

CITY OF JOHNSON, ARKANSAS

VACATION

<b>FOR STAFF USE ONLY</b>		<b>FEE: \$200.00</b>
Date Application Submitted: _____		
Date Accepted as Complete: _____	Planning Commission Action: _____	
Petition Number: _____	City Council Action: _____	
Public Hearing Date: _____	Zone: _____	

Please fill out this form completely, supplying all necessary information and documentation to support your request. *Your application will not be placed on the Planning Commission agenda until this information is furnished.*

**Application:**

Indicate one contact person for this request: \_\_\_\_\_ Applicant \_\_\_\_\_ Representative

*Applicant (person making request):*

*Representative (engineer, surveyor, realtor, etc.):*

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

( ) \_\_\_\_\_

( ) \_\_\_\_\_

Fax: ( ) \_\_\_\_\_

Fax: ( ) \_\_\_\_\_

Site Address / Location: \_\_\_\_\_

Legal Description of Area to be Vacated (attach separate sheet if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Current Zoning District: \_\_\_\_\_

Assessor's Parcel Number(s) for subject property: \_\_\_\_\_

**FINANCIAL INTERESTS**

The following entities and / or people have financial interest in this project:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**APPLICANT / REPRESENTATIVE:** I certify under penalty of perjury that the foregoing statements and answers herein and all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that submittal of incorrect or false information is grounds for invalidation of application completeness, determination, or approval. I understand that the City might not approve what I am applying for, or might set conditions of approval.

Name (printed): \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**PROPERTY OWNER(S) / AUTHORIZED AGENT:** I/we certify under penalty of perjury that I am/we are the owner(s) of the property that is the subject of this application and that I/we have read this application and consent to its filing. *(If signed by the authorized agent, a letter from each property owner must be provided indicating that the agent is authorized to act on his/her behalf.)*  
**Owners (attach additional info if necessary):**

**Name: (printed):** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Phone: (        )** \_\_\_\_\_

**Name: (printed):** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Phone: (        )** \_\_\_\_\_

**Checklist:**

*Attach the following items to this application:*

1. Payment in full of applicable fees for processing the application (\$200.00)
2. Legal description and parcel number of property to be vacated, **NOT THE ENTIRE PROPERTY.** (A survey with metes and bounds legal description of the area to be vacated will be required. As soon as the legal is available, send/bring to the City of Johnson to be checked before submitting your vacation request).
3. Have surveyor stake the area to be vacated for utility company review on site visit.
4. Complete written description of this request.
5. Abstractor's Certificate of Ownership stating names of all owners of property adjacent to the street right-of-way, alley, or easement to be vacated.
6. Two sets of typed mailing labels listing names of all and addresses of all adjacent property owners – including across streets. (May be found at county assessor's office).
7. A copy of the plat on record in the county assessor's office. The owner's name and the parcel number for every adjacent property shall be shown on this plat (map).
8. Petition to Vacate street right-of-way, alley or easement (sample petition attached).
9. Written notification, **BY APPLICANT**, of all owners of property adjacent to street right-of-way, alley or easement to vacate. (sample comment form is attached), at least 10 days prior to public hearing.

Sample Petition

**PETITION TO VACATE A(N) (*alley, right-of-way*) LOCATED IN (*lot, block, subdivision*),  
CITY OF JOHNSON, ARKANSAS**

To: The City of Johnson Planning Commission &  
The City of Johnson City Council

We, the undersigned, being all the owners of the real estate abutting the (*alley, easement, right-of-way*) hereinafter sought to be abandoned and vacated, lying in (*lot, block, subdivision*), City of Johnson, Arkansas, a municipal corporation, petition to vacate a(n) (*alley, easement, right-of-way*) which is described as follows:

**(LEGAL DESCRIPTION of area to be vacated)**

That the abutting real estate affected by said abandonment of the (*alley, easement, right-of-way*) are (*lot, block, subdivision of each adjoining lot to the area requested to be vacated*) City of Johnson used by the public for a period of many years, and that the public interest and welfare would not be adversely affected by the abandonment of the portion of the above described (*alley, easement, right-of-way*).

The petitioners pray that the City of Johnson, Arkansas, abandon and vacate the above described real estate, subject, however, to the existing utility easements and sewer easements as required, and that the above described real estate be used for their respective benefit and purpose as now approved by law.

The petitioners further pray that the above described real estate be vested in the abutting property owners as provided by law.

WHEREFORE, the undersigned petitioners respectfully pray that the governing body of the City of Johnson, Arkansas, abandon and vacate the above described real estate, subject to said utility and sewer easements, and that title to said real estate sought to be abandoned be vested in the abutting property owners as provided by law, and as to that particular land the owners be free from easements of the public for the use of said (*alley, easement, right-of-way*).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\*Note: This is a sample – each applicant is responsible for submitting a petition which accurately reflects their specific request.

**ADJOINING PROPERTY OWNERS NOTIFICATION  
OF UPCOMING PUBLIC HEARING**

Today's Date: \_\_\_\_\_

Address/Location of Vacation: \_\_\_\_\_

Adjacent Property Address: \_\_\_\_\_

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

REQUESTED VACATION:

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

Planning Commission Meeting: Thursday, \_\_\_\_\_ 6:00 p.m.  
Johnson City Hall  
2904 Main Drive

I have been notified of the petition to vacate the following (alley, easement, right-of-way), described as follows:  
***(Include legal description and graphic representation of what is being vacated)***

**ADJOINING PROPERTY OWNERS COMMENTS**

(Return Comments to City of Johnson Planning Division in Enclosed Stamped Envelope)

\_\_\_\_\_ I have been notified of the above meetings for the described project.

\_\_\_\_\_ I **do not** object to the project described above.

\_\_\_\_\_ I **do** object to the project described above because:

\_\_\_\_\_  
Name of Adjacent Property Owner (Printed)

\_\_\_\_\_  
Project Name

\_\_\_\_\_  
Signature of Adjacent Property Owner