



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

3-27-2003

4. **Project # 1002503**

03DRB-00337 Major-Vacation of Pub Right-of-Way
03DRB-00340 Major-Vacation of Public Easements
03DRB-00341 Major-Vacation of Public Easements
03DRB-00342 Major-Vacation of Public Easements

WILSON & COMPANY INC. agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION request(s) the above action(s) for Lots 7-9, Inclusive, Block 10; Lots 8-11, Inclusive, Block 11; Lots 1 and 8 -14, Inclusive, Block 12 and Lots 1-3, Inclusive, Block 14, ALL IN **VOLCANO CLIFFS SUBDIVISION, UNIT 5, TOGETHER WITH**, Lots 1-12, Inclusive, Block 1; Lots 1-10, Inclusive, Block 2; Lots 1-12, Block 3; Lots 1 -15, Block 4 and Lots 13-20, Inclusive, Block 5, ALL IN **VOLCANO CLIFFS SUBDIVISION, UNIT 24**, zoned R-1, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). (D-10)

At the March 26, 2003, Development Review Board meeting, the Vacations were 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. Alternate drainage easements or right-of-ways identified in an approved drainage report shall be provided on the final plat.
2. No objection to the vacation of the public right-of-way on the condition that the which completes this vacation action dedicates the Unser Boulevard right-of-way in full width and alignment as approved by the project manager for the Unser Boulevard construction.
3. The Southern Union Gas Company easement Vacation action is contingent on an agreement between the City of Albuquerque and the utility company having an interest in this easement regarding the utilities within this easement section.



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4. The gas company that has the rights within this easement will be required to sign the plat completing this vacation in accordance with the Subdivision Ordinance.
5. Final disposition shall be through the City Real Estate Office.
6. 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.

If you wish to appeal this decision, you must do so by April 10, 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.)

A handwritten signature in blue ink that reads "Roger Green".

For Sheran Matson, AICP, DRB Chair

cc: Volcano Cliffs Property Owners Assn., David Heil, P.O. Box 27666, 87125
Wilson & Company, 4900 Lang Ave NE, 87109
Patricia von Schuetze, 10169 Edith 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

9-4-2003

5. Project # 1002503
03DRB-01268 Major-Preliminary Plat Approval

WILSON & COMPANY, INC. agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION, request(s) the above action(s) for all or a portion of Unit(s) 24 Block(s) 1-5 and Unit(s) 5, Partial Block(s) 1-12 and 14, VOLCANO CLIFFS SUBDIVISION (to be known **UNSER CLIFFS SUBDIVISION**, zoned R-1 residential zone, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). [REF: 03DRB-00295 SK, 03DRB-00337 & 340 VRW & VPE, 03DRB-00341 & 42 VPE] [*Deferred from 8/20/03*] (D-10/E-10)

At the September 3, 2003, Development Review Board meeting, with the signing of the infrastructure list dated 9/3/03 and approval of the grading plan engineer stamp dated 6/12/03 the preliminary plat was approved.

03DRB-01431 Major-Final Plat Approval

WILSON & COMPANY agent(s) for VOLCANO CLIFFS PROPERTY OWNERS ASSOCIATION request(s) the above action(s) for all or a portion of Unit(s) 24 Block(s) 1-5 and Unit(s) 5, Partial Block(s) 1-12 and 14, VOLCANO CLIFFS SUBDIVISION (to be known as **UNSER CLIFFS SUBDIVISION**, zoned R-1 residential zone, located on 81st ST NW, between UNSER BLVD NW and MARIGOLD DR NW containing approximately 42 acre(s). [REF: 03DRB-00295 SK, 03DRB-00337 & 340 VRW & VPE, 03DRB-00341 & 42 VPE] (D-10/E-10)

At the September 3, 2003, Development Review Board meeting, the final plat was delegated off the Agenda to Internal Routing.

If you wish to appeal this decision, you must do so by September 18, 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 a Preliminary Plat approval date is the date of the DRB action plus the 15-day appeal period. The Preliminary Plat approval is effective one year from that date. The DRB must take action on the Preliminary Plat Extension prior to the expiration of the approval or the Preliminary Plat approval is null and void. (REF: Chapter 14 Article 14 Part 3-4 (E) Revised Ordinance.)

Sheran Matson, AICP, DRB Chair

Cc: Volcano Cliffs Property Owners Assn., Attn: Bill Wright, Pres., P.O. Box 27666,
87125

Wilson & Co., Inc., Attn: Robert MacLake, 4900 Lang Ave NE, 87109

Barbara Mueller, 4904 Alberta Ln NW, 87120

Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.

Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg

File