



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 19, 2008

Project# 1007068

08DRB-70090 VACATION OF PUBLIC RIGHT-OF-WAY

08DRB-70091 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

COMMUNITY SCIENCES CORP agent(s) for JAMES S. SANDERS request(s) vacation of the abandoned acequia right-of-way adjoining Lot K, and platting of the abandoned acequia together with Lot K, **ALVARADO GARDENS Unit 2**, zoned RA-2, located on the east side of TRELIS DR NW BETWEEN ORO VISTA RD NW AMD CASTANEDA RD NW containing approximately 0.3441 acre(s). (G-12)

At the March 19, 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 public utility easement vacation 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 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
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/final plat was approved with final sign-off delegated to Planning for property management sign-off, MRGCD sign-off, and to record.

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

A handwritten signature in cursive script, appearing to read "Jack Cloud".

Jack Cloud, AICP, DRB Chair

Cc: James S. Sanders – 2914 Trellis Dr. NW – Albuquerque, NM 87107

Cc: Community Sciences/Tom Patrick NMPS – P.O. Box 1328 – Corrales, NM 87048