



OFFICIAL NOTICE OF DECISION

4. Project # 1003655

05DRB-00661 Major-Vacation of Public Easements
05DRB-00660 Major-Vacation of Pub Right-of-Way
05DRB-00659 Major-Preliminary Plat Approval
05DRB-00663 Minor-Temp Defer SDWK
05DRB-00662 Minor-Sidewalk Waiver

DAVID A AUBE agent(s) for ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 15, 16, 17 and a portion of 18, Block(s) 1, Tract(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3, (to be known as **LA VISTA @ DESERT RIDGE TRAILS**) zoned R-D, located on WYOMING NE, between EAGLE ROCK NE and MODESTO NE containing approximately 3 acre(s). [REF: 04DRB01373] [*Deferred from 5/11/05 & 5/18/05*] (C-19)

At the May 25, 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.

The vacation of public right-of-way was withdrawn at the agent's request.

With the signing of the infrastructure list dated 5/25/05 and approval of the grading plan engineer stamp dated 5/23/05 the preliminary plat was approved with the following condition of final plat approval:

Application of a Subdivision Design Variance for the length of the cul-de-sac.



OFFICIAL NOTICE OF DECISION
PAGE 2

The temporary deferral of construction of sidewalks on the interior streets was approved as shown on Exhibit C in the Planning file. A sidewalk variance for waiver of sidewalk was approved as shown on Exhibit C in the Planning file.

If you wish to appeal this decision, you must do so by June 9, 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.)

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.)

A handwritten signature in cursive script, appearing to read "Sheran Matson".

Sheran Matson, AICP, DRB Chair

Cc: Adil Rizvi, 4001 Juan Tabo NE, Suite A, 87111
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 24, 2006

6. Project # 1003655

06DRB-00684 Minor-Extension of Preliminary Plat

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 15, 16, 17 and a portion of 18, Tract(s) 2, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **LA VISTA @ DESERT RIDGE TRAILS**) zoned RD, located on WYOMING BLVD NE, between EAGLE ROCK NE and MODESTO NE containing approximately 3 acre(s). [REF: 04DRB-01373, 05DRB-01833] (C-19)

At the May 24, 2006, Development Review Board meeting, a one-year extension of the preliminary plat was approved.



Sheran Matson, AICP, DRB Chair

Cc: Adil Rizvi, 2340 Menaul NE, Suite 200, 87107
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

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 2, 2007

11. Project # 1003655
07DRB-00522 Minor-Extension of Preliminary Plat

ADIL RIZVI request(s) the above action(s) for all or any portion of Block(s) 1, Tract(s) 2, Lot(s) 15, 16, 17 and a portion of Lot(s) 18, NORTH ALBUQUERQUE ACRES, UNIT 3 (to be known as **LA VISTA @ DESERT TRAIL**) zoned RD located on WYOMING BLVD NE between EAGLE ROCK NE and MODESTO NE containing approximately 3 acre(s). [REF: 04DRB01373, 05DRB01833] (C-19)

At the May 2, 2007, Development Review Board meeting, a one-year extension of the preliminary plat was approved.

Sheran Matson, AICP, DRB Chair

Cc: Adil Rizvi, 2340 Menaul NE, Suite 200, 87107
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

November 21, 2007

Project# 1003655

07DRB-70339 VACATION OF PUBLIC RIGHT-OF-WAY

ADIL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 15-17 & a portion of Lot 18, Block 1, **NORTH ALBUQUERQUE ACRES UNIT 3 (to be known as LA VISTA @ DESERT RIDGE TRAILS)**, zoned RD/5 & 7du/a, located on WYOMING BLVD NE BETWEEN EAGLE ROCK NW AND MODESTO NE containing approximately 2.5 acre(s). (C-19)

At the November 21, 2007, Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B)(1)(3) of the Subdivision Ordinance.

(A)(1) The public road easement vacation request was filed by the owners of a majority of the rear footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the public road easement.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

3. Final disposition shall be through the City Real Estate Office.
4. The vacated property shall be shown on the 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 December 6, 2007 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.)

Sheran Matson, AICP, DRB Chair

Cc:Adil Rizvi and Esmail Haidari – 3340 Menaul Blvd NE, STE 200 –
Albuquerque, NM 87107

Cc: Joe Yardumian – 7801 RC Gorman – Albuquerque, NM 87122

Marilyn Maldonado

Scott Howell – Property Management, Legal Dept./ 4th Flr, CCB
File