

Date September 10, 2012

APPROVAL OF PIPELINE CROSSING AGREEMENT WITH THE  
UNION PACIFIC RAILROAD COMPANY FOR THE  
2012 SEWER REPAIR – CONTRACT 2

WHEREAS, the Union Pacific Railroad Company owns an abandoned railroad property near the intersection of S.E. 1<sup>st</sup> Street & Van Buren Avenue; and

WHEREAS, in connection with the 2012 Sewer Repair – Contract 2, the City has proposed to install a new sewer across the abandoned Union Pacific Railroad property; and

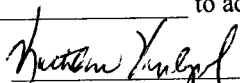
WHEREAS, the City and Union Pacific Railroad Company have negotiated the terms of a Pipeline Crossing Agreement to allow for the installation of the above-referenced storm sewer improvements within the railroad right-of-way for the project, with license fee to be paid by the City to Union Pacific Railroad Company of a total amount of \$2,000.00.

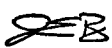
NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA, that the Pipeline Crossing Agreement with the Union Pacific Railroad Company in connection with the 2012 Sewer Repair – Contract 2 Project, a copy of which is now on file in the office of the City Clerk, be and is hereby approved; the Mayor and City Clerk are hereby authorized and directed to execute said Agreement for and on behalf of the City of Des Moines, Iowa; the Engineering Department is hereby authorized to administer the terms of said Agreement; and the Finance Director is authorized to make payment to the railroad for the license fee.

(Council Letter Number 12-485 attached)  
Activity ID 08-2012-002

Moved by \_\_\_\_\_ to adopt.

FORM APPROVED:

  
Kathleen Vanderpool  
Deputy City Attorney

 Funding Source: 2012-2013 CIP, Page Storm - 4, City-wide Storm Water Utility Projects, STE057, Storm Water Utility Funds

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk