

CITY OF PARK RAPIDS VACATION REQUEST

**Fee: \$100
(Escrow \$500)**

The City Council, with the assistance of the City Planning Commission, shall have exclusive power to vacate or discontinue public streets, alleys or highways or any portion thereof in the City and public utility or access easements, but no such vacation or discontinuance shall be granted or ordered by the Council except upon the verified petition in writing of one (1) or more of the owners of real property on that portion of such street, alley or highway proposed to be vacated or the verified petition of the City Planner. Such petition shall state the reason for such vacation and briefly describe the street, alley or highway, or portion thereof, desired to be vacated.

Upon receipt of a complete petition of vacation to the City Planner, such petition shall be forwarded to the Planning Commission. The Planning Commission will review the application and make a recommendation to the Council. The Council will hold a public hearing on the vacation request.

In order to determine whether utilities are located in such right-of-way or easement requested for vacation, it shall be the responsibility of such applicant or applicants to have all utility companies review such requests for vacation for a determination of utility location. A map of the proposed right-of-way vacation shall be taken to the utility and indication made by such utility as to whether utility lines are located in such right-of-way.

A petition for right-of-way or easement vacation shall be accompanied by this sheet indicating that the utility has been contacted and indication made by each utility as to the presence of utilities. **If easements must be retained for utilities or access, the applicant shall submit a drawing and a written description of the easement(s) with this form.**

<u>Utility</u>	<u>By</u>	Utilities are present within requested <u>Right-of-Way Vacation</u>
Minnesota Power	_____	Yes ___ No ___
Minnesota Energy Resources	_____	Yes ___ No ___
Arvig Communication Systems (ACS)	_____	Yes ___ No ___
	_____	Yes ___ No ___
	_____	Yes ___ No ___

If yes, are easements needed?

Utility Company Comments: _____

Purpose for Fees and Escrow

Fees: The application fees are used for staff time for case review and preparation of documents, publication of the public hearing notice in the Enterprise, and for postage to mail the required notices to required properties. These fees do not include recording fees or additional publication fees.

Escrow: The City uses staff to review applications in addition to consultants for engineering, legal and environmental reviews. The escrow is used to pay for costs, including but not limited to, staff review time, consultants, as well as meeting with applicants, neighborhood meetings, preparation of staff reports, preparation of legal documents, and recording and additional publication fees, where required. Once the escrow is used additional escrow funds may be required to be submitted prior to further processing of the request. (See Agreement to pay professional fees)

Acknowledgment and Signature:

The undersigned applicant hereby represents upon all of the penalties of the law, for the purpose of inducing the City of Park Rapids to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinance of the City of Park Rapids, and the laws of the State of Minnesota, and that the undersigned applicant will pay all fees and charges incurred by the City for the examination and review of this application.

Signature of Applicant(s)

Signature of Property Owner

Date

Date

An application shall only be considered complete if it includes all necessary information regarding applicant's request, application fee, an escrow payment, and an executed agreement to pay city professional fees.

Complete application accepted on: _____
Date

**ADDENDUM TO DEVELOPMENT APPLICATION
AGREEMENT TO PAY CITY PROFESSIONAL FEES**

Applicant(s) Name

Address of Property Involved

I/we, the undersigned Applicant(s), hereby agree that I/we will pay all fees and charges that may be incurred by the City for planning, engineering, legal, and any other professional services directly related to and incurred by the City during the examination, review and processing of this Application, and during any necessary enforcement action subsequent to this request. I/we understand that the application fee is only an administrative charge intended to defray costs associated with City Staff services and resources required for the processing of this request. I/we agree to deposit the funds in escrow with the City. The City will make every reasonable effort possible to keep these charges to a minimum, yet still provide the needed level of professional services. If direct costs for recording and professional services are in excess of funds placed in escrow, additional escrow funds may be required to be submitted prior to further processing of the request. Otherwise any fees resulting in charges above the escrow funds placed on deposit will be billed and promptly paid by the Applicant(s) prior to the final disposition of the request by the City. If direct costs to the City are less than the sum placed in escrow, then the balance will be refunded to the Applicant(s) upon final disposition of the request by the City.

Signature of Applicant(s)

Date

Approved by the City Council on March 11, 2008.