

RESOLUTION NO. 04-26-16

RESOLUTION APPROVING A CROSSING STRUCTURE CLOSURE AGREEMENT
WITH BNSF RAILWAY COMPANY

BE IT ENACTED RESOLVED by the Council of the City of Knoxville, Iowa:

WHEREAS, BNSF Railway Company has a highway – rail grade separated crossing on Attica Street in the City of Knoxville, Marion County, Iowa; and

WHEREAS, the City of Knoxville and BNSF Railway Company have discussed the removal of said crossing due to its deteriorating condition; and

WHEREAS, if the crossing is removed it is necessary to close and vacate a portion of Attica Street on either side of the crossing; and

WHEREAS, the City of Knoxville held a public hearing on the 21st day of March 2016 concerning the closing of a portion of Attica Street on either side of said crossing; and

WHEREAS, BNSF Railway Company has submitted a proposed Crossing Structure Closure Agreement which has been reviewed by City Staff and it has been determined that it is in the best interest of the City of Knoxville to enter into this agreement and also to close that portion of Attica Street on either side of said crossing, pursuant to said agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Knoxville, Iowa that the Crossing Structure Closure Agreement with BNSF Railway Company is hereby approved and the Mayor and City Clerk are hereby authorized to sign said agreement in behalf of the City of Knoxville, Iowa.

PASSED AND APPROVED by the City Council this 18th day of April 2016.

Brian J. Hatch, MAYOR

ATTEST:

Heather Ussery, CITY CLERK