

**VILLAGE OF VERNON HILLS  
ORDINANCE 2024-098**

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE COUNTY  
DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND  
MAINTENANCE OF THE BUTTERFIELD ROAD BIKE PATH EXTENSION**

**WHEREAS**, the Village of Vernon Hills, County of Lake, State of Illinois (*“the Village”*) is a duly organized and existing municipality and unit of local government created under the provisions of the laws of the State of Illinois, and is operating under the provisions of the Illinois Municipal Code; and

**WHEREAS**, the Village provides bicycle and pedestrian infrastructure throughout the community; and

**WHEREAS**, the Lake County Department of Transportation (LCDOT) owns and maintains Butterfield Road from Greggs Parkway to Golf Road; and

**WHEREAS**, the LCDOT has funded a bike path extension project through this corridor; and

**WHEREAS**, the LCDOT is requiring as terms of the construction agreement that the Village enter into a Municipal Facility Acceptance agreement; and

**WHEREAS**, the Village Board hereby agrees that this agreement is in the best interests of our residents.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF VERNON HILLS, LAKE COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1: APPROVAL:** The Village Manager is hereby authorized to execute the Municipal Facility Acceptance on a County Highway and all other documentation with LCDOT necessary for the Butterfield Road Bike Path Expansion.

**SECTION 2: EFFECTIVE DATE:** This Ordinance shall be in full force and effect from its passage and approval.

**SECTION 3: ORDINANCE NUMBER:** This Ordinance shall be known as Ordinance Number 2024-098.

Dated the 23rd of July, 2024.

Adopted by roll call votes as follows:

AYES: 6 – Forster, Schenk, Oppenheim, Marquardt, Koch, Byrne  
NAYS: 0 - None  
ABSENT AND NOT VOTING: 1 - Takaoka

  
Roger L. Byrne, Village President

PASSED: 07/23/2024  
APPROVED: 07/23/2024  
ATTEST: 07/23/224

  
Kevin Timony, Village Clerk



3. The COUNTY agrees to cause the IMPROVEMENT to be constructed and to perform, or cause to be performed, the construction engineering supervision for the IMPROVEMENT in accordance with LCDOT procedures and requirements and without reimbursement from the VILLAGE.
4. Upon completion of the IMPROVEMENT, the VILLAGE shall assume ownership and maintenance responsibility over the bike path and appurtenant retaining wall. The VILLAGE agrees to execute a MUNICIPAL UTILITY/FACILITY ACCEPTANCE ON A COUNTY HIGHWAY, by August 1, 2024, memorializing their intent to own and maintain the bike path within the LCDOT right-of-way, including the curb ramps and detectable warnings along the path at Huntington Drive North but excluding the curb ramps and detectable warnings at the Golf Road intersection.
5. It is mutually agreed by and between both parties hereto that it is necessary to impact and remove existing landscaping within the limits of the IMPROVEMENT in order to construct the IMPROVEMENT.

Within 1 year upon completion of the IMPROVEMENT, the VILLAGE may lead a separate project that will replace any landscaping impacted and removed as part of the IMPROVEMENT, without reimbursement from the COUNTY. The COUNTY agrees to permit the VILLAGE's landscaping improvement, without charging any permit fees, provided that the Village complies with Chapter 90 (Highway Access and Use) of the Lake County Code of Ordinances, as amended, and all applicable state and federal guidelines, policies and procedures.

Please indicate your concurrence with the provisions set forth herein by signing and returning a copy of this Letter of Intent and Concurrence. Your assistance and cooperation in this improvement is greatly appreciated.

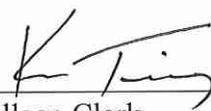
Sincerely,

Shane E. Schneider, P.E.  
Director of Transportation/  
County Engineer

CONCUR:  
VILLAGE OF VERNON HILLS CONCURS WITH  
THE PROPOSALS AS SET FORTH IN THIS  
LETTER OF INTENT AND CONCURRENCE.

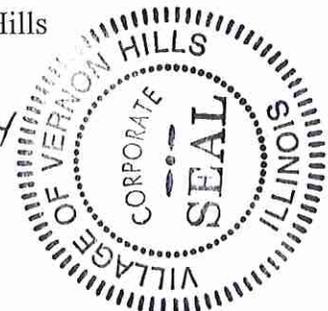
ATTEST:

  
\_\_\_\_\_  
Roger Byrne  
President  
Village of Vernon Hills

  
\_\_\_\_\_  
Village Clerk  
Village of Vernon Hills  
(seal)

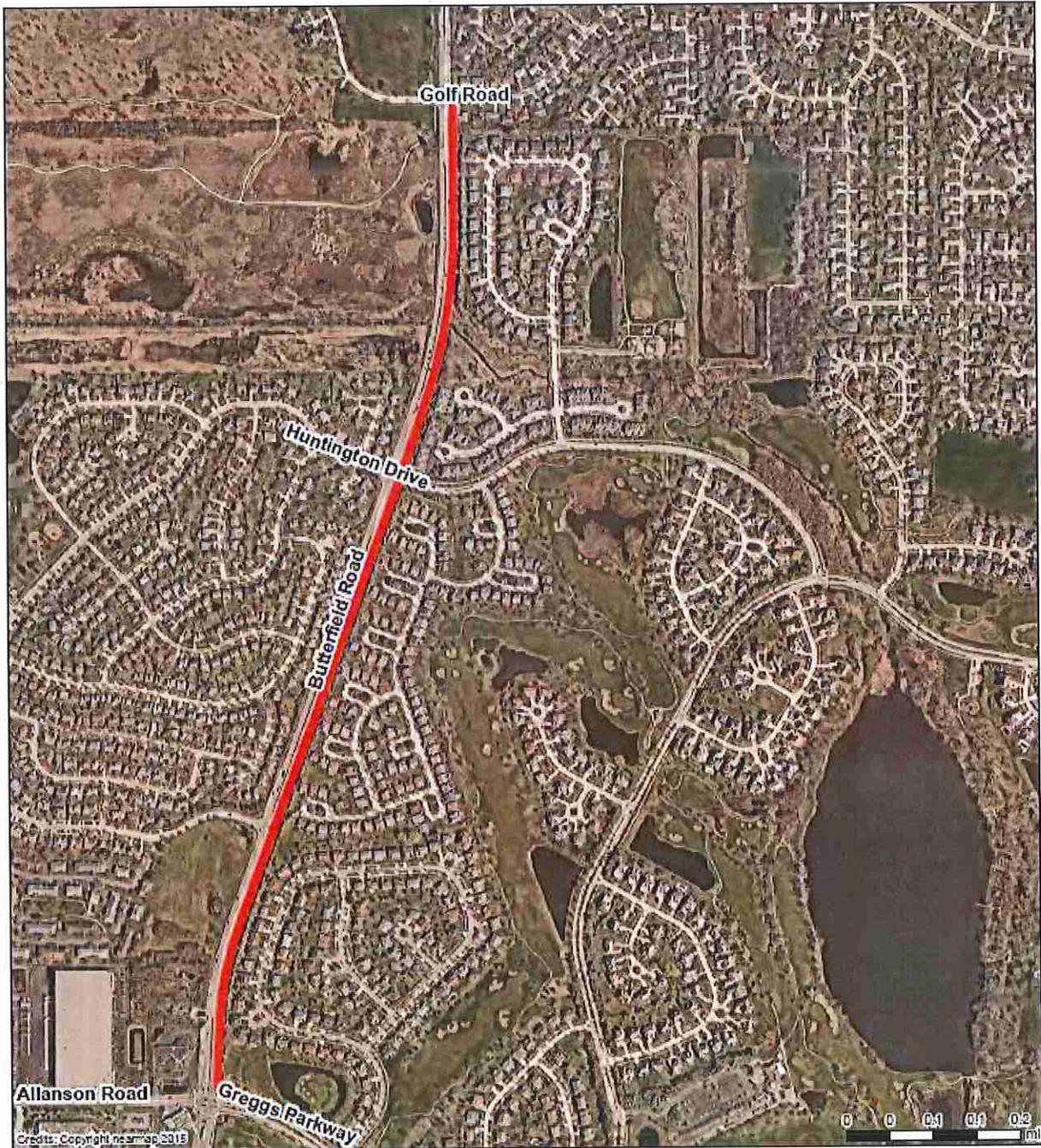
Date: 7/23/2024

Date: 7/23/2024





# Exhibit A



 Village of Vernon Hills Bike Path

## Butterfield Road Bike Path Greggs Pkwy to Golf Road Section 21-00137-19-BT



N  
LCDOT GIS  
5/20/2024  
 Lake County  
Office of Transportation

**EXHIBIT B**

Lake County Division of Transportation  
Municipal Facility Acceptance on a County Highway Agreement

FOR LCDOT USE ONLY	
Permit Number	



600 W. Winchester Road  
 Libertyville, IL 60048  
 Telephone: (847) 377-7400  
 hdpermits@lakecountyil.gov

## MUNICIPAL FACILITY ACCEPTANCE ON A COUNTY HIGHWAY

(Please print or type)

Municipality: Village of Vernon Hills  
 Mailing Address: 290 Evergreen Drive, Vernon Hillls, IL 60061  
 Website: Vernonhills.org Telephone: 847-367-3700

Being a municipal corporation in the State of Illinois, County of Lake, hereby requests permission from the County Engineer of Lake County to location and maintain the below described Municipal Facility within the right-of-way limits of a County Highway in accordance with the Lake County, IL Code of Ordinances, as amended. The Municipal Facility is described as follows:

1. **Name of County Highway:** Butterfield Rd

2. **Location of Facility:** From: Greggs Pkwy  
 (From street to street with offsets) To: Golf Rd

3. **Type of Municipal Facility** (check all that apply):  
 Street lighting                       Sanitary sewer line                       Water main/Water line  
 Sidewalk                                       Bike path                                       Other Retaining wall

4. **Facility to be constructed by** (check all that apply):  
 Municipal Crew                                       Contractor                                       Developer  
 Other Enter text.

Name & Company: TBD (County Let Project)  
 Mailing Address: Enter text.  
 Telephone Number: Enter text. Mobile Number: Enter text.  
 E-mail Address: Enter text.

Additional contact (if needed):  
 Name & Company: Enter text.  
 Mailing Address: Enter text.  
 Telephone Number: Enter text. Mobile Number: Enter text.  
 E-mail Address: Enter text.

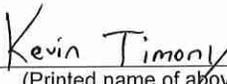
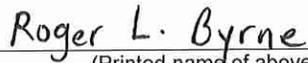
5. **Comments** (if needed): Village will own and maintain new path from the existing bike path at Greggs Pkwy north to Golf Road including the curb ramps and detectable warnings along the path at Huntington Drive North but excluding the curb ramps and detectable warnings at Golf Road. Village will also own and maintain the appurtenant retaining wall specified in the plans

**NOTES:** This Acceptance is subject to the General Conditions as printed on the reverse side of the form.  
 THIS APPLICATION IS ONLY VALID WHEN AN ORIGINAL SIGNATURE IS PROVIDED ON PAGE 2.

GENERAL CONDITIONS FOR MUNICIPAL FACILITY ACCEPTANCE ON A COUNTY HIGHWAY

1. In submitting this Acceptance, the Municipality agrees to comply with the various policies, conditions and requirements of the Lake County Division of Transportation, whether written or verbal and the Lake County, IL Code of Ordinances, as amended.
2. The Municipality shall supply, at its expense, such information or submittals as may be required for review and to make such changes or revisions as required by the Lake County Division of Transportation.
3. Lack of an immediate response to this form or any information or submittals supplied for review and/or comment shall not be construed as approval or acceptance by the County Engineer or the Lake County Division of Transportation, nor shall they be held responsible for any costs or delays due to the processing time required.
4. The review of the Municipal Facility shall be based on the primary use of the County Highway right-of-way for the safe and efficient movement of vehicular traffic and the maintenance and improvements needed to support such primary use.
5. The Lake County Division of Transportation shall not be responsible for providing room within the County Highway right-of-way for the Municipal Facility.
6. This Acceptance does not relieve the Municipality from complying with any statutes, regulations, ordinances or administrative orders of the Federal, State or County Governments or any political subdivision or administrative agencies that may apply to the Municipal Facility.
7. The Municipality shall obtain permission from the legal property owner of the County Highway right-of-way where the Municipal Facility will be located.
8. Unless otherwise stated in the issued Facility Permit, the Municipality and its successors and assigns shall be responsible for the following:
  - a. The operation and maintenance of the Municipal Facility within the County Highway right-of-way. Such operation and maintenance shall include keeping the Municipal Facility in a safe condition for use by the Public, not creating any hazardous conditions, providing any special maintenance which may include cleaning ice and snow from sidewalks or bike paths or additional mowing of adjacent turf areas, making changes or revisions to the Municipal Facility needed because of the maintenance operations of the Lake County Division of Transportation or use of the County Highway right-of-way by the General Public and restoring portions of the County Highway right-of-way disturbed by repairs, maintenance, extensions, service connections, and/or other work done to the Municipal Facility without a Facility Permit being issued.
  - b. Any additional costs to the County of Lake and/or its Division of Transportation for road improvements and/or maintenance work due to the location and/or use of the Municipal Facility within the County Highway right-of-way. Such costs can include adjustments needed to the Municipal Facility to accommodate said road improvements and/or maintenance work and/or damage to County Property and/or equipment.
  - c. For indemnifying, defending and holding harmless the County of Lake and the Lake County Division of Transportation including their elected and duly appointed officials, agents, employees and representatives from and against any and all claims, suits, actions, losses, expenses, damages, injuries, deaths, judgments and demands arising from and relating to the location and/or use of the Municipal Facility within the County Highway right-of-way regardless of any limitations of insurance coverage.
  - d. Other items as specified in the Lake County, IL Code of Ordinances, as amended.
9. If a separate application is made by an Applicant other than the Municipality to construct the Facility, then the Municipality, by submitting this Acceptance, hereby acknowledges that it will become the successor or assign of this Applicant for the said Facility.

**SIGNATURE BLOCK**

<p><b>ATTEST:</b></p> <p> _____ Municipal Clerk</p> <p> _____ (Printed name of above signature)</p>	<p><b>FOR THE MUNICIPALITY:</b></p> <p>By:  _____ Municipal Mayor/President</p> <p> _____ (Printed name of above signature)</p> <p>Date: <u>7/23/2024</u></p>
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VILLAGE OF VERNON HILLS

ORDINANCE NO. 2024-098

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE COUNTY  
DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND  
MAINTENANCE OF THE BUTTERFIELD ROAD BIKE PATH EXTENSION

THE 23<sup>rd</sup> DAY OF JULY 2024

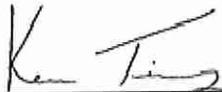
Published in pamphlet form by the Authority of the  
President and Board of Trustees of the Village of  
Vernon Hills, Lake County, Illinois, this  
23<sup>rd</sup> day of July, 2024



AFFIDAVIT OF SERVICE

STATE OF ILLINOIS     )  
  )  
COUNTY OF LAKE     )

I, KEVIN TIMONY, BEING FIRST DULY APPOINTED, DEPOSES AND SAYS ON OATH THAT AS VILLAGE CLERK OF THE VILLAGE OF VERNON HILLS, HE DID CAUSE THE FOREGOING CERTIFICATE FOR ORDINANCE NO. 2024-098 AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAKE COUNTY DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND MAINTENANCE OF THE BUTTERFIELD ROAD BIKE PATH EXTENSION TO BE POSTED IN THE VILLAGE HALL AS REQUIRED BY LAW FROM JULY 23, 2024 TO AUGUST 2, 2024.

  
\_\_\_\_\_  
Kevin Timony, Village Clerk

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 23<sup>RD</sup> DAY OF JULY 2024

  
\_\_\_\_\_  
Notary Public

