



CITY OF HUNTINGTON

Community Development
& Redevelopment

300 Cherry Street
Huntington, IN 46750

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**PLAT VACATION
APPLICATION**

Docket No: PC-____ - _____

Receipt: _____

Meeting Date: _____

Filed: _____

1. APPLICANT

Name: _____

Address: _____

Phone: _____ Fax: _____

2. SURVEYOR

Name: _____ Firm: _____

Address: _____

Phone: _____ Fax: _____

3. PROPERTY OWNER

Name: _____

Address: _____

Phone: _____ Fax: _____

4. PROPERTY

Address: _____

Section: _____ Township: _____ Range: _____ Size: _____ Flood Zone: _____

Subdivision: _____ Section: _____ Lot: _____

Current Use: _____ Zoning: _____

Parcel PIN: 35 - ____ - ____ - ____ - ____ . ____ - ____ - ____

Township: Huntington Union Other: _____

Location: City of Huntington Unincorporated Huntington County

5. STATUTORY AUTHORITY

State law provides for two methods of vacating a plat. Please select the appropriate method below:

- IC 36-7-3-10: Application by all owners in a plat (please skip to the signature section).
 - Please submit a copy of the proposed vacation instrument with this application.
 - Plan Commission approval is not required if the plat is located outside the City Limits and no lots have been sold and no roads have been constructed.
- IC 36-7-4-711: Application by one or more owners in a plat.

6. DESCRIPTION OF REQUEST

Reasons for and circumstances prompting this request:

6. LEGAL DESCRIPTION

Please submit a legal description of the property proposed to be vacated under this application.

7. PLAT OWNERSHIP INFORMATION

Please submit the name and address of every other property owner in the plat with this the application:

REVIEW THE ATTACHED INFORMATION AND GUIDELINES PRIOR TO SUBMISSION

I understand that this request can only be granted upon the Committee/Commission determining that all applicable criteria has been satisfied. I understand that it is my responsibility to provide the information and evidence necessary in support of this request. I have read and understand all application, submission, code and statutory information and requirements. The above information and any submitted evidence, to my knowledge, are true and accurate. I also grant permission for members of the City of Huntington Plan Commission, staff and agents the right to enter onto the property described in this application for the purposes of gathering and verifying information.

| | | |
|---------------------|--------------|-------|
| _____ | _____ | _____ |
| Applicant Signature | Printed Name | Date |
| _____ | _____ | _____ |
| Owner Signature | Printed Name | Date |

FINAL DECISION

Plan Commission Plat Vacation Approval:

Date: _____ Approved Approved with Conditions Denied

PLAT VACATION INFORMATION

What is a Plat Vacation?

A Plat Vacation eliminates a previously approved Subdivision Plat (or part thereof). This results in one large parcel of land without any lots, easements or other notations or restrictions as may have been listed on the original plat.

Application & Submittal Requirements

Vacation of Plat under IC: 36-7-3-10

- Completed application form (owners signature required).
- Payment of \$50.00 filing fee.
- Copy of the written instrument to be recorded.

Vacation of Plat under IC: IC 36-7-4-711

- Completed application form (owners signature required).
- Payment of \$50.00 filing fee.
- Copy of legal description.
- List of names and addresses for all property owners within the plat.

General Information

The applicant is encouraged to review IC 36-7-3-10 or IC 36-7-4-700 series as applicable; the Subdivision Code, the Rules of Procedure adopted by the Plan Commission and the following:

1. Plan Commission shall approve or deny Plat Vacations.
2. All actions of the Plan Commission are governed by IC 36-7-3-10 or IC 36-7-4-700 series as applicable and the Subdivision Code.
3. The Rules of Procedure of the Plan Commission govern the actions of the Plan Commission, including how notice is provided to interested parties and when commitments are permitted.
4. The Plan Commission shall review the Plat Vacation request to determine that all required findings of fact have been satisfied.
5. The Plan Commission may impose reasonable conditions as a part of any approval.
6. The Plan Commission may permit or require the owner of a parcel of property to make a written commitment concerning the use or development of that parcel (see: IC 36-7-4-1015 and the Rules of Procedure concerning commitments).
7. The Plan Commission may continue the hearing or deny the petition when, in its judgment, the petitioner has not provided sufficient information or evidence to make a determination.
8. In accordance with IC-36-7-4-1016, a final decision of the Plan Commission is subject to judicial review if filed within thirty (30) days of the decision.

Approval Process

Request for Plat Vacation are processed in accordance with State Law and as outlined below:

1. Application submitted to the Department and under IC 36-7-3-10 a copy of the instrument is filed with the County Auditor
2. Within 30 days a Public Hearing is set and notice is issued if filed under IC 36-7-4-711.
3. Subdivision Plat Committee reviews the application and makes a recommendation.
4. Plan Commission holds a Public Hearing and issues a decision.
5. Plan Commission issues a certificate of approval to the County Recorder.
6. Applicant Records the appropriate documentation with the County Recorder.

Findings of Fact

The Plat Committee may approve a Plat Vacation under IC 36-7-4-711 only upon a determination in writing that:

1. Conditions in the platted area have changed so as to defeat the original purpose of the plat;
2. It is in the public interest to vacate all or part of the plat; and
3. The value of that part of the land in the plat not owned by the petitioner will not be diminished by the vacation.