

CITY of ALBUQUERQUE TWENTY SECOND COUNCIL

COUNCIL BILL NO. R-16-54 ENACTMENT NO. R-2016-049

SPONSORED BY: Dan Lewis

1 **RESOLUTION**

2 **DIRECTING THE CITY REAL PROPERTY DIVISION TO WORK WITH THE**
3 **PROPERTY OWNERS OF TRACTS B-9E-1 AND B-9F, SEVEN BAR RANCH, IN**
4 **NORTHWEST ALBUQUERQUE TO TERMINATE THE RESTRICTIVE COVENANT**
5 **RETAINED BY THE CITY AT THE TIME OF SALE WHICH LIMITS THE USES OF**
6 **THE PROPERTY TO SENIOR HOUSING.**

7 **The City Council Finds:**

8 **WHEREAS, the real property described as Tract B-9E-1 and Tract B9F,**
9 **Seven Bar Ranch, and located between Ellison Drive and Cibola Loop NW (the**
10 **“Cibola Loop Property”) was sold by the City in 2007 to a private purchaser;**
11 **and**

12 **WHEREAS, upon sale the City restricted the Cibola Loop Property through**
13 **quitclaim deed recorded in the office of the County Clerk of Bernalillo County**
14 **on April 27, 2007, restricting development of the property to occupancy**
15 **pursuant to the Housing for Older Persons Act of 1995; and**

16 **WHEREAS, since the time of sale by the City, the Cibola Loop Property has**
17 **remained vacant and undeveloped while the surrounding neighborhood has**
18 **developed and matured with primarily non-age-restricted single and**
19 **multifamily residential land uses; and**

20 **WHEREAS, the Cibola Loop Property may no longer be suitable for**
21 **occupancy as required by the restriction due to its location adjacent to a high**
22 **school and a major transportation hub and close to a major commercial**
23 **center; and**

24 **WHEREAS, the restriction imposed at the time of sale may be terminated**
25 **with the approval of the City Council.**

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion

1 BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF
2 ALBUQUERQUE:

3 A. The City of Albuquerque Real Property Division is directed to work
4 with the owner(s) or representatives of the Cibola Loop Property to release the
5 restriction limiting development of the property to occupancy pursuant to the
6 Housing for Older Persons Act of 1995 in compliance with any applicable laws,
7 policies, or practices of the City Real Property Division.

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33 X:\CITY COUNCIL\SHARE\CL-Staff_Legislative Staff\Legislation\22 Council\IR-54final.doc

[Bracketed/Underscored Material] - New
[Bracketed/Strikethrough Material] - Deletion


1 PASSED AND ADOPTED THIS 20th DAY OF June, 2016
2 BY A VOTE OF: 9 FOR 0 AGAINST.

3
4
5
6 

7 _____
8 Dan Lewis, President
9 City Council

10
11
12
13 APPROVED THIS 6th DAY OF July, 2016

14
15
16
17
18 **Bill No. R-16-54**

19
20
21 
22 _____
23 Richard J. Berry, Mayor
24 City of Albuquerque

25
26 ATTEST:

27
28 
29 Natalie Y. Howard, City Clerk

[+Bracketed/Underscored Material+] - New
[-Bracketed/Strikethrough Material-] - Deletion