



Lake County Illinois

Legislation Details (With Text)

File #: 22-0494 **Version:** 1 **Name:** Stearns School Road at US Route 41: Right-of-Way Appropriation
Type: resolution **Status:** Passed
File created: 3/21/2022 **In control:** Public Works, Planning & Transportation Committee
On agenda: **Final action:** 4/12/2022

Title: Joint resolution appropriating \$200,000 of Motor Fuel Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvements to the intersection of Stearns School Road at US Route 41.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 22-0494 Location Map, Stearns School Rd at US 41

Date	Ver.	Action By	Action	Result
4/12/2022	1	Lake County Board	adopted	Pass
4/7/2022	1	Financial & Administrative Committee	recommended for adoption to the regular agenda	Pass
4/6/2022	1	Public Works, Planning & Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$200,000 of Motor Fuel Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvements to the intersection of Stearns School Road at US Route 41.

- The intersection of Stearns School Road at US Route 41 needs to be improved, inclusive of additional turn lanes.
- Preliminary engineering plans and right-of-way plats identifying the right-of-way needs for the improvement have been prepared and approved by the Illinois Department of Transportation.
- Lake County Division of Transportation funded Phase I and Phase II engineering and the Illinois Department of Transportation will lead and fund construction.
- This project is included in the Transportation Improvement Program with target construction in 2023, and designated as Section 16-00222-02-CH.

RESOLUTION

WHEREAS, Stearns School Road, County Highway 74, is a designated route on the County highway system; and

WHEREAS, Lake County believes it would be beneficial to the safety and welfare of the traveling public if the intersection of Stearns School Road at US Route 41 could be improved, inclusive of additional turn lanes; and

WHEREAS, Lake County, by and through its Division of Transportation, has cause to be prepared preliminary plans and right-of-way plats identifying right-of-way needs for the improvement; and

WHEREAS, property appraisals have been prepared and associated right-of-way costs have been estimated; and

WHEREAS, an appropriation of funds is required.

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

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, and any reasonable modifications to the right-of-way lines along Stearns School Road at US Route 41, together with construction and other easements, both temporary and permanent, and any reasonable modifications to the proposed easements, for the improvement of said highways, all as outlined in plats of highways made under the direction of Shane E. Schneider, County Engineer of Lake County, Illinois, 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 highways.

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

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 \$200,000 of Motor Fuel Tax funds for the purchase of the real property determined to be necessary under this resolution, for right-of-way acquisition for this improvement as described in the said plats of highways and other associated right-of-way costs, and designated as Section 16-00222-02-CH.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit four certified originals of this resolution to the district office of the Department of Transportation.

BE IT FURTHER RESOLVED that this appropriation be processed by the County Engineer for final approval of the Illinois Department of Transportation in accordance with the "Agreement of Understanding" between the Illinois Department of Transportation and Lake

County, dated May 3, 2018.

DATED at Waukegan, Illinois, on April 12, 2022.