



INFORMATION FOR COMPLETING PETITION REQUESTING THOROUGHFARE CLOSURE

INDEX

ITEMS REQUIRED FOR EACH APPLICATION:

- A. Petition for Thoroughfare Closure
- B. Applicant's Support Information for Thoroughfare Closure
- C. Authorization of Agent
- D. Map showing thoroughfare
- E. Fee - Section 10-776

PROCESS

City Code Sec. 10-260 - 10-266

All thoroughfare closures are by Ordinance, and only the City Council has the authority to close a thoroughfare. The Council has assigned the study of thoroughfare closings to the Planning and Zoning Commission, who will make recommendations to the Council. If the Commission recommends this request for the closure of a thoroughfare, it will not be effective until it is then passed by the City Council. The closure process normally requires a period of sixty (60) days.

NOTE: The Planning and Zoning Commission hears all requests on the first Tuesday of each month, at 1:30 p.m., in the Council Chamber, City Hall, 212 North Bonner Avenue, Tyler, Texas.

Thoroughfare Closure requests must be filed in the Planning and Zoning Department, 423 West Ferguson, Tyler, Texas.

Please have a representative present at all public hearings. The applicant has the duty to produce evidence before the Planning and Zoning Commission and City Council to justify the proposed thoroughfare closure. This generally requires a showing that conditions affecting the thoroughfare have substantially changed, resulting in the thoroughfare no longer being required for public access.

OFFICE USE ONLY

Filing Fee for Application

Receipt No.: _____ Amount: _____

Signed By: _____



PETITION FOR THOROUGHFARE CLOSURE

The undersigned, as owner of the herein described property hereby makes application in the name of:

APPLICANT PSS JOINT VENTURE - Donald A. Simmons

ADDRESS 100 Independence Place, Suite 200, Tyler, Texas

of the following public thoroughfare of the City of Tyler: A Portion of Rieck Road in the Rieck Road Addition

The thoroughfare: ☒ Street ☐ Alley

Improved? ☐ Paved ☒ Unpaved

(Please print all but signature)

Owner(s) Name: PSS JOINT VENTURE - Donald A. Simmons

Address: 100 Independence Place, Suite 200

City, State, Zip: Tyler, Texas 75703-1327

Phone: 903-581-5858

Signature: 

Email: dsimmons@simmonsre.com

(Please print all but signature)

Owner(s) Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Signature: _____

Email: _____

Note: Petitioner "PSS Joint Venture" is the owner of all adjoining lot to the proposed thoroughfare closure area and the original owner whom dedicated the subject right-of-way thoroughfare within the platting of the Rieck Road Addition recorded in Cabinet D, Slide 350-A, Smith County Plat Records which was approved by COT under Case No. P06-06-373A.



SUPPORT INFORMATION FOR THOROUGHFARE CLOSURE

Applicants should submit the following information in support of their Thoroughfare Closure Request:

1. Is this thoroughfare a paved or surfaced street, or is it an unimproved right-of-way?

Unimproved Right-of-Way dedicated by the Rieck Road Addition (Case No. P06-06-373A) and never constructed.

2. Is this public thoroughfare no longer in use? If so, approximately how long has it not been in use?

No road thoroughfare improvements were ever made to the dedicated right-of-way.

3. Is it likely that this thoroughfare will ever be needed for public access?

The road thoroughfare was previously on the master street plan but was removed during the 2021 MSP and is not needed.

4. Do all of the lots adjacent to the proposed closed thoroughfare have an alternative source of public access? If not, how will public access be provided?

Lots 7, 8 & 9, NCB 1554-A, Rieck Road Addition will be replatted into one or two lots with joint access at the terminus of Rieck Road right-of-way at the northeast corner of the Horaney Addition. See Maps.

5. Is this public right-of-way currently in private use by the adjacent property owner(s)? If so, for what use is the right-of-way currently used?

No there is not any current use of the right-of-way proposed to be closed by any adjoining owners.

6. Will the closure of this thoroughfare be of any inconvenience to through traffic?

The closure will not be an inconvenience as there is no existing connection for through traffic and no road improvements exist within the proposed closure area.

7. If this thoroughfare is to be closed to the public, for what private use will it be utilized?

The thoroughfare is being closed due not being constructed and to revert the area back to the original owner as it existed prior to platting of the property within (Case No. P06-06-373A) and is no longer listed as a major thoroughfare on the master street plan.

PRINTED:

PSS JOINT VENTURE
By: Donald A. Simmons

OWNER or AGENT (FORM C)

SIGNED:

OWNER or AGENT (FORM C)



AUTHORIZATION OF AGENT

We, the undersigned, being owners of real property adjacent to the thoroughfare closure requested, do hereby authorize (please print),

Agent Name: Freeman Surveying & Mapping, LLC

Address: 10763 County Road 127, Suite D

City, State, Zip: Flint, Texas 75762

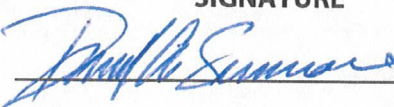
Phone: (903) 504-5314

Signature: 

Email: Office@fsmsurvey.com & sjf2@fsmsurvey.com

to act as our Agent in the matter of this thoroughfare closure. The term "agent" shall be construed to mean any lessee, developer, option holder, or authorized individual who is authorized to act in behalf of the owner(s) of said adjacent property.

(Form to be signed below by all owners of the adjacent property.)

	SIGNATURE	MAILING ADDRESS
1	<u></u>	<u>100 Independence Place,</u> <u>Suite 200, Tyler, TX 75703</u>
2	<u></u>	<u></u>
3	<u></u>	<u></u>
4	<u></u>	<u></u>

(Completion of this section is necessary only when the person submitting this request does not own all of the property. If not the owner, the applicant must sign the petition as "AGENT".)