

ABANDONMENT APPLICATION PROCESS

A property owner, developer or agent may request abandonment of public right-of-way (ROW) (street, alley, or public utility easement) through the Public Works Department. Council policy is to sell surplus property, including right-of-way, for fair market value.

Questions regarding Abandonment Applications may be addressed by calling the Public Works Department at 520-568-9098.

The following shall be included with the completed Abandonment Application:

1. Narrative – Including the current use of the land and why the ROW should be abandoned.
2. Completed and signed Adjacent Property Owner Support
3. Completed and signed Applicant Acknowledgement
4. The legal description of the area to be abandoned described by the Pinal County Recorder's Book and Page or metes and bounds.
5. Color 11x17" exhibit (to scale) including:
 - a) Aerial photography
 - b) ROW to be abandoned
 - c) Adjacent properties, roads, alleys, easements, ROW, monument lines (if applicable)
 - d) Street Names
 - e) Property Owner Names for properties surrounding the ROW to be abandoned
6. The assessor parcel map.
7. A.L.T.A. Survey no older than 90 days, prepared by a Registered Land Surveyor, for the area to be abandoned and for all lots/parcels affected by or adjacent to the area to be abandoned.
8. Title Report no older than 30 days.
9. Fees: \$500 (non-refundable)

After the abandonment application has been submitted to the City, reviewed and found to be complete, the applicant shall notify all public utilities serving the proposed abandonment area to request their review and comments.

City Staff will schedule a public hearing to solicit input on the proposed abandonment. The applicant shall post a notice of the proposed abandonment at the subject location at least 10 days prior to the public hearing.

City Staff will send letters to public agencies notifying them of the proposed abandonment. City Staff will formulate a recommendation to City Council following receipt and evaluation of comments from the public agencies. In the event that the recommendation is to proceed with the abandonment, the affected property owners shall select an appraiser from the City's approved list to establish the fair market value.

After a fair market value has been established, the applicant shall submit a cashier's check in that amount to the City. City Staff will prepare a Staff Summary Report with the City Staff recommendation for the signature of the Public Works Director and the request will be placed on an upcoming Council agenda. The party requesting the abandonment shall be notified in writing of the date, time and place that said request will be heard by the City Council.

The City Council may, at its sole discretion, elect to abandon the right-of-way for a sum equal to the present fair market value or elect not to abandon said right-of-way. Upon adoption of the ordinance by Council, it shall be recorded in the Office of the Pinal County Recorder. Upon receipt of the recorded ordinance, the said ordinance will be copied with one copy retained in electronic format in the Public Works Department and the original ordinance forwarded to the City Clerk's office for recorded retention.

ABANDONMENT APPLICATION

SECTION I: PROPERTY OWNER INFORMATION

This form is used to request an abandonment of right-of-way and/or public easements. To apply for abandonment complete this application form, submit a sketch of the area to be abandoned with the appropriate fee to the City of Maricopa, Planning Division.

Property Owner: _____

Mailing Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

Email: _____

***If more than one owner, attach additional sheet with names, addresses and signatures as requested below**

SECTION II: APPLICANT INFORMATION & PRIMARY CONTACT INFORMATION

Applicant Name: _____

Affiliation with Project: _____

Mailing Address (if different than above): _____

City, State, Zip: _____

Phone: _____ Fax: _____

Primary Contact Name: _____

Affiliation with Project: _____

Phone: _____ Fax: _____

Email: _____

SECTION III: PROPERTY

Abandonment Location (Please be specific): _____

General Location and Assessor's Parcel Number: _____

Legal Description (Section, Township & Range): _____

Reason for Abandonment: _____

SECTION V: SUBMITTAL REQUIREMENTS

1. Narrative – Including the current use of the land and why the ROW should be abandoned.
2. Completed and signed Adjacent Property Owner Support
3. Completed and signed Applicant Acknowledgement
4. The legal description of the area to be abandoned described by the Pinal County Recorder's Book and Page or metes and bounds.
5. Color 11" x 17" exhibit (to scale) including:
 - a. Aerial photography
 - b. ROW to be abandoned
 - c. Adjacent properties, roads, allies, easements, ROW, monument lines (if applicable)
 - d. Street Names
 - e. Property Owner Names for properties surrounding the ROW to be abandoned
6. The assessor parcel map.
7. A.L.T.A. Survey no older than 90 days, prepared by a Registered Land Surveyor, for all lots/parcels adjacent to and including the area to be abandoned.
8. Title Report no older than 30 days.
9. Fees: \$500 + \$100/hr (non-refundable)

ADJACENT PROPERTY OWNER SUPPORT

We the adjacent property owners do hereby support the abandonment of

(include address, legal description, drawings, etc.)

By abandoning the right-of-way, the City of Maricopa relinquishes its ownership, and any maintenance responsibility. The abandoned property generally reverts to adjoining properties per ARS28-7205 and ARS28-7214.

We support the abandonment for the following reasons.

- Security
- Increase the buildable area of the lot(s)
- Remove unnecessary rights-of-way or easement to permit development of the property
- Other: _____

Signature of Applicant	Print Name	Date
------------------------	------------	------

Signature of Adjacent Property Owner	Print Name	Date
--------------------------------------	------------	------

***If more than one adjacent owner, attach additional sheet with names, addresses and signatures**

APPLICANT ACKNOWLEDGEMENT

I understand and agree that should there be the need for an easement to be retained for utilities, I would be required to provide 24-hour maintenance access. If an easement is required, I understand that no permanent structure of any kind may be constructed or placed within the easement. I also understand that the affected utility company may not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction, and/or construction of the utility.

I understand that I may choose to relocate all utilities affected by the abandonment. I understand that I, as the property owner, would be responsible for the cost of relocating any affected utilities to locations approved by the affected utility company and that all work shall be done by the affected utility company.

I have read this Abandonment Application and understand that if my application is not complete in all respects, it will not be processed until such time as it is complete.

Signature of Applicant

Print Name

Date

OFFICE USE ONLY

Case #:

Zoning Map #:

Fees:

Date of Submittal:

Accepted by: