



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

February 13, 2008

Project# 1006953 / 1002637
07DRB-70406 VACATION OF PUBLIC EASEMENT

LOGAN HALL request(s) the above action(s) for all or a portion of Lot(s) 1-A, Block(s) 4, **TERRACE ADDITION**, zoned SU-2/NCR, located on LEAD AVE SE BETWEEN LOCUST AVE SE AND ELM ST SE containing approximately 0.4539 acre(s). (K-15)
(Deferred from 12/19/07, 1/23/08 & 2/6/08)

At the February 13, 2008, Development Review Board meeting, the vacation of the eastern portion of the alley in Block 4 of the Terrace Addition was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B) (1)(3) of the Subdivision Ordinance. A turn around is not required based on existing conditions.

(A)(1) The vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the eastern portion of the alley, because of the existing condition of the western portion of the alley.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right; concerns regarding refuse pick-up may be addressed through the City's Solid Waste Department for the adjacent property.

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 February 28, 2008 in the manner described below.

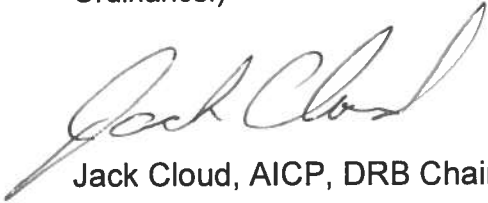
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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).

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.)



Jack Cloud, AICP, DRB Chair

Cc: Logan Hall – 2107 Corte Del Caballo NW – Albuquerque, NM 87120

Cc: Kelli Keegan – 7424 4th St NW – Los Ranchos de Albuquerque, NM 87107

Cc: Jeff Dahl – P.O. Box AA – Albuquerque, NM 87103

Marilyn Maldonado

Scott Howell

File