

**APPLICATION TO VACATE OR ABANDON  
PUBLIC RIGHT OF WAY OR EASEMENT  
N.R.S. 278.480**

FOR PLANNING STAFF USE ONLY		
APPLICATION #:		
REQUIREMENTS CHECK LIST	YES	NO
COPY OF LEGAL DESCRIPTION or DEED INCLUDED		
COPY OF SITE, PLOT PLAN IF APPLICABLE		
COPY OF RECORDED MAP INCLUDED (IF APPLICABLE)		
COPY OF U.S.G.S. QUAD MAP OF THE VICINITY INCLUDING TOPOGRAPHY		
COPY OF OWNER'S AFFIDAVIT(S) INCLUDED		
APPLICATION RETURNED AS INCOMPLETE BY STAFF INITIALS		
WRITTEN RESPONSE FROM COMMITTEE OF ARCHITECTURE IF APPLICABLE:		
DATE ACCEPTED:		
STAFF:		

 **(APPLICATION MUST BE TYPED, HAND WRITTEN FORMS WILL NOT BE ACCEPTED)** 

**A FILING FEE OF \$350.00 MUST ACCOMPANY THIS APPLICATION, THIS FEE IS NON-REFUNDABLE REGARDLESS OF THE DECISION(S) OF THE ELKO PLANNING COMMISSION AND OR THE ELKO COUNTY BOARD OF COMMISSIONERS.**

APPLICANT(S) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (     ) \_\_\_\_\_

ASSESSOR'S PARCEL No(s): \_\_\_\_\_  
(attach filed map if available)

NAME of Road or Street Right of Way or Easement to Be Vacated or Abandoned by this Application and Location / Legal Description:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PROPERTY OWNER(S) of Adjacent Properties): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**→ MANDATORY INFORMATION REQUIREMENTS ←**

**THIS APPLICATION WILL NOT BE ACCEPTED OR PROCESSED WITHOUT THE FOLLOWING INFORMATION:**

1. IF PROPERTY DESCRIPTION INCLUDES A REFERENCE TO A MAP FILED IN THE OFFICE OF THE ELKO COUNTY RECORDER, PROVIDE 1 COPY OF SAID MAP WITH THIS APPLICATION.
2. METES AND BOUNDS, OR OTHER LEGAL DESCRIPTION OF LAND TO WHICH THE RIGHT OF WAY OR EASEMENT VACATION WOULD APPLY (INCLUDING SECTION, TOWNSHIP, AND RANGE) WITH AN ACCOMPANYING MAP.
3. APPLICANT WILL PROVIDE 1 COPY OF A VICINITY MAP, A U.S.G.S. QUAD MAP WITH TOPOGRAPHY.
4. COPY OF MOST CURRENT DEED PERTAINING TO PROPERTY.

**PLEASE RESPOND TO THE FOLLOWING STATEMENTS AS RELATED TO YOUR PROPOSED ZONE CHANGE APPLICATION: (attach separate pages if needed)**

**A.** How will the proposed Vacation or Abandonment effect access to adjacent property owners? \_\_\_\_\_

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**B.** Is there any foreseen positive or negative impacts to the health, safety and welfare of the general public?

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**C.** Explain how the property and adjacent properties will be accessed, or what access currently exists.

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**D.** Provide a copy of a plot plan, parcel map, subdivision map, record of survey or any other map showing the proposed zone change legal description and development.

**E.** By signing and notarizing this application the applicant agrees to provide all information required herein. The applicant also understands that should this required information not be provided with the application it may be returned as incomplete and will not proceed to the Planning Commission until such time the information is provided.

**F.** The applicant understands that should the Vacation or Abandonment of Public Right of Ways or Easements are granted by the Elko County Planning Commission and the Elko County Board of Commissioners it is the responsibility of the applicant to cause and pay for a required survey and subsequent legal descriptions necessary for the filing of deeds of conveyance to the applicant from Elko County Nevada. Excepting that a field survey and subsequent legal description has be conducted and prepared in advance of this application.

# OWNER'S AFFIDAVIT

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

I / we, \_\_\_\_\_ being duly sworn, depose  
PLEASE PRINT NAME(S)

and state that I am the owner of the property herein described in the application, and that I / we consent to the filing of this petition.

Signed: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_, whose identity was proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed the same.

\_\_\_\_\_  
Notary Public in and for said County and State

### OPTIONAL USE

**I / we further confirm that I / we have given \_\_\_\_\_ the authority to act on our behalf, in the matter of this particular request to be heard by the Elko County Planning Commission, and Board of County Commissioners if applicable.**

ELKO COUNTY WILL NOTIFY THE OWNERS OF THE THIRTY CLOSEST PARCELS OF THE LAND INDICATED ON THIS APPLICATION BY MAIL AS TO THIS APPLICATION AND DATE OF THE PUBLIC MEETING FOR THE VACATION OR ABANDONMENT REQUEST.

ANY ERRORS IN THE LEGAL DESCRIPTION, INFORMATION OR MAPS PROVIDED, MAY NULLIFY THE GRANTING OF THE VACATION OR ABANDONMENT REQUEST.

THE ATTACHED OWNER'S AFFIDAVIT SHALL BE COMPLETE, PROPERLY SIGNED AND NOTARIZED.

ALL REQUIRED INFORMATION MUST BE ATTACHED TO THIS APPLICATION, BEFORE THE ITEM WILL BE PLACED ON THE PLANNING COMMISSION AGENDA.

### OFFICE STAFF USE ONLY

ELKO COUNTY PLANNING & ZONING STAFF NAME \_\_\_\_\_

FEE PAID BY \_\_\_\_\_ CASH, \_\_\_\_\_ CHECK, CHECK NO. \_\_\_\_\_

AMOUNT PAID \$ \_\_\_\_\_ RECEIPT # \_\_\_\_\_ DATE: \_\_\_\_\_

HTE Data Entry Date & Initial \_\_\_\_\_ HTE Fee Recieved Data & Initial, \_\_\_\_\_

## Planning, Zoning, Building & Safety Vacation or Abandonment Information Data Form

If you have questions or need assistance please contact  
**Planning, Zoning, Building & Safety Division**  
 (775) 738-6816 or 738-2266, Extension No. 3, 4 or 6  
 155 South 9th Street, Elko, NV 89801

Provide the following information, mandatory for all applications requiring public review and hearings. Answer the following questions thoroughly. If questions do not apply to your project or proposal, indicate so by "NA" or checking "NO". Use additional pages as necessary.

### I. Vacation or Abandonment Request Information:

**PLEASE BE AWARE THAT IF YOU MAKE ANY INACCURATE STATEMENTS FILLING OUT THIS SUPPLEMENTAL INFORMATION FORM, THAT INFORMATION COULD BE USED IN THE STAFF REPORT.**

If **YES** is answered to **ANY** of the following questions please provide an explanation on Page 5 or on a separate page.

	YES	NO
1. Is the applicant aware of any public or private utility company utilizes the right of way as an easement to deliver the utility to the applicants property, adjacent property or any other property in the general area.		
2. Have adjacent property owners been contacted by you concerning this proposal?		
3. Have adjacent land owners conveyed an interest in having the right of way, alley or easement vacated for their use?		
4. If granted the abandonment will any altering the course of any drainage or waterway occur?		
5. Will the abandonment of this right of way, alley or easement adversely effect any land owner currently utilizing the public lands for access or any other purpose?		
6. Is the proposed abandonment located on lands that periodically flood or is totally or partially within a flood zone? If yes, provide Flood Zone Designation.		
7. Did a Professional Land Surveyor, licensed in the State of Nevada prepare the legal description or conduct a Field Survey? If yes please provide the Land Surveyors name and License Number. If no please indicate the origination of the legal description.		
8. Is the proposed abandonment identified on a Town Plat, Record of Survey, Parcel Map or any other official map filed in the Office of the Elko County Recorder? If yes please provide file number. File No. _____		
9. Is the proposed abandonment identified on as part of a Deed or Official Record filed in the Office of the Elko County Recorder? If yes please provide Book and Page Number. Book _____ Page _____		
10. Is the requested abandonment as a result of a Zoning action or building set back problem on the parent parcel? If yes please include a description and plot plan identifying the problem and solution.		

