



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 12-0877      **Version:** 1      **Name:** Rollins Road Gateway Improvement, Right-of-Way Acquisition: Supplemental Appropriation with Condemnation Authority

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

**File created:** 8/1/2012      **In control:** Public Works and Transportation Committee

**On agenda:**      **Final action:** 8/14/2012

**Title:** Joint resolution appropriating a supplemental amount of \$4,144,000 of 2011A Tax Exempt GO Bonds Road Construction funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Rollins Road Gateway Improvement at the intersections of Illinois Route 83/Rollins Road/ Hainesville Road, and designated as Section 08-00080-56-BR.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/14/2012	1	Lake County Board	adopted	Pass
8/8/2012	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
8/8/2012	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating a supplemental amount of \$4,144,000 of 2011A Tax Exempt GO Bonds Road Construction funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Rollins Road Gateway Improvement at the intersections of Illinois Route 83/Rollins Road/ Hainesville Road, and designated as Section 08-00080-56-BR.

- Rollins Road Gateway Improvement, Right-of-Way Acquisition: Supplemental Appropriation with Condemnation Authority.
- The improvement of the intersections of Illinois Route 83/Rollins Road /Hainesville Road, which includes construction of a grade separation of the Canadian National Railroad (CN RR), is a chosen project for the transportation challenge bonds 2011 issuance.
- Before right-of-way acquisitions can continue, a supplemental appropriation and condemnation authority is necessary.
- The County Board, at its meeting on May 8, 2012, approved the appropriation of \$5,606,000 for the right-of-way acquisition, and associated costs, based on preliminary plans and specifications.
- Appraisals for this improvement have been prepared, and a supplemental appropriation of \$4,144,000 of 2011A Tax Exempt GO Bonds Road Construction funds is required.

### RESOLUTION

**WHEREAS**, Rollins Road, County Highway 31, is a designated route on the County highway system; and

**WHEREAS**, it would be beneficial for the safety and welfare of the motoring public if Rollins Road, at its intersection with Hainesville Road, County Highway 24, and Illinois Route 83, could be improved along with construction of a grade separation of the CN RR to provide increased traffic capacities (Rollins Road Gateway Improvement); 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, at its meeting of May 8, 2012, approved the appropriation of \$5,606,000 for the right-of-way acquisition, and associated costs, based on the preliminary plans; and

**WHEREAS**, appraisals are now prepared and the right-of-way, and associated costs, are estimated to be \$9,750,000; and

**WHEREAS**, a supplemental appropriation of \$4,144,000 of 2011A Tax Exempt GO Bonds Road Construction 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 of Rollins Road, at the intersections of Illinois Route 83/Rollins Road/Hainesville Road, and for the grade separation of the CN RR, 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, Acting County Engineer of Lake County, Illinois, copies of which are filed in the office of the Acting 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 there from 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 amount of \$4,144,000 of 2011A Tax Exempt GO Bonds Road Construction funds for the purchase of the real property determined to be necessary under this resolution and described in the said plats of highways and associated costs, and designated as Section 08-00080-56-BR.

**DATED** at Waukegan, Illinois, on August 14, 2012.

