

**BASIC PROCEDURES AND INFORMATION REQUIRED FOR
THE BOROUGH OF DERRY TO CONSIDER "VACATING" AN ALLEY OR STREET**

In order for the Borough of Derry to consider a request to vacate an alley or street certain steps must be taken.

1. A Petition must be prepared by the landowner(s) and presented to Derry Borough Council.
2. Council will then refer the Petitioners to present the Petition to the Derry Borough Planning Commission for its review and consideration.
3. The Petition must contain "complete" information and must be signed by all property owners (or a majority of property owners) whose land adjoins the alley or street proposed for vacancy. The Petitioner(s) signatures must be affirmed either by a notary public or by the Petitioner presenting proof of their identity at the Planning Commission meeting(s) which will be held on the matter. No vacancy will be considered if all, or a majority of, the affected property owners do not sign the Petition.

The following information must be provided on the Petition:

1. Name, address and phone number of the property owners.
2. Physical address of all the properties involved.
3. All tax map numbers
4. All lot numbers
5. Deed book volume and page numbers
6. Number of streets or alleys to be vacated
7. Length & width of each street or alley
8. Status of, or any improvements to the street or alley, i.e., is it dirt, paved, stones or chips, grassy or treed
9. Status of any utilities or lines, i.e., water, electric, gas, phone, cables, etc., which may be on, under or abutting the proposed vacancy
10. Details regarding any waterways and/or streams which may be on, under or abutting the proposed vacancy
11. Number of years the street(s) or alley(s) have remained unused or abandoned by the public and/or municipality
12. Number of years each property owner has owned their property
13. Proposed *use of the potentially vacated street or alley:
 - a) Residential: extend lawn, private alley, etc.
 - b) Commercial: extend lawn, extend building, parking area, etc.
 - c) Municipal: extend lawn, extend building, use as a public park, parking area, etc.
14. Proposed division of the vacated street(s) or alley(s), i.e., Add ____ feet to the: ____side ____ rear ____ front of: Lot # _____ owned by _____ (Continue this for all affected properties)
15. Indicate if any of the affected properties are currently landlocked or will become landlocked if vacancy should be granted. (No street or alley will be vacated if such vacancy would prohibit safe vehicular egress and ingress to any property)

16. Indicate the names (if any) of the property owners who *do not wish* to have any portion of the vacated street or alley added to their property. (If such declination of taking exists, a private, written agreement between the affected landowners agreeing to such declination must be made and presented to the Borough)

Three (3) copies of the following documents (two sets for the Planning Commission and one for Derry Borough Office records) must be presented to the Planning Commission:

1. The Petition for Vacancy
2. Proof of identity of owner(s)
3. Proof of approved/legal representation (if actual owner cannot be present)
4. Copy of Deed(s)
5. Copy of the Tax Map showing the street or alley proposed for vacancy and the affected owner's land
6. Photographs of the affected land
7. Any written agreements between the property owners relative to the vacancy

Additional information and/or documents may be requested by the Planning Commission or the Borough if necessary to process the Petition.

Upon completion of its review, the Planning Commission will make a determination as to whether or not the vacancy should be approved and send their recommendations (and all documentation) to Derry Borough Council. Council will further review and deliberate the matter then vote for final approval or disapproval of the Petition for Vacancy.

There is no fee for presentation and review of any Petition for Vacancy by the Planning Commission. However, be advised that if any extraordinary costs are incurred by the Planning Commission or the Borough for things that may be necessary such as copying, non-standard postage and/or filing fees or court costs (if any) shall be borne by the Petitioner(s).

If you have any questions please do not hesitate to contact the Derry Borough Planning Commission.

Cheryl Reinard	-	Chairman	-	724-694-0617
Bill Ehman	-	Member	-	724-694-9614
Charles DeRito	-	Secretary	-	724-694-5666

*Note: The granting of approval by Council of any vacancy does not imply that any proposed construction is automatically approved. Landowners must apply for a Zoning or Building Permit if required as per the Derry Borough's Zoning Ordinance and any other applicable Borough Ordinances.