



# Lake County Illinois

## Legislation Text

File #: 18-0966, Version: 1

Ordinance requesting the conveyance of parcels of land for right-of-way and temporary easements from the Village of Buffalo Grove (Village) and authorizing an agreement with the Village relating to improvements along Weiland Road, from Lake Cook Road to Deerfield Parkway, designated as Section 14-00158-11-WR, and along Weiland Road, from Deerfield Parkway to Aptakisic Road, including intersection improvements at Aptakisic Road, and designated as Section 18-00158-13-WR.

- Weiland Road, from Lake Cook Road to Aptakisic Road, including the intersection of Aptakisic Road, will be widened and reconstructed.
- The County requires right-of-way and temporary easement from the Village to provide for the improvement.
- The Village owns certain facilities (water, sanitary, sidewalk, multi-use path, and street light) within the project limits requiring modification to accommodate the roadway improvements.
- The Village desires that the County include the construction of non-motorized facilities (sidewalk, multi-use path, and pedestrian crossings) and decorative landscaping in the improvements.
- The Village will reimburse the County for its share of construction and construction inspection, estimated at \$786,330.
- This improvement is included in the highway improvement program with construction planned to begin 2019.

### ORDINANCE

#### **ORDINANCE FINDING IT NECESSARY OR CONVENIENT FOR LAKE COUNTY TO ACQUIRE AND USE REAL ESTATE OWNED BY THE VILLAGE OF BUFFALO GROVE IN CONNECTION WITH THE IMPROVEMENT OF WEILAND ROAD, FROM LAKE COOK ROAD TO APTAKISIC ROAD**

**WHEREAS**, Weiland Road, County Highway 73, and Aptakisic Road, County Highway 33, are designated routes on the County highway system; and

**WHEREAS**, to ensure the free flow of traffic and the safety and welfare of the motoring public, Lake County and the Village of Buffalo Grove believe it would be beneficial for Weiland Road, from Lake Cook Road to Aptakisic Road, including the intersection of Aptakisic Road, to be reconstructed and widened; and

**WHEREAS**, the Lake County Board, at its meeting on June 13, 1995, previously approved a Transportation Agreement with the Village of Buffalo Grove (1995 Agreement) outlining terms and conditions for roadway improvements, maintenance responsibilities, and jurisdictional transfers for multiple roadways within the Village of Buffalo Grove including these sections of Weiland Road; and

**WHEREAS**, in accordance with the 1995 Agreement, upon completion of improvements to Weiland Road, from Lake Cook Road to Aptakisic Road, the jurisdictional authority of this section of Weiland

Road would be transferred from the County to the Village of Buffalo Grove; and

**WHEREAS**, the documentation required by the Illinois Department of Transportation (IDOT) to effectuate said jurisdictional transfer of Weiland Road was previously approved and executed by the County, the Village of Buffalo Grove, and IDOT; and

**WHEREAS**, the 1995 Agreement allows the County and the Village of Buffalo Grove to enter into project specific agreements for each improvement prior to construction; and

**WHEREAS**, this improvement requires right-of-way and temporary easement from the Village of Buffalo Grove for the roadway improvements; and

**WHEREAS**, pursuant to Section 10 of Article 7 of the Illinois Constitution of 1970, units of local government, such as the County and the Village of Buffalo Grove, 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 in the draft agreement attached hereto, held by the Village of Buffalo Grove, 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 Village of Buffalo Grove 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 Village of Buffalo Grove and subject to the provisions of such Act; and

**WHEREAS**, the Village of Buffalo Grove owns certain facilities within the project limits requiring modification to accommodate the roadway improvements; and

**WHEREAS**, the Village of Buffalo Grove desires that the County include, as part of the improvement, the construction of new non-motorized facilities and installation of decorative landscaping; and

**WHEREAS**, Lake County and the Village of Buffalo Grove are desirous of entering into an agreement stating the terms and conditions for transfer of right-of-way, granting of a temporary easement, jurisdictional transfer, construction, operation, and maintenance of improvements located within the limits of the County's Weiland Road improvement, a draft copy of the agreement is attached hereto.

**NOW, THEREFORE BE IT ORDAINED** by this Lake County Board, that the County Board Chair, the County Clerk, and the County Engineer of Lake County, Illinois, are authorized, and are hereby directed to enter into an agreement and any amendments, between Lake County and the Village of Buffalo Grove stating the terms and conditions for transfer of right-of-way, granting of temporary easements, jurisdictional transfer, construction, operation and maintenance of improvements along Weiland Road from Lake Cook Road to Deerfield Parkway, designated as Section 14-00158-11-WR, and Weiland Road, from Deerfield Parkway to Aptakisic Road, including intersection improvements at the intersection of Aptakisic Road, and designated as Section 18-00158-13-WR.

**BE IT FURTHER ORDAINED** that the County Engineer shall transmit, in writing, the final

agreements and any amendments to be executed by the County Board Chair and the County Clerk.

**BE IT FURTHER 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 draft agreement, attached hereto, held by the Village of Buffalo Grove, in the making of a public improvement or for a public purpose.

**Section 3: Acceptance of Conveyance of the Village of Buffalo Grove 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 Village of Buffalo Grove 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.

**DATED** at Waukegan, Illinois, on September 11, 2018.