



PLANNING & DEVELOPMENT SERVICES
PO Box 4169, 911 North Seventh Avenue
Pocatello, Idaho 83205
(208)234-6184 FAX (208)234-6586

PETITION FOR VACATION OF RIGHT-OF-WAY

Submittal Date: _____ Council Date: _____ Permit #: _____

Submittal Approved by: _____ Receipt #: _____ Receipt Date: _____

Filing Fee: **\$535.00** + (____ Addresses x \$7.25/ea = \$ _____) + Survey Accuracy Review **\$200.00** = **Total Due \$ _____**

A pre-application meeting is required prior to the submittal of this application in order to determine the type of vacation request and required notices, mailings, fees and hearing procedures.

Petitioner's Name:

Representative's Name (if applicable):

Name: _____

Name: _____

Mailing address: _____

Mailing address: _____

City, State, Zip: _____

City, State, Zip: _____

Phone: _____

Phone: _____

Email: _____

Email: _____

General Site Location: _____

THE FOLLOWING INFORMATION MUST ACCOMPANY THIS APPLICATION TO BE COMPLETE

1. Vacations of public rights-of-way are subject to compliance with Pocatello City Council Resolution Number 2016-11 adopted on August 18, 2016.
2. Review of vacation petitions is subject to compliance with the applicable provisions Idaho Statutes.
3. The petitioner is responsible for providing all required information in support of the petition and has the sole burden of proof and must provide specific responses to the attached review standards.
4. A complete legal description of the right-of-way proposed to be vacated and a copy of the recorded subdivision plat documenting the dedication and acceptance of the right-of-way or other applicable documentation. Legal descriptions and exhibit maps should be prepared by a licensed surveyor to avoid possible delays in the petition process. Legal descriptions will be verified by the City Surveyor prior to the petition being scheduled for full staff review and the City Council hearing.
5. Typed, gummed mailing labels with the names and addresses of the property owners, as shown on current County Assessor tax records, as required by the type of vacation petition. This may include all the property owners of record abutting the proposed right-of-way vacation and property owners within 300' of the boundary of the proposed right-of-way vacation. Some types of vacation requests require mailing by certified mail with return receipts.
6. A signed Affidavit of Mailing List must also be submitted (attached).
7. All publication costs will be at the expense of the petitioner.
8. Depending on the type of vacation request, written consent from all adjoining property owners of record that adjoin the proposed right-of-way vacation must be submitted with the petition.
9. This petition shall not be considered complete (nor will a hearing before the City Council be scheduled) until all required information has been submitted and verified.

I hereby acknowledge that I have read this petition form, and state that the information that I have provided is correct. I am also aware the petitioner or a duly authorized representative must be present at the public hearing.

Signature of Petitioner: _____ Date: _____

Signature of Representative: _____ Date: _____

REVIEW STANDARDS PER COUNCIL RESOLUTION 2016-11:

The petitioner must provide specific responses to the following standards:

1. Describe why the requested vacation is expedient for the public good: _____

2. Identify any “damages” that the City may incur as a result of the requested vacation and describe any proposed terms and conditions for mitigating any “damages”: _____

3. Describe the requested manner of reversion of the requested vacated area and how it is in the best interests of the adjoining property owners: _____

4. Explain why granting the requested vacation will not impair the rights of any lot owner or public utility: _____

5. Please provide any additional information that you feel is applicable to this petition: _____

SIGN-OFF: PUBLIC UTILITIES AND CITY DEPARTMENTS

Indicate below your department's or firm's approval or disapproval of the proposed vacation.

UTILITIES	APPROVAL Initial/Date	* APPROVAL W/ COND. Initial/Date	* REJECTION Initial/Date
US Postal Service			
Intermountain Gas			
Idaho Power			
Century Link			
Cable One			
DEPARTMENTS			
Streets/Traffic Engineering			
Engineering			
Transportation			
Water			
Building			
Fire			
Sanitation			
P&DS			
BPO			
ITD (if necessary)			
City Surveyor		Verify legal description for ordinance	
Legal		Proceed with ordinance compilation	

* Please note any conditions or reasons for rejection: _____



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AFFIDAVIT OF MAILING LIST

1. The undersigned is the Petitioner or their duly authorized representative.
2. It is understood that the Petitioner is required and responsible for providing mailing labels of all the property owners of record, as shown on County Assessor tax records, within 300 feet of the subject property. The mailing labels and fee will be used to mail notices of the public hearing.
3. This is to certify that the persons named, together with their addresses as shown on the mailing labels attached herewith, are all property owners of record required to receive notice of the petition to vacate the area described in the petition.
4. The foregoing is true under penalty of perjury.

Printed Name: _____

Street Address: _____

City, State, Zip: _____

Signature: _____

Dated: _____