

RESOLUTION NO. 5-2009

**APPROVING THE VACATION OF THE
CROSSING WHERE TENTH STREET CROSSES
AT GRADE THE TRACKS OF THE NORFOLK
SOUTHERN RAILWAY COMPANY**

**CITY OF MONONGAHELA
WASHINGTON COUNTY, PENNSYLVANIA**

Upon motion of Mayor Kepics, seconded by Councilman Miller, that:

WHEREAS, the City of Monongahela is a third-class city under the Municipal Code and is a local government unit of the Commonwealth of Pennsylvania.; and

WHEREAS, there is presently located within the boundaries of the said City of Monongahela a railroad crossing at Tenth Street where the Norfolk Southern Railway line crosses the said street; and

WHEREAS, the said crossing has become a safety hazard and it is in the best interest of the City of Monongahela to close said railroad crossing; and

WHEREAS, all matters relating to the closing of said crossing have been agreed upon with Norfolk Southern Railway Company.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The City of Monongahela by and through this Resolution hereby closes the railroad crossing where Tenth Street crosses at grade the tracks of the Norfolk Southern Railway Company.
2. The railroad crossing at Tenth Street is hereby relinquished, vacated and closed to public use and traffic.
3. The Mayor and City Clerk of the City of Monongahela are hereby authorized to execute any and all documents necessary to effect the relinquishment, vacation and closure of the said railroad crossing at Tenth Street.
4. The Mayor and the City Clerk of the City of Monongahela are hereby authorized to notify the appropriate officials of the relinquishment and vacation and to take any and all steps necessary to accomplish said vacation and closure of the said railroad crossing.
5. Any Resolutions and/or Ordinances of the City of Monongahela that are inconsistent with this Resolution is and are repealed effective immediately.

6. This Resolution shall become effective immediately upon adoption of City Council for the City of Monongahela and satisfactory completion of the work to be performed by Norfolk Southern Railway Company for the closure and securitization of the said crossing.

Vote:

Aye: 5

Nay: 0

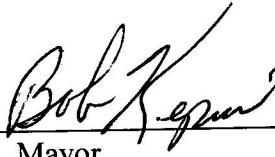
ATTEST:

CITY OF MONONGAHELA



City Clerk

By: _____



Mayor

(SEAL)