



Lake County Illinois

Legislation Details (With Text)

File #: 16-0570 **Version:** 1 **Name:** Hart Road at US Route 14 Intersection Improvement; Right-of-Way Acquisition: Supplemental Appropriation with Condemnation Authority

Type: resolution **Status:** Passed

File created: 6/1/2016 **In control:** Public Works and Transportation Committee

On agenda: **Final action:** 6/14/2016

Title: Joint resolution appropriating a supplemental amount of \$350,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvement to the intersection of Hart Road, at U.S. Route 14, and designated as Section 09-00174-05-CH.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/14/2016	1	Lake County Board	adopted	Pass
6/8/2016	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
6/8/2016	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating a supplemental amount of \$350,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvement to the intersection of Hart Road, at U.S. Route 14, and designated as Section 09-00174-05-CH.

- Hart Road, at U.S. Route 14, Intersection Improvement; Right-of-Way Acquisition: Supplemental Appropriation with Condemnation Authority.
- The project scope changed: 1) the retaining wall was removed from the project; and 2) a multi-use path was added.
- This County Board at its meeting of June 10, 2014, approved an appropriation of \$400,000 of ¼% Sales Tax for Transportation funds for right-of-way acquisition.
- The County has been allocated federal Congestion Mitigation Air Quality (CMAQ) funds to improve this intersection, and the County will receive 80 percent reimbursement of the costs of the right-of-way, with a maximum reimbursement of \$599,900.
- This resolution appropriates \$350,000 of ¼% Sales Tax for Transportation funds.

RESOLUTION

WHEREAS, Hart Road, County Highway 80, 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 the intersection

of Hart Road, at U.S. Route 14, could be improved by the addition of turn lanes, non-motorized facilities and new traffic signals; 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 June 10, 2014, approved an appropriation of \$400,000 of ¼% Sales Tax for Transportation funds for right-of-way acquisition; and

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

WHEREAS, the County has been allocated federal Congestion Mitigation Air Quality (CMAQ) funds to improve this intersection, and the County will receive 80 percent reimbursement for the costs of the right-of-way, with a maximum reimbursement of \$599,900; and

WHEREAS, additional right-of-way funds are needed to cover the changes associated with the removal of the construction of a retaining wall and the addition of a multi-use path.

NOW, THEREFORE BE IT RESOLVED by this Lake County Board of 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 Hart Road, at U.S. Route 14, 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, Lake County Engineer, 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 amount of \$350,000 of ¼% Sales Tax for Transportation 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 09-00174-05-CH.

DATED at Waukegan, Illinois, on June 14, 2016.