



# Lake County Illinois

## Legislation Text

File #: 17-0353, Version: 1

Joint resolution appropriating \$520,000 of County Bridge Tax funds for the materials, construction and acquisition of necessary easements, by agreement or condemnation, for the replacement of three culverts under Fairfield Road and Deep Lake Road, and designated as Section 15-00999-06-DR.

- 2016 Culvert Replacement: Fairfield Road and Deep Lake Road: Materials, Construction and Easement Appropriation with Condemnation Authority.
- Three culverts need to be replaced under Fairfield Road and Deep Lake Road and preliminary plans and specifications for these improvements have been prepared.
- These culvert replacements are included in the highway improvement program.
- Before a construction letting and easement acquisitions can proceed for the two culverts under Fairfield Road, an appropriation and condemnation authority are necessary.
- The Deep Lake Road culvert will be replaced by Lake County Division of Transportation day labor crews, and an appropriation of \$520,000 of County Bridge Tax funds is required for the materials.

### **RESOLUTION**

**WHEREAS**, Fairfield Road, County Highway 49, and Deep Lake Road, County Highway 56, are designated routes on the County highway system; and

**WHEREAS**, it would be beneficial to the safety and welfare of the motoring public if Fairfield Road and Deep Lake Road could be improved by culvert replacements; and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared preliminary plans and easement plats, said plats identifying easement needs; and

**WHEREAS**, before a construction letting and easement acquisitions can proceed, an appropriation and condemnation authority is necessary for the Fairfield Road culvert replacements; and

**WHEREAS**, an appropriation is necessary to acquire materials for the Deep Lake Road culvert that will be replaced by LCDOT day labor crews; and

**WHEREAS**, the total material, construction and easement costs are estimated to be \$430,000.

**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 construction and other easements, both temporary and permanent for said culvert improvements, all as outlined in plats of easements made under the direction of Paula J. Trigg, P.E., Lake County Engineer, copies of which are filed in the office of the Lake County Engineer.

**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 easements determined to be necessary under this resolution and described in the plats of easements.

**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 on the compensation to be paid therefore, then title to and possession of said easements 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 easements for Lake County in accordance with the Eminent Domain Laws of the State of Illinois.

**SECTION 4:** That there is hereby appropriated \$520,000 of County Bridge Tax funds for the materials, construction and acquisition of necessary easements, by agreement or condemnation, associated with the Fairfield Road and Deep Lake Road culvert replacements, and designated as Section 15-00999-06-DR.

**DATED** at Waukegan, Illinois, on April 11, 2017.