

**CITY OF DUNCAN**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

City Hall – 1600 S Highway 81, Duncan, Oklahoma 73533

Telephone: 580-251-7711

Fax: 580-255-1710

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**APPLICATION FOR PUBLIC RIGHT-OF-WAY CLOSING/VACATION**

1. Applicant(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

2. Owner(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

3. Name of Plat: \_\_\_\_\_

4. Current Zoning Classification: \_\_\_\_\_

5. Legal Description of Property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. In order that your application can be heard and considered at the next available Planning Commission meeting, you must submit this completed application and all other information to include filing fee to the Community Development Department for processing. Due to public hearing notice requirements, the Planning Staff will advise you of the earliest date available for consideration by the Planning Commission and City Council. The Planning Commission meets the third Tuesday of each month.

7. Items to be submitted with application:
- A complete application form
  - Certified list of names and address of all property owners within 300 feet of the request
  - \$150.00 filing fee made payable to City of Duncan
  - A copy of the existing plat showing the following:
    - \_\_\_ Proposed area of closing/vacation request specifically identified
    - \_\_\_ Existing public right-of-ways and/or easements locations
    - \_\_\_ Existing private easement locations
    - \_\_\_ Existing lots layout
    - \_\_\_ Other information as required by the Community Development Director

Failure to provide all required documents and/or complete application will result in delays setting the Plan Commission meeting to consider your request.

Signature of Applicant(s)

\_\_\_\_\_  
\_\_\_\_\_

Signature of Property Owner(s)

\_\_\_\_\_  
\_\_\_\_\_

# APPLICATION FOR PUBLIC RIGHT-OF-WAY CLOSING/VACATION

## Explanation of Procedures

### **PURPOSE**

It may be necessary for development to occur within the City of Duncan that platted easements and/or right-of-ways need to be permanently closed and/or vacated. This application process allows the Plan Commission and City Council an opportunity to hear on behalf of the developer/land owner why and how a potential easement and/or right-of-way should be closed and/or vacated.

### **PROCEDURE**

1. Application for public right-of-way closing/vacation is submitted to the Community Development Department. The Department will only process complete applications for review.
2. Application for public right-of-way closing/vacation is reviewed by Oklahoma State Statutes provisions. The Land Development Code is available online at [www.cityofduncan.com](http://www.cityofduncan.com).
3. Specific Oklahoma State Law reference pertaining to public right-of-way closing/vacation requests subdivision design is Oklahoma State Statutes Article XLII.
4. Applications for public right-of-way closing/vacation request must be submitted to the Community Development Department not less than forty-five (45) days prior to the Planning Commission meeting for consideration of such item. Planning Commission will forward recommendation to City Council. The Planning Commission meets every 3<sup>rd</sup> Tuesday of each month for regular meeting. The City Council meets every 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month.
5. The Community Development Department will prepare a public hearing notice for mailing. The Public notice will be mailed for receipt by adjoining property owners of the proposed development and utility company interests not less than thirty (30) days prior to the Planning Commission hearing.
6. The Planning Commission will hold a public hearing to consider such application. Planning Commission will review the requests and forward a recommendation to City Council for approval, approval with conditions, or denial.
7. City Council will receive recommendation from the Planning Commission for decision on approval, approval with conditions, or denial.