



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

Date: November 3, 2014

Agenda Item# 9.7

Memo to: Carol Calabresa, Chair
Land Preservation and Acquisition Committee

Pat Carey, Chair
Finance and Administrative Committee

From: Alex Ty Kovach
Executive Director

Subject: Vacation of 0.49-acre portion of Riviera Drive within Fourth Lake Forest Preserve

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

BACKGROUND: Fourth Lake Forest Preserve contains one platted but unbuilt segment of Riviera Drive.

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

REASON FOR RECOMMENDATION: Committee and Board approval is required in accordance with District policy.

REVIEWED BY OTHERS: Executive Director and Legal Counsel

FINANCIAL DATA: There is no financial impact from this Ordinance.

PRESENTER: Alex Ty Kovach

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR NOVEMBER MEETING
NOVEMBER 11, 2014**

MADAM PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:


Your **LAND PRESERVATION AND ACQUISITION COMMITTEE** and **FINANCE AND ADMINISTRATIVE COMMITTEE** present herewith "An Ordinance Vacating a portion of Riviera Drive within Fourth Lake Forest Preserve" and request its adoption.

LAND PRESERVATION AND ACQUISITION COMMITTEE: Yea Nay

FINANCE AND ADMINISTRATIVE COMMITTEE: Yea Nay



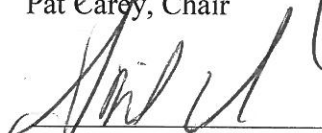
Carol Calabresa, Chair




Pat Carey, Chair




Linda Pedersen, Vice Chair



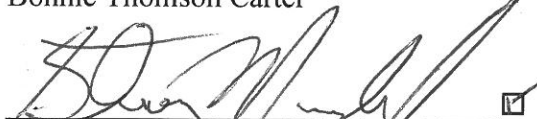
S. Michael Rummel, Vice Chair



Bonnie Thomson Carter



Sandra Hart

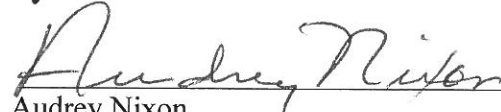


Steven W. Mandel



Aaron Lawlor

Diana O'Kelly




Audrey Nixon



Tom Weber

Diana O'Kelly

Terry Wilke



Linda Pedersen

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

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

WHEREAS, the Lake County Forest Preserve District (the "District") owns a certain roadway within the forest preserve commonly known as Fourth Lake Forest Preserve, which 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, 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 use and enjoy District property; 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 November, 2014

Ayes:

Nays:

Approved this _____ day of November, 2014

APPROVED:

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

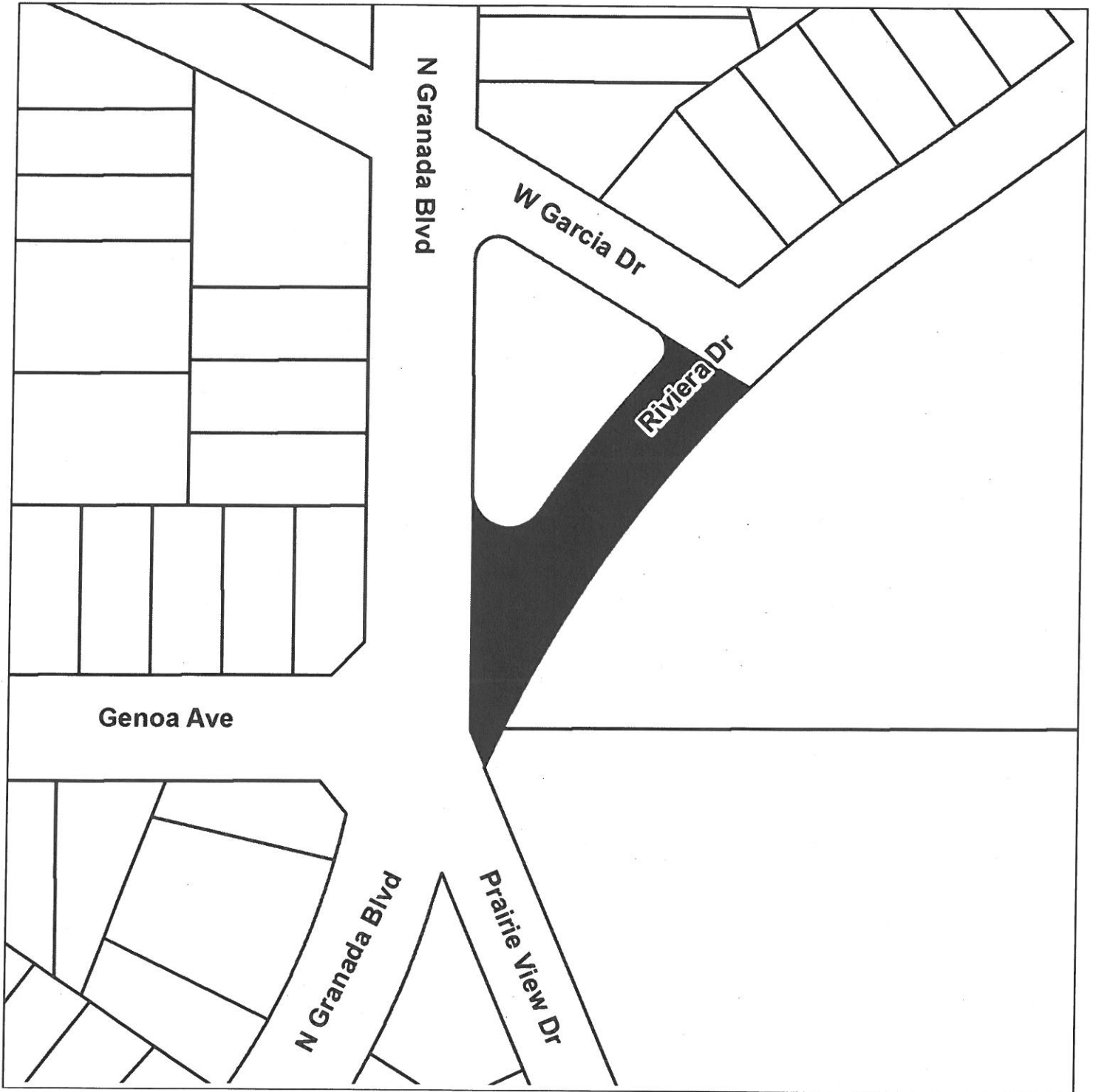
Julie A. Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

ALL THAT PART OF RIVIERA DRIVE AS SHOWN AND DEDICATED ON THE PLAT OF 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 28 TO 32, IN LAKE COUNTY, ILLINOIS, DESCRIBED AS LYING SOUTHEASTERLY OF AND ADJACENT TO THE TRACT DESIGNATED AS "PARK", LYING SOUTHWESTERLY OF DDAND ADJACENT TO THE SOUTHWESTERLY LINE OF GARCIA DRIVE EXTENDED SOUTHEASTERLY, LYING EAST OF AND ADJACENT TO THE EAST LINE OF GRANADA BOULEVARD AND LYING NORTHEASTERLY OF AND ADJACENT TO THE NORTHEASTERLY LINE OF PRAIRIE VIEW DRIVE EXTENDED NORTHWESTERLY. CONTAINS 21,302 SQ.FT., MORE OR LESS.

Exhibit B



■ ROW to be Vacated