



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

November 29, 2006

**2. Project # 1004999**  
06DRB-01578 Major-Vacation of Pub Right-of-Way

GLEN EFFERTZ request(s) the above action(s) for all or a portion of Tract(s) 316, **OLD TOWN ELEMENTARY SCHOOL**, zoned RA-1 residential zone, located on MOUNTAIN RD NW, between RIO GRANDE NW and GALBALDON NW containing approximately 1 acre(s). [REF: 06DRB-00965] (J-12).

At the November 29, 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.

If you wish to appeal this decision, you must do so by December 14, 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.)

Sheran Matson, AICP, DRB Chair

Cc: Glen Effertz, 2918, Mountain Rd NW, 87104  
Richard Gonzales, 512 Cilantro Ln NW, 87104  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
File