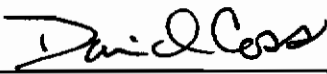




1 summary and shall become effective five days after such publication.

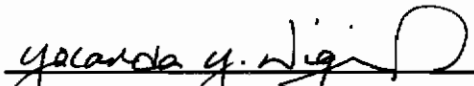
2 **Section 4.** The amended rezoning action with respect to the property affected by  
3 this Ordinance is subject to the conditions of approval listed in Exhibit C included herein by  
4 reference.

5 **PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of July, 2008

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8 **DAVID COSS, MAYOR**

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10 **ATTEST:**

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13 \_\_\_\_\_

14 **YOLANDA Y. VIGIL, CITY CLERK**

15 **APPROVED AS TO FORM:**

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17 \_\_\_\_\_

18 **FRANK D. KATZ, CITY ATTORNEY**

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LEGAL DESCRIPTION  
Colores del Sol  
Residential (R-6 PUD) Tract  
January 6, 2005

Being that certain parcel of land situate within Sections 1, 6, 7 and 12 all in Township 16 North, Range 8 East of the New Mexico Principal Meridian, County of Santa Fe, State of New Mexico; and being more particularly described as follows:

**BEGINNING** at the Southwest Corner of the tract herein described whence first, the Southeast Corner of Section 1 bears S.27°01'02"E. a distance of 307.35 feet and second, Santa Fe County Monument Stamped SF36 bears N.29°18'09"W. a distance of 14,929.13 feet; thence

**N.20°07'22" W.** a distance of 415.75 feet; thence

**N.20°11'30"W.** a distance of 582.62 feet; thence

**N.17°48'20"W.** a distance of 173.55 feet; thence

**S.72°16'27"W.** a distance of 277.70 feet; thence

**S.75°36'23"W.** a distance of 362.55 feet to a point on a curve to the left; thence

91.44 feet along the arc of said curve with a **Central Angle of 02°47'29"**, a **Radius of 1876.86** feet and a **Chord of 91.43** feet which bears **S.73°07'33"W.**; thence

**N.20°21'50"W.** a distance of 1,433.53 feet to a point on the South Right of Way of Agua Fria; thence along said South Right of Way the next four courses:

**N.48°35'23"E.** a distance of 248.86 feet; thence

**N.50°00'43"E.** a distance of 400.58 feet; thence

**N.54°11'45"E.** a distance of 169.29 feet; thence

**N.54°14'04"E.** a distance of 473.59 feet to a point being 5 feet Westerly of the West Boundary line of ACRE ESTATES, TRACT 2, an Addition filed 12/28/54 at Book 6 of Plats, Page 25; thence

**S.20°10'19"E.** and parallel to said Westerly line a distance of 3,057.51 feet; thence

**S.69°47'52"W.** a distance of 501.09 feet to the Point or Place of Beginning;

Said tract contains 2,654,948.33 Square Feet or 60.9492 Acres, More or Less.

EXHIBIT A -

SFCO CITY OF ALBUQUERQUE RECORDS 1/11/2005 10:00 AM



**EXHIBIT C  
CONDITIONS OF APPROVAL  
ORDINANCE No. 2008-41**

**CASE #M 2008-08. COLORES DEL SOL  
PRELIMINARY DEVELOPMENT PLAN AMENDMENT.**

1. Compliance with DRT comments and conditions including Office of Affordable Housing regarding Santa Fe Homes program.
2. The applicant shall amend the PUD development plan.
3. Lot development will be subject to existing conditions and standards of the subdivision and PUD.
4. Centex remove the garbage and continue to remove the garbage and repair the fence on Ms. Trujillo's property.
5. Centex to build the masonry wall to a height of six feet. During the construction period Centex is going to be responsible for cleaning up all the stuff that accidentally falls over the wall in to the area.
6. Centex to facilitate a meeting between Branch and the neighbors to resolve the issue of the 5 feet, and to talk about the benefit of this transfer to the neighbors.