



**CITY OF NICHOLS HILLS, OKLAHOMA**  
**Application to Close Public Way or Easement**

Completed applications and the required fee should be submitted to the Nichols Hills City Clerk, 6407 Avondale Drive, Nichols Hills, Oklahoma 73116.

Staff use only
Case # _____
Date filed _____
Fee receipt # _____

Applicant is encouraged to consult Article VIII, *Closing of Public Ways and Easements*, in Chapter 38 of the Nichols Hills City Code when completing this Application.

This Application requires recommendation for approval by the Nichols Hills Planning Commission and approval of the Nichols Hills City Council.

Attach a separate sheet to provide complete answers if necessary.

Applicant's name <sup>1</sup>: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Telephone number(s): \_\_\_\_\_

Email address(es): \_\_\_\_\_

Location of the public way or easement: \_\_\_\_\_

Purpose for closing the public way or easement: \_\_\_\_\_

Present use of adjoining property: \_\_\_\_\_

The following must be attached to this Application:

- 1. Site Plan.** A site plan (8½ x 11-inch hard copy and an electronic version) that depicts: (i) the public way or easement to be closed; (ii) the location of adjacent streets; and (iii) the property boundary lines for each applicant and the property boundary lines for each property owner whose property is depicted.
- 2. County Clerk information.** A statement providing the book and page number as designated by the Oklahoma County Clerk of any instrument(s) or plat(s) that created or otherwise established the public way or easement to be closed, and the book and page number of each deed or other instrument evidencing applicant(s)' ownership of more than one-half of the frontage of the public way or easement sought to be closed.
- 3. Ownership list.** An ownership list certified by a bonded abstractor stating the names and mailing addresses of the owner(s) of record whose property is within a 300-foot radius of the exterior boundary of the public way or easement sought to be closed. Such ownership list should include a site plan prepared by the bonded abstractor that depicts: (i) a 300-foot radius line from the exterior boundary of the public way or easement to be closed; and (ii) the property boundary lines of all property owners owning property within the 300-foot radius. Within such property boundary lines, the bonded abstractor should provide a numbering system, code or other means of identifying what property is owned by each of the property owners included on the ownership list.

<sup>1</sup> If more than one applicant, attach a separate sheet with additional applicant information.

**4. Authorization.** If this Application is signed and submitted by any party other than the owner(s) of more than one-half of the frontage of the public way or easement sought to be closed, an authorization in the form attached to this Application must be executed by each such owner and submitted with this Application.

This Application will be considered officially submitted and filed only after it is examined by the City Clerk and found to have met the applicable requirements of Chapter 38 of the Nichols Hills City Code and those set out in this Application and after the fee of \$1500 has been paid. At that time, the City Clerk will set the Application for hearing before the Nichols Hills Planning Commission and the Nichols Hills City Council. Applicant will be advised of the date and time for those hearings. It is highly recommended that applicant attend (or have a representative attend) the hearings and be prepared to answer questions.

The above statements in this Application and all attachments to it are true and correct.

Submitted and agreed to this \_\_ day of \_\_\_\_\_, 20\_\_.

Signature: \_\_\_\_\_

Print applicant's full legal name: \_\_\_\_\_

Print signatory party's title if applicant is a legal entity: \_\_\_\_\_

**Form of affidavit regarding ownership**

**Affidavit**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

[Full legal name], being first duly sworn, stated:

1. My name is *[full legal name]*. My address is *[full address]*. I am over the age of 18. I am a resident of the State of *[state]*. I have personal knowledge of the matters stated in this Affidavit.
2. I am the current and legal owner of the property in the City of Nichols Hills with the address of *[insert address]* and more particularly described as:

*[Insert legal description]*

3. I am the applicant for the closing a public way or easement adjacent to my property.
4. This address and legal description accurately describes my property that is adjacent to the public way or easement proposed to be closed.

I declare to the best of my knowledge and belief that the information in this Affidavit is true, correct, and complete.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
*[Full legal name]*

**Notary Acknowledgment**

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_  
Commission No. \_\_\_\_\_