



LAKE COUNTY FOREST PRESERVES

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Preservation, Restoration, Education and Recreation

DATE: November 5, 2018

MEMO TO: Carol Calabresa, Chair
Planning Committee

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

Agenda Item# 9.8

RECOMMENDATION: Recommend approval of a Resolution to purchase an approximately 13.4-acre property in Antioch Township, known as the Petty property, for approximately \$73,700.00 as an addition to Sequoit Creek Forest Preserve.

STRATEGIC DIRECTIONS SUPPORTED: Conservation

FINANCIAL DATA: The purchase price of the Petty property is approximately \$73,700.00, and will be funded from the 2008 Referendum Bonds, which are included in the adopted FY 2018/19 Budget (Series 2015A) account number 31314100-801000.

BACKGROUND: At the direction of the Planning Committee, District staff has reviewed the property to determine its suitability for acquisition for District purposes. In staff's opinion, the acquisition, protection and management of this property will meet the District's adopted land acquisition goals of protecting wildlife habitat, preserving wetlands, prairies and forests, providing scenic vistas, adding to existing preserves, protecting existing Forest Preserve holdings, and the property will serve as a visual, topographic and ecologic extension of adjoining District properties.

The property is located on Lincoln Avenue, adjacent to the Village of Antioch, approximately 1,250 feet south of Route 173.

The property is owned by one or more Land Trusts, and one beneficiary of the Land Trust(s) will only sell the property if closing is delayed for up to three years after the contract approval, which will provide him with the ability to hunt on the property for no more than three additional hunting seasons. A contract to purchase the property has been negotiated by District staff and signed by the owner. The contract specifies that, if the District elects to acquire the property during the initial 60-day due diligence period after the contract's approval, then the District and Seller will immediately enter into an escrow agreement in a form attached to the contract that will create an escrow to hold all the closing documents during the up-to three season period prior to closing. Specifically, all Beneficiaries will execute and deposit into the escrow an irrevocable direction to the Land Trust(s) directing it to convey the Property to the District at Closing, the District will immediately deposit the Purchase Price into the escrow, and the parties will record a memorandum of the contract and escrow against the property.

Pursuant to the contract, the District will pay \$5,500 per acre (based on the survey acreage), currently estimated to be \$73,700. At the time the contract was executed, a land survey was not available to determine the exact acreage of the parcel. Therefore, when the final acreage is determined by an ALTA land survey, the acreage may be slightly different than the current estimate of 13.4 acres and the purchase price may be different than the estimate of approximately \$73,700.00. The property is vacant.

REVIEWED BY OTHERS: Executive Director, Chief Operations Officer, Corporate Counsel.

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

**A RESOLUTION TO PURCHASE AN APPROXIMATELY 13.4-ACRE PARCEL AS AN
ADDITION TO SEQUOIT CREEK FOREST PRESERVE (PETTY PROPERTY)**

WHEREAS, the Lake County Forest Preserve District (the "District") owns a certain parcel of land known as Sequoit Creek Forest Preserve ("Sequoit Creek"); and

WHEREAS, the Planning Committee (the "Committee") of the District has reviewed certain land in Antioch Township and within the corporate limits of the District that is suitable for District purposes, which land includes approximately 13.4 acres, is known as the Petty Property, is privately-owned, and is depicted in Exhibit A attached hereto (the "Property"); and

WHEREAS, the Property will expand upon, and enhance, the holding of Sequoit Creek, will provide expanded forest preserve opportunities in an ecologically important portion of Lake County, and is a visual, topographic and ecologic extension of District properties; and

WHEREAS, the District's Department of Planning and Land Preservation has negotiated a purchase and sale agreement with the owners of the Property pursuant to which the District would purchase the Property from the owners (the "Purchase Agreement"), and the owners of the Property have executed the Purchase Agreement; and

WHEREAS, the Committee has recommended that the District approve the Purchase Agreement and purchase the Property; and

WHEREAS, the Board of Commissioners finds that (i) the Property is suitable for District purposes, (ii) acquisition of the Property would expand upon and enhance the holdings of Sequoit Creek, protect wildlife habitat, protect against flooding, preserving wetlands, provide scenic vistas, (iii) the Property would serve as a visual, topographic and ecologic extension of adjoining District properties, and (iv) it is in the best interests of the District to approve the Purchase Agreement and acquire the Property;

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 Purchase Agreement. The Purchase Agreement is hereby approved. The District shall purchase the Property from the owner of the Property, upon the terms and conditions of the Purchase Agreement and such other terms and conditions as shall be approved by the District, for \$5,500 per acre (based on the survey acreage), currently estimated to be \$73,700. The President, Secretary, and Executive Director of the District (and the Executive Director's designees) are hereby authorized and directed (i) to execute and attest to, on behalf of the District, the Purchase Agreement and all other documents that are necessary to complete the acquisition of the Property 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 the acquisition of the Property.

Section 3. Authority to Pay Owner. The Treasurer of the District is hereby authorized to pay for the Property, pursuant to the terms and conditions of the Purchase Agreement.

Section 4. 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

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District



Exhibit No. _____

Exhibit A

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



Legend

 Forest Preserve Boundary  Subject Parcel

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.

2015 Aerial Photo

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 7 September 2018

