



Legislation Text

File #: PW-R-0002-23, **Version:** 1

EASEMENT AGREEMENT BETWEEN THE FOREST PRESERVE
OF DUPAGE COUNTY AND THE COUNTY OF DUPAGE FOR THE OPERATION
AND MAINTENANCE OF A SANITARY SEWER FORCE MAIN
IN A PORTION OF GREENE VALLEY FOREST PRESERVE

WHEREAS, the DISTRICT owns certain property commonly known as Greene Valley Forest Preserve (hereinafter referred to as "Greene Valley"); and

WHEREAS, the DISTRICT, COUNTY and Waste Management, Inc. executed an agreement titled Greene Valley Landfill Leachate Agreement, dated July 20, 2021 (hereinafter referred to as the "Leachate Agreement"), which generally provides for the construction of an underground sanitary force main within a portion of the Greene Valley (hereinafter referred to as the "Force Main") to convey leachate from the Greene Valley landfill to the DuPage County-owned Woodridge Greene Valley Sanitary Treatment Plant located at 7900 S. IL Route 53, Woodridge, IL. The Leachate Agreement is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the COUNTY has agreed to operate and maintain the Force Main upon completion of construction and acceptance of the Force Main and requests that a permanent easement be granted for access, operation, and maintenance of the Force Main; and

WHEREAS, Waste Management, Inc. has completed the construction of the Force Main, and the COUNTY has inspected and accepted the Force Main; and

WHEREAS, the DISTRICT and COUNTY are municipalities as defined in Section 1(c) of the Local Government Property Transfer Act, 50 ILCS 605/1(c), hereinafter referred to as the "Transfer Act"; and

WHEREAS, Section 2 of the Transfer Act authorizes transfers of real estate, or interests therein, between municipalities for any public purpose upon such terms as are agreed to by the corporate authorities of the respective municipalities; and

WHEREAS, in accordance with Section 2 of the Transfer Act, the COUNTY, pursuant to a duly passed ordinance, has determined that it is necessary to be granted a permanent easement for the Force Main within the portion of Greene Valley legally described in Exhibit B, attached hereto and incorporated herein, and depicted in Exhibit C, attached hereto and incorporated herein (hereinafter referred to as "Easement Premises"); and

NOW THEREFORE IT BE RESOLVED, the DISTRICT has determined that it is reasonable, necessary and in the public interest and welfare to grant the COUNTY a permanent easement for the Force Main, subject to the terms and conditions set forth herein.

Enacted and approved this 9th day of May 2023, at Wheaton, Illinois.

DEBORAH A. CONROY, CHAIR
DU PAGE COUNTY BOARD

Attest: _____

JEAN KACZMAREK, COUNTY CLERK