



SETTLED 1870 · INCORPORATED 1986

Case No.: ROW-A-
For Official Use Only

Application Fee: \$ _____
For Official Use Only

APPLICATION FOR ABANDONMENT OF RIGHT-OF-WAY OR PUBLIC EASEMENT

(Rev 5/16B)

The following information and submittals are required in order to process your request for Abandonment

Application Submittal Date: _____

Name of Street being Abandoned (if applicable): _____

Is the Right-of-Way or Public Easement within a Platted Subdivision? _____

What Subdivision? _____

Applicant: _____

Applicant _____ Address: _____

Phone No.: _____ Fax No.: _____ E-mail: _____

Owner: _____

Owner _____ Address: _____

Phone No.: _____ Fax No.: _____ E-mail: _____

Single Point Of Contact For All Formal Communications:

Name: _____

Address: _____

Phone No.: _____ Fax No.: _____ E-mail: _____

ABANDONMENT APPLICATION CHECKLIST

(Items to be provided by the Applicant)

Parcel information:

Applicant's Assessor's Parcel No. (s): _____

Parcel Address(es): _____

Current Zoning District (s): _____

Utility Services provided by:

Water: _____ Electric: _____

Gas: _____ Sewer: _____

Telephone/Cable/Television: _____

Proposed use for the abandoned area:

- A completed application form and proof of ownership.
- A Narrative Report including a statement of pertinent facts and circumstances, with reason(s) for the abandonment request, documentation which evidences conveyance to the Town or Maricopa County
- Documentation which evidences conveyance to the Town or Maricopa County (copy of deed or recorded plat). If no documents are available, a litigation report from a title company shall be required.
- A Legal Description and Location Map on an 8-1/2" x 11" sheet identifying the proposed abandonment area prepared and sealed by an Engineer or Registered Land Surveyor.
- Non-refundable application processing fee of \$800.00.

APPLICATION CONDITIONS:

A) A survey of the proposed abandonment area or other information may be required. The applicant is responsible for obtaining the survey or any other information at the applicant's sole cost.

B) Under state law, right of way(s) which are abandoned must be sold to the adjoining owners or the high bidder, unless the right of way(s) will be abandoned to a homeowners association, or the adjoining owner meets the definition of an "abutting" owner who previously conveyed the right of way. An abandoned right of way will be conveyed to the "abutting" owner for the consideration paid for the land by the town. The sale price for a right of way to be abandoned by

sale is determined by an appraisal and/or value determination for the proposed abandonment area. The sale price is in addition to the non-refundable \$800.00 processing fee. Upon approval by the Town Council, escrow arrangements require an earnest money deposit of 10% of the sale price. The earnest money deposit will be refundable only if the abandonment and/or sale is canceled by the town prior to close of escrow.

C) The applicant will be notified by letter if the abandonment is rejected by the Town of Cave Creek and not submitted to the Town Council for final decision.

D) Escrow services may be used to complete the abandonment(s) process. The applicant shall be charged for escrow and title insurance fees.

E) The Town of Cave Creek reserves the right to cancel the abandonment at any time prior to closing, or recording of the deed(s) to complete the abandonment.

F) Discussion between town staff and the applicant does not bind the town. The applicant should expect that additional issues will likely be raised by the town at later stages of the process.

/WE HAVE COMPLETED THE APPLICATION AND AGREE TO THE ABOVE CONDITIONS:

APPLICANTS SIGNATURE

Date

-----**STAFF USE ONLY**-----

Building/Fire Safety Review: _____

Date: _____ Approved: (Y)____ (N)____

Comments:

Planning/Zoning Review: _____

Date: _____ Approved: (Y)____ (N)____

Comments:

Engineering/Public Works Review: _____

Date: _____ Approved: (Y) _____ (N) _____

Comments:

Town Manager/Town Clerk: _____

Date: _____ Approved: (Y) _____ (N) _____

Comments:

Town Council Public Hearing Date: _____

Town Council Resolution Number: _____

Town Council Decision: _____ by a vote of: _____