

CITY OF COLWICH, KANSAS

**INSTRUCTIONS TO THE PETITIONER(S) REQUESTING A VACATION
AS PROVIDED FOR IN THE SUBDIVISION REGULATIONS**

(For use inside the City only.)

1. Petitioner(s) are advised that the City Planning Commission is only authorized to hear and make a recommendation on certain vacations inside the City which are specifically provided for in Section 10-103A of the City Subdivision Regulations.
2. A petitioner(s) must complete a petition form and all blanks should be filled in or noted as N/A. See Section 10-103A 1 and 2 of the Subdivision Regulations for procedures pertaining to a vacation.
3. The petitioner(s) shall provide a list of such landowners to be notified of the public hearing as required by the Subdivision Administrator including names, addresses and zip codes plus the legal description of all petitioners. The Administrator will compile a similar list of potentially affected utility providers.
4. The above petition shall be filed in a timely manner with the Subdivision Administrator before the next regular Planning Commission meeting, together with a fee to the City as established by the Fee Schedule in Section 3-109 of the Subdivision Regulations. See Administrator for Fee Schedule information and Meeting and Closing Date Schedules for the petition. Incomplete petitions will be returned to the petitioner(s).
5. Notice of the public hearing by the Planning Commission will be published in the official city newspaper by the Subdivision Administrator so that **at least 20 days elapse** between the date of publication and hearing date. Notices of the hearing will also be mailed by the Administrator to all landowners on the ownership list, potentially affected utility providers and the petitioner(s) so that **at least 20 days shall elapse** between the mailing date and the hearing date.
6. The recommendation of the Planning Commission on the vacation for approval or disapproval and with or without conditions attached will be presented to the Governing Body at their meeting and, if granted, will be effectuated in the form of a Vacation Order which will be certified by the City Clerk and filed with the Register of Deeds. The Register of Deeds will note for their records the effect of the vacation on a plat or separately recorded document.
7. A decision of the Governing Body is considered final unless appealed to the District Court under Section 12-102 of the Subdivision Regulations within 30 days after the date that the Vacation Order is approved.
8. Please note that the City is processing your petition under the minimum time period prescribed by state law.

PETITION FOR A VACATION UNDER THE SUBDIVISION REGULATIONS

This is a petition for a vacation. The form must be completed in accordance with directions on the accompanying instructions and filed with the Subdivision Administrator at City Administrative Center, 310 South Second Street, Colwich, Kansas 67030-0158 or FAX: (316) 796-0913.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.)

- 1. Name of contact Petitioner _____
 Address _____ Phone _____
 Name of Agent, if any _____
 Address _____ Phone _____

List of petitioners and affected landowners attached: Yes _____ No _____

- 2. Petition is made for a vacation as provided for in Section 10-103A of the City Subdivision Regulations to vacate (describe request):

 for property in the City located at _____

 and legally described as _____

- 3. The petitioner(s) herein or his/her authorized agent acknowledges:
 - a. That he/she has received instruction material concerning the filing and hearing of this case; and
 - b. That he/she has been advised of the fee requirements established and that the appropriate fee is herewith tendered; and

- c. That he/she has been advised of his/her rights to bring action in the District Court of the County to appeal the decision of the Governing Body; and
- d. That the list of petitioners and affected landowners is attached hereto as required in the instructions; and
- e. That the Governing Body has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.

Signatures of all Petitioners:

_____	_____
	Date
_____	_____
	Date
_____	_____
	Date
_____	_____
	Date
_____	_____
	Date

OFFICE USE ONLY

This petition was received at _____:_____ (a.m., p.m.) on _____, 20__
 by the Subdivision Administrator acting for the City Clerk. It has been
 checked and found to be complete and accompanied by the required documents and
 the fee of \$_____.

 Subdivision Administrator

cc: Petitioner(s)