



Supplemental Form (SF)

<b>SUBDIVISION</b>	<b>S</b>	<b>Z</b>	<b>ZONING &amp; PLANNING</b>
<input type="checkbox"/> Major subdivision action			<input type="checkbox"/> Annexation
<input type="checkbox"/> Minor subdivision action			
<input type="checkbox"/> Vacation	<b>V</b>		<input type="checkbox"/> Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
<input type="checkbox"/> Variance (Non-Zoning)			
<b>SITE DEVELOPMENT PLAN</b>	<b>P</b>		<input type="checkbox"/> Adoption of Rank 2 or 3 Plan or similar
<input type="checkbox"/> for Subdivision			<input type="checkbox"/> Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
<input type="checkbox"/> for Building Permit			
<input type="checkbox"/> Administrative Amendment/Approval (AA)			
<input type="checkbox"/> IP Master Development Plan	<b>D</b>		<input type="checkbox"/> Street Name Change (Local & Collector)
<input type="checkbox"/> Cert. of Appropriateness (LUCC)			
<b>STORM DRAINAGE (Form D)</b>	<b>L A</b>		<b>APPEAL / PROTEST of...</b>
<input type="checkbox"/> Storm Drainage Cost Allocation Plan			<input type="checkbox"/> Decision by: DRB, EPC, LUCC, Planning Director, ZEO, ZHE, Board of Appeals, other

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 2<sup>nd</sup> 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): \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT: DIANE + Stephen SLUSSER PHONE: 505-270-3555 cell  
 ADDRESS: 6516 Rancho LADERA Rd NE FAX: 505-821-1332 Home  
 CITY: ALBUQUERQUE STATE NM ZIP 87113 E-MAIL: momshongo@aol.com

Proprietary interest in site: \_\_\_\_\_ List all owners: \_\_\_\_\_

DESCRIPTION OF REQUEST: VACATION OF 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. 20-P1 Block: 2 Unit: 2  
 Subdiv/Addn/TBKA: BUENA VISTA ESTATES  
 Existing Zoning: R1 Proposed zoning: \_\_\_\_\_ MRGCD Map No \_\_\_\_\_  
 Zone Atlas page(s): C-18 UPC Code: \_\_\_\_\_

**CASE HISTORY:**

List any current or prior case number that may be relevant to your application (Proj., App., DRB-, AX\_Z\_, V\_, S\_, etc.): 1009712

**CASE INFORMATION:**

Within city limits?  Yes Within 1000FT of a landfill? NO  
 No. of existing lots: 1 No. of proposed lots: \_\_\_\_\_ Total site area (acres): 2.1897  
 LOCATION OF PROPERTY BY STREETS: On or Near: Paseo Del Norte & Alameda  
 Between: Louisiana and San Pedro

Check if project was previously reviewed by: Sketch Plat/Plan  or Pre-application Review Team(PRT)  Review Date: \_\_\_\_\_

SIGNATURE Diane Slusser DATE 7/3/13  
 (Print Name) DIANE SLUSSER Applicant:  Agent:

**FOR OFFICIAL USE ONLY**

Revised: 4/2012

<input checked="" type="checkbox"/> INTERNAL ROUTING	Application case numbers	Action	S.F.	Fees
<input checked="" type="checkbox"/> All checklists are complete	<u>13DRB - 10615</u>	<u>MP</u>	_____	\$ <u>215.00</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 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	_____	_____	_____	\$ _____
	Hearing date <u>July 10, 2013</u>			Total \$ <u>235.00</u>

Project # 1009712

Staff 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.**

- 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.

*DIANE SLUSSER*  
Diane Slusser Applicant name (print)  
Diane Slusser Applicant signature / date



Form revised October 2007

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

Application case numbers  
13 DRB 70615  
 \_\_\_\_\_  
 \_\_\_\_\_

Planner signature / date  
[Signature] 7-3-13  
 Project # 1009712

# City of Albuquerque Planning Department

## DEVELOPMENT AND BUILDING SERVICES

STANDARD APPLICATION, Paper Plans Required

### DEVELOPMENT REVIEW BOARD

07/03/2013 Issued By: BLD/AVM 196975

Category Code **910**  
**2013 070 615**

**Application Number:** 13DRB-70615, Minor - Preliminary/ Final Plat Approval

**Address:**

**Location Description:** PASEO DEL NORTE & ALAMEDA BETWEEN LOUISIANA AND SAN PEDRO

**Project Number:** 1009712

#### Applicant

DIANE & STEPHEN SLUSSER

6516 RANCHO LADERA RD NE  
ALBUQUERQUE NM 87113  
5052703555

#### Agent / Contact

DIANE & STEPHEN SLUSSER

6516 RANCHO LADERA RD NE  
ALBUQUERQUE NM 87113  
5052703555

#### Application Fees

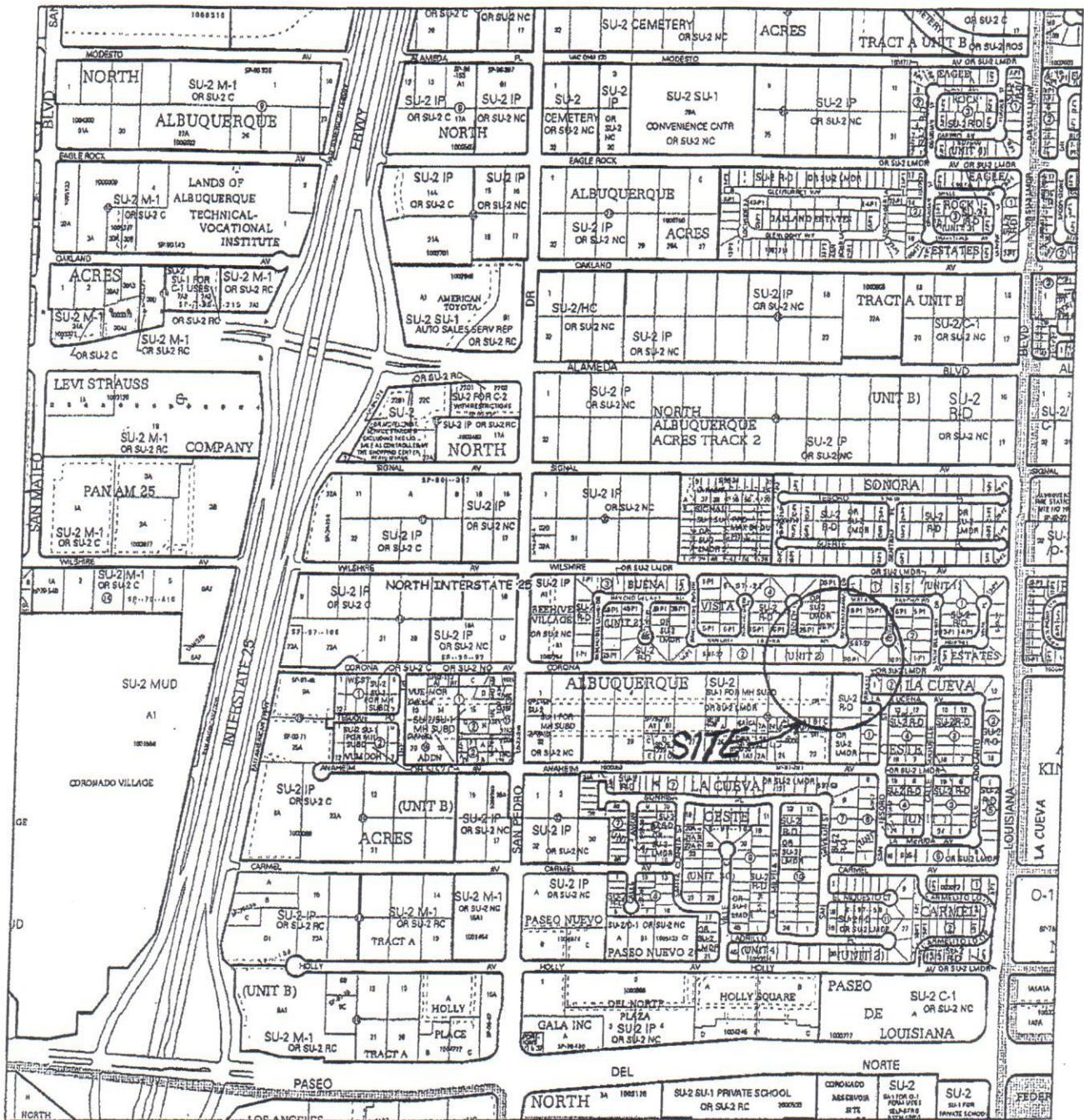
##### APN Fee

Conflict Mgmt Fee \$20.00


DRB Actions \$215.00

**TOTAL: \$235.00**

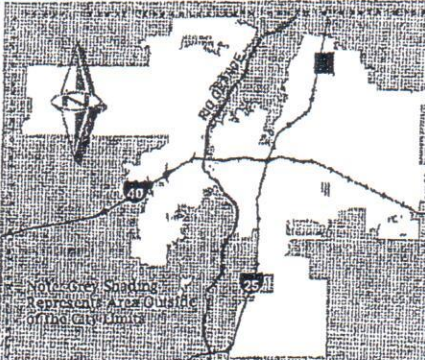
City of Albuquerque Treasury  
Date: 7/3/2013 OFF: JEFF AMEX  
Stat ID: BSH000003 Cashier: TRSCXG  
Batch: 2212 Time: 4:43  
Permit #: 2013070615  
Receipt Num: 00140424  
Payment Total: \$235.00  
0901 Conflict Mgmt. Fee \$20.00  
0903 DRB Actions \$215.00  
VISA Tendered: \$235.00



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












Map amended through: 1/24/2011



Note: Grey Shading Represents Area Outside of the City Limits

Zone Atlas Page:  
**C-18-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

Foot  
0 750 1,500

**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 20-A-P1 Block 2, Buena Vista Estates Unit 2 which is zoned as SU-2/R-D, on July 2, 2013 submitted by Diane Slusser, owner(s) of above property, has determined that no Pre-Development Facilities Fee Agreement is required with respect to that proposed plat because the property owner (s) are vacating the 10' public utility easement on the rear of original Lot 20-P1. This will result in no net gain of residential units.

ALBUQUERQUE PUBLIC SCHOOLS

By: April L. Winters  
Signature

April L. Winters, Facility Fee Planner  
Name (printed or typed) and title

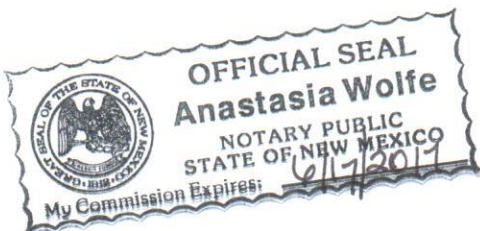
STATE OF NEW MEXICO  
COUNTY OF BERNALILLO

This instrument was acknowledged before me on July 2, 2013, by April Winters as Facility Fee 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)

Anastasia Wolfe  
Notary Public

My commission expires: 6/17/2016



To: Mr. Jack Cloud  
DRB Chairman  
Planning Department

RE: Diane & Stephen Slusser (residence)  
6516 Rancho Ladera Rd. NE  
Albuquerque, NM 87113-1990

1. My husband Steve has Parkinson and the doctor request us to put a pool in for therapy.
2. We pulled out our survey that we received when we purchased the house, the survey does not show an easement on the back of my property, the only easement is in the front (north side).
3. We call the proper companies to come out and mark our back yard before we dug, which is required by law. No one showed any utility lines in our back yard.
4. The pool company (BlueWater Pools) came out with the required permits and began to dig. Upon digging for the pool they came across a utility line, which they almost hit. The pool company immediately stopped digging and call out the utility company. Everyone including Qwest said that the line was not theirs. We had Qwest out 5 times and they stated the line was not theirs. We then had PNM out and the person that came out originally worked for Qwest for 20 years, she was the one that said it was a Qwest line and showed us their stamp on the line.
5. We then call Qwest out again and they told us that the line was probably not active, I made them confirm. This is when they said it was a live line.
6. I called the Title Company that I closed at and the survey company and told them that I would not have brought a house with 2 easements on it, nor was it disclosed at closing or on my survey. They asked me what we wanted and I told them I wanted the full easement vacated.
7. I contacted all of the utility companies and the city to make sure that I could have the easement vacated and I was told yes by all of the utilities and the city. At no time was I ever told that permits were need or that there would be an issue with vacating the easement.
8. I then contacted Qwest and had them move the line, and at no time was it ever disclosed to us that Qwest needed to pull permits and checked with zoning to move the line on the other side of our wall, which our yard backs up against another street (Corona).
9. I contacted the other utilities too and paid for the vacating of easement from each utility except Qwest which needed to move the line.
10. Qwest was paid to move the line at my expense and the pool was completed, and now we find out that Qwest did not pull the proper permits or receive proper approval from the city.
11. Now I am being told by the city this was done incorrectly and that it is my issue. They are saying that the easement cannot be removed just in case they should ever need to do anything there. The zoning department said chances of the city needing the easement would be like winning the lottery. Now I am paying the price because of Qwest.
12. My point is that all of the utility companies have released the easement to me; all I am asking for is that the city do the same especially since according to zoning they would not need the easement.
13. All other public utilities have issue me a release of easement rights (see attached)

We would have never proceeded with any of this if we were giving proper information from the city and the utility companies. I am going to have a problem selling my house due to this error I will need to disclose any easement or encroachment issue. Secondly I don't think I should have to have any easement because I personally contacted the city. I can't believe that contractors and the utility companies can rip off law abiding citizens and that this would be okay with the city.

Lastly, I am begging for the full easement release since I had a similar situation back in Chicago. I wanted to put a garage on my property and my original survey did not show and easement. I had contacted the city and experienced exactly what is happening again. I had to receive an encroachment from the city, which caused problems when selling. Several years later we went to sell my house and had offers on it right away, but once the encroachment was found out by the prospective buyer, both deals fell through. It took over a year to sell my house because of the encroachment. Now you can see why I am begging for a full easement removal. We now need to sell our home because Steve needs to be treated by a specialist in North Carolina for his Parkinson Disease and now we have to disclose all of this. We actually have a buyer interested but they are only going to wait a short time for us to resolve this issue. Since we will be have huge medical bills we can't afford to lose any money on the sale of our home due to easement issues.

**Thank you,  
Diane & Stephen Slusser  
6516 Rancho Ladera Rd. NE  
Albuquerque, NM 87113-1990  
(505) 270-3555 cell**

5/17/13

RE: DIANE + STEPHEN SLUSSER (RESIDENCE)  
6516 RANCHO LADERA RD NE  
ALBUQUERQUE, NM 87113-1990  
505-270-3555 (cell)

I AM going in front of the DRB to request  
for a vacation of easement in my back  
property. My back property butts up  
against Corona. My hearing date will be  
July 10<sup>th</sup> 2013.

If you have any questions please call me

Thank you  
Diane Slusser  
505 270-3555