

# Vacation of Right-of-Way Application



## RIGHT-OF-WAY & PROJECT INFORMATION

|                                        |                 |
|----------------------------------------|-----------------|
| Property Address (approximate):        |                 |
| Right-of-Way Name (if applicable):     |                 |
| Right-of-Way Area (square feet):       | Current Zoning: |
| Current Zoning of adjacent properties: |                 |
| Legal Description (note if attached):  |                 |
| Brief Project Description:             |                 |

## FOR INTERNAL USE ONLY

|                             |
|-----------------------------|
| Case #:                     |
| Date Received:              |
| Pre-Application Discussion: |
| Hearing Date:               |
| Assigned to:                |
| Fee Paid:                   |
| Third Party Deposit:        |

## PETITIONER INFORMATION

|                             |        |
|-----------------------------|--------|
| Petitioner                  |        |
| Petitioner's Name:          | Phone: |
| Address (City, State, ZIP): |        |
| Email:                      |        |

## PETITIONER SIGNATURE

The undersigned acknowledges and agrees that they are familiar with, have read and reviewed, and understand, all laws and regulations applicable to this application and the requested license/permit/authorization, including, without limitation, Chapter 150 of the City Code. The undersigned further agrees that the applicant complies with any and all eligibility requirements for the requested license/permit/authorization, and that the applicant will comply with all applicable laws and regulations with respect to the requested license/permit/authorization.

|                                                     |      |
|-----------------------------------------------------|------|
| Petitioner Signature                                | Date |
| Sworn to before me this _____ day of _____, 20____. |      |
| Notary                                              |      |

## SUPPLEMENTAL MATERIAL

The following attached items include required forms, templates, and informational material to complete this application.

- Public Hearing Cost Recovery Form
- City-Owned Right-of-Way Vacation Process

## APPLICATION CHECKLIST

Please submit the completed application and all required application materials via the application portal.

[https://selfservice.cityhpil.com/energov\\_prod/selfservice#/applicationAssistant?sectionName=All&showTemplates=false](https://selfservice.cityhpil.com/energov_prod/selfservice#/applicationAssistant?sectionName=All&showTemplates=false)

Questions? Contact the Planning Division at 847.432.0867 or visit [cityhpil.com](http://cityhpil.com).

### ☐ **Completed Application Form**

- Complete in its entirety
- Petitioners' name(s) should be written exactly as on the proof of ownership
- Notarized signatures of all owner(s) and petitioner(s) are mandatory

### ☐ **Application Fee**

- Application Fee: \$150
- Make check payable to: City of Highland Park

### ☐ **Third Party Cost Recovery Form & Fee**

- See City Staff for Third Party Cost Recovery Fee
- Make check payable to: City of Highland Park

### ☐ **Project Narrative**

- Describe the project and why the vacation is necessary.

### ☐ **Other Exhibits**

- Photos, letters, reports, requested materials, etc.

### ☐ **Lobbyist Registration Packet**

# Public Hearing Cost Recovery Fees

## Third Party Cost Recovery

During the course of reviewing and processing development applications the City of Highland Park often incurs expenses for third party consulting costs. In order to efficiently process zoning applications, every filed petition is subject to certain cost recovery fees ("Cost Recovery Fees") that are placed in a City escrow account ("Cost Recovery Fee Escrow"), as provided in Section 150.306 of "The Highland Park Zoning Code of 1997" as amended. Cost Recovery Fees are in addition to any and all other filing fees and other charges established by the City. Based on their typical complexity and need for third party consulting services, the Cost Recovery Fees for various projects are:

- |                                                     |          |                                                        |                                                 |
|-----------------------------------------------------|----------|--------------------------------------------------------|-------------------------------------------------|
| • Application Involving a Special Use:              | \$1,500  | • Application Involving a Special Exception to Zoning: | \$2,000                                         |
| • Application Involving a Special Use w/exceptions: | \$2,500  | • Application Involving a Subdivision:                 | \$750                                           |
| • Application Involving a Planned Unit Development: | \$10,000 | • Application Involving a Major Subdivision:           | \$5,000                                         |
| • Amendment to a PUD                                | \$5,000  | • Other Projects Not Herein Defined:                   | Determined by Director of Community Development |

The following items denote costs incurred by the City in processing a petition that would be deducted from the Cost Recovery Fee Escrow:

- |                                                  |                                                                                                                                       |
|--------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| • Publication of notices                         | • Corporation Counsel, or other City retained attorney or law firm, consultation, meeting attendance, document preparation and review |
| • Court reporter (if necessary)                  |                                                                                                                                       |
| • Professional and technical consultant services |                                                                                                                                       |
| • Document recordation Process                   | • Copy reproduction                                                                                                                   |

## Process

Every petition must be accompanied by the required petition fee and Cost Recovery Fee. Cost Recovery Fees will be forwarded to the Finance Division and deposited in a Cost Recovery Fee Escrow.

Within 90 days following final action on a petition, a final accounting will be made and any remaining funds in the Cost Recovery Fee Escrow after payment of the total actual costs due will be returned to the owner or petitioner.

In cases where the Cost Recovery Fees exceed the original deposit, Community Development staff will notify the petitioner and request additional funds in increments of \$1,000. Such funds will be forwarded to Finance and added to the Cost Recovery Fee Escrow. The City shall maintain an accurate record of all drawings from the Cost Recovery Fee Escrow.

Failure to pay any portion of the Cost Recovery Fee or replenish the Cost Recovery Fee Escrow within 30 days of the mailing of notice shall be grounds for refusing to process a petition and for denying or revoking any permit.

## Petitioner Agreement

By signing below, the owner or petitioner acknowledges that it is subject to all of the provisions contained in Section 150.306 of the Zoning Code and agrees to pay, and to have consented to, (i) the Cost Recovery Fees, (ii) any costs of collection that have not been paid within 30 days following the mailing of a written demand for payment to the owner or petitioner at the address set forth on the petition, and (iii) any additional Cost Recovery Fees assessed. No petition filed shall be considered complete unless and until all fees and deposits have been paid. Every approval granted and every permit issued, whether or not expressly so conditioned, shall be deemed to be conditioned upon payment of Cost Recovery Fees as required pursuant to City ordinance.

Responsible Party Signature: \_\_\_\_\_ Date: \_\_\_\_\_

| Billing and Refund Information                             |                   |
|------------------------------------------------------------|-------------------|
| This information will be used for all billing and refunds. |                   |
| Name:                                                      | Phone:            |
| Address                                                    | City, State, ZIP: |
| Email:                                                     |                   |

# City-Owned Right of Way Vacation Process

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1) **Proposal Letter**

Submit a letter indicating your request, and payment of the required administrative fee, to the Department of Community Development.

2) **Departmental Comments & Approval**

The Department of Community Development will route your request to other City departments for review and comment to the City Council regarding the request.

3) **Initial City Council Consideration**

Upon review and comment by all relevant City Departments, Community Development staff will schedule presentation of the request to the Committee of the Whole of the City Council, for preliminary review and direction by the Committee of the Whole. The Committee of the Whole may decline to pursue the proposed vacation, or may direct City Staff to proceed in accordance with these Procedures and applicable law, with or without conditions.

4) **Appraisal of Subject Property**

If directed by the Committee of the Whole, the City Manager will request a professional third-party appraisal of the subject right-of-way. The applicant will be responsible for the appraisal fee.

5) **Subdivision (Consolidation) Application and Plat Review**

Concurrent with preparation of the plat of vacation, a plat of subdivision showing the consolidation of the subject right-of-way with the adjoining subject property should be prepared and submitted with a completed Subdivision Application and applicable fees, all in accordance and compliance with the City's Subdivision Ordinance. Subdivision applications are available at the Department of Community Development.

One full size copy and one 11" x 17" copy of the plat of vacation and plat of subdivision should be submitted for initial staff review. Staff may request modifications to the plat in order to conform to City and Lake County recording standards. Once revisions are complete, submit three full-size copies and one 11"x17" copy of the plat of vacation and subdivision; and, a PDF format digital copy of all plats of survey, vacation and subdivision.

The application will be processed through the City's minor subdivision process. See the Subdivision Application packet for Subdivision Regulations, which further details the process and requirements. In order for City Council to consider both your plat of vacation and plat of subdivision simultaneously, you will need to submit your subdivision application and both plats at least four weeks in advance of the City Council meeting.

6) **Plat of Vacation Review**

A surveyor will need to prepare a plat of vacation that conforms to the City standards. Submit one full size copy of the plat of vacation, with the required signature blocks, to the Department of Community Development for review. Staff may request modifications to the plat in order to conform to City and Lake County recording standards. Once revisions are complete, submit three full-size copies and one 11" x 17" copy of the plat to the Department of Community Development along with a PDF digital file of each.

## City-Owned Right of Way Vacation Process Continued

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7) **Negotiation of Sales Price**

The sales price will be negotiated with the City Manager's Office. Adjoining property owners will be notified by the City of the opportunity to purchase the ½ of the right-of-way adjacent to their property, in accordance with Illinois law.

8) **Approval of Vacation and Plat of Subdivisions by City Ordinance**

Consideration of the proposed plat of subdivision, plat of vacation and corresponding ordinances prepared by the City's Corporation Counsel will be submitted for final consideration to the City Council at a public meeting. Neighbor notification will be required for the public meeting. At least 15 days prior to the meeting date, notice must be sent to all property owners within 400 ft. of the subject property.

9) **Payment**

Payment of the agreed sales price can be submitted in the form of a cashier's or certified check made out to the City of Highland Park. You will be responsible for payment of all legal fees incurred, the appraisal fee, and the agreed purchase price of the subject right-of-way.

10) **Recordation**

After City Council approval, you will need to submit to the City a mylar copy of the plats prepared for recordation, with all necessary signatures (the Community Development Department staff will collect all required City staff signatures). Together with the mylar copy of the plats, the City will have a certified copy of the City ordinance vacating the subject right-of-way recorded at the Lake County Recorder of Deeds in Waukegan, IL. Recordation of these documents, subsequent to all necessary payments owed the City, will be your proof of ownership of the acquired right of way. A copy of the recorded documents will be forwarded to you for your records.



1707 St. Johns Ave.  
Highland Park, Illinois 60035  
o: 847.926.1034 / f: 847.432.7625  
cityhpil.com

### Highland Park Lobbyist Registry

Dear Potential Lobbyist,

Pursuant to Section 11.2 of the Illinois Lobbyist Registration Act, 25 ILCS 170/11.2, and Section 37.006 of the Highland Park Code of 1968, as Amended, the City is authorized to regulate lobbyists. All persons who are compensated for their efforts to influence any legislative or employee action by the City of Highland Park are required to register as lobbyists each calendar year or within five business days after engaging in any activity that requires registration as a Lobbyist pursuant to Section 37.006(A) of the Highland Park Code.

Lobbyist Registration includes the names and addresses of the lobbyist's clients, and payment of an annual registration fee of **\$25.00**. If at any time a lobbyist's client list changes, an amended registration needs to be filed with the City Clerk's Office.

Please complete the form that has been included and return to City Staff within five business days of completing your application to appear before the Plan and Design Commission or the Zoning Board of Appeals. To determine if you are considered a lobbyist under the City's Ordinance, or if you are exempt from registering as a lobbyist, please review the enclosed information on Lobbyist Registration or contact me at (847) 926-1034.

Sincerely,

Ashley Palbitska  
Deputy City Clerk  
City Manager's Office  
apalbitska@cityhpil.com





# City of Highland Park

City of Highland Park  
City Clerk's Office  
1707 St Johns Avenue  
Highland Park, Illinois 60035

## Lobbyist Registration PLEASE PRINT

Date: \_\_\_\_\_

Name of Registrant: \_\_\_\_\_

Registrant's Company Name: \_\_\_\_\_

Permanent Address (Street, City, State, Zip): \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Temporary Address While Lobbying:  
(Street, City, State, Zip): \_\_\_\_\_

*Please fill out the below information for each client and/or business entity for which the registrant expects to act as a lobbyist (if you have more than one client and/or business entity, please attach a full listing)*

Name: \_\_\_\_\_

Business Address (Street, City, State, Zip): \_\_\_\_\_

Permanent Address (Street, City, State, Zip): \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Will the registrant receive compensation from the client? ☐ Yes ☐ No

Will the registrant incur expenditures in connection with the representation of this client? ☐ Yes ☐ No

The undersigned, being first duly sworn, on oath deposes and says that he/she has read the foregoing registration and knows that contents thereof and that the matters and things therein contained are true to the best of his/her knowledge, information and belief.

☐ Yes

Signature: \_\_\_\_\_

For more information about registration, please utilize the attached information that includes the City of Highland Park Municipal Code Section 37.006 - Lobbyist Registration.

For more information about lobbyist registration, please contact the City Clerk's Office at (847) 926-1034

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cityhpil.com

## **Lobbyist Registration**

Pursuant to Section 11.2 of the Illinois Lobbyist Registration Act, 25 ILCS 170/11.2 and Section 37.006 of the Highland Park Code of 1968, as amended, the City is authorized to regulate the lobbying of City officials and staff for the purpose of influencing City actions and decisions.

In accordance with City Ordinance No. 15-12, passed on February 13, 2012 (effective on March 15, 2012), all persons who are compensated for efforts to influence any legislative or employee action by the City of Highland Park are required to register as lobbyists not later than January 20<sup>th</sup> of each calendar year, or written five business days after engaging in any activity that requires registration as a Lobbyist pursuant to Section 37.006(A) of the Highland Park Code.

The registration must include the names and addresses of the lobbyist's clients, and payment of an annual registration fee of \$25. Lobbyists would be required to file amended registrations throughout the year as necessary, and to notify the City Clerk upon termination of their lobbyist activities. Lobbyist registration information is available through the City Clerk's office for public inspection.

Ordinance No. 15-12 exempts certain activities from the definition of lobbyist, including:

- Filing an application for City permit or license;
- Responding to Request for Proposal or formal bid solicitation;
- Representation by an employee, director or officer of a not-for-profit entity for that entity; and
- Unpaid representation.

Failure to register is punishable by a fine of \$500.00, plus an additional \$500.00 for failure to register within 10 days after receipt of a notice from the City Clerk.