



LAKE COUNTY FOREST PRESERVES
www.LCFPD.org

Preservation, Restoration, Education and Recreation

DATE: August 27, 2018

MEMO TO: Carol Calabresa, Chair
Planning Committee

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

RECOMMENDATION: Recommend approval of an Ordinance Vacating portions of Garcia Drive and Riviera Drive within Fourth Lake Forest Preserve.

STRATEGIC DIRECTION SUPPORTED: Conservation

FINANCIAL DATA: There is no financial impact at this time.

BACKGROUND: The District owns a portion of two platted but unbuilt roads named Garcia Drive and Riviera Drive at Fourth Lake Forest Preserve. The section of unbuilt road named Garcia Drive is approximately 125 feet in length and 0.2 acres in area. The section of unbuilt road named Riviera Drive is approximately 355 feet in length and 0.5 acres in area. Neither right-of-way is required for the public's use and enjoyment of District property. Vacating these portions of the roads will enhance the public's ability to enjoy District property by protecting the natural resource values. It will also relieve the public from the burden and responsibility for the Road.

State Statute allows the District to vacate a road within a forest preserve that is not part of a State or County highway. This process has been followed previously at Cahokia Flatwoods, Greenbelt, Singing Hills, Spring Bluff, Tanager Kames, and Waukegan Savanna Forest Preserves.

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

Lake County

Attn: Ken Jones
Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048

**BOARD OF COMMISSIONERS
LAKE COUNTY FOREST PRESERVE DISTRICT
REGULAR SEPTEMBER MEETING
SEPTEMBER 11, 2018**

☐ Voice Vote Majority Ayes; Nays: _____

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

**AN ORDINANCE VACATING PORTIONS OF GARCIA DRIVE AND RIVIERA DRIVE
WITHIN FOURTH LAKE FOREST PRESERVE**

WHEREAS, the Lake County Forest Preserve District (the "District") owns the fee simple interest underlying certain roadways within the forest preserve commonly known as Fourth Lake Forest Preserve, which roadways are legally described on Exhibit A and generally depicted on Exhibit B attached hereto and made a part hereof (the "Roads"); and

WHEREAS, the Roads are located entirely within the limits of the District and Fourth Lake Forest Preserve, are subject to the jurisdiction of the District, and are not part of any State or County Highway; and

WHEREAS, the District desires to vacate the Roads; and

WHEREAS, pursuant to Section 6 of the Downstate Forest Preserve District Act, 70 ILCS 805/6, the District is authorized to vacate the Roads by ordinance where such vacation will serve the public interest; and

WHEREAS, the vacation of the Roads will serve the public interest because vacation will relieve the public from the burden and responsibility for the Roads, because the Roads are not required for the public's use and enjoyment of District property, and because the vacation will enhance the public's ability to enjoy District property by protecting natural resource values; and

WHEREAS, the nature and extent of such public interests warrant the vacation of the Roads;

NOW, THEREFORE, BE IT ORDAINED 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 part of this Ordinance by this reference.

Section 2. Vacation of Roads. The Roads are hereby vacated.

Section 3. Vacation Documents. The District's Executive Director shall cause to be prepared any documents necessary or desirable for the vacation of the Roads.

Section 4. Execution and Performance of Other Acts. The District President, or the President's designee or designees, are hereby authorized to execute any documents and take any other action necessary or desirable to vacate the Roads.

Section 5. Ownership. Upon vacation of the Roads, title to the land within the Roads shall remain vested in, or vest in, the District, to the fullest extent permitted by law.

Section 6. Reservation of Rights. All property, rights of way and easements for the use, maintenance, renewal, construction and reconstruction of any public utilities over, across, through and under the Roads are hereby reserved to the District or to any public utilities or entities, as the case may be, which owns such utilities.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this _____ day of _____, 2018

AYES:

NAYS:

APPROVED this _____ day of _____, 2018

Ann B. Maine, President
Lake County Forest Preserve District

ATTEST:

Julie Gagnani, Secretary
Lake County Forest Preserve District

Exhibit No. _____

Exhibit A
Legal Description

VACATION OF A PORTION OF GARCIA DRIVE AND RIVIERA DRIVE IN THAT PART OF SECTION 2, TOWNSHIP 45 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN LAKE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

ALL THAT PART OF GARCIA DRIVE LYING SOUTH OF AND ADJACENT TO LOT 20 IN BLOCK 26 IN VENETIAN VILLAGE, BEING A SUBDIVISION OF PARTS OF SECTIONS 2 AND 11, TOWNSHIP 45 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 22, 1930 AS DOCUMENT 354246, IN BOOK "V" OF PLATS, PAGES 26 TO 32, IN LAKE COUNTY, ILLINOIS, AND ALSO ALL THAT PART OF RIVIERA DRIVE LYING SOUTHEASTERLY OF AND ADJACENT TO LOTS 15 THROUGH 20 (ALL INCLUSIVE) IN BLOCK 26 IN SAID VENETIAN VILLAGE AND ALSO LYING NORTHEASTERLY OF THE NORTHEASTERLY LINE OF THAT PART OF RIVIERA DRIVE HERETOFORE VACATED ON NOVEMBER 15, 2014, AS DOCUMENT NUMBER 7148946, IN LAKE COUNTY, ILLINOIS. CONTAINING 28,494 SQUARE FEET, MORE OR LESS.



PEKLAY SURVEYING CO., LTD
PROFESSIONAL DESIGN FIRM NO. 2981
163 N. GREENLEAF ST. SUITE 1
GURNEE, IL. 60031-3344
(847) 336-0059 phone
(847) 336-8753 fax

Dated: 8/19/18

By: Edward Peklay

Illinois Professional Land Surveyor No. 2549
My license expires 11/30/2018



File No. 18-157-1

Exhibit B Depiction

Exhibit B

Lake County Forest Preserve District
1899 W Winchester Rd
Libertyville, IL 60048
847-968-3351
www.lcfd.org

Legend

-  Forest Preserve Property
-  ROW to be Vacated



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

Map Prepared 7 August 2018

0 75 150 300 Feet

