

HOW TO PETITION THE CITY FOR VACATION OF RIGHT-OF-WAY OR EASEMENT

Throughout the City of Joliet there are many miles of public streets, alleys, and easements in which the City retains certain real estate rights and interests. In some cases, there may no longer be a public need to retain these interests, and the right-of-way may be "vacated" by the City upon a request from adjacent owners. In order for property owners to petition the City for vacation of adjacent right-of-way, or vacation of a recorded easement, the following procedure should be followed:

1. Applicant checks with Planning Division staff to discuss requirements and feasibility of the proposed vacation.
2. Applicant files a petition for vacation of right-of-way or easement at least 27 days before the Plan Commission meeting.
 - a. Submission requirements
 - i. Petition for Vacation
 - ii. Ownership Disclosure
 - iii. Plat of Vacation
 - iv. Fees
 - a. Application fee: \$175
 - b. Sign deposit (properties that are less than one acre): \$100
 - b. Deadlines and meeting dates
 - i. Filing deadline dates available from website (Joliet.gov)
 - ii. Once application is accepted and staff determines it is complete, the petition will be placed on the Plan Commission agenda (meets third Thursday of the month)
3. Applicant posts signs, in accordance with Zoning Ordinance Section 47-19.7(6), at least 15 days prior to the Plan Commission meeting.
 - a. For parcels greater than one acre, the applicant is responsible for obtaining and posting the signs.
 - b. For parcels less than one acre, the City prepares the signs, and the applicant pays a \$100 sign deposit and posts the signs.
4. Staff reviews the application at the **Design Review meeting**, held the first Thursday of the month at 9:00 a.m. (two weeks prior to Plan Commission).
 - a. Applicant must attend the Design Review meeting unless otherwise directed
 - b. Design Review typically includes Planning, Public Works, and Public Utilities
5. Staff prepares a report to the Plan Commission.

6. **Plan Commission** holds a public hearing on the petition and makes a recommendation to the City Council.
 - a. The applicant or authorized agent must attend the hearing to represent the petition and answer any questions.
 - b. Plan Commission meetings are held the third Thursday of the month at 4:00 p.m. in the City Hall Council chambers

7. Right-of-way vacations only: the City requests an appraisal report from appraiser for the portion of the right-of-way to be vacated.
 - a. The applicant is responsible for paying the appraiser's fee, upon receipt of the appraisal report.

8. **City Council** reviews the vacation request.
 - a. It is recommended that the applicant or authorized agent attend the pre-Council and Council meetings.
 - b. The petition is generally placed on the second Council meeting agenda in the month following Plan Commission. Check with Planning staff to determine exact dates.
 - c. Council meetings are held on the first and third Tuesdays of the month at 6:30 p.m. in the City Hall Council Chambers; Pre-Council meetings are held at 5:30 p.m. on the Monday before the Council meeting.

9. If approved, the City Council will determine the purchase price for the vacated real estate, which is due from the applicant within 30 days of Council approval.

10. Once the applicant purchases the property by paying the purchase price to the City, the City Clerk will record the ordinance.

11. Once the ordinance is recorded, the applicant records the deed.

ESTIMATED TIME FROM RECEIPT OF PETITION TO CITY COUNCIL ACTION: 60 DAYS

Forms: Applications, the ownership disclosure, the fee schedule, and filing deadlines and meeting dates can be found on the City's website:

<https://www.joliet.gov/government/departments/community-development/planning-zoning/petitions-meeting-dates>

CASE NO. _____

DATE FILED : _____

CITY PLAN COMMISSION
JOLIET, ILLINOIS
PETITION TO VACATE

PETITIONER'S NAME: _____

HOME ADDRESS: _____

CITY, STATE, ZIP: _____

HOME PHONE: _____

CELL # _____ E-MAIL: _____

BUSINESS ADDRESS: _____

CITY, STATE, ZIP: _____

BUSINESS PHONE: _____

LEGAL DESCRIPTION OF PROPERTY: _____

COMMON ADDRESS: _____

PERMANENT INDEX NO. (Tax No.): _____

ROW/EASEMENT SIZE: Width _____ Depth _____ Area _____

PROPOSED USE AFTER VACATION: _____

USES OF SURROUNDING PROPERTIES: North: _____

South: _____

East: _____

West: _____

REASON FOR REQUEST: _____

Is the Property owned by the City of Joliet? YES _____ NO _____

What portion of the right-of-way do you wish to own as a result of the vacation or what portion of the
easement do you wish to vacate? _____

I understand that I will be required to pay for an appraisal of the property requested to be vacated, and that I will be required to purchase it at fair market value established by that appraisal.

STATE OF ILLINOIS) ss
COUNTY OF WILL)

I, _____, depose and say that the foregoing statements are true and correct to the best of my knowledge and belief, I further state that I agree to be present in person or by representation when this petition is heard by the Plan Commission.

Petitioner's Signature

Subscribed and sworn to before me
this _____ day of _____, 20 _____

Notary Public

My Commission Expires: _____

ROW vacations only – The undersigned owners of adjacent property do not object to the vacation of the following described property:

OWNER'S NAME

ADDRESS

How to Post a Sign for any Land Use Change

In an effort to increase the awareness of neighborhoods of potential land use changes in their areas, the City of Joliet requires posting of a sign giving notice of a hearing on a proposed land use change. All petitions filed for review by the Zoning Board of Appeals and Plan Commission must follow these procedures:

1. At least one sign for every 500 feet of street frontage, with a minimum of one sign on each street abutting the property shall be posted. If the property in question is more than 1 acre please refer to page 2 for information.
2. The sign shall be posted at least 15 days but not more than 30 days before the hearing date.
3. The sign shall contain the time and place of the public hearing and the nature of the land use change being requested. It shall be placed in a conspicuous location on the property so it may be observed and read from the street.
4. The sign shall be provided by the City of Joliet Planning Division upon the applicant's payment of a \$50.00 deposit for each sign.
5. It shall be the applicant's responsibility to post the sign. Written certification of the posting of the sign shall be provided by the applicant to the City with the date and location of the posting of the sign.
6. Upon completion of the public hearing, the sign shall be removed and returned to the City within ten days. The applicant's deposit shall be refunded upon return of the sign.
7. Failure to post the sign as required may result in the deferral of action on, or the denial of, the applicant's petition.

Requirements For Posting Land Use Change Informational Signs

(6) Land Use Change Informational Signs: In addition to the publication of newspaper notice for a public hearing on any request for a land use change (such as a petition for a variation, special exception, variation of use, or zoning reclassification) and any request for subdivision approval (preliminary plat), notice of a public hearing on such land use change shall be given by posting one or more land use change informational signs on the subject property in accordance with the following provisions:

(A) For parcels comprising 1 acre or more:

- (1) The applicant or the applicant’s agent shall erect a sign or signs with minimum dimensions of three (3) by four (4) feet. The number and location of the sign(s) shall be determined by the City Manager or his designee.
- (2) The sign(s) shall conform to the format provided by the City Manager or his designee and shall contain the time and place of public hearing and the nature of the application (SEE BELOW)
- (3) The sign(s) shall be posted at least 15 days but not more than 30 days before the public hearing date.
- (4) It shall be the responsibility of the applicant to prepare and create such signs and to erect whatever framework that may be necessary to display the signage.
- (5) Upon completion of the public hearing, the sign(s) shall be removed within 10 days. If the applicant fails to remove the sign, the City of Joliet may remove the sign, and the cost of such removal shall be billed to the applicant and shall constitute a debt payable to the City.

**NOTICE OF PUBLIC MEETING
CITY OF JOLIET, IL**

DATE/TIME: _____

LOCATION: City Hall Council Chambers
150 W. Jefferson St., Joliet

DESCRIPTION OF REQUEST:

FOR MORE INFORMATION CALL: 815-724-4040 OR
815-724-4050

**COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF JOLIET**