



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Details (With Text)

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<b>File #:</b>	15-0676	<b>Version:</b>	2	<b>Name:</b>	Surplus Highway Property Ordinance
<b>Type:</b>	Ordinance Amendment	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	12/10/2014	<b>In control:</b>		<b>In control:</b>	Roads and Bridges Committee (Inactive. There is now a Transportation Committee)
<b>On agenda:</b>	12/17/2014	<b>Final action:</b>		<b>Final action:</b>	1/21/2015
<b>Title:</b>	Sponsored by Larry Suffredin, Cook County Commissioner				

### PROPOSED ORDINANCE AMENDMENT

An Ordinance Governing the Disposition of Surplus Cook County Transportation and Highway Department Property

NOW THEREFORE BE IT ORDAINED, by the Cook County Board of Commissioners that Part I. General Ordinances, Chapter 66. Roads and Bridges, Article I. In General, Sections 66-2, is hereby enacted as follows:

Sec. 66-2. Surplus Highway Property.

It shall be the policy of the Cook County Department of Transportation and Highways to transfer any:

- 1) surplus lane mile of pavement of one mile or less in length; and/or
- 2) any surplus parcel of land of one acre or less that is currently under the jurisdiction of the Cook County Department of Transportation and Highways. In determining whether a parcel is "surplus," the Cook County Department of Transportation and Highways (DOTH) shall first ascertain whether the parcel is required for highway purposes, and if not, shall request approval from the Illinois Department of Transportation for disposition of such parcel. Upon receipt of such approval, DOTD shall refer such parcel to the Director of Real Estate Management for disposition, together with any requirements as to restrictions on title or application of proceeds.

The transfer of lane mile of pavement and/or surplus parcel of land may be effectuated through the creation of an Intergovernmental Agreement pursuant to Section 10 of the Illinois Constitution between Cook County and the municipality or township in which the lane mile of pavement and/or surplus land parcel is located.

The Cook County Department of Transportation and Highways shall:

- 1) repair or reconstruct any lane mile of pavement that is to be transferred to a standard that is mutually agreed upon by the municipality or township; and
- 2) delineate in the Intergovernmental Agreement the standard to which the lane mile of pavement is to be repaired.

The Director of Real Estate Management shall:

- 1) Determine whether any parcel referred by DOTD is commercially marketable, such determination to be based upon factors such as size, lack of access, configuration, adjacencies, and other factors;
- 2) If in the Director's opinion the parcel is commercially marketable, the Director may proceed to dispose of such parcel in accordance with the provisions of Sec. 2-361; and

3) If in the opinion of the Director the parcel is not commercially marketable, or if the parcel has an estimated value of under \$10,000 based on prior County land sales, and if the municipality in which such parcel is located desires to acquire such parcel, then pursuant to the procedures set forth in the Local Government Property Transfer Act (50 ILCS 605/1), the municipality may acquire such parcel for a nominal consideration, upon terms and conditions approved by the Board of Commissioners. The Director's determination that a property is not commercially marketable will be reviewed in deliberations of the Asset Management Committee prior to approving any conveyance.

Effective date: This ordinance shall be in effect immediately upon adoption.

**Sponsors:** LARRY SUFFREDIN

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
1/21/2015	1	Roads and Bridges Committee (Inactive. There is now a Transportation Committee)	accept	Pass
1/21/2015	1	Roads and Bridges Committee (Inactive. There is now a Transportation Committee)	recommend for approval as substituted	Pass
1/21/2015	1	Board of Commissioners	approve	Pass
12/17/2014	1	Board of Commissioners	refer	Pass

**Sponsored by Larry Suffredin, Cook County Commissioner**

**PROPOSED ORDINANCE AMENDMENT**

**AN ORDINANCE GOVERNING THE DISPOSITION OF SURPLUS COOK COUNTY TRANSPORTATION AND HIGHWAY DEPARTMENT PROPERTY**

**NOW THEREFORE BE IT ORDAINED**, by the Cook County Board of Commissioners that Part I. General Ordinances, Chapter 66. Roads and Bridges, Article I. In General, Sections 66-2, is hereby enacted as follows:

**Sec. 66-2. Surplus Highway Property.**

It shall be the policy of the Cook County Department of Transportation and Highways to transfer any:

- 1) surplus lane mile of pavement of one mile or less in length; and/or
- 2) any surplus parcel of land of one acre or less that is currently under the jurisdiction of the Cook County Department of Transportation and Highways. **In determining whether a parcel is "surplus," the Cook County Department of Transportation and Highways (DOTH) shall first ascertain whether the parcel is required for highway purposes, and if not, shall request approval from the Illinois Department of Transportation for disposition of such parcel. Upon receipt of such approval, DOTD shall refer such parcel to the Director of Real Estate Management for disposition, together with any requirements as to restrictions on title or application of proceeds.**

The transfer of lane mile of pavement ~~and/or surplus parcel of land~~ may be effectuated through the creation of an Intergovernmental Agreement pursuant to Section 10 of the Illinois Constitution between Cook County and the municipality or township in which the lane mile of pavement and/or surplus land parcel is located.

The Cook County Department of Transportation and Highways shall:

- 1) repair or reconstruct any lane mile of pavement that is to be transferred to a standard that is mutually agreed upon by the municipality or township; and
- 2) delineate in the Intergovernmental Agreement the standard to which the lane mile of pavement is to be repaired.

**The Director of Real Estate Management shall:**

- 1) **Determine whether any parcel referred by DOTH is commercially marketable, such determination to be based upon factors such as size, lack of access, configuration, adjacencies, and other factors;**
- 2) **If in the Director's opinion the parcel is commercially marketable, the Director may proceed to dispose of such parcel in accordance with the provisions of Sec. 2-361; and**
- 3) **If in the opinion of the Director the parcel is not commercially marketable, or if the parcel has an estimated value of under \$10,000 based on prior County land sales, and if the municipality in which such parcel is located desires to acquire such parcel, then pursuant to the procedures set forth in the Local Government Property Transfer Act (50 ILCS 605/1), the municipality may acquire such parcel for a nominal consideration, upon terms and conditions approved by the Board of Commissioners. The Director's determination that a property is not commercially marketable will be reviewed in deliberations of the Asset Management Committee prior to approving any conveyance.**

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