

**AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE
MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND BNSF RAILWAY COMPANY FOR A
RAIL CROSSING CLOSURE AT ORR STREET**

WHEREAS, the City of Republic, Missouri (the “City”) is a municipal corporation and charter city located in Greene County, Missouri, duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, the Missouri Highways and Transportation Commission (“MoDOT”) and BNSF Railway Company (“BNSF”) have planned a closure at Orr Street in association with the MM Realignment Project; and

WHEREAS, the closure at Orr Street is one of three at-grade crossings that will be permanently closed as part of the project to improve safety along the MM Corridor; and

WHEREAS, the agreement specifies that the City of Republic shall vacate areas within BNSF’s right-of-way and install permanent barricades on both sides of the at-grade crossing; and

WHEREAS, the agreement also grants the City of Republic a \$200,000.00 cash incentive from BNSF, which the City will use, assign, pass through, or cause to be disbursed as provided in the agreement authorized by this Ordinance; and

WHEREAS, the agreement authorized by this Ordinance is the Agreement for Crossing Closure and/or Roadway Improvements among the City, MoDOT, and BNSF, in substantially the form attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, this Ordinance has been introduced, read, considered, and passed in accordance with the Charter of the City of Republic, Missouri, including Section 3.10 thereof; and

WHEREAS, having reviewed all pertinent materials provided and heard presentation by City staff, the City Council finds it is in the City’s best interest to enter into an agreement to close the Orr Street rail crossing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

Section 1: Mayor Eric Franklin, on behalf of the City, is authorized to execute the Agreement for Crossing Closure and/or Roadway Improvements with the Missouri Highways and Transportation Commission and BNSF Railway Company, in substantially the form attached hereto as Exhibit A, for the closure of the rail crossing at Orr Street.

Section 2: The City Administrator, or his/her designee, on behalf of the City, is authorized to take the non-material administrative actions necessary to implement this Ordinance and the agreement authorized herein, including execution of certificates, notices, closing documents, and other ancillary documents consistent with the terms approved by this Ordinance, provided that any vacation of City right-of-way or other City interest shall be completed by separate lawful action, as applicable. The City’s obligations to complete vacation actions and install permanent barricades are contingent upon full execution of the agreement

by all necessary parties and receipt of, or a binding written commitment for, the \$200,000.00 incentive described therein.

Section 3: The WHEREAS clauses set forth in the preamble of this Ordinance are hereby incorporated herein for background purposes only and shall not create enforceable provisions except as expressly set forth in the operative sections of this Ordinance.

Section 4: If any clause, word, paragraph, section, or other portion of this Ordinance is held unconstitutional, illegal, or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 5: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

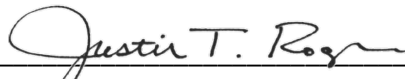
PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this 16th day of June, 2026.

Eric Franklin, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:

 06/09/2026
Justin Rogers, City Attorney

Final Passage and Vote: