

**LAKE CARROLL ASSOCIATION
ARCHITECTURAL & ENVIRONMENTAL COMMITTEE**

3-200 Association Drive

Lake Carroll, Illinois 61046

815-493-2552

VACATION OF RE-PLATS:

(1) An owner may file a Petition for the vacation of a previously approved re-plat of Lots in accordance with the following:

(a) A Petition shall be filed with the A&E Committee and the Board of Directors using the proper form containing information and documentation prescribed by the A&E Committee and the Board of Directors.

(b) The Petition shall include a non-refundable filing fee in the amount determined by the A&E fee structure.

(c) As a condition of approval of a vacation of any such previously approved re-plat, the Owner shall be required to pay any and all Association annual assessments, costs and expenses for each Lot which accrued during the years that any such assessments, costs and expenses were abated as a result of the re-plat. In addition, the Owner must pay in full, any and all outstanding debts, obligations and liabilities owed to the Association.

(d) Prior to the A&E Committee's review of a Re-Plat Vacation Petition by a property owner, and prior to the Board of Directors taking action on the Notice of the Petition, a copy of the Petition along with the hearing date and time, shall be provided to all adjacent property owners as specified and provided for in Sect. 72.55, 72.56, 72.57, and 72.58 of the Lake Carroll Rules and Regulations. All hearings shall be conducted in the manner prescribed in Sect. 72.55, 72.56, 72.57, and 72.58, giving all interested parties the opportunity to voice their opinion on whether or not the relief sought in the Petition should be denied, approved, or approved with conditions.

(e) The vacation of a previously approved re-plat may be denied by the Board of Directors for any one (1) or more of the following reasons, which list is not to be construed either directly or indirectly as being all inclusive.

1. The Board of Directors determines that any such vacation would not be in the best interest of the Association as a whole.

2. The Owner is indebted to the Association and has not settled the Owner's debt in full, or that the Owner is not otherwise in good standing with the Association.

3. Improvements have been constructed across the previously re-platted Lot lines.

4. Where the petition is lacking in form, substance or content.

5. Where the vacation of the re-plat would create additional Lots which are not part of the original re-platted Lots.

6. Where doing so would be a violation of the Association's governing documents.

7. When good cause is otherwise shown for the denial of the vacation.

8. Where the vacation would result in a reconfiguration of the original Lot or Lots dimensions, surface area or characteristics which differed from the originally platted Lot or Lots that were included in and part of the original re-plat.

(f) Plat of vacation needs to be filed with the County Court House.

(2) MISCELLANEOUS PROVISIONS.

(1) The Board of Directors shall have the right to waive any term or provision of these Rules and Regulations for good cause shown. In the event the Board of Directors elects to do so, the Board of Directors must make specific findings of fact setting forth the basis for such waiver.

You may give written notice by completing and submitting the form below.

Submission Date _____

Name _____

Address _____

City / Town / State _____ **Zip Code** _____

Lots to be Vacated - Section ____ **Lot** ____ **Section** ____ **Lot** ____ **Section** ____ **Lot** ____

Total number of *original* lots included in this Vacate request _____

Sincerely,

Building Inspector
Lake Carroll Association
815-493-2552 Ex. 125

(For office use only)

Approved by A & E Committee: Date: _____ **Signature:** _____

Approved by Board of Directors: Date: _____ **Signature:** _____