



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 17-0149      **Version:** 1      **Name:** Gilmer Road Retaining Wall Maintenance and Culvert Replacement: Appropriation with Condemnation Authority

**Type:** resolution      **Status:** Passed

**File created:** 1/31/2017      **In control:** Public Works and Transportation Committee

**On agenda:**      **Final action:** 2/14/2017

**Title:** Joint resolution appropriating \$985,000 of County Bridge Tax funds for the construction and acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road retaining wall maintenance and culvert replacement, and designated as Section 14-0000-07-GM.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/14/2017	1	Lake County Board	adopted	Pass
2/8/2017	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
2/8/2017	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$985,000 of County Bridge Tax funds for the construction and acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road retaining wall maintenance and culvert replacement, and designated as Section 14-0000-07-GM.

- Gilmer Road Retaining Wall Maintenance and Culvert Replacement: Appropriation with Condemnation Authority.
- A culvert replacement and retaining wall maintenance are required on Gilmer Road and Sequoia Road and are included in the Highway Improvement Program.
- Preliminary plans and specifications for this improvement have been prepared.
- Before a construction letting and right-of-way acquisitions can proceed, authority for appropriation and condemnation is necessary.
- An appropriation of \$985,000 of County Bridge Tax funds is required.

### RESOLUTION

**WHEREAS**, Gilmer Road, County Highway 26, is a designated route on the County highway system; and

**WHEREAS**, it would be beneficial to the safety and welfare of the motoring public if Gilmer Road would be improved by a culvert replacement and retaining wall maintenance; and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared

preliminary plans and right-of-way plats, said plats identifying right-of-way needs; and

**WHEREAS**, before a construction letting and right-of-way acquisitions can proceed, authority for appropriation and condemnation is necessary; and

**WHEREAS**, the construction, right-of-way and associated costs are estimated to be \$985,000.

**NOW, THEREFORE BE IT RESOLVED** by this Lake County Board of Illinois:

**SECTION 1:** It is hereby determined that it is necessary and desirable that Lake County acquire title to and possession of all of the real property within the proposed new right-of-way lines of Gilmer Road at Sequoia Road, together with construction and other easements, both temporary and permanent for said highway, all as outlined in plats of highways made under the direction of Paula Trigg, Lake County Engineer, copies of which are filed in the office of the Lake County Engineer, which said real property and easements are necessary, required, and needed for the improvement of said highway.

**SECTION 2:** That the Lake County Division of Transportation, or its agents, on behalf of Lake County be, and are hereby authorized, empowered and directed to negotiate with and purchase therefrom the owner or owners of all the real property determined to be necessary under this resolution and described in the plats of survey of said highway.

**SECTION 3:** In the event that said Lake County Division of Transportation is unable to agree with the owner or owners of said real property upon the compensation to be paid therefore, then title to and possession of said real property described in Section 1 of this resolution shall be acquired by condemnation by Lake County. The State's Attorney of Lake County is hereby authorized, empowered and directed to institute proceedings in any court of competent jurisdiction to acquire title to and possession of said property for Lake County in accordance with the Eminent Domain Laws of the State of Illinois.

**SECTION 4:** That there is hereby appropriated \$985,000 of County Bridge Tax funds for the construction and acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road retaining wall maintenance and culvert replacement, and designated as Section 14-0000-07-GM.

**DATED** at Waukegan, Illinois, on February 14, 2017.