



## Legislation Text

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**File #:** 19-0667, **Version:** 1

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**TO:** Mayor Richard C. Irvin

**FROM:** Tracey M. Vacek, Senior Planner

**DATE:** August 1, 2019

**SUBJECT:**

A Resolution Accepting the Dedication of Right of Way for Eola Road, located south of Wolf's Crossing Road between Heggs Road and US Route 30 (Lincoln Prairie Aurora, LLC - 19-0667 / WH18/1-19.131-DED/ROW - TV - Ward 9)

**PURPOSE:**

The Petitioner, Lincoln Prairie Aurora, LLC, is requesting the approval of the dedication of right of way for Eola Road.

**BACKGROUND:**

The details of the request include the dedication of 100 feet wide right of way to construct the new realignment of Eola Road to US Route 30.

The proposed improvements include the removal of existing Heggs Road from south of the school entrance to US 30 and the construction of Eola Road on a new alignment from south of the school entrance to US 30. This includes the removal of the existing unsignalized intersection of Heggs Road and US 30, and the construction of a new signalized intersection of Eola Road and US 30 approximately 2,000' north of the existing intersection.

The property known as Lincoln Prairie was annexed to the City of Aurora by ordinance 002-160, dated December 10, 2002. The City of Aurora and Five H, LLC entered into an annexation agreement for said property. The agreement set forth the respective obligations of the City and Five H, LLC for Heggs/Eola Road/Wikaduke Trail and US 30 roadway improvements, rights of way dedication and cost sharing.

The City also entered into a Roadway Construction and Financing Agreement with Five H, LLC regarding the Eola Road Realignment. Five H, LLC agreed to dedicate Right of Way for said extension and US 30 widening and grant any easements necessary. This Right of Way location was previously approved by the Annexation Agreement with Five H, LLC when the property was annexed as Lincoln Prairie per ordinance 002-161

IDOT is contributing funds for the intersection improvements that were originally slated for the old intersection of US 30 and Heggs Road. The State will cover applicable construction costs and preliminary and construction engineering costs up to a maximum amount of \$1,440,000. This agreement was approved as R17-204 and was executed by the State on October 25, 2017.

The newly constructed Eola Road roadway cross section will consist of one-lane of travel in each direction with extended shoulders and a raised 16' wide median. In the future this 3-lane roadway extension of Eola Road will become a 5-lane roadway section with curb and gutter, street lights in the median, storm sewer, sidewalk and a multi-use path. These improvements are anticipated to be built by the future developers of the property abutting this roadway extension. Upon completion of the 3-lane roadway section, the City's 40% cost obligation for a 5-lane roadway section for the Eola Road extension will be considered completely fulfilled.

**DISCUSSION:**

This dedication will allow the City to move forward with the construction of Eola Road realignment.

**POLICIES AND GUIDELINES:**

10.0 To provide for the orderly, balanced and efficient growth and redevelopment of the City through the positive integration of land use patterns, functions, and circulation systems. To protect and enhance those assets and values that establishes the desirable quality and general livability of the City. To promote the City's position as a regional center.

**RECOMMENDATIONS:**

Staff would recommend APPROVAL of the Resolution Accepting the Dedication of Right of Way for Eola Road, located south of Wolf's Crossing Road between Heggs Road and US Route 30

**ATTACHMENTS:**

Exhibit "A" Plat of Dedication  
Location Map  
Legistar Number: 19-0667

cc:

Building, Zoning and Economic Development Committee:  
Alderman Michael B. Saville, Chairperson  
Alderman Sherman Jenkins, Vice Chairperson  
Alderman Carl Franco  
Alderman Robert J. O'Connor  
Alderman Juany Garza



CITY OF AURORA, ILLINOIS

RESOLUTION NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

A Resolution Accepting the Dedication of Right of Way for Eola Road, located south of Wolf's Crossing Road between Heggs Road and US Route 30

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, it may be necessary in the future to construct additional public roadway and provide utilities within the proposed Eola Road right-of-way dedication area; and

WHEREAS, upon petition of the property owners, Lincoln Prairie Aurora, LLC, the City of Aurora has been offered in dedication suitable vacant land for the purpose of locating there upon the proposed public roadway and any utilities; and

WHEREAS, the City desires to receive and accept the dedication of such real estate, in accordance with Section 11-105-01 of the Illinois Municipal Code (65 ILCS (1994) 5/11-105-1); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Aurora, Illinois, as follows: that upon petition of the property owners, the City hereby receives and accepts the dedication of the right-of-way for public roadway and any utilities located within said public Eola Road right-of-way, as described on Exhibit "A" Plat of Right-of-way Dedication attached hereto; provided, however, that such acceptance of dedication does not relieve the developer of its obligations to construct such roadways and/or utilities in accordance with the City of Aurora Public Improvement Ordinance and any applicable Annexation Agreement.