



Lake County Illinois

Legislation Details (With Text)

File #:	12-0839	Version:	1	Name:	Agreement transferring ownership of Oasis Business Center Water Supply
Type:	resolution	Status:		Status:	Passed
File created:	7/26/2012	In control:		In control:	Public Works and Transportation Committee
On agenda:		Final action:		Final action:	8/14/2012
Title:	Joint resolution authorizing an agreement with the Oasis Business Center Property Association (Oasis) transferring ownership of the Oasis water supply system to Lake County.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	1. 12-0839 Oasis Water Dist Fully Executed Agreement.pdf				

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 authorizing an agreement with the Oasis Business Center Property Association (Oasis) transferring ownership of the Oasis water supply system to Lake County.

- The Oasis manages the Oasis Business Park, which is located in Mettawa.
- In 2000, Oasis constructed a private water distribution system to provide water service to businesses in the Park.
- Oasis would like to obtain Lake Michigan water via the County’s Knollwood water system and transfer ownership of its current water system to the County.
- The County and Mettawa entered into an agreement in June, 2001 whereby the County agreed to provide retail water services to certain properties within Mettawa, which included the Oasis Business Park.
- The Public Works Department has inspected the Oasis water system and has determined that the water system meets or exceeds the County’s standards.
- The agreement has been approved by Oasis.

RESOLUTION

WHEREAS, the Oasis Business Center Property Association, Inc., an Illinois not-for-profit corporation (“Oasis Property Association”), holds clear and uncontested fee simple title to, and possesses full authority and right to transfer ownership of, the aforescribed Oasis Water Distribution System and Facilities, and any and all attendant easements, to the County; and

WHEREAS, the County has established a Department of Public Works pursuant to an Act of the General Assembly of the State of Illinois entitled "An Act in Relation to Water Supply, Drainage, Sewage, Pollution, and Flood Control in Certain Counties", as amended, for the purpose of

performing, among other things, the function of providing potable public water supply and facilities to certain areas within the County's jurisdiction, including portions of the Village of Mettawa, proximate to the Oasis Subdivision (hereafter "County Waterworks System"); and, the County is a member community in the Central Lake County Joint Action Water Agency ("CLCJAWA"), which holds a Lake Michigan water allocation and provides water treatment, pumping, and distribution to and for its member communities; and

WHEREAS, the Oasis Business Center Subdivision is located within the territory authorized to be supplied with potable drinking water by CLCJAWA and the County, as a member community of CLCJAWA; and

WHEREAS, the Agreement provides the terms and conditions by which, and under which, the Oasis Property Association, will construct interconnection water facilities, to connect the Oasis Water Distribution System to the County's Waterworks System, and otherwise bring the Oasis Water Distribution System and Facilities into compliance with County Waterworks System regulations and standards, prior to acceptance of said Oasis Water Distribution System and Facilities by the County; and

WHEREAS, the County has determined to enter into this Agreement, and to accept the dedication of the Oasis Water Distribution System, and interconnection water facilities (to be constructed by Oasis Property Association or others, to connect the Oasis Water Distribution System to the County's Waterworks System); and, to accept the assignment of attendant Oasis Water Distribution System and Facilities easement(s); all being subject to Oasis Property Association's prior compliance with all of the terms and conditions of this Agreement.

NOW, THEREFORE, BE IT RESOLVED in consideration of the mutual promises and covenants set forth above and below, the County of Lake hereby agrees and resolves as follows:

1. The foregoing Recitals are, by this reference, fully incorporated into and made a part of this Agreement and Resolution.
2. This Resolution approves and authorizes entering into an Agreement to transfer ownership of the Oasis Water Distribution System and appurtenances and easements (excluding the fire pump house, well(s) and interconnections to said well (s), and excluding the individual customer(s) service connection(s)) to the County of Lake ("County"), to be owned, operated, and maintained by the County as a public water supply system and integrated as a part of the County's Waterworks System, subject to all applicable County (and federal and State) law and public water system regulations and standards ("Transfer Agreement").
3. Approval of Transfer Agreement. That the Agreement to Transfer Ownership of the Oasis Business Center Water Supply Facilities and to Provide Potable Public Water Supply Services for Oasis Business Center Subdivision, attached to this Resolution, is approved and authorized.
4. Execution of Transfer Agreement. That the County Board Chairman, with attestation by the County Clerk, is/are authorized to execute the approved Transfer Agreement attached hereto on behalf of the County of Lake.
5. Execution of Acceptance of Dedication and Assignment Instruments. After inspection and acceptance of any and all construction, and any and all other constructed or installed improvements, under the terms and conditions of the Transfer Agreement,

and following acceptance of the said Oasis Water Distribution System and Facilities by the County Department of Public Works, the Director of the Public Works Department is authorized to execute the Grantee's (County of Lake's) acceptance on the instruments of Dedication (of the Oasis Water Distribution System and Facilities) and acceptance of the Assignment of Easement(s), attendant to said Oasis Water Distribution System and Facilities, copies of said instruments being attached as Exhibits to the attached Transfer Agreement. The Director of the Public Works Department and/or the State's Attorney are further authorized to execute any and all other documents or instruments as may be necessary or required to close this transaction under the terms and conditions of the attached Transfer Agreement.

DATED at WAUKEGAN, LAKE COUNTY, ILLINOIS on this 14th day of August, 2012.