

**CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
April 22, 2015
DRB Comments**

ITEM # 14

PROJECT # 1010412

APPLICATION # 15-70128

RE: Lots 1-3, Block 46, Perea Addition

A formal request for Vacation will require a fee of \$395 and a completed Development Review Application and Form V (attached).

If approved by the DRB, the vacated right of way must be acquired from the City and replatted with adjacent property within one year.

Jack Cloud, DRB Chairman
924-3880/ jcloud@cabq.gov



Supplemental Form (SF)

SUBDIVISION

- Major subdivision action
- Minor subdivision action
- Vacation
- Variance (Non-Zoning)

SITE DEVELOPMENT PLAN

- for Subdivision
- for Building Permit
- Administrative Amendment/Approval (AA)
- IP Master Development Plan
- Cert. of Appropriateness (LUCC)

STORM DRAINAGE (Form D)

- Storm Drainage Cost Allocation Plan

S Z ZONING & PLANNING

- Annexation
- Zone Map Amendment (Establish or Change Zoning, includes Zoning within Sector Development Plans)
- Adoption of Rank 2 or 3 Plan or similar
- Text Amendment to Adopted Rank 1, 2 or 3 Plan(s), Zoning Code, or Subd. Regulations
- Street Name Change (Local & Collector)
- L A APPEAL / PROTEST of...**
 - 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 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): _____ PHONE: _____
 ADDRESS: _____ FAX: _____
 CITY: _____ STATE _____ ZIP _____ E-MAIL: _____

APPLICANT: Richard Wolfson PHONE: 505-702-4321
 ADDRESS: 2300 Hooper RD SW FAX: _____
 CITY: Albuquerque STATE NM ZIP 87105 E-MAIL: RichardWolfson@hotmail.com
 Proprietary interest in site: OWNER List all owners: Richard Wolfson

DESCRIPTION OF REQUEST: VACATION of city Right-of-way

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. EASTERLY PORTION LOT 1, 2, 3 Block: 46 Unit: _____
 Subdiv/Addn/TBKA: Pereia Addn
 Existing Zoning: Commercial Proposed zoning: Commercial MRGCD Map No _____
 Zone Atlas page(s): J-13 UPC Code: 101305843930611109

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 No Within 1000FT of a landfill? NO
 No. of existing lots: 3 No. of proposed lots: 1 Total site area (acres): 0.0713
 LOCATION OF PROPERTY BY STREETS: On or Near: 1222 Mountain Road SW
 Between: 12th and 13th

Check if project was previously reviewed by: Sketch Plat/Plan or Pre-application Review Team(PRT) Review Date: 4-13-15 R.W.

SIGNATURE Richard Wolfson DATE 3/25/15
 (Print Name) Richard Wolfson 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>15 DRB - 70128</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 checked="" 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>April 22 2015</u>			Total \$ <u>0</u>

Staff signature & Date: [Signature] 3/25/15 Project # 1010412

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.

Applicant name (print)

Applicant signature / date



- Checklists complete
 - Fees collected
 - Case #s assigned
 - Related #s listed
- Application case numbers
15 - DRB - 10128

Form revised October 2007

Planner signature / date

Project # 1010412



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

AGIS
Albuquerque Geographic Information System

RIO GRANDE

Zone Atlas Page:
J-13-Z

Selected Symbols

SECTOR PLANS	Escarpment
Design Overlay Zones	2 Mile Airport Zone
City Historic Zones	Airport Noise Contours
H-1 Buffer Zone	Wall Overlay Zone
Petroglyph Mon.	

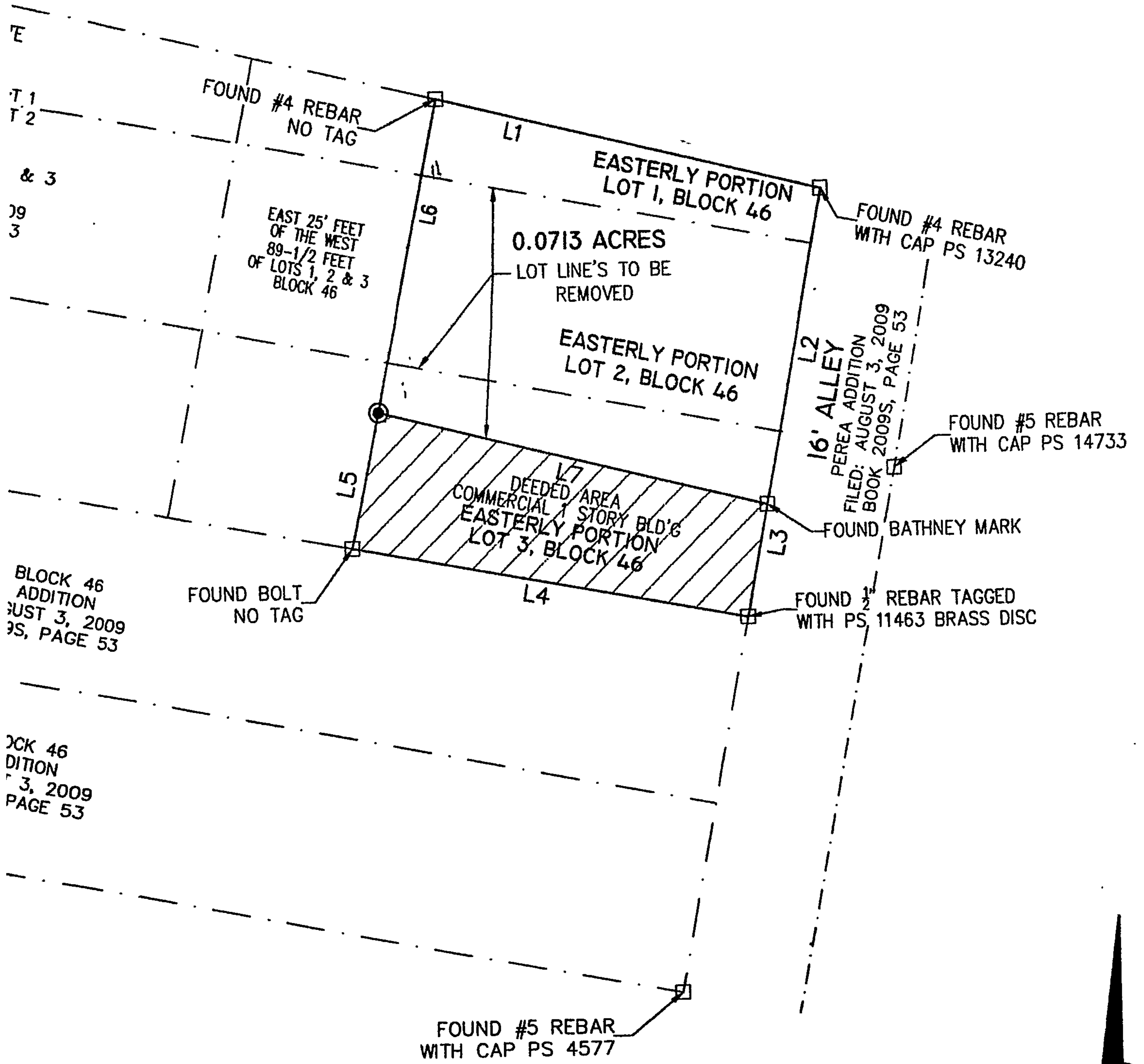
0 750 1,500 Feet

Map amended through: 9/2/2014

Note: Grey Shading Represents Area Outside of the City Limits

22 MOUNTAIN ROAD NW
R/W VARIES

PEREA ADDITION
FILED: AUGUST 3, 2009
BOOK 2009S, PAGE 53



BLOCK 46
ADDITION
AUGUST 3, 2009
BOOK 2009S, PAGE 53

BLOCK 46
ADDITION
AUGUST 3, 2009
PAGE 53



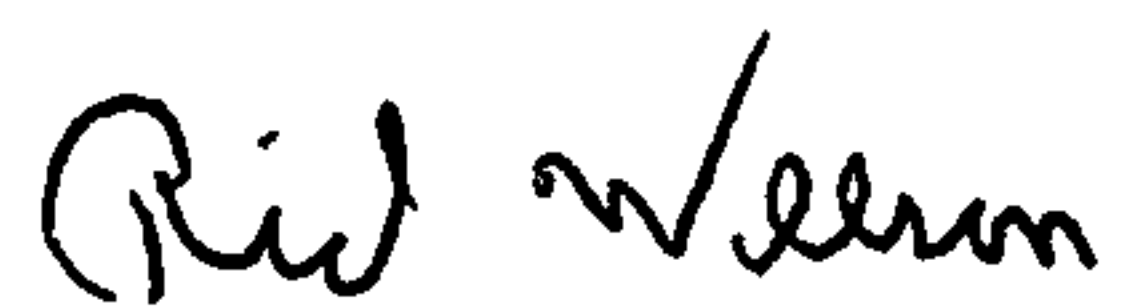
April 13, 2015

RE: 1222 Mountain Road NW
Perea Addition
Easterly Portion of Lots 1, 2, and 3 Block 46

Dear Mr. Cloud,
We are requesting a vacation of the existing excess Right-Of-Way that was deeded to the City in 1958 (see attached copy).

We have been in conversation with Scott Howell to purchase the remaining portions of Lots 1, 2, and 3 and combine into one lot.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Wolfson". The signature is written in a cursive style with a large initial "R".

Richard Wolfson

CITY OF ALBUQUERQUE

ALBUQUERQUE, NEW MEXICO

INTER-OFFICE CORRESPONDENCE

REF. NO. _____

TO: Mr. M. de Vesty, City Attorney, Legal Dept.
FROM: D. Quintana, Right-of-Way Agent, Property Management
SUBJECT: Property on Atrisco Dr. & Property on Mountain Road

The property on Atrisco Drive, Tracts 343 B-1 and 337 B, contains approximately 2,500 square feet. Using 50¢ per square foot, this land value would be \$4,250. The amount due as per foreclosure (Cause No. A-16287) is \$5,128.18.

The property that was taken for the widening of Mountain Road has a value of approximately \$14,516.

DQ/lc

57852

WARRANTY DEED

JOE VANDAMME and LEOTA VANDAMME, his wife, for consideration paid, Grant
to THE CITY OF ALBUQUERQUE, NEW MEXICO, a municipal corporation, the
following described real estate in BERNALILLO County, New Mexico:

The East Fifty-two point Five feet (52.5') of Lots numbered One (1) and Two (2) and a small triangular portion of the East Fifty-two point Five feet (52.5') of Lot number-
ed Three (3), all located in Block numbered Forty-six (46), of the PEREA 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 Probate Clerk and Ex-Officio Recorder of Bernalillo County, New Mexico, on the 1st day of May, 1891, and herein more particularly described by metes and bounds as follows:

FRANK HORAN
CITY ATTORNEY

BEGINNING for a tie at a point, said point being the Northeast corner of Lot numbered One (1) in Block numbered Forty-six (46) of the PEREA ADDITION, to the City of Albuquerque, as the same is shown and designated on the plat of the PEREA ADDITION, filed in the Office of the Probate Clerk and Ex-Officio Recorder of Bernalillo County, New Mexico, on the 1st day of May, 1891, said point being also corner number One (1) and beginning point of the parcel of land herein described:

DATE 3-10-58
WITNESSES
City of Albuquerque

- THENCE - from said beginning corner S. 20° 01' 30" W., along the West right-of-way line of the North-South Alley in aforementioned Block Forty-six (46), a distance of Forty-two point Zero feet (42.0') to a point and corner number Two (2);
- THENCE - N. 67° 50' 30" W., a distance of Fifty-two point Five feet (52.5') to a point and corner number Three (3);
- THENCE - N. 20° 01' 30" E., a distance of Forty-two point Zero feet (42.0') to a point and corner number Four (4);
- THENCE - S. 67° 50' 30" E., along the present South right-of-way line of Mountain Road N. W., a distance of Fifty-two point Five feet (52.5') to a point, said point being the Northeast corner of Lot numbered One (1), Block Forty-six (46) of the aforementioned PEREA ADDITION, and corner number One (1) and the beginning point of the property herein described.

with warranty covenants.

WITNESS hand and seal this _____ day of _____
19 _____
(SEAL)
(SEAL)

ACKNOWLEDGMENT
Individual

STATE OF NEW MEXICO)
)SS.
COUNTY OF BERNALILLO)

ON THIS _____ day of _____, 19____, before me personally appeared _____ to me known to be the person described in and who executed the foregoing instrument and acknowledged that _____ executed the same as _____ free act and deed.
WITNESS my hand and seal the day and year last above written.

Notary Public

My commission expires:

Recording date: 9:52 A.M. - Vol. D-417
Folio #371 - Serial 3-13-58

STATE OF NEW MEXICO, County of _____, ss. I hereby
certify that this instrument was filed for record on the _____ day of
_____ 19____, at _____ o'clock _____ M., and duly recorded
in Book _____, page _____, of the Records of Deeds of said county, on this
_____ day of _____, A. D. 19____.

County Clerk.

By _____
Deputy.

A G R E E M E N T

THIS AGREEMENT, entered into by and between JOE J. VANDAMME and LEOTA VANDAMME, his wife, hereinafter called "SELLER", and THE CITY OF ALBUQUERQUE, NEW MEXICO, a municipal corporation, hereinafter called "BUYER".

W I T N E S S E T H

1. "SELLER" agrees to sell and "BUYER" agrees to purchase the following described premises lying, situate and being in the City of Albuquerque, New Mexico, Bernalillo County, and more fully described as follows:

THE EAST Fifty-Two and One-Half feet (52½') of Lots numbered One (1) and Two (2) and a strip of Lot numbered Three (3) measuring Two feet (2') more or less at the East Property Line and Zero feet (0') at the West end, in Block numbered Forty-Six (46) of the PEREA ADDITION, Albuquerque, New Mexico, and shown and designated on the plat of said Addition, filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 1st day of May, 1891.

2. THAT said property is being acquired by "BUYER" for "Right-of-Way" for the widening of Mountain Road N. W.

3. THAT "BUYER" agrees to pay and "SELLER" agrees to accept, as the gross consideration for said premises, the sum of \$5100.00, payable \$3450.00 down, payable to the Albuquerque National Bank, as payment in full of existing Mortgage and securing of release of said Mortgage, balance of \$1650.00 payable when Title Insurance Policy is approved by the City Attorney.

4. THAT "SELLER" agrees to furnish Title Guarantee Policy, showing good and merchantable title in "SELLER", and agrees to execute a good and sufficient Warranty Deed covering the above premises; "SELLER" also to pay 1957 taxes.

DATED this 20th day of February, 1958.

va. Nov 1954 706 3/20/58 1650.00 Pd in full \$5100.00

APPROVED:

D. F. Macrae
D. F. MACRAE,
Director General Services

Joe J. Vandamme (SEAL)
SELLER
Leota Vandamme (SEAL)
SELLER

CITY OF ALBUQUERQUE, NEW MEXICO
A MUNICIPAL CORPORATION

By Edmund L. Engel
EDMUND L. ENGEL, CITY MANAGER

APPROVED:

Chas. H. Reston
CHAS. H. RESTON,
Land Agent

APPROVED AS TO FORM
FEB 19 1958
FRANK HORAN mwd
FRANK HORAN, CITY ATTORNEY

APPROVED AS TO DESCRIPTION
DATE 2-19-58
WILLIAM J. STEVENS
William J. Stevens
CITY ENGINEER

Owner of abutting property:

Carl Hull - 1222 Mountain Rd NW
(Summit Sales & Service Inc.)

242-4220 office

255-3653 home.

following described real estate in BERNALILLO County, New Mexico:

The East Fifty-two point Five feet (52.5') of Lots numbered One (1) and Two (2) and a small triangular portion of the East Fifty-two point Five feet (52.5') of Lot numbered Three (3), all located in Block numbered Forty-six (46), of the PEREA 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 Probate Clerk and Ex-Officio Recorder of Bernalillo County, New Mexico, on the 1st day of May, 1891, and herein more particularly described by metes and bounds as follows:

BEGINNING for a tie at a point, said point being the Northeast corner of Lot numbered One (1) in Block numbered Forty-six (46) of the PEREA ADDITION, to the City of Albuquerque, as the same is shown and designated on the plat of the PEREA ADDITION, filed in the Office of the Probate Clerk and Ex-Officio Recorder of Bernalillo County, New Mexico, on the 1st day of May, 1891, said point being also corner number One (1) and beginning point of the parcel of land herein described:

THENCE - from said beginning corner S. 20° 01' 30" W., along the West right-of-way line of the North-South Alley in aforementioned Block Forty-six (46), a distance of Forty-two point Zero feet (42.0') to a point and corner number Two (2);

THENCE - N. 67° 50' 30" W., a distance of Fifty-two point Five feet (52.5') to a point and corner number Three (3);

THENCE - N. 20° 01' 30" E., a distance of Forty-two point Zero feet (42.0') to a point and corner number Four (4);

THENCE - S. 67° 50' 30" E., along the present South right-of-way line of Mountain Road N. W., a distance of Fifty-two point Five feet (52.5') to a point, said point being the Northeast corner of Lot numbered One (1), Block Forty-six (46) of the aforementioned PEREA ADDITION, and corner number One (1) and the beginning point of the property herein described.

with warranty covenants.

WITNESS our hands and seals this 12th day of March, 1958.

[Signature] (SEAL)
[Signature] (SEAL)

ACKNOWLEDGMENT
Individual

STATE OF NEW MEXICO)
) SS.
COUNTY OF BERNALILLO)

ON THIS 12th day of March, 1958, before me personally appeared Joe Van Damme & Leota Van Damme to me known to be the persons 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.

APPROVED AS TO FORM
DATE 3-11-58
CITY ATTORNEY
FRANK HORAN



(day of

A. D. 19

County Clerk.

By

Deputy.

State of New Mexico
County of Bernalillo, SS.

This instrument was filed for record on

9 58 MAR 13 1958

at 9 o'clock a.m. Recorded in Vol. 2447
of records of said County. Folio 571

J. J. ... Clerk & Recorder
Deputy Clerk

3-13-58

PROJECT #

1010412

APRIL 22. 2015

SK