



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

June 18, 2008

Project# 1006822
08DRB-70146 VACATION OF PUBLIC RIGHT-OF-WAY

SURVEYS SOUTHWEST LTD agent(s) for 2000 GOLD AVE LLC PHILLIP RABY PRINCIPAL request(s) the above action(s) for all or a portion of Lot(s) 1&2, Block(s) 76, **TERRACE ADDITION, TOGETHER WITH VACATED PORTIONS OF TERRACE ST GOLD AV & BUENA VISTA DR**, zoned SU-2 / PR, located on GOLD AV SE BETWEEN TERRACE ST SE AND BUENA VISTA DR SE containing approximately 0.411 acre(s). (R-15) [*Deferred from 4/16/08, 4/30/08, 5/21/08, 6/4/08 & 6/11/08.*]

At the June 18, 2008 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.

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

Based on maintaining the public streetscape through appropriate public easement, (B)(1) the public welfare is in no way served by retaining the right-of-way.

(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.

08DRB-70147 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

The Preliminary/Final Plat was approved with final sign off delegated to Planning for 15 day appeal period, AMAFCA signature, and to record.

If you wish to appeal this decision, you must do so by July 3, 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.)



Jack Cloud, AICP, DRB Chair

Cc: Surveys Southwest LTD – 333 Lomas Blvd NE – Albuquerque, NM 87102

Cc: 2000 Gold Ave LLC – Phillip Raby, Principal – P.O. Box 7897 –
Albuquerque, NM 87194

Cc: Bill Cobb – 1701 Silver SE – Albuquerque, NM 87106
Ellen Cline – 2000 Silver SE – Albuquerque, NM 87106
Tom Ocken – 1612 Silver SE – Albuquerque, NM 87106
Edward Rivera – 1924 Silver Ave SE – Albuquerque, NM 87106
Gordon Rerselt – 1515 Silver Ave SE – Albuquerque, NM 87106
Richard Braziel – 1900 Silver Ave SE – Albuquerque, NM 87106
Tom Widney – 1902 Silver Ave SE – Albuquerque, NM 87106
Ruth Koury – P.O. Box 4754 – Albuquerque, NM 87196
Elizabeth Doyle – 1606 Silver Ave SE – Albuquerque, NM 87106

Cc: Scott Howell

Cc: Marilyn Maldonado

File