



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

February 13, 2008

**Project# 1006001/1006539**

08DRB-70052 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

08DRB-70005 VACATION OF PUBLIC EASEMENT

08DRB-70007 VACATION OF PRIVATE EASEMENT

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract(s) 22, **MESA DEL SOL INNOVATION PARK**, zoned PC, located on UNIVERSITY BLVD SE BETWEEN EASTMAN AVE SE AND STRYKER SE containing approximately 15.82 acre(s). (R-16) (*Deferred from 1/30/08 & 2/6/08*)

At the February 13, 2008, Development Review Board meeting, the vacations were 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.

(A)(1) The vacation requests were filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) The public welfare is in no way served by retaining the public easement.

(B)(3) 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.

With the signing of the infrastructure list dated 2/13/08, the preliminary plat was approved subject to verification with the City Attorney regarding appropriate maintenance of Tract 22C. The final plat was indefinitely deferred.

If you wish to appeal this decision, you must do so by February 28, 2008 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".

Jack Cloud, AICP, DRB Chair

Bohannon Huston Inc. – 7500 Jefferson NE – Albuquerque, NM 87109  
Mesa Del Sol, LLC – 801 University Blvd SE, Ste 200 – Albuquerque, NM 87106