



LAKE COUNTY FOREST PRESERVES  
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Preservation, Restoration, Education and Recreation

**DATE:** April 30, 2018  
**MEMO TO:** Carol Calabresa, Chair  
Planning Committee  
**FROM:** Randall L. Seebach  
Director of Planning and Land Preservation

**Agenda Item#** 9.5

**RECOMMENDATION:** Recommend approval of an Ordinance approving an Intergovernmental Agreement with the County of Lake for the exchange of fee simple interests, the granting by the District of permanent and temporary easements, and the engineering and construction of trails and improvements by the County and the District at various forest preserves.

**STRATEGIC DIRECTIONS SUPPORTED:** Public Access and Connections; Leadership, Organizational Sustainability

**FINANCIAL DATA:** There is no financial impact at this time. The anticipated loss of fee-simple property, expenses related to trail construction, and the waiving of tree impact fees will affect the District's financial status, but the key to this Agreement is the expectation that the savings to the District in other areas will balance those losses and expenses with a reduction in costs for other District projects. No cash is anticipated to change hands between the District and the County as a result of this Agreement.

**BACKGROUND:** In early November, LCDOT proposed a wide-ranging intergovernmental agreement (IGA) to cover a variety of projects of concern to both LCDOT and the District, located at or adjacent to six different forest preserves. By including a number of projects under the auspices of one IGA, each entity hopes to save both time and legal costs, and realize efficiencies by sharing responsibility on certain projects.

Each body will both obtain and relinquish real property from and to the other body, and pay for projects that would not normally be within its individual responsibility. The District will also waive tree impact fees for one project that are otherwise required by the District's License and Easement Ordinance. Each agency will also agree to undertake certain projects that benefit the other agency, but that are more efficient for the performing agency to complete.

Based on an assumed land value of \$0.80 per square foot, or \$34,848 per acre, the estimated value of the projects to be completed by LCDOT under the IGA, staff believes that the IGA presents fair and beneficial consideration to both parties.

In January 2018, the Planning Committee reviewed a Policy Direction and authorized staff to negotiate a mutually acceptable IGA presented and attached hereto.

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



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

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE  
COUNTY OF LAKE FOR THE EXCHANGE OF PROPERTY RIGHTS AND THE DESIGN AND  
CONSTRUCTION OF PUBLIC IMPROVEMENTS AT VARIOUS FOREST PRESERVES**

**WHEREAS**, the County of Lake (the “County”) currently owns fee simple title to certain real property consisting of approximately 0.25 acres located at the northwest corner of the intersection of Green Bay Road and Casimir Pulaski Drive, and adjacent to Greenbelt Forest Preserve (the “County Property”); and

**WHEREAS**, the Lake County Forest Preserve District (the “District”) currently owns fee simple title to certain real properties within Wadsworth Savanna Forest Preserve, Grant Woods Forest Preserve, and Greenbelt Forest Preserve that are adjacent to County rights of way (collectively, the “District Property”); and

**WHEREAS**, the County and the District have negotiated an intergovernmental agreement pursuant to which (i) the County would convey the County Property to the District, (ii) the District would convey the District Property to the County, (ii) the District would grant to the County for public services (specifically, to expand County road rights-of-way, construct shared path improvements, and accommodate additional public road improvements) certain permanent and temporary easements and a temporary license, and (iii) the District and the County would each design and construct certain public improvements, all in substantially the form attached hereto as Exhibit A (the “Intergovernmental Agreement”); and

**WHEREAS**, the County 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 County; and (ii) a resolution approving the conveyance of the County Property 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 District is authorized to acquire the County Property from the County and the County is authorized to convey the County Property to the District; and

**WHEREAS**, pursuant to Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, the District may grant licenses and easements for public services; and

**WHEREAS**, the Board of Commissioners finds that (i) the County Property is suitable for District purposes and the District hereby declares that it is necessary or convenient for it to use, occupy or improve the County Property, (ii) acquisition of the County Property would expand upon and enhance the holdings of Greenbelt Forest Preserve, provide expanded forest preserve holdings, protect wildlife habitat, provide expanded trail opportunities and 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 acquire the County Property; and

**WHEREAS**, the Board of Commissioners further finds that it is in the best interests of the District to approve the Intergovernmental Agreement;

**NOW, THEREFORE, BE IT ORDAINED** 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 County Property (identified in the Intergovernmental Agreement as the "Excess Pulaski Drive Parcel") is publicly owned, and lies wholly within the limits of the District.

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

Section 4. Approval of Intergovernmental Agreement. The Intergovernmental Agreement is hereby approved in substantially the form attached hereto. The District shall acquire the County Property from the County, and convey the District Property to the County, 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, or cause the execution and attestation of, on behalf of the District, the Intergovernmental Agreement and all other documents that are necessary to effectuate the transactions and purposes of the Intergovernmental Agreement, 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 transactions.

Section 5. 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 \_\_\_\_\_, 2018

AYES:

NAYS:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2018

APPROVED:

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

ATTEST:

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

Exhibit No. \_\_\_\_\_