



SUBDIVISION ABANDONMENT APPLICATION

APPLICANT

Name _____

Mailing Address _____

Contact Person _____

Phone _____ Fax _____

Email _____

PROPERTY INFORMATION

Assessor's Parcel # _____

Township _____ Range _____ Section _____

Subdivision Name _____

Unit # _____ Lot # _____

Address/Location _____

Number of Lots Proposed _____

Total Site Acreage _____

Existing Access and Utility Easements _____

REASON & FUTURE USE

SUBMITTAL CHECKLIST

- Abandonment application and all required items submitted to the P&Z at least 30 days prior to the next scheduled meeting.
- A non-refundable processing fee \$350.00.
- Consents from applicable property owners.
- A map of abandonment that has been prepared and signed by a Registered Land Surveyor. Titled "MAP OF ABANDONMENT OF (Subdivision Name)" and a certification block for Planning and Zoning and the Board of Supervisors signature.
- Copy of the previously recorded subdivision plat.
- Letters from all utilities consenting to the abandonment.
- A current title report.

CERTIFICATION & SIGNATURE

Submittal of this application constitutes consent of the applicant in granting the Planning and Zoning Department access to the subject property during the course of project review. No further consent or notice shall be required.

I hereby certify that the information in this application is correct and agree to abide by the regulations of this jurisdiction.

Signature of Applicant

_____ Date _____

Signature of Property Owner (if not the applicant)

_____ Date _____

OFFICE USE ONLY

Received By _____ Date _____

Receipt # _____ Fee _____

Subdivision Name _____

Related Subdivisions _____

COMMISSION ACTION

- Approved with conditions Denied

Chairman _____ Date _____

BOARD ACTION

- Approved with conditions Denied

Supervisor _____ Date _____

12/6/2017

SECTION 10.C

ABANDONMENT OF SUBDIVISION

In accordance with Arizona Revised Statutes, all or parts of a recorded subdivision plat may be abandoned. Three types of abandonments may occur: public rights-of-way, subdivisions with prior lot sales, and subdivisions where no lots have been sold.

Abandonment of streets, alleys, easements or roadways.

The abandonment of a street, alley, easement, or roadway dedicated in a subdivision plat of record shall follow the procedure set by the Apache County Engineer's Office.

Recorded subdivision with prior lot sales.

In a recorded subdivision where lots have been sold, no abandonment of the recorded plat shall occur unless written, notarized consents to the abandonment are received from all property owners within the subject subdivision and adjacent property owners are provided access to a public roadway.

Procedure for abandonment.

Procedure for abandonment of a subdivision is subject to the following requirements and considerations:

- A. Filing and Review. To initiate the procedure, an application for abandonment of a subdivision, describing thereon the reasons and future use of the affected property, must be filed with the planning director together with a map of the abandonment, letter(s) from utilities consenting to the abandonment, consents of applicable property owners, copy of the previously recorded subdivision plat, a current title report and all other related documents required by the county, and the appropriate processing fees as set forth in the adopted community development fee schedules. Upon acceptance of application for abandonment, the planning department, engineering department and other applicable county departments shall review the proposed abandonment. The community development director shall correlate the findings of all applicable departments.
- B. Provision shall be made to retain existing utility easements and necessary roadways, easements and dedications as deemed appropriate by the board or as required by the Arizona Revised Statutes.
- C. No property owner within the subject subdivision or adjacent property owner shall be denied access, totally or partially, by the abandonment.
- D. Map of Abandonment (MOA). The map of abandonment shall include, at a minimum, the following information:
 - a. The title "Map of Abandonment of _____" shall appear on each sheet that is to be filed for recordation.

- b. All basic criteria in the preparation of a MOA shall apply and all subdivision plat information shall be included.
- c. Indicate those streets, alleys, easements or roadways previously dedicated that will be retained and remain separate from the abandonment.
- d. All necessary acknowledgments and ratifications, and a certification by an Arizona-licensed and registered land surveyor preparing the MOA, including his registration number and seal.
- e. Signature lines for the chairman of the board and the attestation of the clerk of the board.

1. Notification to neighbors

- a. The Community Development Department shall send a letter to each property owner within 300 feet of the subdivision to be abandoned at least 15 days before the Planning and Zoning Commission hearing. The letter shall describe the applicant's proposed amendment, the date of the Planning and Zoning Commission hearing, as well as an 8 ½" x 11" copy of the Map of Abandonment.

2. Public hearing before the Planning and Zoning Commission

- a. No later than 15 days before the public hearing, the County shall publish a notice in a local newspaper.
- b. The Planning and Zoning Commission shall recommend approval, denial, approval subject to conditions, or table the proposal to a later date.
- c. After receiving a recommendation from the Planning and Zoning Commission, a public hearing shall be scheduled before the Board of Supervisors.

3. Public hearing before the Board of Supervisors

- a. Prior to any board final action on the proposed MOA, the street abandonment procedure shall be completed.
- b. No later than 15 days before the public hearing, the County shall publish a notice of the hearing in a local newspaper.
- c. The Board shall approve, deny, approve with conditions, or table the proposal.
- d. If approved, the Board shall sign the application and Map of Abandonment.

FEE

The fee to perform the filing, check the plat and post the property will be as set by the Board of Supervisors.

