



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

September 24, 2008

Project# 1007443

08DRB-70377 VACATION OF PUBLIC RIGHT-OF-WAY

08DRB-70378 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CHRIS DEHLER agent(s) for CLARA ARRETICHE request(s) vacation of a 20 foot Acequia plus Preliminary and Final Plat approval for all or a portion of Tract(s) 4, **ALVARADO GARDENS Unit(s) 3**, zoned R-2, located on the south side of CANDELARIA RD NW BETWEEN RIO GRANDE BLVD NW AND GLENWOOD RD NW containing approximately 1.9075 acre(s). (G-12)

At the September 24, 2008 Development Review Board meeting, the vacation was approved as shown on exhibit B in the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance. The preliminary/final plat was approved with final sign off delegated to Transportation for an exhibit indicating improvements and distances and to Planning to record.

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

(B)(1) The public welfare is in no way served by retaining the acequia right-of-way/easement.

(B)(3) There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office.
2. The vacated property shall be shown on the replat approved by the Development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.

If you wish to appeal this decision, you must do so by October 9, 2008 in the manner described below.

Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning

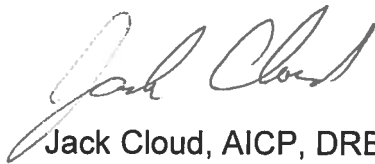
Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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

If the fifteenth day falls on a Saturday, Sunday or holiday as listed in the Merit System Ordinance, the next working day is considered as the deadline for filing the appeal. Such appeal shall be heard within 60 days of its filing.

You will receive notice if any other person files an appeal. Successful applicants are reminded that other requirements of the City must be complied with, even after approval of the referenced application(s).

Please note that the vacation of all plats, rights-of-way, and easements are void after one year from the final appeal date referenced above if all conditions are not met (The effective date of Development Review Board approval is the hearing date plus the 15-day appeal period.) (REF: Chapter 14 Article 14 Part 7-2 (E)(3)(6) Revised Ordinance.)



Jack Cloud, AICP, DRB Chair

Cc: Chris Dehler – 3827 Palacio Del Rio Grande NW – Albuquerque, NM 87107

Cc: Clara Arretche – 2508 Candelaria Rd. NW – Albuquerque, NM 87107

Cc: Scott Hicks – 3023 Calle San Angel NW – Albuquerque, NM 87107

Marilyn Maldonado

Scott Howell

File