



# PETITION FOR CHANGE TO RIGHT OF WAY

The undersigned property owners(s) request the Board of County Commissioners to (select one)

vacate

open

the following route, highway, section line, street, alley, or part thereof within Morton County, under the authority granted by North Dakota Century Code 24-07-05 and Morton County Resolution 30-2023-01.

**Description of property proposed for vacation or opening:**

**Legal description or address of petitioner's property:**

<b>Petitioner's Name</b>	<b>Petitioner's phone number or e-mail</b>
<b>Signature</b>	<b>Date</b>

**Legal description or address of petitioner's property:**

<b>Petitioner's Name</b>	<b>Petitioner's phone number or e-mail</b>
<b>Signature</b>	<b>Date</b>

**Legal description or address of petitioner's property:**

<b>Petitioner's Name</b>	<b>Petitioner's phone number or e-mail</b>
<b>Signature</b>	<b>Date</b>

## **INSTRUCTIONS FOR COMPLETING PETITION TO CHANGE OF RIGHT OF WAY:**

If submitting a right of way petition alongside a development application (such as subdivision or rezoning):

- Submit this completed petition and attachments to the Planning and Zoning Department.
- All owners of property adjacent to, or with rights of access contiguous to the parcel to be vacated or opened, must sign this petition.
- The right of way to be vacated or opened should be identified clearly on the plat or survey exhibit with either a boundary/outline or legal description or both. The plat or survey exhibit should be submitted alongside the petition form(s).
- There is no additional fee for submitting a right of way petition as part of a development application.

If submitting a stand-alone petition to change right of way:

- Submit this completed petition to the Highway Department.
- All owners of property adjacent to, or with rights of access contiguous to the parcel to be vacated or opened, must sign this petition.
- Attach an exhibit, completed by a professional surveyor, of the right of way boundary to be vacated.
- The fee to process the petition is equal to the cost of a short-form subdivision application (\$200, as of October 2023).

Notes:

- It is the responsibility of the petitioner(s) to coordinate signatures of other petitioners. County staff will provide guidance to interested parties, but will not manage the gathering of signatures.
- All costs associated with the petition process are the responsibility of the petitioner(s).
- If any public utilities exist in or under the property to be vacated, and they are not abandoned, consent of the utility provider for the vacation must be acquired or a perpetual easement for maintenance must be granted.