



## Delaware County Regional Planning Commission

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Scott B. Sanders, AICP *Executive Director*



### **Memo Regarding the Release of General Easements on Recorded Plats**

The Subdivision Regulations of Delaware County allow for the release of general easements without filing an amended plat:

*Section 205.06 (b.): “General utility easements, which the Commission reasonably determines at a public hearing are no longer needed, may be vacated with the submission of an application containing a survey exhibit and legal description, prepared by a professional surveyor, of such easement by the land owner to the Commission. Applications shall be subject to the monthly deadline for placement on the Commission agenda and shall require the approval of the Commission before they can be recorded. For purposes of this paragraph, owners of utilities within the platted subdivision shall be entitled to notice of the public hearing and afforded an opportunity to object to the application.”*

Please note that this does not apply to easements under the use and control of the County which may be vacated directly through the County Engineer or Sanitary Engineer and then the County Commissioners.

#### **Here are the other requirements and steps to follow:**

1. Submission includes the completion of the Platted Easement Vacation application form. Complete information for the plat, section, phase, and part, if applicable.
2. Submit two (2) copies of a survey and legal description of the easement to be vacated, prepared by a professional surveyor. Material should be no larger than 8.5 x 14 and meet other survey and recording standards. Survey should include a signature line with “Director, Regional Planning Commission.”
3. Fee is \$500.
4. Submit the fee and all materials by the monthly RPC deadline.
5. The case may be placed on the monthly Technical Review Committee meeting. If so, notice will be sent.
6. After RPC approval and director signature, RPC staff will handle the final preparation and delivery to the Recorder’s office.

*Updated 10/12/23*