



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

7-31-2003

6. Project # 1002777
03DRB-01056 Major-Vacation of Public Easements

KAREN MARCOTTE agent(s) for MATTHEW MEADOW NEIGHBORHOOD ASSOCIATION, request(s) the above action(s) for all or a portion of Lot(s) 1 and 40, **MATTHEW MEADOWS SUBDIVISION**, zoned RA-2 residential and agricultural zone, located on N. OF LUA'S LANE NW, between 12th ST NW and SAN ISIDRO NW [REF: V-93-54, V-79-37, DRB-93-249, DRB-96-466]. [Deferred from 7/23/03] (G-13)

At the July 30, 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, or:
2. There is a net benefit to the public welfare because the development made possible by the vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the vacation.
3. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
4. Final disposition shall be through the City Real Estate Office.
5. 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 August 14, 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.



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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

cc:Matthew Meadow Neighborhood Association and The Garcias, P.O. Box 146, 3800
Rio Grande Blvd NW, 87107
Karen Marcotte, 924 Park Avenue SW, Suite C, 87107
Jim Johansen, 1500 Camino Amparo NW, 87107
Bob Perovich, 1521 Camino Amparo NW, 87107
Steve & Mary Spensley, 1517 Camino Amparo NW, 87107
Sgt. Salazar, APD Substation 400 Roma NW, 87102
Virginia Sando, 3520 Avenida Charado NW, 87107
Annette Baca, 3619 Mateo Prado NW, 87107
Sammie Oaks, 3530 Avenida Charado NW, 87107
Ron Poindexter, 6812 La Drillo NE, 87113
Dennis Umshler, 1504 Camino Amparo NW, 87107
Peter Robinson, 1804 Llano Ct NW, 87107
William Darling, 1301 Camino Amparo NW, 87107
Gary Mallory, 1415 Camino Ecuestre NW, 87107
Nino Garcia and Louisa Garcia, 3620 Lua's Lane NW, 87107
Phillip Garcia, 1700 Mesa Vista NE, 87106
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File