

AN ACT concerning State government.

**Be it enacted by the People of the State of Illinois,
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:

(20 ILCS 805/805-565 new)

Sec. 805-565. Road vacation.

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

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

interest authorizing the vacation.

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

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

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

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