



PROCEDURE FOR ABANDONMENT

Planning and Zoning
Huntington City Hall
800 Fifth Avenue
P.O. Box 1659
Huntington, WV 25717
(304) 696-5540, opt 3

1. Schedule meeting with the City Planner to Make a Request for Abandonment and to discuss regulations and procedures for abandonment. Please bring any supporting documentation that is available to describe the abandonment area.
2. The City Planner and Public Works Director will review the Request for Abandonment to determine if the abandonment is feasible. During this review, the applicant will be responsible for filling out and gathering information for the **Abandonment Application** and supporting documents.
3. If request to petition is approved, submit the **Abandonment Application** and supporting documentation to the Planning Office. Applications can be submitted through mail, fax, or email:

Breanna Shell, Planning Director; shellb@huntingtonwv.gov
Shae Strait, Planner; straits@huntingtonwv.gov
Patricia Usher, Zoning Officer; usherp@huntingtonwv.gov
Department email: planningdept@huntingtonwv.gov
Office of Planning – City Hall Rm. 2
P.O. Box 1659
Huntington, WV 25717
Phone: 304.696.5540, opt 3
Fax: 304.696.4465

A complete application must be submitted at least six (6) weeks prior to the Planning Commission meeting you attend (please see Planning Commission meeting and submittal times)

4. Prior to or during this review, the applicant is required to have a survey completed showing all utilities located in the area of the proposed abandonment. Applicant must contact the utility companies to verify if their operations will be affected by any abandonment.
5. The **Abandonment Application** must be accompanied with the following:
 - ✓ A processing fee of **\$160**
 - ✓ A **petition** must be signed by the applicant and any adjoining property owners (*please refer to sample petition*)
 - ✓ A **survey and legal description** by a Registered Professional Land Surveyor showing the extent of the land to be abandoned and location of utilities
 - ✓ An **ordinance** prepared by the applicants attorney (*refer to sample ordinance*)
 - ✓ A **quitclaim deed** provided by the applicants attorney (*refer to sample quitclaim deed*)
 - ✓ An **appraisal** showing the value of land to be abandoned
 - ✓ A **certified check**, cashier's check or money order, covering the appraised cost of the property. This will be shall be forwarded to the City Attorney, who will hold the check pending resolution of the abandonment.
 - ✓ A **letter** from all utility companies that will be affected by the abandonment (*refer to utility contact sheet for common utilities*)

6. After a complete **Petition for Abandonment** has been submitted. The Planning Staff will submit a notice to the Herald-Dispatch Newspaper stating the date, time, and place of the public hearings before the City Planning Commission concerning the proposed abandonment. The Planning Staff will also send notice of the public hearings regarding the proposed abandonment by regular mail to all owners/residents within 400 feet of the proposed abandonment.
7. A public hearing will be held concerning the proposed abandonment at the City Planning Commission's regular meeting. At the conclusion of the hearing, the Planning Commission will make a recommendation to City Council concerning the proposed abandonment.

It is the petitioner's responsibility to attend (or send a representative) to the Planning Commission meeting to present plans and to answer any questions regarding the Petition for Abandonment. Meetings are typically held the first Monday of the month at 5:30pm in City Hall Council Chambers.

8. The City Council will hear the petition for abandonment at their next regularly scheduled meetings. There will be at least two meetings of City Council with a first and a second reading. At the first reading, City Council will gather any needed information for the abandonment, at the second reading the public may come to speak for or against the abandonment. At the second reading City Council will vote on approving or denying the request for abandonment.
9. The City Clerk will notify the City Attorney of the resolution of the application. If the abandonment is denied the appraised amount will be returned by the City Attorney. If the abandonment is approved, the Finance Director will apply the amount received as a deposit.
10. If approved, a certified copy of the abandonment will be provided for recording. The City will execute the Quitclaim Deed (prepared by the applicant) and deliver it for recording.

For more information regarding the abandonment process, or to schedule a meeting with the Planning Staff, call 304-696-5540, opt 3, or email planningdept@huntingtonwv.gov.

Attached:

Abandonment Application and Checklist
Planning Commission submittal dates and meeting schedule
Sample Petition
Sample Ordinance
Sample Quitclaim Deed
Utility Contact Sheet
Sample Utility Letter



ABANDONMENT APPLICATION

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Applicant Name: _____ Phone: _____

Address (city, state, zip): _____

Email: _____

Property Owner (if applicable): _____ Phone: _____

Address (city, state, zip): _____

Type of Public Property to be Abandoned:

Location of Abandonment:

____ Street Right of Way

____ Alley

____ Easement

Please state the reason for the abandonment:

Please see the Abandonment Application Checklist for required documentation

All required documentation must be submitted to Planning and Zoning office (RM.2) by _____ in order to be placed on the next Planning Commission agenda.

I/We, the undersigned, am/are aware that a Public Hearing by the Planning Commission will be held on **Monday**, _____. It is my responsibility to attend (or send a representative) to the above meeting to present plans and to answer any questions regarding the request for Abandonment. All meetings are held at **5:30pm** in City Hall Council Chambers.

Signature of Applicant

FOR OFFICE USE

Received: _____

Staff Initials: _____

Permit Number: _____

Date

**All applications to be submitted must be typed or legibly written in blue or black ink.*



ABANDONMENT APPLICATION CHECKLIST

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- A **letter** from all utility companies that will be affected by the abandonment (*refer to utility contact sheet for common utilities and sample utility letter*)

Adjoining Property Owners (if applicable):

Name: _____ Phone Number: _____

Address: _____ Legal Description: _____

Signature: _____

Name: _____ Phone Number: _____

Address: _____ Legal Description: _____

Signature: _____

***Attach additional copies as necessary**

Utility Company Letters:

Name: _____ Utility: _____

Phone Number: _____ Contact Person: _____ Letter Attached: _____

Name: _____ Utility: _____

Phone Number: _____ Contact Person: _____ Letter Attached: _____

Name: _____ Utility: _____

Phone Number: _____ Contact Person: _____ Letter Attached: _____

Name: _____ Utility: _____

Phone Number: _____ Contact Person: _____ Letter Attached: _____

***Attach additional copies as necessary**