



DATE: April 11, 2024

MEMO TO: Nels Leutwiler, Chair
Preservation Foundation Board

FROM: Erika Stergos
Preservation Foundation Executive Director

RECOMMENDATION: Recommend approval of the establishment of a new endowed fund to support the management of Lakewood Forest Preserve – Four Winds Parcel.

BACKGROUND:

On March 13, 2024, the Lake County Forest Preserves board approved an easement agreement with Crown Castle, Inc. (“Crown Castle”), allowing the continued operation of a mobile communication tower at Lakewood Forest Preserve for up to 30 years.

As part of the new agreement, the Forest Preserves board recommended that payments be directed to the Preservation Foundation and that funds be used for the long-term management of the portion of Lakewood Forest Preserve known as the former Four Winds Golf Course.

The new easement agreement will generate \$109,100 in income over a five-year term.

	Y1	Y2	Y3	Y4	Y5	Total
Annual Income	\$ 25,820	\$ 20,820	\$ 20,820	\$ 20,820	\$ 20,820	\$ 109,100

The agreement is renewable for up to five additional five-year terms and includes an automatic 15% increase at each subsequent renewal.

The recommendation restricts the use of these funds for necessary ongoing land management activities at the Four Winds parcel of Lakewood Forest Preserve, including activities such as invasive species removal, prescribed burning, re-seeding with native plants, and plant and wildlife monitoring. Accepting this gift requires the establishment of a new restricted endowment fund.

The Preservation Foundation Endowment Policy allows for the establishment of new restricted endowment funds, with approval by the Preservation Foundation Board.

REVIEW BY OTHERS: Executive Director of the Preservation Foundation, Director of Community Engagement and Partnerships, Director of Finance, and Executive Director

PRESERVATION FOUNDATION BOARD:

Date: _____ Roll Call Vote: Ayes: _____ Nays: _____

Voice Vote Majority Ayes: _____ Nays: _____



Lake County Forest Preserves

General Offices
1899 West Winchester Road
Libertyville, Illinois 60048
847-367-6640 • Fax: 847-367-6649
www.LCFPD.org

DATE: March 4, 2024

MEMO TO: Paras Parekh, Chair
Planning Committee

FROM: Ken Jones
Director of Land Preservation

Agenda Item # 11.6

RECOMMENDATION: Recommend approval of a Resolution approving an Easement Agreement with NCWPCS MPL 28 – Year Sites Tower Holdings LLC (an affiliate of Crown Castle, Inc.) (“Crown Castle”) allowing operation of a mobile communications tower for up to 30 years at Lakewood Forest Preserve.

STRATEGIC DIRECTIONS SUPPORTED: Public Access and Connections, Leadership, Organizational Sustainability, and Communication

FINANCIAL DATA: Crown Castle will pay the District a one-time payment of \$5,000 upon approval of the easement, with monthly easement fee payments in the amount of \$1,735 for the first five-year term, with automatic 15% increases at each subsequent five-year renewal. The income from the easement payments will be deposited to the Endowment Fund of the Preservation Foundation of the Lake County Forest Preserves (the "Foundation") which will use those funds solely for restoration of that portion of Lakewood Forest Preserve that is the former Four Winds Golf Course property.

BACKGROUND: In 1998, AT&T Wireless entered into a lease agreement allowing it to operate a cell tower on what was then the Lorenz/Oak Grove property on Route 176 in unincorporated Mundelein, three quarters of a mile east of Fairfield Road, one half mile west of Hawley Street. Crown Castle has since acquired AT&T’s rights in the cell tower lease. The fenced cell tower site and the related utility and access areas total one-tenth of an acre; the base of the tower and improvements are not visible from Route 176.

In 2007, the District acquired the Lorenz/Oak Grove property, which is now part of Lakewood Forest Preserve, and “inherited” the existing lease and cell tower. As part of the purchase and sale agreement, the District agreed that the seller would retain the income from the cell tower lease (which expires April 30, 2024).

Recently, Crown Castle asked the District if it would extend the existing lease. Under the Downstate Forest Preserve District Act, the District is not authorized to lease property to Crown Castle, but it is authorized to grant an easement to Crown Castle for public services, such as cellular telephone service. Staff believes it is reasonable to grant a temporary easement (staff recommends up to 30 years) to Crown Castle to continue operating and/or replacing the existing cell tower and related facilities and equipment, because (i) the tower already exists, and is relatively non-intrusive, (ii) the revenue stream from the easement agreement will be directed to the Foundation, enabling ongoing maintenance of future restoration of the adjacent former Four Winds property, (iii) the property has not undergone ecological restoration since the Lorenz buildings were removed, so the continued use of the tower and adjacent areas would not disrupt a sensitive ecological area, and (iv) under the proposed agreement, at the end of the easement term, Crown Castle would agree to remove the tower and other improvements and restore the area.

REVIEW BY OTHERS: Chief Operations Officer, Director of Finance, Manager of Board Operations and Corporate Counsel.

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR MARCH MEETING
MARCH 13, 2024**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving an Easement Agreement with Crown Castle for a Mobile Communications Tower at Lakewood Forest Preserve,” and requests its approval.

PLANNING COMMITTEE:

Date: 3-4-2024 Roll Call Vote: Ayes: ___ Nays: ___
 Voice Vote Majority Ayes; Nays: 0

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

**A RESOLUTION APPROVING AN EASEMENT AGREEMENT WITH
CROWN CASTLE FOR A MOBILE COMMUNICATIONS TOWER
AT LAKEWOOD FOREST PRESERVE**

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

WHEREAS, Crown Castle, Inc. (or its affiliate) operates an existing mobile communications tower and related facilities and equipment (collectively, the "Tower") within the Property under a 1998 lease approved by the former owner of the Property (the "1998 Lease"); and

WHEREAS, the 1998 Lease expires on April 30, 2024; and

WHEREAS, NCWPCS MPL 28 – Year Sites Tower Holdings LLC (an affiliate of Crown Castle) ("Crown Castle") has requested that it be allowed to continue operating the Tower on the Property following expiration of the 1998 Lease; and

WHEREAS, the District and Crown Castle have negotiated an easement agreement, in substantially the form attached hereto, which would, following expiration of the 1998 Lease, allow Crown Castle to continue operating the Tower on the Property for up to 30 years (the "Easement Agreement"); and

WHEREAS, under the Easement Agreement, the annual fees and other amounts to be paid by Crown Castle (collectively, the "Easement Fees") will be paid to the Preservation Foundation of the Lake County Forest Preserves (the "Foundation"); and

WHEREAS, it is in the best interest of the District to approve the Easement Agreement in substantially the form attached hereto; and

WHEREAS, Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, authorizes the District to grant easements under or across District property for the construction, operation, and maintenance of public services, including telephone services; and

WHEREAS, the District has adopted an Ordinance Regarding Licenses and Easements (the "License and Easement Ordinance") which sets forth the general requirements for granting easements;

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 Easement Agreement. The Easement Agreement is hereby approved in substantially the form attached hereto. 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 Easement Agreement in substantially the form attached hereto and to execute, or cause the execution of, any other document necessary or appropriate to consummate the transaction contemplated by the Easement Agreement, provided that such document has first been reviewed and approved by Corporate Counsel. In the event that any provision of the Easement Agreement conflicts with the License and Easement Ordinance, the conflicting provision of the License and Easement Ordinance is hereby waived.

Section 3: Restriction of Easement Fees. The President and Executive Director of the District are authorized and directed to direct the Foundation to use the Easement Fees received by the Foundation solely for restoration of that portion of Lakewood Forest Preserve that is the former Four Winds Golf Course property.

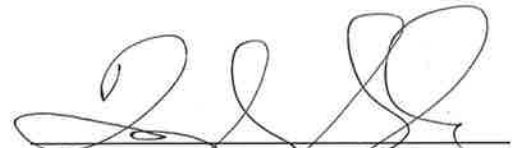
Section 4: Effective Date. This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 13th day of MARCH, 2024

AYES: 16

NAYS: 0

APPROVED this 13th day of MARCH, 2024

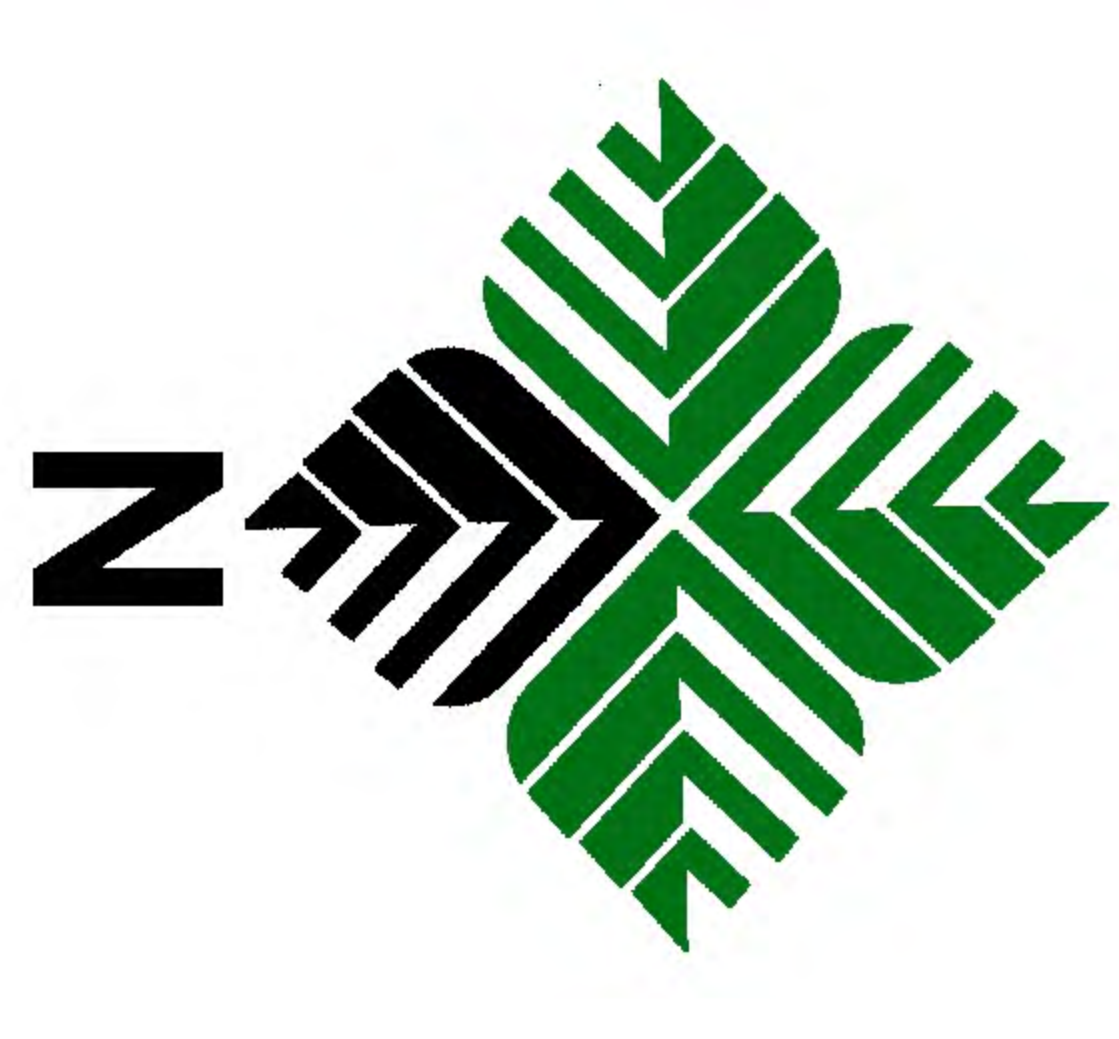

Angelo D. Kyle, President
Lake County Forest Preserve District

ATTEST:


Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. 0067

Crown Castle Cell Tower & Easement & Four Winds Golf Course



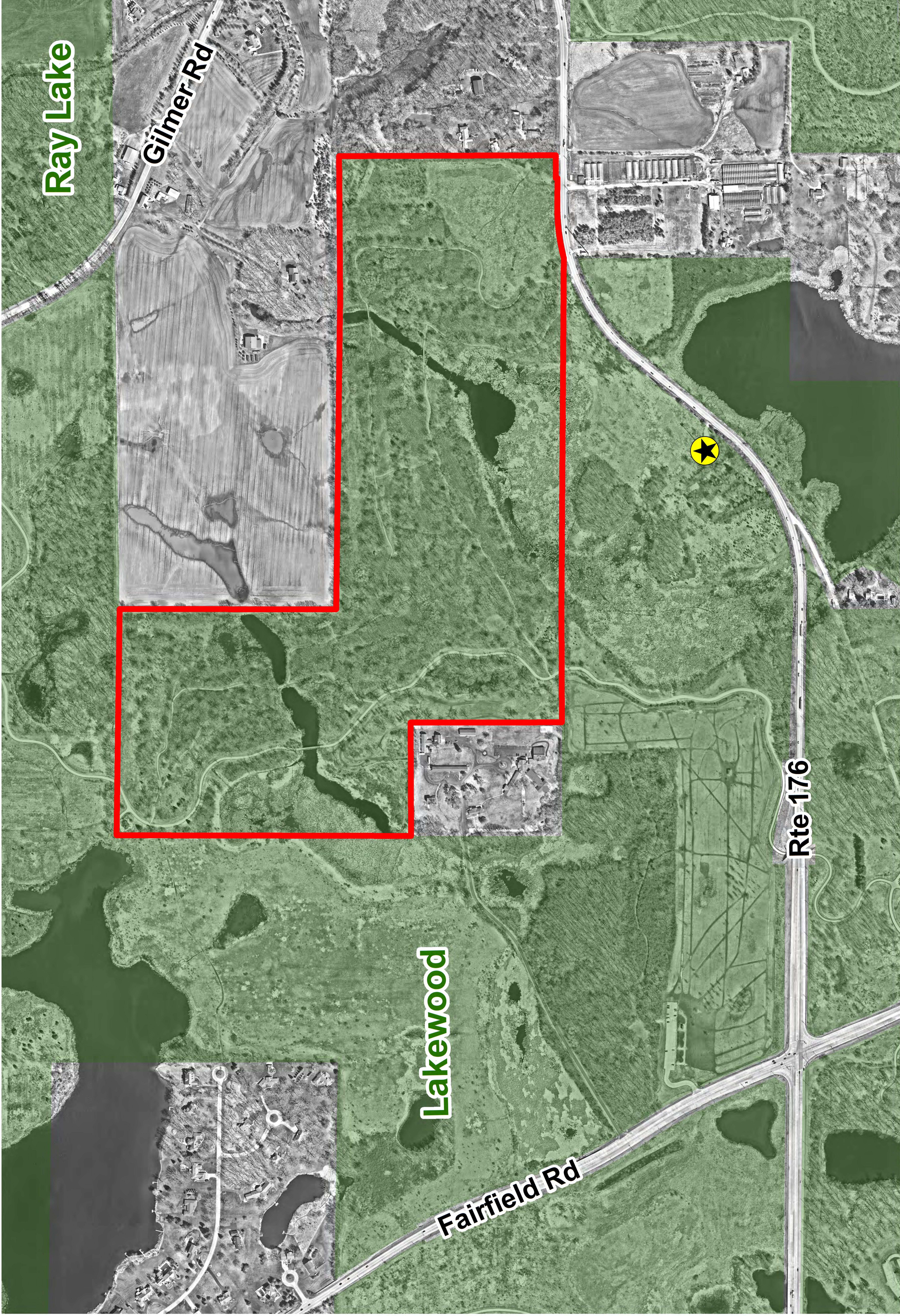
Ray Lake

Gilmer Rd

Lakewood

Fairfield Rd

Rte 176



Legend



Forest Preserve
Property



Subject Tower

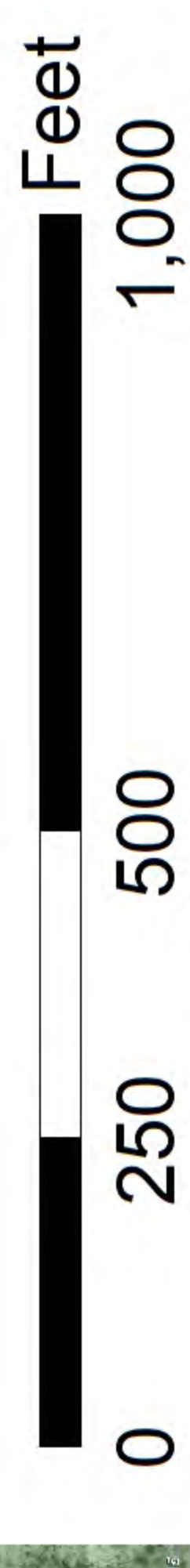


2007 Four Winds
Golf Course
Acquisition:
144.5 Acres

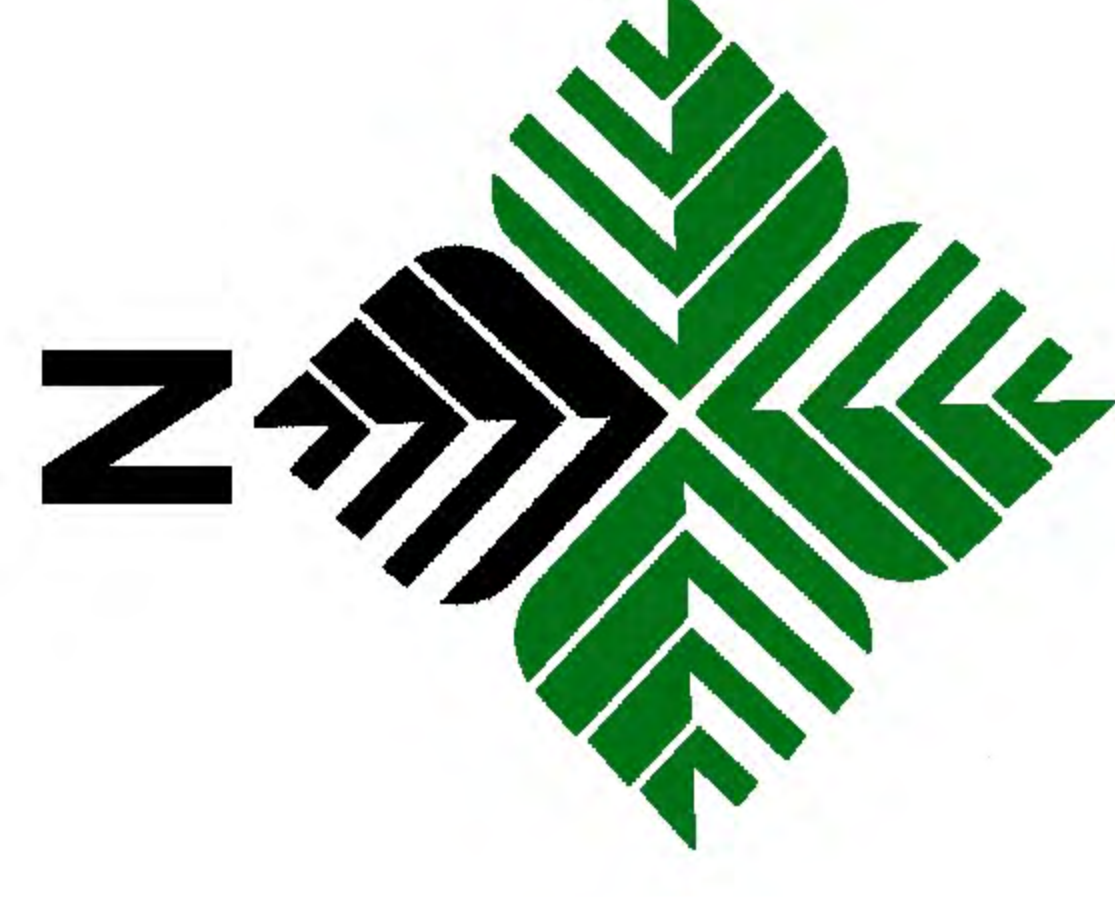
Courtesy: Copy Only
Prepared using information from Nearmap
& Lake County Department of Information
Technology, Illinois 60008
Welland and flood limits shown are approximate and should not be used to
determine setbacks for structure or as a basis for purchasing property.

2023 Aerial Photo Map Prepared 15 March 2024




Lake County Forest Preserve District
1895 W. Industrial
Libertyville, Illinois 60048
GIS Mapping Division
18 North County Street
Waukegan, Illinois 60085-4357
847-968-3351
www.LCFPD.org

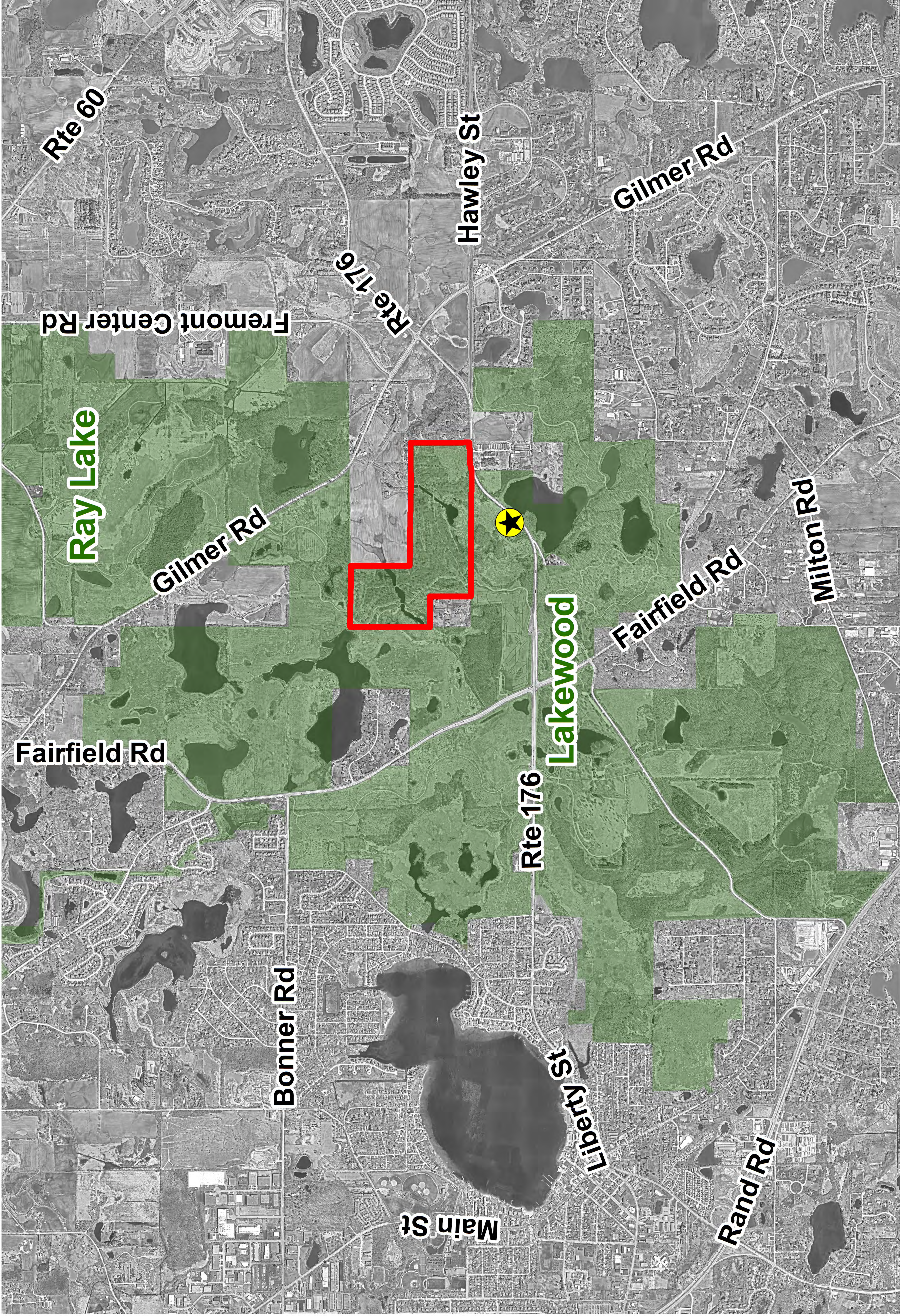


Crown Castle Cell Tower & Easement & Four Winds Golf Course



Legend

-  Forest Preserve Property
-  Subject Tower
-  Former Four Winds Golf Course (2007)



Courtesy Copy Only.
Property boundaries indicated are provided for general location purposes.
Welland and flood limits shown are approximate and should not be used to
determine setbacks for structure or as a basis for purchasing property.
2023 Aerial Photo
Map Prepared 14 March 2024

Prepared using information from Nearmap, Lake County Forest Preserve District
& Lake County Department of Information, 1890 W Winchester Rd
and technology: GIS/Mapping Division, Libertyville, Illinois 60048
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Welland, Illinois 60095-4537
www.LCFPD.org

