



## **Street & Alley Vacation Request Process Private Applicant**

**\* Applicant will have to pay the Appraisal Fee for the Street/Alley**

**\*\* Applicant must pay for 2/3 (Two-Thirds) of the value of the Street/Alley to be vacated**

1. Private-Owner Applicant submits a written petition and map to City Clerk requesting City Council to vacate subject street/alley and submits fee payable to the City of Hamilton in the amount of \$50.00.
2. City Council refers the petition to Planning Department who coordinates the Interdepartmental Review for comments.
3. Upon completion of City Interdepartmental Review, the Planning Department submits to Planning Commission for review and public hearing.
4. Public Hearing Notification of Street/Alley Vacation is mailed within 10 days of Public Hearing to all property owners within 200 feet of property proposed for vacation.
5. Public Hearing Notification also sent to property owners directly adjacent to alley or street to be vacated, specifying that by not attending and by not relaying interest in the alley or street to be vacated (in writing), they waive the right to ownership of the vacated alley.
6. Planning Commission holds a Public Hearing.
  - a. The Commission shall vote upon a recommendation for or against the vacation either as it was proposed or in such other form as the Commission deems appropriate.
  - b. And it can recommend whether easements for municipal purposes shall be retained over the property proposed to be vacated.
7. If approved, the Planning Commission recommendation is forwarded to City Council as Caucus Report to adopt a "Resolution of Intent to Vacate."
8. If accepted, Staff Report is prepared for City Council to adopt a "Resolution of Intent to Vacate."
9. If approved, the Planning Department solicits bids to perform appraisal services of the property to be vacated (at Applicant's expense) in accordance with qualifications/restrictions set forth by City Codified Ordinance 167.07(i).
10. Bids to perform the appraisal are tabulated and communicated in writing to the Applicant.
11. Applicant pays the City of Hamilton the Appraisal Fee. \*



12. Planning Department sends written notice to Appraiser to perform Appraisal in accordance with submitted bid.
13. Upon delivery of Appraisal, Planning Department pays Appraiser for services rendered.
14. Appraisal is forwarded to the Applicant.
15. Applicant pays the City of Hamilton 2/3 of the appraised value of area to be vacated. \*\*
16. Completed Appraisal and Accompanying Report is submitted to Director of Finance
  - a. If there is no objection from abutting property owners, the Director of Finance can concur with the assessment and permit the forwarding of the item to City Council as Caucus Report to adopt an Ordinance to Vacate subject street/alley (see Step 17).
  - b. If there is a received objection from an abutting property owner, the Planning Department contacts the Director of Finance requesting to schedule a meeting of the Board of Revision of Assessments.
    - i. Director of Finance schedules the meeting of the Board of Revision of Assessments.
    - ii. Director of Finance i.e. Board of Revision of Assessments prepares and publishes legal ad "Notice of Public Hearing" of the Board of Revision of Assessments.
    - iii. Director of Finance i.e. Board of Revision of Assessments sends a Certified Letter "Notice of Public Hearing" to the Applicant and abutting property owners.
    - iv. Board of Revision of Assessments holds scheduled Public Hearing.
    - v. If approved, Board of Revision of Assessments recommendation is forwarded to City Council as Caucus Report to adopt an Ordinance to Vacate subject street/alley.
17. If accepted, Staff Report is prepared requesting that City Council adopt an ordinance (two readings by Council) to vacate subject street/alley.
18. If approved, City Clerk informs Butler County Auditor in writing of City Council action by mailing a certified copy of the Ordinance to Vacate.
19. The property being vacated will be split down the center evenly between all adjacent property owners unless there is a deed prepared and signed by the abutting property owners transferring their portion to the petitioner.