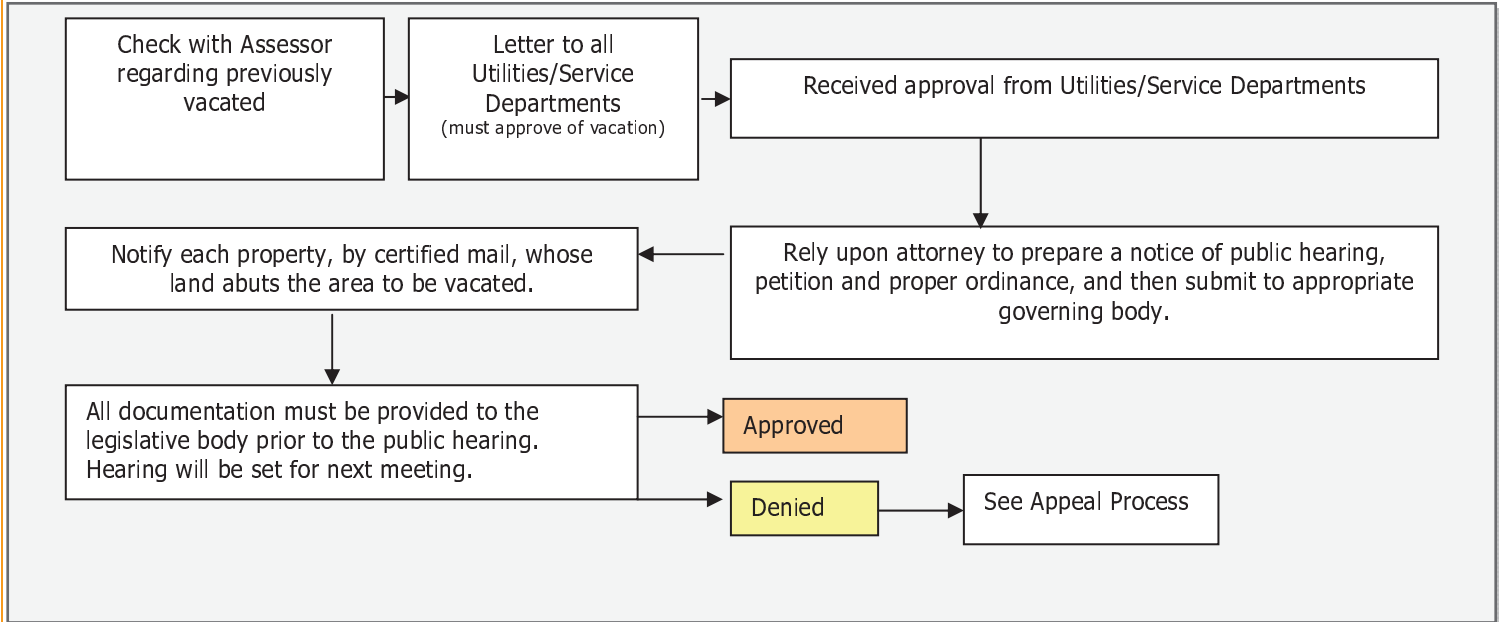


**CITY OF LOGANSPORT
ALLEY & STREET VACATIONS**

1. Check with the Cass County Assessor's Office in the County Building and make sure that the alley/street has not already been vacated. You will also want to get a copy of the plat.
2. A letter must be sent to all utility and service departments (See exhibit A) with your intentions. All utility/service departments must approve of the request to vacate. If an utility/service department does not agree to vacate, sometimes an agreement/easement can be obtained with that department. Attached is a list of all utility/service departments to contact.
3. Once all utility/service departments have responded to your request, and if all agree to the vacation, you will want to rely upon the services of an attorney to prepare a notice of public hearing, petition and proper ordinance. This **must** be presented to the clerk-treasurer's office and a copy to the mayor's office.
4. You must also notify each property owner, by certified mail, whose land abuts the area to be vacated. Proof of this notification **should** be presented at the same time as the public hearing, petition and ordinance. A copy of the approval from all the utility/service departments must be presented at the same time.
5. When a copy of all the above is presented to the mayor's office, the Logansport City Council Planning & Economic Development Committee will call a meeting to discuss the vacation and look at all the documents before the ordinance is put on the City Council agenda.

VACATION PROCESS



Filing instructions

- A. The applicant is required to:
- fill out application
 - Provide instrument for vacation (like a deed of land)
 - State the reasons for and circumstances prompting the request
 - Specifically describe the property in the plat proposed to be vacated
 - Give the name and address of each owner of land in the plat

The petitioner must also provide information about recorded covenants and commitments if they are seeking to vacate those as well.

- B. Within 30 days the appropriate legislative body will have a public hearing.
- C. If denied the appropriate governing body may provide petitioner with written findings that set forth the decision. After 2 years the request may be heard again by such body.

**Note that decisions are final and that any aggrieved party may seek review through IC 36-7-4-1016*

- D. Petitioner must record the instrument with the certificate showing the approval of the vacation from the Commission or Commissioners.

**Note that the description of lots and parcels shall be preserved even after vacation unless 5 acres or more which can be described by metes and bounds.*

Legislative Body Public Hearing/Meeting Dates

Logansport City Council: 1st Monday of the Month at 5:00pm in the City Council Chambers, 3rd Floor, Logansport City Building located at 601 East Broadway, Logansport. There must be two readings to approve a rezone.

Cass County: 1st Monday of the Month at 1:00pm and the 3rd Monday of the Month at 6:00pm in the County Commissioners, 2nd Floor, Cass County Government Building located at 200 Court Park, Logansport. Only one reading is required for rezone approval.

Walton: 1st Monday of the Month at 7:00pm in Walton Town Hall located at 100 Depot St., Walton. Only one reading is required for rezone approval.

UTILITY & SERVICE DEPARTMENTS

Note: This is NOT an all encompassing list. You must contact your specific providers in your area.

Northern Indiana Public Service Company
1619 W. Logansport Road
Peru, IN 46970
(765) 472-6469
Or other utility providers

Logansport Municipal Utilities
Bob Dunderman – Paul Hartman - Jim Jackson
601 E. Broadway, Room 101
Logansport, IN 46947
(574) 753-6231
Or other utility providers

Frontier
Ted Foster
3216 Imperial Parkway
Lafayette, IN 47909
(765) 423-3531
Or other telephone and internet providers

Logansport Street Department
Tony Shanks
612 Race Street
Logansport, IN 46947
(574) 753-4610

Logansport Fire Department
Bernie Mittica
630 High Street
Logansport, IN 46947
(574) 753-3102

Wabash Valley Refuse
Richard Mauman
316 Spring Valley Road
Wabash, IN 46992
1-800-989-2539
or other trash providers

Police
601 E Broadway
Logansport, IN 46947
(574) 753-4101

Example Letter to Utility/Service Departments

Date

Utility/Service Departments
Address

Dear Mr. Dunderman,

I am interested in vacating an alley. The alley to be vacated is a north/south alley which runs between 112 & 114 Simple Street. I have enclosed, for your convenience, a map of this section and have highlighted the specific area. Please advise me in writing if you approve or if the closing of these platted alleys/streets would create any hardship for your utility or service company.

For your convenience, you may check the appropriate line below, sign your name and date. I have also enclosed a self-addressed stamped envelope for your convenience.

_____ Yes, I approve of the vacation.

_____ No, I do not approve of this vacation. If no, please explain.

SIGNATURE COMPANY

DATE

Your prompt response to this request is greatly appreciated.

Sincerely,
Petitioner
Address

Example Notice for Public Hearing

Notice is hereby given that the appropriate governing body will hold a public hearing on _____ at _____ in the location of hearing Logansport, Indiana, regarding the proposed alley vacation at _____. The following are the legal descriptions that run along such alley:

_____ The public is invited to comment on any of the matters herein noted, and all taxpayers, residents or interested parties who appear will be given a reasonable opportunity to express their views, both orally and in writing, on the proposed alley vacation.

For more information please call appropriate governing body contact information.

PLAT/PUBLIC WAY/PLATTED EASEMENT VACATION

***NOTE: Please fill out entire Application and submit with documents listed below. Incomplete Applications will not be accepted. In addition to Application the Applicant must SUBMIT an INSTRUMENT OF VACATION (deed of land or survey).**

APPLICANT INFORMATION:

Name: _____
Address: _____
Telephone: _____

OTHER CONTACT (Agent/Surveyor):

Name: _____
Address: _____
Telephone: _____

STATE THE REASONS FOR AND CIRCUMSTANCES PROMPTING REQUEST:

PLAT VACATION:

Lot(s): _____ Block(s): _____
Subdivision: _____
Property Street Address: _____
Adjacent Streets: _____
Zoning District: _____ Total acreage: _____
Parcel ID: _____

Covenants or Commitments with Parcels: Yes () No ()
If yes, do you want to vacate them as well? Yes () No ()

Provide a list of names and address of each owner of land in the plat:

STREET VACATION:

Street: _____
Legal description: _____
Platted: Lot(s) _____ Block(s) _____
Subdivision/Addition: _____
Section: _____ Township: _____ Range: _____

Parcel ID: _____ Total acreage: _____

Provide a list of names and address of surrounding property owners:

“As the Applicant, I state that the information provided in this Application and all attachments if true and accurate to the best of my knowledge. I understand that inaccurate information may result in delayed review and scheduling of this item.”

Signature of Applicant

Date