



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

Date: January 4, 2016

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

S. Michael Rummel, Chair
Finance and Administrative Committee

Agenda Item# 9.12

From: Alex Ty Kovach
Executive Director

Subject: Resolution to purchase an approximately 20.10-acre parcel known as the Stuckmann/Shumak property

RECOMMENDATION: Recommend approval of a Resolution to purchase an approximately 20.10-acre parcel of property in Fremont and Wauconda Townships known as the Stuckmann/Shumak property for \$550,000.00 as an addition to Lakewood Forest Preserve.

BACKGROUND: At the direction of the Land Preservation and Acquisition Committee, District staff has reviewed the Stuckmann/Shumak property to determine its suitability for acquisition for District purposes. In staff's opinion, the acquisition, protection and management of this property will meet the District's adopted land acquisition goals of adding to existing preserves, protecting wildlife habitat, protecting against flooding and providing scenic vistas and will serve as a visual, topographic and ecologic extension of adjoining District properties.

The property is located east of the intersection of Wauconda Road and Lake Shore Boulevard in and near Wauconda, Illinois, and is surrounded on three sides by Lakewood Forest Preserve. A small portion of the property (approximately .08 acres) (the "Cell Tower Parcel") is currently improved with a cell tower. When the District acquires the larger portion of the property that does not include the cell tower (approximately 20.02 acres) (the "Main Parcel"), the Cell Tower Parcel will be retained by the current owner and will be subject to a lease and easement that will allow a cell tower company to operate cell tower facilities on the Cell Tower Parcel for up to 50 years. The District will acquire the Cell Tower Parcel after the termination of the lease and easement.

A contract to purchase the entire property has been negotiated by District staff and signed by the owner. The District will acquire the Main Parcel now and the Cell Tower sometime between now and 2065. Before closing on the Cell Tower Parcel, the owner will be obligated to remove the cell tower and all related improvements. While the cell tower lease and easement are in effect, the Cell Tower Parcel will also be subject to a restrictive covenant limiting it to cell tower uses and providing notice of the District's future acquisition rights. The Main Parcel is improved with two single-family homes, both of which will be vacated prior to closing. It is recommended that buildings with no programmatic purpose or significant historic value be salvaged, recycled and removed.

At the time the contract was executed, land surveys were not available to determine the exact acreage of the Main and Cell Tower parcels. Therefore, when the ALTA land survey is complete, the acreage of the Main Parcel and the Cell Tower Parcel may be slightly different than the current estimates of 20.02 acres and 0.08 acres, respectively.

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

STRATEGIC DIRECTION(S) SUPPORTED: Conservation; Leadership

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

FINANCIAL DATA: The purchase price of the Stuckmann/Shumak property (both the Main Parcel and Cell Tower Parcel) is \$550,000.00. Over 99% of that amount will be paid to the sellers at the first closing on the Main Parcel, with the balance being paid at the later closing of the Cell Tower Parcel. The purchase of the Main Parcel is funded from the 2008 Referendum Bonds, and are included in the adopted FY 2014/15 Budget (Series 2013A) account number 31334100-801000.

PRESENTER: Alex Ty Kovach

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR JANUARY MEETING
JANUARY 12, 2016**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **LAND PRESERVATION AND ACQUISITION COMMITTEE** and **FINANCE AND ADMINISTRATIVE COMMITTEE** present herewith "A Resolution approving the purchase of an approximately 20.10-acre parcel as an addition to Lakewood Forest Preserve (Stuckmann/Shumak property)" and request its adoption.

**LAND PRESERVATION AND
ACQUISITION COMMITTEE:**

**FINANCE AND ADMINISTRATIVE
COMMITTEE:**

	Yea	Nay		Yea	Nay
 Carol Calabresa, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 S. Michael Rummel, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Steven W. Mandel, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Linda Pedersen, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Bonnie Thomson Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Steve Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Linda Pedersen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Bill Durkin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Tom Weber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Sandra Hart	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Jeff Werfel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Aaron Lawlor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
 Terry Wilke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	 Audrey Nixon	<input type="checkbox"/>	<input type="checkbox"/>

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

**A RESOLUTION APPROVING THE PURCHASE OF AN APPROXIMATELY 20.10-ACRE
PARCEL AS AN ADDITION TO LAKEWOOD FOREST PRESERVE
(STUCKMANN/SHUMAK PROPERTY)**

WHEREAS, the Land Preservation and Acquisition Committee (the "Committee") of the Lake County Forest Preserve District (the "District") has reviewed certain land in Fremont and Wauconda Townships and within the corporate limits of the District, which land includes approximately 20.10 acres, is known as the Stuckmann/Shumak property, and is depicted in Exhibit A attached hereto (the "Property"); and

WHEREAS, the District's Department of Planning and Land Preservation has negotiated a purchase and sale agreement with the owners of the Property pursuant to which the District would purchase the Property from the owners (the "Purchase Agreement"), and the owners of the Property have executed the Purchase Agreement; and

WHEREAS, the Committee has recommended that the District approve the Purchase Agreement and purchase the Property; and

WHEREAS, the Board of Commissioners finds that (i) the Property is suitable for District purposes, (ii) acquisition of the Property would expand upon and enhance the holdings of Lakewood Forest Preserve, protect wildlife habitat, protect against flooding, provide scenic vistas, and serve as a visual, topographic and ecologic extension of adjoining District properties, and (iii) it is in the best interests of the District to approve the Purchase Agreement and acquire the Property;

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 Purchase Agreement. The Purchase Agreement is hereby approved. The District shall purchase the Property from the owners, upon the terms and conditions of the Purchase Agreement, for \$550,000.00. The President, Secretary, and Executive Director of the District (and the Executive Director's designees) are hereby authorized and directed (i) to execute and attest to, on behalf of the District, the Purchase Agreement and all other documents that are necessary to complete the acquisition of the Property provided that any documents have first been approved by the District's Corporate Counsel, and (ii) to take such other actions as may be necessary to complete the acquisition of the Property.

Section 3. Authority to Pay Owner. The Treasurer of the District is hereby authorized to pay for the Property, pursuant to the terms and conditions of the respective Purchase Agreement.

Section 4. 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 _____, 2016

Ayes:

Nays:

Approved this ____ day of _____, 2016

APPROVED:

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-968-3351

Legend



Forest Preserve Boundary



Main Parcel



Cell Tower Parcel



Courtesy Copy Only.
Property boundaries indicated are provided for general location purposes. Wetland and flood limits shown are approximate and should not be used to determine setbacks for structure or as a basis for purchasing property.

Prepared using information from:
Lake County Department of Information & Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60085-4357
847-377-2373



2012 Aerial Photo

Map Prepared 12 October 2015

