


CITY COMMISSION POLICY

GRAND RAPIDS  MICHIGAN	NUMBER: 1000-01	HISTORY	
	DATE: February 13, 1963	FILE #	DATE
	FILE NUMBER: 13375	50717	11/22/88
	DEPARTMENT: ENGINEERING		

SUBJECT: PROCEDURE TO GRANT CITY CONSENT FOR THE VACATION OF PUBLIC RIGHT-OF-WAY

PURPOSE: To determine whether or not an application requesting the City's consent for the vacation of a public right-of-way within the jurisdiction of the City conforms to the best interests of the City and public-at-large.

POLICY:

Current City Charter restrictions prohibit the City Commission from giving away, surrendering, or relinquishing control of any street, lane, alley, court, and public square/place, (hereinafter referred to as public right-of-way) or creating a permanent use thereof for any purpose other than for street or public uses except by regular vacation proceedings in the proper court of record.

In order to process and review vacation requests in an orderly and consistent manner, requests from contiguous property owners to the area to be vacated will be reviewed by the City in the following manner:

1. A written request, which includes a description of the area to be vacated, and a petition or other acceptable form of acknowledgement from all other abutting property owners indicating their position regarding the requested vacation shall be presented to the City Engineer.
2. The City Engineer shall prepare a map of the proposal and notify all affected City Departments and public utility companies in order to determine if there are any objections, conditions, or easements required in connection with the vacation request.

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3. If the City Engineer determines the vacation request is in the best interest of the City, the City Engineer shall prepare and present a consent resolution and recommendation to the City Commission for its consideration. Said resolution shall contain the conditions, if any, whereby the City Commission shall grant its consent.
4. Upon the City Commission adopting a consent resolution, the City Attorney shall be authorized to file formal consent to the vacation.
5. Should the City Engineer determine that the vacation request is not in the City's best interest, the City Engineer shall so inform the requesting property owner. If the requesting property owner wishes to pursue the request further, the City Engineer shall request the matter be placed on the City Commission's agenda, and the City Engineer shall present the staff recommendation to the Commission.
6. The City Engineer shall notify the requesting property owner of the City Commission's action. If the City Commission's action is favorable, the City Engineer shall notify the requesting party of the conditions of the consent along with notification that consent is predicated on the proper proceedings being commenced in the proper court within ninety (90) days of the resolution date or the consent of the City shall be null and void.