

# TOWN OF COLLIERVILLE

## **Planning Commission (PC) and Board of Mayor and Aldermen (BMA) Easement Vacation Application Checklist**

Planning Division  
500 Poplar View Pkwy  
Collierville, TN 38017

Telephone: (901) 457-2360  
Fax: (901) 457-2354  
Website: [www.collierville.com](http://www.collierville.com)



Project Name:		Requested Mtg. Date:	
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**PC and BMA Request for Easement Vacation Application Checklist:** The following information shall be submitted along with the application form. *Please check as submitted.*

**General Information:** *(The below documents may be found on the Town website.)*

- Completed Project Application Form
- Common Submittal Requirements: all information listed in the common submittal document must be submitted.
- Project Acknowledgement
- If applicant is a for-profit or not-for-profit entity, a completed Disclosure of Ownership form

**Street Closure Request Information:**

- Criteria for Easement Vacation** - Please address the criteria for street closure as indicated below within the context of the cover letter - (page 1)
- Utility Company Reviews** - The applicant shall send letters to all applicable utility companies to obtain their comments regarding the impact of the request on utilities. The companies shall provide recommendations as to what action to take regarding the request. See example letter attached.
- Legal Description** of the easement area
- Vicinity Map** showing all property owners within five hundred (500) feet of the easement vacation area and all persons located in the subdivision.
- Subdivision plat**, if applicable

**Criteria for Easement Vacation:** The Planning Commission shall consider the following criteria in determining whether the general public welfare would be best served by the proposed action:

1. Whether the Town has a foreseeable or possible use of the property.
2. Whether the public benefits from the use of the easement.
3. Whether the proposed action is consistent with the Town's Land Use Plan and regulations.
4. The removal of the easement does not adversely affect access to other property(s).
5. The availability of alternative action to alleviate the identified problems.
6. The effect of the proposed action on utilities such as water, sewer and electric.
7. The effect of the proposed action on the safety of pedestrian and vehicular traffic.
8. The effect of the proposed action on the provision of municipal services including but not limited to emergency services and solid waste removal services.

**Additional Information Required if Recommended by the Planning Commission (PC):**

- BMA Action Required:** The applicant must submit the information specified in this application and per the quantities and format specified in the Common Submittal Requirements for consideration by the Board of Mayor and Aldermen (BMA). If the PC recommends that that BMA not vacate the easement, the applicant still has the right to request vacation from the BMA, but does so with an adverse recommendation from the PC.
- Title Transfer and Recording** - If the BMA approves the request, the applicant shall prepare all appropriate real estate instruments necessary to effectuate the easement vacation. After the BMA meeting, the applicant shall submit all instruments to the Town Attorney for review and approval. All costs attendant with the preparation of instruments and their recording shall be borne by the applicant.

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**SAMPLE PETITION:**

The property owners within the subdivision consent to the street closure at

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Legal description of street closure area: (may attach to the petition) \_\_\_\_\_

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The petition is based upon the following: \_\_\_\_\_

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We realize that street closures are governed by State law and that this application may not be approvable. We realize that, if the application is approved, the use of the property may be circumscribed and restricted and that all costs of maintaining the former right of way will be borne by the property owner(s).

Acknowledging these facts, we wish the Town proceed with its evaluation of this request. (May attach additional sheets)

PARCEL NO.	PROPERTY OWNER	ADDRESS	SIGNATURE

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**SAMPLE UTILITY COMMENT FORM:**

Date: \_\_\_\_\_

Utility Company: \_\_\_\_\_

We are proposing to vacate the utility easement located at (*insert general location/address*) \_\_\_\_\_

Attached to this letter are the legal description of the street to be closed and a vicinity map.

In order to act on this proposal, the Town of Collierville needs to have the comments of any affected utility. Please indicate how the proposed vacation would affect existing utilities and provide a recommendation to the Town regarding the request. Please mail your comments to me so I may submit an application to the Town.

Sincerely,

*(Insert Applicant's signature and address here)*