

Formal Process for Vacating a County Road (RSMo 228.110)

1. An Application is Filed with the County Commission

- **Make sure a copy is provided to the County Clerk**
- **Does the application contain at least twelve signatures of residents of the township where the road is located?**

If the road runs through multiple townships, the signatures may be from residents of any of the townships where the road runs.

- **Does the application include a statement that the road is:**

- 1) *Useless to the public*
- 2) *Unreasonable burden to repair or maintain*

- **Does the application include other necessary documents?**

- 1) *A description of the road to be closed*
- 2) *An estimate of the damages to other parties*
- 3) *A statement of who will receive ownership of the road if it is closed*

2. The Application is read publicly at a Commission Meeting

- **Notice of the “First Reading of an Application to Close a County Road” should be posted on the Notice of Hearing for the Commission Meeting**
- **The reading should occur on the First day of the Commission term**
The term begins on the first meeting day of January, April, July, & October
- **Following the first reading, no additional action is taken. The issue should be set for hearing on the first day of the next term**

3. Notice is provided to all Interested Parties

- **A copy of the Application and a Notice of the Hearing Date should be posted in three public locations within the township where the road is located at least twenty days before the next term.**

If there are no public locations within the township, public locations within the county or neighboring townships may be acceptable

- **A copy of the Application and a Notice of the Hearing Date must be served upon all persons who reside in the county and whose land touches the county road**

Service should be done by the Sheriff’s Office in a manner similar to serving petitions in civil court.

4. Remonstrances may be Presented by those who Object

- **A Remonstrance may be presented by those who object to the closing of the County Road**
- **Does the Remonstrance have twelve signatures of residents of the township where the road is located?**