



**CITY OF WARREN
PLANNING COMMISSION**

LORI M. STONE, MAYOR
ONE CITY SQUARE, STE. 315
WARREN, MICHIGAN 48093-5283

CONTACT THE PLANNING DEPARTMENT
PHONE: (586) 574-4687 FAX: (586) 574-4645

VACATING A PUBLIC WAY, UTILITY EASEMENT, OR SUBDIVISION PLAT OR PART OF APPLICATION

- ROADWAYS
- ALLEYS
- WALKWAYS
- PUBLIC UTILITY EASEMENTS
- SUBDIVISION PLAT OR PART OF

FEE: \$600.00

(Application Effective 4-3-24) (Fee Effective 8-10-21)

PLEASE TYPE OR PRINT

PURPOSE OF VACATION REQUEST: _____

DESCRIPTION AND LOCATION OF PUBLIC WAY/UTILITY EASEMENT/SUBDIVISION PLAT OR PART OF TO BE VACATED: _____

(Attach additional sheet if needed)

APPLICANT: _____
Contact Name & Company 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,
UTILITY EASEMENT OR SUBDIVISION PLAT OR PART OF.

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 application packets without all items checked off and completed.

- Application shall be completed, signed, and dated.
- Affidavit of Ownership of Land shall be completed, signed, and notarized.
- Submit twenty-five (25) copies of the subdivision plat area to be vacated and highlight the area to be vacated.
- For roadways, alleys, or utility easements, submit a notarized petition that has been signed by at least 60% of the abutting property/lot owners. (Petitions with less than 60% signatures will not be accepted.)
- The abutting property/lot owner(s) shall be listed on the application and affidavit. If the owner is a business or LLC, a person's contact name is required. If there is more than one owner, an affidavit is required for each one.
- For communication purposes, provide all phone numbers and email addresses or fax numbers for each person listed on the application.
- If the property has any delinquent taxes, your application packet will not be accepted.**

Representative Signature: _____ Date: _____
(Signature required or the application package will not be accepted.)

Employee Only – Please Initial: _____

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



AFFIDAVIT OF OWNERSHIP OF LAND

I/WE _____
Name(s) of Owner(s)

OF _____ Zip _____ Telephone _____ Email _____
Address, City, State

THE _____ OF _____
Title of Officer(s) 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(s) Name of Company

OF _____ Zip _____ Telephone _____
Address, City, State

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.



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Vacating a Public Way, Utility Easement, or Subdivision Plat or Part of Procedure

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.
2. Obtain signatures on the **attached petition** of a minimum of sixty percent (60%) of the owners of land abutting only the public way or utility easement to be vacated.
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**.
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.
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**.
6. City Council will hold a public hearing and either approve, approve with conditions, or deny the vacation request.
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.
8. A complaint must be filed by the petitioner in Circuit Court to vacate the area of concern. As part of the proceedings in Circuit Court, a new revised subdivision plat must be prepared reflecting the changes. The revised plat shall be recorded with the Macomb County Register of Deeds and the State of Michigan.
9. As an alternative, the petitioner may, by non-judicial process, relinquish the public way or public utility easement by written agreement between certain affected parties. A copy of the court order or relinquishment and the recorded document must be provided to the Planning Department, Assessing Department, Department of Law, Building Division and City Clerk.

