



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

APRIL 7, 2004

3. Project # 1003273
04DRB-00338 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for ARC INVESTMENTS request(s) the above action(s) for all or a portion of Tract(s) 5A - 13A, **VISTA**, zoned C-2 community commercial zone, located on CENTRAL AVE SW, between 94TH ST SW and 98TH ST SW containing approximately 2 acre(s). [REF: Z-85-93, Z-88-3, V-85-44, 04DRB-00279] (K-9)

At the April 7, 2004, 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 April 22, 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. 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: Arc Investments, 9597 Central Avenue, Montclair, CA 91763
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg
File



OFFICIAL NOTICE OF DECISION

3. Project # 1003273

05DRB-00764 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for ARC INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 5A through 13A, **VISTA SUBDIVISION**, zoned C-2, located on CENTRAL AVE SW, between 94TH ST SW and 98TH ST SW containing approximately 2 acre(s). [REF: Z-85-93, Z-88-3,V-85-44, 04DRB00338, 04ZHE01933, 05ZHE00383] (K-9)

At the June 1, 2005, 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.

05DRB-00671 Minor-Prelim&Final Plat Approval

TIERRA WEST LLC agent(s) for ARC INVESTMENTS request(s) the above action(s) for all or a portion of Lot(s) 5A thru 13A, **VISTA SUBDIVISION**, zoned C-2, located on CENTRAL AVE SW, between 94TH ST SW and 98TH ST SW containing approximately 2 acre(s). [REF: Z-85-93, Z-88-3,V-85-44, 04DRB00279, 04DRB00338, 04ZHE01933, 05ZHE00383] (*Deferred from 5/4/05*) (K-9)

The preliminary and final plat was approved with final plat sign off delegated to Planning for the 15-day appeal period.



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If you wish to appeal this decision, you must do so by June 16, 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. 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 black ink, appearing to read "Sheran Matson".

Sheran Matson, AICP, DRB Chair

Cc: ARC Investments, 9597 Central Avenue, Montclair, CA 91763
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File