

**VILLAGE OF VERNON HILLS
ORDINANCE 2021-124**

**AN ORDINANCE AUTHORIZING THE VILLAGE MANAGER TO COMPLETE
ACQUISITIONS OF EASEMENTS AND REAL PROPERTY NECESSARY IN ORDER
TO COMPLETE THE VILLAGE'S LAKEVIEW PARKWAY EXPANSION PROJECT**

WHEREAS, the Village of Vernon Hills is an Illinois Home Rule Municipality in accordance with Article VII , Section 6 of the Constitution of the State of Illinois and is acting under its Home Rule authority in enacting this ordinance; and

WHEREAS, the Village's Lakeview Parkway expansion project (the "Project") anticipates a January 2023 bid letting by IDOT and prior to bidding all land acquisition build the project is required; and

WHEREAS, in order to construct the Project it is necessary for the Village to acquire the following property interests in the Parcels shown on the Plat attached hereto as Exhibit A:

1. 1ME0001 Bears Fit parcel (SW corner of Townline and Lakeview) Temporary Construction Easement; and
2. 1ME0002 (NW Corner of Townline and Lakeview) Right of Way ("ROW") & Temporary Construction Easement; and
3. 1ME0003 Portillo's (SE Corner of Townline and Lakeview) ROW & Temporary Construction Easement; and
4. 1ME0004 Wendy's (NE Corner of Townline and Lakeview) ROW & Temporary Construction Easement; and
5. 1ME0005 Hawthorn Village Commons (Townline east of Wendy's/ right turn lane) ROW; and
6. 1ME0006 Rust-Oleum Corporation (Hawthorn Pkwy west of Park District's park); (all six acquisitions collectively referred to as the "Project Properties"); and

WHEREAS, as part of the FY21-22 Budget adopted on April 20, 2021, the Village Board approved a line item for "Land Acquisition-Lakeview Project" in the amount of \$ 519,000.00 to be used for the purpose of acquiring the Project Properties; and

WHEREAS, it is anticipated that the cost of Land Acquisition could exceed the previously budgeted amount by \$120,000; and

WHEREAS, time is of the essence such that it is important to provide the Village Manager the authority to complete the acquisition of the Project Properties within the approved budget, without further Village Board authority, in order to meet the Project letting and constructions timeline; and

WHEREAS, the Village Board finds it to be in the best interests of the Village to provide the Village Manager the authority stated herein.

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. The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2. The Village Manager, Kevin Timony, is hereby authorized to acquire the above stated Project Properties, as needed in the discretion of the Village Manager, to complete the Project, within a budget of \$639,000, which represents the previously approved budget of \$519,000.00 plus an additional \$120,000 which will be addressed in a budget amendment to be approved by the Village Board.

SECTION 3. REPEAL OF CONFLICTING PROVISIONS. All ordinances, resolutions, and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

SECTION 4. SEVERABILITY. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 5. The Clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with applicable law.

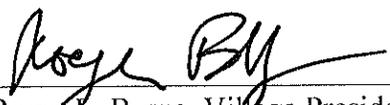
Dated the 19th of October 2021

Adopted by roll call votes as follows:

AYES: 6 – Oppenheim, Takaoka, Koch, Forster, Marquardt, Byrne

NAYS: 0 – None

ABSENT AND NOT VOTING: 1 – Schenk


Roger L. Byrne, Village President

PASSED: 10/19/2021

APPROVED: 10/19/2021

ATTEST: 10/19/2021

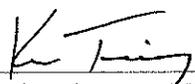

Kevin Timony, Village Clerk



EXHIBIT A

LAND ACQUISITION PLAT

