



LAKE COUNTY FOREST PRESERVES

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Preservation, Restoration, Education and Recreation

DATE: June 6, 2016

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

S. Michael Rummel, Chair
Finance and Administrative Committee

Agenda Item# 9.8

FROM: Randall L. Seebach
Director of Planning and Land Preservation

RECOMMENDATION: Recommend approval of a Resolution approving an Easement Agreement with Central Lake County Joint Action Water Agency ("CLCJAWA"), for a Lake Michigan water line extension along Monaville Road adjacent to Grant Woods Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Leadership

FINANCIAL DATA: The CLCJAWA will pay the District an easement fee in the amount of \$28,736.25 and a tree compensation fee of approximately \$62,642.00.

BACKGROUND: In April 2013, the District approved an intergovernmental agreement with the County of Lake that allowed the inclusion of certain District-owned parcels in the Lake County Special Service Area in order to create the necessary contiguity to all parcels that will be served by the Special Service Area (SSA). In return for the District's participation in the SSA, the County will allow the District to tap in to the County's water service at two locations at Grant Woods Forest Preserve without paying any connection fees. The District will also not be subject to any special taxes levied for the purposes of the SSA.

The CLCJAWA is currently in the process of preparing final plans for a water main that will extend Lake Michigan water to certain unincorporated portions of the County and the Villages of Lake Villa and Lindenhurst.

CLCJAWA proposes constructing the water main on District property adjacent to Monaville Road at Grant Woods Forest Preserve. In January 2015, the Land Preservation and Acquisition and Finance and Administrative Committees gave Policy Direction in favor of the proposed water main route, and authorized staff to negotiate an easement agreement with CLCJAWA granting CLCJAWA easements for the construction and maintenance of the water main. The planned improvements require 0.4 acres of permanent easement and 0.5 acres of temporary easement at Grant Woods Forest Preserve.

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

REVIEW BY OTHERS: Executive Director, Chief Operations Officer, Director of Finance, Corporate Counsel

PRESENTER: Randall L. Seebach

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

**A RESOLUTION APPROVING AN EASEMENT AGREEMENT WITH
CENTRAL LAKE COUNTY JOINT ACTION WATER AGENCY (GRANT WOODS)**

WHEREAS, the Lake County Forest Preserve District (the "District") owns certain parcels of land within the Grant Woods Forest Preserve (the "Property") located west of Fairfield Road and on the north and south sides of Monaville Road in Grant and Lake Villa Townships; and

WHEREAS, the Central Lake County Joint Action Water Agency ("CLCJAWA") has requested permanent non-exclusive easements (totaling 0.4 acres) and temporary non-exclusive easements (totaling .5 acres) within the Property for the purposes of constructing and maintaining a new water main (the "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 the construction, operation, and maintenance of public services, such as water supply systems; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970 and Section 5 of the Intergovernmental Cooperation Act, 5 ILCS 220/5, units of local government, such as the District and the CLCJAWA, may contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; 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 issuing easements; and

WHEREAS, the District has negotiated an easement agreement with the CLCJAWA in substantially the form attached hereto (the "Easement Agreement"); and

WHEREAS, it is in the best interests of the District to grant the Easements to the CLCJAWA in accordance with the Easement Agreement;

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 Easement Agreement. The Easement Agreement, in substantially the form attached hereto, is hereby approved. The President, Secretary and Director of Land Preservation of the District are hereby authorized and directed, on behalf of the District, to execute and attest to the Easement Agreement and other documents necessary to complete the grant of the Easements to the CLCJAWA, provided that the final form of the Easement Agreement and such documents have first been approved by the District's Counsel. In the event that any provision of the Easement Agreement or such documents conflicts with the Ordinance, the conflicting provision of the Ordinance is hereby waived.

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 _____, 2016

AYES:

NAYS:

APPROVED this ____ day of _____, 2016

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit # _____