

PLANNING DEPARTMENT  
DEVELOPMENT SERVICES DIVISION  
600 2nd Street NW, Ground Floor, 87102  
P.O. Box 1293, Albuquerque, NM 87103  
Office (505) 924-3946

## OFFICIAL NOTIFICATION OF DECISION

March 22, 2019

Ben E Keith  
601 E 7<sup>th</sup> Street  
Fort Worth TX 76102

**Project# PR-2018-001903**

Application#

**SD-2019-00046** – VACATION OF PRIVATE  
SIDEWALK EASEMENT

**SD-2018-00047** – VACATION OF 20' PUBLIC  
STORM DRAIN EASEMENT

**SD-2019-00048**- VACATION OF 20' PUBLIC  
WATERLINE EASEMENT

**SD-2018-00049** – VACATION OF 10' PUBLIC  
UTILITY EASEMENT

**SD-2019-00050**- VACATION OF 10' PUBLIC  
UTILITY EASEMENT

**LEGAL DESCRIPTION:**

All or a portion of LOT 1A BULK LAND PLAT of  
LOT 1-A UNSER TOWNE CROSSING & LOT 8 PLAT  
OF TOWNE CROSSING, zoned NR-BP, located on  
UNSER BLVD between LOS VOLCANES RD NW  
and GALLATIN PL NW , containing approximately  
50.46 acre(s). (J-10)

On March 20, 2019, the Development Review Board (DRB) held a public hearing concerning the above referenced application and approved the requests based on the following Findings:

**Findings : SD-2019-00046 – VACATION OF PRIVATE SIDEWALK EASEMENT**

1. The applicant proposes to vacate one PRIVATE SIDEWALK EASEMENT, as shown on exhibit labeled Plat of Lots 1-A and 8-A, Unser Towne Crossing.
2. The public welfare does not require that the public right-of-way or easement be retained because the Right of Way along which the sidewalk would have developed was vacated; future development will be served by sidewalk along existing roadways or with new sidewalk as part of future development. City Council approved the vacation on January 24, 2019.

**Conditions:**

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval. The replat will finalize the Vacation of the Right of Way and easements as well as showing any new required easements.

**SD-2018-00047 – VACATION OF 20' PUBLIC STORM DRAIN EASEMENT**

1. The applicant proposes to vacate one 20' PUBLIC STORM DRAIN EASEMENT, as shown on exhibit labeled Plat of Lots 1-A and 8-A, Unser Towne Crossing.
2. The public welfare does not require that the public right-of-way or easement be retained because the roadway where the easement was located has been vacated and any new easements will be dedicated with the required final plat. City Council approved the vacation of Towne Crossing on January 24, 2019.

**Conditions:**

2. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval. The replat will finalize the Vacation of the Right of Way and easements as well as showing any new required easements.

**SD-2019-00048- VACATION OF 20' PUBLIC WATERLINE EASEMENT**

3. The applicant proposes to vacate one 20' PUBLIC WATERLINE EASEMENT, as shown on exhibit labeled Plat of Lots 1-A and 8-A, Unser Towne Crossing.
4. The public welfare does not require that the public right-of-way or easement be retained because the roadway where the easement was located has been vacated and any new easements will be dedicated with the required final plat. City Council approved the vacation on January 24, 2019.

**Conditions:**

5. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval. The replat will finalize the Vacation of the Right of Way and easements as well as showing any new required easements.

**SD-2018-00049 – VACATION OF 10' PUBLIC UTILITY EASEMENT**

1. The applicant proposes to vacate one 20' PUBLIC WATERLINE EASEMENT, as shown on exhibit labeled Plat of Lots 1-A and 8-A, Unser Towne Crossing.
2. The public welfare does not require that the public right-of-way or easement be retained because the roadway where the easement was located has been vacated and any new easements will be dedicated with the required final plat. City Council approved the vacation on January 24, 2019.

**Conditions:**

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval. The replat will finalize the Vacation of the Right of Way and easements as well as showing any new required easements.

**SD-2018-00049 – VACATION OF 10' PUBLIC UTILITY EASEMENT**

1. The applicant proposes to vacate one 20' PUBLIC WATERLINE EASEMENT, as shown on exhibit labeled Plat of Lots 1-A and 8-A, Unser Towne Crossing.
2. The public welfare does not require that the public right-of-way or easement be retained because the roadway where the easement was located has been vacated

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and any new easements will be dedicated with the required final plat. City Council approved the vacation on January 24, 2019.

**Conditions:**

1. A replat showing the vacated property must be approved by the DRB and recorded within one year of today's approval. The replat will finalize the Vacation of the Right of Way and easements as well as showing any new required easements.

**APPEAL:** If you wish to appeal this decision, you must do so within 15 days of the DRB's decision or by **APRIL 4, 2019**. The date of the DRB's decision is not included in the 15-day period for filing an appeal, and if the 15<sup>th</sup> day falls on a Saturday, Sunday or Holiday, the next working day is considered as the deadline for filing the appeal.

For more information regarding the appeal process, please refer to Section 14-16-6-4(U) of the Integrated Development Ordinance (IDO). A Non-Refundable filing fee will be calculated at the Land Development Coordination Counter and is required at the time the appeal is filed.

You will receive notification if any person files an appeal. If there is no appeal, you can receive Building Permits at any time after the appeal deadline quoted above, provided all conditions imposed at the time of approval have been met. Applicants submitting for building permit prior to the completion of the appeal period do so at their own risk. Successful applicants are reminded that there may be other City regulations of the IDO that must be complied with, even after approval of the referenced application(s).

Sincerely,



Kym Dicome  
DRB Chair

KD/mg

Tierra West 5571 Midway Park Place NE ABQ NM 87109