



LAKE COUNTY FOREST PRESERVES

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Preservation, Restoration, Education and Recreation

DATE: August 31, 2015

MEMO TO: Carol Calabresa, Chair
Land Preservation and Acquisition Committee

S. Michael Rummel, Chair
Finance and Administrative Committee

FROM: John Nelson
Director of Operations and Infrastructure

SUBJECT: Permanent Easement to North Shore Gas at 7th Street, Spring Bluff Forest Preserve.

RECOMMENDATION: Recommend approval of a Resolution granting a permanent utility easement to North Shore Gas Company for utility relocation at 7th Street (Spring Bluff Forest Preserve).

BACKGROUND: The North Shore Gas main at Spring Bluff Forest Preserve which delivers natural gas to North Point Marina and Skipper Bud's runs along the south side of the extension of 7th Street. When the line was originally installed 7th Street was a public right-of-way. Subsequently, the public right-of-way was vacated and conveyed to the District. Therefore the gas main runs through the southern edge of District property at Spring Bluff.

During construction of the recently-completed Lake Plain Habitat Restoration Project in conjunction with the Illinois Department of Natural Resources (IDNR), the District and IDNR discovered that a North Shore Gas gas main protrudes into a box culvert conveying stormwater under 7th Street. The District and IDNR contacted North Shore Gas to inquire about moving the gas main. Because of the location, age, and condition of the existing gas main, North Shore Gas desires to install a new gas main. The new gas main would be installed along the south side of the 7th Street extension, primarily in vacated right-of-way that is not owned by the District. However, the proposed new gas main would cross a portion of District land at approximately the same location as the existing gas main. The old gas main will be removed from the culvert and the remainder will be capped and abandoned in place. A permanent easement is necessary to permit a portion of the gas main to cross District land.

REASON FOR RECOMMENDATION: Committee recommendation and Board approval is required in accordance with District policy.

REVIEWED BY OTHERS: Executive Director, Director of Planning and Land Preservation, Chief Operations Officer and Legal Counsel

FINANCIAL DATA: There is no financial impact.

PRESENTER: John Nelson

**LAKE COUNTY FOREST PRESERVE DISTRICT
LAKE COUNTY, ILLINOIS**

**A RESOLUTION GRANTING A PERMANENT EASEMENT TO NORTH SHORE GAS
COMPANY FOR UTILITY RELOCATION (SPRING BLUFF FOREST PRESERVE)**

WHEREAS, the Lake County Forest Preserve District (the "District") owns certain parcels of land along 7th Street, within Spring Bluff Lake Forest Preserve in Newport Township; and

WHEREAS, North Shore Gas Company operates gas lines or other improvements within a former public right-of-way along 7th Street that has been conveyed to the District (collectively, the "Gas Line"); and

WHEREAS, it is in the best interests of the District to grant North Shore Gas Company an easement pursuant to a plat of easement, in substantially the form attached hereto (the "Plat"), so that North Shore Gas Company can relocate its Gas Line onto District property; and

WHEREAS, the District has adopted an Ordinance Regarding Licenses and Easements for Public Services (the "Ordinance") which sets forth the District's general requirements for granting easements; and

WHEREAS, Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, authorizes the District to grant easements under or across District property for public services, including natural gas services; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Lake County Forest Preserve District, Lake County, Illinois THAT:

Section 1. Recitals. The recitals set forth above are incorporated as part of this Resolution by this reference.

Section 2. Approval of Plat. The Plat is hereby approved in substantially the form attached hereto, subject to final approval of the District's Interim Executive Director and the District's Legal Counsel. The President, Secretary and Interim Executive Director are hereby authorized and directed, on behalf of the District, to execute and attest to the Plat and to execute or cause the execution of all documents necessary to complete the transactions contemplated herein. In the event that any provision of this Resolution or the Plat conflicts with the Ordinance, the conflicting provision of the Ordinance is hereby waived to the extent of such conflict.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this _____ day of _____, 2015

AYES:

NAYS:

APPROVED this _____ day of _____, 2015

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gagnani, Secretary
Lake County Forest Preserve District

Exhibit # _____