

City of Albuquerque Request for Proposals

ADDENDUM #1

RFP2007-004-SV

“Multi-Purpose Event Center/Arena Development”



Proposal Due Date: 06 November 2006 by 4:00 p.m. (LOCAL TIME)

The time and date proposals are due shall be strictly observed.

**City of Albuquerque
Department of Finance and Administrative Services
Purchasing Division
10/13/06**

The purpose of this first addendum is to publish the minutes of the pre-proposal conference/site overview. No written questions were submitted prior to or at the pre-proposal conference. The following request was submitted the following day and the narrative is attached hereto with an electronic CAD attachment posted to the Purchasing Web-Site.

Amendment:

1. Per Section 5-5-17(A) of the City Purchases Ordinance, 5% local preference will not be applied in evaluations of this solicitation as follows:

5-5-17 RESIDENT AND LOCAL PREFERENCES.

(A) *Application of Preferences.* A local or resident preference shall be applied to all requests for bids or requests for proposals for the purchase of goods, services or construction or for the award of concession contracts, but shall not be applied to any solicitation for a purchase or concession contract in excess of \$5,000,000, for a federal aid construction project, or when the expenditure of federal funds designated for the contract is involved.

Therefore, please amend the Request for Proposals as follows:

**Page 25, Part 4, Evaluation of Offers. Delete Paragraph 4.3 “Local Preference” in its entirety.
Page 26, Part 5, Instructions for Local Preference Certification Form. Delete this entire page.
Page 26, Part 5, Instructions for Local Preference Certification Form. Delete this entire page.**

Pre-Proposal Conference/ Site Overview:

The Pre-Proposal Conference/Site Overview was held as scheduled. Vendors in attendance signed the attendance roster. No written questions were submitted.

The meeting was opened by Ms. Sandy Vescovi, Purchasing, as follows.

Purchasing presented an overview of the procurement process. Emphasis was made regarding the following procedures:

- Sealed Proposals are due Monday, 6 November by 4:00 P.M. Mountain Standard Time. This time and date shall be **strictly** observed. All late Proposals shall be rejected and returned to sender unsealed by the Office of the City Clerk.
- Although not mandatory, potential Offerors were encouraged to attend the scheduled pre-proposal conference and site overview. Those Offerors who do not attend will be responsible for requesting any addenda or other information that may be generated as a result of this pre-proposal conference.
- City Contact: The sole point of contact for this Request for Proposals is the City of Albuquerque Purchasing Division {with limited contact with the City of Albuquerque Department of Economic Development as stated below}. Contact the following individual(s) regarding this RFP:

Sandy Vescovi, Contract Section Supervisor, Department of Finance and Administrative Services, Purchasing Division, Phone: (505) 768-3341, E-Mail: svescovi@cabq.gov
Post Office Box 1293, Albuquerque, New Mexico 87103

As stated in Part 3, “Scope of Work”, Paragraph 3.8, “Municipal Redevelopment Bonds (MRB)”. The site under consideration for the event center/arena is within a City of Albuquerque Metropolitan Redevelopment sector. As a result, the Offeror may be able to take advantage of Metropolitan Redevelopment bonds as a financing component. Offerors wishing to include MRBs as a financing component should contact the Office of Economic Development to obtain information on the policies and procedures for this program.

www.cabq.gov/econdev/

Discussion shall be limited to MRB subject matter.

Failure to comply with this requirement shall cause such Offeror’s proposal to be rejected.

- Page 7, Paragraph 1.2.5, “Sequence of Events”. The City shall make every effort to adhere to the above referenced schedule. The Proposal due date is not subject to change, except by written addendum
- Notification of Recommendation of Award. Upon approval of a recommendation of award, all respondents to the Request for Proposals shall be notified in writing by the Purchasing Office. Upon receipt of notice of award, the RFP files will be open for review.

Are there any questions regarding this process? Are there any questions regarding the RFP in general?

Since there are no questions at this time, I will turn the meeting over to Gail for project overview.

RFP Project Overview:

An overview of the project was presented by Ms. Gayle Reese, Chief Financial Officer. Key points of the overview: {Also present were Dr. Bruce Perlman, Chief Administrative Officer and Ed Adams, Chief Operations Officer. Both had input in answering questions and greeting the attendees.}

- We will be looking at the recommended site as described in the RFP, from the top of the Convention Center Structure, which will give you a perspective of the site that we cannot get from the ground. You will be able to see the scope of it as opposed to the perspective from the ground.
- This project is a major undertaking, it is a commitment on the part of the City, not unlike what we did with the Isotopes Stadium and we believe this represents a step forward in what the City can offer not only locally but as a regional facility. Previous discussions were limited to an Arena only. This Request for Proposals has opened up the scope so we are

looking for a broader emphasis from all of you because basically, theoretically, you have the expertise to do this. We encourage you to think very creatively about this project, we are very interested in hearing what you have to propose for the City.

- There are virtually no holds bar on this project when it comes to whatever you want to propose. We truly do want to know what the private sector thinks and what we should do with that end of downtown. We will be looking to you to tell us what you think the very highest investment and potential for the property.
- The whole idea of an arena is predicated on the 2010 plan adopted 5 years ago by the City Council to revitalize downtown. At that time they identified a site essentially at 1st and Central, east end of the downtown district and it specifically identified an arena to be placed on that location as a catalytic project to spur redevelopment downtown. We have made substantial lead as a community and not only the City, but also private investors have made substantial investments in this area.
- You will note however in the RFP an Offeror may propose a different location and you are free to do that and we will consider that. Primarily for that reason we have not yet acquired all the land we proposed. The City owns about 1/3 of it so you will have to acquire the rest of it and that will be driven somewhat by the scope of the proposal we receive.
- Please note that the RFP specifically calls not only for a proposal for what actually the project would look like but the timeline for the development of that project as well as how that project would be financed
- The City is willing to work with you either through Metropolitan Revenue Bonds or any other number of financing options that are available to the City.
- We believe that we are at the critical point from this location and particularly our Rapid Ride services has been extraordinarily successful initially running primarily east and west, now expanded to run north and south on Coors and looking to expand north and south on the east side of town.
- The Rail Runner services started and the number of people using public transportation between the Rail Runner and Rapid Ride has more than doubled. It amazing at the number of people who are now considering the idea of mass transit. To those of you who do not live here, in the summer we ran the rapid ride until 3:00 in the morning on Friday and Saturday nights and always had someone on that bus willing to ride downtown.
- Pre-built parking is available for nights and weekends, which would probably be the primary time the Event Center would be in use. Of course, if you would like to include other kinds of usage there is still parking capacity downtown. That parking was built in some degree, in anticipation of placing an event center in the area as identified in the 2010 plan, however the way things are going, we believe additional parking will be needed before this project is over.

- There are a couple of things that are happening on the ground right now that were not mentioned particularly in the RFP but I will mention at this time, so that you are aware of them. They are items that have some sensitivity to us here in the community. We have a Dr. Martin Luther King Jr. Memorial on the far north side of Dr. Martin Luther King Jr. Blvd. [it will be pointed out to you] which is not a particularly well accessible memorial. If there is some way you think that could be better utilized, please feel free to mention this in the Proposal.

There is also the building that is currently located on the corner of central and 2nd which has some surface parking attached to it. The owner and operator of that property currently allows under some arrangement, Joy Junction, a non-profit organization, [which is a shelter operation here in Albuquerque], to operate the parking facility, which we understand generates about \$60,000 to \$75,000 per year in revenues for Joy Junction's debt service.

Those are the only two items that I think are particularly sensitive from the local point of view. If you have ideas on how to address these issues in your proposal we would like to have them addressed.

- Something fairly unique about the anticipated site is there is no residential so we are not talking about bothering neighbors or putting somebody out of their home since it is an entirely commercial district.. This is why the City believes this is a very good site.
- We are really excited about this project, if it seems a little structured, it is by purpose. We believe it is incredibly important that this process be as open and as transparent not only to our council but to all the residents of the City and by doing it through the RFP process we felt that was the best way to achieve that. Even though it leaves you sitting wondering what we are doing and how the committee looks at your proposal and it means that some of the contacts you may have normally made in the bidding process are not available to you. For all intensive purposes the city has gone black with respect to talking with any of you. Once we have finished this meeting today all conversations will have to go through Sandy Vescovi, so we appreciate your cooperation on that and I'm sure you understand why we are asking for it to be done this way.

This concludes my comments on the Request for Proposals. Are there any questions?

1) I have a question regarding submittal of Proposals, is there any exception if the Proposal gets to the City Clerk on the 6th of November because of bad weather?

ANS: If that is the case you are "toast" as the due date is Monday the 5th by 4:00 PM City of Albuquerque time.

2) If we do have any questions and send them to you will you let everyone know who asked the question?

ANS: It is my experience that most of those who ask questions prefer not to be identified, so I publish them without your name, so feel free to ask as many questions as you think necessary.

All questions submitted to me will be in writing and answered in writing. These questions and answers will be forwarded to all who have attended this meeting today and posted to the purchasing web-site in the form of an addendum. The company or individual submitting such questions shall not be published but will be retained in the purchasing file.

3) Can we have a copy of the Roster for this meeting?

ANS: Yes, they will be made available to you by the end of this meeting.

Note: The attendance roster was made available to those in attendance. A copy is attached to this first Addendum.

4) So, does the Galleria have access for service or underground access to the Galleria through 2nd Street?

ANS: Did everyone hear the question? The question has to do with the underground access to the Galleria under Second Street. That is a given. It is not necessary that you, as a proposer need to have an arrangement with the Galleria in advance, but you will need to keep in mind in your proposal that that access cannot be changed. Along with that I would reiterate in case you did not pick up on it, right in the middle of that site is a huge fiber wire....Qwest copper and fiber duct bank, it sits in the City right of way and would be Quest's obligation to move it, however their engineers tell us it could take 2 to 4 years to do so. So I wouldn't just go off assuming it can be plucked out of the middle and we could go on with what we want to do. When you get up to the parking structure to view the site, you may see this may your plan may not need to mess with that. You don't have to have a pre-agreement with that property owner, but would have to be taken into consideration.

The access to the Galleria needs to be retained, modification is probably on the table for discussion but would have to be reasonable access the property so it could be slightly modified as long as we're retaining reasonable access to the property.

5) On Page 4 of the RFP it states that the cost relocating the duct bank would be the responsibility of Qwest. That is different that will be. Is Qwest willing to take forth that relocation?

ANS: The City's position is that duct bank is in the City's right of way, which means it falls under the Franchise Agreement the City has with Qwest. That franchise agreement would indicate that they [Qwest] are responsible to get that duct bank out of the way for our public purpose. Does that mean they're not going to take issue with it – no, it does not. We will tell you what the City's position would be in what we would be representing to Qwest over the duct bank. It is their responsibility financially for relocation costs.

The franchise agreement is on a month-to-month basis. Qwest is aware of this RFP but we haven't asked them to vacate the right away at this time.

6) The 2010 Plan is very difficult to download. Is there a clearer copy for us to use.

ANS: No, we have the same problem since it is a large document and "misty" at times. You may want to check with City Council Office or Planning Department.

7) On Page 5, Paragraph 3 under the heading “Project Finance”?

ANS: The question has to do with project financing, about in the middle of page 5; there’s two separate issues there. The New Mexico Legislative passed the Municipal Event Center Funding Act in 2005 and has not funded it at all. It is intended to work somewhat like the New Mexico Finance Authority, for example as a recurring replenishing funding source for projects. They have not funded it, I don’t know if they intend to fund it. The reference to the fact that the City will be requesting state grant funds for site acquisition and preparation and would be asking for 5 to 12 million dollars for the first parcel of land acquisition for this project in a state grant as opposed to a loan.

8) What is the environmental issue on the site?

ANS: We believe it to be diesel from the railroad station, we are not expecting it to be significant; it could be as simple as the removal of some of the material and we don’t anticipate a huge cost would be involved. You can use any approach you choose to address this issue in your proposal.

9) Do you have a study that outlines what was found? Can we get it?

ANS: Yes there was a study, but we do not know exactly what happened and do not have this information. We don’t own the document.

10) Please clarify Paragraph 1.9.7, Page 12 of the RFP.

ANS: We were frankly trying to allow the maximum flexibility; you will notice there is no requirement the Offeror has to accede to any request to substitute or change. As I have said repeatedly, we have tried to build the maximum amount of flexibility into this RFP.

11) You made reference to the Dr. Martin Luther King thing, is there any thing you want us to do with this?

ANS: It is up to you to tell us what you envision for this piece.

12) In the selection process, do you have any idea how many proposals would be on the short list?

ANS: We have no preconceived ideas on the number of proposals we will receive or number of proposals that may be on the short-list.

Having no further questions, the meeting was adjourned and everyone was taken to the parking structure above the Convention Center for an overview of the site. Any questions regarding the RFP at this time would have to be submitted in writing for clarification.

There was a discussion regarding the possibility of getting a copy of a site survey. We asked that this request be put in writing and submitted to purchasing for response.

Additional Question: Received by Purchasing on 6 October 2006:

The following day I received this request:

As we looked out from the top of the Convention Center parking structure at the proposed arena site, several of us asked if there is a site survey exists for the proposed arena. Someone on your team mentioned that there may have been a site survey produced for the last time the arena was under review. If this site survey exists, detailing the area bounded by Central Ave., the railroad track, the Convention Center, and the Galleria, we would like to have a copy.

In the event that a specific site survey does not exist, we are requesting copies of any other documentation that the city may have for this area of downtown Albuquerque. Our ability to develop a viable plan for the arena and supporting facilities is dependent on having a scale drawing of the area under consideration.

ANSWER: The City has an old survey from 2004. The narrative is attached hereto. A CAD version of the surveyed area is posted to the purchasing website as an additional document to this first addendum.

Please be reminded this is a dated document and conditions of the survey may have changed since 2004.

Please incorporate any changes in this first addendum in the Request for Proposals.

Sign and return this Addendum with your RFP response.

If I can be of further assistance regarding this process, please call me at (505) 768-3341 or e-mail svescovi@cabq.gov Thank you for your interest in this project.

Sincerely,



Sandra Vescovi
Contracting Supervisor
DFAS, Purchasing

Addendum Acknowledged:

Company Name *Date*

Printed Name *Date*

Signature

Attachments:

1. Pre-Proposal Conference Agenda
2. Survey dated 2004
3. CAD Survey Map (Electronic Copy)

SURVEYING CONTROL, INC.

201 La Veta Dr. NE
Albuquerque, NM 87108
(505) 266-0935
fax (505) 266-9985

September 24, 2004

Attn: Jeffrey Willis
City of Albuquerque Transportation Dept.
1 Civic Plaza, N.W., P.O. Box 2248
Room 304
Albuquerque, NM 87103

Re: Legal Descriptions for Proposed Arena Site

Dear Jeffrey:

Enclosed for your review are the legal descriptions you requested for the Boundary Surveys on the three parcels comprising the area to be affected by the proposed arena. In addition, included is a diskette containing the legal descriptions in Microsoft Word format.

Please do not hesitate to call if you have any questions or if you need any additional information.

Sincerely,



Randy C. Hewitt, PS 14730

LEGAL DESCRIPTION

**Parcel I
Remainder Area
Downtown Arena Project**

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Parcel I, as the same is described by Quitclaim Deed from the Atchison, Topeka and Santa Fe Railway Company to the City of Albuquerque, said deed being filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 6, 1988 in Book D342A, Pages 237-242 as Document No. 88-81127, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the southwest corner of the parcel herein described, said corner being a point on the westerly boundary line of said Parcel I and also a point on the present (2004) easterly right-of-way line of First Street N.W., said corner being a MAG nail and washer stamped "NMPS 14730" set this survey, and from which the City of Albuquerque Control Monument "18-K14" bears S13°47'14"E a distance of 564.26 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, N09°07'52"E a distance of 100.63 feet along said westerly boundary to the northwest corner of the parcel herein described;

Thence, S81°24'28"E a distance of 230.19 feet along the northerly boundary of said Parcel I to the northeast corner of the parcel herein described, said corner also being a point on the present (2004) westerly right-of-way line of the Burlington Northern and Santa Fe Railway Company;

Thence, S08°40'58"W a distance of 90.40 feet along the easterly boundary line of said Parcel I and said present westerly right-of-way line to the southeast corner of the parcel herein described, said corner being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, northwesterly a distance of 171.78 feet on a curve to the right, said curve having a radius of 610.62 feet, a central angle of 16°07'08", and a chord bearing N69°57'39"W a chord distance of 171.22 feet to a point of reverse curvature, said point being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, southwesterly a distance of 90.09 feet on a curve to the left, said curve having a radius of 47.37 feet, a central angle of 108°58'03", and a chord bearing S63°36'54"W a chord distance of 77.11 feet to the point and place of beginning, said parcel containing 0.3870 acre, more or less.



LEGAL DESCRIPTION

Parcel I Take Area Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian. City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Parcel I, as the same is described by Quitclaim Deed from the Atchison, Topeka and Santa Fe Railway Company to the City of Albuquerque, said deed being filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 6, 1988 in Book D342A, Pages 237-242 as Document No. 88-81127, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the northwest corner of the parcel herein described, said corner being a point on the westerly boundary line of said Parcel I and also a point on the present (2004) easterly right-of-way line of First Street N.W., said corner being a MAG nail and washer stamped "NMPS 14730" set this survey, and from which the City of Albuquerque Control Monument "18-K14" bears S13°47'14"E a distance of 564.26 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, northeasterly a distance of 90.09 feet on a curve to the right, said curve having a radius of 47.37 feet, a central angle of 108°58'03", and a chord bearing N63°36'54"E a chord distance of 77.11 feet to a point of reverse curvature, said point being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, southeasterly a distance of 171.78 feet on a curve to the left, said curve having a radius of 610.62 feet, a central angle of 16°07'08", and a chord bearing S69°57'39"E a chord distance of 171.22 feet to the northeast corner of the parcel herein described, said corner being both a point on the easterly boundary line of said Parcel I and also a point on the present (2004) westerly right-of-way line of the Burlington Northern and Santa Fe Railway Company, said corner being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, S08°40'58"W a distance of 130.23 feet along said easterly boundary line and said present westerly right-of-way line to a point, said point being the corner post at the angle point of a chain link fence;

Thence, N79°49'53"W a distance of 11.51 feet along said easterly boundary line and said present westerly right-of-way line to a point, said point being the corner post at the angle point of a chain link fence;

Thence, S09°09'55"W a distance of 293.48 feet along said easterly boundary line and said present westerly right-of-way line to the southeast corner of the parcel herein described, said corner also being a point on the present (2004) easterly right-of-way line of First Street N.W. and being a 5/8" rebar and plastic cap marked "PS 4078" found in place;

Thence, northwesterly a distance of 181.24 feet along the southerly boundary line of said Parcel I and said present easterly right-of-way line on a curve to the right, said curve having a radius of 268.50 feet, a central angle of 38°40'29", and a chord bearing N59°55'51"W a chord distance of 177.82 feet to a point of compound curvature, said point being a 5/8" rebar found in place;

Parcel I Take Area (cont'd.)

Thence, northwesterly a distance of 50.85 feet along said southerly boundary line and said present easterly right-of-way line on a curve to the right, said curve having a radius of 58.50 feet, a central angle of $49^{\circ}48'02''$, and a chord bearing $N15^{\circ}55'36''W$ a chord distance of 49.26 feet to a point;

Thence, $N81^{\circ}05'26''W$ a distance of 33.29 feet along said southerly boundary line and said present easterly right-of-way line to a point, said point being the southwest corner of said Parcel I, said corner being a PK nail and washer stamped "PS 4078" found in place;

Thence, $N09^{\circ}07'52''E$ a distance of 303.06 feet along the westerly boundary line of said Parcel I and said present easterly right-of-way line to the point and place of beginning, said parcel containing 2.0615 acres, more or less.



LEGAL DESCRIPTION

Tract C, First Plaza Properties Remainder Area Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Tract C, First Plaza Properties, as the same is shown and designated on the plat entitled "A Subdivision Plat of Tracts "A", "B" & "C", First Plaza Properties", filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 16, 1988 in Volume C36, Folio 24, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the southeast corner of the parcel herein described, said corner being a point on the present (2004) westerly right-of-way line of First Street N.W. and also a point on the easterly boundary line of said Tract C, said corner being a MAG nail and washer stamped "NMPS 14730" set this survey, from which the City of Albuquerque Control Monument "18-K14" bears S20°28'10"E a distance of 566.32 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, N80°50'59"W a distance of 299.90 feet to the southwest corner of the parcel herein described, said point being a point on the present (2004) easterly right-of-way line of Second Street N.W., said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, N09°09'06"E a distance of 223.88 feet along said present easterly right-of-way line and the westerly boundary line of said Tract C to a point, said point being a 5/8" rebar and plastic cap marked "PS 4078" found in place;

Thence, N09°12'08"E a distance of 54.81 feet along said present easterly right-of-way line and said westerly boundary line to a point of curvature, said point also being the northwest corner of said Tract C;

Thence, northeasterly a distance of 56.39 feet along said present easterly right-of-way line and the northerly boundary line of said Tract C on a curve to the right, said curve having a radius of 30.00 feet, a central angle of 107°41'53", and a chord bearing N63°03'05"E a chord distance of 48.45 feet to the point of intersection of said easterly right-of-way line and said northerly boundary line with the present (2004) southerly right-of-way line of Martin Luther King Jr. Boulevard N.W.;

Thence, southeasterly a distance of 160.20 feet along said present southerly right-of-way line and said northerly boundary line on a curve to the right, said curve having a radius of 395.00 feet, a central angle of 23°14'13", and a chord bearing S51°28'52"E a chord distance of 159.10 feet to a point of tangency;

Thence, S39°51'46"E a distance of 61.97 feet along said present southerly right-of-way line and said northerly boundary line to a point of curvature;

Thence, southeasterly a distance of 77.86 feet along said present southerly right-of-way line and said northerly boundary line on a curve to the left, said curve having a radius of 610.00 feet, a central angle of 07°18'46", and a chord bearing S43°31'09"E a chord distance of 77.80 feet to a point of reverse curvature;

Tract C Remainder Area (cont'd.)

Thence, southeasterly a distance of 29.48 feet along said present southerly right-of-way line and said northerly boundary line on a curve to the right, said curve having a radius of 30.00 feet, a central angle of $56^{\circ}18'24''$, and a chord bearing $S19^{\circ}01'20''E$ a chord distance of 28.31 feet to the point of intersection of said southerly right-of-way line and said northerly boundary line with the present (2004) westerly right-of-way line of First Street N.W., said point also being the northeast corner of said Tract C;

Thence, $S09^{\circ}07'52''W$ a distance of 116.42 feet along said present westerly right-of-way line and said easterly boundary line to the point and place of beginning, said parcel containing 1.6449 acres, more or less.



LEGAL DESCRIPTION

Tract C, First Plaza Properties Take Area Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Tract C, First Plaza Properties, as the same is shown and designated on the plat entitled "A Subdivision Plat of Tracts "A", "B" & "C", First Plaza Properties", filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 16, 1988 in Volume C36, Folio 24, being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the northeast corner of the parcel herein described, said corner being a point on the present (2004) westerly right-of-way line of First Street N.W. and also a point on the easterly boundary line of said Tract C, said corner being a MAG nail and washer stamped "NMPS 14730" set this survey, from which the City of Albuquerque Control Monument "18-K14" bears S20°28'10"E a distance of 566.32 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, S09°07'52"W a distance of 37.00 feet along said present westerly right-of-way line and said easterly boundary line to a point of curvature, said point also being the southeast corner of said Tract C, said corner being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, southwesterly a distance of 18.85 feet along said present westerly right-of-way line and said easterly boundary line on a curve to the right, said curve having a radius of 12.00 feet, a central angle of 90°01'09", and a chord bearing S54°08'27"W a chord distance of 16.97 feet to the point of intersection of said westerly right-of-way line and said easterly boundary line with the present (2004) northerly right-of-way line of Copper Avenue N.W., said point being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, N80°50'59"W a distance of 275.92 feet along said present northerly right-of-way line and the southerly boundary line of said Tract C and to a point of curvature, said point being a chiseled X in concrete found in place;

Thence, northwesterly a distance of 18.85 feet along said present northerly right-of-way line said southerly boundary line on a curve to the right, said curve having a radius of 12.00 feet, a central angle of 90°00'05", and a chord bearing N35°50'56"W a chord distance of 16.97 feet to the point of intersection of said northerly right-of-way line and said southerly boundary with the present (2004) easterly right-of-way line of Second Street N.W., said point also being the southwest corner of said Tract C;

Thence, N09°09'06"E a distance of 37.00 feet along said present easterly right-of-way line and the westerly boundary line of said Tract C to the northwest corner of the parcel herein described, said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, S80°50'59"E a distance of 299.90 feet to the point and place of beginning, said parcel containing 0.3360 acre, more or less.



LEGAL DESCRIPTION

Lot 27-A-1, Block 8 New Mexico Town Company's Original Townsite Remainder Area Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite, as the same is shown and designated on the replat entitled "Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite" said replat being filed in the Office of the County Clerk of Bernalillo County, New Mexico on February 21, 1997 in Volume 97C, Folio 58, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the southeast corner of the parcel herein described, said corner being a point on the present (2004) northerly right-of-way line of Central Avenue N.W. and also a point on the southerly boundary line of said Lot 27-A-1, said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey, from which the City of Albuquerque Control Monument "18-K14" bears S70°47'35"E a distance of 476.78 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, N80°54'12"W a distance of 110.30 feet along said present northerly right-of-way line and said southerly boundary line to the southwest corner of the parcel herein described, said corner also being the point of intersection of said northerly right-of-way line and said southerly boundary line with the present (2004) easterly right-of-way line of Second Street N.W., said corner being a PK nail and washer stamped "LS 3516" found in place;

Thence, N09°08'52"W a distance of 294.98 feet along said present easterly right-of-way line and the westerly boundary line of said Lot 27-A-1 to the northwest corner of the parcel herein described, said corner being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, N54°08'50"E a distance of 7.07 feet along said present easterly right-of-way line and the northerly boundary line of said Lot 27-A-1 to the point of intersection of said easterly right-of-way line and said northerly boundary line with the present (2004) southerly right-of-way line of Copper Avenue N.W., said point being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, S80°51'12"E a distance of 74.58 feet along said present southerly right-of-way line and said northerly boundary line to a point of curvature, said point being a 5/8" rebar and plastic cap marked "LS 3516" found in place;

Thence, southeasterly a distance of 30.82 feet along said present southerly right-of-way line and said northerly boundary line on a curve to the right, said curve having a radius of 220.00 feet, a central angle of 08°01'37", and a chord bearing S76°50'15"E a chord distance of 30.80 feet to the northeast corner of the parcel herein described, said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, S09°08'52"W a distance of 297.72 feet to the point and place of beginning, said parcel containing 0.7587 acre, more or less.



LEGAL DESCRIPTION

Lot 27-A-1, Block 8 New Mexico Town Company's Original Townsite Take Area Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and comprising a portion of Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite as the same is shown and designated on the replat entitled "Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite", said replat being filed in the Office of the County Clerk of Bernalillo County, New Mexico on February 21, 1997 in Volume 97C, Folio 58, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at the southwest corner of the parcel herein described, said corner being a point on the present (2004) northerly right-of-way line of Central Avenue N.W., and also a point on the southerly boundary line of said Lot 27-A-1, said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey, from which the City of Albuquerque Control Monument "18-K14" bears S70°47'35"E a distance of 476.78 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, N09°08'52"E a distance of 297.72 feet to the northwest corner of the parcel herein described, said corner being a point on the present (2004) southerly right-of-way line of Copper Avenue N.W., said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, southeasterly a distance of 233.86 feet along said present southerly right-of-way line, the present (2004) westerly right-of-way line of First Street N.W., and the northerly boundary line of said Lot 27-A-1 on a curve to the right, said curve having a radius of 220.00 feet, a central angle of 60°54'23", and a chord bearing S42°22'15"E a chord distance of 223.01 feet to a point of tangency, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, S11°54'01"E a distance of 97.37 feet along the present (2004) westerly right-of-way line of First Street, N.W. and the easterly boundary line of said Lot 27-A-1 to a point of curvature, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, southeasterly a distance of 33.71 feet along said westerly right-of-way line and said easterly boundary line and on a curve to the right, said curve having a radius of 92.00 feet, a central angle of 20°59'37", and a chord bearing S01°29'02"E a chord distance of 33.52 feet to a point of tangency, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, S09°15'19"W a distance of 22.76 feet along said westerly right-of-way line and said easterly boundary line to a point of curvature, said point also being the southeast corner of the parcel herein described, said corner being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, southwesterly a distance of 19.06 feet along said westerly right-of-way line and the southerly boundary line of said Lot 27-A-1 on a curve to the right, said curve having a radius of 12.00 feet, a central angle of 90°59'03", and a chord bearing S53°42'40"W a chord distance of 17.12 feet to the point of intersection of said westerly right-of-way line and said southerly boundary line with the present (2004) northerly right-of-way line of Central Avenue N.W., said point being a PK nail and washer stamped "PS 4078" found in place;

Lot 27-A-1 Take Area (cont'd.)

Thence, N80°54'12"W a distance of 203.67 feet along said northerly right-of-way line and said southerly boundary line to the point and place of beginning, said parcel containing 1.1182 acres, more or less.



LEGAL DESCRIPTION

City of Albuquerque Right-of-Way Vacation Downtown Arena Project

A certain parcel of land lying within Section 20, Township 10 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico and now comprising the portions of First Street N.W. and Copper Avenue N.W. to be vacated for the construction of the proposed downtown arena, said parcel being more particularly described by New Mexico State Plane Coordinate System grid bearings (NAD 27, Central Zone) and horizontal ground distances as follows:

BEGINNING at a point on the present (2004) westerly right-of-way line of the Burlington Northern and Santa Fe Railway Company and also a point of the present (2004) easterly right-of-way line of First Street N.W., said corner being a 5/8" rebar and plastic cap marked "PS 4078" found in place, from which the City of Albuquerque Control Monument "18-K14" bears S09°23'31"W a distance of 108.62 feet, said control monument being a standard ACS aluminum cap in concrete stamped "18-K14 1986";

Thence, S09°09'55"W a distance of 24.92 feet to the southeast corner of the parcel herein described, said corner being a 5/8" rebar and plastic cap marked "R. HEWITT NMPS 14730" set this survey;

Thence, N80°54'12"W a distance of 266.23 feet to the southwest corner of the parcel herein described, said corner being the point of intersection of the present (2004) northerly right-of-way line of Central Avenue N.W. with the present (2004) westerly right-of-way of First Street N.W., said corner also being a point on the southerly boundary line of Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite as the same is shown and designated on the replat entitled "Lot 27-A-1, Block 8, New Mexico Town Company's Original Townsite", said replat being filed in the Office of the County Clerk of Bernalillo County, New Mexico on February 21, 1997 in Volume 97C, Folio 58, said corner being a PK nail and washer stamped "PS 4078" found in place;

Thence, northeasterly a distance of 19.06 feet along the easterly boundary line of said Lot 27-A-1 and said westerly right-of-way line on a curve to the left, said curve having a radius of 12.00 feet, a central angle of 90°59'03", and a chord bearing N53°42'30"E a chord distance of 17.12 feet to a point of tangency, said point being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, N09°15'19"E a distance of 22.76 feet along said easterly boundary line and said westerly right-of-way line to a point of curvature, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, northwesterly a distance of 33.71 feet along said easterly boundary line and said present westerly right-of-way line on a curve to the left, said curve having a radius of 92.00 feet, a central angle of 20°59'37", and a chord bearing N01°29'02"W a chord distance of 33.52 feet to a point of tangency, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, N11°54'01"W a distance of 97.37 feet along said easterly boundary line and said westerly right-of-way line to a point of curvature, said point being a PK nail and washer stamped "PS 4078" found in place;

Thence, northwesterly a distance of 264.68 feet along said easterly boundary line and said present westerly right-of-way line, and also along the present (2004) southerly right-of-way line of Copper Avenue N.W. on a curve to the left, said curve having a radius of 220.00 feet, a central angle of 68°56'00", and a chord bearing N46°23'04"W a chord distance of 249.01 feet to a point of tangency, said point being a 5/8" rebar and plastic cap marked "LS 3516" found in place;

City of Albuquerque Right-of-Way Vacation (cont'd.)

Thence, N80°51'12"W a distance of 74.58 feet along the northerly boundary line of said Lot 27-A-1 and said southerly right-of-way line of Copper Avenue N.W. to a point, said point being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, S54°08'50"W a distance of 7.07 feet along said northerly boundary line and said southerly right-of-way line to the point of intersection of said northerly boundary line and said southerly right-of-way line with the present (2004) easterly right-of-way line of Second Street N.W., said point also being the northwest corner of said Lot 27-A-1 and being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, N09°07'36"E a distance of 77.19 feet to the southwest corner of Tract C, First Plaza Properties, as is shown and designated on the plat entitled "A Subdivision Plat of Tracts "A", "B" & "C", First Plaza Properties" filed in the Office of the County Clerk of Bernalillo County, New Mexico on March 16, 1988 in Volume C36, Folio 24, said corner also being a point on the easterly right-of-way line of Second Street N.W.;

Thence, southeasterly a distance of 18.85 feet along the southerly boundary line of said Tract C and said easterly right-of-way line on a curve to the left, said curve having a radius of 12.00 feet, a central angle of 90°00'05", and a chord bearing S35°50'56"E a distance of 16.97 feet to a point of tangency, said point being to the point of intersection of said southerly boundary and said easterly right-of-way line with the present (2004) northerly right-of-way line of Copper Avenue N.W., a chiseled X in concrete found in place;

Thence, S80°50'59"E a distance of 275.92 feet along said southerly boundary line and said northerly right-of-way line to a point of curvature, said point being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, northeasterly a distance of 18.85 feet along said southerly boundary line and said northerly right-of-way line on a curve to the left, said curve having a radius of 12.00 feet, a central angle of 90°01'09", and a chord bearing N54°08'27"E a distance of 16.97 feet to the point of intersection of said southerly boundary line and said northerly right-of-way line with the present (2004) westerly right-of-way line of First Street N.W., said point also being the southeast corner of said Tract C, said corner being a 1/2" rebar and plastic cap marked "PS 4078" found in place;

Thence, N09°07'52"E a distance of 37.00 feet along the easterly boundary line of said Tract C and said westerly right-of-way line of First Street N.W. to a point, said point being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, S80°52'08"E a distance of 60.00 feet to a point on the present (2004) easterly right-of-way line of First Street N.W., said point also being a point on the westerly boundary line of Parcel I, as is described by the Quitclaim Deed from the Atchison, Topeka and Santa Fe Railway Company to the City of Albuquerque, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 6, 1988 in Book D342A, Pages 237-242 as Document No. 88-81127, said point being a MAG nail and washer stamped "NMPS 14730" set this survey;

Thence, S09°07'52"W a distance of 275.75 feet along said westerly boundary line and said easterly right-of-way line to a point, said point being the southwest corner of said Parcel I, said corner being a PK nail and washer stamped "PS 4078" found in place;

City of Albuquerque Right-of-Way Vacation (cont'd.)

Thence. S81°05'26"E a distance of 33.29 feet along the southerly boundary line of said Parcel I and said easterly right-of-way line to a point;

Thence. southeasterly a distance of 50.85 feet along said southerly boundary line and said easterly right-of-way line on a curve to the left, said curve having a radius of 58.50 feet, a central angle of 49°48'02", and a chord bearing S15°55'36"E a chord distance of 49.26 feet to a point of compound curvature, said point being a 5/8" rebar found in place:

Thence. southeasterly a distance of 181.24 feet along said southerly boundary line and said easterly right-of-way line on a curve to the left, said curve having a radius of 268.50 feet, a central angle of 38°40'29", and a chord bearing S59°55'51"E a chord distance of 177.82 feet to the point and place of beginning, said parcel containing 1.4923 acres, more or less.

