



STREET VACATION PROCEDURE

The following is a brief explanation of the process which is followed to vacate a street. Some comments have been added in an attempt to make this explanation more useful. Please remember that the City's policy is to **only vacate streets which have no possible public use now or in the future.**

1. Obtain a petition for street vacation in the Community Development Office located at Municipal Service Center, 1100 Wright St., Marquette, MI 49855.
2. Take the petition to each of the property owners along the street you want vacated. Although this is not necessary, whether or not they support the vacation may determine if you want to continue the process.
3. File the petition in the Community Development Office. There is a non-refundable **\$1,560** filing fee (**We can only accept Cash or Check written to the City of Marquette**). You may not want to spend this much money if the other adjoining property owners object to the vacation. Also, the support of the other property owners does not guarantee approval of the petition.
4. Once the petition is submitted it will be routed to all departments for comment. Depending on when the petition was submitted will determine when the date for the public hearing will be set. Please refer to the Planning Commission webpage for application deadline dates (<https://www.marquettemi.gov/commission/boards-and-committees/current-rosters/planning-commission/>).
5. Staff will send notices to all property owners within 300 feet of the street to be vacated and will publish an ad in the newspaper.
6. The Planning Commission will hold a public hearing and receive oral and written comments supporting or objecting to the vacation. The Planning Commission's job is to determine if the City now has or will have any need for this street right of way in the future. If they can identify a need they may reject the petition even if all adjoining property owners support it.
7. If the Planning Commission approves the vacation, they will send a recommendation to the City Commission.
8. The City Commission will schedule a public hearing, but the only notice for this hearing is an ad in the newspaper.
9. After the public hearing the City Commission can approve or deny the vacation. The City Commission does not determine who will get parts of the right of way. That is done according to law.
10. If the City Commission approves the vacation, a certificate of vacation is filed in the County Register of Deeds Office. It is then the adjoining property owner's responsibility to take action to have the vacated property included with their property.

If you have any question about this process, please call the Community Development Department at 228-0425.

**CERTIFICATE OF RIGHT-OF-WAY VACATION
CITY OF MARQUETTE MICHIGAN**

I, _____ City Clerk of the City of Marquette, 300 W. Baraga Ave., do hereby certify that the following is a true and complete copy of an excerpt from the proceedings of a regular meeting of the Marquette City Commission duly called and held on _____ 20 ____:

Dated at Marquette, Michigan this _____ day of _____, 20 ____.

STATE OF MICHIGAN
COUNTY OF MARQUETTE

On this _____ day of _____, 20____ A.D. before me a Notary Public in and for said County personally appeared Kyle Whitney, City Clerk of the City of Marquette, to me known to be the same person who executed the within instrument, and who acknowledged the same to be his free act and deed and the free act and deed of the City of Marquette in whose behalf he acts.

Marquette County, Michigan
My Commission Expires:

Witnessed by: _____

Prepared by: Kyle Whitney, City Clerk
300 W. Baraga Ave.
Marquette, MI 49855

FILE #: _____



PETITION TO VACATE A PUBLIC RIGHT-OF-WAY

TO: City Commission
Planning Commission

We, the undersigned, do hereby request the vacation of the following publicly owned right-of-way: (please describe the street by name, including cross streets, and if possible give a legal description)

NAME

ADDRESS

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Filing fee of **\$1,485** submitted on: _____ Rec#: _____

Filing Deadline: _____

Hearing Date: PC _____ CC _____

STAFF REVIEW

<u>Reviewing Department</u>	<u>Approve</u>	<u>Comments</u>
Community Development	Y / N	_____
Date Received: _____		_____
Treasurer	Y / N	_____
Date Received: _____		_____
Engineering	Y / N	_____
Date Received: _____		_____
DPW	Y / N	_____
Date Received: _____		_____
Fire	Y / N	_____
Date Received: _____		_____
Police	Y / N	_____
Date Received: _____		_____
Parks and Recreation	Y / N	_____
Date Received: _____		_____

NOTE - AFTER REVIEW IS COMPLETE, PLEASE ROUTE FORM TO THE NEXT DEPARTMENT ON THE LIST. ONCE PARKS AND RECREATION REVIEW IS COMPLETE PLEASE ROUTE FORM BACK TO THE C.D. OFFICE FOR AGENDA PROCESSING. THANK YOU!