

City of Albuquerque



DEVELOPMENT/ PLAN REVIEW APPLICATION

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 (Form D)

- Storm Drainage Cost Allocation Plan

Supplemental form

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.

APPLICATION INFORMATION:

Professional/Agent (if any): William Fanning AIA Architect PHONE: 505-857-0985
 ADDRESS: 6101 Buffalo Grass Ct. NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87111 E-MAIL: Wm Fan@swcp.com

APPLICANT: TJ & Debi Bell PHONE: 254-1387
 ADDRESS: 4202 Av. La Resolana NE FAX: _____
 CITY: Albuquerque STATE NM ZIP 87110 E-MAIL: _____

Proprietary interest in site: OWNER List all owners: _____

DESCRIPTION OF REQUEST: Vacate two lot lines; vacate 10' utility easement; vacate 5' utility easement

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. lots 10, 11, and portion of lot 9 Block: 8 Unit: _____
 Subdiv/Addn/TBKA: La Resolana, unit 1
 Existing Zoning: R-1 Proposed zoning: R-1 MRGCD Map No _____
 Zone Atlas page(s): J-17 UPC Code: 101705821318832213

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: 1 Total area of site (acres): 0.4328
 LOCATION OF PROPERTY BY STREETS: On or Near: Av. La Resolana NE
 Between: Avenida Manana NE and Avenida Estrellita NE

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

SIGNATURE [Signature] DATE _____
 (Print) H. William Fanning 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>12 DRB 70164</u>	<u>SP</u>	_____	\$ <u>0</u>
<input checked="" type="checkbox"/> All fees have been collected	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> All case #s are assigned	_____	_____	_____	\$ _____
<input checked="" type="checkbox"/> AGIS copy has been sent	_____	_____	_____	\$ _____
<input type="checkbox"/> Case history #s are listed	_____	_____	_____	\$ _____
<input type="checkbox"/> Site is within 1000ft of a landfill	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. density bonus	_____	_____	_____	\$ _____
<input type="checkbox"/> F.H.D.P. fee rebate	_____	_____	_____	\$ _____
				Total
				\$ <u>0</u>

Hearing date June 20, 2012
10-7-12

Project # 1009296

Planner signature / date

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.
- 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.
- 5 Acres or more: Certificate of No Effect or Approval
 - Proposed Preliminary / Final Plat (folded to fit into an 8.5" by 14" pocket) **6 copies** for unadvertised meetings ensure property owner's and City Surveyor's signatures are on the plat prior to submittal
 - 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.

H. William Fanning
 Applicant name (print)

 Applicant signature / date
 6-7-12



Form revised **October 2007**

- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
 12 - DRB - 70164


 Planner signature / date
 6-7-12

Project # 1009296

H. William Fanning AIA Architect
6101 Buffalograss Ct. NE
Albuquerque, New Mexico
87111

June 7, 2012

Jack Cloud, Chairman - Development Review Board
City of Albuquerque
Plaza del Sol Building
600 2nd Street NW
Albuquerque, New Mexico 87102

Reference: Request for vacation of lot lines and easements
4202 Avenida La Resolana NE
Albuquerque, New Mexico 87110

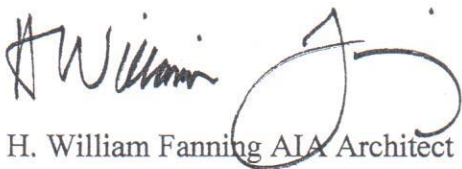
Dear Mr. Cloud:

The above-noted residential property is zoned R-1 and is comprised of two lots (10 and 11) and a portion of a third lot (9) in Block 8, Amended First Unit of La Resolana, a subdivision whose plat was filed on December 9, 1946.

A single-family residence was constructed on this property in 1955. The residence was built over the lot line between lots 10 and 11. This request is to vacate this property line since technically a structure may not be located over such a line. Additionally this request is to vacate the property line between lots 10 and 9. The re-platted property would be identified as Lot 11-A.

The original plat contains a 10' utility easement centered on the property line between lots 9 and 10. Additionally a 5' easement for a guy wire that is centered on the lots 10 and 11 property line was filed on March 10, 1954. These two easements have never been utilized. Natural gas is provided to this property from a service line in Avenida La Resolana NE. Electricity is provided from a power pole located at the northeast corner of the property. Water and sewer service is provided by lines located in Avenida Manana NE. Since this subdivision has been fully developed for over 50 years, there is no probability that these easements will ever be required and can therefore be vacated without an impact on utility service in this area.

Very truly yours,


H. William Fanning AIA Architect

Copy: TJ Bell
Terese Forstbauer

From: "Forstbauer, Terese" <terese@forstbauersurveying.com>
 Subject: Deed for portion of Lot 9
 Date: June 8, 2012 9:17:32 AM MDT
 To: "wmfan@swcp.com" <wmfan@swcp.com>
 1 Attachment, 1.2 MB

Bill,
 Here is the deed that created the portion of Lot 9.
 Terese C. Forstbauer
 Forstbauer Surveying LLC
 4116 Lomas Boulevard NE
 Albuquerque, NM 87110
 PO Box 35970
 Albuquerque, NM 87176-5970
 (505)268-2112 (Phone)
 (505)346-2017 (Fax)

SECRET FORM WARRANTY DEED (Joint Tenants) - New Mexico Statutory Form - Approved by State Comptroller as Statutory Form Oct. 22, 1982

6-12 25733^N WARRANTY DEED (Joint Tenants)

EUGENE E. KLEGAN and JANE F. KLEGAN, his wife for consideration paid, grant
 to HARVEY J. GOLIGHTLY
 and PEARL R. GOLIGHTLY, his wife
 the following described real estate in Bernalillo County, New Mexico:

A triangular shaped tract of land situate in the City of Albuquerque, New Mexico, being and comprising a portion of Lot 9, in Block 8, of La Resolana, an Addition to the City of Albuquerque, New Mexico, and more particularly described as follows:

BEGINNING at the Southwest corner of Lot numbered Nine (9), in Block numbered Eight (8) of LA RESOLANA, an Addition to the City of Albuquerque, New Mexico, as the same is shown and designated on the plat of said Addition filed in the office of the County Clerk of Bernalillo County, New Mexico, on the 9th day of December, 1946, a point on the Northernly right of way line of Avenida Manana NE and the Southwest corner No. 1 of the tract herein set forth; running thence

N. 32 deg. 56'13"E., 136.68 feet along the westerly boundary of said Lot 9 to the Northwest corner of said Lot 9 and the most Northernly corner No. 2 of the tract hereinset forth; thence

S. 26 deg. 24'W., 135.14 feet to the Southeast corner No. 3, a point on curve on the Southernly boundary of said Lot 9; thence Northwestwardly along a curve right having a radius of 791.40 feet a distance along arc, and along the Southernly boundary of said Lot 9 and the Northernly right of way line of Avenida Manana NE, of 15.57 feet (chord equals N. 65 deg. 56'W., 15.57 feet) to the Southwest corner No. 1 and the place of beginning.

SUBJECT to restrictions of record.

with warranty covenants.

WITNESS _____ day of _____ 19 54
 Eugene E. Klegan (Seal)
 Jane F. Klegan (Seal)

STATE OF NEW MEXICO }
 County of Bernalillo }
 On this 22nd day of March 19 54 before me personally appeared Eugene E. Klegan and Jane F. Klegan, his wife to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and seal the day and year last above written. Stephen Thomas Schaefer Notary Public
 My commission expires 2/27/55

STATE OF NEW MEXICO }
 County of _____ }
 On this _____ day of _____ 19 _____ before me personally appeared _____ to me personally known who claim to be the

94130947

WARRANTY DEED

6162

GRANTOR: PATRICIA G. COPPLE
P. O. BOX 7501
ALBUQUERQUE, NEW MEXICO 87194-7501

GRANTEE: JIMMY A. BELL and DEBORAH R. BELL
4202 AVENIDA LA RESOLANA, NE
ALBUQUERQUE, NEW MEXICO 87110

GRANTOR, a married woman dealing in her separate property, joined pro forma by her husband ROGER L. COPPLE, for consideration paid, grants to GRANTEE, husband and wife, as joint tenants with right of survivorship, the following described real property, and all improvements and fixtures thereon, in Bernalillo County, New Mexico:

The real property described in EXHIBIT "A" attached (which is the real property described in the Warranty Deeds dated March 22 and June 16, 1954, which were recorded in Book D-282 at pages 624 and 643; the Correction Deeds dated May 20 and May 21, 1992 which were recorded in Book 92-12 at pages 461 and 463; and the Deed of Distribution dated February 26, 1993 which was recorded in Book 93-6 at page 6784 - all in the office of the county clerk of Bernalillo County, New Mexico, which descriptions are adopted by reference as authorized by Sec. 47-1-46, New Mexico Statutes, 1978 Annotated); and is the real property located at 4202 Avenida La Resolana, NE, Albuquerque, New Mexico).

This conveyance is made SUBJECT TO:

1. Taxes and assessments for the year 1994 and subsequent years.
2. Covenants, conditions, restrictions, terms, provisions and easements filed in Book D-50 at page 573 in the office of the county clerk of Bernalillo County.
3. Easements, encroachments, overlaps and rights-of-way which are apparent or of record (specifically the utility easement reserved across the southeasterly five feet of said Lots 10 and 11 and the northwesterly five feet of said Lot 9 as shown on the plat of the Amended First Unit of La Resolana filed in the office of the county clerk of Bernalillo County on December 9, 1946; easement granted to Public Service Company of New Mexico and Mountain States Telephone and Telegraph Company filed

in Book D-272 at page 265 in the office of the county clerk of Bernalillo County on March 10, 1954).

- 4. Reservation contained in the patent from the United States of America which is recorded in Book "E" at page 419 of Miscellaneous records in the office of the county clerk of Bernalillo County; and shortage in area.

WITH WARRANTY COVENANTS.

IN WITNESS WHEREOF, this Warranty Deed is EXECUTED this 26th day of October 26, 1994.

Roger L. Copple

 ROGER L. COPPLE

Patricia G. Copple

 PATRICIA G. COPPLE

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

The foregoing Warranty Deed was acknowledged before me on October 26, 1994 by Roger L. Copple and Patricia G. Copple, husband and wife.

MY COMMISSION EXPIRES:

9-15-97

Irene Brackeen

 NOTARY PUBLIC

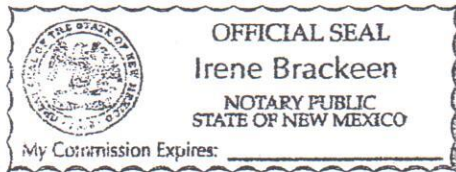


EXHIBIT "A"

LOTS NUMBERED TEN (10) AND ELEVEN (11) IN BLOCK NUMBERED EIGHT (8) OF THE AMENDED FIRST UNIT OF LA RESOLANA, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE MAP OF SAID ADDITION, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON DECEMBER 9TH, 1946.

AND

A TRIANGULAR SHAPED TRACT OF LAND SITUATE IN THE CITY OF ALBUQUERQUE, NEW MEXICO, BEING AND COMPRISING A PORTION OF LOT 9, IN BLOCK 8, OF LA RESOLANA, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT NUMBERED NINE (9), IN BLOCK NUMBERED EIGHT (8) OF LA RESOLANA, AN ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT OF SAID ADDITION FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO, ON THE 9TH DAY OF DECEMBER, 1946, A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF AVENIDA MANANA NE AND THE SOUTHWEST CORNER NO. 1 OF THE TRACT HEREIN SET FORTH; RUNNING THENCE N. $32^{\circ} 56' 13''$ E., 136.68 FEET ALONG THE WESTERLY BOUNDARY OF SAID LOT 9 TO THE NORTHWEST CORNER OF SAID LOT 9 AND THE MOST NORTHERLY CORNER NO. 2 OF THE TRACT HEREIN SET FORTH; THENCE S. $26^{\circ} 24' W.$, 135.14 FEET TO THE SOUTHEAST CORNER NO. 3, A POINT ON CURVE ON THE SOUTHERLY BOUNDARY OF SAID LOT 9; THENCE NORTHWESTERLY ALONG A CURVE RIGHT HAVING A RADIUS OF 791.40 FEET A DISTANCE ALONG ARC, AND ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 9 AND THE NORTHERLY RIGHT OF WAY LINE OF AVENIDA MANANA NE, OF 15.57 FEET (CHORD EQUALS N. $65^{\circ} 58' W.$, 15.57 FEET) TO THE SOUTHWEST CORNER NO. 1 AND PLACE OF BEGINNING.

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

94 NOV -1 PM 2:47

BK 9430
JUDY D. WOODWARD
CO. CLERK & RECORDER
BERNALILLO COUNTY