



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# 9.6

RECOMMENDATION: Recommend approval of a Resolution Approving the Conveyance of Land to the County of Lake pursuant to an Intergovernmental Agreement 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 will affect the District's financial status, but the savings from the overall Agreement 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 the 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, which will be approved prior to the attached resolution and will authorize the conveyance of land, as provided in the attached resolution.

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

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

**A RESOLUTION APPROVING THE CONVEYANCE
OF LAND TO THE COUNTY OF LAKE**

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 and, on this day, approved 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, (iii) 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 (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 convey the District Property to the County and the County is authorized to acquire the District Property from the District; and

WHEREAS, it is in the best interests of the District to convey the District Property to the County, in accordance with the Intergovernmental 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 Conveyance. The President, Secretary, and Executive Director of the District (and their designees) are hereby authorized and directed to execute and attest to, on behalf of the District, or cause to be executed and attested, all documents necessary or desirable for the District to convey the District Property (identified in the Intergovernmental Agreement as the “Fee Simple Parcels”) to the County, provided that any documents have 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 _____, 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. _____