

CITY OF WOOSTER
PETITION TO VACATE ALLEY

TO THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

The undersigned, owners of lots in the City of Wooster, Ohio, abutting on a _____ foot
public alley running in a _____ direction from _____ to
(east/west/north/south) (street name/alley description)
_____ between lot numbers _____,
(street name/alley description) (numbers of all lots abutting the alley to be vacated)

respectfully petition your honorable body that said alley be vacated between the points named for the reason that it no longer serves a public purpose, and its vacation will not be detrimental to the general interest. The undersigned do hereby consent to the vacation of said alley in accordance with this petition filed within said Council.

Owner's signature(s)

Lot number

Each owner must sign. If jointly owned, all parties must sign.

_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____
_____ and _____	_____

(continue on another sheet if needed)

ATTACH A TAX MAP SHOWING THE ALLEY AND ALL ABUTTING PROPERTIES

PLEASE READ THE INFORMATION PRINTED ON THE BACK OF THIS PETITION

WHAT VACATING AN ALLEY MEANS TO THE ABUTTING PROPERTY OWNERS

1. In most cases, the vacated alley is divided by operation of law so that the adjacent property owners gain the additional land equally. However, this will depend on how the alley was originally dedicated. Abutting property owners have complete responsibility to have the vacated alley surveyed. The city has no legal role in dividing the vacated property or resolving ownership disputes.
2. Any utilities occupying the alley will continue to have the right to do so, and the ordinance vacating the alley should so reflect. Furthermore, the alley may be subject to easements, which were granted to private individuals in the original instrument of platting or conveyance, and the city has no role in resolving such concerns.
3. The abutting property owners are responsible for the maintenance of the vacated alley if they want to continue to use it as access to their property. The city has no further responsibility whatsoever for the care of the property.
4. The abutting property owners are responsible for the security of the vacated alley.

CITY COUNCIL WILL USE THE FOLLOWING GUIDELINES WHEN MAKING ITS DECISION:

1. There is no public purpose for the alley; and/or
2. All of the property owners abutting the alley concur and sign the petition to vacate; and/or
3. If vacating the alley does not create undue hardship for others in the area of the alley.

These guidelines are not law. In any decision to vacate an alley, Council must find that good cause exists for vacating it, and that vacating the alley will not be detrimental to the general interest.

SCHEDULE FOR VACATING AN ALLEY

1. File a petition with the clerk of council, Mayor's office, Municipal Building, 538 N. Market Street.
2. A public notice will be printed six consecutive weeks prior to the public hearing. This is normal practice, although by law, the public notice and public hearing is not required when 100% of the owners abutting the alley sign the petition.
3. City council will hold the public hearing after the six-week waiting period has expired.
4. City council will vote on the petition to vacate the alley. This is usually done during the meeting immediately following the public hearing.
5. If city council approves the petition with an emergency clause, the action will take effect immediately upon the signatures by the President of Council and the Mayor. Without the emergency clause, the effective date will be thirty days after the council action and upon the signatures by the President of Council and the Mayor.