



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

December 1, 2010

Project# 1008492

10DRB-70313 VACATION OF PUBLIC EASEMENT

10DRB-70314 VACATION OF PUBLIC RIGHT-OF-WAY

JOSHUA SKARSGARD agent(s) for NORM ATKINS request(s) the referenced/ above action(s) for all or a portion of Lot(s) 26, **ALVARADO GARDENS Unit(s) 1** and MEADOW ROAD, zoned RA-2, located on the north side of MATTHEW AVE NW between RIO GRANDE BLVD NW and SAN ISIDRO ST NW containing approximately 2.8790 acre(s). (G-13)

At the December 1, 2010 Development Review Board meeting, the vacation was approved as shown on Exhibit B in the Planning file per section 14-14-7-2(A)(1) and (B)(1)(3) of the Subdivision Ordinance.

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

(B)(1) Based on the obsolete platting the public welfare is in no way served by retaining the public right of way of easements.

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

CONDITIONS:

1. Final disposition shall be through the City Real Estate Office
2. The vacated property shall be shown on a replat approved by the development Review Board and the approved replat shall be filed for record with the Bernalillo County Clerk's Office within one year.
3. Acknowledgement from MRGCD, and Utility Company signature will be required for replat.

If you wish to appeal this decision, you must do so by December 16, 2010 in the manner described below.

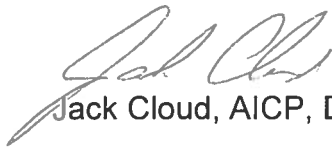
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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: Joshua Skarsgard – 8220 San Pedro NE Ste 500 – Albuquerque, NM 87113

Cc: Norm Atkins – 2105 Matthew Ave. NW – Albuquerque, NM 87104

Cc: Doyle Kimbrough – 2327 Campbell Rd NW – Albuquerque, NM 87104

Marilyn Maldonado

Scott Howell

File