



Right-of-Way Vacation and Dedication

The purpose of this guide is to provide general information about the vacation and dedication of public right-of-way application process. This guide is not intended to be all inclusive. Additional information may be required during the application process.

FEES:

\$200

TIMELINE:

2-3 weeks per review cycle*

*Typical development review process takes 3-4 months

Right-of-way dedication and vacation applications must comply with the standards and follow the process found in the City of Greeley Subdivision Regulations Section 18.04.800. The Community Development Department, Division of Planning, is responsible for processing all dedication and vacation applications. City staff evaluates the application to determine if it meets City standards. The request can not be detrimental to the public health, safety, or welfare and can not deprive any parcel of adequate access to a public road or street right-of-way. The Planning Commission reviews the request and staff's evaluation, holds a public hearing and makes a recommendation to City Council. The City Council will hold a public hearing and may deny, approve, approve with conditions or table the request until another date.

Pre-Application Conference Information Sheet

SUBMITTED

REQUIREMENTS

- | | | | |
|--------------------------|------------------------------|-------|---------|
| <input type="checkbox"/> | Pre-application Conference | _____ | _____ |
| | | Date | Planner |
| <input type="checkbox"/> | Application Form* (Attached) | | |
| <input type="checkbox"/> | Required Fees | | |

Article VIII

Right-of-Way Dedication and Vacation

18.04.800 Purpose.

The purpose of this Article is to set forth procedures for the dedication and vacation of right-of-way which are not part of a platting process. (Ord. 14, 2003 §1; Ord. 51, 1998 §1)

18.04.810 Application and process.

(a) The provisions contained in this Article shall apply to the dedication or vacation of right-of-way which is not part of a final subdivision plat, meeting the provisions of Article V, Final Plat, or part of a minor subdivision which does not create a new street, meeting the provisions of Article VI, Minor Plat of this Chapter. Applications for the dedication or vacation of right-of-way shall contain the following information:

- (1) A completed application form provided by the Community Development Department.
- (2) A written request describing the proposed dedication or vacation and why such is necessary.
- (3) A scale drawing or illustration at least eleven (11) inches by seventeen (17) inches in size, which accurately shows the proposed dedication or vacation.
- (4) A copy of the deed or legal instrument identifying the applicant's interest in the property under consideration. If an authorized agent signs the application, a letter granting power of attorney to the agent from the property owner shall be provided.
- (5) If dedicating right-of-way, a legal description of the proposed dedication, prepared by a land surveyor licensed in the State.
- (6) If vacating right-of-way, or a portion of right-of-way, a copy of the legal instrument that dedicated said right-of-way and a completed "Utility Company Consent of Vacation" form, available from the Community Development Department.
- (7) Current written evidence of ownership and evidence of written notice to all ownership or lienholder interests, including, but not limited to a warranty deed, contract or property tax notice of the subject property.
- (8) Applicable fee for processing and reviewing the dedication or vacation.

(b) Upon receipt of all application materials, as specified in Subsection (a) above, the Community Development Department staff shall furnish the following agencies and offices with a copy of the application for review and comment:

- (1) Public Works Department.
- (2) Water and Sewer Department.
- (3) Fire Department.
- (4) Others.

(c) All such reviewing agencies and offices will be requested to review the application within two (2) weeks from the date of distribution of all required application materials to make any objections or

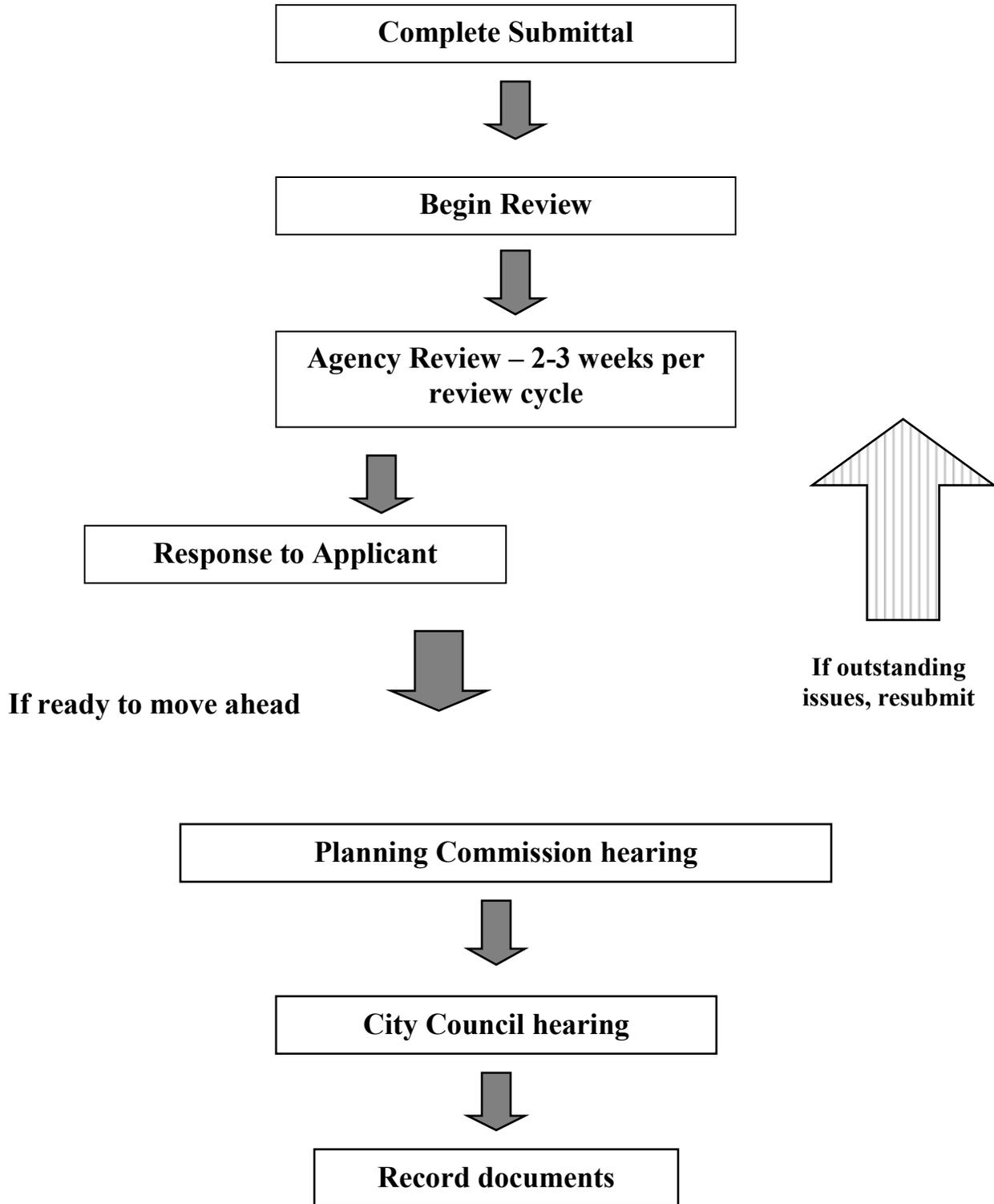
comments to Community Development Department staff. This time period may be extended due to case load and complexity of applications. Community Development Department staff shall include a summary of all comments received on the dedication or vacation, along with the staff recommendation, to the Planning Commission for consideration of such requests. See the illustration below for a description of the right-of-way dedication and vacation process.

(d) The Planning Commission shall consider requests for dedication or vacation of public right-of-way and shall consider all comments received as well as the staff recommendation in determining whether to approve, approve with conditions, deny or table the request for future consideration. If the Planning Commission determines that the right-of-way dedication or vacation request is not detrimental to the public health, safety or welfare and that any request for vacation does not deprive any parcel of adequate access to a public road or street right-of-way, the Commission shall recommend to the City Council that the request be approved.

(e) The City Council shall consider requests for dedication or vacation of public right-of-way and shall consider all comments received, as well as the staff and Planning Commission recommendations in determining whether to approve, approve with conditions, deny or table the request for future consideration. If the City Council determines that the right-of-way dedication or vacation request is not detrimental to the public health, safety or welfare and that any request for vacation does not deprive any parcel of adequate access to a public road or street right-of-way, the City Council shall approve the request.

(f) After approval of a right-of-way dedication or vacation, the City Clerk shall record a copy of the scale drawing or illustration and legal description in the County Clerk and Recorder's Office.

Right-of-Way Dedication/Vacation



**UTILITY COMPANY CONSENT OF
VACATION**

VACATION OF: Public Right-of-Way Utility Easement

DATE: _____

APPLICANT: _____

LEGAL DESCRIPTION OF EASEMENT TO BE VACATED:

This is to certify that the following departments and/or utility companies have reviewed and approved this application for the vacation of dedicated easement.

City of Greeley Public Works Department

City of Greeley Water & Sewer Department

Atmos Gas Company

Xcel Energy

Comcast Cable

Qwest

City Review Team Contact Information

Every project is assigned to a planner and an engineer, who will contact you after the project has been assigned. If you have general questions in the meantime, please contact the Administrative Assistant at 970-350-9780 who will connect you to the appropriate person.

You may also wish to contact individuals from other agencies or utilities who are invited to contribute to the meeting. They include:

Atmos Energy	Jerry Adams	970-304-2075
Colorado Department of Transportation	Gloria Hice-Idler	970-350-2148
Xcel Energy	Terry Stencel	970-395-1207
Poudre Valley REA	Terry Willis	970-282-6432
Weld School District #6	Wayne Eads	970-348-6405
Century Link	Carson Ortega	970-392-4837
Comcast Cable	Bill Blair	720-490-3891



Land Use Application

1

Please print or type all required information. This form is **NOT** the complete submittal. The application fee and all associated materials are to be provided with this form. Staff will review the submittal and advise you of its completeness for processing.

2

Project Name:

Land Use Request:

Address/Location:

	Existing		Proposed (if different)	
Zoning				
Site Use				
Site Area	Acres:	Sq. Ft.:	Acres:	Sq. Ft.:

3

Owner

Submittal Contact (if different)

Name			
Business			
Address			
Phone #			
Fax #			
E-Mail			

4

This application must be signed by ALL owner(s) of record or the authorized officer, if a corporation; current proof of ownership, such as a warranty deed, is to be submitted with this application. A letter of authorization should be submitted if the authorized representative will be acting on the owner's behalf.

I/We, the owner(s), depose and state under penalties of perjury that the application and support materials provided to the City of Greeley for the identified request(s) are true and accurate. I/We am/are fully aware of all requests being made to the City of Greeley and authorize individuals or firms to represent our interest in this/these request(s).

Name:	Name:
Signature:	Signature:
Date:	Date: