



**DATE:** June 28, 2021

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

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

**REQUEST:** Provide policy direction regarding a request from the Lake County Department of Public Works for a permanent easement for an existing sewer line along Linden Avenue at Rollins Savanna Forest Preserve.

**STRATEGIC DIRECTION SUPPORTED:** Organizational Sustainability

**FINANCIAL DATA:** Lake County Department of Public Works (“Public Works”) will pay a \$1,000.00 application fee for the easement; there is no other financial impact at this time.

**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...”

Public Works has requested access to District property for the replacement of an existing sanitary sewer line located along Linden Avenue north of Washington Street on the eastern portion of Rollins Savanna Forest Preserve. In reviewing this request, District staff discovered that there are existing sewer easements on District property along most of the Linden Avenue frontage, but there is an approximately 100-foot gap beginning 1,400 feet north of the Washington Avenue right-of-way. While Public Works may have “prescriptive” and unwritten rights to the land, it benefits both Public Works and the District to execute and record a document reflecting the (i) grant to Public Works of a permanent easement to maintain, operate, and replace the existing sewer line within the portion of District property on which the line is located, (ii) allow Public Works to perform regularly scheduled maintenance without having to seek permission from the District each time, and (iii) require Public Works to restore any District property damaged by their project.

Staff is seeking approval to negotiate the granting of a permanent easement to Public Works as set forth above.

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