



RIGHT-OF-WAY VACATION SUBMITTAL CHECKLIST

Section 18-63

Applications must contain the following information in the format described. Applications will not be accepted if required items are missing or incomplete.

- 1. Application Form** – must be signed by the property owner or be accompanied by an authorization letter
- 2. Application Fee** - refer to the application form
- 3. Letter of Intent** – narrative describing the request in detail, including the review criteria in Section 18-63(e):
 1. The right-of-way to be vacated is no longer necessary for public use and convenience;
 2. No land adjoining the right-of-way to be vacated will be left without established access connecting said land with another established public street; and
 3. The ROW Vacation does not prevent the extension of, or the retention of public services, facilities, or utilities.
- 4. Title Commitment** – Dated no more than 30 days prior to application date. An updated Title Commitment must also be provided, dated within 30 days of recordation.
- 5. Legal Description (Word format)**
- 6. ROW Vacation Exhibit (PDF and AutoCAD formats)**
- 7. Other Plans or Reports as Necessary**

This is a general list of requirements. Some projects may require more or less information.

Notes:

ROW vacation shall follow the requirements of C.R.S. § 43-2-203, as may be amended. Those requirements are supplemented as follows:

1. For ROW which has been dedicated but no roadway constructed, said ROW shall be vacated only after approval of council. Said approval may be in the form of council's approval of any development application, provided the vacation has been called out in the documentation presented to council. After council approval of the ROW vacation, vacation may occur via properly recorded subdivision plat.

2. For ROW which has been dedicated and roadway constructed, such ROW may only be vacated through specific ordinance approved by council and recorded in the real property records of Adams County, in compliance with C.R.S. § 43-2-303.

The council may impose such conditions or make such reservations as it deems to be in the public interest, including, but not limited to:

1. Reservation of easements for municipal and public utilities in the area vacated; or
2. Require the construction of a relocated or alternate right-of-way.