



Lake County Illinois

Legislation Details (With Text)

File #: 12-0536 **Version:** 1 **Name:** RR Underpass Washington Street Thoroughfare Improvement; Right-of-Way Acquisition: Appropriation with Condemnation Authority

Type: resolution **Status:** Passed

File created: 4/26/2012 **In control:** Public Works and Transportation Committee

On agenda: **Final action:** 5/8/2012

Title: Joint resolution appropriating \$2,500,000 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 RR Underpass Washington Street Thoroughfare, Washington Street from Haryan Way to Lake Street, and a grade separation of the Canadian National Railroad, designated as Section 11-00121-11-BR.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/8/2012	1	Lake County Board	adopted	Pass
5/2/2012	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
5/2/2012	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$2,500,000 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 RR Underpass Washington Street Thoroughfare, Washington Street from Haryan Way to Lake Street, and a grade separation of the Canadian National Railroad, designated as Section 11-00121-11-BR.

- Railroad Underpass, Washington Street Thoroughfare Improvement; Right-of-Way Acquisition: Appropriation with Condemnation Authority.
- The improvement of Washington Street to widen and provide for a grade separation of the Canadian National Railroad is a chosen project for the transportation challenge bonds 2011 issuance.
- Preliminary plans and specifications for this improvement have been prepared.
- Before right-of-way acquisitions can proceed, an appropriation and condemnation authority is necessary.
- The appropriation is \$2,500,000 2011A Tax Exempt GO Bonds Road Construction funds.

RESOLUTION

WHEREAS, Washington Street, County Highway 45, from Hainesville Road, County Highway 24, to Lake Street 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 Washington Street, between Haryan Way and Lake Street, including a grade separation of the Canadian National

Railway, could be improved to provide increased traffic capacities (RR Underpass Washington Street Thoroughfare 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, the right-of-way and associated costs are estimated to be \$2,500,000.

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 RR Underpass Washington Street Thoroughfare, Washington Street from Haryan Way to Lake Street, and a 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 Martin G. Buehler, County Engineer of Lake County, Illinois, 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 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 \$2,500,000 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 11-00121-11-BR.

DATED at Waukegan, Illinois, on May 8, 2012.