



DATE: November 1, 2021

MEMO TO: Terry Wilke, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of a Resolution approving Dedication of a portion of Ivanhoe Road within Lakewood Forest Preserve to Fremont Township.

STRATEGIC DIRECTION SUPPORTED: Public Access and Connections

FINANCIAL DATA: Survey costs for the preparation of the required plats totals \$4,500.00, which will be shared equally by the District and Fremont Township. The District's share of the costs will be funded from 31314100-802100.

BACKGROUND: The District owns portions of land under Ivanhoe Road within Lakewood Forest Preserve, subject to the public's right to use Ivanhoe Road as a vehicular right-of-way (ROW). Ivanhoe Road is a Fremont Township road. A portion of the existing pavement of Ivanhoe Road, just west of Fairfield Road, leaves the ROW and passes through a portion of Lakewood Forest Preserve. In addition, a portion of an existing District parking lot at Lakewood Forest Preserve is partially located within the original ROW.

A 1946 air photo shows the road surface located within the ROW, but a 1961 air photo shows that a portion of the road surface was relocated outside the ROW on to another portion of Lakewood Forest Preserve (the "Relocated Road Area"), apparently to soften the angle of the road's curve at that location. When the District purchased the Lakewood Farm property in 1968, the survey for that property inaccurately showed the road surface within the original ROW, as it had been in 1946. As early as 1974, the District constructed a parking lot adjacent to the road surface, apparently assuming that the road surface was still located within the original ROW. Instead, the parking lot was mistakenly constructed partially within the ROW. In conjunction with the Master Plan efforts underway for Lakewood Forest Preserve, the Planning Committee directed staff to work with Fremont Township to correct the District's boundary and the ROW.

The Fremont Township Highway Commissioner has approved an ordinance vacating the now vacant portion of the ROW. The attached Resolution would approve the dedication to the Township of the Relocated Road Area. Together, the ordinance and resolution will resolve the issue. In order to comply with the Local Government Property Transfer Act, the Township ordinance also declares that it is necessary for it to use the Relocated Road Area for public road purposes and accepts the dedication thereof.

REVIEWED BY OTHERS: Executive Director, Chief Operations Officer, Director of Finance, Legal Counsel.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

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

MR. PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving Dedication of a portion of Lakewood Forest Preserve to Fremont Township for Public Road Purposes (Ivanhoe Road),” 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**

**A RESOLUTION APPROVING DEDICATION OF A PORTION OF LAKEWOOD
FOREST PRESERVE TO FREMONT TOWNSHIP FOR PUBLIC ROAD PURPOSES
(IVANHOE ROAD)**

WHEREAS, the Lake County Forest Preserve District (the “District”) owns a certain parcel of land known as the Lakewood Forest Preserve (the “Property”); and

WHEREAS, a portion of Ivanhoe Road (the “Road”) is located within the Property; and

WHEREAS, Fremont Township (the “Township”) has jurisdiction over the Road; and

WHEREAS, in accordance with Section 2 of the Local Government Property Transfer Act, 50 ILCS 605/2, the Township has adopted an ordinance declaring that it is necessary or convenient for it to use and occupy a portion of the Property, legally described in the attached plat of dedication (the “Plat of Dedication”) and depicted in the Plat of Dedication as the land “hereby dedicated for public road purposes” (the “Dedication Parcel”) for public road purposes, to be used as part of the Road (the "Township Ordinance"); and

WHEREAS, pursuant to the Local Government Property Transfer Act 50 ILCS 605/0.01 et seq., the District is authorized to transfer its right, title, and interest in the Dedication Parcel to the Township upon such terms as may be agreed to by the District and the Township;

WHEREAS, the Township Ordinance also (i) vacates a portion of the Road, in which the District has an underlying fee simple interest, that is no longer used for public road purposes (the “Vacation Parcel”) and (ii) accepts the dedication of the Dedication Parcel, and further states that such vacation and acceptance will be effective upon the District’s approval of this Resolution; and

WHEREAS, the Vacation Parcel is legally described in the plat of vacation attached to the Township Ordinance (the “Plat of Vacation”) and is depicted in the Plat of Vacation as the land “to be vacated”; and

WHEREAS, it is in the best interests of the District to dedicate the Dedication Parcel to the Township pursuant to the Plat of Dedication and subject to this Resolution;

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 Dedication. The Plat of Dedication is hereby approved. The President, Secretary, and Executive Director of the District are hereby authorized and directed to execute the Plat of Dedication and all other documents on behalf of the District that are necessary to complete the dedication to the Township of the Dedication Parcel, provided that the documents have first been approved by the District’s Corporate Counsel.

Section 3. Ownership. Upon vacation of the Vacation Parcel, fee simple title to the Vacation Parcel shall remain in the District, to the fullest extent permitted by law.

Section 4: Reservation of Rights. The dedication of the Dedication Parcel is subject to any and all pre-existing property rights within the Dedication Parcel, including any easements for the use, maintenance, renewal, construction and reconstruction of any public utilities over, across, through and under the Dedication Parcel.

Section 5: 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:

NAYES:

APPROVED this ____ day of _____, 2021

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

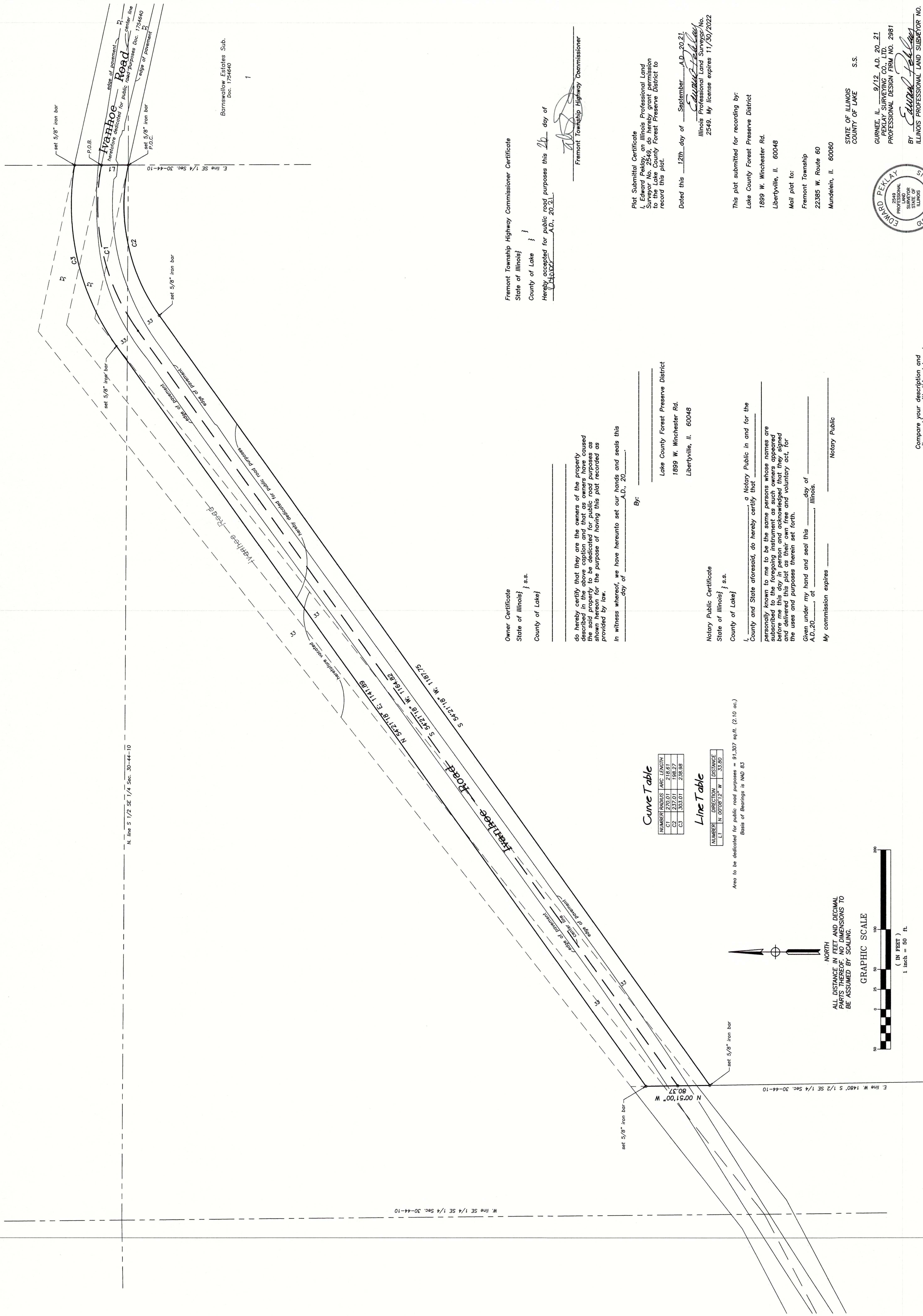
Exhibit No. _____

PEKAY SURVEYING CO., LTD.
 163 N. GREENLEAF ST.
 SUITE 1
 GURNEE, ILL. 60031-3344
 (847) 338-0059 phone
 (847) 338-8753 fax

PLAT OF DEDICATION

TO FREMONT TOWNSHIP FOR PUBLIC ROAD PURPOSES

FOR A 66 FOOT WIDE RIGHT OF WAY OF THAT PART OF THE EAST HALF OF SECTION 30, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE WEST 1480 FEET OF THE SOUTH HALF OF SAID SECTION 30, WHOSE CENTER LINE IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 30, 33.80 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF VANADIE ROAD AND THE POINT OF BEGINNING; THENCE SOUTHWESTERLY ALONG A CURVED LINE HAVING A RADIUS OF 270.01 FEET AND BEING CONVEX SOUTHEASTERLY, AN ARC DISTANCE OF 218.61 FEET (CHORD BEARS SOUTH 77 DEGREES 32 MINUTES 58 SECONDS WEST, 212.69 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 54 DEGREES 21 MINUTES 18 SECONDS WEST, 1164.62 FEET MORE OR LEES, TO THE EAST LINE OF THE WEST 1480 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 30 AND ITS TERMINUS.



N. line S 1/2 SE 1/4 Sec. 30-44-10

W. line SE 1/4 SE 1/4 Sec. 30-44-10

Barrswallow Estates Sub.
 Dec. 17/54640

1

Owner Certificate
 State of Illinois } s.s.
 County of Lake }

do hereby certify that they are the owners of the property described and that the same is being dedicated for public road purposes as shown herein for the purpose of having this plat recorded as provided by law.

In witness whereof, we have hereunto set our hands and seals this ___ day of ___ A.D., 20__.

By: _____
 Lake County Forest Preserve District
 1899 W. Winchester Rd.
 Libertyville, IL 60048

Notary Public Certificate
 State of Illinois } s.s.
 County of Lake }

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that _____ personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such owners appeared before me this day in person and acknowledged that they signed the same for the purposes and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this ___ day of ___ A.D., 20__ at _____ Illinois.
 My commission expires _____ Notary Public

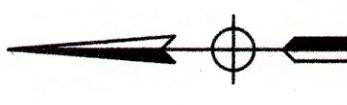
Curve Table

NUMBER	RADIUS	ARC LENGTH
C1	237.01	188.27
C2	303.01	238.98

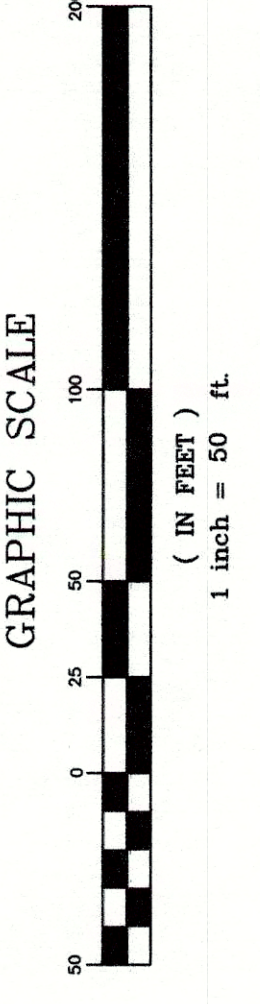
Line Table

NUMBER	DIRECTION	DISTANCE
L1	N 07°08'12" W	33.80

Area to be dedicated for public road purposes = 91,307 sq.ft. (2.10 ac.)
 Basis of Bearings is MAG. 63



NORTH
 ALL DISTANCE IN FEET AND DECIMAL PARTS THEREOF. NO DIMENSIONS TO BE ASSUMED BY SCALING.



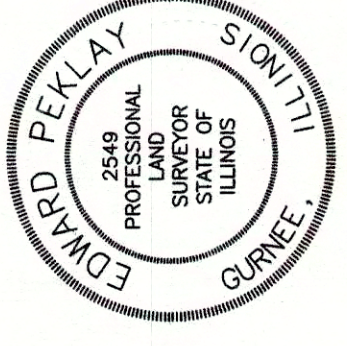
Fremont Township Highway Commissioner Certificate
 State of Illinois }
 County of Lake }
 Hereby accepted for public road purposes this 26 day of _____ A.D., 20__.

Fremont Township Highway Commissioner

Plat Submittal Certificate
 Edward Pekay, Professional Land Surveyor No. 2549, do hereby grant permission to the Lake County Forest Preserve District to record this plat.
 Dated this 12th day of September, A.D., 2021.
 Illinois' Professional Land Surveyor No. 2549. My license expires 11/30/2022.

This plat submitted for recording by:
 Lake County Forest Preserve District
 1899 W. Winchester Rd.
 Libertyville, IL 60048
 Mail plat to:
 Fremont Township
 22385 W. Route 60
 Mundelein, IL 60060

STATE OF ILLINOIS
 COUNTY OF LAKE S.S.



GURNEE, ILL. 9/12 A.D. 20 21
 PEKAY SURVEYING CO., LTD.
 PROFESSIONAL DESIGN FIRM NO. 2981
 BY Edward Pekay
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2549. MY LICENSE EXPIRES 11/30/2022
 Revised 10/02/21

Compare your description and site markings with this plat and ONCE report any discrepancies which you may find.