



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

January 2, 2008

**Project# 1006964**

07DRB-70417 VACATION OF PUBLIC RIGHT-OF-WAY

SANTOSH MODY agent(s) for BHARAT AND CHAMPA MODY request(s) the above action(s) for all of the east-west alley between Lot(s) 1- 5, **GILLET ADDITION**, zoned C-2 and Lot(s) 2-8 Block 1 **EVANS ADDITION**, zoned C-3, located south of CENTRAL AVE SE BETWEEN SAN MATEO AVE SE AND MADERIA DR SE. (K-18)

At the January 2, 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. Per Hydrology, a private drain easement must be maintained.

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

(B)(1) The public welfare is in no way served by retaining the public right-of-way subject to retention of appropriate utility easements.

(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
3. 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 these decisions, you must do so by January 17, 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).



Jack Cloud, Acting DRB Chair

Cc: Santosh Mody – 5817 Signal Ave NE – Albuquerque, NM 87113

Cc: Bharat and Champa Mody – 5400 Central Ave SE – Albuquerque, NM 87108

Marilyn Maldonado

Scott Howell

File