

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16-48

**AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM SUBDIVISION CODE
IN RELATION TO RIGHT-OF-WAY CONVEYANCE REQUIREMENTS**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

MARK CLAYTON
TERRY FOUNTAIN
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN

Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on 9/27, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 16- 48

**AN ORDINANCE AMENDING THE VILLAGE OF CHATHAM SUBDIVISION CODE
IN RELATION TO RIGHT-OF-WAY CONVEYANCE REQUIREMENTS**

WHEREAS, the Village of Chatham, Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the section 65 ILCS 5/11-12-8 of the State of Illinois Municipal Code provides that municipalities may make reasonable requirements for public lands within a proposed subdivision and make approval of a proposed plat contingent on the whether such proposed plat complies with said requirements; and,

WHEREAS, Section 155.150 of the Village Code lists the requirements for a tract survey for subdivisions; and,

WHEREAS, the Village desires to require those submitting subdivision tract surveys to provide a right-of-way conveyance in fee simple to the Village for purposes in conformance with the arterial roadway network plan; and,

WHEREAS, the Village Board of Trustees and the President of the Village of Chatham believe it is in the best interests of the Village to amend its code in conformance with this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Section 155.151. Section 155.151 of the Village code is hereby amended as follows (added; ~~deleted~~):

§ 155.151 SUBMISSION REQUIREMENTS.

When a tract survey is required by this chapter, the following shall be submitted:

- (A) Land survey showing right-of-way conveyance in fee simple for roadway purposes in conformance with the arterial roadway network plan.
- (B) Certification by a professional Illinois Land Surveyor, together with the surveyor's seal, attesting to the accuracy of the survey.
- (C) Notarized owner's written acknowledgement of the right-of-way conveyance in fee simple.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

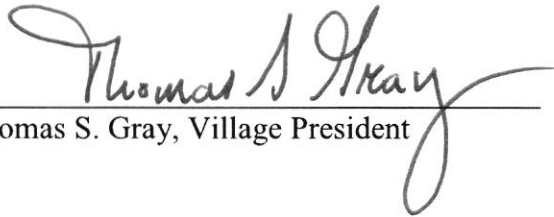
Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

Section 5. Effectiveness. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

	YES	NO	ABSENT	PRESENT
MARK CLAYTON	✓			
TERRY FOUNTAIN	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			

THOMAS S. GRAY				
TOTAL	6			

APPROVED by the President of the Village of Chatham, Illinois this 27 day of SEPT, 2016.



 Thomas S. Gray, Village President

Attest:



 Pat Schad, Village Clerk