



# Lake County Illinois

## Legislation Details (With Text)

**File #:** 19-0388      **Version:** 1      **Name:** Fairfield Road Culvert Right-of-Way: Appropriation and Condemnation Authority  
**Type:** resolution      **Status:** Passed  
**File created:** 2/22/2019      **In control:** Public Works, Planning & Transportation Committee  
**On agenda:**      **Final action:** 3/12/2019  
**Title:** Joint resolution appropriating \$10,000 of County Bridge Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvement on Fairfield Road from Illinois Route 120 to Illinois Route 134.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/12/2019	1	Lake County Board	adopted	Pass
3/7/2019	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
3/6/2019	1	Public Works, Planning & Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$10,000 of County Bridge Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvement on Fairfield Road from Illinois Route 120 to Illinois Route 134.

- Fairfield Road, from Illinois Route 120 to Illinois Route 134, needs improvement.
- Preliminary plans and specifications for this improvement have been prepared.
- Before right-of-way acquisitions can proceed, authority for appropriation and condemnation is necessary.
- This improvement is included in the Highway Improvement Program.

### **RESOLUTION**

**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 Fairfield Road could be improved; and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared preliminary plans and right-of-way drawings, said drawings 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 \$10,000.

**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 temporary easements for the improvement of Fairfield Road, from Illinois Route 120 to Illinois Route 134, for said highway, all as outlined in plans 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 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 \$10,000 of County Bridge Tax funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Fairfield Road improvement, from Illinois Route 120 to Illinois Route 134, and designated as Section 14-00138-03-RS.

**DATED** at Waukegan, Illinois, on March 12, 2019.