

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Cook County Forest Preserve District Act is
5 amended by changing Sections 7, 8, and 8.1 as follows:

6 (70 ILCS 810/7) (from Ch. 96 1/2, par. 6410)

7 Sec. 7. Any forest preserve district shall have the power
8 to create forest preserves, and for that purpose shall have the
9 power to acquire in fee simple or by easements in land, in the
10 manner hereinafter provided, and hold lands containing one or
11 more natural forests or parts thereof or land or lands
12 connecting such forests or parts thereof, or lands capable of
13 being forested, for the purpose of protecting and preserving
14 the flora, fauna, and scenic beauties within such district, and
15 to restore, restock, protect and preserve the natural forests
16 and such lands together with their flora and fauna, as nearly
17 as may be, in their natural state and condition, for the
18 purpose of the education, pleasure, and recreation of the
19 public. Lands may be acquired in fee simple or by easements in
20 land for the consolidation of such preserves into unit areas of
21 size and form convenient and desirable for public use and
22 economical maintenance and improvement and when in the judgment
23 of the Board the public access, use, and enjoyment of such

1 preserves and other purposes of this Act will be served by
2 connecting any such preserves with forested ways or links,
3 lands for connecting links of such width, length, and location
4 as the Board deem necessary or desirable may be acquired in fee
5 simple or by easements in land and held for such purposes and
6 improved by forestation, roads, and pathways. Any such district
7 may also acquire lands in fee simple or by easements in land
8 along or enclosing water courses, drainage ways, lakes, ponds,
9 planned impoundments or elsewhere which, in the judgment of its
10 Board are required to store flood waters, or control other
11 drainage and water conditions, or to recycle secondary treated
12 sewage effluents or wastewater through the production and sale
13 of agricultural, silvicultural or aquacultural products,
14 necessary for the preservation and management of the water
15 resources of the district, provided no debris, tree, tree
16 limbs, logs, shrubbery, or related growths and trimmings
17 therefrom shall be deposited in, along, or upon the bank of any
18 waters and water courses within the State of Illinois or any
19 tributary thereto where the same shall be liable to be washed
20 into or deposited along waters and water courses, either by
21 normal or flood flows, as a result of storms or otherwise,
22 which may in any manner impede or obstruct the natural flow of
23 such waters and water courses. Unforested lands adjacent to
24 forest preserves may also be acquired in fee simple or by
25 easements in land to provide for extension of roads and
26 forested ways around and by such preserves and for parking

1 space for automobiles and other facilities not requiring
2 forested areas but incidental to the use and protection
3 thereof. All work done in or along any water course shall be
4 done in accordance with the provisions of "An Act in relation
5 to the regulation of the rivers, lakes, and streams of the
6 State of Illinois," approved June 10, 1911, as heretofore and
7 hereafter amended, insofar as such Act may be applicable.

8 (Source: P.A. 80-320.)

9 (70 ILCS 810/8) (from Ch. 96 1/2, par. 6411)

10 Sec. 8. Any forest preserve district shall have power to
11 acquire easements in land, lands in fee simple and grounds
12 within such district for the aforesaid purposes by gift, grant,
13 legacy, purchase or condemnation and to construct, lay out,
14 improve and maintain wells, power plants, comfort stations,
15 shelter houses, paths, driveways, roadways and other
16 improvements and facilities in and through such forest
17 preserves as it shall deem necessary or desirable for the use
18 of such forest preserves by the public. Such forest preserve
19 districts shall also have power to lease not to exceed 40 acres
20 of the lands and grounds acquired by it, for a term of not more
21 than 99 years to veterans' organizations as grounds for
22 convalescing sick and disabled veterans, and as a place upon
23 which to construct rehabilitation quarters, or to a county as
24 grounds for a county nursing home or convalescent home. Any
25 such forest preserve district shall also have power to grant

1 licenses, easements and rights-of-way for the construction,
2 operation and maintenance upon, under or across any property of
3 such district of facilities for water, sewage, telephone,
4 telegraph, electric, gas or other public service, subject to
5 such terms and conditions as may be determined by such
6 district.

7 Whenever the board determines that the public interest will
8 be subserved by vacating any street, roadway, or driveway, or
9 part thereof, located within a forest preserve, it may vacate
10 that street, roadway, or driveway, or part thereof, by an
11 ordinance passed by the affirmative vote of at least 3/4 of all
12 the members of the board.

13 The determination of the board that the nature and extent
14 of the public use or public interest to be subserved is such as
15 to warrant the vacation of any street, roadway, or driveway, or
16 part thereof, is conclusive, and the passage of such an
17 ordinance is sufficient evidence of that determination,
18 whether so recited in the ordinance or not. The relief to the
19 public from further burden and responsibility of maintaining
20 any street, roadway or driveway, or part thereof, constitutes a
21 public use or public interest authorizing the vacation.

22 Nothing contained in this Section shall be construed to
23 authorize the board to vacate any street, roadway, or driveway,
24 or part thereof, that is part of any State or county highway.

25 When property is damaged by the vacation or closing of any
26 street, roadway, or driveway, or part thereof, damage shall be

1 ascertained and paid as provided by law.

2 Except in cases where the deed, or other instrument
3 dedicating a street, roadway, or driveway, or part thereof, has
4 expressly provided for a specific devolution of the title
5 thereto upon the abandonment or vacation thereof, whenever any
6 street, roadway, or driveway, or part thereof is vacated under
7 or by virtue of any ordinance of any forest preserve district,
8 the title to the land in fee simple included within the street,
9 roadway, or driveway, or part thereof, so vacated vests in the
10 forest preserve district.

11 The board of any forest preserve district is authorized to
12 sell at fair market price, gravel, sand, earth and any other
13 material obtained from the lands and waters owned by the
14 district.

15 (Source: P.A. 83-388.)

16 (70 ILCS 810/8.1) (from Ch. 96 1/2, par. 6411.1)

17 Sec. 8.1. Property owned by a forest preserve district and
18 property in which a forest preserve district is the grantee of
19 a conservation easement or grantee of a conservation right as
20 defined in Section 1(a) of the Real Property Conservation
21 Rights Act shall not be subject to eminent domain or
22 condemnation proceedings.

23 (Source: P.A. 80-1443.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.