



Lake County Forest Preserves

General Offices
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www.LCFPD.org

DATE: November 1, 2021

MEMO TO: Terry Wilke, Chair
Planning Committee

Agenda Item# 10.5

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: 11-1-2021 Roll Call Vote: Ayes: 9 Nays: 0
 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:

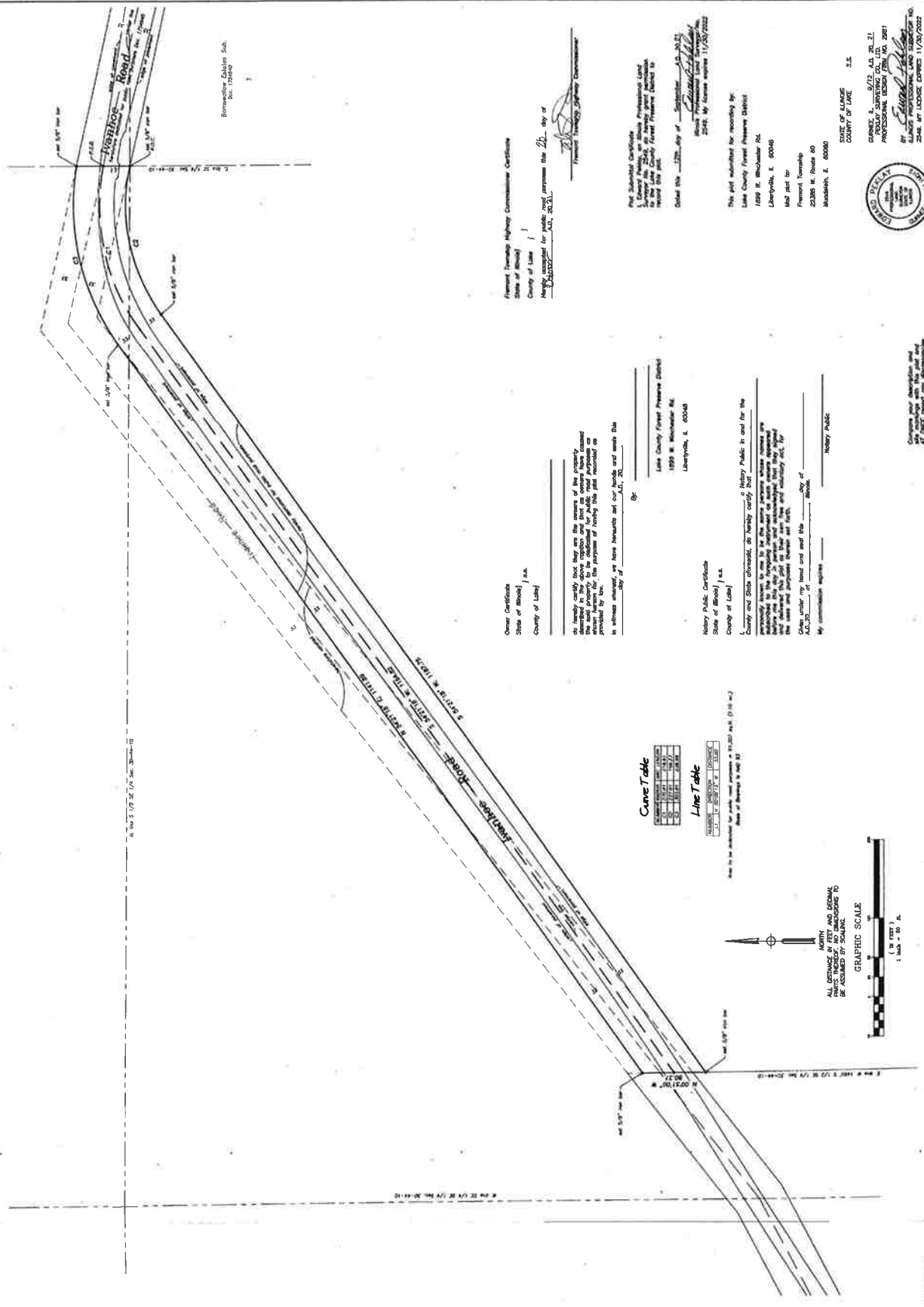
Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

PLAT OF DEDICATION

TO FREMONT TOWNSHIP FOR PUBLIC ROAD PURPOSES

FOR A 66 FOOT WIDE RIGHT OF WAY OF THE EAST HALF OF SECTION 30, TOWNSHIP 44 NORTH, RANGE 10 EAST OF THE THIRD RANGE 5 WESTERN MERIDIAN, 1888, COUNTY OF LAKE, STATE OF MICHIGAN. THE DEDICATED ROAD IS TO BE LOCATED ALONG THE EAST LINE OF THE SOUTH-EAST QUARTER OF SAID SECTION 30 AND ALONG THE NORTH LINE OF SAID SECTION 30. THE DEDICATED ROAD IS TO BE 66 FEET WIDE AND IS TO BE BOUNDARIED BY 3.30 FEET HIGH CONCRETE WALLS ON BOTH SIDES. THE DEDICATED ROAD IS TO BE BOUNDARIED BY 3.30 FEET HIGH CONCRETE WALLS ON BOTH SIDES. THE DEDICATED ROAD IS TO BE BOUNDARIED BY 3.30 FEET HIGH CONCRETE WALLS ON BOTH SIDES. THE DEDICATED ROAD IS TO BE BOUNDARIED BY 3.30 FEET HIGH CONCRETE WALLS ON BOTH SIDES.



PROFESSIONAL LAND SURVEYOR
 STATE OF MICHIGAN
 (313) 336-0000 phone
 (313) 336-0753 fax

1888 1/2 SECTION 30
 1888 1/2 SECTION 30
 1888 1/2 SECTION 30

Bormann's Exhibit Sub.
 Doc. 172646

Fremont Township Highway Commission Certificate
 State of Michigan
 County of Lake
 My commission expires for public roads on the 25th day of _____, 2024.

[Signature]
 Fremont Township Highway Commission

Not a Notary Public Certificate
 I, _____, am a Notary Public in and for the State of Michigan, my commission expires on the _____ day of _____, 2024.

The plat submitted for recording by:
 Lake County Free Press District
 1888 N. Macomber Rd.
 Libertyville, IL 60089

Notary Public Certificate
 State of Michigan
 County of Lake
 My commission expires _____, 2024.

Notary Public
 State of Michigan
 County of Lake
 My commission expires _____, 2024.



STATE OF MICHIGAN
 COUNTY OF LAKE
 S.S.
 GABRIEL A. ... 9/7/19 A.D. 20. Z.I.
 PROFESSIONAL LAND SURVEYOR
 2546 MT LIZARD CARRIES 11/20/2022
 Revised 10/02/21

Curve Table

Radius	Chord	Angle
100	99.144	1.9099
200	98.017	3.8197
300	96.813	5.7295
400	95.627	7.6393
500	94.457	9.5491
600	93.301	11.4589
700	92.158	13.3687
800	91.028	15.2785
900	89.909	17.1883
1000	88.801	19.0981

Line Table

Length	Area
100	10000
200	40000
300	90000
400	160000
500	250000
600	360000
700	490000
800	640000
900	810000
1000	1000000

Note: To be substituted for each road entrance = 11,200 sq. ft. (1/4 acre)

GRAPHIC SCALE
 1 inch = 80 ft.

