



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 20, 2004

2. Project # 1001934
04DRB-01471 Major-Vacation of Public Easements

WILKS COMPANY agent(s) for MICHAEL EAVES request(s) the above action(s) for all or a portion of Lot(s) 4-E, 4-F and 4-G, **ALVARADO GARDENS, UNIT 1**, zoned RA-2 residential and agricultural zone, located on RIO GRANDE BLVD NW, between CAMPBELL RD NW and MATTHEW AVE NW containing approximately 1 acre(s). [REF: DRB-94-465] (G-12/G-13)

At the October 20, 2004, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

FINDINGS:

1. The public welfare is in no way served by retaining the rights-of-way and/or easements.
2. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

Condition of Final Plat: Dry utilities must sign the plat before DRB approves it.

If you wish to appeal this decision, you must do so by November 4, 2004 in the manner described below.

Appeal is to the Environmental Planning Commission. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal. If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).



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Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)


Sheran Matson, AICP, DRB Chair

Cc: Michael Eaves, 3816 Palacio del Rio Grande NW, 87107
Wilks Company, P.O. Box 10097, 87184
Bill Riordan, 2740 Rio Grande NW, 87104
Charles Noble, 2722 Rio Grande NW, 87104
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File