



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

3-13-2003

6. Project # 1002468
03DRB-00195 Major-Vacation of Pub Right-of-Way

GILBERT J LOVATO request(s) the above action(s) for all or a portion of Lot(s) 18, 19, 20 and 21, Block(s) 4, (to be known as **BELMONT PLACE ADDITION**, zoned R-1, located on 5TH ST NW, between GRIEGOS NW and BELLROSE NW containing approximately 1 acre(s). (G-14)

At the March 12, 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.
3. Affected utility companies shall acknowledge the vacation by their signatures on the replat.

If you wish to appeal this decision, you must do so by March 27, 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.



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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: Gilbert Lovato, 3738 Arno NE, 87107
Sam Garcia & Richard Walker, 4601 5th St NW, 87107
Frances Tafoya, 4604 5th St NW, 87107
Jose Ulibarri, 4610 5th St NW, 87107
Karen McSorley, 4620 5th St NW, 87107
Al Rader, 4511 5th St NW, 87107
Marge Sena, 4523 5th St NW, 87107
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File