

**RESOLUTION 2013-002**

**A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE UNION PACIFIC RAILROAD COMPANY, THE CITY OF PAOLA, MIAMI COUNTY, KANSAS AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS, RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF HIGHWAY CROSSING SIGNALS UNDER SECTION 130, UNITED STATES CODE 23 AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY.**

**WHEREAS**, the existing railroad crossing at Mulberry Street consists of straight post signals; and

**WHEREAS**, the Kansas Department of Transportation and the Union Pacific Railroad have agreed that this railroad crossing at Mulberry Street should be upgraded to a new railway-highway crossing signals with gates; and

**WHEREAS**, the total cost of said railroad crossing improvements at Mulberry Street will be funded 100% by using Federal Section 130 Funds;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS**, that said Governing Body hereby finds that the proposed agreement is in the best interests of the City of Paola and its residents, and hereby approves the AGREEMENT BETWEEN THE UNION PACIFIC RAILROAD COMPANY, THE CITY OF PAOLA, MIAMI COUNTY, KANSAS AND THE SECRETARY OF TRANSPORTATION OF THE STATE OF KANSAS, RELATIVE TO THE CONSTRUCTION AND MAINTENANCE OF HIGHWAY CROSSING SIGNALS UNDER SECTION 130, UNITED STATES CODE 23; and

**BE IT FURTHER RESOLVED**, that the Governing Body hereby authorizes the Mayor to execute this Agreement.

**ADOPTED** this 12th day of February, 2013.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk