



*Dedicated to building a  
desirable, resilient and safe  
community*

## PROPERTY VACATION APPLICATION

### General Explanation

The general policy of the Town of Frisco is to prohibit the vacation or divesting of any right, title, or interest of the town in and to any land, including any roadway or easement. A vacation of property may be granted only when the Town Council finds an overriding public interest favors the vacation.

### Review Process

Requests are reviewed on a first come, first served basis. Staff will check the application for completeness. Once the application is considered complete, Staff will review the application, prepare a staff report and proposed ordinance, and schedule the public hearings. Vacations of roadways and access easements must be referred to the Planning Commission for a public hearing and recommendation to the Town Council. The Community Development Department may also refer the vacation of other easements to the Planning Commission.

After a public hearing, the Planning Commission may continue the matter for further information and study or forward its recommendation to approve, disapprove, or conditionally approve the application to the Town Council.

The Town Council will consider the proposed vacation ordinance (two public hearings) and make a final decision to adopt or deny the ordinance. If the Town Council adopts the first reading of the vacation ordinance, the Town Manager may cause an appraisal of the subject property to be made at the expense of the applicant(s).

### Submittal Deadlines

Complete applications must be submitted a minimum of 52 days in advance of a Planning Commission meeting on which the application may be heard.

### Application Materials

#### 1. Pre-Application Conference

A pre-application conference with the Planning Division staff is required. The purpose of the meeting is to define the scope of the project, alert the Town of any particular circumstances related to the proposal, and to provide a preliminary review of the proposed vacation.

#### 2. Application Form

Include the name, address, contact information and signature of the applicant(s). An application submitted by multiple applicants shall designate one person from among them to serve as the primary applicant.

#### 3. Application Fee

\$650 fee plus a development review account (DRA) with an initial deposit of \$1,500 for technical review and other costs associated with the vacation (See page 2 for more information).

### Community Development Department

Frisco Town Hall \* 1 Main Street

PO Box 4100 \* Frisco, CO 80443

Phone: 970-668-5276 \* Fax: 970-668-0677

Email: [info@townoffrisco.com](mailto:info@townoffrisco.com)

<http://www.frisco.gov/>

**Office Hours:** Monday – Friday 8:00 a.m. to  
5:00 p.m.

**4. Written Materials**

- Accurate legal description of the roadway or easement to be vacated.
- A survey, prepared by a surveyor or engineer licensed in the State of Colorado, showing the roadway or easement to be vacated and abutting properties.
- Names and addresses of all record owners of property adjacent to that portion of the roadway or easement to be vacated. If possible, all such record owners should sign the application for vacation.
- Reasons for the requested vacation demonstrating a public benefit.
- Certification by the applicant(s) that the following statements are true:
  1. That no land adjoining any roadway to be vacated is left without an established public road connecting said land with another established public road.
  2. That the roadway or easement to be vacated is no longer necessary for present or prospective public use or convenience.

**PAYMENT OF COSTS AND DEVELOPMENT REVIEW ACCOUNT (DRA) INFORMATION**

The applicant(s) is responsible for the payment of any costs associated with the vacation, without limitation, including payment of administrative services, appraisals, surveys, recording fees, documentation fees, legal services rendered to the town in connection with the application, and other customary costs.

A development review account (DRA) is an account established for Planning Division applications that may incur legal, engineering or other similar technical fees for review and consultation incurred by the Town. A DRA must be established at the time an application is filed, and an initial deposit of \$1,500 is required.

The initial payment to set-up a DRA is not a guarantee of the final cost for legal and/or technical fees; it is only the minimum amount required to establish a DRA. The Town will notify the applicant of any deficiency in the DRA account balance as often as applicable. No plan approval will be given if the applicant does not have the minimum DRA balance, and no application shall be scheduled on an agenda or reviewed until such payment has been made.

Once costs have been incurred, there will be approximately four months from the date of the review activity for the Town records to reflect the actual costs. Descriptions of all review activities are available upon request.

After final approval of an application, including all associated conditions that may require site inspections and/or other follow-up review, or upon a request for return of DRA funds, the Town will determine the balance remaining in the account. This amount can only be calculated after all bills associated with the application are submitted to the Town. All funds in the account over the costs incurred by the Town will be returned to the applicant.



*For Office Use Only*

File Number:

Receipt #:

Application Fee \$:

DRA Fee \$:

**VACATION OF PROPERTY APPLICATION**

**Applicant Information:**

Primary Applicant Name	Phone Number
Mailing Address	Email
Additional Applicant Name(s)	Phone Number
Mailing Address	Email

**Project Location:**

Street Address (if applicable)	Lot (if applicable)	Block (if applicable)
Subdivision Name (if applicable)		
Metes and Bounds or Other Description (if applicable)		

**Briefly describe the reason for the vacation of property:**

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**CERTIFICATION:**

I, the undersigned authorize the Community Development Department to proceed with processing this application under the requirements set by the Frisco Town Code. The accuracy of this information is the responsibility of the applicant and any improper notification caused by incorrect information can result in delayed processing of this application. Only complete applications will receive consideration for approval.

Primary Applicant Name (Please Print)	Title
Primary Applicant Signature	Date