IRWA Illinois Chapter 12

Legal Symposium

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Illinois Highway Code
Chapter 605
Act 5
-State
-County
-Township
-Municipal
Typical Project Progression

Phase I
- Public Input
- Preliminary Plans
- Environmental Reports
- Recording of Plat

Phase II
- Refinement of Plan
- Survey
- Appraisal
- Land Acquisition
- Negotiation
- Tenant’s Rights

Phase III
- Bidding
- Construction
Future Additions 605/4-510

a. Notice to owner
b. No new construction allowed in corridor without giving IDOT notice.
   -45 days to respond.
   -120 days to purchase or condemn.
   -During these 165 days, landowner may not develop property.

§ 4-214. Whenever any highway is laid out, widened or altered,…the Department shall cause a plat thereof to be made and recorded…
§ 4-503. For the purpose of making subsurface soil surveys, preliminary surveys... the Department, or any county, ...after written notice to the known owners and occupants, if any, may enter upon the lands...of any person, but subject to responsibility for all damages which shall be occasioned thereby.
Refinement to Plans
Appraisal Process
Negotiations
LEASE

All compensation awarded for any taking under the power or threat of eminent domain shall be the property of Landlord, and Tenant hereby assigns to Landlord all of the Tenant’s right, title and interest in and to any and all of such compensation.
Resident Engineer
Remove Signs, Lights, etc. from new ROW