

## PROCEDURE FOR VACATION REQUESTS TO THE MOBILE CITY PLANNING COMMISSION BY ABUTTING PROPERTY OWNERS OF PUBLIC RIGHTS OF WAY, EASEMENTS, STREETS, AND ALLEYS, WITHIN THE PLANNING JURISDICTION

Consent to the vacation of **all** abutting and affected property owners is required by state law. If the unanimous consent of the vacation of those abutting and affected property owners cannot be obtained, there is no need to make application. It is suggested that you consult your attorney through the entire process. Vacation is a complicated legal procedure, and it is suggested that you have your attorney prepare all the documents submitted.

- 1) Application for vacation shall be filed with the Planning Section, Urban Development Department, P. O. Box 1827, Mobile, AL 36633. Application shall be on the appropriate Mobile City Planning Commission Application Form, with all required attachments as listed on the application form and including but not limited to the items described below:
  - a) Clear and concise description of the area to be vacated, e.g., easement, street right-of-way, service road right-of-way, etc.;
  - b) Name, address, and telephone number of applicant, and signatures of all adjacent or affected property owners;
  - c) A scaled engineering drawing identifying the area to be vacated
  - d) A legal description of the requested vacation.
  - e) A nonrefundable application fee of \$ 100.00 shall be remitted at the time of the application.
- 2) The Application will follow the normal meeting and submission deadline process of all other applications to the Mobile City Planning Commission,
- 3) The application will be reviewed by Urban Development staff, who will prepare an analysis of the request, a recommendation, and sketches illustrating the general area and the specific area to be vacated.
- 4) The application will be considered at a regular meeting of the Mobile City Planning Commission, determined by the meeting – deadline schedule referenced above;
- 5) The Planning Commission will send a Letter of Decision to the applicant, with a copy sent to the Mobile County Engineering Department. The Letter of Decision will include a recommendation by the Planning Commission, and in some instances may have conditions attached thereto;
- 6) If approved by the Planning Commission, the request should then be formally filed with Mobile County, following the procedures and requirements established by Mobile County and the State of Alabama.