



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

**DATE:** November 2, 2015

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

Bonnie Thomson Carter, Chair  
Planning and Restoration Committee

S. Michael Rummel, Chair  
Finance and Administrative Committee

**FROM:** Randall L. Seebach, Director  
Planning and Land Preservation

**SUBJECT:** Intergovernmental Agreement with County of Lake for Millennium Trail Construction

**RECOMMENDATION:** Recommend approval of a Resolution approving an Intergovernmental Agreement with the County of Lake for construction of the Millennium Trail within the Russell Road Right-of-Way adjacent to Van Patten Woods Forest Preserve.

**BACKGROUND:** The District is partnering with the Lake County Division of Transportation (LCDOT) to construct a one-mile section of the Millennium Trail along Russell Road connecting Pines Dunes and Van Patten Woods Forest Preserves. LCDOT has previously completed the western 0.5 mile section of this proposed connection from old US Route 41 east to within 2800 feet of the entrance to Van Patten Woods. The District is currently planning to construct the remaining 2800 feet within the Lake County Division of Transportation (LCDOT) right-of-way (ROW) along Russell Road. When complete, this segment of the Millennium Trail will connect the Des Plaines River Trail and equestrian parking lot at Van Patten Woods with the recently completed trails at Pine Dunes.

Additional ROW is needed to complete the District's segment, and LCDOT has agreed to acquire this additional ROW at no cost to the District. LCDOT policy requires dedication of ROW where needed as a condition of granting permits and approvals for access to its ROW and for construction of this trail segment. Consequently, LCDOT has requested the dedication of approximately 0.9 acre (10 feet) of District-owned property along the south frontage of Russell Road at Van Patten Woods Forest Preserve. The District desires to establish equestrian access along the entire Russell Road section. Because LCDOT policy does not allow equestrian use on their paths, as part of the Agreement, the District will be required to assume all future operational and maintenance responsibilities.

Construction is expected to begin in early summer 2016 with an anticipated completion in fall 2016.

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

**REVIEW BY OTHERS:** Chief Operations Officer, Director of Finance, Legal Counsel

**FINANCIAL DATA:** The project was approved as part of the adopted FY 2015/2016 Capital Improvement Plan for the Millennium Trail-Van Patten Woods Connection in the amount of \$974,759.00. It has been determined that the value of the section of trail previously completed by LCDOT and the cost LCDOT will incur to acquire additional ROW is appropriate compensation for the 0.9 acres of additional land to be dedicated by the District.

**PRESENTER:** Randall L. Seebach

STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF LAKE )

**BOARD OF COMMISSIONERS  
 LAKE COUNTY FOREST PRESERVE DISTRICT  
 REGULAR NOVEMBER MEETING  
 NOVEMBER 10, 2015**

**MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:**

Your **PLANNING AND RESTORATION COMMITTEE** and **FINANCE AND ADMINISTRATIVE COMMITTEE** present herewith “A Resolution approving an Intergovernmental Agreement with the County of Lake for Construction of the Millennium Trail within the Russell Road Right-of-Way Adjacent to Van Patten Woods Forest Preserve,” and request its adoption.

<b>PLANNING AND RESTORATION COMMITTEE:</b>	<b>YEA</b>	<b>NAY</b>	<b>FINANCE AND ADMINISTRATIVE COMMITTEE:</b>	<b>YEA</b>	<b>NAY</b>
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Bonnie Thomson Carter, Chair			S. Michael Rummel, Chair		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Nick Sauer, Vice Chair			Linda Pedersen, Vice Chair		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Carol Calabresa			Steve Carlson		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Bill Durkin			Bill Durkin		
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Sandra Hart			Sandra Hart		
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Diane Hewitt			Aaron Lawlor		
_____	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
Sid Mathias			Audrey Nixon		
_____	<input type="checkbox"/>	<input type="checkbox"/>			
Craig Taylor					
_____	<input type="checkbox"/>	<input type="checkbox"/>			
Tom Weber					

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

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT  
WITH THE COUNTY OF LAKE FOR CONSTRUCTION OF THE MILLENNIUM TRAIL WITHIN THE  
RUSSELL ROAD RIGHT-OF-WAY ADJACENT TO VAN PATTEN WOODS FOREST PRESERVE**

**WHEREAS**, the Lake County Forest Preserve District (the “District”) owns property that is adjacent to Russell Road in Lake County, Illinois, known as the Van Patten Woods Forest Preserve; and

**WHEREAS**, the District has issues of common interest with the Lake County Division of Transportation (the “County”) to provide safe transportation alternatives in Lake County; and

**WHEREAS**, the District and the County desire to join together to construct a one-mile section of the Millennium Trail along Russell Road connecting Pines Dunes and Van Patten Woods Forest Preserves (the “Project”), which requires acquisition of additional right-of-way; and

**WHEREAS**, an Intergovernmental Agreement between the District and the County (the “Agreement”), in substantially the form attached to this Resolution, will allow for (i) the County to provide the District with the right-of-way that is needed for the Project, (ii) the District to dedicate 0.9 acres of right-of-way to the County for future road improvements (the “Subject Property”), and (iii) for the District to assume future operational and maintenance responsibilities for the entire Russell Road section of the Millennium Trail; and

**WHEREAS**, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/1 *et seq.* (the “Transfer Act”), on November 10, 2015, the Board of Commissioners of the County of Lake adopted an ordinance declaring that it is necessary and convenient for the County to use, occupy, or improve the Subject Property in the making of public improvements related to the Project; and

**WHEREAS**, the Board of Commissioners of the District desire, pursuant to the Transfer Act and this Resolution, to authorize the conveyance of the Subject Property to the County in accordance with the terms of the Agreement; and

**WHEREAS**, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970, units of local government, such as the District and the County may contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and

**WHEREAS**, pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*, any power, privilege, function, or authority exercised by a public agency, including the District and the County, may be exercised, combined, transferred, and enjoyed jointly with any other public agency to the extent not prohibited by law; and

**WHEREAS**, it is in the best interests of the District to authorize the conveyance of the Subject Property and to approve and execute the Agreement, as set forth in this Resolution;

**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 a part of this Resolution by this reference.

Section 2. Authorization of Conveyance. The conveyance of the Subject Property to the County in accordance with the Transfer Act and the Agreement is hereby approved and authorized.

Section 3. Approval of the Agreement. The Agreement is hereby approved in substantially the form attached hereto. The President, Executive Director, and Secretary of the District are authorized and directed to execute on behalf of the District the Agreement, in substantially the form attached hereto, and whatever other documents are necessary to effectuate the transactions contemplated by the Agreement, including, without limitation, the conveyance of the Property.

Section 4. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval by two-thirds of the members of the Board of Commissioners in the manner provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015

AYES:

NAYS:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2015

ATTEST:

\_\_\_\_\_  
Ann B. Maine, President  
Lake County Forest Preserve District

\_\_\_\_\_  
Julie A. Gragnani, Secretary  
Lake County Forest Preserve District

Exhibit \_\_\_\_\_