



## RIGHT OF WAY ABANDONMENT PROCEDURE

1. Applicant submits application
  - Application needs to include:
    - Notarized letter stating intent of abandonment
    - Exhibit showing the proposed abandonment area
    - Copy of deed records for the requested ROW abandonment
    - Consent letter(s) from the owner(s) of any other property(ies) adjoining the abandonment area. Letter must provide name, address, phone number and e-mail address for consenting adjoining owner(s).
    - Copy of deed records for all properties adjoining the ROW abandonment area
2. Staff performs preliminary review of ROW abandonment request to evaluate completeness of application and to assess potential for abandonment.
3. Staff provides written response to Applicant about whether abandonment is possible, along with any conditions, typically within 30-45 days of receipt of a complete application package.
4. If the abandonment is possible, Applicant submits preliminary survey field notes (metes and bounds legal description) and exhibit for proposed abandonment area. Survey documents must be prepared by Register Professional Land Surveyor (RPLS) licensed in the state of Texas. The Applicant is responsible for the survey cost.

City staff will seek to obtain releases from privately owned utility companies (if applicable).

5. Applicant executes a notarized acceptance letter and a no conflict of interest statement and pays the non-refundable ROW abandonment fee. In accordance with the City of DeSoto Code of Ordinances, Article 5.000 (3), the ROW abandonment fee is \$1,500.00
6. City prepares ROW abandonment ordinance for City Council consideration.  
**NOTE: REQUESTOR MUST PAY ALL BACK TAXES AND RESOLVE CODE VIOLATIONS ON REQUESTOR'S PROPERTY BEFORE ABANDONMENT ITEM IS PLACED ON COUNCIL AGENDA FOR CONSIDERATION.**
7. If abandonment is approved by City Council, staff records the approved ordinance with the County Clerk office. Staff will mail Applicant a copy of the recorded ordinance.
8. Applicant shall deliver the completed ROW Abandonment Application and supporting documentation to the city engineer to initiate the process.



City of DeSoto  
APPLICATION FOR  
RIGHT OF WAY ABANDONMENT  
www.desototexas.gov

City of DeSoto  
Development Services  
211 E. Pleasant Run Road  
DeSoto, TX 75115

**Applicant/Owner Information**

Name: \_\_\_\_\_ Phone No: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**Abandonment Request Information**

Applicant Requests for City to Abandon (check all that apply):  
 Street Right of Way  Utility Easement  Drainage Easement  Floodplain Easement  
 Alley Right of Way  Access Easement  Other: \_\_\_\_\_

Provide Volume/Page or Instrument No. for abandonment area\*: \_\_\_\_\_

Provide address and recording information for each property that abuts the abandonment area:

- Property 1 Address: \_\_\_\_\_ \*Vol/Pg or Inst No. \_\_\_\_\_
- Property 2 Address: \_\_\_\_\_ \*Vol/Pg or Inst No. \_\_\_\_\_
- Property 3 Address: \_\_\_\_\_ \*Vol/Pg or Inst No. \_\_\_\_\_

Are there any pending actions with the City for any abutting properties?  Yes  No

If yes, check all that apply:  Zoning Change  Specific Use Permit (SUP)  Site Plan  
 Preliminary Plat  Engineering Review  Planned Development (PD)  Building Permit

\* Note: Applicant must furnish all recorded documents for the abandonment area and all abutting properties.

**Proposed Abandonment Use**

**Must attach a notarized written statement signed by the applicant/owner and addressed to the city engineer that summarizes the intended use for the requested abandonment area.**

**Applicant's Certification**

*By signing below, I certify that the information contained in this application and any attached documents are true, accurate and complete to the best of my knowledge.*

\_\_\_\_\_  
Signature Printed Name Date

**FOR OFFICE USE ONLY:**