



# Lake County Forest Preserves

General Offices  
1899 West Winchester Road  
Libertyville, Illinois 60048  
847-367-6640 • Fax: 847-367-6649  
www.LCFPD.org

**DATE:** February 1, 2021

**MEMO TO:** Terry Wilke, Chair  
Planning Committee

**Agenda Item#** 10.9

**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: Feb. 1, 2021    Roll Call Vote: Ayes: 8 Nays: 0  
 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

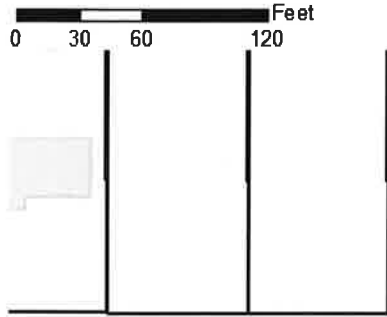
Illinois Professional Land Survey No. 2549  
My license expires 11/30/2022

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

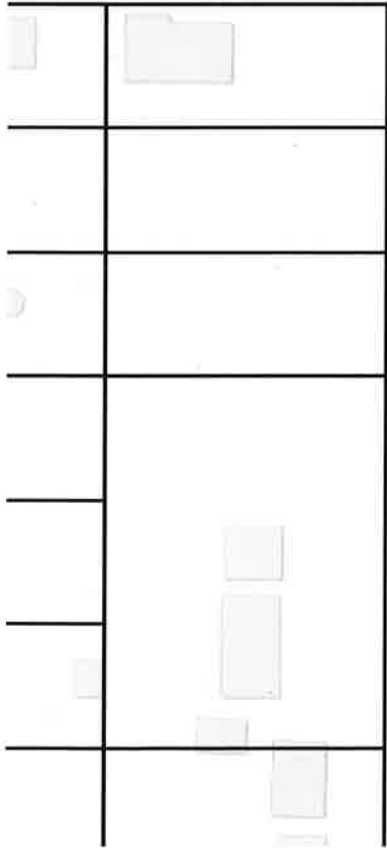


# Exhibit B

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



Morton Dr



## 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

