

CITY OF DUBUQUE VACATING PROCEDURE

The following procedure is used in the process of vacating an area of public right-of-way (streets or alleys) in the City of Dubuque, Iowa.

1. Submit a sketch of the proposed area to be vacated to the City Engineer's office.
2. The City Engineer's office will check for sewer and water utilities in the area and give a preliminary indication of whether the vacating is favorable or unfavorable.
3. If a favorable condition exists, submit the request to vacate in writing to: The Honorable Mayor and City Council at 50 West 13th Street, Dubuque, Iowa, with reasons for the proposed vacating and a sketch of the area to be vacated. The Council will refer the proposed vacating request to City staff.
4. You must obtain the written consent of the abutting property owners of the proposed area to be vacated and any others affected by the proposed vacating, as determined by the City Engineer. (You may want to consider this prior to submitting the letter to City Council.)
5. The City will notify the utility companies of the proposed vacating and inquire of the need for easements. Petitioner may contact utility companies prior to this step if they desire. The City may reserve an easement for any existing or proposed public or private utilities located within the proposed vacate area. This easement would preclude the placement of a building on the vacated right-of-way in order to allow for maintenance and construction of said utilities.
6. The City may have an appraisal prepared for the property to determine the fair market value, or use an assessed value of adjacent land based on a price per square foot. The minimum purchase price is \$300 to cover the cost of coordinating and processing the request through City Council. (You may obtain an independent appraisal at your expense, if you desire.) In addition, you would be responsible for paying publication and filing fees of \$100 associated with the vacating process.
7. A plat of survey must be prepared at your expense by a Licensed Land Surveyor. This will show the boundaries of the proposed vacating and assign a legal description to the property. The plat should show the division of the right-of-way if it is to be split between other abutting property owners.
8. Upon receipt of the plat of survey of the area proposed to be vacated, the request will be taken to the City Council to be set for a public hearing and formal approval.
9. After the public hearing approval by the City Council and receipt of the purchase price and publication of filing fees, the City will execute a Quit Claim Deed for the vacated property and record the deed.
10. You can pick up the recorded Quit Claim Deed after it has been returned to the City Clerk's office at 50 W. 13th Street from the County Recorder.

(DATE)

Honorable Mayor and City Council
50 West 13th Street
Dubuque, IA 52001-4845

RE: Vacate City Property

Dear Mayor and Council Members:

This letter is written to inquire about the possibility of purchasing a portion of a city street/alley abutting my property at (ADDRESS). We plan to use the vacated property for (_____).

We have contacted the City Engineering Department and they have indicated a favorable condition for the vacating but may need easements reserved for utilities. We understand that the vacated area would need to be surveyed and platted at our expense and a fee paid for the parcel, plus publication and filing fees. Please call me at xxx.xxx.xxxx if you have questions.

Thank you for your consideration of this request.

Sincerely,
