



**CITY OF WARREN  
PLANNING COMMISSION**

LORI M. STONE, MAYOR  
ONE CITY SQUARE, STE. 315  
WARREN, MICHIGAN 48093-5283  
PHONE: (586) 574-4687 FAX: (586) 574-4645

## Vacating a Public Way and/or Easement Application

- ☐ Roadways  
☐ Alleys  
☐ Walkways  
☐ Public Utility Easements

**FEE: \$600.00**

(Application Effective 1-16-24) (Fee Effective 8-10-21)

PLEASE PRINT OR TYPE

PURPOSE OF VACATION REQUEST: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DESCRIPTION AND LOCATION OF PUBLIC WAY/EASEMENT TO BE VACATED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(ATTACH ADDITIONAL SHEET IF NEEDED)

APPLICANT: \_\_\_\_\_

Name/Company (Type or Print)

Phone

Email or Fax

Address

City/State/Zip

Signature of Applicant

Date

LIST EACH SUBDIVISION AND THE LOTS WITHIN IT THAT ABUT THE PROPOSED PUBLIC  
WAY/EASEMENT.

Subdivision Name: \_\_\_\_\_

Lots Affected: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Lots Affected: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

Lots Affected: \_\_\_\_\_

# VACATION CHECK OFF LIST

**As you the representative complete these items, you need to check them off. We will not accept packets without all items checked and done.**

- ☐ Application shall be completed, signed and dated.
- ☐ Affidavit shall be completed, signed and notarized.
- ☐ Submit twenty-five (25) copies of the area to be vacated of the subdivision plat in question.
- ☐ Submit a signed and notarized petition by the abutting property owners/lots (must have at least 60% signatures or petition is not accepted).
- ☐ The abutting property owner is on the application and affidavit. If it is a business or LLC we need a contact name. If there is more than one owner, we need affidavit for each one.
- ☐ Submit all phone numbers, emails or fax number for contacts for communication purposes.
- ☐ **If you have any delinquent taxes, your packet will not be accepted.**

Representative Signature \_\_\_\_\_ Date \_\_\_\_\_  
(must have signature or will not accept package)

## **Employee Only - Please initial:**

1. Verify all items completed.
2. Make copy of check.
3. Let applicant know date of Planning Commission Meeting.
4. Stamp application and at least one sheet of plan.
5. Put brief description on agenda immediately.



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## **Vacating a Public Way and/or Public Utility Easement Procedure**

- Step 1.** Complete the application and submit it to the Planning Department, along with a copy of the subdivision plat in question, requested area to be vacated, and the signed and notarized petition.
- Step 2.** Obtain the signatures of a minimum sixty (60%) percent of the owners of land abutting the area to be vacated on the **attached petition**.
- Step 3.** The request will be placed on a Planning Commission agenda in accordance with the schedule prepared by the Planning Staff. The applicant will receive a notice informing them of the Planning Commission public hearing scheduled for their item. Attendance at the Planning Commission meeting is **mandatory**.
- Step 4.** The Planning Commission will hold a public hearing and issue their recommendation regarding the request. The applicant will receive formal correspondence from the Planning Commission secretary detailing the Planning Commission's recommendation. This recommendation is forwarded to City Council.
- Step 5.** The applicant will receive a notice informing them of the City Council public hearing scheduled for their item. Attendance at the City Council meeting is **mandatory**.
- Step 6.** City Council will hold a public hearing and either approve, approve with conditions, or deny the vacation request.
- Step 7.** Any conditions applied to City Council's approval of the request must be completed before the City Clerk will record a certified copy of the resolution with the Macomb County Register of Deeds. Approval of the vacation will be revoked if the applicant does not complete the conditions imposed by the City Council Resolution within two (2) years.

PETITION FOR VACATION OF PUBLIC WAYS AND/OR PUBLIC UTILITY EASEMENT

To the City of Warren Planning Commission and the Warren City Council:

We, the undersigned owners of the property hereinafter described and set after our respective signatures, do hereby petition that the City Council vacates the (public way) or (public utility easement) (Circle One) abutting our property.

DATE																			
SUBDIVISION																			
LOT #																			
ADDRESS																			
PRINTED NAME																			
SIGNATURE																			

Signature of the Circulator(s)\_\_\_\_\_

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me appeared \_\_\_\_\_, who, first being duly sworn stated that (s)he circulated the above petition and obtained the signatures on the date provided, and that (s)he knew these parties signing the name and was present during the affixing of the signature of that named party.

\_\_\_\_\_ Notary Public, Macomb County, Michigan.

\_\_\_\_\_ Expiration Date of Commission.



## **AFFIDAVIT OF OWNERSHIP OF LAND**

I, WE \_\_\_\_\_  
Name(s) of Owner(s)

OF \_\_\_\_\_  
Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_ Email \_\_\_\_\_

THE \_\_\_\_\_ OF \_\_\_\_\_  
Title of Officer \_\_\_\_\_ Name of Company \_\_\_\_\_

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT \_\_\_\_\_  
I/We/It

\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) \_\_\_\_\_/RECORDED DEEDHOLDER(S)

OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN, MACOMB COUNTY, MICHIGAN IN A:

### **PETITION FOR HEARING BY THE CITY OF WARREN PLANNING COMMISSION**

FURTHER, THAT \_\_\_\_\_  
Name(s) of Applicant(s)

THE \_\_\_\_\_ OF \_\_\_\_\_  
Title of Officer \_\_\_\_\_ Name of Company \_\_\_\_\_

OF \_\_\_\_\_  
Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_

IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.

SIGNED \_\_\_\_\_

SIGNED \_\_\_\_\_

STATE OF MICHIGAN  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME PERSONALLY CAME  
\_\_\_\_\_, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN AND WHO  
EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND ACKNOWLEDGED THAT  
\_\_\_\_\_ DID SO OF \_\_\_\_\_ OWN FREE WILL AND DEED.

\_\_\_\_\_  
NOTARY PUBLIC, \_\_\_\_\_ COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: \_\_\_\_\_

### **NOTICE TO OWNER**

**IF A REPRESENTATIVE APPEARS ON YOUR BEHALF, THE REPRESENTATIVE/APPLICANT SHALL CONTACT THE PLANNING DEPARTMENT BY LETTER OR EMAIL AND MAKE THEMSELVES KNOWN. FAILURE TO ANSWER ANY QUESTION FROM THE COMMISSION MAY RESULT IN YOUR REQUEST BEING TABLED OR DENIED. IT IS RECOMMENDED THAT YOU APPEAR IN PERSON.**