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AN ACT concerning State government.

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

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

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(20 ILCS 805/805-565 new)

8 Sec. 805-565. Road vacation.

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

(b) The determination of the Department that the nature and 15 extent of the public use or public interest to be served 16 17 warrants the vacation of any plat of subdivision, street, roadway, or driveway, or part thereof, is conclusive, and the 18 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 driveway, or part thereof, constitutes a public use or public 23

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1 <u>interest authorizing the vacation.</u>

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.