

RESOLUTION NO 98-10

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the City to improve a roadway and close railroad crossings described as public road crossings, located at Union Pacific Railroad Mile Post 224.22, DOT No. 816898Y (Washington Street).

BE IT THEREFORE RESOLVED by the mayor and council of the City of Lexington, Nebraska as follows:

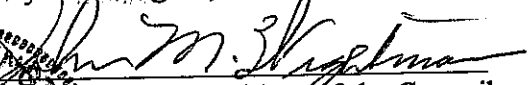
In the interest of safety and out of its concern for its citizens agree to the closure of City Street Crossing on the Union Pacific Railroad main line, at DOT No. 816898Y at RRMP 224.22, known as Washington Street in the City of Lexington, Dawson County, Nebraska.

BE IT FURTHER RESOLVED, that the City will enter into an agreement with the Nebraska Department of Roads, and with the Union Pacific Railroad, subject to the agreement providing that:

1. The Union Pacific Railroad (UPRR) will pay City \$250,000.00 upon receiving an invoice from the City in consideration for the closure of the crossings and after the crossings are closed.
2. UPRR will pay City any additional \$150,000.00 to be used for engineering cost, as soon as City has contracted for the design of an Adams Street viaduct.
3. UPRR further agrees to pay an additional amount equivalent to 10% of the approved and accepted bid for construction of the Adams Street viaduct, 5% of said amount to be used as the City's matching funds and the balance to be applied as City shall determine for the cost of related road construction, right-of-way acquisition and other related costs.
4. The Nebraska Department of Roads (DOR) will agree to provide Federal Highway funds of up to \$200,000.00 (subject to 20% match by City) for safety improvements related to closing of crossings.
5. DOR will pay an additional \$5,000.00 for the closed crossings.

Passed and approved this 14th day of July, 1998.

The City of Lexington, Nebraska


John M. Wightman, President of the Council

ATTEST:


City Clerk

