Archaeological Resource Protection

The subject property is located in an Area of High Potential. Per the requirements of SLDC Section 7.16.15, an Archaeological Clearance Form and letter are attached.

Terrain Management

The subject property has gently sloping terrain with minor, isolated occurrences of 15% - 30% slopes. There are no slopes that are 30% or greater (see attached Slope Analysis). The northern two-thirds of the site drains to the north, while the remainder drains to the south. An existing 48-inch CMP under St. Francis Drive daylights at the east boundary into a drainage way flowing in a northwesterly direction to a 72-inch CMP under I-25. Storm water from the on-site roadway will be collected in some swales located in the 100-foot open space buffer along Rabbit Road and will serve as passive irrigation for the vegetation. In addition, storm water within historic flow volumes will be directed into the existing drainage way. The Lot Owners' Association will maintain the private roadway and common drainage facilities. In addition, each lot will be individually responsible for collecting all storm water in on-site retention ponds and cisterns. Please refer to the Terrain Management Plan for further details.

In support of this request, the following documentation is submitted herewith for your reference:

- Development Permit Application
- Warranty Deed
- Legal Lot of Record Verification & Survey
- Letter of Agent Authorization
- 911 Assigned Address Form
- Proof of Taxes Paid
- Archaeological Clearance Form & Letter
- Recorded Master Plan
- Permitted Use List

- Water Budget
- Water & Wastewater MOU
- SRAs: APFA, FIA & EIR
- Neighborhood Meeting Report
- Subdivision Plans – 12 full size, 1 reduced
- 8 CDs containing the Report, Subdivision Plans, & TIA

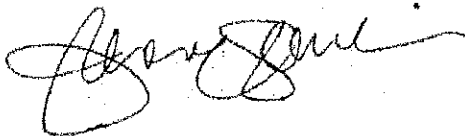
Application Fees are herewith submitted in the amount of \$7,000.00, as follows:

- Preliminary Plat – 22 lots. \$1,000.00 base fee plus \$100/lot = \$3,200.00
- Fire Review Fee \$50/lot = \$1,100.00
- Final Plat – Phases 1 & 2 (12 lots) \$1,500.00 base fee plus \$100/lot = \$2,700.00

Your consideration of these applications is greatly appreciated. Please contact me should you have any questions or require additional information.

Thank you.

Sincerely,



Jennifer Jenkins
JenkinsGavin, Inc.



BUILDING AND DEVELOPMENT SERVICES AND
SANTA FE COUNTY FIRE PREVENTION DIVISION
DEVELOPMENT PERMIT APPLICATION



Applicant Name: (Present &/or Former Names) _____ Development Permit Number _____ Project Manager/Type/Date Received _____

Development Fees Paid Y N Amount: _____ Fire Impact Fee Paid Y N Amount: _____ Total Fees Paid: _____
(Additional Fire Inspections will be charged a minimum \$25.00 fee)

For official use only

Type of Development Permit:

(Indicate all that apply)

- Site Dev. Plan Conceptual Plan Conceptual Use Residential Bldg. Plan Commercial Bldg. Plan Accessory Structure Driveway
 Lot Line Adj. Summary Rev Sub. Major Sub. Minor Sub. Com. Sub. Sprinkler/Alarm Mobile Home Solar Other _____

Wildland Hazard Rating: Moderate High Very High Extreme N/A Fire District El Dorado

Fire Protection Water Source: Fire Hydrant Draft Hydrant Pond Other _____ Driveway length: see plans Width: _____

PROPERTY OWNER INFORMATION: First Name: vegas verdes, LLC Last Name: _____
Mailing Address: PO BOX 22865, Santa Fe NM Zip: 87502
Rural address of Project: 119 Rabbit Road Zip: _____
Written Directions to Project Site: St. Francis south to end; west on rabbit Rd. Project site is to the right (north).

Gate Code _____

Cell Phone: _____ Home Phone: _____ Email address: jennifer@jenkinsgavin.com
Contractor/Agent Company Name: Jenkins Gavin Inc. Address: 130 Grant Ave suite 101 SF 87501
Cell Phone: (505) 930-6149 Work Phone: (505) 820-7444 Contractor's License # _____

PROJECT DESCRIPTION: Preliminary plat approval for 22 lots; Final Plat approval for 12 lots.

Section: 11 Township: 16 N Range: 9 E Commission District: 4 Parcel ID: 23451904

UPC Number: 1-053-095-115-220 Plat Book: 674 Page: 037 Date Recorded: 2/6/08

Warranty Deed Instrument #: 1653390 Date Recorded: 12/7/11 Subdivision Name: _____

Acreage: + 69.0 Estimated Completion Date: _____ Valuation: _____

Proposed Number of Dwellings Onsite: N/A Existing: _____ Total: _____

Proposed Number of Lots Onsite: 22 Existing: 1 Total: 22

Proposed Roofed Area Sq. Ft.: N/A Existing Roofed Area Sq. Ft.: _____ Total Roofed Area Sq. Ft.: _____

Lot Number: _____ Phase: _____ Affordable Unit: Yes No All Weather Access: Yes No (*Access improvements required)

County Road: Yes * No (Access Permit DPW required) Legal Access: Yes No

FEMA 100-year floodplain: Yes * No Zone _____ Panel Number: _____ Floodplain Dev. Permit required)

NMED Septic Permit: Yes No Community Sewer System Yes No Water Restrictions: Yes * No Book _____ Page _____

Shared Well: Yes * No *Share Agreement Inst. # _____ Meter Reading: _____

Well Permit # _____ Well Meter Serial Number: _____ Meter Type _____ Unit of Measure: _____

Community Water System: Yes * No (* Water Service Letter Required) Required: Yes No Rain barrels Required: Yes No

Proof of Taxes: Yes No (SLDC Zoning): A/R RUR RUR-F RUR-E RES-E RES-C TC CN CG IL I MU PD

Owner Acknowledgment or Authorized Representative: Signature: _____ Date: 2/24/17

By signing I acknowledge all information is true and accurate, and I authorize the Santa Fe County Fire Prevention Division from requiring additional inspections on my property as related to this permit application. I agree and I understand that the issuance of any subsequent permits does not prevent the Santa Fe County Fire Code from enforcing the provisions of the Santa Fe County Fire Code as adopted by the Board of County Commissioners.

St. Francis South Plat Application Page 3 of 23

Type of Permit Issued: _____ Date: _____
Approved By: _____ Date: _____
Redlines Yes No Inspections Conducted: Initial Pre-Final Final Certificate of Completion Yes No

WARRANTY DEED

JOEB, LLC, a New Mexico limited liability company, for consideration paid, grants to Vegas Verdes, LLC, a New Mexico limited liability company, whose address is Post Office Box 22865, Santa Fe, New Mexico, 87502, the following described real estate located in Santa Fe County, New Mexico:

Tract A as shown and described on that certain plat of survey entitled *Boundary Survey Plat of Tract A on Rabbit Road West . . .*, by Dean L. Shrader, NMPS No. 12451, dated February 5, 2008, filed for record on February 6, 2008, as Instrument No. 1514600, and recorded in Plat Book 674, page 037, of the real property records of Santa Fe County, New Mexico;

SUBJECT TO liens for taxes and assessments for the year 2011 and thereafter, and reservations, restrictions, easements and other matters of record and on the ground;


SUBJECT TO that certain Mortgage duly recorded as Instrument #1514949 in the real property records of Santa Fe County, New Mexico, and the indebtedness secured thereby, which the grantee herein assumes and agrees to pay;

with warranty covenants.

WITNESS its hand and seal effective the 8th day of February, 2011.

JOEB, LLC,
a New Mexico limited liability company

By:


David D. Gurule

Its: Authorized Member

SEC CLERK RECORDED 12/07/2011

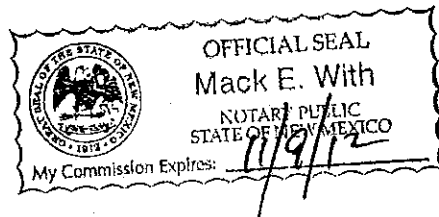
STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

This instrument was acknowledged before me this 9th day of February, 2011, by David D. Gurule, as the Authorized Member of JOEB, LLC, a New Mexico limited liability company, on behalf of such company.

Mack E. With

Notary Public

My Commission expires:
11/9/12



COUNTY OF SANTA FE) WARRANTY DEED
STATE OF NEW MEXICO) ss PAGES: 2

I Hereby Certify That This Instrument Was Filed for Record On The 7TH Day Of December, 2011 at 11:17:14 AM And Was Duly Recorded as Instrument # 1653390 Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 12/27/2011

HIGH DESERT SURVEYING, INC.

Dean Shrader, P.S. 12451



1925 Aspen Drive, Ste. 401 • Santa Fe, N.M. 87505 • Phone: (505) 438-8094 • Fax: (505) 424-1709 • hidesert@newmexico.com

7/6/2010

Re: "Lot of Record" for Tract A, a 68.944 Acre Tract at 198 Rabbit Road West, Santa Fe County, NM.

To whom it may concern,

The above referenced property is shown on a "Boundary Survey Plat of Tract A on Rabbit Road West ..." prepared by me on 2/5/2008. Said Plat was recorded on February 6, 2008 in Plat Book 674 Page 37 as Document No. 1514600 in the records of Santa Fe County, NM.

There is no Plat that I am aware of that would fulfill the County requirements of a county acknowledged Plat recorded subsequent to the County code being enacted on 1/1/1981. Therefore "Lot of Record" is by exception or exclusion.

The subject Tract is bounded entirely on its North and East Boundaries by Interstate 25; Exit Ramp "G" which is a portion of Interstate 25 and St. Francis Drive which is US Highway 84-285. The South Boundary of the subject Tract is bounded by "Rabbit Road West" which is a frontage Road with a 100' wide Right of way. The West Boundary of the subject Tract is bounded by a Recorded Land Division Plat (Plat Book 217 page 36 on 11/28/90.

Subject Tract "A" is therefore bounded on all sides by Federal or State Highway Rights of Way and a County acknowledged Land Division. This leaves no boundary unaccounted for.

As indicated by Note 2 of my Plat: I was not supplied with a Recorded Deed of the subject Tract, only "Legal" descriptions, unrecorded.

Sincerely,

Dean Shrader, PS 12451
President
High Desert Surveying, Inc.
1925 Aspen Drive, Suite 401
Santa Fe, NM 87505
505.438.8094



BOUNDARY SURVEY PLAT
of
TRACT A 6740037
ON
RABBIT ROAD WEST

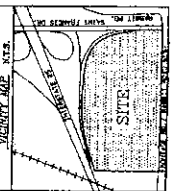
66.944 ACRES ±
THE NEW & IMPROVED SURVEY AND PLAT OF
SECTION 11, T. 16 N., R. 9 E., S. 10W., OF
SANTA FE COUNTY, NEW MEXICO
Containing 66.944 Acres ±

NOTES

- 1) LINES OF BOUNDARY IS LARON FROM ONE INSTRUMENTATION, SEE 14.
- 2) MAPS TO BOUNDARY DESIGN, EACH INSTRUMENTATION FOR BOUNDARY DESIGN, SEE 14.
- 3) THE BOUNDARY DESIGN, EACH INSTRUMENTATION FOR BOUNDARY DESIGN, SEE 14.
- 4) THE BOUNDARY DESIGN, EACH INSTRUMENTATION FOR BOUNDARY DESIGN, SEE 14.
- 5) THE BOUNDARY DESIGN, EACH INSTRUMENTATION FOR BOUNDARY DESIGN, SEE 14.

FIELD NOTE
THE SURVEY WAS MADE IN THE MONTH OF SEPTEMBER, 1954.
THE SURVEY WAS MADE IN THE MONTH OF SEPTEMBER, 1954.
THE SURVEY WAS MADE IN THE MONTH OF SEPTEMBER, 1954.

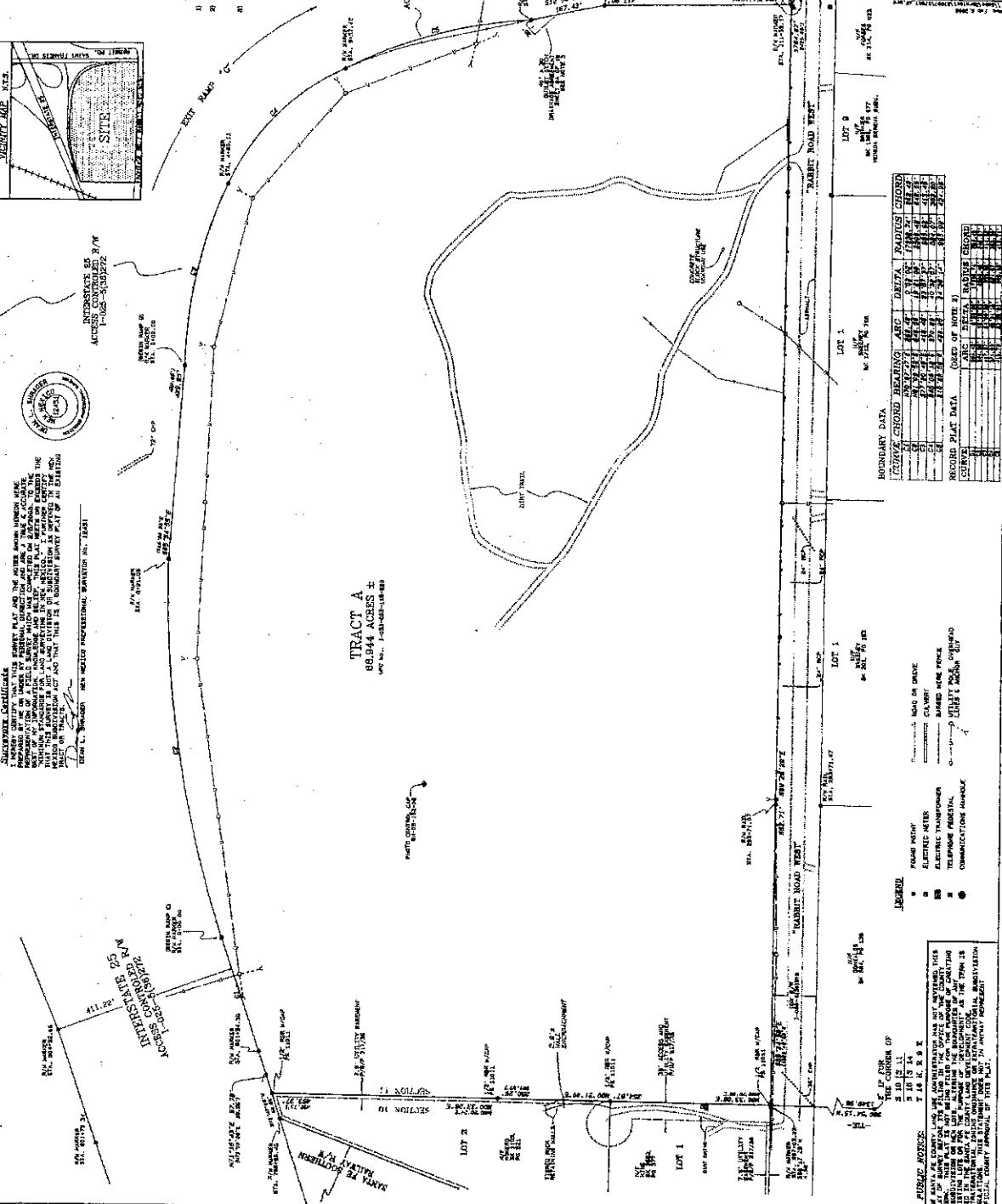
INJECT
5714400
BY: [Signature]
DATE: [Date]



SURVEYOR'S CERTIFICATE
I, [Name], a duly licensed Professional Surveyor in the State of New Mexico, do hereby certify that the foregoing plat and map were prepared by me or under my direct supervision and that the same are true and correct copies of the original field notes and computations on which they are based, and that I am a duly licensed Professional Surveyor in the State of New Mexico.

TRACT A
66.944 ACRES ±
OFF No. 108-081-18-00

S. FRANCIS DRIVE



RECORDING INFORMATION FOR COUNTY CLERK

BOOK	PAGE	TRACED	DATE	ADDRESS

BOUNDARY DATA

LINE	BEARING	DISTANCE	AREA	PERCENT	ADJUSTED	ADJUSTED

ADJUSTED PLAT DATA (USED OF NOTE 3)

LINE	BEARING	DISTANCE	AREA	PERCENT	ADJUSTED	ADJUSTED

ADJUSTED PLAT DATA (USED OF NOTE 3)

LINE	BEARING	DISTANCE	AREA	PERCENT	ADJUSTED	ADJUSTED

LEGEND

- ROAD OR DRIVE
- BOUNDARY
- ADJUSTED BOUNDARY
- ADJUSTED BOUNDARY
- ADJUSTED BOUNDARY

PUBLIC NOTICE
THE SANTA FE COUNTY LAND AND ADMINISTRATION HAS NOT REVIEWED THIS PLAT FOR CONFORMANCE WITH THE PROVISIONS OF THE PLAT ACT. THIS PLAT IS NOT VALID UNLESS IT IS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SANTA FE, NEW MEXICO, AND THE PLAT IS NOT VALID UNLESS IT IS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF SANTA FE, NEW MEXICO.

ADJUSTED PLAT DATA (USED OF NOTE 3)

LINE	BEARING	DISTANCE	AREA	PERCENT	ADJUSTED	ADJUSTED

HIGH DESERT SURVEYING, INC.
PROFESSIONAL SURVEYING
1655 AVENUE N.W. SUITE 401
SANTA FE, NEW MEXICO 87505
PHONE: (505) 424-1700
FAX: (505) 424-1700
PLAT NAME: BOUNDARY SURVEY PLAT A
PARCEL NO. 07407

VEGAS VERDES, LLC

January 3, 2017

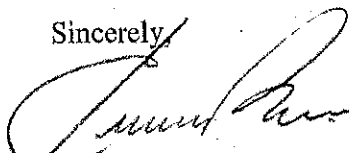
RE: St. Francis South
199 Rabbit Road

To Whom It May Concern:

This letter shall serve as authorization for JenkinsGavin, Inc. to act on behalf of Vegas Verdes, LLC with respect to the referenced property and land use applications to be submitted to Santa Fe County.

Thank you.

Sincerely


Ernie Romero

For Vegas Verdes, LLC

ACKNOWLEDGEMENT

STATE OF NEW MEXICO) (ss.

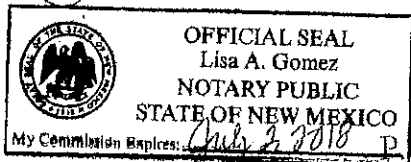
COUNTY OF SANTA FE)

On this 3rd day of January, 2017, the foregoing instrument was acknowledged before me by Ernie Romero.



Notary Public

My commission expires: July 2, 2018



505-986-2934

P.O. Box 22865 Santa Fe New Mexico 87502

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

ASSIGNED ADDRESS FORM

KEEP FOR YOUR RECORDS

This is your Official Physical (E-911) Address:

Address: 199 RABBIT RD City, Zip SANTA FE, 87508
Lot#: _____ Tract#: _____ Blk: _____ Sub: N/A Annexed: Y Acct. # 73451904

PLEASE NOTE: This E-911 address is also known as your physical or street address and is part of the 9-1-1 Emergency System. It may be different from your mailing address. For more information regarding how, or if, this will affect your mail delivery, please contact your local Post Office.

Currently the following other entities also require a valid physical (E-911) address and will not supply services without a physical (E-911) address provided by Santa Fe County.

It is the responsibility of the resident to notify the following agencies:

- The Post Office is now requiring that all mailing addresses (except P.O. Box addresses) reflect the physical (E-911) addresses assigned by Santa Fe County E-911 Addressing.
- The Motor Vehicle Division will no longer issue driver's license, titles, or plates without a physical (E-911) address.
- The Telephone Company will not supply new service without a physical (E-911) address.
- The Utility Companies will not supply new services without a physical (E-911) address.
- The Bureau of Elections will also require a physical (E-911) address in order to register to vote.
- Vital Statistics will not issue Birth or Death Certificates without a physical (E-911) address.
- Planning and Zoning will not approve lot splits or building permits without confirmed physical (E-911) addresses.
- To obtain a Santa Fe County Solid Waste Permit you will also need your physical (E-911) address.

Santa Fe County collects the information required to update and maintain the E-911 addressing database and to tie in the physical (E-911) address with the person residing at the location where the E-911 address has been assigned. The information contained in the E-911 database is confidential and names and/or phone numbers are only shared with emergency response service staff.

Please keep Santa Fe County E-911 Addressing informed whenever your physical location and/or phone number(s) change. In the event that you or others in your household must dial 911 and are unable to explain your situation, or give your location; the information you have provided will appear on the emergency response dispatcher's computer. This enables the dispatcher to assign the appropriate emergency response units to the location where the phone call was made in a timely manner. It may even save a life!

Thank you for helping us **HELP YOU!**

Please call (505) 995-2732, or toll free at 1 (800) 894-7028, if you have any questions.

VERIFIED BY: Mark Garland

DATE: 1/3/17

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

GIS INFORMATION Required for all permits

Property Location ID 23451904
Rural address: 199 RABBIT RD
City: SANTA FE Zip: 87508

Is the property over 7400 ft in elevation?	Y	<input checked="" type="radio"/> N
Is the property over 7800 ft in elevation?	Y	<input checked="" type="radio"/> N
Does the property lie in an archaeological area?	<input checked="" type="radio"/> Y	N
Is the property in a flood zone?	Y	<input checked="" type="radio"/> N

Provide property map showing flood zone, contours and elevation

VERIFIED BY: Mark Caland DATE: 1/3/17



January 3, 2017

Aerial Photography from 2014
 Contour Interval 2 Feet (source: 2001)
 North American Vertical Datum 1988

This information is for reference only.
 Santa Fe County assumes no liability for
 errors associated with the use of these data.
 Users are solely responsible for
 confirming data accuracy.

Official FEMA Flood Zones - 2012

- 0.2 % Annual Chance Flood Hazard
- 2012 Zone A (No BFEs Determined)
- 2012 Zone AE
- 2012 Floodways
- 2012 Zone AC
- 2012 Zone D

Subject Property

- Parcels
- Elevation Isolines
- 7400 Foot Elevation
- 7800 Foot Elevation
- 2012 Base Flood Elevations

Roads

- Driveways
- Incorporated Area

1:2,400
 1 inch represents 200 feet

200 100 0 200 400 600 800 1,000 Feet



Growth Management Department
 Collection of Property Taxes on Real Property
 Divided or Combined (SB406)

Assessor's

Owner: Vegas Verdes LLC

Map Code (UPC): 105309511522

Parcel ID: 23451904

Value Year: 2017

Total Acreage: 68.91

Total Taxable value: 310,094

Verified by: Gloria Vigil

Date: 2/21/2017

Title: Appraisal Assess Mngt.

Treasurer's

Delinquent

Delinquent tax due (inclusive of tax penalties, interest and other fees) =

Prior Year

Taxable Value 310,095.00 x Rate 0.028756 Total Due = 9,381.02
2016 Year 2016 Year

Current Year

Taxable Value 310,095.00 x Rate 0.028756 Total Due = 8,742.04
2017 Year 2017 Year

Total amount to be collected: \$ 13,143.06

Quote valid until: 3/21/17

Verified by: Cheryl Metz

Date: 2/21/17

Title: Tax Assessment Spec

Disclaimer:

Payment of taxes does not guarantee approval of request to divide or combine real property.
 Interest & Penalty charges will continue to accrue on the delinquent balance after the 10th day
 of each month. At the time of the final plat recordation additional taxes might be owed.



CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL



Case File Number AR4-29-88 Date Application Submitted Dec 11, 2008

District: Historic Downtown District; River & Trails-Regular; Santa Fe Trail; Suburban

Building Sq. Ft. _____ Development Acreage 68.94 acres

Project Description: _____

Site Address/Location: 199 Rabbit Road Property Owner: Phase One Realty

Permit: Grading; Development; Building PO Box 22865, SF NM 87502

Applicant Information: Name: Ron Winters

Mailing Address: 109 Calle Paula, SF NM 87505 Phone No: 505-670-9958

Archaeological Consultant: Ron Winters

RECONNAISSANCE REPORT

- | | |
|---|--|
| 1. <input type="checkbox"/> Project Archaeologist's Resume | f. <input type="checkbox"/> Historic Photos (needed if in Historic Downtown District) |
| 2. <input type="checkbox"/> Vicinity Map | g. <input type="checkbox"/> Information from Title Abstract (if available) |
| 3. <input checked="" type="checkbox"/> Project Site Description | 8. <input type="checkbox"/> 2% Testing (Historic Downtown District Only) |
| 4. <input checked="" type="checkbox"/> Development Project Description | 9. <input checked="" type="checkbox"/> Description of Prehistoric & Historic Occupation & Land Use |
| 5. <input type="checkbox"/> Outline of Research & Methodology | 10. <input checked="" type="checkbox"/> Description of Cultural Remains Discovered and Significance |
| 6. <input type="checkbox"/> Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts | 11. <input type="checkbox"/> NM Site Inventory Forms and Other Documentation |
| 7. <input checked="" type="checkbox"/> Archival Research | 12. <input checked="" type="checkbox"/> Recommended Site Significance |
| a. <input type="checkbox"/> Historic Maps & Aerial Photos | 13. <input checked="" type="checkbox"/> Assessment of Development's Impact on Cultural Remains |
| b. <input type="checkbox"/> ARMS Files & Archaeological Reports | 14. <input checked="" type="checkbox"/> Recommended Treatment for Site |
| c. <input type="checkbox"/> General Land Office (BLM) Surveys or Land Grant Plats | 15. <input checked="" type="checkbox"/> Listing of Sources, i.e. historic maps, aerials, reports, etc. |
| d. <input type="checkbox"/> 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby) | |
| e. <input checked="" type="checkbox"/> National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure) | |

ARC APPROVAL: MEETING DATE: Jan 8, 2009
Special Conditions: Yes (see attachment) No

TREATMENT PLAN REQUIRED:

Yes: _____ No: _____
TREATMENT PLAN ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

PRELIMINARY TREATMENT REPORT

<input type="checkbox"/> a. Research Design Outline	<input type="checkbox"/> d. Description of Cultural Remains Discovered
<input type="checkbox"/> b. Site Map of Excavations	<input type="checkbox"/> e. Description of Prehistoric and Historic Occupation and Land Use
<input type="checkbox"/> c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable	<input type="checkbox"/> f. Listing of Sources

TREATMENT REPORT ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

FINAL TREATMENT REPORT

_____ Date Final Report Due _____ Date Final Report Received _____

Permit Approved: [Signature] Archaeological Review Committee Chairperson Date: 1/8/09

PL106-5949100074



Ron Winters

109 Calle Paula
Santa Fe, NM 87505

505-670-6952 mobile
rondigs@comcast.net

February 26, 2014

JenkinsGavin Design & Development
130 Grant Avenue, Suite 101
Santa Fe, NM 87501
505-820-7444

Dear Jennifer,

On December 1 and 2, 2008, Ron Winters and Lael Grant, conducted a cultural resources survey of 68.94 acres just to the southwest of the intersection of St. Francis Drive and I-25 in Santa Fe County, New Mexico. The project parcel lies within the Suburban Archaeological Review District. The study was conducted on behalf of Bruce Geiss and Dave Gurule, PO Box 22865, Santa Fe, New Mexico. Phase One Realty proposes to subdivide the project property for development. This archaeological survey was conducted under New Mexico Annual Archaeological Survey Permit NM-08-141.

A search of the New Mexico Cultural Resources Information System files (NMCRIIS) at the Archaeological Records Management Section, State Historic Preservation Division in Santa Fe revealed two previously recorded cultural resources within the project area. During the course of the field investigation two isolated occurrences (IO) were recorded. The two IOs, an historic tin can and a basalt bifacial core, were recorded in the field and their locations mapped. Their data potential was exhausted with this recording and they do not hold the potential to yield additional information on Santa Fe area prehistory. No unrecorded archaeological sites or other historic resources were discovered within the project area. Furthermore, no paleontological remains were identified during the survey and no Traditional Cultural Properties or culturally sensitive areas were documented.

Archaeological inventory of the project area revealed no significant cultural resources. The ground surface visibility for this survey (and thus, site recognition and identification) was good due to lack of heavy vegetation or ground cover. The property was found to hold little potential for contributing additional information on the prehistory or history of Santa Fe. Archaeological clearance for the proposed project was, therefore, recommended.

On acceptance of the report by the Archaeological Review Committee (ARC) on January 8, 2009, it was my understanding that the ARC and the City of Santa Fe Planning Division would forward to the State Historic Preservation Office the second, bound copy of the report, as is required. Should you have any further questions, please don't hesitate to contact me.

Thank you,

Ron Winters

PERMITTED USE LIST

RESIDENTIAL. ALL HOUSING TYPES PERMITTED, INCLUDING:

- MULTI-FAMILY APARTMENTS
- SENIOR HOUSING (INCLUDING EXTENDED CARE & INDEPENDENT LIVING)
- LIVE / WORK

EDUCATIONAL:

- ART SCHOOLS
- BUSINESS AND VOCATIONAL SCHOOLS
- COLLEGES AND UNIVERSITIES
- NONPROFIT & RELIGIOUS INSTITUTIONS (INCLUDING RELIGIOUS ASSEMBLIES)
- PRIVATE SCHOOLS

GOVERNMENT:

- GOVERNMENTALLY OWNED OR OPERATED BUILDINGS
- NEIGHBORHOOD, COMMUNITY AND MUNICIPAL BUILDINGS IN KEEPING WITH CHARACTER OF AREA
- HOSPITALS AND EXTENDED CARE FACILITIES
- UTILITIES (PNM, WATER, QWEST, ETC.)

MEDICAL:

- ADMINISTRATIVE OFFICES AND ORGANIZATIONS PROVIDING MEDICALLY RELATED SERVICES
- APOTHECARY SHOPS OR PHARMACIES
- MEDICAL AND DENTAL OFFICE OR CLINICS PROVIDING TREATMENT FOR THE HEALTH AND WELFARE OF HUMAN PATIENTS
- OFFICES FOR THOSE LICENSED BY THE STATE TO PRACTICE HEALING ARTS

PUBLIC ACCOMMODATIONS:

- CONFERENCE AND EXTENDED STAY LODGING FACILITIES
- HOTELS, INCLUDING RESIDENTIAL SUITE HOTELS

SERVICE ESTABLISHMENTS:

- CONVENIENCE STORE WITH RELATED GASOLINE SALES
- NEIGHBORHOOD GROCERY STORE CATERING TO LOCAL PEDESTRIAN TRADE
- RETAIL AND SERVICE USES THAT ARE INTENDED TO SERVE THE PRIMARY USES AND DO NOT EXCEED 5,000 S.F.
- RETAIL SALES ACCESSORY TO ANY PERMITTED USE PROVIDED THAT SUCH COMMERCIAL USE SHALL NOT OCCUPY MORE THAN 10 % OF ANY BUILDING
- BARBER SHOPS AND BEAUTY SALONS

OFFICES / INDUSTRIAL:

- ALL OFFICE USES INCLUDING OFFICE WAREHOUSE AND DISTRIBUTION
- CORPORATE OFFICES FOR BUSINESS AND PROFESSIONAL
- RESEARCH, EXPERIMENTAL AND TESTING LABORATORIES
- LIGHT ASSEMBLY AND/OR MANUFACTURING AND SHIPPING
- WAREHOUSE AND DISTRIBUTION

MISCELLANEOUS:

- TELECOMMUNICATIONS FACILITIES
- PRIVATE DAY CARE, NURSERIES AND KINDERGARTENS
- NON-COMMERCIAL GREENHOUSES AND PLANT NURSERIES
- VETERINARY SALES AND SERVICES
- ARTS AND CRAFTS STUDIOS, GALLERIES AND SHOPS
- DANCE STUDIOS
- NON-PROFIT THEATRES FOR PRODUCTION OF LIVE SHOWS
- PHOTOGRAPHERS' STUDIOS
- PRIVATE CLUBS AND LODGES
- FINANCIAL SERVICES

St. Francis South
Conceptual Water Budget
 Revised June 26, 2017

Total Land Area 68.9 acres

OFFICE

Gross Building Area 150,000 sf

0.70 AFY Per 10,000 SF* 3,421,436 GPY 10.5 AFY

WAREHOUSE

Gross Building Area 300,000 sf

0.40 AFY Per 10,000 SF* 3,910,212 GPY 12.0 AFY

SENIOR ASSISTED LIVING FACILITY

of Units 75

0.12 AFY Per Unit* 2,932,659 GPY 9.00 AFY

SKILLED NURSING FACILITY

Gross Building Area 50,000 sf

3,519,191 GPY 10.80 AFY

Based on Medical Office at 0.72 AFY Per 10,000 SF & adjusting for 24-hour facility

PROJECT LANDSCAPING

2,500 Trees using 10 gallons per week for 6 months	645,000	GPY	
2,500 Trees using 2 gallons per week for 6 months	129,000	GPY	
2,500 Shrubs using 4 gallons per week for 6 months	258,000	GPY	
2,500 Shrubs using 1 gallon per week for 6 months	64,500	GPY	

Subtotal Landscaping 1,096,500 GPY 3.37 AFY

TOTAL ANNUAL WATER BUDGET

14,879,997 GPY 45.67 AFY

*Source: City of Santa Fe Resolution 2009-116



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South
Water & Sewer MOU

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY
FOR WASTEWATER AND WATER SERVICE TO THE ST. FRANCIS SOUTH
LARGE SCALE MIXED-USE PROJECT**

The City of Santa Fe ("the City") and Santa Fe County ("the County") enter into this Memorandum of Understanding ("MOU"), effective as of the last date written below, for a new water connection and water services via a master meter to the City's water system and for a new sanitary sewer connection and sewer services for the St. Francis South Large Scale Mixed-Use Project ("the Project"). The Project, located on Rabbit Road at the southwest corner of I-25 and St. Francis Drive, New Mexico (Exhibit A- Vicinity map), will include a County wastewater collection system ("County Collection System") owned by the County that will discharge into the City's wastewater collection and treatment system ("City Wastewater System") and a County water system ("County Water System") owned by the County that will connect to the City's water system (City Water System) pursuant to this MOU.

RECITALS

- A. The City and the County entered into a "Settlement Agreement and Mutual Release of Claims" on May 19, 2008 ("Settlement Agreement"), which addressed issues of annexation in general, the presumptive city limits, and the need to "establish sensible water and wastewater utility service areas for the City and County."
- B. Section 2(m) of the Settlement Agreement provides:
- The City shall provide water and wastewater service within the presumptive city limits and shall not provide water and wastewater service outside the presumptive city limits unless required by a current contract with a customer, decrees of a court, or applicable rulings of the Public Regulation Commission, unless otherwise agreed upon between the City and the County in a separate written agreement.
- C. The Project will be located outside the "presumptive city limits," as defined in the Settlement Agreement.
- D. The Project will be constructed on a 68.9-acre parcel (Exhibit A) that is further described in the attached Master Plan (Exhibit B) and Boundary Survey Plat (Exhibit C). The Project will consist of mixed-use spaces including offices, warehouses, medical facilities, and multi-family residential lots.
- E. The County currently lacks infrastructure to transmit, treat and dispose of wastewater from the Project and currently lacks infrastructure to transmit water for the Project. The purpose of this MOU, therefore, is to set out the terms and conditions under which the County Collection System for the Project will be permitted to connect and discharge wastewater to the City

Wastewater System and the County Water System for the Project will be permitted to connect to the City Water System.

F. Pursuant to Sections 22-6.2 and 25-1.11 of the Santa Fe City Code ("SFCC"), applications to connect to the City Wastewater System and City Water System outside of the City limits are reviewed by the water/wastewater review team ("WWRT"), which consists of "City and County staff from the Water Division, the Wastewater Division, the City attorney's office, the County Attorney's Office, the Land Use Departments and the Office of Affordable Housing."

G. On December 22, 2014, the County Utility submitted a letter application ("Application") to the WWRT on behalf of Project owner requesting that the Project be connected to the City Wastewater System.

H. On February 17, 2015, the WWRT met to review the Application. The WWRT members determined that the Application was complete and that it met the requirements of Section 22-6.2. SFCC.

I. On May 3, 2016 the City determined that a concurrent request for City water service pursuant to Section 25-1.11 of the Santa Fe City Code is required as a condition of receiving City sewer service and that the source of water for the Project will be the County Utility via a master meter located at the end of the City's main water line at East Rodeo Park Drive (Exhibit D).

AGREEMENT

1. Wastewater Connection and Discharge Authorization; City Review and Approval: The County Collection System is hereby authorized to connect and discharge to the City Wastewater System as per the design and at the connection point shown on Exhibit D. Upon receiving design plans for the County Collection System, the County shall notify the City and make such plans available to the City for review and comment. At its discretion, the City may require that no discharge into the City Wastewater System occur until the City inspects the connection to verify that it meets applicable City codes, standards and requirements. All costs for the County Collection System to connect to the City Wastewater System shall be paid by the Project or County.

2. Water Connection Authorization; City Review and Approval: The County Water System is hereby authorized to connect to the City Water System as per the design and at the connection point shown on Exhibit D. The connection shall be made via a new master meter, vault, and flow restrictor (pressure sustaining valve), the design of which shall be approved by the City Water Division in a timely manner. Flow control will be required at the master meter to limit flow to a maximum 2500 gpm. The City shall own the master meter, vault, and appurtenances and the County shall own the water system on the County side of the master meter. The County will provide design plans for this project to the City in a timely manner upon receipt from Project developer. The City will not supply water from the City Water System to the County Water System at this location until all plans and inspection work have been completed and approved by

SFC CLERK RECORDED 11/17/2016

the City. The City will inspect the connection to verify that it meets applicable City codes, standards and requirements. All costs for the County Water System to connect to the City Water System including the master meter, flow restrictor (pressure sustaining valve), vault and associated appurtenances required to operate the master meter and flow restrictor shall be paid by the Project or County. The County will also be responsible for the monthly service charge for the master meter. The rates for this service charge can be found in Chapter 25 of the City Code.

3. Regulatory Oversight: The County shall be responsible for inspecting, reviewing and approving the County Collection and Water Systems and shall require the Systems to be constructed, operated, and maintained in compliance with all applicable federal, state, City and county requirements. In the event of a County Collection or Water System malfunction that creates or may create a nuisance or constitute a violation of law, the County shall correct the malfunction as soon as practicable after receiving notice thereof. The City shall have no obligation to assume any regulatory oversight responsibilities with respect to the County Collection or Water System except as necessary to enforce applicable City code and ordinances.
4. Compliance with Federal, State and Local Law; Santa Fe Homes Program. The County shall assure that any portion of the County Collection and Water System complies with all applicable federal, state, and local laws. Pursuant to SFCC §22-6.2(G), the City's Santa Fe Homes Program (SFCC §14-8.11) does not apply.
5. Metering Requirements; Billing. The County shall meter water use of the Project pursuant to SFCU Customer Service Policies adopted by Resolution No. 2012-88, as the same may be amended from time to time. The County may meter wastewater discharge directly. The County will collect the metered usage pursuant to SFCU Customer Service Policies and any wastewater discharge readings. The County will report the collected meter readings and other pertinent billing information to the City on a monthly basis for use in calculating the invoice for the wastewater and water bill to be paid by the County in accordance with the City's most current rates. The City will not bill the County for water that the County has diverted and delivered to the Project using County-owned water rights, but may impose a wheeling fee for the County's use of City-owned infrastructure in accordance with the May 8, 2013, Agreement Regarding Water, Wastewater and Solid Waste Required by the Settlement Agreement and Mutual Release of Claims.
6. Utility Expansion Charges. The County shall require its customers in the Project to pay for the benefit of the City a utility expansion charge ("UEC") under SFCC Section 22-6.6 in accordance with the following process. The County will calculate the amount of the UEC under SFCC Section 22-6.6. The County will thereafter bill and collect the final UEC from its customers based on the final calculation. The County will remit the amounts collected to the City on a monthly basis.
7. City Wastewater Service Fees. The County agrees to pay to the City the sum of the City's monthly wholesale service fees under SFCC Section 22.7, as it may be amended from time to time, for wastewater collection and treatment services provided for the wastewater discharge by the Project.

8. SFCC Section 22.9 and SFCC Section 22.10. The County agrees that the discharges from any commercial/industrial properties within the Project shall be subject to the provisions of SFCC Section 22.9, *Industrial Pretreatment Regulations and Procedures*, and SFCC Section 22.10, *Wastewater Extra Strength Surcharge Program*, as they may be amended from time to time.
9. Pre-treatment Requirements. If determined to be necessary by the City, the City will issue an industrial wastewater discharge permit under SFCC Section 22.9, in which case all permit conditions and requirements must be met by the Project or any other occupant of the property as a condition of service.
10. Wastewater Service Area. Except as otherwise authorized in separate agreements between the City and County, the County will not permit properties outside of the area for the Project shown on Exhibits "A, B, and C" to connect to the City's wastewater collection and treatment system without prior written approval from the City and County pursuant to the Settlement Agreement.
11. Water Service Area. The County will not extend water service outside of the area for the Project shown on Exhibits "A, B, and C" without first having obtained from the City an analysis of the impacts to the City's Water System that extension of the County Water System beyond the boundary may have.
12. Successors & Assigns. This Memorandum of Understanding will inure to the benefit of the Parties' successors or assigns.
13. Amendments. This MOU may be amended in writing by agreement of all the parties.
14. Effective Date and Term. This MOU shall be effective upon the signature of all the Parties and shall be perpetual; provided, however, that the County may terminate this MOU when it is willing and able to provide wastewater treatment services for the Project through its own or another wastewater treatment system; that the City may terminate this MOU for failure by the County or the Project to comply with the provisions of this MOU; and that this MOU may be terminated by either party pursuant to Paragraph 15, Bateman Act Compliance. If the City intends to terminate this MOU for failure to comply, the City shall give the County one hundred twenty days advance, written notice of termination, during which period the County shall have the right to cure the failure to comply.
15. Bateman Act Compliance. The terms of this MOU are contingent upon sufficient appropriations and authorizations being made or given by the City and County to perform under this MOU. If sufficient appropriations and authorizations are not made or given by the City or County, this MOU may be terminated or this MOU may be amended in accordance with Paragraph 14. A party's decision as to whether sufficient appropriations are available shall be accepted by the other party and shall be final.

16. New Mexico Tort Claims Act. Neither the City nor the County waive any of the limitations and immunities of the New Mexico Tort Claims Act, NMSA 1978, §§ 41-4-1 through 41-4-30.

17. No Third-Party Beneficiaries. The parties do not intend to create, and this MOU does not create, any third-party beneficiaries under this MOU. Without limiting the generality of the foregoing, no action to enforce the terms of this MOU or for damages for breach thereof may be brought against either party by any person who is not a party to this MOU.

SFC CLERK RECORDED 11/17/2016

For the City:

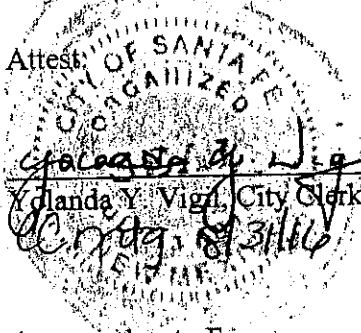
Javier Gonzales

Javier Gonzales, Mayor
City of Santa Fe

9/8/16

Date

Attest:



Gloria Vigil
Gloria Vigil, City Clerk

9-19-16

Date

Approved as to Form:

Kelley Brennan

Kelley Brennan, City Attorney

6/20/16

Date

Oscar Rodriguez

Oscar Rodriguez, Finance Director

9-2-2016

Date

SFC CLERK RECORDED 11/17/2016

Santa Fe County Tracking No: 2016-0080/UT/BT

City of Santa Fe Clerk No: _____

For the County:

Miguel Chavez
Miguel Chavez, Chair, Board of
County Commissioners of Santa Fe County

9/13/16
Date

Approved as to Form:

Gregory S. Shaffer
Gregory S. Shaffer, Santa Fe County Attorney

8-15-16
Date

Attest:

Geraldine Salazar
Geraldine Salazar, Santa Fe County Clerk

9-13-2016
Date

Carole H. Jaramillo
Carole H. Jaramillo, County Finance Director

8/16/16
Date



SFC CLERK RECORDED 11/17/2016



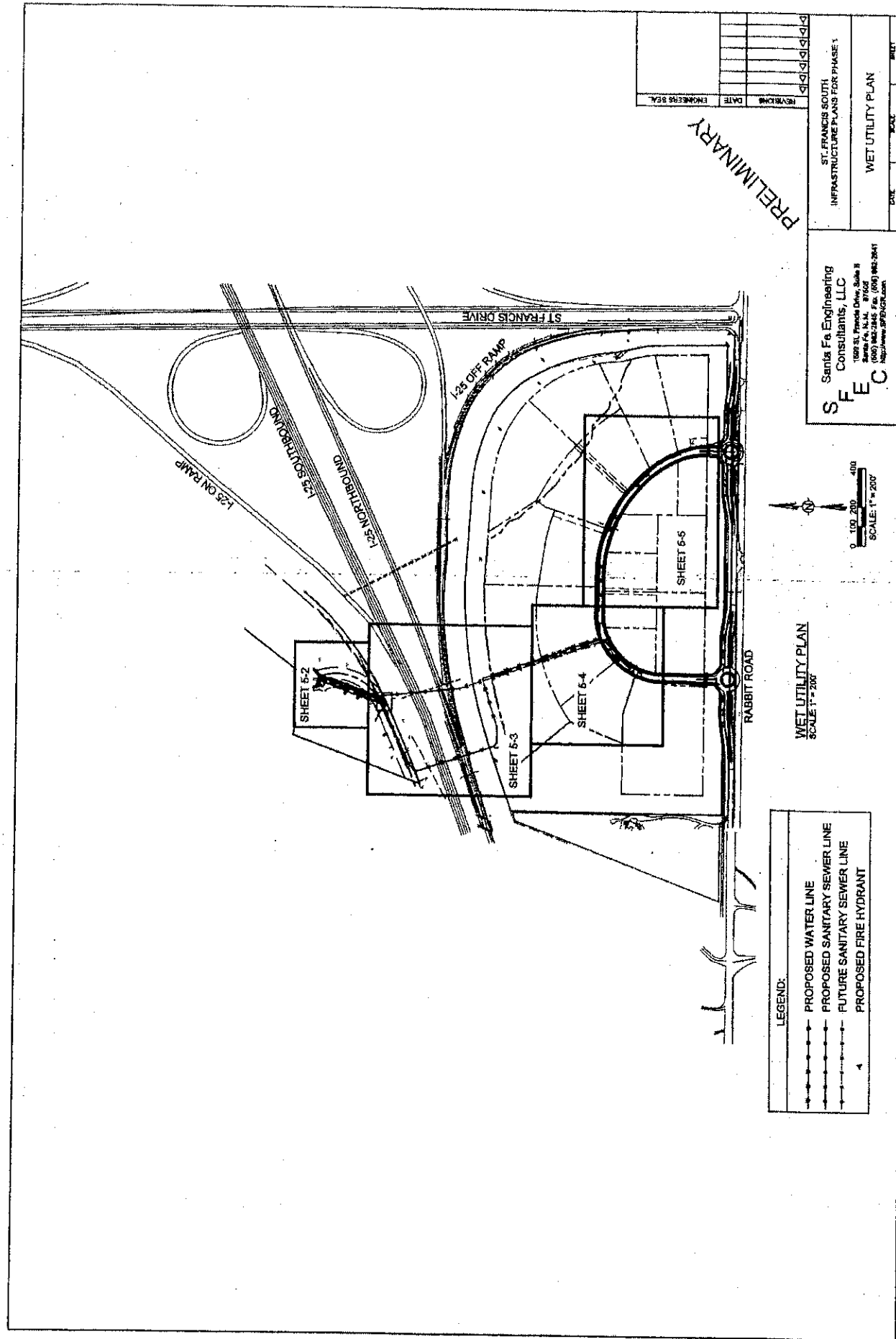
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

MEMO OF UNDERSTANDING ITA
PAGES: 15

I Hereby Certify That This Instrument Was Filed for
Record On The 17TH Day Of November, 2016 at 04:04:49 PM 1
And Was Duly Recorded as Instrument # 1809962
Of The Records Of Santa Fe County

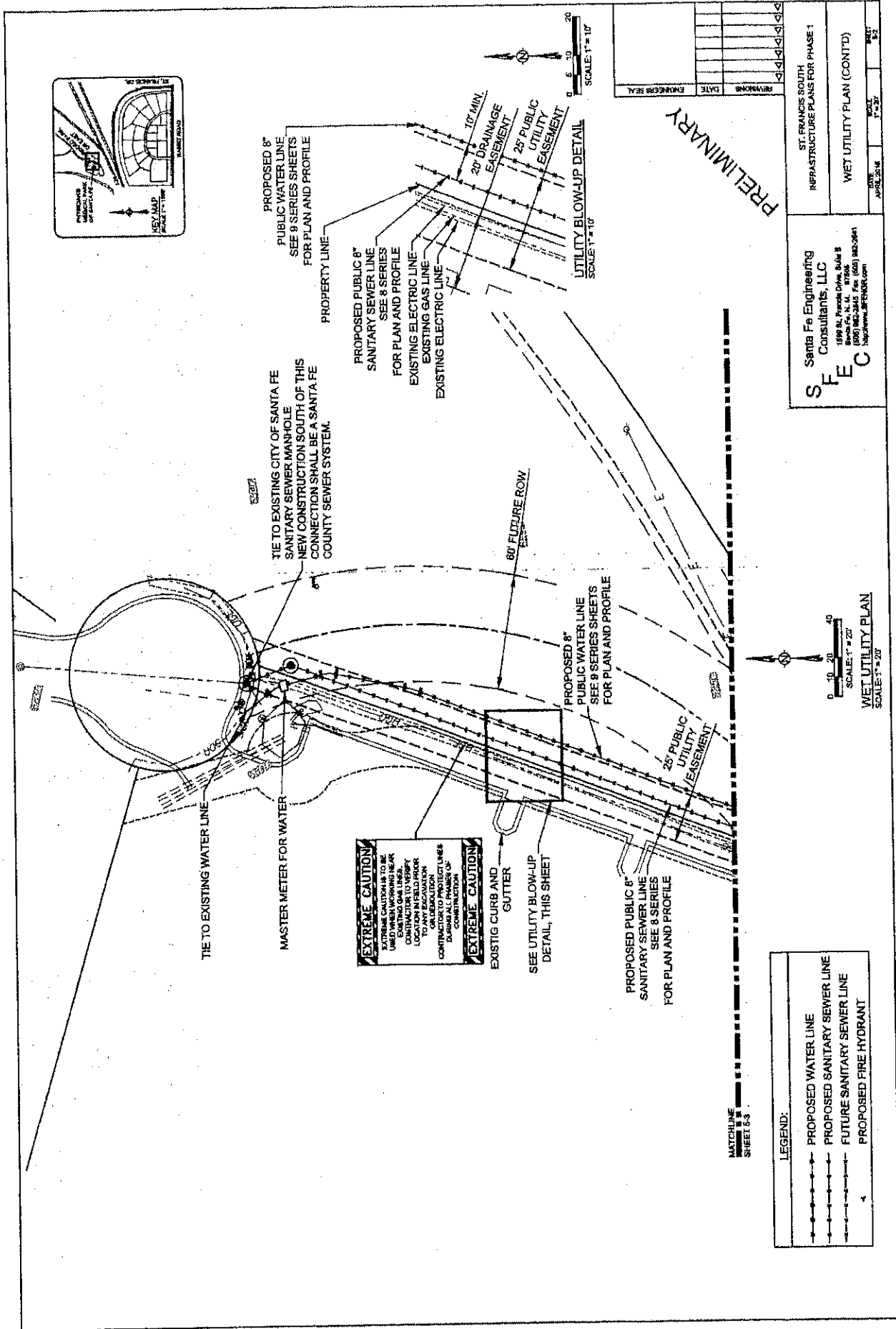
Deputy [Signature] Witness My Hand And Seal Of Office of
Geraldine Salazar
County Clerk, Santa Fe, NM

EXHIBIT D



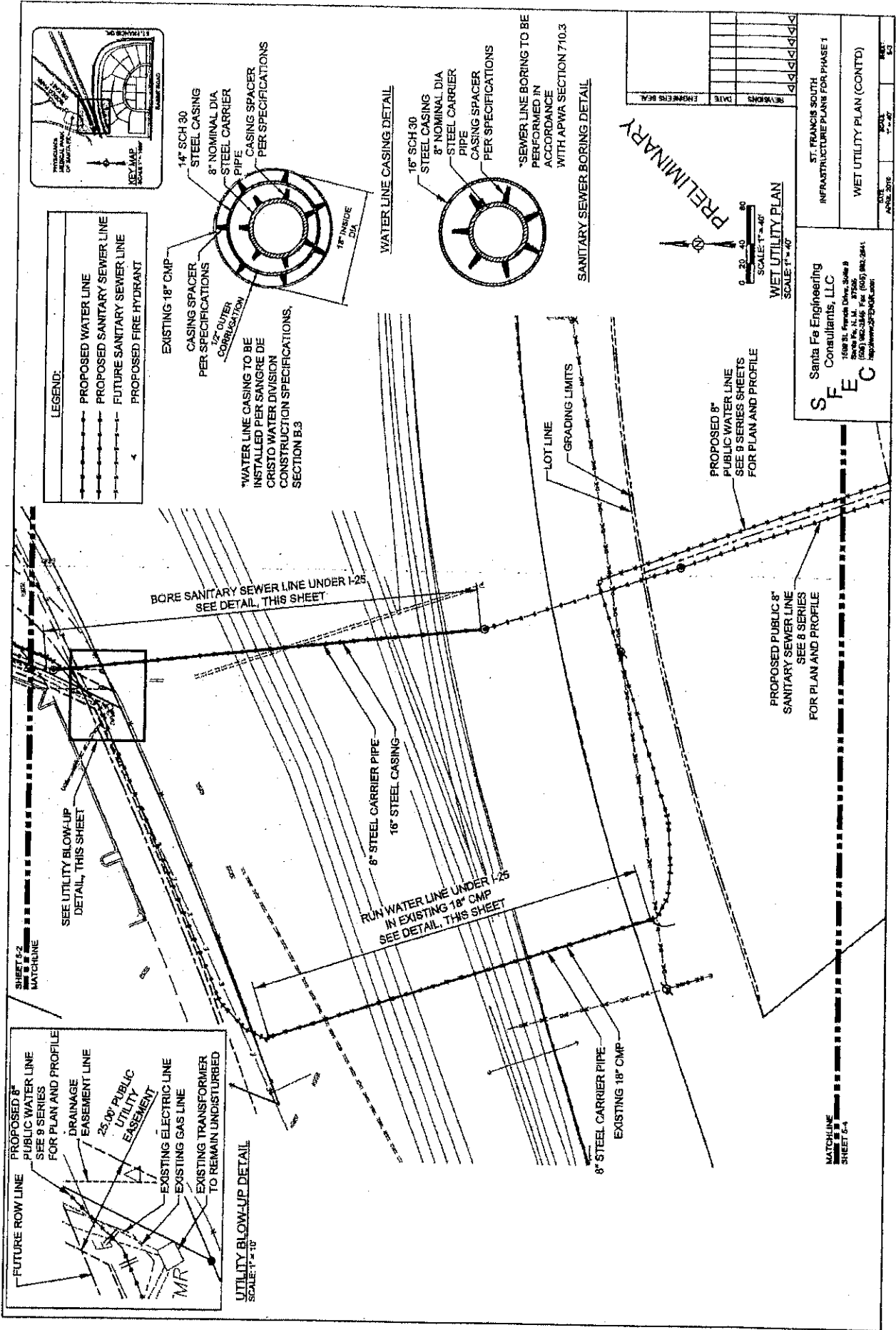
SFC CLERK RECORDED 11/17/2016

EXHIBIT D



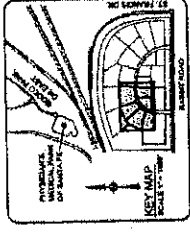
SFC CLERK RECORDED 11/17/2016

EXHIBIT D



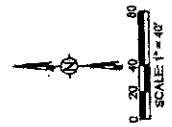
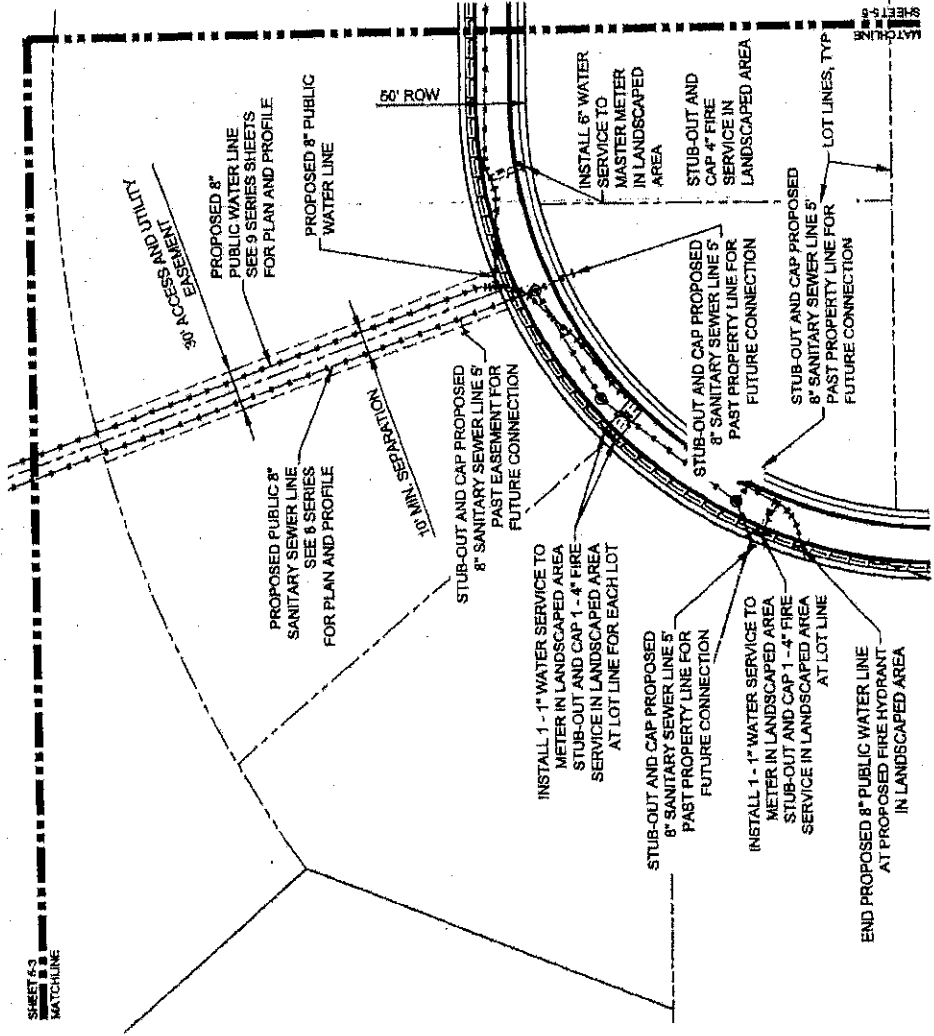
SFC CLERK RECORDED 11/17/2016

EXHIBIT D



LEGEND:

	PROPOSED WATER LINE
	PROPOSED SANITARY SEWER LINE
	FUTURE SANITARY SEWER LINE
	PROPOSED FIRE HYDRANT



WET UTILITY PLAN
SCALE: 1" = 40'

PRELIMINARY

NO.	REVISIONS	DATE	BY	CHKD.

SFE C

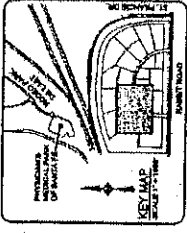
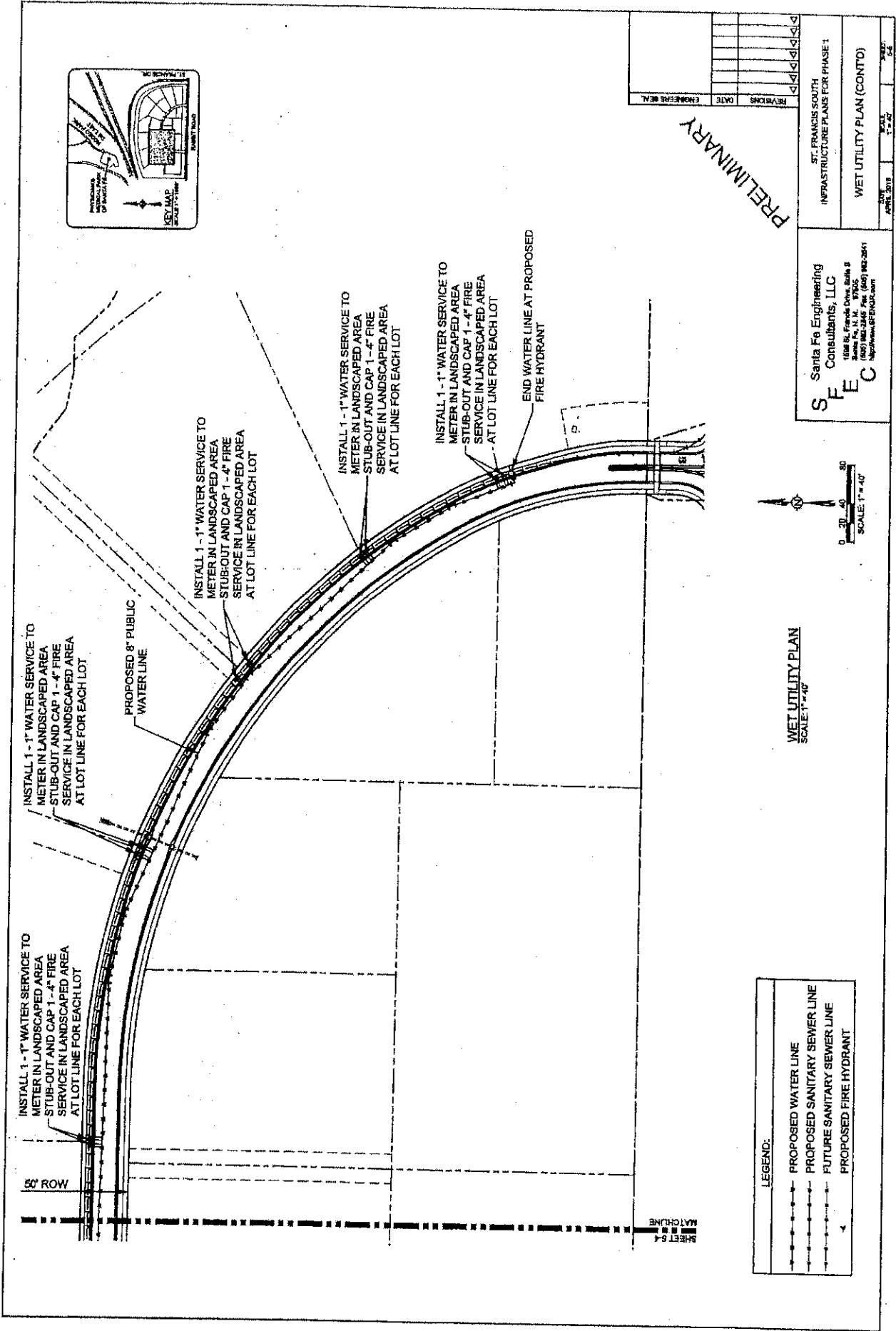
Santa Fe Engineering
Consultants, LLC
5200 St. Francis Drive, Suite B
Santa Fe, N. M. 87505
(505) 424-2881
info@santafeengineers.com

ST. FRANCIS SOUTH
INFRASTRUCTURE PLANS FOR PHASE 1

WET UTILITY PLAN (CONT'D)

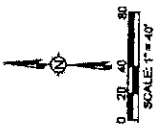
DATE: APRIL 2016
SCALE: 1" = 40'

EXHIBIT D



REVISIONS	DATE	ENGINEER'S SEAL

PRELIMINARY



WET UTILITY PLAN
SCALE 1" = 40'

LEGEND:	
	PROPOSED WATER LINE
	PROPOSED SANITARY SEWER LINE
	FUTURE SANITARY SEWER LINE
	PROPOSED FIRE HYDRANT

Santa Fe Engineering
Consultants, LLC
1000 Bl. Franklin Drive, Suite 8
Santa Fe, N.M. 87505
(505) 833-2846 Fax (505) 833-2841
http://www.sfeengineering.com

ST. FRANCIS SOUTH
INFRASTRUCTURE PLANS FOR PHASE 1
WET UTILITY PLAN (CONTO)

DATE	SCALE	SHEET
APRIL 2018	1" = 40'	04

SHEET S-4
MATCHLINE



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South

Adequate Public Facilities Assessment



St. Francis South

Adequate Public Facilities & Services Assessment (“APFA”)

This APFA report is submitted on behalf of Vegas Verdes, LLC as required per SLDC Table 6-1 in conjunction with a Major Subdivision application. The subject property is a 68.9-acre parcel located at 199 Rabbit Road, at the southwest corner of Interstate 25 and St. Francis Drive. The property is in SDA-1 and is zoned Planned Development District (“PDD”). The application for a 22-lot subdivision is in compliance with the Project’s Master Plan for a Large Scale Mixed Use District, (“the Project”), approved by the Board of County Commissioners at their meeting of December 14, 2010 as Case #Z10-5360. APFA requirements are addressed below.

The subject property is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road (the Northeast Connector) to the south, and two large residential lots to the west. The Master Plan contemplates 22 parcels. At build out, the gross building area is anticipated to be approximately 760,000 square feet, with a combination of office, community service, retail, warehouse, and residential uses.

Roads

The Project will be served by two access points on Rabbit Road connected by a private interior loop road. An application was submitted on January 20, 2017 for a Variance from SLDC Table 7-12, Urban Road Classification and Design Standards (SDA-1), with regard to the required right-of-way width for the private interior loop road. The drive is classified as a Minor Arterial, which requires 120 feet of right-of-way intended to accommodate a four-lane road. This is an excessive amount of right-of-way for the proposed two-lane loop road, which will serve only the Project’s 22 lots. Therefore, a Variance is requested to allow for a right-of-way varying in width from 65’ to 70’.

The interior loop roadway will be improved to Minor Arterial standards to include two 12-foot wide drive lanes, a 12-foot wide landscaped median, two 5-foot wide bicycle lanes, curb and gutter, and 5-foot wide sidewalks with a landscape buffer. Please refer to the attached plans and Traffic Impact Analysis for further details.

Per the direction of the New Mexico Department of Transportation (“NMDOT”), the following median and turning improvements will be made to Rabbit Road: Right turn deceleration lane and left turn lane into the west entrance, which will have full access both entering and exiting the site; and limited access at the east entrance, which will be limited to right-in, right-out, left-in

turning movements. If future development warrants further intersection control, a roundabout will be constructed at the west entrance. Please refer to the attached plans for further details.

Emergency Response Services

Fire protection is provided by the Santa Fe County Volunteer Fire Department and the Santa Fe County Fire Department. The project is located in the Hondo Volunteer Fire District, which operates a 24/7 staffed station on Old Las Vegas Highway at Highway 285, approximately seven (7) miles from the Subdivision. In addition, there are two City of Santa Fe Fire Stations within 3-4 miles of the Subdivision: one at Rodeo Road and Richards Avenue and one off of St. Michael's Drive on Arroyo Chamiso Road.

The fire protection water source will be 4 fire hydrants located along the loop road. Furthermore, it is anticipated that each facility will be constructed with automatic fire suppression.

The Subdivision is within the law enforcement jurisdiction of both the Santa Fe County Sheriff and the New Mexico State Police.

Water Supply & Liquid Waste

The City and County have an agreement to connect the project to City water and sewer lines in Rodeo Business Park, across I-25. The Project will be served with water by the Santa Fe County Water System, which connects to the City of Santa Fe Water System. A Memorandum of Understanding to this effect was recorded in the records of Santa Fe County on November 17, 2016 as Instrument #1809962. Water will be delivered via public waterlines from Rodeo Business Park to the north, underneath I-25. There is an existing bore under I-25, and another bore will be added to accommodate the lines. It is anticipated that the Project will use approximately 54.44 acre feet of water per year. Santa Fe County may impose water conservation restrictions during periods of drought conditions. All facilities must comply with Santa Fe County water conservation requirements per SLDC §7.13.11.

The Project will be served by the Santa Fe County wastewater collection system, which will discharge into the City's wastewater collection and treatment system. A Memorandum of Understanding to this effect was recorded in the records of Santa Fe County on November 17, 2016 as Instrument #1809962.

Parks, Trails & Open Space

Per SLDC §7.15.3.3, 30% passive open space is required. With this plat, 13.75 acres (20%) of passive open space are provided. The remaining 10% of required open space will be provided on each parcel as it is developed. A sidewalk and bicycle lane will be provided along the Rabbit Road right-of-way and will connect to the Rail Trail west of the Project.



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South
Fiscal Impact Report

Fiscal Impact Assessment St. Francis South Development

Presented to:

***Vegas Verdes LLC
c/o JenkinsGavin, Inc.
130 Grant Ave. #101
Santa Fe, NM 87501***

December 2016

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Executive Summary

For development in Santa Fe County, the Sustainable Land Development Code (SLDC) requires the submission of "a study of the fiscal implications of development in the County...using nationally accepted and longstanding fiscal and economic models" as part of subdivision applications. This fiscal impact assessment constitutes a portion of the subdivision application for the St. Francis South Development.

The St. Francis South Development is located outside the Santa Fe City limits in Santa Fe County just south of Interstate 25 at St. Francis Drive. It is a 68.9-acre large scale project consisting of twenty-two lots. Upon build-out, the site is projected to consist of mixed-use space including offices, warehouses, medical facilities, multi-family residential lots, and other uses.

Southwest Planning & Marketing (SWPM) was contracted by the St. Francis South developer to prepare a fiscal impact assessment pertaining to the costs and revenues only for the current phase of development under consideration: initial infrastructure development. As such, the economic impacts presented in this report represent only a small portion of the full economic impact of the project (which will be realized at build-out), as this report does not include estimates or projections of the impacts from construction or operational costs or revenues based on potential future uses of the site.

Below are the highlights of the findings from the fiscal impact analysis:

- Infrastructure development is projected to begin in the summer of 2017 and complete within ten months.
- Full build-out of the site following infrastructure development could take as long as ten years.
- The total infrastructure hard development cost is estimated to be \$5,245,543, including contingencies and New Mexico Gross Receipts Tax.
- In addition to hard infrastructure costs, the project will also incur soft costs and fees at the beginning of the project in the amount of \$123,820.
- The developer will pay an additional \$600,000 for water and sewer connection fees, paid as lots are sold over the ten-year build-out period. The present value of these connection fees is estimated to be \$351,988.
- The combined hard infrastructure costs, soft costs and fees and the present value of the water/sewer connection fees to be paid by the developer are \$5,721,351.
- Since not all infrastructure development costs create indirect/induced impacts, New Mexico gross receipts tax, contingency and fees to be paid to the County (including water/sewer fees) were removed in order to estimate induced and indirect impact. Economic leakage of 50% and the construction multiplier was also applied, yielding

total direct, indirect and induced impact of infrastructure development of \$6,089,472.

- Total wages impact to Santa Fe County from infrastructure development, following application of the wage multiplier and economic leakage, is projected to be \$1,158,744.

Total Direct Infrastructure Costs (less economic leakage)	\$4,456,706
Total Indirect/Induced Impact of Infrastructure Development	\$1,632,766
Total Direct/Indirect/Induced Impact of Infrastructure Development	\$6,089,472

- Total infrastructure development jobs created in Santa Fe County, following application of the wage multiplier and economic leakage, is projected to be 43.5 full-time equivalent positions.
- The Santa Fe County gross receipts tax impact from infrastructure development is projected to be \$32,072.
- The total property tax to be paid by the St. Francis South developer from 2017 to 2027 is projected to be \$211,715, with \$10,190 going to the State of New Mexico, \$103,557 to Santa Fe County, \$67,997 to the Santa Fe School District, and \$29,971 to other sources. The net present value of the total property taxes to be paid by the developer to Santa Fe County from 2017 to 2027 is projected to be \$134,155.
- Since no buildings will be constructed during the infrastructure development phase, no fire impact fees will be collected at this time. Based on the Permitted Use List (see Project Description), the future fire impact fees are expected to fall primarily into National Fire Protection Association (NFPA) classes 6 and 7, with corresponding coefficients of \$0.335/sq.ft. and \$0.275/sq.ft.,¹ respectively.
- The infrastructure development project is subject to a variety of Santa Fe County permit and other fees. The total present value of these permit and other fees are estimated to be \$371,638, with the total to be paid between 2017 and 2027 estimated to be \$619,650.
- No other public costs or revenues from infrastructure development are anticipated.

¹ From fire impact fees coefficient schedule in Santa Fe County Ordinance 1995-04. Actual fee coefficient categories applied at build-out may vary.

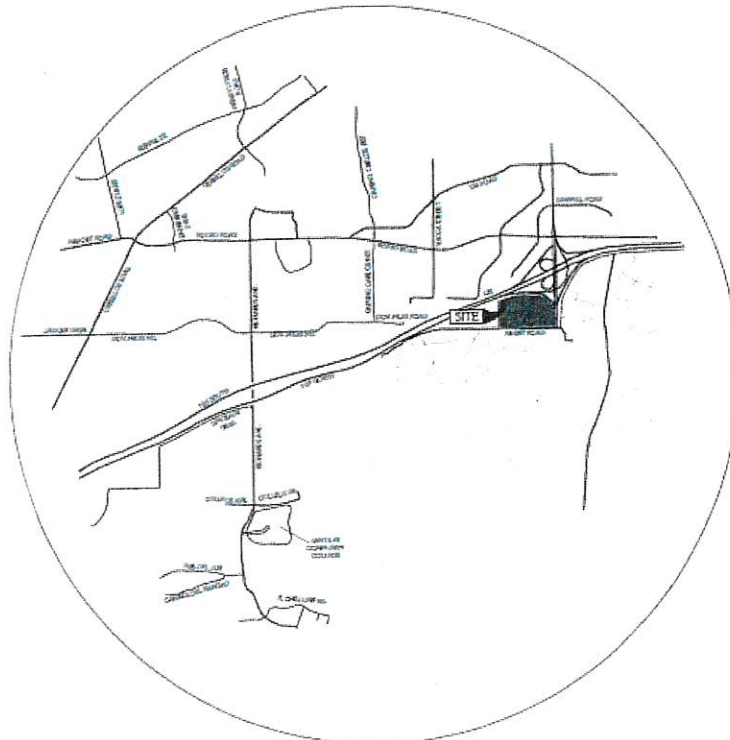
Introduction

This fiscal impact assessment constitutes a portion of the subdivision application for the St. Francis South Development. For development in Santa Fe County, the Sustainable Land Development Code (SLDC) requires the submission of "a study of the fiscal implications of development in the County...using nationally accepted and longstanding fiscal and economic models" as part of subdivision applications.

Note: Southwest Planning & Marketing (SWPM) was contracted by the St. Francis South developer to prepare a fiscal impact assessment pertaining only to the costs and revenues for the current phase of development under consideration: initial infrastructure development. As such, the economic impacts presented in this report represent only a small portion of the full economic impact of the project (which will be realized at build-out), as this report does not include estimates or projections of the impacts from construction or operational costs or revenues based on potential future uses of the site.

Project Description and Schedule

The St. Francis South Development is located outside the Santa Fe City limits in Santa Fe County just south of Interstate 25 at St. Francis Drive. It is a 68.9-acre large scale project consisting of twenty-two lots.



The site is projected to consist of mixed-use space based on the following Permitted Use List from the approved Master Plan for the development:

Residential – All Housing Types Permitted:

- Multi-Family Apartments
- Senior Housing (Including Extended Care & Independent Living)
- Live/Work

Educational:

- Art Schools
- Business and Vocational Schools
- Colleges and Universities
- Non-Profit & Religious Institutions (Including Religious Assemblies)
- Private Schools

Government:

- Governmentally Owned or Operated Buildings
- Neighborhood, Community and Municipal Buildings in Keeping with Character of Area
- Hospitals and Extended Care Facilities
- Utilities (PNM, WATER, QWEST, ETC.)

Medical:

- Administrative Offices and Organizations Providing Medically Related Services
- Apothecary Shops or Pharmacies
- Medical and Dental Office or Clinics Providing Treatment for the Health and Welfare of Human Patients
- Offices for Those Licensed by the State to Practice Healing Arts

Public Accommodations:

- Conference and Extended Stay Lodging Facilities
- Hotels, Including Residential Suite Hotels

Service Establishments:

- Convenience Store with Related Gasoline Sales
- Neighborhood Grocery Store Catering to Local Pedestrian Trade
- Retail and Service Uses That are Intended to Serve the Primary Uses and Do Not Exceed 5,000 SF

- Retail Sales Accessory to Any Permitted Use Provided That Such Commercial Use Shall Not Occupy More Than 10% of Any Building
- Barber Shops and Beauty Salons

Offices/Industrial:

- All Office Uses Including Office Warehouse and Distribution
- Corporate Offices for Business and Professional
- Research, Experimental and Testing Laboratories
- Light Assembly and/or Manufacturing and Shipping
- Warehouse and Distribution

Miscellaneous:

- Telecommunications Facilities
- Private Day Care, Nurseries and Kindergartens
- Non-Commercial Greenhouses and Plant Nurseries
- Veterinary Sales and Service
- Arts and Crafts Studios, Galleries and Shops
- Dance Studios
- Non-Profit Theatres for Production of Live Shows
- Photographers' Studios
- Private Clubs and Lodges
- Financial Services

The infrastructure development phase of the project is scheduled to commence in the summer of 2017 and will take six to ten months to complete. Full build out of the site is expected to begin shortly after the infrastructure development phase and could take up to ten years to complete.

Methodology

The fiscal impacts were determined using generally accepted fiscal and economic principles. Project size and scope and accompanying cost estimates were provided by the St. Francis South developers and their subcontractors on the project including, JenkinsGavin, Inc. Property tax schedules, development and other fees, and gross receipts tax rates were obtained from the County of Santa Fe, the City of Santa Fe and the State of New Mexico.

There are several economic factors that will affect the final impact to the County of Santa Fe. For example, the developer estimates that 50% of the infrastructure supplies and equipment will come from outside the area and thus will impact areas outside the County, not the County itself. Also, it is estimated that currently 51% of all workers in Santa Fe and surrounding areas commute-in daily.² In addition, the City of Santa Fe and surrounding areas have experienced a drain on qualified construction workers due to minimal construction in the last decade. Finally, there is a shortage of affordable housing. As a result, it is estimated that 50% of the construction workers developing the site infrastructure will commute from outside of the County of Santa Fe, resulting in economic leakage when those workers return to their homes outside of the County and spend their money elsewhere.

This report is based on the following additional assumption as provided by the St. Francis South developers and subcontractors:

- 1) Only costs and revenues pertaining to initial infrastructure development will be considered as part of this fiscal impact assessment.
- 2) No estimates or projections for future construction or operational costs or revenues based on potential future uses of the site will be considered as part of this fiscal impact assessment.

Finally, it is important to note that all costs, revenues and impacts in this report are in constant 2016 dollars and that the public revenue impact estimates are purposefully conservative.

² New Mexico Department of Workforce Solutions – 2016.

Data Collection

Southwest Planning & Marketing performed a review of literature, maps and planning documents pertaining to the project as provided by the St. Francis South developer. Subsequent interviews were conducted with the St. Francis South development team. Data on taxes and other costs were collected from applicable City, County and State schedules.

After a thorough review of available data, a data request form was prepared by SWPM personnel and sent to St. Francis South officials. An iterative process of verification and review of the responses was conducted. This resulted in estimates of direct expenses and revenues for the infrastructure development portion of the project. It also resulted in the proper allocation of fees and estimation of taxes.

Economic Impact Multipliers

There are two economic impact models that are accepted as industry standards: IMPLAN and RIMS 2. SWPM uses IMPLAN impact multipliers, as this model is generally used in many state, Santa Fe County and City of Santa Fe projects and allows for direct comparison of similar projects. SWPM utilized the direct impacts (revenue and expenses) identified by St. Francis South representatives and their subcontractors as inputs for determining induced and indirect impacts³ in the Santa Fe area.

³ Direct impacts result from revenue and expenditures associated with the infrastructure development of the site. Induced impacts result from expenditures by employees paid by suppliers and companies selling products and services to St. Francis South developers. Indirect impacts result from the suppliers of the St. Francis South project purchasing goods and services and hiring workers.

Fiscal Impact Analysis

Total Infrastructure Development Costs

Table 1 Infrastructure Costs	
Phase 1	
On Site Road	\$138,744
Roundabout	\$325,000
On Site Water	\$45,216
Off Site Water	\$500,000
Sanitary Sewer	\$504,440
Earthwork	\$1,230,598
Roundabout	\$525,000
Landscaping & Revegetation	\$50,000
Dry Utilities	\$125,000
Subtotal	\$3,443,997
Contingency @ 10%	\$344,400
Subtotal	\$3,788,397
NMGRT @ 7.0%	\$265,188
Phase 1 Subtotal	\$4,053,585
Phase 2	
On Site Road	\$405,748
Roundabout	\$325,000
On Site Water	\$83,372
Sanitary Sewer	\$78,588
Landscaping & Revegetation	\$20,000
Dry Utilities	\$100,000
Subtotal	\$1,012,708
Contingency @ 10%	\$101,271
Subtotal	\$1,113,979
NMGRT @ 7.0%	\$77,979
Phase 2 Subtotal	\$1,191,958
INFRASTRUCTURE TOTAL	\$5,245,543

Table 1 provides a breakdown of infrastructure hard costs for Phases 1 and 2. Infrastructure development is projected to begin in the summer of 2017 and complete within ten months. Costs were provided by the St. Francis South development team. The team estimates the total infrastructure development cost will be \$5,245,543, including contingencies and New Mexico Gross Receipts Tax.

In addition to hard infrastructure costs, the project will also incur soft costs and fees at the beginning of the project in the amount of \$123,820 (refer to Table 2). Costs and fees were provided by the St. Francis South development team.

Table 2 Soft Costs and Fees	
Soft Costs	
Civil Engineering & Traffic Impact Analysis	\$50,000
Surveying	\$7,000
Planning/Design	\$30,000
FIR	\$6,770
Environmental Impact Report	\$10,400
Subtotal	\$104,170
Preliminary Plat Application Fees - 22 Lots	
Base Fee @ \$1,000 Plus \$100/Lot	\$3,200
Variance	\$300
Fire Review Fee @ \$50/Lot	\$1,100
Subtotal	\$4,600
Infrastructure Permit Fees	
\$10k for first \$2mil/\$1k for each addtl \$1mil*	\$14,000
Grading Fee	\$750
Two Fire Inspections @ \$150 each	\$300
Subtotal	\$15,050
SOFT COSTS AND FEES TOTAL	\$123,820

*Based on infrastructure valuation of \$5,245,543.

The developer will pay an additional \$600,000 fee for water and sewer connections. However, this amount will be paid by the developer as each lot is developed over the build-out of the project. Since the build-out schedule is unknown but is expected to last as long as ten years, the actual payment schedule or payment amounts cannot be determined at this time. However, because the \$600,000 will be paid out over time and not upfront, it is not appropriate to reflect the full amount in the current fiscal impact analysis. Therefore, we prepared a calculation of the 2016 present value of the \$600,000 in water/sewer connection fees that will be paid to the County by the developer. This calculation was made based on the following assumptions:

1. The water/sewer connection fees will be paid in equal \$5,000 monthly payments for ten years for a total of 120 payments totaling \$600,000.⁴
2. The Federal Discount Rate as of December 5, 2016 of 1% was used to calculate the present value of the payments.

Table 3 Present Value of Water/Sewer Connection Fees \$351,988

These inputs yield a 2016 present value to the County of the water/sewer connection fees to be paid out over ten years of \$351,988.

Table 4 Total Infrastructure Development Cost \$5,721,351
--

Combining the hard infrastructure costs from Table 1, the soft costs and fees from Table 2, and the present value of the water/sewer connection fees to be paid by the developer from Table 3 yields a total initial infrastructure development cost of \$5,721,351.

⁴ The actual payment schedule will likely vary significantly from this estimated schedule and from year-to-year.

Infrastructure Development Impacts

For purposes of calculating economic impacts, it is important to note that not all infrastructure development costs create indirect/induced impacts. Applying standard impact analysis methodology, New Mexico gross receipts tax, contingency and fees to be paid to the County (including water/sewer fees) were removed to estimate induced and indirect impact.

In addition, the developer expects that up to 50% of the equipment and supplies for the hard infrastructure costs will be sourced from outside of Santa Fe County. This economic leakage means that half (\$2,228,352) of the total infrastructure costs will create indirect/induced impacts in the County. Combined with softs costs (which are assumed to be sourced from within Santa Fe County), the total costs which will create indirect/induced impacts within the County are \$2,332,523 (see Table 5).

Table 5 Infrastructure Costs Applicable to Indirect/Induced Impacts	
Phase 1	
On Site Road	\$138,744
Roundabout	\$325,000
On Site Water	\$45,216
Off Site Water	\$500,000
Sanitary Sewer	\$504,440
Earthwork	\$1,230,598
Roundabout	\$525,000
Landscaping & Revegetation	\$50,000
Dry Utilities	\$125,000
Phase 1 Subtotal	\$3,443,997
Phase 2	
On Site Road	\$405,748
Roundabout	\$325,000
On Site Water	\$83,372
Sanitary Sewer	\$78,588
Landscaping & Revegetation	\$20,000
Dry Utilities	\$100,000
Phase 2 Subtotal	\$1,012,708
INFRASTRUCTURE HARD COSTS	\$4,456,706
Soft Costs	
Civil Engineering & Traffic Impact Analysis	\$50,000
Surveying	\$7,000
Planning/Design	\$30,000
FIR	\$6,770
Environmental Impact Report	\$10,400
SOFT COSTS	\$104,170
INFRASTRUCTURE + SOFT COSTS	\$4,560,876
LESS 50% ECONOMIC LEAKAGE OF INFRASTRUCTURE HARD COSTS	\$ (2,228,353)
TOTAL COSTS APPLICABLE TO INDIRECT/INDUCED IMPACTS	\$2,332,523

Direct, Indirect & Induced Impacts from Infrastructure Development Expenditures
 Table 6 applies the construction/development expenditures multiplier from IMPLAN of 1.7 to total costs applicable to indirect/induced impacts from Table 5 of \$2,332,523, resulting in total indirect/induced impacts from infrastructure development of \$1,632,766.

Table 6 Indirect/Induced Impact of Infrastructure Development Costs	
Total Applicable Costs	\$2,332,523
Indirect/Induced Multiplier	1.7
Total Indirect/Induced Impact of Infrastructure Development	\$1,632,766

Combing the infrastructure hard costs of \$4,456,706 from Table 5 with the total indirect/induced impact of infrastructure development of \$1,632,766 yields a total direct, indirect and induced impact from infrastructure development (less economic leakage) to the County of \$6,089,472 (refer to Table 7).

Table 7 Total Direct and Indirect/Induced Impact of Infrastructure Development Costs	
Total Direct Infrastructure Costs	\$4,456,706
Total Indirect/Induced Impact of Infrastructure Development	\$1,632,766
Total Direct/Indirect/Induced Impact of Infrastructure Development	\$6,089,472

Infrastructure Development Wages & Employment

To calculate construction-related wages, the construction industry rule of thumb of 40%⁵ of hard construction costs was applied to the total hard infrastructure development costs (less contingencies and gross receipts tax) of \$4,456,706 (refer to Table 5), resulting in estimated total actual construction wages of \$1,782,682. Applying the applicable IMPLAN induced/indirect wage multiplier of 1.3 to the actual total wages, indirect/induced wages were estimated to be \$534,805, resulting in a total wages impact from infrastructure development of \$2,317,487.

However, the St. Francis South development team expects that 50% of the construction employees will reside outside of Santa Fe County, resulting in economic leakage. Thus, the actual total wages impact to Santa Fe County will be half of \$2,317,487, or \$1,158,744.

Table 8 Total Direct and Indirect/Induced Impact of Wages and Employment	
Total Direct Wages (40% of Hard Infrastructure Costs)	\$1,782,682
Indirect/Induced Wage Multiplier	1.3
Total Indirect/Induced Wages	\$534,805
Total Wages Impact from Infrastructure Development	\$2,317,487
Economic Leakage (50% of Construction Labor)	\$1,158,744
Total Wages Impact to Santa Fe County	\$1,158,744
Average Annual Construction Wage Santa Fe MSA	\$37,253
Direct Full-Time Equivalent Jobs Created in Santa Fe County	31.1
Indirect/Induced Jobs Multiplier	1.4
Total Indirect/Induced Jobs	12.4
Total Infrastructure Development Jobs Created in Santa Fe County	43.5

Based on the average hourly construction wage for the Santa Fe Metropolitan Statistical Area of \$17.91,⁶ an average of 2080 hours worked per year, and the actual total infrastructure development wages in Santa Fe County of \$1,158,744, it is estimated that 31.1 direct full-time equivalent jobs will be created. Applying the jobs multiplier of 1.4 results in an additional 12.4 indirect/induced jobs created, for a total direct, indirect/induced job creation in Santa Fe County as a result of infrastructure development of 43.5 jobs.

⁵ <http://myclma.com/wp-content/uploads/2015/02/CLMA-Allocation-of-Project-Cost-2014Oct27.pdf>

⁶ http://www.bls.gov/regions/southwest/newsrelease/occupationalemploymentandwages_santafe.htm

Gross Receipts Tax Revenues – Infrastructure Development

The infrastructure development costs subject to gross receipts tax are the same as those subject to indirect/induced impacts after economic leakage of 50%: \$2,332,523 (refer to Table 5). Based on these costs, the total estimated gross receipts tax impact of infrastructure development to Santa Fe County is estimated to be \$32,072.

Table 9 Gross Receipts Impact of Infrastructure Development	
Total Costs Subject to Gross Receipts Tax	\$2,332,523
Santa Fe County Gross Receipts Tax Rate	1.375%
Santa Fe County Gross Receipts Tax Gained from Infrastructure Development	\$32,072

Property Tax Revenues – Infrastructure Development

Property taxes were calculated only on the value of the land, as the St. Francis South developer will be making infrastructure improvements and will not be constructing any buildings. Buildings will be constructed throughout the ten-year build-out period by other developers as they buy plats from the St. Francis South developer and build upon them. These construction projects will increase the property values and ultimately the property tax paid to Santa Fe County, but determining the impact of future construction by other developers is beyond the scope of this study. For this study, we focused only on the property tax currently being paid by the St. Francis South developer and what the St. Francis South developer will pay in future property taxes.

In order to create property tax estimates, we used the following information and made the following assumptions:

1. The 2016 value of the land, per assessment records as provided by the St. Francis South development team, is \$930,285, with 1/3 of this (\$310,094) being taxable. This is assumed to be the taxable value of the land through 2017.
2. The value of the land is expected to increase by \$4,456,706 (the value of the hard infrastructure costs before economic leakage – refer to Table 5), resulting in a 2018 land value of \$5,386,991, with the taxable value being 1/3 of this or \$1,795,664. This is assumed to be the taxable value of the land beginning in 2018 following infrastructure development.

3. The St. Francis South developer will begin selling plats of land to other developers in 2018, and will continue to sell plats through 2027 when full build-out is reached. For purposes of this calculation, we assumed that the land would be sold in ten equal shares over the ten-year build-out, reducing the St. Francis South developer's property tax obligation by 1/10 each year.⁷
4. As with all other calculations in this report, numbers are presented in constant 2016 dollars.
5. Per the Santa Fe County Tax Rates (Outside of the City limits), for commercial property for every \$1,000 in net taxable value, \$28.256 is collected in property tax.⁸ The 2016 property tax rates were used to calculate property taxes, as future tax rates are unknown.
6. The Federal Discount Rate as of December 5, 2016 of 1% was used to calculate the net present value of the property tax payments.

The total property tax to be paid by the St. Francis South developer from 2017 to 2027 is projected to be \$211,715, with \$10,190 going to the State of New Mexico, \$103,557 to Santa Fe County, \$67,997 to the Santa Fe School District, and \$29,971 to other sources. The net present value of the total property taxes to be paid by the developer to Santa Fe County from 2017 to 2027 is projected to be \$134,155 (refer to Table 10).

⁷ The property taxes paid to the County will actually increase during this time as other developers buy plats and construct buildings. However, the St. Francis South developer's share of property taxes will reduce over time.

⁸ [Source \(1\): Certificate of Property Tax Rates in Mills, State of New Mexico](#)

**Table 10
Property Tax Revenues**

Distributed To	Taxable Value of Land	\$ 310,094	\$1,795,664	\$1,616,097	\$1,436,531	\$1,256,965	\$ 1,077,398
	Tax per \$1000 of Taxable Value	2017	2018	2019	2020	2021	2022
The State of New Mexico	\$1.360	\$ 422	\$ 2,442	\$ 2,198	\$ 1,954	\$ 1,709	\$ 1,465
Santa Fe County	\$13.821	\$ 4,286	\$ 24,818	\$ 22,336	\$ 19,854	\$ 17,373	\$ 14,891
Santa Fe School District	\$9.075	\$ 2,814	\$ 16,296	\$ 14,666	\$ 13,037	\$ 11,407	\$ 9,777
Other	\$4.000	\$ 1,240	\$ 7,183	\$ 6,464	\$ 5,746	\$ 5,028	\$ 4,310
Total Property Taxes	\$28.256	\$ 8,762	\$ 50,738	\$ 45,664	\$ 40,591	\$ 35,517	\$ 30,443

Distributed To	Taxable Value of Land	\$ 897,832	\$ 718,265	\$ 538,699	\$ 359,133	\$ 179,566	Total
	Tax per \$1000 of Taxable Value	2023	2024	2025	2026	2027	
The State of New Mexico	\$1.360	\$ 1,221	\$ 977	\$ 733	\$ 488	\$ 244	\$ 10,190
Santa Fe County	\$13.821	\$ 12,409	\$ 9,927	\$ 7,445	\$ 4,964	\$ 2,482	\$ 103,557
Santa Fe School District	\$9.075	\$ 8,148	\$ 6,518	\$ 4,889	\$ 3,259	\$ 1,630	\$ 67,997
Other	\$4.000	\$ 3,591	\$ 2,873	\$ 2,155	\$ 1,437	\$ 718	\$ 29,971
Total Property Taxes	\$28.256	\$ 25,369	\$ 20,295	\$ 15,221	\$ 10,148	\$ 5,074	\$ 211,715

Net Present Value of Total Property Taxes Paid to Santa Fe County 2017-2027	\$ 134,155
--	-------------------

Fire Impact Fees

The County of Santa Fe assesses impact fees based on the square footage of gross covered area of a development to offset the cost of providing fire protection services. Per Santa Fe County Ordinance 1995-04, "if gross covered area is not known at the time of assessment, the impact fee shall be stated in terms of the applicable coefficient for such development." Since no building construction is occurring in this phase and the gross covered area for the St. Francis South project is unknown at this time, the future fire impact fee is being provided in terms of the applicable coefficients for the development. Based on the Permitted Use List (see Project Description), the fire impact fees are expected to fall primarily into National Fire Protection Association (NFPA) classes 6 and 7, with corresponding coefficients of \$0.335/sq.ft. and \$0.275/sq.ft.,⁹ respectively.

Other Local Public Costs & Revenues

With only infrastructure development happening at this time, no other public costs are anticipated. All costs for infrastructure development will be borne by the developer, including roads, public works, environmentally sensitive areas, and historic or cultural and archeological artifact and sites. In addition, with no buildings, residents, tenants, or businesses present at the completion of this phase, there will be no public costs for: law enforcement, fire and emergency response service; full time employees and technicians to construct, operate, service and maintain roads; storm water management systems; or trails, parks, open space, and scenic vista sites. Following build-out, maintenance for roads will be the responsibility of the owners' association, not Santa Fe County.

As discussed previously, the infrastructure development project is subject to a variety of Santa Fe County permit and other fees. All fees in Table 11 were provided by the St. Francis South development team (with Southwest Planning & Marketing calculating the present value of the water/sewer connection fees). The total present value of the permit and other fees generated from infrastructure development are estimated to be \$371,638, with the total to be paid between 2017 and 2027 estimated to be \$619,650.

⁹ From fire impact fees coefficient schedule in Santa Fe County Ordinance 1995-04. Actual fee coefficient categories applied at build-out may vary.

**Table 11
Fees**

Preliminary Plat Application Fees - 22 Lots	
Base Fee @ \$1,000 Plus \$100/Lot	\$3,200
Variance	\$300
Fire Review Fee @ \$50/Lot	\$1,100
Subtotal	\$4,600
Infrastructure Permit Fees	
\$10k for first \$2mil/\$1k for each addtl \$1mil*	\$14,000
Grading Fee	\$750
Two Fire Inspections @ \$150 each	\$300
Subtotal	\$15,050
Present Value of Water/Sewer Connection Fees	
	\$351,988
<i>PRESENT VALUE OF FEES TO BE PAID</i>	\$371,638
Total Water/Sewer Connection Fees to be Paid	
	\$600,000
<i>TOTAL INFRASTRUCTURE DEVELOPMENT FEES TO BE PAID</i>	\$619,650



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South
Environmental Impact Report

February 2017

Environmental Impact Report

St. Francis South

Prepared for:

Vegas Verdes, LLC, in care of:
JenkinsGavin
130 Grant Avenue, Suite 101
Santa Fe, New Mexico 87501

Prepared by:

Ecosphere Environmental Services, Inc.
1660 Old Pecos Trail
Santa Fe, New Mexico 87505



Durango, CO
Pagosa Springs, CO
Santa Fe, NM
Farmington, NM

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St. Francis South Environmental Impact Report

Ecosphere Environmental Services, Inc.

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1. Summary

The 68.9-acre St. Francis South project (Project) is a 22-lot Large Scale Mixed-Use Master Plan proposed by Vegas Verdes, LLC (Applicant) that was approved by the Board of County Commissioners on December 14, 2010. The Project is approved for a mix of commercial and residential development. For development in Santa Fe County (County), the Applicant is submitting the preliminary subdivision plat for twenty-two parcels ranging in size from 1.00 to 7.9 acres with approximately 17.0 acres of dedicated open space. In addition, the Applicant will be requesting final plat approval for the first two phases of a four-phase concept. Commensurate with the subdivision plat requests, the applicant will submit engineering plans addressing the internal roadway, Rabbit Road improvements, utilities, and landscaping.

Proposed infrastructure improvements for the St. Francis South Project consist of the development of a water supply, wastewater conveyance, gas and electric utilities connections, improvements to Rabbit Road, and construction of approximately 600 feet of internal roadway. Water supply and wastewater conveyance demands for the project would be met by tying in to existing City lines. Access to these lines would be through a corrugated metal pipe located under I-25 near the northwestern boundary of the Project site; however, the condition of this pipe may preclude direct connection and a new bore under I-25 may be required for safe and functional service. Additionally, a graded utility corridor is planned for access to water and sewer connections from within the St. Francis South development. A tie-in to the existing underground New Mexico Gas Company supply line, located near the eastern boundary of the proposed development, is also anticipated. Electricity would be supplied from the main powerline that traverses the southern boundary of the St. Francis South parcel. Grading and paving of the road surface would occur only on the western end of the roadway. Improvements to Rabbit Road comprise the construction of a bike line, a multi-purpose sidewalk/trail, and an eastbound deceleration lane at the eastern access point.

Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects. Improvements to Rabbit Road and construction of the internal roadway and utility corridor would disturb less than an acre of ground at any time. Plant and animal habitat loss from the proposed project may impact individuals, but is not likely to result in a loss of viability or cause a trend to federal listing or a loss of species viability. The work proposed at this stage would avoid the larger intermittent arroyo located at the northeastern portion of the parcel and surface disturbance for roadway construction would not exceed 18 inches; thus, surface and groundwater resources would not be affected. The proposed project is not anticipated to result in localized air quality impacts, exceedance of the NAAQS, or substantial climate change concerns. Additionally, installation of the proposed infrastructure, particularly construction of the internal roadway and Rabbit Road improvements, is not expected to significantly alter the horizontal or vertical alignment of the project parcel in a way that would increase community noise. An archaeological inventory of the project area revealed no significant cultural resources. The property was found to hold little potential for contributing additional information on the prehistory or history of Santa Fe. Archaeological clearance for the proposed project was recommended and obtained from City of Santa Fe. Thus, archaeological and cultural resources would not be significantly affected by the proposed infrastructure development.

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2. Project Description

The purpose of this section is to describe the proposed Project to provide information needed to evaluate and review the Project's environmental impacts. Santa Fe County's 2015 Sustainable Land Development Code (SLDC) requires that a complete project description contain the following information:

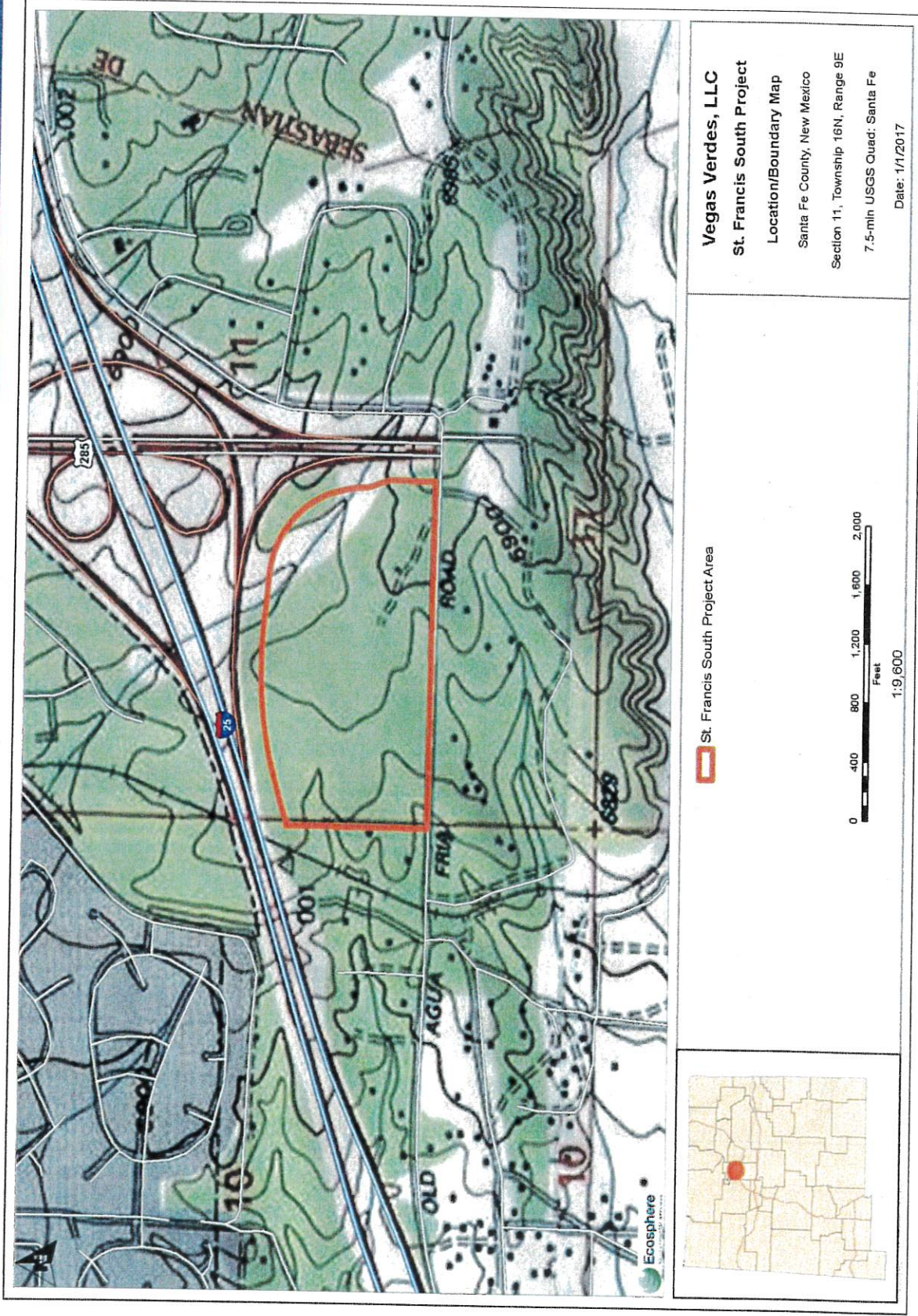
- Precise location and boundaries of the proposed development project on a detailed topographical map. The location of the project shall also appear on a regional map;
- A statement of the objectives sought by the proposed development project. The statement of objectives should include the underlying purpose of the project; and
- A general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals if any and supporting public service facilities.

2.1 Project Location


The 68.9-acre St. Francis South project site (Project Site) is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road to the south, and two large residential lots to the west. The Project Site is surrounded by large-lot residential development on the east, south, and west, and by a medical office complex north of I-25. The Project Site is depicted on a regional map on Figure 2-1. Figure 2-2 shows the Project Site on a USGS topographic map. Figure 2-3 is the proposed site plan.

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Vegas Verdes, LLC
St. Francis South Project
Location/Boundary Map
 Santa Fe County, New Mexico
 Section 11, Township 16N, Range 9E
 7.5-mih USGS Quad: Santa Fe
 Date: 1/1/2017

 St. Francis South Project Area

0 400 800 1,200 1,600 2,000
 Feet
 1:9,600

Figure 2-2. St. Francis South Project site map

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2.2 Project History and Objectives

The 68.9-acre St. Francis South project (Project) is a 22-lot Large Scale Mixed-Use Master Plan proposed by Vegas Verdes, LLC (Applicant) that was approved by the Board of County Commissioners on December 14, 2010. The Project is approved for a mix of commercial and residential development per the attached list of permitted uses (Appendix A). For development in Santa Fe County (County), the Applicant is submitting the preliminary subdivision plat for twenty-two parcels ranging in size from 1.00 to 7.9 acres with approximately 17.0 acres of dedicated open space. In addition, the Applicant will be requesting final plat approval for the first two phases of a four-phase concept. Commensurate with the subdivision plat requests, the applicant will submit engineering plans addressing the internal roadway, Rabbit Road improvements, utilities, and landscaping.

Ecosphere Environmental Services, Inc. (EES) has been contracted to prepare an Environmental Impact Report (EIR) that would “inform the County, the public and the applicant of the significant environmental effects and impacts of a project, identify possible ways to minimize the significant adverse effects or impacts, and describe reasonable alternatives to the project.” Because the current submittal is limited to the initial, “spine” infrastructure development as described above, the EIR only examines environmental impacts associated with these proposed actions and does not include analysis of impacts from future development of the Project.

2.3 Technical and Economic Characteristics

2.3.1 Technical Characteristics

Proposed infrastructure improvements for the St. Francis South Project consist of the development of a water supply, wastewater conveyance, gas and electric utilities connections, improvements to Rabbit Road, and construction of the roadway internal to the proposed subdivision. Construction of the approximately 600 feet of internal roadway would occur. Per agreement between the Applicant, the City of Santa Fe (City), and the County, water supply and wastewater conveyance demands for the project would be met by tying in to existing City lines. Access to these lines would be through a corrugated metal pipe located under I-25 near the northwestern boundary of the Project site; however, the condition of this pipe may preclude direct connection and a new bore under I-25 may be required for safe and functional service. Additionally, a graded utility corridor is planned for access to water and sewer connections from within the St. Francis South development. A tie-in to the existing underground New Mexico Gas Company supply line, located near the eastern boundary of the proposed development, is also anticipated. Electricity would be supplied from the main powerline that traverses the southern boundary of the St. Francis South parcel.

Access to the internal roadway of the subdivision would be provided at two locations (Figure 2-3). At this stage of development, grading and paving of the road surface would occur only on the western end of the roadway. Improvements to Rabbit Road (per access and excavation permit and agreement with the New Mexico Department of Transportation[NMDOT]) comprise the construction of a bike line, a multi-purpose sidewalk/trail, and an eastbound deceleration lane at the eastern access point.

2.3.2 Economic Characteristics

A Fiscal Impact Assessment (FIA) was prepared to characterize the costs and revenues associated with the initial infrastructure development proposed for St. Francis South. Assuming that infrastructure development would commence in the summer of 2017 and that full build-out of the site could take as long as ten years, the FIA found that the total direct, indirect, and induced impact of just infrastructure development totals over six million dollars. It is estimated that the proposed infrastructure would result in 43.5 full-time equivalent jobs with a total wages impact to Santa Fe County projected to be \$1,158,744. Finally, between gross receipts tax, property tax, and various other permits and fees, the County can anticipate \$785,877 in revenues from the proposed infrastructure development.

3. Environmental Setting

3.1 Biological Resources

In November 2016, Ecosphere conducted a 100 percent pedestrian survey of the proposed development site; more detailed examinations were undertaken for any unique features, such as washes and potential rare plant habitat.

According to Dick-Peddie (1993), the proposed project area is within the Juniper Savanna vegetation community. The parcel is characterized by a moderate canopy cover of oneseed juniper (*Juniperus monosperma*) with a dense understory of native grasses comprising primarily blue grama (*Bouteloua gracilis*), James' galleta (*Pleuraphis jamesii*), and sand dropseed (*Sporobolus cryptandrus*). Mortality is high in mature two-leaved piñon (*Pinus edulis*), likely due to a combination of drought stress and past infestations of the piñon ips beetle (*Ips confusus*). Piñon seedlings and saplings are present, but overall regeneration is low. Signs of recent grazing were not observed, but grazing may have been a factor in the past based upon the prevalence of native species that tend to increase following heavy grazing pressure. These include broom snakeweed (*Gutierrezia sarothrae*), Whipple cholla (*Cylindropuntia whipplei*), rubber rabbitbrush (*Ericameria nauseosa*), blue grama, and James' galleta. Although grass species make up the majority of the herbaceous component of the plant community, forb diversity is high and mostly consists of native species, although a few non-native species, such as prickly Russian thistle (*Salsola tragus*) and kochia (*Bassia scoparia*), are scattered throughout the parcel. Siberian Elm (*Ulmus pumila*) and cheatgrass (*Bromus tectorum*) were the only New Mexico State-Listed noxious weed species observed during the survey. Both are Class C species and are described by the New Mexico Department of Agriculture as being widespread in the state with control being left up to local entities based up on resources, population levels, and practicality of control. The elms are few in number and occur in a large wash in the northwest corner of the parcel. Cheatgrass is more abundant, but largely confined to a terrace above the mid-section of the same wash.

To streamline and guide the field survey, a desktop search was conducted to identify any federal and/or state-listed species that could occur in Santa Fe County. Four federally-listed species were identified as having the potential to occur in Santa Fe County: Mexican spotted owl (*Strix occidentalis lucida*), southwestern willow flycatcher (*Empidonax traillii extimus*), yellow-billed cuckoo (*Coccyzus americanus*), and New Mexico meadow

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jumping mouse (*Zapus hudsonius luteus*). In all cases, no suitable habitat was located within or near the parcel. Two Class C Noxious Weeds occur on the property, but are not widespread.

The habitat is not suitable for any federally-listed species, but can potentially support two state-listed species; gray vireo (*Vireo vicinior*) and Santa Fe cholla (*Opuntia viridiflora*). The vireo is a summer migrant and would be effected, along with other migratory birds, by construction activities occurring during the breeding/nesting season and habitat removal. For other migratory birds, the USFWS recommends that activities defined as “take,” such as clearing or burning of vegetation, should occur outside of the breeding season as much as possible (mid-April to August for Santa Fe County). If construction activities must take place during the breeding season, it would be necessary to have a qualified biologist conduct a nest survey of the parcel, no more than 7-10 days prior to project work. If no nests are found, work may proceed. If active nests are found, further consultation would be needed for guidance on avoiding or minimizing impacts.

3.2 Geology, Topography, and Soils

The proposed project is located in the southern part of the Española Basin, one of a series of basins between Colorado and Texas that arose during the formation of the Rio Grande rift, when the earth’s crust began extending and stretching in an east-west direction approximately 36 million years ago (Schroba et al. 2005). Unlike most rivers that form valleys by cutting into the rocks, the Rio Grande primarily acts to fill the rift, with only short periods of actual cutting into the valley-fill deposits. This episodic development of the river system led to the formation of alluvial piedmont along the western flank of the Sangre de Cristo Mountains and the eastern margin of the Cerros del Rio volcanic field. Thus, soils within the area proposed for infrastructure development consist primarily of Alire loam and Tanoan-Encantado sandy loam complexes, alluvial soils derived from the surrounding granite, gneiss, schist, loess, and volcanic ash parent materials (NRCS 2017). These soils are well-drained, deep, and have a very low run-off potential. A complete geotechnical report for the proposed infrastructure development is included in Appendix A. The proposed project area is located within the river valley that characterizes the physiography of the North Central New Mexico Valleys and Mesas of the Arizona/New Mexico Plateau ecoregion of the Rio Grande Rift physiographic province (Griffith et al. 2006, Hawley 1986).

Elevations within the project parcel range from 6,850 feet at the west end of the project parcel to 6,920 feet at the southeastern corner of the parcel. Topography within the proposed development parcel is primarily characterized by a low hill located at the southeastern edge of the project parcel along Rabbit Road. Rabbit Road slopes gradually downward toward the west; the hill rises somewhat sharply from the existing road surface and slopes upward for an average difference of approximately 30-40 feet from the road surface. Toward the north, beyond the hill’s maximum height, the hill slopes downward toward I-25.

3.3 Water Resources

No wetlands or perennial waters occur within the parcel. However, several ephemeral drainages are present and one intermittent water course cuts through the northwest corner of the parcel. The ephemeral channels do not have an Ordinary High Water Mark (OHWM) and do not qualify for protection under the guidelines set forth by the United States Army Corps of Engineers (USACE). The larger drainage has an OHWM approximately two feet

above the channel bottom. Indicators include an active floodplain, gravel sheets, exposed root hairs below intact soil layer, scouring, and xeric ruderal plant species present below the OHWM.

A well record from the NM Office of the State Engineer (record number RG 49048) indicates that a well drilled on or near the development parcel encountered water at a depth of 257 feet below the ground surface.

3.4 Air Quality

The Clean Air Act as Amended establishes National Ambient Air Quality Standards (NAAQSs) for seven criteria pollutants, including carbon monoxide, nitrogen dioxide, particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), ozone, sulfur dioxide, and lead. Santa Fe County has been defined as an attainment area for all NAAQS criteria pollutants.

3.5 Noise

Installation of the proposed infrastructure is expected to generate some construction noise from equipment used to grade and pave the internal roadway. The disturbance would be transient and would end once construction is complete.

3.6 Archaeological, Cultural, and Historic Resources

Ron Winters and Lael Grant conducted a cultural resources survey on the proposed infrastructure development parcel in December 2008. A search of the New Mexico Cultural Resources Information System files (NMCRIIS) at the Archaeological Records Management Section, State Historic Preservation Division in Santa Fe revealed two previously recorded cultural resources within the project area. During the course of the field investigation, two isolated occurrences (IOs) were recorded. The two IOs, and historic tin can and a basalt bifacial core, were recorded in the field and their locations mapped. Their data potential was exhausted with this recording and they do not hold the potential to yield additional information on Santa Fe area prehistory. No unrecorded archaeological site or other historic resources were discovered within the project area. Furthermore, no paleontological remains were identified during the survey and no Traditional Cultural Properties or culturally sensitive areas were documented.

Archaeological inventory of the project area revealed no significant cultural resources. The ground surface visibility (and this, site recognition and identification) was good due to lack of heavy vegetation or groundcover. The property was found to hold little potential for contributing additional information on the prehistory or history of Santa Fe. Archaeological clearance for the proposed project was recommended and obtained from City of Santa Fe on January 8th, 2009 (Appendix A).

3.7 Scenic Resources

The visual landscape of the immediate project area consists of undeveloped pinyon-juniper woodland with rural-residential development to the south and east, higher density residential neighborhoods to the west across I-25, and commercial and industrial land uses to the north along Cerrillos Road. Existing roadways surrounds the boundaries of the site. The Arroyo Hondo, an undeveloped natural drainage channel, is located south of Rabbit

St. Francis South Environmental Impact Report

Ecosphere Environmental Services, Inc.

Road but is generally not visible from the project area. Several mountain ranges are visible as distant horizons from the site, including the Sangre de Cristo Mountains to the east, the Ortiz and Sandia Mountains to the south, and Tetilla Peak and the Jemez Mountains to the southwest and west. Development proposed on the site would be consistent with other similar land uses visible from I-25 and other travelled roadways in the area.

4. Effects Analysis

4.1 Significant Environmental Effects

Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects. Improvements to Rabbit Road and construction of the internal roadway and utility corridor would disturb less than an acre of ground at any time. Plant and animal habitat loss from the proposed project may impact individuals, but is not likely to result in a loss of viability or cause a trend to federal listing or a loss of species viability. The work proposed at this stage would avoid the larger intermittent arroyo located at the northeastern portion of the parcel and surface disturbance for roadway construction would not exceed 18 inches; thus, surface and groundwater resources would not be affected. The proposed project is not anticipated to result in localized air quality impacts, exceedance of the NAAQS, or substantial climate change concerns. Additionally, installation of the proposed infrastructure, particularly construction of the internal roadway and Rabbit Road improvements, is not expected to significantly alter the horizontal or vertical alignment of the project parcel in a way that would increase community noise.

An archaeological inventory of the project area revealed no significant cultural resources. The property was found to hold little potential for contributing additional information on the prehistory or history of Santa Fe. Archaeological clearance for the proposed project was recommended and obtained from City of Santa Fe. Thus, archaeological and cultural resources would not be significantly affected by the proposed infrastructure development.

4.2 Significant Environmental Effects Which Cannot Be Avoided

Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects. Therefore, there are no significant effects which cannot be avoided.

4.3 Significant Irreversible Environmental Effects

Development of infrastructure for the St. Francis South Project at its current stage would result in no significant environmental effects. Therefore, there are no significant irreversible effects.

4.4 Other Adverse Effects

No other adverse effects are anticipated from the development of a water supply, wastewater conveyance, gas and electric utilities connections, improvements to Rabbit Road, and construction of the roadway internal to the proposed subdivision.

5. Mitigation Measures

Surface soil disturbance from construction of the internal roadway and improvements to Rabbit Road would be mitigated by best management practices utilized during construction and stabilization post-construction from paving, curbing, and guttering. The contractor hired to perform the work would draft a stormwater pollution prevention plan (SWPPP) and obtain coverage under National Pollutant Discharge Elimination System 2012 Construction general permit. If construction activities take place during the breeding season, it will be necessary to have a qualified biologist conduct a nest survey of the parcel, no more than 7-10 days prior to project work. If no nests are found, work may proceed. If active nests are found, further consultation will be needed for guidance on avoiding or minimizing impacts.

Maintaining the existing topography, namely the hill adjacent to Rabbit Road, acts to buffer noise and visual impacts from installation of the infrastructure improvements. Noise disturbance from construction would be transient and occur only during daylight hours. Additionally, noise created by normal construction operations as well as construction of public or private utilities on public easements are excepted from County Ordinance 2009-11 prohibiting excessive, unnecessary, and unreasonable noise and public nuisances.

6. Consideration and Discussion of Alternatives

The only alternative considered at this stage of infrastructure development is the No-Build Alternative, where no improvements to the parcel would occur. Without the proposed infrastructure developments, no loss of plant and animal habitat would occur. No surface disturbance would occur and the current erosion and sedimentation processes would be expected to continue under the No-Build Alternative. There would be no noise or air quality impacts in the absence of the proposed construction of the internal roadway utility corridor and improvements to Rabbit Road and scenic resources would not be affected.

Finally, the total direct, indirect, and induced financial impact of just the infrastructure development would not be realized. 43.5 full-time equivalent jobs with a total wages impact of \$1,158,744 would not be created and no revenues from gross receipts tax, property tax, and various other permits and fees would be generated for the County.

7. Organizations and Persons Consulted

Organizations and persons consulted for the purpose of drafting the EIR include the US Fish and Wildlife Service (Albuquerque Field Office), the New Mexico Department of Game and Fish, the US Army Corps of Engineers, the New Mexico Office of the State Engineer, Santa Fe County, the City of Santa Fe, and other contractors contributing to the proposed project, including JenkinsGavin, Santa Fe Engineering Consultants, and Dawson Surveys.

8. Discussion of Cumulative Impacts

Cumulative environmental impacts can be defined as effects on the environment which are caused by the combined results of past, current, and future activities. The proposed project parcel has been vacant for

St. Francis South Environmental Impact Report

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decades, and past activities are not likely to contribute significantly to cumulative impacts. Full build-out of the project parcel is a reasonably foreseeable result of the current proposed action. Thus, cumulative impacts are likely to include those impacts that would result from development of the St. Francis South parcel in its entirety. However, because of the variety of permitted uses in the proposed development, it is unknown what specific impacts will result until each lot is developed individually. We do know that at full build-out, approximately 17 acres of the 69-acre subdivision will remain open space and an additional four to five acres will be landscaped with native species, so less than 50 acres will be permanently converted from vacant native woodland to urban land uses. One drainage in the project area was identified as a Water of the United States. The channel is currently experiencing areas of active erosion and is the site for numerous, past trash dumping activities. It is likely that work will be done in or near the arroyo to build a road or bridge to provide access to the entire subdivision as well as measures taken to clean up the channel and/or reduce bank erosion. Any work done in or near the channel that would lead to alteration of, or discharges into the channel would require approval and a permit by the USACE. However, work in this area would likely fall under a pre-existing Nationwide Permit (NWP), such as NWP 3 (Maintenance) or NWP 13 (Bank Stabilization). The hill at the south end of the parcel will continue to act as a buffer and limit impacts to noise and scenic resources, even at full build-out. No further impacts to cultural and archaeological resources are anticipated.

Full build-out is also expected to provide a greater direct, indirect, and induced financial impact than the infrastructure development. This would include more full-time equivalent jobs as well as more revenue for the County from gross receipts tax, property tax, and various other permits and fees.

9. References

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10. List of Preparers

Name	Title	Role
Jerusha Rawlings	Project Manager	<ul style="list-style-type: none"> ▪ Project Management ▪ Document Formatting ▪ Editing ▪ Quality Control
John Taschek	Project Manager	<ul style="list-style-type: none"> ▪ Technical Review ▪ Air Quality and Climate ▪ Land Use
Hondo Brisbin	Botanist	<ul style="list-style-type: none"> ▪ Wildlife ▪ Noxious and Invasive Species ▪ Migratory Birds
Henry Colomb	GIS	<ul style="list-style-type: none"> ▪ Soils ▪ GIS Support ▪ Mapping

Appendix A – Supporting Documentation

PERMITTED USE LIST

RESIDENTIAL. ALL HOUSING TYPES PERMITTED, INCLUDING:

- MULTI-FAMILY APARTMENTS
- SENIOR HOUSING (INCLUDING EXTENDED CARE & INDEPENDENT LIVING)
- LIVE / WORK

EDUCATIONAL:

- ART SCHOOLS
- BUSINESS AND VOCATIONAL SCHOOLS
- COLLEGES AND UNIVERSITIES
- NONPROFIT & RELIGIOUS INSTITUTIONS (INCLUDING RELIGIOUS ASSEMBLIES)
- PRIVATE SCHOOLS

GOVERNMENT:

- GOVERNMENTALLY OWNED OR OPERATED BUILDINGS
- NEIGHBORHOOD, COMMUNITY AND MUNICIPAL BUILDINGS IN KEEPING WITH CHARACTER OF AREA
- HOSPITALS AND EXTENDED CARE FACILITIES
- UTILITIES (PNM, WATER, QWEST, ETC.)

MEDICAL:

- ADMINISTRATIVE OFFICES AND ORGANIZATIONS PROVIDING MEDICALLY RELATED SERVICES
- APOTHECARY SHOPS OR PHARMACIES
- MEDICAL AND DENTAL OFFICE OR CLINICS PROVIDING TREATMENT FOR THE HEALTH AND WELFARE OF HUMAN PATIENTS
- OFFICES FOR THOSE LICENSED BY THE STATE TO PRACTICE HEALING ARTS

PUBLIC ACCOMMODATIONS:

- CONFERENCE AND EXTENDED STAY LODGING FACILITIES
- HOTELS, INCLUDING RESIDENTIAL SUITE HOTELS

SERVICE ESTABLISHMENTS:

- CONVENIENCE STORE WITH RELATED GASOLINE SALES
- NEIGHBORHOOD GROCERY STORE CATERING TO LOCAL PEDESTRIAN TRADE
- RETAIL AND SERVICE USES THAT ARE INTENDED TO SERVE THE PRIMARY USES AND DO NOT EXCEED 5,000 S.F.
- RETAIL SALES ACCESSORY TO ANY PERMITTED USE PROVIDED THAT SUCH COMMERCIAL USE SHALL NOT OCCUPY MORE THAN 10 % OF ANY BUILDING
- BARBER SHOPS AND BEAUTY SALONS

OFFICES / INDUSTRIAL:

- ALL OFFICE USES INCLUDING OFFICE WAREHOUSE AND DISTRIBUTION
- CORPORATE OFFICES FOR BUSINESS AND PROFESSIONAL
- RESEARCH, EXPERIMENTAL AND TESTING LABORATORIES
- LIGHT ASSEMBLY AND/OR MANUFACTURING AND SHIPPING
- WAREHOUSE AND DISTRIBUTION

MISCELLANEOUS:

- TELECOMMUNICATIONS FACILITIES
- PRIVATE DAY CARE, NURSERIES AND KINDERGARTENS
- NON-COMMERCIAL GREENHOUSES AND PLANT NURSERIES
- VETERINARY SALES AND SERVICES
- ARTS AND CRAFTS STUDIOS, GALLERIES AND SHOPS
- DANCE STUDIOS
- NON-PROFIT THEATRES FOR PRODUCTION OF LIVE SHOWS
- PHOTOGRAPHERS' STUDIOS
- PRIVATE CLUBS AND LODGES
- FINANCIAL SERVICES

GEO-TEST

**GEOTECHNICAL
ENGINEERING SERVICES
JOB NO. 1-50512
ST. FRANCIS SOUTH PROJECT
SANTA FE COUNTY, NEW MEXICO**

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

**PREPARED FOR
VEGAS VERDES, LLC
% JENKINGGAVIN DESIGN & DEVELOPMENT**



June 19, 2015
Job No.1-50512

VEGAS VERDES, LLC
% JENKINS GAVIN DESIGN & DEVELOPMENT
130 Grant Avenue, Suite 101
Santa Fe, New Mexico 87501

ATTN: Ms. Jennifer Jenkins

RE: **Geotechnical Engineering Services**
St. Francis South Project
Santa Fe, New Mexico


Dear Ms. Jenkins:

Submitted herein is the Geotechnical Engineering Services Report for the above referenced project. The report contains the results of our field investigation, laboratory testing, and an existing conditions survey of Rabbit Road west of St. Francis Road, and soil borings for directional drilling under I-25, as well as criteria for general site grading.


It has been a pleasure to serve you on this project. If you should have any questions, please contact this office.

Respectfully submitted:
GEO-TEST, INC.

Reviewed by:


Charles M. Miller, P.E.




Robert D. Booth, P.E.

cc: Addressee (3)

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

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GEO-TEST, INC,
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

INTRODUCTION

This report presents the results of the geotechnical investigation performed by this firm for the St. Francis South Project, Santa Fe, New Mexico.

The objectives of this investigation were to:

- 1) Evaluate the nature and engineering properties of the subsurface soils underlying the existing roadway.
- 2) Provide soil profiles for directional drilling under I-25.

The investigation includes subsurface exploration, selected soil sampling, laboratory testing of the samples, performing an engineering assessment and preparation of this report.

PROPOSED CONSTRUCTION

It is understood that the project consists of directional drilling under I-25 and various improvements in the area of Rabbit Road west of St. Francis Drive. Please refer to the Boring Location Map, Figure 1.

Should project details vary significantly from those outlined above, this firm should be notified for review and possible revision of assessments contained herein.

FIELD EXPLORATION

Six exploratory borings were drilled to depths ranging from approximately 4.5 to 26 feet below existing site grades. The soils encountered in the borings were continuously examined, visually classified and logged during the drilling operation. The boring logs are presented in a following section of this report. Drilling was accomplished using a truck mounted drill rig equipped with 5.5-inch diameter continuous flight hollow stem auger. Subsurface materials were sampled at 5 foot intervals or less, utilizing an open tube split barrel sampler driven by a standard penetration test hammer or by sampling auger cuttings.

LABORATORY TESTING

Selected samples were tested in the laboratory to determine certain engineering properties of the soils. Moisture contents were determined to

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

evaluate the various soil deposits with depth. The results of these tests are shown on the boring logs.

Sieve analysis and Atterberg limits tests were performed to aid in soil classification and R-value correlations. The results of these tests are presented in the Summary of Laboratory Results presented in a following section of this report.

SUBSURFACE SOIL CONDITIONS

As indicated by the exploratory borings, the soils encountered at boring locations 1-3 consist primarily of silty sands with gravel underlying the pavement structure. The pavement structure in boring #1 consists of 5 inches of asphalt pavement overlying 6 inches of base course. The pavement structure in borings #2 and #3 consists of 6 inches of asphalt pavement overlying 6 inches of base course. The soils encountered at boring location 4 consist primarily of clayey sands underlying the pavement structure. The pavement structure in boring #4 consists of 6 inches of asphalt pavement overlying 6 inches of base course. The silty sands are non-plastic and the clayey sands are of low plasticity.

The soils encountered in boring no. 5 consist of 10 feet of stiff to hard clay with sand overlying 16 feet of very dense silty gravel with sand.

The soils encountered in boring no. 6 consist of 12 feet of low plasticity, stiff clay with sand overlying 9 feet of non-plastic, dense silty sand with gravel. Clayey sand with gravel was then encountered to the full depth explored.

No free groundwater was encountered and soil moisture contents were relatively low to moderate throughout the extent of the borings.

CONCLUSIONS AND RECOMMENDATIONS

The Rabbit Road pavement section consists of 5 or 6 inches of asphalt pavement over 6 inches of base course.

Boring #5 has standard penetration values ranging from 12 to 68, generally increasing with depth.

Correlated R-values were determined in accordance with NMDOT procedures for the samples taken from the upper 4.5 feet at all 4 pavement boring locations which indicate that the soils possess R-values ranging from

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

69 (borings #1- #3) to 30 (boring #4).

REVIEW AND INSPECTION

This report has been prepared to aid in the evaluation of this site and to assist in the design of this project. It is recommended that the geotechnical engineer be provided the opportunity to review the final design drawings and specifications in order to evaluate whether the recommendations in this report are applicable to the final design. Review of the final design drawings and specifications should be noted in writing by the geotechnical engineer.

Variations from soil conditions presented herein may be encountered during construction of this project. In order to permit correlation between the conditions encountered during construction and to confirm recommendations presented herein, it is recommended that the geotechnical engineer be retained to perform sufficient review during construction of this project. Observation and testing should be performed during construction to confirm that suitable fill soils are placed upon competent materials and properly compacted and foundation elements penetrate the recommended soils.

CLOSURE

Our conclusions, recommendations and opinions presented herein are:

- 1) Based upon our evaluation and interpretation of the findings of the field and laboratory program.
- 2) Based upon an interpolation of soil conditions between and beyond the explorations.
- 3) Subject to confirmation of the conditions encountered during construction.
- 4) Based upon the assumption that sufficient observation will be provided during construction.
- 5) Prepared in accordance with generally accepted professional geotechnical engineering principles and practice.

This report has been prepared for the sole use of Vegas Verdes, LLC, % JenkinsGavin Design & Development, specifically for the St. Francis South Project, Santa Fe, New Mexico, and not for the use by any third parties.

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 525-6260
FAX (575) 523-1660

We make no other warranty, either express or implied. Any person using this report for bidding or construction purposes should perform such independent investigation as he deems necessary to satisfy himself as to the surface and subsurface conditions to be encountered and the procedures to be used in the performance of work on this project. If conditions are encountered during construction that appears to be different than indicated by this report, this office should be notified.

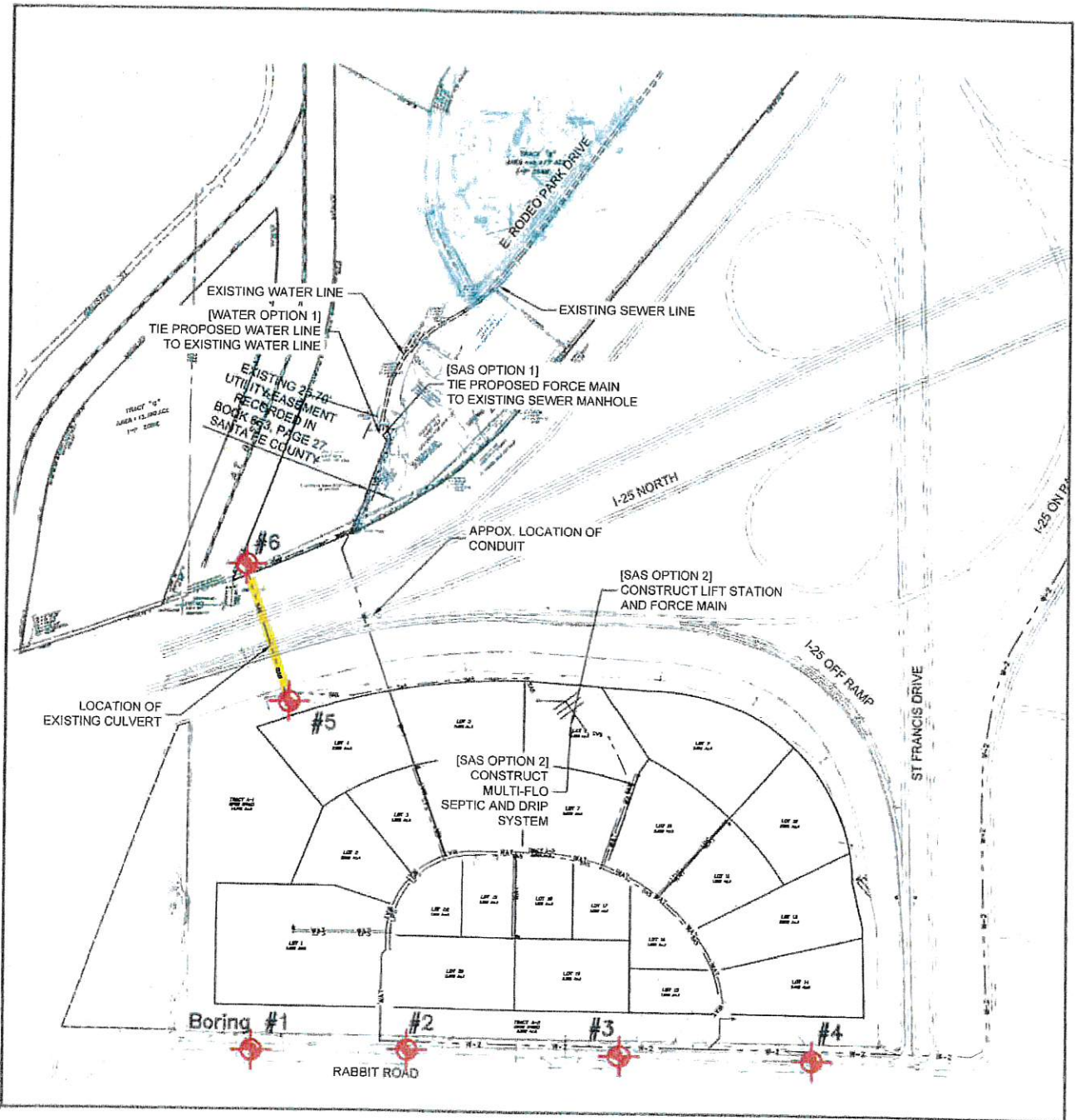
All soil samples will be discarded 60 days after the date of this report unless we receive a specific request to retain the samples for a longer period of time.

GEO-TEST, INC.
3204 RICHARDS LANE
SANTA FE,
NEW MEXICO
87507
(505) 471-1101
FAX (505) 471-2245

8528 CALLE ALAMEDA NE
ALBUQUERQUE,
NEW MEXICO
87113
(505) 857-0933
FAX (505) 857-0803

2805-A LAS VEGAS CT.
LAS CRUCES,
NEW MEXICO
88007
(575) 526-6260
FAX (575) 523-1660

BORING LOCATION MAP



St. Francis South Project
 Santa Fe, New Mexico
 Job No. 1-50512

FIGURE 1

GEO-TEST
 GEOTECHNICAL ENGINEERING
 AND MATERIAL TESTING
 SANTA FE - ALBUQUERQUE - LAS CRUCES



Project: St Francis South Project

Date: 06/12/2015

Project No: 1-50512

Elevation:

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 1

During Drilling: None

After 24 Hours:

DEPTH (Ft)	LOG	SAMPLE INTERVAL	SAMPLE					SUBSURFACE PROFILE				
			TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	N blows/ft			
									20	40	60	80
0 - 4.5			AC				ASPHALT	6" Asphalt & 5" Aggregate Base Course				
4.5 - 5							SM	SILTY SAND WITH GRAVEL, non-plastic, slightly moist to moist, gray/brown				
5 - 30								STOPPED AUGER AT 4.5'				

LOG OF TEST BORING 1-50512 ST FRANCIS SOUTH PROJECT G.P. GEO TEST GDT 8/19/15

LEGEND

SS - Split Spoon
 AC - Auger Cuttings
 UD/SL - Undisturbed Sleeve

AMSL - Above Mean Sea Level
 CS - Continuous Sampler
 UD - Undisturbed
 ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.



Project: St Francis South Project

Date: 06/12/2015

Project No: 1-50512

Elevation:

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 2

During Drilling: None

After 24 Hours:

DEPTH (Ft)	LOG	SAMPLE INTERVAL	SAMPLE				SUBSURFACE PROFILE		N blows/ft			
			TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	20	40	60	80
0					5		ASPHALT	6" Asphalt & 6" Aggregate Base Course				
5			AC				SM	SILTY SAND WITH GRAVEL, non-plastic, moist, brown				
4.5								STOPPED AUGER AT 4.5'				
10												
15												
20												
25												
30												

LOG OF TEST BORING 1-50512 ST FRANCIS SOUTH PROJECT G.P.J. GEO TEST GDT 6/19/15

LEGEND

SS - Split Spoon
 AC - Auger Cuttings
 UD/SL - Undisturbed Sleeve

AMSL - Above Mean Sea Level
 CS - Continuous Sampler
 UD - Undisturbed
 ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.



Project: St Francis South Project

Date: 06/12/2015

Elevation:

Project No: 1-50512

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 3

During Drilling: None

After 24 Hours:

DEPTH (FT)	LOG	SAMPLE INTERVAL	SAMPLE				SUBSURFACE PROFILE		N blows/ft			
			TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	20	40	60	80
4.5			AC		4		ASPHALT	6" Asphalt and 6" Aggregate Base Course				
5							SM	SILTY SAND WITH GRAVEL, low plasticity, moist, dark brown				
4.5 - 5								STOPPED AUGER AT 4.5'				
5 - 30												

LOG OF TEST BORING 1-50512 ST. FRANCIS SOUTH PROJECT.GPJ GEO TEST GDT 6/19/15

LEGEND

SS - Split Spoon
 AC - Auger Cuttings
 UD/SL - Undisturbed Sleeve

AMSL - Above Mean Sea Level
 CS - Continuous Sampler
 UD - Undisturbed
 ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.



Project: St Francis South Project

Date: 06/12/2015

Project No: 1-50512

Elevation:

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 4

During Drilling: None

After 24 Hours:

DEPTH (Ft)	LOG	SAMPLE INTERVAL	SAMPLE					SUBSURFACE PROFILE				
			TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	N blows/ft			
									20	40	60	80
0 - 4.5			AC		10		ASPHAL	6" Asphalt & 6" Aggregate Base Course				
4.5 - 5							SC	CLAYEY SAND, low plasticity, moist, drk brown STOPPED AUGER AT 4.5'				
5 - 30												

LOG OF TEST BORING 1-50512 ST. FRANCIS SOUTH PROJECT GPJ GEO TEST GDT 6/18/15

LEGEND

- SS - Split Spoon
- AC - Auger Cuttings
- UD/SL - Undisturbed Sleeve

- AMSL - Above Mean Sea Level
- CS - Continuous Sampler
- UD - Undisturbed
- ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.



Project: St Francis South Project

Date: 06/12/2015

Elevation:

Project No: 1-50512

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 5

During Drilling: None

After 24 Hours:

DEPTH (Ft)	LOG	SAMPLE						SUBSURFACE PROFILE	
		SAMPLE INTERVAL	TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	N blows/ft
5			SS	5-5-7 12	7		CL	CLAY WITH SAND, low plasticity, moderately firm to very firm, slightly moist, dark brown	12
			SS	9-16-23 39	8				39
10			SS	7-12-16 28	6		GM	SILTY GRAVEL WITH SAND, coarse grained, gravel to 3/4", non-plastic, very dense, slightly moist, tan/brown	28
15			SS	12-23-34 57	2				57
20			SS	17-27-33 60	2				60
25			SS	21-30-38 68	2				68
30									

LOG OF TEST BORING 1-50512 ST. FRANCIS SOUTH PROJECT GP1, GEO TEST, GDT, 6/19/15

LEGEND

SS - Split Spoon
 AC - Auger Cuttings
 UD/SL - Undisturbed Sleeve

AMSL - Above Mean Sea Level
 CS - Continuous Sampler
 UD - Undisturbed
 ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.



Project: St Francis South Project

Date: 06/12/2015

Project No: 1-50512

Elevation:

Type: 5.5" OD HSA

LOG OF TEST BORINGS

GROUNDWATER DEPTH

NO: 6

During Drilling: None

After 24 Hours:

LOG OF TEST BORING 1-50512 ST FRANCIS SOUTH PROJECT GPJ GEO TEST GDT 6/19/15

DEPTH (Ft)	LOG	SAMPLE INTERVAL	SAMPLE				SUBSURFACE PROFILE		N blows/ft											
			TYPE	N. BLOWS/FT	MOISTURE %	DRY DENSITY (pcf)	USC	DESCRIPTION	20	40	60	80								
5			AC		7															
			AC		7		CL	CLAY WITH SAND, low plasticity, stiff, slightly moist, dark brown												
10			AC		4															
15			AC		2		SM	SILTY SAND WITH GRAVEL, non-plastic, dense, slightly moist, tan/brown												
20			AC		2															
25			AC				SC	CLAYEY SAND WITH GRAVEL TO 3/4", non-plastic to low plasticity, dense, slightly moist, brown												
								STOPPED AUGER AT 24.5'												
30																				

LEGEND

SS - Split Spoon
 AC - Auger Cuttings
 UD/SL - Undisturbed Sleeve

AMSL - Above Mean Sea Level
 CS - Continuous Sampler
 UD - Undisturbed
 ST - Shelby Tube

Stratification lines represent approximate boundaries between soil types. Transitions may be gradual. Water level readings have been made at times and under conditions stated. Fluctuations of groundwater may occur due to factors other than those present at the time measurements were made.

SUMMARY OF LABORATORY RESULTS

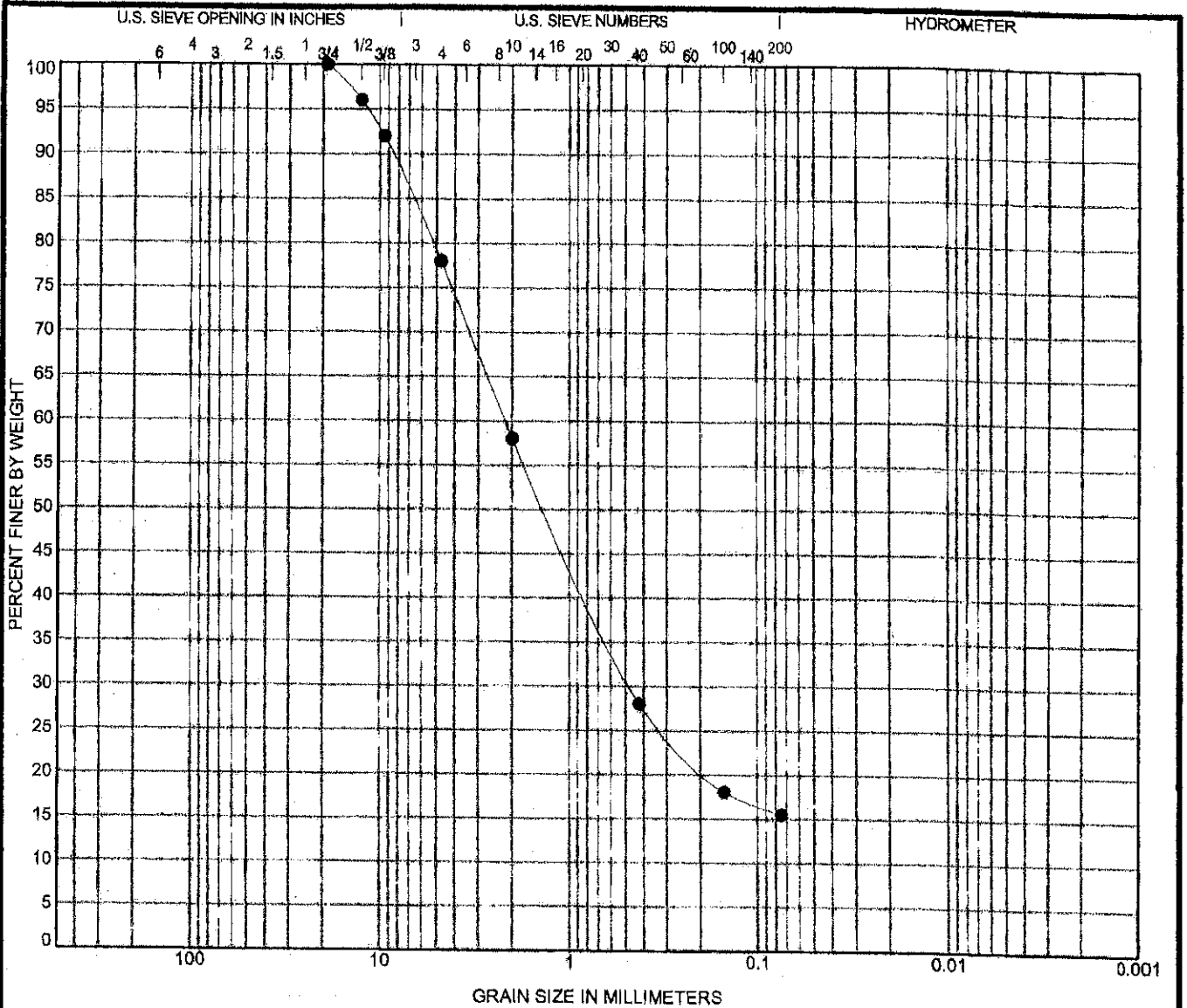
SIEVE ANALYSIS PERCENT PASSING

TEST HOLE	DEPTH (FEET)	UNIFIED CLASS	(% MOIST)	LL	PI	NO 200	NO 100	NO 40	NO 10	NO 4	SIEVE ANALYSIS PERCENT PASSING							
											3/8"	1/2"	3/4"	1"	1 1/2"	2"	4"	
1	0-4.5	SM	5.5	NP		16	18	28	58	78	92	96	100					
2	0-4.5	SM	5.3	NP		19	22	32	55	69	80	84	90	100				
3	0-4.5	SM	4.0	NP		16	18	28	55	71	85	91	100					
4	0-4.5	SC	10.3	27	12	34	36	47	75	87	92	96	100					
5	2.5	CL	7.0	24	8	73	75	81	93	99	100							
5	4.5	CL	8.3	25	9	70	77	87	97	100								
5	9.5		6.3															
5	14.5	GM	1.9	NP		12	14	15	22	49	80	90	95	100				
5	19.5		1.6															
5	24.5	SP-SM	1.5	NP		9	10	11	25	67	96	97	100					
6	0-4.5		6.9															
6	4.5-9.5	CL	7.4	25	10	78	82	87	95	99	100							
6	9.5-14.5		3.7															
6	14.5-19.5	SM	2.2	NP		19	21	31	50	60	67	71	88	100				
6	19.5-24.5		1.7															

LL = LIQUID LIMIT
 PI = PLASTICITY INDEX
 NP = NON PLASTIC or NO VALUE



Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

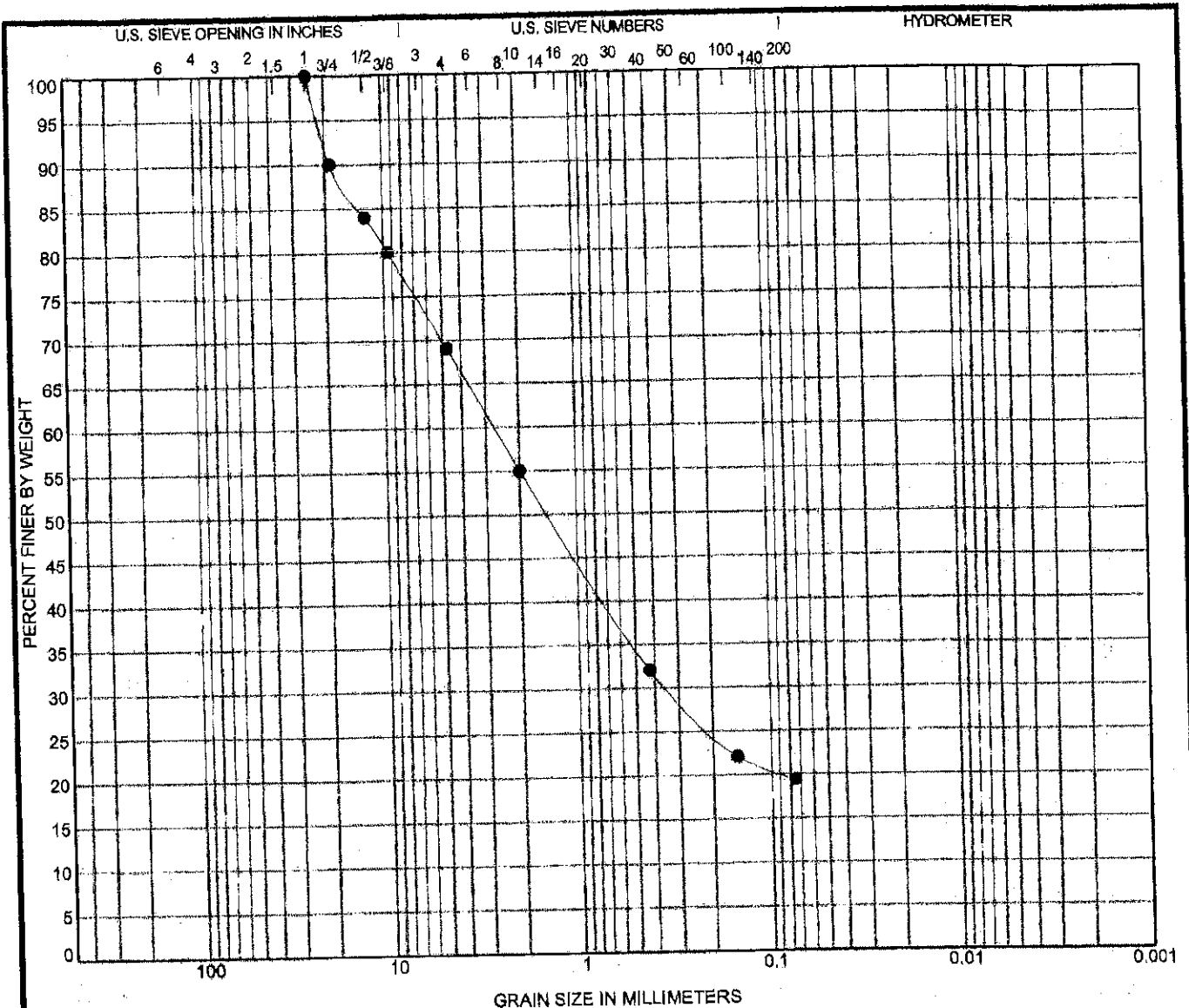
Specimen Identification		Classification					LL	PL	PI	Cc	Cu
● 1	0-4.5	SILTY SAND with GRAVEL(SM)					NP	NP	NP		
Specimen Identification		D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay		
● 1	0-4.5	19	2.181	0.471		22.0	62.5	15.5			

GRAIN SIZE DISTRIBUTION



Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512

US GRAIN SIZE 1-50512 ST. FRANCIS SOUTH PROJECT GP. GEO TEST GDT. 8/17/16



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification	Classification	LL	PL	PI	Cc	Cu
● 2 0-4.5	SILTY SAND with GRAVEL(SM)	NP	NP	NP		

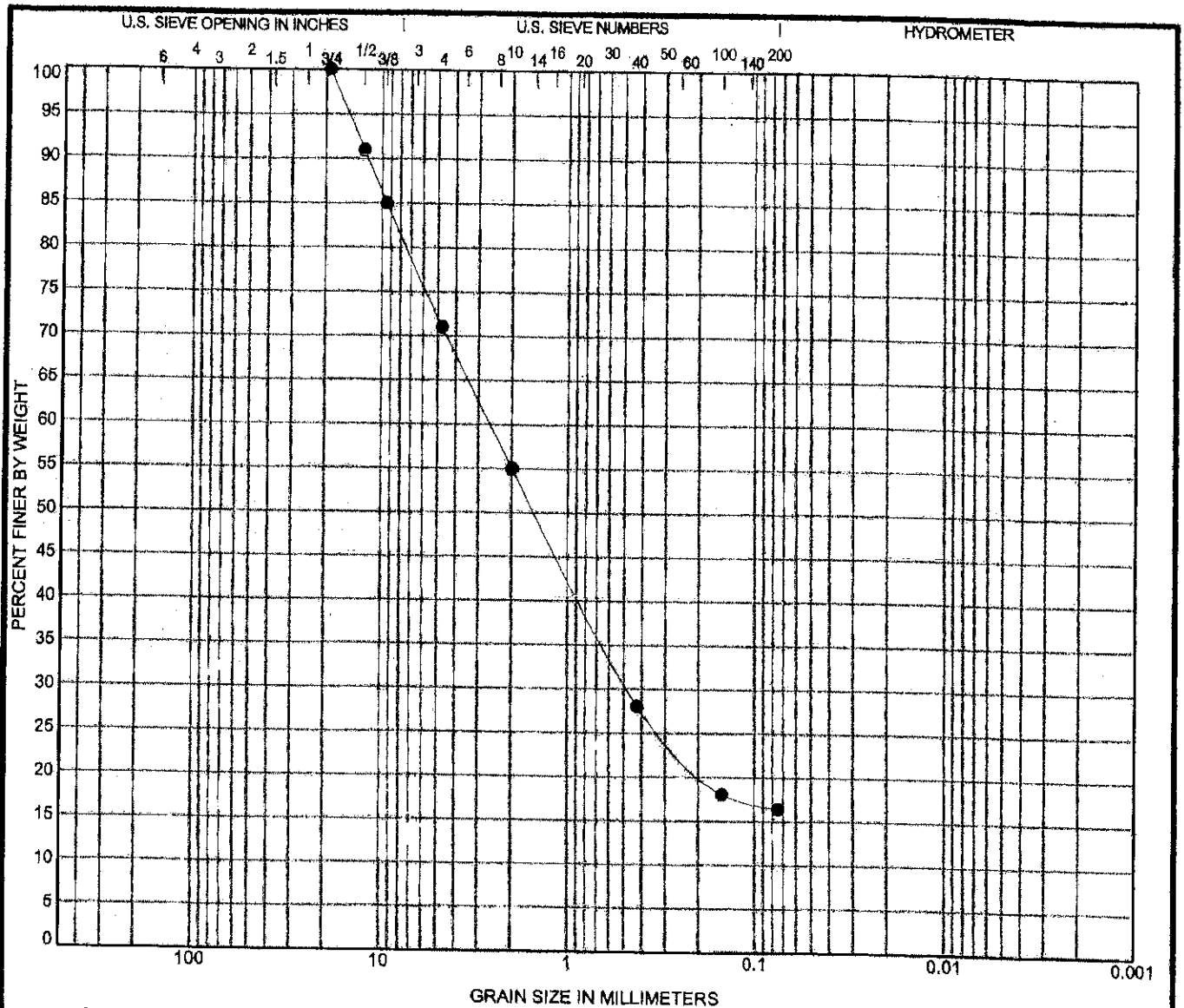
Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
● 2 0-4.5	25	2.724	0.345		31.0	49.6	19.4	

GRAIN SIZE DISTRIBUTION



Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512

US GRAIN SIZE 1-50512 BT FRANCIS SOUTH PROJECT.GPJ GEO TEST GDT 04/7/15



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification	Classification	LL	PL	PI	Cc	Cu
● 3 0-4.5	SILTY SAND with GRAVEL(SM)	NP	NP	NP		

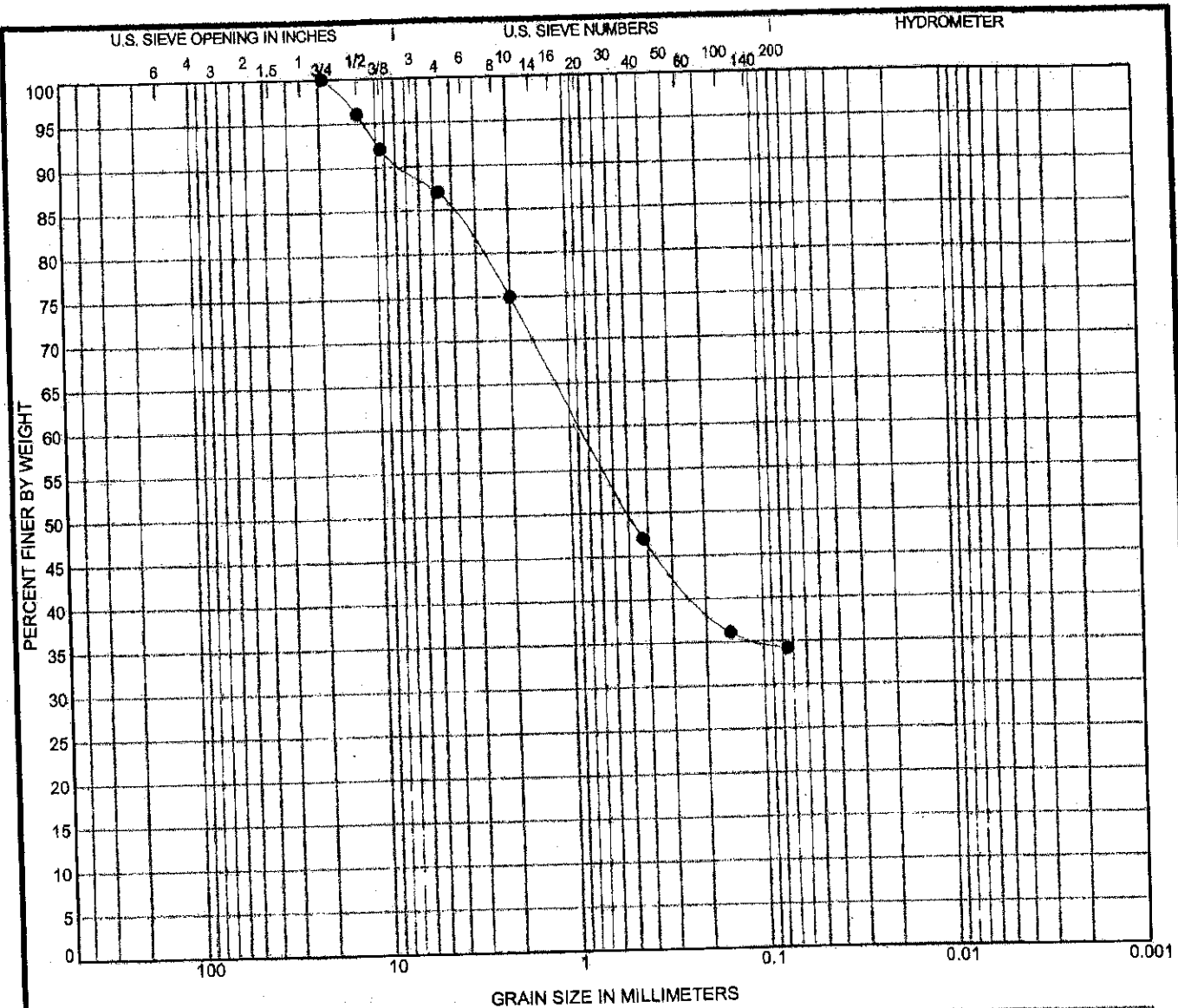
Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
● 3 0-4.5	19	2.621	0.477		29.0	54.6	16.4	

GRAIN SIZE DISTRIBUTION

GEO-TEST

Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512

U.S. GRAIN SIZE 1-50512 ST. FRANCIS SOUTH PROJECT GRI GEO TEST.GDT.M7/15



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification	Classification	LL	PL	PI	Cc	Cu
● 4 0-4.5	CLAYEY SAND(SC)	27	15	12		

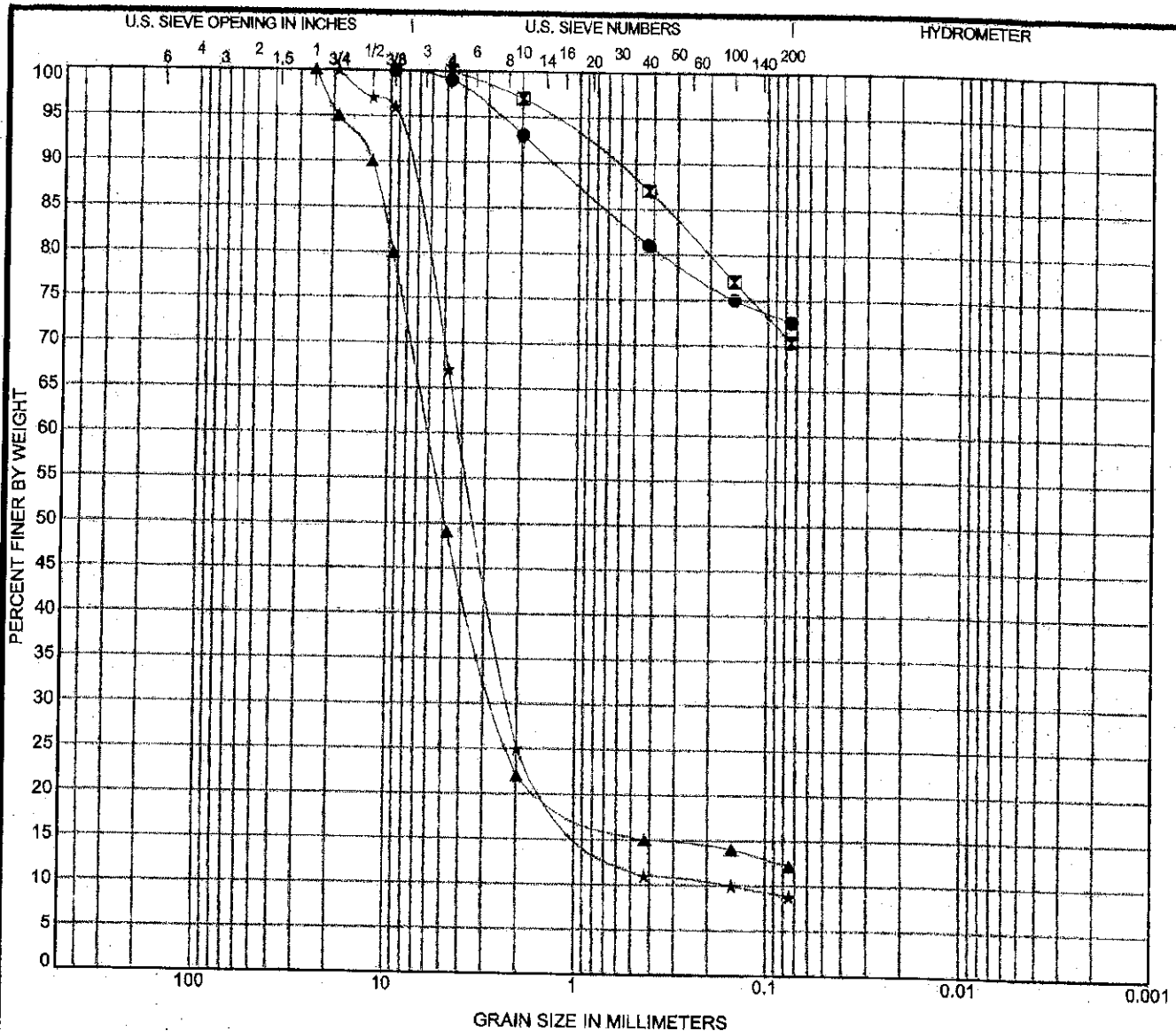
Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
● 4 0-4.5	19	0.872			13.0	52.9	34.1	

GRAIN SIZE DISTRIBUTION

Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512



U.S. GRAIN SIZE 1-50512 ST. FRANCIS SOUTH PROJECT.GPJ GEO TEST.GDT 8/17/85



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

U.S. GRAIN SIZE 1-50512 ST. FRANCIS SOUTH PROJECT.GPJ GEO TEST.ODT 8/17/15

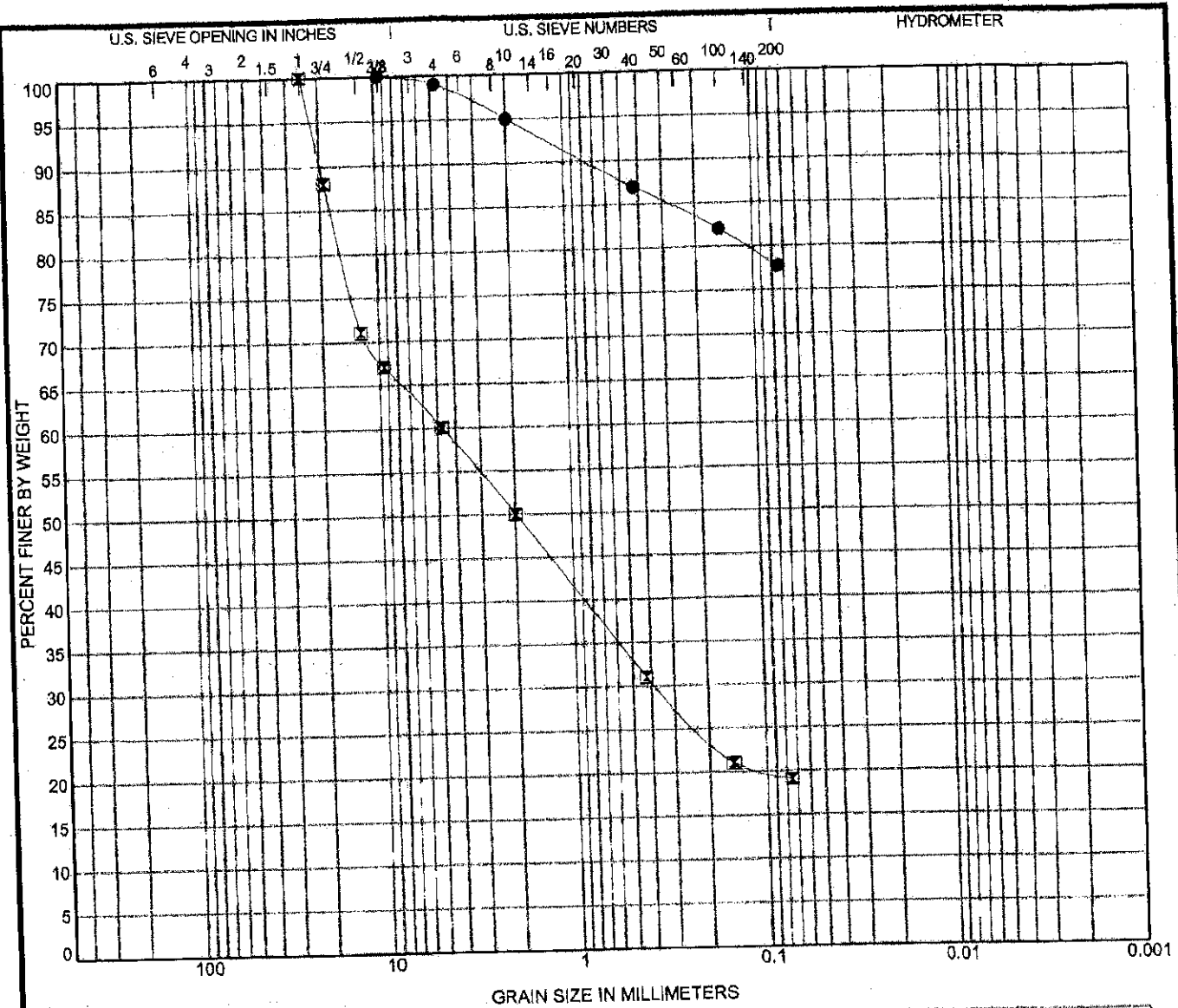
Specimen Identification	Classification	LL	PL	PI	Cc	Cu
● 5 2.5	LEAN CLAY with SAND(CL)	24	16	8		
☒ 5 4.5	LEAN CLAY with SAND(CL)	25	16	9		
▲ 5 14.5	SILTY GRAVEL with SAND(GM)	NP	NP	NP	34.20	188.96
★ 5 24.5	POORLY GRADED SAND with SILT and GRAVEL(SP-SM)	NP	NP	NP	7.97	27.42

Specimen Identification	D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
● 5 2.5	9.5				1.0	26.4	72.6	
☒ 5 4.5	4.75				0.0	29.6	70.4	
▲ 5 14.5	25	6.075	2.584		51.0	36.8	12.2	
★ 5 24.5	19	4.112	2.217	0.15	33.0	58.2	8.8	

GRAIN SIZE DISTRIBUTION



Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512



COBBLES	GRAVEL		SAND			SILT OR CLAY
	coarse	fine	coarse	medium	fine	

Specimen Identification		Classification			LL	PL	PI	Cc	Cu
●	6 4.5-9.5	LEAN CLAY with SAND(CL)			25	15	10		
■	6 14.5-19.5	SILTY SAND with GRAVEL(SM)			NP	NP	NP		

Specimen Identification		D100	D60	D30	D10	%Gravel	%Sand	%Silt	%Clay
●	6 4.5-9.5	9.5				1.0	21.3	77.7	
■	6 14.5-19.5	25	4.75	0.383		40.0	41.0	19.0	

GRAIN SIZE DISTRIBUTION

Project: St Francis South Project
 Location: Santa Fe, New Mexico
 Number: 1-50512



U.S. GRAIN SIZE 1-50512 ST. FRANCIS SOUTH PROJECT.GPJ.GEO TEST.GDT.8/17/15



**CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL**



Case File Number AR#-29-08 Date Application Submitted Dec 11, 2008

District: Historic Downtown District; River & Trails-Regular; Santa Fe Trail; Suburban X

Building Sq. Ft. _____ Development Acreage 68.94 acres

Project Description: _____

Site Address/Location: 199 Rabbit Road Property Owner: Phase One Realty

PO Box 22865, SF NM 87502

Permit: Grading; Development; Building

Applicant Information: Name: Ron Winters

Mailing Address: 109 Calle Paula, SF NM 87505 Phone No.: 505-670-9958

Archaeological Consultant: Ron Winters

RECONNAISSANCE REPORT

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Project Archaeologist's Resume | f. <input type="checkbox"/> Historic Photos (needed if in Historic Downtown District) |
| 2. <input checked="" type="checkbox"/> Vicinity Map | g. <input type="checkbox"/> Information from Title Abstract (if available) |
| 3. <input checked="" type="checkbox"/> Project Site Description | 8. <input type="checkbox"/> 2% Testing (Historic Downtown District Only) |
| 4. <input checked="" type="checkbox"/> Development Project Description | 9. <input checked="" type="checkbox"/> Description of Prehistoric & Historic Occupation & Land Use |
| 5. <input checked="" type="checkbox"/> Outline of Research & Methodology | 10. <input checked="" type="checkbox"/> Description of Cultural Remains Discovered and Significance |
| 6. <input checked="" type="checkbox"/> Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts | 11. <input checked="" type="checkbox"/> NM Site Inventory Forms and Other Documentation |
| 7. <input type="checkbox"/> Archival Research | 12. <input checked="" type="checkbox"/> Recommended Site Significance |
| a. <input type="checkbox"/> Historic Maps & Aerial Photos | 13. <input checked="" type="checkbox"/> Assessment of Development's Impact on Cultural Remains |
| b. <input type="checkbox"/> ARMS Files & Archaeological Reports | 14. <input checked="" type="checkbox"/> Recommended Treatment for Site |
| c. <input type="checkbox"/> General Land Office (BLM) Surveys or Land Grant Plats | 15. <input checked="" type="checkbox"/> Listing of Sources, i.e. historic maps, aerials, reports, etc. |
| d. <input type="checkbox"/> 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby) | |
| e. <input checked="" type="checkbox"/> National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure) | |

ARC APPROVAL: MEETING DATE: Jan 8, 2009
Special Conditions: Yes (see attachment) No

TREATMENT PLAN REQUIRED:

Yes: _____ No: _____
TREATMENT PLAN ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

PRELIMINARY TREATMENT REPORT

- | | |
|---|---|
| <input type="checkbox"/> a. Research Design Outline | <input type="checkbox"/> d. Description of Cultural Remains Discovered |
| <input type="checkbox"/> b. Site Map of Excavations | <input type="checkbox"/> e. Description of Prehistoric and Historic Occupation and Land Use |
| <input type="checkbox"/> c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable | <input type="checkbox"/> f. Listing of Sources |

TREATMENT REPORT ARC APPROVAL: MEETING DATE: _____
Special Conditions: Yes (see attachment) No

FINAL TREATMENT REPORT

_____ Date Final Report Due _____ Date Final Report Received _____

Permit Approved: [Signature] Date: 1/8/09
Archaeological Review Committee Chairperson

PHOTO: 2/18/07



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South

Subdivision Disclosure Statement

DISCLOSURE STATEMENT

FOR ALL SUBDIVISIONS CONTAINING MORE THAN FIVE (5) PARCELS

PLEASE READ THIS DISCLOSURE STATEMENT BEFORE YOU SIGN ANY DOCUMENT OR AGREE TO ANYTHING

This disclosure statement is intended to provide you with enough information to permit you to make informed decisions on the purchase, lease or acquisition of the property described in this statement. You should read carefully all of the information contained in this statement before you decide to buy, lease or otherwise acquire the described property.

Various public agencies may have issued opinions, on both the subdivision proposal and the information contained in this disclosure statement. They may be favorable or unfavorable. You should read them closely.

The Board of County Commissioners has examined this disclosure statement to determine whether the subdivider can fulfill what the subdivider has said in this disclosure statement. However, the Board of County Commissioners does not vouch for the accuracy of what is said in this disclosure statement. In addition, this disclosure statement is not a recommendation or endorsement of the subdivision by either the County or the State. It is informative only.

The Board of County Commissioners recommends that you inspect the property before buying, leasing or otherwise acquiring it. **If you have not inspected the parcel before purchasing, leasing or otherwise acquiring it, you have six (6) months from the time of purchase, lease or acquisition to personally inspect the property. After inspecting the parcel within the six (6) month period, you have three (3) days to rescind the transaction and receive all of your money back from the subdivider when merchantable title is revested in the subdivider. To rescind the transaction, you must give the subdivider notice of your intent to rescind within three (3) days of your inspection of the property.**

County regulations require that any deed, real estate contract, lease or other instrument conveying an interest in a parcel in the subdivision be recorded with the Santa Fe County Clerk

Building permits, wastewater permits or other use permits must be issued by state or county officials before improvements are constructed. You should investigate the availability of such permits before you purchase, lease, or otherwise acquire an interest in the land. You should also determine whether such permits are required for construction of additional improvements before you occupy the property.

1. NAME OF SUBDIVISION

St. Francis South (hereinafter referred to as "the Subdivision").

2. NAMES AND ADDRESS OF SUBDIVIDER

Vegas Verdes, LLC
P.O. Box 22865
Santa Fe, NM 87502

3. NAME, ADDRESS AND TELEPHONE NUMBER OF PERSON IN CHARGE OF SALES,

LEASING OR OTHER CONVEYANCE IN NEW MEXICO

Dave Gurule & Ernie Romero
Phase I Realty
PO Box 22865
Santa Fe, NM 87502
505-986-2934

4. SIZE OF SUBDIVISION, BOTH PRESENT AND ANTICIPATED

<u>Present</u>	<u>Anticipated</u>
1 parcel, Tract A totaling ±68.9 acres	22 parcels of varying sizes

SIZE OF LARGEST PARCEL OFFERED FOR SALE, LEASE OR OTHER CONVEYANCE WITHIN THE SUBDIVISION

Lot 1, ±10.91 acres

6. SIZE OF SMALLEST PARCEL OFFERED FOR SALE, LEASE OR OTHER ONVEYANCE WITHIN THE SUBDIVISION

Lot 22, ±0.916 acre

7. PROPOSED RANGE OF PRICES FOR SELLING, LEASING OR OTHER CONVEYANCE

To be determined.

8. FINANCING TERMS

No financing will be offered by the Subdivider. All sales are anticipated to be on a cash basis.

9. NAME AND ADDRESS OF HOLDER OF LEGAL TITLE

Vegas Verdes, LLC
P.O. Box 22865
Santa Fe, NM 87502

NOTE: IF ANY OF THE PERSONS NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS OF THAT CORPORATION.

10. NAME AND ADDRESS OF PERSON HAVING EQUITABLE TITLE

Vegas Verdes, LLC
P.O. Box 22865
Santa Fe, NM 87502

NOTE: IF ANY OF THE HOLDERS OF EQUITABLE TITLE NAMED ABOVE IS A CORPORATION, LIST THE NAMES AND ADDRESSES OF ALL OFFICERS IN THAT CORPORATION.

11. CONDITION OF TITLE

Title is currently in fee simple absolute and will be conveyed to buyers in the same condition subject to the covenants, conditions and restrictions approved with the Subdivision.

12. STATEMENT OF ALL RESTRICTIONS OR RESERVATIONS OF RECORD THAT SUBJECT THE SUBDIVIDED LAND TO ANY CONDITIONS AFFECTING ITS USE OR OCCUPANCY

The Subdivision is subject to covenants and restrictions which are recorded in the County Clerk's office.

13. ESCROW AGENT

To be determined.

14. UTILITIES

All utility infrastructure will be installed in the interior loop road. Individual lot owners are responsible for all applicable connection fees.

15. INSTALLATION OF UTILITIES

The Subdivider will be installing the following utilities and will be available for use on the dates shown:

<u>Utility</u>	<u>Available Date</u>
Water	Spring 2018
Sewer	Spring 2018
Telephone	Spring 2018
Electricity	Spring 2018
Natural Gas	Spring 2018
Cable	Spring 2018

16. UTILITY LOCATION

Utility lines will be located within the interior roadway and will be placed underground.

17. WATER AVAILABILITY

The Project will be served with water by the Santa Fe County Water System, which connects to the City of Santa Fe Water System. A Memorandum of Understanding to this effect was recorded in the records of Santa Fe County on November 17, 2016 as Instrument #1809962. Water will be delivered via public waterlines from Rodeo Business Park to the north, underneath I-25. Santa Fe County may impose water conservation

restrictions during periods of drought conditions. All facilities must comply with Santa Fe County water conservation requirements per SLDC §7.13.11.

18. FOR SUBDIVISIONS WITH COMMUNITY WATER SYSTEMS

N/A.

19. FOR SUBDIVISIONS WITH INDIVIDUAL DOMESTIC WELLS OR SHARED WELLS

N/A. No wells may be drilled on any lot.

20. LIFE EXPECTANCY OF THE WATER SUPPLY

Water service is provided by Santa Fe County, so the water supply is considered perpetual.

21. SURFACE WATER

N/A.

22. NEW MEXICO STATE ENGINEER'S OPINION ON WATER AVAILABILITY

Include here the approved summary of the opinion made by the New Mexico State Engineer regarding:

If the Office of the State Engineer issues an opinion upon review of the subdivision application, we will insert it here.

23. WATER QUALITY

Please refer to the attached Water Quality & Compliance report from the City of Santa Fe.

24. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON WATER QUALITY

Include here the approved summary of the opinion from the New Mexico Environment Department regarding:

If the New Mexico Environment Department issues an opinion upon review of the subdivision application, we will insert it here.

25. LIQUID WASTE DISPOSAL

The Project will be served by a Santa Fe County wastewater collection system that will discharge into the City's wastewater collection and treatment system. A Memorandum of Understanding to this effect was recorded in the records of Santa Fe County on November 17, 2016 as Instrument #1809962.

Note: No other liquid waste disposal system may be used in a subdivision other than the system approved by the Board.

26. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON LIQUID WASTE DISPOSAL

Include here the approved summary of the opinion received by the Board from the New Mexico Environment Department regarding:

If the New Mexico Environment Department issues an opinion upon review of the subdivision application, we will insert it here.

27. SOLID WASTE DISPOSAL

Each lot owner must contract with a local waste collection firm.

28. NEW MEXICO ENVIRONMENT DEPARTMENT'S OPINION ON SOLID WASTE

Include here the approved summary of the opinion received by the Board from the New Mexico Environment Department regarding:

If the New Mexico Environment Department issues an opinion upon review of the subdivision application, we will insert it here.

29. TERRAIN MANAGEMENT

Soils: There are no known soil conditions which limit or restrict the construction of structures on any of the lots. Each lot owner is advised to conduct a soils analysis of their individual lot to identify any site specific construction requirements.

Floodways, Flood Fringes and Flood Plains: There is no designated FEMA flood plain within the Subdivision.

Lots with Slopes in Excess of 15%: Lots 1, 2, 4, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, and 21.

Subsurface Drainage: There is no subsurface drainage under any of the lots other than natural aquifer water flows.

Surface Drainage: A storm drainage plan was prepared by Santa Fe Engineering Consultants and approved as part of the subdivision approval process.

30. SOIL AND WATER CONSERVATION DISTRICT'S OPINION ON TERRAIN MANAGEMENT

Include here the summary of the opinion received by the Board from the Soil and Water Conservation District regarding:

If the Soil and Water Conservation District issues an opinion upon review of the subdivision application, we will insert it here.

31. SUBDIVISION ACCESS

Access to the Subdivision is via Rabbit Road, a 100-foot New Mexico Department of Transportation public right-of-way. Individual lots will be accessed via a private interior loop road with two 12' driving lanes, a 12' landscaped median, two 5' bicycle lanes, two 5' sidewalks, and planting strips within 65-70-foot wide right-of-way and public utility easement.

The nearest town is Santa Fe. The subdivision is located approximately 5 miles from the Santa Fe Plaza via NM Highway 285 (St. Francis Drive). The roadways are paved and fully accessible by conventional vehicles, in all seasons and under all weather conditions.

32. MAINTENANCE

The Lot Owners' Association will be responsible for maintenance of private roads and other common improvements within the Subdivision in accordance with the provisions of the Declaration of Restrictive Covenants applicable to the Subdivision.

33. NEW MEXICO DEPARTMENT OF TRANSPORTATION'S (NMDOT) OPINION ON ACCESS

Include here the approved summary of the opinion received by the Board from the New Mexico Department of Transportation (NMDOT) regarding:

If the New Mexico Department of Transportation issues an opinion upon review of the subdivision application, we will insert it here.

34. CONSTRUCTION GUARANTEES

The roads and drainage structures within the Subdivision will not be fully complete when the lots within the Subdivision are first offered for sale. A Financial Guarantee for infrastructure improvements will be provided in accordance with County requirements.

NOTE: Unless there is a sufficient bond, letter of credit or other adequate collateral to secure the completion of proposed improvements, it is possible that the proposed improvements will not be completed. Caution is advised.

35. ADVERSE OR UNUSUAL CONDITIONS

There are no known activities adjacent to or near the Subdivision which would subject the land to unusual conditions affecting its use.

36. RECREATIONAL FACILITIES

N/A

37. FIRE PROTECTION

Fire protection is provided by the Santa Fe County Volunteer Fire Department and the Santa Fe County Fire Department. The project is located in the Hondo Volunteer Fire District, which operates a 24/7 staffed station on Old Las Vegas Highway at Highway 285, approximately seven (7) miles from the Subdivision. In addition,

there are two City of Santa Fe Fire Stations within 3-4 miles of the Subdivision: one at Rodeo Road and Richards Avenue and one off of St. Michael's Drive on Arroyo Chamiso Road. The subdivision is provided with 4 fire hydrants. Buildings must be equipped with sprinkler systems meeting NFPA standards.

38. POLICE PROTECTION

List the various police units that would patrol the subdivision:

The Subdivision is within the law enforcement jurisdiction of both the Santa Fe County Sheriff and the New Mexico State Police.

39. PUBLIC SCHOOLS

Nearest elementary school: Chaparral Elementary, 2.5 miles

Nearest public junior high or middle school: Capshaw Junior High, 2 miles

Nearest public high school: Santa Fe High School, 3 miles

40. HOSPITALS

The nearest hospital is Christus St. Vincent Hospital, 3.5 miles from the Subdivision. The hospital has 200 beds.

41. SHOPPING FACILITIES

The nearest shopping facility is Plaza Entrada, which is approximately one (1.0) mile from the entrance to the Subdivision.

42. PUBLIC TRANSPORTATION

The Subdivision is not served by public transit bus service.

43. COMPLETION DATES

It is not anticipated that bus service will be available. All other items listed in sections 41 through 44 are currently available.

ACKNOWLEDGEMENT

Signature

STATE OF NEWMEXICO)
SS

COUNTY OF SANTA FE.)

On this _____ day of _____, 20____ the foregoing instrument was acknowledged before me by the person(s) whose name(s) appear(s) above.

Notary Public

My Commission Expires: _____

City of Santa Fe 2015 Water Quality Report

Regulated Compliance Monitoring

2015 Water Quality Report

Map of Water Sources



Source Water Assessment and its Availability

The most recent Source Water Assessment for the City of Santa Fe, conducted in 2005, includes a determination of source water protection areas and an inventory of pollution sources within the watershed. The assessment also includes a determination of source water availability. The assessment includes a determination of source water protection areas and an inventory of pollution sources within the watershed. The assessment also includes a determination of source water availability. The assessment includes a determination of source water protection areas and an inventory of pollution sources within the watershed. The assessment also includes a determination of source water availability.

En Español
Este reporte contiene informacion importante sobre la calidad del agua potable. Para obtener informacion adicional, comuniquese con el personal de la Oficina de Agua Potable al telefono 955-955-4377.

Note:
a) EPA considers 50 pCi/L to be the level of concern for beta particles.
b) Turbidity is a measure of the cloudiness of water. We monitor it because it is a good indicator of filter clogging.
c) Turbidity is a measure of the cloudiness of water. We monitor it because it is a good indicator of filter clogging.
d) Turbidity is a measure of the cloudiness of water. We monitor it because it is a good indicator of filter clogging.

Key to Units, Terms and Abbreviations
NA: Not Applicable.
NTU: Nephelometric Turbidity Units.
ppm: parts per million, or milligrams per liter (mg/L).
ppb: parts per billion, or micrograms per liter (µg/L).
pCi/L: picocuries per liter (a measure of radioactivity).
µg/L: Number of micrograms of substance per liter of water.
µmhos/cm: Microhm per centimeter or µS/cm (microsiemens per centimeter) - a measure of electrical conductivity in water due to the presence of dissolved inorganic ions (e.g., calcium, chloride, sodium) also called the "hardness" or "TDS," as defined in ASTM International Standard D1299 (CaCO₃ eq. or "ppm calc").
AL: Action level: The concentration of a contaminant, which, if exceeded, triggers treatment or other requirements, with a water supply system that uses a treatment process.
LRAA: Lead and copper monitoring location during the previous four calendar quarters. LRAAs at each sampling location must be below the MCL (0.060 mg/L for Total Inorganic Arsenic and 0.050 mg/L for Total Trihalomethanes).
Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health.
Maximum Contaminant Level (MCL): The highest level of a contaminant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants. Maximum Residual Disinfectant Level Goal (MRDLG): The maximum level of disinfectant that is expected to be present in drinking water. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
Secondary MCL (SMCL): Non-mandatory water quality standard for drinking water. SMCLs are established to protect public water systems in managing their drinking water for aesthetic considerations, such as taste, color and odor. These contaminants are not considered to present a risk to human health at the MCL.
The City of Santa Fe has a required process intended to reduce the level of a contaminant in drinking water.

Sources of Supply
The City was served by four distinct sources of supply in 2015. The 17,000 acre San Juan Reservoir, which is located in the McClure and Nichols Reservoir prior to treatment. Surface water from the Canyon Road Water Treatment Plant and Buckman Regional Water Treatment Plant (BRWTP), respectively, is treated at the City of Santa Fe. The Buckman Well Field consists of 15 wells and consists of 4 active wells located within the city limits of Santa Fe. The Buckman Well Field consists of 15 wells and consists of 4 active wells located within the city limits of Santa Fe. All four sources are treated with chlorine for protection of customers against disease-causing microorganisms. Fluoride is added to the water supply to benefit the community as recommended by public health professionals.

Do I need to take special precautions?
Some people may be more vulnerable to contaminants in drinking water than others. Pregnant women, the elderly, and those with underlying chronic illness, such as kidney disease, are more vulnerable. If you are pregnant, nursing, or preparing infant formula, you should take special precautions. For more information on drinking water, use of bottled water, and other information, please contact the City of Santa Fe at 955-955-4377.

City Ordinance
The City Ordinance adopted in 2005 built upon the recommendations in the Source Water Protection and the Source Water Assessment. The City Ordinance provides additional controls and protections for the City's ground and surface water supplies. The City Ordinance is designed to protect the City's water supply with the goal of reducing pollutant discharge to the Santa Fe River. Please contact 955-955-4377 to report illegal dumping in storm drains, streets and arroyos.

Contaminant	Units	MCL	MCLG	City WQP	Sample Date	Buckman Well	Sample Date	Canyon Road WTP	Sample Date	BRWTP	Sample Date	Violation	Typical Source
Organic Contaminants													
1,1,1-Trichloroethane	ppb	200	200	0.1 (ND-0.2)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from metal degrading sites and other factories.
1,1-Dichloroethylene	ppb	7	7	(ND-0.2)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from industrial chemical factories.
1,2-Dichloroethane	ppb	5	zero	(ND-0.2)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from industrial chemical factories.
Trichloroethylene	ppb	5	zero	(ND-0.2)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from industrial chemical factories.
Inorganic Contaminants													
Ammonia	ppb	10	0	ND	2015	ND	2015	ND	2015	ND	2015	No	Erosion of natural deposits; Runoff from orchards; Runoff from glass and other factories.
Barium	ppm	2	2	(0.1-0.8)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from metal refineries; Erosion of natural deposits.
Strontium	ppb	10	zero	NA	2014	NA	2014	NA	2014	NA	2014	No	Discharge from metal refineries; Erosion of natural deposits.
Cadmium	ppm	100	100	(ND-1)	2014	ND	2014	ND	2014	ND	2014	No	Discharge from steel and pulp mills; Erosion of natural deposits.
Fluoride	ppm	4	4	(0.1-0.16)	2014	0.4	2014	0.11	2014	0.37	2014	No	Discharge from steel and pulp mills; Erosion of natural deposits.
Nitrate (as N)	ppm	10	10	(0.0-6.8)	2015	0.18	2015	0.17	2015	0.18	2015	No	Discharge from steel and pulp mills; Erosion of natural deposits.
Radioactive Contaminants													
Uranium	pCi/L	15	0	(0.0-0.4)	2014	4.2	2014	ND	2014	1.2	2014	No	Erosion of natural deposits.
Thoron	pCi/L	50	NA	(ND-5)	2014	2.3	2014	1.4	2014	2.3	2014	No	Erosion of natural and man-made deposits.
Radium	pCi/L	5	0	(0.1-0.17)	2014	0.07	2014	0.18	2014	0.1	2014	No	Erosion of natural deposits.
Uranium	ppb	30	0	(ND-2.0)	2014	2.0	2014	ND	2014	1	2014	No	Erosion of natural deposits.
Surface Water Contaminants													
Turbidity (measured monthly % missing)	NTU	TT = 1.0	0	NA	NA	NA	NA	0.33	2015	0.18	2015	No	Soil Runoff
Total Organic Carbon (TOC)	mg/L	TT = 0.3	0	NA	NA	NA	NA	168.0%	2015	100.0%	2015	No	Soil Runoff
	TT = 1.0	0	0	NA	NA	NA	NA	83% to 84% removal	2015	NA	NA	No	Naturally present in the environment



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South

Covenants, Conditions & Restrictions (“CC&Rs”)

**DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
ST. FRANCIS SOUTH SUBDIVISION**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ST. FRANCIS SOUTH SUBDIVISION(the "Declaration") is made, effective as of the date of its recording in the real property records of Santa Fe County, New Mexico, by **VEGAS VERDES, LLC**, a New Mexico limited liability company (the "Declarant").

Recitals

Declarant is the owner of the real property located in Santa Fe County, New Mexico described as St. Francis South Subdivision (the "Subdivision"), as more particularly described in the final plat thereof, recorded at Plat Book _____, Page _____, of the records of Santa Fe County (the "Property").

NOW, THEREFORE, Declarant, as the owner and holder of record title to all of the Property, as defined in Section 1.20 of this Declaration, and with the desire to impose the provisions of this Declaration on all of the Property, and thereby subject all of the Property to the covenants, conditions, restrictions, easements, and obligations hereinafter stated, for the purpose of protecting the value and standards of the Property, hereby declares that all of the Property shall be subject to the following covenants, conditions, restrictions, easements, and obligations, which shall run with the title to the Property and be binding upon and inure to the benefit of all parties having any right, title or interest in or to the Property, and any portion thereof.

Article 1

Definitions

When used in this Declaration, the following initially capitalized terms shall have the following meanings.

1.1 "Articles" shall mean the Articles of Incorporation of the Association filed with the New Mexico Public Regulation Commission, as the same may be amended and restated from time to time as therein provided.

1.2 "Architectural Control Committee" and "Committee" and shall mean the Architectural Control Committee, established pursuant to Article 4 of this Declaration.

1.3 "Association" shall mean the St. Francis South Lot Owners' Association, Inc., a New Mexico non-profit corporation, and any successor association.

1.4 **“Board”** and **“Board of Directors”** shall mean the Board of Directors of the Association and the governing body of any successor association.

1.5 **“Building”** and **“Buildings”** shall mean any walled and roofed structure(s) constructed or located upon a Lot, and all projections and extensions thereof.

1.6 **“Bylaws”** shall mean the Bylaws of the Association, as the same may be amended and restated from time to time as therein provided.

1.7 **“Common Easements”** shall mean all portions of the Subdivision intended for the common use or common benefit of the Owners, and their Occupants, over which easements have been, or are, granted to the Owners and the Association for the installation, use, maintenance, repair and replacement of driveways, landscaping, utilities, drainage ponds and other drainage control structures, and similar uses, which shall include but not necessarily be limited to those areas now or hereafter designated on the Plat and the Subdivision Plans as **“Drainage Easement”** and **“Utility Easement”** (or similar designations).

1.8 **“Declarant”** shall mean VEGAS VERDES, LLC, a New Mexico limited liability company.

1.9 **“Declaration”** shall mean this Declaration of Covenants, Conditions and Restrictions for St. Francis South Subdivision.

1.10 **“Developer Owner”** shall mean a Person (other than Declarant) in the business of developing, leasing and/or selling or exchanging real property who has acquired more than one Lot for the purpose of developing, leasing and/or selling or exchanging such Lots.

1.11 **“Front Lot Line”** shall mean any boundary line of a Lot which abuts upon any Public Street or Private Roadway. A Lot with two or more boundary lines fronting upon a Public Street or Private Roadway will have multiple Front Lot Lines, as applicable.

1.12 **“Front Yard”** shall mean the space extending from the Front Lot Line to the main Building on a Lot. The width of the Front Yard is the entire width of the Lot, from Side Lot Line to Side Lot Line. A Lot with two or more Front Lot Lines will have multiple Front Yards, as applicable.

1.13 **“Improvement”** shall mean any Building, fence, wall, gate, or other structure; entrance, driveway or parking area; sign; utility installation (whether above or below ground); antenna or other communication installation (whether above or below ground); recreational facility or structure; landscaping, including any trees, plants shrubs, grass or other landscaping improvements of every type and kind; any excavation of any kind, and any exterior statuary, fountain, artistic work, craft work, figurine, ornamentation or embellishment of any type of kind (whether or not affixed to a Building or permanently attached to a Lot).

1.14 “**Lot**” shall mean each and every numbered lot, improved or unimproved, now or hereafter located in the Subdivision, including but not necessarily limited to Lots 1 through and including 22 as shown on the Plat as the same may be divided, consolidated or otherwise adjusted from time to time with the approval of the Committee and Santa Fe County.

1.15 “**Occupant**” shall mean any Person other than an Owner who occupies or is in possession of a Lot, and all Improvements thereon, whether as a lessee or tenant under a lease or otherwise.

1.16 “**Owner**” shall mean the record owner, whether one or more Persons, of the fee title, or an undivided interest therein, to any Lot, including real estate contract purchasers if they are not in default under the contract, but excluding those having an interest in a Lot merely as security for the performance of an obligation.

1.17 “**Party Walls**” shall mean fences or walls which define and are located on the centerline of the boundary(ies) of adjoining Lots, which fences or walls need not be initially constructed or owned by more than one Person.

1.18 “**Person**” shall mean a natural person, corporation, partnership, limited liability company, trustee, government, government subdivision or other legal entity.

1.19 “**Plat**” shall mean both the plat of survey for the Subdivision, namely that plat of survey filed on _____, 2014, as Document No. _____, and recorded in Plat Book _____, Pages _____, in the records of Santa Fe County, New Mexico, as the same may hereafter be amended with the approval of Santa Fe County.

1.20 “**Property**” shall mean all of the real estate more particularly described in Exhibit A attached hereto and incorporated herein by this reference.

1.21 “**Private Roadways**” shall mean those roadways located within the Subdivision, whether or not owned by the Association, intended either for the common use of the Owners, the Occupants, and their guests and invitees, or for the use of the general public, and which roadways have not yet been accepted for maintenance by Santa Fe County. Unless and until they have been dedicated to the public and accepted for maintenance Santa Fe County, any roadways depicted and designated on the Plat shall be Private Roadways.

1.22 “**Public Street**” shall mean any roadway located in or serving the Subdivision which has been dedicated to the public and accepted for maintenance by Santa Fe County.

1.23 “**Rear Lot Line**” shall mean any boundary line of a lot that is opposite of and most distant from the Front Lot Line.

1.24 "Rear Yard" shall mean the space between the Rear Lot Line and the main building on a Lot, extending the entire width of the Lot, from Side Lot Line to Side Lot Line.

1.25 "Side Lot Line" shall mean any boundary line of a Lot which is not a Front Lot Line or a Rear Lot Line.

1.26 "Side Yard" shall mean the space between a Side Lot Line and the main Building on a Lot.

1.27 "Sign" shall mean any structure or device, electric or non-electric, located anywhere on a Lot other than within the interior of any Improvement upon or within which any bill, bulletin, printing, lettering, painting, devise, or other advertising of any kind is used, placed, posted or otherwise fastened or affixed.

1.28 "Subdivision" shall mean the real estate now known and described as the St. Francis South Subdivision, as shown and described on the Plat.

1.29 "Subdivision Rules" shall mean the rules applicable to the Subdivision adopted by the Board pursuant to the authority granted by this Declaration and from time to time in effect.

Article 2

Duration

This Declaration, and the terms, provisions, covenants, conditions, restrictions and easements set forth herein, shall run with, and benefit and burden, the Property, and remain in full force and effect, for a period of twenty-five years (25) years after the date of the recording of the Declaration in the real property records of Santa Fe County, New Mexico, after which time the same shall be automatically extended for successive periods of ten (10) years each; provided, however, that Owners holding record title to at least seventy-five percent (75%) of the amount of aggregate acreage which is then contained within the Subdivision, rounded to the nearest thousandth of an acre, with the written consent of the Declarant, if the Declarant then holds record title to any Lot, (i) may revoke, rescind, and release all or any portion of the Property from this Declaration by executing and acknowledging an appropriate instrument, not more than one (1) year and not less than ninety (90) days prior to the expiration of said initial period or prior to the expiration of any ten (10) year extension period thereafter, and, (ii) except as otherwise expressly prohibited in this Declaration, may change, amend, modify or revise any of the terms and provisions of this Declaration, at any time, with respect to all or any portion of the Property, by executing and acknowledging an appropriate instrument at any time. Every such instrument shall be recorded in the records of Santa Fe County, New Mexico. At such time as

Declarant ceases to hold record title to any Lot, the consent of Declarant to any such revocation, rescission, release, change, amendment, modification, etc., shall be unnecessary.

Article 3

Common Scheme Restrictions

3.1 Permitted Uses. Lots shall be used solely for those uses which constitute "Permitted Uses" contained in the St. Francis South Master Plan recorded in the records of Santa Fe County on July 27, 2011 in Plat Book 734, Pages 46 – 50.

3.2 Lot Splitting and Consolidation. Any Lot may be consolidated and boundary lines between Lots may be adjusted, provided that such consolidation or adjustment is duly approved by both the Committee and Santa Fe County and conforms to the provisions of this Declaration and all applicable governmental codes, rules, regulations and requirements. Notwithstanding the foregoing to the contrary, Declarant shall not be required to obtain the consent of the Committee to any consolidation or boundary line adjustment of any Lots owned by Declarant.

3.3 Storage Tanks. No hazardous substance, pollutant, petroleum product or contaminate shall be stored underground, unless the installation of any underground storage tank conforms to the Underground Storage Tank Regulations prepared by the New Mexico Environment Department, as amended from time to time, and to all other applicable governmental codes, rules, regulations and requirements. All above ground storage tanks shall be reasonably screened from view from other Lots, so as not to be visually offensive.

3.4 Conservation and Energy Usage. Declarant encourages the usage by all Owners and Occupants of all renewable energy sources and encourages the adoption of passive energy technology.

3.5 Compliance with Local Codes. Improvements to each Lot shall comply with applicable Federal, State, and County codes, rules, regulations and requirements.

3.6 Design/Architectural Standards. Building heights, setbacks, maximum lot coverage, etc. shall be in compliance with applicable ordinances, rules, regulations, etc. of governmental authorities having jurisdiction, as the same may be amended from time to time. All Improvements also shall be constructed in accordance with the Architectural and Landscape Guidelines attached hereto and incorporated herein by this reference as Exhibit B, as the same may be reasonably and uniformly amended from time to time by the Board upon the recommendation of the Committee.

3.7 Temporary Structures. No temporary structures or temporary Buildings shall be placed on any Lot except that, upon approval by the Committee of the construction of

Improvements on a Lot, temporary construction trailers are permitted on such Lot during the active construction of such approved Improvements on such Lot.

3.8 Parking and Vehicles. Vehicles shall be parked only in designated parking spaces on a Lot, which parking spaces shall be sufficient in number to satisfy the requirements of Santa Fe County and the reasonably anticipated needs of the Improvements and proposed uses on the Lot. There shall be no on street parking. All parking and driveway areas shall be paved with asphalt or concrete. During construction it shall be the responsibility of the Owner to see that adequate parking for the construction crews is available on the Owner's Lot. Use of a Public Street or Private Roadway is prohibited for parking, loading or other purposes other than ingress and egress. Recreational vehicles, trailers, boats, tractors, motorcycles, all terrain vehicles and other stored vehicles shall be screened from view outside the Lot.

3.9 Pedestrian Circulation. Buildings and parking areas shall be designed so that pedestrian access shall be provided from parking areas to Building entries with concrete sidewalks. All sidewalks shall have a minimum unobstructed width of three feet, six inches (3'-6") or such greater width as is required by governmental authorities.

3.10 Storage Area. All materials, supplies, merchandise, equipment or similar items shall be stored indoors or in a storage yard screened by a solid, minimum six (6) foot high, stuccoed masonry wall, or masonry pilasters and continuous coyote/latilla post fencing.

3.11 Utilities. Other than any existing overhead utility lines, all electrical, cable television, telephone, audio/visual transmission, water, sewer, gas/propane and other utility lines and services shall be placed underground or within an enclosed structure, except that certain utility appurtenances (including telephone pedestals, utility meters, irrigation systems, back flow preventers, transformers and switching devices) may be located above the ground when necessary, as may be approved by the Committee.

3.12 Completion of Structure. All improvements on a Lot, including landscaping, must be completed within one (1) year of commencement of construction, unless a longer construction period is requested and approved by the Committee at the time the construction plans are approved. The Committee may permit one (1), six (6) month extension after the one (1) year time frame, where special and unique circumstances necessitate such an extension.

3.13 Garbage and Trash. No refuse, garbage, trash, or scrap lumber, metal or other materials, and no grass, shrub or tree clippings, and no plant waste, compost, or debris of any kind shall be disposed of on any Lot except within one or more trash dumpsters, which trash dumpsters shall be screened from view from other Lots by a six foot (6') high solid wall or fence, approved in writing by the Committee. Before, during, and after construction of any Improvement, the storage of construction materials, supplies, and equipment on the subject Lot shall be done in a neat and orderly manner by the Owner. The responsibility for solid waste disposal shall be that of the Lot Owner or Occupant, as more particularly provided in Article 9.

3.14 Front Facade of Building. Buildings with an all metal facade for the wall/facade of the Building facing the Front Yard of the Lot on which such Building is located are prohibited. The Building facade facing the Front Yard must be finished with stucco, brick, stone, partial metal, and/or other architectural treatment subject to approval by the Committee.

3.15 Roof-Mounted Mechanical Equipment. All roof-mounted mechanical equipment, such as air conditioners/heaters, air ducts, vents and similar roof-mounted equipment shall be reasonably screened from view of other Lots or painted to match the exterior color of the Building facade, or color of roof.

3.16 Water Conservation. Water conserving fixtures as required by the Uniform Plumbing Code shall be installed in all Buildings. Except for required handicapped toilets, all toilets must be of a type or brand which uses no more than 1.6 gallons per flush. Interior faucets, and, where applicable, showers, shall have flow restricting devices which reduces the gallon per minute delivery of water. Irrigated lawn areas which use Kentucky Blue Grass or similar grass shall not exceed eight hundred (800) square feet each for each Lot. Use of xeriscape techniques and drought tolerant plants is strongly encouraged.

3.17 Storm Water Drainage. Storm water detention and drainage on each Lot shall conform to the terrain management requirements of Santa Fe County. Prior to construction of any material Improvement on a Lot, the Owner shall submit (or have previously submitted) to the Committee, and to Santa Fe County, for approval, the design and engineering of appropriate drainage control structures that will detain excess water runoff from the impervious surfaces within said Lot. Prior approval of both Santa Fe County and the Committee are required as conditions for construction. Notwithstanding the forgoing approval by the Committee and Santa Fe County, the responsibility for on-Lot drainage control and safety is and shall be that of the Owner of such Lot, and no one else. Without any obligation to do so, the Declarant and the Association, subject to approval of applicable governmental authorities, shall have the right to maintain drainage courses within the Subdivision so as to protect Lots and the Private Roadways within the Subdivision.

3.18 Derricks, Towers, Antennae, Etc. No derrick or other structure designed for use in drilling for oil, natural gas, or other hydrocarbons shall be erected, placed or permitted in the Subdivision. No wind-driven machinery shall be placed or permitted within the Subdivision without the prior approval of the Committee and Santa Fe County. The installation and location of any and all television, radio, ham radio or any other exterior antenna or satellite dish, of any sort, shall be subject to the approval of the Committee and, if applicable, Santa Fe County. The screening of any such antennas and dishes shall be encouraged and may be required by the Committee.

3.19 Billboards and Signs. Subject to the further requirement of approval from Santa Fe County, no Signs are permitted on any Lot, except:

3.19.1 A sign, mounted on the wall of an Improvement on a Lot, identifying the name of the Occupants, or the Occupant's business, and/or address of any Lot;

3.19.2 Such signs as may be required by legal proceedings;

3.19.3 During the time of construction of any structure on a Lot, a job identification sign with a maximum face area of six (6) square feet, of the type usually employed by a contractor, and located on the Lot;

3.19.4 Appropriate safety, directional, and identification signs installed on or adjacent to the Public Streets or Private Roadways by the Declarant, Santa Fe County, the Association, or as required by law;

3.19.5 Not more than one temporary "for sale" or "for rent" sign having a maximum face area of six (6) square feet and located on the Lot;

3.19.6 The monument sign(s) (which may be constructed by the Declarant and jointly maintained and repaired by the Association), to be located at the entrance(s) to the Subdivision;

3.19.7 Two (2) monument signs on any Lot, which monument signs shall be approved by all applicable governmental authorities;

3.19.8 Such signs as shall be erected by the Declarant on Property owned by the Declarant in connection with the development and marketing of Lots and the Subdivision.

3.20 Exterior Lights. All exterior lights must be located so as not to be directed toward surrounding Lots. Bright, glaring lights on walls, rooftops, or elsewhere are prohibited. Exterior lights and lighting systems are not to be installed without prior approval of the Committee. Standards for approval shall include "cut off" type light fixtures. Driveway, walkway and exterior illumination should be of a subdued nature.

3.21 Hunting, Firearms and Fireworks. Hunting and the discharge of any types of firearms and/or fireworks are prohibited within the Subdivision.

3.22 Water Wells Prohibited. All Lots shall connect to the Santa Fe County water system. No water wells may be drilled within the Subdivision.

3.23 Gates. The design, placement, and installation of gates and gateways (decorative and otherwise) shall be approved by the Committee prior to construction and installation.

3.24 Additional Use Restrictions. The following standards shall apply to all Lots:

3.24.1 Noise. Noise emitting from a Lot shall not exceed those limits allowed by applicable governmental authorities.

3.24.2 Vibration. Equipment creating earthshaking vibrations shall be setback on a Lot a sufficient distance from the boundary lines of such Lot and shall be so mounted as to eliminate vibrations hazard or nuisance beyond the boundary lines of such Lot.

3.24.3 Air Pollution. No operation or activity shall discharge into the air pollutants or contaminants sufficient to create a nuisance, and no processes which by their nature are likely to cause air pollution shall be undertaken or permitted unless there is an available, adequate, feasible method of controlling emissions or contaminants, and such controls are actually applied.

3.24.4 Odorous Matters. No operation or activity on a Lot shall emit odorous matter in such quantity as to be readily detectable on any point along the boundary lines of such Lot.

3.24.5 Glare or Heat. Any operation or activity producing intense glare or heat shall be performed within enclosures to avoid creating a public nuisance or hazard along the boundary lines of such Lot.

3.25 Mining and Drilling. In no event shall any mining, quarrying, drilling, boring, or exploring for or removing oil, gas or other hydrocarbons, minerals, rocks, stones, gravel or earth, occur within the Subdivision.

3.26 Wastewater Disposal. The Subdivision is served by the Santa Fe County Wastewater System. No individual wastewater disposal system shall be allowed on any Lot.

Article 4

Architectural Approval and Construction Requirements

4.1 Architectural Control Committees. An Architectural Control Committee, consisting of three (3) individuals, is hereby established for the Subdivision.

4.2 Composition of Initial Committee. The initial members of the Committee are:

Position 1: TBD

Position 2: TBD

Position 3: TBD

4.3 Appointment and Election of Subsequent Committees. Until the Declarant holds title to fewer than three (6) Lots, or until the Declarant relinquishes, in a writing recorded in the Santa Fe County real property records, Declarant's right to appoint members of the Committee, whichever is earlier, the members of the Committee shall serve at the pleasure of Declarant, who shall have the right to appoint, reappoint and discharge members of the Committee, at will. Upon the expiration of such period of time, the Board shall elect the three (3) members of the Committee, who shall then serve for the following terms:

Position 1: Three (3) years

Position 2: Two (2) years

Position 3: One (1) year

Upon the expiration of the term of each of the Committee members initially appointed by the Board, the Board shall elect a successor to such position, who shall serve for a period of three (3) years, such that the terms of the Committee members are staggered. A Committee member shall serve until his or her term expires, the member resigns or is unable to serve, or the member is removed in the manner provided for the removal of members of the Board in the Bylaws of the Association. Any vacancy in the Committee occurring before the end of a term shall be filled by an individual elected by the Board. At least two (2) of the members of the Committee appointed by the Board shall be an Owner or a representative of an Owner who is not a natural person. The affirmative vote of a majority of the members of the Committee shall be required for approval of any matter; provided, however that a majority of the members of the Committee may designate one member, or a representative, to act on behalf of the Committee.

4.4 Submittal Requirements. Before anyone shall commence the erection, installation, construction, reconstruction, remodeling, or alteration of, or addition to, any Improvement, they shall submit for approval to the Committee two (2) complete sets of final plans and specifications clearly showing the nature of the work proposed and the location thereof, as shall enable the Committee to evaluate whether the proposed construction, alteration, installation, etc., will comply with terms and provisions of this Declaration. For any new

construction on a Lot, such final plans and specifications shall consist of at least the following:

4.4.1 Site plan, drawn to scale, showing entire Lot, indicating the intended location and orientation of all Improvements (including but not limited to: all structures, including portals, patios and decks; fences; walls; utility trenches and lines; driveways; buried propane or other tanks, walkways; gardens; and landscaping), both natural and finish grades for at least fifty (50) feet surrounding each structure. Contours shall be shown at intervals not greater than 2 feet and minimum scale shall be 1"=10'.

4.4.2 Floor plan, drawn to scale, of all levels of all structures, with finish floor elevations relative to natural grade indicated, with heated square footage of each structure shown thereon. All spaces shall be clearly identified as to intended use. Minimum scale shall be 1/8"=1 foot, with 1/4"=1 foot preferred.

4.4.3 North, east, south and west exterior elevations, drawn to scale, showing all windows and doorways, portals, trim, etc., with all elevations showing heights above the average undisturbed natural ground level immediately adjacent to the applicable structure stem walls. Finish grades at the perimeter of the structure also must be clearly shown.

4.4.4 Descriptions or indications of exterior color schemes, roof treatments, lighting, and such other exterior materials, colors, textures, etc.

4.4.5 Landscape plan showing all trees, shrubs, ground cover to be located on the Lot and method of irrigation; and,

4.4.6 Name and license of general contractor, if any, and preliminary construction schedule. In addition, the location of the proposed Improvement to be constructed or installed on the Lot shall be staked on the Lot concurrently with the submitting of the above plans.

4.5 Approval Requirements. No erection, installation, construction, reconstruction, remodeling, or alteration of, or addition to, any Improvement of whatsoever nature shall be commenced unless and until the final plans and specifications submitted to the Committee shall have received the approval or deemed approval of the Committee. Additionally, no grading, tree cutting or other site disturbance may occur without the prior written approval or deemed approval of the Committee. Regular maintenance of previously approved Improvements which does not materially alter the color or appearance of the Improvements shall not require approval of the Committee. Lot owners are encouraged to arrange a site visit and submit preliminary plans or drawings to the Committee for review and comment prior to submission of final plans in order to facilitate approval and avoid misunderstanding, duplication and unnecessary costs. The Committee shall approve or disapprove, in writing, the final plans and specifications submitted to the Committee pursuant to Section 4.4 within thirty (30) days after receipt. Approval of such plans and specifications shall be evidenced by either written notice of approval of the Committee, or the written endorsement of the Committee made on one copy of said plans and

specifications, with such notice or copy delivered to the Owner or the Owner's agent or representative submitting the plans and specifications. One set of the approved plans and specifications shall be retained by the Committee. If the Committee shall fail to approve or disapprove the plans and specifications within thirty (30) days after receipt of complete plans and specifications, then approval shall be deemed given, provided that any work proposed to be done shall be done in a manner which does not violate any of the terms and provisions of this Declaration. During construction, members and/or representatives of the Committee shall have the right to enter and go upon the Lot in question to periodically review progress of the work to ensure its compliance with the approved plans and specifications. All material changes involving the exterior elements of the planned Improvements shall be submitted to the Committee at least ten (10) days prior to construction of any such change. Upon completion of any Improvements, the plans for which have been approved, the Owner shall notify the Committee in writing that the work is complete. The Committee will, within ten (10) days of receipt of the notice of completion, inspect the completed work and either: (i) send the Owner a written notice of approval of the work, if the work is in conformity and compliance with the approved plans and specifications, or (ii) send the Owner a notice of disapproval of the work, if the work is not in conformity and compliance with the approved plans and specifications, stating the particular grounds for such disapproval, and the Owner shall be obligated to take such action as may be necessary to effect such compliance and conformity without delay. At the completion of any necessary corrections, the Committee will then re-inspect the work within ten (10) days after written notice of the completion of such correction work, to again approve or disapprove of the correction work. If the Committee shall fail to approve or disapprove the completed work within ten (10) days after the Owner notifies the Committee in writing either that the work is complete, or that corrections have been completed, then approval shall be deemed given by the Committee. No Improvements shall be occupied or used unless and until the Committee has finally approved the completed work.

4.6 Review Fee. In connection with any submission for plan approval, the Committee may require the Owner to pay a review fee sufficient to pay the Committee's costs and expenses incurred in having the materials examined by an architect or designer or architectural firm or design firm designated by the Committee, including an architect or designer who is a member of the Committee. Such fee shall initially be \$300.00, and shall be subject to increase from time to time by the Board pursuant to the Subdivision Rules.

4.7 Approval Standards. The Committee shall have the right to disapprove any plans and specifications submitted to the Committee for any one or more of the following reasons:

4.7.1 If the plans and specifications are not in sufficient detail, or are incomplete.

4.7.2 If, in the opinion of the Committee, the architectural design of the proposed Improvements as shown by the plans and specifications, including exterior color

scheme, or the location of any structure, is not in compliance with the Architectural and Landscape Guidelines for the Subdivision (as set forth in Section 4.8 of this Declaration) or the general surroundings, or with the Improvements, or proposed Improvements, near or adjacent to the location at which said Improvements are intended to be erected.

4.7.3 If any solar collectors or other equipment are not designed or located in an aesthetically pleasing manner or are not shielded from view from other Lots as much as practical.

4.7.4 If the work and/or Improvements sought to be approved are not consistent, in the discretion of the Committee, with the concept of a first class business development.

4.7.5 If the plans and specifications, or the work and/or Improvements sought to be approved, are not in compliance with all requirements and provisions of this Declaration or the requirements of Santa Fe County.

4.8 Architectural and Landscape Guidelines. All Improvements shall be constructed in accordance with the Architectural and Landscape Guidelines attached hereto and incorporated herein by this reference as Exhibit B. The Board may, but shall be under no obligation to, adopt, re-adopt, or modify, from time to time, the Architectural and Landscape Guidelines and/or standards for approval of plans submitted to the Committee pursuant to this Article. Any Improvements approved by the Committee pursuant to Architectural and Landscape Guidelines in effect at the time of approval shall be "grandfathered" and need not be brought into compliance with any modified Architectural and Landscape Guidelines. These Architectural and Landscape Guidelines, as they may exist from time to time, shall have the same force and effect and shall be binding upon the Owners as if they were set out in this Declaration. A copy of the Architectural and Landscape Guidelines, as they exist from time to time, shall be kept with the Association's records, and shall be available to the Owners, upon request by the Owners. In the event of any conflict between any provision of the Architectural and Landscape Guidelines and any provision of the text of this Declaration, the more restrictive provision shall control and be binding upon Owners and the Lots.

4.9 Non-Liability of the Committees. The members of the Committees, and each of the Boards, shall not be liable to either the Association or to any Owner or Occupant for any damage, loss, or prejudice suffered or claimed on account of:

4.9.1 The approval, conditional approval, disapproval, failure of approval, or delay in approval of any plans, drawings, and specifications, whether or not defective;

4.9.2 The construction or performance of any work on any Lot, whether or not pursuant to approved plans, drawings, and specifications;

4.9.3 The development or manner of development of any property within the Subdivision. By the acquisition of title to any Lot in the Subdivision, and in consideration

thereof, each Owner thereby waives any and all claims, and the right to file suit, against the Committee, the Board, and the Association, to recover damages in connection with any of the foregoing events.

4.10 Construction Deposit; Remedy for Violation. Unless waived in writing by the Committee at the time of the approval by the Committee of plans and specifications, following approval by the Committee of plans and specifications, but prior to the start of the work described therein, the applicant or their builder shall provide a cash construction deposit to the Association. The amount of the construction deposit shall be \$5,000.00, subject to the right of the Board to increase or decrease the same pursuant to the Subdivision Rules. The construction deposit shall be held by the Association receiving the same in a segregated account. If the Committee determines at any time during the course of construction, that the Improvement is being built in non-compliance with the approved plans and specifications or this Declaration, or that the construction has caused damage to Association property or the property of any Owner, the Committee shall provide the offending Owner with written notice of the violations and a date by which they must be remedied, providing a reasonable period of time to be determined by the Committee. If the violations are not cured by that date fixed by the Committee, then the Committee and/or Association shall be entitled to draw upon the construction deposit to remedy the violations. The deposit held by the Association shall be released to the Owner when the final inspection has been conducted, and approval given, by the Committee.

4.11 Compliance of Other Projects. No Owner or builder shall be permitted to commence the construction, remodel, etc. of any Improvement, and the Committee may withhold approval of submitted plans for the same, if any other Improvement or work currently under construction or previously constructed, by or for that Owner or builder on any Lot, does not comply with either the plans and specifications approved by the Committee for that other structure, or work, or the terms of this Declaration. In connection with the Committee's approval or disapproval of the plans and specifications for the new structure, the Committee shall provide the Owner or builder with written notice of the specific items not in compliance with approved plans or this Declaration for the prior structure or work by the Owner or builder that is in non-compliance.

4.12 Construction Debris. The dumping of concrete and other refuse on any other Lots, any Private Roadway, or a Public Street is prohibited. During and after construction it shall be the Owner's and contractor's responsibility to leave surrounding areas clean and free from debris. During construction, Owners and/or their contractors shall maintain a dumpster, of adequate size, on the Lot for the dumping of construction debris, and shall arrange for the regular pick-up of debris in such dumpster. Evidence of arrangements for the maintaining and dumping of such dumpster shall be provided to the Committee as a requirement for approval of plans by the Committee. In addition, a clean-out pit shall be dug on the Lot at the time of initial excavation, and shall be of a sufficient size to accommodate the retention in such pit of all concrete and plastering debris and clean-outs. All concrete and plaster clean-outs shall occur at such pit. The location of such pit shall be depicted on the site-plan submitted to the Committee

for approval. Violation of this Section will result in clean up at the Owner's expense, initially out of the Construction Deposit, and thereafter by special assessment against the offending Owner.

4.13 Time for Commencement and Completion of Construction. Construction shall begin within ninety (90) days after approval of plans is given by the Committee. If construction is not begun within such period of time, plans and specifications shall be resubmitted for approval before construction is begun. Once begun, exterior construction of any Improvement, including any landscaping, shall be completed within one (1) year. The Committee may permit one (1), six (6) month extension after the one (1) year time frame, where special and unique circumstances necessitate such an extension. Nothing contained in this Section prohibits staged construction. In any staged construction of Improvements, once begun, construction of any stage of construction shall be completed within one (1) year. Upon completion of any stage, the structure which is built shall have the exterior appearance of finished construction.

4.14 Conditions for Use of Improvements. No Improvement on any Lot shall be occupied or used, in any manner, while in the course of construction or at any time prior to the Committee providing written notice of approval of the completed Improvement.

4.15 Variances. When naturally or artificially occurring circumstances or the necessities of reasonable use and enjoyment of a Lot require, the owner of the Lot may apply to the Board for variance approval, and the Board, upon showing of good cause and necessity therefor without significant possibility of material detriment to other Lots and Owners, may allow reasonable variances with respect to any provision of this Declaration, on such terms and conditions as the Board shall specify by written report.

4.16 Appeal of Committee Action. An Owner may appeal an action of the Committee to the Board by requesting, in a writing delivered to the President of the Association, a hearing before the Board. Upon such a request, the Board shall schedule a special meeting, pursuant to the Bylaws of the Association, no later than twenty (20) days from the date of the Board's receipt of such a request. At such special meeting, the Owner's evidence will be heard, and the Board will decide whether or not to uphold the Committee's decision.

Article 5

Common Easements: Uses and Restrictions

5.1 Common Easements. Except as otherwise provided in this Declaration, the Common Easements and any landscaping located therein shall be maintained by the Association for the benefit of all Owners, pursuant to this Declaration, to enhance the value and desirability of the Subdivision, subject, however, to the following limitations and restrictions:

5.1.1 The Common Easements shall be subject to the following:

5.1.1.1 Such rights and easements as may have been offered for dedication to public use;

5.1.1.2 Such easements as may have been or are hereby, in this Declaration, reserved by or granted to Declarant;

5.1.1.3 Such easements or other interests as may from time to time be taken under power of eminent domain;

5.1.1.4 Such other easements as may from time to time be granted or conveyed by the Association pursuant to this Declaration.

5.1.2 There shall be no improving, landscaping, decorating, or repairing of any of the Common Easements except by the Declarant or the Association, or as otherwise may be approved by the Committee.

5.1.3 The Association shall have the right of reasonable access over and across the Lots where necessary to perform the Association's maintenance and inspection responsibilities under this Declaration.

5.1.4 Each Owner shall be liable to the Association for all damage to the Common Easements and Private Roadways governed by the Association, or improvements or facilities situated thereon, caused by such Owner, his invitees, licensees or tenants.

5.1.5 The rights of the Association and the Owners to the Common Easements shall be subject to the following easements and encroachment rights:

5.1.5.1 The Declarant and each Owner of a Lot, served by any utility connection, line or facility, including, but not limited to, those for water, sewer, electric, gas, cable vision and telephone services, shall have the right, and is hereby granted, a non-exclusive easement, to the full extent necessary therefor, to enter upon the Common Easements, or have utility companies and/or Santa Fe County personnel enter upon the Common Easements where such connections, lines or facilities or any portion thereof may lie, to extend, repair, replace and generally maintain the same. Whenever utility connections, lines or facilities installed within the Subdivision serve more than one Lot, the Owner of each Lot served hereby shall be entitled to the full use and enjoyment of the portions thereof which service such Owner's Lot. Declarant and each Owner are hereby granted easements over, under, and through the Common Easements for installation of such utility connections, lines or facilities for the benefit of the Subdivision, or one or more Lots, or as may be needed or convenient for the development of the Subdivision or construction on one or more Lots.

5.1.5.2 There is hereby granted to Declarant, non-exclusive easements over the Common Easements, the Private Roadways, and the facilities located thereon for all construction and sales activities relating to Declarant's respective development of the Subdivision. It is anticipated that said construction and sales activities shall relate to individual projects developed from time to time on Lots and to the promotion or enhancement of either all or a portion of the Subdivision by Declarant.

5.2 Decorative Feature Easements. The Declarant and the Association are hereby granted an easement on and over all Lots, within the building set-back lines along Private Roadways and Public Streets, for purposes of the location, construction, maintenance and repair of monument or directional signs for the Subdivision, decorative entrances to the Subdivision, common post office boxes or other receptacles for the delivery of the United States mail to Lots, and similar improvements.

5.3 Declarant's Reservation of Easements. Declarant reserves and is hereby granted an easement and right-of-way in, through, over, under and across all portions of the Common Easements and Private Roadways for the purpose of completing Declarant's development and improvement work on the Subdivision, and, towards this end, Declarant reserves and is hereby granted the right to grant easements and rights-of-way in, through, under, over, on and across the Common Easements and Private Roadways for the installation, maintenance and inspection of lines and appurtenances for public or private sewer, water, drainage, cable television, gas or other utilities and for any other materials or services necessary for the completion of said development and improvement work. Declarant reserves and is hereby granted the right to connect with and make use of the utility lines, wires, pipes, conduits, cable television, sewers and drainage lines which may from time to time be in or along the Common Easements and Private Roadways. In addition, Declarant reserves and is hereby granted the right to continue to use any Lots owned by Declarant, and any sales offices, Signs, etc. located on Lots owned by Declarant, in Declarant's effort to develop and market improved and unimproved Lots. Any of the easements and rights reserved by and granted to Declarant in this Section may be assigned to one or more Developer Owners and may be exercised by Declarant's agents, employees and representatives.

5.4 Easement to Inspect. The Association and its duly authorized agents are granted the right to enter Lots to ascertain the extent of compliance with this Declaration, and to correct defaults if necessary. The Association shall endeavor to provide notice of said inspections and corrections to the Occupant of the Lot at least twenty-four (24) hours prior thereto, except in cases of regular inspections and/or an emergency.

5.5 Right to Dedicate. Nothing contained in this Declaration shall be deemed to restrict or otherwise impede Declarant, or the Association, at any time and from time to time, from dedicating the Private Roadways or Common Easements to Santa Fe County or any other public authorities or public utilities.

Article 6

Water and Wastewater Connections and Solid Waste Disposal

6.1 Connection to Water System. Each Lot shall be connected by the Owner to the Santa Fe County water system, and shall pay for all fees associated with such connection and use, including utility expansion charges. The Owner is responsible for the cost of the connection from any Improvement to the main water line located in the Private Roadway or Common Easements adjacent to a Lot and payment of customary connection fees and installation of water meter acceptable to Santa Fe County. No private wells shall be drilled or permitted on any Lot.

6.2 Connection to Wastewater Disposal Systems. Each lot shall connect to the Santa Fe County Wastewater System. No individual septic tank/ leach lines or other similar wastewater treatment system shall be allowed on any Lot.

6.3 Solid Waste Disposal. Each Owner shall individually contract with, and pay the cost and expense of private trash hauler, licensed by the State of New Mexico, to provide weekly (or, if necessary, more frequent) solid waste pick up service to such Owner's Lot(s) in the Subdivision.

Article 7

The Association

7.1 The Association. The Association has each been duly incorporated and organized according to New Mexico law pursuant to the Articles and Bylaws. The membership of the Association, powers and duties of members, and power and duties of the Association are specified in the Articles and Bylaws for the Association, and are supplemented herein. The Association has the duty, among others, to maintain the Common Easements, including the Private Roadways, located within the Subdivision.

7.1.1 The President and Secretary of the Association, or any two (2) members of the Board of Directors, may execute, acknowledge and record a certificate of identity stating the names of all of the members of the then current, Board. The most recently recorded affidavit shall be conclusive evidence of the identity of the individuals then composing the Board in favor of any Person relying thereon in good faith.

7.1.2 The affairs of the Association shall be managed by the Board of the Association, which shall exercise all of the rights and powers and perform all of the duties and responsibilities set out in this Declaration and the Articles and Bylaws for the Association.

7.1.3 The Board for the Association shall prepare an annual operating statement

reflecting the money received by the Association and the expenditures of the Association for the fiscal year, and shall distribute such statement to each member and each mortgagee upon request.

7.1.4 The Association shall take such action as may reasonably be necessary to enforce or carry out the purposes of this Declaration.

Article 8

Assessments by the Association

8.1 Mutual Covenants to Pay Assessments. Each Owner, by acceptance of a deed to a Lot or real estate contract for the purchase thereof, covenants and agrees with each other Owner and with the Association, to pay all assessments levied by the Association, as provided under this Declaration and the Articles and Bylaws for the Association, whether or not such covenant is contained in such deed or contract or other conveyance.

8.2 Lien for Non-payment of Assessments. All sums assessed by the Association, including, without limitation, general assessments, special assessments, assessments for violations of this Declaration or the Articles and Bylaws of the Association, together with interest thereon, as hereinafter provided, reasonable costs and any attorney's fees incurred in connection with the collection thereof, chargeable to any Lot or its Owner, shall constitute a continuing lien on such Lot, from the date of assessment until paid.

8.3 Interest on Unpaid Assessments. If any assessment shall remain unpaid for thirty (30) days after the due date thereof, the unpaid assessment shall bear interest at a rate equal to eighteen percent (18%) per annum, or such other rate as may be established by the Association from time to time, commencing on the date such assessment was due, and continuing until the date paid.

8.4 Costs of Collection on Unpaid Assessments. In any suit by either Association for collection of an unpaid assessment and/or to foreclose the lien of the Association for an unpaid assessment, the Owner shall be required to pay the costs and expenses of the Association in such proceeding, including reasonable attorney's fees. The Owner shall also be required to pay to the Association any assessment due for the Lot during the period of foreclosure. The Association shall have the power to bid on the Lot at foreclosure sale, and to acquire, and thereafter hold, lease, mortgage and convey the same.

8.5 Notice of Assessment. Each Association shall give written notice to an Owner, and the holder of any lien on a Lot, who provides a written request for the same to the Association, of any unpaid assessments remaining unpaid for longer than thirty (30) days after

the same are due.

8.6 Personal Debt of Owner. Any assessment or charge against a Lot shall be the personal and individual debt of the Owner thereof at the time the assessment is made. Suit to recover a money judgment for unpaid assessments or charges shall be maintainable without foreclosing or waiving the lien securing same. Notwithstanding anything to the contrary contained herein, the Association shall seek any sums due for unpaid assessments from a Person purchasing a Lot pursuant to a real estate contract for a period of forty-five (45) days following notice to such Person of the unpaid assessment, before seeking such sums from the holder of record title to such Lot.

8.7 Joint Liability for Assessments Upon Transfer of Lot. The grantee of a Lot shall be jointly and severally liable with the grantor for all unpaid assessments against the Lot at the time of the grant or conveyance, without prejudice to the grantee's right to recover from the grantor the amounts paid by the grantee therefor; provided, however, that upon payment of a reasonable fee established by the Board, and upon written request, any such prospective grantee shall be entitled to a statement from the Association setting forth the amount of the unpaid assessments, if any, with respect to the subject Lot, the amount of the current yearly assessment, the date that such assessment becomes due, and credits for advanced payments or for prepaid items, which statement shall be conclusive upon the Association. If such statement is not tendered by the Association within ten (10) business days of actual receipt by the Association of such request, then such requesting grantee shall not be liable for, nor shall the Lot conveyed be subject to a lien for, any unpaid assessments against the subject Lot unless such lien has been recorded with the Santa Fe County Clerk prior to the date the request is received by the Association.

8.8 No Waiver of Assessments. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Easements or Private Roadways, by abandonment of such Owner's Lot, or by any other means whatsoever.

8.9 Initial Assessment Upon Lot Purchase. Upon the closing of the initial purchase of each Lot from the applicable Declarant, each Lot purchaser shall pay an initial assessment to the Association in the aggregate amount of \$500.00, which assessment shall be added to and held with the reserve funds of the Association. The amount of such initial assessment may be decreased or increased from time to time by the Board of Directors pursuant to the Subdivision Rules. If any Lots as originally depicted and configured on the Plat shall be consolidated by the Declarant prior to the closing of the initial sale of such Lots, then the initial assessment shall be based, and made, upon the initial number of Lots reflected on the Plat prior to consolidation.

Article 9

Duties and Responsibilities of Owners

9.1 Owner's Responsibility to Maintain and Repair. Each Owner shall be responsible for the maintenance and repair of his Lot and all Improvements located thereon, including, without limitation, the exterior of and areas surrounding the Building and other structures, the glass doors, windows and screens, the plumbing, electrical, heating and air conditioning systems servicing the Building and other structures, the parking and landscaped areas, water laterals serving the Lot to the junction of the water lateral with the main water line, sewer laterals serving the Lot to the junction of the sewer lateral with the main sewer line, the exterior surfaces of any and all structures, including painting, stuccoing, and surfacing, and for the prompt rebuilding of any Building or other structure in the event of partial or complete destruction. All maintained areas shall be kept in clean and orderly condition.

9.2 Maintenance of Landscaping. Each Owner shall maintain the landscaping on his Lot in a neat and attractive manner. All plants shall be watered, mowed, trimmed, and cut as necessary, at regular intervals, not less than once a year, and shall be replaced as necessary. Accumulated debris and weeds beneath trees and shrubs shall be removed as needed, not less than once a month. Vegetation and landscaping shall be inspected for evidence of pest infestation and appropriate treatment will be employed when necessary. All new landscaping will be irrigated with an automatic drip or other irrigation system. In addition, each applicable Owner shall maintain, repair and replace that portion of any Party Wall that is located on such Owner's Lot or the boundary line of such Owner's Lot.

9.3 Observance of Responsibilities. Each Owner shall comply with the provisions of this Article 9 and will cause the Owner's family, agents, guests, contractors, employees and any Occupant to do likewise.

9.4 Party Walls. The following rules shall govern Party Walls:

9.4.1 Repair and Maintenance. No Owner or Occupant of any Lot (or tenant, guest, invitee, employee or agent of such Owner or Occupant) shall do or permit any act that willfully does damage, destroy, or impair the structural soundness or integrity of any Party Wall. If any Owner, Occupant, tenant, guest, invitee, employee or agent does or permits any such act, such Owner's or Occupant's liability with respect to such damage, destruction, impairment or exposure shall be determined with applicable law.

9.4.2 Sharing of Repairs and Maintenance. In the event any repair, maintenance or reconstruction of any Party Wall shall be necessary (other than due to the negligence or willful act or omission of the Owner or Occupant of a Lot, or such Owner's or Occupant's, tenant's, guest's, invitees, employees or agents) the cost thereof shall be borne equally by the Owners and/or Occupants of the Lot(s) having in common such Party Wall, and in the event any Owner (or Occupant) fails or refuses timely to pay such Owner's (or Occupant's) share of such costs and recover from such Owner (or Occupant) shall have the right to pay in full such costs and recover from Owner (or Occupant) such Owner's (or Occupant's) share of such cost.

9.5 Solid Waste Disposal. Each Owner shall individually contract with, and pay the cost and expense of private trash hauler, licensed by the State of New Mexico, to provide weekly (or, if necessary, more frequent) solid waste pick up service to such Owner's Lot(s) in the Subdivision.

9.6 Rights of Action. The Association shall have a right of action against Owners and Occupants of Lots for failure to comply with the provisions of this Article 9 of the Declaration. In addition to any other enforcement rights, if an Owner or Occupant fails to fulfill such Owner's or Occupant's maintenance responsibilities, after reasonable notice from the Association and an opportunity of not less than thirty (30) days for the Owner or Occupant to cure such failure, then the Association, and its agents, contractors, and employees, may enter the Lot and perform such maintenance. The Association shall be entitled to recover all costs, expenses and reasonable attorney's fees incurred in the enforcement of this Article 9, and the same shall constitute a special assessment against such Lot.

Article 10

Responsibilities of Association

10.1 Maintenance of Private Roadways and Terrain Management Structures. The Association shall maintain, in reasonably good condition and repair, all of the Private Roadways and appurtenant drainage structures and any and all common terrain management structures located within the Subdivision.

10.2 Maintenance of Common Easement Landscaping and Signs. The Association shall own, maintain and keep in good condition and repair all landscaping, Subdivision Signs, and related improvements constructed and installed by Declarant or the Association within the Common Easements located within the Subdivision.

Article 11

General Provisions

11.1 Enforcement. Declarant, the Association, and any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. Failure by a party to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The party substantially prevailing in any action to enforce or interpret the provisions of this Declaration shall be entitled to recover all costs, expenses and reasonable attorney's fees incurred in such action.

11.2 Notices. Any notices required or permitted under this declaration shall be

EXHIBIT A

Insert legal description

EXHIBIT B

ARCHITECTURAL AND LANDSCAPE GUIDELINES

The architectural design standards for the St. Francis South Mixed-Use Project are based on the traditional, local styles of Pueblo, Territorial, and Northern New Mexico Pitched Roof architecture, as well as contemporary interpretations of these vernaculars. The attached images represent the design aesthetic that is envisioned for each style.

COLORS

Wall colors shall primarily be earth tones. Accent colors may be used provided the sum of the accent colors does not exceed thirty percent (30%) of each Building elevation. The accent colors shall be compatible with the primary color.

The mix of color is intended to enhance the Building facades. Colors which create a checkerboard pattern or other similar design which draw attention to the Building for advertising purposes are not permitted.

MATERIAL

Metal, brick, block, stone, and stucco are permitted for the exterior of Buildings. Exterior wall or roof material, other than normal window glazing, which is reflective in nature, shall not be permitted.

Low maintenance should be a major consideration when selecting the exterior materials for the Building. A mix of materials is encouraged where they are blended for architectural effect and are accomplished in an aesthetically pleasing manner.

Buildings with an all metal facade for the wall/facade of the Building facing the Front Yard of the Lot on which such Building is located are prohibited. The Building facade facing the Front Yard must be finished with stucco, brick, stone, partial metal, and/or other architectural treatment subject to approval by the Committee.

DESIGN

To avoid the uniformity of a box or rectangular configuration, office areas, which are smaller than the main Building and attached to the main Building are recommended. These attached additions to the Building may have differing materials and colors from the main Building. If different materials or colors are chosen, they shall be aesthetically compatible. The use of the following is encouraged:

- Use of a roof overhang to create a shadow line along the side of the Building.
- Use of low planter walls permitting landscaping adjacent to the Building.

ROOFS

Exposed sloped roofs are permitted providing the pitch of the roof does not exceed 4:12, or four (4) foot of rise per twelve (12) feet of roof length, measured perpendicular to the crown of the roof. Asphalt, unpainted corrugated metal, or fiberglass exposed sloped roofs are not permitted.

All roof-mounted mechanical equipment shall be reasonably screened from view by parapet walls constructed as part of the structures or screening walls. Screening walls shall reflect and complement the architecture of the Building to which they belong. All screening shall be the height of the mechanical equipment, at a minimum.

Vents and non-mechanical protrusions through the roof, which are not shielded by parapet or screening walls, shall be painted to match the color of roof.

Roof mounted equipment may also be painted to match the exterior color of the Building or the roof.

GLAZING

Glazing shall not exceed fifty percent (50%) of any Building facade. Reflective glass or tinting placed on the glass which creates a glare is not permitted. Except where glazing meets at the corner of a Building from two sides, it is recommended that a glazed surface be set back a minimum of two feet from the edge of the Building elevation.

STORAGE, SERVICE AND LOADING AREAS

Provisions shall be made on each site for any necessary vehicle loading, and no on-street vehicle loading shall be permitted. No storage of materials, equipment, supplies, or merchandise will be permitted except in storage yards screened by a solid, minimum six (6) foot high, stuccoed masonry wall, or masonry pilaster wall with latilla post fencing. All storage must be so enclosed and in any event shall not be visible from other Lots or the Private Roadways.

REFUSE COLLECTION AREAS

Refuse collection areas shall be effectively designed to contain all refuse generated on the site and deposited between collections. Deposited refuse shall not be visible from outside the refuse enclosure.

Refuse enclosures shall be designed of durable materials with finished and colors which are unified and harmonious with the Building on the site.

Refuse collection areas should be located upon the Lot in a manner which provides clear and convenient access to refuse collection vehicles and thereby minimizes wear and tear to on-site driveways and off-site roadways.

FENCES AND WALLS

Perimeter fencing is permitted. The Architectural Control Committee must approve the location, type and design of all fences and walls.

No fence or wall shall exceed a height of eight (8) feet unless otherwise approved in writing by the Architectural Control Committee.

Slats inserted in chain link fences are not permitted. Chain link fences are discouraged.

GRADING

The Architectural Control Committee must approve the grading on any Lot prior to commencement of construction.

LIGHTING

All lighting shall conform to the requirements of the Santa Fe County.

All exterior lights, whether pole mounted or wall mounted shall be of a cut-off type which prevents the spillage of light onto adjoining Lots or property.

PARKING

All parking shall be provided in off-street parking areas. All parking must be provided on the Lot. No parking will be permitted outside of designated parking areas. No on-street parking is permitted on the Private Roadways within the Subdivision. Handicapped parking spaces shall be provided as required by the Uniform Building Code.

Architects and Designers are cautioned that they should design parking carefully and insure that the design allows for parking based on the design and intended use of the Buildings.

Concrete curbs must be installed in parking lots and along driveways to protect new vegetation/landscaping from vehicle movements.

LANDSCAPING

All Lots shall be landscaped in accordance with the approved landscape plan shown in the Development Plan for each Lot reviewed and approved by the Committee and Santa Fe County.

Lawn areas are restricted to no more than 800 square feet and are discouraged. Deciduous trees shall have a minimum 2-inch caliper. Evergreens shall be a minimum of 6 feet tall.

Areas disturbed by construction and not covered by parking, sidewalks, or inorganic materials need to be reseeded with an approved native seed mix to help prevent erosion and dust. Use of drip irrigation and mulches is required to reduce the watering requirements and ensure the survival of the plant material.

An underliner shall be placed under all areas with inorganic material to prevent the intrusion of weeds.

SIGNS

Signs shall be restricted to owner/occupant/tenant identification only, and, except for monument signs permitted by the Declaration, shall be wall-mounted.

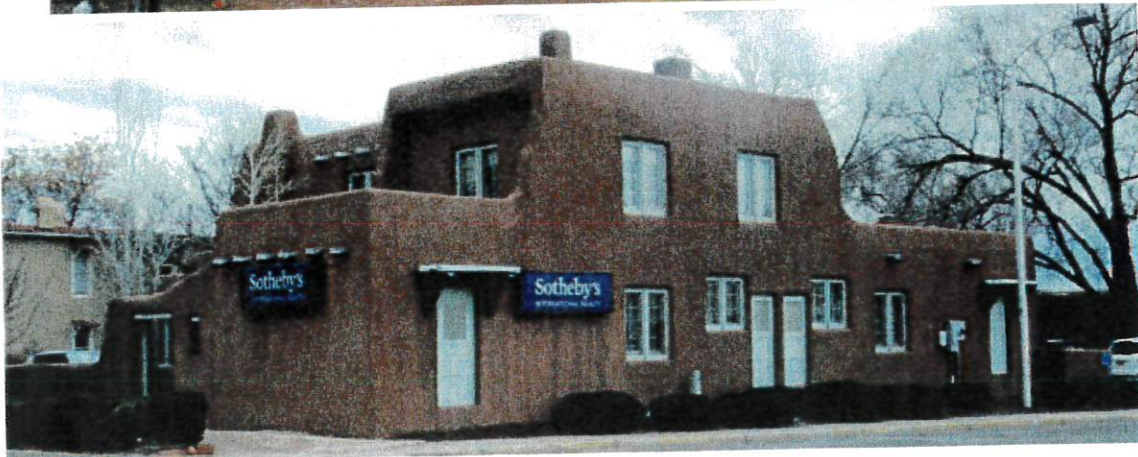
No roof-top signs shall be permitted. Signs which blink, flash, revolve, or cause the emission of audible sounds are also prohibited.

All signs must be permitted by Santa Fe County.

St. Francis South Design Standards

The architectural design standards for the St. Francis South Mixed-Use Project are based on the traditional, local styles of Pueblo, Territorial, and Northern New Mexico Pitched Roof architecture, as well as contemporary interpretations of these vernaculars. The images below represent the design aesthetic that is envisioned for each style.

1. Pueblo



2. Territorial



3. Northern NM Pitched Roof



4. Contemporary Interpretations





JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

St. Francis South

Representative Architectural Style Photos

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