

RESOLUTION NO. _____-18

APPROVING THE CONSTRUCTION AGREEMENT AND ENVIRONMENTAL RIGHT OF ENTRY AGREEMENT FOR THE ACQUISITION AND USE OF EASEMENTS THROUGH CERTAIN REAL PROPERTY OWNED BY CANADIAN PACIFIC RAILWAY IN THE CITY OF DUBUQUE, IOWA FOR THE BEE BRANCH RAILROAD CULVERTS PROJECT

Whereas, the City of Dubuque (City) intends to acquire and utilize permanent and temporary easements through certain real property owned by Canadian Pacific Railway (Owner), at 506 Garfield Avenue as shown on Permanent Easement Exhibit A and Permanent Easement Exhibit B and Temporary Easement Exhibits C, D, and E (the Property), attached hereto, for the purpose of constructing, operating, and maintaining the Bee Branch Railroad Culverts Project, a stormwater management project; and

Whereas, a Construction Agreement, Easement Agreements, and an Environmental Right of Access Agreement, all attached hereto, have been finalized and the Property scheduled for acquisition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DUBUQUE, IOWA:

1. That the City Council of the City of Dubuque, Iowa hereby approves the Construction Agreement and the Environmental Right of Access Agreement.
2. That the Mayor is hereby authorized to execute the Construction Agreement and the Environmental Right of Access Agreement on behalf of the City of Dubuque.
3. That the City Manager is hereby authorized to act as an authorized representative and to take such actions as may be necessary to carry out the Construction Agreement and the Environmental Right of Access Agreement.

Passed, approved and adopted this _____ day of _____, 2018.

Roy D. Buol, Mayor

Attest:

Kevin S. Firnstahl, City Clerk