

**TOOELE COUNTY
RESOLUTION 2020-27**

**A RESOLUTION ABANDONING THE AT-GRADE CROSSING OF
UNION PACIFIC RAILROAD'S TRACKS ON BAUER ROAD
(DOT# 806703G) WEST OF SR-36**

WHEREAS, Bauer Road is a county road; and

WHEREAS, Bauer Road crosses Union Pacific Railroad's (UPRR's) tracks approximately 0.4 miles west of SR-36 (Lynndyl Sub, MP 745.82); and

WHEREAS, the county intends to extend South Mountain Road west from the Tooele County Detention Center; and

WHEREAS, South Mountain Road will, when extended, cross UPRR's tracks; and

WHEREAS, the at-grade crossing of UPRR's tracks on South Mountain Road (DOT# 973982L) will be safer for pedestrians, motor vehicles and trains than the current at-grade crossing of UPRR's tracks on Bauer Road (DOT# 806703G); and

WHEREAS, the County desires to abandon the at-grade crossing on Bauer Road (DOT# 806703G) in exchange for an at-grade crossing on South Mountain Road (DOT# 973982L); and

WHEREAS, the County and UPRR agree to such an exchange.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOELE COUNTY COMMISSION AS FOLLOWS:

1. Tooele County will abandon and relinquish any and all property rights it may have in the existing at-grade crossing of UPRR's tracks on Bauer Road (DOT# 806703G).
2. Tooele County shall take any and all actions necessary to complete the physical and legal closure of the at-grade crossing of UPRR's tracks on Bauer Road (DOT# 806703G).
3. The abandonment and relinquishment shall take effect immediately upon the completion of an at-grade crossing of UPRR's tracks on South Mountain Road (DOT# 973982L) and is permanently binding on Tooele County and any and all other persons and entities.

4. UPRR and Tooele County shall cooperate to construct and maintain the at-grade crossing of UPRR's tracks on South Mountain Road (DOT# 973982L).

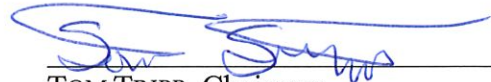
EFFECTIVE DATE: This Resolution shall take effect immediately upon passage.

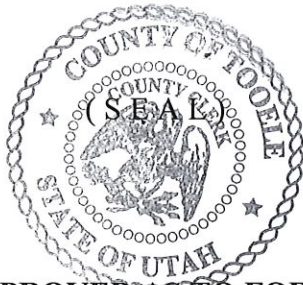
DATED this 5th day of November 2020.

ATTEST:

TOOELE COUNTY COMMISSION:



Marilyn K. Gillette, Clerk


Tom Tripp, Chairman



Commissioner Milne voted aye
Commissioner Thomas voted aye
Commissioner Tripp voted aye

APPROVED AS TO FORM:


Scott A. Broadhead
Tooele County Attorney