



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

October 18, 2006

**1. Project # 1005160**

06DRB-01372 Major-Vacation of Pub Right-of-Way  
06DRB-01373 Minor-Prelim&Final Plat Approval

SURVEYS SOUTHWEST LTD agent(s) for MARK GONZALES request(s) the above action(s) for Lot(s) 2 & 4 Unit 2, **JESUS ROMERO ADDITION & Tract(s) 241 M.R.G.C.D. MAP 38**, zoned C-1 neighborhood commercial zone, located on RIO GRANDE BLVD NW, between HOLLYWOOD AVE NW and SOTO AVE NW containing approximately 1 acre(s). (J-13)

At the October 18, 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.

The preliminary and final plat was approved with final plat sign off delegated to Utilities Development for private sewer easements across Lot 2-A for the benefit of Tract 247 and Transportation Development for a 10-foot radius at Hollywood Ave NW and a 15-foot radius at the alley.

If you wish to appeal this decision, you must do so by November 2, 2006, in the manner described below.



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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.)



Sheran Matson, AICP, DRB Chair

Cc: Surveys Southwest Ltd., 333 Lomas Blvd NE, 87102  
Mark Gonzales, 215 Dartmouth Dr SE, 87106  
Anthony Sais, 2114 Hollywood NW, 87104  
Marilyn Maldonado, Planning Department, 4th Floor, Plaza del Sol Bldg.  
Scott Howell, Property Management, Legal Dept./4th Flr, City/County Bldg  
File