

Vacation Process for ROW or Public Utility w/access

Fees:	Engineering fee	\$440.79
	2 Legal notices \$63+	+ <u>\$189</u>
		\$629.79 + Base
	Certified Ltr-Utilities	\$ 6.30 each (generally 10 – 12 ltrs)
	Certified Ltr 300' Radius (Property Owners)	\$ 6.30 each (Varies per location)

Fees are non-refundable. Therefore, the Traffic Commission will review the request for Vacation before it is accepted. They will then provide their comments on whether or not they feel Council will grant the vacation.

The person requesting the vacation fills out a "Petition to Vacate" application and provides;

- A map showing the lot, the platted easement and the portion of the easement to be vacated
- A legal description of the area being vacated
- A listing of property owners within 300' and their mailing addresses

Please submit documents and fees at the Public Works Directors office at 621 Cleveland. Documents and fees are required before the process can begin. The vacation request application may be filed by a 2nd party on behalf of the property owner but needs to be acknowledged by signature of the property Owner.

In addition, Idaho Power requires their own application be filed with them along with \$150 fee. The application is on the ID Power website. Often the same exhibits meet the requirements of both applications.

The following is a summary of the vacation process per Idaho Statutes/State Code, Title 50: Chapter 13:

1. Petitioner submits Application and Fee's to City Public Works Office at 621 Cleveland. (Idaho Power has an additional application and fee.)
2. Certified letters, return receipt requested, are sent to all Utilities and require a return signed response of approval to proceed.
3. Once all Utilities have responded in writing, and there are no objections, a City Council hearing date will be set.
4. A public hearing will be noticed in the local newspaper for two consecutive weeks the last of which shall not be less than 7 days prior to the City Council Hearing.
5. Certified letters, return receipt requested, are sent out to all property owners within a 300' radius of the property being vacated at least 10 days prior to the City Council hearing. The letter informs them of the vacation and when the City Council will meet to

make final decision. That City Council meeting is Property Owners opportunity to rebut the vacation.

6. When all above requirements have been met, City Council will hear and may grant the request to vacate with such restrictions as they deem necessary.
7. Restrictions must be completed before Vacation is official.
8. The Vacation will be recorded by the City of Caldwell at the County Court house when it is official.
9. End

Hope you find this summary helpful. If you have questions regarding the above process feel free to call Tammy Frans during business hours at 455-4734.

Tamera Frans
City of Caldwell, Public Works
(208) 455-4734
tfrans@cityofcaldwell.org



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