

Agenda Item #

44

Distribution
County Board
County Administrator
Facility Manager
Central Services
Accounts Payable

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

COUNTY BOARD, LAKE COUNTY, ILLINOIS

REGULAR JUNE , A.D., 2003 SESSION

JUNE10, A.D., 2003

MADAM CHAIRMAN AND MEMBERS OF THE COUNTY BOARD:

Your Financial and Administrative Committee presents herewith a Resolution authorizing the Chairman of the Board to enter into a Modification of Easement Agreement between the County of Lake, the Lake County Public Building Commission, and the City of Waukegan, in accordance with the terms and conditions of the agreement and requests its adoption.

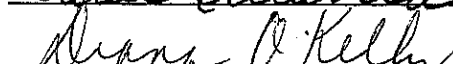
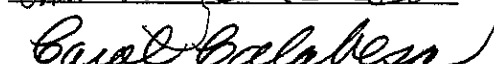
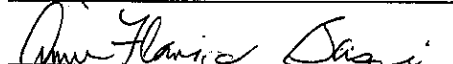
Respectfully submitted,



CHAIR



VICE-CHAIR



FINANCIAL and ADMINISTRATIVE
COMMITTEE

RESOLUTION

WHEREAS the Lake County Public Building Commission is the owner of real property described as follows: Lot 2 in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois (“LCPBC Property”);

WHEREAS the County of Lake is the lessee of the LCPBC Property;

WHEREAS the City of Waukegan is the owner of real property adjacent to the LCPBC Property described as follows: Lots 1, 11 and 12, all in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois (“City Property”);

WHEREAS the City of Waukegan previously granted the County of Lake and the Lake County Public Building Commission a permanent and perpetual easement on the City Property and immediately adjacent to the LCPBC property described as follows: the West Twenty-Five (25) feet and the South Fifteen (15) feet of Lot 1 in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois, for the purposes of Ingress and Egress, with the right to remove obstructions, trees, bushes and other vegetation from the easement (“Original Ingress and Egress Easement”), a true and exact copy of which is attached hereto as Exhibit A);

WHEREAS the County of Lake and the Lake County Public Building Commission have agreed to a modification of the Original Ingress and Egress Easement, whereby a portion of the Original Ingress and Egress Easement will be terminated and released to the City of Waukegan and in exchange therefor the City of Waukegan will grant to the County of Lake and the Lake County Public Building Commission a permanent and perpetual Ingress and Egress Easement over another portion of the City Property as well as eight (8) permanently designated parking spaces to be located in the parking lot immediately west of the LCPBC Property;

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois that the attached Modification of Easement Agreement between the Commission, the County and the City be entered into by and between the Commission and the County of Lake, the Chairman of the Lake County Board is hereby authorized to execute said Modification of Easement Agreement on behalf of the County.

DATED, at WAUKEGAN, LAKE COUNTY, ILLINOIS, on this 10th day of June A.D., 2003.

MODIFICATION OF EASEMENT AGREEMENT

This Agreement is made and entered into this ____ day of _____, 2003, by and between the City of Waukegan, the County of Lake and the Lake County Public Building Commission;

WHEREAS the Lake County Public Building Commission is the owner of real property described as follows: Lot 2 in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois ("LCPBC Property");

WHEREAS the County of Lake is the lessee of the LCPBC Property;

WHEREAS the City of Waukegan is the owner of real property adjacent to the LCPBC Property described as follows: Lots 1, 11 and 12, all in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois ("City Property");

WHEREAS the City of Waukegan previously granted the County of Lake and the Lake County Public Building Commission a permanent and perpetual easement on the City Property and immediately adjacent to the LCPBC property described as follows: the West Twenty-Five (25) feet and the South Fifteen (15) feet of Lot 1 in Block 20 in the original town of Little Fort (now City of Waukegan) in the Southeast Quarter of Section 21, Township 45 North, Range 12, East of the Third Principal Meridian in Lake County, Illinois, for the purposes of Ingress and Egress, with the right to remove obstructions, trees, bushes and other vegetation from the easement ("Original Ingress and Egress Easement"), a true and exact copy of which is attached hereto as Exhibit A);

WHEREAS the County of Lake and the Lake County Public Building Commission have agreed to a modification of the Original Ingress and Egress Easement, whereby a portion of the Original Ingress and Egress Easement will be terminated and released to the City of Waukegan and in exchange therefor the City of Waukegan will grant to the County of Lake and the Lake County Public Building Commission a permanent and perpetual Ingress and Egress Easement over another portion of the City Property as well as eight (8) permanently designated parking spaces to be located in the parking lot immediately west of the LCPBC Property;

NOW THEREFORE, in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the parties agree as follows:

1. The recitals are hereby incorporated into this Modification of Easement Agreement.
2. The County of Lake and the Lake County Public Building Commission hereby modify the said Original Ingress and Egress Easement so as to retain a permanent and perpetual easement over only that part of the City Property described as follows: the South 4.0 feet of Lot 1, plus an additional eight (8) feet six(6) inches to the North by fifteen (15) feet east from the west lot line, all in Block 20, in the original town of Little Fort (now city of Waukegan) the Plat of which was recorded on May 26, 1841 in book "A" of Deeds, page 89, in Lake County, Illinois, for purposes of Ingress and Egress, with the right to remove obstructions, trees, bushes and other vegetation from the easement. It is the intention of the County of Lake and the Lake County Public Building Commission to terminate and release to the City of Waukegan that part of the Original Ingress and Egress Easement not included within the description as provided in this paragraph 2.
3. The City of Waukegan hereby grants and conveys to the County of Lake and the Lake

County Public Building Commission, their successors and assigns, a permanent and perpetual Ingress and Egress Easement described as follows: the South 4.0 feet of Lot 12, plus an additional eight (8) feet six (6) inches to the north by fifteen (15) feet west from the east lot line of Lot 12, and the North 8.0 feet of Lot 11, all in Block 20, in the original town of Little Fort (now City of Waukegan) the Plat of which was recorded on May 26, 1841 in book "A" of Deeds, page 89, in Lake County, Illinois, for purposes of Ingress and Egress, with the right to remove obstructions, trees, bushes and other vegetation from the easement. The City of Waukegan further agrees to provide Lake County and the LCPBC with a total of eight (8) permanently designated parking spaces to be located in the City's parking lot immediately west of the LCPBC Property.

4. The Original Ingress and Egress easement as modified in paragraph 2 herein, and the additional Ingress and Egress Easement as provided in paragraph 3 herein, are as shown and described in the Plat of Easement attached hereto as Exhibit B and incorporated by reference herein.

In witness whereof, the parties hereto have signed, sealed and delivered this instrument on the date it bears.

LAKE COUNTY PUBLIC BUILDING
COMMISSION

By _____
Chairman

[SEAL]

Attest:

Secretary

THE COUNTY OF LAKE, ILLINOIS

By _____
Chairman of the County Board of
The County of Lake, Illinois

[SEAL]

Attest:

County Clerk

THE CITY OF WAUKEGAN

By _____
Mayor of the City of Waukegan

[SEAL]

Attest:

City Clerk