



Effective June 17, 1997
Revised January 28, 2022

APPLICATION FOR VACATION AND ABANDONMENT STREET/EASEMENT/ALLEY

Location of Proposed Abandonment: _____
Lot: _____ Block: _____ Addition: _____
Type of Easement to be Abandoned: _____
Reason property should be vacated/abandoned: _____

APPLICANT: _____
ADDRESS: _____
PHONE NO. _____ FAX NO. _____
E-MAIL ADDRESS: _____

Below is a list of attachments that must accompany this application:

1. Three Hundred Dollars (\$300.00) Non-refundable Application Fee.
2. A metes and bounds legal land description of the proposed abandonment labeled Exhibit "A". (See attached instructions for preparation)
3. A plat or drawing depicting the area to be abandoned labeled Exhibit "B". (See attached instructions for preparation)
4. Deeds of conveyance to all adjacent/abutting/underlying property to the proposed vacation/abandonment.
5. Completed consent form for all adjacent property owners. (Use form provided)
6. Completed closure consent form for all affected property owners in the case of a closure of a Street or Alley. (Use form provided)

I will hold the City harmless and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.

X _____
Applicant



THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared ____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 20_____.

Notary Public In and For Dallas County, Texas

INSTRUCTIONS FOR VACATION AND ABANDONMENT STREET/EASEMENT/ALLEY

1. Prior to submitting an application, please verify whether any city utilities currently exist within the area being proposed for abandonment. Contact the Capital Improvement Program via email, maps@cityofirving.org or by phone at 972-721-2611.
2. Even though there may not be any City of Irving utilities, there may be other utilities that would affect the abandonment process.
3. The applicant(s) will hold the City of Irving harmless and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.
4. The applicant(s) understand(s) that an application fee of THREE HUNDRED Dollars (\$300.00) is payable in advance and is non-refundable.
5. The applicant(s) understand(s) that if the property sought to be vacated/abandoned was originally purchased by the City of Irving, the applicant will be required to pay the market value of the property as determined by an appraisal by an independent appraiser. An appraisal fee may be required and is payable in advance of ordering the appraisal and is non-refundable. The appraisal fee may be used as a credit toward the payment of the market value to the city. The market value of the property less credits taken by the applicant will be refunded to the applicant in the event the request is denied.
6. The applicant(s) understand(s) that no conveyance of title will be made; the City will vacate and abandon the property in question, but will issue no quitclaim deed to the property. The City will record a Property Abandonment Ordinance Affidavit with Dallas County Deed Records.
7. Legal land descriptions (field notes/metes & bounds) describing the requested vacation and abandonment must accompany the application. *See the attached instructions for preparing field notes.*
8. A drawing or plat of the street/easement/alley sought to be vacated and the surrounding area must accompany the application. *See the attached instructions for preparing a plat or drawing.*
9. A copy of the deeds to all property adjacent/abutting to the requested vacation/abandonment must accompany the application. Additional deed research may be required by the applicant to determine the origin of the interest sought to be vacated/abandoned.
10. All owners adjacent to the requested abandonment must either consent or state why they do not consent to the requested vacation/abandonment.
11. In the event of a street/alley/easement closure that will affect property owners that are not adjacent to the request, each affected property owner must either consent or state why they don't consent. In the case of a street or alley, affected property owners are those to the nearest cross street.
12. Return completed application to:
Irving City Hall
Planning and Community Development Dept., 2nd Floor
825 W. Irving Blvd.
Irving, TX 75060

Questions may be referred to: Cheryl Elgin, 972-721-4789 celgin@cityofirving.org

**ADJACENT PROPERTY OWNERS
 CONSENT FOR VACATION AND ABANDONMENT
 STREET/EASEMENT/ALLEY
 (Make copies as needed)**

OWNER: _____
 ADDRESS: _____ Lot: _____
 _____ Block: _____
 PHONE NO. _____ Addition: _____

The undersigned, owner(s) of property abutting upon that portion of the street/easement/alley named and described in Exhibits "A" and "B", **do hereby consent** to such vacation and abandonment, and do hereby release the City of Irving from all claims for damages arising or growing out of such vacation and abandonment. (Include the names and signatures of all owners of the property [ies]. If a husband and wife own property jointly, both must sign. The signatures must be notarized.)

X _____
 OWNER

OR

I am the owner of the adjacent/underlying property and **DO NOT** consent to the vacation and abandonment.

Reason I do not consent: _____

X _____
 OWNER

THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to the that (s)he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 20_____.

 Notary Public In and For Dallas County, Texas

**CONSENT FOR CLOSURE
STREET/EASEMENT/ALLEY**

(Make copies as needed)

OWNER: _____
ADDRESS: _____ Lot: _____
_____ Block: _____
PHONE NO. _____ Addition: _____

The undersigned, owner(s) of property abutting any remaining such street/easement/alley as far as the first cross street, **do hereby consent** to such vacation and abandonment and closure as described in Exhibits "A" and "B", and do hereby release the City of Irving from all claims for damages arising or growing out of such vacation and abandonment and closure. (Include the names and signatures of all owners of the property[ies]. If a husband and wife own property jointly, both must sign. The signatures must be notarized.)

X _____
OWNER

OR

I am the owner of the adjacent/underlying property and **DO NOT** consent to the vacation and abandonment and closure of the street/alley/easement.

Reason I do not consent: _____

X _____
OWNER



THE STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to the that (s)he executed the same for the purposes therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the _____ day of _____, A.D. 20_____.

Notary Public In and For Dallas County, Texas

INSTRUCTIONS FOR PREPARING LEGAL LAND DESCRIPTIONS
(EXHIBIT "A")

1. Describe by metes and bounds the street/easement/alley or part thereof to be vacated.
2. Have the notes prepared by a Registered Professional Land Surveyor (R.P.L.S.).
3. Submit an original print, complete with R.P.L.S. signature, seal and registration number.
4. Legal land descriptions (field notes/ metes & bounds) to be prepared on 8 1/2" x 11" white bond paper. Blue line prints are not acceptable.

INSTRUCTIONS FOR PREPARING THE PLAT OR DRAWING
(EXHIBIT "B")

1. Drawing to be to scale, showing all existing water, sewer, drainage (indicating the size of such lines) and utility lines (including overhead lines), poles and markers and any existing buildings, fences, pavement or other improvements in or near vicinity of the request.
2. Show property boundary lines and dimensions, owner(s) of record's name, address, and telephone number for each tract abutting/adjacent to the area proposed to be vacated.
3. In the case of closure of a street/alley/easement, show property boundary lines and dimensions, record owners' name, address, and telephone number for any tract affected or abutting any remaining such street/easement/alley as far as the first cross street.
4. Show all existing easements in the vicinity of the proposed abandonment.
5. Include an inset location map sufficient to locate the request on a city street map.
6. Submit one original print of the plat or drawing on white bond paper no larger than a sheet of letter-size paper. Larger drawings may be submitted to provide a drawing at a scale that is legible and provides sufficient detail to be able to consider the request. This larger drawing is in addition to the drawing submitted on no larger than letter-sized paper. No blue line prints of the smaller drawing will be accepted.
7. Drawing to be prepared by a Registered Professional Land Surveyor (R.P.L.S.) complete with the signature, seal and registration number of the preparer.