



**DATE:** May 2, 2022

**Agenda Item #** 10.2

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

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

**RECOMMENDATION:** Recommend approval of a Resolution approving a Plat of Easement from Vernon Township for a permanent trail easement for the Des Plaines River Trail at Half Day Forest Preserve.

**STRATEGIC DIRECTION SUPPORTED:** Public Access and Connections

**FINANCIAL DATA:** Vernon Township (the “Township”) would grant the easement without cost to the District, via a Plat of Easement. Though the District will pay the cost of the Plat of Easement, there is no other financial impact to the District.

**BACKGROUND:** In June 2020, the Illinois Department of Transportation conveyed a 5.6-acre parcel adjacent to Half Day Forest Preserve to the District in exchange for right-of-way easements on Grand Avenue at Duck Farm Forest Preserve. The Excess Right-of-Way Plat provided by IDOT in conjunction with that transaction showed what appeared to be an encroachment of the District’s Des Plaines River Trail onto the Vernon Township Cemetery, owned by the Township.

In August 2021, the Planning Committee authorized staff to contact the Township to determine its willingness to grant an easement to the District to resolve the trail encroachment. Staff contacted the Township and the Township staff has recommended that the Township grant such an easement to the District, without cost.

Because the easement is for an existing trail segment and will require no construction or special terms, a Plat of Easement has been prepared, and no separate easement agreement will be required.

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

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF LAKE     )

**BOARD OF COMMISSIONERS  
LAKE COUNTY FOREST PRESERVE DISTRICT  
REGULAR MAY MEETING  
MAY 10, 2022**

**MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:**

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving a Plat of Easement from Vernon Township for a Trail Easement (Des Plaines River Trail at Half Day Forest Preserve),” and requests its approval.

**PLANNING COMMITTEE:**

Date: 5-2-2022      Roll Call Vote: Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_  
                                   Voice Vote Majority Ayes; Nays: 0

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

**A RESOLUTION APPROVING A PLAT OF EASEMENT  
FROM VERNON TOWNSHIP FOR A TRAIL EASEMENT  
(DES PLAINES RIVER TRAIL AT HALF DAY FOREST PRESERVE)**

**WHEREAS**, the Lake County Forest Preserve District (the "District") owns property commonly known as Half Day Forest Preserve (the "Property"); and

**WHEREAS**, the District's Des Plaines River Trail (the "Trail") traverses the Property through both fee-simple and easement rights; and

**WHEREAS**, a portion of the Trail was constructed so that it inadvertently encroaches onto a portion of the Vernon Township Cemetery (the "Township Property"), owned by Vernon Township (the "Township"); and

**WHEREAS**, it is in the best interest of the District to approve a plat of easement in substantially the form attached hereto (the "Plat of Easement") by which the Township grants an easement to the District allowing the District to construct, operate, use, maintain, and replace the Trail on that portion of the Township Property described on the Plat of Easement as the "Easement Premises" (the "Easement"); and

**WHEREAS**, Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, authorizes the District to acquire easements in land for its statutory purposes;

**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 Plat of Easement; Acceptance of Easement.** The Plat of Easement is hereby approved in substantially the form attached hereto. The District hereby accepts the Easement granted by the Plat of Easement. The President, Secretary, and Executive Director of the District are hereby authorized and directed to execute and attest to, on behalf of the District, the Plat of Easement in substantially the form attached hereto and any other document necessary or desirable to accept the Easement so long as such document has first been approved by the District's Corporate Counsel.

**Section 3: 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 \_\_\_\_\_, 2022

AYES:

NAYS:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Angelo D. Kyle, President  
Lake County Forest Preserve District

ATTEST:

\_\_\_\_\_  
Julie Gragnani, Secretary  
Lake County Forest Preserve District

Exhibit No. \_\_\_\_\_

# PLAT OF EASEMENT

TO THE LAKE COUNTY FOREST PRESERVE DISTRICT

VERNON TOWNSHIP HEREBY GRANTS TO THE LAKE COUNTY FOREST PRESERVE DISTRICT A PERPETUAL EASEMENT FOR THE CONSTRUCTION, OPERATION, USE, MAINTENANCE AND REPLACEMENT OF A RECREATIONAL TRAIL FOR OPEN SPACE OVER, UPON AND ACROSS THE FOLLOWING PROPERTY:  
 THE EAST 21.0 FEET OF THE NORTH 141.0 FEET (BASED ON RECORDED MONUMENT RECORDS #798852 AND 7081412) OF THE WEST 7.10 CHAINS OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 43 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS ("EASEMENT PREMISES").



**Owner Certificate**

State of Illinois, ) s.s.

County of Lake)

Vernon Township  
 3050 N. Main St.  
 Buffalo Grove, IL 60089

do hereby certify that Vernon Township is the owner of the property described in the above caption and that as owner have caused the said property to be dedicated for easement purposes as shown hereon 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: \_\_\_\_\_ Town Clerk  
 By: \_\_\_\_\_ Vernon Township Superintendent

**Notary Public Certificate**

State of Illinois, ) s.s.

County of Lake)

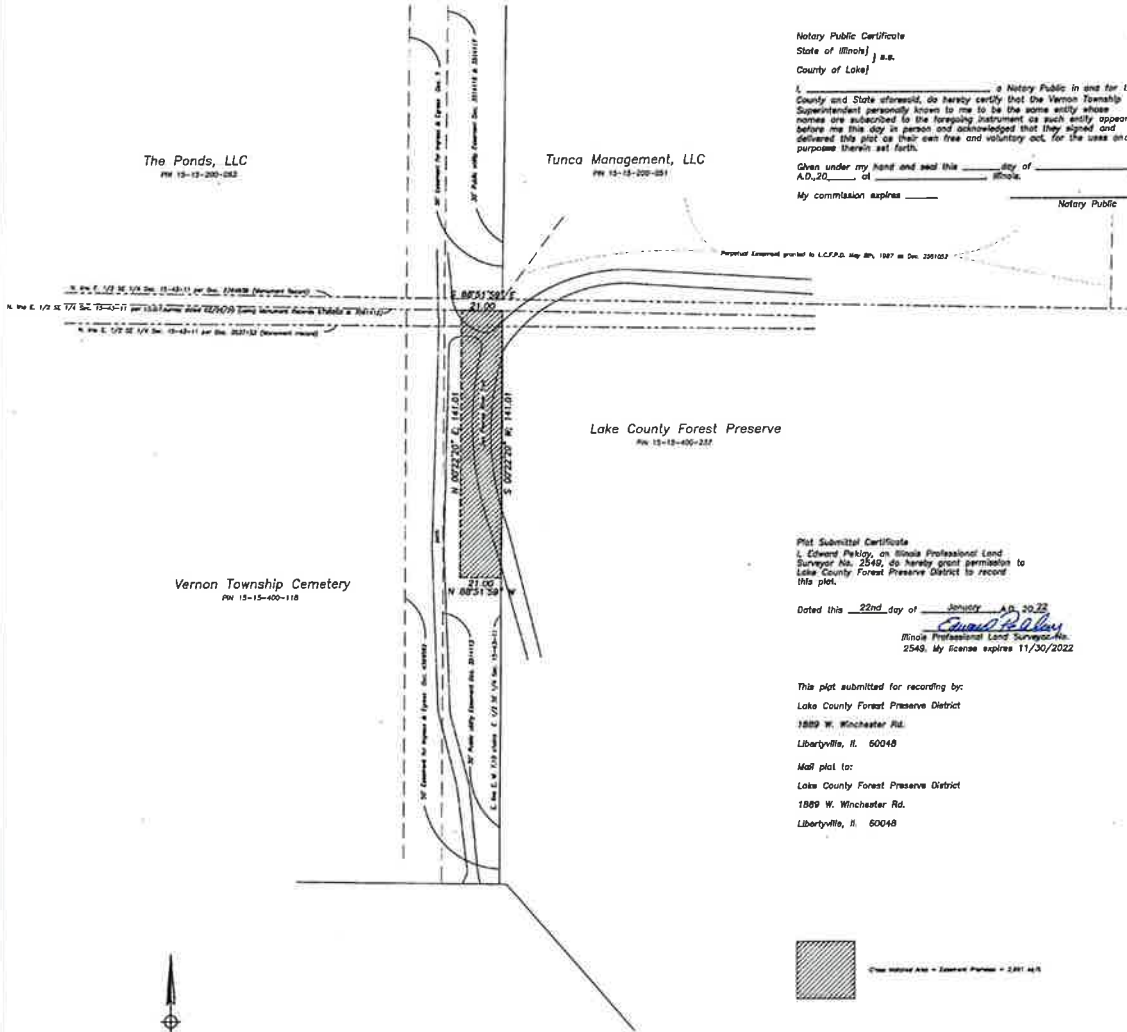
I, \_\_\_\_\_ a Notary Public in and for the County and State aforesaid, do hereby certify that the Vernon Township Superintendent personally known to me to be the same entity whose names are subscribed to the foregoing instrument as such entity appeared before me this day in person and acknowledged that they signed and delivered this plat as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ of \_\_\_\_\_ Illinois.

My commission expires \_\_\_\_\_ Notary Public

The Ponds, LLC  
 PW 15-13-200-582

Tunca Management, LLC  
 PW 15-13-200-581



Lake County Forest Preserve  
 PW 15-13-400-232

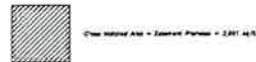
**Plat Submitter Certificate**

I, Edward Peklay, an Illinois Professional Land Surveyor No. 2549, do hereby grant permission to Lake County Forest Preserve District to record this plat.

Dated this 22nd day of January, A.D. 2022  
 Edward P. Peklay  
 Illinois Professional Land Surveyor No. 2549. My license expires 11/30/2022

This plat submitted for recording by:  
 Lake County Forest Preserve District  
 1889 W. Winchester Rd.  
 Libertyville, IL 60048

Mail plat to:  
 Lake County Forest Preserve District  
 1889 W. Winchester Rd.  
 Libertyville, IL 60048



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

GRAPHIC SCALE



FILE NO. 21-481  
 ORDERED BY: L.C.F.P.D.

PROPERTY ADDRESS: 15130 Olds  
 Half Day Road, Lincolnshire, IL

**PEKLAY SURVEYING CO., LTD**  
 PROFESSIONAL LAND SURVEYOR NO. 2981  
 183 N. GREENLEAF ST., SUITE 1  
 GURNEE, IL 60031-3344  
 (817) 536-0039 phone

NOTE: Only those Building Line Restrictions or Easements shown on a Recorded Subdivision Plat are shown hereon unless the descriptions ordered to be surveyed contain a proper description of the required building lines or easements.

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

STATE OF ILLINOIS  
 COUNTY OF LAKE S.S.

GURNEE, IL 01/22 A.D. 2022  
 PEKLAY SURVEYING CO., LTD.  
 PROFESSIONAL DESIGN FIRM NO. 2981

BY: Edward P. Peklay  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2549. MY LICENSE EXPIRES 11/30/2022

Lotset Revision 4/23/22

