

## INSTRUCTIONS FOR VACATION REQUEST

1. The attached form must be completed before it can be presented to the Haysville Planning Commission. All spaces should be filled in or marked as “not applicable”, i.e. (N.A.)
2. The completed form should be submitted to the Planning Department, City Hall, 200 W. Grand, Haysville, Kansas 67060.
3. Applications shall be accompanied by a certified ownership list prepared by an abstract company giving the names and addresses, with zip codes, of property owners as specified below; and must also be accompanied by the signatures of all abutting property owners or their authorized agent. MAILING ADDRESSES SUBMITTED WITHOUT ZIP CODES WILL BE RETURNED TO THE APPLICANT.

Types of Vacation a. Plats or City Limit lines: Owners of all lots or parcels within the plat or tracts of land included in the application, and the owners of all land abutting the area to be vacated.

b. Streets and alleys or any public right-of-way: All land abutting that proposed to be vacated; and if such vacation would leave a dead end street or alley, all those abutting the remaining segment of the street or alley.

c. Easements: Owners of all lots or tracts on which the easement is located and owners of all lots or tracts which abut the easement to be vacated.

d. Access and setbacks: All lots or tracts involved plus all lots and tracts on the opposite side of the street involved and if involving areas greater than one block in length, then owners of all lots and tracts in the next block. In the event of partial block, the balance of the block shall be included for notification purposes.

When the situation requires, the Planning Commission may require ownership lists for additional areas or reduce the above requirements.

4. Application for vacation must be accompanied by a filing fee in the amount of \$150.00 to defray the costs of proceedings.
5. A Planning Commission recommendation will not be placed on the agenda for hearing by the governing body until such time as:
  - a. All requirements made by the Haysville Planning Commission have been met by the applicant.
  - b. An ordinance (or resolution when necessary) for passage by the governing body, approved as to form by the City’s legal counsel, is submitted to the office of the Planning Commission.



- V. In making this request for vacation of the previously described property now in public ownership, I understand that:
1. Upon consideration of this request by the Planning Commission, I will be responsible for the preparation of an ordinance (or resolution when necessary) for passage by the governing body; such ordinance or resolution to be approved as to form by the City Attorney and delivered to the office of the Planning Commission prior to the scheduling for hearing by the governing body.
  2. That the title of this property, if involved, can be vacated only through legal proceedings before the governing body. I further understand and agree that if approved, the vacation proceeding shall be at no cost to the City, or any utility; and I agree if (if request is approved) to pay all costs of the removal and relocation of all underground surface utilities presently located in the public way or easement for which vacation is requested; or to make such other arrangements as may be agreeable to the utilities concerned.
  3. Any order approving a vacation of plat, street, alleys, easements or a public reservation shall provide for the reservation to the City and the owners of any lesser property rights for the public utilities, rights-of-ways and easements for public service facilities originally held in such plat, street, alley, easement or public reservation then in existence and use.
- VI. The Applicant herein, or authorized agent, acknowledges:
- a. Receipt for an instruction sheet concerning the filing and hearing of this matter.
  - b. Advisement of the fee requirements established by Section 17-378, Code of the City of Haysville, and that the appropriate fee is herewith tendered.
  - c. Advisement of the right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
  - d. That all documents are attached hereto as noted in the instructions.

SIGNED: \_\_\_\_\_  
*Applicant* \_\_\_\_\_  
*Date*

\_\_\_\_\_ \_\_\_\_\_  
*Agent or Additional Applicant* Date

<b>Office Use Only:</b> This application was received at the office of the Planning Commission at ____ (am/pm) on _____, 20____. It has been checked and found to be correct and accompanied by required documents and the appropriate fee of \$150.00.	
_____	_____
Authorized Signature	Title