



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

5-22-2003

- 2. Project # 1002602**
03DRB-00642 Major-Vacation of Public Easements
03DRB-00643 Minor-Prelim&Final Plat Approval

MARK GOODWIN & ASSOC agent(s) for SUNSET WEST request(s) the above action(s) for all or a portion of Block(s) 2, Tract(s) A, **EAGLE ROCK ESTATES UNIT II, POND RECLAMATION**, zoned R-D/7DU/ac, located on LOUISIANA BLVD NE, between EAGLE ROCK AVE NE and OAKLAND AVE NE containing approximately 8 acre(s). [REF: DRB-97-374] (C-19)

At the May 21, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to the following Findings and Conditions of the Subdivision Ordinance:

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.



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With the approval of the grading plan engineer stamp dated 4/22/03 the preliminary plat was approved with final sign off delegated to City Engineer for engineer certification of grading plan and 15-day appeal period and to Parks for Open Space note, park dedication and the DXF file.

If you wish to appeal this decision, you must do so by June 5, 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: Sunset West, P.O. Box 7400, 87194-7400
Mark Goodwin & Associates PA, P.O. Box 90606, 87199
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File