



LAKE COUNTY FOREST PRESERVES
www.LCFPD.org

Preservation, Restoration, Education and Recreation

DATE: June 4, 2018

MEMO TO: Carol Calabresa, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of an Ordinance Vacating a portion of Garcia Drive within Fourth Lake Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Conservation

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

BACKGROUND: The Lake County Forest Preserve District (District) owns a portion of one platted but unbuilt road named Garcia Drive at Fourth Lake Forest Preserve.

There is a small section of the unbuilt road right-of-way, approximately 75 feet in length, that is not required for the public's use and enjoyment of District property, and because the vacation will enhance the public's ability to enjoy District property by protecting the view shed, the vacation of the Road will serve the public interest because it will relieve the public from the burden and responsibility for the Road.

State Statute allows the District to vacate a road within a forest preserve that is not part of a State or County highway. This process has been followed previously at Cahokia Flatwoods, Greenbelt, Singing Hills, Spring Bluff, Tanager Kames, and Waukegan Savanna Forest Preserves.

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

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

**AN ORDINANCE VACATING A PORTION OF GARCIA DRIVE
WITHIN FOURTH LAKE FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns the fee simple interest underlying a certain roadway within the forest preserve commonly known as Fourth Lake Forest Preserve, which roadway is legally described on Exhibit A and generally depicted on Exhibit B attached hereto and made a part hereof (the "Road"); and

WHEREAS, the Road is located entirely within the limits of the District and Fourth Lake Forest Preserve, is subject to the jurisdiction of the District, and is not part of any State or County Highway; and

WHEREAS, the District desires to vacate the Road; and

WHEREAS, Pursuant to Section 6 of the Downstate Forest Preserve District Act. 70 ILCS 805/6, the District is authorized to vacate the Road by ordinance where such vacation will serve the public interest; and

WHEREAS, the vacation of the Road will serve the public interest because vacation will relieve the public from the burden and responsibility for the Road, because the Road is not required for the public's use and enjoyment of District property, and because the vacation will enhance the public's ability to enjoy District property by protecting the view shed; and

WHEREAS, the nature and extent of such public interests warrant the vacation of the Road;

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. Vacation of Roads. The Road is hereby vacated.

Section 3. Vacation Documents. The District's Executive Director shall cause to be prepared any documents necessary or desirable for the vacation of the Road.

Section 4. Execution and Performance of Other Acts. The District President, or the President's designee or designees, are hereby authorized to execute any documents and take any other action necessary or desirable to vacate the Road.

Section 5. Ownership. Upon vacation of the Road, title to the land within the Road shall remain vested in, or vest in, the District, to the fullest extent permitted by law.

Section 6. Reservation of Rights. All property, rights of way and easements for the use, maintenance, renewal, construction and reconstruction of any public utilities over, across, through and under the Road are hereby reserved to the District or to any public utilities or entities, as the case may be, which owns such utilities.

Section 7. 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

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

VACATION OF A PORTION OF GARCIA DRIVE IN THAT PART OF SECTION 2, TOWNSHIP 45 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

ALL THAT PART OF GARCIA DRIVE LYING SOUTH OF AND ADJACENT TO LOT 21 IN BLOCK 26 IN VENETIAN VILLAGE, BEING A SUBDIVISION OF PARTS OF SECTIONS 2 AND 11, TOWNSHIP 45 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1930 AS DOCUMENT 354246, IN BOOK "V" OF PLATS, PAGES 26 TO 32, IN LAKE COUNTY, ILLINOIS. CONTAINING 5,643 SQUARE FEET, MORE OR LESS.



PEKLAY SURVEYING CO., LTD
PROFESSIONAL DESIGN FIRM NO. 2981
163 N. GREENLEAF ST. SUITE 1
GURNEE, IL. 60031-3344
(847) 336-0059 phone
(847) 336-8753 fax

Dated: 5/21/18

By: Edward Peklay

Illinois Professional Land Surveyor No. 2549
My license expires 11/30/2018



File No. 18-157

Exhibit B

Exhibit B

Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048
847-968-3351
www.lcfdp.org

Legend

-  Forest Preserve Property
-  ROW to be Vacated



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

Map Prepared 8 May 2018

0 75 150 300 Feet

