



Department of Development Services
Planning Division
1300 7th Street, PO Box 1431
Wichita Falls, TX 76307
(940) 761-7451

Application Requesting the Closing, Vacating and Abandoning of an Easement, Street or Alley

Dear Sir or Madam:

As property owner, I hereby request that the City of Wichita Falls consider closing, vacating, and abandoning the following easement, street or alley. Please attach a map along with a written description of the property with dimensions:

This request is being made for the following reasons:

I acknowledge that a \$200 processing fee will be required, and understand that if this action is taken, such street or alley will no longer be a public way, and it may be closed to the public.

This will inform you that I have no objection to the City's closing, vacating, and abandoning such easement, street or alley.

Name _____ (Please Print)

Signature _____

Address of Property _____

Phone _____

Date _____



CITY OF WICHITA FALLS STREET, ALLEY, AND EASEMENT ABANDONMENTS

November 1, 1991

(Updated September 2014; October 2015)

The following procedure and fee schedule shall be used for requests to close streets, alleys, and easements in the City of Wichita Falls. This procedure is based on the Local Government Code, as amended, and City ordinances.

PROCEDURE

1. **Application and Processing Fee:**
Application for abandonment shall be made to City of Wichita Falls Planning with a non-refundable processing fee of \$200.00. The processing fee shall not be required, if the abandonment is accomplished as part of a platting process.
2. **Technical Review:**
Planning will notify appropriate utility and government agencies of the request for their written technical review.
3. **Public Notification:**
For street or alley rights-of-way abandonment, not involving a plat, Planning will notify all abutting property owners of the request. If a property owner would like to respond, he is given ten (10) days to return his response form to Planning.

In cases where, in the judgment of staff the impact of the abandonment would pertain to more than the immediate property owners, additional notification may be given, and the recommendation of the Planning & Zoning Commission may be obtained (e.g. street closures, where an active street is being considered for abandonment).

4. **Abandonment as part of Platting:**
If the abandonment is requested as part of a platting process where additional street/alley right-of-way, or utility easement is being dedicated in the immediate area, and the amount of dedication in terms of square-footage, equals or exceeds the square-footage of a similar right-of-way or easement to be abandoned, then the abandonment can be accomplished by labeling it "Herein Vacated" on the plat. No payment of fair market value will be required under this procedure. The abandonment shall become effective upon the filing of the plat.

5. Appraised Value:

If the abandonment requested is not part of a platting process, or, the amount of dedication in terms of square-footage does not equal, or exceed the square-footage of a similar right-of-way or easement to be abandoned, then, the abandonment will require the payment of the appraised value as determined by the City as follows:

- The appraised value will be determined by City Property Administrator using tax appraisals of abutting properties. This appraisal shall be used if the value is less than \$1,000, unless the applicant submits an independent appraisal for consideration by the City.
- If the estimated appraisal is \$1,000 or more, an independent appraisal shall be required. The applicant shall bear the cost of the appraisal. The independent appraisal contact shall be made by the City Property Administrator.

6. City Council Action:

Upon payment of the appraised value the City Property Administrator shall prepare appropriate ordinance for City Council action.

7. Deed Conveyance:

Upon passage of the abandonment ordinance, the Legal Department shall prepare a quit claim deed conveying the City's interest to the applicant.

In the event an abutting property owner's property encroaches upon City-owned right-of-way or other City property, the abutting property owner may ask the City to convey the City's interest in its property to remedy the encroachment. The request shall be made to the City's Property Administrator who shall process the request for consideration by the City Council.

The abutting property owner shall pay in advance for all expenses necessary to process the request including any survey and appraisal fees.

In the event the City Council decides to convey the City's interest in the property the abutting property owner shall pay the City the greater of One Thousand (\$1,000) Dollars or the appraised value of the property. The purchase price does not include expenses paid by the requestor to process the request.