



## OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE  
PLANNING DEPARTMENT  
DEVELOPMENT REVIEW BOARD

March 12, 2008

**Project# 1007051**

08DRB-70014 VACATION OF PUBLIC RIGHT-OF-WAY

JOSEPH B. GARCIA agent(s) for JOE M. CRUZ request(s) the above action(s) for all or a portion of **THE AMOLE DEL NORTE DIVERSION**, adjacent to Tract 398-B, Town of Atrisco Grant Unit 3, zoned A-1 (County), located on the north side of SAGE RD SW BETWEEN 75<sup>th</sup> ST AND RAEL ST SW containing approximately 0.83 acre(s). (L-10) [February 13, 2008].

At the March 12, 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 condition of final plat will be for all as-builts of record be submitted concurrently with the platting action.

(A)(1) The vacation of public right-of-way request was 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 right-of-way 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
2. The vacated property shall be shown on a replat 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 March 27, 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.

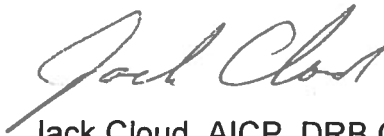
The date the determination in question is issued is not included in the 15-day period for filing an appeal.

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.

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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.)

A handwritten signature in cursive script that reads "Jack Cloud".

Jack Cloud, AICP, DRB Chair

Cc: Joseph B. Garcia – 3109 Love SW – Albuquerque, NM 8510

Cc: Joe M. Cruz – 3616 San Ygnacio SW – Albuquerque, NM 8510