

**Application for Abandonment of
Public Property
City of Waco, Texas**

Application No.: _____

Date Received: _____

City Plan Commission
Hearing Date: _____

City Council
Hearing Dates:
1st Reading: _____

City Plan Commission
Recommendation: _____

2nd Reading: _____
Council Action: _____

Fee Paid: _____

Ordinance No.: _____

Office Use Only

To be completed by the applicant

Applicant: _____

Type of Public Property to be
Abandoned:

Address: _____

_____ Street Right-of-Way

City & State: _____

_____ Alley

Telephone: _____

_____ Easement

Signature: _____

Location: _____

This request must be accompanied by an application fee of \$300.00. A petition signed by each adjoining property owner within the block is recommended. Items to be submitted with the application include the following:

- a) A survey and field-note description by a Registered Professional Land Surveyor showing the extent of the area to be abandoned, and location of all utilities (i.e. water, sewer, electric, gas, telephone, cable, etc.)
- b) Complete the attached petition.
- c) Additional exhibits and field-note descriptions by the surveyor will be required to be submitted if the abandonment is granted and quitclaim deeds issued to multiple property owners.

Please state the reason for the abandonment request: _____

Petition for Abandonment of Public Property

I, the undersigned owner of the property set forth by my name hereby join in and request the City of Waco to abandon the public property described (see attached survey and field-note description). I also understand that the signing of this petition releases any and all rights to property ingress/egress access.

Name: _____
Address: _____

Legal Description: _____

Phone No.: _____
Signature: _____

Name: _____
Address: _____

Legal Description: _____

Phone No.: _____
Signature: _____

Name: _____
Address: _____

Legal Description: _____

Phone No.: _____
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Legal Description: _____

Phone No.: _____
Signature: _____

Name: _____
Address: _____

Legal Description: _____

Phone No.: _____
Signature: _____

PROCEDURE FOR ABANDONMENTS

The process for an abandonment of right-of-way (street or alley) or easements (utility or drainage which were not dedicated by plat) is outlined below. **Utility and drainage easements which have been dedicated by plat may be abandoned by plat and do not have to follow the procedure outlined below.**

1. A pre-application meeting with Planning Services staff is required before actual application request is submitted.
2. Planning Services reviews the request to determine if abandonment is feasible. This process takes up to one week. Prior to or during this review, the applicant is required to furnish a map showing all utilities located in the area of the proposed abandonment. Applicant must contact the following utilities to obtain this information:

ONCOR - contact Randy Hickerson - 750-5238
SOUTHWESTERN BELL - contact Kate Molina - 757-7801
ATMOS GAS - contact Rick Herbelin - 757-1908
CITY OF WACO WATER/SEWER/DRAINAGE – contact
Mike Sykora – 750-5879

3. If, after review, Planning Services determines that the abandonment is feasible, the applicant may submit a formal application requesting abandonment. This application must be accompanied with the following:



A plat and field-notes for the area to be abandoned showing all utilities. If the abandonment concerns a street or alley and the applicant does not own all of the land adjoining the area to be abandoned, a separate plat and field-notes showing the proposed division of the street or alley between the adjoining landowners must also be submitted.



A check or money order in the amount of \$300.00 which is the fee to process the abandonment request.



A petition must be signed by the applicant and it is recommended that the petition be signed by as adjoining property owners as possible within the one (1) block of the area to be abandoned.



THE DEADLINE FOR SUBMITTING APPLICATIONS FOR ABANDONMENT TO BE HEARD AT THE NEXT MONTH'S PLAN COMMISSION MEETING IS ON OR BEFORE THIRTY (30) DAYS BEFORE THE DATE OF THE PLAN COMMISSION MEETING. APPLICATIONS SUBMITTED AFTER THIS DATE

**WILL BE HEARD AT THE NEXT SUBSEQUENT PLAN
COMMISSION MEETING.**

4. After submittal of the application, Planning Services will route the application and supporting documentation to the following departments, or entities for their review and comment:

Atmos Gas Company
East Texas Medical Service
City of Waco Engineering Services
City of Waco Fire Services
City of Waco Inspection Services
City of Waco Legal Services
City of Waco Police Services
City of Waco Solid Waste Services
City of Waco Traffic Services
City of Waco Water & Sewer Services
ONCOR
School District
Southwestern Bell Telephone
Waco-McLennan County Health District

The departments or entities will have 7 to 10 days in which to review the application.

5. The application for abandonment will be discussed by city staff and affected utility companies at the monthly staff subdivision review meeting.
6. After this review, Planning Services will prepare a recommendation letter based on staff review.
7. Planning Services will submit a notice to the Waco Tribune-Herald newspaper stating the date, time, and place of the public hearings before the City Plan Commission and City Council concerning the proposed abandonment. The notice must be published 15 days before the date of the City Plan Commission and Waco City Council meetings.
8. Planning Services will send notice of the public hearing regarding the proposed abandonment before the City Plan Commission and City Council by regular mail to the applicant and all owners, as shown by the most recently approved municipal tax roll, of real property within one (1) block of the area requested to be abandoned.

9. The proposed abandonment will be discussed by the City Plan Commission at its Work Session, which is normally held on the third Monday of each month. The public is welcomed to attend but no testimony is normally heard during the Work Session.
10. Planning Services will send a letter to the applicant no later than the day after the City Plan Commission Work Session stating what the staff's recommendation will be concerning the proposed abandonment.
11. A public hearing will be held concerning the proposed abandonment at the City Plan Commission's regular monthly meeting. At the conclusion of the hearing, the City Plan Commission will make a recommendation to the Waco City Council concerning the proposed abandonment.
12. Planning Services will prepare the City Council agenda item for the proposed abandonment (green sheet, supporting documentation, and draft ordinance) and submit the item to the City Manager's Office. A copy of the agenda item, along with drafts of any necessary quitclaim deeds, will also be submitted to Legal Services for review.
13. A public hearing will be held concerning the proposed abandonment at the City Council's second regular meeting of the following month. At the conclusion of the hearing, the City Council will either approve, on first reading, the abandonment ordinance or deny the abandonment request. The ordinance must be approved on second reading at a subsequent meeting of the City Council before the abandonment is final.
14. After the ordinance has been approved on second reading, Legal Services will prepare the ordinance and any quitclaims for signatures. The ordinance will be routed to City Secretary, Planning Services, and Engineering Services for appropriate signatures. The quitclaim will be routed to the City Manager and City Secretary. After all signatures have been obtained, Planning Services will file the abandonment first and then the quitclaims in the Official Public Records of McLennan County.



THE TIMEFRAME FOR ABANDONMENT CASES (FROM PRE-APPLICATION MEETING TO FINAL ORDINANCE APPROVAL) RANGES FROM 2 TO 3 MONTHS DEPENDING ON SCHEDULING OF CITY PLAN COMMISSION AND THE WACO CITY COUNCIL MEETINGS.