

AN ORDINANCE VACATING THE EASTERLY TWENTY-FIVE (25) FEET OF THE RIGHT-OF-WAY OF WYOMING BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF INDIAN SCHOOL ROAD TO A POINT 466.77 FEET SOUTH OF THE SOUTHERLY RIGHT OF WAY LINE OF MENAUL BOULEVARD, NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS:

ALSO THE SOUTHERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF MENAUL BOULEVARD NE FROM A POINT 466.77 FEET EAST OF THE EASTERLY RIGHT OF WAY LINE OF WYOMING BOULEVARD NE TO THE WESTERLY RIGHT OF WAY LINE OF MOON STREET NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

ALSO THE EASTERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF EUBANK BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF MENAUL BOULEVARD NE TO THE SOUTHERLY RIGHT OF WAY LINE OF THE ALLEY IN BLOCK FORTY THREE (43) SNOW HEIGHTS ADDITION TO THE CITY OF ALBUQUERQUE AS RECORDED NOVEMBER 4, 1953; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS:

ALSO THE EASTERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF EUBANK BOULEVARD NE FROM THE NORTHERLY RIGHT OF WAY LINE OF CLAREMONT NE TO THE SOUTHERLY RIGHT OF WAY LINE OF CANDELARIA ROAD, NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS:

ALSO THE SOUTHERLY TWENTY FIVE (25) FEET OF THE RIGHT OF WAY OF CANDELARIA ROAD NE FROM THE EASTERLY RIGHT OF WAY LINE OF EUBANK BOULEVARD NE TO THE WESTERLY RIGHT OF WAY LINE OF MORRIS STREET NE; EXCEPTING THEREFROM THE RIGHT OF WAY FOR INTERSECTING STREETS AND ALLEYS;

AND AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED TO ADJOINING PROPERTY OWNERS AND DECLARING AN EMERGENCY.

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico a tract of land for street purposes being seventy-five (75) feet in width from the center line and being 2105.56 feet in length from north to south, which area, so dedicated was partial right-of-way for Wyoming boulevard NE and is shown on plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 30th day of November, 1953;

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land for street purposes being seventy five (75) feet in width from the center line and being 2138.34 feet in length East to West, which area, so dedicated is partial right of way for Menaul Boulevard NE as shown and designated on the plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County; New Mexico, on the 30th day of November, 1953;

290

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land seventy-five (75) feet in width from the center line and 2582.08 feet in length north to south, which area, so dedicated is partial right of way for Eubank Boulevard NE as shown on the plat of Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 4th day of November, 1953;

WHEREAS, there has heretofore been dedicated and conveyed to the City of Albuquerque, New Mexico, a tract of land for street purposes seventy five (75) feet in width from the center line and 2632.90 feet in length east to west, which area, so dedicated is partial right of way for Candelaria Road NE as shown and designated on a plat of the Snow Heights Addition to the City of Albuquerque filed in the Office of the Clerk of Bernalillo County, New Mexico, on the 4th day of November, 1953;

WHEREAS, it is necessary for a portion of said streets to be vacated because of no public use;

NOW, THEREFORE, be it ordained by the City Commission of the City of Albuquerque, New Mexico, that

SECTION 1. The following described portions of Wyoming Boulevard, NE, Menaul Boulevard, NE, Eubank Boulevard, NE, and Candelaria Road, NE in aforementioned Snow Heights Addition to the City of Albuquerque, New Mexico, be closed and vacated:

The easterly twenty five (25) feet of the right of way of Wyoming Boulevard NE from the northerly right of way line of Indian School Road to a point 466.77 feet south of the southerly right of way line of Menaul Boulevard, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the southerly twenty five (25) feet of the right of way of Menaul Boulevard, NE, from a point 466.77 feet east of the easterly right of way line of Wyoming Boulevard, NE to the westerly right of way line of Moon Street, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the easterly twenty five (25) feet of the right of way of Eubank Boulevard NE from the northerly right of way line of Menaul Boulevard NE to the southerly right of way line of the alley in Block forty three (43) Snow Heights Addition to the City of Albuquerque as recorded November 4, 1953, excepting therefrom the right of way for intersecting streets and alleys;

Also the easterly Twenty Five (25) feet of the right of way of Eubank Boulevard, NE from the northerly right of way line of Claremont NE, to the southerly right of way line of Candelaria Road, NE, excepting therefrom the right of way for intersecting streets and alleys;

Also the southerly twenty five (25) feet of the right of way of Candelaria Road, NE, from the easterly right of way line of Eubank Boulevard NE to the westerly right of way line of Morris Street, NE, excepting therefrom the right of way for intersecting streets and alleys;

SECTION II. The City hereby reserves all easements for public utilities, whether municipally owned or privately owned, which may be necessary for public use and benefit at the present time or in the future.

SECTION III. Immediately upon the effective date of this ordinance, the land above described shall be effectively vacated and the City of Albuquerque, by this ordinance disclaims from such date, any further interest therein and consents that the same shall be conveyed to the owners of abutting property. The Chairman of the City Commission and the City Clerk are hereby authorized on application of abutting owners to execute and issue disclaimers of interest on behalf of the City at any time without further authorization.

SECTION IV. Immediately upon the effective date of this Ordinance the proper officials of the City of Albuquerque, New Mexico, be, and they are hereby authorized and directed to make, execute, and deliver, a Quitclaim Deed to all that portion of said street so vacated to adjoining property owners.

SECTION V. This ordinance is hereby declared to be an emergency ordinance, on the ground of public need and shall be in full force and effect after its adoption, passage and publication according to law.

PASSED, ADOPTED, SIGNED, AND APPROVED THIS 12 day of February, 1957.

State of New Mexico }
County of Bernalillo, } SS

This instrument was filed for record on

FEB 18 1957

At ^{10:20} o'clock ^am. Recorded in Vol. 377

of records of said County Folio 289

LUCY JARAMILLO Clerk & Recorder

ATTEST: Julius Lawley Deputy Clerk

Ida V. Malone
Ida V. Malone

[Signature]
Chairman of City Commission
and Ex-Officio Mayor of City
of Albuquerque, New Mexico

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

Subscribed and sworn to before me, this 15th day of February, 1957.

My comm exp: July 5, 1960.

[Signature]
Notary Public

CITY COMMISSION
 December 10, 1957
 V-153 (~~C-8-891~~)

COMMISSION ORDINANCE NO. 1292

AN ORDINANCE TO CLOSE AND VACATE
 PORTIONS OF CERTAIN STREETS LYING
 WITHIN THE EXTERIOR BOUNDARIES OF
 SNOW HEIGHTS ADDITION, TOWNT:

1. The southerly 22 feet of Menaul Boulevard, NE, between Moon Street, NE, and Parsifal Street, NE, and between a point 436.41 feet east of the easterly right-of-way lines of Eubank Boulevard, NE, and Juan Tabo Boulevard, NE.
2. The northerly 22 feet of Menaul Boulevard, NE, between Juan Tabo Boulevard, NE, and the public easement along the northwest side of Block Eighty-eight (88) of Snow Heights Addition, and between Carol Street, NE, and Eubank Boulevard, NE.
3. The southwesterly 22 feet of Snow Heights Circle, NE, between Parsifal Street, NE, and Snow Heights Boulevard, NE.
4. The westerly 22 feet of Eubank Boulevard, NE, between Snow Heights Boulevard, NE, and Indian School Road, NE.
5. The easterly 22 feet of Eubank Boulevard, NE, between Indian School Road, NE, and a point 693.99 feet north of the northerly right-of-way line of Snow Heights Boulevard, NE.
6. The westerly 22 feet of Juan Tabo Boulevard, NE, between Indian School Road, NE, and Candelaria Road, NE.
7. The southerly 22 feet of Candelaria Road, NE, between Morris Street, NE, and Juan Tabo Boulevard, NE, reserving and excepting therefrom the existing rights-of-way for any and all cross streets, and drainage easements.

AND DECLARING AN EMERGENCY.

WHEREAS certain portions of streets in Snow Heights Addition to the City of Albuquerque, New Mexico, have not been utilized in any manner by the City, are not needed, are of no value to the City, and the utilization and maintenance of the same by the City would be burdensome and in excess of the benefits therefrom; and

WHEREAS the City Planning Commission of the City of Albuquerque, New Mexico, after due and proper hearing, has recommended to this Commission that portions of said streets be vacated and closed, except for and reserving an underground easement across and beneath the south-

westerly ten (10) feet of Snow Heights Circle, NE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ALBUQUERQUE, NEW MEXICO:

Section 1. That the following described portions of streets located within the exterior boundaries of Snow Heights Addition to the City of Albuquerque, New Mexico, as the same are shown and designated on the Plats thereof filed in the Office of the Clerk of Bernalillo County, New Mexico, on November 4, 1953, November 30, 1953, and December 31, 1953, to-wit:

1. The southerly 22 feet of Menaul Boulevard, NE, between Moon Street, NE, and Parsifal Street, NE, and between a point 436.41 feet east of the easterly right-of-way line of Eubank Boulevard, NE, and Juan Tabo Boulevard, NE, as per Plat filed November 30, 1953, and December 31, 1953.
2. The northerly 22 feet of Menaul Boulevard, NE, between Juan Tabo Boulevard, NE, and the public easement along the northwest side of Block Eighty-eight (88) of Snow Heights Addition, and between Carol Street, NE, and Eubank Boulevard, NE, as per Plat filed November 4, 1953.
3. The southwesterly 22 feet of Snow Heights Circle, NE, between Parsifal Street, NE, and Snow Heights Boulevard, NE, excepting and reserving an underground easement across and beneath the southwesterly ten (10) feet thereof for power and telephone uses and purposes, as per Plat filed November 30, 1953.
4. The westerly 22 feet of Eubank Boulevard, NE, between Snow Heights Boulevard, NE, and Indian School Road, NE, as per Plat filed November 30, 1953.
5. The easterly 22 feet of Eubank Boulevard, NE, between Indian School Road, NE, and a point 693.99 feet north of the northerly right-of-way line of Snow Heights Boulevard, NE, as per Plat filed December 31, 1953.
6. The westerly 22 feet of Juan Tabo Boulevard, NE, between Indian School Road, NE, and Candelaria Road, NE, as per Plats filed November 4, 1953, and December 31, 1953.
7. The southerly 22 feet of Candelaria Road, NE, between Morris Street, NE, and Juan Tabo Boulevard, NE, as per Plat filed November 4, 1953.

be and the same hereby are vacated and closed, excluding the right-of-way for any and all cross streets and alleys, sewer and water and drainage easements.

Section 2. That by virtue of Section 14-2-5 of the 1953 Compilation New Mexico Statutes Annotated as Amended, title to said portion of streets subject to said underground easement, is automatically vested in the owners

of abutting property immediately upon the effective date of this ordinance and that a duplicate original of this ordinance be recorded and filed of record in the Office of the Clerk of Serranillo County, New Mexico.

Section 3. That said owners pay the cost of publication hereinto.

Section 4. That this Ordinance is hereby declared to be a valid Ordinance on the ground of urgent public need and shall be in full force and effect after its adoption, passage, and legal publication.

107521
[Signature]
City Clerk

[Signature]
Chairman, City Council

2.

76

State of New Mexico }
County of Bernalillo, } SS

This instrument was filed for record on

DEC 23 1957

at 9:03 o'clock (a.m.) Recorded in Vol. *Misc* 24
of records of said County Folio 72

George J. Lammillo Clerk & Recorder
Deputy Clerk

12-23-57