



City of Albuquerque  
Plaza Del Sol, 600 Second NW  
Albuquerque, New Mexico 87102

December 4, 2025

**RE: Vacation of Private Easement**

Development Hearing Officer,

Modulus Architects, Inc., hereafter referred to as the "Agent" for the purpose of this request, represents Robert and Kristy Lee and Regents of UNM Real Estate Dept., hereafter referred to as the "Applicant" and "Property Owners". We, "Agent" is requesting approval of vacation of a sewer easement. This request would affect the following lots:

**Lot: 5**

TR 5 PLAT OF UNM GIBSON COMMERCIAL DISTRICT (A REPL OF TRSA & B, EVER READY SUBD TRS 4 & 5, GIBSON TRS & TR A, 40/25 ASSOCIATES SUBD) CONT 1.5330 AC

**Lot: 3**

TR 3 PLAT OF UNM GIBSON COMMERCIAL DISTRICT (A REPL OF TRS A & B, EVER READY SUBD TRS 4 & 5, GIBSON TRS & TR A, 40/25 ASSOCIATES SUBD) CONT 1.2968 AC

**ZONING**

The subject sites are zoned MX-M. The site is located along the Gibson Commuter Corridor, within an Area of Change, within the Airport Protection Overlay Zone and within the CNM/UNM South Employment Center, as designated in the Albuquerque Comprehensive Plan. The site is also within the Near Heights Mid Heights Community Planning Area. The subject site is along an Urban Principal Arterial (GIBSON BLVD. SE) and a Local Urban Street (ALUMNI DR. SE).

**Site History Existing Uses:**

Tract 3 site is developed with a Raising Cane's Restaurant. Procedural history of this tract is described in PR 2020-004622 which include Site Plan review and approval including a signed off Infrastructure List (SI-2023-00592), an alternative landscaping plan (SD-2023- 00123) and a recorded Infrastructure Improvements (Document# 2023064604). Tract 5 remains undeveloped and vacant.

Sketch Plat review and DFT comments for a vacation of an existing sewer easement and

granting of a new private access easement was reviewed on May 1, 2024 (PR-2020-004622\_PS-2024-00078). Below are how the comments have been addressed:

**ABCWUA:**

1. Please provide the as-built sheet in the submittal for reference.

*Applicant Response: The as-built sheets have been provided in this application. See document named "As-built".*

2. Please provide a surveyed exhibit showing the new realigned sanitary sewer and how it lies within the proposed easement.

*Applicant Response: The new Sanitary Sewer Easement was granted via a paper easement (Doc# 202401391). This document has been included in this application. This approved easement has been indicated on this plat (See "Keyed Easement Notes [A]"). See Exhibit 1 – Sanitary Sewer Realignment.*

3. Please provide the following note on the cover sheet of the proposed plat:

**ABCWUA Public Water & Sanitary Sewer Easements**

Albuquerque Bernalillo County Water Utility Authority (ABCWUA) is granted easement(s) in the dimensions noted on this plat for the construction, installation, maintenance, repair, modification, replacement and operation of public water and sanitary service lines, equipment and facilities reasonably necessary to provide service together with free access on and over the easement and the right to remove trees, shrubs, undergrowth and any other obstacles, modifications, or structures which interfere with use of the easement.

*Applicant Response: N/A. The new Sanitary Sewer Easement was granted via a paper easement (Doc# 202401391). This document has been included in this application. This approved easement has been indicated on this plat (See "Keyed Easement Notes [A]").*

**Code:**

1. Code Enforcement has no objections.

*Applicant Response: Noted*

**Parks and Recreation Department:**

1. No comments at this time.

*Applicant Response: Noted*

**Hydrology:**

1. Hydrology has an approved Grading & Drainage Plan (L15D051A) with engineer's stamp 02/06/2023.

*Applicant Response: Noted*

2. Hydrology has no objection to the vacation and the platting action.

*Applicant Response: Noted*

**Transportation:**

1. Transportation has an approved TCL dated 3/9/2023. No objection.

Applicant Response: Noted

**Project Request:**

As previously mentioned, the focus of the request is to vacate an existing sewer easement which was granted in 1982. The original plat that dedicated this easement has been included in the application. This request came to pass due to the Canes development. The original easement did not realign with the design. A new easement was provided via Doc# 202401391. This request is to clean up the site and remove the unneeded Sewer Easement that was replaced by another realigned easement.

All prior approvals are in place and are not being modified (G&D, Hydrology, Water Availability Statements). There are no additional proposed uses or changes needed to the prior approvals are needed for this application.

This request is in compliance with IDO Section 14-16-6-6(M)(3) Review and Decision Criteria. If you have any additional questions or concerns regarding this submittal please feel free to contact me directly at (505) 338-1499 or email me at: [brydie@modulusarchitects.com](mailto:brydie@modulusarchitects.com).

**Best Regards,**

**Brydie Clark, Office Manager / HR Manager / Comptroller**  
**Modulus Architects & Land Use Planning, Inc.**

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