



POST OFFICE BOX 850 * COWETA, OKLAHOMA 74429. PH. (918) 486-2189 FAX (918) 486-5366
www.coweta.lib.ok.us

City of Coweta Right of Way/Easement Closure Procedures

1. Complete the attached application form.
2. The City Planner will schedule your request for a public hearing before the City Council. State Statute requires that a minimum of 30 days notice be given prior to that hearing.
3. To comply with notice requirements as noted in item (2) above, the City Planner will send notice of your request to all utility companies which may have a vested interest or a franchise in the area. A Technical Advisory Committee meeting will be set to discuss your request.
4. Prior to the public hearing before City Council, your request will be scheduled and heard before a meeting of the Planning Commission.
5. The City Planner will forward the recommendations of the Planning Commission and utility companies to the City Council.
6. The City Council will hold a public hearing to consider your request and the recommendations of the Planning Commission and utility companies. If the Council approves the closing, they will do so by passing an Ordinance. This action, however, will not preclude the City from reopening the Right of Way or easement. To do this, you must follow the steps set out in the Oklahoma State Statutes and summarized on the attachment.
7. The request must be submitted to the City Planner office 30 days prior to the Planning Commission public hearing date.

APPLICATION TO CLOSE A PUBLIC R-O-W OR
PUBLIC EASEMENT

_____ Right-of-Way

_____ Easement

Legal Description of property on which ROW or easement is located: (note if provided as an attachment)

Book and Page of the ROW or Easement:

Book _____

Page _____

Reason/Purpose for closing ROW or Easement:

_____ Date

_____ Signature

Address: _____

City/State: _____

Phone _____

PC DATE: _____

CC DATE _____

ACTION _____

ACTION _____

TO FORECLOSE THE REOPENING OF A PUBLIC WAY OR EASEMENT

1. The Owner (s) must file a verified petition in district court. The petition must show the passage of an ordinance closing the public way or easement and ask for the foreclosure of the absolute right to reopen the public way or easement. Also attached to the petition shall be the certificate of a bonded abstractor listing the names and addresses of all persons required to be notified in 2 below.
2. Notice of the verified petition shall be given by:
 - A. Service of summons to the municipality.
 - B. Service of summons to public service corporation, transmission and utility rights in the public way or easement.
 - C. Mailing a copy of the petition and summons to all owners of record whose property is within 300 feet in any direction from the public way or easement.
3. Notice shall also be given by one (1) publication in a newspaper of general circulation published in the county where the property is located, which publication shall be at least 30 days prior to the hearing.
4. Please have your Attorney contact the City Attorney David Weatherford at (918) 743-7478.
5. District Court shall hear the petition.
6. The public way or easement shall revert to the owners of the real estate thereto on each side except in the case where it was all dedicated from one side, and then it would revert to the lots from which it was taken.

Note: This is a Judicial Proceeding. You should consult legal counsel on this matter.