

**APPLICATION FOR VACATION OF A PUBLIC STREET, ALLEY,
EASEMENT, OR PUBLIC WAY
(Pursuant to 43-2-303, C.R.S. 1973)**

1. Circle one: (Street, alley, easement) vacation is being requested.
2. Please list the name, address, telephone number and email (if available) of the following (some may not be applicable):

APPLICANT(S)

**PROPERTY
OWNER**

**APPLICANT'S
REPRESENTATIVE**

3. The roadway, alley, or easement is known as:

and has the following legal description:

4. List all property owners as currently listed with the County Assessor that abut the roadway, alley, or easement whose vacation is being requested:

NAME

ADDRESS

TELEPHONE NO.

5. Of those owners listed in #4, the following object to the proposed vacation:

NAME

ADDRESS

TELEPHONE NO.

6. List all the Assessor's Tax Parcel Numbers of the properties that abut the roadway, alley, or easement whose vacation is being requested:

Applicant's Signature

THE FOLLOWING ITEMS MUST BE SUBMITTED ALONG WITH THIS APPLICATION:

1. A letter of request stating the interest of the applicant, the interest of the person, firm or corporation representing the applicant, and the reasons for the vacation.
2. Letters from the County Director of Public Works, the County Sheriff and all applicable fire departments, school districts, utility companies and special districts which serve the area in or around the property where the vacation is sought. Such letters shall state the position of the respective authorities concerning the proposed vacation.
3. An accurate drawing (**24" x 36" with appropriate margins**) suitable for recording prepared by a Colorado licensed land surveyor depicting and legally describing the public street, alley, easement or public way to be vacated. The drawing shall also note all reservations, if any. **2 COPIES FULL SIZE; and a .PDF (adobe acrobat) file of the drawing.**
4. Verified documentation the requested vacation will not leave any land adjoining the roadway without an abutting established public road or private access easement connecting the land with another established road.
5. A nonrefundable application fee as set by resolution of the Board of County Commissioners.

FOR YOUR INFORMATION

The Pueblo County Planning Commission shall review all applications for the vacation of a public street, alley, easement or public way during a public meeting. The Commission shall send its recommendation to the Board of County Commissioners.

The Board shall hear all applications to vacate a public street, alley, easement or public way. After receiving a vacation application, the Board shall set a time and a place for a public hearing and shall cause notice of the hearing to be sent to property owners whose property abuts or is within three hundred feet (300 ft.) of the exterior boundaries of the public street, alley, easement or other public way proposed to be vacated. Such notice shall be sent by first class mail with postage prepaid at least 15 days before the public hearing.

Notice shall also be posted in conspicuous places at each end of the public street, alley, easement or public way proposed to be vacated. Such notice shall be posted at least 15 days before the hearing.

Notice shall also be published in the newspaper of general circulation in the county at least 15 days before the public hearing.

Before granting the vacation of a public street, alley or public way, the Board of County Commissioners shall find the following conditions (a) through (e) exist:

Before granting the vacation of an easement, the Board of County Commissioners shall find the following conditions (d) through (f) exist:

- (a) The public street, alley, or public way to be vacated was created by plat or deed, or exists by right of usage if unplatted or undefined.
- (b) The requested vacation will not leave any land adjoining the roadway without an abutting established public road or private access easement connecting the land with another established public road.
- (c) The requested vacation will not adversely affect the transportation needs of Pueblo County.
- (d) The requested vacation is completely within the boundaries of Pueblo County and is not within the limits of any incorporated city or town.

- (e) The requested vacation is not a boundary with any other county or incorporated city or town, or if it is a boundary, the vacation is approved by joint action of the Board and the duly constituted authority of the other county, city, or town.
- (f) The requested easement vacation will not adversely impact the development or redevelopment of the surrounding properties or neighborhood.

If the vacation is approved, the Board of County Commissioners may reserve rights-of-way or easements for the continued and/or future use of sewer, gas, water, or similar pipelines and appurtenances, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

Upon approval of the vacation, the affected property owners shall prepare deeds to incorporate the applicable portion of the vacation into their property's description. The deeds shall be submitted to the County Planning and Development Department for recordation with the drawing.

Upon approval of the vacation and satisfaction of all conditions imposed on the approval, the accurate drawing and required deeds shall be recorded with the Pueblo County Clerk and Recorder at the applicant's expense.

Applicant/Representative

Date

NOTICE: All information, including emails, submitted to Pueblo County Department of Planning and Development is considered public record and is therefore available for public review.

NOTICE: THE PUEBLO BOARD OF COUNTY COMMISSIONERS AND THE PUEBLO COUNTY PLANNING COMMISSION ENCOURAGE YOU TO TALK WITH YOUR NEIGHBORS REGARDING YOUR PROPOSED LAND USE OR ACTIVITY.

As a part of the processing of your land use application, notice of your proposed use or activity will be sent to all property owners within three hundred (300) feet of the property, a poster style notice will be posted on or near the property and a public notice will be published in the newspaper. The notice will briefly provide the time and date of the Planning Commission and Board of County Commissioners (when applicable) meetings or hearings related to your request.

The Pueblo Board of County Commissioners and the Pueblo County Planning Commission strongly encourage you to meet with the residents/owners in the area prior to these meetings or hearings to explain your proposed use or activity and to listen to concerns or suggestions the area residents may have. Such meetings may alleviate many concerns of the area residents/owners and may lead to a more efficient public meeting/hearing process.

**VACATION OF A PUBLIC STREET, ALLEY,
EASEMENT, OR PUBLIC WAY
APPLICATION CHECKLIST
THE FOLLOWING ITEMS MUST BE SUBMITTED
ALONG WITH THE APPLICATION:**

This checklist must be included with your application

- _____ 1. A letter of request that contains:
 - _____ Date of application
 - _____ Interest of the applicant
 - _____ The interest of the person, firm or corporation representing the applicant
 - _____ Request and reason for the vacation

- _____ 2. Letters from the following authorities which serve the area in or around the property where the vacation is sought stating the position of the respective authorities concerning the proposed vacation:
 - _____ County Director of Public Works
 - _____ County Sheriff
 - _____ Applicable Fire Department
 - _____ School District
 - _____ Utility Companies
 - _____ Special Districts

- _____ 3. Accurate drawing (drawn to scale; 2 copies 24"x36") of the proposed vacation that:
 - _____ Is suitable for recording
 - _____ Prepared by a Colorado Licensed Land Surveyor
 - _____ Depicts and legally describes the public street, alley, easement, or public way to be vacated
 - _____ Notes all reservations, if any

- _____ 4. A digital file of the project in .PDF

- _____ 5. Verified documentation the requested vacation will not leave any land adjoining the roadway without an abutting established public road or private access easement connecting the land with another established road.

- _____ 6. A nonrefundable application fee \$ _____

- _____ 7. Any drawings/maps larger than 8½" x 14" must be folded to a size *no larger than 12" x 9"*

- _____ 8. *THIS CHECKLIST*

- _____ Planning & Development Staff Initials

THE ABOVE CHECKLIST IS PROVIDED FOR THE CONVENIENCE OF THE APPLICANT AND SHOULD NOT BE USED TO DETERMINE COMPLETENESS OF AN APPLICATION. UPON STAFF REVIEW, ADDITIONAL INFORMATION MAY BE REQUIRED.

The submittal deadline is 2:00 p.m. on the 1st Wednesday of each month. Complete applications will be scheduled before the Pueblo County Planning Commission and the Board of County Commissioners. Information on the specific meeting/hearing dates can be obtained from the Department of Planning and Development or online at http://county.pueblo.org/sites/default/files/documents/2015_BCC_PCPCMTGDATES.pdf