



Lake County Forest Preserves

General Offices
1899 West Winchester Road
Libertyville, Illinois 60048
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www.LCFPD.org

DATE: May 6, 2024

Agenda Item # 10.4

MEMO TO: Paras Parekh, Chair
Planning Committee

FROM: Ken Jones
Director of Land Preservation

RECOMMENDATION: Recommend approval of a Resolution approving a Consent to Relocation of Cemetery Access Easement Agreement with the Department of Veterans Affairs (the “VA”), for access to the Fort Sheridan National Cemetery (the “Cemetery”) at Fort Sheridan Forest Preserve.

STRATEGIC DIRECTIONS SUPPORTED: Public Access and Connections, Organizational Sustainability

FINANCIAL DATA: The District’s License and Easement Ordinance generally requires an easement grantee to pay a monetary fee to the District for the fair market value of an easement. However, the District is compelled to provide and maintain the easement under the 1998 deed that conveyed Fort Sheridan from the Army to the District. As such, the District will not ask the VA to pay a fee for the relocated easement.

BACKGROUND: When the District accepted title to the initial parcel of the Fort Sheridan property (the “Property”) on March 3, 1998, the Property was encumbered by a non-exclusive easement and right-of-way on, over, and through the Property, for public access to the Cemetery (the “Cemetery Access Easement”) using then-existing roads, which were identified on Exhibit E to the Quit Claim Deed (the “Cemetery Road”). The deed obligates the District to maintain the Cemetery Access Easement over the Cemetery Road in perpetuity to allow public access to the Cemetery, and provides that the Cemetery Easement shall bind the District and run with the land.

In 2006, as part of its restoration of the Property, the District removed the original Cemetery Road and constructed a new road named “Vattman Road.” At that time, the District did not obtain prior approval from the VA for the road relocation, which now needs to be formally documented. The District and the VA desire to enter into an agreement to memorialize the VA's consent to the removal of the original Cemetery Road, construction of Vattman Road, and the relocation of the Cemetery Access Easement to Vattman Road.

REVIEW BY OTHERS: Executive Director, 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 MAY MEETING
MAY 15, 2024**

MISTER PRESIDENT AND MEMBERS OF THE BOARD OF COMMISSIONERS:

Your **PLANNING COMMITTEE** presents herewith “A Resolution Approving a Consent to Relocation of Cemetery Access Easement Agreement with the Department of Veterans Affairs for Access to the Fort Sheridan National Cemetery at Fort Sheridan Forest Preserve,” and requests its approval.

PLANNING COMMITTEE:

Date: 5-6-2024 Roll Call Vote: Ayes: ____ Nays: ____
 Voice Vote Majority Ayes; Nays: 0

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

**A RESOLUTION APPROVING A CONSENT TO RELOCATION OF CEMETERY
ACCESS EASEMENT AGREEMENT WITH THE DEPARTMENT OF VETERANS
AFFAIRS FOR ACCESS TO THE FORT SHERIDAN NATIONAL CEMETERY
AT FORT SHERIDAN FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns certain parcels of land known as Fort Sheridan Forest Preserve (the "Property") located in Moraine Township; and

WHEREAS, the United States of America, acting by and through the United States Army, previously conveyed the Property to the District; and

WHEREAS, portions of Property were conveyed subject to a perpetual, non-exclusive easement and right-of-way on, over, and through the Property for public access to Fort Sheridan National Cemetery (the "Cemetery Access Easement") via then-existing roads, as shown on Exhibit A (the "Original Roads"); and

WHEREAS, in 2006, the District removed the Original Roads and constructed a new road named "Vattman Road," as shown on Exhibit B, which provides access to Fort Sheridan National Cemetery; and

WHEREAS, the District and the United States of America, acting by and through the Department of Veterans Affairs (the "VA"), desire to memorialize the VA's consent to the removal of the Original Roads, the construction of Vattman Road, and the relocation of the Cemetery Access Easement to Vattman Road; and

WHEREAS, Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, authorizes the District to grant easements and rights-of-way on District property for the construction, operation, and maintenance of public services; and

WHEREAS, District staff has negotiated a Consent to Relocation of Cemetery Access Easement Agreement with the VA in the form attached hereto, pursuant to which the District will grant a perpetual, non-exclusive easement to the VA for public access to the Fort Sheridan National Cemetery via Vattman Road, and the VA will release the existing Cemetery Access Easement over the Original Roads (the "Easement Agreement");

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 with the VA is approved in substantially the form attached hereto. The President and Secretary of the District are hereby authorized and directed to execute and attest to, on behalf of the District, the Easement

Agreement. 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: 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 _____, 2024

AYES:

NAYS:

APPROVED this _____ day of _____, 2024

Angelo D. Kyle, President
Lake County Forest Preserve District



ATTEST:

Julie Gragnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A

Legend

-  The Property
-  Original Right-of-Way Easement



Lake County Forest Preserve District
Land Preservation and Special Projects
1899 W Winchester Rd
Libertyville, Illinois 60048
847-968-3351

Courtesy Copy Only.
Property boundaries indicated are provided for general location purposes. Wetland and flood limits shown are approximate and should not be used to determine setbacks for structure or as a basis for purchasing property.

Prepared using information from:
Lake County Department of Information & Technology: GIS/Mapping Division
18 North County Street
Waukegan, Illinois 60085-4357
847-377-2373



1997 Aerial Photo

Map Prepared 17 April 2024



**This Instrument Prepared By
and Upon Recordation Return to:**

Burke, Warren, MacKay & Serritella, P.C.
Attn: Rachel D. Wanroy
330 N. Wabash, 21st Floor
Chicago, IL 60611

CONSENT TO RELOCATION OF CEMETERY ACCESS EASEMENT

THIS CONSENT TO RELOCATION OF CEMETERY ACCESS EASEMENT (this “Consent”) is made as of this ___ day of _____, 2024 (the “Effective Date”) by **United States of America**, acting by and through the Department of Veteran Affairs, (hereinafter the “VA”).

RECITALS

A. On February 20, 1998, the **Lake County Forest Preserve District**, a body corporate and politic and unit of local government organized and existing under the Downstate Forest Preserve District Act, 70 ILCS 805/0.001 *et seq.*, located at 1899 West Winchester Road, Libertyville, IL 60048 (“District”), and the United States of America, acting by and through the Secretary of the Army (the “Army”), entered into that certain “Memorandum of Agreement between the United States of America, acting by and through the Secretary of the Army, United States Department of the Army and Lake County Forest Preserve District for the Conveyance of a Portion of Fort Sheridan Located in Lake County, Illinois” (the “1998 MOA”).

B. The 1998 MOA (under AGREEMENT TO CONVEY) required the Army to convey to the District certain real property defined in the MOA as the “Property”, which is legally described on Exhibit A attached hereto (the “Property”). On February 27, 1998, the Army executed a Quit Claim Deed conveying a portion of the Property (the “Phase I Property”) to the District (the “Quit Claim Deed”). On March 3, 1998, the District accepted the Quit Claim Deed and the conveyance of the Phase I Property. On March 3, 1998, the Quit Claim Deed was recorded as Document No. 4095134, by the Recording Division of the Lake County Clerk's Office, Lake County, Illinois.

C. Pursuant to the 1998 MOA (under Section 2.d of DELIVERY OF POSSESSION; TITLE; NOTICE; ENCUMBRANCES) the Quit Claim Deed (i) reserved to the Army a non-exclusive easement and right-of-way on, over, and through the Property, for public access to the Cemetery (the “Cemetery Access Easement”) using then-existing District roads, which were identified on Exhibit F to the 1998 MOA and Exhibit E to the Quit Claim Deed (the “Cemetery Road”) and (ii) obligates the District to maintain the Cemetery Access Easement over the Cemetery Road in perpetuity to allow public access to the Cemetery in accordance with standards

stated therein, and (iii) provides that the Cemetery Easement shall bind the District and run with the land.

D. On December 13, 2019, the Army transferred to the VA operating control and administrative jurisdiction over the Cemetery, pursuant to the letter dated December 13, 2019.

E. On October 25, 2019, the Army, the VA, and the District entered into that certain “First Amendment to Memorandum of Agreement between the United States of America, Acting by and through the Secretary of the Army, United States Department of the Army and Lake County Forest Preserve District for the Conveyance of a Portion of Fort Sheridan Located in Lake County, Illinois dated February 20, 1998” (the “First Amendment to 1998 MOA”; the 1998 MOA, as amended by the First Amendment to 1998 MOA, is the “Amended 1998 MOA”). The First Amendment to 1998 MOA (i) acknowledged that jurisdiction of the Cemetery would transfer from the Army to the VA, (ii) amended certain provisions of the 1998 MOA, and (ii) provides that the VA will have all future responsibilities and access rights to act for the United States regarding Cemetery matters, including the right to amend the Amended 1998 MOA with concurrence of the District.

F. After the Quit Claim Deed was recorded, the District removed the original Cemetery Road and constructed a new road named “Vattman Road”, and the VA has consented to such removal and construction.

G. The District and the VA desire to memorialize the VA's consent to the removal of the original Cemetery Road, the construction of Vattman Road and the relocation of the Cemetery Access Easement to Vattman Road.

NOW, THEREFORE, for good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, VA states as follows:

1. Termination and Release of Easement. The VA hereby consents to the removal of the original Cemetery Road, the construction of Vattman Road and the relocation of the Cemetery Access Easement to Vattman Road. For all purposes under the 1998 MOA and the Quit Claim Deed, the “Cemetery Road” shall mean Vattman Road, and the “Cemetery Access Easement” shall mean the area depicted on the Plat of Easement dated November 11, 2023 attached hereto as Exhibit B, and recorded of even date herewith by the Recording Division of the Lake County Clerk's Office, Lake County, Illinois.

2. Miscellaneous. This Consent shall be construed in accordance with Federal law. If Federal law is silent, then the law of the State of Illinois applies. The paragraph headings of this Consent and the captions of the exhibits attached hereto are for convenience only and are not intended, and shall not be construed to alter, limit or enlarge in any way the scope or meaning of the language contained in this Termination and exhibits attached hereto. This Consent shall extend to, be binding upon and inure to the benefit of the VA and the District and their respective successors, assigns, heirs and legal representatives.

[Signature and Notary page follows]

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

[Attached]

LEGAL DESCRIPTION:

PARCEL 1: THAT PART OF FORT SHERIDAN NORTH SHORE SUBDIVISION, BEING A SUBDIVISION OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 43 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 4, 1892 AS DOCUMENT 48639; PART OF THE NORTHWEST 1/4, THE NORTHEAST FRACTIONAL QUARTER THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN; MICHAEL SWEBNEY'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 8, 1903 AS DOCUMENT 89859; J. S. PRALL'S FORT SHERIDAN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1889 AS DOCUMENT 41041; AND THE NORTHWEST AND SOUTHWEST FRACTIONAL QUARTERS OF SECTION 11, TOWNSHIP 43 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 10; THENCE SOUTH 89 DEGREES 29 MINUTES 03 SECONDS WEST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 650.41 FEET; THENCE SOUTH 33 DEGREES 37 MINUTES 31 SECONDS EAST, 264.47 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, 176.59 FEET; THENCE SOUTH 36 DEGREES 19 MINUTES 28 SECONDS WEST, 212.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 264.09 FEET; THENCE NORTH 53 DEGREES 52 MINUTES 20 SECONDS WEST, 265.63 FEET; THENCE NORTH 19 DEGREES 06 MINUTES 42 SECONDS WEST, 141.36 FEET; THENCE SOUTH 33 DEGREES 53 MINUTES 17 SECONDS WEST, 355.15 FEET; THENCE SOUTH 21 DEGREES 16 MINUTES 08 SECONDS WEST, 102.81 FEET; THENCE SOUTH 57 DEGREES 28 MINUTES 31 SECONDS EAST, 225.13 FEET; THENCE SOUTH 33 DEGREES 57 MINUTES 29 SECONDS WEST, 155.61 FEET; THENCE NORTH 57 DEGREES 29 MINUTES 25 SECONDS WEST, 252.28 FEET; THENCE SOUTH 60 DEGREES 47 MINUTES 52 SECONDS WEST, 88.76 FEET; THENCE NORTH 29 DEGREES 12 MINUTES 09 SECONDS WEST, 141.40 FEET; THENCE SOUTH 60 DEGREES 47 MINUTES 51 SECONDS WEST, 139.74 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF 70 FOOT WIDE SHERIDAN ROAD (SO CALLED AS OCCUPIED AND MONUMENTED); THENCE ALONG THE NORTHEASTERLY LINE OF AFORESAID SHERIDAN ROAD THE FOLLOWING 5 COURSES AND DISTANCES, SOUTH 29 DEGREES 12 MINUTES 09 SECONDS EAST, 610.45 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 11339.20 FEET, AN ARC DISTANCE OF 593.72 FEET (CHORD BEARING OF SOUTH 30 DEGREES 42 MINUTES 09 SECONDS EAST, 593.65 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 32 DEGREES 12 MINUTES 09 SECONDS EAST, 355.18 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 11144.69 FEET, AN ARC DISTANCE OF 584.83 FEET (CHORD BEARING OF SOUTH 30 DEGREES 41 MINUTES 57 SECONDS EAST, 584.77 FEET, TO A POINT OF TANGENCY; THENCE SOUTH 29 DEGREES 11 MINUTES 44 SECONDS EAST, 59.97 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 10, NORTH 89 DEGREES 45 MINUTES 45 SECONDS WEST, 656.39 FEET FROM THE CENTER OF SECTION 10; THENCE CONTINUING SOUTH 29 DEGREES 11 MINUTES 44 SECONDS EAST, ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF AFORESAID SHERIDAN ROAD, 585.69 FEET; THENCE NORTH 61 DEGREES 09 MINUTES 31 SECONDS EAST, 667.69 FEET;

THENCE NORTH 83 DEGREES 31 MINUTES 56 SECONDS EAST, 37.45 FEET; THENCE NORTH 06 DEGREES 28 MINUTES 04 SECONDS WEST, 15.31 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.09 FEET, AN ARC DISTANCE OF 80.48 FEET (CHORD BEARING OF NORTH 07 DEGREES 05 MINUTES 16 SECONDS EAST, 79.73 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1142.19 FEET, AN ARC DISTANCE OF 207.14 FEET (CHORD BEARING OF NORTH 25 DEGREES 50 MINUTES 20 SECONDS EAST, 206.85 FEET) TO A POINT OF TANGENCY; THENCE NORTH 31 DEGREES 02 MINUTES 03 SECONDS EAST, 97.14 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 489.91 FEET, AN ARC DISTANCE OF 43.42 FEET (CHORD BEARING OF NORTH 33 DEGREES 34 MINUTES 24 SECONDS EAST, 43.41 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1033.00 FEET, AN ARC DISTANCE OF 79.69 FEET (CHORD BEARING OF NORTH 38 DEGREES 19 MINUTES 20 SECONDS EAST, 79.67 FEET) TO A POINT OF COMPOUND CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 2091.00 FEET, AN ARC DISTANCE OF 452.77 FEET (CHORD BEARING OF NORTH 46 DEGREES 44 MINUTES 08 SECONDS EAST, 451.89 FEET); THENCE NORTH 40 DEGREES 11 MINUTES 59 SECONDS WEST, 111.28 FEET; THENCE NORTH 16 DEGREES 03 MINUTES 56 SECONDS EAST, 82.92 FEET; THENCE NORTH 41 DEGREES 23 MINUTES 30 SECONDS EAST, 41.31 FEET; THENCE NORTH 34 DEGREES 50 MINUTES 22 SECONDS WEST, 20.00 FEET; THENCE NORTH 55 DEGREES 47 MINUTES 35 SECONDS EAST, 78.10 FEET; THENCE NORTH 41 DEGREES 23 MINUTES 30 SECONDS EAST, 86.08 FEET; THENCE NORTH 18 DEGREES 06 MINUTES 39 SECONDS EAST, 41.78 FEET; THENCE NORTH 83 DEGREES 59 MINUTES 46 SECONDS EAST, 164.67 FEET; THENCE NORTH 71 DEGREES 21 MINUTES 07 SECONDS EAST, 138.93 FEET; THENCE SOUTH 18 DEGREES 14 MINUTES 01 SECONDS EAST, 30.81 FEET; THENCE NORTH 67 DEGREES 22 MINUTES 16 SECONDS EAST, 115.02 FEET; THENCE NORTH 35 DEGREES 59 MINUTES 15 SECONDS EAST, 75.00 FEET; THENCE NORTH 58 DEGREES 18 MINUTES 11 SECONDS EAST, 147.74 FEET; THENCE SOUTH 29 DEGREES 28 MINUTES 20 SECONDS EAST, 92.42 FEET; THENCE NORTH 69 DEGREES 54 MINUTES 19 SECONDS EAST, 145.75 FEET; THENCE NORTH 70 DEGREES 48 MINUTES 24 SECONDS EAST, 143.74 FEET; THENCE NORTH 75 DEGREES 19 MINUTES 19 SECONDS EAST, 50.00 FEET; THENCE NORTH 79 DEGREES 22 MINUTES 57 SECONDS EAST, 208.47 FEET; THENCE NORTH 56 DEGREES 25 MINUTES 00 SECONDS EAST, 125.38 FEET; THENCE NORTH 74 DEGREES 27 MINUTES 23 SECONDS EAST, 150.85 FEET; THENCE NORTH 35 DEGREES 38 MINUTES 45 SECONDS EAST, 231.46 FEET; THENCE NORTH 01 DEGREES 54 MINUTES 31 SECONDS EAST, 43.88 FEET; THENCE NORTH 51 DEGREES 40 MINUTES 24 SECONDS EAST, 60.43 FEET; THENCE NORTH 74 DEGREES 24 MINUTES 45 SECONDS EAST, 52.41 FEET; THENCE NORTH 57 DEGREES 14 MINUTES 31 SECONDS EAST, 32.05 FEET; THENCE SOUTH 86 DEGREES 41 MINUTES 22 SECONDS EAST, 103.15 FEET; THENCE NORTH 33 DEGREES 19 MINUTES 43 SECONDS WEST, 236.40 FEET; THENCE NORTH 54 DEGREES 18 MINUTES 40 SECONDS EAST, 132.45 FEET; THENCE NORTH 78 DEGREES 14 MINUTES 47 SECONDS EAST, 110.88 FEET; THENCE SOUTH 22 DEGREES 37 MINUTES 39 SECONDS EAST, 421.05 FEET; THENCE NORTH 78 DEGREES 44 MINUTES 29 SECONDS WEST, 244.33 FEET; THENCE NORTH 86 DEGREES 41 MINUTES 22 SECONDS WEST, 66.20 FEET; THENCE SOUTH 74 DEGREES 15 MINUTES 43 SECONDS WEST,

44.43 FEET; THENCE SOUTH 41 DEGREES 41 MINUTES 35 SECONDS EAST, 207.73 FEET, TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1465.00 FEET, AN ARC DISTANCE OF 595.33 FEET (CHORD BEARING OF SOUTH 30 DEGREES 03 MINUTES 05 SECONDS EAST, 591.24 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 18 DEGREES 24 MINUTES 36 SECONDS EAST, 159.82 FEET; THENCE SOUTH 04 DEGREES 52 MINUTES 04 SECONDS EAST, 295.63 FEET; THENCE SOUTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 300.00 FEET, AN ARC DISTANCE OF 314.78 FEET (CHORD BEARING OF SOUTH 34 DEGREES 11 MINUTES 13 SECONDS EAST, 300.54 FEET) TO A POINT OF REVERSE CURVATURE; THENCE SOUTHEASTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 435.00 FEET, AN ARC DISTANCE OF 240.03 FEET (CHORD BEARING OF SOUTH 19 DEGREES 56 MINUTES 08 SECONDS EAST, 237.00 FEET); THENCE SOUTH 80 DEGREES 42 MINUTES 42 SECONDS EAST, 89.02 FEET; THENCE SOUTH 70 DEGREES 28 MINUTES 56 SECONDS EAST, 99.68 FEET; THENCE SOUTH 88 DEGREES 37 MINUTES 29 SECONDS EAST, 79.76 FEET TO THE WATER'S EDGE OF LAKE MICHIGAN; THENCE NORTHWESTERLY ALONG THE WATER'S EDGE OF LAKE MICHIGAN TO A POINT THEREON WHICH IS NORTH 25 DEGREES 55 MINUTES 51 SECONDS WEST, 3765.62 FEET (MEASURED IN A STRAIGHT LINE) FROM THE PREVIOUSLY DESCRIBED POINT; THENCE SOUTH 89 DEGREES 13 MINUTES 08 SECONDS WEST, 235.00 FEET; THENCE SOUTH 54 DEGREES 18 MINUTES 08 SECONDS WEST, 790.60 FEET; THENCE SOUTH 24 DEGREES 35 MINUTES 07 SECONDS WEST, 205.40 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 10, WHICH IS NORTH 89 DEGREES 29 MINUTES 09 SECONDS EAST, 988.02 FEET FROM THE NORTHEAST CORNER OF THE NORTHWEST CORNER OF SECTION 10; THENCE SOUTH 89 DEGREES 29 MINUTES 09 SECONDS WEST, 988.02 FEET TO THE POINT OF BEGINNING; IN LAKE COUNTY, ILLINOIS

EXCEPTING THEREFROM PARCELS A, B, C, D AND E AS LOCATED AND DEPICTED ON THE SURVEY BY PEKLY SURVEYING CO., LTD. DATED NOVEMBER 21, 1997 (REVISED JANUARY 8, 1998), WHICH SURVEY IS ATTACHED AS AN EXHIBIT A-1 TO THE DEED FROM THE UNITED STATES OF AMERICA TO THE LAKE COUNTY FOREST PRESERVE DISTRICT DATED ~~20~~ 1998 AND RECORDED MARCH 3, 1998 ~~AS DOCUMENT~~, IN LAKE COUNTY, ILLINOIS; AND ALSO EXCEPTING THEREFROM BUILDING 172 AS DELINIATED IN THE "FORT SHERIDAN GOLF COURSE TRANSFER AND CEMETERY PARCELS ENVIRONMENTAL BASELINE SURVEY" DATED DECEMBER 1997, AND A PARCEL OF LAND SURROUNDING SAID BUILDING 172 EXTENDING 60 FEET FROM EACH WALL OF BUILDING 172.

PARCEL 2: THAT PART OF THE NORTHEAST FRACTIONAL QUARTER AND THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST FRACTIONAL QUARTER SECTION; THENCE NORTH 89 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 328.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 30 DEGREES 13 MINUTES 16 SECONDS EAST, 54.93 FEET; THENCE SOUTH 67 DEGREES 53 MINUTES 15 SECONDS WEST, 1612.87 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 310.00 FEET, AN ARC DISTANCE OF 469.99 FEET (CHORD BEARING OF NORTH 68 DEGREES 40 MINUTES 48

SECONDS WEST, 426.25 FEET TO A POINT OF TANGENCY; THENCE NORTH 25 DEGREES 14 MINUTES 50 SECONDS WEST, 307.05 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, AN ARC DISTANCE OF 80.79 FEET (CHORD BEARING OF NORTH 02 DEGREES 06 MINUTES 12 SECONDS WEST, 78.61 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1440.00 FEET, AN ARC DISTANCE OF 350.07 FEET (CHORD BEARING OF NORTH 28 DEGREES 00 MINUTES 18 SECONDS EAST, 349.21 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 967.00 FEET, AN ARC DISTANCE OF 93.88 FEET (CHORD BEARING OF NORTH 37 DEGREES 45 MINUTES 03 SECONDS EAST, 93.84 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 2025.00 FEET, AN ARC DISTANCE OF 270.73 FEET (CHORD BEARING OF NORTH 44 DEGREES 21 MINUTES 44 SECONDS EAST, 270.53 FEET); THENCE SOUTH 41 DEGREES 48 MINUTES 16 SECONDS EAST, 3.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 2022.00 FEET; AN ARC DISTANCE OF 82.01 FEET (CHORD BEARING OF NORTH 49 DEGREES 21 MINUTES 14 SECONDS EAST, 82.00 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 1500.00 FEET, AN ARC DISTANCE OF 74.49 FEET (CHORD BEARING OF NORTH 51 DEGREES 56 MINUTES 19 SECONDS EAST, 74.48 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHEASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 2253.00 FEET, AN ARC DISTANCE OF 831.83 FEET (CHORD BEARING OF NORTH 63 DEGREES 56 MINUTES 18 SECONDS EAST, 827.12 FEET); THENCE NORTH 16 DEGREES 44 MINUTES 12 SECONDS WEST, 6.00 FEET; THENCE EASTERLY AROUND A CURVE TO THE RIGHT, HAVING A RADIUS OF 2259.00 FEET, AN ARC DISTANCE OF 180.07 FEET (CHORD BEARING OF NORTH 76 DEGREES 47 MINUTES 44 SECONDS, 180.02 FEET); THENCE SOUTH 30 DEGREES 13 MINUTES 18 SECONDS EAST, 1087.77 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS

PARCEL 3: THAT PART OF THE NORTHEAST FRACTIONAL QUARTER AND THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST FRACTIONAL QUARTER SECTION; THENCE NORTH 89 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 328.93 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 30 DEGREES 13 MINUTES 16 SECONDS EAST, 46.84 FEET; THENCE NORTH 67 DEGREES 52 MINUTES 34 SECONDS EAST, 307.86 FEET; THENCE NORTHWESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 485.00 FEET, AN ARC DISTANCE OF 44.70 FEET (CHORD BEARING OF NORTH 19 DEGREES 00 MINUTES 37 SECONDS WEST, 44.69 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHWESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 3416.01 FEET, AN ARC DISTANCE OF 488.09 FEET (CHORD BEARING OF NORTH 25 DEGREES 44 MINUTES 38 SECONDS WEST, 487.67 FEET) TO A POINT OF COMPOUND CURVE; THENCE NORTHWESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1525.00 FEET, AN ARC DISTANCE OF 214.50 FEET (CHORD BEARING OF NORTH 33 DEGREES 52 MINUTES 00 SECONDS WEST, 214.32 FEET) TO A POINT OF TANGENCY; THENCE NORTH 37 DEGREES 53 MINUTES 46 SECONDS WEST, 157.01 FEET TO A POINT OF CURVATURE; THENCE

NORTHWESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 258.50 FEET, AN ARC DISTANCE OF 230.91 FEET (CHORD BEARING OF NORTH 63 DEGREES 29 MINUTES 09 SECONDS WEST, 223.31 FEET) TO A POINT OF COMPOUND CURVE; THENCE WESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 1309.23 FEET, AN ARC DISTANCE OF 217.35 FEET, (CHORD BEARING OF SOUTH 86 DEGREES 10 MINUTES 07 SECONDS WEST, 217.10 FEET); THENCE SOUTH 30 DEGREES 13 MINUTES 16 SECONDS EAST, 1092.51 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS

PARCEL 4: THAT PART OF THE NORTHEAST FRACTIONAL QUARTER AND THE SOUTHEAST 1/4 OF SECTION 10, TOWNSHIP 43 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST FRACTIONAL QUARTER SECTION; THENCE NORTH 89 DEGREES 57 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 328.93 FEET; THENCE NORTH 30 DEGREES 13 MINUTES 18 SECONDS WEST, 1092.51 FEET; THENCE NORTH 55 DEGREES 18 MINUTES 23 SECONDS WEST, 84.89 FEET TO THE POINT OF BEGINNING; THENCE WESTERLY AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 2325.00 FEET, AN ARC DISTANCE OF 39.40 FEET (CHORD BEARING OF SOUTH 77 DEGREES 05 MINUTES 30 SECONDS WEST, 39.40 FEET); THENCE NORTH 29 DEGREES 28 MINUTES 20 SECONDS WEST, 116.36 FEET; THENCE NORTH 68 DEGREES 53 MINUTES 22 SECONDS EAST, 13.00 FEET; THENCE NORTH 76 DEGREES 31 MINUTES 31 SECONDS EAST, 55.03 FEET; THENCE SOUTH 15 DEGREES 15 MINUTES 30 SECONDS EAST, 114.03 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS

EXHIBIT B

PLAT OF EASEMENT

[Attached]

