



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

4-17-2003

**4. Project # 1002249**  
03DRB-00445 Major-Vacation of Public Easements

TIERRA WEST, LLC agent(s) for WALMART STORES EAST, INC. request(s) the above action(s) for all or a portion of Tract(s) E1 & F1, **AMERICAN SQUARE**, zoned C-2 community commercial zone; SC, Shopping Center Site, located on CARLISLE BLVD NE, between CLAREMONT AVE NE and PHOENIX AVE NE containing approximately 23 acre(s). [REF: 02EPC-01475, 02EPC-01476, Z-86-12] (H-16)

At the April 16, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to the Findings and Conditions of the Subdivision Ordinance as follows:

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.



**OFFICIAL NOTICE  
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If you wish to appeal this decision, you must do so by May 1, 2003, 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. 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: Walmart Stores East Inc., 2001 S E 10<sup>th</sup> Street, Bentonville, AR 72716  
Tierra West LLC, 8509 Jefferson NE, 87113  
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

June 29, 2005

**2. Project # 1002249**  
05DRB-00953 Major-One Year SIA

TIERRA WEST LLC agent(s) for WALMART STORES INC request(s) the above action(s) for all or a portion of Tract(s) E-1-A, F-1-A and F-1-B, **AMERICAN SQUARE**, zoned C-2 SC, located on CARLISLE BLVD NE, between CLAREMONT AVE NE and PHOENIX AVE NE containing approximately 13 acre(s). [REF: 02EPC01475, 02EPC01476, 03DRB00770, 04AA01253] (H-16)

At the June 29, 2005, Development Review Board meeting, a one-year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by July 14, 2005, 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).

  
Sheran Matson, AICP, DRB Chair

Cc:Walmart Stores East L.P., 2001 SE 10<sup>th</sup> St, Bentonville, AR 72716  
Tierra West LLC, 8509 Jefferson NE, 87113  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File