



Legislation Details (With Text)

File #:	18-0411	Version:	1	Name:	TO CREATE A FOREST PRESERVE NEAR OAK FOREST HERITAGE PRESERVE
Type:	Ordinance	Status:			Approved
File created:	10/9/2018	In control:			Real Estate Committee
On agenda:	10/16/2018	Final action:			11/13/2018
Title:	PROPOSED ORDINANCE				

TO CREATE A FOREST PRESERVE NEAR OAK FOREST HERITAGE PRESERVE

AN ORDINANCE CREATING A FOREST PRESERVE in part of Fractional Section 22, Township 36 North, Range 13 East of the Third Principal Meridian, all in Cook County, Illinois near Oak Forest Heritage Preserve in District 5.

WHEREAS, The Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois, pursuant to the statutes in such case made and provided, has from time to time acquired by purchase, condemnation, gift, grant, or devise, lands necessary and desirable for Forest Preserve purposes containing one or more natural forests or parts thereof, or lands connecting such forests or parts thereof, or lands capable of being reforested for the purpose of protecting and preserving the flora, fauna, and scenic beauties within the Forest Preserve District of Cook County, Illinois, and to restore, restock, protect, and preserve the natural forests and said lands together with their flora and fauna, as nearly as may be, in their natural state and condition, for the purpose of the education, pleasure, and recreation of the public; and

WHEREAS, the said Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois also has acquired in like manner lands for the consolidation of such preserves into unit areas of a size and form convenient and desirable for public use and economical maintenance and improvement, and lands for the purpose of connecting such preserves with forested ways or links in order to increase their accessibility, use, and enjoyment, and lands for improvement by forestation, roads, and pathways; and

WHEREAS, the said Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois has in a like manner acquired lands along water courses or elsewhere which, in their judgment, were required to control drainage and water conditions and necessary for the preservation of forested areas acquired or to be acquired as preserves and lands for the purpose of extension of roads and forested ways around and by such preserves and for parking space for automobiles and other facilities not requiring forested areas but incidental to the use and protection thereof; and

WHEREAS, there are other lands and premises hereinafter described, all of which are situated within the boundaries of the Forest Preserve District of Cook County, Illinois, which are necessary and desirable for the lawful uses and purposes of the Forest Preserve District of Cook County, Illinois, as hereinabove set forth, and also are of the character and nature of the lands which the statutes of the State of Illinois authorizes and empowers it to acquire; and

WHEREAS, by Ordinance dated December 17, 1973, the Forest Preserve District of Cook County, Illinois created a Forest Preserve in the undeveloped portions of the Oak Forest Hospital Campus, declaring "the land is rolling in terrain, contains wetland and a marsh area and should be preserved as open space land . . . [A]cquisition by the Forest Preserve district will guarantee its open space status for posterity";

WHEREAS, despite the passage of an Ordinance in 1973 creating a Forest Preserve in certain undeveloped portions of the Oak Forest Hospital Community, the Forest Preserve District of Cook

County, Illinois believes passage of this ordinance is necessary to ensure compliance with the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq., which provides statutory authority for one municipality to convey title to real estate to another municipality when the territory of transferor municipality is at least partly within the corporate limits of the transferee municipality and it is necessary or convenient to use, occupy or improve real estate held by the transferor municipality in the making of any public improvement or for any public purpose; and

WHEREAS, the Forest Preserve District of Cook County, Illinois recently reached an agreement with the County of Cook to acquire a parcel of land located adjacent to Oak Forest Hospital, consisting of approximately 1.305 acres ("Property") as described in Exhibit A attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED by the Board of Forest Preserve Commissioners of the Forest Preserve District of Cook County, Illinois as follows:

Section 1. That a unified Forest Preserve be and the same is hereby created within the Forest Preserve District of Cook County, Illinois ("District"), which shall contain and connect lands now owned and lands to be acquired in substantial accordance with the plat now on file in the office of the General Superintendent of the District, which by reference is hereby made part thereof, and for the purposes of said Forest Preserve and for the carrying out of the statutory purposes more particularly set out in the preamble of this ordinance, it is necessary and desirable for the District to own and it shall acquire property hereinafter described in Section 2 of this ordinance, for the purpose of creating a Forest Preserve and for Forest Preserve uses.

Section 2. That the Property referred to in Section 1 of this ordinance is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

Section 3. The Board hereby determines that the acquisition of the Property from the County of Cook ("County") is in the public interest. The Board hereby authorizes the Acquisition of the Property from the County by quit claim deed, for nominal consideration, for the public purposes of preserving the existing land in an appropriate manner and as required by applicable laws and protecting and preserving the flora, fauna and scenic beauties, in accordance with the District's authority. Such acquisition shall be subject only to restrictions, covenants and easements shown of record and shall be "as is" without warranties of any sort.

Section 4. The Board hereby authorizes the President or her designee to execute any and all documents necessary to effectuate the acquisitions described herein in accordance with customary terms and conditions, subject to this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF SECTION 22, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS; DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 88 DEGREES 07 MINUTES 07 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 22, A DISTANCE OF 2656.76 FEET TO THE EAST LINE OF THE WEST 2656.75 FEET OF SAID NORTH HALF OF SECTION 22; THENCE SOUTH 02 DEGREES 02 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE 741.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 02 DEGREES 02 MINUTES 08 SECONDS EAST ALONG SAID EAST LINE 110.00 TO THE SOUTH LINE OF THE NORTH 851.51 FEET OF SAID SECTION 22; THENCE SOUTH 88 DEGREES 07 MINUTES 07 SECONDS WEST ALONG SAID SOUTH LINE 660.00 FEET TO THE EAST LINE OF THE WEST 1996.75 FEET OF SAID NORTH HALF OF SECTION 22; THENCE SOUTH 02

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SAID PARCEL CONTAINING 1.305 ACRES (56,836 SQ. FT.) MORE OR LESS.

PART OF PIN: 28-22-100-001

Effective date: This ordinance shall be in effect immediately upon adoption

Sponsors: TONI PRECKWINKLE (President)

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/13/2018	1	FPD Board of Commissioners		
11/13/2018	1	Real Estate Committee	approve	Pass
10/16/2018	1	FPD Board of Commissioners	refer	Pass

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