

A signed right-of-way abandonment petition must be submitted when filing your abandonment application. Please read the entire form before signing. For additional information, contact the Engineering Land Services (480) 350-8288.

We, as property owners, support the proposed abandonment for the following reasons:

- ☐ It will help to increase security,
- ☐ It will increase the buildable area of the lot(s),
- ☐ It will remove unnecessary right-of-way or easements to permit development of the property, or
- ☐ Other: _____

We, as property owners, understand that if there are public utilities located within the area to be abandoned, all right-of-way within the proposed abandonment area shall be retained as a public utilities easement (PUE) or as may be modified by the affected utility companies with 24-hour vehicle maintenance access. We further understand that no structure of any kind shall be constructed or placed within the easement except removable-type fencing and/or paving. Removable type fencing must not require the installation of footers within the PUE. No tree planting within the PUE unless approved by the City of Tempe. **The affected utility company shall not be required to replace any obstructions, paving or planting that must be removed during the course of required maintenance, reconstruction and/or construction.**

Or

We, as property owners, understand that we may choose to relocate all utilities affected by the abandonment. If we choose this alternative, we understand that we, as the property owners, would be responsible for the cost of relocating any affected utilities to locations approved by that utility company.

To ensure continued maintenance and repairs of the street, the public rights-of-way would be abandoned to the adjacent individual property owner(s) or a Homeowners Association where one exists. The Homeowners Association or adjacent individual property owners would assume all liability and maintenance cost of the abandoned public right-of-way and any improvements.

We, as the property owners, understand that if the abandonment of the public right-of-way is approved, the Homeowners Association (or individual property owners) shall purchase all streetlights from the City of Tempe in the proposed abandonment area, or the Homeowners Association (or individual property owners) will be responsible for replacing them with private lighting. This will be done at no expense to the City of Tempe. We also understand that the Homeowners Association (or individual property owners) will be responsible for and set up their own electric account with the proper electric company in order to assume the responsibility of payment of the electric costs.

We, as the property owners, understand that there may be additional costs incurred due to required improvements to provide code compliant entrances/gating, etc. Requirements may include, but are not limited to, gates, provisions for fire apparatus, dedicated right-of-way for required turnarounds, etc.

Any and all requirements and costs will be the responsibility of the Homeowners Association (or individual property owners). All required improvements within the proposed abandonment area, as required by the stipulations of the approved abandonment, will be completed at no expense to the City of Tempe.

Per Tempe City Code, **if** the request of abandonment is approved there will be a consideration fee due and payable after the the City Council's decision. Consideration fees are the costs associated with purchasing land within the abandoned right-of-way from the City of Tempe for Fair Market Value of abandoned right-of-way by appraisal or recent comparable price as determined by City²

Notes:

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Neighborhood Notification Petition Requirement (required prior to filing for abandonment)

One hundred percent of the property owners in and/or abutting the affected area, as determined by the Public Works Department, Engineering Division, must be notified.

Street Abandonment Petition Requirement (signatures verified upon application for abandonment)

- One hundred percent of property owners abutting the proposed abandonment must sign the petition in support.

Compliance with the above petition requirement does not guarantee approval of the request. It only allows for the submittal of the Abandonment Application.

We, as the adjacent property owners, do hereby support the abandonment of: _____

as shown in the attached map dated _____

ADDRESS	LOT NO.	PRINT NAME	SIGNATURE

By abandoning the public right-of-way after all stipulations have been met, the City of Tempe relinquishes its ownership and future obligations.