



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 9, 2005

10. Project # 1002632

04DRB-01991 Major-Preliminary Plat Approval
04DRB-01992 Major-Vacation of Pub Right-of-Way
04DRB-01993 Major-Vacation of Public Easements
04DRB-01994 Minor-Temp Defer SDWK

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) 4, 5 and 6, **SUNDANCE ESTATES, UNIT 1**, zoned R-D FOR R-LT, located on PARADISE BLVD NW, between LYONS BLVD NW and UNSER BLVD NW containing approximately 32 acre(s). [REF: 03EPC00690, 03DRB01306, 04DRB00760, 04DRB00761, 04DRB01761] [*Deferred from 1/26/05 & 2/2/05*] (B-10)

At the February 9, 2005, Development Review Board meeting, with the signing of the infrastructure list dated 2/9/05 and approval of the grading plan engineer stamp dated 2/8/05 the preliminary plat was approved with the following condition of final plat:

Replat Tract 5 to dedicate public roadway easement.

The vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

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.

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.



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If you wish to appeal this decision, you must do so by February 24, 2005, 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 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).

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.)

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:Capital Alliance Investments LLC, 6300 Jefferson NE, 87109
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, 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

May 24, 2006

3. Project # 1002632

06DRB-00599 Major-Preliminary Plat Approval
06DRB-00601 Major-Vacation of Pub Right-of-Way
06DRB-00602 Major-Vacation of Public Easements
06DRB-00603 Minor-Temp Defer SDWK

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 4, 5 & 6 (to be known as **SUNDANCE ESTATES, UNIT 1**) zoned R-LT, located on PARADISE BLVD NW, between LYONS BLVD NW and PROPOSED UNSER ALIGNMENT containing approximately 36 acre(s). [REF: 03EPC-00690, 03DRB-01306, 04DRB-00760, 04DRB-01761] (B-11)

At the May 24, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 5/24/06 and approval of the grading plan engineer stamp dated 2/8/05 the preliminary plat was approved with the following conditions of final plat:

Applicant needs to address MRCOG access at Bluefeather NW.

Access needs to be provided to Tract 5.

Applicant needs to provide Unser easement to Paradise NW.

The vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

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.



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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.

The temporary deferral of construction of sidewalk on the interior streets was approved as shown on Exhibit C in the Planning file.

06DRB-00585 Minor-Final Plat Approval

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 4-6, **SUNDANCE ESTATES, UNIT 1**, zoned R-LT residential zone, located on PARADISE BLVD NW, between LYONS BLVD NW and PROPOSED UNSER ALIGNMENT, containing approximately 36 acre(s). [REF: 03EPC00690, 03DRB01306, 04DRB00760, 04DRB00761, 04DRB01761][*Deferred from 5/3/06 & 5/24/06*](B-11)

The final plat was deferred for the SIA and the 15-day appeal period to June 14, 2006.

If you wish to appeal this decision, you must do so by June 8, 2006, 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).

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.)



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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, reading "Sheran Matson", is positioned above the printed name.

Sheran Matson, AICP, DRB Chair

Cc: Tierra West LLC, 8509 Jefferson St NE, 87113
Capital Alliance Investments, 6300 Jefferson St NE, 87113
Marilyn Maldonado, 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

May 31, 2006

6. Project # 1002632
06DRB-00541 Major-Preliminary Plat Approval
06DRB-00542 Minor-Temp Defer SDWK

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 3-9, 12, 23 & 24 Block(s) 5, Tract(s) A & 5 **SUNDANCE ESTATES, PHASE 1-B, UNIT 1**, zoned R-LT residential zone, located on LYON BLVD NW, between PARADISE BLVD NW and PROPOSED UNSER ALIGNMENT containing approximately 11 acre(s). [REF: 03EPC-00690, 03DRB-01306, 04DRB-00760, 04DRB-00761] [*Deferred from 5/10/06*] (B-11)

At the May 31, 2006, Development Review Board meeting, with the signing of the infrastructure list dated 5/31/06 and approval of the grading plan engineer stamp dated 4/12/06 the preliminary plat was approved with the following conditions of final plat:

The existing drainage easements must be vacated.

The existing access easement must be vacated.

Approval of the perimeter wall design is required.

A vacation action for the cul-de-sac is required.

Provide a copy of the executed Unser easement.

If final plat is approved on November 1, 2006 or later; In accordance with City Council Resolution R-06-74, this subdivision's effect on the design capacity of APS area schools must be resolved prior to final plat approval per a signed "Predevelopment Facilities Fee Agreement".

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by June 15, 2006, in the manner described below.



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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).

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: Capital Alliance Investments, 6300 Jefferson St NE, 87109
Tierra West LLC, 8509 Jefferson St NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

August 30, 2006

3. Project # 1002632
06DRB-01113 Major-Vacation of Pub Right-of-Way
06DRB-01116 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for Lot(s) 3-9, 12, 23 & 24, Tract(s) A, Unit(s) 1, Block(s) 5 and Tract(s) 5, **SUNDANCE ESTATES, UNIT 1, PHASE 1B**, zoned R-LT, located on PARADISE BLVD NW, between LYONS BLVD NW and UNSER NW containing approximately 36 acre(s). [REF: 04DRB-00760, 04DRB-00761, 04DRB-001761] (B-11)

At the August 30, 2006, Development Review Board meeting, the vacations were approved as shown on Exhibit B in the Planning file, subject to these findings and conditions:

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.

If you wish to appeal this decision, you must do so by September 14, 2006, 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.



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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

for
Cc: Capital Alliance Investments, 6300 Jefferson St NE, 87109
Tierra West LLC, 5571 Midway Park PI NE, 87109
Ron Carlon, 9800 Sierra Morena NW, 87114
Mike Sedillo, 9801 Saragossa NW, 87114
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 9, 2008

Project# 1002632
07DRB-70445 MAJOR - 2YR SUBD IMP AGMT EXT (2YR SIA)


TIERRA WEST LLC agent(s) for CAPITAL ALLIANCE INVESTMENTS request(s) the above action(s) for all or a portion of **SUNDANCE ESTATES Unit(s) 1A**, zoned R-LT, located on LYON BLVD NW BETWEEN PARADISE BLVD NW AND PROPOSED UNSER ALIGNMENT containing approximately 36.2706 acre(s). (B-11)

At the January 9, 2008 Development Review Board meeting, the two year extension of the Subdivision Improvements Agreement was approved.

If you wish to appeal this decision, you must do so by January 24, 2008 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).


Andrew Garcia, Acting DRB Chair

Cc: Tierra West LLC – 5571 Midway Park Place NE – Albuquerque, NM 87109
Cc: Capital Alliance Investments – 6300 Jefferson St NE Ste 102 – Albuquerque, NM 87109



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 16, 2004

4. Project # 1002632
04DRB-00760 Major-Bulk Land Variance
04DRB-00761 Minor-Prelim&Final Plat Approval

TIERRA WEST, LLC agent(s) for BUILDERS INVESTMENT CO. OF NM request(s) the above action(s) for all or a portion of Lot(s) 1 & 2, PARAGON RESOURCES, (to be known as **SUNDANCE ESTATES**) zoned R-D residential and related uses zone, developing area FOR R-LT, located on PARADISE BLVD. NW, between LYONS BLVD. NW and BLANDA COURT NW containing approximately 122 acre(s). [REF: 03EPC-00690, 03DRB-01306] [Deferred from 6/9/04] (B-11)

At the June 16, 2004, Development Review Board meeting, the Bulk Land Variance was approved subject to the Findings and Conditions of the Subdivision Ordinance as follows:

BULK LAND VARIANCE:

1. The variance will not be injurious to the public safety, health or welfare, or to adjacent property, the neighborhood or the community.
2. The variance will not conflict significantly with the goals and provisions of any City, County or AMAFCA adopted plan or policy; the applicable zoning ordinance, or any other City code or ordinance.
3. The variance will not permit, encourage or make possible undesired development in the 100-year floodplain.
4. The variance will not hinder future planning, public right-of-way acquisition, or the financing or building of public infrastructure improvements.

The preliminary and final plat were approved with final plat delegated to Planning for AGIS dxf file and the 15-day appeal period and to City Engineer for AMAFCA signature and with the following finding:

The Title Commitment issued by Land American Albuquerque Title Company dated June 8, 2004 in support of the applicants platting actions shows that Builders Investment Company of New Mexico Ltd. Co., is the fee simple owner of Tract numbered One (1) of the Bulk Land Plat of SUNDANCE ESTATES, Albuquerque, Bernalillo County, New Mexico.



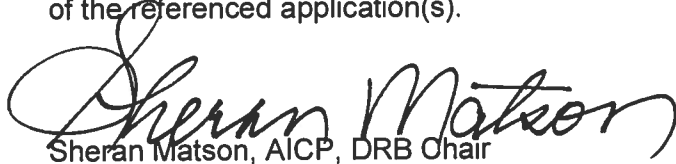
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If you wish to appeal this decision, you must do so by July 1, 2004 in the manner described below.

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. 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: Builders Investment Company of New Mexico, 6300 Jefferson St NE, 87109
Tierra West LLC, 8509 Jefferson NE, 87109
David Soule, 3500 Comanche NE, E-5, 87117
Deacon Steve Rangel 5712 Paradise Blvd NW, 87114
Felix Rabadi, 120 Wyoming SE, 87123
Robert J Schaefer, 5600 Wyoming Blvd NE, 87109
Larry Montano, Rodey Law Firm, 201 3rd Street NW, 87103
H. Griffin Pickard, 237 Tano Rd, Santa Fe, NM, 87506
John S Campbell, P.O. Box 1656, 87008
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File