

PLAT ACT – AFFIDAVIT

TO BE FILED WITH ANY TRANSFERS OF LAND DOCUMENTS RECORDED WITH THE COUNTY CLERK/RECORDER OF MONTGOMERY COUNTY

765 ILCS 205/1 States in part:

“WHENEVER the owner of land subdivides it into two or more parts, any of which is less than five acres, he must have it surveyed and a Subdivision plat thereof made by an Illinois Registered Land Surveyor.” Therefore, before a transfer document is accepted for recording in Montgomery County, IL, this affidavit must be signed and presented with the transfer document.

State of Illinois) SS.
County of Montgomery)

Affiant is (agent for) (an officer of) (one of) the grantor(s) in a (deed) (lease) (contract) transferring interest in the real estate described in the accompanying document. Affiant further states this transfer is exempt and not in violation of the Illinois Plat Act, 765 ILCS 205/1, for one of the following reasons: (Except as provided in sub-section (c) of this Section, the provisions of this Act do not apply and no subdivision plat is required in any of the following instances):

(CIRCLE NUMBER BELOW WHICH IS APPLICABLE TO ATTACHED DOCUMENT)

1. **NOT A DIVISION OF LAND** (parcel already has an existing county real estate tax identification number and no change of parcel boundary lines)

(If 1. is circled above, the Recorder will proceed with recording the Transfer Document and no further questions apply. AFFIANT should please sign below with signature notarized.)

2. **A DIVISION OF LAND** (requiring a change of parcel boundary lines) meeting one of these exceptions- **WRITTEN APPROVAL BY COUNTY PLAT ACT OFFICER IS REQUIRED BELOW ALONG WITH APPLICABLE FEE PRIOR TO RECORDING:**

(If 2. is circled, also circle the category (a. through i.) of exception that is applicable.)

a. The division or subdivision of land into parcel or tracts of five acres or more in size which does not involve any new streets or easements of access;

b. The division of lots or blocks of less than one acre in any recorded subdivision, which does not involve any new streets or easements of access;

c. The sale or exchange of parcels of land between owners of adjoining and/or contiguous land;

d. The conveyance of parcel of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipelines which does not involve any new streets or easements of access;

e. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;

f. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments to the vacation of land impressed with a public use;

g. Conveyances made to correct descriptions in prior conveyances;

h. The sale or exchange of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access;

i. The sale of a single lot of less than five acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land.

(CIRCLE NUMBER AND/OR LETTER ABOVE WHICH IS APPLICABLE TO ATTACHED TRANSFER DOCUMENT BEFORE RECORDING THE TRANSFER DOCUMENT IN MONTGOMERY COUNTY, IL.)

Affiant further states that to the best of his or her knowledge that the statements contained herein are true and correct and that he makes this affidavit for the purpose of indicating to THE RECORDER OF DEEDS OF MONTGOMERY COUNTY, ILLINOIS, that the conveyance by the attached transfer document is within, and in compliance with, the provisions of the Illinois Plat Act, and is acceptable for recording.

Affiant Signature

Subscribed and Sworn to before me this ____ day of _____, 20__.

Notary Public

Subject to any County and City zoning ordinances. Check the following if it applies:

____ Plat Act Approval is not required because parcel is located wholly within municipal limits of _____, which does not require Plat Act compliance.

Affiant Signature

If Division, Document reviewed and approved by PLAT ACT OFFICER/Date approved _____

NEW PARCEL NUMBER(S) FOR DIVISION(S): _____

FOR PLAT ACT OFFICER REVIEW/APPROVAL FEE of \$25.00, PLEASE MAKE CHECKS PAYABLE TO MONTGOMERY CO. GIS