

**BILL NO. 2018-3154**

**ORDINANCE NO. 2018-3154**

**A ORDINANCE OF THE CITY OF AURORA, MISSOURI AUTHORIZING THE CITY MANAGER TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AGREEMENT FOR CROSSING CLOSURE/OR ROADWAY IMPROVEMENTS (Crossing No. 673 312R) (Mc Natt Crossing)**

**WHEREAS**, this supplemental agreement is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the BNSF Railway Company (hereinafter, "Railroad"), and the City of Aurora, Missouri (Hereinafter "Agency"); and

**WHEREAS,**

(A) In coordination with the Agency's and Commission's initial closure work described herein, the Railroad shall remove the three existing crossing surfaces, the roadway between each of the three tracks and the roadway approaches between the permanent barricades and nearest track. The Railroad shall remove the existing flashing lights with gates warning devices and the related signal bungalow at the grade crossing; provided that the installation of permanent barricades described in Subsection (2)(B) have been fully completed (or temporary barricades providing substantially similar functionality are in place prior to the completion of the work described in Subsection (2)(B).

(B) The Agency shall vacate/surplus the Agency's property rights in and to the Railroad right-of-way and remove the existing advance warning signs along each approach to the grade crossing. The Commission shall be responsible for the installation of a permanent barricade consisting of Type A or D guardrail with Type IV object markers on both sides of the crossing. The barricade on the north side shall be installed across the roadway approach to the grade crossing at the boundary of the Railroad's right-of-way (but not on the Railroad's property). The barricade on the south side shall be installed approximately ten feet from the edge of rail of the southernmost track. This south barricade shall cover the entire width of former roadway; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, MISSOURI:**

**Section 1.** The City Manager is hereby authorized, on behalf of the city, to execute the Missouri Highways and Transportation Commission Supplemental Agreement for Highway/Rail Crossing Improvements. Said agreement shall be kept as a permanent part of this ordinance.

**PASSED AN APPROVED BY THE CITY COUNCIL OF THE CITY OF AURORA, MISSOURI THIS 8<sup>th</sup> DAY OF MAY 2018.**

**APPROVED:**

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Dawn Oplinger, Mayor

**ATTEST:**

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Kathie Needham, City Clerk