



# Lake County Illinois

## Legislation Text

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Joint resolution authorizing an agreement with Cook County, Illinois, for the acquisition of necessary right-of-way in Lake County, by agreement or condemnation, and other associated right-of-way costs necessary to construct the Skokie Valley Bike Path Bridge over Lake Cook Road, at a maximum cost of \$141,131, and appropriating \$170,000 of County Bridge Tax funds.

- The Skokie Valley Bike Path Bridge will be constructed over Lake Cook Road and into Cook County.
- Lake County led the preliminary engineering study for the improvement.
- Cook County will be the lead agency for design engineering, land acquisition and construction phases of the improvement.
- Cook County will be acquiring and negotiating right-of-way and/or temporary easements in Lake County necessary to construct the bridge.
- Lake County's share of the right-of-way and other associated costs is estimated to be \$141,131.
- The project was awarded federal Transportation Alternative Program (TAP) funding which will cover up to 80 percent of construction costs.
- Lake County and Cook County will split the remaining share of construction.
- Before right-of-way acquisitions can proceed, an agreement with Cook County, and appropriation and condemnation authority, are necessary.

### **RESOLUTION**

**WHEREAS**, the Skokie Valley Bike Path, from Illinois Route 176 (North Shore Bike Path) to Lake Cook Road, is a regional path, owned and maintained by the Lake County Division of Transportation; and

**WHEREAS**, Lake County previously led a preliminary engineering study to construct a bridge to carry the Skokie Valley Bike Path across Lake Cook Road and into Cook County; and

**WHEREAS**, Cook County is the lead agency for the design engineering, land acquisition, and construction phases of the improvement; and

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

**WHEREAS**, Lake County and Cook County are desirous of entering into an agreement

stating the terms and conditions for the acquisition and cost reimbursement for right-of-way and easements in Lake County for this improvement, a draft copy of which is attached hereto; and

**WHEREAS**, before right-of-way acquisitions can proceed, an agreement with Cook County, and appropriation and condemnation authority are necessary; and

**WHEREAS**, the right-of-way and associated costs, for the Lake County portion of this improvement, are estimated to be \$141,131.

**NOW, THEREFORE, BE IT RESOLVED** by this Lake County Board:

**SECTION 1:** It is hereby determined that it is necessary and desirable that Cook County and Lake County acquire title to and possession of all of the real property within the proposed new right-of-way lines of the Skokie Valley Bike Path and Bridge at Lake Cook Road, together with construction and other easements, both temporary and permanent, for said improvement, all as outlined in plats of highways made under the direction of John Yonan, Superintendent of Highways, of Cook 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 said improvement.

**SECTION 2:** That Cook County, 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 improvement.

**SECTION 3:** In the event that said Cook County 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 \$170,000 of County Bridge Tax 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 14-00265-01-BR.

**SECTION 5:** 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 subsequent amendments, between Lake County and Cook County stating the terms and conditions for the acquisition and cost reimbursement for right-of-way and easements along the Skokie Valley Bike Path for this improvement.

**BE IT FURTHER RESOLVED** that the County Engineer shall transmit, in writing, the final agreement and any amendments to be executed by the County Board Chair and the County Clerk.

**DATED** at Waukegan, Illinois, on June 9, 2020.