PLANNING & ZONING

City of Huntington
**Planning & Zoning**
P.O. Box 1659 | Huntington, WV 25717
(304) 696-5540, option 3
planningdept@huntingtonwv.gov

# Procedure for Abandonment

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:

   Office of Planning and Zoning – City Hall Room 100C
   P.O. Box 1659
   Huntington, WV 25717
   Email: planning@huntingtonwv.gov
   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 petition must be signed by the applicant and any adjoining property owners*
   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*
   A quitclaim deed provided by the applicants attorney*
   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*
   ***** *Samples of the required documentation may be provided upon request.*

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 planning@huntingtonwv.gov.

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| **FOR OFFICE USE** |
|---|
| Received: |
| Permit Name: |
| ◊ Approved |
| ◊ Denied |

## Abandonment Application

**Applicant Name:** _____ Phone: _____

Address (city, state, zip): _____

Email: _____

**Type of Public Property to be Abandoned:**

_____ Street Right of Way
_____ Alley
_____ Easement

**Location of Abandonment:**

_____

_____

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.100) 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

_____
Date

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

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# Abandonment Application Checklist

- A **petition** must be signed by the applicant and any adjoining property owners
- 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 ○ A **quitclaim deed** provided by the applicants attorney ○ 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

**Adjoining Property Owners (if applicable):**

**Name**: _____ Phone Number: _____

Address: _____ Legal Description: _____

**Name**: _____ Phone Number: _____

Address: _____ Legal Description: _____

**Name**: _____ Phone Number: _____

Address: _____ Legal Description: _____

**Name**: _____ Phone Number: _____

Address: _____ Legal Description: _____

***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**