

RESOLUTION NO. 22-04

**A RESOLUTION PROVIDING FOR THE ELIMINATION OF GRADE CROSSINGS;  
REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH;  
AND FOR OTHER PURPOSES**

**WHEREAS**, it is within the authority of Cass County to voluntarily eliminate grade crossings within the County road system; and

**WHEREAS**, it has been determined reasonably necessary in the interest of public safety to eliminate highway grade crossings, County Road 950 East - DOT# 484 217Y, RR Milepost D-209.61 and Main Street – DOT# 484 241A, RR Milepost D-224.17; and

**WHEREAS**, it has been determined that the enhancement of public safety resulting from such elimination of the grade crossings will outweigh any inconvenience to the reasonable passage of public traffic, specifically including without limitation emergency vehicle traffic, caused by rerouting such traffic; and

**WHEREAS**, the closing of the crossings County Road 950 East - DOT# 484 217Y, RR Milepost D-209.61 and Main Street – DOT# 484 241A, RR Milepost D-224.17

**NOW, THEREFORE, BE IT RESOLVED** by Cass County, and it is hereby resolved by authority of the same, as follows:

**Section 1.** The County hereby directs the elimination of the highway grade Crossings, County Road 950 East - DOT# 484 217Y, RR Milepost D-209.61 and Main Street – DOT# 484 241A, RR Milepost D-224.17.

**Section 2.** A copy of this resolution shall be served on Norfolk Southern Corporation.

**Section 3.** Norfolk Southern Corporation shall at its expense physically remove the crossings from the tracks and beyond the ends of the crossties on each side and erect approved barricades, to be maintained by the County thereafter, and the County may remove the remaining approaches to the crossings at its discretion.

**Section 4.** Upon receipt of a signed resolution, Norfolk Southern Corporation will issue an incentive payment of \$95,000 made payable to Cass County.

**Section 5.** Upon receipt of a signed resolution, INDOT has agreed to program a project to install active warning devices at the adjacent grade crossing at County Road 800 East – DOT# 484 219M, RR Milepost D-211.13 using Section 130 funds, as part of this safety project at no cost to the County.

**Section 6.** All ordinances or parts of ordinances in conflict herewith are repealed.

SO RESOLVED, this 1st day of August.

County of Cass, Indiana

(Seal)

By: Cheryl Alcorn, Cass County Auditor

Attest: Cheryl Alcorn

Cass County Commissioners:

Ryan Browning  
Ryan Browning, President

Ruth Baker  
Ruth Baker, Vice President

absent  
Michael W. Stajduhar, Commissioner