



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

10-10-2003

**6. Project # 1002957**  
03DRB-01524 Major-Vacation of Public Easements  
03DRB-01525 Minor-Prelim&Final Plat Approval

JEFF MORTENSEN & ASSOCIATES, INC agent(s) for ALBUQUERQUE PUBLIC SCHOOLS request(s) the above action(s) for all or a portion of Tract(s) 26A-1, **TAYLOR RANCH**, zoned R-T, located on TAYLOR RANCH DR NW, between MONTANO RD NW and HOMESTEAD CIRCLE NW containing approximately 14 acre(s). [REF: DRB-91-133] (D-11)

At the October 8, 2003, Development Review Board meeting, the Vacation of the Public Waterline Easement 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.

The vacation of the Temporary Construction Easement was denied because the City Public Works Water Utility Division still requires the easement.

The preliminary plat was approved with final sign off delegated to Utilities Development to check for removal of vacation (1) on sheets 2 of 3 of the plat and to Planning for AGIS DXF file.

If you wish to appeal this decision, you must do so by October 23, 2003, in the manner described below.



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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.)

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: Albuquerque Public Schools, 915 Oak St SE, 87106  
Jeff Mortensen & Associates Inc., 6010-B Midway Park Blvd NE, 87109  
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

11-12-03

**6. Project # 1002957**  
03DRB-01784 Major-Vacation of Public Easements

JEFF MORTENSEN & ASSOCIATES INC. agent(s) for ALBUQUERQUE PUBLIC SCHOOLS request(s) the above action(s) for all or a portion of Tract(s) 26A-1, **TAYLOR RANCH**, zoned R-T residential zone, located on TAYLOR RANCH DR NW, between MONTANO RD NW and HOMESTEAD CR NW containing approximately 14 acre(s). [REF: 03DRB-01524 & 01525] (D-11)

At the November 12, 2003, Development Review Board meeting, the Vacation approved as shown on Exhibit B in the Planning file, subject to these provisions:

1. Prior to final plat approval a replacement temporary construction easement acceptable to the City's Water Utility Division and approved by the City Engineer shall be provided on the final plat.
2. The public welfare is in no way served by retaining the rights-of-way and/or easements, or:
3. 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.
4. There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.
5. Final disposition shall be through the City Real Estate Office.
6. 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 November 27, 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.



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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: Albuquerque Public Schools, 915 Oak St SE, 87106  
Jeff Mortensen & Associates, Inc., 6010-B Midway Park Blvd NE, 87109  
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