Legislation Details (With Text)

File #:	DT-O-0003-24 **Version:** 1		
Type:	Transportation Ordinance	**Status:**	Adopted
File created:	6/3/2024	**In control:**	Transportation Committee
On agenda:	6/18/2024	**Final action:**	6/25/2024
Title:	Ordinance declaring the assignment of easement from the Village of Woodridge to the County of DuPage necessary and convenient to the County for sidewalk improvements along Hobson Road, under the Local Government Property Transfer Act, 50 ILCS 605/2.		
Attachments:	1. R1992-256211 (Exhibit A)		

Date	Ver.	Action By	Action	Result
6/25/2024	1	DuPage County Board	Approved	Pass
6/18/2024	1	Transportation Committee	Approved at committee	Pass

ORDINANCE
DECLARING THE ASSIGNMENT OF EASEMENT
FROM THE VILLAGE OF WOODRIDGE TO THE COUNTY OF DUPAGE
NECESSARY AND CONVENIENT TO THE COUNTY OF DUPAGE
FOR SIDEWALK IMPROVEMENTS ALONG HOBSON ROAD

WHEREAS, the County of DuPage (hereinafter referred to as COUNTY) proposes to realign sidewalk along Hobson Road (hereinafter referred to as PROJECT); and

WHEREAS, the COUNTY hereby determines that it is reasonable, necessary and in the best interest of the COUNTY to acquire a temporary easement through assignment by the Village of Woodridge (hereinafter referred to as VILLAGE) for the PROJECT (*See* Exhibit A attached hereto); and

WHEREAS, the VILLAGE is empowered to assign its easement to the COUNTY upon a two-thirds vote of the VILLAGE'S Board pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.* (hereinafter "TRANSFER ACT"); and

WHEREAS, the COUNTY and the VILLAGE are municipalities as defined in Section 1 (c) of the TRANSFER ACT; and

WHEREAS, Section 2 of the TRANSFER ACT authorizes the conveyance of real property from one municipality to another municipality upon two-thirds vote of the corporate authorities of the transferor municipality; and

WHEREAS, as a condition precedent to a conveyance under Section 2 of the TRANSFER ACT, the transferee, the COUNTY, must first declare by ordinance "that it is necessary or convenient for it to use, occupy or improve" the real estate held by the transferor municipality.

NOW, THEREFORE, BE IT ORDAINED by the County Board of DuPage County, Illinois:

1. The recitals set forth above are incorporated herein and made a part hereof.

2. The COUNTY hereby declares that "it is necessary or convenient for it to use, occupy or improve" property owned by the VILLAGE as referenced in the attached AGREEMENT.

3. The DuPage County Chair is hereby authorized and directed to sign on behalf of the COUNTY, and the Clerk is hereby authorized to attest thereto, the ORDINANCE entitled "ORDINANCE DECLARING THE ASSIGNMENT OF EASEMENT FROM THE VILLAGE OF WOODRIDGE TO THE COUNTY OF DUPAGE NECESSAY AND CONVENIENT TO THE COUNTY OF DUPAGE FOR SIDEWALK IMPROVEMENTS ALONG HOBSON ROAD."

4. The Director of Transportation or his designee is hereby authorized to accept on behalf of DuPage County the assignment of temporary construction easements over a portion of the Village of Woodridge's property for the PROJECT and to execute any other documents necessary and pertinent to said ORDINANCE and shall take such action as may be necessary to carry out the terms of said ORDINANCE.

5. The Clerk is hereby directed to transmit a duplicate original of this authorizing Ordinance to the Village of Woodridge, by and through the Division of Transportation.

Enacted and approved this 25th day of June, 2024 at Wheaton, Illinois.

_____

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK

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