



## CITY OF LA PORTE PLANNING DEPARTMENT

604 W. Fairmont Parkway, La Porte, TX 77571

[www.laportetx.gov](http://www.laportetx.gov)

Phone: (281) 471-5020 / Fax (281) 470-5005

Dear Applicant:

Prior to submission of a formal Street/Alley Closing Application, a **Letter of Request** must be submitted to the City describing the subject right-of-way to be closed, your reason for closing the right-of-way, your name, mailing address, e-mail address, and phone number. Upon receipt of your letter, Staff will review your request to determine if a closing application will be recommended.

This packet contains the following information and documentation to file a Street/Alley Closing Application:

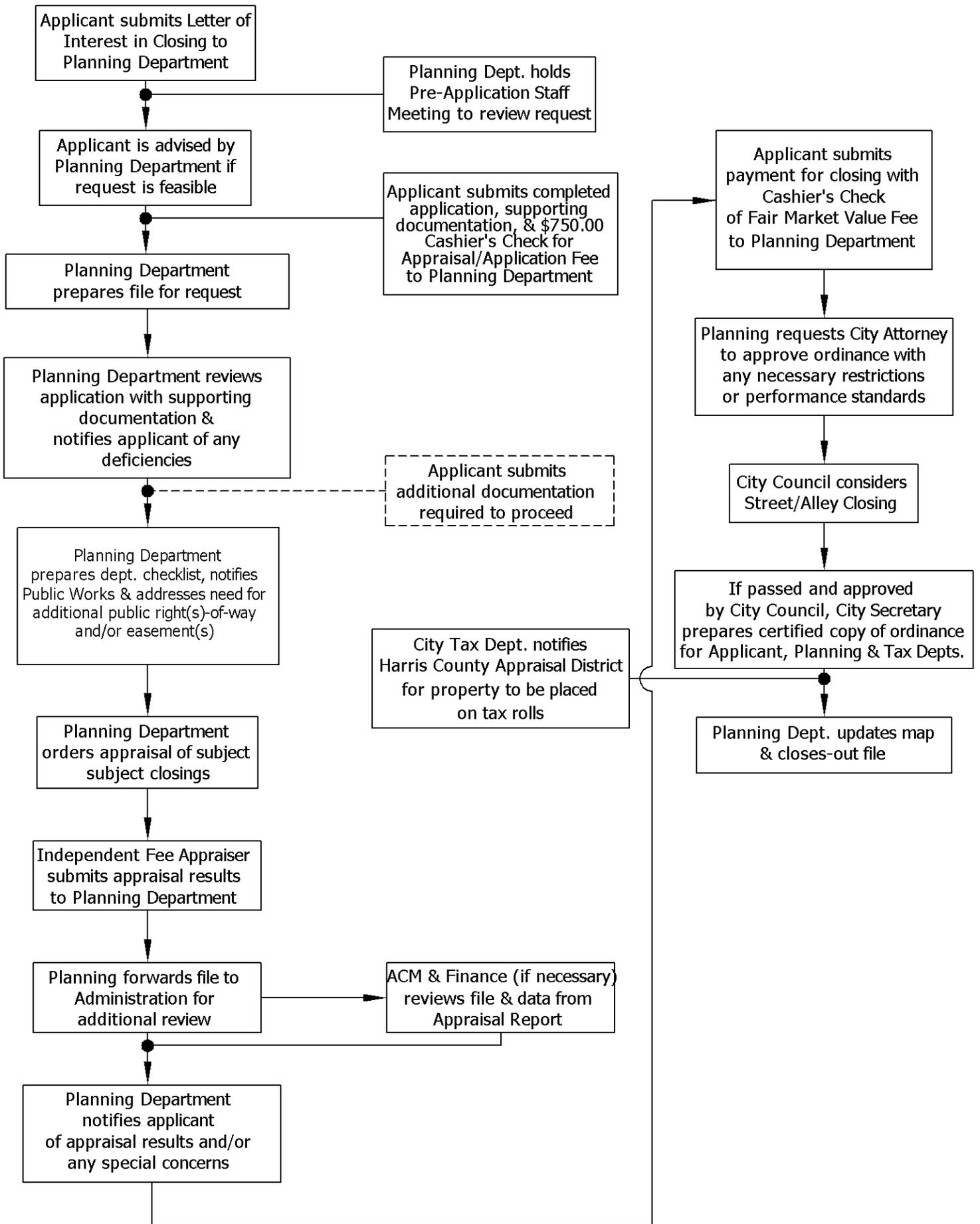
- Street/Alley Closing Application Form
- Flowchart for Processing of Street & Alley Closing Requests
- Exhibit "A" – Hold Harmless Agreement
- Plot Plan Requirement
- Proof of Ownership Requirements
- Six-Month Withdrawal Statement
- Exhibit "B" – Adjacent Owner's Consent & Hold Harmless Agreement
- Street/Alley Closing Application Fee Requirement
- Franchised Utility Company Contact List
- Centerpoint Energy Street/Alley Application Form
- Example Letter to AT&T
- Example Letter to Comcast

The applicant is required to procure a Letter of Consent from each of the City's franchised utility companies. These companies may assess additional fees related to their review of your street/alley closing request.

Should you require additional information regarding the City's Street/Alley Closing process, please contact the Planning Department at (281) 470-5059.

Sincerely,

Tim Tietjens  
Planning Director



# SAMPLE LETTER of REQUEST

Date: \_\_\_\_\_

City of La Porte  
Planning Department  
604 W. Fairmont Parkway  
La Porte, TX 77571  
Attn: Brian Sterling

Re: Request for Street/Alley Closing Application

Dear Mr. Sterling:

I wish to file an application with the City of La Porte to close the following alley(s) and/or right(s)-of-way:

\_\_\_\_\_  
\_\_\_\_\_

The reason for my request to close the subject alley(s) and/or right(s)-of-way is:

\_\_\_\_\_  
\_\_\_\_\_

Sincerely,

\_\_\_\_\_  
Applicant's Signature:

\_\_\_\_\_  
Applicant's Printed Name:

Applicant's Phone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date of Submittal

**City of La Porte**  
**Street and Alley Closing Application**

I (Name of Applicant), \_\_\_\_\_

the undersigned owner of (Legal Description of Applicant's Property),  
\_\_\_\_\_  
\_\_\_\_\_

the above described real property located within the City of La Porte, Texas, hereby request and make application under the terms of Chapter 62, Article II. Vacating, Abandoning and Closing Streets and Alleys, Section 62-31, et seq., Code of Ordinances of the City of La Porte for Vacating, Abandoning and Closing the following Streets and/or Alleys:

**Description of Street/Alley to be Vacated, Abandoned and Closed**

Street(s) \_\_\_\_\_  
\_\_\_\_\_

Alley(s) \_\_\_\_\_  
\_\_\_\_\_

Total Square Footage of Street/Alley to be Vacated, Abandoned & Closed: \_\_\_\_\_

**Reason for Closing Request**

**The following documentation must be submitted with the completed Street/Alley Closing Application:**

1. A statement by the applicant of the reason for the request (Provide statement in space above).
2. A statement waiving any personal claims for damages against the City and further agreeing to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning and closing any street or alley or portion thereof (Exhibit "A").
3. A plot plan, showing the street or alley sought to be vacated, abandoned and closed, or portion thereof by a licensed Texas public surveyor, drawn to a scale of not less than one inch equals fifty (50) feet. The City Engineer, or his designee, may waive this requirement where, in his sole determination, a recorded plat contains sufficient evidence to determine legal description and area of property sought to be vacated, abandoned and closed.
4. Proof of Ownership (Evidenced by the following documentation):
  - An opinion letter by a duly licensed Texas attorney that the applicant has good fee simple title to the property adjacent and contiguous to the street or alley, or portion thereof, sought to be closed.
  - Original or photocopy of the recorded instrument vesting fee simple title of adjacent property to applicant.
  - Original or photocopy of the owner's title policy issued by a title insurance company doing business in Harris County, Texas, guaranteeing the title to the applicant's adjacent property.
5. A statement by the applicant that the application shall be considered withdrawn if all required actions under Sec. 62 Article II of the City of La Porte Codes of Ordinances has not been completed within six months from date of written notification by city to applicant, that the application is administratively complete.
6. Written consent of all other persons owning any property adjacent to such street or alley with a waiver of claims for damages (Exhibit "B") and proof of ownership as hereinabove described.
7. A \$750.00 cashier's check payable to the City in payment of application fee and independent appraisal of street(s) and/or alley(s) to be closed.
8. Letter of No Objection to proposed Street/Alley Closing from each of the City's Franchised Utility Companies; Centerpoint Energy, AT&T, and Comcast (contact information for these companies is included in this application)..

\_\_\_\_\_  
Name of Applicant

\_\_\_\_\_  
Date of Submittal

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Applicant's Phone Number

**EXHIBIT "A"**  
(Hold Harmless Agreement)

Date: \_\_\_\_\_

City of La Porte  
Attn.: Planning Department  
604 West Fairmont Parkway  
La Porte, Texas 77571

Re: [Enter the Description of the Street/Alley to be Vacated, Abandoned & Closed]

\_\_\_\_\_

\_\_\_\_\_

Dear Sir or Madam:

I have filed an application with the City of La Porte to permanently vacate, abandon, and close the above described public right(s)-of-way within the City of La Porte.

I am the current owner of the following property (Enter Legal Description of Applicant's Property):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This letter constitutes my written consent to vacating, abandoning and closing of the above described public right-of-way by the City of La Porte.

I hereby waive any personal claims for damages against the City of La Porte and further agree to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning, and closing the above described public right(s)-of-way.

Sincerely,

\_\_\_\_\_  
*Name of Applicant (Printed Name)*

\_\_\_\_\_  
*Applicant's Signature*

\_\_\_\_\_  
*Address of Applicant (City, State, & Zip Code)*

The State of \_\_\_\_\_  
County of \_\_\_\_\_

Before me, \_\_\_\_\_, a notary public, on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.

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

\_\_\_\_\_  
Notary Public Printed or Typed Name

\_\_\_\_\_  
Commission Expiration Date

## **PLOT PLAN**

A plot plan, showing the street or alley sought to be vacated, abandoned and closed, or portion thereof by a licensed Texas public surveyor, drawn to a scale of not less than one inch equals fifty (50) feet.

The City Engineer, or his designee, may waive this requirement where, in his sole determination, a recorded plat contains sufficient evidence to determine legal description and area of property sought to be vacated, abandoned and closed.

## **PROOF OF OWNERSHIP**

**Include each of the three (3) items listed below to verify ownership of adjacent property:**

1. An opinion letter by a duly licensed Texas attorney that the applicant has good fee simple title to the property adjacent and contiguous to the street or alley, or portion thereof, sought to be closed.
2. Original or photocopy of the recorded instrument vesting fee simple title of adjacent property to applicant.
3. Original or photocopy of the owner's title policy issued by a title insurance company doing business in Harris County, Texas, guaranteeing the title to the applicant's adjacent property.



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**SIX-MONTH WITHDRAWAL STATEMENT**

I \_\_\_\_\_ (*Applicant's printed name*) understand that the *Street and Alley Closing Application* will be considered withdrawn if all required actions under **Sec. 62 Article II of the City of La Porte Codes of Ordinances** has not been completed within six months from date of written notification by city to applicant, that the application is administratively complete.

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(Applicant Signature) \_\_\_\_\_ (Date)

**EXHIBIT "B"**  
(Adjacent Property Owner's Letter of Consent – Notarized)

Date: \_\_\_\_\_

City of La Porte  
Attn.: Planning Department  
604 West Fairmont Parkway  
La Porte, Texas 77571

Re: [Enter the Description of Street/Alley to be Vacated, Abandoned & Closed]

\_\_\_\_\_

\_\_\_\_\_

Dear Sir or Madam:

It is my understanding that (Applicant's Name) \_\_\_\_\_ has filed an application with the City of La Porte to permanently vacate, abandon, and close the above described public right(s)-of-way.

I am the owner of (Legal Description of Adjacent Property Owner's Property):

\_\_\_\_\_

\_\_\_\_\_

This letter constitutes my written consent to vacating, abandoning and closing of the above described public right(s)-of-way by the City of La Porte.

I hereby waive any personal claims for damages against the City of La Porte and further agree to save and hold harmless the City from any other claims that may arise against the City in vacating, abandoning, and closing the above described public right(s)-of-way.

Sincerely,

\_\_\_\_\_  
*Adjacent Property Owner (Printed Name)*

\_\_\_\_\_  
*Adjacent Property Owner's Signature*

\_\_\_\_\_  
*Address of Adjacent Property Owner (City, State, & Zip Code)*

The State of \_\_\_\_\_  
County of \_\_\_\_\_

Before me, \_\_\_\_\_, a notary public, on this day personally appeared \_\_\_\_\_, known to me (or proved to me on the oath of \_\_\_\_\_) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D., \_\_\_\_\_.

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

\_\_\_\_\_  
Notary Public Printed or Typed Name

\_\_\_\_\_  
Commission Expiration Date

**STREET/ALLEY CLOSING APPLICATION FEE**

**\$750.00 cashier's check made payable to the City of La Porte in payment of application fee.**

**CITY OF LA PORTE**  
**FRANCHISED UTILITY COMPANY CONTACTS**  
**for Street/Alley Closures**  
(Updated 4/08/08)

**CENTERPOINT ENERGY (\$500 Application Fee)**

Rosemary Valdez, CAP  
Sr. Right-of-Way Technician  
Surveying & Right-of-Way  
P.O. Box 1700  
Houston, Texas 77251-1700  
Phone: (713) 207-6027  
Email: rosemary.valdez@centerpointenergy.com

**AT&T (\$150 Application Fee)**

Amanda Burns  
Engineering/Right-of-Way Division  
7602 Spring Cypress Rd., Room 226  
Spring, Texas 77379  
Phone: (281) 379-7518  
Fax: (281) 374-3318  
Email: al3940@att.com

Jerry Ray, Manager  
Engineering/Right-of-Way Division  
Phone: (281) 379-7524  
Fax: (281) 374-3318  
Email: jr0166@att.com

**COMCAST**

Kelly Mercurio  
Design & Engineering  
8590 W. Tidwell  
Houston, Texas 77040  
Phone: (713) 341-8567  
Fax: (713) 895-1236  
Email: kelly\_mercurio@cable.comcast.com

# STREET/ALLEY CLOSURE APPLICATION FORM SURVEYING & RIGHT OF WAY

CENTERPOINT ENERGY, P. O. BOX 1700, HOUSTON, TEXAS 77251  
TELEPHONE (713) 207-LROW(5769); FACSIMILE (713) 207-9040  
COURIER ADDRESS: 1301 TRAVIS, 11<sup>TH</sup> FLOOR 77002  
ATTENTION: SURVEYING & RIGHT OF WAY DIVISION

## STREET ADDRESS

FOR THE PROPERTY: \_\_\_\_\_

\_\_\_\_\_ Date of Application

### REQUESTOR INFORMATION: *(Print or Type Only)*

\_\_\_\_\_  
Name: Individual Company Phone Number

\_\_\_\_\_  
Address City State Zip Code

### LOCAL GOVERNMENTAL ENTITY (City or County that Requestor is asking to close the street or alley)

\_\_\_\_\_  
Governmental Entity Name Governmental Official/Phone Number

\_\_\_\_\_  
Address City State Zip Code

### THE FOLLOWING INFORMATION MUST BE INCLUDED WITH THIS APPLICATION:

1. Four (4) copies of a property survey or drawing, a **maximum of 8.5" X 14"**, of legible and clear detail, indicating all dimensions of the portion of the street(s)/alley(s) to be abandoned, including the legal description and a north arrow, as well as the ownership information of all landowners adjacent to the street/alley to be abandoned.
2. If CenterPoint Energy facilities are located within the street or alley, please check here \_\_\_\_\_ and advise CenterPoint Energy if the facilities serve only your property and if so, will this service be removed or not.
3. Copies of any and all motions, letters, or drawings provided by the local governmental entity involved.
4. **A non-refundable processing fee of \$500.00 made payable by check to CenterPoint Energy must accompany this application before it can be processed.**

If this request is approved, a letter will be issued by CenterPoint Energy, addressed to the appropriate government office, providing the Company's approval to the closure request. This letter will be forwarded to the requestor unless CenterPoint Energy is requested otherwise.

If CenterPoint Energy's facilities must remain in a street/alley to be closed, new easements, as prepared by CenterPoint Energy must be granted by each adjacent landowner who will assume title to any portion of the street/alley before an approval letter will be issued. In addition to the processing fee, if electrical facilities are located within the area to be abandoned, the cost for CenterPoint Energy to prepare these easement documents will be passed along to the requestor of this service.

CenterPoint Energy requires a time period of approximately 5-6 weeks for review and document preparation. In the event electrical facilities must be relocated or removed, or new easements granted because of this request, a longer time period may be required. Should the relocation of CenterPoint Energy's facilities be necessitated by said request, the cost of such relocation(s) will be borne by a party or parties other than CenterPoint Energy and must be paid before approval is granted. Also, the acquisition of new easements or the relocation/removal of facilities must be completed prior to CenterPoint Energy issuing any letter of approval.

Please be assured that CenterPoint Energy is aware of the urgent nature of your request and will make every effort to expedite the completion of your request.

**I certify that the information provided is accurate and I realize that incomplete information may delay processing or invalidate this application.**

\_\_\_\_\_  
Signature of Requestor

# SAMPLE LETTER

Date: \_\_\_\_\_

## **AT&T**

Right-of-Way Division  
7602 Spring Cypress, Room 226  
Spring, TX 77379  
Attn: Jerry Ray

Re: Street/Alley Closing Request

Dear Sir or Madam:

I have filed an application with the City of La Porte to close the following right(s)-of-way:

\_\_\_\_\_  
\_\_\_\_\_

Please review your records and provide a written response of your company's position to the potential closing of the aforementioned right(s)-of-way.

If you require additional information from the City of La Porte, please contact the City of La Porte Planning Department at (281) 470-5059.

Sincerely,

\_\_\_\_\_  
Applicant's Signature:

\_\_\_\_\_  
Applicant's Printed Name:

Applicant's Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_

# SAMPLE LETTER

Date: \_\_\_\_\_

## **Comcast**

8590 West Tidwell  
Houston, Texas 77040  
Attn: Kelly Mercurio

Re: Street/Alley Closing Request

Dear Sir or Madam:

I have filed an application with the City of La Porte to close the following right(s)-of-way:

\_\_\_\_\_  
\_\_\_\_\_

Please review your records and provide a written response of your company's position to the potential closing of the aforementioned right(s)-of-way.

If you require additional information from the City of La Porte, please contact the City of La Porte Planning Department at (281) 470-5059.

Sincerely,

\_\_\_\_\_  
Applicant's Signature:

\_\_\_\_\_  
Applicant's Printed Name

Applicant's Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_