



DATE: February 1, 2021

MEMO TO: Terry Wilke, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of an Ordinance vacating a portion of 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 a platted but unbuilt road named Morton Drive at Duck Farm Forest Preserve, located between Lawrence Drive and Elizabeth Drive, which is approximately 160 feet in length and 0.125 acres in area. The right-of-way is not required for the public's use and enjoyment of District property or for ingress and egress to any other 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 potential burden and responsibility for the right-of-way.

The Downstate Forest Preserve District Act 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, Duck Farm, 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.

ROAD VACATION

Lake County

THIS DOCUMENT PREPARED
BY AND AFTER RECORDING
MAIL TO:

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

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR FEBRUARY MEETING
FEBRUARY 9, 2021**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “An Ordinance Vacating a portion of Morton Drive within Duck Farm Forest Preserve,” and requests its approval.

PLANNING COMMITTEE:

Date: _____ Roll Call Vote: Ayes: ____ Nays: ____
 Voice Vote Majority Ayes; Nays: ____

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

**AN ORDINANCE VACATING A PORTION OF MORTON DRIVE
WITHIN DUCK FARM 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 Duck Farm Forest Preserve, which roadway is legally described on Exhibit A and generally depicted on Exhibit B attached hereto and made part hereof (the "Road"); and

WHEREAS, the Road is located entirely within the limits of the District and Duck Farm 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 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 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 (if any), including 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 _____, 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

Vacation of a portion of Morton 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 1, 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, pages 82 and 83, in Lake County, Illinois.

Parcel Two:

All that part of Morton Drive lying North of and Adjacent to the North line of Elizabeth Drive, West of and adjacent to the East 33 feet of said Elizabeth Drive extended North and East of and adjacent to the East line of Parcel One.

Containing 5,518 square feet, more or less.

Dated: 01/12/2021

By: 
Edward Peklay

Illinois Professional Land Survey No. 2549
My license expires 11/30/2022



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



Exhibit B

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

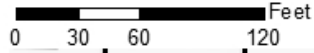
Legend

-  Forest Preserve Parcels
-  The "Road"



Prepared using information from Nearmap
& the Lake County Department of Information
and 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 6 January 2021

