

1 AN ACT concerning State government.

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

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by adding Section 805-565 as follows:

7 (20 ILCS 805/805-565 new)

8 Sec. 805-565. Road vacation.

9 (a) Whenever the Department of Natural Resources
10 determines that the public use or public interest will be
11 served by vacating any plat of subdivision, street, roadway, or
12 driveway, or part thereof, located within Department owned
13 lands, it may vacate that plat of subdivision, street, roadway,
14 or driveway, or part thereof, by approval of the Governor.

15 (b) The determination of the Department that the nature and
16 extent of the public use or public interest to be served
17 warrants the vacation of any plat of subdivision, street,
18 roadway, or driveway, or part thereof, is conclusive, and the
19 approval of the vacation is sufficient evidence of that
20 determination, whether so recited in the vacation or not. The
21 relief to the public from further burden and responsibility of
22 maintaining any plat of subdivision, street, roadway, or
23 driveway, or part thereof, constitutes a public use or public

1 interest authorizing the vacation.

2 (c) Nothing contained in this Section shall be construed to
3 authorize the Department to vacate any plat of subdivision,
4 street, roadway, or driveway, or part thereof, that is part of
5 any currently maintained and used State or county highway
6 without obtaining the approval of the Department of
7 Transportation (in the case of a State highway) or the
8 appropriate county highway department (in the case of a county
9 highway).

10 (d) Title to the land in fee simple included within the
11 plat of subdivision, street, roadway, or driveway, or part
12 thereof, so vacated vests in the Department except:

13 (1) in cases in which the deed, or other instrument
14 dedicating a plat of subdivision, street, roadway, or
15 driveway, or part thereof, has expressly provided for a
16 specific devolution of the title thereto upon the
17 abandonment or vacation thereof; or

18 (2) where the street, roadway, or driveway, or part
19 thereof, is held by the Department by lease, or when the
20 Department holds an easement in the land included within
21 the plat of subdivision, street, roadway, or driveway.