



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 31, 2010

Project# 1002123

10DRB-70076 VACATION OF PUBLIC RIGHT-OF-WAY

DEL'S HIDE-A-WAY PARK LTD request(s) the referenced/ above action(s) for all or a portion of **SAN CLEMENTE AVENUE NW**, located on the east side of 4TH ST NW to the NORTH ALAMEDA DRAIN [re-application of expired vacation 08DRB-70412] (G-14)

At the March 31, 2010 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1), (2) and (3) of the Subdivision Ordinance.

Findings

(A)(1) The vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the right of way; The City of Albuquerque does not anticipate any need to utilize the existing right of way for public roadway purposes, based on the proposed re-subdivision and private roadway.

(B)(2) There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation; it is the opinion of the Transportation Development Division that the removal of the existing public access easement will provide a net benefit to the public welfare by decreasing public maintenance responsibilities.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right; Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.

2. The vacated property shall be shown on the 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.

If you wish to appeal this decision, you must do so by April 15, 2010 in the manner described below.


Appeal is to the Land Use Hearing Officer. 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).

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.)



Jack Cloud, AICP, DRB Chair

Cc: Del's Hide-a-way Park, LTD – Philip D. Sheets – P.O. Box 6901 –
Albuquerque, NM 87197-6901

Cc: Marilyn Maldonado

Cc: Scott Howell

File

ROUTING SHEET FOR DRB & EPC REVIEWS

Date: 3/29/10

The following case or applications are being sent to your command and/or office for review:

DRB: 1002123

EPC: _____

Please return originals to Lupe Gallegos @ 768-2175, APD/Planning Division, by: 3/24/10 (to expedite fax comments forms to 768-2324 on/before date).

VALLEY AREA COMMAND
~~Yvette Garcia~~ *Steve Sink*

_____ **NORTHWEST AREA COMMAND (Cottonwood Sub)**
Pete Gelabert

_____ **SOUTHEAST AREA COMMAND**
Laura Kuehn

_____ **SOUTHWEST AREA COMMAND**
Bill Jackson

_____ **CRIME PREVENTION**
(FH and NE) Steve Sink

REVIEWED BY: Steve Sink PHONE: 924-3600

DATE: 3/30/10

DRB/EPC/LUCC APPLICATION CHECKLIST

A review of DRB Case 1002123 indicates the following problems or crimes may occur or that the following concerns may need to be evaluated or addressed on this site or in this area. These comments do not indicate that a thorough CPTED evaluation has been done, or that other criminal activities may not occur.

- Traffic volume/*Explain:*
- Traffic control devices/*Explain:*
- Burglaries/*Explain:*
- Speeding violations/*Explain:*
- Lighting issues/*Explain:*
- Maintenance of landscaping/*Explain:*
- Robbery/*Explain:*
- Assault/*Explain:*
- Shoplifting/*Explain:*
- Accidents in the parking lot/*Explain:*
- A higher probability of crimes during evening/weekend hours/*Explain:*
- Commercial burglary/*Explain:*
- Rape/*Explain:*
- Adequate security/*Explain:*
- Alarm security/*Explain:*
- Alarm response i.e. false alarms, etc/*Explain:*
- Transients/*Explain:*
- Need for neighborhood association/*Explain:*

Other: *No Crime Prevention or CPTED comments concerning the proposed Vacation of Public Right-of-Way at this time.*



400 Tijeras NW
Station 520
Albuquerque, NM 87102

March 19, 2010

Ms. Angela Gomez-Administrative Assistant
Plaza Del Sol
600 Second St. NW
Planning Dept.-Development Services
Albuquerque, NM 87102

Subject: Case Number(s) Project# 1002123, Appl 10DRB-70076

Dear Ms. Gomez:

Concerning the subject case number(s), Qwest cannot vacate the public right-of-way; Qwest has an existing facility crossing the San Clemente Ave, providing service between Tract A and Lots 1-A and 1-B. Prior to any final plat approval, we will need a copy for review. If specific information is required concerning the requested right-of-way vacation, please contact Natalia Antonio at 245-6846.

Sincerely,

A handwritten signature in black ink that reads "Michele Ramirez". The signature is written in a cursive, flowing style.

Michele Ramirez
Qwest Corporation



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

March 31, 2010

Project# 1002123

10DRB-70076 VACATION OF PUBLIC RIGHT-OF-WAY

DEL'S HIDE-A-WAY PARK LTD request(s) the referenced/ above action(s) for all or a portion of **SAN CLEMENTE AVENUE NW**, located on the east side of 4TH ST NW to the NORTH ALAMEDA DRAIN [re-application of expired vacation 08DRB-70412] (G-14)

AMAFCA

No comments.

COG

TRANSIT

Adjacent and nearby routes

Nearest route is Route #10, North Fourth Street route, located on 4th street 150 feet west of the south west corner of the property

Adjacent bus stops

Nearest stop serving northbound Route #10 is located on 4th street, approximately 270' southwest of the property.

Site plan requirements

None

Large site TDM suggestions

None.

Other information

None.

ZONING ENFORCEMENT

No comments.

NEIGHBORHOOD COORDINATION

APS

San Clemente Avenue NW, located on the east side of 4th St NW to the North Alameda Drain. The owner of the above property requests a Vacation of Public Right-of-Way, this development will consist of 37 townhouses at full build out. This will impact La Luz Elementary, Garfield Middle School, and Valley High School. La Luz Elementary and Garfield Middle School are exceeding capacity; Valley High School has excess capacity.

Loc No	School	2009-10 40th Day	2009-10 Capacity	Space Available
282	La Luz	768	430	-338
410	Garfield	958	456	-502
560	Valley	1,994	2,200	206

Residential Units: 37

Est. Elementary School Students: 10

Est. Middle School Students: 4

Est. High School Students: 3

Est. Total # of Students from Project: 18

*The estimated number of students from the proposed project is based on an average student generation rate for the

entire APS district.

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

POLICE DEPARTMENT

No comments.

FIRE DEPARTMENT

No comments.

PNM ELECTRIC & GAS

No comments.

COMCAST

No comments.

QWEST

No comments.

ENVIRONMENTAL HEALTH

No comments.

M.R.G.C.D

1. Previously reviewed 01/13/2010.
2. The MRGCD currently has an access easement thru San Clemente Ave as shown on the Plat of Del's Hide-A-Way Park Plat which was approved by the MRGCD on 01/04/2010.

OPEN SPACE DIVISION

No comments.

CITY ENGINEER

The Hydrology section has no objection to the vacation request.

TRANSPORTATION DEVELOPMENT

No objection to vacation request.

PARKS AND RECREATION

No objection.

ABCWUA

No comments.

PLANNING DEPARTMENT

Refer to any public hearing comments plus comments from Transportation Development and affected agencies regarding proposed vacation.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, March 31, 2010**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project# 1002123
10DRB-70076 VACATION OF PUBLIC
RIGHT-OF-WAY

DEL'S HIDE-A-WAY PARK LTD request(s) the referenced/ above action(s) for all or a portion of **SAN CLEMENTE AVENUE NW**, located on the east side of **4TH ST NW** to the **NORTH ALAMEDA DRAIN** [re-application of expired vacation 08DRB-70412] (G-14)

Project# 1004036
10DRB-70078 MAJOR - 2YEAR
EXTENSION OF SUBDIVISION
IMPROVEMENTS AGREEMENT
(2YR SIA)

MAX and VICTORIA CONTRERAS request(s) the above/ referenced action(s) for all or a portion of **MAX REPLAT** zoned RA-2 and R-1, located on the west side of **RIO GRANDE BLVD NW** between **LOS ANAYAS RD NW** and **ZICKERT RD NW** containing approximately 1.0661 acre(s). (H-12, H-13)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays **INDIVIDUALS WITH DISABILITIES** who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 - TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.


Jack Cloud, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, MARCH 15, 2010.

HEARINGS DATE 3-31-10 (FRU)

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION	S Z ZONING & PLANNING
<input type="checkbox"/> Major Subdivision action	<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor Subdivision action	<input type="checkbox"/> County Submittal
<input checked="" type="checkbox"/> Vacation	<input type="checkbox"/> EPC Submittal
<input type="checkbox"/> Variance (Non-Zoning)	<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning)
SITE DEVELOPMENT PLAN	<input type="checkbox"/> Sector Plan (Phase I, II, III)
<input type="checkbox"/> for Subdivision	<input type="checkbox"/> Amendment to Sector, Area, Facility or Comprehensive Plan
<input type="checkbox"/> for Building Permit	<input type="checkbox"/> Text Amendment (Zoning Code/Sub Regs)
<input type="checkbox"/> Administrative Amendment (AA)	<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> IP Master Development Plan	L A APPEAL / PROTEST of...
<input type="checkbox"/> Cert. of Appropriateness (LUCC)	<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals
STORM DRAINAGE (Form D)	
<input type="checkbox"/> Storm Drainage Cost Allocation Plan	

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICATION INFORMATION:

Professional/Agent (if any): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: Del's Hide-A-Way Park, LTD
Philip D. Sheets PHONE: 610-4104
 ADDRESS: P.O. Box 6901 FAX: _____
 CITY: Albuq. STATE NM ZIP 87197-6901 E-MAIL: _____

Proprietary interest in site: Philip D. Sheets List all owners: Pamela J. Sheets

DESCRIPTION OF REQUEST: Vacation of Public Right-of-Way on San Clemente Ave., East of North Fourth Street

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. Easterly 828 St. San Clemente Ave Block: _____ Unit: _____
 Subdiv/Addn/TBKA: Del's Hide-A-Way Park and Gibson Tract A
 Existing Zoning: SU-1 for R-T Proposed zoning: R-2 MRGCD Map No 33
 Zone Atlas page(s): G-14-Z UPC Code: NA

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.).
10002123 7404.81 08 DRB 70412

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: NA No. of proposed lots: NA Total area of site (acres): 0.9423 AC.
 LOCATION OF PROPERTY BY STREETS: On or Near: San Clemente Ave East of 4th St.
 Between: North 4th St. NW and North Alameda Drain

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: 10/22/08

SIGNATURE Philip D. Sheets DATE 03/04/10
 (Print) Philip D. Sheets Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

- INTERNAL ROUTING
- All checklists are complete
- All fees have been collected
- All case #s are assigned
- AGIS copy has been sent
- Case history #s are listed
- Site is within 1000ft of a landfill
- F.H.D.P. density bonus
- F.H.D.P. fee rebate

Application case numbers	Action	S.F.	Fees
<u>10 DRB 70076</u>	<u>VIEW</u>	<u>✓</u>	<u>\$ 0</u>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
Hearing date <u>03/31/10</u>			Total <u>\$ 0</u>

Sandy Handley 03/04/10 Project # 1002123
 Planner signature / date

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** **(PUBLIC HEARING CASE)**
 - Application for Minor Plat on FORM S-3, including those submittal requirements. **24 copies**
 - Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 - Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application.
- DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- VACATION OF PUBLIC EASEMENT (DRB27)**
 - VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)**
 - The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
(Not required for City owned public right-of-way.)
 - Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
 - SIDEWALK WAIVER (DRB21)**
 - Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance or waiver
 - List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
 - Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the variance
 - Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 - Sign Posting Agreement
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.**

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
 - EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)**
 - Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the deferral or extension
 - List any original and/or related file numbers on the cover application
- DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.**

- VACATION OF PRIVATE EASEMENT (DRB26)**
 - VACATION OF RECORDED PLAT (DRB29)**
 - The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
 - Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
 - Letter of authorization from the grantors and the beneficiaries (private easement only)
 - Fee (see schedule)
 - List any original and/or related file numbers on the cover application
- Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Del's Hide-A-Way Park, LTD
Philip D. Sheets
 Applicant name (print)
Philip D. Sheets
 Applicant signature / date



- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
 10 DRB - 70076

Form revised 4/07
Sandy Handley 03/04/10
 Planner signature / date
 Project # 1002123

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from MARCH 16, 2010 To MARCH 31, 2010

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

[Signature]
(Applicant or Agent)

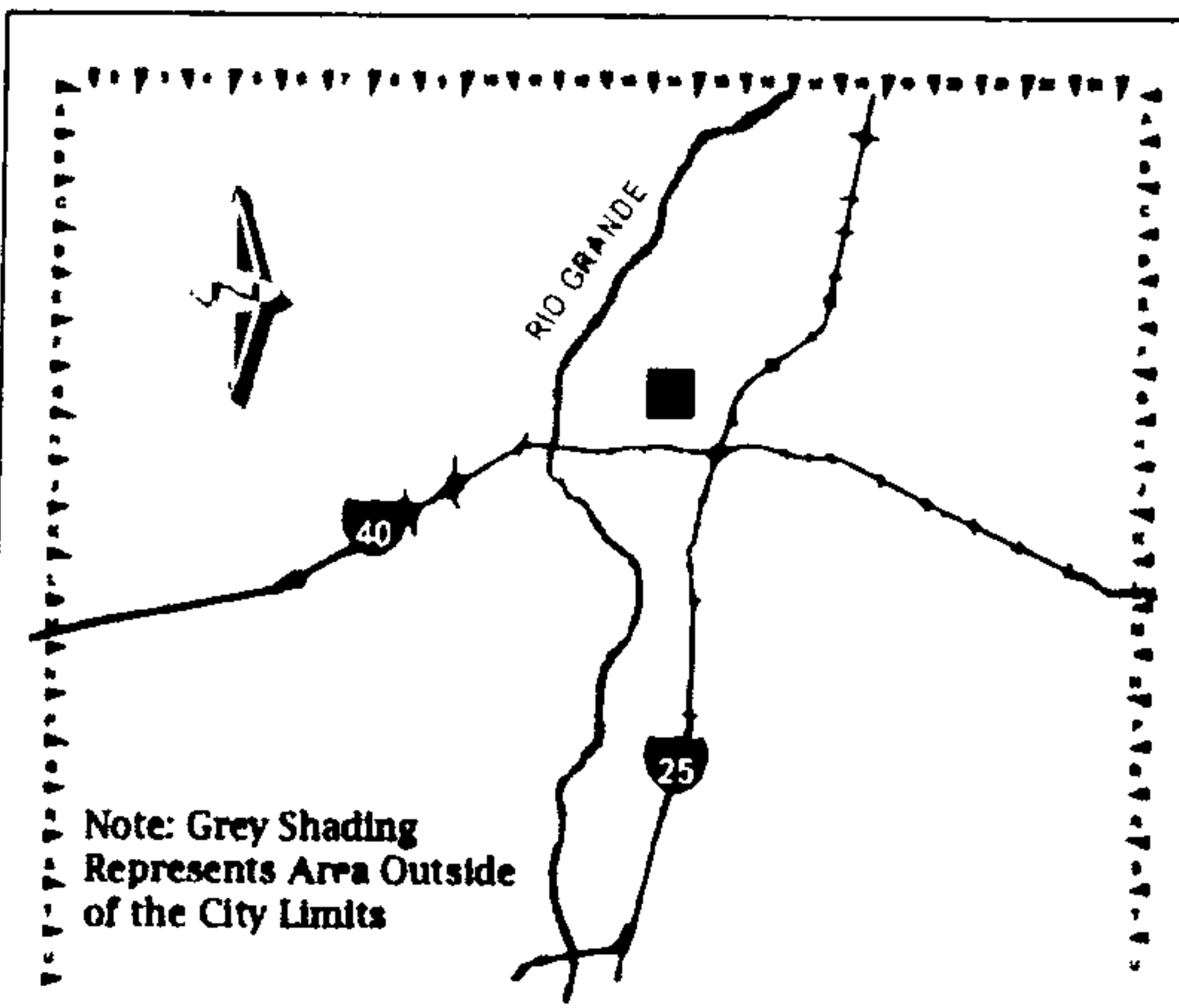
03/04/10
(Date)

I issued 2 signs for this application, 03/04/10 Sandy Handley
(Date) (Staff Member)

DRB PROJECT NUMBER: 1002123



For more current information and more details visit: <http://www.cabq.gov/gis>



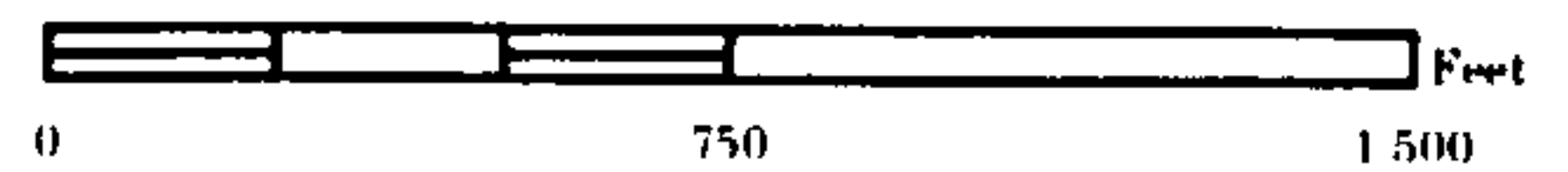
Note: Grey Shading Represents Area Outside of the City Limits

Address Map Page:

G-14-Z

Map amended through: 5/7/2009

These addresses are for information purposes only and are not intended for address verification.



**Del's Hide-A-Way Park, LTD
PO Box 6901
Albuquerque, New Mexico 87197-6901
(505) 616-3988**

March 3, 2010

City of Albuquerque
Planning Department
Development Review Board

Re: Project 1002123
Vacation of Public Right-of-Way

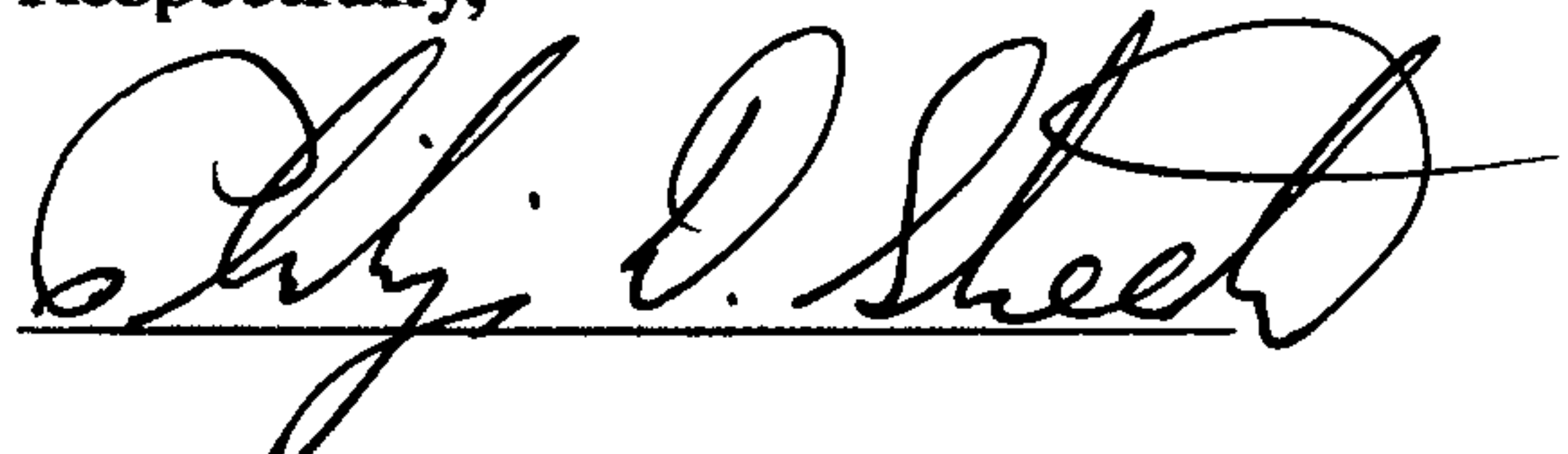
Dear Board Members;

Please approve this application to vacate San Clemente Ave. NW in order for it to become a gated private street.

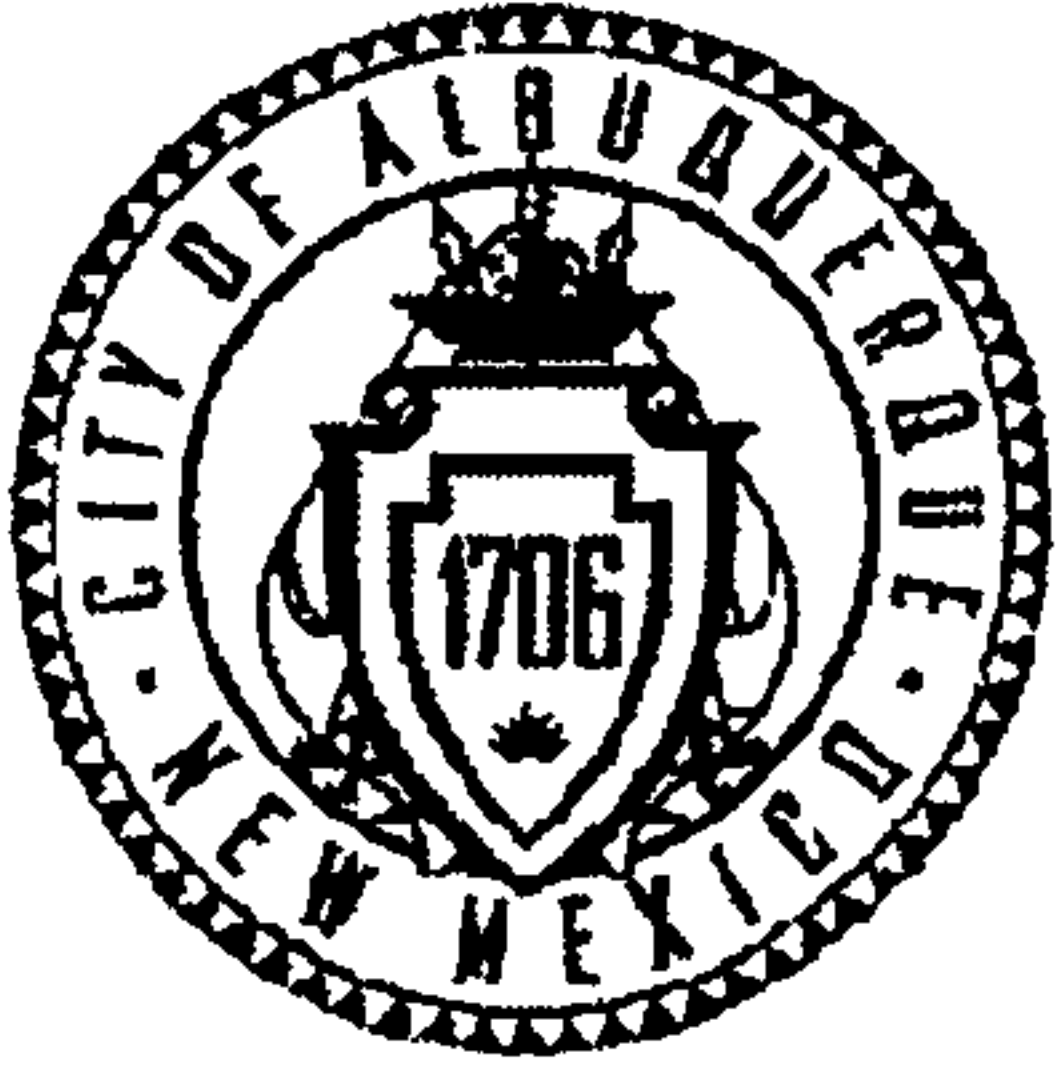
We are the owners of the majority of the footage of the land abutting the proposed vacation. We are also the majority land owner by the number of lots and the amount of acres surrounding the proposed vacated portion of San Clemente Ave.

This is the same application as 08DRB – 70 412, October 22, 2008.

Respectfully,

A handwritten signature in black ink, appearing to read "Philip D. Sheets", written over a horizontal line.

Philip D. Sheets
610-4104



DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood and/or homeowner association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. Your Developer Inquiry is for the following:

Cell Tower & Type: [] Free-Standing Tower -OR- [] Concealed Tower
Private Development [] EPC DRB [] LUCC [] Liquor Submittal
[] Administrative Amendments (AA's)

City Project [] Special Exception Application (ZHE) []

CONTACT NAME: Philip D. Sheets
COMPANY NAME: Del's Hide-A-Way Park, LTD
ADDRESS/ZIP: P.O. Box 6901, Albug. N.M. 87197-6901
PHONE: (505) 610-4104 FAX: _____

LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

Lots 1 thru 35 Del's Hide-A-Way Park

LEGAL DESCRIPTION

LOCATED ON San Clemente Ave. N.W.

STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN North Fourth and North 2nd Street AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (G-14).
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)
(Zone Map **MUST** be provided with request)

Del's Hide-A-Way Park, LTD
PO Box 6901
Albuquerque, New Mexico 87197-6901
(505) 615-3988

March 3, 2010

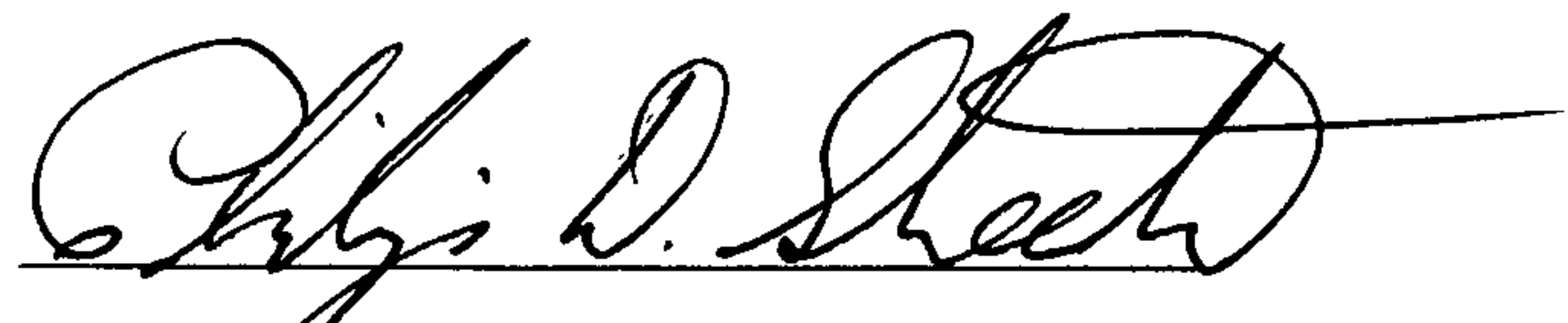
The Greater Gardner N. A.
Kyle Silber
David Wood
Monkbridger Gardens N. A.
David Benavidez
Tamara Thiedeman
North Fourth Camino Real Merchants Association, Inc.
Scott Steinberg
Ted Brown

Re: Action to Vacate Public Right-of-Way,
San Clemente Ave. NW, East of 4th Street

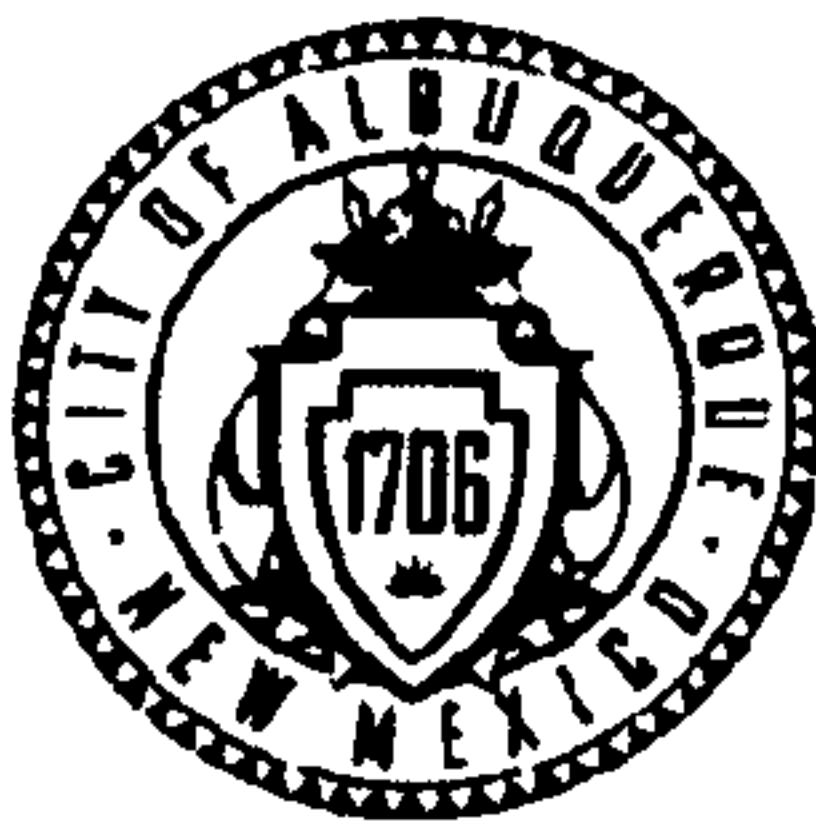
This is an application to Vacate the Street of San Clemente Ave. NW, East of 4th Street, to be held at a public hearing in order to become a gated, private Street.

This hearing will be held by the Development Review Board (DRB) on March 31, 2010
at 9:00 AM.

Respectfully,



Philip D. Sheets
610-4104



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Date: 3-4-10

TO CONTACT NAME: Philip Sheets
COMPANY/AGENCY: Nell's Hide-A-Way Park, LTD
ADDRESS/ZIP: Box 2901 Albug NM 87197
PHONE/FAX #: 610-7104

Thank you for your inquiry of 3-4-10 (date) requesting the names of ALL Affected

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at San Clemente Ave N.W., zone map page(s) 6-14.

Our records indicate that the Affected Neighborhood and/or Homeowner Associations affected by this proposal and the contact names are as follows:

Greater Garden Neighborhood or Homeowner Association: Mark Widge Gorden
North Fourth Neighborhood or Homeowner Association: [Signature]

See reverse side for additional Neighborhood and/or Homeowner Associations Information: YES { } NO [X]

Please note that according to O-92 you are required to notify each of these contact persons by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE the Planning Department will accept your application filing. IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.

Sincerely, [Signature] OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

THE GREATER GARDNER N.A. (GRG) "R"

***Kyle Silfer** *e-mail:* kyle@rtoads.com
4465 Jupiter St. NW/87107 265-5840 (h) 746-0660 ext. 242 (w)
David Wood *e-mail:* wood_cpa@msn.com
158 Pleasant NW/87107 344-4674 (h) 250-0421 (c)

Council District: 2
County District: 1
Police Beat: 238/VA
Zone Map #: G-14

MONKBRIDGE GARDENS N.A. (MBG) "R"

***David Benavidez** *e-mail:* papashortz@aol.com
3809 5th St. NW/87107 345-3765 (h)
Tamara Thiedeman *e-mail:* tamizinha@hotmail.com
605 Headingly NW/87107 463-3317 (h)

Council District: 2
County District: 1
Police Beat: 238/VA
Zone Map #: G-14-15

NORTH FOURTH CAMINO REAL MERCHANTS ASSOC. INC. (NFC) "R"

***Scot Steinberg** *e-mail:* ssteinberg11@comcast.net
3906 4th St. NW/87107 344-1777 (w)
Ted Brown *e-mail:* tedbrown@hubwest.com
P.O. Box 26508/87125 345-9051 (h)

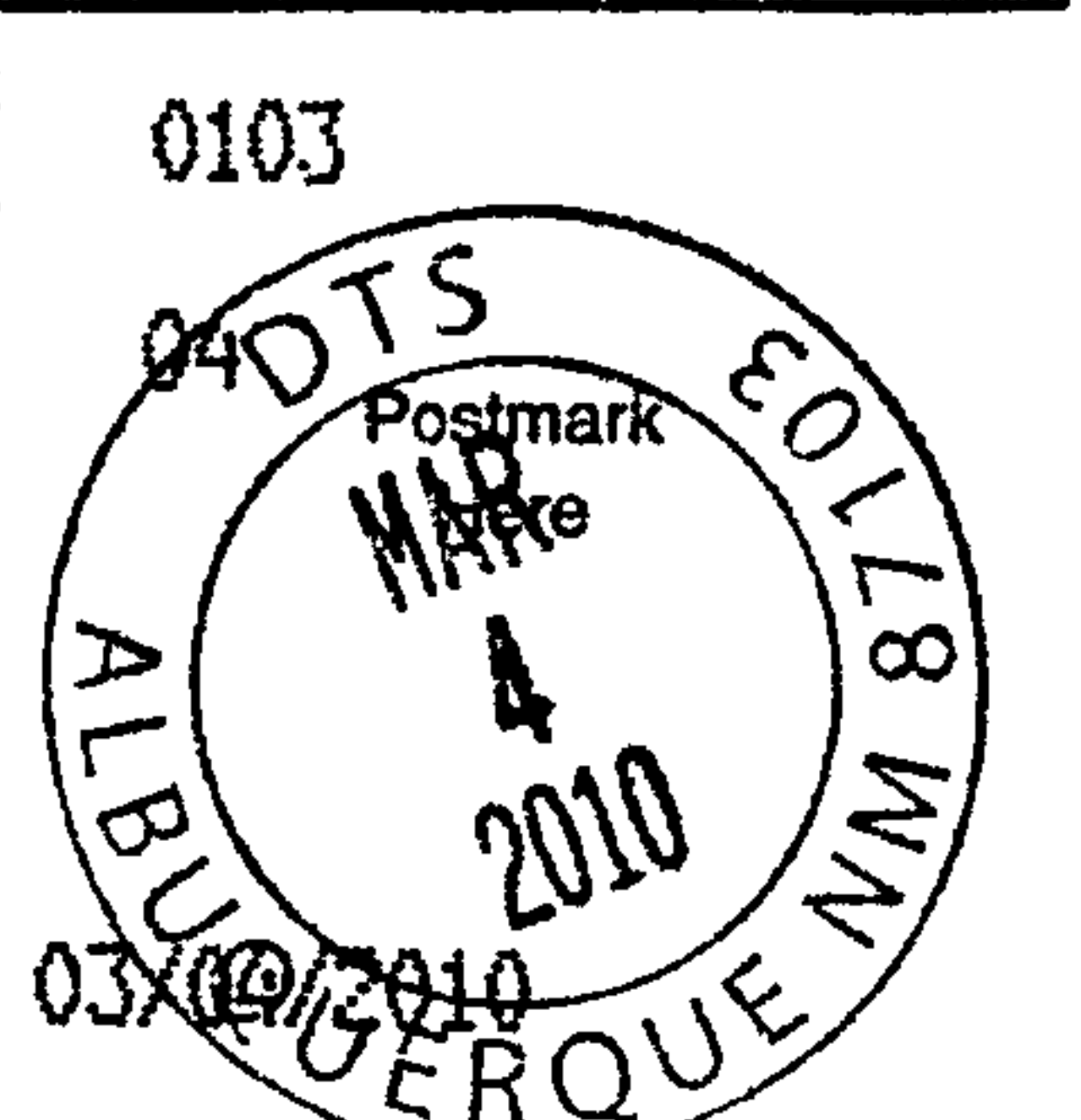
Council District: 2,3&County
County District: 1
Police Beat: 225,232-234,236,238-239/VA
Zone Map #: E-J-14-15

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 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE
 ALBUQUERQUE NM 87107

Postage	\$ 0.44
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$2.30
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.54



Sent To: David Benavidez (MBC)
 Street, Apt. No., or PO Box No.: 3809 5th St. N.W.
 City, State, ZIP+4: Albuq, NM 87107
 PS Form 3800, August 2006 See Reverse for Instructions

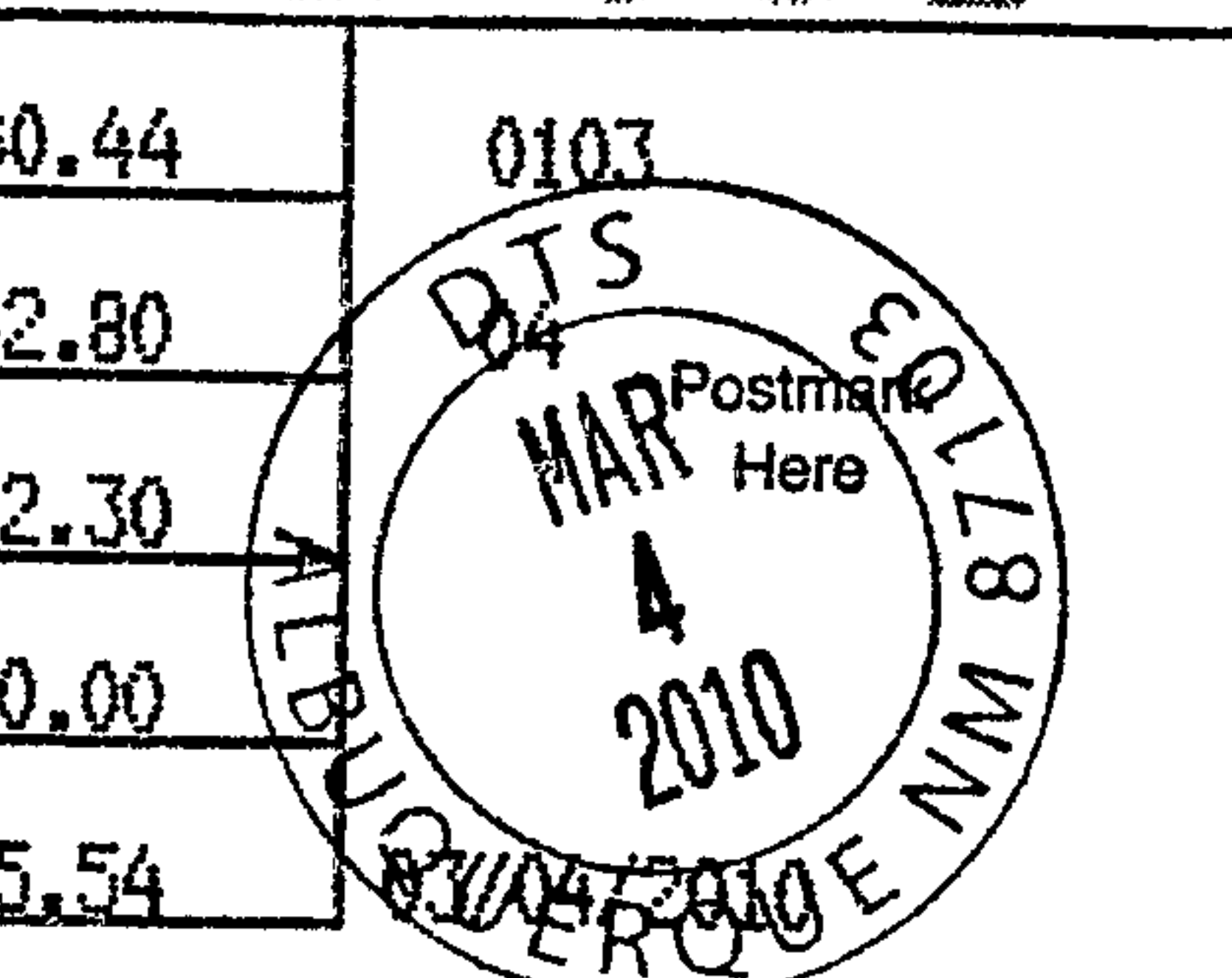
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U.S. Postal Service
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OFFICIAL USE
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Postage	\$ 0.44
Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$2.30
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.54



Sent To: Ted Brown
 Street, Apt. No., or PO Box No.: P.O. Box 26508 - 87125
 City, State, ZIP+4: Albuq, NM 87125
 PS Form 3800, August 2006 See Reverse for Instructions

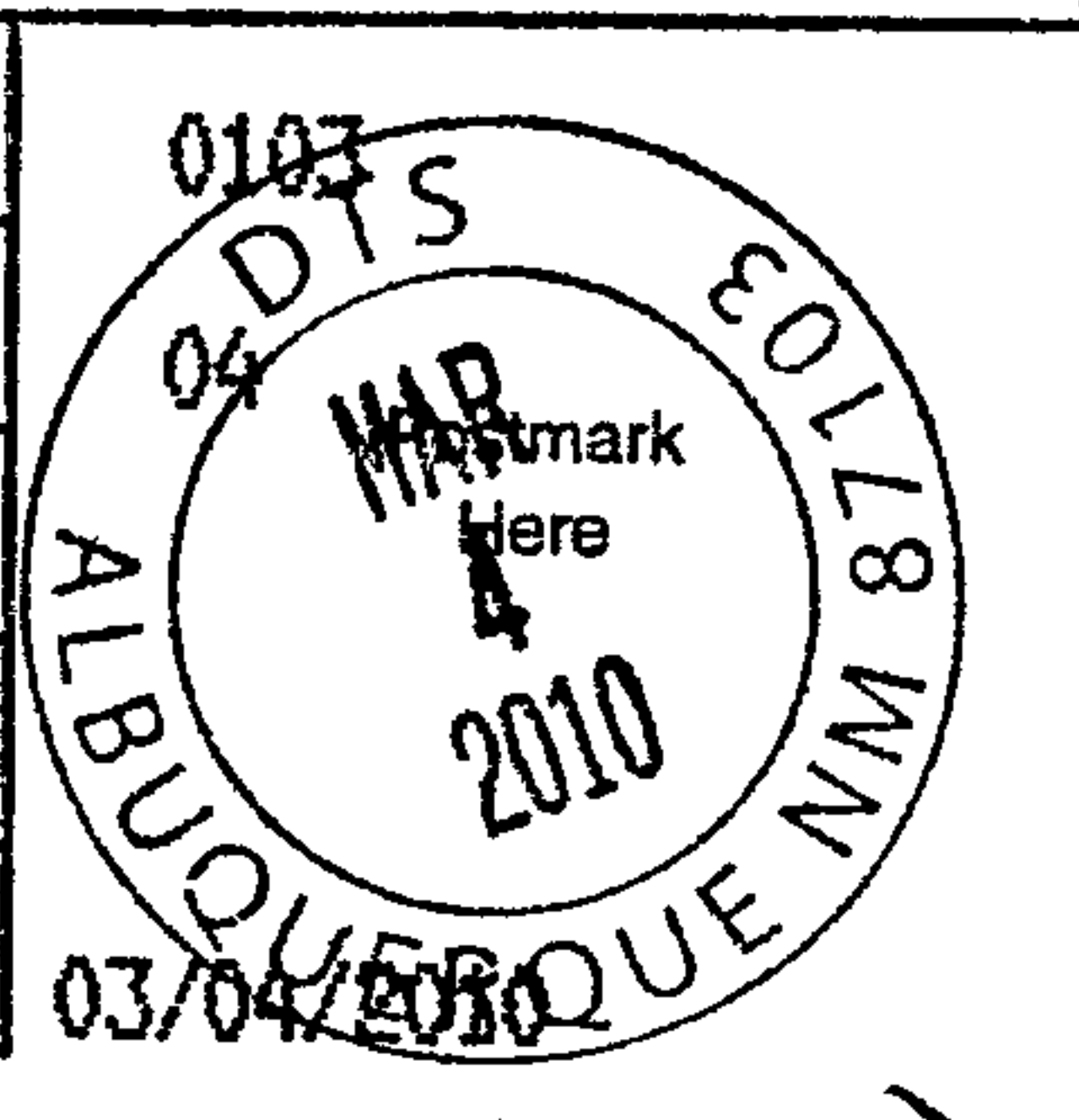
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OFFICIAL USE
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Certified Fee	\$2.80
Return Receipt Fee (Endorsement Required)	\$2.30
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.54



Sent To: Tamara Thiedeman (MBC)
 Street, Apt. No., or PO Box No.: 605 Headingly N.W.
 City, State, ZIP+4: Albuq, NM 87107
 PS Form 3800, August 2006 See Reverse for Instructions

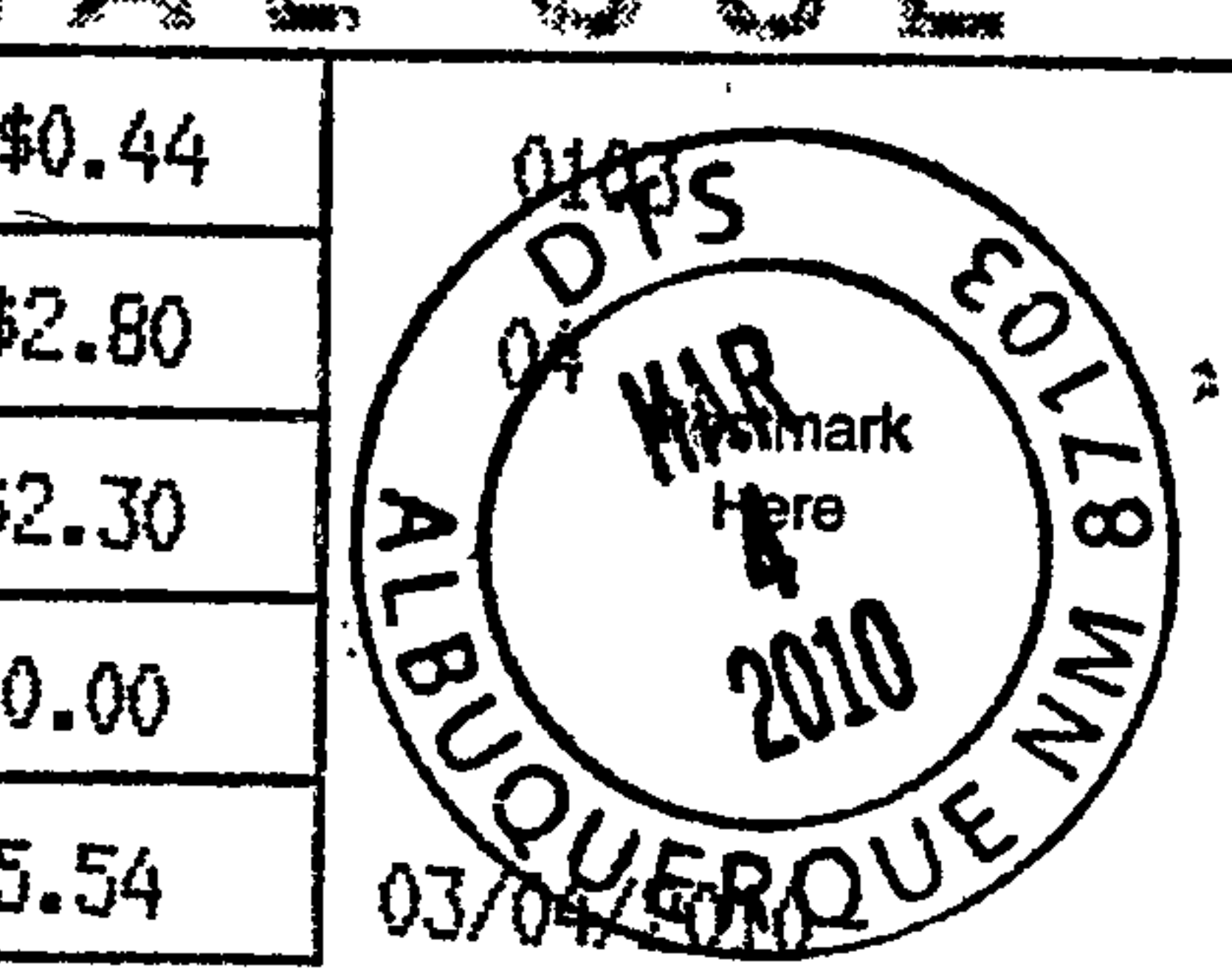
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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 5.54



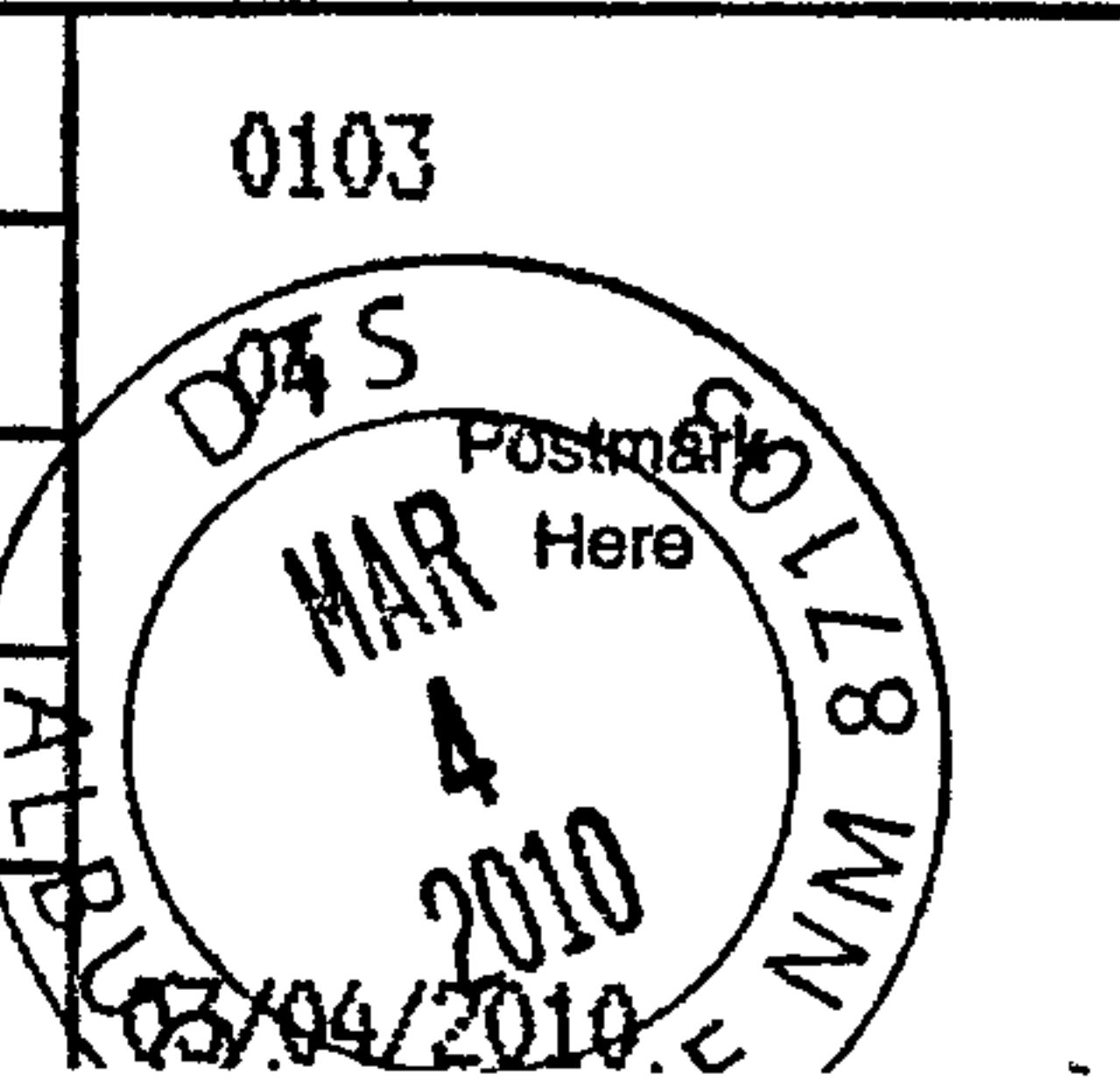
Sent To: Kyle Siffer @ R.G.
 Street, Apt. No., or PO Box No.: 4465 Jupiter St. NW
 City, State, ZIP+4: Albuq NM 87107
 PS Form 3800, August 2006 See Reverse for Instructions

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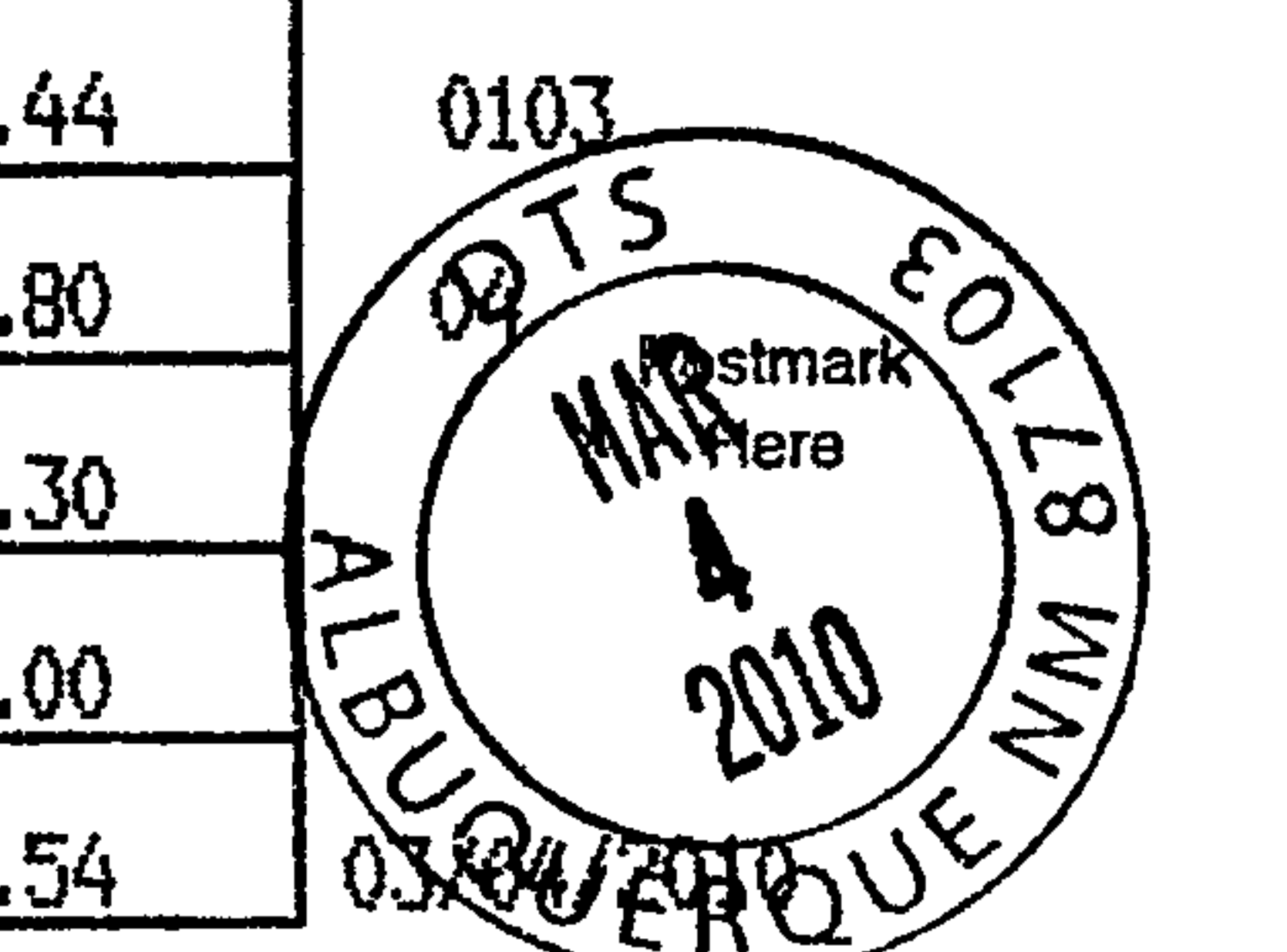


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Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Postage & Fees	\$ 5.54	

Sent To: *Scott Steinberg (N.F.C.)*
 Street, Apt. No., or PO Box No.: *3906 4th St. NW*
 City, State, ZIP+4: *Albuq, N.M. 87107*

7009 2250 0000 9675 2491

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Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	

Sent To: *David Wood (FRG)*
 Street, Apt. No., or PO Box No.: *158 Pleasant NW*
 City, State, ZIP+4: *Albuq N.M. 87107*

St. Brook Add.
(New sheet arrangement)

QUITCLAIM DEED

2-1432

BLAS GARCIA and JENNIE A. GARCIA, his wife, for consideration paid, quitclaim to
CITY OF ALBUQUERQUE, a municipal corporation,

the following described real estate in Bernalillo County, New Mexico:

A strip of land fifty (50) feet in width to be used for road purposes across the north end of the hereinafter described property, such roadway running from west to east; to-wit:
A tract of land in School District No. 22, Bernalillo County, New Mexico, within the Town of Albuquerque Grant, comprising property designated as Tract 25-a on Middle Rio Grande Conservancy District Property Map No. 33 and which is bounded as follows:
NORTH by land of Wardie D. Burton and land of Delia M. Kottman; SOUTH by the Brock Addition; EAST by the Alameda Drain; and WEST by a public street known as North Fourth Street, and more particularly described as follows: BEGINNING at the Southwest corner, which is the Northwest corner of the BROCK ADDITION to the City of Albuquerque, New Mexico, as the same is shown and designated on the Plat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico, May 15, 1945; running from said beginning-point N. 8°57' E., along the Easterly line of a public street known as North Fourth Street, 182.75 feet to the Northwest corner; thence S. 76°10' E., 838.24 feet to the Northeast corner; thence S. 8°57' W., along the Westerly line of the Alameda Drain 182.75 feet to the Southeast corner; thence N. 76°10' W. along the Northerly line of said Brock Addition, 838.24 feet to the place of beginning; containing 3.504 acres, more or less.

In the event such strip of land is not to be used for a roadway, it shall revert to the grantors herein.

APPROVED AS TO FORM

APPROVED AS TO DESCRIPTION

MAY 12 1965

DATE 3/15/65
WILLIAM T. STEVENS CITY ENGINEER

FRANCIS J. [Signature] Attorney at Law, this 25th day of February, 1965.

(Seal) [Signature] (Seal)

(Seal) [Signature] (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 25th day of FEBRUARY, 1965, by BLAS GARCIA and JENNIE A. GARCIA, his wife.

My commission expires: 22 Jan 67

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this day of 1965,

by (Name of Officer)

(Title of Officer) of (Name of Corporation Acknowledging)

a corporation, on behalf of said corporation. (State of Incorporation)

My commission expires: (Seal) Notary Public

FOR RECORDER'S USE ONLY
Rec'd 3/15/65
Vol. 11-770
Index - 674

1002123

8070108

NORTH FOURTH STREET N.W.

SAN CLEMENTE AVE. N.W.
(PRIVATE ROAD)

