



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

April 12, 2006

- 3. Project # 1004712**  
06DRB-00233 Major-Vacation of Public Easements  
06DRB-00234 Minor-Prelim&Final Plat Approval

ESMAIL HAIDARI & SHAKEEL RIZVI request(s) the above action(s) for all or a portion of Lot(s) 9P1, Block(s) 2, **EAGLE ROCK ESTATES, UNIT 4**, zoned R-D residential and related uses zone, developing area, located on SCHIST AVE NE, between MODESTO AVE NE and EAGLE ROCK AVE NE containing approximately 1 acre(s). [REF: DRB-97-374, DRB-97-46/SV-97-74] [*Was Indef Deferred on 3/15/06 to readvertise*] (C-18)

At the April 12, 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. 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 preliminary and final plat was approved with final sign off delegated to City Engineer for Engineering Certification of grading plan and Planning for Environmental Health's signature on the plat, current zoning on the plat, the 15-day appeal period and to record the plat.

If you wish to appeal this decision, you must do so by April 27, 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.



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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 black ink, appearing to read "Matson", is written over a faint, larger version of the same signature.

Sheran Matson, AICP, DRB Chair

Cc: Esmail Haidari & Shakeel Rizvi, 2340 Menaul NE, Suite 200, 87117  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File