



DATE: January 4, 2021

MEMO TO: Terry Wilke, Chair
Planning Committee

Agenda Item# 10.4

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

RECOMMENDATION: Recommend approval of a Resolution Approving the Grant of Permanent and Temporary Easements to North Shore Gas Company for Utility Relocation at the Millennium Trail - Route 45 Underpass Project at Raven Glen Forest Preserve.

STRATEGIC DIRECTIONS SUPPORTED: Public Access and Connections.

FINANCIAL DATA: Staff recommends waiving easement fees and other amounts payable under the District’s License and Easement Ordinance because of the benefit received to the District from the underpass project and gas line relocation.

BACKGROUND: Under Section 6 of the Downstate Forest Preserve District Act, the Lake County Forest Preserve District (the “District”) has the "power to grant licenses, easements and rights-of-way for the construction, operation and maintenance upon, under or across any property of [the] District of facilities for water, sewage, telephone, telegraph, electric, gas or other public service..."

The District has begun work on the Millennium Trail-Route 45 Underpass project, located at Raven Glen and Ethel’s Woods Forest Preserves just north of Miller Road. This project has received federal funding through the CMAQ-TAP program and is expected to be completed in the fall 2021. The District’s consulting engineer has determined that a high-pressure gas line on the west side of Route 45, owned by North Shore Gas Company (“NSG”), is in conflict with the construction because of the deep excavation required for construction of the underpass. NSG is willing to reroute the gas line westward around the structure to assure system performance and ease of maintenance. The relocation will require the District to grant a permanent easement to NSG for installation of, access to, maintenance of, and replacement of the gas line and a temporary easement for access and construction activities.

The final locations of the to-be-relocated gas main, the permanent easement, and the temporary easement are depicted on Exhibit A attached to the resolution as, respectively, the “New Gas Line,” the “Permanent Easement,” and the “Temporary Easement.” Because these locations were just recently finalized, the plat of easement has not yet been prepared. Therefore, the attached resolution would authorize District staff to approve the final plat of easement granting the easements in the general locations depicted on Exhibit A.

Because the gas main relocation is considered a benefit to the District’s project, staff recommends that the District waive all easement fees and other fees otherwise payable to the District under the District’s License and Easement Ordinance, including the cost of preparing the plat of easement. NSG has agreed to perform the relocation work at no charge to the District.

The gas main relocation work is scheduled to begin in February 2021.

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

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

**A RESOLUTION APPROVING THE GRANT OF PERMANENT AND TEMPORARY
EASEMENTS TO NORTH SHORE GAS COMPANY FOR THE MILLENNIUM TRAIL -
ROUTE 45 UNDERPASS PROJECT (RAVEN GLEN FOREST PRESERVE)**

WHEREAS, the Lake County Forest Preserve District (the "District") owns a certain parcel of land along U.S. Route 45 within Raven Glen Forest Preserve in Antioch Township (the "Parcel"); and

WHEREAS, as part of a trail connection, the District plans to construct a trail underpass under Route 45 connecting Raven Glen and Ethel's Woods Forest Preserves (the "Underpass Project"); and

WHEREAS, the North Shore Gas Company ("NSG") operates and maintains a gas line and other related improvements within the Route 45 right-of-way (collectively, the "Gas Line") and the current location of the Gas Line will interfere with the planned Underpass Project; and

WHEREAS, it is in the best interests of the District to grant NSG a new easement pursuant to a plat of easement (the "Plat") granting NSG (i) a permanent easement within the Parcel in the general location depicted as the "Permanent Easement" on the Attached Exhibit A and (ii) a temporary easement within the Parcel in the general location depicted as the "Temporary Easement" on the attached Exhibit A, so that NSG can relocate its Gas Line onto that portion of the Parcel generally depicted as the "New Gas Line" on the Attached Exhibit A and, in such new location, the New Gas Line will not interfere with the Underpass Project; and

WHEREAS, NSG has agreed to perform the gas main relocation at no cost to the District; and

WHEREAS, Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 80 5/6, authorizes the District to grant easements under or across District property for public services, including natural gas services; and

WHEREAS, the District has adopted an Ordinance Regarding Licenses and Easements (the "Ordinance") which sets forth the District's general requirements for granting easements;

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 Resolution by this reference.

Section 2: Approval of Plat. The District's Executive Director or his designee is hereby authorized and directed to cause the Plat to be prepared, subject to final approval of the District's Corporate Counsel. The President, Secretary and Executive Director are hereby authorized and directed, on behalf of the District, to execute and attest to the Plat and to execute or cause the execution of all documents necessary to complete the transactions contemplated herein. The District hereby waives all easement fees and other amounts otherwise payable to the District under the Ordinance, including the cost of preparing the Plat. In the event that any provision of this Resolution or the Plat conflicts with the Ordinance, the conflicting provision of the Ordinance is hereby waived to the extent of such conflict.

Section 3: 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 _____, 2021

AYES:

NAYS:

APPROVED this _____ day of _____, 2021

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

Legend



The Parcel



Permanent Easement

New Gas Line



Temporary Easement



Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-968-3351

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 Nearmap & the
Lake County Department of Information
& Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60086-4357
847-377-2373

0 25 50 100 Feet

2020 Aerial Photo

Map Prepared 30 December 2020

