



# Lake County Illinois

## Legislation Text

File #: 15-1205, Version: 1

Ordinance requesting the conveyance of parcels of land for public road purposes from the Lake County Forest Preserve District (LCFPD) to Lake County, effectuating an agreement relating to the construction of a multiuse trail from I-94 to Van Patten Woods (VPW)/Des Plaines River (DPR) Trail, and designated as Section 15-00078-15-LA.

- Russell Road Multi-Use Trail: Right-of-Way Acquisition, LCFPD Agreement.
- The Lake County 2040 Non Motorized plan identifies a planned bikeway along Russell Road.
- The LCFPD is desirous of constructing a multiuse trail within the Russell Road right of way connecting to VPW/DPR Trail as a joint project with Lake County.
- This improvement requires the conveyance of a 10 foot strip of land at this time, and the possibility of an additional 10 foot strip in the future, across four parcels, from the LCFPD to Lake County.
- This improvement also requires acquisition, by Lake County, of two additional parcels along Russell Road for road purposes.
- An ordinance is required to authorize conveyance of parcels from the LCFPD to Lake County.
- This ordinance authorizes an agreement with the LCFPD relating to the construction of a multiuse trail within the Russell Road right of way.

### **ORDINANCE**

#### **ORDINANCE FINDING IT NECESSARY OR CONVENIENT FOR LAKE COUNTY TO ACQUIRE AND USE REAL ESTATE OWNED BY THE LCFPD AND EFFECTUATING AN AGREEMENT WITH THE LCFPD IN CONNECTION WITH THE RUSSELL ROAD MULTI-USE TRAIL IMPROVEMENT**

**WHEREAS**, Russell Road, County Highway 19, is a designated route on the County highway system; and

**WHEREAS**, the Lake County 2040 Non-Motorized Plan identifies a planned bikeway along Russell Road; and

**WHEREAS**, the LCFPD and Lake County believe it would be beneficial for the safety and welfare of the motoring public if Russell Road, from I-94 to Van Patten Woods (VPW)/Des Plaines River Trail (DPR), could be improved with construction of a LCFPD multi-use trail; and

**WHEREAS**, this improvement requires the conveyance of a 10' strip of land at this time, and the possibility of an additional 10' strip in the future, across four parcels from the LCFPD to Lake County; and

**WHEREAS**, this improvement requires acquisition of two additional parcels along Russell Road for right-of-way by Lake County; and

**WHEREAS**, pursuant to Section 10 of Article 7 of the Illinois Constitution of 1970, units of local

government, such as 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 the agreement, 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 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 and the LCFPD and subject to the provisions of such Act; and

**WHEREAS**, Lake County and the LCFPD are desirous of entering into an agreement stating the terms and conditions for the conveyance of a 10' strip of land at this time, and the possibility of an additional 10' strip in the future, across four parcels from the LCFPD to Lake County, and for Lake County to acquire two additional parcels along Russell Road, for road purposes, a draft copy of which is attached hereto.

**NOW, THEREFORE BE IT 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 the agreement, 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 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 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.

**Section 5:** The County Engineer shall transmit, in writing, the final agreement to be executed by the County Board Chair and the County Clerk.

**DATED** at Waukegan, Illinois, on November 10, 2015.