



Lake County Illinois

Legislation Text

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Joint resolution adopting an ordinance requesting the conveyance of parcels of land and easements, both temporary and permanent, from the Lake County Forest Preserve District (LCFPD) to Lake County, and authorizing an agreement relating to the Fairfield Road at Illinois Route 176 intersection improvement, designated as Section 08-00113-16-BR.

- Fairfield Road at Illinois Route 176 Intersection Improvement, Land Transfer, Lake County Forest Preserve District: Agreement.
- The intersection of Fairfield Road at Illinois Route 176 will be improved in two stages.
- The advance contract includes the realignment of the Millennium and Fort Hill trails, construction of two pedestrian underpasses under Illinois Route 176, and a new relocated entrance for the Lakewood Forest Preserve.
- The second stage includes the roadway improvement and detention basins for the project, which will be constructed on LCFPD property.
- In order to provide for these improvements, additional right-of-way, permanent easements, temporary easements, and temporary use areas will be provided by the LCFPD at no cost.
- The LCFPD will reimburse the County for the cost of the new relocated entrance for the Lakewood Forest Preserve and the associated design engineering costs in the advance contract.
- An ordinance is required to request conveyance of parcels of land and easements, both temporary and permanent, from the LCFPD to Lake County, and to authorize the execution of an agreement between the LCFPD and Lake County for this improvement.
- This resolution also authorizes the subsequent transfer by the County to the Illinois Department of Transportation of the easements along Illinois Rte 176.

RESOLUTION

WHEREAS, Lake County, by and through its Division of Transportation, proposes to improve the intersection of Fairfield Road (County Highway 49) at Illinois Route 176 (the Fairfield/176 Junction Improvement); and

WHEREAS, as part of said improvement, additional right-of-way, permanent easements, temporary easements, and temporary use areas are needed from the Lake County Forest Preserve District (LCFPD) for the construction of roadway improvements, and including the realignment of the Millennium and Fort Hill trails, two (2) pedestrian underpasses, a new relocated entrance for the Lakewood Forest Preserve, storm water detention basins and storm sewers and appurtenances; and

WHEREAS, the LCFPD will grant said additional right-of-way, permanent easements, temporary easements, and temporary use areas at no cost to the County; and

WHEREAS, it is desirable to let an advance contract to complete the Millennium and Fort Hill trails realignment, construct the two pedestrian underpasses under Illinois Route 176, and construct the new relocated entrance for the Lakewood Forest Preserve in 2012 to enable the intersection improvement of Fairfield Road at Illinois Route 176 to be completed in 2013; and

WHEREAS, the LCFPD will reimburse the County for the cost of the new relocated entrance for the Lakewood Forest Preserve, and the associated design engineering costs in the advance contract; and

WHEREAS, pursuant to Section 10 of Article 7 of the Illinois Constitution of 1970, units of local government, such as the District and the County, may contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

WHEREAS, in accordance with the Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq., the District may transfer right-of-way, permanent easements, temporary easements and temporary use areas in its property to the County, as depicted and described in Exhibit A, Exhibit B and Exhibit C attached hereto, upon such terms as may be agreed upon by the corporate authorities of the County and the District and subject to the provisions of such act; and

WHEREAS, the LCFPD and Lake County are desirous of entering into an agreement stating the terms and conditions by which the Lake County Forest Preserve District will provide said additional right-of-way, permanent easements, temporary easements and temporary use areas, a draft copy of which is attached hereto.

WHEREAS, the Illinois Department of Transportation has jurisdiction of the intersection of Illinois Route 176 and Fairfield Road and is to ultimately have the property rights in certain of the permanent easements in accordance with the said agreement by subsequent transfer of the property rights from Lake County to the State of Illinois acting by and through its Illinois Department of Transportation and in accordance with said Local Government Property Transfer Act.

NOW, THEREFORE BE IT RESOLVED by this Lake County Board, that the County Board Chair, the County Clerk and the County Engineer of Lake County are authorized and they are directed to execute an agreement with the LCFPD stating the terms and conditions by which the LCFPD will grant to Lake County said right-of-way, permanent easements, temporary easements and temporary use areas.

BE IT FURTHER RESOLVED that the County Engineer shall transmit in writing the final agreement to be executed by the County Board Chair and the County Clerk.

BE IT FURTHER RESOLVED that the County Board Chair, the County Clerk and the County Engineer of Lake County are authorized to convey, in accordance with the terms of said agreement, such permanent easements as received from the LCFPD for said improvement of the intersection of Fairfield Road at Illinois Route 176, and including the realignment of the Millennium and Fort Hill trails, the construction of two pedestrian underpasses under Illinois Route 176, and the construction of the new relocated entrance for the Lakewood Forest Preserve to the Illinois Department of Transportation (IDOT), at no cost, and in the manner as IDOT shall require and they are hereby directed to execute any agreement or document(s) to effectuate the same.

BE IT FURTHER RESOLVED that the Lake County Board hereby adopts the ordinance incorporated herein requesting the conveyance of land parcels for right-of-way, permanent easements, and temporary easements from the LCFPD to Lake County.

ORDINANCE

Section 1: Recitals. The recitals set forth above are incorporated as part of this ordinance by this reference.

Section 2: Request for and Acceptance of Conveyance of LCFPD Parcels. The County hereby declares that it is necessary for it to use and occupy for right-of-way, permanent easements, and temporary easements, and to later convey portions thereof to the Illinois Department of Transportation at no cost, the LCFPD parcels as depicted and described in Exhibit A, Exhibit B and Exhibit C, attached hereto, and requests that the District convey said parcels to the County at no cost. The County Board Chair and the County Clerk are hereby authorized to execute whatever documents are necessary to accept such conveyance in accordance with this ordinance. The County Engineer shall prepare or have prepared said documents of conveyance.

Section 3: This ordinance shall be in full force and effect from and after its passage and adoption by the County Board.

DATED at Waukegan, Illinois, on February 14, 2012.