



# 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 effectuating an agreement relating to the Delany Road reconstruction and widening from Sunset Avenue to Wadsworth Road and designated as Section 00-00093-18-WR.

- Delany Road, Sunset Avenue to Wadsworth Road, Land Transfer, Lake County Forest Preserve District: Agreement.
- Delany Road will be reconstructed and widened between Sunset Avenue and Wadsworth Road.
- Lake County proposes to construct a detention basin on LCFPD property for the improvement. In order to provide for this improvement and the basin, additional right-of-way, permanent easements, and temporary easements will be provided by the LCFPD at no cost.
- The detention basin will be constructed to implement the LCFPD's Master Plan for this area of its property.
- An ordinance is required to request conveyance of parcels of land and easements, both temporary and permanent, from the LCFPD to Lake County.
- This resolution authorizes the execution of an agreement between the LCFPD and Lake County for this improvement.

### RESOLUTION

**WHEREAS**, Lake County, by and through its Division of Transportation, proposes to reconstruct and widen Delany Road, County Highway 22, from Sunset Avenue to Wadsworth Road; and

**WHEREAS**, as part of said improvement, additional right-of-way, permanent easements, and temporary easements are needed from the LCFPD for the construction of certain roadway improvements, construction of a storm water detention basin and construction of storm sewers and appurtenances; and

**WHEREAS**, the LCFPD will grant said additional right-of-way, permanent easements, and temporary easements at no cost to the County; 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 County and the District may transfer property as depicted and described in Exhibit A and Exhibit B 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, and temporary easements, a draft copy of which is attached hereto.

**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 stating the terms and conditions by which the LCFPD will grant to Lake County said right-of-way, permanent easements, and temporary easements.

**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 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 the LCFPD parcels as depicted and described in Exhibit A and Exhibit B, 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 May 11, 2011.