



Lake County Illinois

Legislation Text

File #: 16-0642, Version: 1

Joint resolution authorizing the vacation of a section of Old Petite Lake Road, from Belmora Park Boulevard to Illinois Route 83, to the abutting property owners at no cost.

- Old Petite Lake Road, from Belmora Park Boulevard to Illinois Route 83, Property Vacation.
- Lake County acquired right-of-way in 2012 for the relocation of Petite Lake Road and, subsequently, reconstructed and realigned Petite Lake Road.
- The relocation of Petite Lake Road has created an abandoned County highway right-of-way (the County does not have fee simple ownership of the right-of-way).
- The abandoned section is on Old Petite Lake Road, from Belmora Park Boulevard to Illinois Route 83.
- The County wishes to fulfill its responsibility, under the law, to vacate the abandoned road right-of-way for the good of the public.
- This resolution authorizes the County Engineer to execute those documents necessary to affect said conveyance to the owners of record to the abutting property.

RESOLUTION

WHEREAS, Petite Lake Road, County Highway 51, between Illinois Route 59 and Illinois Route 83 in Antioch Township, is a designated route on the County Highway System; and

WHEREAS, Lake County acquired right-of-way in 2012 for the relocation of Petite Lake Road and, subsequently, reconstructed Petite Lake Road to facilitate the free flow of traffic and enhance safety to the motoring public; and

WHEREAS, said relocation of Petite Lake Road created an abandoned County highway right-of-way which can be vacated, as depicted in EXHIBIT A attached hereto; and

WHEREAS, the abandoned section is on Old Petite Lake Road, from Belmora Park Boulevard to Illinois Route 83; and

WHEREAS, in accordance with 605 ILCS 5/5-109, as amended, Lake County wishes to vacate the abandoned County highway right-of-way depicted in EXHIBIT A as described on the Plat of Vacation prepared under the Direction of the County Engineer and on file in the Office of the County Engineer; and

WHEREAS, in accordance with 605 ILCS 5/5-109 and 605 ILCS 5/9-127, as amended, title to the land to be vacated vests in the abutting property owner; and

WHEREAS, said abutting property owners own in fee simple the property south of the abandoned County highway right-of-way to be vacated by the County at no cost to the abutting owners; and

WHEREAS, in accordance with 605 ILCS 5/5-109 and 605 ILCS 5/9-127, as amended, the

County Board by and through its Division of Transportation has published in a newspaper of general circulation within Antioch Township, notice of the time and location of the County Board meeting at which this resolution will be considered; and

WHEREAS, 765 ILCS 5/16 as amended, provides that the County Board may authorize any officer or member of its Board to execute and deliver all deeds, grants, conveyances and other instruments in writing, which may be necessary in transferring or conveying the abandoned dedicated right-of-way.

NOW, THEREFORE BE IT RESOLVED that in accordance with 605 ILCS 5/5-109, as amended, this County Board of Lake County hereby determines that the public and economic interest is served by vacating that portion of County Highway 51, as described and shown on the Plat of Vacation.

BE IT FURTHER RESOLVED that said vacation shall reserve the existing property, rights-of-way and easements necessary for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction of same to AT&T, North Shore Gas Company and any other public utility easements or facilities located within the vacated right-of-way.

BE IT FURTHER RESOLVED that said vacation of said abandoned County highway right-of-way described herein is made subject to the approval of the Illinois Department of Transportation.

BE IT FURTHER RESOLVED that the County Engineer is authorized and is hereby directed to execute those documents necessary to affect said vacation to the owners of record to the abutting property subject to the conditions above stated.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to record and cause to be recorded in the office of the Recorder of Deeds the said Plat of Vacation of said vacated County highway right-of-way.

DATED at Waukegan, Illinois, on July 12, 2016.