



# McHenry County

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## Division of Transportation

Joseph R. Korpalski, Jr., P.E.  
Director of Transportation/County Engineer

### Frequently Asked Questions For Nondedicated Subdivision Roads January 6, 2017

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Q: What is a Nondedicated Subdivision Road (NSR)?

A: An NSR is a road that was part of a subdivision platted prior to July 23, 1959 that is not under the jurisdiction of any public agency. Thus it is owned and maintained privately.

Q: How do I know if I live on an NSR?

A: The County does not have a complete inventory of all NSRs in McHenry County. There are some maps on the [McHenry County Transportation website](#) that show many NSRs by township. If you do not see your road listed, it is recommended that you contact the Highway Commissioner for your township and see if they maintain your road.

The contacts for the various township Highway Commissioners are listed on the [McHenry County Transportation website](#).

Q: I live on what used to be an NSR but it is now a County Highway. What does this mean?

A: A survey was sent in February 2015 to those known subdivisions that have NSRs. The County Board then passed a resolution on August 2, 2016 accepting all NSRs that answered the survey stating they wanted to be taken into a public jurisdiction. The Illinois Department of Transportation (IDOT) then approved the addition of those NSRs to the County Highway System. The IDOT letter stipulated that those NSRs should be transferred immediately once improved to the appropriate township jurisdiction.

The County Board resolution and the IDOT letter can be found on the [McHenry County Transportation website](#).

Q: What does “improved” mean to my road?

A: The resolution passed by the County Board on August 2, 2016 states:

*“...the McHenry County Board recognizes the unique character of these historical neighborhoods containing Nondedicated Subdivision Roads and understands that the Nondedicated Subdivision Roads cannot comply or be made to comply with the road standards currently in effect without significantly altering the unique and historical characteristics of these neighborhoods.”*

The resolution then goes on to state the following:

*“...the McHenry County Board’s Transportation Committee will prioritize the sequence of the projects for improving the Nondedicated Subdivision Roads and the Transportation Committee shall direct McHenry County Division of Transportation to prepare plans and specifications for repaving and/or otherwise improving the approved projects following only the base and surface course standards as needed, employing any other road standards where practicable.”*

It is the intent of the McHenry County Division of Transportation (MCDOT) to work with the property owners and the township road districts to determine what is needed to “improve” each road on a case by case basis so that the jurisdiction of the road can be transferred from the County to the township road district as required by IDOT.

Q: When will my road be “improved”?

A: The County Board programmed \$8,060,000.00 to “improve” the initial 23 miles of NSRs that are now County Highways. The goal is to “improve” the 23 miles by 2019.

Q: Will the County need any right-of-way to “improve” my road?

A: Each subdivision and road is different. Depending on how the road was originally platted, additional right-of-way may or may not be needed. Research will have to be done for each road to determine what right-of-way may or may not exist.

Q: What if my road was an NSR but is now a County Highway and I would rather have it back as an NSR?

A: The County would have to investigate if reverting a County Highway back to an NSR is possible. Any such requests should be made in writing to the Division of Transportation, attention County Engineer.

Q: What if I live on a road that is still an NSR and I want it to be improved and taken over by a public agency?

A: There are over 50 miles of known NSRs in McHenry County. Only approximately 23 miles have been accepted into the County Highway system. The \$8,060,000 that was programmed to fund this NSR Program is allocated to the first 23 miles. To become part of the County Highway system, to then be improved so that the jurisdiction can be transferred to the township, a subdivision needs to petition the township to take part in the County’s NSR Program.

Once a petition is filed with the township, it will be sent to the MCDOT. At this point, the County Board will have to pass a resolution accepting it and also appropriate additional funds for each road. Petitions received to date are shown on the [McHenry County Transportation website](#). IDOT needs to approve the County’s acceptance as well.

Q: When will I know if my road is next to be “improved”?

A: The County will develop a Letter of Intent (LOI) with each township for each subdivision/road that is to be “improved”. Each LOI will be approved by the Transportation Committee of the County Board. This LOI will outline the basic parameters that will be formalized through an intergovernmental agreement between the County and township. The LOI will not go into any details about what will be done to the road but will rather outline the general process. The general process will include the topics of needing to perform engineering to develop plans for construction, right-of-way evaluation, coordination with the property owners, and eventual transfer of the road’s jurisdiction to the township once the project is completed.

Q: Have any roads gone through this process yet?

A: Yes. Several subdivision have been “improved” thus far and more are planned.

Q: So until my road is “improved”, who is maintaining it?

A: The NSRs that were approved by the County Board on August 2, 2016 and then approved by IDOT are now County Highways and are the responsibility of the County to maintain. Due to the character of these new roads, the County has entered into intergovernmental agreements with each township to maintain the roads on behalf of the County. The current maintenance agreement is for one year ending on November 30, 2017. A new agreement would then be needed for the following year.

Q: What if I have a concern or question about the maintenance of my road that is now a County Highway, who should I contact?

A: For those NSRs that are now County Highways, you should contact the MCDOT. The general number is (815) 334-4600. Regular hours are M-F 8:00 am to 4:30 pm. You can also email the County at [mcdot@co.mchenry.il.us](mailto:mcdot@co.mchenry.il.us)