



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 09-1789      **Version:** 1      **Name:** Delany Road from Tannahill Drive to York House Road, Right-of-Way Acquisition: Appropriation with Condemnation Authority

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

**File created:** 7/28/2009      **In control:** Public Works and Transportation Committee

**On agenda:**      **Final action:** 8/11/2009

**Title:** Joint resolution for the acquisition of necessary right-of-way by agreement or condemnation, and other right-of-way costs associated with the proposed widening and reconstruction of Delany Road from Tannahill Drive to York House Road. A supplemental appropriation of \$150,000 of Motor Fuel Tax is made and designated as Section 00-00093-17-WR.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/11/2009	1	Lake County Board	adopted	Pass
8/5/2009	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
8/5/2009	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution for the acquisition of necessary right-of-way by agreement or condemnation, and other right-of-way costs associated with the proposed widening and reconstruction of Delany Road from Tannahill Drive to York House Road. A supplemental appropriation of \$150,000 of Motor Fuel Tax is made and designated as Section 00-00093-17-WR.

- Delany Road from Tannahill Drive to York House Road, Right-of-Way Acquisition: Appropriation with Condemnation Authority
- Preliminary plans and specifications for this improvement have been prepared.
- Right-of-way acquisition for this project is authorized by agreement or condemnation.
- A supplemental appropriation of \$150,000 of Motor Fuel tax is made.

**WHEREAS**, Delany Road (*County Highway 22*) 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 Delany Road from Tanahill Drive to York House Road could be improved by widening and reconstruction; 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**, this County Board of Lake County by prior resolution has appropriated \$800,000 of Motor Fuel Tax funds and \$120,000 of Matching Tax funds for right-of-way acquisitions and associated costs; and

**WHEREAS**, a supplemental appropriation of \$150,000 of Motor Fuel Tax funds are needed.

**NOW, THEREFORE BE IT RESOLVED** by this County Board of Lake County, 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 Delany Road from Tanahill Drive to York House Road together with construction and other easements, both temporary and permanent, for said highway, all as outlined in plats of highways made under direction of Martin G. Buehler, 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 highway.

**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 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 a supplemental appropriation of \$150,000 of Motor Fuel Tax funds for the purchase of the real property determined to be necessary under this resolution and described in the plats of survey of said highway and designated as Section 00-00093-17-WR.

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County Engineer  
On behalf of IDOT pursuant to Agreement  
Of Understanding dated January 22, 2003

Dated at Waukegan, Illinois, this 11th day of August 2009