

RESOLUTION NO. RP2018-4

A RESOLUTION FOR A POSITIVE NEGATIVE RECOMMENDATION TO THE GALLUP CITY COUNCIL FOR APPROVAL OF A REQUEST BY ALBERTO VILLEGAS, ON BEHALF OF PMV REAL ESTATE LIMITED, PROPERTY OWNER FOR VACATION OF A 10' WIDE 831.88' LONG PUBLIC UTILITY EASEMENT (P.U.E) AND DEDICATION OF A NEW 10' WIDE 614.23' LONG PUBLIC UTILITY EASEMENT ALONG THE INDUSTRY DRIVE FRONTAGE OF THE PROPERTY LOCATED AT 3205 INDUSTRY DRIVE.

WHEREAS, Mr. Alberto Villegas, on behalf of PMV Real Estate Limited, property owner, has petitioned Gallup Planning and Zoning Commission for recommendation to the Governing Body of the City of Gallup for vacation of a 10' wide, 831.88' long public utility easement (P.U.E.) and for dedication of a new 10' wide 614.23' long public utility easement (P.U.E.) as described in the metes and bounds descriptions hereinafter and located at 3205 Industry Drive; more particularly described as a Tract of Land in 23 15 19, the S ½ containing 10.59 acres M/L; and

WHEREAS, the aforementioned public utility easement (P.U.E) as shown on the Easement Survey sheet 1 of 2 and described on Easement Survey sheet 2 of 2, both being made part of this ordinance, that is being vacated shall be described as follows:

A STRIP OF LAND 10' WIDE LYING WITHIN SECTION 23, TOWNSHIP 15 NORTH, RANGE 19 WEST, N.M.P.M., GALLUP, MCKINLEY COUNTY, NEW MEXICO. THE CENTERLINE BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE WEST ZONE GRID BEARINGS AND GROUND DISTANCES AS FOLLOWS.

COMMENCING AT THE EAST ONE QUARTER CORNER OF SAID SECTION 23. THENCE S09°06'03"W, 1360.72' TO A POINT; THENCE S82°46'03"W, 3017.25' TO A POINT; THENCE N07°15'48"W, 100' TO A POINT; THENCE S82°46'03"W, TO THE REAL POINT OF BEGINNING;

THENCE S82°46'03"W, 831.88' TO THE POINT OF ENDING;
CONTAINING 0.1910 ACRES +/-

THE SIDE LINES SHORTENED AS TO TERMINATE AT THE EASEMENT LINE AND PROPERTY LINE; and

WHEREAS, PMV Real Estate Limited, property owner, shall terminate and remove the existing city electric main line within the described easement area being vacated; and

WHEREAS, a ten foot (10') public utility easement shall be dedicated along the Industry Drive frontage of said property to accommodate any future development that may occur; and

WHEREAS, the aforementioned public utility easement (P.U.E.) as shown on the Easement Survey sheet 1 of 2 and described on Easement Survey sheet 2 of 2, both being made part of this ordinance, that is being dedicated shall be described as follows:

A STRIP OF LAND 10' WIDE LYING WITHIN SECTION 23, TOWNSHIP 15 NORTH, RANGE 19 WEST, N.M.P.M., GALLUP, MCKINLEY COUNTY, NEW MEXICO, LYING SOUTHERLY, PARALLEL AND ADJACENT TO THE FOLLOWING DESCRIBED NORTH LINE BEING MORE PARTICULARLY DESCRIBED WITH NEW MEXICO STATE PLANE WEST ZONE GRID BEARINGS AND GROUND DISTANCES AS FOLLOWS.

COMMENCING AT THE EAST ONE QUARTER CORNER OF SAID SECTION 23, THENCE S09°06'03"W, 1360.72' TO A POINT; THENCE S82°46'03"W, 3017.25' TO A POINT; THENCE N07°15'48"W, 629.78' TO A POINT ON A CURVE AND THE REAL POINT OF BEGINNING;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2654.79', LENGTH OF 535.13', DELTA OF 11°32'57", AND CHORD DIMENSIONS OF S60°50'49"W, 534.23' TO A POINT;

THENCE N34°55'42"W, 30.00' TO A POINT ON A CURVE;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2684.79', LENGTH OF 50.00', DELTA OF 01°04'01", AND A CHORD DIMENSIONS OF S54°32'19"W, 50.00' TO THE POINT OF ENDING;

CONTAINING 0.1406 ACRES +/-

THE SOUTH LINE SHORTENED AS TO TERMINATE AT THE EAST LINE; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission after notice as required by law; and

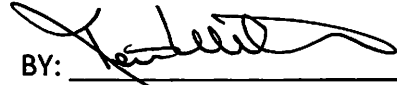
WHEREAS, the Planning and Zoning Commission deems it in the best interest of the public and recommends to the Gallup City Council that this application be approved denied.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GALLUP, SITTING AS THE BOARD OF ADJUSTMENT, that:

1. The City of Gallup Planning and Zoning Commission hereby sends to the Gallup City Council a POSITIVE NEGATIVE recommendation for approval of Ordinance No. S2018-1, to vacate a ten foot (10') wide, public utility easement (P.U.E.) and to dedicate a new ten foot (10') wide public utility easement (P.U.E.) along the Industry Drive frontage of said property, both as described above


PASSED, ADOPTED AND APPROVED THIS 11TH DAY OF APRIL 2018

CITY OF GALLUP, MCKINLEY COUNTY

BY:  _____

KENT WILSON, CHAIRMAN
PLANNING AND ZONING COMMISSION

ATTEST:



Clyde (C.B.) Strain, Planning & Development Director
Secretary Planning and Zoning Commission