

Isaacson & Arfman, P.A. Consulting Engineering

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March 22, 2018

Ms. Kim Dycome, DRB Chair
City of Albuquerque
600 2nd Street NW
Albuquerque, NM 87102

RE: Vacation of High St. North of Slate St. NE
Existing Legal: Tract D-1-B, Gateway Subdivision
DRB 1000060
Zone Map J-15

Dear Ms. Dycome:

Isaacson & Arfman, P.A., as agent for New Heart Center for Wellness, LLC, (New Heart: the Developer) hereby request entry into the DRB process for consideration of vacating a eighty-five (86"0 foot length of High St. being immediately north of Slate Ave. and as further designated in the attached application.

Background:

1. New Heart is the Owner and developer of the medical facility located on Tract D-1-A, Gateway Subdivision immediately to the north and east of High St.
2. The subject vacant right-of-way was originally shown on the original plat of Thotter Addition recorded in 1939 as a 60' wide right-of-way extending to the north from Slate Ave. eight-six feet.
3. The land to the north of the requested vacation is fully developed and therefore will not have a viable reason to be extended in the future.
4. An additional section of Modesto was added to this vacation action. The additional vacation action lies to the east of the vacated ROW lies to the north of the City's Eagle Rock Solid Waste Transfer Station and south of the Daniel's Family Cemetery. The roadway is undeveloped and fenced in as part of the cemetery. The total length of the vacated ROW now totals 1,155 feet.
5. The proposed vacated ROW is free of any public or private utilities.
6. The property to the west is privately owned and has consented to the vacation by the letter contained in this application.

Reasons:

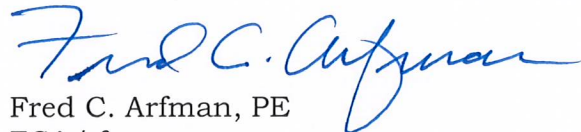
- A. A vacation is appropriate in this case as the right-of-way is not used as a public thoroughfare and would be better utilized being incorporated into the adjacent properties to provide residential housing and expanded medical services.
- B. The granting of this Vacation is appropriate to prevent the unnecessary hardship that would result if the Vacation is not allowed. In this case, if the vacation is not allowed; then the New Heart facility would not be able to add the needed additional parking spaces to serve their patients.
- D. The granting of the Vacation will not significantly interfere with the enjoyment of the other lands in the vicinity; to the contrary, the redevelopment of the vacated right-of-way would add additional landscaping and eliminate the weeds and trash collection on the land..
- E. The granting of the Vacation would be consistent with the spirit of the Albuquerque's development process, substantial justice, and the general interest of the public. Financial gain or loss is not the sole determining factor in requesting the Vacation. The Owner is a for profit corporation; but they wish to conduct business in the City of Albuquerque within the framework of their proven development methods.

Request:

Therefore, New Heart Center for Wellness, LLC respectfully request that the requested vacation be allowed in accordance to the policies established by the City of Albuquerque, Legal Department, and Real Property Division.

Sincerely,

ISAACSON & ARFMAN P.A.



Fred C. Arfman, PE
FCA/ fca