



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 5, 2014

Project# 1004919
14DRB-70052 VACATION OF PRIVATE EASEMENT

RIO GRANDE ENGINEERING agent(s) for MURPHY PROPERTIES request(s) the above action(s) for a portion of Lot(s) 5 & 6, **NORTH SECOND STREET BUSINESS CENTER** zoned M-1, located on 2ND ST BETWEEN MONTGOMERY AND COMANCHE containing approximately 2.12 acre(s). (F-15)

At the March 5, 2014 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.

Findings

The request was filed by the owners of all the frontage of the proposed vacation.

Based on the proposed combination of two lots into one, the public welfare is in no way served by retaining the easement;

Based on the proposed replat into a single lot, 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 March 20, 2014 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 black ink, appearing to read "Jack Cloud". The signature is written in a cursive style with a long horizontal stroke at the beginning.

Jack Cloud, DRB Chair

**Cc: RIO GRANDE ENGINEERING
File**