

Development Application

Right-of-Way Vacation (Plat of Vacation)



City of Crystal Lake ■ Planning and Economic Development Department

Phone: (815) 356-3615 ■ Fax: (815) 479-1647 ■ Web: www.crystallake.org
100 West Woodstock Street ■ P.O. Box 597 ■ Crystal Lake, Illinois 60039-0597

What is a right-of-way vacation?

A right-of-way vacation means the “public interest” in a City right-of-way is removed or vacated and it is relinquished to abutting property. The action is taken by City Council through an Ordinance, if it is determined that the right-of-way “is not required for transportation or public purposes” and the vacation is determined to be “beneficial to the public”. The Ordinance is considered by the City Council at a public hearing.

Right-of-Way Vacation Approval Process

- ✓ Following a pre-application meeting with Planning and Economic Development staff, submit the completed application, including all the materials outlined in the submittal checklist included in this application. Once the completed application is accepted, a case number will be assigned.
- ✓ Upon receipt, your application will be forwarded to the appropriate City Departments for review, and comment. Copies of any comments including required revisions will be forwarded to you.
- ✓ Planning and Economic Development staff will schedule your request for a public hearing after ensuring that notification requirements can be met.
 1. At least 15 days prior to the date of the public hearing, the legal notice must be published in the Northwest Herald for a one-day publication (A legal notice template is included in the application).
 2. A copy of the notice must also be sent by first-class mail to property owners immediately adjacent to the right-of-way proposed to be vacated.
 3. Prior to the public hearing, you are required to submit a signed and notarized affidavit verifying that the legal notice has been mailed to surrounding property owners (A template is included in the application).
 4. The Northwest Herald will send a Certificate of Publication after the legal notice has been published, which must also be submitted to staff.
- ✓ At the public hearing, the City Council will deliberate upon the matter and publicly announce its decision. The Ordinance for approval shall be passed by an affirmative vote of at least three-fourths of the council members. Following approval, you will be required to submit a Mylar of the Plat of Vacation for signatures. This mylar must be recorded at the McHenry County Recorder’s office and 6 copies of the recorded plat must be submitted to the City before any building permits can be issued for the vacated portions.

CITY OF CRYSTAL LAKE
Application for Plat of Vacation for a right-of-way

Application Number: _____	FOR OFFICE USE ONLY
Applicant Name: _____	
Date of Submission: _____	

I. Applicant

Name	Corporation	
Street		
City	State	Zip Code
Contact Person	Telephone Number	
Fax Number	E-mail address	

II. Development Team (if applicable)

Attorney	Telephone Number	Fax Number
Address		
Surveyor	Telephone Number	Fax Number
Address		

III. Project Data

1. Full Name of Street or Location of Alley Right-of-Way: _____

2. Size of Street or Alley Right-of-Way Vacation: _____ Acres _____ Sq. Ft.

3. Does the proposed vacation of street or alley right-of-way contain the following improvements:

- Pavement with curb and gutters
- Pavement (no curb and gutters)
- Gravel
- Dirt
- Unimproved and currently not used for traffic

- Electric - above ground
- Electric - below ground
- Electric boxes on ground
- No Electric

- Telephone - above ground
- Telephone - below ground
- No Telephone

- Water
- No Water

- Sanitary Sewer
- No Sanitary Sewer

- Storm Sewer
- No Storm Sewer

- Cable
- Fiber Optics Cable

Other Utilities List: _____

If ANY of the above exists within the right-of-way, they MUST be shown on the Plat of Vacation.

4. Existing adjacent land use: _____
(vacant, residence, office, store, factory, etc.)

5. Reason for request : _____

SUBMITTAL CHECKLIST

Item	Submittal Requirements	Comments
Completed Application	Original plus 15 Copies	
Plat of Vacation	15 Copies and 1 Reduced Copy - 8.5" x 11"	The Plat of Vacation must contain an accurate legal description of the right-of-way proposed to be vacated.
List of Property Owners	1 copy	This list includes all property owners immediately adjacent to the right-of-way proposed to be vacated.
Fee	\$300	
Traffic Study	15 copies	If determined necessary by staff.
Tree Survey	15 copies	If determined necessary by staff.
Watershed Analysis	15 copies	If determined necessary by staff.

FREQUENTLY ASKED QUESTIONS

How can I obtain a Plat of Vacation document?

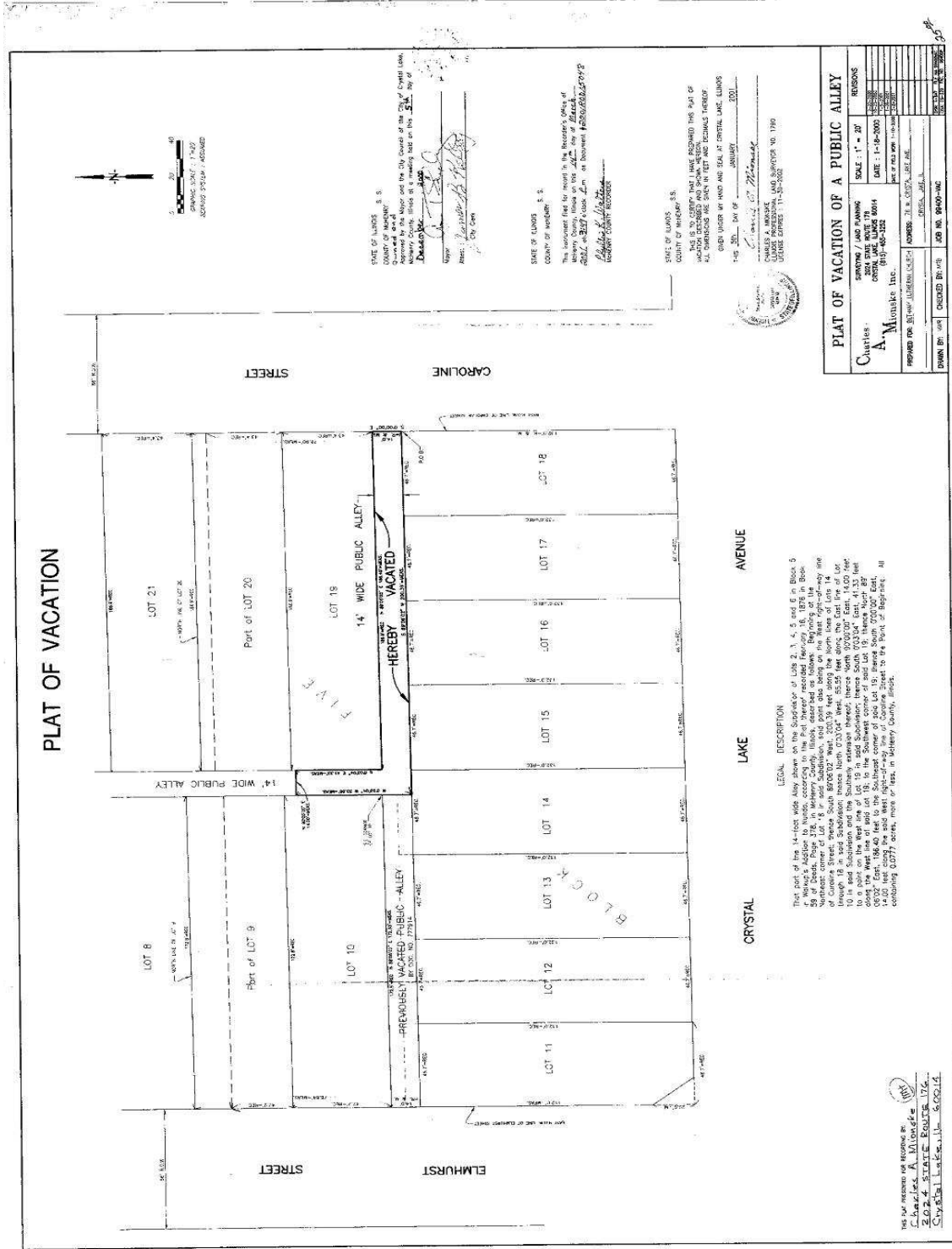
A surveyor is needed to create this document. The City does not provide this service, nor can the City recommend particular surveyors. To find a surveyor, consult your area telephone/internet directory. The City staff would be happy to answer any questions your surveyor may have while preparing the document.

Where can I obtain information regarding surrounding property owners?

This information can be obtained from the County Assessor's Office at the County Administration center in Woodstock. The Assessor's Office is located at:

667 Ware Road, Room 106,
 Woodstock, IL 60098
 Phone: 815-334-4290
 Fax: 815-338-8522
 E-mail: assessments@co.mchenry.il.us

SAMPLE PLAT OF VACATION DOCUMENT



STATE OF ILLINOIS
 COUNTY OF WASHINGTON
 I, the undersigned, being duly qualified and sworn to as a Notary Public for the County of Washington, State of Illinois, do hereby certify that the foregoing is a true and correct copy of the original plat of vacation on file in my office.
 Notary Public
 State of Illinois

STATE OF ILLINOIS
 COUNTY OF WASHINGTON
 This instrument was prepared by the undersigned, a Notary Public for the County of Washington, State of Illinois, and was read to and approved by the parties to the same in the presence of the undersigned on the _____ day of _____, 2001.
 Notary Public
 State of Illinois

STATE OF ILLINOIS
 COUNTY OF WASHINGTON
 This instrument was prepared by the undersigned, a Notary Public for the County of Washington, State of Illinois, and was read to and approved by the parties to the same in the presence of the undersigned on the _____ day of _____, 2001.
 Notary Public
 State of Illinois

PLAT OF VACATION OF A PUBLIC ALLEY	
CHARACTER:	RESIDENTIAL
OWNER:	A. M. Monecke Inc.
PREPARED FOR:	BY: M. J. Monecke
DRAWN BY:	DATE: 1-18-2001
CHECKED BY:	DATE: 1-18-2001
JOB NO.:	99000-002
DATE:	1-18-2001
SCALE:	1" = 20'
REVISIONS:	

LEGAL DESCRIPTION
 That part of the 14.64 acre lots hereinafter described, being Lots 2, 3, 4, 5 and 6 in Block 5 of the 14.64 acre lots hereinafter described, as shown on the plat of vacation recorded February 16, 1976 in Book 58 of Deeds, Page 278, in Jefferson County, Illinois, owned as follows: Beginning at the intersection of the East line of Caroline Street, thence South 89°06'02" West, 203.39 feet along the North line of Lots 14 through 18 in said subdivision thence North 0°30'00" West, 82.55 feet along the East line of Lot 15 to a point on the west line of Lot 19 in said subdivision; thence South 73°35'00" East, 41.32 feet along the west line of said lot 19; to the Southwest corner of said Lot 19; thence North 87°00'00" East, 142.02 feet along the east line of Caroline Street to the point of beginning. All containing 0.0777 acres, more or less, in Jefferson County, Illinois.

Prepared and drawn by:
A. Monecke Inc.
 2024 STATE ROUTE 176
 Crystal Lake, IL 60014

PUBLIC NOTICE

NOTICE OF VACATION OF STREET

NOTICE IS HEREBY GIVEN to the General Public, Unknown Owners and Non-record Claimants that on **(Month Date, Year)** at 7:30 p.m., a public hearing will be held at the Crystal Lake City Hall, 100 West Woodstock Street, Crystal Lake, Illinois, in order to hear reasons for and against the vacation of a portion of a street commonly known as **(Street name), (brief description, intersection A to intersection B)**, which is legally described as follows:

(LEGAL DESCRIPTION OF THE EXACT AREA OF THE RIGHT-OF-WAY THAT IS REQUESTED TO BE VACATED)

At this hearing, the City Council of the City of Crystal Lake will hear evidence for or against vacating that portion of **(Street name)** and may ascertain compensation due, to the extent necessary, and publicly announce its decision on the vacation of said street.

Dated this ___ day of **(month, year)**.

(Name)
City Clerk
City of Crystal Lake

TO BE PUBLISHED IN THE NORTHWEST HEARLD ON OR BEFORE (date)

The Planning and Economic Development Department will review the legal notice to ensure that it is sufficient prior to submission for publication.

Insert the appropriate information in the parenthesis.

*Northwest Herald contact information:
7717 S. Route 31, Crystal Lake, IL 60014
Phone: 815-459-4040 Fax: 815-477-4960*

STATE OF ILLINOIS)
)
COUNTY OF MCHENRY)

IN THE MATTER OF THE APPLICATION OF
(Name and address of Applicant)

AFFIDAVIT

(Name and address of Applicant), being first duly sworn on oath deposes and states as follows:

A. That a copy of the legal notice, concerning the hearing date for the above mentioned Applicant, was sent to each of the persons named below by regular mail notifying them of the hearing before the City Council on **(Meeting Date)**, at 7:30 p.m., at the Crystal Lake City Hall, 100 West Woodstock Street in Crystal Lake, Illinois. Said notice was mailed to each of the below mentioned persons by regular mail on **(Mailing Date)**.

(Signature of Applicant)

Subscribed and Sworn to me before
This ____ day of _____, 200__.

Notary Public