



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

5-29-2003

1. Project # 1002642
03DRB-00730 Major-Vacation of Pub Right-of-Way

CITY OF ALBUQUERQUE, DEPT. OF PUBLIC WORKS request(s) the above action(s) for all or a portion of Block(s) NA, Tract(s) NA, **WEST TOWER RD R.O.W. @ 98TH ST. SW, NA**, zoned NA, located on TOWER RD SW, between EUCARIZ AVE. SW and SAN YGNACIO RD. SW containing approximately 1 acre(s). (L-9)

At the May 28, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these provisions:

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.
3. Final disposition shall be through the City Real Estate Office.
4. 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.
5. Affected utility companies shall acknowledge the vacation by their signatures on the replat.



OFFICIAL NOTICE
PAGE TWO

If you wish to appeal this decision, you must do so by June 12, 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: John Castillo, Department of Public Works, City of Albuquerque, P.O. Box 1293,
87102

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

May 9, 2007

2. Project # 1002642
07DRB-00503 Major-Vacation of Public Easements

PRECISION SURVEYS INC agent(s) for AVALON TOWER LLC request(s) the above action(s) for all or any portion of Tract(s) B-1-A (to be known as **TRACTS B-1-A-2 & B-1-A-1, TOWER WEST SUBDIVISION**) zoned SU-1 for C-2 and R-1 Uses located on TOWER RD SW between 97TH ST SW and 98TH ST containing approximately 2 acre(s). (L-9)

At the May 9, 2007, Development Review Board meeting, the vacation was 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. 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.

07DRB-00556 Minor-Prelim&Final Plat Approval

PRECISION SURVEYS INC agent(s) for AVALON TOWER LLC request(s) the above action(s) for all or any portion of Tract(s) B-1-A (to be known as **TRACTS B-1-A-2 & B-1-A-1, TOWER WEST SUBDIVISION**) zoned SU-1 for C-2 and R-1 Uses located on TOWER RD SW between 97TH ST SW and 98TH ST containing approximately 2 acre(s). (L-9)

The preliminary and final plat was approved with final sign off delegated to Transportation Development for street cross sections at 98th St and Tower Rd, cross access easements and to Planning for the 15-day appeal period.

If you wish to appeal this decision, you must do so by May 24, 2007, 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.



OFFICIAL NOTICE OF DECISION

PAGE 2

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 black ink, appearing to read "Sheran Matson".

Sheran Matson, AICP, DRB Chair

Cc: Avalon Tower LLC, 320 Osuna NE, Ste G3, 87107
Precision Surveys Inc, 8500-A Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File