



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 19-0023      **Version:** 1      **Name:** Sunset Avenue: Right of Way Acquisition and Appropriation  
**Type:** resolution      **Status:** Passed  
**File created:** 12/27/2018      **In control:** Public Works, Planning & Transportation Committee  
**On agenda:**      **Final action:** 1/15/2019

**Title:** Joint resolution appropriating \$30,000 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 installation of traffic signals on Sunset Avenue, from Green Bay Road to Golf Road in the City of Waukegan, and designated as Section 12-00999-30-TL.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/15/2019	1	Lake County Board	adopted	Pass
1/10/2019	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
1/9/2019	1	Public Works, Planning & Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$30,000 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 installation of traffic signals on Sunset Avenue, from Green Bay Road to Golf Road in the City of Waukegan, and designated as Section 12-00999-30-TL.

- Traffic signals need to be replaced on Sunset Avenue at the intersections of McAree Road, Yeoman Street, and North Jackson Street.
- Preliminary plans and specifications for this improvement have been prepared.
- Before right-of-way acquisitions can proceed, an appropriation of funds and condemnation authority are necessary.
- This improvement is included in the highway improvement program with construction planned in 2020.
- A Congestion Mitigation and Air Quality (CMAQ) grant of approximately \$1,400,000 has been secured by the Lake County Division of Transportation (LCDOT) to cover up to 80 percent of the project construction costs.

### RESOLUTION

**WHEREAS**, Sunset Avenue, County Highway 46, 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 Sunset Avenue could be improved with the installation of traffic signals; and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared

preliminary plans and right-of-way drawings, said drawings identifying right-of-way needs; and

**WHEREAS**, before right-of-way acquisitions can proceed, an appropriation of funds and condemnation authority are necessary; and

**WHEREAS**, the right-of-way and associated costs are estimated to be \$30,000.

**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 property in fee simple title for installation of traffic signal equipment on Sunset Avenue, from Green Bay Road to Golf Road, for said highway, all as outlined in plans made under the direction of Shane Schneider, Lake County Engineer, copies of which are filed in the office of the Lake County Engineer, which said fee simple title is 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 \$30,000 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 Sunset Avenue improvement from Green Bay Road to Golf Road, and designated as Section 12-00999-30-TL.

**DATED** at Waukegan, Illinois, on January 15, 2019.