

ALLEY/STREET VACATION PETITION

FEE PAID _____

DATE _____

ADVERTISING AND FILING FEES PAID _____ DATE _____

HONORABLE MAYOR AND COUNCIL, VILLAGE OF ARLINGTON, 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 \$100.00 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.

OWNER ADDRESS LOT NUMBER

TO: Applicants for Street or alley Vacation

FROM: Council Clerk

Village law requires persons requesting the vacation of a street or alley to file a petition with Village Council. Council then refers the request to the Village Planning Commission and the Streets, Sidewalks & Zoning Committee for their findings. These Committees file their report with Council, who in turn makes the final ruling on the request.

APPLICATION REQUIREMENTS

Petition forms are available in the Council Clerk's Office. 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.

In addition to the petition for an alley vacation being signed by the abutting property owners, which is notice, if said proposed alley vacation is less than the full alley running from street to street, either north and south or east and west as the case may be, then the Clerk will also send notices to the abutting property owners on that portion of the alley extended but not in the request for vacation. For example, if an alley runs from north to south from street A to street B, intersected by a east-west alley, and the request is to vacate the alley running from street A to the intersecting east-west alley, then the abutting property owners on the remaining portion of that north-south alley between street A and street B shall also receive notice of the petition to vacate from the Council Clerk.

Ideally, the petition must be signed by all abutting property owners. If not, a Public Notice of Consideration to Vacate has to be advertised in the Courier 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 **\$100.00 non-refundable fee** shall accompany the petition. This is to off-set some of the Village'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. The petitioners will be invoiced for the total expense, and it must be paid before Council will vacate the street or alley.

PLANNING COMMISSION ACTION

Planning Commission action on vacation petitions will be in the form of a recommendation to Village Council. Council may then either concur with the Commission's recommendation or override it. Concurring action may be accomplished with a simple majority vote, while overriding action requires a two-thirds (2/3) vote of Council. Notice of the Street, Sidewalks & Zoning Meeting will be sent to the filer of the petition advising him/her when the request shall be heard.

COMMITTEE ACTION

This Committee's action will be in the form of a recommendation to Village Council. Council may then either concur with the Committee's recommendation or override it. Action is a simple majority vote to concur or override the Committee report. Notice of the Street, Sidewalks & Zoning Meeting will be sent by the Council Clerk to the petitioners advising them when the request shall be heard.

Name of Contact Person _____

Mailing Address _____

Phone No. (Home) _____ (Business) _____

(date)

(Signature of Contact Person)