

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the County Executive to execute a Supplemental Agreement with the Missouri Highways and Transportation Commission and the Union Pacific Railroad Company for the purpose of permanently closing an at-grade railroad crossing located on a portion of Old Lexington Road.

RESOLUTION #17842, March 5, 2012

INTRODUCED BY Bob Spence, County Legislator

WHEREAS, by Ordinance 4379, dated January 3, 2012, the Legislature did authorize the vacation of a portion of Old Lexington Road due to the proposed closing of an at-grade crossing by the Union Pacific Railroad to reduce hazardous railroad crossings; and,

WHEREAS, the Missouri Highways and Transportation Commission recommends the execution of the attached Supplemental Agreement for the purpose of setting forth the mutual understanding and obligations of each entity with regards to the closing of the Old Lexington Road crossing; and,

WHEREAS, the execution of the attached Supplemental Agreement with the Missouri Highways and Transportation Commission and the Union Pacific Railroad Company is in the best interest of the health, welfare, and safety of the citizens of Jackson County; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the

attached Supplemental Agreement is hereby approved and that the County Executive is hereby authorized to execute on behalf of the County the Agreement and any other documents necessary to give effect to this Resolution.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:

Guy D. Haden
Chief Deputy County Counselor

W. Stephen Nijer
County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution #17842 of March 5, 2012, was duly passed on March 12, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 6

Nays 0

Abstaining 0

Absent 3

3.12.12
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

REQUEST FOR LEGISLATIVE ACTION

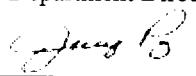
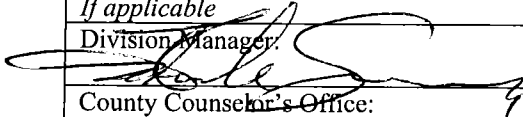
Completed by County Counselor's Office:

Resolution No.: 17842

Sponsor(s): Bob Spence

Date: March 5, 2012

SUBJECT	<p>Action Requested</p> <p><input checked="" type="checkbox"/> Resolution Approval of Agreement with UPRR and MoDot</p> <p><input type="checkbox"/> Ordinance</p> <p>Project/Title: Closure of Old Lexington RR Crossing USDOT #442 296W</p>										
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="345 537 1227 848"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)</p> <p><input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable):</p> <p>Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT
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Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT										
PRIOR LEGISLATION	<p>Prior ordinances and (date): Ord. 4379</p> <p>Prior resolutions and (date):</p>										
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Earl Newill, Deputy Director PW, 881-4538, 401-6401 cell</p>										
REQUEST SUMMARY	<p>Union Pacific Railroad and MoDOT have proposed closing the crossing of Old Lexington Road, just east of Odonnell road, as a part of their program to reduce hazardous railroad crossings. The Public Works Department is in agreement with the closing, and has completed the process of vacating the appropriate section of Old Lexington Road. See Ordinance No. 4379.</p> <p>The agreement provides for the County to close the road and build a cul-de-sac with appropriate signage, acquire the right of way for the cul-de-sac, obtain hearing waivers from the adjacent property owners, make payments to the two property owners, and control traffic while work is underway to accomplish the crossing closure. In return the Union Pacific RR and MoDot will do all work on the RR right of way to accomplish the RR crossing closure, and pay to the County the sum of \$187,000.00, part to pay property owners for loss of access, and part to pay for the work to close the road.</p> <p>We hereby request that a resolution be prepared authorizing the County Executive to execute the attached supplemental agreement with Union Pacific and Missouri Highways and Transportation Commission.</p>										
CLEARANCE	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department)</p>										

	<input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Agreement, RR Xings Map, (2) Signed Hearing Waivers, Old Lexington Vacation Drawing	
REVIEW	Department Director:	Date: 02/22/2012
	 Finance (Budget Approval): <i>If applicable</i>	Date:
	 Division Manager:	Date: 2/29/2012
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

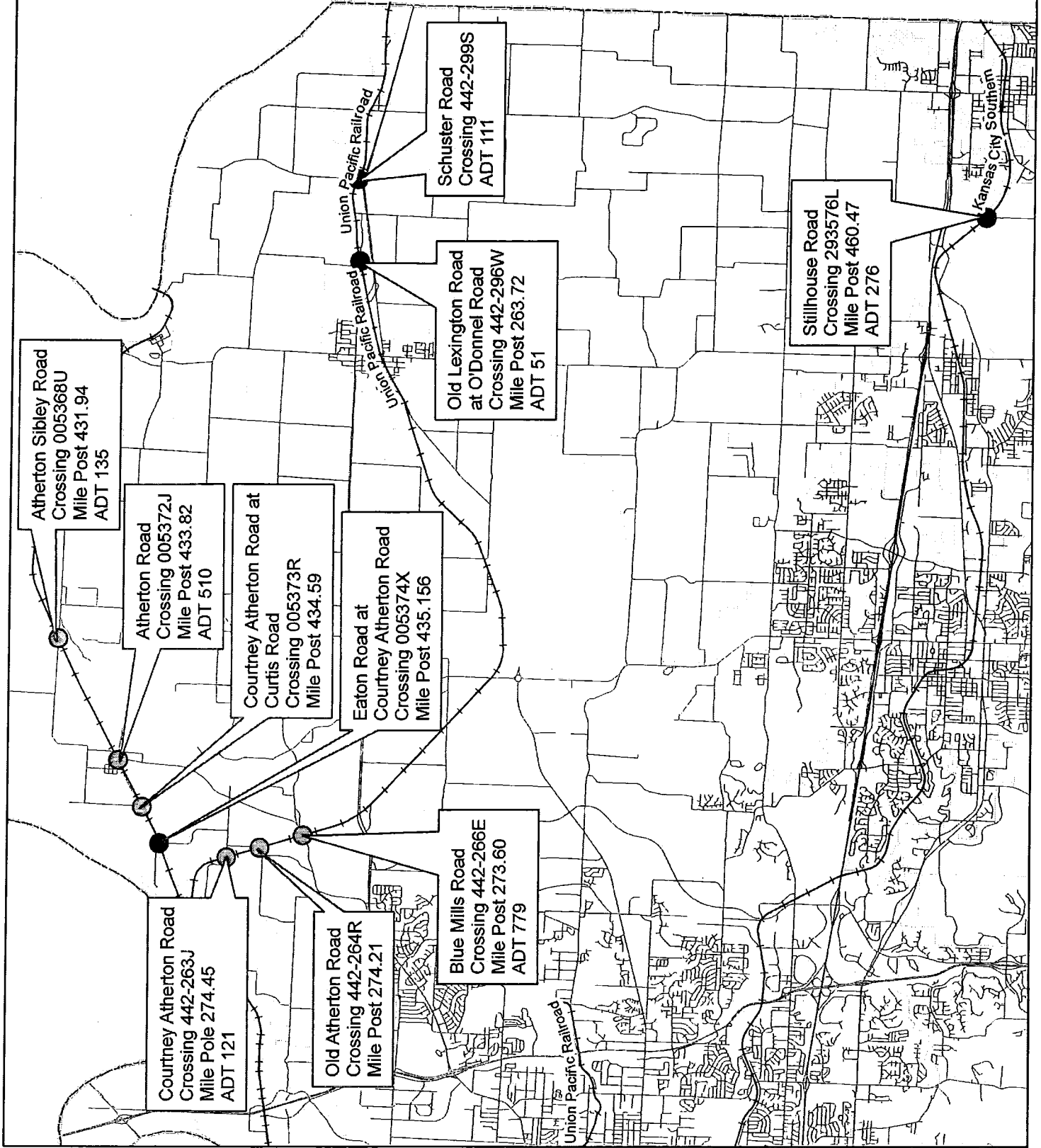
**At Grade Crossings
in Unincorporated
Jackson County**

Railroad Crossings

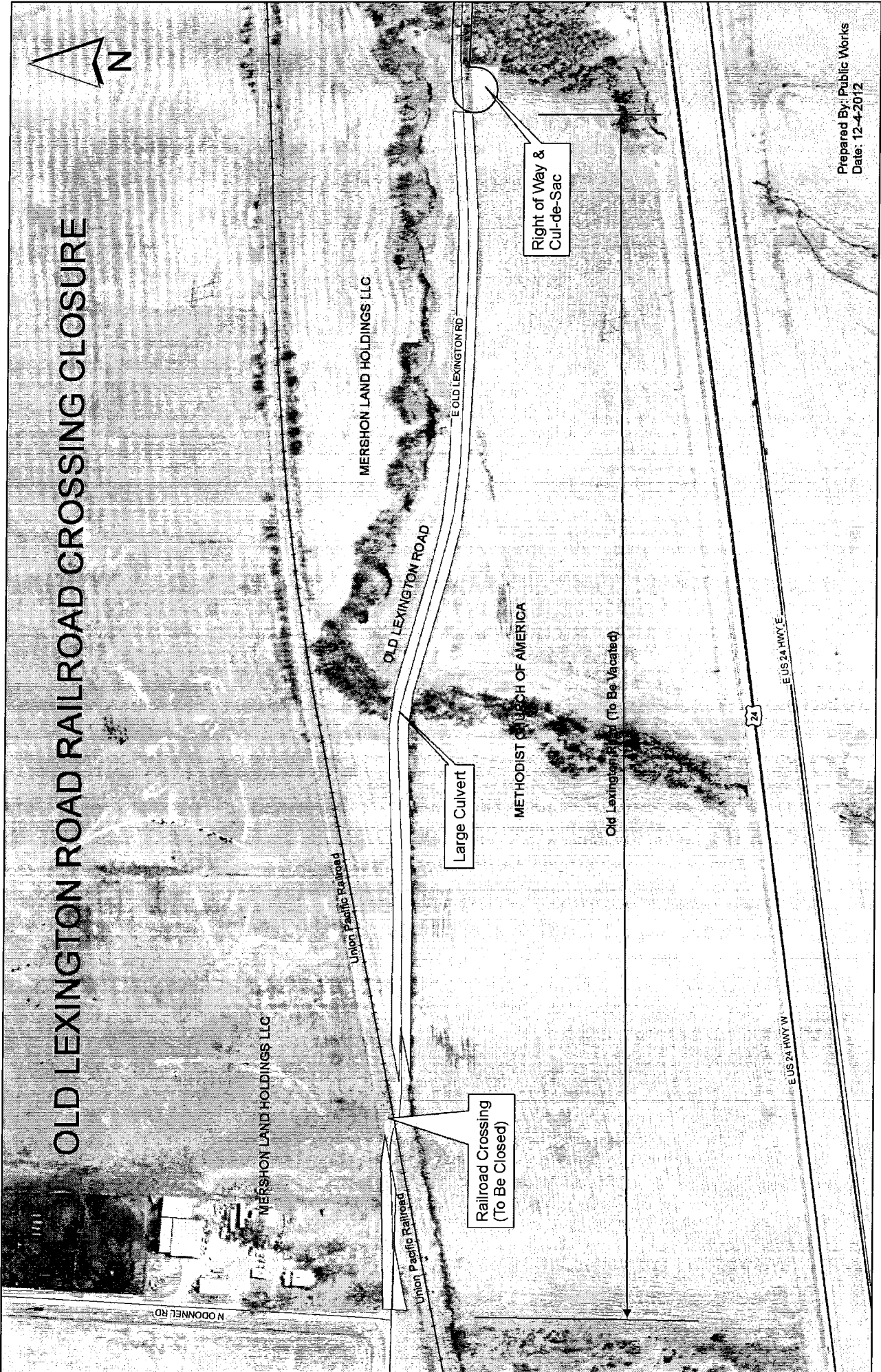
Control

- No Signal-No Gate
- Signal-Gate

1 inch equals 2 miles



OLD LEXINGTON ROAD RAILROAD CROSSING CLOSURE



Prepared By: Public Works
Date: 12-4-2012