



OFFICIAL NOTICE OF DECISION

CITY OF ALBUQUERQUE
PLANNING DEPARTMENT
DEVELOPMENT REVIEW BOARD

May 4, 2016

Project# 1010576

16DRB-70134 PRELIMINARY PLAT

16DRB-70135 VACATION OF PUBLIC ROAD RIGHT OF WAY EASEMENT

THE GROUP agents for NAVISH LLC request the referenced/ above actions for Lots 3-6, Block 20, Tract 3 Unit 1 **NORTH ALBUQUERQUE ACRES** zoned R-D, located on the south side of HOLLY AVE NE between EUBANK BLVD NE and HOLBROOK ST NE containing approximately 4 acres. (C-21)

At the May 4, 2016 Development Review Board meeting, with the signing of the infrastructure list dated 5/4/16 and with an approved grading and drainage plan engineer stamp dated 4/1/16 the preliminary plat was approved. 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.

Findings

(A)(1) The public right of way vacation request was filed by the owners of a majority of the footage of land abutting the proposed vacation.

(B)(1) Based on the proposed development, the public welfare is in no way served by retaining the public right of way esement; the City of Albuquerque does not need to utilize this portion of Holly Avenue.

(B)(3) 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 and signs were posted on the site 15 days prior to the hearing.

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 May 19, 2016 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

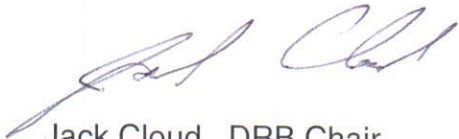
Department form, to the Planning Department, within 15 days of the Development Review Board's decision.

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.)

A handwritten signature in black ink, appearing to read "Jack Cloud". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Jack Cloud, DRB Chair