

TOWN OF EDGEWOOD
COUNTY OF SANTA FE
STATE OF NEW MEXICO

*In re. Final Plat, Phase One Appeal of Pueblo
Artesanos Phase One Final Plat Appeal SU-
2007-10*

RESOLUTION 2008-39
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Town of Edgewood Council on an appeal request by Tom & Kathy Russell for Phase One Final Plat of Pueblo Artesanos located east of Horton Road, north of Hill Ranch Road in the Town of Edgewood. The Council has duly considered the evidence presented by the applicant, Tom & Kathy Russell, Ullrich/Jensen LLC., & Town Staff. This evidence has taken the form of documents and testimony presented at a hearing before the Council held May 28, 2008.

Being thus sufficiently advised, the Town Council adopts the following findings of fact and conclusions of law:

I. Findings of Fact.

1. The Town of Edgewood incorporated in 1999 and is a duly formed municipal corporation and political subdivision of the State of New Mexico.
2. The property that is the subject of the requested final plat appeal is located within the municipal boundaries of the Town of Edgewood, as they currently exist.
3. The jurisdiction of the Town over the requested final plat is not contested.
4. The Town Council made a motion to deny the appeal of Pueblo Artesanos Phase I Final Plat and accept the Final Plat with conditions.
5. Grant of the request is consistent with the public interest and welfare of the citizens of Edgewood and with applicable zoning & subdivision regulations adopted by the Town.

II. CONCLUSIONS OF LAW.

- A. The Council has jurisdiction over the final plat.

- B. The request of the appellant should not be granted, as all applicable regulations and ordinances have been met.
- C. Jensen/Ullrich LLC. shall have the following conditions placed upon approval:
 - 1. Maintenance of the existing Rory road and dust abatement shall continue from Horton Road throughout the subdivision back to Horton road throughout the period of construction of both Phase I and Phase II.
 - 2. The entirety of Pueblo Artesanos from Horton Road throughout the subdivision back to Horton road shall be paved prior to the final Plat of Phase II.
 - 3. The disclosure statement for Pueblo Artesanos shall be modified to state specifically that homeowners throughout the subdivision are responsible for a proportional share of the maintenance for Rory road from Horton Road throughout the entire subdivision returning to Horton Road.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

The property that is the subject of this appeal hereby is denied.

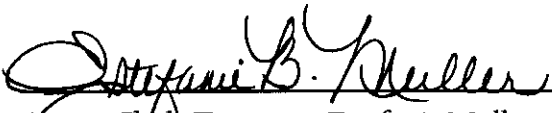
IT IS SO ORDERED.

Approved:



Mayor, Robert Stearley

Attest:



Acting Clerk-Treasurer, Estefanie Muller