



LAKE COUNTY FOREST PRESERVES
www.LCFPD.org

Preservation, Restoration, Education and Recreation

DATE: August 6, 2018

MEMO TO: Carol Calabresa, Chair
Planning Committee

Agenda Item# 9.8

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

RECOMMENDATION: Recommend approval of an Ordinance Vacating a portion of Elm Road within Almond Marsh Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Conservation

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

BACKGROUND: The District owns a portion of one platted but unbuilt road named Elm Road at Almond Marsh Forest Preserve. There is a small section of the unbuilt road right-of-way, approximately 415 feet in length and 0.6 acres in area, that is not required for the public's use and enjoyment of District property. Vacating this portion of the road will enhance the public's ability to enjoy District property by protecting the natural resource values. It will also 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 ELM ROAD
WITHIN ALMOND MARSH 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 Almond Marsh 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 Almond Marsh 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 natural resource values; 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 Road. 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 Elm Road in that part of the Southwest Quarter of Section 31, Township 45 North, Range 11, East of the Third Principal Meridian, in Lake County, Illinois, described as follows:

All that part of Elm Road (labeled as Easement for Road) lying North of and adjacent to Lot 56 in Robert Bartlett's Arbor Vista, being a subdivision in part of the Southwest Quarter of Section 31, Township 45 North, Range 11, East of the Third Principal Meridian, according to the plat thereof, recorded May 13, 1958, as Document 989804, in Book 34 of Plats, page 64, in Lake County, Illinois. Containing 996 square feet, more or less.

Dated: 7/09/2018

By: *Edward Peklay*
Edward Peklay

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

Peklay Surveying Co., Ltd.
Professional Design Firm No. 2981
163 N. Greenleaf St. Suite 1
Gurnee, Il. 60031
(847) 336-0059





Exhibit B

Exhibit B

Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048
847-367-6640
www.lcfd.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 2 July 2018

0 100 200 400 Feet

