



CITY OF PASCO STREET/ALLEY VACATION PETITION

INITIATION: A vacation may be initiated by:

- A. A Resolution of the City Council; or
- B. A petition signed by the owners of more than two-thirds of the property abutting the part of the street or alley to be vacated, or, in the case of an easement, the owners of two-thirds of the property underlying the portion of the easement to be vacated.

REQUIREMENTS: An applicant shall apply for a vacation by submitting the following:

1. A vacation petition upon forms provided by the City;
2. A professional survey of the property proposed for vacation within the boundaries of the proposed vacation marked upon the ground with an accurate legal description of the proposed vacation to be furnished to the City.
3. For each petitioner a title report indicating ownership and providing a legal description of the property owned by the petitioner unless waived;
4. The vacation application fee;
5. A signed agreement to pay the cost of an appraisal;
6. Any additional information or material that the Director of Community & Economic Development determines is reasonably necessary for the City Council to consider the requested vacation.

PUBLIC HEARING: Upon receiving a complete application for vacation, or upon passage of a Resolution by the City Council seeking vacation, the City Council shall by Resolution, fix a time when the City will hold a public hearing on the proposed vacation. The hearing will be not more than sixty (60) days nor less than twenty (20) days after the date of the passage of such Resolution. The Resolution seeking vacation by the City Council and setting the public hearing may be consolidated to a single Resolution.

NOTICE OF HEARING: On passage of the Resolution, the City shall give notice at least twenty (20) days before the public hearing of the time, date and place for the public hearing.

OBJECTION: If fifty percent (50%) or more of the abutting property owners on the street or alley (based on front footage), or the underlying public easement (based on square footage), file written objections to the City Council in opposition to the vacation prior to the time of or at the hearing, the City shall be prohibited from proceeding with the public hearing or granting the vacation.

CRITERIA: The City Council shall use the following criteria for approval of the petition:

- A. The vacation shall not adversely affect traffic accessibility and circulation within the immediate area or within the City as a whole;
- B. The right-of-way is not contemplated or needed for future public use;
- C. No abutting property will become landlocked, or its access substantially impaired; and
- D. The public needs shall not be adversely affected and the vacation will provide a public benefit or serve a public purpose.

RESERVE EASEMENTS: In vacating a street, alley, or public easement, the City may reserve for the City any easements or other rights to exercise and grant any easement for public utilities and services, pedestrian trail purposes, and any other type of easement relating to the City's right to control, use and manage its rights-of way.

COMPENSATION: The City Council may require the petitioners to compensate the City:

1. Where the street or alley, or access easement, has been part of a dedicated public right-of-way for 25 years or more, or was acquired at public expense, in an amount that does not exceed the full appraised value of the area vacated.
2. Where the street or alley, or access easement, has not been part of a dedicated right-of-way for 25 years or more, or was acquired at public expense, in an amount which equals one-half of the appraised value of the area vacated.

Compensation for the vacated areas and an appraisal and title report may be waived in whole or in part by the City if one or more of the following apply:

1. The vacation is initiated by the City Council by Resolution;
2. The vacation is at the request of the City;
3. The right-of-way to be vacated was previously determined by the City Council not to be essential to public traffic circulation and available for vacation;
4. The grant of substitute public right-of-way which has a value as a right-of-way at least equal to that right-of-way to be vacated; and
5. The resulting benefit to the community of the project requiring the vacation outweighs the appraised value of the right-of-way to be vacated.

ORDINANCE: Following the public hearing thereon, the City Council may authorize by Ordinance the vacation of such street, alley, access easement, or any part thereof. Such Ordinance may provide for the retention by the City of all easements or rights with respect to the vacated land for the construction, repair or maintenance of public utilities and services. If the City Council determines that compensation shall be paid as a condition of the vacation, the Ordinance shall not become effective, published or recorded until the compensation has been paid in full.



**CITY OF PASCO
STREET/ALLEY VACATION PETITION**

Master File # _____

Date Submitted: _____

We the undersigned, owners of two-thirds of the privately-owned abutting property, hereby petition the City Council of the City of Pasco to vacate the following described street/alley rights-of-way:

Applicant/ Owner 1	Name:
	Address:
	Phone:
	Email:
	Signature:

Owner 2	Name:
	Address:
	Phone:
	Email:
	Signature:

(Please see reverse side)

Owner 3	Name:
	Address:
	Phone:
	Email:
	Signature:

Survey

Title Report
(if not waived)

Fee of \$300