



## Vacation Request for Public Right of Way & Easement - Process

Provide a letter, example attached, to request your street/public right of way or easement vacation. Send it to Sal Maniaci's attention at the address above or [smaniaci@washmo.gov](mailto:smaniaci@washmo.gov). He is the Community and Economic Development Director and oversees the planning and zoning operations at the City. The letter should be signed by any property owner that adjoins the area to be vacated. However, you are not required to get every signature. City Council can vacate any road with or without the adjoining property owner's approval, but it helps if everyone is supportive.

With the letter please attach a map showing the area with property lines and proposed right-of-way or easement vacation. Sal will forward the request to site plan committee to be reviewed. If approved City will contact all utility companies in that area and be given 14 days to respond to the proposed vacation.

After that 14 days if no issues with other utilities, applicant shall apply for a boundary adjustment and submit a new final plat.

This new final plat will be taken to Planning & Zoning meeting held the 2<sup>nd</sup> Monday of each month. If Planning & Zoning reviews and approves the request it will go to City Council the first Monday of the following month for their review.

Any City utilities located within the vacated right of way will require 10' wide easements be dedicated to the City.

Any other utilities will dictate the required easement width.

No parcels can be created in this process which are landlocked, all parcels must have an ingress/egress options.

If any existing access is being taken away from property owners, then signatures are required.

If the request is for a street that adjoins MoDOT right of way, the City may retain a portion of the right of way.

City Code *Section 505.030 Authority of City Council Generally* is also attached for your review.

Date

Mr. Sal Maniaci  
Community and Economic Development Director  
City of Washington  
405 Jefferson Street  
Washington, MO 63090

Dear Mr. Maniaci:

We, the undersigned property owners hereby request the City of Washington vacate any and all interests in the <enter description>. A map showing the subject <> is attached.

Sincerely,

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## Section 505.030 **Authority Of City Council Generally.**

[R.O. 1992 § 505.120; R.O. of 1942 § 509; CC 1970 § 23-14]

### **A.** The City Council may enact ordinances:

- 1.** To grade, pave (the word "pave" as herein used meaning to improve with all kinds of street paving, including macadamizing), gutter, curb and otherwise improve streets and alleys, and parts of the same within this City.
- 2.** To reconstruct and repair any paving, grading, guttering and curbing.
- 3.** To make and repair sidewalks, bridges, culverts and crosswalks, and to condemn and destroy any sidewalks deemed unfit for use, and to replace the same with a new one of the same or different material.
- 4.** To exercise exclusive control over the streets and alleys, and to establish and re-establish grades thereon.
- 5.** To create, open and improve any public square, street, avenue or alley or other highway, old or new, and also to **vacate** and discontinue the same whenever deemed necessary or expedient; provided, that all damages sustained by the citizens of the City or the owners of the property therein, shall be ascertained as prescribed in this Code or other ordinances relating to the condemnation of private property for public use; and provided, further, that whenever any public square, street, avenue or alley, or other highway, shall be **vacated**, they shall revert to the owners of the adjacent lots in proportion as it was taken from them; and still further provided, that when the grade of any street or alley shall have been once established by ordinance, it shall not be lawful to change such grade without making compensation to all persons owning real estate on such street or square, avenue, alley or other highway, who may be damaged by such change or grade, to determine and govern in all respects with reference to benefits and damages as is provided by law.