



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

APRIL 28, 2004

2. Project # 1002224
04DRB-00506 Major-Vacation of Pub Right-of-Way

ISAACSON & ARFMAN PA agent(s) for CITY OF ALBUQUERQUE, OPEN SPACE DIVISION request(s) this action(s) for all or a portion of Tract(s) 6-B-1 and 8-A-1-A-2-A, M.R.G.C.D. MAP 31, **LOS POBLANOS RANCH**, zoned SU-1 Major Public Open Space, located on ADOBE RD NW, between ANDERSON FIELDS TRACTS NW NORTH OF MONTANO RD NW containing approximately 1 acre(s). [REF: 03DRB-01172, 03EPC-00695, 04DRB-00335, 02EPC-01482, 02DRB-01425] (F-13)

At the April 28, 2004, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions and with a condition of final plat approval:

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. Final disposition shall be through the City Real Estate Office.
2. 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

Access to existing waterline and sewer line meters must be maintained. The replat must meet the requirements of Utility Development and Customer Service Divisions.



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04DRB-00335 Major-Vacation of Pub Right-of-Way

ISAACSON & ARFMAN, P.A. agent(s) for CITY OF ALBUQUERQUE, OPEN SPACE DIVISION request(s) this action(s) for all or a portion of Tract(s) 8-A1-2-B-1, M.R.G.C.D. MAP 31, **LOS POBLANOS RANCH**, zoned CITY OF ALBUQUERQUE, OPEN SPACE, located on CITY OPEN SPACE, between ADOBE ROAD NW and MONTANO ROAD NW containing approximately 7 acre(s). [REF: 1002634, 03DRB-01172, 03EPC-00695, 02EPC-01482, 02DRB-01425] [*Deferred from 4/7/04*] (F-13)

At the April 28, 2004, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file, subject to these findings and conditions and with a condition of final plat approval:

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. Final disposition shall be through the City Real Estate Office.
2. 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

The final plat will grant the new alignment of Adobe Road. Infrastructure will be required with that platting action.

If you wish to appeal this decision, you must do so by May 13, 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 Division form, to the Planning Division, within 15 days of the Development Review Board's decision.



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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.)


Sheran Matson, AICP, DRB Chair

cc: Isaacson & Arfman PA, 128 Monroe St NE, 87108
City of Albuquerque, Open Space Division, P.O. Box 1293, 87103
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File