

Salisbury Township

Petition To Vacate Township Rights To A Street Or Alley

SUBMISSION REQUIREMENTS:

The following information and materials must be submitted to the Department of Planning & Zoning with any street or alley vacation request, for the request to be considered for review by the Township:

1. Attached petition form signed by the majority (at least fifty one percent) of the adjoining property for the proposed street or alley to be vacated.
2. Required reimbursement deposit of \$500.00. This deposit is required to reimburse the Township for any and all fees incurred from the street or alley vacation request. An initial fee of \$100.00 will be automatically deducted from this amount for administrative and advertising charges. If review costs exceed this initial \$500.00 deposit, petitioner will be required to pay any and all additional costs for the vacation request. An additional \$500.00 may be required if easements are necessary. Before the Township will prepare and file the Report of the Board of Commissioners (the final step in vacating a street), an accounting will be made of the legal fees. If the initial reimbursement deposit is insufficient to cover these expended and anticipated final costs, an additional fee will be determined at that time and required. Once the Report is filed, and all legal costs are paid to the Township, the Township will then refund the remaining funds on deposit, if any.
3. **Eleven (11) copies** of a field survey, locating all existing improvements, features and property boundary information along the street or alley to be vacated, a vacation plan and survey description of the area to be vacated which must be prepared and sealed by a registered Professional Engineer or land surveyor.
4. A deed of easement, where required, shall be presented for all necessary utility and/or substitute easements. The deed of easement shall be granted to Salisbury Township and shall be drafted in a form which is acceptable to the Township Solicitor, then signed and notarized by each affected property owner, (or written consent to same must be submitted with the request). In addition a deed of easement must be provided before the first hearing on the Ordinance to vacate.

GENERAL INFORMATION:

- The Township will review all information submitted, and will prepare a Township Ordinance for the street or alley vacation. Two public hearings may be required to be held for the Ordinance's consideration and final adoption.
- Notices are sent to all adjoining property owners for the scheduled public hearing dates.
- Legal advertisements will be placed in local newspapers for public notification of the proposed street or alley vacation.
- Once the street vacation ordinance is adopted, all necessary utility easements will be recorded.
- A "Report of the Board of Commissioners" will be prepared and filed in the Road Docket file of the Lehigh County Clerk of Courts – Criminal Division Office, after all charges are satisfied and all necessary easements are provided and recorded.
- Any street or alley vacation request must be a "continuous request," in that a street or alley cannot be vacated in portions around properties whose owners may not agree to or participate in the request.
- **The Township will not be responsible for negotiating necessary easements from adjoining property owners. Petitioner must secure these easements or a written agreement verifying same and submit with the vacation request.**

PETITION TO VACATE A TOWNSHIP STREET OR ALLEY

We, the Undersigned, being a majority in interest of all property owners fronting and abutting on both sides of that certain section or portion of _____ Street/Road/Alley extending between _____ and _____ in the section of Salisbury Township, do hereby petition the Board of Commissioners of Salisbury Township to vacate the aforesaid portion of _____ Street/Road/Alley, and do hereby agree to **reimburse the Township for any and all legal fees incurred from the vacation petition;** indemnify the Township from and against any and all claims for damages or lack of access resulting from the vacation petition; and provide such substitute easements as the Township deems to be necessary or advisable.

IN WITNESS WHEREOF, the undersigned persons do set their hands and seals the day and year first above written.

BY: _____

BY: _____

Name: _____

Name: _____

Address: _____

Address: _____

Name: _____

Name: _____

Address: _____

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Name: _____

Name: _____

Address: _____

Address: _____

**STREET/ALLEY VACATION REQUEST
SUBMISSION CHECKLIST:**

- _____ Completed Petition form
- _____ Eleven *folded* copies of a survey plan of proposed area to be vacated (Prepared and sealed by a registered Professional Engineer or land surveyor)
- _____ Check, made payable to the Township of Salisbury, in the amount of \$500.00 (and an additional \$500.00 if easements are necessary)
- _____ Draft deeds of easements, where required, signed by all affected property owners.

PLEASE NOTE:

When a request for street vacation is submitted, it must be reviewed by the Township Solicitor. Upon receipt of their comments, an Ordinance will be prepared and placed on the Board of Commissioner's meeting agenda. The Board of Commissioners meets the second and fourth Thursdays of each month. The Ordinance may require two public hearings (which may take up to two months); associated public notification; and subsequent to all outstanding fees being paid, the Report of the Board of Commissioners, the final action in vacating a street or alley, will be filed. The process from start to finish will take a minimum of 90 days; with a more practical time frame of 120+ days being the norm.