

Delany Road (Tannahill Drive to York House Road) Widening:  
 Right-of-way Acquisition: Appropriation

Accounts Payable (1) cert.  
 Transportation (2) cert.

STATE OF ILLINOIS )  
 )  
 COUNTY OF LAKE )

COUNTY BOARD, LAKE COUNTY, ILLINOIS  
 ADJOURNED REGULAR SEPTEMBER A.D. 2007 SESSION  
 OCTOBER 09, A.D. 2007

**MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:**

A joint resolution appropriating \$800,000.00 of Motor Fuel Tax funds for the acquisition of a portion of necessary right-of-way and stormwater detention sites, by agreement or condemnation, and other right-of-way costs associated with the proposed widening and reconstruction of Delany Road (*County Highway 22*) from Tannahill Drive to York House Road (*County Highway 65*) and designated as Section 00-00093-17-WR.

We **RECOMMEND** adoption of this Resolution.

	Aye	Nay		Aye	Nay
<u>Anna O'Kelly</u> Chair	✓	_____	<u>[Signature]</u> Chair	x	_____
<u>[Signature]</u> Vice-Chair	✓	_____	<u>Ann Flanagan</u> Vice-Chair	✓	_____
<u>David McLeod</u>	✓	_____	<u>[Signature]</u>	x	_____
<u>Teresa Besenbrot</u>	✓	_____	<u>Stacy Martin</u>	x	_____
_____	_____	_____	<u>Anna O'Kelly</u>	✓	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
Public Works and Transportation Committee			Financial and Administrative Committee		

## RESOLUTION

**WHEREAS**, Delany Road (*County Highway 22*) from Tannahill Drive to York House Road (*County Highway 65*) is a designated route on the county highway system; and

**WHEREAS**, it would be beneficial to the safety and welfare of the motoring public if Delany Road from Tannahill Drive to York House Road could be improved by widening and reconstruction and including provisions for the detention of stormwater; and

**WHEREAS**, Lake County by and through its Division of Transportation has caused to be prepared preliminary plans and right-of-way plats relative to said improvements to Delany Road from Tannahill Drive to York House Road, identifying a portion of said right-of-way needs; and

**WHEREAS**, there are lots (*Pin #'s 07-01-101-003, 07-01-101-004, 07-01-101-005, 07-01-301-001, & 07-01-300-016*) that are adjacent to Delany Road that are needed for said improvement.

**WHEREAS**, the partial cost of said right-of-way and detention sites is estimated to be \$800,000.00.

**NOW, THEREFORE BE IT RESOLVED** by this County Board of Lake County, Illinois:

**SECTION 1:** It is hereby determined that it is necessary and desirable that Lake County acquire title to and possession of all of the real property within the proposed new right-of-way lines of Delany Road from Tannahill Drive to York House Road and including the detention sites together with construction and other easements, both temporary and permanent, for said highway, from the real estate identified and as depicted in preliminary plans and right-of-way plats and from real estate that may be identified in the final plans made under the direction of the County Engineer of Lake County, Illinois, filed in the office of the Lake County Engineer, which

said real property and easement are necessary, required, and needed for the improvement of said highway.

**SECTION 2:** That the Lake County Division of Transportation, or its agents, on behalf of Lake County, be, and they are hereby authorized, empowered, and directed to negotiate with and purchase therefrom the owner or owners of all the real property determined to be necessary under this resolution and described in the preliminary plans and right-of-way plats and to acquire real estate that may be identified in the final plans for Delany Road from Tannahill Drive to York House Road for said widening and reconstruction and including the detention sites.

**SECTION 3:** In the event that the Lake County Division of Transportation is unable to agree with the owner or owners of said real property upon the compensation to be paid therefore, then title to and possession of said real property described herein for Delany Road from Tannahill Drive to York House Road for said widening and reconstruction, including the detention sites, shall be acquired by condemnation by Lake County. The State's Attorney of Lake County is hereby authorized, empowered, and directed to institute proceedings in any court of competent jurisdiction to acquire title to and possession of said property for Lake County in accordance with the Eminent Domain Laws of the State of Illinois.

**SECTION 4:** That there is hereby appropriated an initial amount of \$800,000.00 of Motor Fuel Tax funds for the purchase of the real property determined to be necessary under this resolution described herein for Delany Road from Tannahill Drive to York House Road for said widening and reconstruction and including the detention sites and designated as Section 00-00093-17-WR.

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County Engineer

On behalf of IDOT pursuant to Agreement  
of Understanding dated January 22, 2003

Dated at Waukegan, Illinois  
this 9<sup>h</sup> day of October 2007