



Legislation Text

File #: 20-0204, **Version:** 1

PROPOSED RESOLUTION

AUTHORIZING THE FOREST PRESERVE DISTRICT OF COOK COUNTY TO AMEND COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR HORIZON FARMS

WHEREAS, the Forest Preserves of Cook County (the "Forest Preserves") is the owner in fee simple of certain real property known as Horizon Farms, consisting of 401.01 acres, more or less, in the Village of Barrington Hills, County of Cook and State of Illinois (the "Property"); and

WHEREAS, the Property is subject to a previously recorded Declaration of Covenants, Conditions, Restrictions and Easements, dated October 19, 2006, as Document Number 063044043 (the "Original Declaration"); and

WHEREAS, a conservation easement establishing certain natural areas and restrictions on the Property, the grantee of which is The Conservation Foundation, and the Barrington Area Conservation Trust has been delegated responsibilities, was originally recorded on November 12, 2003, as Document Number 03316329235, and then amended and completely restated on August 14, 2006 (the "Conservation Easement"); and

WHEREAS, the Original Declaration and the Conservation Easement, (collectively referred to as the "Property Restrictions"), were created and recorded at a time when the Property was envisioned to be developed as an equestrian focused residential community consisting of nine private residential zones with shared common elements; and

WHEREAS, the Forest Preserves is the owner in fee simple of eight of the nine residential zones, with the ninth residential zone being owned in fee simple by a private owner of record; and

WHEREAS, the Forest Preserves intends to manage and operate the Property in a manner consistent with its mission and for the benefit of the public; and

WHEREAS, the Forest Preserves seeks to amend or remove the Property Restrictions to the maximum extent possible, in order to avoid any incompatibility with the Forest Preserves mission, intended use and resultant potential disputes.

NOW, THEREFORE, BE IT RESOLVED, that the Forest Preserves of Cook County Board of Commissioners does hereby authorize the Forest Preserves to negotiate with the private owner of record and party to the Original Declaration, The Conservation Foundation, the Barrington Area Conservation Trust and any other relevant parties, any and all agreements necessary to amend the Property Restrictions; and

BE IT FURTHER RESOLVED, that the Forest Preserves General Superintendent, or his/her designee(s), be authorized to execute and record any documents, and pay any associated legal and closing costs, not to exceed Twenty-Five Thousand Dollars and No Cents (\$25,000.00), subject to final review and approval by the Forest Preserves' Legal and Finance Departments, necessary to effectuate the amendment or removal of the Property Restrictions.