



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

January 8, 2014

Project# 1009920
13DRB-70789 VACATION OF PUBLIC UTILITY EASEMENT

CARTESIAN SURVEYS INC agents for DOUG ADAMS request the referenced/ above action for all or a portion of Lot(s) 1-8 & E ½ of Vacated Glorieta Street, Block 48, **SKYLINE HEIGHTS SUBDIVISION** zoned SU-2/ M-1, located on the west side of EUBANK BLVD SE between BELL AVE SE and TRUMBULL AVE SE containing approximately 1.5565 acres. (L-20)

At the January 8, 2014 Development Review Board meeting, the vacation was approved as shown on Exhibit in the planning file per section 14-14-7-2(a) (1) and (b) (1)(3) of the subdivision ordinance.

Findings

Subject to written acknowledgement by the City's Franchised Utilities, the public welfare is in no way served by retaining the easement(s).

There is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right. Property owners of record abutting the proposed vacation were notified by first class mail at least six days prior to the Development Review Board hearing approving the vacation and no objection regarding access or the abridgement of a substantial property right was raised.

CONDITIONS:

1. The City's Franchised Utilities shall provide written acknowledgement in addition to signing the required replat.
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.*

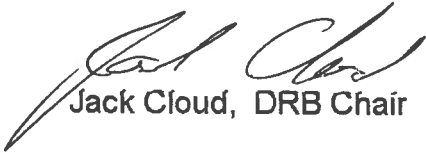
If you wish to appeal this decision, you must do so by January 23, 2014 in the manner described below.

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:
CARTESIAN SURVEYS INC
File