

Right-of-Way Abandonment Process

A property owner, developer or agent may request abandonment of public right-of-way (street, alley public utility easement) through Land Services. The Council policy is to sell surplus property, including right-of-way for fair market value.

A. The request for abandonment shall include:

1. A \$775.50 non-refundable processing fee per abutting property owner and the reason for the proposed abandonment.
2. The street or location address of the proposed abandonment.
3. The legal description of the proposed abandonment.
4. A scale drawing of the right-of-way, street, alley, and/or easement to be abandoned. Individual legal descriptions and maps prepared for each abutting property by a Registered Land Surveyor will be required prior to placement on Council agenda.
5. The assessor parcel number.
6. An agreement in writing to relocate, construct or reconstruct fences, sidewalk, waterlines, sewer lines, curb and gutter and such other improvements as required in compliance with the City sidewalk, curb and gutter standards.
7. An agreement in writing to relocate, construct, or reconstruct all utility lines, cabinets, pads, and such other improvements as required to meet the utility company standards.

B. Processing procedure of a written request for abandonment by the Public Works Department shall include:

1. The written request for abandonment shall be checked for compliance of required data.
2. Land Services staff will prepare a location map of the area proposed to be abandoned showing abutting properties and a vicinity map, if necessary.
3. Land Services staff will prepare a memo, on an established form, stating the reasons for the requested abandonment and attach it to the aforementioned map.

The memo shall then be forwarded to all public utilities, City departments, and agencies serving the proposed abandonment area to request their review and comments.

C. Posting of the proposed abandonment request

1. When the notice of proposed abandonment has been sent to the forenamed agencies and City departments, a notice of the said proposed abandonment should be posted at the subject location prior to the public hearing.

D. Preparation of the proposed abandonment for Council action

1. When the memos sent to public agencies and City departments have been returned and evaluated along with all comments received from posted or other public notice, a recommendation will be formulated.
2. In the event that the recommendation is to proceed with the abandonment, the abutting property owners shall select an appraiser from the City's approved list to establish the fair market value.
3. Once a cashier's check in the amount of the fair market value has been presented to the real estate officer, a brief Staff Summary Report with the City staff recommendation is then prepared for the signature of the Public Works Director and then attached to the ordinance for placement on an upcoming Council agenda.
4. The party requesting the abandonment shall be notified in writing of the date, time and place that said request will be heard by the City Council.

E. City Council

1. The City Council may at its sole right and option, elect to sell or abandon right-of-way for a sum equal to the present market value or elect not to sell and/or abandon said right-of-way.
2. Upon adoption of the ordinance by Council, it shall be recorded in the Office of the Maricopa County Recorder.
3. Upon receipt of the recorded ordinance, the said ordinance will be copied with one copy retained in the Land Services file and the original ordinance forwarded to the City Clerk's office for record retention.

F. Mapping Updates

1. Land Services staff will make the appropriate updates to the Geographical Information System (TGIS).