



DATE: October 3, 2022

MEMO TO: Terry Wilke, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of a Resolution approving and accepting a Plat of Easement from the Waukegan Park District for an additional permanent trail easement for the Lyons Woods to Waukegan Savanna Trail at Lyons Woods Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Public Access and Connections; Leadership

FINANCIAL DATA: The Waukegan Park District has agreed to grant the additional permanent trail easement without cost to the District.

BACKGROUND: In 2016, under an intergovernmental agreement, the Waukegan Park District granted the District a trail easement for the construction of the Lyons Woods to Waukegan Savanna Forest Preserve Trail Connection. When the trail was constructed in 2018, a small debris field was discovered near the centerline of the planned route of the trail, on the west side of McAree Road at Henry Pfau Callahan Park. To avoid the area, the trail was constructed slightly north of its planned location, which resulted in a portion of the trail falling outside the easement area.

At the direction for the Planning Committee, District staff has worked with the Waukegan Park District to have an additional plat of easement created so the trail is located within an easement, as originally intended. The additional trail easement is approximately 30 feet wide, which includes the trail surface itself as well as sufficient area for future trail maintenance and repair.

Because an existing Intergovernmental Agreement provides for the granting of trail easements, and 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 is 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 OCTOBER MEETING
OCTOBER 11, 2022**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving and Accepting a Plat of Easement from the Waukegan Park District for an additional Permanent Trail Easement for the Lyons Woods to Waukegan Savanna Trail at Lyons Woods Forest Preserve,” 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 AND ACCEPTING A PLAT OF EASEMENT FROM
THE WAUKEGAN PARK DISTRICT FOR AN ADDITIONAL PERMANENT TRAIL
EASEMENT FOR THE LYONS WOODS TO WAUKEGAN SAVANNA TRAIL AT
LYONS WOODS FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns two parcels of land known as the Lyons Woods Forest Preserve and the Waukegan Savanna Forest Preserve (collectively, the "Forest Preserve District Properties"); and

WHEREAS, the Waukegan Park District (the "Park District") owns the properties known as Henry Pfau Callahan Park and Bevier Park (collectively, the "Park District Properties"); and

WHEREAS, in 2016 the District, the Park District, and the City of Waukegan (the "City") approved an intergovernmental agreement providing for the construction of a bicycle and pedestrian trail (the "Trail"); and

WHEREAS, when the District constructed the Trail in 2018, a portion of the Trail within Henry Pfau Callahan Park was constructed outside the original easement area; 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") and to accept the easement granted by the Park District and described in the Plat of Easement allowing the District to operate, use, repair, and replace the Trail in its current location on the Park District Property (the "Easement"); and

WHEREAS, pursuant to Section 5 of the Downstate Forest Preserve District Act, 70 ILCS 805/5, the District may acquire and hold easements in land for, among other purposes, public pathways; and

WHEREAS, pursuant to Section 10 of Article VII of the Illinois Constitution of 1970, units of local government, such as the District and the Park District may contract or otherwise associate among themselves to obtain or share services and to exercise, combine, or transfer any power or function, in a manner not prohibited by law or ordinance; and

WHEREAS, pursuant to the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., any power, privilege, function, or authority exercised by a public agency, including the District, the City and the Park District, may be exercised, combined, transferred, and enjoyed jointly with any other public agency of the United States to the extent not prohibited by law;

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 and Acceptance of Plat of Easement. The Plat of Easement is hereby approved in substantially the form attached hereto and the Easement granted by the Plat of Easement is hereby accepted. 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. _____

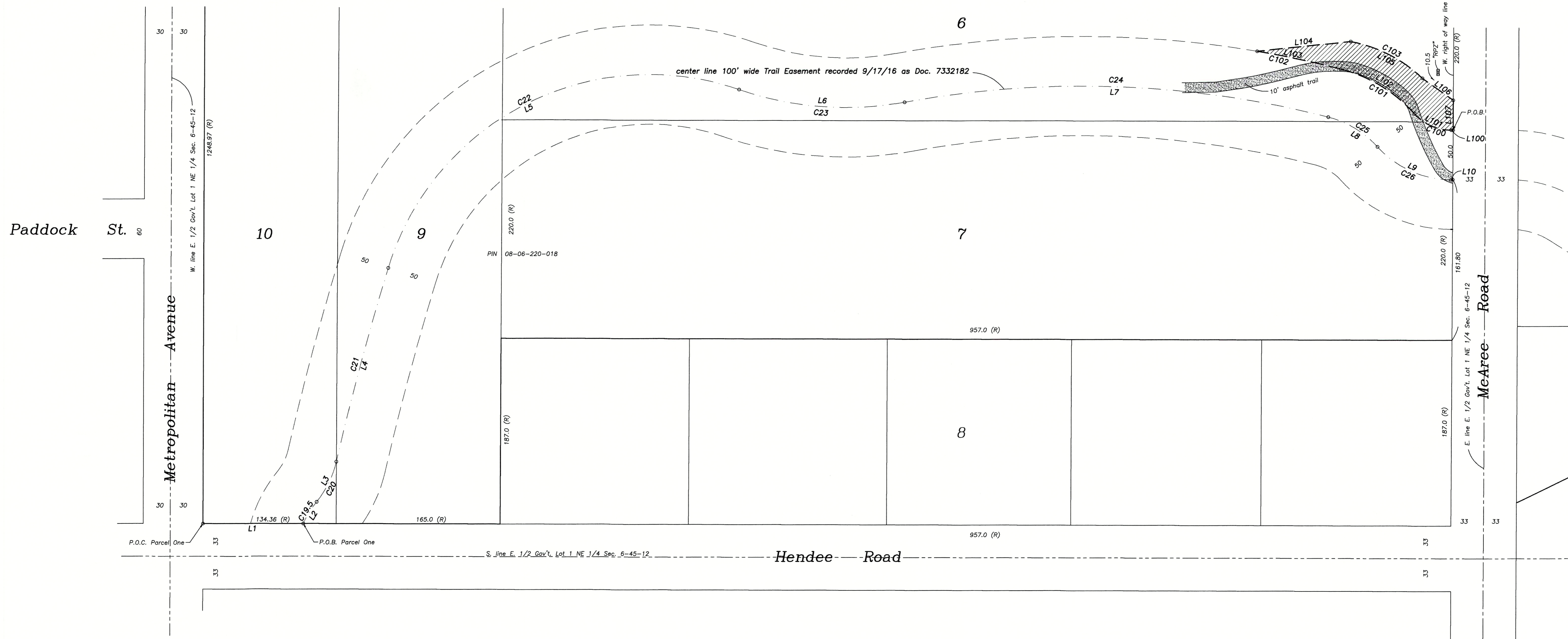
PLAT OF EASEMENT

PLAT OF EASEMENT

TO THE LAKE COUNTY FOREST PRESERVE DISTRICT

The Waukegan Park District hereby grants a permanent easement to the Lake County Forest Preserve District on, over, and across the property legally described below as the "Easement Premises" for "Trail Operations", as such term is defined in that certain "Intergovernmental Agreement by and between the Lake County Forest Preserve District, the City of Waukegan and the Waukegan Park District" recorded on August 26, 2016 as document number 7322783 (the "Intergovernmental Agreement") and the use, operation, and maintenance of the easement granted by this Plat will be subject to the provisions set forth in the Intergovernmental Agreement, including without limitation Sections 4 and 7 thereof.

EASEMENT PREMISES: PART OF LOTS 6 AND 7 IN HOLDRIDGE-MOAREE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST HALF OF GOVERNMENT LOT 1 OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 45 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF, RECORDED MARCH 12, 1947 AS DOCUMENT 612701 IN BOOK 29 OF PLATS, PAGE 58, IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF MCAREE ROAD WITH THE NORTH LINE OF THE 100 FOOT WIDE LAKE COUNTY FOREST PRESERVE TRAIL EASEMENT, RECORDED ON SEPTEMBER 27, 2016, AS DOCUMENT NUMBER 7332182; THENCE NORTH 89 DEGREES 48 MINUTES 23 SECONDS WEST ALONG THE NORTH LINE OF SAID TRAIL EASEMENT, 1.89 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY ALONG THE CURVED NORTH LINE OF SAID TRAIL EASEMENT HAVING A RADIUS OF 50.00 FEET AND BEING CONCAVE NORTHEASTERLY, AN ARC DISTANCE OF 41.72 FEET (CHORD BEARS NORTH 65 DEGREES 54 MINUTES 18 SECONDS WEST, 40.52 FEET) TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY ALONG THE CURVED NORTH LINE OF SAID TRAIL EASEMENT HAVING A RADIUS OF 150.00 FEET AND BEING CONCAVE SOUTHWESTERLY, AN ARC DISTANCE OF 88.15 FEET (CHORD BEARS NORTH 58 DEGREES 50 MINUTES 21 SECONDS WEST, 86.89 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG THE CURVED NORTH LINE OF SAID TRAIL EASEMENT HAVING A RADIUS OF 1050.00 FEET AND BEING CONCAVE SOUTHWESTERLY, AN ARC DISTANCE OF 85.90 FEET (CHORD BEARS NORTH 78 DEGREES 01 MINUTES 02 SECONDS WEST, 85.88 FEET); THENCE NORTH 84 DEGREES 00 MINUTES 18 SECONDS EAST, 94.76 FEET; THENCE SOUTHEASTERLY ALONG A CURVED LINE HAVING A RADIUS OF 142.60 FEET BEING CONCAVE SOUTHWESTERLY AND NON-TANGENTIAL TO THE LAST DESCRIBED LINE, AN ARC DISTANCE OF 82.20 FEET (CHORD BEARS SOUTH 62 DEGREES 48 MINUTES 15 SECONDS EAST, 81.07 FEET); THENCE SOUTH 54 DEGREES 27 MINUTES 49 SECONDS EAST NON-TANGENTIAL TO THE LAST DESCRIBED CURVE, 38.16 FEET TO THE SAID WEST RIGHT OF WAY LINE OF MCAREE ROAD; THENCE SOUTH 00 DEGREES 19 MINUTES 06 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, 30.00 FEET TO THE POINT OF BEGINNING.

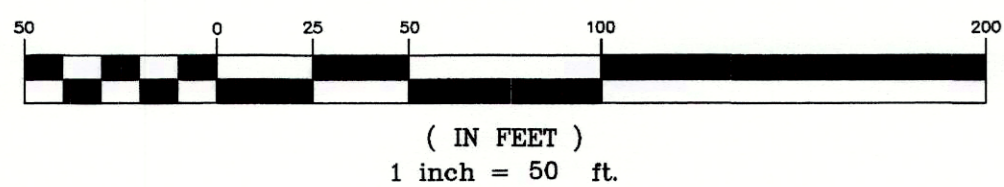


Legend
 (R) = Record
 Basis of Bearings = NAD 83



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

GRAPHIC SCALE



FILE NO. 16-141-22

ORDERED BY: L.C.F.P.D.

PROPERTY ADDRESS: 2785 W. Yorkhouse Road, Waukegan, IL

Curve Table

NUMBER	RADIUS	ARC LENGTH
C19.5	100.00	25.66
C20	100.00	45.52
C21	3000.00	202.06
C22	275.00	442.29
C23	330.00	169.17
C24	1000.00	429.94
C25	100.00	58.77
C26	100.00	83.43
C27.5	120.00	63.46
C28	185.00	131.30
C29	170.00	105.96
C30	100.00	85.29
C31	120.00	104.23
C32	120.00	100.51
C33	150.00	241.36
C34	300.00	285.46
C100	50.00	41.72
C101	150.00	88.15
C102	1050.00	85.90
C103	142.60	82.20

Line Table

NUMBER	DIRECTION	DISTANCE
L1	S 89°52'56" E	100.88
L2	N 31°46'45" E	25.61
L3	N 26°05'44" E	45.13
L4	N 14°59'04" E	202.02
L5	N 62°59'22" E	396.14
L6	S 85°37'16" E	167.33
L7	S 87°59'26" E	426.64
L8	S 56°50'21" E	57.93
L9	S 65°54'18" E	81.03
L10	S 89°48'23" E	1.78
L11	S 72°09'10" E	62.72
L12	S 57°00'10" E	127.60
L13	S 77°20'07" E	128.56
L14	N 82°19'57" E	38.71
L15	N 64°28'35" E	104.25
L16	N 46°37'13" E	75.36
L17	N 71°03'16" E	62.73
L18	S 84°30'41" E	96.96
L19	N 70°36'16" E	100.99
L20	N 45°43'13" E	111.30
L21	S 89°42'57" E	97.60
L22	S 86°17'20" E	42.79
L23	S 40°11'35" E	216.15
L24	S 06°27'05" E	128.37
L100	N 89°48'23" W	1.89
L101	N 65°54'18" W	40.52
L102	N 58°50'21" W	86.89
L103	N 78°01'02" W	85.88
L104	N 84°00'18" E	84.76
L105	S 62°48'15" E	81.07
L106	S 54°27'49" E	38.16
L107	S 00°19'06" W	30.00

Owner Certificate
 State of Illinois } s.s.

County of Lake }

Waukegan Park District
 2000 Belvidere Road
 Waukegan, IL. 60085

do hereby certify that the Waukegan Park District is the owner of the easement premises described herein and that as owners has caused the said easement premises herein to be dedicated for easement purposes as shown hereon.

In witness whereof, we have hereunto set our hands and seals this 26 day of September, A.D., 2022

By:
 Jay Lerner
 Executive Director
 Waukegan Park District

Notary Public Certificate
 State of Illinois } s.s.

County of Lake }

I, Sally A. Johnson Sandine, a Notary Public in and for the County and State aforesaid, do hereby certify that Greg Petry, Executive Director of the Waukegan Park District personally known to me to be the same entity whose name is subscribed to the foregoing instrument as such entity appeared before me this day in person and acknowledged that he signed and delivered this plat as his own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 26th day of September, A.D., 2022, at Waukegan, Illinois.

My commission expires 11/30/2024



Plat Submittal 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 24th day of September, A.D., 2022

Edward Peklay
 Illinois Professional Land Surveyor No. 2549. My license expires 11/30/2024

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

STATE OF ILLINOIS
 COUNTY OF LAKE S.S.

GURNEE, IL. 09/24 A.D. 2022
 PEKLY SURVEYING CO., LTD.
 PROFESSIONAL DESIGN FIRM NO. 2981

By
 EDWARD PEKLY
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2549. MY LICENSE EXPIRES 11/30/2024

