

**City of Blue Ridge Abandonment of
Right-of-Way and/or Road Application**

Below are instructions for filing a Petition for Abandonment of Right-of-Way and/or Closing of a Street within the City limits of Blue Ridge, Georgia. Any Applicant who wishes to petition the City to abandon a portion of right-of-way, the abandonment and/or quit claim of any rights is governed by Section 6.32(b) of the City Charter and by O.C.G.A. § 32-7-2(b)(1) and will require the following:

- (1) Completion of an Affidavit in substantial conformity with the form attached hereto.
- (2) Payment of a \$50 processing fee
- (3) Proof of notification of service of the attached affidavit via certified mail or personal service upon any other landowner that the road or right-of-way touches.
- (4) A survey showing the exact dimensions of the right-of-way or road you are requesting to be abandoned.
- (5) A proposed Quit Claim Deed containing an exact legal description of the amount sought to be abandoned. If there are any other adjoining landowners, a Quit Claim Deed prepared to abandon half of the road to that adjoining landowner.
- (6) Section 6.32(b) statement in the form attached hereto.

**STATE OF GEORGIA
COUNTY OF FANNIN**

**AFFIDAVIT TO ACCOMPANY ABANDONMENT OF RIGHT-OF-WAY
PURSUANT TO O.C.G.A. § 32-7-2(b)(1) AND/OR BLUE RIDGE CITY
CHARTER SECTION 6.32(b)**

COMES NOW, _____ (*applicant name*),
hereinafter known as “Applicant”, and makes the following affidavit in application
to the City of Blue Ridge, Georgia. All facts contained herein are made under
oath, to the best of knowledge and belief, notarized and the Applicant, having been
duly sworn under oath, states as follows:

1.

Applicant is the owner of the property set forth in the attached vesting deed
(*attach current deed*). Applicant is the sole owner of all property which touches
the proposed right-of-way or road sought to be abandoned or Applicant has
notified all adjoining property owners by certified mail of this petition and has
attached proof of mailing (*attach certified mail receipts or other waiver of service
by adjoining property owners*) upon the following additional property owners:
(*identify property owners by name and address*). _____

2.

Applicant is requesting that any claim held by the City of Blue Ridge, Georgia relating to the following road and/or right-of-way, _____

_____, (*describe*

road or right-of-way location here), as shown on the attached survey, and

Applicant is requesting any interest be Quit Claimed and/or abandoned for the

following reasons (*describe in detail why the road and/or right-of-way is serving*

no substantial public purpose and/or any current use of said road or right-of-way

and describe why it would be in the best public interest to grant this petition.

Attach additional pages if necessary): _____

3.

In the event the right-of-way is abandoned by City of Blue Ridge, Georgia, such abandonment will not adversely affect any party in the immediate surrounding area and Applicant states under oath that Applicant knows of no party who would be left landlocked or in a hardship condition in the event that said right-of-way is abandoned by City of Blue Ridge, Georgia.

4.

(Describe the history of the right-of-way and/or road) _____

5.

(Describe the physical condition of the right-of-way as of the date of this application): _____

6.

Applicant hereby agrees to hold City of Blue Ridge, Georgia, harmless from any and all responsibility, liability or damage of any type whatsoever regarding the

abandonment of the City's interest in the road and right-of-way known as: _____
_____ (*right-of-way and/or road name or location*). It is understood by the Applicant that Applicant is not entitled to any abandonment by City of Blue Ridge of any claim to right-of-way of _____
_____ (*right-of-way and/or road name or location*) as an absolute matter of right, but only upon the terms and conditions approved by the City of Blue Ridge City Council. The City Council may elect to take any action it deems appropriate on this Application and the final decision will be made by the City of Blue Ridge City Council.

7.

Applicant agrees to record on the records of the Court of Fanning County Superior Court, Fannin County, Georgia, the original Quit Claim Deed and appropriate boundary survey submitted with this application within forty-eight (48) hours following the granting of this application and execution of the deeds by the Mayor.

8.

In the event the abandonment is granted, Applicant consents to the fact that thereafter the City shall not be required to reinstall, construct, or otherwise expend City funds to improve the subject abandoned right-of-way.

9.

Applicant shows that, if the abandonment is granted, Applicant's proposed use of the captioned property after the abandonment is as follows (*describe proposed use in detail*): _____

10.

In the event of abandonment of the subject claim to right-of-way or other interest, and if applicable, City of Blue Ridge specifically retains any and all easements for purposes other than those quit-claimed which may exist over, under, through, or across the subject right-of-way. Any release of private easement rights or easement rights other than those of City of Blue Ridge, i.e. utility companies, must be released by that easement holder.

11.

Applicant shall submit with this document a fee of fifty dollars (\$50.00) for the processing of this application, and has attached a copy of the owner's vesting

deed, the survey of the proposed abandonment, a completed boundary survey, a legal description and the development plans for the Site. (*attach documents*).

12.

Applicant agrees that a material misrepresentation or inaccuracy, either intentional or accidental, made by Applicant in this application of procedure shall authorize the City to terminate the processing of this Application or, if such shall be discovered after this Application has been approved by the City of Blue Ridge City Council, then such approval shall be subject to revocation by the City Council.

This the _____ day of _____, 20_____.

Signed, sealed and delivered in the Presence of:

Notary Public

Applicant:

Signature

Print Name: _____

Address: _____

Phone Number: _____

Applicant Representative
