

# CITY OF ANDERSON

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## APPLICATION FOR VACATION OF RIGHT-OF-WAY

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This application for vacation of right-of-way shall be completed in full and returned to the City Building Department, 401 South Main Street, Anderson, South Carolina 29624 before said application will be advertised for a public hearing.

A twenty-five (\$25) dollar filing fee is required in conjunction with this application to aid in covering advertising costs for public hearings and handling vacation of right-of-way applications. Fee must accompany this application.

Any additional information not contained herein, but required by the Anderson Planning Commission shall be presented to said Commission before public notice of hearing is served.

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### **City of Anderson Policy for Disposal of Properties, Alleys and Right-of-Ways**

#### 1) General

Section 5-7-40 of the Code of Laws of South Carolina, 1976, as amended, states that all municipalities of this state may own and possess property within and without their corporate limits, real, personal or mixed, without limitation, and may, by resolution of the Council adopted at a public meeting and upon such terms and conditions as such council may deem available, sell, alien, convey, lease or otherwise dispose of personal property and in the case of a sale, alienation, conveyance, lease or other disposition of real or mixed property, such council must be effected by ordinance.

#### 2) Reasons for Disposal of properties, Alleys and Right-of-Ways

Properties, alleys and right-of-ways shall only be disposed of (1) to satisfy the request/s of a private individual/s for the subject property, (2) and/or to eliminate a maintenance problem.

#### 3) Procedure for Disposal of Properties, Alleys and Right-of-Ways

a). All adjacent property owners shall be contacted and notified of the request to convey subject City-owned property to a private individual. Should the subject property have multiple adjacent property owners, each adjacent property owner shall agree to accept legal ownership and responsibility for the piece of subject property adjacent to their property or the conveyance shall not occur.

b). Public notice shall be given describing the property, action to be considered, date, time and location of the public hearing at which the request will be considered.

c). The property shall be surveyed by a registered engineer or land surveyor. The survey shall be paid for by the individual/s requesting ownership of the subject property.

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d). A Quit-Claim Deed shall be prepared by the City Attorney. The preparation and recording of such deed shall be paid for by the individual/s requesting ownership of the subject property

Date of Filing \_\_\_\_\_ Date Fee Received \_\_\_\_\_

Receipt Number \_\_\_\_\_ Fee Recipient \_\_\_\_\_

Name of Applicant \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number (Work) \_\_\_\_\_ (Home) \_\_\_\_\_

Explanation of right-of-way to be vacated and the purpose of such. Name and addresses of properties/property owners which may be affected by such street closing.

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

Zoning Classification \_\_\_\_\_

I do hereby declare the above statements are true and that I and/or my duly appointed representative will be present at the public hearing.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Representing Attorney \_\_\_\_\_

Given under my hand and Seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for South Carolina (Seal)

My Commission expires \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.