



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 08-0943      **Version:** 1      **Name:** North Shore Right-of-Way: Easement Agreement with Commonwealth Edison Company: Temporary Extension  
**Type:** resolution      **Status:** Passed  
**File created:** 11/6/2008      **In control:** Public Works and Transportation Committee  
**On agenda:**      **Final action:** 11/18/2008

**Title:** Joint Resolution authorizing the execution of an extension to the existing agreement between Lake County and the Commonwealth Edison Company for an easement along the right-of-way of the former Chicago North Shore and Milwaukee Railway (County Highway 75) from December 31, 2008 to December 31, 2009.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. COMED AGRMT\_20081106131520.pdf

Date	Ver.	Action By	Action	Result
11/18/2008	1	Lake County Board	adopted	Pass
11/12/2008	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
11/12/2008	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint Resolution authorizing the execution of an extension to the existing agreement between Lake County and the Commonwealth Edison Company for an easement along the right-of-way of the former Chicago North Shore and Milwaukee Railway (*County Highway 75*) from December 31, 2008 to December 31, 2009.

- North Shore Right-of-Way: Easement Agreement with Commonwealth Edison Company: Temporary Extension
- Commonwealth Edison had an easement agreement with the Chicago North Shore and Milwaukee Railway dated March 8, 1957, which railway subsequently went out of business.
- Lake County subsequently acquired title to and possession of a portion of said railway right-of-way and designated such right-of-way as County Highway 75.
- The current agreement expires December 31, 2008.
- Lake County and Commonwealth Edison Company mutually desire to extend the conditions of said easement as it relates to the right of way but as yet have not been able to finalize the terms of such extension.
- This resolution authorizes an agreement to extend said easement to December 31, 2009.

### RESOLUTION

**WHEREAS**, Commonwealth Edison Company had an easement with the Chicago North Shore and Milwaukee Railway dated March 8, 1957 under which agreement Commonwealth Edison utilization of a portion of said railway right-of-way; and

**WHEREAS**, subsequent to the execution of said easement the Chicago North Shore and Milwaukee Railway cease to exist as an operating railway company; and

**WHEREAS**, Lake County acquired title to and possession of a portion of said railway right-of-way such right-of-way and is designated as County Highway 75; and

**WHEREAS**, Lake County and Commonwealth Edison Company by agreement dated May 10, 1966 extended the conditions of the said easement between Commonwealth Edison Company and the Chicago North Shore and Milwaukee Railway; and

**WHEREAS**, said agreement dated May 10, 1966 expires on December 31, 2008; and

**WHEREAS**, Lake County and Commonwealth Edison Company mutually desire to extend the term of said agreement, but as yet have not been able to finalize the terms of such extension; and

**WHEREAS**, Lake County and Commonwealth Edison Company mutually desire to extend the term of said agreement to December 31, 2009, a draft copy of said extension agreement attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of Lake County, that the Chair of the County Board, the County Clerk, and the County Engineer of Lake County, Illinois, be authorized and they are hereby directed to execute an agreement between Lake County and Commonwealth Edison Company extending the term of said easement agreement as it relates to the right-of-way of the former Chicago North Shore and Milwaukee Railway to December 31, 2009. The County Engineer shall transmit in writing the final agreement to be executed by the Chair of the Lake County Board and the County Clerk.

Dated at Waukegan, Illinois, this 18<sup>TH</sup> day of November A.D., 2008