



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: December 4, 2017

MEMO TO: Craig Taylor, Chair
Operations Committee

Carol Calabresa, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of a Resolution Authorizing an Amendment to an Easement Agreement with the Village of Volo regarding the Millennium Trail.

STRATEGIC DIRECTION SUPPORTED: Leadership

FINANCIAL DATA: There is no financial impact at this time.

BACKGROUND: At their December 4 meetings, the Committees will consider giving policy direction regarding the Village of Volo's request to install lighting along the Millennium Trail. If the Committees provide policy direction to allow Volo's request, it is appropriate to amend the easement agreement between the District and the Village to allow such installation. The attached resolution would authorize the President to negotiate and approve such an amendment, subject to the requirements that (i) the lights are installed, maintained, and replaced, at no cost to the District, in accordance with plans approved by the District, (ii) the lights be governed by a timer that will automatically turn them off at an agreed time, (iii) the purpose of the lights is for beautification, not to allow use of the trail before or after the posted hours of operation, and (iv) the Village reimburse the District for signage notifying the public of the trail's hours of operation.

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

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

**A RESOLUTION AUTHORIZING AN AMENDMENT
TO AN EASEMENT AGREEMENT WITH THE VILLAGE OF VOLO
REGARDING THE MILLENIUM TRAIL**

WHEREAS, the Lake County Forest Preserve District (the "District") has entered into a First Amended and Restated Trail Easement Agreement with the Village of Volo (the "Village"), recorded as Document No. 6256543 and re-recorded as Document No. 6273777 (collectively, the "Easement Agreement"), pursuant to which the Village granted an easement within the "Trail Easement Area" (as defined in the Easement Agreement) allowing the District to install and operate a public trail, that is now known as the "Millennium Trail"; and

WHEREAS, Fish Lake Road runs generally parallel to a portion of the Trail Easement Area; and

WHEREAS, the Village desires to install beautification improvements along and near Fish Lake Road, including within an approximately 1/4-mile portion of the Trail Easement Area, which improvements include 13 light poles that are 12 feet in height and made of wood and underground electrical cable (collectively, the "Lights"); and

WHEREAS, in furtherance of such project, the Village has requested that the Easement Agreement be amended to provide that the Village reserves the right, within the Trail Easement Area, to install the Lights (the "Easement Agreement Amendment"); and

WHEREAS, it is in the best interests of the District to approve an Easement Agreement Amendment that (i) requires that any Lights that are installed, be installed, maintained, and replaced, at no cost to the District, in accordance with plans approved by the District's Executive Director, (ii) requires that the Lights be governed by a timer that will automatically turn them off at a time agreed to in the Easement Agreement Amendment, (iii) stipulates that the purpose of installing the Lights is for beautification only, and not to allow use of the Millennium Trail before or after the hours of operation posted by the District, (iv) requires the Village to reimburse the District for any costs incurred by the District to make and install signs along the Millennium Trail in the vicinity of the Trail Easement Area notifying the public of the hours of operation of the Millennium Trail, and (v) includes such other provisions as are necessary or desirable to protect the District (collectively, the "Amendment Criteria");

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. Negotiation and Execution of Easement Agreement Amendment. The District President and Executive Director are hereby authorized and directed to negotiate an Amendment to Easement Agreement with the Village that complies with the Amendment Criteria. The District President is

hereby authorized to approve and execute an Easement Agreement Amendment, if it complies with the Amendment Criteria and the form has first been approved by the District's Corporate Counsel.

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 _____, 2017

AYES:

NAYS:

APPROVED this _____ day of _____, 2017

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____