

PETITION FOR STREET/ALLEY VACATION

FEE PAID \_\_\_\_\_

DATE \_\_\_\_\_

ADVERTISING AND FILING FEES PAID

DATE \_\_\_\_\_

HONORABLE MAYOR AND COUNCIL, CITY OF WILLARD, OHIO:

We, the undersigned, being owners of property abutting the requested \_\_\_\_\_ vacation shown on the attached plat, respectfully petition  
(street/alley)

your Honorable Body to vacate the \_\_\_\_\_ described as:  
street/alley

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Being further described as abutting the following described LOTS in the  
SUBDIVISION of: \_\_\_\_\_

A \$30.00 fee is submitted to pay for the cost of vacating the above-described \_\_\_\_\_  
\_\_\_\_\_  
(street or alley)

We agree to pay all cost and/or assessments that are now or have been constructed serving this property. Upon adoption of legislation, applicable advertising and filing fees will be invoiced to the petitioner. A plat of the area showing the portion to be vacated & a list of all property owners on that portion of the alley running from street to street, but not in the request for vacation are attached.

<u>OWNER</u>	<u>ADDRESS</u>	<u>LOT NUMBER</u>

TO: Applicants for Street/Alley Vacation  
FROM: Council Clerk

City law requires persons requesting the vacation of a street or alley to file a petition with City Council. Council then refers the request to the City Development Commission (CDC) and the City Engineer for their findings and report. City Council makes the final ruling on the request.

APPLICATION REQUIREMENTS

Petition forms are available. It requires the signature of a majority of the property owners that abut the requested vacation. A plat of the area shall accompany the application indicating the street or alley to be vacated.

Ideally, the petition must be signed by all abutting property owners. If not, a Public Notice of Consideration to Vacate must be advertised in the local paper for six consecutive weeks. The cost of the advertising shall be paid by the petitioner. Anyone wishing to address Council concerning the petition may do so as a result of the publication. This can occur at any of the three readings which Council must give an Ordinance that vacates right-of-way.

FEE

At the time of submitting the request to the Council Clerk, a **\$30.00 non-refundable fee** shall accompany the petition. This is to off-set some of the City's expenses. **Upon adoption of legislation, applicable advertising and filing fees will be invoiced to the petitioner.**

ASSESSMENTS

By law, if there were assessments to the abutting properties for improvements to the street or utilities, the petitioners are to pay the assessment fee for the property being vacated. These assessments, if any, are recorded in the City Engineer's Office. They are requested to be researched for the property upon legislation request. The petitioners will be invoiced for the total expense, and it must be paid before Council will vacate the street or alley.

CITY DEVELOPMENT COMMISSION ACTION

City Development Commission (CDC) action on vacation petitions will be in the form of a recommendation to City Council. Notice of the CDC Meeting will be sent from the Code Enforcement Office to the filer of the petition advising him/her when the request shall be heard.

CITY COUNCIL ACTION

Once the petition is placed on Council's agenda, it will be referred to the CDC and the City Engineer with all documentation submitted. Both the CDC and the City Engineer shall review the request. Upon their findings, Council will request legislation and give it three (3) separate readings if the vacation is to proceed.

In order to vacate a public right-of-way, City Council must adopt an ordinance doing so. Normally, legislation is prepared when the CDC recommends that an action be taken. However, appropriate legislation can be drawn at the request of any Council member, whether or not the vacation is supported by the Committee. Ordinances require three readings prior to adoption, and this normally occurs over the course of three consecutive meetings of Council.

A majority affirmative vote to enact a vacation ordinance. If Council disagrees with the CDC's recommendation, it will take six (6) affirmative votes of members of Council to enact a vacation ordinance. The ordinance is not effective until at least 30 days after signing.

Name of Contact Person \_\_\_\_\_

Mailing Address \_\_\_\_\_ Phone No. \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature