City of Ottawa Community Development Department

101 S. Hickory, P. O. Box 60
Ottawa, KS 66067
(785) 229-3620 Fax (785) 229-3625
www.ottawaks.gov

Vacating of Streets, Alley's, Easements, and Plats
Procedures and Application

A proposal to vacate streets, alley's, easements, and plats or other may be initiated by the owner of the property affected, the City Commission, or the Planning Commission.

The applicant shall first obtain the proper application from the office of Community Development Department and receive a complete explanation of its requirements. The applicant may wish to discuss various options and requirements for the property in question with one of the city planners. Applicants may obtain all the necessary forms from the Community Development Department or the city's website. **www.ottawaks.gov**

The applicant is responsible to submit the required ownership list of the names and addresses of the owners of all property touching the area proposed to be vacated. The applicant can obtain this list from one of the title companies or the Franklin County Appraiser's Office.

A site drawing, to scale, showing the location of the area to be vacated, the legal description of the area to be vacated, the nearest streets, and landmarks.

The Community Development Department shall then schedule a public hearing at the next available time of the Planning Commission. Not less than (20) twenty days prior to the Planning Commission meeting, and official notice to the public shall be published in the official city newspaper explaining the nonconforming use request and the time and place of the scheduled public hearing. The Community Development Department shall mail a written notice to each part of interest and each person on the ownership list twenty (20) days prior to the public hearing. This notice shall also notify surrounding property owners of their right to file protest petitions and shall explain the protest procedure.

The application form shall be filled out completely and returned to the office of Community Development Department with the appropriate filing fee, ownership list, a site plan, (drawn to scale), showing the area to be vacated, the legal description of the area to be vacated, and other required information.

1.   The recommendation of the Planning Commission shall be submitted to the Governing Body. No vacation shall be recommended for approval unless it is established that no private rights will be injured or endangered by such vacation and that the public will suffer no loss or inconvenience by such vacation.

Fee Schedule:

Type	Cost
Rights-of-way	$150.00
Easements	$100.00
Setbacks	$100.00
Alleys	$150.00
Subdivisions	$100.00
Access Control Provisions	$100.00

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Application to Vacate Streets, Alley's, and Easements

FEE: See fee schedule   **Date Received:**_____

Type of Vacation Requesting. Please check one:

☐ Street   ☐ Alley   ☐ Right-of-Way   ☐ Setbacks

☐ Utility Easement   ☐ Access Control   ☐ Subdivision   ☐ Plats

Name of Owner/Applicant: _____

Mailing Address: _____

Phone Number: _____   E-mail:_____

Authorized Agent: _____

Mailing Address: _____

Phone Number: _____   E-mail:_____

1.   The following non-conformities exist on this property: _____

_____

_____

_____

_____

2.   Reason for vacation request: _____

_____

_____

_____

_____

3.   Address/Location of vacation request: _____

_____

_____

4.   Legal description of the area to be vacated: _____

_____

_____

_____

7.   Site drawing must be to scale showing the location of the area to be vacated, the legal description of the area to be vacated, the nearest streets, and landmarks.

6.   List of Property Owners.

Have you attached the following items?

Site drawing	Yes ☐	No ☐
Property Owners List	Yes ☐	No ☐
Payment	Yes ☐	No ☐

The Owner/Applicant hereby declares that all information submitted is true to the best of his/her/their knowledge and acknowledge receipt of the Vacation Procedures and Application from the Community Development Department office or City's Web Site.

The owner/applicant realize that ALL items must be completed and submitted with the application. Incomplete applications will not be processed until all items have been received.

Applicant/Owner: Authorized Agent:

_____   _____
Signature   Signature

_____   _____
Print Name   Print Name

_____
Signature

_____
Print Name