

1 AN ACT concerning transportation.

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 changing
5 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 approximate locations and widths of rights of way for future
9 additions to the State highway system to inform the public and
10 prevent costly and conflicting development of the land
11 involved.

12 The Department shall hold a public hearing whenever
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 in
17 a newspaper or newspapers of general circulation in the county
18 or counties involved. Any interested person or his
19 representative may be heard. The Department shall evaluate the
20 testimony given at the hearing.

21 The Department shall make a survey and prepare a map
22 showing the location and approximate widths of the rights of
23 way needed for future additions to the highway system. The map

1 shall show existing highways in the area involved and the
2 property lines and owners of record of all land that will be
3 needed for the future additions and all other pertinent
4 information. Approval of the map with any changes resulting
5 from the hearing shall be indicated in the record of the
6 hearing and a notice of the approval and a copy of the map
7 shall be filed in the office of the recorder for all counties
8 in which the land needed for future additions is located.

9 Public notice of the approval and filing shall be given in
10 newspapers of general circulation in all counties where the
11 land is located and shall be served by registered mail within
12 60 days thereafter on all owners of record of the land needed
13 for future additions.

14 The Department may approve changes in the map from time to
15 time. The changes shall be filed and notice given in the manner
16 provided for an original map.

17 After the map is filed and notice thereof given to the
18 owners of record of the land needed for future additions, no
19 one shall incur development costs or place improvements in,
20 upon or under the land involved nor rebuild, alter or add to
21 any existing structure without first giving 60 days notice by
22 registered mail to the Department. This prohibition shall not
23 apply to any normal or emergency repairs to existing
24 structures. The Department shall have 45 days after receipt of
25 that notice to inform the owner of the Department's intention
26 to acquire the land involved; after which, it shall have the

1 additional time of 120 days to acquire such land by purchase or
2 to initiate action to acquire said land through the exercise of
3 the right of eminent domain. When the right of way is acquired
4 by the State no damages shall be allowed for any construction,
5 alteration or addition in violation of this Section unless the
6 Department has failed to acquire the land by purchase or has
7 abandoned an eminent domain proceeding initiated pursuant to
8 the provisions of this paragraph.

9 Any right of way needed for additions to the highway system
10 may be acquired at any time by the State or by the county or
11 municipality in which it is located. The time of determination
12 of the value of the property to be taken under this Section for
13 additions to the highway system shall be the date of the actual
14 taking, if the property is acquired by purchase, or the date of
15 the filing of a complaint for condemnation, if the property is
16 acquired through the exercise of the right of eminent domain,
17 rather than the date when the map of the proposed right-of-way
18 was filed of record. The rate of compensation to be paid for
19 farm land acquired hereunder by the exercise of the right of
20 eminent domain shall be in accordance with Section 4-501 of
21 this Code.

22 Not more than 10 years after a protected corridor is
23 established under this Section regardless of whether the
24 corridor is established before or after the effective date of
25 this amendatory Act of the 97th General Assembly, and not later
26 than the expiration of each succeeding 10 year period, the

1 Department shall hold public hearings to discuss the viability
2 and feasibility of the protected corridor. In the case of a
3 protected corridor established prior to 10 years before the
4 effective date of this amendatory Act of the 97th General
5 Assembly, the hearing shall be conducted within 6 months of the
6 effective date of this amendatory Act of the 97th General
7 Assembly. The Department shall retain the discretion to
8 maintain any protected corridor established under this
9 Section, but shall give due consideration to the information
10 obtained at the hearing and, if the Department in its
11 discretion determines that construction of the roadway is no
12 longer feasible, the Department shall abolish the protected
13 corridor.

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.