



Planning and Development Department

Application for Vacation or Closure of Street or Alley Right-Of-Way / or / Public Access Easement

1. Request:

- a. Street R.O.W. : Vacate (or) Close (name) _____
- b. Alley R.O.W. : Vacate (or) Close
- c. Public Access Easement : Vacate (only) (name, if any) _____

2. Subdivision Name _____

Affected Block and Lot Numbers _____

3. Length (feet) _____ **Width** (feet) _____ **Area** (square feet) _____

4. End Points: From _____ to _____

5. Location: MAPSCO No. _____

6. Applicant _____ Date _____
(Print name)

(Signature) Phone () _____

E-Mail _____ Fax () _____

Address _____ City _____ State _____ Zip _____

7. Agent/Consultant _____ Phone () _____
(Print firm name)

(Print representative name) (Signature) Fax () _____

E-Mail _____

Address _____ City _____ State _____ Zip _____

8. Method by Which the City Originally Acquired the R.O.W. or Access Easement

- Plat Dedication / Donation City Purchase Obtained Through Prescription
- Plat or other recorded instrument must be attached to application.*

9. Existing Physical Improvements within the R.O.W. or Access Easement

a. Surface or above grade:

- None Paving Curb & Gutter
- Telephone Electric Structures (describe) _____
- Fences / Walls Cable Other _____

b Underground/below grade:

- | | | | |
|--------------------------------|------------------------------------|---|----------------------------------|
| <input type="checkbox"/> None | <input type="checkbox"/> Telephone | <input type="checkbox"/> Electric | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Water | <input type="checkbox"/> Sewer | <input type="checkbox"/> Storm Drainage | |
| <input type="checkbox"/> Cable | <input type="checkbox"/> Gas | <input type="checkbox"/> Other _____ | |

10. Intended Use of the Vacated R.O.W. or Access Easement

Describe Use (e.g. yard, parking, type of development, etc.) _____

11. Related (Pending) Applications Submitted (Indicate title & case number.)

- | | |
|--|--|
| <input type="checkbox"/> Zoning _____ | <input type="checkbox"/> Board of Adjustment _____ |
| <input type="checkbox"/> Subdivision _____ | <input type="checkbox"/> Building Permit _____ |
| <input type="checkbox"/> Community Facilities / or / URD _____ | <input type="checkbox"/> Other _____ |

12. Signatures of Adjoining Property Owners

Signatures of all owners of properties that adjoin the easement to be vacated or closed must appear below. Include an adequate legal description of said properties (*attach additional sheet(s) if necessary*).

<u>Printed Name & Signature</u>	<u>Telephone No.</u>	<u>Legal Description (Lot, Block & Addition)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

13. Required Exhibits (*To be submitted with this application*)

- 25 copies (8½" x 11") **exhibit map** clearly depicting location, dimensions and extent of R.O.W. or public access easement to be vacated or closed. Map must be legible.
- 25 copies (8½" x 11") certified **metes & bounds** legal description of subject easement
- Original **plat, separate instrument, or deed** recording easement dedication

Below for Office Use Only

<i>Application Fee</i>	<i>Receipt No.</i>	<i>Application Received By:</i>	<i>Date:</i>	<i>Case No.</i>
<input type="checkbox"/> \$700.00 <input type="checkbox"/> \$400.00				VA - -



Planning and Development Department

Instructions for Vacation or Closure of Street or Alley Right-Of-Way / or / Public Access Easement

*Vacation of utility and/or drainage easements by separate instrument (rather than replat) requires application through the City of Fort Worth Department of Engineering, Real Property Services Division.

Definitions

Vacation: Permanent abandonment. Applications require approval by the City Plan Commission and City Council. Various City departments and public utility companies having a vested interest in the right-of-way or access easement review the application to make appropriate recommendations to these bodies. A replat by the applicant is required and will be filed in the courthouse records by the Planning and Development Department.

Closure: Physical closure only at each terminal end. Applications for closure require approval by the City Plan Commission and the City Council. The City Council may stipulate the duration of the closure and may reverse the closure at any time. The applicant is responsible for physically closing the street or alley per City guidelines.

Submittal Requirements

- A non-refundable **application fee** of \$700.00 for street/alley vacations or closures, or \$400 for public access easement vacations, made payable to the City of Fort Worth.
- **Metes & bounds** description sealed by a Registered Professional Land Surveyor with documentation of adjacent property ownership.
- **Exhibit map** of a convenient size, sealed by a Registered Professional Land Surveyor.
- A copy of the **original deed or plat** documenting the dedication or conveyance of the street or alley. This enables staff to determine if the City is able to waive the payment of fair market value for the property.
- **Signatures** from all adjacent property owners served by the street, alley, or access easement.
- If the City of Fort Worth is the owner of the underlying property or any adjacent property, the applicant will be required to pay for an **appraisal** ordered by City staff and pay fair market value for the City's property.
- Notation on the application of any existing **physical improvements**. If these improvements were installed by the City, reimbursement for the un-depreciated portion of the assets will be required of the applicant.
- Upon approval by the City Plan Commission of a vacation, an acceptable **replat** and a notarized **quitclaim deed**, if applicable, per the attached example on page 4.

After receipt of the completed application and attachments, the City of Fort Worth Planning and Development Department has 10 working days to distribute the documents to appropriate City staff and receive comments on the vacation or closure. The applicant will then be notified of the date of the scheduled City Plan Commission hearing. Upon approval of a street or alley vacation by the City Plan Commission, the applicant must submit a **replat application**. The replat must be sealed by a Registered Professional Land Surveyor. After the applicant has cleared all City comments on the replat, staff will schedule the vacation for hearing by the Fort Worth City Council. Upon approval by the City Council, the Planning and Development Department will notify the applicant and file the documents at the appropriate courthouse.

Quitclaim Deed

Date:

Grantor:

Grantor's Mailing Address: [include county]

Grantee:

Grantee's Mailing Address: [include county]

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration

Property (including any improvements): (Insert legal description (metes and bounds) and attach survey as Exhibit A.)

For the Consideration, Grantor quitclaims to Grantee all of Grantor's right, title, and interest in and to the Property, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Neither Grantor nor Grantor's heirs, successors, or assigns will have, claim, or demand any right or title to the Property or any part of it.

When the context requires, singular nouns and pronouns include the plural.

Grantor Signature _____ Date _____
Name and Title _____

Grantee Signature _____ Date _____
Name and Title: _____

STATE OF TEXAS §
COUNTY OF _____ §
This instrument was acknowledged before me on _____ *Date* _____ by
_____ *Grantor* _____.

Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF _____ §
This instrument was acknowledged before me on _____ *Date* _____ by
_____ *Grantee* _____.

Notary Public, State of Texas