

**CITY-COUNTY
PLANNING COMMISSION
1141 STATE STREET
BOWLING GREEN, KY 42101**

Phone: (270) 842-1953 Fax: (270) 842-1282



**APPLICATION
FOR CLOSING
CITY RIGHT-OF-WAY**

Applicant(s) Information:

Name: _____ Phone: _____

Address: _____

Description and location of proposed right-of way to be closed:

Documentation Required: (KRS 82.405)

- A letter from the applicant(s) requesting the closing with an explanation of the request.
- A letter from Bowling Green Public Works or State Highway Department (whichever is applicable) stating:
 - (1) their agency anticipates no adverse impact with this closing;
 - (2) if the City right-of-way has been open for five (5) years to general public; and
 - (3) whether the City right-of-way has been accepted by the legislative body.
- An 11 x 17 copy of the recording plat giving dimensions of proposed closing.
- An 8 ½ x 11 copy of the site to send with letter to adjacent property owners.
- List of **all** property owners abutting the City right-of-way to be closed; their mailing address; and required information per the attached form.
- Written, notarized consent to the closing from **all** property owners abutting the right-of-way. If this is not obtained, a lawsuit may need to be filed in Circuit Court after the legislative body adopts an Ordinance approving the closing.

- A letter from the following agencies stating they agree with the proposed closing and stating any conditions they may have. i.e., easements, etc. (*Agency Consent Letter*)
 - Fire Chief of appropriate fire district
 - BG Police Chief or Warren County Sheriff (whichever is applicable).
 - Emergency Medical Department or Medical Center
 - Sanitation Service
 - Water District
 - Sewer District
 - Electric Division
 - Telephone company
 - Cable company
 - Gas company

When application and all required documents are obtained and complete:

1. The applicant(s) submits the completed application and all required documents.
2. The City-County Planning Commission will hold a public hearing and make a recommendation to the legislative body recommending approval or disapproval of the right-of-way closing. The legislative body will consider the recommendation in accordance with the appropriate State Statute.
3. City Commission will verify the following findings of facts:
 - a. Identification of all property owners abutting the right-of-way to be closed was made;
 - b. Written notice of the closing was given to the property owners abutting the right-of-way to be closed; and
 - c. All property owners abutting the right-of-way have given their written and notarized consent to the closing.
4. After the City Commission makes these findings of fact (a), (b) and (c), it may enact an Ordinance reciting the finding of facts and declaring the public way or portion thereof closed without any further action. The Ordinance shall be recorded in the office of the Warren County Court Clerk.
5. A plat must be recorded in Office of the Warren County Court Clerk adding closed right-of-way to adjoining properties with Court Document Number closing right-of-way, or the book and page number the Ordinance is recorded in closing the right-of-way.

NOTE: The cost of surveying, plat and deed preparation, court cost, etc., shall be the Applicant(s)' responsibility.

Application Fee: _____ Date: _____ Docket Number: _____

City Required Recording Fee: _____

Make checks payable to: **City-County Planning Commission**

SIGNATURE OF APPLICANT

DATE

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DATE