



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

March 11, 2015

Project# 1010373

15DRB-70066 VACATION OF PUBLIC UTILITY EASEMENT
15DRB-70087 MINOR - PRELIMINARY/ FINAL PLAT APPROVAL

CARTESIAN SURVEYS INC agents for HYLINE LLC request the referenced/ above action on a portion of Lot 22-A, Block 109, SNOW **HEIGHTS ADDITION** zoned C-1, located on the south side of MENAUL BLVD NE between MORRIS ST NE and PROSPECT AVE NE containing approximately 2.0157 acres. (H-21)

At the March 11, 2015 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 with the condition that utility companies acknowledge via signature. The preliminary/final plat was approved with final sign off delegated to Planning for expiration of 15 day appeal period.

Findings

The request was filed by the owner of all the frontage of the proposed vacation.

The public welfare is in no way served by retaining the way or easement; based on existing development, The City of Albuquerque does not anticipate any need to utilize the existing easement.

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 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 March 26, 2015 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