★ **Roll Call Number**

12-1269

Date ....August 13, 2012........

REQUEST VACATION OF NORFOLK SOUTHERN RAILWAY RAILROAD CROSSINGS AT E 1ST STREET, E 2ND STREET, E 3RD STREET, E 4TH STREET, E 5TH STREET, E 6TH STREET, SE 25TH COURT, AND SE 26TH COURT

WHEREAS, various actions are required to address railroad impacts associated with the Southeast Connector to allow construction of the project from SE 9th Street to SE 30th Street; and

WHEREAS, such actions include a future application by Norfolk Southern Railway to the federal Surface Transportation Board to abandon the existing railroad crossings over City right-of-way at E. 1st Street, E. 2nd Street, E. 3rd Street, E. 4th Street, E. 5th Street, E. 6th Street, SE 25th Court and SE 26th Court in Des Moines; and

WHEREAS, Norfolk Southern Railway has recommended that the City formally request that the afore-mentioned railroad crossings be vacated in order to expedite the federal abandonment process, which is needed for the railroad agreements associated with the Southeast Connector Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA: That the City Council hereby requests the vacation of railroad crossings owned by Norfolk Southern Railway at E 1st Street, E 2nd Street, E 3rd Street, E 4th Street, E 5th Street, E 6th Street, E 25th Court and SE 26th Court.

(Council Letter Number *12-435* attached)
Activity ID 06-2010-018 & 06-2012-006

Moved by _____*Hensley*_____ to adopt.

FORM APPROVED: _____*Glenna K Frank*_____
Glenna Frank, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

MOTION CARRIED _____ APPROVED

_____*T. M. Franklin Cownie*_____ Mayor

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.

_____*Diane Rauh*_____ City Clerk