



# CERTIFICATE OF EXEMPTION

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## PURPOSE OF THE CERTIFICATE OF EXEMPTION

The Certificate of Exemption is used when small parcels of land are being conveyed between contiguous landowners. This is an administrative procedure: it does not require review by the

Plan Commission or City Council. The Certificate of Exemption is a transfer of property through deeds. The proposed exemption is sent for outside agency review, and then

it can be administratively approved.

## CONTENTS OF THE CERTIFICATE OF EXEMPTION APPLICATION

The Planning Department has an application form which you will need to complete that is included in this application package. It is often helpful to meet with City staff prior to the submission of the application or to schedule an appointment to review your application when it is formally submitted. Staff cannot supply you with legal advice, nor is it required, but you are welcome to bring your attorney, architect, builder, or anyone else you believe will be helpful to any meetings.

The application asks for a variety of information including name and address of the landowners; existing zoning

classification; current and proposed land use; current and future legal descriptions of the two properties; a sketch of the proposed conveyance; and other relevant characteristics about the subject properties. The application also requires you to fill out the Certificate itself, along with verifications and affidavits that allow the transference of property.

The sketch itself should include the length of all boundary lines of all adjacent streets, blocks, lots, public grounds, easements, rights-of-way and information sufficient to derive the length of these lines. This document should show a visual representation of the proposed

conveyance, however, this document does not need to be created by a licensed Professional Engineer; it can be created by a Land Surveyor. A metes and bounds written description of the conveyance is necessary in order for the legal transaction to take place. In addition, the width of all rights-of-way and easements adjacent to, impacting, or serving the tract should be shown, as well as any floodplain information in accordance with Chapter 9 of the Municipal Code.

Four copies of the sketch should be submitted to the Planning Department for review.

### CITY OF CHAMPAIGN PLANNING DEPARTMENT

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# CERTIFICATE OF EXEMPTION

Please use this worksheet as a guide when filling out your Certificate of Exemption Application. If applications are not complete, they will not be reviewed by Planning Staff. If you have additional questions not answered by this worksheet, please contact the Planning Department.

| SECTION AND INSTRUCTIONS | COMPLETE | NOT NEEDED |
|--------------------------|----------|------------|
|--------------------------|----------|------------|

**1. APPLICANT & CONTACT INFORMATION**

- Provide the full name, address, phone number, and email address for the applicant and primary contact person, if other than applicant.

**2. CONSULTANT INFORMATION**

- Provide the name, firm name, address, phone number, and email address for any consultants there may be on this project. If additional space is needed, please attach a separate sheet in the same format labeled "Consultant Information"

**3. GRANTOR & PROPERTY INFORMATION**

- Provide the full name, address, phone number, and email address for the grantor (conveyor or seller).
- Please also check the box whether the owner is a Trust, Corporation, LLC, Not-for-Profit, or Partnership. If "yes" is checked, provide the following information for the applicable type of owner (a sample form can be found on the City's website): 
  - For **trusts**, please disclose beneficial interest on bank or trust stationery. The disclosure should be of all beneficial owners, as well as anyone with the power of direction over the land trust. Provide full names, addresses, and phone numbers.
  - For **partnerships**, please provide full names, addresses, and phone numbers for all partners, and state whether they are general or limited.
  - For **limited liability corporations**, please provide full names, addresses, and phone numbers for all managers and members of the limited liability corporation.
  - For **corporations**, please provide full names, addresses, and phone numbers for all shareholders if the stock is *NOT* publicly held. If the stock is publicly held, please provide information for those persons owning or controlling 5% or more stock.
  - For **not-for-profit corporations**, please provide full names, addresses, and phone numbers for all members of the board (or controlling entity) and the manager (or head of the organization).
- Indicate the following information for the conveyor's property:
  - Property address.
  - Parcel ID Number. This number can be determined by contacting the Champaign County Assessor's Office or by looking on your tax bill.
  - Property's current gross acreage.
  - Property's current zoning classification.
  - Property's current land use.
  - Property's proposed land use.
  - Square footage of land to be conveyed.
  - Whether the parcel is within a 100-year floodplain.
  - Whether the parcel is within City Corporate Limits.
  - Whether the parcel is adjacent to an IDOT right-of-way.

**4. GRANTEE & PROPERTY INFORMATION**

- Provide the same information as indicated above, except the information will be for the grantee (conveyee or buyer) and his/her property.
- Please note, this section will not require the grantee to indicate the square footage of land to be convey.

**SECTION AND INSTRUCTIONS**

**COMPLETE**

**NOT  
NEEDED**

**5. CERTIFICATE OF EXEMPTION**

- This is the actual certificate that will be approved by the Planning Director and City Engineer. Note that this form must be TYPED. Fill out the certificate with the required information: name (grantor's name), description of property to be conveyed, name (grantee's name), description of grantee's property, name of tract, legal description of the grantee's property AFTER conveyance, name (grantor's name), legal description of the grantor's property AFTER conveyance.
- Note that this section also states criteria that the applicant must meet in order to apply for a Certificate of Exemption.
- Signatures of both the Owner Grantor and Owner Grantee are required.

**6. VERIFICATION**

- This section is required if the person filling out the application forms is not the applicant. This section will need to be filled out before a notary public.

**7. AFFIDAVIT FOR CERTIFICATE OF EXEMPTION**

- This affidavit must be sworn before a notary public and contains the following information: name (grantor's name), legal description of the grantor's property, legal description of the portion of property to be conveyed, new owner's name (grantee's name), description of grantee's property, reason why the division is exempt from the Plat Act requirements, and signatures of both the grantor and grantee.

**CHAMPAIGN MUNICIPAL CODE**

- This section contains applicable Code sections. Additional information can be found in the City of Champaign Municipal Code, Chapter 31, otherwise known as Subdivision Regulations. This document can also be found online through the City's website.

**NOTICE TO APPLICANT**

- This section provides additional information that applicants and other interested parties should be aware of, including the recommendation of a pre-application meeting with City staff as well as other pertinent information.

**ATTACHMENTS**

- A. Please attach a copy of BOTH deeds or other proof of parcel ownership.
- B. Please attach all certified covenants, easements, or conditions which restrict the use of BOTH parcels or restrict the structure or what may be placed on the parcels. This requirement applies to any covenants, easements, or conditions which are contained in the deed of the subject parcel, including those contained in the subdivision plat or owner's certificate. Make sure to check either "I have attached these documents" or "There are no covenants, easements, or conditions that relate to this property".
- C. Please attach four (4) half-size (11 in. x 17 in.) or quarter-size (8.5 in. x 11 in.) copies of the subdivision sketch.
- D. Please attach the proposed deed for the property to be conveyed.
- E. If you are seeking administrative waivers, please attach a waiver request letter including all waiver requests and justification for the waiver items in accordance with regulations and standards. Make sure to check either "I have attached a waiver request letter" or "I am not requesting waivers".
- F. If you are dedicating new easements through the subdivision sketch, please include an Owner's Certificate. Make sure to check either "I have included the Owner's Certificate" or "I am not dedicating new easements".

**SUBDIVISION SKETCH REQUIREMENTS**

- This section contains information on the requirements of the subdivision sketch. This information can also be found in Chapter 5. Certificate of Exemption of the Manual of Practice.

**Please fully review the application and make sure that any and all applicable documentation has been made and all supplemental materials are attached prior to submission to the City of Champaign Planning Department. Incomplete applications will not be processed.**