



# Lake County Illinois

## Legislation Text

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File #: 11-0770, Version: 1

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Joint resolution appropriating \$200,000 of Matching Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the construction improvement of Delany Road from Yorkhouse Road to Wadsworth Road designated as Section 00-00093-18-WR.

- Delany Road Construction Improvement, Right-of-Way Acquisition: Appropriation with Condemnation Authority
- Preliminary plans and specifications for this improvement have been prepared.
- Before right-of-way acquisitions can proceed an appropriation and condemnation authority is necessary.
- The appropriation is \$200,000 of Matching Tax funds.

### **RESOLUTION**

**WHEREAS**, Delany Road, County Highway 22, 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 Delany Road from Yorkhouse Road to Wadsworth Road could be improved by reconstruction; and

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

**WHEREAS**, the right-of-way and associated costs are estimated to be \$200,000.

**NOW, THEREFORE BE IT RESOLVED** by this County Board of Lake County, Illinois:

**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 Delany Road from Yorkhouse Road to Wadsworth Road together with construction and other easements, both temporary and permanent, for said highway, all as outlined in plats of highways made under direction of Martin G. Buehler, 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

**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 \$200,000 of Matching Tax 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 00-00093-18-WR.

**DATED** at Waukegan, Illinois, on August 9, 2011.