

Article 1.3: Vacation of Streets and Easements

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1.301 Procedures

- A. **Initiation.** The vacation of a street or easement shall be initiated by the Town Engineer.
- B. **Process.** The Town Engineer shall prepare a legal description of the right-of-way or easement to be vacated.
- C. **Notice.** The Town Engineer shall provide written notice of the proposed vacation to the owners of all property, any homeowners or property owners association, and any utility company or public agency affected by the vacation. Notice shall be mailed no later than fifteen days prior to Town Council action.
- D. **Staff Report.** The Public Works Director shall prepare and transmit a staff report to the Town Council. The report shall include an evaluation of the consistency of the proposed vacation with the Zoning Code, the Redevelopment Plan, the General Plan, any applicable specific plan, and all applicable Public Works standards. The staff report shall also provide an analysis and recommendation. A copy of the staff report shall be made available to the public and affected parties prior to the public hearing.
- E. **Town Council Hearing.** The Town Council shall conduct a public hearing as set forth in Chapter I, Article 5.2: Common Procedures.
- F. **Town Council Action.** The Town Council shall approve or deny the proposed vacation by resolution.
- G. **Mayor's Signature.** Upon Town Council approval of the vacation, and after all other required certifications have been executed, the Mayor shall sign the final vacation resolution.
- H. **Recordation.** The Public Works department shall record the final vacation resolution with the office of the Maricopa County Recorder.

1.302 Submittal Requirements

All application submission requirements are specified in the Vacation of Streets and Easements Process Guide.

1.303 Effective Date

The effective date of vacation of streets and easements is the date of Town Council approval.

1.304 Appeals

Decisions of the Town Council on the vacation of streets and easements are final.