

AFFIDAVIT FOR PURPOSE OF PLAT ACT REQUIREMENTS

Whenever the owner of land subdivides it into 2 or more parts, any of which is less than 5 acres, he must have it surveyed and a subdivision plat thereof made by an Illinois Registered Land Surveyor pursuant to Chapter 765 ILCS 205/1(a). If a plat is made by an Illinois Registered Surveyor of any parcel or tract of land otherwise exempt from the plat provisions of this Act such plat shall be recorded pursuant to 765 ILCS 205/1(c). When a property is divided into parcels so that it cannot be described without describing it by metes and bounds, it is the duty of the owner to have the land surveyed and platted into lots. The platting shall be in accord with the Plat Act. The plat shall be certified and recorded pursuant to 35 ILCS 200/9-55.

WHY IS THIS AFFIDAVIT A REQUIREMENT?

Section 205/5a of the Plat Act states: ***“The Recorder or the Registrar of Title of any County shall not record deeds or leases which attempt to convey property contrary to the provisions of this Act. In case of doubt, the Recorder or the Registrar of Title of any County may require the person presenting such deed or lease to give evidence of the legality of a conveyance by an affidavit as to the facts which exempt such conveyance from the provisions of this Act”***

In order for the Recorders Office to follow the duties and guidelines required as outlined in the State Plat Act, it is necessary to require submission of this Affidavit form with every deed submitted for recording.

WHAT IS THE PURPOSE OF THIS AFFIDAVIT?

This Affidavit informs the Recorders Office if the property is being divided or not. It also informs the Building and Zoning Department (for unincorporated Woodford County) and the Assessment Office as to what exemption to the Plat Act is being exercised.

WHEN WILL THIS AFFIDAVIT TAKE EFFECT?

This Affidavit will be required with every deed received in the Recorder of Deeds Office effective December 1, 2021. The County Plat Officer signature will not be required for Deeds that are not a division of land and when the parcel boundaries remain unchanged. However, the Grantor/Grantor's Attorney notarized signature will still be required.

WHY IT IS REQUIRED TO HAVE THE COUNTY PLAT OFFICER SIGN THIS AFFIDAVIT?

There have been County Departments that have become concerned about property divisions being made and recorded that were in violation of local zoning or subdivision ordinances. Many times property owners would discover that they were in violation of these Ordinances when they attempted to obtain a building permit but were denied. This sign off requirement will assist property owners on keeping informed and aware of local ordinances before significant time and money is spent on prospective changes to their property that cannot be implemented.

WHERE CAN I GET A COPY OF THIS AFFIDAVIT FORM?

Printed copies are available at the Woodford County Recorder's Office and Building and Zoning Office. You may also obtain a copy at www.woodford-county.org by clicking on the County Clerk & Recorder link or Building/Zoning link.