



**STANISLAUS COUNTY
DEPARTMENT OF PUBLIC WORKS**

1716 Morgan Road
Modesto, CA 95358
Phone: (209) 525-4125

or
(209) 525-4135

<http://www.stancounty.com/publicworks/>

RIGHT-OF-WAY ABANDONMENT

REQUEST FOR RIGHT-OF-WAY ABANDONMENT

In order to provide for an orderly procedure to process requests for abandonments of existing County or public rights-of-way, it is necessary to file the attached Request for Right-of-Way Abandonment with the Department of Public Works. In addition to filing the request, there is a non-refundable filing fee (see Fee Schedule for current fees).

In considering the possible abandonment of rights-of-way, factors to be considered include such matters as the future urbanization of the area, service to adjoining properties, the use of the right-of-way by utility companies, and the general service to the public.

The request for right-of-way abandonment, together with the filing fee and a preliminary title report, if necessary, should be returned to the Department of Public Works for processing. The "Streets and Highway Code" allows the County to use two methods for abandoning public rights-of-way.

1. GENERAL VACATION (ABANDONMENT)

Requires a formal petition prepared by the Department of Public Works to be circulated by the applicant. The applicant must have twelve property owners sign the petition agreeing to the abandonment. Two of which must reside in the supervisorial district in which the right-of-way is located. The petition is presented to the Board of Supervisors who set a hearing date, publishes the hearing date for at least two weeks and posts the property. At the hearing the Board of Supervisors may either approve or deny the request for abandonment.

2. SUMMARY ABANDONMENT

May only be used if the requested abandonment meets specific requirements listed in the "Streets and Highways Code". It does not require a hearing or petition but does require submittal to the Board of Supervisors for approval. Examples are: The right-of-way is excess and is no longer needed by the public, the right-of-way has been superseded by relocation, or the right-of-way lies within property under one ownership. Since summary abandonments are not published in the paper or posted on the property it is required that all property owners who may have need for the right-of-way either sign the request or send us a letter agreeing to the abandonment.

This department, upon receiving the request, will contact public and private utilities for their comments on the abandonment. Each situation will vary and we will gladly discuss your specific request.



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S _____ T _____ R _____
ZONE _____
RECEIVED _____
APPLICATION NO. _____
RECEIPT NO. _____

RIGHT-OF-WAY ABANDONMENT APPLICATION

Name of Requesting Party _____

Mailing Address _____ Phone _____

Road Name _____

General Location _____

Nearest Crossroads _____

Existing Condition of Roadway:

Paved _____ Dirt _____ Gravel _____ Other _____ Not Existing on Ground _____

Number of Properties Served by Road _____

Known Existing Utilities in Right-of-Way:

Gas _____ Company Name _____

Sewer _____ Company Name _____

Power _____ Company Name _____

Telephone _____ Company Name _____

Water _____ Company Name _____

Other _____ Company Name _____



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Reason for Requesting Abandonment:

- Attach: Legal description and plat of right-of-way to be abandoned.
- Attach: Preliminary title report for property proposed for abandonment.
- Attach: Filing fee (non-refundable).

Signature _____



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**GENERAL VACATION (ABANDONMENT)
SIGNATURE FORM**

	<u>Name (Print)</u>	<u>Signature</u>	<u>District</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____
11.	_____	_____	_____
12.	_____	_____	_____