



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. Written consent from all adjoining property owners of record that adjoin the proposed right-of-way vacation must be submitted with the petition.
8. 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 - VACATION

1. The undersigned is the applicant or authorized representative of the applicant.
2. It is understood that the City of Pocatello requires the applicant to provide three sets of mailing labels of all the property owners of record with mailing addresses, located within 300 feet of the boundaries of the project site and \$7.25 fee per address. The list shall be based on the most current equalized assessment rolls at the Bannock County Assessor's Office.* This list and fee will be used to send the notices of public hearing required to process the application.
3. This is to certify that the persons named, together with their addresses as shown on the project mailing list attached herewith, are all the owners of property situated within 300 feet of the property, as their said names and mailing addresses are set forth on the latest equalized assessment rolls at the Bannock County Assessor's Office.
4. The foregoing is true under penalty of perjury.

Dated: _____

Signature: _____

Name (please print): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

* To ensure proper noticing, Bannock County Assessor records, rather than information from the online parcel map, must be used.