

1 AN ACT in relation to highways.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Highway Code is amended by
5 changing Section 4-510 as follows:

6 (605 ILCS 5/4-510) (from Ch. 121, par. 4-510)

7 Sec. 4-510. The Department may establish presently the
8 exact approximate locations and widths of rights of way for
9 future additions to the State highway system to inform the
10 public and prevent costly and conflicting development of the
11 land involved.

12 The Department shall hold a public hearing whenever exact
13 approximate locations and widths of rights of way for future
14 highway additions are to be established. The hearing shall be
15 held in or near the county or counties where the land to be
16 used is located and notice of the hearing shall be published
17 in a newspaper or newspapers of general circulation in the
18 county or counties involved. Any interested person or his
19 representative may be heard. The Department shall evaluate
20 the testimony given at the hearing.

21 The Department shall make a survey and prepare a map
22 showing the exact location and approximate widths of the
23 rights of way needed for future additions to the highway
24 system. The map shall show existing highways in the area
25 involved and the property lines and owners of record of all
26 land that will be needed for the future additions and all
27 other pertinent information. Approval of the map with any
28 changes resulting from the hearing shall be indicated in the
29 record of the hearing, and a notice of the approval, and a
30 copy of the map, and an environmental impact study shall be
31 filed in the office of the recorder for all counties in which

1 the land needed for future additions is located.

2 Public notice of the approval and filing shall be given
3 in newspapers of general circulation in all counties where
4 the land is located and shall be served by registered mail
5 within 60 days thereafter on all owners of record of the land
6 needed for future additions.

7 The Department may approve changes in the map from time
8 to time. The changes shall be filed and notice given in the
9 manner provided for an original map.

10 After the map is filed and notice thereof given to the
11 owners of record of the land needed for future additions, no
12 one shall incur development costs or place improvements in,
13 upon or under the land involved nor rebuild, alter or add to
14 any existing structure without first giving 60 days notice by
15 registered mail to the Department. This prohibition shall not
16 apply to any normal or emergency repairs to existing
17 structures. The Department shall have 45 days after receipt
18 of that notice to inform the owner of the Department's
19 intention to acquire the land involved; after which, it shall
20 have the additional time of 120 days to acquire such land by
21 purchase or to initiate action to acquire said land through
22 the exercise of the right of eminent domain. When the right
23 of way is acquired by the State no damages shall be allowed
24 for any construction, alteration or addition in violation of
25 this Section unless the Department has failed to acquire the
26 land by purchase or has abandoned an eminent domain
27 proceeding initiated pursuant to the provisions of this
28 paragraph.

29 Any right of way needed for additions to the highway
30 system may be acquired at any time by the State or by the
31 county or municipality in which it is located. The time of
32 determination of the value of the property to be taken under
33 this Section for additions to the highway system shall be the
34 date of the actual taking, if the property is acquired by

1 purchase, or the date of the filing of a complaint for
2 condemnation, if the property is acquired through the
3 exercise of the right of eminent domain, rather than the date
4 when the map of the proposed right-of-way was filed of
5 record. The rate of compensation to be paid for farm land
6 acquired hereunder by the exercise of the right of eminent
7 domain shall be in accordance with Section 4-501 of this
8 Code.

9 Not more than 10 years after a protected corridor is
10 established under this Section, and not later than the
11 expiration of each succeeding 10 year period, the Department
12 shall hold public hearings to discuss the viability and
13 feasibility of the protected corridor. The Department shall
14 give due consideration to the information obtained at the
15 hearing and, if construction of the roadway is no longer
16 feasible, shall abolish the protected corridor.

17 (Source: P.A. 91-357, eff. 7-29-99.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.