



# Lake County Illinois

## Legislation Text

File #: 15-0317, Version: 1

Joint resolution appropriating \$225,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right of way and or permanent easement, by agreement or condemnation, and construction costs associated with the 2015 non-motorized travel improvement along the west side of Ela Road, south of U.S. Route 12, and the east side of Ela Road, from north of U.S. Route 12 to Illinois Route 22, and designated as Section 14-00144-19-SW.

- 2015 Non-Motorized Travel Ela Road Sidewalk Improvement; Right-of-Way Acquisition and Construction: Appropriation with Condemnation Authority.
- The 2010 Non-Motorized Travel Study identified a gap in the municipal sidewalk system along Ela Road, between Illinois Route 22 and south of U.S. Route 12.
- Preliminary plans and specifications for this improvement have been prepared.
- The Village of Lake Zurich will have jurisdiction and future maintenance responsibilities for the municipal sidewalk.
- Before right of way and/or permanent easement acquisition is obtained and a letting can proceed, an appropriation and condemnation authority is necessary.
- This resolution appropriates \$225,000 of ¼% Sales Tax for Transportation funds for right-of-way/easement acquisition and construction.

### RESOLUTION

**WHEREAS**, Ela Road, County Highway 60, is a designated route on the County highway system; and

**WHEREAS**, it would be beneficial to the motoring and non-motoring public if Ela Road, on the west side of Ela Road south of U.S. Route 12, and on the east side of Ela Road, from north of U.S. Route 12 to Illinois Route 22, could be improved with the installation of a municipal sidewalk; and

**WHEREAS**, the 2010 Non-Motorized Travel Study included a Gap Analysis that identified a gap in the municipal sidewalk system along Ela Road, between Illinois Route 22 and south of U.S. Route 12; and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared preliminary plans and right-of-way/easement plats, said plats identifying right-of-way/easement needs; and

**WHEREAS**, the right-of-way/easement and associated costs are estimated to be \$45,000; and

**WHEREAS**, construction costs are estimated to be \$180,000; and

**WHEREAS**, before right-of-way/easement acquisitions and a letting can proceed, an appropriation and condemnation authority is necessary.

**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 Ela Road, on the west side of Ela Road south of U.S. Route 12, together with construction and other easements, both temporary and permanent, for said highway improvement, all as outlined in plats of highways made under direction of Paula Trigg, 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 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 improvement.

**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 \$45,000 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 14-00144-19-SW.

**BE IT FURTHER RESOLVED**, that \$180,000 of ¼% Sales Tax for Transportation funds is hereby appropriated for the construction of this improvement.

**DATED** at Waukegan, Illinois, on April 14, 2015.