



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 11, 2005

3. **Project # 1003364**

05DRB-00656 Major-Vacation of Public Easements

05DRB-00657 Minor-Vacation of Private Easements

TIERRA WEST LLC agent(s) for CIRCLE K STORES INC request(s) the above action(s) for all or a portion of Tract(s) 1-A-1 & 1-A-3, **NORTH ALBUQUERQUE ACRES, TRACT 2, UNIT 3**, zoned SU-2 MIXED USES, located on LOUISIANA BLVD NE, between PASEO DEL NORTE NE and HOLLY AVE NE containing approximately 3 acre(s). [REF: 04DRB01409] (C-19)

At the May 11, 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.

If you wish to appeal this decision, you must do so by May 26, 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



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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.)

For Sheran Matson, AICP, DRB Chair

Cc: Circle K Stores Inc., 495 E. Rincon, Suite 150, Corona, CA 92879
Tierra West LLC, 8509 Jefferson NE, 87113
Joe Yardumian, 7801 R C Gorman NE, 87122
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

2. Project # 1003364

05DRB-00867 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for CIRCLE K STORES INC. request(s) the above action(s) for all or a portion of Tract(s) 1-A-1 UNIT 3, **NORTH ALBUQUERQUE ACRES TRACT 2**, zoned SU-2 MIXED USE, located on LOUISIANA BLVD NE, between DEL NORTE NE and HOLLY AVE NE containing approximately 2 acre(s). [REF: 04DRB-01409/05DRB-00656 & 00657] (C-19)

At the June 15, 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.

If you wish to appeal this decision, you must do so by June 30, 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.



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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: Circle K Stores Inc., 495 E Rincon, Suite 150, Corona, CA 92879
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 29, 2005

18. Project # 1003364
05DRB-01054 Minor-Vacation of Private Easements

TIERRA WEST LLC agent(s) for CIRCLE K STORES request(s) the above action(s) for all or a portion of Tract(s) 1-A-1 & 1-A-3, **NORTH ALBUQUERQUE ACRES, TRACT 2, UNIT 3**, zoned SU-2 special neighborhood zone, located on LOUISIANA BLVD NE, between PASEO DEL NORTE NE and HOLLY AVE NE containing approximately 3 acre(s). [REF: 04DRB-01409] (C-19)

At the June 29, 2005, Development Review Board meeting, the vacation of private easements was approved as shown on Exhibit B in the Planning file, subject to the following findings:

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.

Sheran Matson, AICP, DRB Chair

Cc: Circle K Stores Inc., 495 E Rincon Suite 150, Corona, CA 92879
Tierra West LLC, 8509 Jefferson NE, 87113
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File