



COMPLETED 06/20/08 stt
DRB CASE ACTION LOG (Prel/Final)

REVISED 10/08/07

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

DRB Application No.: 08DRB-70206

Project # 1007083

Project Name: JM MOORE REALTY COMPANY'S ADDN NO. 1

Agent: JACK'S HIGH COUNTRY

Phone No.: 898-3707

Your request was approved on 5-14-08 by the DRB with delegation of signature(s) to the following departments.

OUTSTANDING SIGNATURES COMMENTS TO BE ADDRESSED

TRANSPORTATION: _____

UTILITIES: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): AMAFCA
- clarify Private Easement, incl. drainage

- Planning must record this plat. Please submit the following items:
 - The original plat and a mylar copy for the County Clerk.
 - Tax certificate from the County Treasurer.
 - Recording fee (checks payable to the County Clerk). RECORDED DATE: _____
 - Tax printout from the County Assessor.
 - 3 copies of the approved site plan. Include all pages.
 - County Treasurer's signature must be obtained prior to the recording of the plat with the County Clerk.
 - Property Management's signature must be obtained prior to Planning Department's signature.
 - AGIS DXF File approval required. OK
 - Copy of recorded plat for Planning.

Created On:

7083

DXF Electronic Approval Form

DRB Project Case #: 1007083

Subdivision Name: MOORE JM REALTY COMPANYS ADDN NO 1

Surveyor: ANTHONY L HARRIS

Contact Person: ANTHONY L HARRIS

Contact Information: 889-8056

DXF Received: 5/12/2008

Hard Copy Received: 5/12/2008

Coordinate System: Ground rotated to NMSP Grid


Approved

05.13.2008
Date

* The DXF file cannot be accepted (at this time) for the following reason(s):

AGIS Use Only

Copied fc 7083 to agiscov on 5/13/2008 Contact person notified on 5/13/2008



DRB CASE ACTION LOG (Prel/Final)

REVISED 10/08/07

This sheet must accompany your plat or site plan to obtain delegated signatures. Return sheet with site plan/plat once comments are addressed.

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PLANNING (Last to sign): AMAFCA
- clarify private Easement, incl. drawings

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 - The original plat and a mylar copy for the County Clerk.
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 - Property Management's signature must be obtained prior to Planning Department's signature.
 - AGIS DXF File approval required. *OK*
 - Copy of recorded plat for Planning.

Created On:

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT**

**May 14, 2008
DRB Comments**

ITEM # 12

PROJECT # 10007083 APPLICATION # 08-70206

RE: Lots 16-19, J. M. Moore Realty Company Addition No. 1

Net lot area (exclusive of access easement - minimum 3,500 sq ft) needs to be noted on the plat. The proposed lot 18-A does not meet the minimum lot area requirements of the S-R zone for two detached dwellings (minimum area of 7,000 sq ft).

For future reference, please do not identify the property's zoning (Note 9) on the plat. Also, please revise solar note (10) to be specific to this type of request, i.e. use the words "THIS PLAT" and not "REQUESTED FINAL ACTION."



Jack Cloud AICP, DRB Chairman
924-3880/ jcloud@cabq.gov



**DEVELOPMENT REVIEW BOARD
ACTION SHEET**

Plaza del Sol Hearing Room, Basement, Plaza del Sol Building

February 27, 2008 9:00 AM

MEMBERS:

Jack Cloud, AICP, DRB Chairman, Planning Department

Angela Gomez, Administrative Assistant

**Kristal Metro, P.E. , Transportation Development
Brad Bingham, P.E., Hydrology/ Alternate City Engineer**

**Roger Green, P.E., Albuquerque/ Bernalillo Co.WUA
Christina Sandoval, Parks/Municipal Development**

CASES WHICH REQUIRE PUBLIC NOTIFICATION

MAJOR SUBDIVISIONS, VACATIONS, SIA EXTENSIONS AND SITE DEVELOPMENT PLANS

1. **Project# 1000788**
08DRB-70056 2 YR YEAR EXTENSION
OF SUBDIVISION IMPROVEMENTS

BOHANNAN HUSTON INC agent(s) for LONGFORD AT PARADISE SKIES, LP request(s) the above/ referenced action(s) for all or a portion of **Unit(s) 8 & 9, PARADISE SKIES**, zoned SU-1/ RT, located on the south side of MCMAHON BLVD NW BETWEEN ROCKCLIFF DR NW AND MILKY WAY ST NW containing approximately 29.8 acre(s). (A-11) **AN EXTENSION OF THE SUBDIVISION IMPROVEMENT AGREEMENT (SIA) WAS APPROVED WHICH WAS GRANTED THROUGH FEBRUARY 13, 2009.**

2. **Project# 1006200**
08DRB-70060 VACATION OF PUBLIC
EASEMENTS
08DRB-70061 VACATION OF PUBLIC
RIGHT-OF-WAY
08DRB-70070 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above/ referenced action(s) for CANYON MESA AVENUE SE, plus adjacent Public Utility Easements and Existing Public Drainage and Public Access Easements on Tract(s) 1 & 2, **MESA DEL SOL INNOVATION PARK**, zoned PC, located on the north side of CRICK AVE SE BETWEEN UNIVERSITY BLVD SE AND WATSON DR SE containing approximately 39.4 acre(s). (Q-16) **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. WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE PRELIMINARY WAS APPROVED. FINAL PLAT WAS DEFERRED FOR THE SIA.**

3. **Project# 1006602**
08DRB-70053 VACATION OF PUBLIC EASEMENTS
08DRB-70054 VACATION OF PUBLIC RIGHTS-OF-WAY
08DRB-70028 MINOR - PRELIMINARY/FINAL PLAT APPROVAL

SURV-TEK INC agent(s) for ALM, LLC request(s) the above/ referenced action(s) for a portion of PALOMAS AVENUE NE, plus the DRAINAGE RIGHT-OF-WAY known as Tract B and a Temporary Ponding Easement on Tract B and Lot 20A, plus a Public Waterline Easement on Lot 20A, **HERITAGE HILLS NORTH UNIT 1** (to be known as **VENTURA PLAZA**) zoned SU-2/C-1, located on the southwest corner of PASEO DEL NORTE NE AND VENTURA ST NE containing approximately 5.5 acre(s). (D-20) **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. THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO ABCWUA FOR THE CONDITION THAT THE EXISTING WATERLINE BE ABANDONED, AND TO PLANNING TO RECORD.**

- 8DRB-70036 EPC APPROVED SDP FOR BUILD PERMIT
08DRB-70037 EPC APPROVED SDP FOR SUBDIVISION

GEORGE RAINHART ARCHITECTS agent(s) for ALM LLC request(s) the above action(s) for all or a portion of Lot(s) 13-17, 18A-20A, Block(s) 31, Tract(s) A, **NORTH ALBUQUERQUE ACRES Unit A**, zoned SU-2/C-1, located on PASEO DEL NORTE NE BETWEEN BARSTOW NW AND VENTURA NE containing approximately 5.44 acre(s). (D-20) *(Deferred from 1/30/08)*. **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE SITE PLANS FOR SUBDIVISION AND BUILDING PERMIT WERE APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR COMMENTS, AND TO CITY ENGINEER FOR THE SIA.**

4. **Project# 1006833**
07DRB-70254 MAJOR - SDP FOR SUBDIVISION
07DRB-70255 MAJOR - SDP FOR BUILDING PERMIT

GEORGE RAINHART ARCHITECTS agent(s) for WEBER AND COMPANY request(s) the above action(s) for all or a portion of Tract(s) S2A2, S2A1 & S1A, **ATRISCO BUSINESS ADDITION (to be known as UNSER TOWNE CROSSING)**, zoned IP, located on LOS VOLCANES NW BETWEEN UNSER BLVD NW AND GALATIN NW containing approximately 53 acre(s). (J-9 & J-10) *(Deferred from 10/10/07, 11/14/08, 12/12/0 & 12/30/07)* **DEFERRED TO 3/26/08 AT THE AGENT'S REQUEST.**

5. **Project# 1006973**
08DRB-70057 VACATION OF PUBLIC
EASEMENT

SURVEYS SOUTHWEST LTD agent(s) for THE PHILLIPS EDISON GROUP, LLC request(s) the above/ referenced action(s) for the Temporary Drainage Easement on Tract(s) 19A1, **PARADISE NORTH**, zoned SU-1/ C-1 USES, located on the northeast corner of UNSER BLVD NW AND MCMAHON BLVD NW containing approximately 3.6 acre(s). (A-11) **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.**

6. **Project# 1005108**
08DRB-70059 MAJOR - PRELIMINARY
PLAT APPROVAL

THE DESIGN GROUP agent(s) for RALPH CORRIZ request(s) the above/ referenced action(s) for all or a portion of Tract(s) 67-A-1 AND 67-A-2, **MRGCD MAP #29**, zoned R-1 and C-1, located on the east side of 4TH ST NW BETWEEN VINEYARD RD NW AND WILLOW RD NW containing approximately 2.4 acre(s). (E-15) **DEFERRED TO 3/12/08 AT THE AGENT'S REQUEST.**

7. ~~**Project# 1007083**~~
08DRB-70050 VACATION OF PUBLIC
RIGHT-OF-WAY

JACKS HIGH COUNTRY INC agent(s) for JULIA SAMORA ESTATE request(s) the above action(s) for all or a portion of the NORTH-SOUTH ALLEY Lot, between the **JM MOORE REALTY COMPANY'S ADDITION # 1, and BLOCK B, BRANSON ADDITION**, located east of 8TH ST NW BETWEEN MOUNTAIN RD NW AND SUMMER NW. (J-14) *(Deferred from 2/20/08)*. **THE ABOVE ITEM WAS WITHDRAWN AT THE AGENT'S REQUEST.**

**SITE DEVELOPMENT PLANS (EPC FINAL SIGN-OFF) AMENDED PLANS AND
MASTER DEVELOPMENT PLANS (CITY COUNCIL FINAL SIGN-OFF)**

8. **Project# 1006925**
08DRB-70072 EPC APPROVED SDP
FOR BUILD PERMIT

CONSENSUS PLANNING INC agent(s) for Werner Gilchrist LLC request(s) the above action(s) for all or a portion of Lot(s) 3&4, Block 10, **UNIVERSITY HEIGHTS ADDITION**, zoned SU-2/DR, located on CORNELL DRIVE SE BETWEEN SILVER AVE SE AND LEAD AVE SE containing approximately 0.3 acre(s). (K-16) **THE SITE DEVELOPMENT PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN-OFF DELEGATED TO PLANNING TO SHOW CART STORAGE.**

9. **Project# 1006989**
08DRB-70082 MINOR - SDP FOR
BUILDING PERMIT
08DRB-70083 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

LARRY READ AND ASSOCIATES agent(s) for HELMICK REALTY request(s) the above action(s) for all or a portion of Lot 16, Block 16, Tract A, **NORTH ALBUQUERQUE ACRES Unit B**, zoned SU-2/IP, located on SAN PEDRO NE BETWEEN PASEO DEL NORTE NE AND ALAMEDA NE containing approximately 0.63 acre(s). (C-18) **WITH THE SIGNING OF THE INFRASTRUCTURE LIST DATED 2/27/08, THE PRELIMINARY PLAT. THE SITE PLAN FOR BUILDING PERMIT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION FOR COMMENTS, AND TO PLANNING TO CHECK FOR THE PLAT AND FOR ADDITIONAL COMMENTS.**

MINOR PLATS, FINAL (MAJOR) PLATS, AMENDED PLATS AND PLANS

10. **Project# 1002885**
08DRB-70080 EXT OF SIA FOR TEMP
DEFR SDWK CONST

HIGH MESA CONSULTING GROUP agent(s) for HOECH REAL ESTATE CORP request(s) the above action(s) for all or a portion of Lot(s) 1-78, **OCOTILLO SUBDIVISION**, zoned R-D 4DU/A, located on HOLBROOK ST NE BETWEEN ANEHEIM AVE NE AND PASEO DEL NORTE NE containing approximately 24.15 acre(s). (C-21) **THE TEMPORARY DEFERRAL OF CONSTRUCTION OF SIDEWALKS ON THE INTERIOR STREETS WAS APPROVED AS SHOWN ON EXHIBIT C IN THE PLANNING FILE.**

11. **Project# 1004254**
08DRB-70079 EXT OF MAJOR
PRELIMINARY PLAT

WAYJOHN SURVEYING INC agent(s) for CHARLES JAEGER request(s) the above action(s) for all or a portion of Lot(s) A-1, **ALVARADO GARDENS Unit 3**, zoned R-2, located on VERANDA RD NW BETWEEN RIO GRANDE BLVD NW AND GLENWOOD DR NW containing approximately 0.6061 acre(s). (G-12) **A ONE-YEAR EXTENSION OF THE PRELIMINARY PLAT WAS APPROVED.**

12. **Project# 1006939**
08DRB-70078 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL

WAYJOHN SURVEYING INC agent(s) for E&J INVESTMENTS LLC request(s) the above action(s) for all or a portion of Tract(s) 1, **BRUNACINI INDUSTRIAL PARK Unit 3**, zoned M-1, located on PHOENIX AVE NE BETWEEN VASSAR DR NE AND GIRARD BLVD NE containing approximately 1.9085 acre(s). (H-16) **DEFERRED TO 3/5/08 AT THE AGENT'S REQUEST.**

13. **Project# 1003554**
08DRB-70081 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- SURV-TEK INC agent(s) for CENTRAL PARK PARTNERS LLC request(s) the above action(s) for all or a portion of Lot(s) 5-A, **CENTRAL PARK PLACE**, zoned C-2, located on CENTRAL AVE SE BETWEEN CONCHAS ST SE AND EUBANK BLVD SE containing approximately 1.926 acre(s). (L-20) **THE PRELIMINARY PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO TRANSPORTATION TO ADDRESS COMMENTS REGARDING RIGHT-OF-WAY DEDICATION, AND TO PLANNING.**
14. **Project# 1004073**
08DRB-70073 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- HOMES BY KIM BROOKS INC agent(s) for RIO GRANDE ENGINEERING request(s) the above action(s) for all or a portion of Lot(s) 4-7, Block(s) 7, **JUAN TABO HILLS Unit 1**, zoned RD, located on SMARTY JONES ST SE BETWEEN BALLANT FOX RD SE AND SR BARTON RD SE containing approximately .56 acre(s). (M-22) **WITH THE GRADING AND DRAINAGE PLAN DATED 2/13/08, THE PRELIMINARY/FINAL PLAT WAS APPROVED WITH FINAL SIGN OFF DELEGATED TO PARKS FOR OPEN SPACE NOTE.**
15. **Project# 1006000**
08DRB-70026 MINOR - FINAL PLAT
APPROVAL
- BOHANNAN HUSTON INC agent(s) for MESA DEL SOL LLC request(s) the above action(s) for all or a portion of Tract 12, **BULK LAND PLAT FOR MESA DEL SOL INNOVATION PARK**, zoned PC, located on SOLAR MESA SE BETWEEN TURNING SE AND SAGAN SE containing approximately 5.44 acre(s). (R-16) **THE FINAL PLAT WAS APPROVED.**
16. **Project# 1007133**
08DRB-70087 MINOR - PRELIMINARY/
FINAL PLAT APPROVAL
- WILSON & CO. agent(s) for CITY OF ALBUQUERQUE ET. AL, request(s) the above action(s) for all or a portion of **VOLCANO CLIFFS Unit 2**, zoned SU-2/R-1, located on SHIPROCK PL NW BETWEEN 81ST ST NW AND KIBO PLACE NW containing approximately 3.3677 acre(s). (E-12) **THE PRELIMINARY/FINAL PLAT WAS APPROVED.**

NO ACTION IS TAKEN ON THESE CASES:
APPLICANT - AGENT IS REQUIRED TO BE AT THE MEETING

17. **Project# 1006825**
08DRB-70088 SKETCH PLAT REVIEW
AND COMMENT
- EDWARD FITZGERALD ARCHITECTS agent(s) for URBAN ASSETS LLC request(s) the above action(s) for all or a portion of Lot(s) B-1, Block(s) 3, **NEW YEAR ADDITION**, zoned C-2, located on JEFFERSON NE BETWEEN LOMAS BLVD NE AND MARBLE NE containing approximately 0.6 acre(s). (K-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
18. **Project# 1007131**
08DRB-70084 SKETCH PLAT REVIEW
AND COMMENT
- DOUG SMITH agent(s) for TERRIE HERTWECK request(s) the above action(s) for all or a portion of Lot(s) 24-28, Block 9, **HOMESTEAD GARDENSPOT ATTITION**, zoned C, located on SLATE AVE NW BETWEEN 3RD ST NW AND 2ND ST NW containing approximately 0.5866 acre(s). (J-14) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
19. **Project# 1007132**
08DRB-70086 SKETCH PLAT REVIEW
AND COMMENT
- JEFF HENRY request(s) the above action(s) for all or a portion of Lot(s) 15-16, Block 24, **MESA GRANDE**, zoned C-1, located on VALVERDE SE BETWEEN ZUNI SE AND CENTRAL SE containing approximately 0.3 acre(s). (K-17) **THE ABOVE ITEM WAS REVIEWED AND COMMENTS WERE GIVEN.**
20. Approval of the Development Review Board Minutes for January 30, 2008.

Other Matters: None

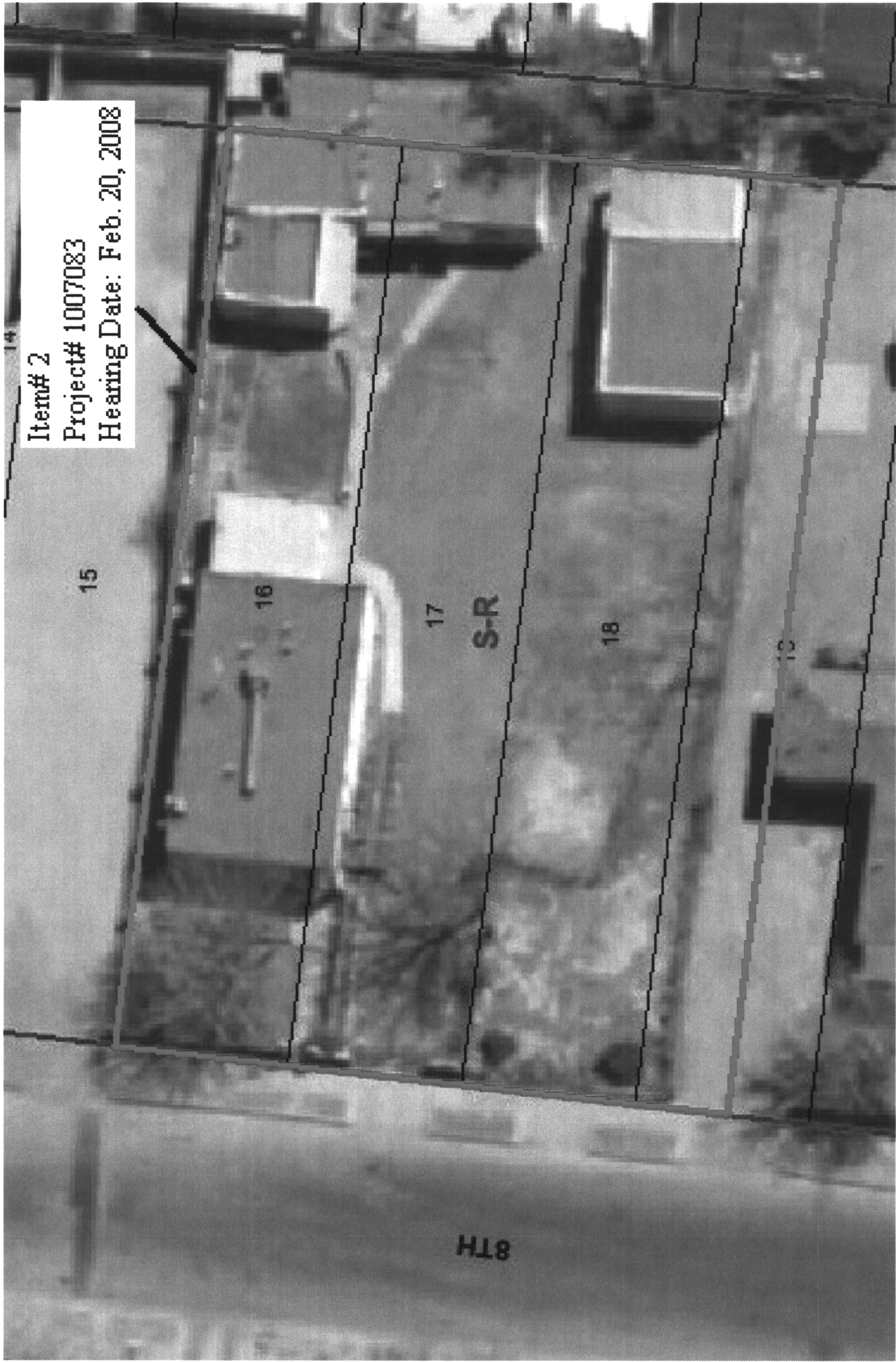
ADJOURNED: 10:50

DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1007083 AGENDA# 7 DATE: 2/27/08

1. Name: _____ Address: _____ Zip: _____
2. Name: _____ Address: _____ Zip: _____
3. Name: _____ Address: _____ Zip: _____
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
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12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____

Item# 2
Project# 1007083
Hearing Date: Feb. 20, 2008



DRB PUBLIC HEARING SIGN IN SHEETS

PROJECT #: 1007083 AGENDA# 2 DATE: 2/20/08

1. Name: Daniel Gonzales Address: 1225 7th Zip: 87102
2. Name: Ron Taylor Address: 708 MARQUETTE Zip: 87102
3. Name: _____ Address: _____ Zip: _____
4. Name: _____ Address: _____ Zip: _____
5. Name: _____ Address: _____ Zip: _____
6. Name: _____ Address: _____ Zip: _____
7. Name: _____ Address: _____ Zip: _____
8. Name: _____ Address: _____ Zip: _____
9. Name: _____ Address: _____ Zip: _____
10. Name: _____ Address: _____ Zip: _____
11. Name: _____ Address: _____ Zip: _____
12. Name: _____ Address: _____ Zip: _____
13. Name: _____ Address: _____ Zip: _____
14. Name: _____ Address: _____ Zip: _____
15. Name: _____ Address: _____ Zip: _____
16. Name: _____ Address: _____ Zip: _____
17. Name: _____ Address: _____ Zip: _____



CITY OF ALBUQUERQUE
 PLANNING DEPARTMENT
 DEVELOPMENT REVIEW BOARD

February 20, 2008

Project# 1007083

08DRB-70050 VACATION OF PUBLIC EASEMENT

JACKS HIGH COUNTRY INC agent(s) for JULIA SAMORA ESTATE request(s) the above action(s) for all or a portion of Lot(s) 16-A - 18-A & NORTH 1/2 OF 19, **J M MOORE REALTY COMPANY'S ADDITION # 1**, located on 8TH ST NW BETWEEN MOUNTAIN RD NW AND SUMMER NW containing approximately 0.3001 acre(s). (J-14)

AMAFCA No comment.																				
COG MRCOG staff have no comment on this project.																				
TRANSIT No comments received																				
ZONING ENFORCEMENT No comment.																				
NEIGHBORHOOD COORDINATION Letters sent to: Wells Park NA (R)																				
<p>APS JM Moore Realty Company's Addn #1 and Block B, Branson Addn, Lot 16-A, 17-A, 18-A and North 1/2 19, is located east of 8th St NW between Mountain Rd NW and Summer NW. The owner of the above property requests a Vacation of Public Right-of-Way for a property zoned S-R. This development may consist of 2 townhomes. This will impact Reginald Chavez Elementary School, Washington Middle School, and Albuquerque High School. All three schools currently have capacity.</p> <table border="1"> <thead> <tr> <th>Loc No</th> <th>School</th> <th>2007-08 40th Day</th> <th>2007-08 Capacity</th> <th>Space Available</th> </tr> </thead> <tbody> <tr> <td>330</td> <td>R. Chavez</td> <td>352</td> <td>495</td> <td>143</td> </tr> <tr> <td>465</td> <td>Washington</td> <td>554</td> <td>763</td> <td>209</td> </tr> <tr> <td>590</td> <td>Albuquerque</td> <td>1,792</td> <td>2,100</td> <td>308</td> </tr> </tbody> </table>	Loc No	School	2007-08 40th Day	2007-08 Capacity	Space Available	330	R. Chavez	352	495	143	465	Washington	554	763	209	590	Albuquerque	1,792	2,100	308
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330	R. Chavez	352	495	143																
465	Washington	554	763	209																
590	Albuquerque	1,792	2,100	308																
POLICE DEPARTMENT No crime prevention or CPTED comments concerning the proposed vacation of public easen at this time.																				
FIRE DEPARTMENT No comments received																				
PNM ELECTRIC & GAS No comments received																				
COMCAST No comments received																				
QWEST No comments received																				

ENVIRONMENTAL HEALTH No comments received
M.R.G.C.D No Adverse Comments.
OPEN SPACE DIVISION Open Space has no adverse comments
CITY ENGINEER The Hydrology section has no objection to the vacation request.
TRANSPORTATION DEVELOPMENT Additional information must be provided. A functioning alley cannot be vacated in part.
PARKS AND RECREATION No objection.
ABCWUA No objection to Vacation request.
PLANNING DEPARTMENT For vacation of public right-of-way, The Subdivision Ordinance requires a Finding that: "There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right." [Section 14-14-7-2(B)(3)] More information is needed regarding any prior acquisition of this alley by other property owners (refer to the notch shown in the alley in the submitted Exhibit for Vacation). In order to approve this vacation and comply with the Subdivision Ordinance, concurrence must be obtained from all property owners abutting the alley; a non-response would not qualify as "convincing evidence" in accordance with the ordinance. If approved, acquisition of the entire alley right-of-way would need to be coordinated with the Property Division of the City Legal Department and the entire vacated right-of-way would need to be replatted at the same time (and within one year).

IT IS REQUIRED THAT THE APPLICANT AND/OR AGENT BE PRESENT AT THE HEARING

Cc: Jacks High Country Inc. – 8953 2nd NW – Albuquerque, NM 87114

Cc: Joseph E. Samora Jr. – Personal Representative of the Julia Samora Estate – c/o Ronald T. Tavor
Attorney – 708 Marquette NW – Albuquerque, NM 87102-2035

Ronald T. Taylor
Law Office



708 Marquette N.W
Albuquerque NM 87102-2035
Phone: (505) 998-9060
Fax: (505) 998-9062

FACSIMILE TRANSMISSION

DATE: May 19, 2008

TO: Jack Cloud DRB **FAX No:** 924-3864
Kevin Curran, City Attorney **FAX No:** 924-3440

FROM: Ronald T. Taylor

RE: Project #1007083, 1226 8th Street

PAGES: 1

Dear Mr. Cloud and Mr. Curran,

This is to set out the proposed procedure we discussed by phone to complete the above-referenced Project as follows:

1) The surveyor is to add to the mylar that the fifteen foot easement is a private access easement pursuant to the easement agreement between the owners of Lots 16,17, 18 as replatted and the owner of the South one-half of Lot 19, and to show that Lots 16 17, and 18 as replatted (and referred to below as "the property") are to have private water and a private sanitary sewer.


2) Ed Paschich Homes, Inc. is to confirm in writing to Mr. Cloud that, following the Paschich Homes purchase of the property, that Paschich Homes will tear down at least one of the buildings on the property and provide Mr. Cloud a photo of the torn down building or buildings.

3) Upon receipt of the above letter from Paschich Homes and the mylar with the above changes, Mr. Coud will sign the mylar that will then be recorded in the office of the Bernalillo County Clerk with the private easement agreement referred to in Paragraph 1 above.

Please respond at your earliest convenience to let me know if you approve of the above procedure. If so, I will then have the Paschich Homes letter faxed to Mr. Cloud, proceed with the mylar additions and corrections, and then convey the corrected mylar to Mr. Cloud for his signature.

Thank you for your cooperation and awaiting your reply, I remain,

Yours very truly,


RONALD T. TAYLOR

RTT:cg

cc: Joseph Samora





05.16.2008

Ronald T. Taylor
Law Office



708 Marquette N.W
Albuquerque NM 87102-2035
Phone: (505) 998-9060
Fax: (505) 998-9062

FACSIMILE TRANSMISSION

DATE: May 21, 2008

TO: Jack Cloud DRB **FAX No: 924-3864**
Kevin Curran, City Attorney **FAX No: 924-3440**

FROM: Ronald T. Taylor

RE: Project #1007083, 1226 8th Street

PAGES: 1

Dear Mr. Cloud and Mr. Curran,

This letter will confirm my telephone conversation yesterday with Mr. Curran regarding the above matter as follows:

Ed Paschich of Paschich Homes will send Mr. Cloud a letter to confirm that, when Mr. Paschich has obtained all signatures on the mylar for the above project, he will not record the mylar with the County Clerk until the buildings on the property have been torn down. Mr. Paschich's letter will further confirm that he will provide photographic and written proof to Mr. Cloud that the buildings on the property have been torn down.

I will be in contact with both of you as soon as we have been able to obtain all other signatures on the mylar.

Yours very truly,

RONALD T. TAYLOR

RTT:dds

cc: Joseph Samora

Ed Paschich

ED PASCHICH HOMES, INC.
P.O. Box 1877
Corrales, New Mexico 87048
505-898-6284

Mr. Jack Cloud,

Ed Paschich homes within two weeks of the purchase and closing of lots 16A, 17A and 18A of the PLAT OF J.M. MOORE REALTY COMPANY'S ADDITION No.1 will demolish, tear down and remove all the homes presently on these lots.

Sincerely,



Edward O. Paschich

Edward O. Paschich
6842 Rio Grande Blvd.
Los Ranchos de Albuquerque, NM 87107
505-898-6284 Phone
505-898-7402 Fax
505-263-0141 Cell

CITY OF ALBUQUERQUE



May 27, 2008

VIA FACSIMILE (890-6899) AND US MAIL

Jeanine Dodson
Stewart Title Company
Head Closing Agent
10320 Cottonwood Park NW
Albuquerque New Mexico 87114

Re: Closing/Plat 16-A, 17-A, 18-A
J.M. Moore Realty Company's Addition No. 1
Your File: No. 7070356

Dear Ms. Dodson:

P.O. Box 1293

This is to confirm the City's sequence of events in anticipation of the closing of the sale of the above-referenced property.

Albuquerque

1. The buyer will confirm in writing to the City that the buildings currently on the property will be torn down within fifteen (15) days after the closing of the sale of the property;

New Mexico 87103

2. Upon receipt of buyer's letter confirming the buildings will be torn down, the City will fully execute two (2) mylar plat originals (copy attached) and one (1) original quitclaim deed (copy attached) conveying the vacated portion of the alley as shown on the mylar plat to seller;

www.cabq.gov

3. The City will hold the executed mylar plat and quitclaim deed for recording in the Bernalillo County Clerk's Office pending verification that the existing buildings on the property have been torn down within the 15 day period;

a. The original mylar plat will need to be recorded by March 14, 2009, or the plat approval will expire;

4. Upon verification to the City that the buildings have been torn down the buyer shall pay, or shall have paid, any outstanding property taxes due on the property as shown on the mylar plat to the Bernalillo County Treasurer's Office; and

5. Upon confirmation that all outstanding property taxes have been paid the City shall promptly:

a. Record the original mylar plat in the Bernalillo County Clerk's Office and;

b. Insert the plat recording information in the quitclaim deed and record the original quitclaim deed in the Bernalillo County Clerk's Office, and deliver the recorded quitclaim deed to seller.

Thank you for your consideration in this matter. Please contact me with any questions or comments.

Sincerely,

CITY OF ALBUQUERQUE

By: 

Keyin J. Curran

Assistant City Attorney

Enclosures

cc: Ron Taylor, Esq.
Jack Cloud, DRB Chair
Scott Howell, Right-of-Way Supervisor

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007083

AGENDA ITEM NO: 7

SUBJECT:

Vacation

ACTION REQUESTED:

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

P.O. Box 1293

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the subject request.

Albuquerque

New Mexico 87103

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

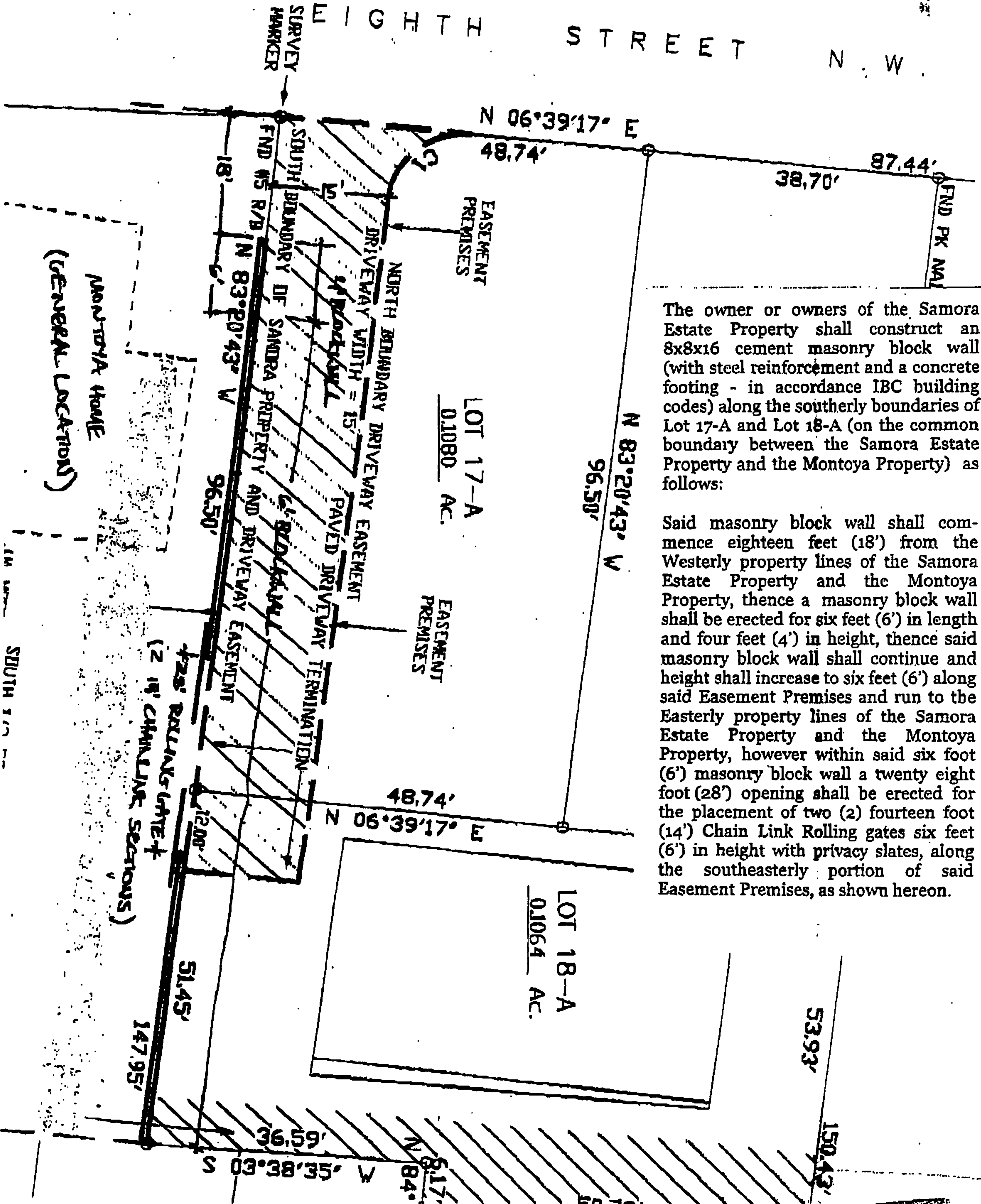
SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: February 27, 2008



The owner or owners of the Samora Estate Property shall construct an 8x8x16 cement masonry block wall (with steel reinforcement and a concrete footing - in accordance IBC building codes) along the southerly boundaries of Lot 17-A and Lot 18-A (on the common boundary between the Samora Estate Property and the Montoya Property) as follows:

Said masonry block wall shall commence eighteen feet (18') from the Westerly property lines of the Samora Estate Property and the Montoya Property, thence a masonry block wall shall be erected for six feet (6') in length and four feet (4') in height, thence said masonry block wall shall continue and height shall increase to six feet (6') along said Easement Premises and run to the Easterly property lines of the Samora Estate Property and the Montoya Property, however within said six foot (6') masonry block wall a twenty eight foot (28') opening shall be erected for the placement of two (2) fourteen foot (14') Chain Link Rolling gates six feet (6') in height with privacy slates, along the southeasterly portion of said Easement Premises, as shown hereon.

(GENERAL LOCATION)

MONTAYA HOUSE

12 1/4' CHAIN LINK SECTIONS

PAVED DRIVEWAY TERMINATION

PAVED DRIVEWAY

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

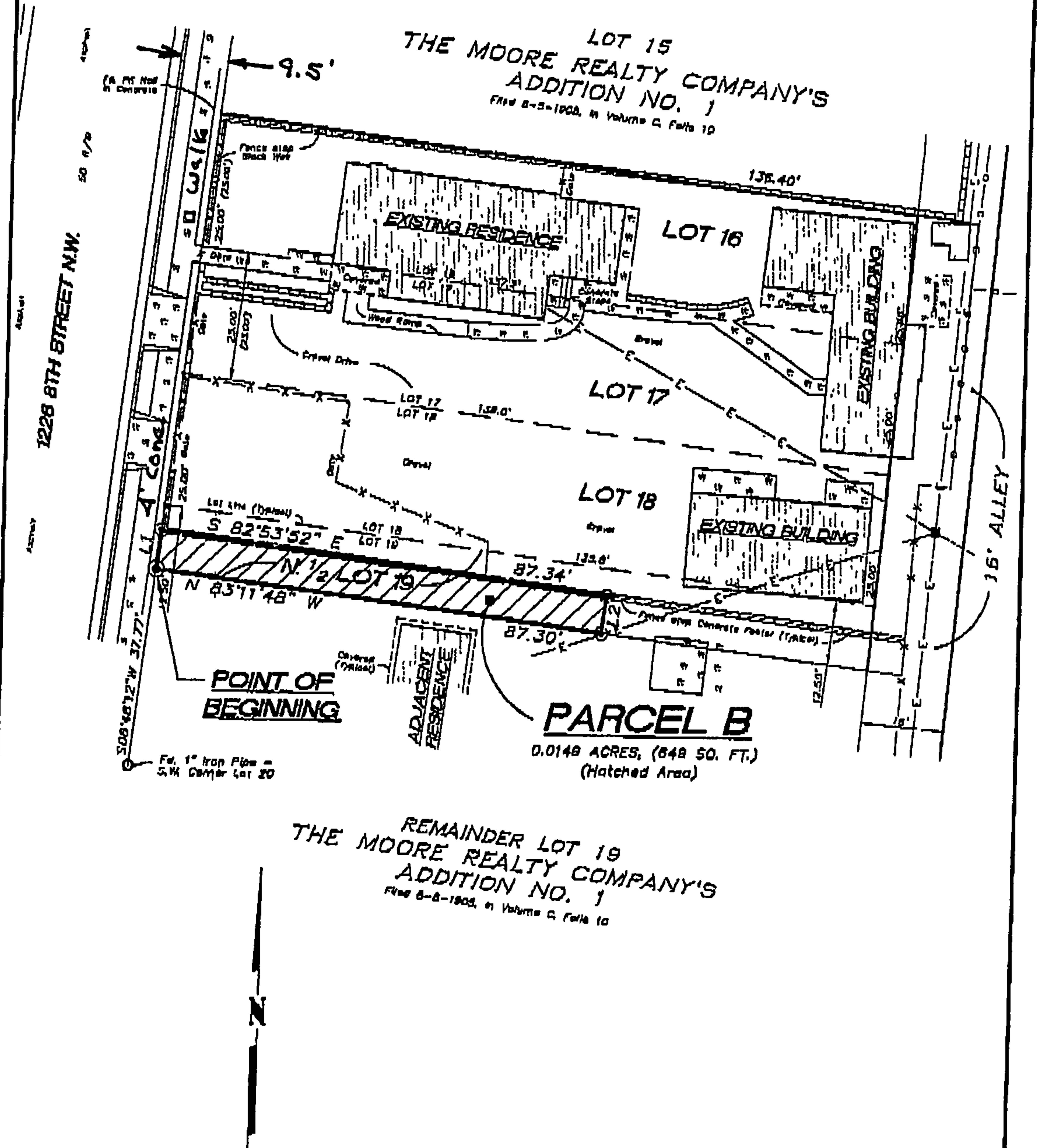
DRIVEWAY WIDTH = 15'

PAVED DRIVEWAY

DRIVEWAY TERMINATION

EXHIBIT FOR PARCEL B
NORTHWESTERLY PORTION OF LOT 19
JOHN M. MOORE REALTY CO. 1ST ADDITION

WITHIN
TOWN OF ALBUQUERQUE GRANT
PROJECTED SECTION 17, TOWNSHIP 10 NORTH, RANGE 3 EAST
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
SEPTEMBER, 2007

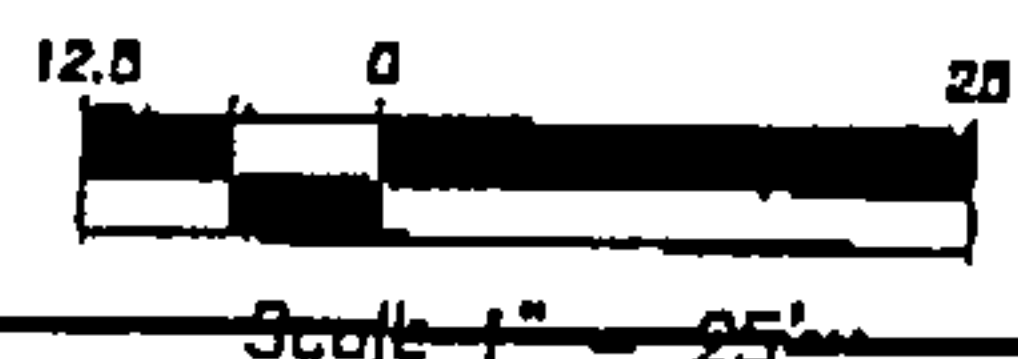


REMAINDER LOT 19
THE MOORE REALTY COMPANY'S
ADDITION NO. 1
Filed 8-2-1900, in Volume C, Page 10

PARCEL B
0.0148 ACRES, (648 SQ. FT.)
(Hatched Area)

LINE TABLE

LINE	LENGTH	BEARING
L1	7.64'	N06°48'12"E
L2	7.18'	S07°06'08"W



CITY OF ALBUQUERQUE



91
92
93

CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD--SPEED MEMO

DRB CASE NO/PROJECT NO: 1007083

AGENDA ITEM NO: 2

SUBJECT:

Vacation

ACTION REQUESTED:

REV/CMT:() APP:(x) SIGN-OFF:() EXTN:() AMEND:()

P.O. Box 1293

ENGINEERING COMMENTS:

The Hydrology Section has no objection to the vacation request.

Albuquerque

New Mexico 87103

RESOLUTION:

2-27-08

APPROVED ____; DENIED ____; DEFERRED X; COMMENTS PROVIDED ____; WITHDRAWN

www.cabq.gov

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR:

SIGNED: Bradley L. Bingham
City Engineer/AMAFCA Designee
924-3986

DATE: February 20, 2008

CITY OF ALBUQUERQUE



CITY OF ALBUQUERQUE PLANNING DEPARTMENT HYDROLOGY DEVELOPMENT SECTION

DEVELOPMENT REVIEW BOARD MEMO

DRB CASE NO/PROJECT NO: 1007083

AGENDA ITEM NO: 12

SUBJECT:

Final Plat approve preliminary plat

ENGINEERING COMMENTS:

A drainage easement is required.

All buildings to be razed.

RESOLUTION:

APPROVED ____; DENIED ____; DEFERRED ____; COMMENTS PROVIDED ____; WITHDRAWN

SIGNED-OFF: (SEC-PLN) (SP-SUB) (SP-BP) (FP) BY: (UD) (CE) (TRANS) (PKS) (PLNG)

DELEGATED: (SEC-PLN) (SP-SUB) (SP-BP) (FP) TO: (UD) (CE) (TRANS) (PKS) (PLNG)

FOR: *change easement language*

SIGNED:
Curtis Cherne
City Engineer Designee
924-3695

DATE: 5-14-08

PO Box 1293
Albuquerque
NM 87103
www.cabq.gov

Ronald T. Taylor
Law Office



708 Marquette N.W
Albuquerque NM 87102-2035
Phone: (505) 998-9060
Fax: (505) 998-9062

FACSIMILE TRANSMISSION

DATE: June 9, 2008

TO: Jack Cloud
DRB

FAX No: 924-3864

FROM: Ronald T. Taylor

RE: Project #1007083

PAGES: 12

Dear Mr. Cloud,

Attached is the signed and notarized Easement Agreement with regard to the above matter.

Please note that Page 2 of the Agreement obligates the Samora Estate, or the owners of Lots 17A and 18A of the Replat, to be responsible for the maintenance of the easement in accord with your requirements. Note also that Exhibit "A" shows the alternate description of the property to include Lots 17A and 18A of the Replat.

Please call or leave word to let me know if this Easement Agreement complies with all the requirements of the DRB.

Mr. Cloud, thank you again for your cooperation throughout this matter.

Yours very truly,

RONALD T. TAYLOR

RTT:cg

cc: Joseph Samora

EASEMENT AND MAINTENANCE AGREEMENT

This *Easement and Maintenance Agreement* (hereinafter referred to as the "Agreement") is entered into this 23RD day of April, 2008, by and between the Estate of Julia Samora, Deceased (Joseph E. Samora, Jr., Personal Representative) (hereinafter referred to as "Samora Estate"), and Gerald L. Montoya, an unmarried man (hereinafter referred to as "Montoya"). The parties agree as follows:

RECITALS

A. **Samora Estate** is the owner of certain real property located in Bernalillo County, New Mexico, generally known as 1226 8th Street, Albuquerque, New Mexico, and more particularly described on Exhibit "A", attached hereto and incorporated herein by this reference (hereinafter referred to as the "Samora Estate Property").

B. **Montoya** is the owner of certain real property located in Bernalillo County, New Mexico, generally known as 1218 8th Street, Albuquerque, New Mexico, and more particularly described on Exhibit "B", attached hereto and incorporated herein by this reference (hereinafter referred to as the "Montoya Property").

C. **Samora Estate** wishes to grant, and **Montoya** wishes to receive, an access (ingress and egress) easement and existing utility easement for the benefit of the Montoya Property over and across, (and, for the limited purposes set forth in paragraph 2 below, under), a portion of the Samora Estate Property, which portion is more particularly described (by metes and bounds) and shown on Exhibit "C", attached hereto and incorporated herein for all purposes (hereinafter that portion of the Samora Estate Property burdened by said easements shall be referred to as the "Easement Premises").

D. **Samora Estate** and **Montoya** wish to provide for maintenance responsibilities and other obligations with respect to said **Easement Premises**.

NOW, THEREFORE, for good and valuable consideration, and in consideration of the mutual covenants and conditions contained herein, **Samora Estate** and **Montoya** agree as follows:

AGREEMENT

1. Grant of Access Easement. **Samora Estate** hereby grants, without warranty covenants, to **Montoya**, his heirs and assigns, as a perpetual easement appurtenant to the Montoya Property, an access (ingress and egress) easement over and across the **Easement Premises**.

2. Grant of Easement for Existing Utilities. **Samora Estate** hereby grants, without warranty covenants, to **Montoya**, his heirs and assigns, as a perpetual easement appurtenant to Montoya Property, an easement for all utilities, if any, that exists over, across and under the **Easement Premises** as of the date of this Agreement. **Samora Estate** and **Montoya** acknowledge and agree that, while the owner of the Montoya Property may maintain and repair any existing utilities/utility lines over, across and under the **Easement Premises**, the owner of the Montoya Property may not install any new utilities/utility lines under the **Easement Premises**.

3. **Maintenance.** The parties agree that, with regard to the aforementioned access and utility easement over and across (and, for the limited purposes set forth in paragraph 2 above, under) the **Easement Premises**, the responsibility for the maintenance and repair of the **Easement Premises**, together with all costs and expenses associated therewith, shall be borne by the owner of each parcel in accordance with the following percentages:

Samora Estate Property: (and / or the owners of Lots 17A and Lot 18A, Replat of J.M. Moore Realty Company's Addition No. 1)	100%
Montoya Property:	0%
<u>TOTAL:</u>	<u>100%.</u>

Notwithstanding anything to the contrary contained herein, in the event any damage is caused to the **Easement Premises**, other than as a result of ordinary wear and tear, and such damage is attributable directly and solely to a particular parcel owner (or such owner's agents, tenants, invitees, guests or licensees), the costs associated with repairing such damage shall be the sole responsibility of the applicable owner causing said damage.

4. **Improvements.**

A. **Initial Improvement of Easement Premises (Paving).** Within one hundred twenty (120) days of the recording of this Agreement in the records of Bernalillo County, New Mexico, the owner or owners of the Samora Estate Property shall, at said owners' sole cost and expense, pave the **Easement Premises**.

B. **Initial Improvement at the Southern Boundary of the Easement Premises (Wall / Gates).** Within sixty (60) days of the recording of this Agreement in the records of Bernalillo County, New Mexico, the owner or owners of the Samora Estate Property shall, at said owners' sole cost and expense, construct a wall (with two (2) gates) at the southern edge of the **Easement Premises** (on the common boundary between the Samora Estate Property and the Montoya Property) - in accordance with the specifications detailed on **Exhibit "D"**, attached hereto and incorporated herein for all purposes.

C. **Further Improvement of the Easement Premises.** Subsequent to the improvement contemplated by sub paragraph 4 (A) above, the owner or owners of either the Samora Estate Property or the Montoya Property may further improve the **Easement Premises** at said owner's sole expense and liability if said owner or owners so choose (though the parties acknowledge and agree that said parcel owners shall be under no obligation to further improve the **Easement Premises**).

With regard to all improvements contemplated by this paragraph, the parties hereby covenant (i) to comply with all applicable city, county and State regulations or requirements, and (ii) to not incur any lien(s) for such improvement(s).

5. **No Parking Upon Easement Premises.** Since the **Easement Premises** shall be utilized to access the Samora Estate Property and the Montoya Property, the owner or owners of both the Samora Estate Property and the Montoya Property shall not permit any vehicle to park upon the **Easement Premises**; and, the owner or owners of the Samora Estate Property and the Montoya Property further agree to cooperate in any actions necessary to insure that the **Easement Premises** are at all times free of any obstruction.

6. **Notices.** All notices by any party shall be hand-delivered, or sent by certified United States mail, and addressed to the other party as follows:

To Samora Estate:

Owner/Current Resident
1226 8th Street, N.W.
Albuquerque, NM 87102; and,

To Montoya:

Gerald L. Montoya, or successor
1218 8th Street, N.W.
Albuquerque, NM 87102,

with additional copy to:

Owner/Current Resident
1218 8th Street, N.W.
Albuquerque, NM 87102.

7. **Successors and Assigns.** All provisions of this Agreement, including the benefits and burdens, run with the land and are binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, assigns, successors, tenants, licensees and personal representatives. The easements created in this Agreement may not be transferred, assigned or conveyed apart or separately from their appurtenant parcel or lot or any part of the appurtenant parcel or lot.

8. **Construction.** The strict rule of construction does not apply to this Agreement. This Agreement shall be given a reasonable construction so that the intention of the parties to confer a practicably usable right of enjoyment is carried out.

9. **Governing Law.** This Agreement shall be governed by, interpreted under and construed and enforced in accordance with the laws of the State of New Mexico.

10. **Headings.** The headings and captions of the various paragraphs of this Agreement have been inserted only for the purpose of convenience, and are not a part of this Agreement and shall not be deemed in any manner to modify, explain, expand or restrict any of the provisions of this Agreement.

11. **Entire Agreement.** This Agreement, including all attached exhibits, contains the entire agreement and understanding between the parties, and entirely replaces all prior negotiations, proposed agreements or understandings, whether written or oral, entered into between the parties. This Agreement may not be changed or modified except by written agreement between the parties.

IN WITNESS WHEREOF, the parties to this Agreement have caused this Agreement to be executed on the date and the year set forth in the first paragraph of this Agreement.

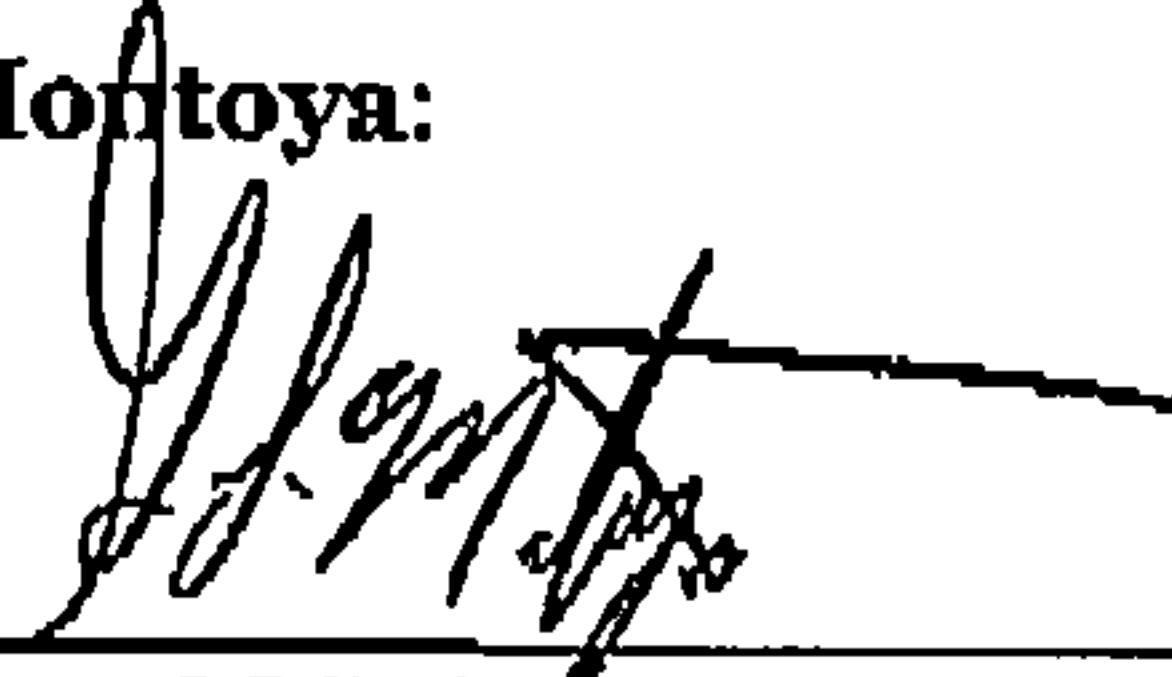
Samora Estate:

Estate of Julia Samora, Deceased

By: _____

**Joseph E. Samora, Jr.,
Personal Representative**

Montoya:



Gerald L. Montoya

ACKNOWLEDGEMENT

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of April, 2008, by **Joseph E. Samora, Jr.**, as Personal Representative of the Estate of **Julia Samora**, Deceased, for and on behalf of said Estate.

(Notary's Signature)

(Notary's Printed Name)

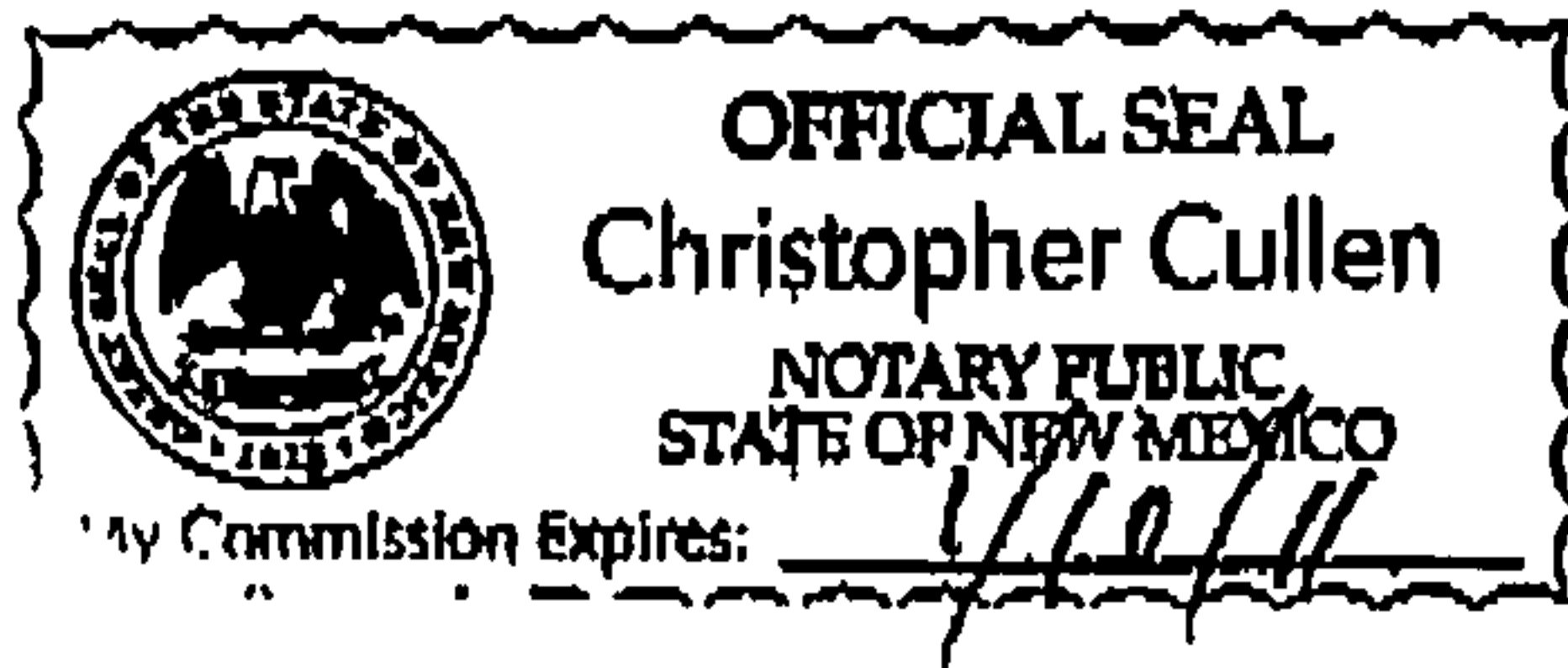
Notary Public in and for the
State of New Mexico

My Commission Expires:

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 17th day of April, 2008, by **Gerald L. Montoya**.



Christopher Cullen

(Notary's Signature)
Christopher Cullen


(Notary's Printed Name)

Notary Public in and for the
State of New Mexico

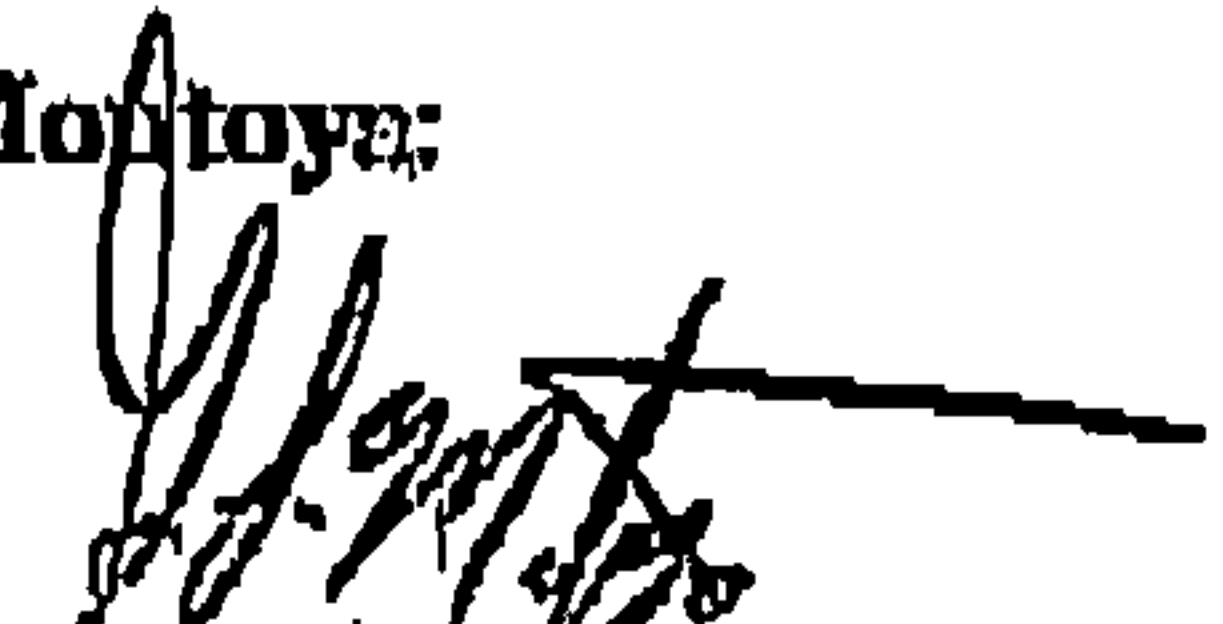
My Commission Expires:
1/10/11

Samora Estate:

Estate of Julia Samora, Deceased

By: 
Joseph E. Samora, Jr.,
Personal Representative

Montoya:


Gerald L. Montoya

ACKNOWLEDGEMENT

STATE OF District of Columbia)
COUNTY OF _____) SS.

The foregoing instrument was acknowledged before me this 23 day of April, 2008, by **Joseph E. Samora, Jr.**, as Personal Representative of the Estate of **Julia Samora, Deceased**, for and on behalf of said Estate.

Patricia D. Rouhac
(Notary's Signature)
Patricia D. Rouhac
(Notary's Printed Name)

Notary Public in and for the State of New Mexico

My Commission PATRICIA D. ROULHAC
Notary Public, District of Columbia
My Commission Expires November 14, 2011

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
COUNTY OF SANTA FE) SS.

The foregoing instrument was acknowledged before me this 17th day of April, 2008, by **Gerald L. Montoya**.



Gerald L. Montoya
(Notary's Signature)
Christopher Cullen
(Notary's Printed Name)

Notary Public in and for the State of New Mexico

My Commission Expires 4/10/11

EXHIBIT "A"

Lots numbered Sixteen (16), Seventeen (17), Eighteen (18) and the North One-Half (N. ½) of Lot numbered Nineteen (19) of the replat of JOHN M. MOORE REALTY COMPANY 1st ADDITION, City of Albuquerque, Bernalillo County, New Mexico as the same is shown and designated on the Replat of said Addition, filed in the office of the County Clerk of Bernalillo County, New Mexico on December 8, 1970, in Volume A3, Folio 37.

Which property is being replatted and shall be described as Lots 16 A, 17A and 18A J.M. MOORE REALTY COMPANY'S ADDITION NO. 1



Lot numbered Twenty (20) and the South One-Half (S. ½) of Lot numbered Nineteen (19) of the JOHN M. MOORE REALTY COMPANY'S FIRST ADDITION, an Addition to the City of Albuquerque, New Mexico, as the same are shown and designated on the Plat of said Addition, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1905 in Volume C, folio 10.

"Exhibit C"

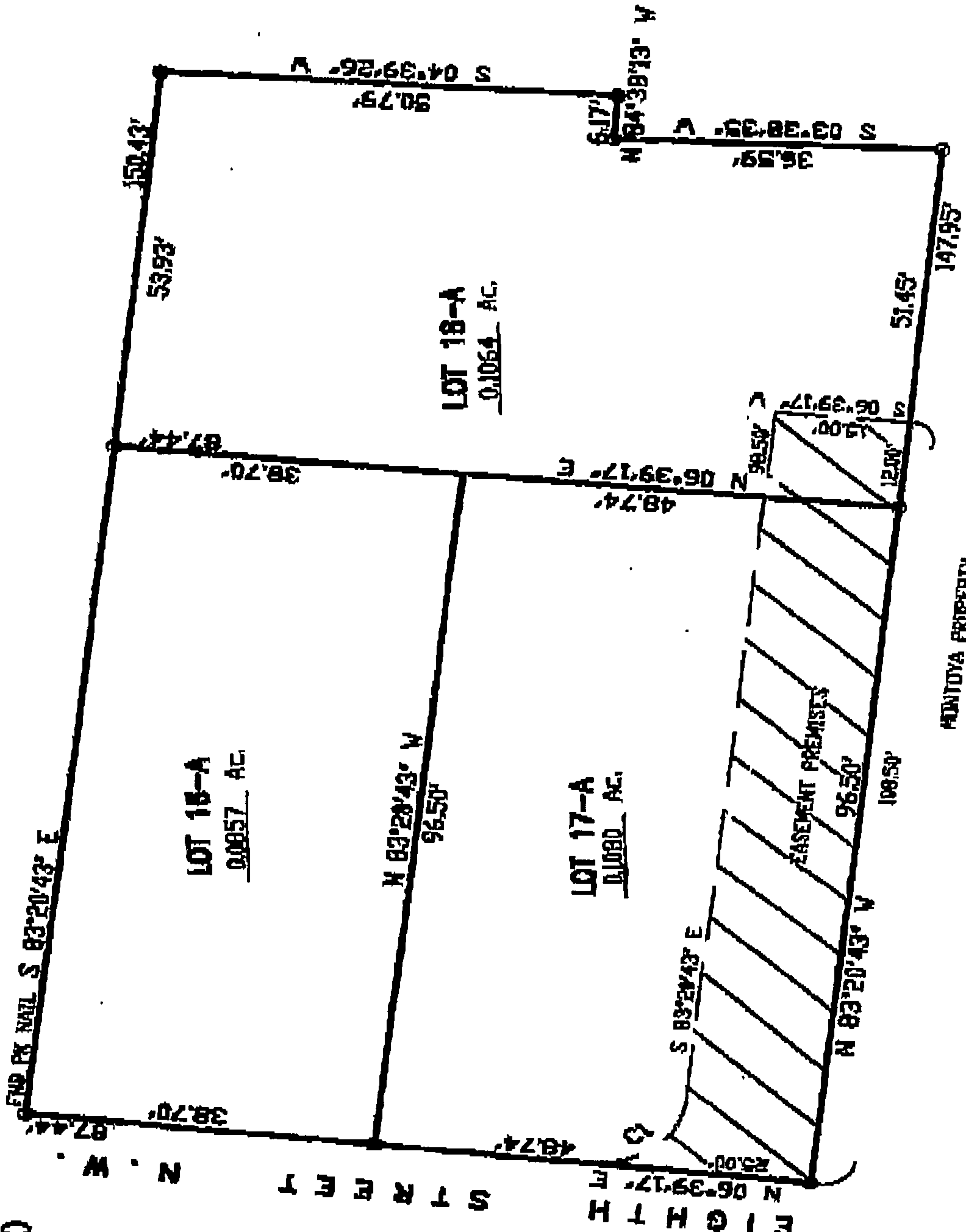
**EXHIBIT SHOWING
EASEMENT PREMISES**

WITHIN

**LOT 18 AND THE NORTH 1/2 OF LOT 19
J.M. MOORE REALTY COMPANY'S ADDITION No. 1
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH, 2008**

LEGAL DESCRIPTION

A CERTAIN TRACT OF LAND BEING AN EASEMENT PREMISES LOCATED WITHIN A TRACT LABELED AS THE REPLAT OF LOTS 16, 17, 18 AND THE NORTH ONE-HALF OF LOT 19 OF THE J.M. MOORE REALTY CO. 1ST ADDITION, ALBUQUERQUE NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON DECEMBER 8, 1970 IN VOLUME 43, FOLIO 37, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT PREMISES, BEING A POINT ON THE EASTERLY LINE OF EIGHTH STREET, BEING COMMON WITH THE SOUTHWEST CORNER OF SAID REPLAT OF LOTS 16, 17, 18 AND THE NORTH ONE-HALF OF LOT 19, RUNNING THENCE AS AN EASEMENT PREMISES N 86°39'17" E, ALONG THE EASTERLY LINE OF EIGHTH STREET, A DISTANCE OF 25.00 FEET TO THE NORTHWEST CORNER;
THENCE S 80°28'43" E, A DISTANCE OF 98.50 FEET TO THE NORTHEAST CORNER;
THENCE S 06°39'17" W, A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER;
THENCE N 83°20'43" W, A DISTANCE OF 100.50 FEET TO THE SOUTHWEST CORNER AND PLACE OF BEGINNING



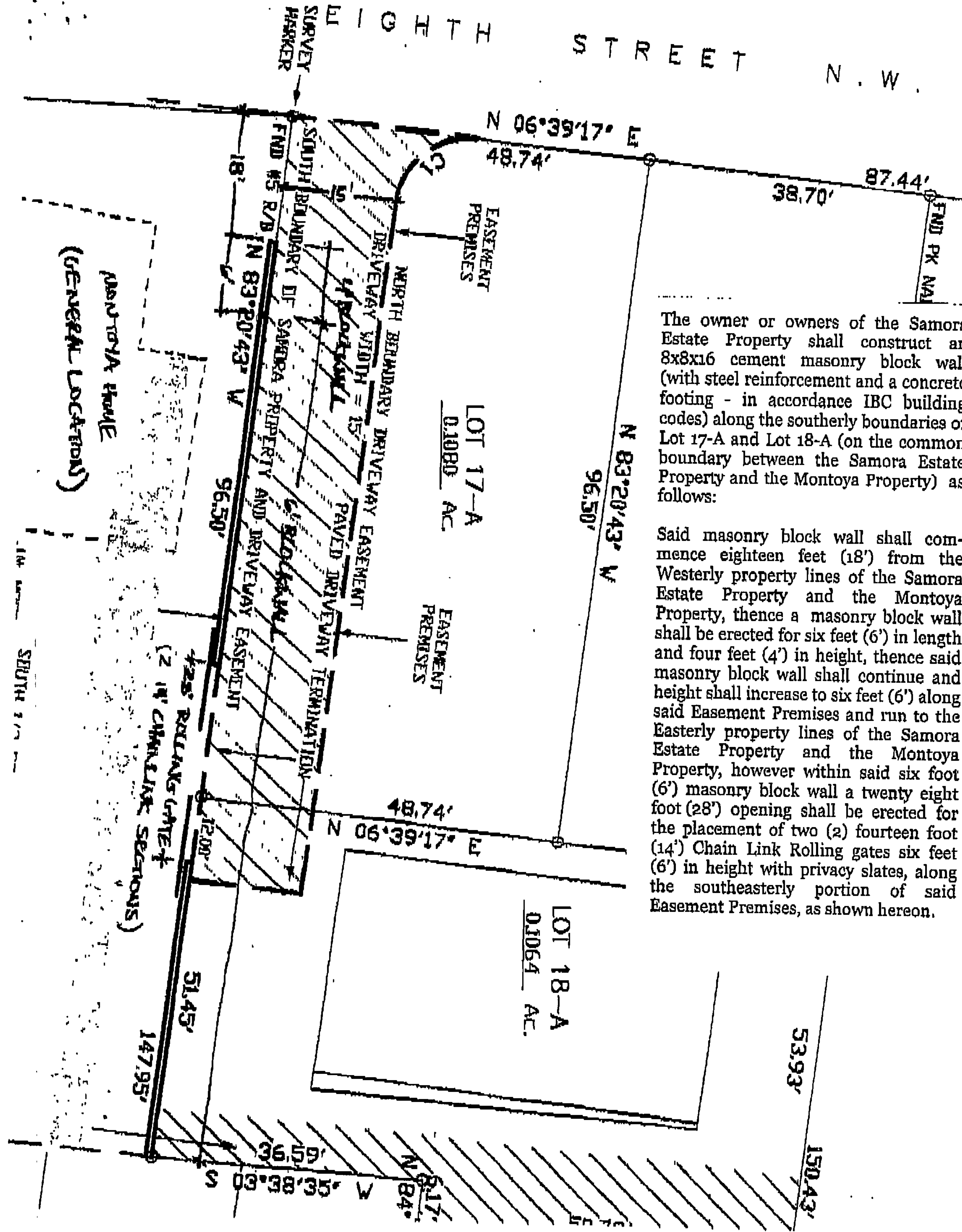
Scale 1" = 20'
Drawn by: 07-1493.DWG
Field Book: _____
Page: _____

CURVE TABLE

NUMBER	DELTA ANGLE	CHORD	DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
1	190°00'00"	13	S 38°20'43" E	100.00	15.71	14.14

Anthony L. Rarris, N.M.P.S. #11469 HARRIS SURVEYING, INC.
2412-D Monroe Street, NE • Albuquerque, New Mexico 87110
Phone: (505) 243-8888 • Fax: (505) 243-8845

FIFTH STREET N.W.



The owner or owners of the Samora Estate Property shall construct an 8x8x16 cement masonry block wall (with steel reinforcement and a concrete footing - in accordance IBC building codes) along the southerly boundaries of Lot 17-A and Lot 18-A (on the common boundary between the Samora Estate Property and the Montoya Property) as follows:

Said masonry block wall shall commence eighteen feet (18') from the Westerly property lines of the Samora Estate Property and the Montoya Property, thence a masonry block wall shall be erected for six feet (6') in length and four feet (4') in height, thence said masonry block wall shall continue and height shall increase to six feet (6') along said Easement Premises and run to the Easterly property lines of the Samora Estate Property and the Montoya Property, however within said six foot (6') masonry block wall a twenty eight foot (28') opening shall be erected for the placement of two (2) fourteen foot (14') Chain Link Rolling gates six feet (6') in height with privacy slates, along the southeasterly portion of said Easement Premises, as shown hereon.

Exhibit 10

City of Albuquerque Planning Department
One Stop Shop – Development and Building Services

01/25/2008 Issued By: PLNSDH

11

Permit Number: 2008 070 050 **Category Code 910**

Application Number: 08DRB-70050, Vacation Of Public Easement

Address:

Location Description: 8TH ST NW BETWEEN MOUNTAIN NW AND SUMMER NW

Project Number: 1007083

Applicant

Julia Samora Estate
Joseph Samora Jr
700 Marquette Nw
Albuquerque NM 87102
998-9060

Agent / Contact

Jacks High Country Inc

8953 2nd St Nw
Albuquerque NM 87114

Application Fees

441018/4971000	Public Notification	\$75.00
441032/3424000	Conflict Mgmt Fee	\$20.00
441006/4983000	DRB Actions	\$45.00
TOTAL:		\$140.00

City Of Albuquerque
Treasury Division

1/25/2008 11:34AM LOC: ANNX
MSH 008 TRANSH 0018
RECEIPT# 00086876-00086078
PERMIT# 2008070050 TRSDMS
Trans Amt \$140.00
APN Fee \$75.00
Conflict Manag. Fee \$20.00
DRB Actions \$45.00
CK \$140.00
CHANGE \$0.00

Thank You

City of Albuquerque Planning Department

One Stop Shop – Development and Building Services

04/30/2008 Issued By: E08375

Permit Number: 2008 070 206 **Category Code 910**

Application Number: 08DRB-70206, Minor - Preliminary/ Final Plat Approval

Address:

Location Description: 8TH ST NW BETWEEN MOUNTAIN NW AND SUMMER NW

Project Number: 1007083

Applicant
Joseph E Samora Jr

Agent / Contact
Jacks High Country Inc

708 Marquette Nw
Albuquerque NM 87102
988-8050

8953 2nd St Nw
Albuquerque NM 87114

Application Fees

441018/4971000	Public Notification	
441032/3424000	Conflict Mgmt Fee	\$20.00
441008/4983000	DRB Actions	\$355.00
TOTAL:		\$375.00

City Of Albuquerque
Treasury Division

4/30/2008 12:35PM LOC: ANNX
 WSH# 007 TRANSH 0029
 RECEIPT# 00097835-00097835
 PERMIT# 2008070206 TRSMSP
 Trans Amt \$375.00
 Conflict Manag. Fee \$20.00
 DRB Actions \$355.00
 CK \$375.00
 CHANGE \$0.00

Thank You

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- APPEAL / PROTEST of...
 - Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Jack's High Country Enco (Jack Spilman Pres.) PHONE: 898-3707
 ADDRESS: 8953 2nd NW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: _____
Joseph E. Samora Jr. Personal representative of
 APPLICANT: The Julia Samora Estate PHONE: (505) 998-9060
 ADDRESS: 90 Ronald T. Taylor ATINY 708 Marquette N.W FAX: _____
 CITY: Albuquerque STATE NM ZIP 87102-2035 E-MAIL: _____
 Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: The lot lines are to be re-aligned, and easements granted as shown

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No: 16A, 17A, 18A + North 1/2 of 19A Block: _____ Unit: _____
 Subdiv/Addn/TBKA: UM Moore Realty Company's Addition No 1
 Existing Zoning: R-1 Proposed zoning: R-1
 Zone Atlas page(s): J-14 UPC Code: 1-014-058-072-334-205-29 MRGCD Map No _____
1-014-058-072-327-2-05-30

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App, DRB AX, Z, V, S, etc.): 70050
1007083

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 3 No. of proposed lots: 3 Total area of site (acres): 0.3001
 LOCATION OF PROPERTY BY STREETS: On or Near: 8th STREET NW
 Between: Mountain NW and Summer N.W.

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Jack A. Spilman DATE _____
 (Print) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>DRB</u> - <u>70206</u>	<u>PBF</u>		\$ <u>355.00</u>
<input checked="" type="checkbox"/> All fees have been collected		<u>CMF</u>		\$ <u>20.00</u>
<input checked="" type="checkbox"/> All case #s are assigned				\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent				\$ _____
<input checked="" type="checkbox"/> Case history #s are listed				\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus				\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate				\$ _____
	Hearing date <u>May 14, 2008</u>			Total \$ <u>375.00</u>

[Signature]
 Planner signature / date

Project # 1007083

FORM S(3): SUBDIVISION - D.R.B. MEETING (UNADVERTISED) OR INTERNAL ROUTING

A **Bulk Land Variance** requires application on FORM-V in addition to application for subdivision on FORM-S.

SKETCH PLAT REVIEW AND COMMENT (DRB22) **Your attendance is required.**

- Scale drawing of the proposed subdivision plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- List any original and/or related file numbers on the cover application

EXTENSION OF MAJOR PRELIMINARY PLAT (DRB08) **Your attendance is required.**

- Preliminary Plat reduced to 8.5" x 11"
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Copy of DRB approved infrastructure list
 - Copy of the LATEST Official DRB Notice of approval for Preliminary Plat Extension request
 - List any original and/or related file numbers on the cover application
- Extension of preliminary plat approval expires after one year.**

MAJOR SUBDIVISION FINAL PLAT APPROVAL (DRB12) **Your attendance is required.**

- Proposed Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations & cross sections of perimeter walls **3 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Copy of recorded SIA
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- List any original and/or related file numbers on the cover application
- DXF file and hard copy of final plat data for AGIS is required.

MINOR SUBDIVISION PRELIMINARY/FINAL PLAT APPROVAL (DRB16) **Your attendance is required.**

- Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings
- Signed & recorded Final Pre-Development Facilities Fee Agreement for Residential development only
- Design elevations and cross sections of perimeter walls (11" by 17" maximum) **3 copies**
- Site sketch with measurements showing structures, parking, Bldg. setbacks, adjacent rights-of-way and street improvements, if there is any existing land use (folded to fit into an 8.5" by 14" pocket) **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
- Landfill disclosure and EHD signature line on the Mylar if property is within a landfill buffer
- Fee (see schedule)
- List any original and/or related file numbers on the cover application
- Infrastructure list if required (**verify with DRB Engineer**)
- DXF file and hard copy of final plat data for AGIS is required.

AMENDMENT TO PRELIMINARY PLAT (with minor changes) (DRB03) **Your attendance is required.**

- PLEASE NOTE: There are no clear distinctions between significant and minor changes with regard to subdivision amendments. Significant changes are those deemed by the DRB to require public notice and public hearing.
- Proposed Amended Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Original Preliminary Plat, Infrastructure List, and/or Grading Plan (folded to fit into an 8.5" by 14" pocket) **6 copies**
 - Zone Atlas map with the entire property(ies) clearly outlined
 - Letter briefly describing, explaining, and justifying the request
 - Bring original Mylar of plat to meeting, ensure property owner's and City Surveyor's signatures are on the plat
 - List any original and/or related file numbers on the cover application
- Amended preliminary plat approval expires after one year**

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Jack Spilman
Applicant name (print)

Jack A. Spilman
Applicant signature / date



Form revised 4/07

- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

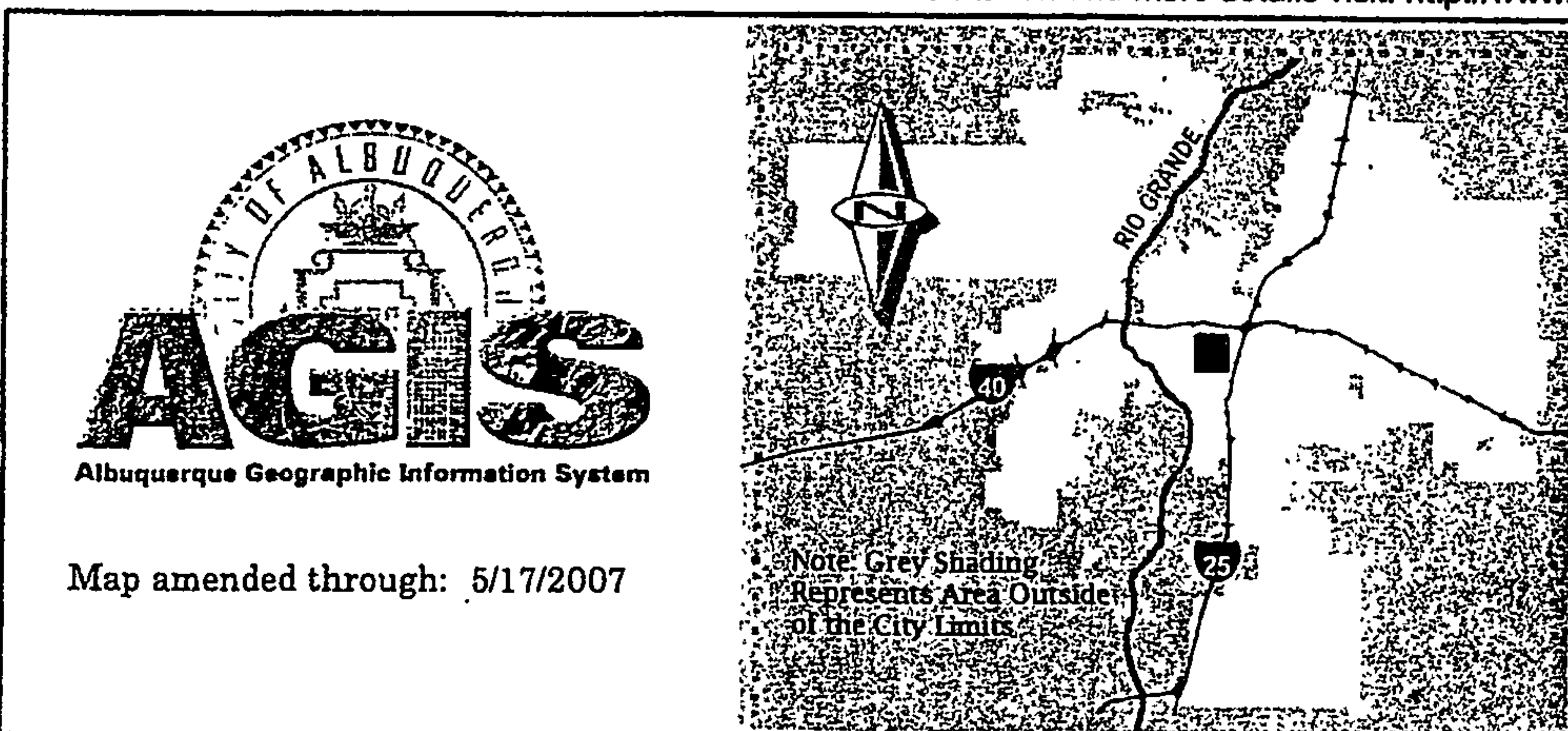
Application case numbers
08DRB - - 70206
 - -
 - -

[Signature]
Planner signature / date

Project # 1007083



For more current information and more details visit: <http://www.cabq.gov/gis>



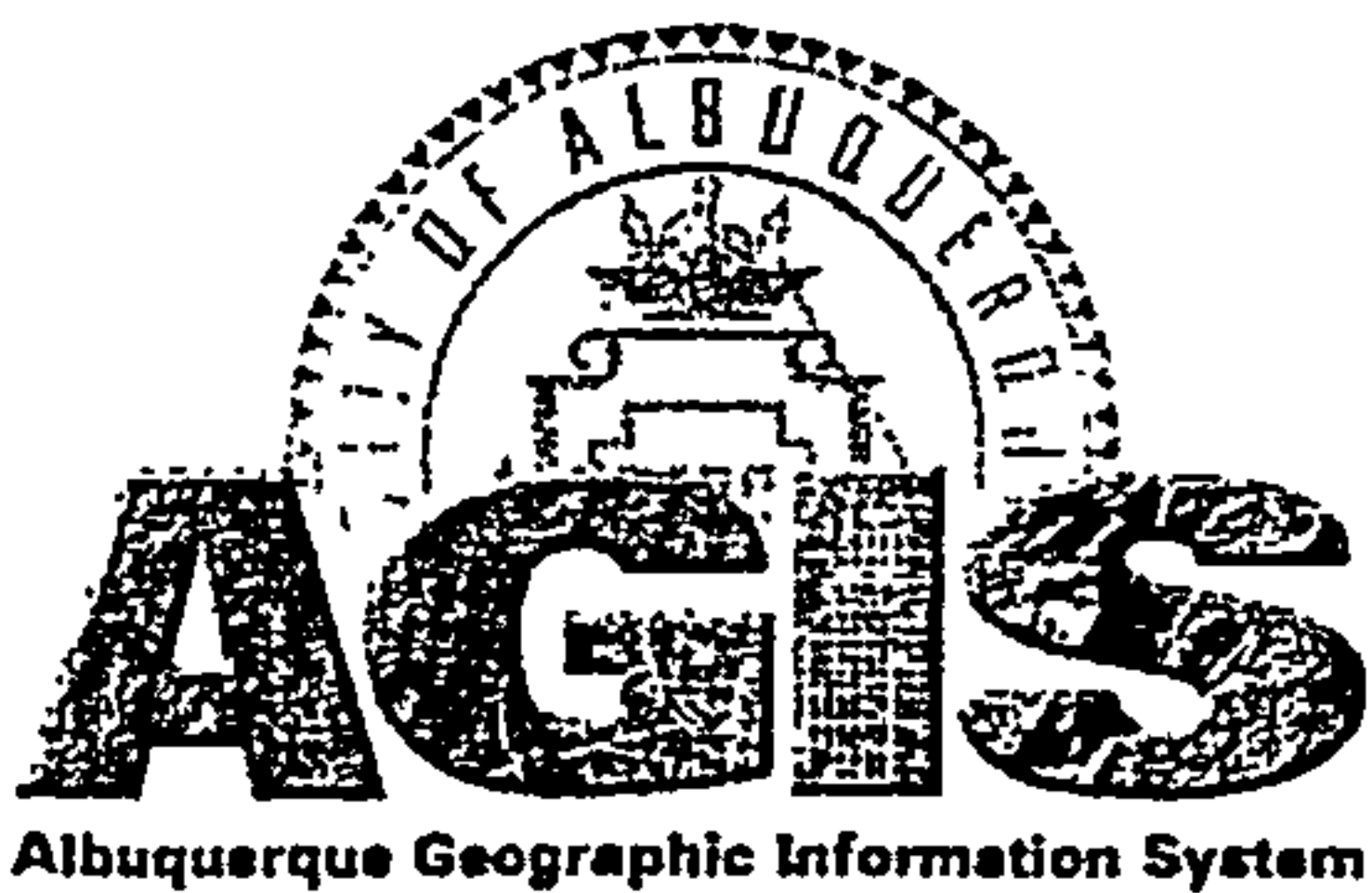
Zone Atlas Page:

J-14-Z

Selected Symbols

- SECTOR PLANS
- Design Overlay Zones
- City Historic Zones
- H-1 Buffer Zone
- Petroglyph Mon.
- Escarpment
- 2 Mile Airport Zone
- Airport Noise Contours
- Wall Overlay Zone

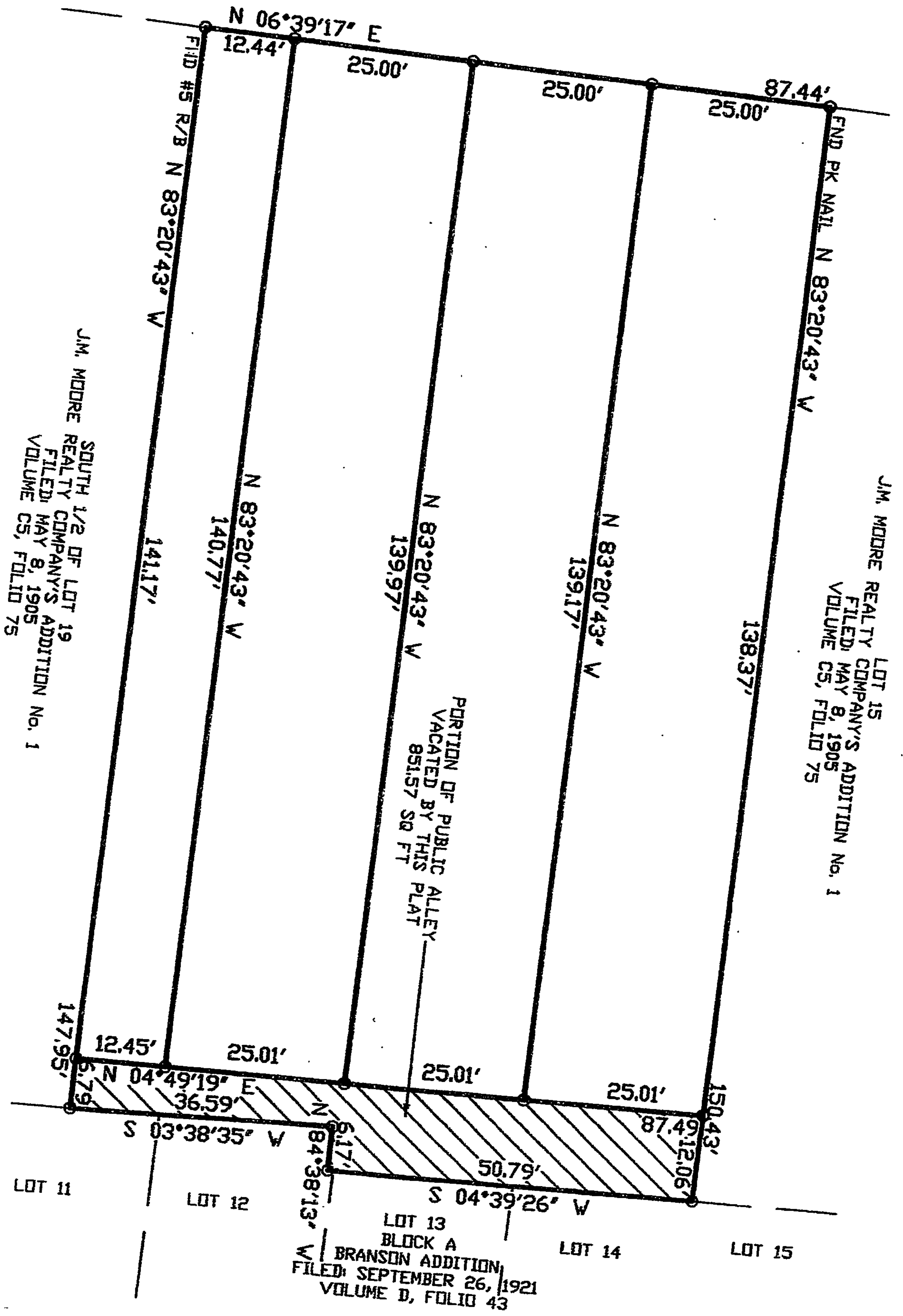
0 750 1,500 Feet



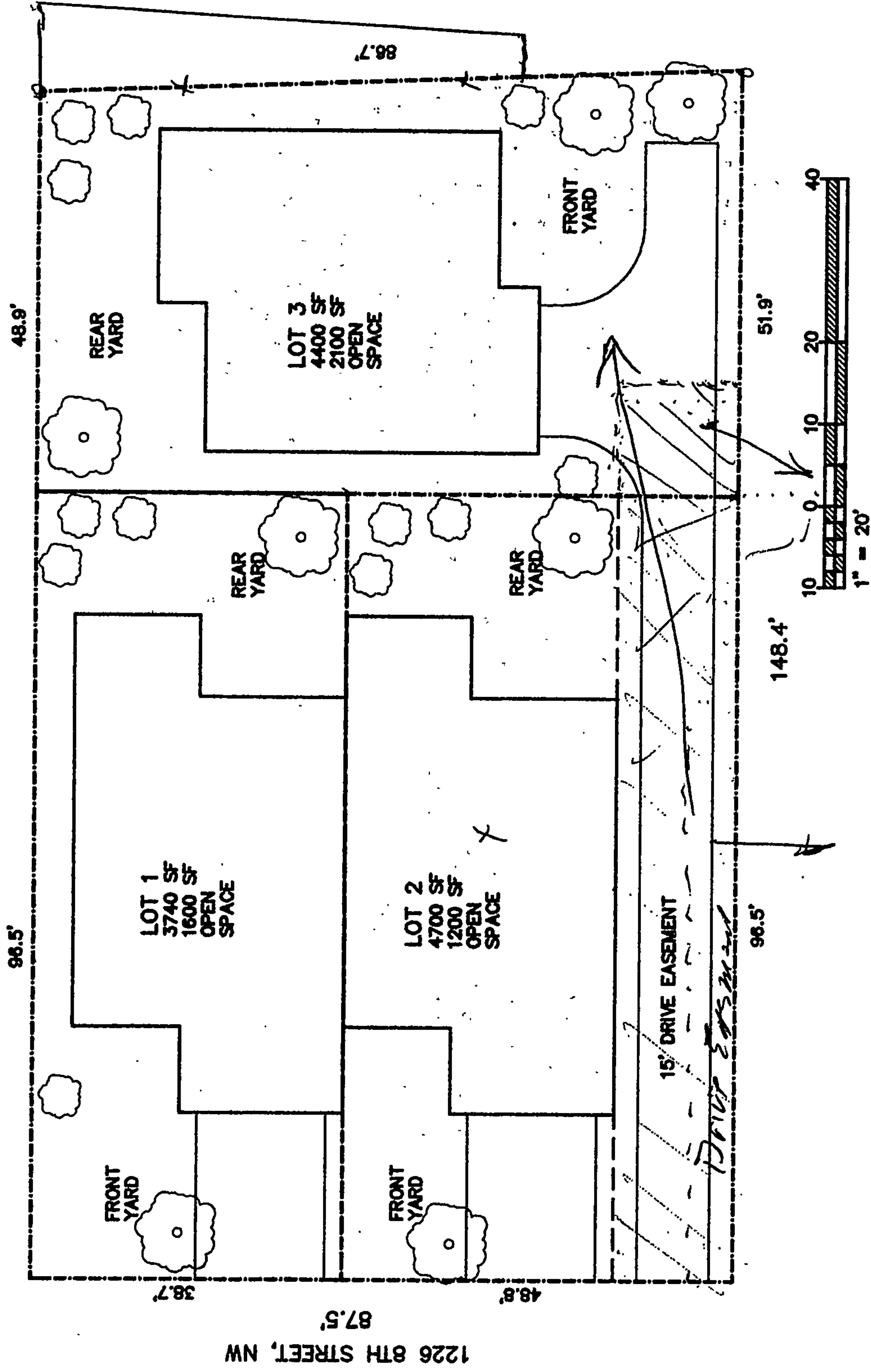
Map amended through: 5/17/2007

EXHIBIT
THE
PORTION
ALLEY

EIGHTH STREET
 50' R/W N.W.



HARRIS SURVEYING, INC.
 New Mexico 87110



PROPOSED SITE LAYOUT AND FEATURES

2007-08-02

proposed site plan

Jack's High Country, Inc.
8953 Second Street, N.W.
Albuquerque, New Mexico 87114

TO; City of Albuquerque, Development Review Board

RE; Lot 16-A, 17-A and 18-A and North ½ of 19-A, J.M. Moore Realty
Company's Addition No. 1

SUBJECT: The purpose of this plat is to re-align the lot lines, show the vacated
alley and grant all easements as shown..

APRIL 28, 2008
SAMORA J



Pre-Development Facilities Fee (PDFF) Cover Sheet

PDFF agreements received by 5PM Thursday will be ready for pick up by 8AM on the following Tuesday.

Please drop off and pick up all Pre-Development Facilities Fee agreements at APS' Capital Master Plan office. The office is located in Suite 9, 2nd floor, of the Lincoln Building at 915 Locust St SE. A map to our offices is located at: <http://construction.voteaps.com/LincolnMap.html>

Project # (if already assigned by DRB/EPC) _____

Please check one:

Preliminary PDFF
(Preliminary PDFF are required for preliminary plat submittals.)

Final PDFF
(Final PDFF are required for final plat submittals and **must be recorded** prior to DRB hearing)

Waiver/Deferral
(Must provide reason for waiver/deferral)

Project Information

Subdivision Name J.M. Moore Realty Company's Addn No.1

Legal Description Lot 16-A, 17-A and 18-A

Location of Project (address or major cross streets) 8th St NW between Mountain NW and Summer NW

Proposed Number of Units: 1 Single-Family 2 Multi-Family 3 Total Units

Note: A single-family unit is a single-family, detached dwelling unit.

Comments _____

Waiver Information

Property Owner Joseph E. Samora Jr, Personal Representative of the Julia Samora Estate Legal

Description Lot 16-A, and 17-A, J.M. Moore Realty Company's Addn No.1 Zoning S-R

Reason for Waiver/Deferral Lots 16-A and 17-A will not be assessed a Facilities Fee due to the 2 units that were originally on the property. Lot 18-A will be assessed the Facilities Fee, because this lot has caused a net gain of 1 residential unit.

Contact Information

Name Jack Spillman

Company Jack's High Country

Phone 898-3707

E-mail _____

Please include with your submittal:

- Zone Atlas map with the entire property(ies) precisely and clearly outlined
- Copy of a plat or plan for the proposed project
- List of legal description (e.g. lot, block) and street address for each lot (for final plat only)
- Please include project number on the top right corner of all documents
- Please paper clip all submitted documents (for ease of making copies)

FOR OFFICE USE ONLY

APS Cluster Albuquerque

Date Submitted 4/25/2008

Date Completed 4/25/2008

**ALBUQUERQUE PUBLIC SCHOOLS
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT WAIVER**

Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), having reviewed the proposed plat of Lot 16-A, and 17-A, J.M. Moore Realty Company's Addn No.1, which is zoned as S-R, on April 25, 2008 submitted by Joseph E. Samora Jr, Personal Representative of the Julia Samora Estate, owner of above property, has determined that no Pre-Development Facilities Fee Agreement is required with respect to that proposed plat because Lots 16-A and 17-A will not be assessed a Facilities Fee due to the 2 units that were originally on the property. Lot 18-A will be assessed the Facilities Fee, because this lot has caused a net gain of 1 residential unit.

ALBUQUERQUE PUBLIC SCHOOLS

By: _____
Signature

Betty King, Planner, Capital Master Plan

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on April 25, 2008, by Betty King as Planner, Capital Master Plan of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

April C. Whittis

Notary Public

My commission expires: May 18, 2011

Doc# 2008048788

04/30/2008 11:59 AM Page: 1 of 4
AGRE R: \$15.00 M. Toulouse, Bernalillo County



EXHIBIT B

FINAL
PRE-DEVELOPMENT FACILITIES FEE AGREEMENT

THIS AGREEMENT is made by and between the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, New Mexico ("Albuquerque Public Schools" or "APS"), a public school district organized and existing pursuant to the laws of New Mexico, and

Joseph E. Serna, Jr (Personal Representative) ("Developer") effective as of this 23 day of April, 2008 and pertains to the subdivision commonly known as _____ and more particularly described as lots 16-A, 18-A and North half of 19 [use new legal description of subdivision] J M Moore Realty Company's addition No. One

(the "Subdivision".) The following individual lots comprise the subdivision:

[List lots by street address and new legal description; Lots which will be used for multi-family residences should be marked "multifamily- ___ units" with the number of units filled in.]

WHEREAS, the City of Albuquerque requires that APS approve the plat(s) for any new subdivision; and

WHEREAS, Developer is proposing the development of a new subdivision, and requires APS approval of the plat for said subdivision; and

WHEREAS, Developer is the owner of the real estate being subdivided and platted; and

WHEREAS, Developer is required by the Albuquerque Subdivision Ordinance to provide appropriate infrastructure and improvements as a condition of developing a subdivision; and

WHEREAS, as a condition of approving such plat APS requires the provision of appropriate infrastructure and facilities or the payment of a facilities fee for each new residence to be constructed to help defray the cost of school construction, expansion, or maintenance;

DRB Subject # _____

APS Cluster Albuquerque

THEREFORE, in consideration of the mutual promises contained herein, APS and Developer agree as follows:

1. Developer agrees to pay to APS a facilities fee for each dwelling unit to be constructed in the Subdivision.
2. The amount of the fee shall be:
 - If the building permit is issued on or after January 1, 2007, the fee shall be \$1875 per dwelling unit.
 - If the building permit is issued on or after July 1, 2008, the fee shall be \$2425 per dwelling unit.
 - If the permit is issued on or after January 1, 2010, the fee shall be \$2975 per dwelling unit.

The fee for each dwelling unit in multi-family residential structures shall be sixty percent (60 %) of the fee for a single family home. "Multi-family residential structure" means any type of residential property other than single-family houses (one single family, detached dwelling unit per lot).

3. Developer agrees that the fee shall be paid to APS at or before the issuance of any building permit for any lot or other parcel of property subject to this agreement.
4. Developer may satisfy all or part of its obligations under this contract by transferring improved or unimproved property to APS, provided that APS must agree to the transfer and to the value placed on the transferred property. APS, upon accepting such transfer, shall credit Developer with an amount equal to the agreed value, and the developer may designate the lot(s) to which such amount(s) shall be applied in satisfaction of its obligations hereunder.
5. This contract shall be recorded in the office of the County Clerk of Bernalillo and/or Sandoval County, and shall serve as notice of the Developer's obligation to pay facilities fees. Developer shall include on the plat of the Subdivision a statement that "The property on this plat is subject to a Pre-Development Facilities Fee Agreement with the Albuquerque Public Schools, recorded at [recording data]."
6. APS, through its Facilities Fee Administrator, will provide a Payment Acknowledgement in the form attached hereto to the Developer reflecting receipt of the facilities fee (or equivalent compensation as described in paragraph 4 above), which form may be given to the City to show satisfaction of the fee obligation and satisfy that condition for receiving building permits. Developer may record that Payment Acknowledgment in the real estate records of Bernalillo or Sandoval County, but APS shall not be responsible for paying any recording fees nor shall APS be responsible for recording any such documents with the office of the County Clerk or any other office.

DRB Project # _____

APS Cluster Albuquerque

Joseph E. Samora, Jr.
Signature

JOSEPH E. Samora, Jr. (Personal Representative)
Name (typed or printed) and title

Developer
District of Columbia
STATE OF ~~NEW MEXICO~~
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 4-23-08, by Joseph E. Samora, Jr. as Personal Representative of Estate of Julie Samora, a corporation. §

(Seal)

Patricia D. Roulhac
Notary Public
PATRICIA D. ROULHAC
Notary Public, District of Columbia
My commission expires November 14, 2011

ALBUQUERQUE PUBLIC SCHOOLS

By: [Signature]
Signature

BETTY KING, APS PLANNER
Name (typed or printed) and title

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 4-25-08, by Betty King as APS Planner of the Albuquerque Municipal School District No. 12, Bernalillo and Sandoval Counties, a school district organized and existing under the laws of the State of New Mexico.

(Seal)

April L. Whites
Notary Public
My commission expires: May 18, 2011

QUITCLAIM DEED

THE CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("Grantor"), quitclaims to ESTATE OF JULIA SAMORA, whose address is c/o 708 Marquette Avenue NW, Albuquerque, NM, 87102-2035, the following described real property ("Property") in Bernalillo County, New Mexico:

See Exhibit "A"


Being that portion of the vacated alley now comprising a portion of LOT 18-A, J. M. MOORE REALTY COMPANY'S ADDITION NO.1 as shown on the PLAT OF LOT 16-A, 17-A, 18-A, J. M. MOORE REALTY COMPANY'S ADDITION NO.1 ("Plat"), filed on 6/20, 2008, in Plat Book 2008C, Page 037, in the records of the Clerk of Bernalillo County, New Mexico

The Property was vacated by the City of Albuquerque's Municipal Development Department Planning Division on December 17, 1982 per Vacation Action V-82-22, and remains subject to easements granted by the Plat.

DATED: May 30, 2008

GRANTOR:

The City of Albuquerque, a New Mexico Municipal Corporation

By: 
Bruce J. Perlman, Ph.D.
Chief Administrative Officer

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on May 30, 2008, by Bruce J. Perlman, Ph.D., Chief Administrative Officer of The City of Albuquerque, a New Mexico municipal corporation, on behalf of said corporation.


Notary Public

My Commission Expires:

1-27-2010

Doc# 2008070539

06/20/2008 03:16 PM Page: 1 of 2
QCD R:\$11.00 M. Toulouse Oliver, Bernalillo County



EXHIBIT "A"

LEGAL DESCRIPTION - FOR A PORTION OF THE VACATED ALLEY

THAT CERTAIN PARCEL OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, IN PROJECTED SECTION 17, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, BERNALILLO COUNTY, NEW MEXICO, COMPRISING A PORTION OF THE 16 FOOT PUBLIC ALLEY, VACATED BY DOCUMENT ENTITLED, "NOTIFICATION OF DECISION", ISSUED BY THE CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT, PLANNING DIVISION, FILED NO. V-82-22, DATED DECEMBER 28, 1982, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 15, THE MOORE REALTY COMPANY'S ADDITION NO. 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED, "THE MOORE REALTY COMPANY'S ADDITION NO. 1, BELONGING TO JOHN M. MOORE REALTY COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE TERRITORY OF NEW MEXICO, ALBUQUERQUE, N. M., SITUATED IN PRECINCT NO. 13, BERNALILLO COUNTY, NEW MEXICO", FILED MAY 8, 1905, IN VOLUME C, FOLIO 10, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 16, OF JOHN M. MOORE REALTY COMPANY 1ST ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "REPLAT OF LOTS 16-17-18-AND NORTH 1/2 OF 19 OF JOHN M. MOORE REALTY CO. 1ST AND.", FILED DECEMBER 8, 1970, IN VOLUME A3, FOLIO 37, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, WHENCE THE NORTHWEST CORNER OF SAID LOT 16 JOHN M. MOORE REALTY COMPANY 1ST ADDITION, BEARS N. 83° 20' 43" W, 138.37 FEET DISTANT; THENCE S. 83° 20' 43" E, 12.06 FEET TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE S. 04° 39' 26" W, 50.79 FEET TO A POINT; THENCE N. 84° 38' 13" W, 6.17 FEET TO A POINT; THENCE S. 03° 38' 35" W, 36.59 FEET TO THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE N. 83° 20' 43" W, 6.79 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, A POINT ON THE EASTERLY BOUNDARY LINE OF LOT 19 OF SAID JOHN M. MOORE REALTY COMPANY 1ST ADDITION; THENCE N. 04° 49' 19" E, 87.49 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID JOHN M. MOORE REALTY COMPANY 1ST ADDITION TO THE POINT OF BEGINNING CONTAINING 851.57 SQUARE FEET MORE OR LESS.

LEGAL DESCRIPTION – FOR A PORTION OF THE VACATED ALLEY

THAT CERTAIN PARCEL OF LAND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, IN PROJECTED SECTION 17, TOWNSHIP 10 NORTH, RANGE 3 EAST, NEW MEXICO PRINCIPAL MERIDIAN, BERNALILLO COUNTY, NEW MEXICO, COMPRISING A PORTION OF THE 16 FOOT PUBLIC ALLEY, VACATED BY DOCUMENT ENTITLED, "NOTIFICATION OF DECISION". ISSUED BY THE CITY OF ALBUQUERQUE MUNICIPAL DEVELOPMENT DEPARTMENT, PLANNING DIVISION, FILED NO. V-82-22, DATED DECEMBER 28, 1982, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 15, THE MOORE REALTY COMPANY'S ADDITION NO. 1, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED, "THE MOORE REALTY COMPANY'S ADDITION NO. 1, BELONGING TO JOHN M. MOORE REALTY COMPANY, A CORPORATION ORGANIZED UNDER THE LAWS OF THE TERRITORY OF NEW MEXICO, ALBUQUERQUE, N. M., SITUATED IN PRECINCT NO. 13, BERNALILLO COUNTY, NEW MEXICO", FILED MAY 8, 1905, IN VOLUME C, FOLIO 10, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 16, OF JOHN M. MOORE REALTY COMPANY 1ST ADDITION, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT ENTITLED "REPLAT OF LOTS 16-17-18-AND NORTH ½ OF 19 OF JOHN M. MOORE REALTY CO. 1ST AND.", FILED DECEMBER 8, 1970, IN VOLUME A3, FOLIO 37, RECORDS OF BERNALILLO COUNTY, NEW MEXICO, WHENCE THE NORTHWEST CORNER OF SAID LOT 16, JOHN M. MOORE REALTY COMPANY 1ST ADDITION, BEARS N. 83° 20' 43" W, 138.37 FEET DISTANT; THENCE S. 83° 20' 43" E, 12.06 FEET TO THE NORTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE S. 04° 39' 26" W, 50.79 FEET TO A POINT; THENCE N. 84° 38' 13" W, 6.17 FEET TO A POINT; THENCE S. 03° 38' 35" W, 36.59 FEET TO THE SOUTHEAST CORNER OF THE PARCEL HEREIN DESCRIBED; THENCE N. 83° 20' 43" W, 6.79 FEET TO THE SOUTHWEST CORNER OF THE PARCEL HEREIN DESCRIBED, A POINT ON THE EASTERLY BOUNDARY LINE OF LOT 19 OF SAID JOHN M. MOORE REALTY COMPANY 1ST ADDITION; THENCE N. 04° 49' 19" E, 87.49 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID JOHN M. MOORE REALTY COMPANY 1ST ADDITION TO THE POINT OF BEGINNING CONTAINING 851.57 SQUARE FEET MORE OR LESS.

ED PASCHICH HOMES, INC.
P.O. Box 1877
Corrales, New Mexico 87048
505-898-6284

Mr. Jack Cloud,

This is to Certify that the houses/buildings at 1226 8th St. NW. have been demolished and removed as of 6/18/08. Please see attached before and after photos.

Sincerely,



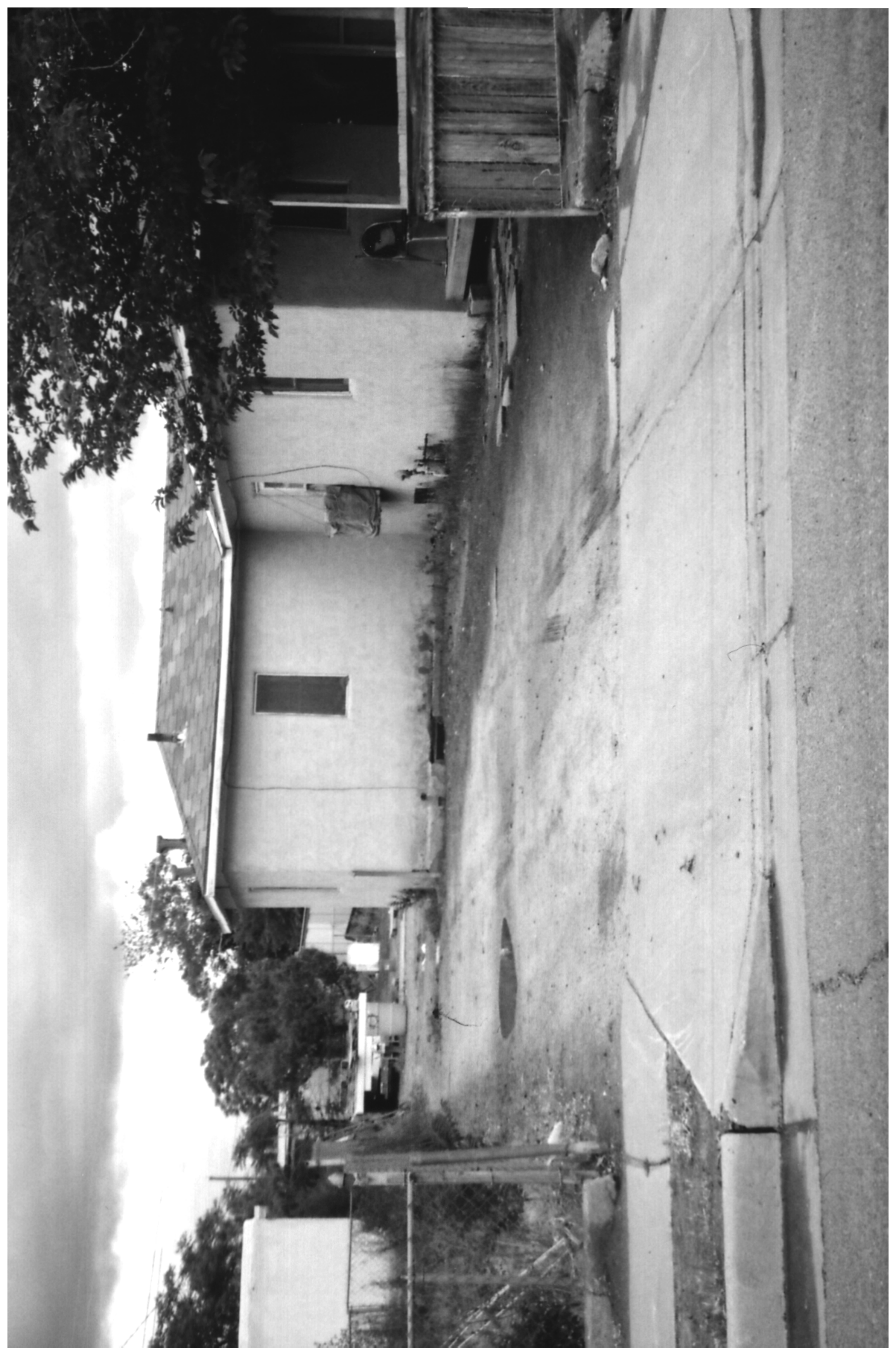
Edward O. Paschich, Pres.
Ed Paschich Homes Inc.

Edward O. Paschich
6842 Rio Grande Blvd.
Los Ranchos de Albuquerque, NM 87107
505-898-6284 Phone
505-898-7402 Fax
505-263-0141 Cell













**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
PROPERTY OWNERSHIP LIST**

Meeting Date: February 20, 2008
Zone Atlas Page: J-14
Notification Radius: 100 Ft.

Project# 1007083
App#08DRB-70050

Cross Reference and Location: 8TH ST BETWEEN MOUNTAIN NW AND
SUMMER NW

Applicant: JOSEPH E SAMORA JR
PERSONAL REPRESENTATIVE OF THE JULIA SAMORA ESTATE
708 MARQUETTE NW
ALBUQUERQUE, NM 87102

Agent: JACK HIGH COUNTRY INC
JACK SPILMAN RES.
8953 2ND NW
ALBUQUERQUE, NM 87114

Special Instructions:

**Notice must be mailed from the
City's 15 day's prior to the meeting.**

Date Mailed: FEBRUARY 1, 2008
Signature: ERIN TREMLIN



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Jack's High Country Inc. (Jack Spilman Pres.) PHONE: 898-3707
 ADDRESS: 8953 2nd NW Albuquerque, N.M. 87119 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: _____

APPLICANT: Joseph E. Samora Jr. Personal Representative of the Julia Samora Estate PHONE: (505) 998-9060
 ADDRESS: 910 Ronald T. Taylor Atty 708 Marquette W. 4 FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102-2031 E-MAIL: RTTaylor10w@aol.com

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: We are applying for vacation action for a portion of public alley lying adjacent to the east side of subject property

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot of Tract No. 16-A, 17-A, 18-A & NORTH 1/2-19 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: JM MOORE REALTY COMPANY'S ADDITION NO. 1
 Existing Zoning: _____ Proposed zoning: _____
 Zone Atlas page(s): J-14-2 UPC Code: 1-019-058-072334-2-05-29 (MRGCD Map No 1-019-058-072327-2-05-30)

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): _____

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 3 No. of proposed lots: 3 Total area of site (acres): 0.3001
 LOCATION OF PROPERTY BY STREETS: On or Near: 8th Street
 Between: Mountain N.W and Summer N.W

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Jack A. Spilman DATE Jan 21 08
 (Print) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

<input type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>08DEC-70050</u>	<u>VPE</u>	<u>V</u>	<u>\$ 45.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>ADV</u>	_____	<u>\$ 75.00</u>
<input checked="" type="checkbox"/> All case #'s are assigned	_____	<u>CMF</u>	_____	<u>\$ 20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #'s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	Total
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	<u>\$ 140.00</u>

Hearing date 02/20/08

Sandy Handley 01/25/08
 Planner signature / date

Project # 1007083

FORM V: SUBDIVISION VARIANCES & VACATIONS

- BULK LAND VARIANCE (DRB04)** (PUBLIC HEARING CASE)
 ___ Application for Minor Plat on FORM S-3, including those submittal requirements. 24 copies
 ___ Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
 ___ Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- VACATION OF PUBLIC EASEMENT (DRB27)**
 VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)
 ✓ The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) 24 copies.
 (Not required for City owned public right-of-way.)
 ✓ Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") 24 copies
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ✓ Letter briefly describing, explaining, and justifying the request
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ✓ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- SIDEWALK VARIANCE (DRB20)**
 SIDEWALK WAIVER (DRB21)
 ___ Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14") 6 copies
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance or waiver
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)**
 ___ Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") 24 copies
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the variance
 ___ Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
 ___ Sign Posting Agreement
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.

- TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)**
 EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)
 ___ Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") 6 copies
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter briefly describing, explaining, and justifying the deferral or extension
 ___ List any original and/or related file numbers on the cover application
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

- VACATION OF PRIVATE EASEMENT (DRB26)**
 VACATION OF RECORDED PLAT (DRB29)
 ___ The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") 6 copies
 ___ Scale drawing showing the easement to be vacated (8.5" by 11") 6 copies
 ___ Zone Atlas map with the entire property(ies) clearly outlined
 ___ Letter/documents briefly describing, explaining, and justifying the vacation 6 copies
 ___ Letter of authorization from the grantors and the beneficiaries (private easement only)
 ___ Fee (see schedule)
 ___ List any original and/or related file numbers on the cover application
 Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.
DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Jack Spilman
 Applicant name (print)
Jack A. Spilman 1/24/08
 Applicant signature / date



Form revised 4/07

- Checklists complete
 Fees collected
 Case #s assigned
 Related #s listed

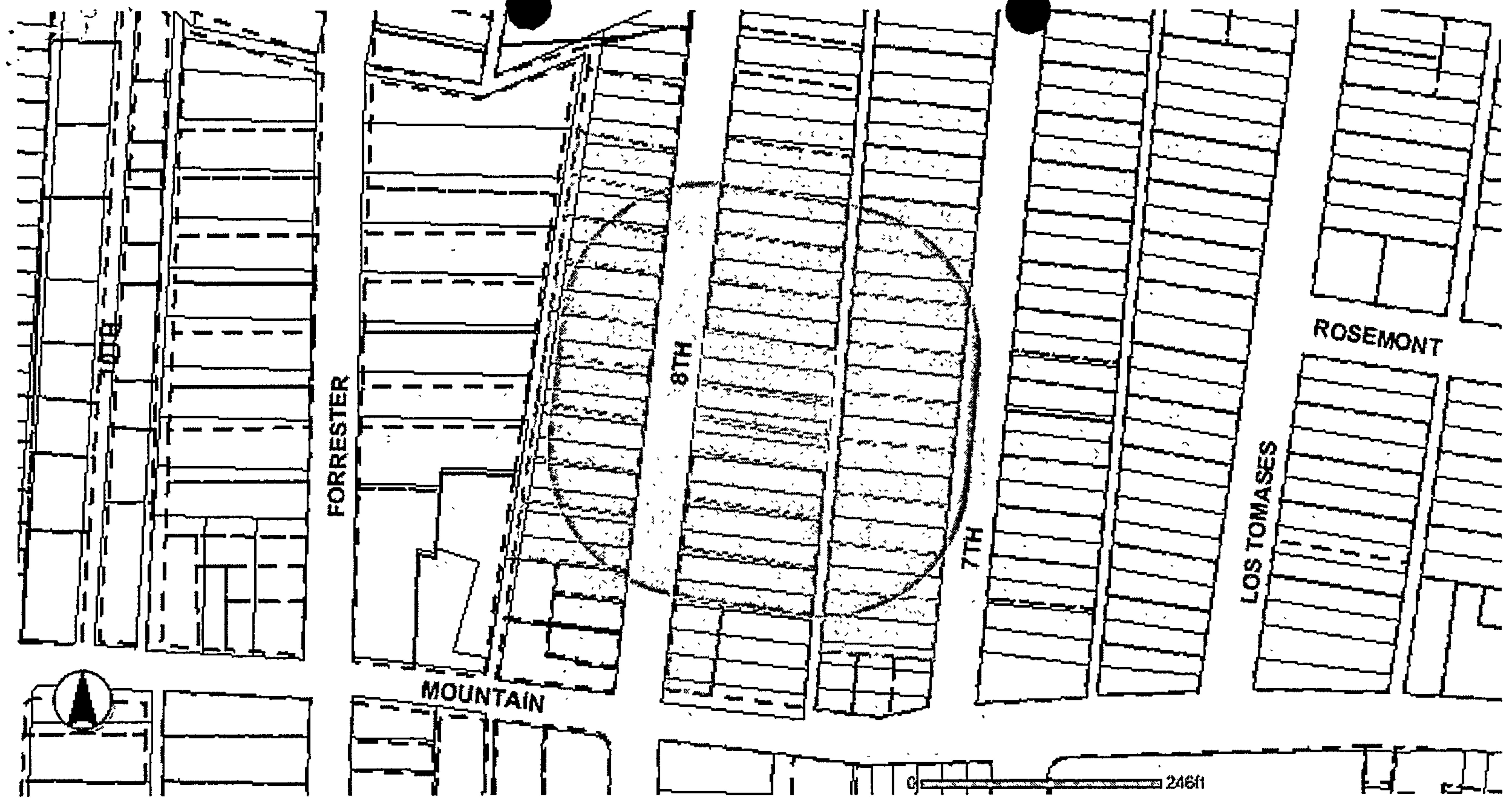
Application case numbers
08DRB - 70250

Zandy Handley 01/25/08
 Planner signature / date
 Project # 1007083

Rec	UPC CODE	OWNER	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP CODE	PROPERTY CLASS	TAX DISTRICT	LEGAL
1	10140 58053 31921 405	LOPEZ JAYMEROSE Y & CASTLEBERRY WIL LIAM K	1215 8T H ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 049 J M MOORE REALTY CO L 49 & 50
2	10140 58071 31620 532	VALDEZ RUBEN, JON AS NORMA J, VALDEZ PAUL L & JAMES R	1216 8T H ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 021 JM MOORE RLTY ADD NO1 L21X22
3	10140 58072 32720 530	SAMORA JULIA C/O V ANGIE SAMORA	3806 MA NCHESTE R DR NW	ALB UQU ERQ UE	N M	871 07	V	A1 AM	LOT 18 & N 12 OF LOT 19 THE MOORE REALTY C OMPANY'SADD # 1
4	10140 58072 32120 531	MONTOYA GERALD L	1218 8T H ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 020 JM MOORE RLTY ADD NO 1 L20 XS1/2 L19
5	10140 58073 34920 525	PERKINS LOLA K & LA WRENCE C CALLAHA N	1238 8T H ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 008 MOORERLTYADDL 8 9 ADD NO 1
6	10140 58088 33820 513	CASTILLO THERESA L	1233 7T H ST NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	BBRANSON ADD L 18 X 19
7	10140 58058 35521 412	ARCHBEQUE FRED E	1243 8T H ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	LOTS 35 & 36 J M MOORE REALTY CO NO 1
8	10140 58072 33420 529	SAMORA JULIA C/O V ANGIE SAMORA	3806 MA NCHESTE R DR NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	* 016 MOORERLTYADDL 16X17
9	10140 58085 30320 506	GARGER ROBERT M & KATHRYN E MCKEO WN	2824 AM BERGATE DR	ANC HOR AGE	A K	995 04	R	A1 AM	LOT 4 & 5 BLK B BRANSON ADD
10	10140 58055 32921 407	FORRESTER PHOENI X	418 ARN O ST SE APT B	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 045 J M MOORE REALTY CO L45 + 46
11	10140 58088 32820 511	GIDDINGS ALFRED L	1227 7T H ST NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	BLK B BRANSON ADDN LOT 14 X 15
12	10140 58053 32521 406	PADILLA BENNIE D	1221 8T H ST NW	ALB UQU ERQ UE	N M	871 01	R	A1 AM	* 047 J M MOORE REALTY CO L 47 X 48
13	10140 58087 32420 510	GONZALES DANIEL S R AND LUCINDA	1225 7T H ST NW	ALB UQU ERQ UE	N M	871 04	R	A1 AM	* 012 B BRANSON ADD L 12 & 13
14	10140 58072 34220 527	RIVERA THOMAS AQ UINAS SR & ERLINDA MERCEDES ARCHUL ETA	1232 8T H ST NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	* 012 ADD=1 MOORE RLTY ADD L12 13

15	10140 58057 35021 411	ARCHIBEQUE PRECILIANO & ELIZA	1237 8TH ST NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	* 037 J M MOORE REALTY CO L 37 & 38
16	10140 58065 30120 501	WATSON STEFAN & EILEEN DEVEREUX	1719 5TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	WEST 50 FEET OF LOTS 27, 28 AND 29 MOORE REALTY COMPANY'S FIRST ADDITION CONT .0861 AC
17	10140 58055 33921 409	MARTINEZ DESIDERIO	1233 8TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 041 J M MOORE REALTY CO L 41 + 42
18	10140 58085 30820 507	GRIEGO TILLIE & JOSEPH R MIRABAL & BETTY ANN PARKS	625 MOUNTAIN RD NW	ALB UQU ERQ UE	N M	871 02 201 3	R	A1 AM	BLK B LOT 6 X 7 BRANSON ADDN
19	10140 58085 31320 508	GUTIERREZ CHRISTOBAL F & MARIA	2519 NEW YORK AVE NW 15	ALB UQU ERQ UE	N M	871 04	R	A1 AM	BLK B LOT 8 X 9 BRANSON ADDN
20	10140 58056 34421 410	FLORES JIMMY J & OLGAD & GILLILAND TERRANCE L	315 ESCENA SE	ALB UQU ERQ UE	N M	871 23	R	A1 AM	* 039 J M MOORE REALTY CO L 39 X 40
21	10140 58055 33521 408	GONZALES REYNALDO & LUCELLA	1229 8TH ST NW	ALB UQU ERQ UE	N M	871 02 124 9	R	A1 AM	* 043 J M MOORE REALTY CO L 43 X 44
22	10140 58053 31521 404	GARCIA DOLORES M	1213 8TH ST NW	ALB UQU ERQ UE	N M	871 02 124 9	R	A1 AM	LTS 51 & 52 JOHN M MOORE REALTY COMPANY'S ADDITION NO 1 TOGETHER WITH THE E'LY HALF OF ADJACENT VACATED ALLEY CONT .1263 AC +/-
23	10140 58071 31120 533	ATENCIO PHILLIP E SR & GRACE SILVA & TERESA ATENCIO	1317 LOS TOMAS ES DR NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 023 JM MOORE RLTY ADD =1 L23 + 24
24	10140 58088 33320 512	HENRION BLAISE E	1231 7TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	BLK B LTS 16 X 17 BRANSON ADDN
25	10140 58071 30620 534	ATENCIO PHILLIP E SR & GRACE SILVA & TERESA ATENCIO	1317 LOS TOMAS ES DR NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 025 JM MOORE RLTY ADD #1 L25 & 26

R	ec	UPC CODE	OWNER	ADDRESS	CITY	OWNER	STAT	OWNE	PROPE	TAX	LEGAL
1		101405808631	TEAGUE MICH AEL J	1221 7TH ST NW	ALBUQUE	NM	87102	R	A1AM		LOTS 10 X 11 BLK B BRANSON ADDN
1		101405808834	TROMBLEY G RANT N	1241 7TH ST NW	ALBUQUE	NM	87102	R	A1AM		B BRANSON ADDN LOT 2 0 & 21
1		101405807233	NYSUS FRAN CIS	PO BOX 150 72	RIO RANC	NM	871740	V	A1AM		* 014 MOORE RLTY ADD L14 X 15



15	10140 58057 35021 411	ARCHIBEQUE PRECILIANO & ELIZA	1237 8TH ST NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	* 037 J M MOORE REALTY CO L 37 & 38
16	10140 58065 30120 501	WATSON STEFAN & EILEEN DEVEREUX	1719 5TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	WEST 50 FEET OF LOTS 27, 28 AND 29 MOORE REALTY COMPANY'S FIRST ADDITION CONT .0861 AC
17	10140 58055 33921 409	MARTINEZ DESIDERIO	1233 8TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 041 J M MOORE REALTY CO L 41 + 42
18	10140 58085 30820 507	GRIEGO TILLIE & JOSEPH R MIRABAL & BETTY ANN PARKS	625 MOUNTAIN RD NW	ALB UQU ERQ UE	N M	871 02 201 3	R	A1 AM	BLK B LOT 6 X 7 BRANSON ADDN
19	10140 58085 31320 508	GUTIERREZ CHRISTOPHAL F & MARIA	2519 NEW YORK AVE NW 15	ALB UQU ERQ UE	N M	871 04	R	A1 AM	BLK B LOT 8 X 9 BRANSON ADDN
20	10140 58056 34421 410	FLORES JIMMY J & OLGAD & GILLILAND TERRANCE L	315 ESCENA SE	ALB UQU ERQ UE	N M	871 23	R	A1 AM	* 039 J M MOORE REALTY CO L 39 X 40
21	10140 58055 33521 408	GONZALES REYNALDO & LUCELLA	1229 8TH ST NW	ALB UQU ERQ UE	N M	871 02 124 9	R	A1 AM	* 043 J M MOORE REALTY CO L 43 X 44
22	10140 58053 31521 404	GARCIA DOLORES M	1213 8TH ST NW	ALB UQU ERQ UE	N M	871 02 124 9	R	A1 AM	LTS 51 & 52 JOHN M MOORE REALTY COMPANY'S ADDITION NO 1 TOGETHER WITH THE E'LY HALF OF ADJACENT VACATED ALLEY CONT .1263 AC +/-
23	10140 58071 31120 533	ATENCIO PHILLIP E SR & GRACE SILVA & TERESA ATENCIO	1317 LOS TOMAS ES DR NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 023 JM MOORE RLTY ADD =1 L23 + 24
24	10140 58088 33320 512	HENRION BLAISE E	1231 7TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	BLK B LTS 16 X 17 BRANSON ADDN
25	10140 58071 30620 534	ATENCIO PHILLIP E SR & GRACE SILVA & TERESA ATENCIO	1317 LOS TOMAS ES DR NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 025 JM MOORE RLTY ADD #1 L25 & 26
26	10140 58053 31521 404	GARCIA DOLORES M	1213 8TH ST NW	ALB UQU ERQ UE	N M	871 02 124 9	R	A1 AM	LTS 51 & 52 JOHN M MOORE REALTY COMPANY'S ADDITION NO 1 TOGETHER WITH THE E'LY HALF OF ADJACENT VACATED ALLEY CONT .1263 AC +/-
27	10140 58071 31120 533	ATENCIO PHILLIP E SR & GRACE SILVA & TERESA ATENCIO	1317 LOS TOMAS ES DR NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	* 023 JM MOORE RLTY ADD =1 L23 + 24
28	10140 58072 33420 529	SAMORA JULIA C/O VANGIE SAMORA	3806 MANCHESTER DR NW	ALB UQU ERQ UE	N M	871 07	R	A1 AM	* 016 MOORERLTYADDL 16X17
29	10140 58073 34520 526	HOWE STEPHEN S	1236 8TH ST NW	ALB UQU ERQ UE	N M	871 02	R	A1 AM	LT 10 X 11 JOHN M MOORE REALTY LOS ADD 1
30	10140 58053 31221 448	AGNEW WILLIAM & PERKINS FLO	230 COUNTY ROAD 84 B	SAN TAF E	N M	875 01	V	A1 AM	LT 53-A PLAT OF LOTS 53-A, 54-A, 57-A & 58-A J.M. MOORE REALTY COMPANY NO. 1 CONT .0518 AC

OR CURRENT RESIDENT
101405805331221448
AGNEW WILLIAM & PERKINS FLO
230 COUNTY ROAD 84 B
SANTA FE, NM 87501

OR CURRENT RESIDENT
101405807131120533
ATENCIO PHILLIP E SR & GRACE
SILVA & TERESA ATENCIO
1317 LOS TOMASES DR NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405805532921407
FORRESTER PHOENIX
418 ARNO ST SE APT B
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405808832820511
GIDDINGS ALFRED L
1227 7TH ST NW
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101405808530820507
GRIEGO TILLIE & JOSEPH R MIRABAL
& BETTY ANN PARKS
625 MOUNTAIN RD NW
ALBUQUERQUE, NM 87102 2013

OR CURRENT RESIDENT
101405807334520526
HOWE STEPHEN S
1236 8TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405807232120531
MONTROYA GERALD L
1218 8TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405807234220527
RIVERA THOMAS AQUINAS SR &
ERLINDA MERCEDES ARCHULETA
1232 8TH ST NW
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101405806530120501
WATSON STEFAN & EILEEN
DEVEREUX
1719 5TH ST NW
ALBUQUERQUE, NM 87102

Project# 1007083
FRED SAIS
Wells Park NA
1508 LOS TOMASES NE
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405805835521412
ARCHBEQUE FRED E
1243 8TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405808833820513
CASTILLO THERESA L
1233 7TH ST NW
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101405805331521404
GARCIA DOLORES M
1213 8TH ST NW
ALBUQUERQUE, NM 87102 1249

OR CURRENT RESIDENT
101405808732420510
GONZALES DANIEL SR AND
LUCINDA
1225 7TH ST NW
ALBUQUERQUE, NM 87104

OR CURRENT RESIDENT
101405808531320508
GUTIERREZ CHRISTOBAL F & MARIA
2519 NEW YORK AVE NW 15
ALBUQUERQUE, NM 87104

OR CURRENT RESIDENT
101405805331921405
LOPEZ JAYMEROSE Y &
CASTLEBERRY WILLIAM K
1215 8TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405805332521406
PADILLA BENNIE D
1221 8TH ST NW
ALBUQUERQUE, NM 87101

OR CURRENT RESIDENT
101405807232720530
SAMORA JULIA C/O VANGIE SAMORA
3806 MANCHESTER DR NW
ALBUQUERQUE, NM 87107

Project# 1007083
JACK HIGH COUNTRY INC
8953 2ND NW
ALBUQUERQUE, NM 87114

Project# 1007083
MARK CLAYBURGH
1310 5TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405805735021411
ARCHIBEQUE PRECILIANO & ELIZA
1237 8TH ST NW
ALBUQUERQUE, NM 87107

OR CURRENT RESIDENT
101405805634421410
FLORES JIMMY J & OLGA D &
GILLILAND TERRANCE L
315 ESCENA SE
ALBUQUERQUE, NM 87123

OR CURRENT RESIDENT
101405808530320506
GARGER ROBERT M & KATHRYN E
MCKEOWN
2824 AMBERGATE DR
ANCHORAGE, AK 99504

OR CURRENT RESIDENT
101405805533521408
GONZALES REYNALDO & LUCELLA
1229 8TH ST NW
ALBUQUERQUE, NM 87102 1249

OR CURRENT RESIDENT
101405808833320512
HENRION BLAISE E
1231 7TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405805533921409
MARTINEZ DESIDERIO
1233 8TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405807334920525
PERKINS LOLA K & LAWRENCE C
CALLAHAN
1238 8TH ST NW
ALBUQUERQUE, NM 87102

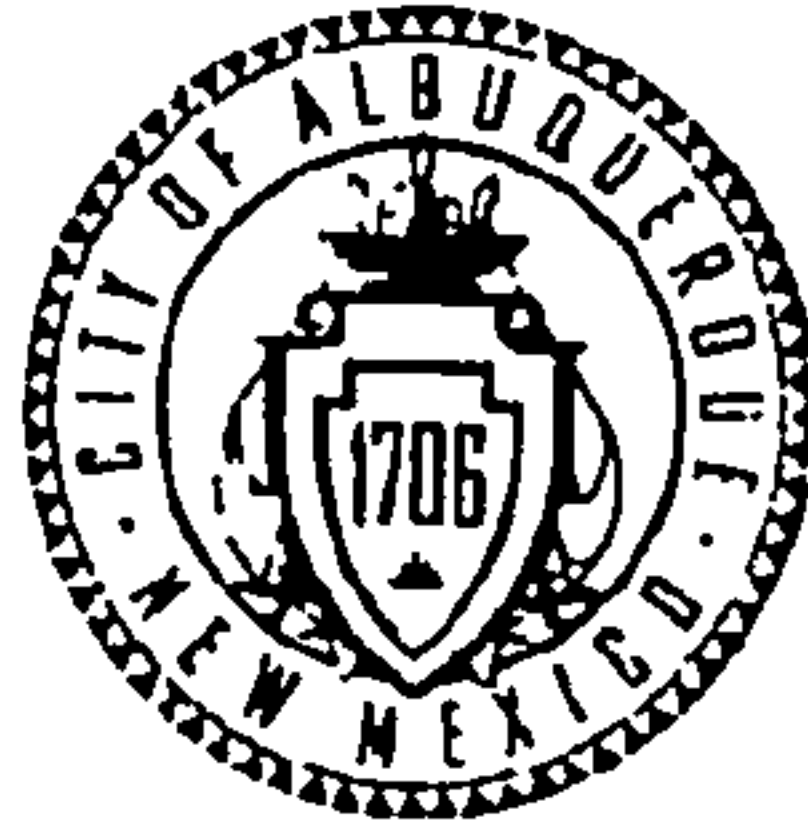
OR CURRENT RESIDENT
101405807131620532
VALDEZ RUBEN, JONAS NORMA J,
VALDEZ PAUL L & JAMES R
1216 8TH ST NW
ALBUQUERQUE, NM 87102

Project# 1007083
JOSEPH E SAMORA JR
C/O RONALD T TAYLOR
708 MARQUETTE NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405807233920528
NYSUS FRANCIS
PO BOX 15072
RIO RANCHO, NM 87174 0072

OR CURRENT RESIDENT
101405808631820509
TEAGUE MICHAEL J
1221 7TH ST NW
ALBUQUERQUE, NM 87102

OR CURRENT RESIDENT
101405808834320514
TROMBLEY GRANT N
1241 7TH ST NW
ALBUQUERQUE, NM 87102



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

Date: January 22, 2008

TO CONTACT NAME: Jack Spilman
COMPANY/AGENCY: Jack's High Country, Inc.
ADDRESS/ZIP: 8953 2nd NW 87114
PHONE/FAX #: 898-3707 / 890-0645

Thank you for your inquiry of January 22, 2008 (date) requesting the names of **ALL Affected**

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at Lots 16A-17A and 18A JM Moore Realty Company's Addition No. 1 within Town of ABO Grant, Project Sec 17 Township 10 North, Range 3 east NMPM City of ABO Bernalillo County zone map page(s) J-14 .NM JAN 2008 Located on Eighth St NW between Mountain and Summer NW

Our records indicate that the **Affected Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

Wells Park N.A.
Neighborhood or Homeowner Association
Contacts: Fred Sais
1508 Los Tomases NW / 87102
242-8457 (h)
Mark Clayburgh
1310 5th St. NW / 87102
242-6278 (h)

Neighborhood or Homeowner Association
Contacts: _____

See reverse side for additional Neighborhood and/or Homeowner Associations Information:

YES { } NO { }

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephanie Wisniewski
OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

**NOTICE TO APPLICANTS - SUGGESTED INFORMATION FOR
NEIGHBORHOOD NOTIFICATION LETTERS**

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify **ALL AFFECTED NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS** PRIOR TO FILING THE APPLICATION TO THE **PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood and/or homeowner associations may contact someone with questions or comments.

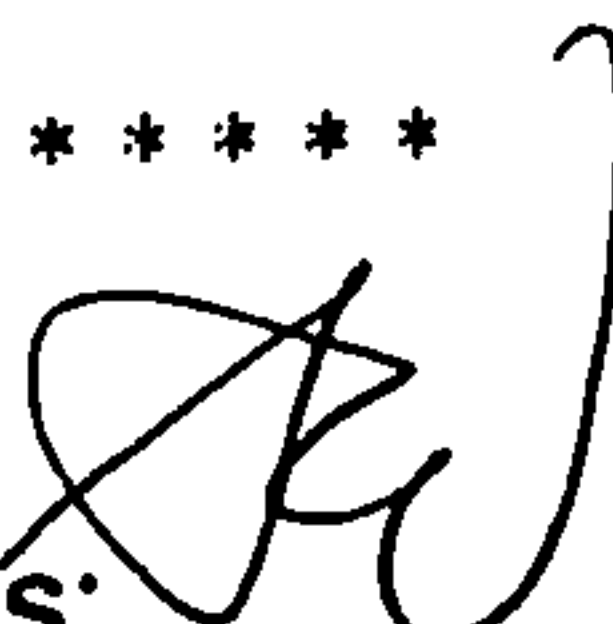
INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowner Associations (if there are associations). A copy must be submitted with application packet.
- Copies of the certified receipts to Neighborhood and/or Homeowner Associations (if there are associations). A copy must be submitted with application packet.

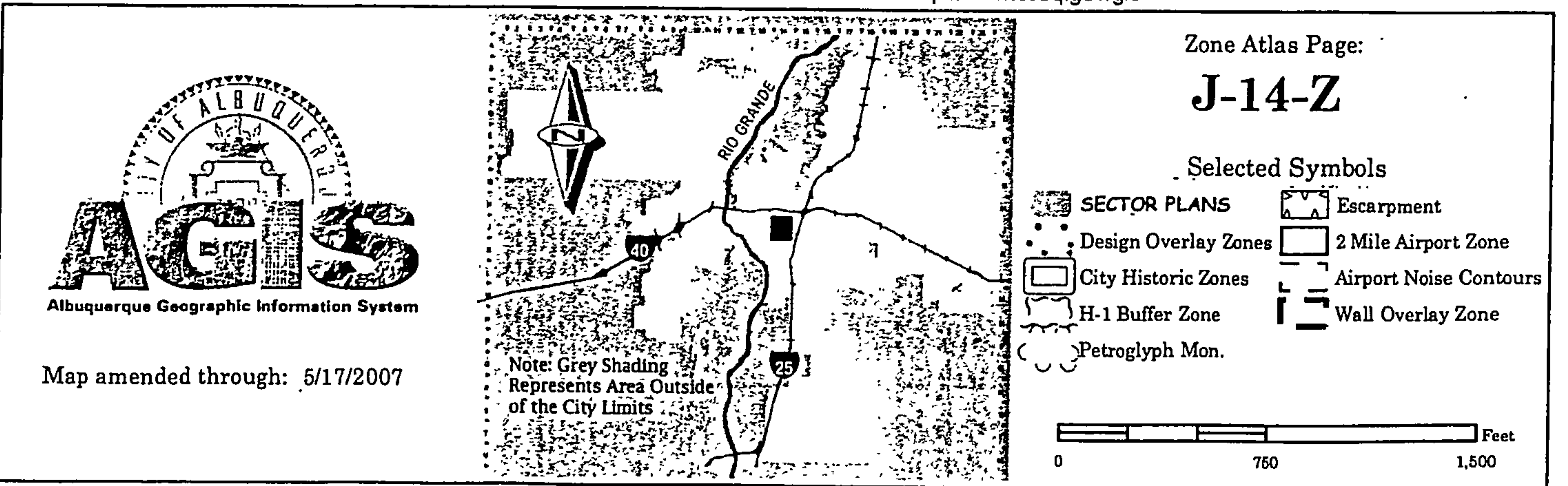
Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

(Below this line for ONC use only)

Date of Inquiry: 01.22.08 Time Entered: 3:37 PM ONC Rep. Initials: 



For more current information and more details visit: <http://www.cabq.gov/gis>



Jack's High Country, Inc.
8953 Second Street, N.W.
Albuquerque, New Mexico 87114

TO; The City of Albuquerque, Development Review Board

REFERENCE; Lot 16-A, 17-A, 18-A J.M. Moore Realty Company's Addition No 1
Within the town of Albuquerque Grant Projected Section 17, Township 10
North, Range 3 East, N.M.P.M. Bernalillo County, New Mexico January, 2008

We are applying for vacation action for a portion of public alley lying adjacent to the east side of subject property.

A useful alley does not exist, and has not existed for many years at this neighboring location.

An examination of proposed vacation action, shows no evidence of any adverse consequences to any other party.

Our main purpose in initiating this vacation action, is a desire to be in full compliance with City of Albuquerque provisions.

JACK SPILMAN (AGENT)
898-3707
JANUARY 24, 2008



**PUBLIC HEARING--DEVELOPMENT REVIEW BOARD
CITY OF ALBUQUERQUE**

Notice is hereby given that the Development Review Board, City of Albuquerque, will hold a public hearing in the Plaza del Sol Hearing Room, Basement, Plaza del Sol Building, 600 2nd St NW, on Wednesday, February 20, 2008 beginning at 9:00 a.m. for the purpose of considering the following:

Project# 1000081

08DRB-70047 VACATION OF PUBLIC EASEMENT

TIERRA WEST LLC agent(s) for RSF LAND & CATTLE COMPANY request(s) the above action(s) on a portion of Tract(s) A & H, **COTTONWOOD CORNERS**, zoned SU-1 FOR IP USES, located on the north side of ELLISON DR NW BETWEEN COTTONWOOD DR NW AND ALAMEDA BLVD NW (A-14)

Project# 1003364

08DRB-70049 VACATION OF PUBLIC EASEMENT

GARCIA/KRAEMER & ASSOC. agent(s) for PR INVESTMENTS LLC request(s) the above action(s) on a portion of Lot(s) 1-A-1A-1, Block 10, **TRACT 2 UNIT 3 North Albuquerque Acres**, zoned SU-2 MIXED USE, located on the SE corner of LOUISIANA NE AND HOLLY NE. (C-19)

Project# 1004354

08DRB-70048 SITE DEVELOPMENT PLAN FOR BUILDING PERMIT

TIERRA WEST LLC agent(s) for MCDONALD'S CORPORATION request(s) the above action(s) for all or a portion of Lot 2, **KRANIA ADDITION**, zoned SU-2 PCA, located on the SE corner of 98TH ST NW AND VOLCANO RD NW containing approximately 1.1172 acre(s). (K-9)

Project# 1007081

08DRB-70046 VACATION OF PUBLIC RIGHT-OF-WAY

PULLMAN INVESTMENTS LLC agent(s) for CRIS DiGREGORY request(s) the above action(s) for all or a portion of **WILLIS PL SW**, located on WILLIS PL SW EAST OF RIO GRANDE BLVD SW. (J-13)

Project# 1007083

08DRB-70050 VACATION OF PUBLIC RIGHT-OF-WAY

JACKS HIGH COUNTRY INC agent(s) for JULIA SAMORA ESTATE request(s) the above action(s) for all or a portion of the NORTH-SOUTH ALLEY Lot, between the **JM MOORE REALTY COMPANY'S ADDITION # 1, and BLOCK B, BRANSON ADDITION**, located east of 8TH ST NW BETWEEN MOUNTAIN RD NW AND SUMMER NW. (J-14)

Details of the application(s) may be examined at the Development Services Center of the Planning Department, Second Floor, Plaza Del Sol Building, 600 2nd St NW, between 10:00 a.m. and 12:00 p.m. or 2:00 p.m. and 4:00 p.m. Monday through Friday except holidays INDIVIDUALS WITH DISABILITIES who need special assistance to participate at this hearing should contact Angela Gomez, Planning Department, at 924-3946 (VOICE) or teletypewriter (TTY) 924-3361 - TTY users may also access the Voice number via the New Mexico Relay Network by calling toll-free 1-800-659-8331

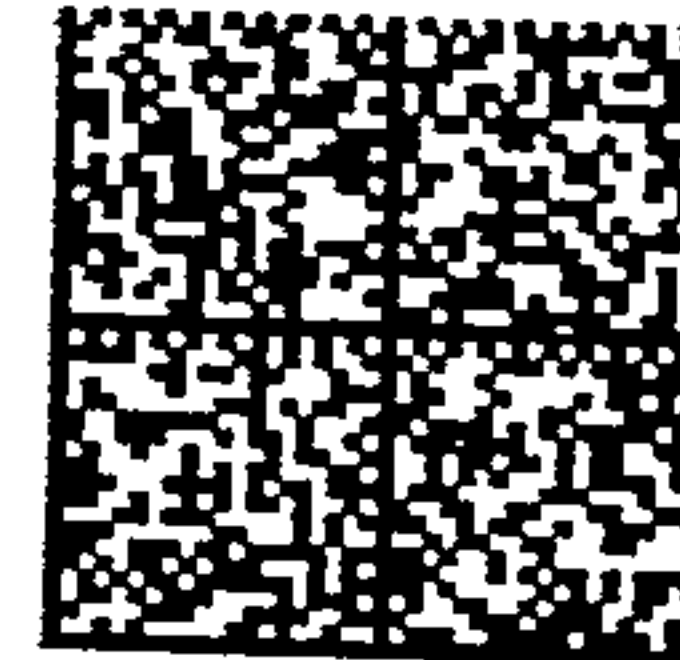

Jack Cloud, DRB Chair
Development Review Board

TO BE PUBLISHED IN THE ALBUQUERQUE JOURNAL MONDAY, FEBRUARY 4, 2008.



CITY OF ALBUQUERQUE

Planning Department



02 1M \$ 00.41⁰
0004219022 FEB 01 2008
MAILED FROM ZIP CODE 87102

OR CURRENT RESIDENT
101405808530320506
GARGER ROBERT M & KATHRYN E
MCKEOWN
2824 AMBERGATE DR
ANCHORAGE, AK 99504

DRB

FORWARD X 995 NEE 1 906C 01 02/06/08
GARGER TIME EXP RTN TO SEND
4404 BOONE ST NE
ALBUQUERQUE NM 87109-2710

RETURN TO SENDER

99504+3404 87103@1293



P O Box 1293 Albuquerque, New Mexico 87103

Ronald T. Taylor
Law Office



708 Marquette N.W
Albuquerque NM 87102-2035
Phone: (505) 998-9060
Fax: (505) 998-9062

FACSIMILE TRANSMISSION

DATE: February 26, 2008
TO: Jack Cloud **FAX No:** 924-3864
DRB
FROM: Ronald T. Taylor
RE: Project #1007083
PAGES: 1

Dear Mr. Cloud,

On behalf of the Estate of Julia Samora, the owner of the property that pertains to the above-referenced Project, this letter is to confirm that the Estate of Julia Samora is formally withdrawing its request to vacate the alley portion that is adjacent to the eastern boundary of the Samora Estate property since a previous vacation order is already in place.

Based upon the above, no party will appear on behalf of the Estate of Julia Samora at the DRB hearing scheduled for tomorrow, February 27, 2008 with regard to item #7 that is on the DRB agenda.

I will now contact Scott Howell to complete the transfer of the vacated alley portion to the Julia Samora Estate.

Yours very truly,

RONALD T. TAYLOR

RTT:cg

cc: Joseph Samora

Jack Stillman

OFFICIAL NOTICE

**CITY OF ALBUQUERQUE
MUNICIPAL DEVELOPMENT DEPARTMENT
PLANNING DIVISION
P.O. Box 1293, Albuquerque, New Mexico 87103**

City of Albuquerque
P.O. Box 1293
Albuquerque, New Mexico 87102

DATE: December 28, 1982

NOTIFICATION OF DECISION.

File: V-82-22

Location: the north-south alleyway
between 7th and 8th Streets.

On Friday, December 17, 1982, the Zoning Hearing Examiner approved the above alley vacation, based on and subject to the following findings.

1. Easements satisfactory to the Public Service Company and to Mountain Bell must be included in title deeds.
2. Disposition of the right-of-way shall be through the City Real Estate Office.
3. A summary plat of the area is required.

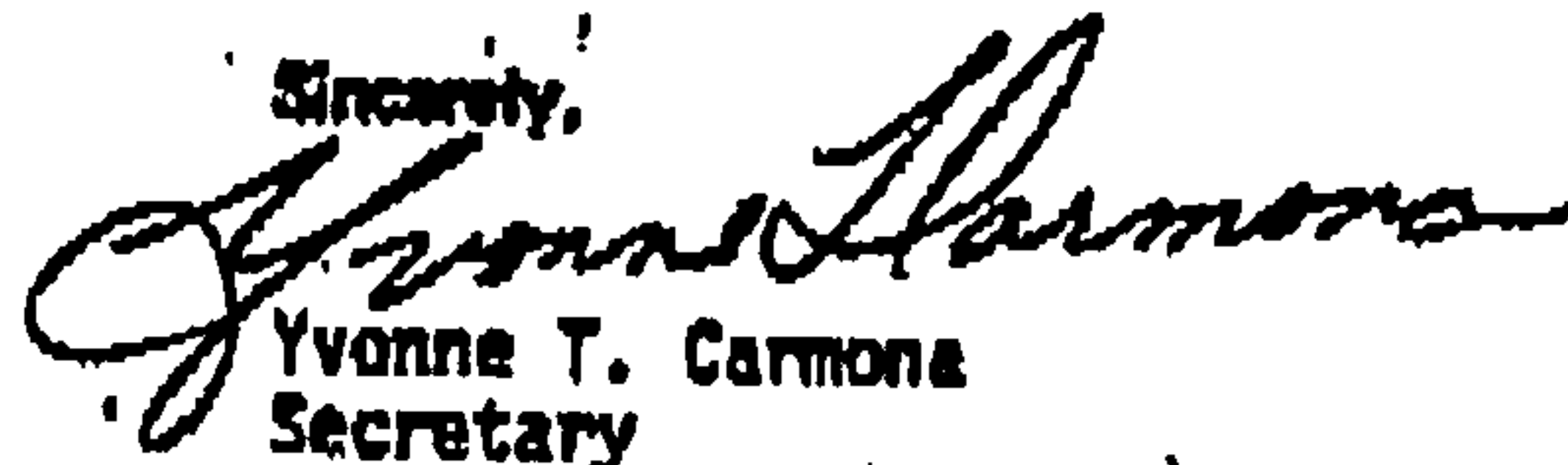
If you wish to appeal this decision, you must do so by 1-6-83 in the manner described below. A non-refundable filing fee of \$40 is required at the time the appeal is filed.

Appeal to the City Council. Any person aggrieved with any determination of the Environmental Planning Commission acting under this ordinance may file an appeal to the City Council by submitting written application on the Planning Division form to the Planning Division within 15 days of the Planning Commission's decision. The date the determination in question is issued is not included in the 15-day period for filing an appeal, and 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. The City Council may decline to hear the appeal if it finds that all City plans, policies and ordinances have been properly followed. If it decides that all City plans, policies and ordinances have not been properly followed, it shall hear the appeal. Such appeal, if heard, shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. If there is no appeal you can receive building permits any time after the appeal deadline quoted above provided all conditions imposed at the time of approval have been met. Successful applicants are reminded that other regulations of the City must be complied with, even after approval of the referenced application(s).

IF YOU RECEIVE APPROVAL FOR ANY REQUEST WHICH REQUIRES A SITE DEVELOPMENT PLAN, SEE ATTACHED SHEET FOR FURTHER INFORMATION.

Sincerely,



Yvonne T. Carmona
Secretary

Letter of
Advice

cc: George Williams, Mayor's Office
Fred Atencio, Jr., 1212 8th Street N.H.
City Engineering

1007083

Cloud, Jack W.

From: Curran, Kevin J.
Sent: Tuesday, February 26, 2008 1:16 PM
To: Cloud, Jack W.
Subject: RE: 1982 Vacation

I concur, the 1982 official notice that vacated the alley is still in effect. Please have a copy of the 1982 decision placed in the DRB replat file.

Kevin J. Curran
Assistant City Attorney
t 505-924-3995
f 505-924-3440
kcurran@cabq.gov

*After all the jacks are in their boxes, and the clowns have all gone to bed, you can hear happiness staggering on down the street, footsteps dressed in red.... and the wind cries Mary.
Jimi Hendrix (1967)*

From: Cloud, Jack W.
Sent: Tuesday, February 26, 2008 12:19 PM
To: Curran, Kevin J.
Subject: 1982 Vacation

The Development Review Board has been presented with a Notice of Decision regarding an alley vacation from 1982, V-82-22. This preceded one of the first major amendments to the Subdivision Ordinance 56-1983 (which repealed Ord. 97-1973, "The Subdivision Ordinance"). V-82-22 was heard by the Zoning Hearing Examiner, and incorporated most of the conditions of approval used with today's ordinance (acquisition through the City Real Estate Office, and replatting), however (unlike today), there was not a time limit set for completing these conditions. The right-of-way in question has been developed in such a manner that it could no longer function as an alley. It is my opinion that the public interest would best be served by accepting the 1982 vacation as valid, and I seek your concurrence.

Jack Cloud
Chair, Development Review Board

TRANSMISSION VERIFICATION REPORT

TIME : 02/26/2008 13:20
NAME :
FAX : 9243864
TEL : 5059243979
SER.# : BROL6J570919

DATE, TIME	02/26 13:20
FAX NO./NAME	99989062
DURATION	00:00:22
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

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t 505-924-3995
f 505-924-3440
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Chair, Development Review Board



Supplemental form

SUBDIVISION

- Major Subdivision action
- Minor Subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- County Submittal
- EPC Submittal
- Zone Map Amendment (Establish or Change Zoning)
- Sector Plan (Phase I, II, III)
- Amendment to Sector, Area, Facility or Comprehensive Plan
- Text Amendment (Zoning Code/Sub Regs)
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
- Decision by: DRB, EPC, LUCC, Planning Director or Staff, ZHE, Zoning Board of Appeals

PRINT OR TYPE IN BLACK INK ONLY. The applicant or agent must submit the completed application in person to the Planning Department Development Services Center, 600 2nd Street NW, Albuquerque, NM 87102. Fees must be paid at the time of application. Refer to supplemental forms for submittal requirements.

APPLICANT INFORMATION:

Professional/Agent (if any): Jacks High Country Inc (Jack Spilman Pres.) PHONE: 898-3707
 ADDRESS: 8953 2nd St N.W Albuquerque, N.M. 87114 FAX: _____
 CITY: Albuquerque STATE NM ZIP 87114 E-MAIL: _____

APPLICANT: Joseph E. Samora Jr. Personal Representative of the Julia Samora Estate PHONE: (505) 998-9060
 ADDRESS: c/o Ronald T. Taylor ATTNEY 708 MARQUETTE N.W. FAX: _____
 CITY: ALBUQUERQUE STATE NM ZIP 87102-2035 E-MAIL: RTTaylor10w@aol.com

Proprietary interest in site: _____ List all owners: _____

DESCRIPTION OF REQUEST: We are applying for vacation action, for a portion of public alley lying adjacent to the east side of subject property

Is the applicant seeking incentives pursuant to the Family Housing Development Program? Yes. No.

SITE INFORMATION: ACCURACY OF THE EXISTING LEGAL DESCRIPTION IS CRUCIAL! ATTACH A SEPARATE SHEET IF NECESSARY.

Lot or Tract No. 16-A, 17-A, 18-A & NORTH 1/2-19 Block: _____ Unit: _____
 Subdiv/Addn/TBKA: JM MOORE REALTY COMPANY'S ADDITION NO. 1
 Existing Zoning: _____ Proposed zoning: _____
 Zone Atlas page(s): J-14-2 UPC Code: 1-019-058-072334-2-05-29 (MRGCD Map No 1-019-058-072327-2-05-30)

CASE HISTORY:

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX-, Z-, V-, S-, etc.): _____

CASE INFORMATION:

Within city limits? Yes Within 1000FT of a landfill? No
 No. of existing lots: 3 No. of proposed lots: 3 Total area of site (acres): 0.3001

LOCATION OF PROPERTY BY STREETS: On or Near: 8th Street
 Between: Mountain N.W and Summer N.W

Check-off if project was previously reviewed by Sketch Plat/Plan , or Pre-application Review Team . Date of review: _____

SIGNATURE Jack A. Spilman DATE Jan 24 08
 (Print) Jack Spilman Applicant: Agent:

FOR OFFICIAL USE ONLY

Form revised 4/07

INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>08DRB-70050</u>	<u>VPE</u>	<u>V</u>	\$ <u>45.00</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	<u>ADV</u>	_____	\$ <u>75.00</u>
<input checked="" type="checkbox"/> All case #s are assigned	_____	<u>CMF</u>	_____	\$ <u>20.00</u>
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
	Hearing date <u>02/20/08</u>			Total \$ <u>140.00</u>

Sandy Handley 01/28/08
 Planner signature / date

Project # 1007083

FORM V: SUBDIVISION VARIANCES & VACATIONS

BULK LAND VARIANCE (DRB04)

(PUBLIC HEARING CASE)

24 copies

- Application for Minor Plat on FORM S-3, including those submittal requirements.
- Letter briefly describing and explaining: the request, compliance with the Development Process Manual, and all improvements to be waived.
- Notice on the proposed Plat that there are conditions to subsequent subdivision (refer to DPM)
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

VACATION OF PUBLIC EASEMENT (DRB27)

VACATION OF PUBLIC RIGHT-OF-WAY (DRB28)

The complete document which created the public easement (folded to fit into an 8.5" by 14" pocket) **24 copies.**
(Not required for City owned public right-of-way.)

Drawing showing the easement or right-of-way to be vacated, etc. (not to exceed 8.5" by 11") **24 copies**

- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the request
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

DRB Public hearings are approximately 30 DAYS after the filing deadline. Your attendance is required.

SIDEWALK VARIANCE (DRB20)

SIDEWALK WAIVER (DRB21)

6 copies

- Scale drawing showing the proposed variance or waiver (not to exceed 8.5" by 14")
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the variance or waiver
- List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

SUBDIVISION DESIGN VARIANCE FROM MINIMUM DPM STANDARDS (DRB25)

- Scale drawing showing the location of the proposed variance or waiver (not to exceed 8.5" by 14") **24 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the variance
- Office of Community & Neighborhood Coordination inquiry response, notifying letter, certified mail receipts
- Sign Posting Agreement
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

DRB meetings are approximately 30 DAYS after the filing deadline. Your attendance is required.

TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB19)

EXTENSION OF THE SIA FOR TEMPORARY DEFERRAL OF SIDEWALK CONSTRUCTION (DRB07)

- Drawing showing the sidewalks subject to the proposed deferral or extension (not to exceed 8.5" by 14") **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter briefly describing, explaining, and justifying the deferral or extension
- List any original and/or related file numbers on the cover application

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

VACATION OF PRIVATE EASEMENT (DRB26)

VACATION OF RECORDED PLAT (DRB29)

- The complete document which created the private easement/recorded plat (not to exceed 8.5" by 14") **6 copies**
- Scale drawing showing the easement to be vacated (8.5" by 11") **6 copies**
- Zone Atlas map with the entire property(ies) clearly outlined
- Letter/documents briefly describing, explaining, and justifying the vacation **6 copies**
- Letter of authorization from the grantors and the beneficiaries (private easement only)
- Fee (see schedule)
- List any original and/or related file numbers on the cover application

Unless the vacation is shown on a DRB approved plat recorded by the County Clerk within one year, it will expire.

DRB meetings are approximately 8 DAYS after the Tuesday noon filing deadline. Your attendance is required.

I, the applicant, acknowledge that any information required but not submitted with this application will likely result in deferral of actions.

Jack Spilman
Applicant name (print)
Jack A. Spilman 1/24/08
Applicant signature / date



Form revised 4/07

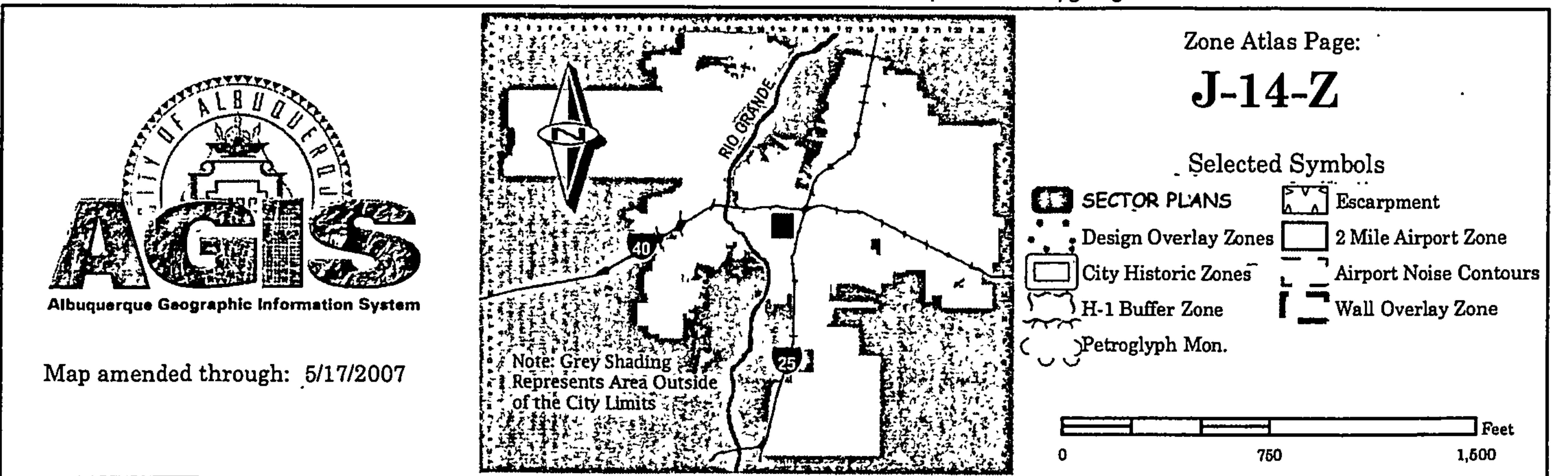
- Checklists complete
- Fees collected
- Case #s assigned
- Related #s listed

Application case numbers
08DRB - 70050
_____-_____
_____-_____

Sandy Handley 01/25/08
Planner signature / date
Project # 1007083








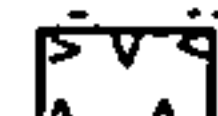



For more current information and more details visit: <http://www.cabq.gov/gis>



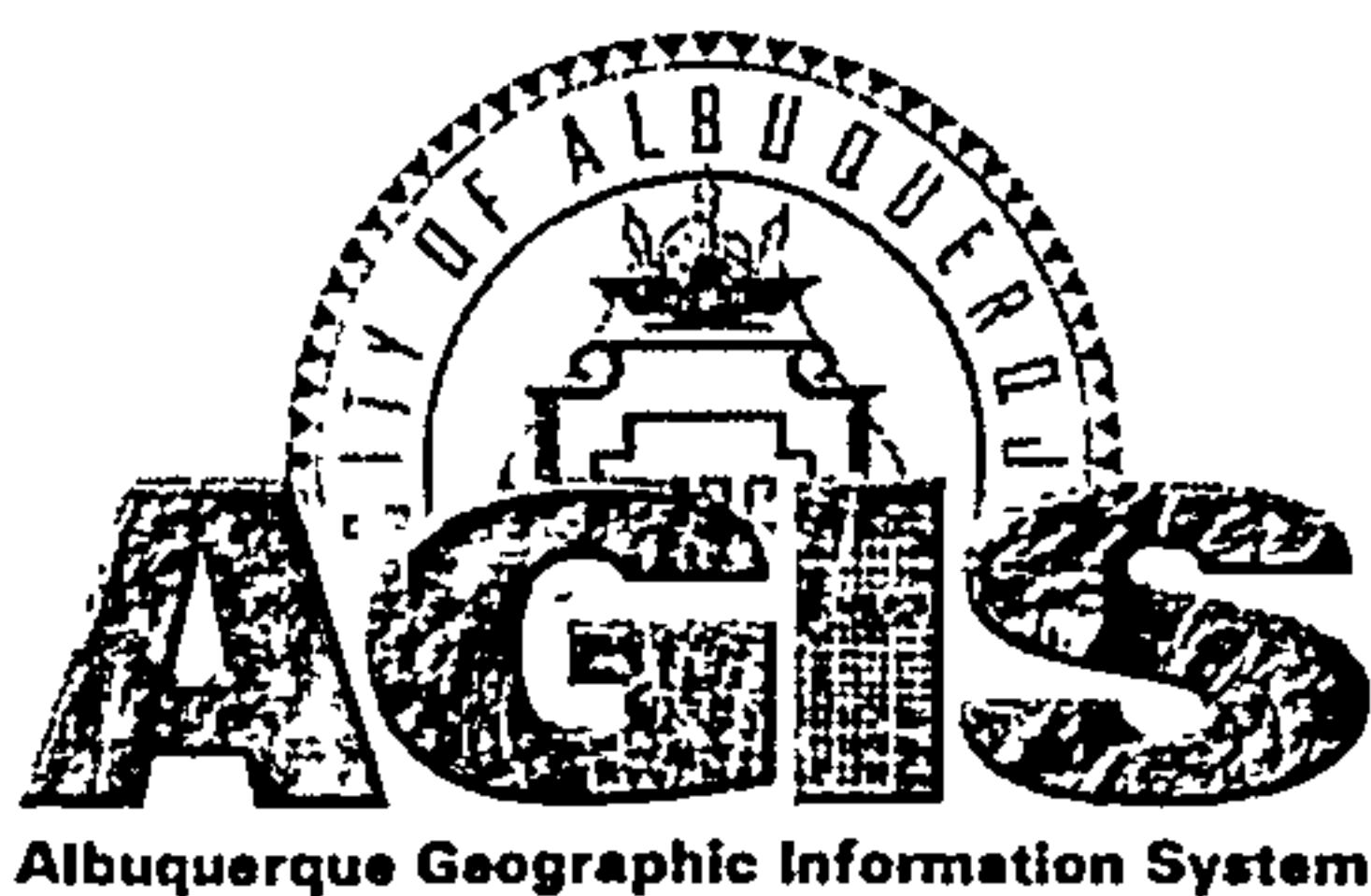
Zone Atlas Page:

J-14-Z

Selected Symbols

-  SECTOR PLANS
-  Design Overlay Zones
-  City Historic Zones
-  H-1 Buffer Zone
-  Petroglyph Mon.
-  Escarpment
-  2 Mile Airport Zone
-  Airport Noise Contours
-  Wall Overlay Zone

0 750 1,500 Feet



Map amended through: 5/17/2007

Note: Grey Shading Represents Area Outside of the City Limits

Jack's High Country, Inc.
8953 Second Street, N.W.
Albuquerque, New Mexico 87114

TO; The City of Albuquerque, Development Review Board

REFERENCE; Lot 16-A, 17-A, 18-A J.M. Moore Realty Company's Addition No 1
Within the town of Albuquerque Grant Projected Section 17, Township 10
North, Range 3 East, N.M.P.M. Bernalillo County, New Mexico January, 2008

We are applying for vacation action for a portion of public alley lying adjacent to
the east side of subject property.

A useful alley does not exist, and has not existed for many years at this
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An examination of proposed vacation action, shows no evidence of any adverse
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JACK SPILMAN (AGENT)
898-3707
JANUARY 24, 2008

Jack's High Country, Inc.
8953 Second Street, N.W.
Albuquerque, New Mexico 87114

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JANUARY 24, 2008

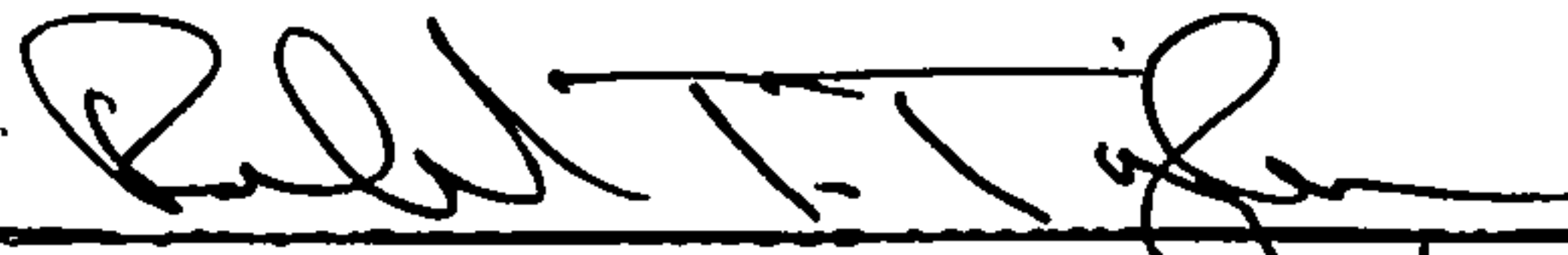
298
9062

LETTER OF AUTHORIZATION

Subject Property: Lot 16-A, 17A, and 18-A. J M Moore Realty Co.'s addition
North within the Town of Albuquerque grant, projected section 17, Township
10 North, Range 3 East, NMPM, City of Albuquerque, Bernalillo County, NM
January 2008.

I, the undersigned owner of subject property, hereby designate
JACK'S HIGH COUNTRY, INC. to be my authorized representative
agent for the processing and recording of planning, zoning or appeals
actions on this property.

ESTATE OF JULIA SAMORA,
Owner



By: RONALD T. TAYLOR
attorney for Joseph E. Samora, Jr.
Personal Representative
of the Julia Samora Estate

1/22/08
Date

PLAT OF

LOT 16-A, 17-A, 18-A, No $\frac{1}{2}$ 19

J.M. MOORE REALTY COMPANY'S ADDITION

WITHIN THE

NO 1

TOWN OF ALBUQUERQUE GRANT

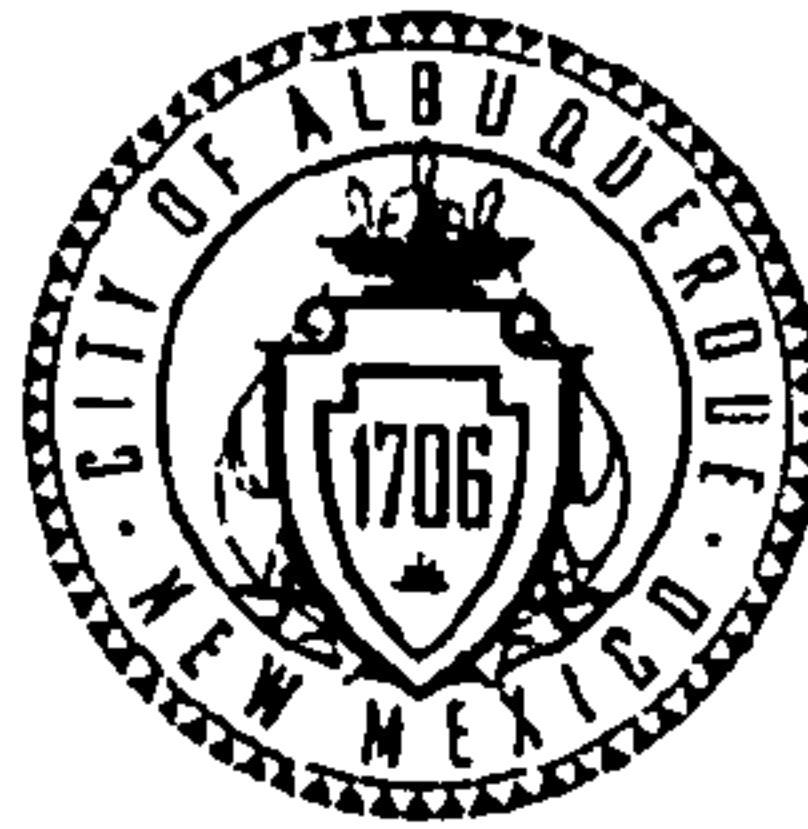
PROJECTED SECTION 17, TOWNSHIP 10 NORTH, RANGE 3 EAST,

CITY OF ALBUQUERQUE

BERNALILLO COUNTY, NEW MEXICO

JANUARY, 2008

8-A



City of Albuquerque

PLEASE NOTE: The Neighborhood Association information listed in this letter is valid for one (1) month. If you haven't filed your application within one (1) month of the date of this letter – you will need to get an updated letter from our office. It is your responsibility to provide current information – outdated information may result in a deferral of your case.

Date: January 22, 2008

TO CONTACT NAME: Jack Spilman
COMPANY/AGENCY: Jack's High Country, Inc.
ADDRESS/ZIP: 8953 2nd NW 87114
PHONE/FAX #: 898.3707 / 890.0645

Thank you for your inquiry of January 22, 2008 requesting the names of **ALL Affected**

Neighborhood and/or Homeowner Associations who would be affected under the provisions of O-92 by your proposed project at Lots 16A-17A and 18A JM Moore Realty Company's Addition No. 1 within Town of Abo Grant, Project Sec 17 Township 10 North, Range 3 east NMPM City of ABO Bernalillo County, zone map page(s) J-14 .NM JAN 2008 Located on Eighth St NW between Mountain and Summer NW

Our records indicate that the **Affected Neighborhood and/or Homeowner Associations** affected by this proposal and the contact names are as follows:

Wells Park N.A.
Neighborhood or Homeowner Association
Contacts: Fred Sais
1508 Los Tomases NW / 87102
242.8457 (h)
Mark Clayburgh
1310 5th St. NW / 87102
242.6278 (h)

Neighborhood or Homeowner Association
Contacts: _____

See reverse side for additional Neighborhood and/or Homeowner Associations Information:

YES { } NO { }

Please note that according to O-92 you are required to notify each of these contact persons by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEFORE** the Planning Department will accept your application filing. **IMPORTANT! FAILURE OF ADEQUATE NOTIFICATION MAY RESULT IN YOUR APPLICATION HEARING BEING DEFERRED FOR 30 DAYS.** If you have any questions about the information provided, please contact our office at (505) 924-3914 or by fax at 924-3913.

Sincerely,

Stephani Wimpfeger
OFFICE OF NEIGHBORHOOD COORDINATION

ATTENTION: Both contacts for each Neighborhood and/or Homeowner Associations need to be notified.

**NOTICE TO APPLICANTS - SUGGESTED INFORMATION FOR
NEIGHBORHOOD NOTIFICATION LETTERS**

Applicants for Zone Change, Site Plan, Sector Development Plan approval or an amendment to a Sector Development Plan by the EPC, DRB, etc. are required under Council Bill O-92 to notify **ALL AFFECTED NEIGHBORHOOD AND/OR HOMEOWNER ASSOCIATIONS** PRIOR TO FILING THE APPLICATION TO THE **PLANNING DEPARTMENT**. Because the purpose of the notification is to ensure communication as a means of identifying and resolving problems early, it is essential that the notification be fully informative.

WE RECOMMEND THAT THE NOTIFICATION LETTER INCLUDE THE FOLLOWING INFORMATION:

1. The street address of the subject property.
2. The legal description of the property, including lot or tract number (if any), block number (if any), and name of the subdivision.
3. A physical description of the location, referenced to streets and existing land uses.
4. A complete description of the actions requested of the EPC:
 - a) If a **ZONE CHANGE OR ANNEXATION**, the name of the existing zone category and primary uses and the name of the proposed category and primary uses (i.e., "from the R-T Townhouse zone, to the C-2 Community Commercial zone").
 - b) If a **SITE DEVELOPMENT OR MASTER DEVELOPMENT PLAN** approval or amendments describe the physical nature of the proposal (i.e., "an amendment to the approved plan to allow a drive-through restaurant to be located just east of the main shopping center entrance off Montgomery Blvd.").
 - c) If a **SECTOR DEVELOPMENT PLAN OR PLAN AMENDMENT** a general description of the plan area plan concept, the mix of zoning and land use categories proposed and description of major features such as location of significant shopping centers, employment centers, parks and other public facilities.
5. The name, address and telephone number of the applicant and of the agent (if any). In particular the name of an individual contact person will be helpful so that neighborhood and/or homeowner associations may contact someone with questions or comments.

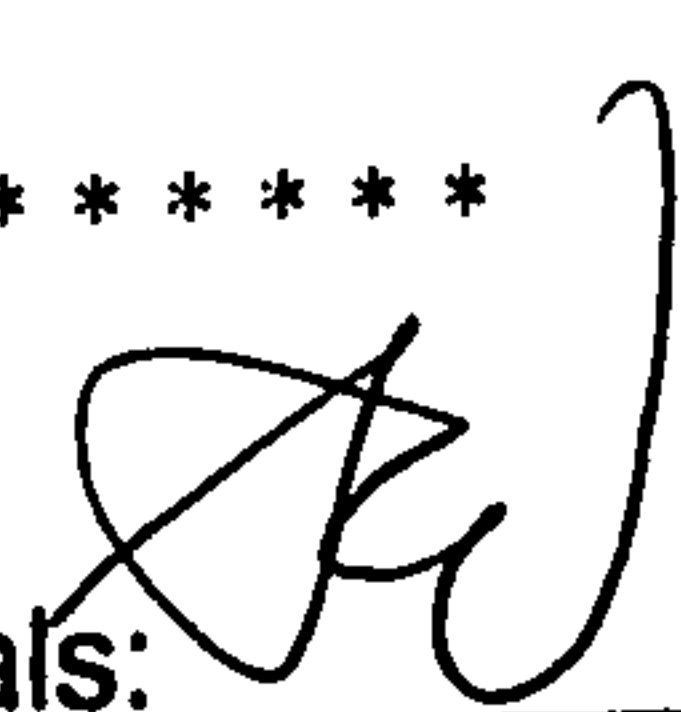
INFORMATION FROM THE OFFICE OF NEIGHBORHOOD COORDINATION

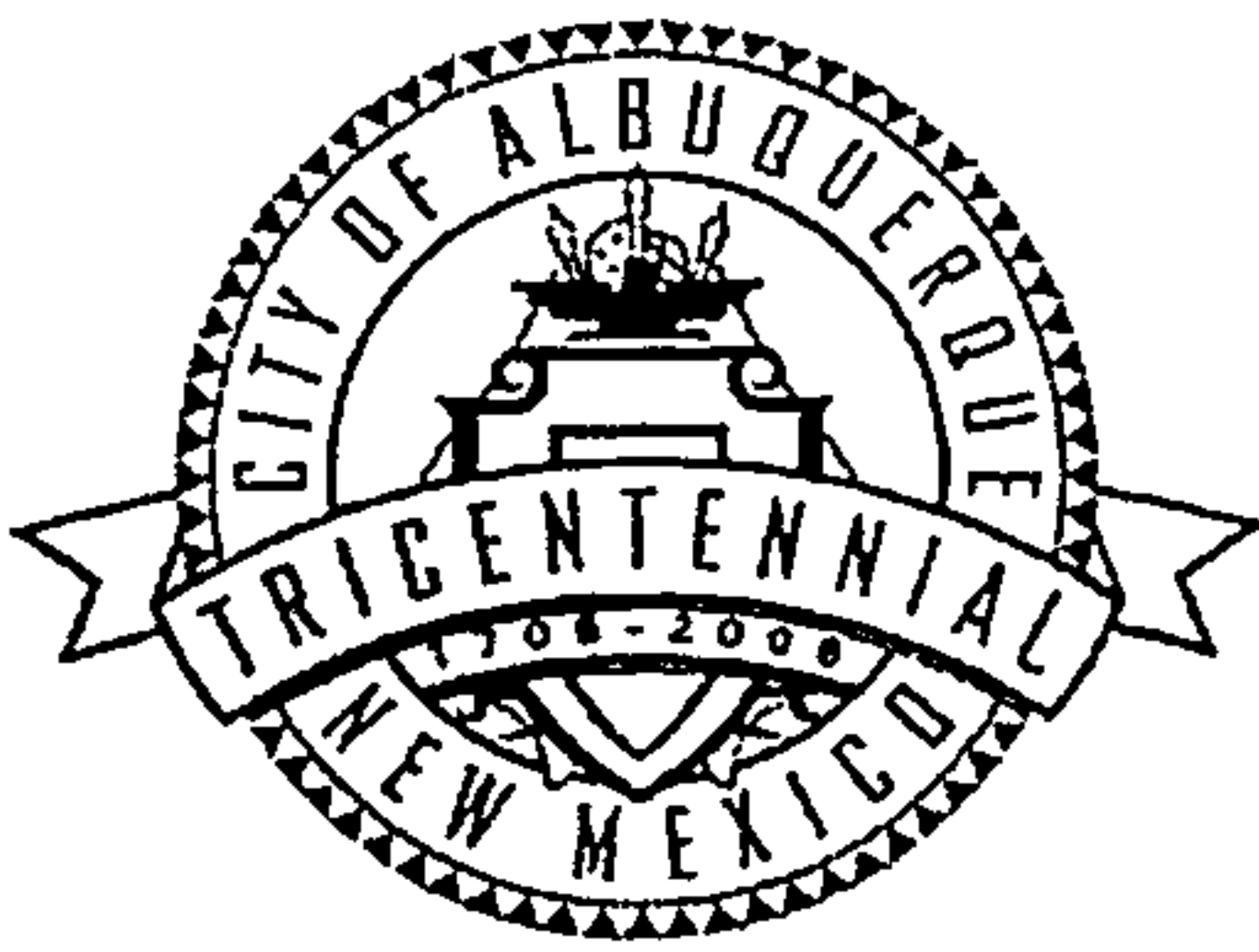
The following information should always be in each application packet that you submit for an EPC or DRB application. Listed below is a "Checklist" of the items needed.

- ONC's "Official" Letter to the applicant (if there are associations). A copy must be submitted with application packet -OR-
- The ONC "Official" Letter (if there are no associations). A copy must be submitted with application packet.
- Copies of Letters to Neighborhood and/or Homeowner Associations (if there are associations). A copy must be submitted with application packet.
- Copies of the certified receipts to Neighborhood and/or Homeowner Associations (if there are associations). A copy must be submitted with application packet.

Just a reminder - Our ONC "Official" Letter is only valid for a one (1) month period and if you haven't submitted your application by this date, you will need to get an updated letter from our office.

(Below this line for ONC use only)

Date of Inquiry: 01.22.08 Time Entered: 3:37 PM ONC Rep. Initials: 



DEVELOPER INQUIRY SHEET

(To be completed prior to application submittal)

The Office of Neighborhood Coordination (ONC) located in Room 120 (basement) of the Plaza Del Sol Building, 600 Second Street NW, Fax: (505) 924-3913 – will need the following information **BEFORE** neighborhood association information will be released to the applicant/agent on any project being presented to the Planning Department of the City of Albuquerque. If you have any questions, please feel free to contact our office at (505) 924-3914. **Your Developer Inquiry is for the following:**

Cell Tower & Type: Free-Standing Tower -OR- Concealed Tower

Private Development (i.e., EPC, DRB, LUCC, Liquor Submittal)

City Project

CONTACT NAME: Jack Spilman

COMPANY NAME: Jack's High Country Inc.

ADDRESS/ZIP: 8953 2nd NW Albuquerque, N.M. 87119

PHONE: (505) 898-3707 FAX: 890-0645

LEGAL DESCRIPTION INFORMATION

PLEASE FORWARD INFORMATION ON ANY NEIGHBORHOOD ASSOCIATION IN THE AREA OF THE PROPERTY DESCRIBED BELOW:

lot 16-A, 17-A and 18-A JM Moore Realty Company's addition No. 1
within Town of Albuquerque Grant, Projected Sec. 17 Twp 10 North, Range 3 east
N.M.P.M City of Albuquerque Bernalillo County, N.M. Jan 2008

LEGAL DESCRIPTION

LOCATED ON

Eighth Street NW
STREET NAME OR OTHER IDENTIFYING LANDMARK

BETWEEN Mountain and Summer NW AND

STREET NAME OR OTHER IDENTIFYING LANDMARK

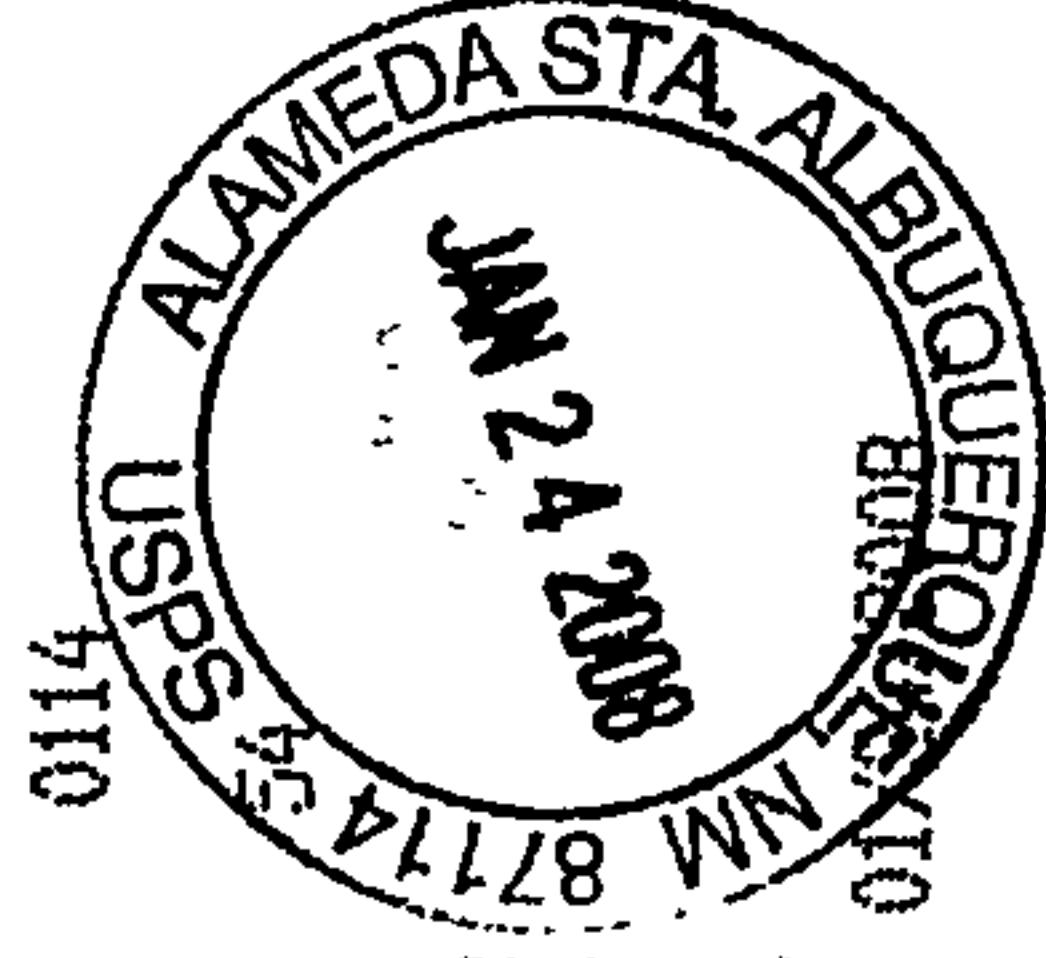
STREET NAME OR OTHER IDENTIFYING LANDMARK

THE SITE IS INDICATED ON THE FOLLOWING ZONE ATLAS PAGE (J-142).
(PLEASE MARK/HATCH ZONE MAP WHERE PROPERTY IS LOCATED)
(Zone Map MUST be provided with request)

2620 4729 4000 0780 9002

ALBUQUERQUE NM 87102

\$0.41
\$2.65
\$2.15
\$0.00
\$5.21

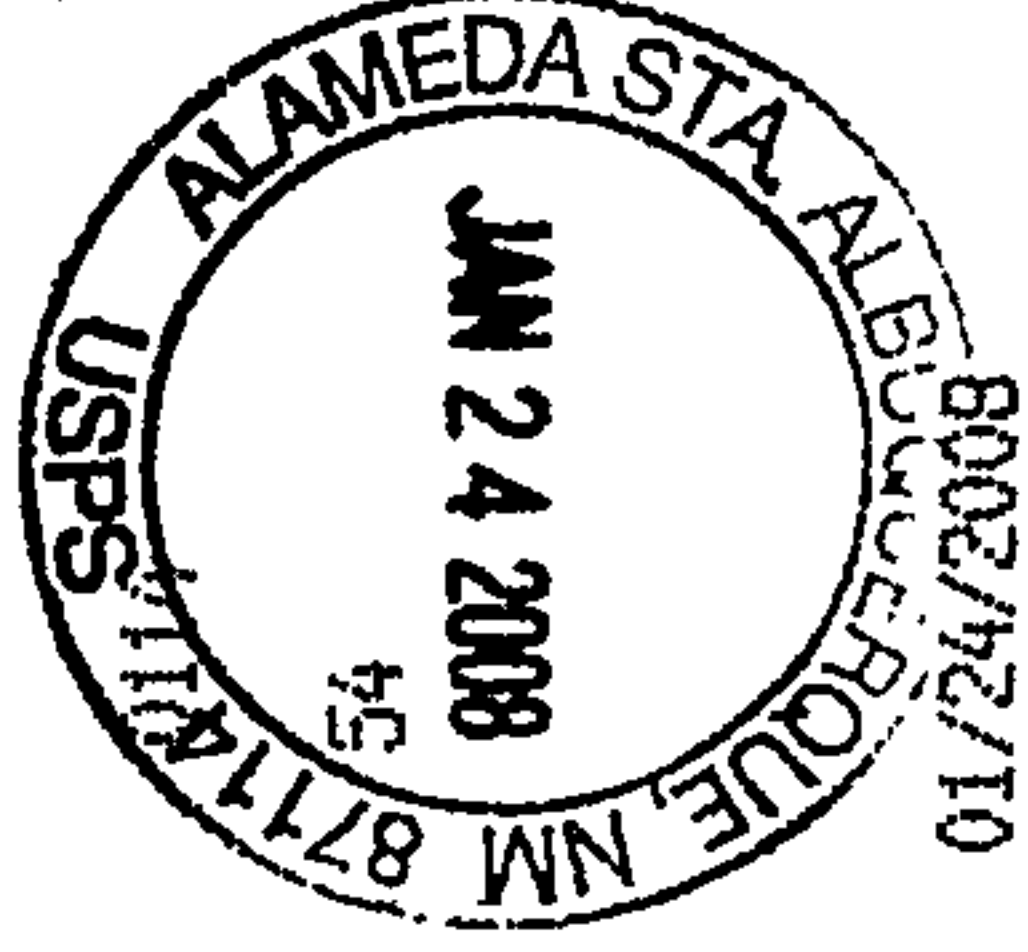


Mark Clayburgh
1316 S 24th ST NW
Albuquerque NM 87102

0820 4729 4000 0780 9002

ALBUQUERQUE NM 87102

\$0.41
\$2.65
\$2.15
\$0.00
\$5.21



Fred Sais
1508 Los Tomases NW
Albuquerque, NM 87102

SIGN POSTING AGREEMENT

REQUIREMENTS

POSTING SIGNS ANNOUNCING PUBLIC HEARINGS

All persons making application to the City under the requirements and procedures established by the City Zoning Code or Subdivision Ordinance are responsible for the posting and maintaining of one or more signs on the property which the application describes. Vacations of public rights-of-way (if the way has been in use) also require signs. Waterproof signs are provided at the time of application. If the application is mailed, you must still stop at the Development Services Front Counter to pick up the sign.

The applicant is responsible for ensuring that the signs remain posted throughout the 15-day period prior to public hearing. Failure to maintain the signs during this entire period may be cause for deferral or denial of the application. Replacement signs for those lost or damaged are available from the Development Services Front Counter at a charge of \$3.75 each.

1. LOCATION

- A. The sign shall be conspicuously located. It shall be located within twenty feet of the public sidewalk (or edge of public street). Staff may indicate a specific location.
- B. The face of the sign shall be parallel to the street, and the bottom of the sign shall be at least two feet from the ground.
- C. No barrier shall prevent a person from coming within five feet of the sign to read it.

2. NUMBER

- A. One sign shall be posted on each paved street frontage. Signs may be required on unpaved street frontages.
- B. If the land does not abut a public street, then, in addition to a sign placed on the property, a sign shall be placed on and at the edge of the public right-of-way of the nearest paved City street. Such a sign must direct readers toward the subject property by an arrow and an indication of distance.

3. PHYSICAL POSTING

- A. A heavy stake with two crossbars or a full plywood backing works best to keep the sign in place, especially during high winds.
- B. Large headed nails or staples are best for attaching signs to a post or backing; the sign tears out less easily.

4. TIME

Signs must be posted from FEB. 5, 2008 To FEB. 20, 2008

5. REMOVAL

- A. The sign is not to be removed before the initial hearing on the request.
- B. The sign should be removed within five (5) days after the initial hearing.

I have read this sheet and discussed it with the Development Services Front Counter Staff. I understand (A) my obligation to keep the sign(s) posted for (15) days and (B) where the sign(s) are to be located. I am being given a copy of this sheet.

Jack A. Gudman
(Applicant or Agent)

1/25/08
(Date)

I issued 1 signs for this application, 01/25/08 Sandy Handberg
(Date) (Staff Member)

DRB PROJECT NUMBER: 1007083

VACATION EXHIBIT

SHOWING THE VACATION OF A PORTION OF A PUBLIC ALLEY

LEGAL DESCRIPTION:

F I G H T H
S T R E E T
50' R/W
N . W .

LOT 15
J.M. MOORE REALTY COMPANY'S ADDITION No. 1
FILED, MAY 8, 1905
VOLUME C5, FOLIO 75

FND PK NAIL N 83°20'43" W

138.37'

150.43'

87.49'

25.01'

N 83°20'43" W

139.17'

25.00'

25.00'

25.00'

PORTION OF PUBLIC ALLEY
VACATED BY THIS PLAT
851.57 SQ FT

N 83°20'43" W

139.97'

25.00'

N 06°39'17" E

25.01'

N 83°20'43" W

140.77'

12.44'

FND #5 R/B N 83°20'43" W

141.17'

12.44'

12.45'

N 04°49'19" E

SOUTH 1/2 OF LOT 19
J.M. MOORE REALTY COMPANY'S ADDITION No. 1
FILED, MAY 8, 1905
VOLUME C5, FOLIO 75

147.95'

6.79'

S 03°38'35" W

5.17'

N 84°38'13" W

50.79'

S 04°39'26" W

87.49'

12.06'

LOT 11

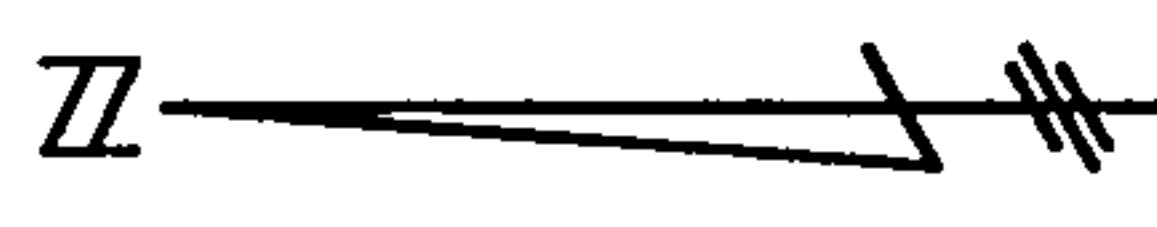
LOT 12

LOT 13

LOT 14

LOT 15

BRANSON ADDITION
FILED, SEPTEMBER 26, 1921
VOLUME D, FOLIO 43



Scale: 1" = 40'
Order No.: EX07-1495
Field Book: Page:
EX-BASESHT.DWG

Anthony L. Harris, N.M.P.S.#11463 HARRIS SURVEYING, INC.
2412-D Monroe Street, NE • Albuquerque, New Mexico 87110
Telephone (505) 889-8056 • FAX (505) 889-8645

0.94

147.9

7

6.6

140.36

82

140.48

81

