

CITY OF LA PORTE
STREET AND ALLEY CLOSING APPLICATION REQUEST

(Article II – Vacating, Abandoning and Closing Streets and Alleys, Sec. 62-31 through 62-35, Code of Ordinances)

Please complete page 1 of the application packet and return to the Planning & Development Department prior to the application process. Upon receipt, staff will review your request to determine if an application will be accepted by the city.

I. APPLICANT'S CONTACT INFORMATION:

NAME: _____ PHONE #: _____

E-MAIL: _____

MAILING ADDRESS: _____

II. APPLICANT'S PROPERTY DESCRIPTION (ADJACENT TO PROPOSED STREET and/or ALLEY CLOSING):

ADDRESS: _____

HCAD ID NO. (13-DIGITS): _____

LEGAL DESCRIPTION (LOT, BLOCK, SUBD.): _____

III. DESCRIPTION OF STREET/ALLEY TO BE VACATED, ABANDONED AND CLOSED:

STREET DESCRIPTION: _____

ALLEY DESCRIPTION: _____

IV. APPLICANT'S STATEMENT OF REASON FOR CLOSING REQUEST:

I hereby request to file a Street/Alley Closing Application under the terms of Chapter 62, Article II. "Vacating, Abandoning and Closing Streets and Alleys", Section 62-31, et seq., Code of Ordinances of the City of La Porte.

Applicant's Signature

Date of Submission

CITY OF LA PORTE
STREET/ALLEY CLOSING APPLICATION CHECKLIST

Under the terms of Chapter 62, Article II. "Vacating, Abandoning and Closing Streets and Alleys", Section 62-31, et seq., Code of Ordinances of the City of La Porte, the following documentation is required to accompany a street/alley closing application:

Please check each box indicating documentation included in your application submittal:

- 1. **Reason for Closing Request (Sec. 62-31, Item 1)** - A statement by the applicant of the reason for the request (Item No. IV of Application – Pg. 1)
- 2. **Official Survey (Sec. 62-31, Item 2)** - A survey, showing the street or alley sought to be vacated, abandoned and closed, or portion thereof by a licensed Texas public surveyor, drawn to a scale of not less than one inch equals fifty (50) feet. Survey must include legal description and full metes and bounds description for area of property sought to be vacated, abandoned and closed
- 3. **Attorney Opinion Letter (Sec. 62-31, Item 3)** – An opinion letter by a duly licensed state attorney that the applicant has good fee simple title to the property adjacent and contiguous to the street or alley, or portion of a street or alley, south to be closed, shall be attached to such application. ***In addition, there shall be attached to such opinion letter, either original or photo copies of the recorded instrument vesting fee simple title in the applicant, and an original or photo copy of the owner's title policy issued by a reputable title insurance company doing business in the county, guaranteeing the title to the applicant's adjacent property.***
- 4. **Application Fee (Sec. 62-31, Item 4 & Sec. 62-32, Item a)** – A cashier's check made payable to "City of La Porte" in the amount of \$300.00 for each separate street or alley, or portion of a street or alley sought to be closed.
- 5. **Exhibit "A" - Hold Harmless Agreement (Sec. 62-31, Item 5)** - A statement waiving any personal claims for damages against the City and further agreeing to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning and closing any street or alley or portion thereof. ***Notarization required.***
- 6. **Exhibit "B" (Adjacent Property Owner's Consent/Hold Harmless Agreement)** – Written statement from any and all property owners whose property lies adjacent to such street or alley with a waiver of claims for damages. ***Notarization required.***
- 7. **Six Month Withdrawal Statement (Sec. 62-31, Item 6)** - A statement by the applicant that the application shall be considered withdrawn if all required actions under Section 62, Article II, of the City of La Porte Code of Ordinances has not been completed within six months from the date of written notification by the City to applicant that the application is administratively complete.
- 8. **Letter of "No Objection" from each of the City's Franchised Utility Companies**
 - a. Centerpoint Energy
 - b. AT&T / Southwestern Bell
 - c. Comcast

EXHIBIT "A"
(Applicant Hold Harmless Agreement)

Date: _____

City of La Porte
Planning & Development Department
604 West Fairmont Parkway
La Porte, Texas 77571
Attn: City Planner

I have filed an application with the City of La Porte to permanently vacate, abandon, and close the following public right(s)-of-way within the City of La Porte.

Description of Right-of-Way (Street Name): _____

Description of Alley (Block/Subdivision): _____

I am the current owner of the property described below:

1. Property Address (if available): _____
2. Harris County Appraisal District Tax ID No.: _____
3. Property Legal Description (Lot, Block, Subd.): _____

This letter constitutes my written consent to vacating, abandoning and closing of the above described public right-of-way by the City of La Porte. I hereby waive any personal claims for damages against the City of La Porte and further agree to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning, and closing the above described public right(s)-of-way.

Printed Name of Applicant

Applicant's Signature

Applicant's Mailing Address

The State of _____ County of _____

Before me, _____, a notary public, on this day personally appeared _____, known to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, A.D., _____.

Notary Public Signature

Notary Public Printed or Typed Name

Commission Expiration Date

EXHIBIT "B"
(Adjacent Property Owner Hold Harmless Agreement)

Date: _____

City of La Porte Planning & Development Dept. 604
West Fairmont Parkway
La Porte, Texas 77571
Attn: City Planner

It is my understanding that (Applicant's Name) _____ desires to file an application with the City of La Porte to permanently vacate, abandon, and close the following street right(s)-of-way and/or alley(s):

Description of Right-of-Way (Street Name): _____

Description of Alley (Block/Subdivision): _____

I am the current owner of the property described below:

1. Property Address (if existing): _____
2. Harris County Appraisal District Tax ID No.: _____
3. Legal Description (Lot, Block, Subdivision): _____

This letter constitutes my written consent to vacating, abandoning and closing of the above described public right-of-way by the City of La Porte. I hereby waive any personal claims for damages against the City of La Porte and further agree to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning, and closing the above described public right(s)-of-way.

I authorize conveyance of the above-described right(s)-of-way in its entirety to the applicant listed above.

I desire to participate in this application and obtain that portion of the right(s)-of-way adjacent to my property.

Printed Name of Adjacent Property Owner

Signature of Adjacent Property Owner

Adjacent Property Owner Mailing Address

The State of _____ County of _____

Before me, _____, a notary public, on this day personally appeared _____, known to me (or proved to me on the oath of _____) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____, A.D., _____.

Notary Public Signature

Notary Public Printed or Typed Name

Commission Expiration Date



CITY OF LA PORTE PLANNING DEPARTMENT

604 W. Fairmont Parkway,
La Porte, TX 77571

www.laportetx.gov

Phone: (281) 471-5020 / Fax (281) 470-5005

APPLICANT'S SIX-MONTH WITHDRAWAL STATEMENT

I _____ (*Applicant's printed name*) understand that my Street and Alley Closing Application will be considered withdrawn if all required actions under Sec. 62 Article II of the City of La Porte Codes of Ordinances has not been completed within six months from date of written notification by city to applicant, that the application is administratively complete.

Applicant's Signature

Date

CITY OF LA PORTE
FRANCHISED UTILITY COMPANY CONTACTS

All applications require consent from the City's franchised utility companies stating "No Objection" to your specific request. Please note that additional fees may be required from these companies to process your request.

CENTERPOINT ENERGY:

Rosemary Valdez, CAP
Sr. Right-of-Way Technician
Surveying & Right-of-Way
P.O. Box 1700
Houston, Texas 77251-1700 P
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Email: rosemary.valdez@centerpointenergy.com

AT&T:

Sonya Merrill, Manager
Engineering Design
510 Arkansas Street
South Houston, Texas 77587
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COMCAST

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