

CITY OF MARION, OHIO
APPLICATION FOR STREET OR ALLEY VACATION
MARION CITY PLANNING COMMISSION

Applicant _____
Name Address Phone

hereby makes application through the City Planning Commission to place matters on Marion City Council's agenda for a request of a vacation of a street or alley under Ohio Revised Code Section 723.04.

Applicant requests that the Secretary to the City Planning Commission place on the Planning Agenda at the earliest possible date, a request to vacate a street or alley which is located at: _____

in the following subdivision _____

Applicant further states that all utility companies have been contacted to determine that the proposed closing would not interfere with servicing any lines, pipes or poles if contained on the property:

Aqua Ohio _____ Ohio Edison Company _____

Columbia Gas of Ohio _____ Frontier Phone _____

City of Marion Engineering Dept. (sewer system) _____

Applicant's Signature

Date

Owners Signature (if applicable) Phone: _____ Date: _____

Application Filed: _____.

Notice to abutting property owners completed on _____.

Secretary
City Planning Commission
740-387-4935

Procedure for Street or Alley Vacation

1. This form is to be taken to the **Marion County Auditor's Office (222 W. Center St.)**. Names and addresses of all abutting property owners are to be attached and made a part of this application. Allow some time for this to be completed by the personnel; the County Auditor will certify document.
2. The Marion County Engineer and Marion County Auditor require an accurate legal description and survey. A list of professional surveyors is available at the Marion County Engineer's Office.
3. File application and landowner's certified form and fee with the Secretary of City Planning Commission in the office of the Clerk of Council no less than five (5) business days prior to the meeting. (City Planning meets on the first **Tuesday of each month at 6:30 p.m.** in Council Chambers at City Hall). Please Note that regardless of the approval or disapproval of the vacation by the City Planning Commission, the applicant may proceed to City Council with the request or you may withdraw the application.
4. Following the meeting of the Commission, the proposed vacation will be legally advertised once a week for six consecutive weeks (O.R.C. 723.07) by the secretary. During this time the request will be heard at a meeting of the **Streets and Sewers Committee** of City Council for further recommendation to City Council. All notification is handled by the Secretary to the Planning Commission.
5. The applicant must submit a legal description of the alley or street which will be incorporated into the ordinance placed on the **City Council Agenda**.
6. A public hearing on the vacation is held in conjunction with the third reading of the ordinance. **The legal survey/description** must be submitted no less than thirty (30) days prior to the public hearing.
7. There is a fee of \$350.00 fee (for **certified mailing and advertising fees**) per application. Additional charges will apply (i.e. **Recording Fees with Marion County**). Checks or Money Orders can be made out to the City of Marion.
8. The Applicant and/or Owner **must attend** the City Planning Meeting.

Abutting is defined as property contiguous (touching) and directly across the street from the parcel, tract or lot which is being considered by City Planning for rezoning or vacating.

ORC 723.041 Permanent Easement...*When any street, alley, or public highway, or a portion thereof, is vacated or narrowed by a municipality pursuant to the provisions of any section of Chapter 723. of the Revised Code, and the relocation of any conduits, cables, wires, towers, poles, sewer lines, steam lines, pipelines, gas and water lines, tracks, or other equipment or appliances of any railroad or public utility, whether owned privately or by any governmental authority, located on, over, or under the portion of the street, alley, or highway affected by such vacation or narrowing, is not required for purposes of the municipality, including urban renewal, any affected railroad or public utility shall be deemed to have a permanent easement in such vacated portion or excess portion of such street, alley, or highway for the purpose of maintaining, operating, renewing, reconstructing, and removing said utility facilities and for purposes of access to said facilities.*

Effective Date: 10-16-1961

