

1 AMENDMENT TO HOUSE BILL 5592

2 AMENDMENT NO. _____. Amend House Bill 5592 on page 8,
3 line 27, after "purposes", by inserting the following:

4 ", except that this provision shall not relieve the public
5 utility from the obligation to pay for any physical damage it
6 causes to improvements lawfully located in the right-of-way.
7 Owners of abutting property whose descriptions include the
8 right-of-way but are made subject to the right-of-way shall
9 be entitled to compensation for use of the right-of-way"; and

10 on page 10, line 12, after "road.", by inserting the
11 following:

12 "For purposes of the preceding sentence, property that
13 includes a portion of a highway or road but is subject to the
14 highway or road shall not be considered to end at the highway
15 or road."; and

16 on page 10, line 19, after "consent.", by inserting the
17 following:

18 "This provision is not intended to absolve a utility from
19 obtaining consent from a lawful owner of the roadway or
20 highway property (i.e. a person whose deed of conveyance
21 lawfully includes the property, whether or not made subject
22 to the highway or road) but who does not pay taxes by reason
23 of Division 6 of Article 10 of the Property Tax Code."; and

1 on page 11, line 28, after "property being conveyed", by
2 inserting the following:

3 "or expressly states that the road, street, highway, or alley
4 is excepted from the property being conveyed. A conveyance
5 does not expressly exclude a road, street, highway, or alley
6 if the conveyance is described as being "subject to" the
7 road, street, highway, or alley. The rights accruing in the
8 abutting property owner under this Act shall be subject to
9 all existing uses and easements located within the
10 right-of-way; the rights shall also be subject to such future
11 uses and easements as may be permitted to be located within
12 the right-of-way under the provisions of the Illinois Highway
13 Code or any successor statute thereto".