File #: 10-0282, **Version:** 1

..Title
Joint resolution authorizing the approval of an ordinance requesting the conveyance of parcels of land and easements from the Lake County Forest Preserve District to Lake County and approval of a resolution conveying a parcel of land from Lake County to the Lake County Forest Preserve District so as to provide for the intersection improvement at Fairfield Road and Gossell Road and designated as Section 01-00113-14-ES.

..Staff Summary
·   Fairfield Road at Gossell Road Intersection Improvement, Land Transfers: Ordinance and Resolution
·   The intersection will be realigned and turn lanes and traffic signals installed requiring property from the Lake County Forest Preserve District. The County will in turn transfer some excess property at this location to the District.
·   An ordinance is required to transfer parcels of land from the Lake County Forest Preserve District to Lake County.
·   A resolution is required to transfer parcels of land from Lake County to the Lake County Forest Preserve District.

..Body
R E S O L U T I O N

WHEREAS, Fairfield Road (County Highway 49) 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 the intersection of Fairfield Road and Gossell Road could be improved by realignment, widening and reconstruction; and

WHEREAS, the Lake County Forest Preserve District owns parcels of land and easements along Fairfield Road and Gossell Road, as depicted in Exhibit A , a site aerial generally showing property lines and Exhibit B, a plat of survey of County Highway 49 for the subject intersection improvement made under the direction of Martin G. Buehler, County Engineer of Lake County, both exhibits attached hereto, said parcels which are needed for the construction of this intersection improvement; and

WHEREAS, it is determined the best interest of Lake County would be served by conveying to the Lake County Forest Preserve a certain parcel of land no longer needed by the County as depicted in Exhibit A and Exhibit B; 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 in Exhibit A and Exhibit B attached hereto upon such terms as may be agreed upon by the cooperate authorities of the county and the district and subject to the provisions of such act; and

WHEREAS, the agreement, as provided for by 50 ILCS 605/0.01, et seq, for the conveyance of the property as depicted in Exhibit A and Exhibit B is that as solely contained in this Ordinance and Resolution as passed by the County Board and the similar ones as passed by the Forest Preserve Board.

NOW, THEREFORE BE IT RESOLVED, that the County Board of Lake County hereby adopts the ordinance incorporated herein requesting the conveyance of land parcels and easements from the Lake County Forest Preserve District to Lake County and hereby approves the resolution incorporated herein conveying a land parcel from Lake County to the Lake County Forest Preserve District.
O R D I N A N C E
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 Lake County Forest Preserve District Parcel. The County

hereby declares that it is necessary for it to use and occupy the Lake County Forest Preserve District Parcels as depicted in Exhibit A and Exhibit B attached hereto and requests that the District convey said Parcels to the County, at no cost. In accordance with 765 ILCS 5/16 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.

R E S O L U T I O N

WHEREAS, the County of Lake has title to and ownership of certain real estate identified by Pin Number 10-18-402-001, which is adjacent to and along Fairfield Road; and

WHEREAS, this County Board has determined the best interest of Lake County would be served by conveying to the Lake County Forest Preserve a portion of said parcel as depicted in Exhibit A and Exhibit B attached hereto; and

WHEREAS, in accordance with the Local Government Property Transfer Act, (50 ILCS 605/0.01, et seq.), the county may transfer all of its right, title and interest in the portion of said parcel to the Lake County Forest Preserve District upon such terms as may be agreed upon by the cooperate authorities of the county and the district and subject to the provisions of such Act; and

WHEREAS, in accordance with 765 ILCS 5/16 the County Board may authorize any officer of its board to execute and deliver all deeds, grants, conveyances and other instruments in writing, which might become necessary in selling, transferring or conveying any real estate belonging to its county.

NOW, THEREFORE BE IT RESOLVED by this County Board of Lake County, Illinois that the Chairman of the County Board, and the County Clerk on behalf of Lake County be authorized and they are hereby directed to execute whatever documents are necessary to affect the conveyance of the parcel depicted in Exhibit A and Exhibit B attached hereto and transfer the portion of said parcel to the Lake County Forest Preserve District at no cost. The County Engineer shall prepare or have prepared said documents of conveyance.

Dated at Waukegan, Illinois this 11th day of May 2010

NOTE: Pursuant to 50 ILCS 605/2 the attached resolution requires a 2/3 vote of the Lake County Board for approval