



Lake County Illinois

Legislation Details (With Text)

File #: 18-0512 **Version:** 1 **Name:** 2018 Lake County Forest Preserve District: Ordinance and Agreement for Upcoming Projects
Type: ordinance **Status:** Passed
File created: 4/25/2018 **In control:** Public Works and Transportation Committee
On agenda: **Final action:** 5/8/2018

Title: Ordinance approving the conveyance of parcels of land for right-of-way, permanent and temporary easements, and temporary licenses (District Properties) from the Lake County Forest Preserve District (District) to Lake County, authorizing the disposal of excess property via a quitclaim deed from Lake County (County Property) to the District, and effectuating an agreement relating to the conveyance of the County Property and the District Properties and construction of public improvements along various highways in Lake County.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 18-0512 LCFPD Upcoming Projects Agreement Draft.pdf

Date	Ver.	Action By	Action	Result
5/8/2018	1	Lake County Board	adopted	Pass
5/2/2018	1	Financial & Administrative Committee	recommended for adoption to the regular agenda	Pass
5/2/2018	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Ordinance approving the conveyance of parcels of land for right-of-way, permanent and temporary easements, and temporary licenses (District Properties) from the Lake County Forest Preserve District (District) to Lake County, authorizing the disposal of excess property via a quitclaim deed from Lake County (County Property) to the District, and effectuating an agreement relating to the conveyance of the County Property and the District Properties and construction of public improvements along various highways in Lake County.

- The County requires right-of-way, permanent easements, and temporary easements from the District for several improvements.
- The improvements are: Wadsworth Road at Kilbourne Road (Wadsworth Savanna Forest Preserve); Fairfield Road at Monaville Road (Grant Woods Forest Preserve); 14th Street from Illinois Route 131 to Sheridan Road (Greenbelt Forest Preserve); St. Marys Road and Everett Road 3R resurfacing (Grainger Woods Forest Preserve and Daniel Wright Woods Forest Preserve); Fort Hill Trail (within Ray Lake Forest Preserve along Fremont Center Road).
- These improvements are included in the highway improvement program, with the exception of the Fort Hill Trail extension which is included in the County's 2040 Non-Motorized Plan.
- The County will convey a portion of property at the northwest corner of Illinois Route 131 and 14th Street/Pulaski Drive, directly adjacent to the Greenbelt Forest Preserve, to the Lake County Forest Preserve District.

ORDINANCE FINDING IT NECESSARY OR CONVENIENT FOR LAKE COUNTY TO ACQUIRE AND USE REAL ESTATE OWNED BY THE LAKE COUNTY FOREST PRESERVE DISTRICT IN

CONNECTION WITH IMPROVEMENTS ALONG VARIOUS HIGHWAYS IN LAKE COUNTY

WHEREAS, the Lake County Forest Preserve District (the District) and Lake County believe it would be beneficial for the safety and welfare of the motoring public if improvements could be made along various highways in Lake County; and

WHEREAS, these improvements require rights-of-way, permanent and temporary easements, and temporary licenses from the District (the District Properties) for the roadway improvements, including the construction of multi-use paths and drainage improvements; and

WHEREAS, the improvements are located at Wadsworth Road at Kilbourne Road (Wadsworth Savanna Forest Preserve); Fairfield Road at Monaville Road (Grant Woods Forest Preserve); 14th Street from Illinois Route 131 to Sheridan Road (Greenbelt Forest Preserve); St. Marys Road and Everett Road 3R resurfacing (Grainger Woods Forest Preserve and Daniel Wright Woods Forest Preserve); Fort Hill Trail (within Ray Lake Forest Preserve along Fremont Center Road); and

WHEREAS, the County will convey to the District a portion of excess property at the northwest corner of Illinois Route 131 and 14th Street/Pulaski Drive, directly adjacent to the Greenbelt Forest Preserve (the County Property); and

WHEREAS, the County Property containing a total of 0.215 acres, zoned municipal, is adjacent to and adjoining property owned by the District; and

WHEREAS, the County Engineer has determined that the County Property is not needed for current or future transportation improvements by the Lake County Division of Transportation, and will be more appropriately utilized for the public under the stewardship of the District; and

WHEREAS, Lake County and the District are desirous of entering into an agreement stating the terms and conditions for conveyance of the County Property and the District Properties and for the design and construction of certain public improvements, substantially in the form of the draft agreement attached hereto; and

WHEREAS, pursuant to Section 10 of Article 7 of the Illinois Constitution of 1970, units of local government, such as the District and the County, may contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, in accordance with the Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq., it is necessary or convenient for the County to use, occupy, or improve the District Properties in the making of a public improvement or for a public purpose; and

WHEREAS, in accordance with the Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq., the District may transfer the District Properties to the County upon such terms as may be agreed upon by the corporate authorities of the County, and the District and subject to the provisions of such Act; and

WHEREAS, the District has adopted or intends to adopt a resolution approving the conveyance of the District Properties to the County and an ordinance approving the agreement and declaring that it is necessary or convenient for it to use, occupy or improve the County Property.

NOW, THEREFORE BE IT ORDAINED by this Lake County Board that:

Section 1. The foregoing recitals are hereby incorporated by reference herein as findings of the County Board.

Section 2. The intergovernmental agreement between the County and the District is approved. The County Board Chair, the County Clerk, and the County Engineer of Lake County, Illinois, are authorized, and are hereby directed to enter into the aforementioned agreement between Lake County and the District substantially in the form attached, stating the terms and conditions for conveyance of the County Property and the District Properties and for the design and construction of certain public improvements along various highways in Lake County, and such authorization shall include any amendments.

Section 3. The County Engineer shall transmit, in writing, the final agreement and any amendments to be executed by the County Board Chair and the County Clerk.

Section 4. The County Board hereby finds and declares that it is necessary, or convenient, for the County to use, occupy, or improve the District Properties, in making of public improvements or for a public purpose.

Section 5. The County Engineer is hereby authorized to execute whatever documents are necessary to accept and effectuate the conveyance of the District Properties to Lake County in accordance with this Ordinance. The County Engineer shall prepare, or have prepared, said documents of conveyance.

Section 6: This Ordinance shall be in full force and effect from, and after, its passage and adoption by the County Board.

DATED at Waukegan, Illinois, on May 8, 2018.