



SUBDIVISION VACATION INFORMATION

What is a Subdivision Vacation?

A Subdivision Vacation is used to vacate any or all of the land from a subdivision, an easement granted by the subdivision, or an entire area designated or dedicated for public use.

The Process

When any person wishes to vacate any or all of the land from a subdivision, an easement granted by the subdivision or an entire area designated or dedicated for public use, that person shall file an application for a Subdivision Vacation. The application must include signatures of all parties having an ownership interest in the land to be vacated from the subdivision and if an easement or area dedicated for public use is to be vacated, then the signature of all owners of land within the subdivision or phase thereof.

Once a Subdivision Vacation application is submitted, it is reviewed by Planning Div staff for completeness. If it is determined to be complete, a copy of the application will be sent out for review to local and State agencies as well as property owners within 300 feet of the subject property. After a review period, the application is advertised in the local newspaper and a public hearing is conducted at which time the application is heard by the Board of County Commissioners and the public will have an opportunity to comment.

During the public hearing, the Board of County Commissioners shall determine whether the public use or benefit is served by the vacation. The Planning Division will send a letter to the applicant informing them of the Commissioners' decision and outlining the recording process if the application is approved.

If the Vacation application is to vacate a public road or right-of-way, an application for vacation must be filed with the Benton County Road Department.

Appeals

The decision by the Commissioners is appealable under the terms and conditions as set forth in state law.

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SUBDIVISION VACATION CHECKLIST

ALL DOCUMENTS SUBMITTED MUST BE COMPLETED IN **BLACK INK**

Applicant Staff

- | | | |
|--------------------------|--------------------------|--|
| ☐ | ☐ | Completed Subdivision Vacation Application – must include signatures of all parties with ownership interest within the subdivision. Incomplete applications will not be accepted. |
| ☐ | ☐ | Subdivision Vacation Plat Map – One (1) full sized copy and one (1) reduced copy measuring no larger than 11” x 17” are required with application submission. The following information shall be included on the plat map: <ul style="list-style-type: none">• All information on the existing recorded plat• Proposed alterations clearly identified and shown on the plat• The map scale shall be at the same scale as the existing record plat. <i>*The above information can be drafted upon a copy of the existing plat.</i> |
| ☐ | ☐ | \$600.00 Subdivision Vacation Fee – The fee must be paid at the time of application submittal, cash or checks accepted. Checks are to be made payable to the Benton County Treasurer . All application fees are non-refundable. |
| ☐ | ☐ | Names, Signatures, and Addresses of all legal parties affected by the vacation. |
| | ☐ | ■ If the subdivision is subject to restrictive covenants which were filed at the time of approval of the plat and the application for vacation will result in the violation of a covenant, the application shall contain a written agreement signed by <u>all</u> parties subject to the covenants agreeing to terminate or alter the relative covenants to accomplish the purpose of the vacation. |
| | ☐ | ■ Applications may be submitted between the hours of 8am-12pm and 1pm-5pm Monday through Friday to the Planning Division at 102206 E Wiser Parkway, Kennewick, WA 99338. |
| | ☐ | ■ Please contact the following departments/agencies to ensure your proposal will be in compliance with their regulations: <ul style="list-style-type: none">• Benton-Franklin Health District
7102 W. Okanogan Place, Kennewick, WA 99336
Phone: 460-4205• Benton County Public Works
620 Market Street, Prosser, WA 99350
Prosser: 786-5611 • Tri-Cities: 735-3084
Or 102206 East Wiser Parkway, Kennewick WA 99338 |

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SUBDIVISION VACATION APPLICATION

Application No. _____

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

☐ **Applicant/Agent:** _____

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

Signature: _____ Date: _____

☐ **Property Owner(s)** (if different):

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

**If there are additional owners please copy this section, sign, and attach to the application*

If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.

ENTITY SIGNATURE BLOCK

If the applicant or legal owner of the property is a corporation, partnership, trust or LLC please use the following signature block.

Applicant/Legal Owner: _____

Officer name: _____

Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF _____ (name of entity) WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT _____ TO SUBMIT THIS APPLICATION AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

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PARCEL INFORMATION

1. **Name of plat to be revised:** _____
2. **Year of final plat approval:** _____
3. **Subject property address:** _____ **City:** _____
State: _____ **ZIP:** _____ **Total Acreage:** _____
4. **Utilities:** *Power:* ☐ Benton PUD ☐ Benton REA
 Sewer: ☐ Septic Tank ☐ City Sewer: (Provider) _____
 Water: ☐ Individual Wells ☐ One well serving 5 or more lots
 ☐ Private System (Provider & Address) _____
 ☐ City System (Provider) _____
 Gas: ☐ No ☐ Yes: (Provider) _____
 Cable: ☐ No ☐ Yes: (Provider) _____
 Phone: ☐ No ☐ Yes: (Provider) _____
 Irrigation: ☐ No ☐ Private ☐ District: (Provider) _____

REQUEST DESCRIPTION

5. **Describe the proposed portion of the plat to be vacated:** _____

6. **Give a detailed explanation for vacation request:** _____

Additional comments or information: _____

(For Staff Use Only)

<i>Access:</i> Y N	<i>Application Complete:</i> Y N
<i>Critical Areas:</i> N Y: _____	<i>Zoning:</i> _____
<i>Reviewed by:</i> _____	<i>Date:</i> _____

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Any information submitted to the Benton County Planning Division is subject to public records disclosure law for the State of Washington (RCW Chapter 42.56) and all other applicable law that may require the release of the documents to the public.

PROPERTY OWNERS SIGNATURES

WE HEREBY STATE THAT WE HAVE OWNERSHIP INTEREST IN THE PROPERTY WITHIN THE SUBDIVISION, HAVE READ THE VACATION APPLICATION, AND HEREBY APPROVE THE APPLICATION REQUEST.

[illegible]