



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

12/17/03

2. Project # 1002971  
03DRB-01567 Major-Vacation of Public Easements  
03DRB-01568 Major-Vacation of Public Easements  
03DRB-01569 Major-Vacation of Public Easements  
03DRB-01570 Minor-Vacation of Private Easements  
03DRB-01566 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST agent(s) for WEFCO PARTNERS request(s) the above action(s) for all or a portion of Tract(s) 4B, 4-A-1, 5-B-1 and 5-B-2, **V. E. BARRETT SUBDIVISION AND LANDS OF WEFCO**, zoned C-2 community commercial zone, located on CENTRAL AVE SW, between UNSER BLVD SW and 86TH ST SW containing approximately 15 acre(s). [REF: V-79-19, V-88-3, V-86-58] [*Deferred from 10/15/03, 11/5/03 & 11/19/03 & 12/10/03*] (K-10)

At the December 17, 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.

With the signing of the infrastructure list dated 12-17-03 and approval of the grading plan engineering plan stamped dated 11-13-03 the preliminary plat was approved. The final plat was indefinitely deferred.

If you wish to appeal this decision, you must do so by January 2, 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 Division form, to the Planning Division, within 15 days of the Development Review Board's decision.



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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 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.)

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.)

03DRB-01692 Minor-SiteDev Plan Subd

DENISH KLINE ASSOCIATES INC agent(s) for WEFCO PARTNERS INC request(s) the above action(s) for all or a portion of Tract(s) 4-B, 4-A-1, 5-B-1 AND 5-B-2, **BARRETT SUBDIVISION, LANDS OF WEFCO**, zoned C-2 community commercial zone, located on CENTRAL AVE SW, between UNSER BLVD SW and 86<sup>TH</sup> ST SW containing approximately 15 acre(s). [REF: V-88-3, 03DRB-01567, 03DRB-01568, 01569, 03DRB-01566, 01570] [*Deferred from 10/15/03, 11/5/03 & 11/19/03 & 12/10/03*] (K-10)

At the December 17, 2003, Development Review Board meeting, the site plan for subdivision was approved and signed off by the Board.

If you wish to appeal this decision, you must do so by January 2, 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 Division form, to the Planning Division, within 15 days of the Development Review Board's decision.



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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).

Sheran Matson, AICP, DRB Chair

cc: Wefco Partners, 2922 Estrella Brillante NW, 87120  
Surveys Southwest Ltd., 333 Lomas Blvd NE, 87102  
Denish Kline Associates Inc., P.O. Box 2001, 87103  
Arlene Portillo, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File