AN ORDINANCE
AMENDING ORDINANCE NUMBER 2005-27 TO AMEND THE PRELIMINARY DEVELOPMENT PLAN TO ALLOW TWO HUNDRED EIGHTY-SEVEN RESIDENTIAL LOTS, AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO LAND COMPRISING 61 ACRES MORE OR LESS AND LOCATED WITHIN SECTIONS 1\&12, T12N, R8E AND SECTIONS 6\&7 T16N, R9E NEW MEXICO PRIME MERIDIAN LOCATED NORTH OF AIRPORT ROAD AND SOUTH OF AGUA FRIA ROAD, WEST OF JEMEZ ROAD AND EAST OF MORNING DRIVE AND SOUTH MEADOWS ROAD AND ZONED R-6-PUD (RESIDENTIAL DISTRICT - 6 DWELLING UNITS PER ACRE, PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) (CASE NO. M 2008-08).

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

Section 1. The following real property (the "Property"), located within the municipal boundaries of the city of Santa Fe, is classified as R-6-PUD (Residential District - 6 dwelling units per acre Planned Unit Development.) The property is located south of Agua Fria Road and east of Morning Drive and being more particularly described in the attached Legal Description (Exhibit A).

Section 2. The amended preliminary development plan for the property (Exhibit B) is hereby approved, allowing two hundred eighty-seven residential lots.

Section 3. This Ordinance shall be published one time by the title and general
summary and shall become effective five days after such publication.
Section 4. The amended rezoning action with respect to the property affected by this Ordinance is subject to the conditions of approval listed in Exhibit C included herein by reference.

PASSED, APPROVED AND ADOPTED this $9^{\text {th }}$ day of July, 2008

ATTEST:


DAVID COSS, MAYOR


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

Being that cestain 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 beling more particularly described as follows:

BEGINNING at the Southwest Comer of the tract herein described whence first, the Southeast Comer of Sedion 1 bears S. $27^{\circ} 01^{\prime \prime} 02^{\prime \prime} \mathrm{E}$. a distance of 307.35 feet and second, Santa Fe County Monument Stamped SF36 bears N. $29^{\circ} 18^{\prime} 09^{\prime \prime} \mathrm{W}$. a distance of $14,929.13$ feet; thence
$\mathbf{N} . \mathbf{2 0}^{\circ} 07^{\prime} \mathbf{2 2}{ }^{\text {" }} \mathrm{W}$ a distance of $\mathbf{4 1 5 . 7 5}$ feet; thence
N. $20^{\circ} 11^{\prime} 30^{\prime \prime} \mathrm{W}$. a distance of 582.62 feet; thence
N. $17^{\circ} 48^{\prime} \mathbf{2 0}{ }^{\prime \prime} \mathrm{W}$. a distance of $\mathbf{1 7 3 . 5 5}$ feet; thence
S.72 ${ }^{\circ} 16^{\prime} 27^{\prime \prime} \mathrm{W}$. a distance of 277.70 feet; thence
$S .75^{\circ} 36^{\prime} 23^{\prime \prime} \mathrm{W}$. a distance of 362.55 feet to a point on a curve to the left; thence
91.44 feet along the arc of sald curve with a Central Angle of $02^{\circ} 47^{\prime} 29^{\prime \prime}$, a Radlus of 1876.86 feet and a Chord of 91.43 feet which bears $5.73^{\circ} 07^{\prime \prime} 33^{\prime \prime}{ }^{\prime \prime}$.; thence
$\mathrm{N} . \mathbf{2 0}^{\circ} \mathbf{2 1} 1^{\prime \prime} 50^{\mathrm{m}} \mathrm{W}$. a distance of $\mathbf{1 , 4 3 3 . 5 3}$ feet to a point on the South Right of Way of Agua Fria; thence along sald South Right of Way the next four courses:
N. $48^{\circ} \mathbf{3 5}^{\prime} \mathbf{2 3}{ }^{\mathrm{K}} \mathrm{E}$. a distance of $\mathbf{2 4 8 . 8 6}$ feet; thence
$\mathrm{N} .50^{\circ} \mathbf{0} 0^{\prime} 43^{\prime \prime} \mathrm{E}$. a distance of $\mathbf{4 0 0 . 5 8}$ feet; thence
N. $54^{\circ} 11^{\prime} 45^{\prime \prime} \mathrm{E}$. a distance of 169.29 feet; thence
N. $54^{\circ} 1^{\prime} 4^{\prime \prime} 4^{\prime \prime} \mathrm{E}$. 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. $20^{\circ} 10^{\prime} 19^{\prime \prime} \mathrm{E}$. and paralled to said Westerty line a distance of 3,057.51 feet; thence
S.6947/52"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 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.
