



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

6-26-2003

4. Project # 1002702
03DRB-00886 Major-Vacation of Pub Right-of-Way

ALAN J VINCIONI agent(s) request(s) the above action(s) for all or a portion of the alley, the first alley West of Broadway SE between Central SE and Hazeldine SE, **HUNING HIGHLANDS ADDITION**, located WEST OF BROADWAY SE, between COAL SE and HAZELDINE SE (K-14)

At the June 25, 2003, Development Review Board meeting, the Vacation was approved as shown on Exhibit B in the Planning file, subject to these conditions:

1. An exhibit showing the location of the alley fencing will be provided to the Board as a condition of Preliminary and Final Plat approval.
2. Easements shall be adequately retained for the storm drain and other utilities.
3. A surveyor shall provide a survey showing the existing manholes and water meters in relation to the vacated alley and other utilities.
4. Transportation Development imposed the following three-part condition:
1) A private access easement shall be provided to 635 Broadway SE and 633 Broadway SE. 2) This easement shall be the full width of the existing alley from Hazeldine SE to the north property line of 633 Broadway SE. 3) This easement shall be provided with the plat completing the vacation action.
5. The public welfare is in no way served by retaining the rights-of-way and/or easements.
6. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
7. Final disposition shall be through the City Real Estate Office.
8. The vacated property shall be shown on a replat approved by the Development Review Board and the approved replat shall be recorded with the Bernalillo County Clerk's Office within one year.



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9. Affected utility companies shall acknowledge the vacation by signing the replat prior to DRB approval.

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

Sheran Matson, AICP, DRB Chair

cc: Alan Vincioni, 215 3rd St SW, 87103
Daniel Silva, 1323 Canyon Trail SW, 87121
Mario Aguilar, 633 Broadway Blvd SE, 87102
David Storke, 705 Broadway Blvd SE, 87102
Charles Incendio, Huning Highland Historic Assn., 201 High St NE, 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

December 8, 2004

7. Project # 1002702
04DRB-01664 Major-Vacation of Public Easements
04DRB-01686 Minor-Prelim&Final Plat Approval

ALAN J VINCIONI Request(s) the above action(s) for all or a portion of Tract(s) 1, HUNING HIGHLANDS ADDITION (to be known as **IRON PROPERTIES**) zoned M-1 light manufacturing zone, located on BROADWAY SE AND IRON SE between COAL SE and HAZELDINE SE containing approximately 8 acre(s). [REF:03DRB00886] [Deferred from 12/1/04] (K-14)

At the December 8, 2004, 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.

The preliminary plat was approved with final plat sign off delegated to Transportation Development for maintenance and beneficiaries note revisions, width of easement to remain, AGIS dxf file, Utilities and Real Property signatures and 15-day appeal period.

If you wish to appeal this decision, you must do so by December 23, 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 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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Sheran Matson, AICP, DRB Chair

Cc: Alan J Vincioni, 215 Third St SW, 87103
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File