



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 8, 2013

Project# 1009657

13DRB-70510 VACATION OF PUBLIC RIGHT-OF-WAY
13DRB-70525 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CITY OF ALBUQUERQUE requests the referenced/ above action(s) for all or a portion of HAHN ARROYO FLOODWAY adjacent to Tract A, Block 12 ALTAMONT SUBDIVISION [zoned SU-1/ CHURCH & RELATED FACILITIES], located on east side of SAN PEDRO DR NE BETWEEN COMANCHE RD NE and KIOWA AVE NE. (G-18)

At the May 8, 2013, 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 Planning to record.

Findings

(A)(1) The public easement vacation request was filed by the Planning Director on behalf of the owners of the footage of land abutting the proposed vacation.

(B)(1) There is sufficient right of way remaining to serve the needs for flood protection as well as maintaining the trail on top of the right of way such that the public welfare is in no way served by retaining the portion proposed for vacation.

(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. A 3 foot clear fall zone from the fence line relative to the trail must be maintained and documented with an exhibit.

If you wish to appeal this decision, you must do so by May 23, 2013 in the manner described below.

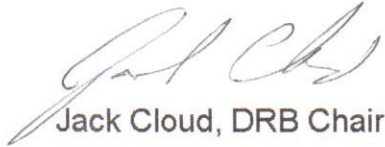
Appeal is to the Land Use Hearing Officer. Any person aggrieved with any determination of the Development Review Board may file an appeal on the Planning Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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, DRB Chair

Cc: CITY OF ALBUQUERQUE

Cc: SURV-TEK, INC

Marilyn Maldonado

File

DRB CASE ACTION LOG - BLUE SHEET

- Preliminary/Final Plat [FP]
- Site Plan - Subdivision [SPS]
- Site Plan - Building Permit [SBP]

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

Project #: **Project# 1009657**

Application #: 13DRB-70525

Project Name: **LOT A-1 AND TRACT A, ALTAMONT**

Agent: **SURV-TEK, INC**

Phone #:

Your request was approved on 5-8-13 by the DRB with delegation of signature(s) to the following departments - outstanding comments to be addressed

TRANSPORTATION: _____

ABCWUA: _____

CITY ENGINEER / AMAFCA: _____

PARKS / CIP: _____

PLANNING (Last to sign): _____

PLATS:

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.
- County Treasurer's signature must be obtained prior to the recording of the plat with County Clerk.

- Property Management's signature must be obtained prior to Planning Department's signature.
- AGIS DXF File approval required.
- Copy of recorded plat for Planning.

ALL SITE PLANS:

3 copies of the approved site plan. Include all pages.