

CITY OF BONNER SPRINGS
Community and Economic Development Department
VACATION OF EASEMENTS, STREETS, OR ALLEYS
PETITION FORM

Staff Use Only
EV - _____
PC Date: _____
CC Date: _____
Date Rec'd: _____
Rec'd by: _____

Date: _____

Subject Property Location: _____

Subdivision: _____ Cross-streets: _____

Applicant Name: _____ Phone: _____

Address: _____

E-mail (required): _____

Record Property Owner: _____ Phone: _____

Address: _____

Record Property Owner: _____ Phone: _____

Address: _____

Record Property Owner: _____ Phone: _____

Address: _____

➤ ATTACH A SEPARATE SHEET IF THERE ARE ADDITIONAL ADJACENT PROPERTY OWNERS – PLEASE PROVIDE THE NAME, ADDRESS, AND SIGNATURES FROM EACH OWNER.

I hereby certify that the information herein submitted is complete, true, and accurate. That I have been reviewed the application, procedures, and guidelines required for submittal of a petition, and I hereby grant the City permission to post a public notice sign on/near the subject property.

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Signature of Applicant: _____ Date: _____

Applicant's Name (**Printed**): _____

Signature of Owner: _____ Date: _____

Owner's Name (**Printed**): _____

Signature of Owner: _____ Date: _____

Owner's Name (**Printed**): _____

Signature of Owner: _____ Date: _____

Owner's Name (**Printed**): _____

Petition for Vacation of Easements, Streets, or Alleys Process

A pre-application meeting with the City Planner is required prior to application submittal. Call or email to set an appointment -- 913-667-1708

All property owners of record adjacent to the easement, street or alley vacation petition shall sign this application.

- BE ADVISED -- The petition **shall not** be granted if a written objection thereto is filed with the office of the City Clerk at the time of or before the public hearing by the Planning Commission by any owner or adjoining owner who would be a proper party to the petition;

Submittal Requirements

_____ Completed and signed application – Signature of applicant and property owner’s consent are required

_____ Eight (8) 11” x 17” copies Certificate of Survey with the full and complete legal description of the proposed area to be vacated

_____ Check for \$200.00 – made payable to the City of Bonner Springs for application fee

_____ PDF copy of survey must be emailed to the City Planner

Additional fees

City staff generates a list of property owners within the 200’ radius of the exterior of the subject property and creates and mails notification of a public hearing for a petition to vacate an easement, street or alley.

- *Applicants will be billed \$12 for each unique property owner on the 200’ mailing list.*

City staff submits the required notification to the City newspaper for publication not less than 20 days prior to the public hearing.

- *Applicants will be billed for the publishing costs.*

City staff will prepare and post a Notice of Public Hearing sign.

- *Applicants will be billed \$25 for the first sign and \$10 for each additional sign, if applicable.*

Meetings

The Planning Commission holds a public meeting and votes to recommend approval or denial of the petition to the Governing Body.

- *Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM*

The Governing Body will review the petition for consideration and action at a regular City Council meeting.

- *The City Council typically meets on the second (2nd) and fourth (4th) Monday of each month at 7:30 PM.*

Process Continued

- If the Governing Body approves the petition to vacate, they shall order such vacation by ordinance and order the use of the area to be vacated. The Governing Body may at their discretion reserve the right to utilize the vacated right-of-way for use by the City and owners of lesser property rights as a public utility easement;
- The City Clerk shall cause such order of vacation by ordinance to be certified to the Register of Deeds who shall cause the order to be recorded; and

- The streets, alleys or other public reservations ordered to be vacated shall revert to the owners of the real estate immediately abutting thereon provided by state statutes.

References

Bonner Springs Subdivision Regulations, Article XII -- Vacation of Streets, Easements, and Rights-Of-Way
https://www.bonnerrsprings.org/DocumentCenter/View/91/subdivision_regulations?bidId=

Kansas Office of Revisor of Statutes §KSA-12-504 through §KSA-12-506
https://www.ksrevisor.org/statutes/chapters/ch12/012_005_0004.html

Questions? Contact the City Planner at 913-667-1708

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FEES

Application Fee: \$200 \$ _____
 Notification: _____ x \$12 = \$ _____
 Publication: \$ _____
 Sign (first): \$25 \$ _____
 Add'l Signs _____ x \$10 = \$ _____

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Total Due: \$ _____

Invoice Date: _____ Payment Rec'd Date: _____ Check #: _____ Receipt #: _____ _____ _____
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