



## City of Bartlesville

# CLOSING OF A PUBLIC WAY OR EASEMENT PROCEDURE AND APPLICATION



The following procedures are the minimum necessary in order to facilitate the review of a request to close a public way or easement. These procedures are set by Oklahoma State Statute and require that the City give written notice of any proposed closing of a public way or easement to any holder of a franchise agreement or entity determined by the City to have a special right or privilege to use the public way or easement. This written notice must be given at least thirty (30) days prior to the City Council review of a request to close a public way or easement.

- I. Required Documents. The following must be submitted, complete and in final form, to the Engineering Department.
  - A. Completed APPLICATION;
  - B. Site Plan containing the following information:
    1. Location and dimensions of easement, or right-of-way proposed to be closed,
    2. Location of any buildings and structures, including patios, within 20 feet of the proposed closure,
    3. Name and location of all adjacent streets and alleys,
    4. Location of all utility service lines within the property,
    5. North arrow and scale of survey,
    6. Drawing should be no greater than 11" x 17";
  - D. Regulations require applicants to submit with their application a list of the names and addresses of all property owners of record abutting the proposed closing. This list must be certified as current and accurate by a registered professional engineer, an attorney, a bonded abstractor, or a registered land surveyor. The attached CERTIFICATE (exhibit A) must be submitted with this list.
  - C. Name and address of legal owner(s) of property abutting the proposed closing on self-stick mailing labels, either typed or legibly printed;
  - D. Completed PETITION OF CONSENT (Exhibit B). The PETITION OF CONSENT must be signed by at least seventy-five percent (75%) of all owners of abutting property to the proposed closure;
  - E. Application Fee of \$50



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## II. Review and Approval Steps.

- A. Complete the application and bring it with *all required material*, including the \$50 filing fee, to the Engineering Department at the address below. The staff will make sure your application is complete; incomplete applications will not be accepted.
- B. Once your application is filed at the Engineering Department, it will be placed on a City Council Agenda at least 45 days from the date of filing in order to meet the required 30 day notification requirements. The Council meets the first and third Monday of each month unless the schedule is altered by a holiday during that particular month.
- C. After your application and required materials are received and a hearing date set, a legal notice of the request will be published in the Bartlesville Examiner-Enterprise, and a written notice will be provided as required by State law.
- D. The staff will research and analyze your request and prepare a staff report with a recommendation, which will be distributed to each Council member, as well as to the applicant. This staff report will also be made available to any member of the public on the Friday before the Council meeting.
- E. At the Council meeting, your request will be considered at a public hearing. You will be sent notice of this meeting, and you or your representative must be present. The staff will introduce your request, and you and any interested citizen will have the opportunity to speak to the Council concerning the request.
- F. At the conclusion of this public hearing, the Council, by majority vote, shall approve, approve conditionally, or disapprove the closing request.

The City Council meetings are held in the City Council Chambers of the Bartlesville City Center, 401 S. Johnstone, Bartlesville, Oklahoma. If you have any further questions, please call the Engineering Department at 918-338-4251.



# APPLICATION REQUESTING CLOSING OF A PUBLIC WAY OR EASEMENT

FOR OFFICIAL USE ONLY	
Received:	_____
Council Date:	_____

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Daytime Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Legal Description of Property:

\_\_\_\_\_  
\_\_\_\_\_

Legal Description of Right-of-Way or Easement to be Closed:

\_\_\_\_\_  
\_\_\_\_\_

**THE FOLLOWING ITEMS ARE ATTACHED:**

**Attached**

- |    |   |                          |
|----|---|--------------------------|
| 1. | Application fee of \$50.00  | <input type="checkbox"/> |
| 2. | Site Plan – Vicinity sketch showing boundary lines and dimensions, adjoining streets, existing utilities and easements, no greater than 11” x 17”.                                | <input type="checkbox"/> |
| 3. | Petition consenting and requesting the closing of the public way or easement signed by at least seventy-five percent (75%) of all owners of abutting property to such public way. | <input type="checkbox"/> |
| 4. | Name and address of legal owner(s) of property abutting the proposed closing on self-stick mailing labels, either typed or legibly printed.                                       | <input type="checkbox"/> |

**I Certify That This Information is True and Correct.**

SIGNATURE \_\_\_\_\_

**Remit Application with all pertinent certificates, petitions and plans to the Engineering Department at the address shown below**



# CERTIFICATE

The undersigned, \_\_\_\_\_, does hereby certify:

That the attached PETITION OF CONSENT is a complete and correct list of abutting property owners (abutting the area proposed for closing as identified in the legal description below) as reflected by the tax rolls in the office of the County Treasurer for Washington County, Oklahoma, and the last recorded conveyance in the office of the County Clerk for Washington County, Oklahoma

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Typed or Printed Name**

Legal description of property and proposed closing:

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# PETITION OF CONSENT

Description of easement being closed:

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This is a petition hereby acknowledging and consenting to the above easement closing request.

Print Name

Signature

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Address

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Print Name

Signature

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Address

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Print Name

Signature

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Address

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Print Name

Signature

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**PETITION OF CONSENT (continued)**



This is a petition hereby acknowledging and consenting to the above easement closing request.

Print Name

Signature

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Address

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Print Name

Signature

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