

HOW TO PETITION THE CITY FOR VACATION OF PUBLIC RIGHT-OF-WAY

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 property owners.

Right-of-way vacations are first reviewed by the Plan Commission, which provides a recommendation, and then are reviewed by the City Council for a final decision. In order for property owners to petition the City for vacation of adjacent right-of-way, 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.
 - a. Submission requirements:
 - i. Petition for Vacation of Right-of-Way
 - a. All abutting property owners that do not wish to own part of the right-of-way will need to sign the petition to waive their right to their portion of the right-of-way.
 - ii. Ownership Disclosure
 - iii. Plat of Vacation (see ProjectDox submission)
 - a. If easements will be reserved, a Plat of Easement will also be required.
 - iv. Fees
 - a. Petition filing fee: \$175
 - b. Sign deposit (properties that are less than one acre ONLY): \$100
 - c. The petitioner will also be responsible for paying the cost of hiring the appraiser and for the purchase price of the property, if the vacation is approved, but these fees are not due at the time of petition submission.
 - b. **ProjectDox submission:**
 - i. The applicant must upload the plat into the ProjectDox Planning Application.
 - a. See "ProjectDox Planning Application Info Sheet"
 - ii. The plat will undergo review cycles until the plat has been approved in ProjectDox by all City review groups.
 - c. Review by utility companies:
 - i. Utility companies will need to sign off on any right-of-way vacation request.
 - ii. City staff will notify the utility companies once the vacation petition is scheduled for a Plan Commission meeting.

3. After a petition is submitted, staff reviews the application for completeness.
 - a. If items are still needed, staff will inform the applicant of any remaining requirements.
 - b. The ProjectDox review of the plat must be fully approved by all staff review groups to be considered complete.
 - c. All required signatures from abutting property owners must be included for the petition to be considered complete.
4. Once the petition is determined to be complete, the petition will be placed on a Plan Commission agenda (meets third Thursday of the month).
 - a. Planning staff will communicate the meeting date to the applicant.
5. Applicant **posts public notice signs** 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.
6. Staff prepares a report to the Plan Commission.
7. **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.
8. Following Plan Commission, **the City requests an appraisal report** from an appraiser to determine the market value of the portion of the right-of-way to be vacated.
 - a. The applicant is responsible for paying the appraiser's fee.
 - b. Once the report has been received by the applicant and City staff, staff will confirm that the applicant accepts the purchase price for the right-of-way portion.
 - i. City Council may revise the proposed purchase price as part of their review.
 - c. The purchase price will need to be determined before the petition can be scheduled for a Council meeting.
9. **City Council** reviews the vacation request at a regularly scheduled meeting.
 - a. It is recommended that the applicant or authorized agent attend the pre-Council and Council meetings.
 - b. 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.

- c. Planning staff will coordinate the Council date with the applicant.
10. If approved, the applicant will **pay the purchase price** within 30 days of Council approval.
- a. Staff will email an invoice to the applicant for the purchase price.
11. Once the applicant purchases the property by paying the purchase price to the City, the City Clerk will **record the ordinance**.
12. Once the ordinance is recorded, the applicant **records the deed**.

Forms: Applications, the ownership disclosure, the fee schedule, and meeting dates can be found on the City's website: <https://www.joliet.gov/government/departments/community-development/planning-zoning/boards-commissions>

CITY PLAN COMMISSION
JOLIET, ILLINOIS

CASE NO: _____
DATE FILED: _____

PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

PETITIONER'S NAME: _____

PROPERTY INTEREST OF PETITIONER: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____ EMAIL: _____

PLAT OF VACATION ATTACHED: Yes ___ No ___

TYPE OF REQUEST: Street ROW ___ Alley ROW ___ Other _____

COMMON ADDRESS: _____

PROPERTY INDEX NUMBER: _____

LEGAL DESCRIPTION OF PROPERTY (attached preferred): _____

ROW SIZE: Width _____ Depth _____ Area _____

USES OF SURROUNDING PROPERTIES:

North: _____

South: _____

East: _____

West: _____

PROPOSED USE AFTER VACATION: _____

REASON FOR REQUEST: _____

ADJACENT PROPERTY OWNERS:

Does the right-of-way abut more than one parcel?

Yes* ___ No ___

**If yes, see page 3s*

Will the vacated right-of-way be divided among multiple property owners?

Yes ___ No ___

APPRAISAL:

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.

Acknowledged ___

STATE OF _____) SS
COUNTY OF _____)

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

Date: _____

Petitioner's Signature

Subscribed and sworn to before me

this _____ day of _____, 20 _____

Notary Signature: _____

(Seal)

Signatures of Abutting Property Owners

The undersigned owners of property abutting the right-of-way to be vacated hereby waive their right to ownership of any portion of the right-of-way, and do not object to the vacation of the following described property:

ROW in question: _____

PROPERTY OWNERS

Name: _____

Address: _____

Signature: _____

Name: _____

Address: _____

Signature: _____

Name: _____

Address: _____

Signature: _____

Name: _____

Address: _____

Signature: _____

CITY OF JOLIET OWNERSHIP DISCLOSURE FORM

The City of Joliet requires that applicants for zoning relief, subdivision approval, building permits and business licenses disclose the identity of all persons having an ownership interest in the business and the real property associated with the application. A copy of this form must be completed and submitted with other application materials. Failure to properly complete and submit this form may result in the denial of the application.

I. INFORMATION ABOUT THE APPLICATION

This form is submitted as part of an application for the following (check all that apply):

- Rezoning, Special Use Permit, Variation, or Other Zoning Relief (Complete Sections II and III)
- Preliminary Plat, Final Plat, or Record Plat of Subdivision (Complete Sections II and III)
- Building Permit (Complete Sections II and III)
- Business License (Complete All Sections)

II. INFORMATION ABOUT THE PROPERTY

The address and PIN(s) of the real property associated with this application are:

PIN(s): _____

III. PROPERTY OWNERSHIP

Select the type of owner of the real property associated with this application and fill in the appropriate contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Land Trust:** State the names, addresses, and phone #'s of the trustee(s) and all beneficiaries
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization or the right to direct the affairs of the organization

E-MAIL: _____ **FAX:** _____

IV. BUSINESS OWNERSHIP

If the owner of the business is different than the owner of the real property associated with the application, then the following information must be provided:

Select the type of business owner associated with this application and fill in the contact information below:

- Individual:** State the names, addresses, and phone #'s of the individual owner(s)
- Corporation:** State the names, addresses, and phone #'s of all persons holding 3% or more of the stock of the corporation and the percentage of shares held by such stockholders
- Limited Liability Company:** State the names, addresses, and phone #'s of all members of the company along with the percentage of ownership held by each member
- Partnership:** State the names, addresses, and phone #'s of all partners
- Other type of organization:** State the names, addresses, and phone #'s of all persons having a legal or equitable ownership interest in the organization

E-MAIL: _____ **FAX:** _____

NOTE:

If a stockholder, member, beneficiary or partner disclosed in Section III or Section IV is not an individual, then the individuals holding the legal or equitable title to the real property or business associated with the application must also be disclosed. For example, if the real property associated with an application is owned by a land trust, and the beneficiary of the land trust is a limited liability company, then the members of the limited liability company must be disclosed. If one of the members of the limited liability company is a partnership, then the identity of the partners must be disclosed. If one of the partners is a corporation, then all persons owning 3% or more of the issued stock must be disclosed.

SIGNED: _____

DATE: _____

Name, Title, and Telephone Numbers of Person Completing and Submitting This Form:
