



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

October 26, 2011

Project# 1004228

11DRB-70275 VACATION OF PUBLIC WATERLINE EASEMENT

JACKS HIGH COUNTRY INC agent(s) for HEADSTART ENTERPRISES request(s) the referenced/ above action(s) for all or a portion of Tract(s) A, **GUTHRIE COMMERCE PARK** zoned M-1, located on the south side of MONTANO RD NE between EDITH BLVD NE and RENAISSANCE BLVD NE containing approximately 4.3675 acre(s). (F-15)approximately 0.2 acre. (C-20)

At the October 26, 2011 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.

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.
2. The 30 foot easement on the east property line shall be retained; adequate alternative easement and abandonment of the 8 inch waterline shall be done to the satisfaction and approval of ABCWUA.

If you wish to appeal this decision, you must do so by November 3, 2011 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.)



Jack Cloud, DRB Chair

Cc: Jack's high Country – 8953 2nd St. NW – Albuquerque, NM 87107

Cc: Head Start Enterprises – 600 Montano Rd. NE – Albuquerque, NM 87107

Marilyn Maldonado

File