CLARKSVILLE-MONTGOMERY COUNTY
REGIONAL PLANNING COMMISSION

APPLICATION FOR CITY PUBLIC LAND ABANDONMENT

(for office use only)

DATE RECEIVED: _____

CASE NUMBER: _____

FEE AMOUNT PAID: $

METHOD OF PAYMENT:

☐ CASH ☐ CREDIT/DEBIT ☐ CHECK #:

RECEIPT #:

Applicant's Name: _____ Property Type: _____

Agent's/Engineer's Name: _____

Address: _____ Zip Code: _____

Telephone: _____

Email: _____

Additional description of property to be abandoned:

_____

_____

_____

Tax Map _____ Parcel Number(s): _____ (portion thereof) circle, if applies.

Acreage to be Abandoned _____ Property Zoning _____

Civil District: _____

Justification for requesting abandonment with indication of how subject property is to be used:

_____

_____

_____

Required submission documents:

☐ 1. A metes and bounds description of land to be abandoned (Legal Description).
☐ 2. A survey of the land to be abandoned by a licensed surveyor.
☐ 3. If submitting as an agent for the owner provide written authorization from the owner to act on their behalf.

Applicant's or Agent's Signature: _____ Date: _____

A. INTRODUCTION

This policy and procedures are intended to aid the regional planning commission and local governing body when considering the abandonment of public real property in the form of rights-of-way, alleys, non-utility easements, and remnants of these. It is not intended for use when disposing of public buildings, real property, or tax sales which are readily marketable or are buildable under standard codes and regulations.

B. POLICY

1. Intent – It is the intent of this policy to provide adequate notice, thorough investigation into an abandonment request, and avoid creating issues for current or future landowners relative to street access.
2. Notify by direct mail to all adjoining property owners.
3. Any existing or anticipated utility or drainage easements will be retained where required.
4. Any abandonment should be reviewed with three primary considerations:
a. Does the abandonment have the potential of aiding other development in the future?
b. Can it provide access or connections to the existing street system?
c. Is the terrain such that future construction is economically unfeasible, requiring excessive cut, fill, bridging or culvert structure, or steep grade preventing access with existing or future development?
d. Avoid creating a substandard or non-conforming lot or access point by the abandonment of a road, alley, easement, or other property.

C. PROCEDURE

1. Initiating abandonment of right-of-way, alley, non-utility easement, or remnant.
a. An application for abandonment of public land or easements must be filed with the Regional Planning Commission according to their application deadlines. An application and fee may be required by the Regional Planning Commission according to their policies.
b. The Clarksville Street Department may provide a request to the Regional Planning Commission to be placed on their next available agenda.
c. A metes and bounds description and survey of the land to be abandoned will be required by any request.
2. The Regional Planning Commission staff will provide the supplied information to all concerned city departments, utilities, USPS, and TDOT.
3. The case will be presented to the Regional Planning Commission with a staff recommendation including any easements to be retained.
4. The Regional Planning Commission will hold a public hearing and provide a recommendation to the

City Council.
5. The City Council will hold a public hearing and vote on a resolution outlining the abandonment.
6. The Regional Planning Commission will properly advertise all Public Hearings.
7. Any approved abandonment resolutions will be filed with the Register of Deeds office by the Regional
Planning Commission within 30 days of action. This shall certify the abandonment of the land to the surrounding properties to the Assessor of Property. If a property owner requires a quit claim deed, the City Attorney shall prepare the deed for the applicant within 30 days of the request.