



# Lake County Illinois

## Legislation Text

File #: 17-0936, Version: 1

Joint resolution appropriating a supplemental amount of \$6,000,000 of ¼% Sales Tax for Transportation funds for the acquisition of necessary right-of-way, by agreement or condemnation, and other right-of-way costs associated with the Rollins Road Gateway Improvement at the intersections of Illinois Route 83/Rollins Road/Hainesville Road, and designated as Section 08-00080-56-BR.

- Rollins Road Gateway Improvement, Right-of-Way Acquisition: Supplemental Appropriation with Condemnation Authority.
- The improvement of the intersections of Illinois Route 83/Rollins Road/Hainesville Road, which includes construction of a grade separation of the Canadian National Railroad (CNRR), is a chosen project for the transportation challenge bond program.
- Before right-of-way acquisitions can continue, a supplemental appropriation is necessary.
- The County Board, by prior resolutions, approved incremental appropriations totaling \$12,800,000 for the right-of-way acquisition, and associated costs to acquire 49 parcels.
- The County Board previously deposited \$2,567,000 for the right-of-way acquisition of the southeast quadrant parcel.
- A supplemental appropriation of \$6,000,000 of ¼% Sales Tax for Transportation funds is required for the final payment of the southeast quadrant right-of-way acquisition.

### **RESOLUTION**

**WHEREAS**, Rollins Road, County Highway 31, is a designated route on the County highway system; and

**WHEREAS**, it would be beneficial for the safety and welfare of the motoring public if Rollins Road, at its intersection with Hainesville Road, County Highway 24, and Illinois Route 83, could be improved along with construction of a grade separation of the CNRR to provide increased traffic capacities (Rollins Road Gateway Improvement); and

**WHEREAS**, Lake County, by and through its Division of Transportation, has caused to be prepared final plans and right-of-way plats, said plats identifying right-of-way needs; and

**WHEREAS**, this County Board, by prior resolutions, approved supplemental appropriations of \$12,800,000 for the right-of-way acquisition, and associated costs; and

**WHEREAS**, this County Board previously deposited \$2,567,000 for the right-of-way acquisition of the southeast quadrant parcel; and

**WHEREAS**, a supplemental appropriation of \$6,000,000 of ¼% Sales Tax for Transportation funds is required for the final payment of the southeast quadrant right-of-way acquisition.

**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 of Rollins Road, at the intersections of Illinois Route 83/Rollins Road/Hainesville Road, and for the grade separation of the CNRR, together with construction and other easements, both temporary and permanent for said highway, all as outlined in plats of highways made under the direction of the 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 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 a supplemental amount of \$6,000,000 of ¼% Sales Tax for Transportation funds for the purchase of the real property determined to be necessary under this resolution and described in the said plats of highways and associated costs, and designated as Section 08-00080-56-BR.

**DATED** at Waukegan, Illinois, on September 12, 2017.