



Lake County Illinois

Legislation Text

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Joint resolution authorizing an agreement between Lake County and the Wisconsin Central Ltd., Homewood, Illinois to construct and operate a bike path, with pedestrian gates, across the Wisconsin Central Ltd. right-of-way, along the extension of Midlothian Road and rescinds the prior agreement resolution of December 8, 2009.

- Midlothian Road Extension, Lake County Fair Entrance, Northerly to Moorehead Circle: Wisconsin Central License Agreement
- Midlothian Road will be extended from the existing county fair entrance northerly to Moorehead Circle.
- Wisconsin Central Ltd., Homewood, Illinois, is the owner of the Wisconsin Central railway (the RR) right-of-way that crosses the Midlothian Road extension.
- Staffing changes at the RR caused the first agreement between the parties, approved by the County Board on Dec 8, 2009 to not be executed.
- The County took the issue to the Illinois Commerce Commission and a new stipulated agreement amongst the parties has been reached.
- The new agreement provides for the construction of a bike path, with pedestrian gates, along the Midlothian Road extension via a license agreement with the RR.
- This resolution authorizes the execution of a license agreement with Wisconsin Central Ltd. and rescinds the prior agreement resolution of December 8, 2009.

RESOLUTION

WHEREAS, Midlothian Road (*County Highway 48*) is a designated route on the county highway system; and

WHEREAS, Midlothian Road will be extended northerly from the existing Lake County fairground entrance to Moorehead Circle; and

WHEREAS, Lake County by and through its Division of Transportation has caused to be prepared preliminary plans and specifications and proposes to construct a bike path, with pedestrian gates, in conjunction with said extension; and

WHEREAS, the proposed extension of Midlothian Road crosses the Wisconsin Central railway right-of-way, owned by the Wisconsin Central Ltd., and

WHEREAS, Lake County and the Wisconsin Central Ltd., Homewood, Illinois, reached a proposed lease agreement, approved at the December 8, 2009 County Board meeting, for the County to construct and operate a bike path across the Wisconsin Central Ltd., right-of-way along the extension of Midlothian Road and

WHEREAS, staffing changes at the Wisconsin Central Ltd., resulted in the extended delay in

the processing of the said agreement to be executed by the Wisconsin Central Ltd., causing the County to petition the Illinois Commerce Commission (ICC) to take up the matter, and

WHEREAS, the ICC has worked with the parties to have developed a new stipulated agreement that provides for the construction of a bike path, with pedestrian gates, in conjunction with extension of Midlothian Road, and

WHEREAS, Lake County and the Wisconsin Central Ltd., Homewood, Illinois, are now desirous of entering into a lease agreement to construct and operate a bike path across the Wisconsin Central Ltd., right-of-way along the extension of Midlothian Road in order to provide for the construction of a bike path, with pedestrian gates, in conjunction with the extension of Midlothian Road, a draft copy of which is attached hereto and which agreement supersedes the previous unexecuted agreement between the parties.

NOW, THEREFORE BE IT RESOLVED, that the Chair of the County Board, the County Clerk, and the County Engineer of Lake County, Illinois, are authorized and they are hereby directed to execute a license agreement and any subsequent amendments thereto, between Lake County and the Wisconsin Central Ltd., Homewood, Illinois, in order to construct and operate a bike path, with pedestrian gates, across the Wisconsin Central Ltd. right-of-way along the extension of Midlothian Road in conjunction with the extension of Midlothian Road. The County Engineer shall transmit in writing the final agreement and any amendments, to be executed by the Chair of the Lake County Board and the County Clerk.

BE IT FURTHER RESOLVED, by this County Board of Lake County, Illinois, that said resolution dated December 8, 2009 is rescinded.

Dated at Waukegan, Illinois, this 14th day of September A.D., 2010