

March 12, 2026

Development Hearing Officer
City of Albuquerque
600 2nd St NW
Albuquerque, NM 87102

RE: Project Description/Justification Letter for a Vacation of Public Right-of-Way Application – BEING A REPLAT OF LOTS 42-51, PORTION OF LOT 52,53,54 & 55, TOWN OF ATRISCO GRANT, PROJECTED SECTION 15, T 10 N, R 2 E, N.M.P.M., 1.7296 Acres, 62nd Street NW, Albuquerque, NM 87110

Dear Development Hearing Officer,

Community Design Solutions, LLC (CDS), on behalf of Albuquerque Greater Habitat for Humanity, respectfully submits this justification letter in support of a request to vacate approximately 3,085 square feet (0.0708 acres) of public right-of-way at the terminus of 62nd Street NW, in accordance with IDO Section 14-16-6-6(M), *Vacation of Public Easements and Rights-of-Way*.

The area proposed for vacation is identified as Tract B on the proposed preliminary plat, included in this application (see Figure 1 below). This portion of right-of-way currently forms the angled dead-end of 62nd Street NW. During the City's Design Review Committee (DRC) process, staff directed the applicant to vacate this segment so it may be replatted as an HOA-owned tract. This change allows the area to function appropriately as shared access and as the corridor for private storm infrastructure serving the subdivision.

The proposed tract is the only feasible location for the storm sewer outfall from the approved pond. DRC determined that a private storm sewer should not remain within public right-of-way. In addition, due to the existing lot layout, several lots (H, I, 50-A, and 51-A) must share a private driveway across this area, making long-term private ownership more appropriate than continued public dedication. Lastly, DRC requested that 62nd Street terminate with a square, rather than angled, dead-end. The resulting triangular remnant right-of-way is no longer needed for roadway purposes and would be more effectively landscaped and maintained by the HOA.

COMMUNITY DESIGN SOLUTIONS

In accordance with IDO Section 14-16-6-6(M)(3), the request satisfies the criteria for approval, as follows:

§14-16-6-6(M)(3)(a): *The public welfare does not require that the easement, private way, or public right-of-way be retained.*

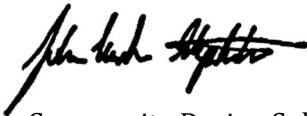
The segment proposed for vacation lies beyond the functional end of 62nd Street NW and does not serve the traveling public. Its only users will be the adjacent future homeowners utilizing the shared private drive, as well as the HOA responsible for the private storm sewer. Vacating the right-of-way aligns ownership and maintenance obligations with actual use and eliminates unnecessary City maintenance and liability.

§14-16-6-6(M)(3)(b): *There is a net benefit to the public welfare because the development made possible by the Vacation is clearly more beneficial to the public welfare than the minor detriment resulting from the Vacation, and there is no convincing evidence that any substantial property right is being abridged against the will of the owner of the right.*

Vacating this portion of right-of-way supports the approved subdivision design and allows for proper placement of private drainage and access improvements consistent with the R-1B zoning designation. There is no detriment to the public, as the right-of-way no longer serves its original purpose. The area is surplus, provides no public benefit in its current configuration, and would otherwise constitute an ongoing maintenance responsibility for the City. No property rights are adversely affected.

If you have any questions or require additional information, please feel free to contact me.

Sincerely,



Community Design Solutions, LLC
 John Stapleton P.E.
 CDS | Project Manager
 505-545-9607