



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 9, 2005

- 1. Project # 1003673**  
05DRB-00028 Major-Vacation of Pub Right-of-Way  
05DRB-00029 Major-Vacation of Public Easements

RIO GRANDE ENGINEERING agent(s) for ERIMY PROPERTIES LTD request(s) the above action(s) for all or a portion of Lot(s) 7, 8 and 9, Block(s) 3, Unit(s) 3, NORTH ALBUQUERQUE ACRES, TRACT 3, (to be known as **OAKLAND SOUTH SUBDIVISION**) zoned RD, located on OAKLAND AVE NE, between VENTURA BLVD NE and BARSTOW BLVD NE containing approximately 3 acre(s). *[Deferred from 2/2/05] (C-20)*

At the February 9, 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. Final disposition shall be through the City Real Estate Office.
2. 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.

### CONDITONS OF FINAL PLAT APPROVAL:

Public sanitary sewer easements will be retained as required by the Utility Development Section on the final plat.

An easement between Oakland and Eagle Rock shall be in place before the final plat is approved by Transportation Development.

If you wish to appeal this decision, you must do so by February 24, 2005, in the manner described below.



OFFICIAL NOTICE OF DECISION  
PAGE 2

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 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:Erimy Properties Ltd., P.O. Box 93642,87199  
Rio Grande Engineering, 1606 Central SE, Suite 201, 87107  
Joe Yardumium, 7801 R.C. Gorman NE, 87122  
Lynn Miller, 8801 Oakland Ave NE, 87122  
Lisa Abeyta, 8909 Tor Lane NE, 87122  
Jay Rowland, 7729 R.C. Gorman NE, 87122  
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

January 3, 2007

**7. Project # 1003673**  
06DRB-01660 Major-Vacation of Public Easements

MOCK ASSOCIATES INC request(s) the above action(s) for all or a portion of Lot(s) 6P1, **OAKLAND SOUTH SUBDIVISION, UNIT 3**, zoned R-D residential and related uses zone, developing area, located on OAKLAND AVE NE, between VENTURA ST NE and BARSTOW ST NE containing approximately 1 acre(s).  
*[Deferred from 12/20/06] [REF: 05DRB-01212] [Deferred from 12/20/06] (C-20)*

At the January 3, 2007, 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 January 18, 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).



## OFFICIAL NOTICE OF DECISION

PAGE 2

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 blue ink, which appears to read "Sheran Matson", is written over the typed name.

*of* Sheran Matson, AICP, DRB Chair

Cc: Mel Ottley, Mock Associates Inc., 8601-C Washington St NE, 87113  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File