



LAKE COUNTY FOREST PRESERVES
www.LCFPD.org

Preservation, Restoration, Education and Recreation

DATE: October 3, 2016
MEMO TO: Carol Calabresa, Chair
Land Preservation and Acquisition Committee
S. Michael Rummel, Chair
Finance and Administrative Committee
FROM: Alex Ty Kovach
Executive Director

Agenda Item# 9.16

RECOMMENDATION: Recommend approval of an Ordinance to authorize land exchange at Lakewood Forest Preserve with the Village of Wauconda. Recommend approval of a Resolution authorizing approving the transfer of the District land to Village of Wauconda.

STRATEGIC DIRECTION SUPPORTED: Organizational Sustainability; Conservation; Public Access and Connections.

FINANCIAL DATA: The exchange of land between the District and the Village of Wauconda (the "Village") will result in a greater net land benefit to the District therefore the District has agreed to pay all closing costs for the transaction, which will be funded from the 2008 Referendum Bonds and is included in the adopted FY 2014/15 Budget (Series 2015A) account number 31314100-801000. Based upon a recent acquisition, staff expects that the total closing costs should not exceed \$2,000.00.

BACKGROUND: At the direction of the Land Preservation and Acquisition Committee, District staff has reviewed an exchange with the Village in which the District will accept a 1.9-acre parcel of land located on Grand Boulevard, north of West Illinois Route 176, in exchange for a 0.35-acre parcel owned by the District located south of Gilmer Road, west of Liberty Lakes Boulevard, and adjacent to the Village's existing water tower site.

The acquisition of the Village's property will improve the experience when trail users enter Lakewood from Grand Boulevard, and, more importantly, clearing the invasive species on the parcel will improve the overall ecological health of the Broberg Marsh area by removing a potential source, or vector, for future invasions.

The acquisition, protection and management of the property acquired by the District will meet the District's adopted land acquisition goals of expanding existing preserves, protecting wildlife habitat, developing partnerships, providing trails and scenic vistas and protecting District holdings. The reduction of the 0.35-acre District property being transferred to the Village will not adversely affect the District's adjacent holdings or significantly alter its conservation efforts in this part of the County. The Village intends to use that parcel as part of its adjacent water tower property, furthering its efforts to provide its residents with Lake Michigan water.

An intergovernmental agreement (IGA) to execute the exchange has been negotiated by District staff and has been approved and signed by the Village. At the time the IGA was executed, land surveys were not available to determine the exact acreage of either parcel. Therefore, when the final acreage is determined by land surveys, the acreage may be slightly different than the current estimates.

Each property is vacant.

REVIEWED BY OTHERS: Executive Director, Chief Operations Officer and Corporate Counsel

PRESENTER: Alex Ty Kovach

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

**A RESOLUTION APPROVING THE CONVEYANCE OF LAND
TO THE VILLAGE OF WAUCONDA**

WHEREAS, the Village of Wauconda (the "Village") currently owns fee simple title to that certain real property consisting of approximately 1.9 acres located within the Village along Grand Boulevard, north of West Illinois Route 176, and depicted on Exhibit A (the "Village Property"); and

WHEREAS, the Village Property is adjacent to Lakewood Forest Preserve; and

WHEREAS, the Lake County Forest Preserve District (the "District") currently owns fee simple title to that certain real property consisting of approximately 0.35 acres and generally depicted on Exhibit B (the "District Property"); and

WHEREAS, the District Property is adjacent to property owned by the Village that is used by the Village for a Village water tower; and

WHEREAS, the Village and the District have negotiated an "Intergovernmental Agreement by and between Lake County Forest Preserve District and Village of Wauconda Regarding Exchange of Land," pursuant to which the Village would convey the Village Property to the District and the District would convey the District Property to the Village, in substantially the form attached hereto as Exhibit C (the "Intergovernmental Agreement"); and

WHEREAS, the District has approved the Intergovernmental Agreement; and

WHEREAS, the Village has adopted (i) an ordinance approving the Intergovernmental Agreement, declaring that it is necessary or convenient for it to use, occupy or improve the District Property for public purposes and requesting that the District convey the District Property to the Village; and (ii) a resolution approving the conveyance of the Village Parcel to the District; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970, the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., the Local Government Property Transfer Act, 50 ILCS 605/0.01, et seq., and other applicable authority, the Village is authorized to acquire the District Property from the District and the District is authorized to convey the District Property to the Village; and

WHEREAS, it is in the best interests of the District to convey the District Property to the Village;

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.

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 Ordinance by this reference.

Section 2. Ownership and Boundaries. The Village Property is publicly owned, is depicted on the attached Exhibit A, and lies wholly within the limits of the District. The District Property is depicted on the attached Exhibit B.

Section 3. Suitability. The Village Property is suitable to be used, occupied, and developed for forest preserve and related purposes, and it is necessary and desirable that the Village Property be acquired by the District, in exchange for the District Property.

Section 4. Approval of Intergovernmental Agreement. The Intergovernmental Agreement is hereby approved. The District shall acquire the Village Property from the Village, and convey the District Property to the Village, upon the terms and conditions of the Intergovernmental Agreement and such other terms and conditions as shall be approved by the District. The President, Secretary, and Executive Director of the District (and his designees) are hereby authorized and directed (i) to execute and attest to, on behalf of the District, the Intergovernmental 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 such exchange.

Section 5. Authority to Pay All Closing Costs. The Treasurer of the District is hereby authorized to pay all closing costs for the exchange, pursuant to the terms and conditions of the Intergovernmental Agreement.

Section 6. 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 _____, 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 No. _____

Exhibit A

Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048
847-387-6640
www.lcfd.org

Legend

-  Forest Preserve Property
-  Village Property



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



2014 Aerial Photo



Map Prepared 14 September 2016



Exhibit B

Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048
847-367-6640
www.lcfpd.org

Legend

-  Forest Preserve Property
-  District Property



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.

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