



# Lake County Illinois

## Legislation Details (With Text)

<b>File #:</b>	18-0387	<b>Version:</b>	1	<b>Name:</b>	Gilmer Road at Midlothian Road Right-of Way Acquisition: Appropriation with Condemnation Authority
<b>Type:</b>	resolution	<b>Status:</b>			Passed
<b>File created:</b>	3/27/2018	<b>In control:</b>			Public Works and Transportation Committee
<b>On agenda:</b>		<b>Final action:</b>			4/10/2018
<b>Title:</b>	Joint resolution appropriating \$1,950,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road, at Midlothian Road, intersection improvement, and designated as Section 10-00079-16-CH.				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
4/10/2018	1	Lake County Board	adopted	Pass
4/4/2018	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
4/4/2018	1	Public Works and Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$1,950,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road, at Midlothian Road, intersection improvement, and designated as Section 10-00079-16-CH.

- The reconstruction and widening of the intersection of Gilmer Road, at Midlothian Road, is a project that is included in the highway improvement program with target construction in 2020 pending available funding and right-of-way.
- Preliminary plans and specifications for this improvement have been prepared and include constructing a new multi-use path between Midlothian Road and North Chevy Chase Road.
- Before right-of-way acquisitions can proceed, authority for appropriation and condemnation is necessary.

### **RESOLUTION**

**WHEREAS**, Gilmer Road, County Highway 26, is a designated route on the County highway system; and

**WHEREAS**, it would be beneficial for the safety and welfare of the motoring public if the intersection of Gilmer Road, at Midlothian Road, could be reconstructed and improved; 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**, before right-of-way acquisitions can proceed, authority for appropriation and condemnation is necessary; and

**WHEREAS**, the right-of-way and associated costs are estimated to be \$1,500,000.

**NOW, THEREFORE BE IT RESOLVED** by this Lake County Board of 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 Gilmer Road, at Midlothian Road, together with easements, both temporary and permanent for said highway, all as outlined in plats of highways made under the direction of Shane Schneider, Lake County Engineer, 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 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 \$1,950,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Gilmer Road, at Midlothian Road, improvement, and designated as Section 10-00079-16-CH.

**DATED** at Waukegan, Illinois, on April 10, 2018.