

Agenda Item # 43

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., 2004 SESSION

APRIL 12, A.D., 2005

MADAM CHAIR AND MEMBERS OF THE COUNTY BOARD:

Your Public Works & Transportation Committee presents herewith a Resolution authorizing execution of a Right-of-Way and Utility Easement Agreement and a Vacation and Release of Easement for Lot 3 of North Libertyville Estates Unit 1 in unincorporated Lake County; and requests its adoption.

Respectfully submitted,

|                      | Aye | Nay   |
|----------------------|-----|-------|
| <u>Deana O'Kelly</u> | ✓   | _____ |
| CHAIR                |     |       |

|              |       |       |
|--------------|-------|-------|
| <u>_____</u> | _____ | _____ |
| VICE CHAIR   |       |       |
| <u>_____</u> | ✓     | _____ |

|                    |   |       |
|--------------------|---|-------|
| <u>Ann B. Mame</u> | ✓ | _____ |
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|                       |   |       |
|-----------------------|---|-------|
| <u>Ann Flanice B.</u> | ✓ | _____ |
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| <u>Michael A. Calvert</u> | ✓ | _____ |
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PUBLIC WORKS AND TRANSPORTATION  
COMMITTEE

## RESOLUTION

WHEREAS, the County of Lake, through its Department of Public Works ("County"), owns and operates public water facilities on the south 145 feet of Lot 3 of the North Libertyville Estates Unit 1 Subdivision in unincorporated Lake County, Illinois; and

WHEREAS, James Rende (Rende) owns certain real estate located at the southeast corner of Center Avenue and Buckley Road, commonly known as Lot 2 and the north 144 feet of Lot 3 of the North Libertyville Estates Unit 1 Subdivision in unincorporated Lake County; and

WHEREAS, Rende represents that he owns an easement by prescription and right-of-way for ingress and egress over Lot 3 of North Libertyville Estates Unit 1; and

WHEREAS, the County and Rende have agreed to vacate the existing easement by prescription and right-of-way for ingress and egress in exchange for a perpetual non-exclusive right-of-way and utility easement; and

WHEREAS, a Vacation and Release of Easement for Ingress and Egress and a Non-Exclusive Right-of-Way and Utility Easement Agreement have been prepared that sets forth the rights, responsibilities and obligations of each party; and

WHEREAS, execution of a Vacation and Release of Easement and a Right-of-Way and Utility Easement Agreement must be authorized by Resolution of the County Board.

NOW, THEREFORE, BE IT RESOLVED, by this County Board of Lake County, Illinois, that the Chair of the County Board and the Clerk of said County be and they are hereby authorized and directed to execute the attached Vacation and Release of Easement for Ingress and Egress and the attached Non-Exclusive Right-of-Way and Utility Easement Agreement.

DATED AT WAUKEGAN, LAKE COUNTY, ILLINOIS THIS 12<sup>th</sup> day of April, 2005.