



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

Date: August 3, 2015

Memo to: Carol Calabresa, Chair
Land Preservation and Acquisition Committee

S. Michael Rummel, Chair
Finance and Administrative Committee

From: Alex Ty Kovach
Executive Director

Subject: Vacation of 0.91-acre portion of Elizabeth Street at Waukegan Savanna Forest Preserve

Agenda Item# 9,10

RECOMMENDATION: Recommend adoption of an Ordinance Vacating a portion of Elizabeth Street within Waukegan Savanna Forest Preserve.

BACKGROUND: Waukegan Savanna Forest Preserve contains one platted but unbuilt road.

Since the Road is not required for the public's use and enjoyment of District property, and because the vacation will enhance the public's ability to use and enjoy District property, the vacation of the Road will serve the public interest because it will relieve the public from the burden and responsibility for the Road.

State Statute allows the District to vacate a road within a forest preserve that is not part of a State or County highway. This process has been followed previously at Cahokia Flatwoods, Greenbelt, Singing Hills, Spring Bluff, Tanager Kames, and Waukegan Savanna Forest Preserves.

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

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

FINANCIAL DATA: There is no financial impact from this Ordinance.

PRESENTER: Alex Ty Kovach

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

**AN ORDINANCE VACATING A PORTION OF ELIZABETH STREET
WITHIN WAUKEGAN SAVANNA FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns a certain roadway within the forest preserve commonly known as Waukegan Savanna Forest Preserve, which is legally described on Exhibit A and generally depicted on Exhibit B attached hereto and made a part hereof (the "Road"); and

WHEREAS, the Road is located entirely within the limits of the District, is subject to the jurisdiction of the District, and is not part of any State or County Highway; and

WHEREAS, the District desires to vacate the Road; and

WHEREAS, Pursuant to Section 6 of the Downstate Forest Preserve District Act. 70 ILCS 805/6, the District is authorized to vacate the Road by ordinance where such vacation will serve the public interest; and

WHEREAS, the vacation of the Road will serve the public interest because vacation will relieve the public from the burden and responsibility for the Road, because the Road is not required for the public's use and enjoyment of District property, and because the vacation will enhance the public's ability to use and enjoy District property; and

WHEREAS, the nature and extent of such public interests warrant the vacation of the Road;

NOW, THEREFORE, BE IT ORDAINED 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 Ordinance by this reference.

Section 2. Vacation of Roads. The Road is hereby vacated.

Section 3. Vacation Documents. The District's Executive Director shall cause to be prepared any documents necessary or desirable for the vacation of the Road.

Section 4. Execution and Performance of Other Acts. The District President, or the President's designee or designees, are hereby authorized to execute any documents and take any other action necessary or desirable to vacate the Road.

Section 5. Ownership. Upon vacation of the Road, title to the land within the Road shall remain vested in, or vest in, the District, to the fullest extent permitted by law.

Section 6. Reservation of Rights. All property, rights of way and easements for the use, maintenance, renewal, construction and reconstruction of any public utilities over, across, through and under the Road are hereby reserved to the District or to any public utilities or entities, as the case may be, which owns such utilities.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this _____ day of September, 2015

Ayes:

Nays:

Approved this _____ day of September, 2015

APPROVED:

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

Vacation of a road in that part of Section 1, Township 45 North, Range 11 East of the Third Principal Meridian, described as follows:

ALL THAT PART OF ELIZABETH AVENUE LYING NORTH OF AND ADJACENT TO BLOCKS 4 AND 5 IN BEACH VIEW TERRACE ADDITION NO. 1, BEING A SUBDIVISION IN PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 45 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED OCTOBER 24, 1928 AS DOCUMENT NUMBER 326685, IN BOOK "T" OF PLATS, PAGES 36 AND 37, IN LAKE COUNTY, ILLINOIS, AND ALSO LYING NORTH OF AND ADJACENT TO THE NORTH END OF THE EAST HALF OF VACATED BELLE PLAINE AVENUE, THE NORTH END OF VACATED BOULEVARD VIEW AVENUE AND THE NORTH END OF THE WEST HALF OF VACATED BAYONNE AVENUE, ALL VACATED BY DOCUMENT NUMBER 4270673. CONTAINING 39,659 SQUARE FEET, MORE OR LESS.

**PEKLAY SURVEYING CO., LTD.
163 N. GREENLEAF ST.
SUITE 1
GURNEE, IL. 60031-3344**

BY:

**DATED: 7/25/15
FILE NO. 15-264**

Exhibit B



ROW to be Vacated