

FREMONT TOWNSHIP ROAD DISTRICT

LAKE COUNTY, ILLINOIS

RESOLUTION No. 25-01

**A RESOLUTION OF THE FREMONT TOWNSHIP
ROAD DISTRICT ELECTORS AUTHORIZING THE SALE OF
CERTAIN ROAD DISTRICT REAL PROPERTY TO THE
ILLINOIS DEPARTMENT OF TRANSPORTATION**

**ANNUAL TOWNSHIP MEETING OF ELECTORS
April 8, 2025**

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WHEREAS, Fremont Township Road District, Lake County, Illinois (the “District”) is an Illinois road district duly organized under the laws of the State of Illinois, including the Illinois Highway Code, and a unit of local government as defined in Section 1 of Article VII of the Illinois Constitution; and

WHEREAS, Section 6-803.1(a) of the Illinois Highway Code, 605 ILCS 5/6-803.1(a), allows road district electors to authorize the sale of surplus real estate via resolution at an annual town meeting; and

WHEREAS, the Illinois Department of Transportation (“IDOT”) is working on a roadway expansion project along Illinois Routes 60 and 83 in Mundelein (the “Project”) and requires the acquisition of certain District property for permanent improvement and construction easement rights across, under and through certain adjacent District property, respectively, in order to carry out the project; and

WHEREAS, IDOT has offered to acquire approximately 0.025 acres of unimproved land located at 26506 IL Rt. 83 and 26347 N. Acorn Lane, Mundelein, IL 60060 and owned by the Fremont Township Road District, a portion of which was previously dedicated to the District for highway purposes, and which real property is legally described as set forth in **Exhibit A** (the “Fee Property”); and

WHEREAS, IDOT has additionally expressed interest in acquiring a temporary construction easement in, over and through a 73 square foot area immediately adjacent to the Fee Property and legally described as set forth in **Exhibit B** (“Construction Easement 1”) in order to

complete its Project; and

WHEREAS, the Illinois Department of Transportation has further expressed interest in acquiring a temporary construction easement in, over and through a 76 square foot area immediately adjacent to the Fee Property and legally described as set forth in **Exhibit C** (“Construction Easement 2”) in order to complete its Project; and

WHEREAS, the Road District, by and through the Township electors, hereby finds and determines that the Fee Property is no longer necessary or useful for public purposes and that the offer of \$2,900 for the Fee Property is equal to the fair market value of the Free Property and, further, that eliminating the burden and responsibility of maintaining the Fee Property is in the public interest and therefore authorizes the same to be conveyed to IDOT by the Highway Commissioner, as provided in this Resolution; and

WHEREAS, the Road District, by its electors, hereby accepts IDOT’s offer of \$300 in the aggregate for five-year temporary construction easements over, upon and through the real properties subject to Construction Easement 1 and Construction Easement 2; and

WHEREAS, the Road District, by its electors, finds that it is in the best interests of the Road District to convey the Fee Property to the IDOT and to additionally convey temporary construction easements in Construction Easement 1 and Construction Easement 2 as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the electors of Fremont Township Road District, Lake County, Illinois, at the Annual Town Meeting held on April 8, 2025, as follows:

Section 1. The Fee Property legally described in **Exhibit A** is hereby authorized to be conveyed by the District to IDOT. The electors find that the \$2,900 purchase price plus the elimination of maintenance expenses for the Fee Property is equivalent to the fair market value of

the Fee Property and hereby authorize the Highway Commissioner to carry out the conveyance thereof.

Section 2. A temporary construction easement is hereby granted to IDOT in the real property subject to Construction Easement 1, legally described in **Exhibit B**, and the real property subject to Construction Easement 2. The electors find that the \$300 offer plus the benefit to the District of the Project is equivalent to the fair market values of the temporary construction easements herein granted and hereby authorize the Highway Commissioner to undertake such acts as may be necessary to carry out the intent of this Resolution.

Section 3. Upon formal adoption and execution of this Resolution Authorizing the Sale of District Real Property, the Electors of the Township hereby authorize and direct the sale of said real property by the District in accordance with the terms and conditions set forth herein.

Section 4. The Fremont Township Road District Highway Commissioner, Township Clerk, and District attorney are hereby directed and empowered to draft and execute such instruments and otherwise undertake any and all actions necessary to effectuate the conveyance of the interests in the real property described hereinabove to IDOT pursuant to the terms described above.

Section 5. The Township Clerk is hereby authorized and directed to publish this Resolution forthwith in a newspaper of general circulation within the Road District's territory or within Lake County, Illinois.

Section 7. If any section, paragraph, clause, or provision of this resolution shall be held invalid, the validity thereof shall not affect any of the other provisions of this resolution.

Section 8. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 9. This resolution shall be in full force and effect from after its passage and approval as provided by law.

ADOPTED by a vote of _____ to _____ by the electors of Fremont Township Road District on April 8, 2025.

APPROVED this 8th day of April, 2025.

FREMONT TOWNSHIP

Moderator

ATTEST: _____
Township Clerk

Exhibit A

Legal Description Fee Property

That part of Lot 116 in John Wiech' s First Addition to Oak Terrace Subdivision, being a subdivision of part of the Southeast Quarter of Section 36, Township 44 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded July 19, 1926 as document number 282950 and corrected by correction of survey recorded October 24, 1927 as document number 307542, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83(2011) East Zone, with a combination factor of 0.9999502657, described as follows:

Beginning at the northwest corner of said Lot 116; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of South 50 degrees 48 minutes 11 seconds East along the northeasterly line of said Lot 116, a distance of 49.98 feet (50 feet, recorded) to the northeast corner of Lot 116; thence South 38 degrees 54 minutes 34 seconds West along the southeasterly line of said Lot 116, a distance of 14.75 feet; thence northwesterly 15.16 feet along a curve to the right having a radius of 3050.00 feet, the chord of said curve bears North 50 degrees 43 minutes 13 seconds West, 15.16 feet; thence South 39 degrees 57 minutes 34 seconds West, a distance of 10.00 feet; thence northwesterly 34.64 feet along a curve to the right having a radius of 3060.00 feet, the chord of said curve bears North 50 degrees 15 minutes 06 seconds West, 34.64 feet to the northwesterly line of said Lot 116; thence North 38 degrees 54 minutes 25 seconds East along the northwesterly line of said Lot 116, a distance of 24 . 40 feet to the point of beginning.

Said parcel containing 0.025 acre, more or less, of which 0.005 acre, more or less, or 216 square feet, more or less, was previously dedicated or used for highway purposes.

Exhibit B

Legal Description of Construction Easement 1 Property

That part of Lot 116 in John Wiech' s First Addition to Oak Terrace Subdivision, being a subdivision of part of the Southeast Quarter of Section 36, Township 44 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded July 19, 1926 as document number 282950 and corrected by correction of survey recorded October 24, 1927 as document number 307542, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83 (2011) East Zone, with a combination factor of 0.9999502657, described as follows:

Commencing at the northwest corner of said Lot 116; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of South 50 degrees 48 minutes 11 seconds East along the northeasterly line of said Lot 116, a distance of 49.98 feet (50 feet, recorded) to the northeast corner of Lot 116; thence South 38 degrees 54 minutes 34 seconds West along the southeasterly line of said Lot 116, a distance of 14.75 feet; thence northwesterly 15.16 feet along a curve to the right having a radius of 3050.00 feet, the chord of said curve bears North 50 degrees 43 minutes 13 seconds West, 15.16 feet; thence South 39 degrees 57 minutes 34 seconds West, a distance of 10.00 feet to the point of beginning; thence northwesterly 18.30 feet along a curve to the right having a radius of 3060.00 feet, the chord of said curve bears North 50 degrees 24 minutes 17 seconds West, 18.30 feet; thence South 39 degrees 46 minutes 00 seconds West along the prolongation of a radial line, a distance of 4.00 feet; thence southeasterly 18.32 feet along a curve to the left having a radius of 3064.00 feet, the chord of said curve bears South 50 degrees 24 minutes 17 seconds East, 18.32 feet; thence North 39 degrees 25 minutes 26 seconds East along a radial line, a distance of 4.00 feet to the point of beginning.

Said temporary easement containing 0.002 acre, more or less, or 73 square feet, more or less.

Exhibit C

Legal Description of Construction Easement 2 Property

That part of Lot 116 in John Wiech' s First Addition to Oak Terrace Subdivision, being a subdivision of part of the Southeast Quarter of Section 36, Township 44 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded July 19, 1926 as document number 282950 and corrected by correction of survey recorded October 24, 1927 as document number 307542, in Lake County, Illinois, bearings and distances are based on the Illinois Coordinate System, NAD 83 (2011) East Zone, with a combination factor of 0.9999502657, described as follows:

Commencing at the northwest corner of said Lot 116; thence on an Illinois Coordinate System NAD 83(2011) East Zone bearing of South 50 degrees 48 minutes 11 seconds East along the northeasterly line of said Lot 116, a distance of 49.98 feet (50 feet, recorded) to the northeast corner of Lot 116; thence South 38 degrees 54 minutes 34 seconds West along the southeasterly line of said Lot 116, a distance of 14.75 feet to the point of beginning; thence northwesterly 15.16 feet along a curve to the right having a radius of 3050.00 feet, the chord of said curve bears North 50 degrees 43 minutes 13 seconds West, 15.16 feet; thence South 39 degrees 57 minutes 34 seconds West, a distance of 5.00 feet; thence southeasterly 15.25 feet along a curve to the left having a radius of 3055.00 feet, the chord of said curve bears South 50 degrees 43 minutes 12 seconds East, 15.25 feet to the southeasterly line of said Lot 116; thence North 38 degrees 54 minutes 34 seconds East along the southeasterly line of said Lot 116, a distance of 5.00 feet to the point of beginning.

Said temporary easement containing 0.002 acre, more or less, or 76 square feet, more or less.