



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Text

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**File #: 13-1311, Version: 1**

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### PROPOSED RESOLUTION

#### Land Transfer from Cook County to Forest Preserve District

**WHEREAS**, Cook County is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the County owns certain property consisting of 4.814 acres of real estate located along Interstate Highway 80/94 from WB I-80 to NB I-394 (NE quadrant) at Volbrecht Road in Thornton Township, Cook County, Illinois, legally described on Exhibit A, commonly known as EL #438 (the "Real Estate"); and

**WHEREAS**, the Real Estate is located adjacent to District holdings and is held by the County solely for highway purposes in accordance with applicable laws; and

**WHEREAS**, the Cook County Department of Transportation and Highways has determined that the Real Estate is no longer necessary for highway purposes and can be conveyed to the Forest Preserve District of Cook County (the "District"); and

**WHEREAS**, the District is an Illinois Special District, and desires to obtain title to the Real Estate for the public purposes of maintaining open space and improving the Real Estate to the extent permitted by law; and

**WHEREAS**, the provisions of Article VII, Section 10 of the 1970 Constitution and the provisions of the Intergovernmental Cooperation Act, 5 ILCS 22/1 et seq. authorize and encourage the intergovernmental cooperation set forth in this Agreement; and

**WHEREAS**, pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq., the District has duly adopted an Ordinance, a copy of which is submitted hereto as Exhibit B, which declares that it is necessary or convenient for the District to use, occupy or improve the Real Estate for the aforementioned public purposes, that the District is authorized by law to receive title to the Real Estate and the District will accept any transfer of title to the Real Estate made by the County to the District; and

**WHEREAS**, the Director of Real Estate and Property Management for the County (the "Director of Real Estate Management") has advised the Board of Commissioners of Cook County (the "Cook County Board"), and the Cook County Board so agrees, that the Real Estate is not essential for County purposes; and

**WHEREAS**, the proposed use of the Real Estate by the District will provide for public use and benefit, and is therefore in the best interests of the public; and

**WHEREAS**, the County board adopts this Resolution, by a vote of two-thirds or more of its members, which Resolution authorizes the conveyance of the Real Estate to the District for nominal consideration, pursuant to its home rule authority and by statutory authority, including the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq., to convey such properties to the District;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1:** The foregoing recitals are incorporated herein as findings of the Board of Commissioners of Cook County, Illinois.

**Section 2:** The Board of Commissioners of Cook County (the “Board”), having been advised by the Cook County Department of Transportation and Highways and the Real Estate Management Division that the Real Estate is no longer needed for roadway or other County purposes, hereby declares the Real Estate to be “excess” and available for disposition.

**Section 3:** The President of the Cook County Board of Commissioners is hereby authorized to execute on behalf of the County of Cook, a Quit Claim Deed, in the form submitted hereto and incorporated herein as Exhibit C, conveying the Real Estate to the District, subject to the covenants, conditions and restrictions contained therein, which Quit Claim Deed shall be attested and delivered by the appropriate County officials.

**Section 4:** The President of the Cook County Board of Commissioners and the Cook County Comptroller, or the Director of Real Estate Management are hereby authorized to execute and deliver any and all other documents or instruments and take any and all steps necessary or desirable to effectuate such conveyance.

**Section 5:** This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.