



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 3, 2006

3. Project # 1003857
06DRB-00442 Major-Vacation of Pub Right-of-Way

PRECISION SURVEYS INC agent(s) for MICHAEL A GONZALES request(s) the above action(s) for all or a portion of Lot(s) 4-6 and 10-12, Block(s) E, SIMPIER ADDITION (to be known as **BARELAS TOWNHOMES**) zoned SU-2/RT, located on SIMPIER LN SW, between 4TH ST SW and 8TH ST SW [REF: 04DRB-01973] (L-14)

At the May 3, 2006, 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. 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.

A condition of final plat: Replat lots to consolidate or provide access.



OFFICIAL NOTICE OF DECISION

PAGE 2

If you wish to appeal this decision, you must do so by May 18, 2006, 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 cursive script, reading "Sheran Matson".

Sheran Matson, AICP, DRB Chair

Cc: Michael Gonzales, 1426 4th St SW, 87102
Precision Surveys Inc., 8414 Jefferson NE, Suite D, 87113
Cathy Garcia, 507 7th St SW, 87102
John Perrine, 912 Barelax SW, 87102
Ron Romero, 1106 Santa Fe SW, 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

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 20, 2007

2. Project# 1003857
07DRB-70017 MAJOR - PRELIMINARY PLAT APPROVAL
07DRB-70018 MINOR - TEMP DEFR SWDK CONST

BRASHER AND LORENZ INC agent(s) for MIKE GONZALES request(s) the above action(s) for all or a portion of Lot(s) A, **BARELAS TOWN HOMES** zoned SU-2 FOR RT, located on SIMPIER LN SW BETWEEN FOURTH ST SW AND EIGHTH ST SW containing approximately 1.0618 acre(s). [REF: 06DRB-01300] (L-14)

At the June 20, 2007, Development Review Board meeting, with the signing of the infrastructure list dated 06/20/07 and approval of the grading plan engineer stamp dated 05/11/07 the preliminary plat was approved with the following condition of final plat approval:

A sidewalk waiver request and a subdivision design variance request are required.

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

If you wish to appeal this decision, you must do so by July 5, 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 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.)

Sheran Matson, AICP, DRB Chair

Cc: Mike Gonzales, 1502 4th St SW, 87102
Brasher & Lorenz, 2201 San Pedro NE, Bldg. 1, Suite 1300, 87110
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File