



LAKE COUNTY FOREST PRESERVES
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Preservation, Restoration, Education and Recreation

DATE: June 24, 2019
MEMO TO: John Wasik, Chair
Planning Committee
FROM: Randall L. Seebach
Director of Planning and Land Preservation

Agenda Item# 9.10

RECOMMENDATION: Recommend approval of an Ordinance Vacating portions of Elizabeth Drive and Morton Drive within Duck Farm Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Conservation

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

BACKGROUND: The District owns portions of two platted but unbuilt roads named Elizabeth Drive and Morton Drive at Duck Farm Forest Preserve. The section of unbuilt road named Elizabeth Drive is approximately 246 feet in length and 0.34 acres in area. The section of unbuilt road named Morton Drive is approximately 321 feet in length and 0.25 acres in area. Neither right-of-way is required for the public's use and enjoyment of District property or for ingress and egress to any other property. Vacating these portions of the roads will enhance the public's ability to enjoy District property by protecting the natural resource values. It will also relieve the public from the potential burden and responsibility for the roads.

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 Karnes, and Waukegan Savanna Forest Preserves.

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

ROAD VACATION

Lake County

THIS DOCUMENT PREPARED
BY AND AFTER RECORDING
MAIL TO:

Ken Jones
Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR JULY MEETING
JULY 10, 2019**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith "An Ordinance Vacating portions of Elizabeth Drive and Morton Drive within Duck Farm Forest Preserve," and requests its approval.

PLANNING COMMITTEE:

Date: 06.24.19 Roll Call Vote: Ayes: _____ Nays: _____

Voice Vote Majority Ayes; Nays: 0

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

**AN ORDINANCE VACATING PORTIONS OF ELIZABETH DRIVE AND MORTON
DRIVE WITHIN DUCK FARM FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns the fee simple interest underlying certain roadways within the forest preserve commonly known as Duck Farm Forest Preserve, which roadways are legally described on Exhibit A and generally depicted on Exhibit B attached hereto and made part hereof (the "Roads"); and

WHEREAS, the Roads are located entirely within the limits of the District and Duck Farm Forest Preserve, are subject to the jurisdiction of the District, and are not part of any State or County Highway; and

WHEREAS, the District desires to vacate the Roads; and

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

WHEREAS, the vacation of the Roads will serve the public interest because vacation will relieve the public from the burden and responsibility for the Roads, because the Roads are 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 Roads;

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 a part of this Ordinance by this reference.

Section 2: Vacation of Roads. The Roads are 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 Roads.

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 Roads.

Section 5. Ownership. Upon vacation of the Roads, title to the land within the Roads 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 _____, 2019

AYES:

NAYS:

APPROVED this ____ day of _____, 2019

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

Vacation of a portion of Morton Drive and Elizabeth Drive in that part of the North Half of the Northwest Quarter of Section 10, Township 45 North, Range 10, East of the Third Principal Meridian, in Lake County, Illinois, described as follows:

Parcel One:

All that part of Morton Drive lying North of and adjacent to the North line of Lot "E" in Venetian Village Unit No 5, being a subdivision in the North Quarter of Section 10, Township 45 North, Range 10, East of the Third Principal Meridian, according to the plat thereof, recorded August 19, 1946, as Document 597874, in Book 30 of Plats, pages 76 and 77, in Lake County, Illinois, and also that part of Morton Drive lying Northwesterly of the Southeasterly curved lot line of said Lot "E" , said curved line having a radius of 556.44 feet and being concave Southeasterly, extended Northeasterly to its intersection with the North line of Morton Drive.

Parcel Two:

All that part of Elizabeth Drive lying East of and adjacent to the East lines of Lots 1, 2, 3 and 4 in Block 77 in Venetian Village, Unit No. 6, being a subdivision of part of the Northwest Quarter of the Northwest Quarter of Section 10 and of the Northeast Quarter of the Northeast Quarter of Section 9, Township 45 North, Range 10 East of the Third Principal Meridian, according to the plat thereof, recorded September 17, 1946, as Document 600526, in Book 30 of Plats on pages 82 and 83, in Lake County, Illinois.

Containing 25,151 square feet, more or less.

Dated: 6/01/2019

By:



Edward Peklay

Illinois Professional Land Survey No. 2549

My license expires 11/30/2020

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
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-988-3351



Legend

-  Forest Preserve Boundary
-  Row to be Vacated

Prepared using information from:
Lake County Department of Information
& Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60085-4357
847-377-2373

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.

Map Prepared 1 June 2019

