



APPLICATION FOR PERMANENT STREET CLOSURE

(Applicable for the Closing of Public Streets, Alleys, or Other Public Ways)

STREET, ALLEY, OR OTHER PUBLIC WAY CLOSURE APPLICATIONS MUST COMPLY WITH CITY CODE OF ORDINANCES Chapter 49-12.

STREET, ALLEY AND OTHER PUBLIC WAY CLOSING PROCESS:

Step 1: PRE-APPLICATION MEETING.

The applicant will be required to attend a pre-application meeting with the Department of Public Works prior to any submittal of an official application. This meeting is intended to provide the petitioner an opportunity to consult with City staff and receive guidance on the street closure process. It is the responsibility of the petitioner to clearly demonstrate the proposed request is beneficial to both private and public interest. Stamped and sealed drawings are not required at this stage. However, prior to the meeting the applicant must provide the following information that will demonstrate the location of the proposed request, reason for the closure, and no further need to retain the right-of-way:

___ **Street, Alley or Public Way Justification.** The applicant must provide justification for the street, alley or public way request. This justification must demonstrate the public has no further need or interest to keep the right-of-way open and that closure is not only of private, but public interest. The lack of existing maintenance or improvements in the right-of-way cannot be the used as the sole justification for closure.

___ **Site Plan or Property Identification Map.** The applicant must provide a site plan map or obtain a map from Nueces County or the City's Development Services Department showing the existing street, alley or public way to be closed and all abutting properties.

City staff will provide a recommendation based on the pre-application meeting which includes, but is not limited to, a recommendation to proceed with the official application process, alternative use, or process other than a closure.

Step 2: OFFICIAL APPLICATION SUBMITTAL

An official application is submitted for requests recommended in Step 1. The applicant is responsible for hiring a licensed engineer or surveyor to prepare closure documentation. A current appraisal of the Fair Market Value (FMV), performed by a MAI certified appraiser pre-approved by the City, must also be obtained.

The applicant is responsible for submitting a formal application, applicable fees, stamped drawings and other required materials to initiate the process. Incomplete packages or inaccurate information will delay processing and review. All the following (check off) information is required for the submittal to be considered for the official review:

___ **Application.** Completed application which includes, but is not limited to, the location of the request, identification of the petition request (i.e., vacate, close/abandonment), legal description, applicant and agent contact information, method by which City originally acquired ROW or easement, existing physical improvements, intended use of vacated or closed ROW, signature of adjoining property owners and square footage of requested ROW to be closed or vacated.

___ **Application fee of \$1,000.00 (Nonrefundable).** This fee is charged to cover all administrative costs associated with processing the request. A cashier's or certified check shall be made payable to the City of Corpus Christi.

___ **Metes & Bounds.** The applicant shall obtain a legal description of the proposed street, alley or public way requested for closure. The metes and bounds shall be prepared by a Licensed Surveyor in the State of Texas.

___ **Subdivision Plat, Deed, or Other Legal Instrument.** The subdivision plat, deed, or other legal instrument that dedicated or conveyed the City's or public's ownership of the subject area in a clearly readable form with the recording information. The subdivision plat must be as large as necessary to accommodate the map and dedicatory language on one page.

___ **Location Map.** The petitioner shall provide a clear 8.5x11-inch drawing or map of the subject area, with a legend, that indicates with different colors or hatching property owned by the other abutting property owners (if applicable) and the property requested to be closed or vacated. The map shall contain a north arrow, the location of the request with reference made to nearby

Email items to: ROWManagement@cctexas.com



APPLICATION FOR PERMANENT STREET CLOSURE

(Applicable for the Closing of Public Streets, Alleys, or Other Public Ways)

roads and/or recognizable landmarks, and labels of property owners abutting and within proximity of the closure. This map shall be prepared by a Licensed Surveyor Engineer in the State of Texas.

___ **Deed Records.** The applicant shall provide contact information and Deed Records for all abutting property owners.

___ **Signature of Property Owners.** Signatures from property owners who will be deeded street segments are required. Required signatures may vary depending on the type/location of closure requested.

___ **Public Notice to Property Owners.** The applicant shall be responsible for posting signs on either end of the proposed closure and in locations identified during the pre-application meeting to inform the public there is a pending closure application.

___ **Public Notice Fee.** The applicant shall be responsible for payment of legal notification fees.

___ **Appraisal Fee.** The applicant shall agree to obtain an appraisal, completed by a MAI certified appraiser who is pre-approved by the City, and pay the City the Fair Market Value (FMV) for the street, alley, or public way. The appraisal must be conducted no more than six (6) months prior to the request.

___ **Site Plan.** If the request is in conjunction with a development project a plat and/or site plan of the proposed project must be included.

Step 3: OFFICIAL APPLICATION REVIEW

The Department of Public Works will review the application and transmit it to other City Departments, public agencies, and affected public utilities for their comments and recommendations. This review is intended to verify the request does not interfere with public services, the presence of existing utilities, potential for the location of new utilities, and whether existing utilities or other improvements require easements. The Department of Public Works shall prepare a report, containing its recommendation of approval or denial, for the City's Transportation Advisory Commission (TAC). TAC will provide a recommendation to City Council on the application request. The review time and average time to prepare a report to the City Council to either conditionally approve or deny the request is approximately three to four months. Additional time may be required to complete the closure/vacation/abandonment request. The actual time varies with the scope and complexity of the request and requires the applicant to comply as expeditiously as possible with the conditions.

Note: If a TAC hearing is unable to be scheduled, then the process will move to Step 5: City Council Public Hearing

Step 5: CITY COUNCIL PUBLIC HEARING

City Staff will schedule a public hearing for the request at the next available Council meeting after the report has been prepared. Notice shall be provided in the local paper fourteen (14) days prior to the item being placed on the Council agenda. All grants, by City Council, to close a street, alley or public way shall include any rights, titles and interest in any improvements or easements shall be stated in any ordinance. The ordinance and documentation shall be recorded and filed at the Nueces County Clerk's Office.

Step 6: CONSTRUCTION OF REQUIRED CLOSURE

If the closure request is approved, the applicant shall submit full construction drawings to the City. These drawings shall detail the improvements associated with the proposed closure. The drawings will be reviewed for a 10-day business period. The applicant is responsible for applying for any necessary permits to commence work.

Step 7: RECORDATION

The applicant shall be responsible for signatures for obtaining signatures for deeds, plats, any rights, titles and interest in any improvements or easements stated in the ordinance. The ordinance and all applicable documentation shall be recorded and filed at the Nueces County Clerk's Office.

Email items to: ROWManagement@cctexas.com



APPLICATION FOR PERMANENT STREET CLOSURE

(Applicable for the Closing of Public Streets, Alleys, or Other Public Ways)

APPLICANT RESPONSIBILITIES:

PUBLIC WORKS IMPROVEMENTS: The conditional approval of closure, abandonment/vacation application requires conformance to City, State and Federal standards, the City's Infrastructure Design Manual and Unified Development Code. The applicant will be responsible for the costs of constructing any required street, curb and gutter, sign, pavement marking, sewer and storm drain improvements including the planting of street trees and the installation of streetlights and fire hydrants.

PUBLIC UTILITIES: All costs in connection with the relocation or protection of any affected public utilities or any other such facilities located within the closed or vacation area are to be borne by the applicant.

RIGHTS OF OTHER PROPERTY OWNERS: The City of Corpus Christi requires the consents and waivers of damages of all property owners adjoining the public right-of-way proposed to be closed or vacated. In addition, the consents and waivers of other property owners may be required as determined by the Department of Public Works or City Council.

REVERSIONARY RIGHTS: It is the applicant's responsibility to determine the ownership of the underlying fee interest of the public right-of-way proposed to be closed or vacated. In the majority of cases, the City has only a public easement for street, alley, walk, or other purposes and the vacation only removes this easement..

Email items to: ROWManagement@cctexas.com

Traffic Engineering Department • 1201 Leopard Street (City Hall, 3rd Floor) • Corpus Christi, TX 78401•361-826-3547