



Lake County Illinois

Legislation Details (With Text)

File #: 22-0123 **Version:** 1 **Name:** Darrell Road: Right-Of-Way Appropriation
Type: resolution **Status:** Passed
File created: 1/20/2022 **In control:** Public Works, Planning & Transportation Committee
On agenda: **Final action:** 2/8/2022

Title: Joint resolution appropriating \$1,600,000 of Motor Fuel Tax funds made available through the Rebuild Illinois Bond funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvements to the intersections of Darrell Road with Case Road, Neville Road, Dowell Road, and Fisher Road.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 22-0123 Location Map, Darrell Road ROW

Date	Ver.	Action By	Action	Result
2/8/2022	1	Lake County Board	adopted	Pass
2/3/2022	1	Financial & Administrative Committee	recommended for adoption to the consent agenda	Pass
2/2/2022	1	Public Works, Planning & Transportation Committee	approved and referred on to the Financial and Administrative Committee	Pass

Joint resolution appropriating \$1,600,000 of Motor Fuel Tax funds made available through the Rebuild Illinois Bond funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the improvements to the intersections of Darrell Road with Case Road, Neville Road, Dowell Road, and Fisher Road.

- The intersections of Darrell Road with Case Road, Neville Road, Dowell Road, and Fisher Road need to be improved, inclusive of non-motorized travel improvements.
- Preliminary engineering plans and right-of-way plats identifying the right-of-way needs for the improvement have been prepared.
- This project is included in the Transportation Improvement Program with target construction in 2023 and 2024, and designated as Section 13-00107-09-CH.

RESOLUTION

WHEREAS, Darrell Road, County Highway 44, is a designated route on the County highway system; and

WHEREAS, Lake County believes it would be beneficial to the safety and welfare of the traveling public if the intersections of Darrell Road with Case Road, Neville Road, Dowell Road, and Fisher Road could be improved, inclusive of non-motorized improvements; and

WHEREAS, Lake County, by and through its Division of Transportation, has caused to be

prepared preliminary plans and right-of-way plats identifying right-of-way needs for the improvement; and

WHEREAS, property appraisals have been prepared and associated right-of-way costs have been estimated; and

WHEREAS, an appropriation of funds is required.

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

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, and any reasonable modifications to the right-of-way lines along Darrell Road, Case Road, Neville Road, Dowell Road and Fisher Road, together with construction and other easements, both temporary and permanent, and any reasonable modifications to the proposed easements, for the improvement of said highways, all as outlined in plats of highways made under the direction of Shane E. Schneider, 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 highways.

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 from, the owner or owners of all the real property determined to be necessary under this resolution and described in the said plats of highways.

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 \$1,600,000 of Motor Fuel Tax funds made available through the Rebuild Illinois Bond funds for the purchase of the real property determined to be necessary under this resolution, for right-of-way acquisition for this improvement as described in the said plats of highways and other associated right-of-way costs, and designated as Section 13-00107-09-CH.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to transmit four certified originals of this resolution to the district office of the Department of Transportation.

BE IT FURTHER RESOLVED that this appropriation be processed by the County Engineer for final approval of the Illinois Department of Transportation in accordance with the

“Agreement of Understanding” between the Illinois Department of Transportation and Lake County, dated May 3, 2018.

DATED at Waukegan, Illinois, on February 8, 2022.