



COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
planning@rogersar.gov
(479) 621-1186

City of Rogers Vacating Streets and Alleys

In order to vacate a street or alley, a petition must be submitted to the Department of Community Development. Once a petition has been approved by the Legal Department and any other necessary City department, a Resolution will be prepared by the Legal Department that will set the date and time in which a public hearing will be held by the Rogers City Council to consider an Ordinance that will abandon the street/alley. Notice of the public hearing date will be published once a week for two consecutive weeks in a newspaper having local circulation.

SUBMIT PETITION AND REQUIRED DOCUMENTS TO:

Department of Community Development
Rogers City Hall
301 W. Chestnut Street
Rogers, AR 72756

THE FOLLOWING ITEMS MUST BE PROVIDED:

- A petition signed by all property owners through whose property the street or alley extends and/or abuts. The petition shall state the name(s) of the person(s) initiating the petition and shall state the legal description of the street/ alley or portion of street or alley to be vacated. All signatures must be notarized.
- A copy of the plat showing the street/alley (if petitioner does not have a copy of the plat, the Community Development Department may have one; however, one will be required in order to consider the request).
- A drawing indicating the dimensions and area of the street/alley proposed to be vacated.
- Letters from all utility companies approving the request must be received prior to the Ordinance being approved or the Resolution being prepared. All letters must include an accurate legal description of the property.
 - AT&T
 - Carroll Electric Cooperative Corporation
 - AEP/Swepco
 - Rogers Water Utilities
 - Cox
 - Any other utility providers with interest or utilities on the property

- Evidence showing that the street/alley or portion requested vacated, shall not have been actually used by the public as a street or alley for a period of five (5) years from the date listed on the petition. Such evidence can include, but is not limited to, items such as Affidavits, etc. It is a requirement to submit sufficient evidence for Council’s review and for successful adjudication of the Petition to Vacate.

- Once the completed application is submitted and accepted by the Community Development Department, it will be submitted to the Legal Department for review. Once the Legal Department has reviewed and accepted the application, it will prepare a Resolution to be placed on the next City Council agenda in order to set a date for a public hearing. The notice of public hearing will need to be published in a newspaper having local general circulation for two consecutive weeks. At the public hearing, the City Council will consider an Ordinance to vacate the alley/street.
- To vacate a street or close an alley requires at least **two City Council meetings**, one to set a public hearing date and another meeting for the public hearing and adoption of the Ordinance if closure is approved.
- An Ordinance adopting the vacation of street/alley will be prepared by the Legal Department. If the City Council adopts the Ordinance, it will be published in the *Arkansas Democrat Gazette*. There is a charge to publish the Ordinance in the *Arkansas Democrat Gazette*. Petitioner shall bear the responsibility for the charge of publication.
- After the Ordinance has been approved by City Council, it will be filed with the Office of the Benton County Circuit Clerk and can take up to two weeks for the filed copy to be returned back to the City. If you would like a copy of the signed Ordinance or Resolution, please contact: City Clerk’s Office

**Petition of written consent for the
Vacating of Streets and Alleys for the Intent of Public Use**

Name of Street or Alley, (or portion thereof), to be vacated:

Abutting property owners:

Printed Name & Signature

Address

Notary

Notary Expires

Printed Name & Signature

Address

Notary

Notary Expires

Printed Name & Signature

Address

Notary

Notary Expires

Printed Name & Signature

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