

Agenda Item # 42

DISTRIBUTION  
County Board  
County Clerk  
County Administrator  
Public Works

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF LAKE )

COUNTY BOARD, LAKE COUNTY, ILLINOIS

ADJOURNED REGULAR SEPTEMBER A.D., 2007 SESSION

OCTOBER 9, A.D., 2007

MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:

Your Public Works & Transportation Committee and Financial and Administrative Committee present herewith a Joint Resolution authorizing the execution of a Settlement Agreement between LaSalle National Bank as Trustee under Trust No. 105102, The Village of Beach Park, and Lake County, and request its adoption.

Respectfully submitted,

<u>Alanna O'Kelly</u>	Aye	Nay
CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>David S.</u>		
VICE CHAIR		
<u>David New</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Susan Seaverhart</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		

<u>[Signature]</u>	Aye	Nay
CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE CHAIR		
<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Alanna O'Kelly</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		

PUBLIC WORKS AND TRANSPORTATION COMMITTEE

FINANCIAL AND ADMINISTRATIVE COMMITTEE

## RESOLUTION

WHEREAS, LaSalle Trust No.105102 owns property situated in the Village of Beach Park and within the Northeast Lake Facilities Planning Area; and

WHEREAS, the LaSalle Trust property and an additional approximately 75 acres located immediately to the north of the LaSalle Trust property are located within the County Service Area for sanitary sewer services as established by the Lake County and North Shore Sanitary District Agreement for Sewage Disposal dated March 21, 1994, as amended (the "Sewage Disposal Agreement"); and

WHEREAS, the Village and LaSalle Trust have filed a lawsuit alleging that the County and the North Shore Sanitary District improperly denied or refused to amend the Sewage Disposal Agreement to transfer the LaSalle Trust property and the 75 acres to the NSSD Service Area from the County Service Area into the District Service Area pursuant to the Sewage Disposal Agreement; and

WHEREAS, the LaSalle Trust, the Village and the County have concluded that it is in the best interests of all the parties to settle and compromise their respective claims and demands as set forth in the Settlement Agreement and Release attached hereto (the "Settlement Agreement"); and

WHEREAS, pursuant to the proposed settlement terms, the LaSalle Trust property may be developed with a maximum of 335 residential units, the 75 acres will not be required to make connection to or pay for sanitary sewer unless and until a majority of the owners within the 75 acres petition the Village for such service, there shall be no permanent interconnection allowed between the LaSalle trust property and the 75 acres, and there shall be no recapture to the owners within 75 acres for sanitary sewer infrastructure installed by the developer of the LaSalle Trust property; and

WHEREAS, the Settlement Agreement also provides for the County to approve and execute a Seventh Amendment to its Sewage Disposal Agreement with the North Shore Sanitary District, which Seventh Amendment will implement and advance the terms of the Settlement Agreement; and

WHEREAS, the Settlement Agreement has been prepared that is acceptable to all the parties;

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

1. That the Chairman of the County Board and County Clerk are hereby authorized and directed to execute the attached Settlement Agreement, substantially in the form attached hereto, and any other required court pleadings or documents (including without limitation the Seventh Amendment), on behalf of County of Lake, which comport with and/or effectuate this Board-approved Settlement.
2. That the Director of the Public Works Department is hereby authorized and directed to take those actions in furtherance of the settlement as specifically set forth by the terms of the Settlement Agreement and the Seventh Amendment.

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 9th day of October, A.D., 2007.