

Section 8-3-9 Dedication And Acceptance Of Private Roads

This Section sets forth Town requirements for acceptance of private roadways into the Town's street and road system as follows:

- A. A written request shall be filed with the Public Works Director identifying the private roadway proposed to be accepted into the Town's street and road system. The Public Works Director shall review the request and determine whether the private roadway shall be accepted.
- B. If the Director of Public Works determines that the private roadway should be accepted into the Town's street and road system, the Town will pay the cost of hiring a surveyor to prepare the legal description for the proposed public right-of-way and the cost of any required title search to establish ownership of said right-of-way.
- C. All owners of property adjacent to the proposed right-of-way shall dedicate the right-of-way to the Town at no cost to the Town. The right-of-way dedication shall be in fee simple and shall include any utility easements required by the Town.
- D. Upon completion of Steps 2 and 3 above, the Town will begin road grading to upgrade the condition of the road.
- E. Any phases of additional roadway improvements including, but not limited to chip seal, double chip seal, or hot mix asphalt surfacing shall be reviewed by the Public Works Director and final determination shall be made by the Wickenburg Common Council.
- F. Any additional phases of roadway improvements shall require a written agreement between the Town and adjacent property owners who will be responsible for paying the cost of said additional improvements setting forth the terms and conditions of payment for design and construction of the improvements. Design and construction shall not begin until 100% of the estimated cost of design and construction of the roadway is deposited with the Town as determined by the Public Works Director. The deposit for the design and construction of the roadway shall be placed in a special account and used only for such purposes. If the actual cost of design and construction is greater than the estimated cost, the property owners who are parties to the agreement shall pay such additional cost. If the actual costs of design and construction is less than the estimated cost, the Town shall refund the balance of the deposit to the property owners in proportion to the amount they deposited.
- G. Any and all utility improvements will be considered at a future date; however, the proposed right-of-way shall allow for future utility needs as set forth in paragraph 3.

(Ord. 979/05-07)

HISTORY

Amended by Ord. [979](#) on 3/19/2007