



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

December 14, 2005

### 2. **Project # 1003132**

05DRB-01754 Major- Vacation of Public Easements  
05DRB-01753 Major- Vacation of Public Easements

ADVANCED ENGINEERING AND CONSULTING LLC agent(s) for MWS LLC request(s) the above action(s) for all or a portion of Tract(s) 9-A & 9-B, **BROADWAY INDUSTRIAL CENTER, UNIT 3**, zoned SU-2 - HM located on KARSTEN COURT SE, between SAN JOSE SE and GIBSON AVE SE containing approximately 4 acre(s). [REF: 03DRB020703,DRB-97-271](M-14)

At the December 14, 2005, Development Review Board meeting, the vacations were 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.

#### CONDITION OF FINAL PLAT:

The existing lots will be consolidated into a single lot.

If you wish to appeal this decision, you must do so by December 29, 2005, 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.



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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.)

A handwritten signature in cursive script, reading "S. Matson", is positioned above the typed name.

Sheran Matson, AICP, DRB Chair

Cc:MWS LLC, P.O. Box 40324, 87196  
Advanced Engineering & Consulting LLC, 4416 Anaheim Ave NE, 87113  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File