



MOHAVE COUNTY PUBLIC WORKS

Public Right-of-Way Abandonment and Easement Extinguishment Process

The following information must be submitted to the Mohave County Board of Supervisors when requesting a public right-of-way abandonment or public easement extinguishment. Please submit all documents to the Mohave County Public Works Department. The County does not consider or act on matters of private rights-of-way and easements.

*Pursuant to A.R.S. 28-7215, a **roadway shall not be vacated** if any land adjoining the roadway is left without an established public road connecting the land with another established public roadway unless there is expressly reserved in the conveying instrument the roadway rights of ingress and egress for public or emergency vehicles, all property owners, property owner guests and invitees, and persons lawfully conducting business on the land.*

SUBMISSION

In instances where the applicant must grant or dedicate an easement or right-of-way to facilitate the applicant's desired extinguishment or right-of-way abandonment action, the necessary granting/dedication documents must be ready to execute in conjunction with the Board of Supervisors' consideration of the applicant's petition.

1. Submit complete, signed Application and Petition to Public Works signed by ten (10) resident taxpayers of Mohave County (see attached).
2. Submit an 8½ x 11 inch copy of the current Mohave County Tax Assessor's map(s), Mohave County GIS map, a site map, or other map acceptable to the County, of the Township, Range, and Section, and detailed portion of the Section(s) showing the location and the extent of the portion of right-of-way or easement to be abandoned. Maps must be in .pdf format.
3. The petition shall cite the record reference of any known instruments which establish the road or easement to be abandoned/extinguished. (Document, Book & Page, Fee #, Parcel Plat, Record of Survey).
4. Public Works presents the Petition request to the Board of Supervisors at a regularly scheduled Board meeting for acknowledgement and referral to staff for further processing as well as to set a public hearing at least sixty (60) days from acknowledgement date.
5. Remit application fee of \$600.00 (Mohave County Ordinance No. 2018-03 Approved June 18, 2018).

PROCESSING

6. Provide list of all area utility companies with contact information. (Request to AZ811 to identify possible utility conflicts – Public Works will assist).

7. Prepare notification letters (see sample letters) to any property owners whose legal or physical access will be impacted and to all affected utilities as follows:
 - ✓ Include a copy of the Petition, reason for the abandonment / extinguishment, and a map or diagram showing the full alignment, course, and direction of the right-of-way or easement and the portion to be abandoned / extinguished clearly marked.
 - ✓ Public Works will verify property owners to be notified by the applicant.
 - ✓ Provide stamped, addressed and unsealed envelopes for notification letter mailing to all property owners who own property along the entire alignment of the right-of-way or easement to be abandoned / extinguished, to any other property owner whose permanent legal or physical access would be impacted by the abandonment / extinguishment, and to affected utility companies, if any.
 - ✓ Set return address to Mohave County Public Works Department, P.O. Box 7000, Kingman AZ 86402-7000. (Mohave County Land Division Regulations, Chapter 1.8.A.4.a).
 - ✓ Public Works will prepare envelopes and mail by certified mail to abutting landowners as required per ARS 28-6701.C.

8. Provide a legal description and map by an Arizona Registered Land Surveyor of the portion of right-of-way or easement being abandoned / extinguished and/or a recorded document of the parcel.

STEPS #9 AND #10 APPLY TO ABANDONMENT PETITIONS ONLY

9. Obtain appraisal by an Arizona certified appraiser for any fee title right-of-way subject to the Petition in connection with Board of Supervisors' consideration of the value of the abandoned right-of-way in accordance with A.R.S. 28-7208.

10. Submit offer to purchase abandoned right-of-way for each agreed upon portion. Mohave County prepares Quit Claim Deed(s) for conveyance(s).

11. Public Works sends notification letters (provided by applicant) and posts notice at the parcel site in accordance with State law.

12. Public Works prepares Board action to schedule public hearing for the Board of Supervisors to consider approving or denying the Petition.

13. Board of Supervisors conducts public hearing to consider and render approval or denial of the Petition.



APPLICATION AND PETITION
MOHAVE COUNTY PUBLIC WORKS

Application for

Right-of-Way Abandonment Extinguishment of Easement

Name: _____

Mailing Address: _____

City: _____ State: _____ Zip code: _____

Assessor's Parcel Number: _____

Describe the reason for the request: _____

Location Information

Section: _____ Township: _____ Range: _____

List any known utilities in the requested abandonment area: To be determined

Signature of Applicant

Date

* Applicant is required to be the current owner (or a legally authorized representative of the owner, proof of which must be submitted with this form) of a property adjacent to the requested right-of-way (road) or extinguishment (easement). Abandonment fee is due upon approval by the Board of Supervisors if prior approval is needed.

FOR DEPARTMENTAL USE ONLY				
Application Fee \$600.00	Amount Received:	Date:	Receipt #:	Received By:



Petition to Abandon a Right-of-Way or Extinguish an Easement

We the undersigned, all being resident taxpayers in Mohave County, Arizona, do hereby petition the Honorable Mohave County Board of Supervisors for the abandonment or extinguishment of the above described property:

SEE ATTACHED PROPERTY DESCRIPTION EXHIBIT A:

Petition must have a minimum of ten (10) signatures of resident taxpayers of Mohave County that support the application.

NAME	ADDRESS	DATE
1. Print Name Signature	-----	
2. Print Name Signature	-----	
3. Print Name Signature	-----	
4. -----	-----	
5. -----	-----	
6. -----	-----	
7. -----	-----	
8. -----	-----	
9. -----	-----	
10. -----	-----	
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EXHIBIT A
PROPERTY DESCRIPTION