

*Mountain Run*  
PARTNERS, LTD.



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March 30, 2017

**VIA EMAIL ONLY**

Russell Brito  
City of Albuquerque  
Urban Design & Development Division  
600 2<sup>nd</sup> Street NW  
Albuquerque, New Mexico 87102

**RE: Zone Change Request – 1701 12<sup>th</sup> Street NW, Abq, NM**

Dear Mr. Brito:

As you are aware, I serve as general counsel for Mountain Run Partners, Ltd. The purpose of this correspondence is twofold. First, this correspondence shall serve as confirmation of our meeting on March 24, 2017. That meeting was requested to discuss the zoning proposed in the contemplated Integrated Development Ordinance (“IDO”) for a certain parcel of property owned by Mountain Run Partners, which is more particularly described on Exhibit A attached hereto and incorporated herein by reference. The address of the property is 1701 12<sup>th</sup> Street NW, Albuquerque, New Mexico 87104 (“Property”) and the parcel id number is 101305948009140405. Specifically, the IDO proposes that the Property be zoned NR-LM. As we discussed, Mountain Run Partners would like to change the proposed zoning for the Property. As such, the second purpose of this correspondence is to request, in writing, that the proposed zoning for the property be changed from NR-LM to NR-C.

This request should be granted because the current zoning for the property, S-I Sawmill Industrial Zone (“S-I Zone”), allows for a number of commercial uses contemplated by the NR-C Zone. Pursuant to A.2.h of the S-I Zone, uses permissive and as regulated in the C-2 Zone and commercial uses listed in the I-P Zone are allowed provided they are contiguous to an arterial street. A portion of 12<sup>th</sup> street that runs contiguous to the Property is considered an arterial and therefore the commercial uses listed in A.2.h of the S-I Zone are allowed on the Property. In making this request for NR-C Zoning, Mountain Run Partners agrees to the relinquishment of the rights and/or uses listed in NR-LM Zone not allowed and/or included in the NR-C Zone.

Once the appropriate parties have reviewed this correspondence, please contact me with the approval of, or concerns with, this request.

Sincerely,

Bret A. Blanchard  
General Counsel  
Mountain Run Partners, Ltd.

## EXHIBIT A

### NEW MEASUREMENT PRINCIPAL MERIDIAN

#### T. 10 N., R. 3 E.

sec. 7 and also being a portion of Tract 78 as shown on map Number 36 of the Middle Rio Grande Conservancy Survey, County of Bernalillo, State of New Mexico:

Beginning at the southwest corner of the tract at a fence corner on the north boundary line of the AT&SF Railroad spur track; thence  $S85^{\circ}46'E$ , a distance of 421.70 feet along the existing fence line and said north AT&SF boundary; thence  $S82^{\circ}18'E$ , a distance of 71.14 feet to a point in the center of 12<sup>th</sup> Street NW on the north boundary of the AT&SF

Railroad spur track; thence  $N13^{\circ}15'E$ , a distance of 35.30 feet to a point of tangency; thence along a curve to the left having a radius of 481.55 feet, a delta angle of  $49^{\circ}00'$ , and a length of 411.83 feet; thence  $N35^{\circ}45'W$ , a distance of 442.97 feet to a point of tangency; thence along a curve to the right having a radius of 573.70 feet, a delta angle of  $43^{\circ}23'$ , and a length of 434.39 feet, for a distance of 21.29 feet to a point on the south Right-of-Way of Interstate 40, said point marked by a Railroad-Rail Right-of-Way monument stamped 9+25.26; thence  $N86^{\circ}22'W$ , a distance of 98.04 feet along said Interstate Right-of-Way to a fence corner; thence  $S08^{\circ}28'W$ , a distance of 451.33 feet to a fence corner; thence  $S51^{\circ}29'E$ , a distance of 39.65 feet to a fence corner; thence  $S07^{\circ}36'W$ , a distance of 124.11 feet to a fence corner; thence  $S32^{\circ}04'E$ , a distance of 16.01 feet to a fence corner; thence  $S05^{\circ}45'W$ , a distance of 163.21 feet to the point of beginning.

#### SUBJECT TO:

1. An easement for a road right-of-way, containing .779 acres, to the New Mexico State Highway Commission for 12<sup>th</sup> Street, recorded on March 15, 1967, in Miscellaneous Volume 62, Pages 1-12, in official records of Bernalillo County, New Mexico.
2. An easement for a bicycle trail right-of-way, to the City of Albuquerque, for an undetermined area, recorded on July 26, 2004 in Book A81, page 3506 in official records of Bernalillo County, New Mexico.
3. Hazardous Materials Notice and Covenants attached hereto.