

**ORDINANCE NO. 2012 - 50**

**AUTHORIZING A CHANGE ORDER TO THE INDIANA & OHIO RAILWAY COMPANY FOR REPLACING THE EXISTING RAILROAD CROSSING AT THE US 42 AND TYLERSVILLE ROAD INTERSECTION AND EXTENDING THE CROSSING FOR THE WIDENING OF US-42 (READING ROAD)**

BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the City executed an agreement with the State of Ohio and the Indiana & Ohio Railway Company for the widening of US 42 (Reading Road) and to construct a new adjacent bike path across the railroad tracks.

Section 2. That the City Council approved Ordinance 2012-25 authorizing \$77,600 for the estimated cost of design, labor, materials and installation for extending the crossing located on Tylersville Road.

Section 3. That the Indiana & Ohio Railway has obtained a bid for the cost of \$287,000 for replacing and extending the railroad crossing.

Section 4. That the Finance Director is hereby authorized to pay Indiana & Ohio Railway Company the increased amount not to exceed \$287,000.00 for the estimated cost of design, labor, materials and installation for resurfacing the crossing located on Tylersville Road and US 42.

Section 5. That the City Manager is hereby authorized to execute a reimbursement agreement with the Indiana and Ohio Railway or its parent company, RailAmerica, and is further authorized to execute any and all documents necessary to complete the replacement and extension of the railroad crossing.

Section 6. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 9<sup>th</sup> day of July, 2012.

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Mayor

Attest:

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Clerk of Council