

APPLICATION REQUIREMENTS



Vacation of Subdivision Plat or Public ROW

Edited 5/1/12

REVIEW CRITERIA: The vacation of right of way is solely at the discretion of the City Council. An application for vacation of public right of way may be approved by City Council only if the request complies with the following criteria:

1. The right of way is no longer needed for public transportation purposes;
2. The vacation will not adversely impact use of the right of way for public utility and/or drainage purposes;
3. The vacation will not adversely impact the uniform width of the remaining portions of the public right of way along the block frontage for which vacation is sought;
4. Access to lots or properties surrounding the public right of way will not be adversely affected; and
5. The vacation is consistent with the purpose of this Subdivision Code.

SUBMITTAL CHECKLIST: The following items will need to be included in any Vacation review submittal.

Applicant

Planner

General Development Application Form

Project Statement identifying the following (# TBD by Planner):

1. A clear description of the proposed vacation; and
2. A Justification based on the review criteria addressing why the proposed project should be approved.

Vacation Plat or Vacation Sketch (# TBD by Planner)- The subdivider shall file a vacation plat on all land proposed for reversion to acreage, or vacation of a dedicated public street or alley unless determined by the Manager of City Planning and the City Engineer that a vacation plat is not required. If a vacation plat is not required, the subdivider shall submit a vacation sketch, conforming to the requirements of City Planning, and shall indicate at the time of submission to City Planning whether or not existing easements are to be retained and if so, whether they are drainage or utility easements.

1 copy of a **Black Line** of the Vacation plat or Vacation sketch, reduced to 11" x 17", or a **.pdf**

A **legal description** of the area proposed for vacation with the area in square feet of that which is sought to be vacated.

A copy of the **Pre-Application Meeting Summary** from the assigned City Planner

IF VACATION PLAT IS SUBMITTED: The vacation plat must include the following information.

Name of subdivision at the top of the sheet, followed by a subtitle identifying the Section, Township and Range information along with City, County and State.

Indication of standardized scale, both fractional and bar (i.e. 1" = 20')

Note the sheet number in the lower right-hand corner (i.e. 1 of 10, 2 of 10, etc.)

Date of preparation

North arrow

Sheet Size. The sheet size shall be 24" x 36" including ½" border with 'landscape' orientation. North may be oriented from +90° to -90° of 'True North'.

Scale. The vacation plat shall be drawn to a fixed scale. 1" = 10', 1" = 20', 1" = 30', 1" = 40', 1" = 50', 1" = 60', 1" = 100' and 1" = 200' are the acceptable scales. The City Engineer may, however, disapprove any scale as inappropriate if it results in an overly cluttered or illegible plat drawing. Alternative scales may be considered on a case-by-case basis and will require approval by the City Engineer. A bar scale reflecting this scale shall be placed on the vacation plat.

An accurate and clear property (legal) description of the overall boundary of the area to be vacated with the acreage noted. All courses in the property (legal) description shall be shown and labeled on the plat drawing, with all bearings having the same direction as called out in the legal description. The only exception being where more than 1 description is required, going a different direction over the same course. The direction shall then hold for the description having more weight (i.e., the overall boundary) for purposes of the plat. If both record and 'as-measured' dimensions are being used, show both and clearly label on the plat drawing. Point of commencement and/or Point of Beginning shall be clearly labeled on the plat drawing.

Vicinity Map showing the site.

Surveyor's Statement by a registered land surveyor to the effect that the plat to be vacated is a recorded plat.

PLAN CONTENT REQUIREMENTS: *Continued from previous page*

Applicant	Planner
<input type="checkbox"/> Certificate for execution by each of the following or their appointed representative(s):	<input type="checkbox"/>
<input type="checkbox"/> City Planning Director	<input type="checkbox"/>
<input type="checkbox"/> City Engineer	<input type="checkbox"/>
<input type="checkbox"/> Utilities Executive Director	<input type="checkbox"/>
<input type="checkbox"/> City Clerk and Mayor	<input type="checkbox"/>
<input type="checkbox"/> County Recorder	<input type="checkbox"/>
<input type="checkbox"/> Boundary lines. The boundary lines with accurate distance and bearing, the exact location and width of all existing or recorded streets intersecting the boundary of the tract.	<input type="checkbox"/>
<input type="checkbox"/> Dimension, relative bearing, curve data. Show the length of all arcs, internal angles and points of curvature.	<input type="checkbox"/>
<input type="checkbox"/> Easements. All existing drainage and utility easements as recorded, subject to reservation of easements for existing drainage and utility installations.	<input type="checkbox"/>
<input type="checkbox"/> Lots, blocks and Identification system. All lines of lots, blocks, identification system and other parcels of land as recorded.	<input type="checkbox"/>
<input type="checkbox"/> Streets. The plat shall show the right-of-way lines, widths, locations and street names of all streets as recorded within, and immediately adjacent to the property being vacated.	<input type="checkbox"/>
<input type="checkbox"/> Inundation Mark. If the property is within a designated FEMA flood hazard area, show the 100-year floodplain line. Also reference the FEMA panel number as a plat note.	<input type="checkbox"/>
<input type="checkbox"/> A clear and accurate property legal description of the overall area to be vacated with the total area noted.	<input type="checkbox"/>
<input type="checkbox"/> Owners signature (only required for vacation of subdivision plat)	<input type="checkbox"/>
<input type="checkbox"/> Notary Statement acknowledging the execution of the plat by the owner before a notary public (only required for vacation of subdivision plat).	<input type="checkbox"/>

IF VACATION SKETCH IS SUBMITTED: The vacation sketch must include the following information.

<input type="checkbox"/> Subdivision name.	<input type="checkbox"/>
<input type="checkbox"/> A clear and accurate property legal description of the overall area to be vacated with the total area noted.	<input type="checkbox"/>
<input type="checkbox"/> Date of preparation, scale and north arrow.	<input type="checkbox"/>
<input type="checkbox"/> Vicinity map showing the site.	<input type="checkbox"/>
<input type="checkbox"/> All lines of lots, blocks, identification system and other parcels of land as recorded.	<input type="checkbox"/>
<input type="checkbox"/> Show all existing drainage and utility easements as recorded, subject to reservation of easements for existing drainage and utility installations.	<input type="checkbox"/>
<input type="checkbox"/> Show the right of way lines, widths, locations and street names of all streets as recorded within and immediately adjacent to the property being vacated. include the location of any improvements within the right of way.	<input type="checkbox"/>