

1 RESOLUTION

2 of the

3 TRANSPORTATION COORDINATING COMMITTEE

4 of the

5 METROPOLITAN TRANSPORTATION BOARD

6 of the

7 MID-REGION COUNCIL OF GOVERNMENTS OF NEW MEXICO

8 (R-13-02 TCC)

9 **MODIFYING ACCESS ON UNSER BOULEVARD NORTH OF PASEO DEL NORTE**  
10 **TO GRANT TEMPORARY ACCESS TO PROPERTY LOCATED AT THE**  
11 **NORTHEAST CORNER OF UNSER BOULEVARD AND PASEO DEL NORTE**  
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13 WHEREAS, Resolution R-05-09 MTB adopted policies for determining roadway  
14 access modifications in the Albuquerque Metropolitan Planning Area; and

15 WHEREAS it is the responsibility of the Transportation Coordinating Committee  
16 of the Metropolitan Transportation Board to affect any changes to the Limited Access  
17 Roadways in the Albuquerque Metropolitan Planning Area; and

18 WHEREAS the City of Albuquerque has submitted a request to permit a  
19 temporary access onto Unser Boulevard to access property at the corner of Unser  
20 Boulevard and Paseo del Norte.

21 NOW, THEREFORE BE IT RESOLVED by the Transportation Coordinating  
22 Committee of the Metropolitan Transportation Board of the Mid-Region Council of  
23 Governments of New Mexico that the Roadway Access Policies for the Albuquerque  
24 Metropolitan Planning Area are amended, to provide temporary, full access onto Unser  
25 Boulevard (refer to Attachment A) subject to the following provisions:

26           A). As a condition precedent for approval of this temporary access, owner will 1).  
27 provide the City of Albuquerque with easements acceptable to the City within properties  
28 located to the north and/or east of the subject property which will provide access to  
29 Paseo del Norte or Unser Boulevard at locations consistent with the *Roadway Access*  
30 *Policies for the Albuquerque Metropolitan Planning Area*; and 2). execute a release to  
31 the City in a form acceptable to the City agreeing to waive any claim for damages when  
32 the temporary access is terminated.

33           B). The temporary access and associated roadwork on Unser Boulevard is to be  
34 designed and constructed to the specifications determined and approved by the City  
35 Traffic Engineer.

36           C). All necessary zoning, construction and building permits for the property  
37 shown in Attachment A are secured no later than thirty-six (36) months following the  
38 date of adoption of this resolution.

39           D). Construction of the temporary access point is underway no latter than forty-  
40 two (42) months following the date of adoption of this resolution.

41           E). At the sole discretion of the City Traffic Engineer, conversion of the temporary  
42 access point to right-in/right-out only access shall be completed by the property owner  
43 at the owner's expense, no later than six (6) months after notification to the property  
44 owner by the City Traffic Engineer; said work shall be designed and constructed to the  
45 specifications determined and approved by the City Traffic Engineer.

46           F). At the sole discretion of the City Traffic Engineer, closure of the temporary  
47 access shall be ordered once the City Traffic Engineer is satisfied that there is  
48 alternative reasonable access to the property, with the temporary access closure to be

49 undertaken by the property owner at the owner's expense, no later than twelve (12)  
50 months after notification to the property owner by the City of Albuquerque, with said  
51 work to be designed and constructed to the specifications determined and approved by  
52 the City Traffic Engineer.

53 G). This resolution shall expire and become null and void if provisions B, C, D or  
54 E are not accomplished in the time frames specified above.

55 H). The temporary access provided by this resolution shall not provide a right of  
56 permanent access from the subject property to or from Unser Boulevard or Paseo del  
57 Norte.

58 I). The temporary access provided by this resolution shall be exclusive to the  
59 triangular portion of property shown in Attachment A, and shall not be available to any  
60 other properties, except for the property shown on Attachment A, for any use.

61 PASSED, APPROVED, AND ADOPTED this 7th day of June 2013 by the  
62 Transportation Coordinating Committee of the Metropolitan Transportation Board of the  
63 Mid-Region Council of Governments of New Mexico.

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George Bootes, Chair  
Transportation Coordinating Committee

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70 ATTEST:

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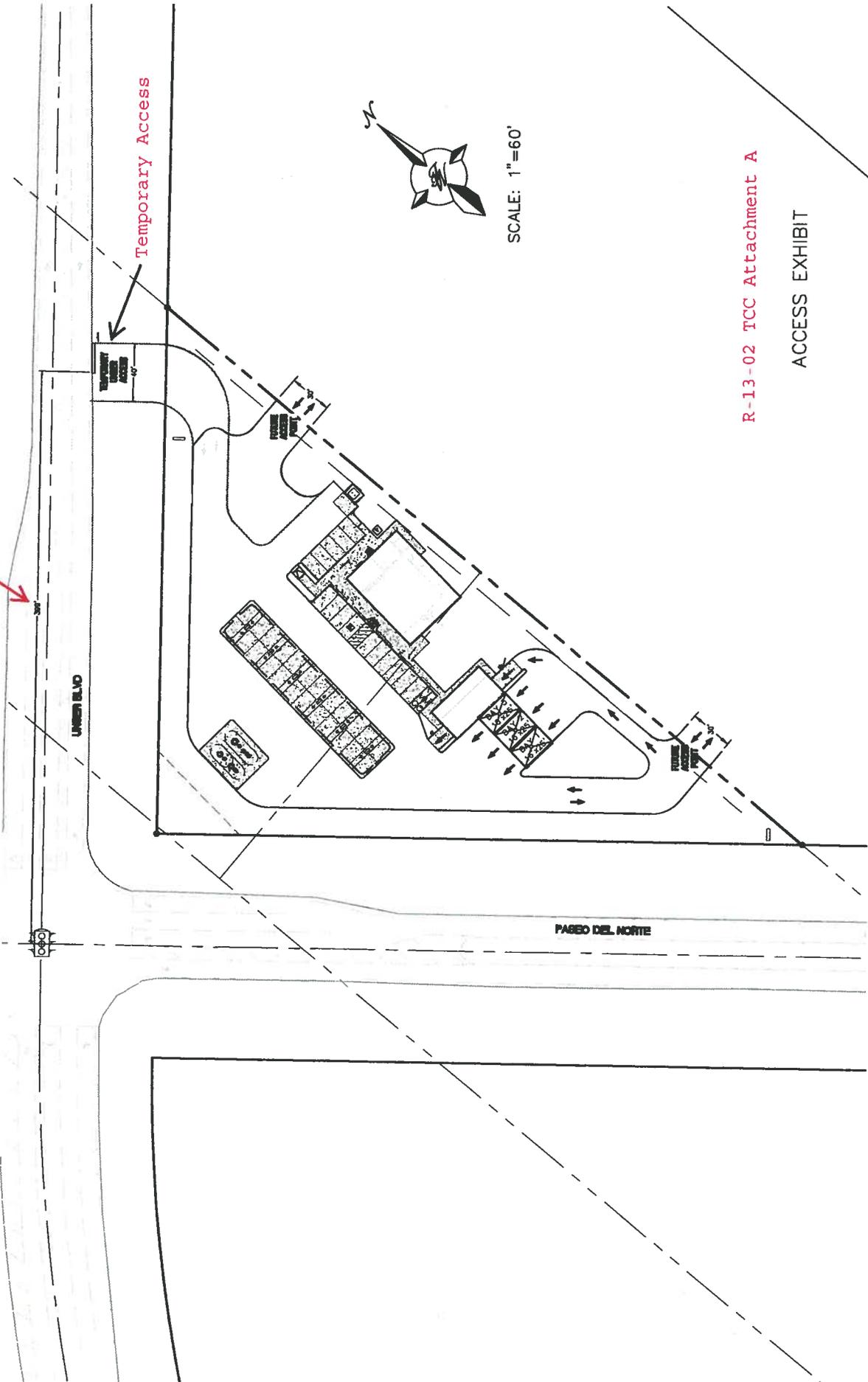
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Dewey V. Cave  
Executive Director

399'



Temporary Access

SCALE: 1"=60'

R-13-02 TCC Attachment A

ACCESS EXHIBIT