



Lake County Illinois

Legislation Details (With Text)

File #: 17-0277 **Version:** 1 **Name:** Cedar Lake Road, from Illinois Route 120 to Nippersink Road: Village of Round Lake and LCFPD Agreements and Appropriation

Type: ordinance **Status:** Passed

File created: 2/28/2017 **In control:** Public Works and Transportation Committee

On agenda: **Final action:** 3/14/2017

Title: Ordinance requesting the conveyance of parcels of land for right-of-way, permanent and temporary easements from the Village of Round Lake and the Lake County Forest Preserve District (LCFPD) to Lake County, effectuating agreements relating to the right-of-way, construction, and maintenance of improvements along Cedar Lake Road, from Illinois Route 120 to Nippersink Road, appropriating \$8,520,000 of ¼% Sale Tax for Transportation funds, and designated as Section 08-00065-02-RS.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 17-0277 Cedar Lake Road LCFPD Agreement Draft.pdf, 2. 17-0277 Cedar Lake Road Village of Round Lake Agreement Draft.pdf

Date	Ver.	Action By	Action	Result
3/14/2017	1	Lake County Board	adopted	Pass
3/8/2017	1	Financial & Administrative Committee	recommended for adoption to the regular agenda	Pass
3/8/2017	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Ordinance requesting the conveyance of parcels of land for right-of-way, permanent and temporary easements from the Village of Round Lake and the Lake County Forest Preserve District (LCFPD) to Lake County, effectuating agreements relating to the right-of-way, construction, and maintenance of improvements along Cedar Lake Road, from Illinois Route 120 to Nippersink Road, appropriating \$8,520,000 of ¼% Sale Tax for Transportation funds, and designated as Section 08-00065-02-RS.

- Cedar Lake Road, from Illinois Route 120 to Nippersink Road: Village of Round Lake and LCFPD Agreements and Appropriation.
- Cedar Lake Road, from Illinois Route 120 to Nippersink Road, will be reconstructed and widened, and will include the construction of a multi-use path, watermain and sanitary sewer work, and stream bank stabilization.
- This improvement is included in the highway improvement program.
- The County requires right-of-way, a permanent easement, and temporary easements from the Village of Round Lake and/or the LCFPD in order to provide for the improvement.
- The Village will reimburse the County for its share of the cost of the multi-use path, watermain and sanitary sewer work, and stream bank stabilization, estimated at \$503,235.
- The Village and the LCFPD will maintain portions of the multi-use path, as identified in the agreements.
- This ordinance authorizes the transfer of land and the execution of intergovernmental agreements with the Village of Round Lake and the LCFPD and appropriates \$8,520,000 of ¼% Sale Tax for Transportation funds.

ORDINANCE

**ORDINANCE FINDING IT NECESSARY OR CONVENIENT FOR LAKE COUNTY TO ACQUIRE
AND USE REAL ESTATE OWNED BY THE VILLAGE OF ROUND LAKE AND THE LAKE
COUNTY FORST PRESERVE DISTRICT (LCFPD) IN CONNECTION WITH THE IMPROVEMENT
OF CEDAR LAKE ROAD, FROM ILLINOIS ROUTE 120 TO NIPPERSINK ROAD**

WHEREAS, Cedar Lake Road, County Highway 28, is a designated route on the County highway system; and

WHEREAS, the Village of Round Lake, the LCFPD and Lake County believe it would be beneficial for the safety and welfare of the motoring public if Cedar Lake Road, from Illinois Route 120 to Nippersink Road, could be reconstructed and widened, and include the construction of a multi-use path, watermain and sanitary sewer work, and stream bank stabilization; and

WHEREAS, this improvement requires right-of-way, permanent easement, and temporary easements from the Village of Round Lake and/or the LCFPD for the roadway improvements as well as the construction of a multi-use path, watermain and sanitary sewer work, and stream bank stabilization; and

WHEREAS, the Village of Round Lake will reimburse the County for its share of the cost for the sidewalk, multi-use path, watermain and sanitary sewer work, estimated at \$503,235; and

WHEREAS, pursuant to Section 10 of Article 7 of the Illinois Constitution of 1970, units of local government, such as the Village of Round Lake, the LCFPD 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., it is necessary or convenient for the County to use, occupy, or improve the real estate as depicted and described in Exhibits A and B, attached hereto, held by the Village of Round Lake and in Exhibits A-H, attached hereto, held by the LCFPD, in the making of a public improvement or for a public purpose; and

WHEREAS, in accordance with the Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq., the Village and LCFPD may transfer right-of-way, permanent easements, temporary easements and temporary use areas in its property to the County upon such terms as may be agreed upon by the corporate authorities of the County, the Village and the LCFPD and subject to the provisions of such Act; and

WHEREAS, the Village and the LCFPD will maintain portions of the multi-use path located along Cedar Lake Road, from Illinois Route 120 to Nippersink Road; and

WHEREAS, Lake County, the Village and the LCFPD are desirous of entering into separate agreements stating the terms and conditions for transfer of right-of-way, granting of a permanent easement and temporary easements, construction and maintenance of multi-use paths, watermain and sanitary sewer work, and stream bank stabilization located within the limits of the County's improvement, a draft copy of each agreement is attached hereto.

NOW, THEREFORE BE IT ORDAINED by this Lake County Board, that the County Board Chair, the County Clerk, and the County Engineer of Lake County, Illinois, are authorized, and are hereby

directed to enter into separate agreements between Lake County and the Village of Round Lake and Lake County and the LCFPD stating the terms and conditions for transfer of right-of-way, granting of a permanent easement and temporary easements; construction and maintenance of a multi-use path, watermain and sanitary sewer work, and stream bank stabilization located within the limits of the County's improvement, designated as Section 08-00065-02-RS, and such authorization shall include any amendments.

BE IT FURTHER ORDAINED that the County Engineer shall transmit, in writing, the final agreements and any amendments to be executed by the County Board Chair and the County Clerk.

BE IT FURTHER ORDAINED by this Lake County Board as follows:

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

Section 2: Declaration of Necessity. The County Board hereby finds and declares that it is necessary, or convenient, for the County to use, occupy, or improve the real estate as depicted and described in Exhibits A and B, attached hereto, held by the Village of Round Lake and in Exhibits A-H, attached hereto, held by the LCFPD, in the making of a public improvement or for a public purpose.

Section 3: Acceptance of Conveyance of the Village of Round Lake and of LCFPD Parcels. The County Engineer is hereby authorized to execute whatever documents are necessary to accept and effectuate the conveyance of the above-described real estate from the Village of Round Lake and the LCFPD to Lake County in accordance with this Ordinance. The County Engineer shall prepare, or have prepared, said documents of conveyance.

Section 4: This Ordinance shall be in full force and effect from, and after, its passage and adoption by the County Board.

BE IT FURTHER ORDAINED that there is hereby appropriated \$8,520,000 of ¼% Sales Tax for Transportation funds for the improvement of Cedar Lake Road, from Illinois Route 120 to Nippersink Road, and designated as Section 08-00065-02-RS.

DATED at Waukegan, Illinois, on March 14, 2017.