

Cabazon Developer Sues Rio Rancho Over Impact Fee Moratorium

By Rosalie Rayburn / Journal Staff Writer on Fri, Oct 12, 2012

Developer Curb North Inc. has slapped city of Rio Rancho with a \$5.6 million lawsuit over the two-year impact fee moratorium.

The company repeatedly warned councilors of their intention to sue before the council took the action on Sept. 12. The measure reduced the fees the city charges developers for infrastructure like roads and sewer lines by 50 percent for residential development and eliminated them for commercial development.

Letters the company sent to city officials said would devalue the more than \$8 million in credits the company received in a 2010 settlement related to infrastructure Curb installed at Cabazon. Curb has been able to sell the credits to other developers.

Curb filed the lawsuit on Sept. 30 in the Sandoval County 13th Judicial District Court.

City Manager says lawsuit could cost city \$50,000 to \$100,000 in legal fees and could mean severe budget cuts if they lose.

