



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 6, 2005

6. Project # 1004010
05DRB-00404 Major-Vacation of Public Easements

MARK & MICHELLE GALLEGOS request(s) the above action(s) for all or a portion of Tract(s) A-1-A, A-1-B, A-1-C & A-1-D, **LANDS OF ROBERT N GARCIA**, zoned RA-2, located on DON ONOFRE TRAIL NW, between CANDELARIA NW and GRIEGOS NW containing approximately 1 acre(s). [REF: [DRB-94-022] (F-13)]

At the April 6, 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 April 21, 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.



OFFICIAL NOTICE OF DECISION
PAGE 2

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:Mark & Michelle Gallegos, 6216 Chimayo Dr NW, 87120
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.
File

DRB PUBLIC HEARING SIGN IN SHEETS

CASE NUMBER: 1004010 AGENDA#: 6 DATE: 4.6.05

1. Name: Mark & Michelle Gallegas Address: _____ Zip: _____

2. Name: _____ Address: _____ Zip: _____

3. Name: _____ Address: _____ Zip: _____

4. Name: _____ Address: _____ Zip: _____

5. Name: _____ Address: _____ Zip: _____

6. Name: _____ Address: _____ Zip: _____

7. Name: _____ Address: _____ Zip: _____

8. Name: _____ Address: _____ Zip: _____

9. Name: _____ Address: _____ Zip: _____

10. Name: _____ Address: _____ Zip: _____

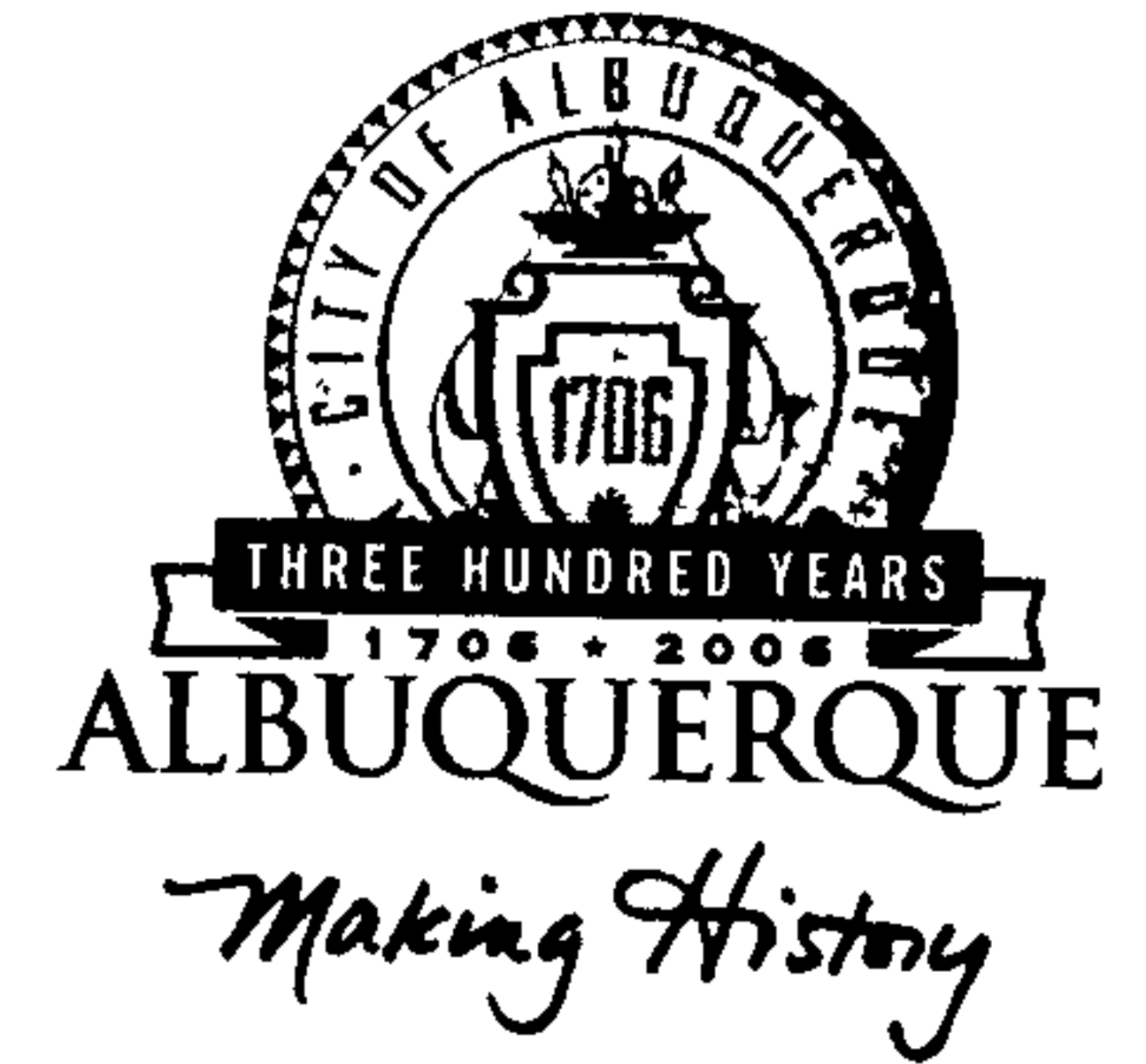
11. Name: _____ Address: _____ Zip: _____

12. Name: _____ Address: _____ Zip: _____

13. Name: _____ Address: _____ Zip: _____

14. Name: _____ Address: _____ Zip: _____

CITY OF ALBUQUERQUE



PLANNING DEPARTMENT
DEVELOPMENT AND BUILDING SERVICES
HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1004010

AGENDA ITEM NO: 6

SUBJECT:

Vacation

ACTION REQUESTED:

APP:(x)

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the vacation request.

P.O. Box 1293

Albuquerque

New Mexico 87103

RESOLUTION:

APPROVED ; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee

DATE: April 6, 2005



CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

April 6, 2005

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AMAFCA	No adverse comments.
COG	No adverse comments.
Transit	No objection to the request.
Zoning Enforcement	No adverse comments.
Neighborhood Coordination	Letter sent to Rio Grande Blvd. NA "R".
APS	No comments received.
Police Department	No comments at this time.
Fire Department	No adverse comments.
PNM Electric & Gas	Approves.
Comcast	No comments received.
QWEST	No comments received.
Environmental Health	Site is not within 1000 feet of a landfill. No comment.
M.R.G.C.D.	No comments received.
Open Space Division	No adverse comments.
City Engineer	The Hydrology section has no objection to the vacation request.
Transportation Development	Defer to Utilities having an interest.

Parks & Recreation

No objection.

Utilities Development

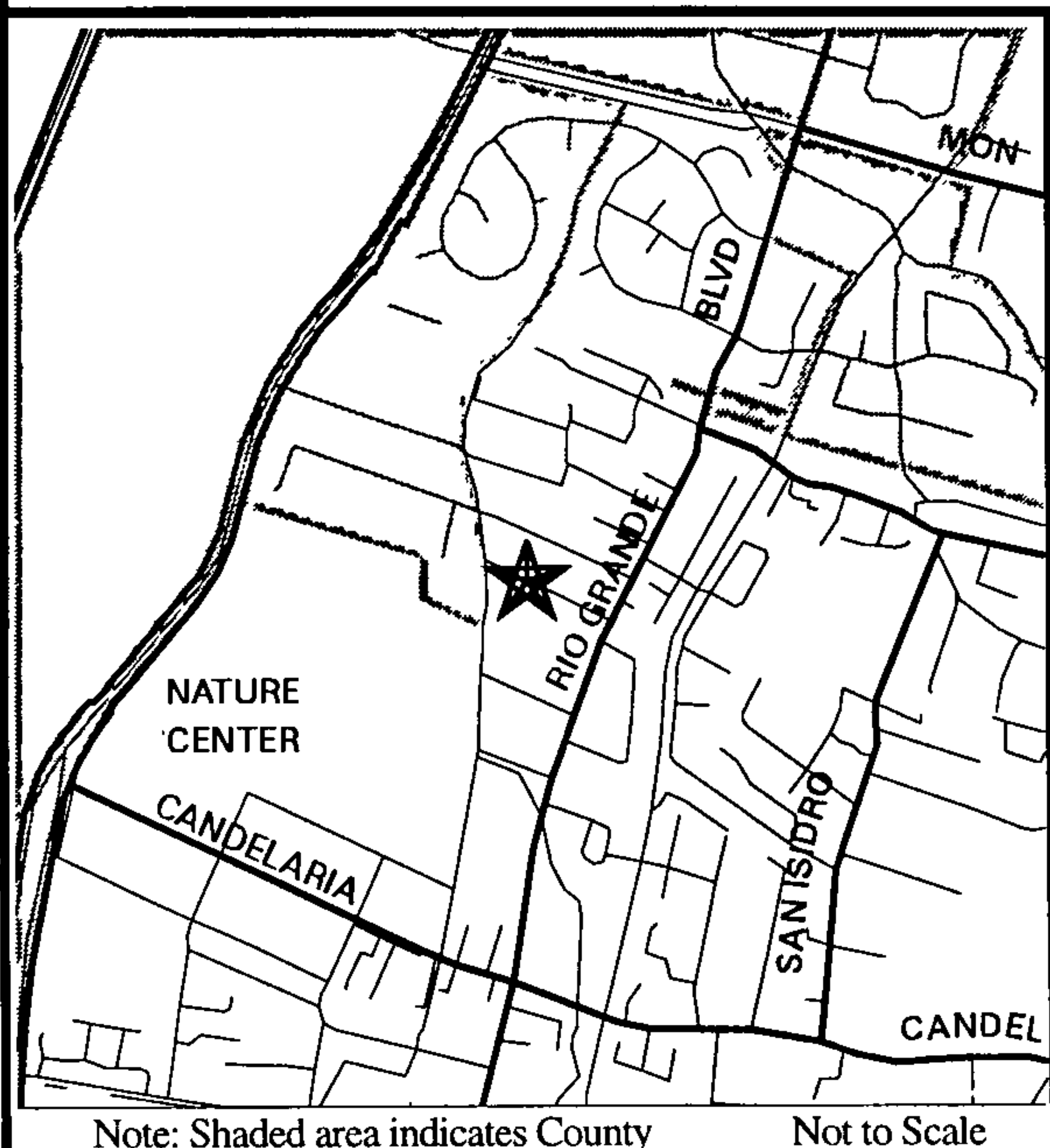
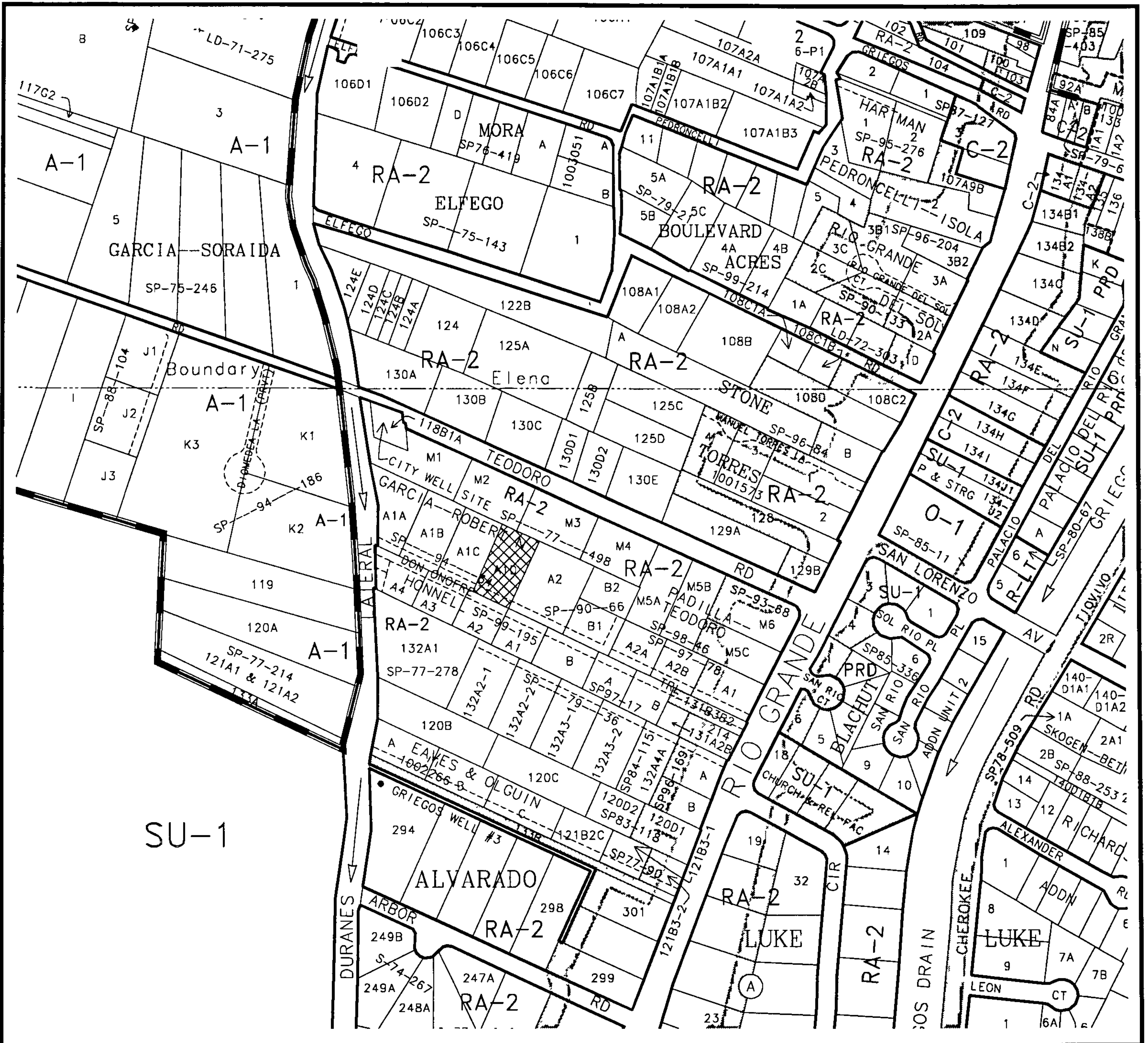
No objection to Vacation request.

Planning Department

No objection. Applicant has one year from the DRB vacation approval date to file the plat approving the vacation.

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

cc:Mark & Michelle Gallegos, 6216 Chimayo Dr NW, 87120



ZONING MAP



Scale 1" = 356'

PROJECT NO.
1004010

HEARING DATE
4-6-05

MAP NO.
F-13

ADDITIONAL CASE NUMBER(S)
05DRB-00404

Note: Shaded area indicates County Not to Scale



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

PAGE 2

Project # 1003634
05DRB-00409 Major-Vacation of Pub
Right-of-Way

GARCIA KRAEMER & ASSOCIATES agent(s) for GREATER ALBUQUERQUE HABITAT FOR HUMANITY request(s) the above action(s) for all or a portion of Lot(s) 6B, Block(s) 12, **EASTERN ADDITION**, zoned SU-2 MR, located on HIGH STREET SE, between CROMWELL SE and PACIFIC SE containing approximately 1 acre(s). [REF: 04ZHE01162, 01ZHE01165, 01ZHE01166, 04DRB01297] (K-14)

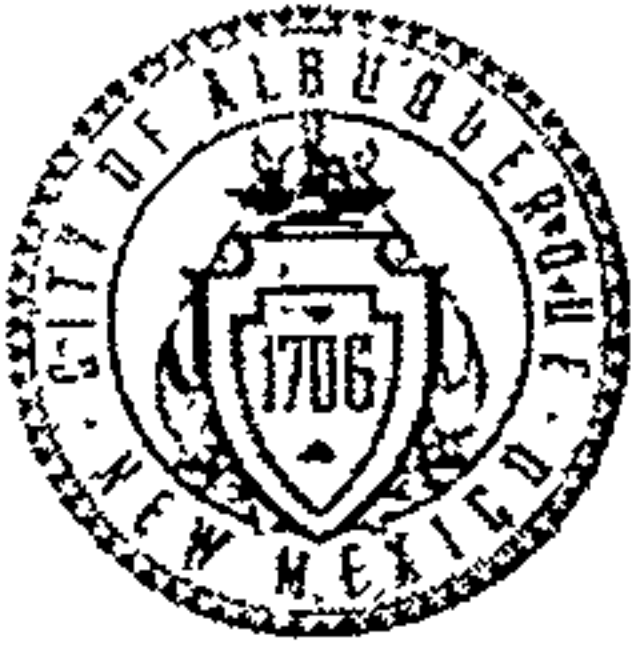
Project # ~~1004010~~
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Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Claire Senova, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.


for Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, MARCH 21, 2005.



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, April 6, 2005**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1001085

05DRB-00402 Major-Two Year SIA

ANTHONY E DECK request(s) the above action(s) for all or a portion of Lot(s) 16 & 17, Block(s) B, **ROSEWOOD SUBDIVISION, UNIT 1**, zoned R-D, located on BLOSSOMWOOD PL NW, between HANOVER RD NW and AMAFCA ROW/I-40 containing approximately 10 acre(s). [REF: 01DRB00261, 03DRB00372] (J-10)

Project # 1000296

05DRB-00406 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for SCOTT PATRICK HOMES request(s) the above action(s) for all or a portion of Lot(s) 16P1, **OXBOW VILLAGE**, zoned SU-3, located on NORTHERN AVE NW, between OXBOW VILLAGE LN NW and VISTA GRANDE DR NW containing approximately 1 acre(s). [REF: 02DRB02808] (G-11)

Project # 1000692

05DRB-00407 Major-SiteDev Plan BldPermit

BDA ARCHITECTS agent(s) for SIVAD ENTERPRISES request(s) the above action(s) for all or a portion of Tract(s) A1A, Block(s) 1, **BEAR CANYON VILLAGE, UNIT 2**, zoned SU-1 FOR C-1, located on Burlison NE & Wyoming NE between San Antonio NE and Academy NE containing approximately 5 acre(s). (E-19)

Project # 1003384

05DRB-00380 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for RSF LAND & CATTLE CO. LLC request(s) the above action(s) for Tract(s) MM-1-A and MM-1-B, **SEVEN BAR RANCH**, zoned C-2 (SC), located on Seven Bar Loop Rd NW between Cottonwood DR NW and Old Airport Ave NW containing approximately 7 acre(s). [REF: 04DRB-01874, 04EPC-01035] (B-14)

SEE PAGE 2 . . .

FYI

**NOTIFICATION OF HEARING for the DEVELOPMENT
REVIEW BOARD**

March 21, 2005

TO: Claude Morelli & JoMarie Anderson, Rio Grande Blvd. Neighborhood Association

This letter will serve as your notification from the City of Albuquerque, under provisions of 0-92 pertaining to a request for: **Requests the following for approximately one (1) acre(s): Major Vacation of Public Easements on the east side of Tract A-1-D, Lands of Robert N. Garcia for water, sewer, gas, telephone and cable utilities.**

Proposed by: Mark and Michelle Gallegos at 899-2752

Agent for: Mark and Michelle Gallegos

For property located: On or near 2405 Don Onofre Trail NW between Candelaria Road NW and Griegos NW.

The case number(s) assigned is: 05DRB-00404, Project # 1004010. --

City Planning accepted application for this request on March 10, 2005.

The owner, applicant, and/or agent certified at the time of application acceptance that they notified you of the proposed action by *certified mail, return receipt requested*.

Please be advised that this application is scheduled for a hearing before the Development Review Board (DRB) at 9 a.m. on Wednesday, April 6, 2005 in the Planning Hearing Room, Lower Level, Plaza Del Sol Building, 600 Second St. NW.

You should contact Claire Senova at 924-3946 to confirm this date, time, and to seek further information.

If you have any questions **-OR-** have not been contacted by the applicant, please call Stephani Winklepleck at 924-3902 or by e-mail at swinklepleck@cabq.gov.

Sincerely,

Stephani I. Winklepleck

Stephani I. Winklepleck

Neighborhood Program Coordinator

OFFICE OF NEIGHBORHOOD COORDINATION

PLANNING DEPARTMENT

**cc: Claire Senova, DRB
Administrative Assistant**



4/6

**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

PAGE 2

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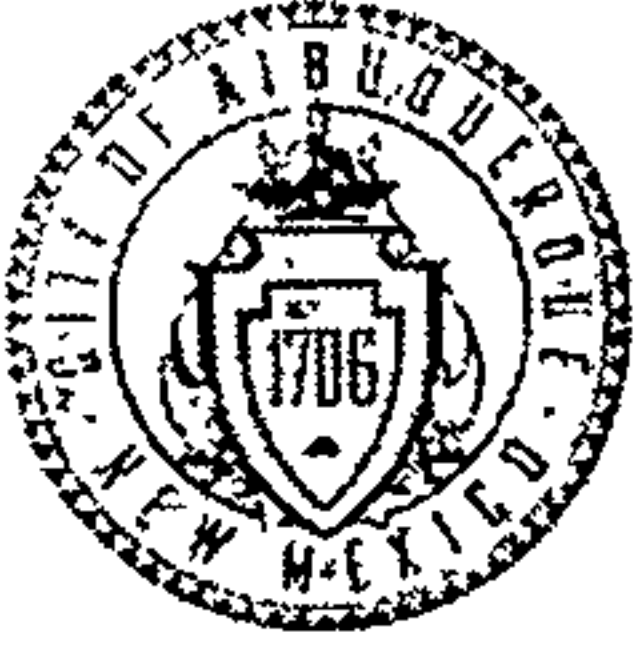
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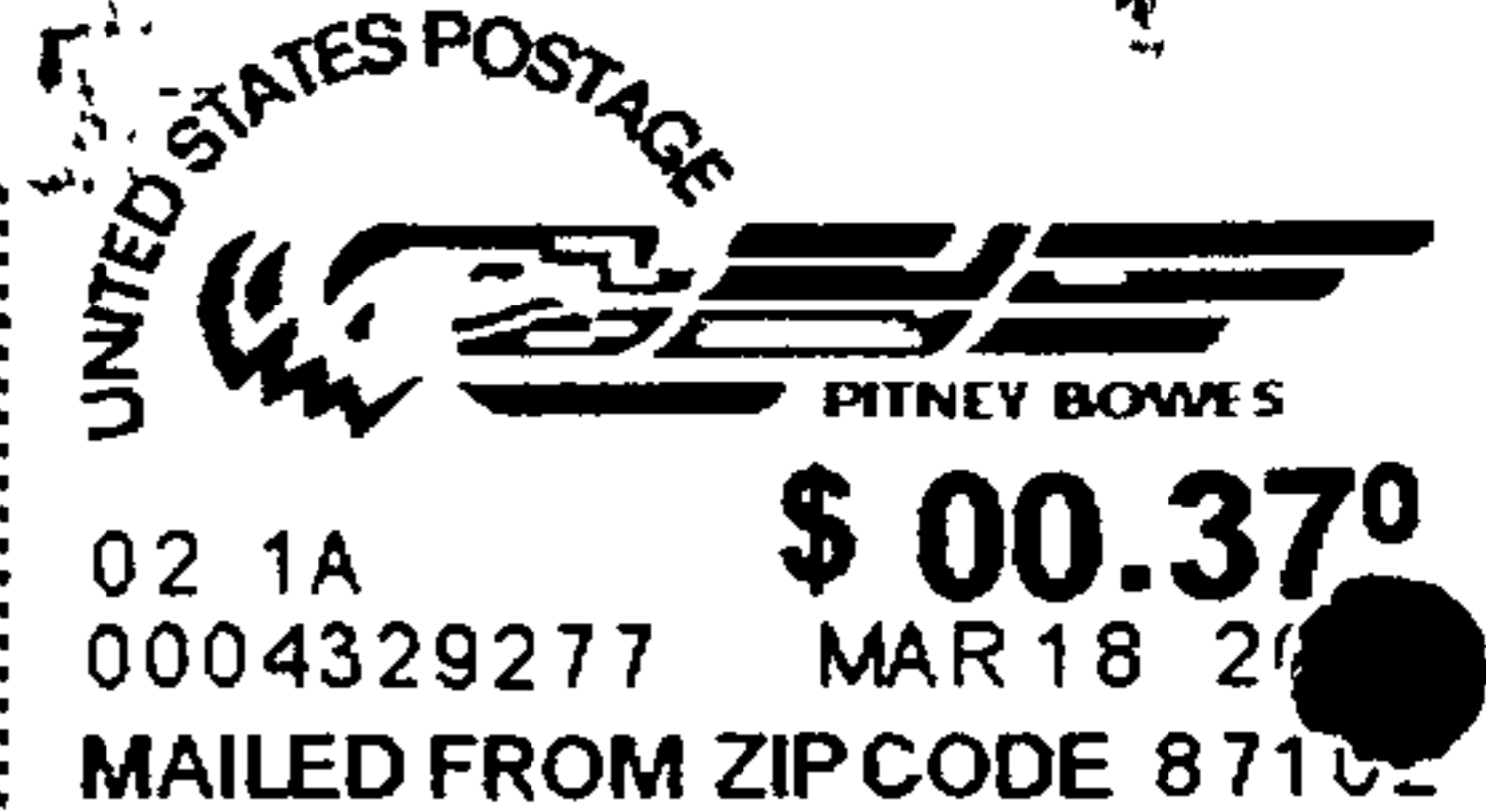
Making History

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

CITY OF ALBUQUERQUE



101306106008530147

FAJARDO RUDY L & BARBARA
3611 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

NSNL

87107436393033



**CITY OF PLANNING
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: APRIL 6, 2005
Zone Atlas Page: F-13-Z
Notification Radius: 100 Ft.

Project# 1004010
App# 05DRB-00404

Cross Reference and Location:

Applicant: MARK & MICHELLE GALLEGOS
Address: 6216 CHIMAYO DR NW
ALBUQUERQUE NM 87120

Agent:
Address:

Special Instructions:

**Notice must be mailed from the
City's 15 day prior to the meeting.**

Date Mailed: MARCH 18, 2005

Signature: KYLE TSETHLIKAI

PROPERTY OWNERSHIP / LEGAL LIST

App# _____
 Proj# _____

Date: _____

Page 1 Of 1

Zone Atlas Page	Zone Atlas #	Grid Location	Parcel Sequence	Name & Address				
F-13	1013061	040-100	301-51	✓	1013061	040-128	303	42 ✓
		012-115	88	✓		023-120		16 ✓
		020-110	49	✓				
		030-105	50	✓				
		050-095	27	✓				
		045-095	26	✓				
		040-085	47	✓				
		049-104	41	✓				
		053-112	42	✓				
		036-120	43	✓				
		020-127	32	✓				
		023-092	60	✓				
		040-084	63	✓				
		055-079	55	✓				
		044-066	40	✓				
		033-073	34	✓				
		019-079	20	✓				
		030-140	303-20	✓				
		053-131	17	✓				



<mainframe@coa1mp3.cabq.gov>

03/17/2005 09:02 AM

To:
cc:
cc:
Subject:

1 RECORDS WITH LABELS PAGE
1
01013061 *** THIS UPC CODE HAS NO MASTER RECORD ON FILE
0101306104010030151 LEGAL: TRAC T A- 1-D PLAT OF TRS A-1-A, A-1-B, A-1-C &
A-1- LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: GARCIA ROBERT N & GLORIA
OWNER ADDR: 03615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107
0101306101211530130 LEGAL: TRAC T A- 1-A PLAT OF TRS A-1-A, A-1-B, A-1-C &
A-1- LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: GARCIA HUFF STEPHANIE MARISA
OWNER ADDR: 08702 SPAIN NE
ALBUQUERQUE NM 87111
0101306102011030149 LEGAL: TRAC T A- 1-B PLAT OF TRS A-1-A, A-1-B, A-1-C &
A-1- LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: MARTINEZ YVONNE T & PAUL B
OWNER ADDR: 02415 DON ONOFRE TR NW
ALBUQUERQUE NM 87107
0101306103010530150 LEGAL: TRAC T A- 1-C PLAT OF TRS A-1-A, A-1-B, A-1-C &
A-1- LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: BEAUCHAMP RONALD A & CECILIA J
OWNER ADDR: 06605 MENAUL BL NE
ALBUQUERQUE NM 87110
0101306105009530127 LEGAL: TR A -2 P LAT OF TRS A-1, A-2, B-1 & B-2 LANDS OF
GA LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: FAJARDO EDWARD ETUX &
OWNER ADDR: 03615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107
0101306106509530126 LEGAL: TR B -2 P LAT OF TRS A-1, A-2, B-1 & B-2 LANDS OF
GA LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: DUNBAR WILLIAM A & MARY T
OWNER ADDR: 02323 DON ONOFRE TR NW
ALBUQUERQUE NM 87107
0101306106008530147 LEGAL: TR B -1 P LAT OF TRS A-1, A-2, B-1 & B-2 LANDS OF
GA LAND USE:
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: FAJARDO RUDY L & BARBARA
OWNER ADDR: 03611 RIO GRANDE BL NW
ALBUQUERQUE NM 87107
0101306106910430141 LEGAL: TRAC T 'M -4' REPLAT OF THE WESTERLY 1.75 AC
TRACT ' LAND USE:
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: SANCHEZ MARIO A ETUX
OWNER ADDR: 04503 COMPOUND NORTH CT NW
ALBUQUERQUE NM 87107

PAGE 2

0101306105311230142 TRACT ' LAND USE: LEGAL: TRAC T 'M -3' REPLAT OF THE WESTERLY 1.75 AC
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: KAPSNER CURTIS O & PATRICIA L
OWNER ADDR: 02210 TEODORO NW
ALBUQUERQUE NM 87107

0101306103612030143 TRACT ' LAND USE: LEGAL: TRAC T 'M -2' REPLAT OF THE WESTERLY 1.75 AC
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: LADD LOUISE K M
OWNER ADDR: 02310 TEODORO RD NW
ALBUQUERQUE NM 87107

0101306102012730132 TRACT ' LAND USE: LEGAL: TRAC T 'M -1' REPLAT OF THE WESTERLY 1.75 AC
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: PETERS DAVID A & CAROL L
OWNER ADDR: 02320 TEODORO RD NW
ALBUQUERQUE NM 87107

0101306102309230160 A- LAND USE: LEGAL: TRAC TS A -2 THRU A-4, PLAT OF TRACTS A-1 THROUGH
PROPERTY ADDR: 00000
OWNER NAME: RODRIGUEZ FABIAN & REBECCA
OWNER ADDR: 02304 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

0101306104008430163 LAND USE: LEGAL: TR A -1 P LAT OF TRACTS A-1 THROUGH A-4 LANDS OF
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: WHEELER DENISE
OWNER ADDR: 03565 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

0101306105507930155 CONT LAND USE: LEGAL: TRAC T B PLAT OF TRACTS A & B LANDS OF HONNELL
PROPERTY ADDR: 00000 DON ONOFRE
OWNER NAME: CROLLETT SEFERINO S JR &
OWNER ADDR: 02320 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

0101306104406630140 132 LAND USE: LEGAL: TRAC T 13 2A-2-2 SUMMARY PLAT OF TRACTS 132A-2-1
PROPERTY ADDR: 00000 RIO GRANDE
OWNER NAME: CLARKE MARCUS & NANCY GAIL
OWNER ADDR: 03559 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

0101306103307330136 13 LAND USE: LEGAL: TRAC T 13 2-A-2-1 SUMMARY PLAT OF TRACTS 132A-2-1
PROPERTY ADDR: 00000 RIO GRANDE
OWNER NAME: HERRERA JOSEPH L ETUX
OWNER ADDR: 03563 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

0101306101907930120 A LAND USE: LEGAL: TRAC T 13 2A1 CRESENCIANO GARCIA LAND DIVISION OF
PROPERTY ADDR: 00000 RIO GRANDE
OWNER NAME: ROBINS JOAN E
OWNER ADDR: 03565 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

PAGE 3

0101306103014030320 M.R. LAND USE: LEGAL: TRAC T 13 0-A, 130B-1, 130B-2, 130C-1 & 130C-2,
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: TORRES MAURO P ETUX
OWNER ADDR: 02431 TEODORO RD NW
ALBUQUERQUE NM 87107
0101306105313130317 LAND USE: LEGAL: MRG CD M AP 31 TR 130D1 CONT 0.15 AC
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: YANNONI PAUL A SR & MONNICA A
OWNER ADDR: 02417 TEODORO RD NW
ALBUQUERQUE NM 87107
0101306106012830342 LAND USE: LEGAL: MAP 31 T RACT 130D 2 CONT 0.25 AC
PROPERTY ADDR: 00000 TEODORO
OWNER NAME: YANNONI PAUL ANTHONY &
OWNER ADDR: 02417 TEODORO RD NW
ALBUQUERQUE NM 87107
0101306107312030316 LAND USE: LEGAL: MAP 31 T R 130E 0.59 AC
PROPERTY ADDR: 00000 RIO GRANDE
OWNER NAME: SOCORRO TORRES DINA
OWNER ADDR: 02411 TEODORO RD NW
ALBUQUERQUE NM 87107

QUIT

"Attachment A"

3/09/05

MARK & MICHELLE GALLEGOS
6216 CHIMAYO DR. NW / 87120
PHONE: 899-2752
ZONE MAP: F-13

Rio Grande Blvd. NA (R)

***Claude Morelli**

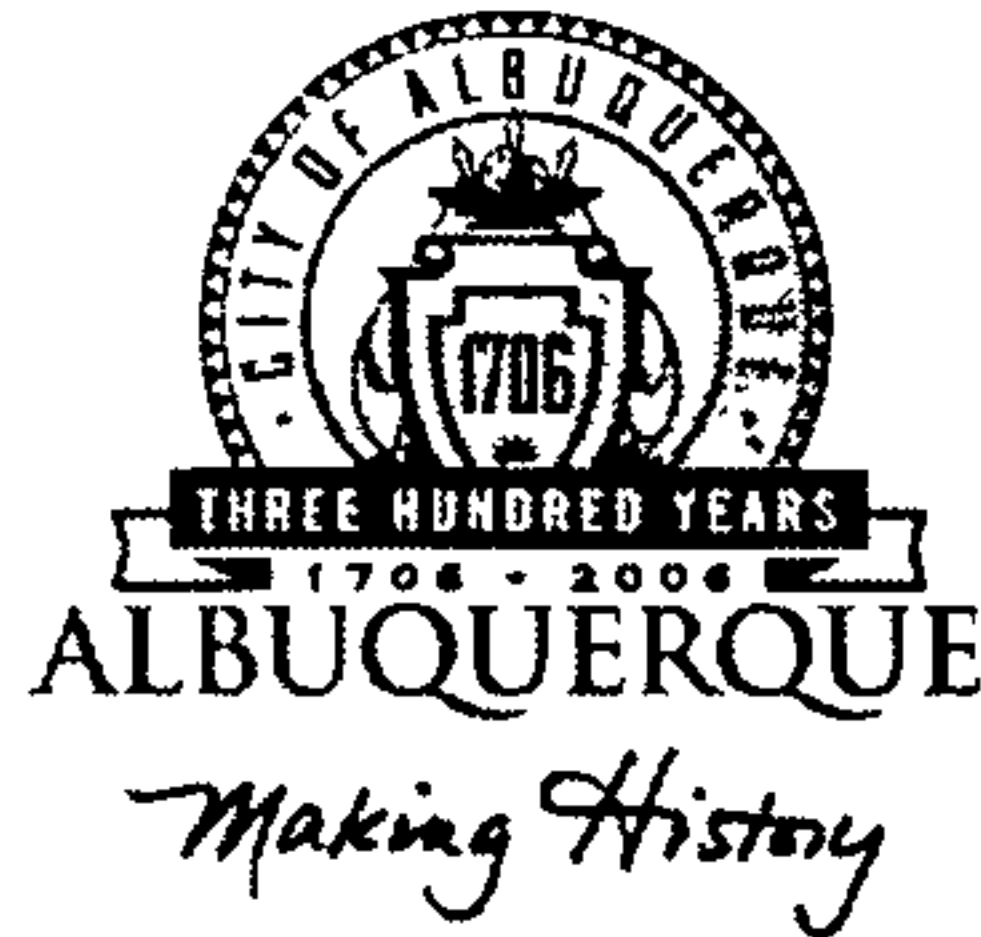
2236 Dietz Pl. NW / 87107 344-9742 (h)

Jo Marie Anderson

3505 Campbell Ct. NW / 87104 342-2537 (h)

ALTHOUGH YOU ARE NOT "OFFICIALLY REQUIRED" BY O-92,
you are most welcomed to notify the following "*Unrecognized*"
neighborhood associations of this project.

LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION.



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

March 9, 2005

Mark & Michelle Gallegos
6216 Chimayo Dr. NW / 87120
Phone: 899-2752

Thank you for your inquiry of **March 9, 2005** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **A-1-D LAND OF ROBERT N. GARCIA LOCATED ON 2405 DON ONOFRE TR. NW BETWEEN CANDELARIA RD. NW AND GRIEGOS NW, Zone Map F-13**

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

SEE "ATTACHMENT A" FOR NEIGHBORHOOD INFORMATION.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3914 or via an e-mail message at juliaking@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Julia King

Julia King

Senior Office Assistant

OFFICE OF NEIGHBORHOOD COORDINATION

Planning Department

planningrnaform(10/27/04)

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

Project# 1004010

MARK & MICHELLE GALLEGOS
6216 CHIMAYO DR NW
ALBUQUERQUE NM 87120

101306104010030151

GARCIA ROBERT N & GLORIA
3615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306103010530150

BEAUCHAMP RONALD A & CECILIA
6605 MENAUL BL NE
ALBUQUERQUE NM 87110

101306106008530147

FAJARDO RUDY L & BARBARA
3611 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306103612030143

LADD LOUISE K M
2310 TEODORO RD NW
ALBUQUERQUE NM 87107

101306104008430163

WHEELER DENISE
3565 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306103307330136

HERRERA JOSEPH L ETUX
3563 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306105313130317

YANNONI PAUL A SR & MONNICA A
2417 TEODORO RD NW
ALBUQUERQUE NM 87107

CLAUDE MORELLI
Rio Grande Blvd Neigh. Assoc.
2236 DIETZ PL. NW
ALBUQUERQUE NM 87107

101306101211530130

GARCIA HUFF STEPHANIE MARISA
8702 SPAIN NE
ALBUQUERQUE NM 87111

101306105009530127

FAJARDO EDWARD ETUX &
3615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306106910430141

SANCHEZ MARIO A ETUX
4503 COMPOUND NORTH CT NW
ALBUQUERQUE NM 87107

101306102012730132

PETERS DAVID A & CAROL L
2320 TEODORO RD NW
ALBUQUERQUE NM 87107

101306105507930155

CROLLETT SEFERINO S JR &
2320 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

101306101907930120

ROBINS JOAN E
3565 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306107312030316

SOCORRO TORRES DINA
2411 TEODORO RD NW
ALBUQUERQUE NM 87107

JO MARIE ANDERSON
Rio Grande Blvd Neigh. Assoc.
3505 CAMPBELL CT. NW
ALBUQUERQUE NM 87104

101306102011030149

MARTINEZ YVONNE T & PAUL B
2415 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

101306106509530126

DUNBAR WILLIAM A & MARY T
2323 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

101306105311230142

KAPSNER CURTIS O & PATRICIA L
2210 TEODORO NW
ALBUQUERQUE NM 87107

101306102309230160

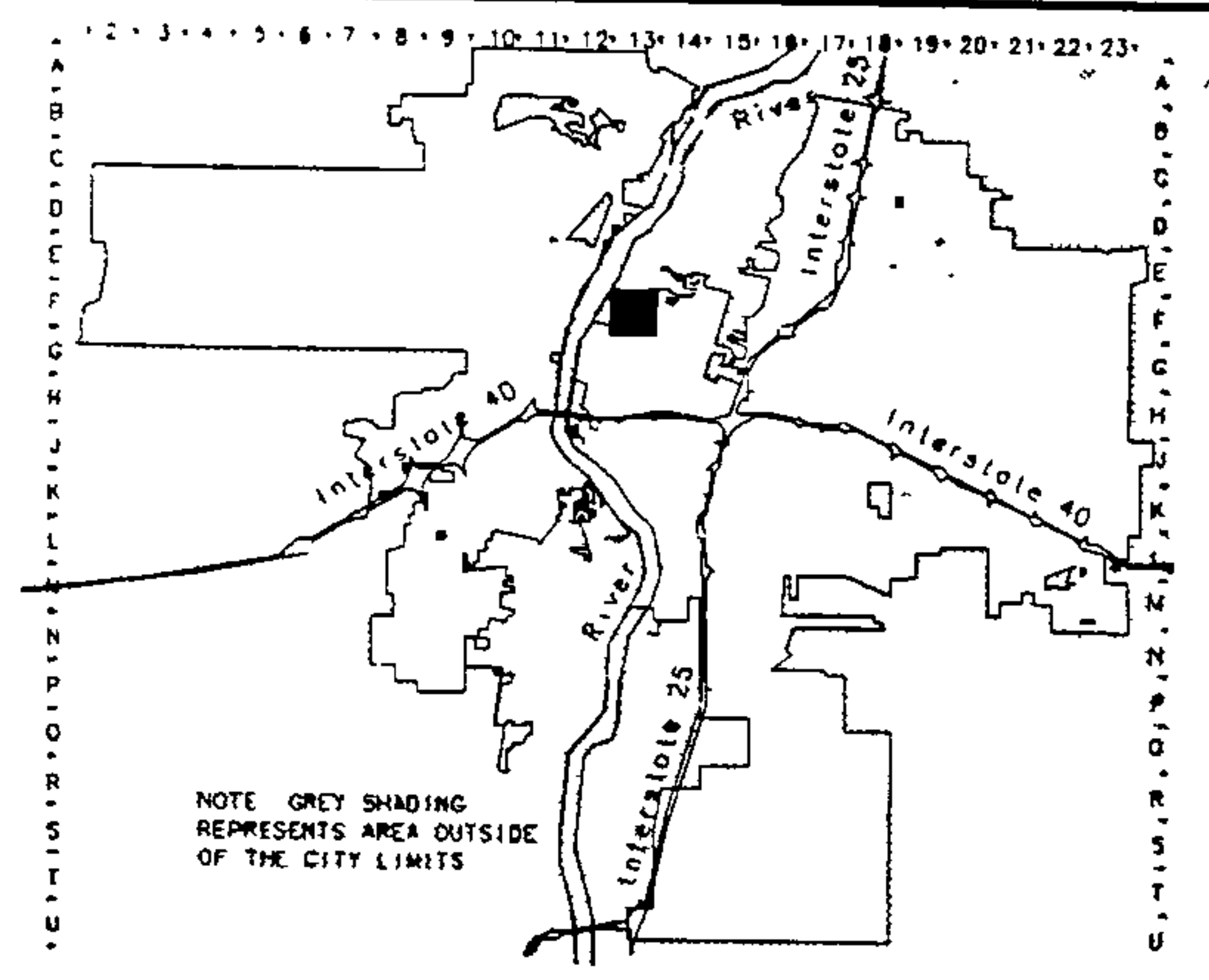
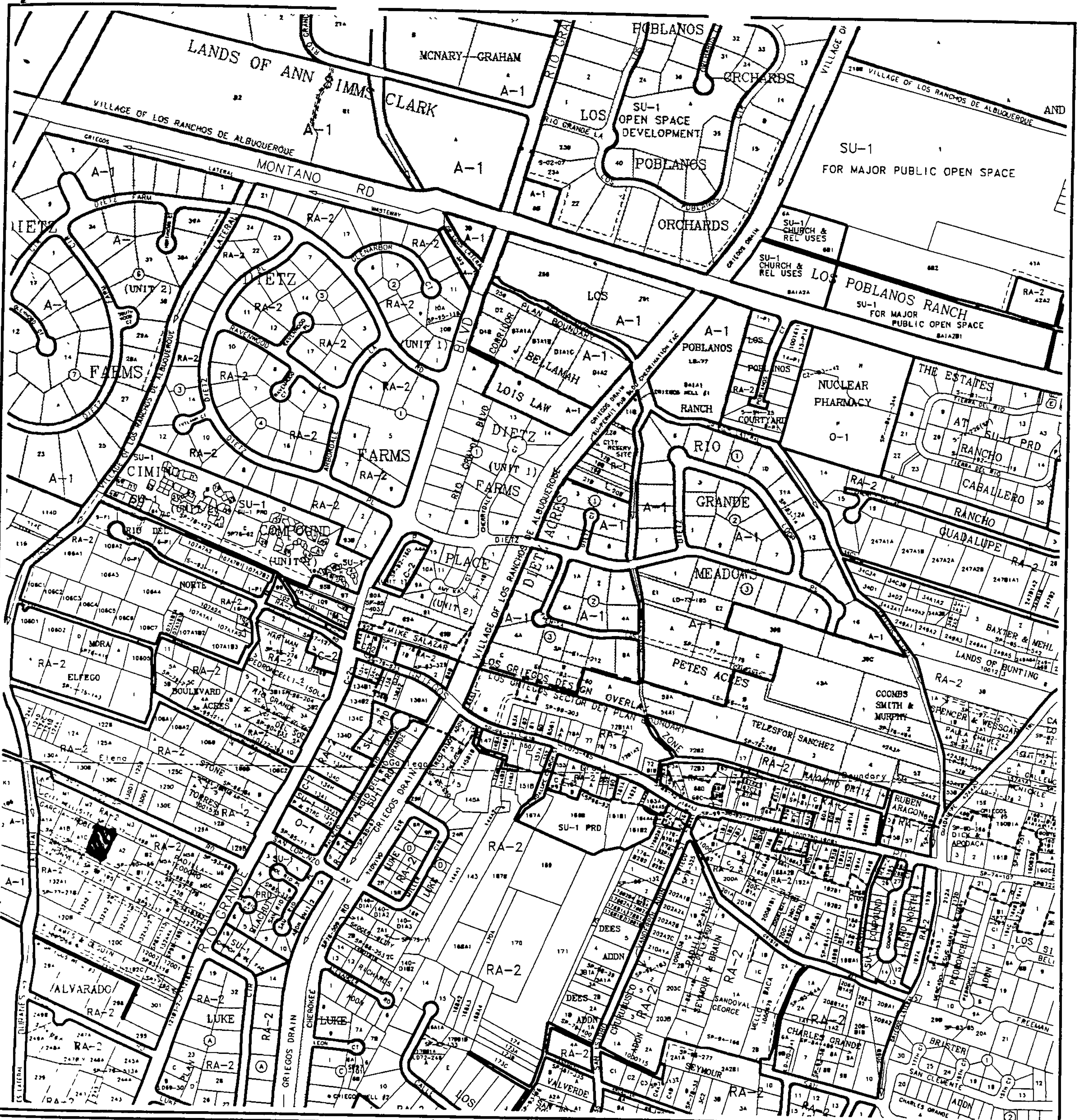
RODRIGUEZ FABIAN & REBECCA
2304 DON ONOFRE TR NW
ALBUQUERQUE NM 87107

101306104406630140

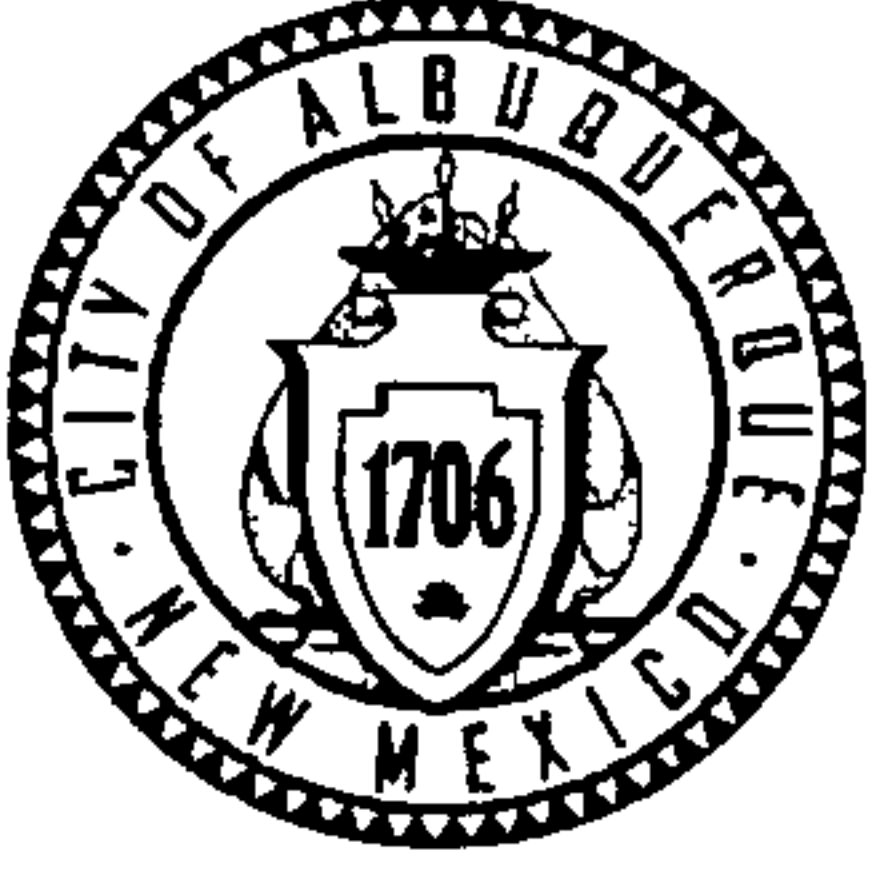
CLARKE MARCUS & NANCY GAIL
3559 RIO GRANDE BL NW
ALBUQUERQUE NM 87107

101306103014030320

TORRES MAURO P ETUX
2431 TEODORO RD NW
ALBUQUERQUE NM 87107



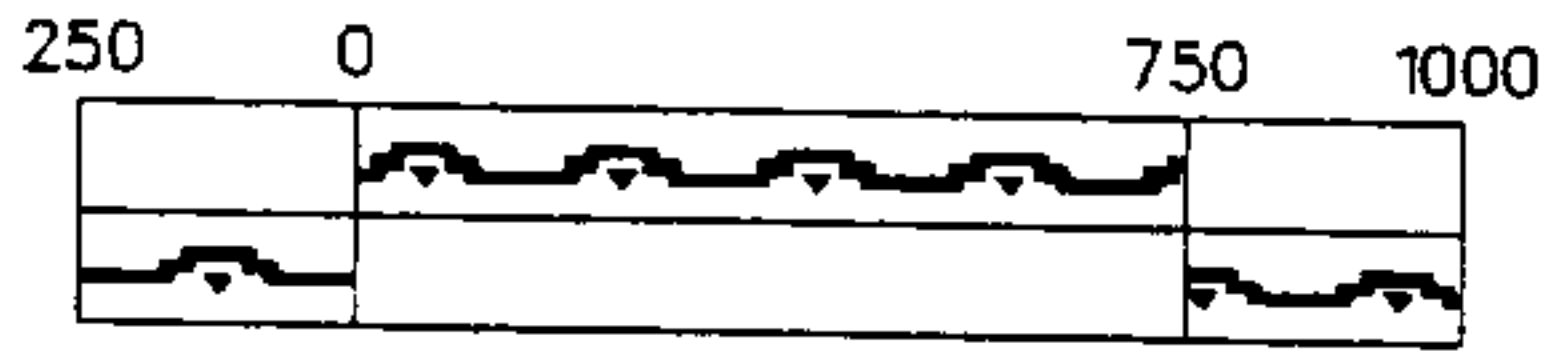
NOTE GREY SHADING REPRESENTS AREA OUTSIDE OF THE CITY LIMITS



A G I S
 Albuquerque Geographic Information System
 PLANNING DEPARTMENT

© Copyright 2004

GRAPHIC SCALE IN FEET



Zone Atlas Page

F-13-Z

Map Amended through May 04, 2004

**PUBLIC SERVICE COMPANY OF NEW MEXICO
WAIVER AND RELEASE OF EASEMENT**

PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), a New Mexico corporation, does hereby release, waive, quitclaim and discharge its right, title and interest to the present owner or owners, as their interests may appear in the property described below. The interest of PNM in such property was created by that certain Easement or Grant of Right of Way recorded in Bernalillo County, on April 12, 1994, in Plat Book 94C, Page(s) 117. As to all property covered by such Easement or Grant of Right of Way which is not specifically described herein, the right, title and interest of PNM shall not be affected by this release.

The easement (or portion thereof) being released herein is described as lying and being within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT NO. 11426 (Referencing Existing PNM Doc. No. Not Applicable)

The easement being released is within Tract A-1-D, Lands of Robert N. Garcia, situate in Section 31, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said plat filed for record in the Office of the County Clerk of Bernalillo County on April 12, 1994, in Plat Book 94C, Page 117, and is more particularly described as follows:

Said easement being released is east seven (7) feet of the property described above. Reserving therefrom the north seven (7) feet and the south twenty (20) feet.

All as generally shown on the drawing attached hereto and made a part hereof as EXHIBIT "A".



IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 29th day of October, 20 04

FOR RECORDER'S USE ONLY

PUBLIC SERVICE COMPANY OF NEW MEXICO

[Signature]

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

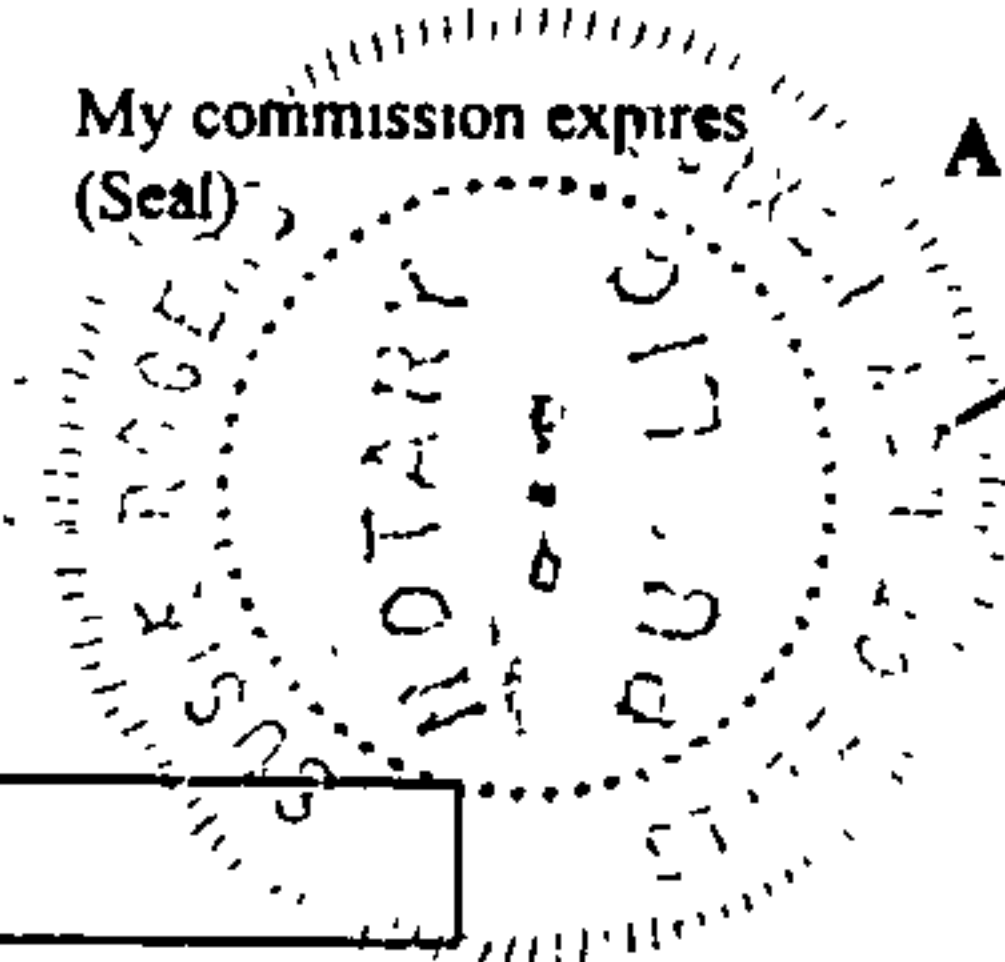
COUNTY OF BERNALILLO

This instrument was acknowledged before me on

October 29, 20 04

By ROB ROBERTS, MANAGER, RIGHT OF WAY DEPT of Public Service Company of New Mexico, a New Mexico corporation, on behalf of said corporation

My commission expires April 22, 2007
(Seal)



[Signature]
Notary Public

PNM REFERENCE NUMBER

[Empty box for PNM Reference Number]



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

PAGE 2

Project # 1003634
05DRB-00409 Major-Vacation of Pub
Right-of-Way

GARCIA KRAEMER & ASSOCIATES agent(s) for
GREATER ALBUQUERQUE HABITAT FOR
HUMANITY request(s) the above action(s) for all or a
portion of Lot(s) 6B, Block(s) 12, **EASTERN
ADDITION**, zoned SU-2 MR, located on HIGH
STREET SE, between CROMWELL SE and PACIFIC
SE containing approximately 1 acre(s). [REF:
04ZHE01162, 01ZHE01165, 01ZHE01166,
04DRB01297] (K-14)

Project # 1004010
05DRB-00404-Major-Vacation of Public
Easements

MARK & MICHELLE GALLEGOS request(s) the above
action(s) for all or a portion of Tract(s) A-1-A, A-1-B, A-
1-C & A-1-D, **LANDS OF ROBERT N GARCIA**, zoned
RA-2, located on DON ONOFRE TRAIL NW, between
CANDELARIA NW and GRIEGOS NW containing
approximately 1 acre(s). [REF:[DRB-94-022] (F-13)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Claire Senova, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 – TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331.

Claire Senova
for Sheran Matson, AICP, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, MARCH 21, 2005.



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the **Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW**, on **Wednesday, April 6, 2005**, beginning at **9:00 a.m.** for the purpose of considering the following:

Project # 1001085

05DRB-00402 Major-Two Year SIA

ANTHONY E DECK request(s) the above action(s) for all or a portion of Lot(s) 16 & 17, Block(s) B, **ROSEWOOD SUBDIVISION, UNIT 1**, zoned R-D, located on BLOSSOMWOOD PL NW, between HANOVER RD NW and AMAFCA ROW/I-40 containing approximately 10 acre(s). [REF: 01DRB00261, 03DRB00372] (J-10)

Project # 1000296

05DRB-00406 Major-Vacation of Public Easements

BOHANNAN HUSTON INC agent(s) for SCOTT PATRICK HOMES request(s) the above action(s) for all or a portion of Lot(s) 16P1, **OXBOW VILLAGE**, zoned SU-3, located on NORTHERN AVE NW, between OXBOW VILLAGE LN NW and VISTA GRANDE DR NW containing approximately 1 acre(s). [REF: 02DRB02808] (G-11)

Project # 1000692

05DRB-00407 Major-SiteDev Plan BldPermit

BDA ARCHITECTS agent(s) for SIVAD ENTERPRISES request(s) the above action(s) for all or a portion of Tract(s) A1A, Block(s) 1, **BEAR CANYON VILLAGE, UNIT 2**, zoned SU-1 FOR C-1, located on Burlison NE & Wyoming NE between San Antonio NE and Academy NE containing approximately 5 acre(s). (E-19)

Project # 1003384

05DRB-00380 Major-Vacation of Public Easements

TIERRA WEST LLC agent(s) for RSF LAND & CATTLE CO. LLC request(s) the above action(s) for Tract(s) MM-1-A and MM-1-B, **SEVEN BAR RANCH**, zoned C-2 (SC), located on Seven Bar Loop Rd NW between Cottonwood DR NW and Old Airport Ave NW containing approximately 7 acre(s). [REF: 04DRB-01874, 04EPC-01035] (B-14)

SEE PAGE 2 . . .

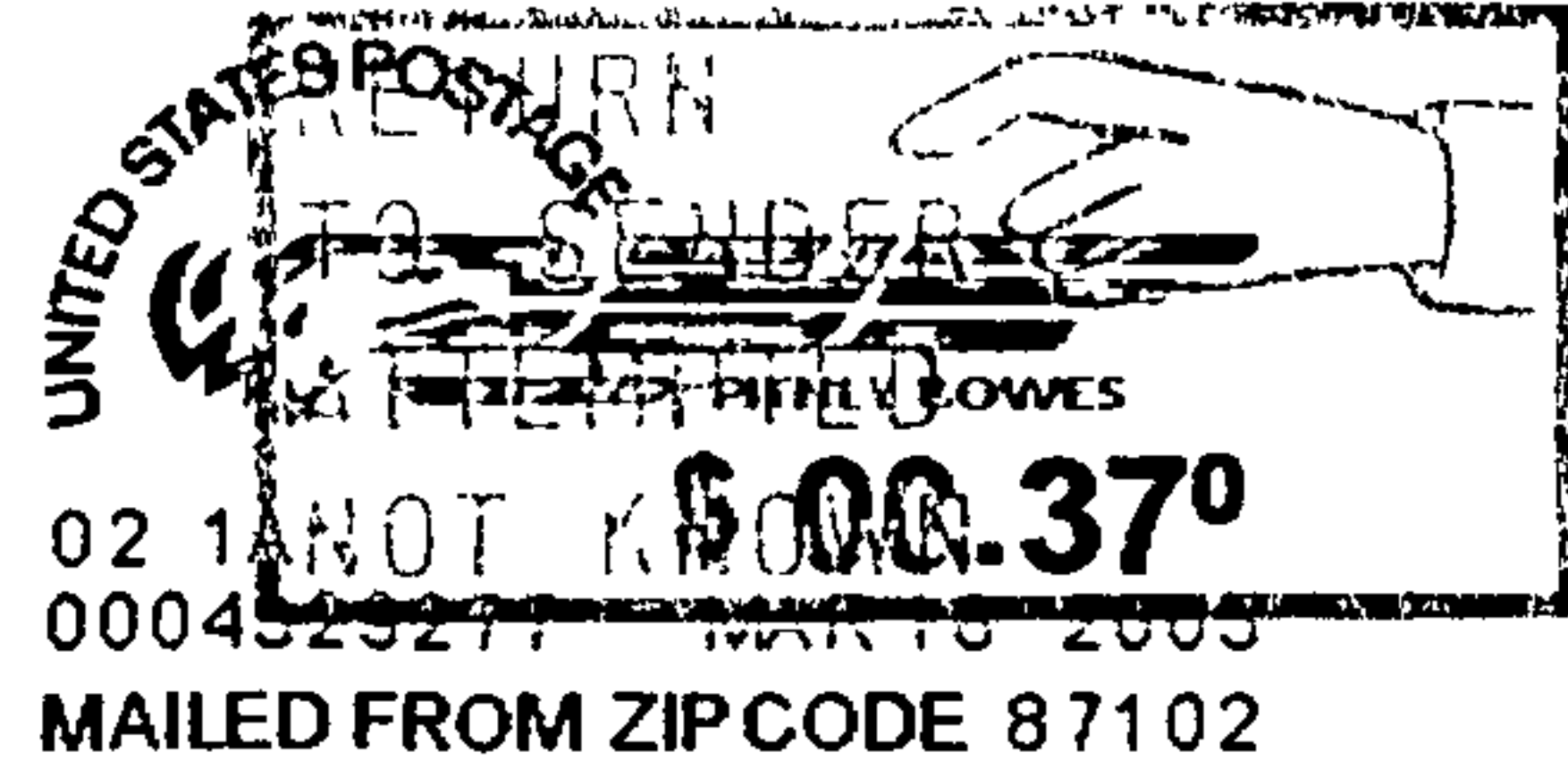
CITY OF ALBUQUERQUE



DRB

101306104010030151

GARCIA ROBERT N & GLORIA
3615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107



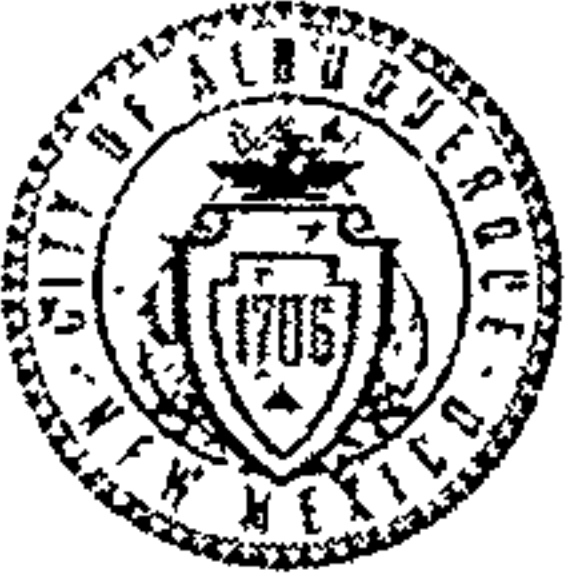
MARK

Planning Department

P.O. Box 1293

Albuquerque, NM 87103

87107+3023 30



4/6

PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE

PAGE 2

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for Sheran Matson, AICP, DRB Chair
Development Review Board

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SEE PAGE 2 . . .

CITY OF ALBUQUERQUE



Planning Department

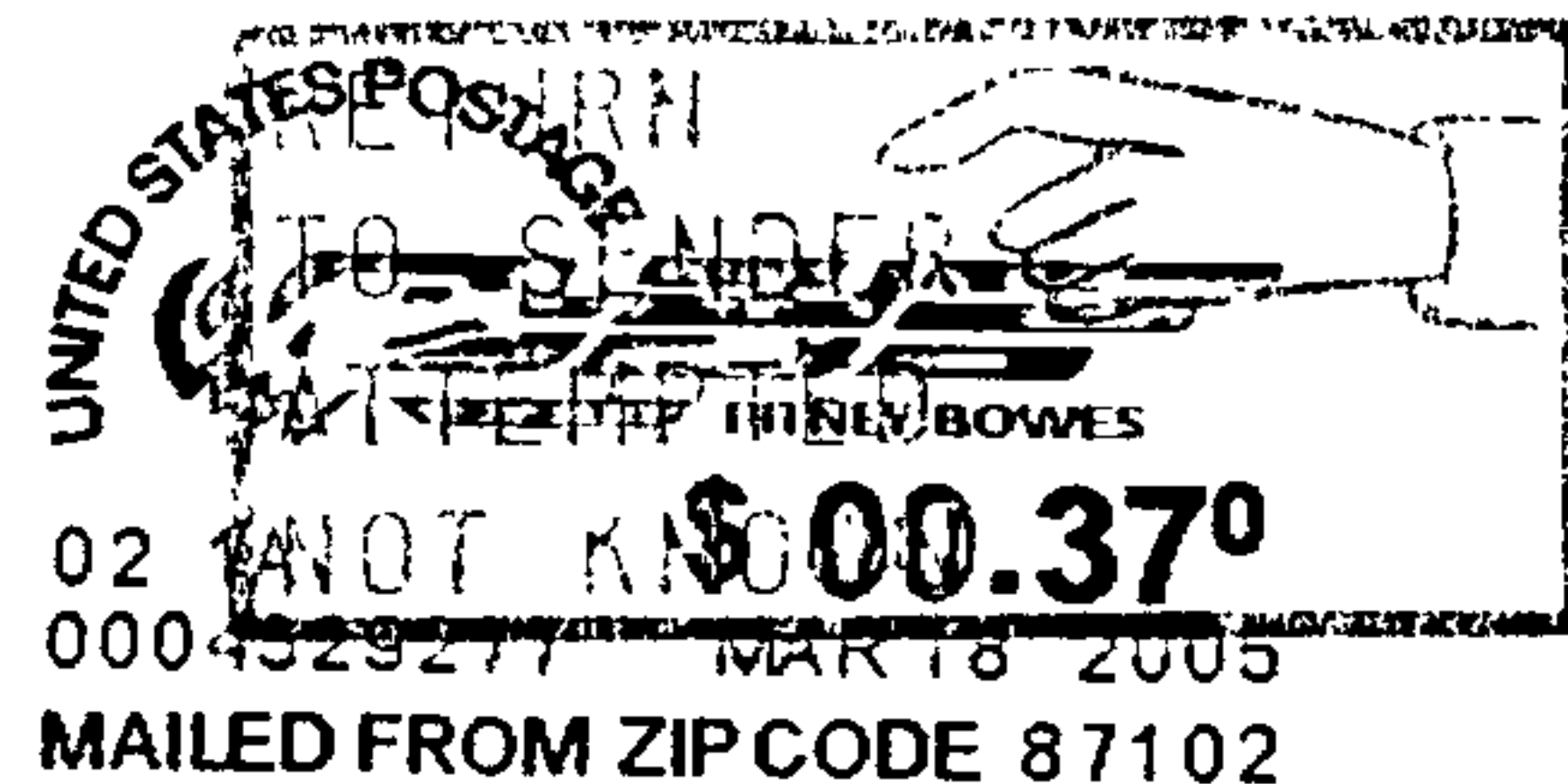
P.O. Box 1293

Albuquerque, NM 87103

DRB

101306105009530127

FAJARDO EDWARD ETUX &
3615 RIO GRANDE BL NW
ALBUQUERQUE NM 87107



87107+3039 30

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision Purposes
- for Building Permit
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

Supplemental form

- | | | |
|----------------------------|----------------------------|---|
| <input type="checkbox"/> S | <input type="checkbox"/> Z | ZONING & PLANNING |
| <input type="checkbox"/> | <input type="checkbox"/> | Annexation |
| <input type="checkbox"/> | <input type="checkbox"/> | County Submittal |
| <input type="checkbox"/> | <input type="checkbox"/> | EPC Submittal |
| <input type="checkbox"/> | <input type="checkbox"/> | Zone Map Amendment (Establish or Change Zoning) |
| <input type="checkbox"/> | <input type="checkbox"/> | Sector Plan (Phase I, II, III) |
| <input type="checkbox"/> | <input type="checkbox"/> | Amendment to Sector, Area, Facility or Comprehensive Plan |
| <input type="checkbox"/> | <input type="checkbox"/> | Text Amendment (Zoning Code/Sub Regs) |
| <input type="checkbox"/> | <input type="checkbox"/> | Street Name Change (Local & Collector) |
| <input type="checkbox"/> L | <input type="checkbox"/> A | APPEAL / PROTEST of... |
| <input type="checkbox"/> D | <input type="checkbox"/> | Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals |

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

NAME: MARK AND MICHELLE GALLEGOS PHONE: 899-2752
 ADDRESS: 6216 CHIMAYO DR. NW FAX: 241-2376 (W)
 CITY: ALBUQUERQUE STATE NM ZIP 87120 E-MAIL: mgallego@prim.com
 Proprietary interest in site: OWNERS List all owners: MARK & MICHELLE GALLEGOS
 AGENT (if any): NONE PHONE: N/A
 ADDRESS: N/A FAX: N/A
 CITY: N/A STATE N/A ZIP N/A E-MAIL: N/A

DESCRIPTION OF REQUEST: VACATION OF PUBLIC UTILITY EASEMENT (7')
ALONG THE EAST PROPERTY LINE OF TRACT A-1-D.

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. A-1-D Block: Unit:
 Subdiv. / Addn. PLAT OF TRACTS A-1-A, A-1-B, A-1-C, & A-1-D, LANDS OF ROBERT N. GARCIA
 Current Zoning: R-1 RA-2 Proposed zoning: SAME
 Zone Atlas page(s): F-13-Z No. of existing lots: 1 No. of proposed lots: 1
 Total area of site (acres): 0.4259 AC. Density if applicable: dwellings per gross acre: 1 dwellings per net acre: 1
 Within city limits? Yes. No , but site is within 5 miles of the city limits.) Within 1000FT of a landfill? No
 UPC No. 1-013-061-040-100-30151 MRGCD Map No.
 LOCATION OF PROPERTY BY STREETS: On or Near: 2405 DON ONOFRE TR. NW / OFF RIOGRANDE
 Between: CANDELARIA NW and GRIEGOS NW

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX, Z, V, S, etc.): 5
DRB-94-022, SV-94-4

Check-off if project was previously reviewed by Sketch Plan or Pre-application Review Team . Date of review:

SIGNATURE Mark Gallegos Michelle Y. Gallegos DATE MARCH 9, 2005
 (Print) MARK GALLEGOS MICHELLE Applicant Agent

FOR OFFICIAL USE ONLY

Form revised 4/04

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>05 DRB 00404</u>	<u>VPE</u>	<u>✓</u>	<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All fees have been collected	<u> </u>	<u>AD Fee</u>	<u> </u>	<u>\$ 25.00</u>
<input type="checkbox"/> All case #s are assigned	<u> </u>	<u>CMF</u>	<u> </u>	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> GIS copy has been sent	<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
<input type="checkbox"/> Case history #s are listed	<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
<input checked="" type="checkbox"/> F.H.D.P. density bonus	<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	<u> </u>	<u> </u>	<u> </u>	<u>\$</u>
	Hearing date <u>4-6-05</u>			Total <u>\$ 140.00</u>

 3-10-05
 Planner signature / date

Project # 100 4010

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE

(PUBLIC HEARING CASE)

- Application for subdivision (Plat) on FORM S-3, including those submittal requirements. **24 copies** of the plat are required. The Variance and subdivision should be applied for simultaneously.
- Letter briefly describing and explaining: the request, compliance with criteria in the Development Process Manual, and any improvements to be waived.
- Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule) Fee is for Variance. Plat fee is listed on FORM-S.
- Any original and/or related file numbers are listed on the cover application

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

VACATION OF PUBLIC RIGHT-OF-WAY

VACATION OF PUBLIC EASEMENT

- The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies**. (Not required for dedicated and City owned public right-of-way.)
- Drawing showing the easement or right-of-way to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **24 copies**
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the request
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

DRB Public hearings are approximately ONE MONTH after the filing deadline. Your attendance is required.

SUBDIVISION DESIGN VARIANCE (VARIANCE FROM MINIMUM STANDARDS OF THE DEVELOPMENT PROCESS MANUAL)

SIDEWALK DESIGN VARIANCE

SIDEWALK WAIVER

- Scale drawing showing the proposed variance or waiver (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the variance or waiver
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION

- Drawing showing the sidewalks subject to the proposed deferral or extension (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through internal routing.
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the deferral or extension
- Any original and/or related file numbers are listed on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

VACATION OF PRIVATE EASEMENT

- The complete document which created the private easement (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings. These actions are not approved through internal routing.
- Scale drawing showing the easement to be vacated, its relation to existing streets, etc. (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) precisely and clearly outlined and crosshatched (to be photocopied)
- Letter briefly describing, explaining, and justifying the vacation
- Letter of authorization from the grantors and the beneficiaries
- Fee (see schedule)
- Any original and/or related file numbers are listed on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Mark S. Gallegos
Applicant name (print)

Mark S. Gallegos
Applicant signature / date



Form revised 4/03 and October 2003

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
05DRB - 00404
 _____ - _____
 _____ - _____

[Signature] 3-10-05
 Planner signature / date

Project # 1004010

[Signature]

March 9, 2005

Development Plan/Review Board

We are requesting the vacation of a portion of the 7' Public Utility Easement, which runs along the east side of Tract A-1-D, Lands of Robert N. Garcia. There are currently no facilities within the easement. Utilities access for neighboring properties is currently taken from existing easements within the private road, Don Onofre Trail, NW. These include, water, sewer, gas, telephone and cable. Electric utilities already serve the adjacent properties via the 7' Public Utility Easement which runs on the northerly property boundaries of properties affected by the plat filed on April 12, 1994 in Book 94, Page 117.

The purpose of our request is to maximize the side access of our proposed new construction. Our intent is to build 5' west of the east property boundary (or two feet within the vacated 7' Public Utility Easement). We have previously approached Public Service Company of New Mexico, Comcast, and Qwest requesting release of the subject Public Utility Easement and were successful in obtaining releases of the easement. These have been filed for record in the Bernalillo County Clerk's Office and are enclosed for your review.

Sincerely,

Mark & Michelle Gallegos

**PUBLIC SERVICE COMPANY OF NEW MEXICO
WAIVER AND RELEASE OF EASEMENT**

PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), a New Mexico corporation, does hereby release, waive, quitclaim and discharge its right, title and interest to the present owner or owners, as their interests may appear in the property described below. The interest of PNM in such property was created by that certain Easement or Grant of Right of Way recorded in Bernalillo County, on April 12, 1994, in Plat Book 94C, Page(s) 117. As to all property covered by such Easement or Grant of Right of Way which is not specifically described herein, the right, title and interest of PNM shall not be affected by this release.

The easement (or portion thereof) being released herein is described as lying and being within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

PNM ROWT NO. 11426 (Referencing Existing PNM Doc. No. Not Applicable)

The easement being released is within Tract A-1-D, Lands of Robert N. Garcia, situate in Section 31, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said plat filed for record in the Office of the County Clerk of Bernalillo County on April 12, 1994, in Plat Book 94C, Page 117, and is more particularly described as follows:

Said easement being released is east seven (7) feet of the property described above. Reserving therefrom the north seven (7) feet and the south twenty (20) feet.

All as generally shown on the drawing attached hereto and made a part hereof as EXHIBIT "A".



IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 29th day of October, 20 04

FOR RECORDER'S USE ONLY

PUBLIC SERVICE COMPANY OF NEW MEXICO

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

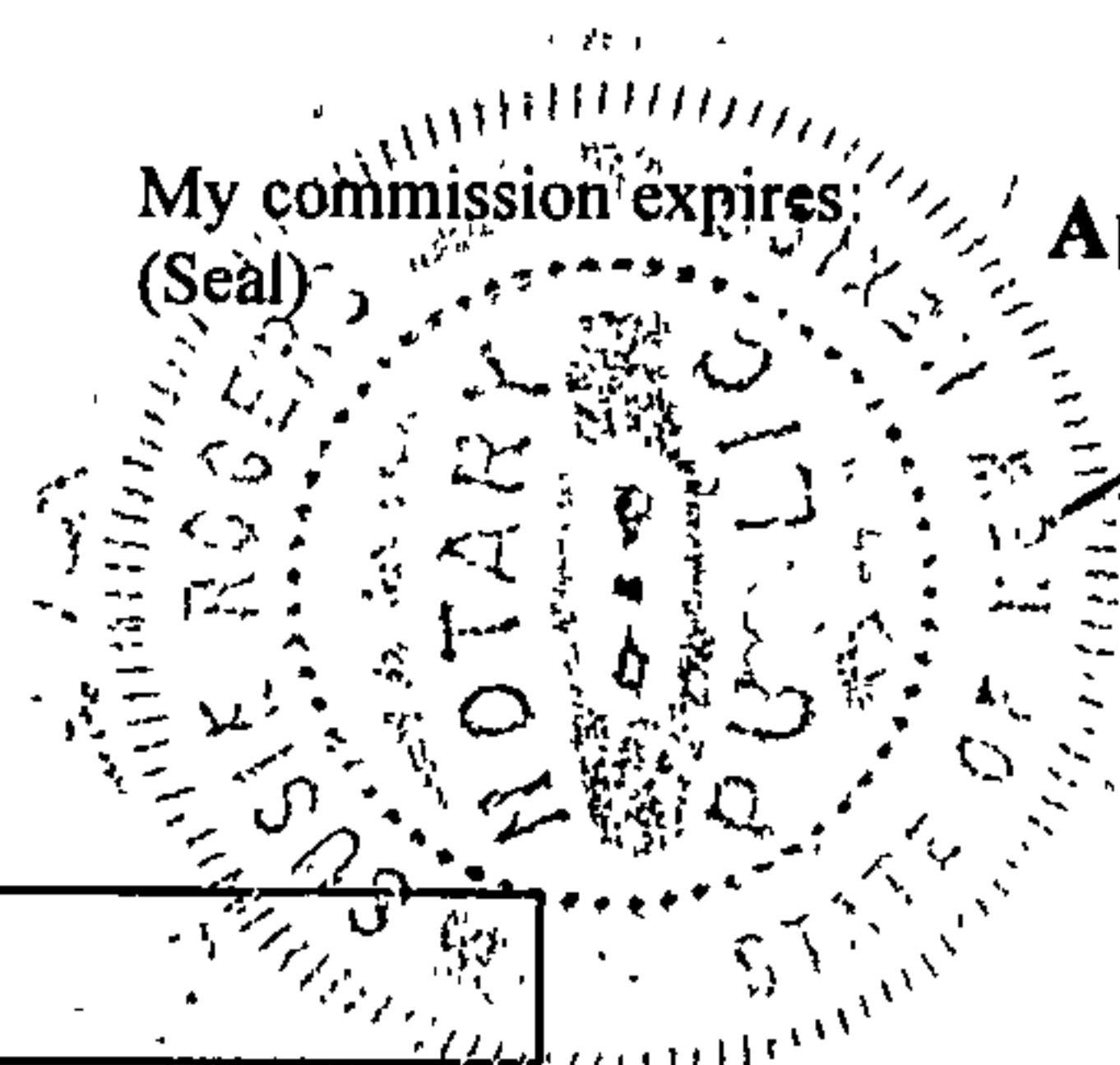
This instrument was acknowledged before me on

October 29, 20 04

By ROB ROBERTS, MANAGER, RIGHT OF WAY DEPT. of Public Service Company of New Mexico, a New Mexico corporation, on behalf of said corporation.

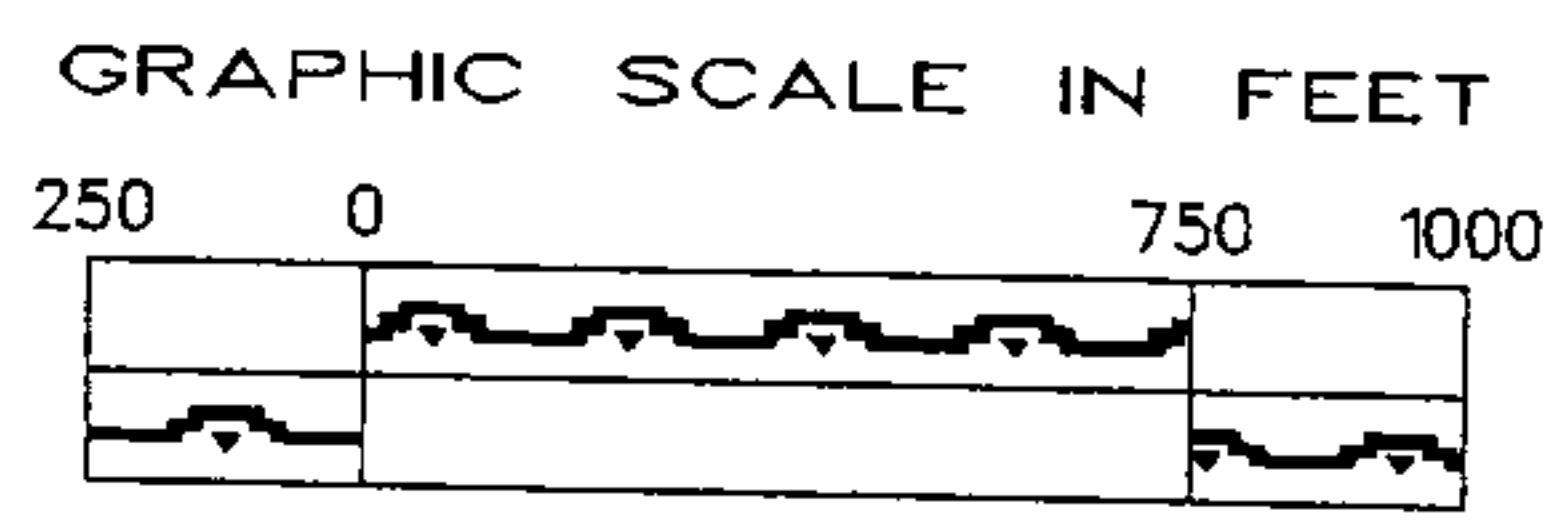
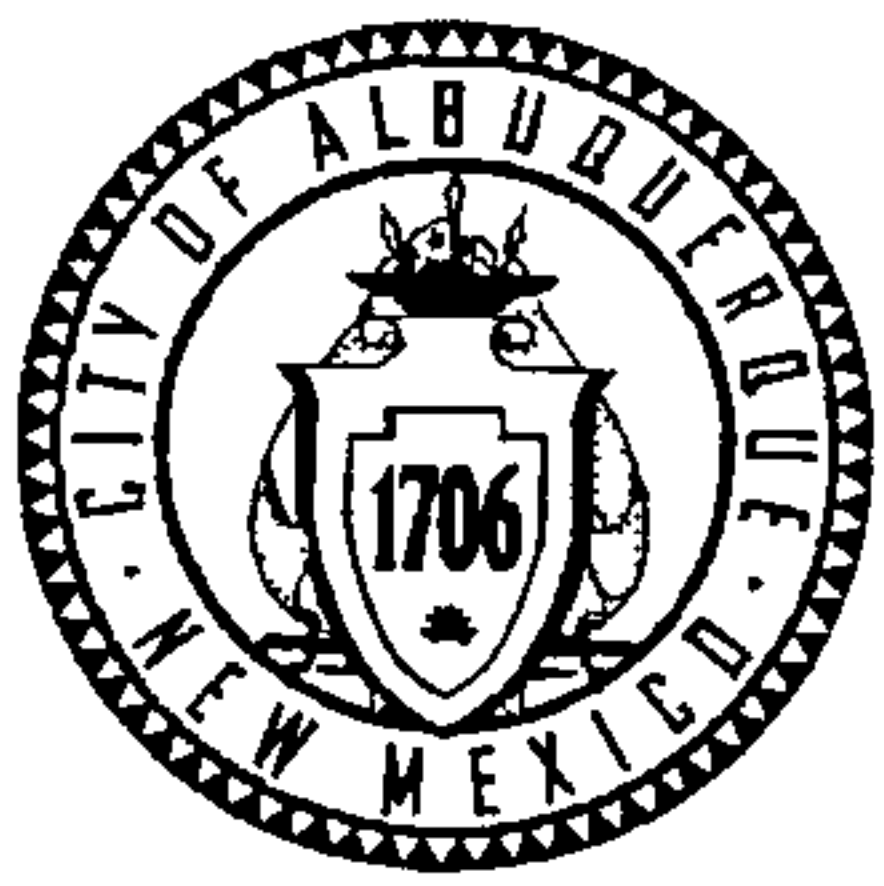
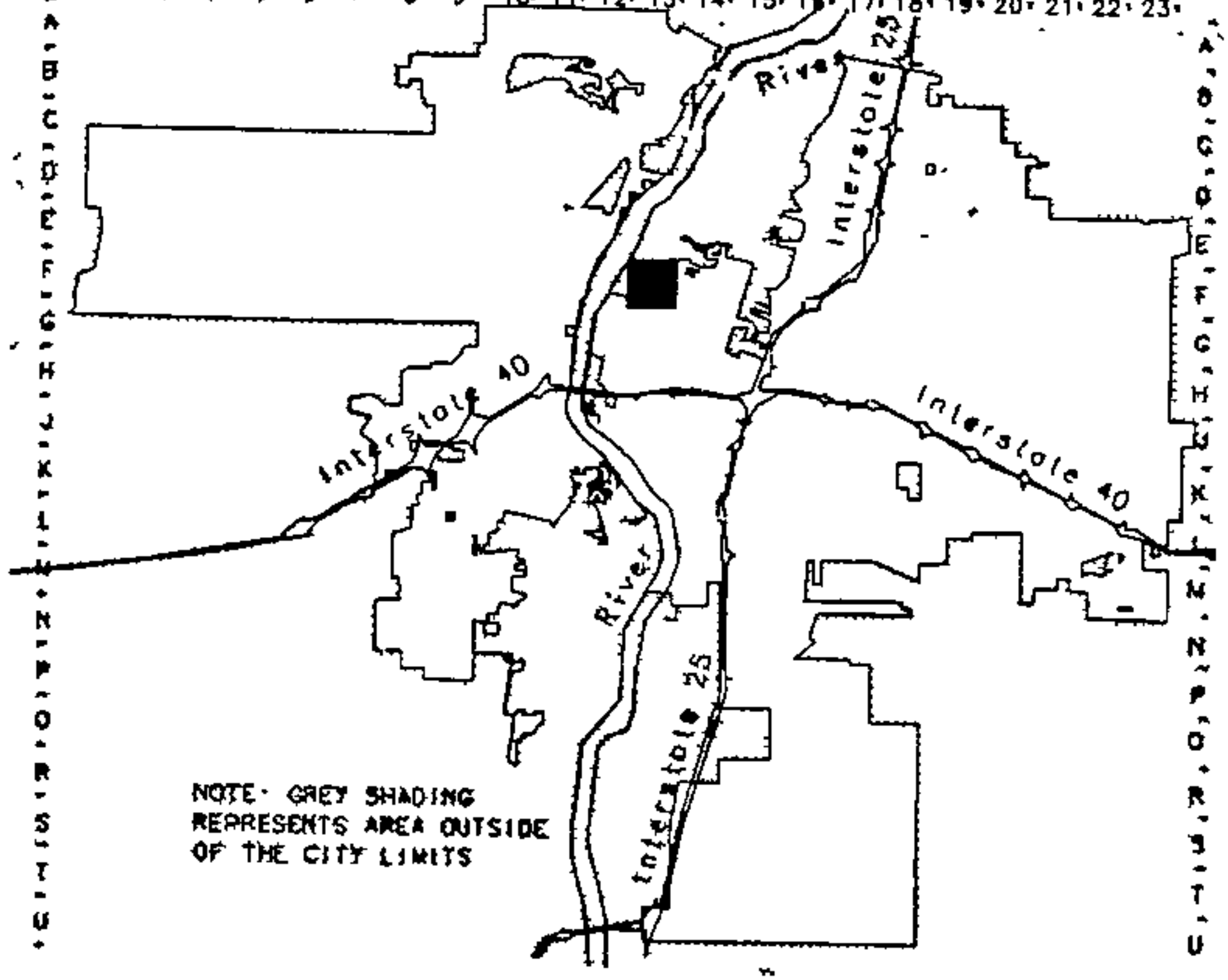
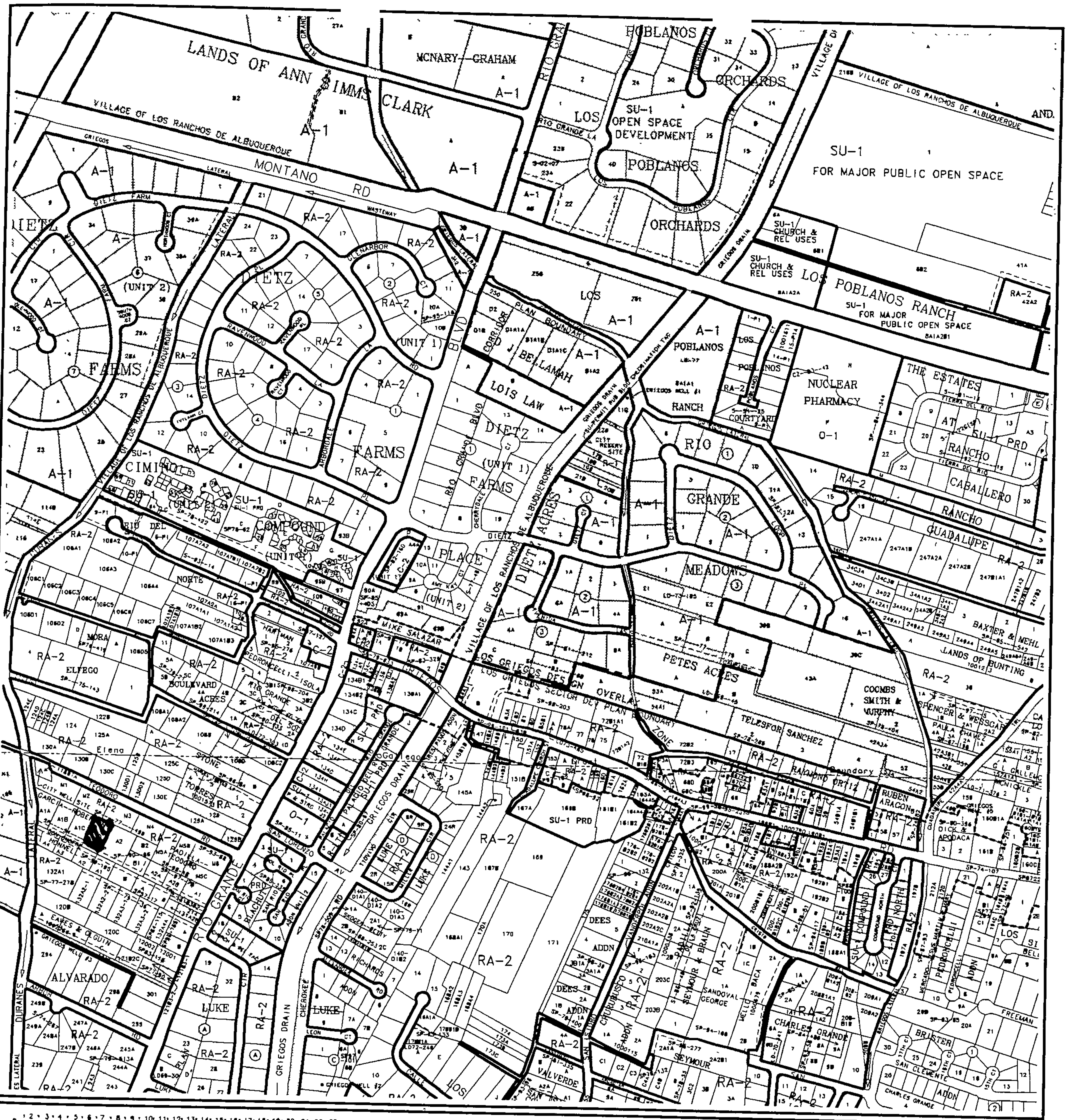
My commission expires April 22, 2007

(Seal) Notary Public



PNM REFERENCE NUMBER





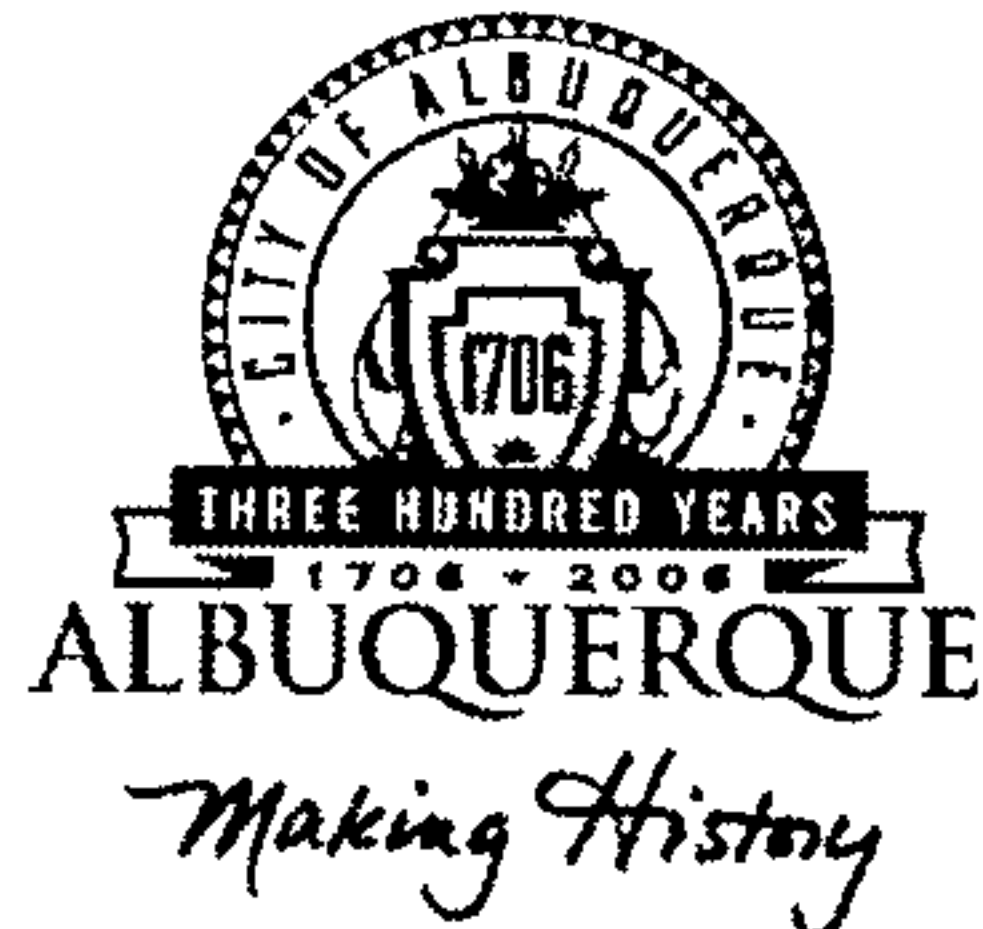
Abuquerque **G**eographic **I**nformation **S**ystem
PLANNING DEPARTMENT

© Copyright 2004

Zone Atlas Page

F-13-Z

Map Amended through May 04, 2004



City of Albuquerque

P.O. Box 1293, Albuquerque, NM 87103

March 9, 2005

Mark & Michelle Gallegos
6216 Chimayo Dr. NW / 87120
Phone: 899-2752

Thank you for your inquiry of **March 9, 2005** requesting the names of Recognized Neighborhood Associations who would be affected under the provisions of O-92 by your proposed project at **A-1-D LAND OF ROBERT N. GARCIA LOCATED ON 2405 DON ONOFRE TR. NW BETWEEN CANDELARIA RD. NW AND GRIEGOS NW, Zone Map F-13**

Our records indicate that the Recognized Neighborhood Association(s) affected by this proposal and the contact names are as follows:

SEE "ATTACHMENT A" FOR NEIGHBORHOOD INFORMATION.

Please note that according to O-92 you are required to notify each of these contact persons by **certified mail, return receipt requested, before** the Planning Department will accept your application filing. **IMPORTANT! Failure of adequate notification may result in your Application Hearing being deferred for 30 days.** If you have any questions about the information provided, please contact me at (505) 924-3914 or via an e-mail message at juliaking@cabq.gov or by fax at (505) 924-3913.

Sincerely,

Julia King

Julia King
Senior Office Assistant
OFFICE OF NEIGHBORHOOD COORDINATION
Planning Department

planningrnaform(10/27/04)

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter - you will need to get an updated letter from our office. It is your responsibility to provide current information - outdated information may result in a deferral of your case.

"Attachment A"

3/09/05

MARK & MICHELLE GALLEGOS
6216 CHIMAYO DR. NW / 87120
PHONE: 899-2752
ZONE MAP: F-13

Rio Grande Blvd. NA (R)

*Claude Morelli

2236 Dietz Pl. NW / 87107 344-9742 (h)

Jo Marie Anderson

3505 Campbell Ct. NW / 87104 342-2537 (h)

ALTHOUGH YOU ARE NOT "OFFICIALLY REQUIRED" BY O-92,
you are most welcomed to notify the following "*Unrecognized*"
neighborhood associations of this project.

LETTERS MUST BE SENT TO BOTH
CONTACTS OF EACH
NEIGHBORHOOD ASSOCIATION.

March 9, 2005

Development Plan/Review Board

**RE: Request for Vacation of Public Utility Easement/2405 Don Onofre Trail NW
Tract A-1-D, Lands of Robert N. Garcia**

We are requesting the vacation of a portion of the 7' Public Utility Easement, which runs along the east side of Tract A-1-D, Lands of Robert N. Garcia. There are currently no facilities within the easement. Utilities access for neighboring properties is currently taken from existing easements within the private road, Don Onofre Trail, NW. These include, water, sewer, gas, telephone and cable. Electric utilities already serve the adjacent properties via the 7' Public Utility Easement, which runs on the northerly property boundaries of properties affected by the plat filed on April 12, 1994 in Book 94, Page 117.

The purpose of our request is to maximize the west side access of our proposed, new construction on 2405 Don Onofre Trail NW. Our intent is to build our residence 5' west of the east property boundary (or two feet within the vacated 7' Public Utility Easement). We have previously approached Public Service Company of New Mexico, Comcast, and Qwest requesting release of the subject Public Utility Easement and were successful in obtaining releases of the easement. These have been filed for record in the Bernalillo County Clerk's Office and are enclosed for your review.

Should you have any question or require further information, you may contact us at (505) 899-2752. Your assistance in this matter is greatly appreciated.

Sincerely,



Mark & Michelle Gallegos
6216 Chimayo Dr. NW
Albuquerque, NM 87120
Mmkgallegos@comcast.net
(505) 899-2752 or (505) 239-9803

cc: Rio Grande Blvd. Neighborhood Association
c/o Claude Morelli
c/o Jo Marie Anderson

NOTICE TO APPLICANTS

SUGGESTED INFORMATION FOR NEIGHBORHOOD NOTIFICATION LETTERS

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify all affected recognized neighborhood associations **PRIOR TO FILING THE APPLICATION TO THE PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendment describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area, plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood associations may contact someone with questions or comments.

(below this line for ONC use only)

Date of Inquiry: **3/09/05** Time Entered: **4:50PM** ONC Rep. Initials: **JK**

RECORDING INFORMATION ABOVE

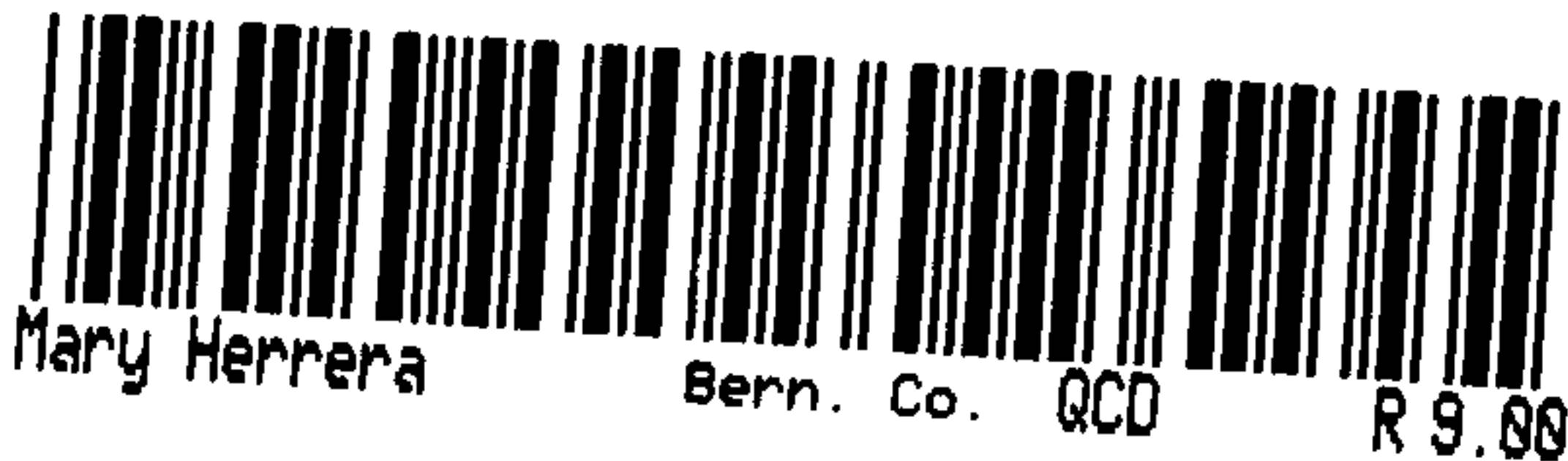
QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that, Qwest Corporation, a Colorado Corporation, (F.K.A. US WEST COMMUNICATIONS, INC.) hereinafter called "Company" for and in consideration of One Dollar and other good and valuable considerations, the receipt whereof is hereby confessed and acknowledged, does hereby release, remise and quitclaim all the right, title and interest acquired by the Company or its assignors under that certain right of way grant, recorded in the official records of the Clerk and Recorders office of Bernalillo County, State of New Mexico unto the present owner or owners, as their respective interest may appear therein, in the following described property, to wit: an easement seven (7) feet in width located within Tract A-1-D, Lands of Robert N. Garcia. Said easement is described as being the northerly seven (7) feet and the easterly seven (7) feet of the northerly 164.32 of Tract A-1-D.

✓ A plat as recorded April 12, 1994 in **Book 94-C Folio 117 in Bernalillo County, State of New Mexico.**

And hereby expressly excepting and reserving to the Company, any and all interest otherwise acquired in said property, except as stated above.

IN WITNESS WHEREOF the Company has caused these presents to be executed this 18th day of NOVEMBER 2004.



2004162021
6175519
Page: 1 of 1
11/22/2004 01:39P
Bk-A87 Pg-1568

Qwest
BY [Signature]
Right of Way Manager

STATE OF NEW MEXICO
County of Bernalillo ss.

The foregoing instrument was acknowledged before me this 8th day of November 2004
by Greg Hunt

My commission expires 1-23-2007

Witness my hand and official seal.

[Signature]
Notary Public

(SEAL)

S.W.1/4 OF SECT. 31 TWP. 11N _____ RNG. 3E _____ N.M.P.M.

R/W # NM110204LA02

EXCH North

COMCAST CABLE TV OF NEW MEXICO, INC.
WAIVER AND RELEASE OF EASEMENT

COMCAST CABLE TV OF NEW MEXICO, INC. (COMCAST), a New Mexico corporation, does hereby release, waive, quitclaim and discharge its right, title and interest to the present owner or owners, as their interests may appear in the property described below. The interest of COMCAST in such property was created by that certain Easement or Grant of Right of Way recorded in Bernalillo County, on 4/12/1994, in Book 94C, Page(s) 117, Document No. SP-94-64. As to all property covered by such Easement or Grant of Right of Way which is not specifically described herein, the right, title and interest of COMCAST shall not be affected by this release.

The easement (or portion thereof) being released herein is described as lying and being within lands situate in Bernalillo County, New Mexico, and is more particularly described as follows, to wit:

COMCAST PROJECT # 04-11/04

The easement being released is within Tract A-1-D, of Tracts A-1-A, A-1-B, A-1-C, and A-1-D Lands of Robert N. Garcia within projected Section 31, T. 11 N., R. 3 E., N.M.P.M., Bernalillo County, New Mexico, as the same is shown and designated on said plat filed for record in the Office of the County Clerk of Bernalillo County on April 12, 1994, in Plat Book 94C, Page 117, and being more particularly described as follows:

Said easement being released is the most northerly seven (7) feet and the most easterly seven (7) feet of said Tract A-1-D, as located on the property described above.

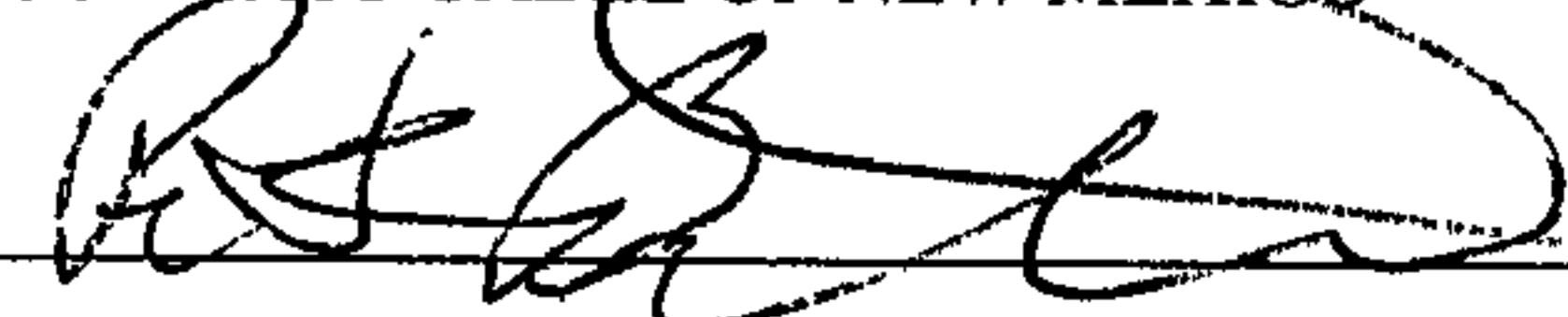
All as generally being shown on the drawing attached hereto and made a part hereof as Exhibit "A".


Mary Herrera Bern. Co. REL R 11.00
2004159660
6173158
Page: 1 of 2
11/16/2004 12:07P
BK-A86 Pg-9216

IN WITNESS WHEREOF, the undersigned has caused these presents to be executed this 4th day of NOVEMBER, 20 04

FOR RECORDER'S USE ONLY

COMCAST CABLE OF NEW MEXICO



ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on

November 4th, 20 04

By PETER BRITAIN, PLANT MANAGER,

of Comcast Cable TV of New Mexico Inc., a New Mexico corporation, on behalf of said corporation.

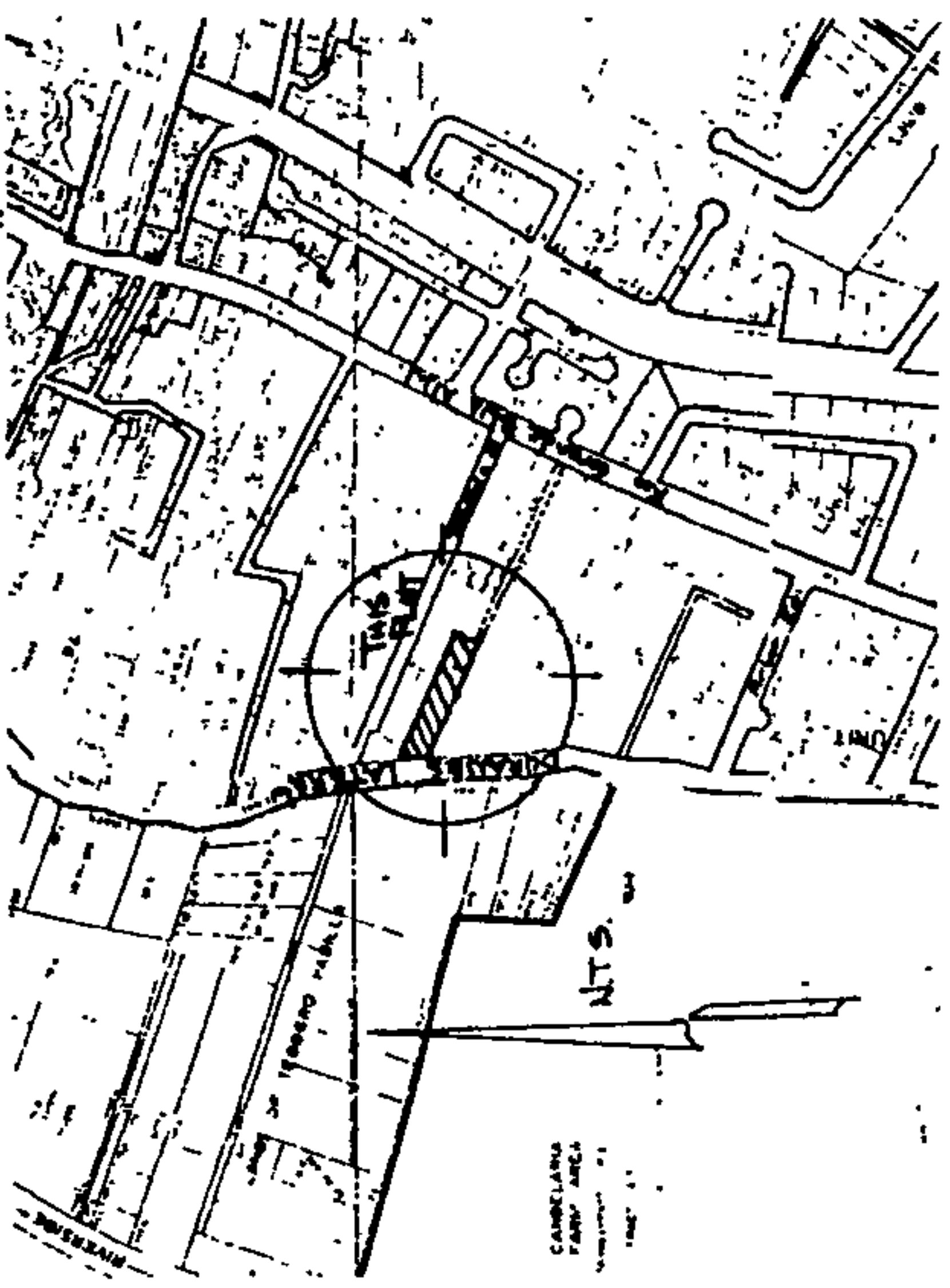
My commission expires: October 20th, 2007
(Seal)


Notary Public

STEPHEN ANDERSON
11/4/04

94C-117

TALOS LOG #19-12-17-0951-0161



PLAT NOTES

1. CASE NUMBER: DCB-94-022, 2V-24-4
2. TOWN ATLAS MAP NUMBER: 2-15-94
3. MAP SCALE: 1:7500
4. NUMBER OF LOTS CREATED: FOUR (4)
5. NO ROAD RELEASE HAS BEEN MADE ON THIS PLAT
6. ALL EASEMENTS OF RECORD ARE SHOWN ON THIS PLAT
7. THE PURPOSE OF THIS PLAT IS TO CREATE FOUR TRACTS FROM ONE
8. ALL CORNERS ARE 5/8" IRON NAILS WITH A SURVEYOR'S CAP MARKED "MARKER 1993" UNLESS OTHERWISE NOTED.
9. BEARINGS ARE WRITTEN BASED ON THE USE OF THE A.C.S. MONUMENTS "11-F13 00" AND "11-F15", DISTANCES ARE IN FEET.

* A CERTAIN TRACT OF LAND BEING IDENTIFIED AS TRACT A-1, LANDS OF GRACIA S. FAJARDO, ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON MARCH 20, 1990, IN VOLUME 90C, FOLIO 97, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THAT PART OF THE SOUTHWESTERLY CORNER OF THE TRACT, FOUND IN IRON SPIKE IN PLACE, ALSO BEING A POINT ALONG THE CENTERLINE OF A 40' BENT-OF-WAY EASEMENT BEHIND THE A.C.S. CONTROL MONUMENT MARKED "11-F13 00" BEARS N 47° 58' 13" E, 1794.70 FEET; THENCE N 88° 04' 21" W, 281.48 FEET ALONG THE SOUTHWESTERLY BOUNDARY TO THE SOUTHWESTERLY CORNER, ALSO BEING A POINT ALONG THE EASTERN BENT-OF-WAY OF THE CHANGES LATERAL, FOUND IN IRON SPIKE IN PLACE; THENCE:

N 0° 28' 25" E, 104.13 FEET ALONG SAID LATERAL TO A POINT; THENCE:

N 11° 20' 10" E, 100.02 FEET ALONG SAID LATERAL TO THE NORTHEASTERN CORNER, FOUND A 2" IRON PIPE IN PLACE; THENCE:

S 86° 34' 18" E, 464.87 FEET ALONG THE NORTHERLY BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 1.7034 ACRES MORE OR LESS;

S 24° 07' 19" W, 134.32 FEET ALONG THE EASTERLY BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 1.7034 ACRES MORE OR LESS.

THIS PROPERTY NOW BEING KNOWN AS TRACTS A-1-A, A-1-B, A-1-C AND A-1-D, LANDS OF ROBERT N. GARCIA.

THIS PLAT WAS PREPARED WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNER.

ROBERT N. GARCIA / DATE 12/25/94

GLORIA C. GARCIA / DATE 12/25/94

STATE OF NEW MEXICO / BY County of Bernalillo

PLAT NUMBER: 94C-117

CITY: ALBUQUERQUE

PLAT DATE: 12-21-93

PLAT PREPARED BY: Jan Tracy

PLAT CHECKED BY: Jack Clark

CITY ENGINEER: Frank Nugent

CITY ENGINEER: Bill O'Neil

A.M.A. DATE: 2-15-94

TRAFFIC ENGINEER: Michael Dowd

PROPERTY NUMBER/DATE: Robert W. Kane 2-15-94

WATER RESOURCES DEPT./DATE: Carl Schneider 2-15-94

PARKS AND RECREATION DEPT./DATE: Rick Potts 3-11-94

PUBLIC SERVICE COMPANY OF NEW MEXICO: M. J. Leary 2-24-94

U.S. WEST COMMUNICATIONS/DATE: Lee Dunlop 2-24-94

U.S. DEPARTMENT OF INDIAN AFFAIRS: Lisa A. Shaw 2-24-94

CABLE TV/DATE: NA

BERNALILLO COUNTY PUBLIC WORKS DEPT./DATE: NA

BERNALILLO COUNTY ENVIRONMENTAL HEALTH/DATE: NA

BERNALILLO COUNTY ZONING DEPT./DATE: NA

ON THIS 15TH DAY OF December 1993 THIS INSTRUMENT WAS ACKNOWLEDGE BEFORE ME, BY Robert N. Garcia, Gloria C. Garcia, and Jan Tracy, all of Bernalillo County, New Mexico.

MY COMMISSION EXPIRES 4-10-95

NOTARY PUBLIC: David M. Tracy

NOT TO BE RELEASED BY COMCAST

ENTERED: M. 4 1994

Public Service Company of New Mexico does hereby release, waive, quitclaim and discharge its right, title and interest in the easement (granted by prior plat, replat or document) shown to be vacated on this plat.

PUBLIC SERVICE COMPANY OF NEW MEXICO

BY: [Signature]

State of New Mexico

County of Bernalillo

This instrument was acknowledged before me on 11th day of March, 1994, by Robert N. Garcia, Gloria C. Garcia, and Jan Tracy, all of Bernalillo County, New Mexico, a New Mexico corporation, on behalf of said corporation.

My Commission Expires: 8-9-97

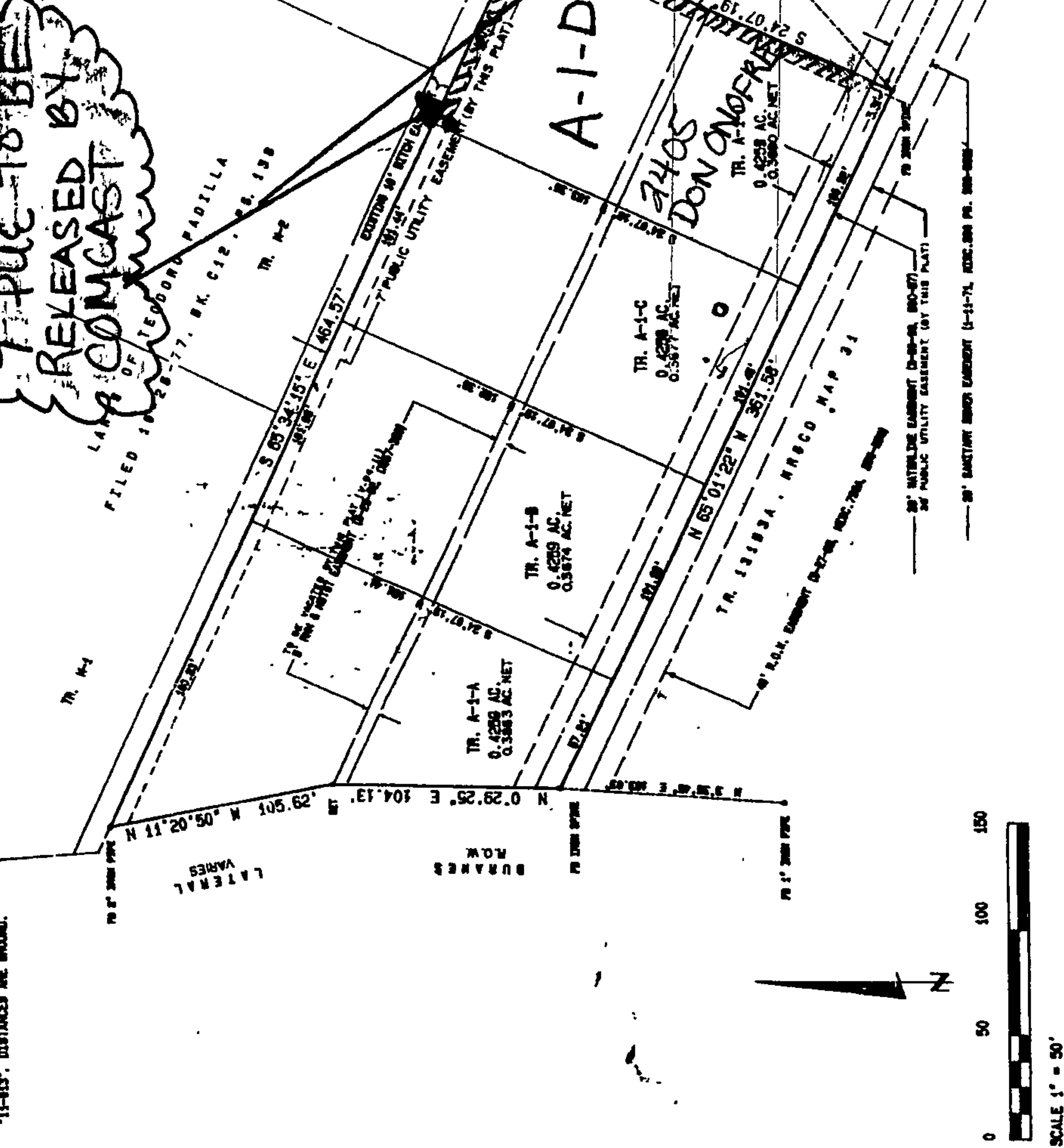
Notary Public: [Signature]

PNM DISCLAIMER

By approving this plat, PNM does not waive or release any easement or easement rights (other than those released by this plat) which may have been granted by prior plat, replat, or document.

THIS IS TO CERTIFY THAT THE SEAL OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO IS VALID AND CORRECT AND THAT THE PUBLIC SERVICE COMPANY OF NEW MEXICO IS A PUBLIC UTILITY COMPANY AS PROVIDED BY THE PUBLIC UTILITY ACT, CHAPTER 17, SECTION 17-1-1, NEW MEXICO STATUTES.

Edward Cruz



BERNALILLO COUNTY REGISTERED

1. GEORGE J. MARQUEZ, JR., A REGISTERED PROFESSIONAL NEW MEXICO LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, MEETS THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS CONTAINED IN THE CITY OF ALBUQUERQUE SUBDIVISION ORDINANCE, AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE: 12/21/93

NOTARY PUBLIC: [Signature]

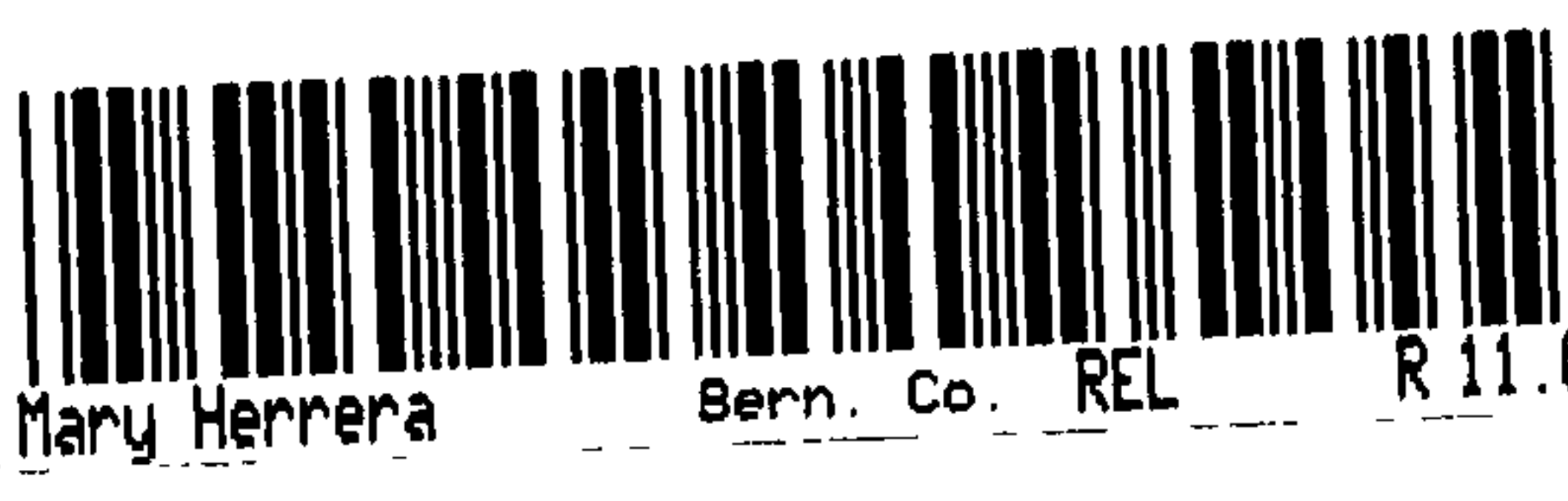
MARQUEZ SURVEYING COMPANY

200 W. STREET N.W.

ALBUQUERQUE, NEW MEXICO, 87102

PHONE: 505-263-8078

EXHIBIT "A"



2004159660

6173158

Page: 2 of 2

11/16/2004 12:07P

Bk-R86 Pg-9216

94C-117

**ONE STOP SHOP
CITY OF ALBUQUERQUE PLANNING DEPARTMENT
Development & Building Services**

PAID RECEIPT

APPLICANT NAME MARK/Michelle Gallegos
 AGENT SAME
 ADDRESS 6216 Chimayo Dr NW
 PROJECT & APP # 1004010 / 05 DRB 00404
 PROJECT NAME Lands of Robert N. Garcia

DUPLICATE
 City of Albuquerque
 Treasury Division

3/10/2005 4:41PM LOC: ANNX
 RECEIPT# 00038057 WSH 008 TRANSH 0106
 ACCOUNT 441018 FUND 0110
 ACTIVITY 4971000 TRSDMM
 TRANS AMT \$140.00
 J24 Misc \$75.00
 CN \$140.00
 CHANGE \$0.00

- \$ 20⁰⁰ 441032/3424000 Conflict Management Fee
- \$ 45.00 441006/4983000 DRB Actions
- \$ _____ 441006/4971000 EPC/AA/LUCC Actions & All Appeals
- \$ 75⁰⁰ 441018/4971000 Public Notification
- \$ _____ 441006/4983000 DRAINAGE PLAN REVIEW OR TRAFFIC IMPACT STUDY***
 Major/Minor Subdivision Site Development Plan Bldg Permit
 Letter of Map Revision Conditional Letter of Map Revision
 Traffic Impact Study
- \$ 140⁰⁰ TOTAL AMOUNT DUE

*****NOTE: If a subsequent submittal is required, bring a copy of this paid receipt with you to avoid an additional charge.**

3/10/2005
 RECEIPT#
 ACCOUNT
 ACTIVITY
 TRANS AMT
 J24 Misc

MARK S. GALLEGOS 12-89 7201
 MICHELLE Y. GALLEGOS
 6216 CHIMAYO DR. N.W. 899-2752
 ALBUQUERQUE, NM 87120
 Date 3/10/05
 95-32/1070 NM 1108
 Pay to the Order of C.O.A. \$ 140⁰⁰
 one hundred and forty and 00/100 Dollars
 Bank of America
 Bank of America Advantage®
 RECEIPT# 00038056 WSH 008
 ACTIVITY 4983000
 TRANS AMT
 J24 Misc

Thank You

Thank You

\$45.00

Thank You

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from 3-22-05 To 4-6-05

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Mark D. Salley & Michelle Gallegos March 9, 2005
(Applicant or Agent) (Date)

I issued 1 signs for this application, 3-10-05, [Signature]
(Date) (Staff Member)

DRB PROJECT NUMBER: 1004010

