

ORDINANCE NO. 3432
AN ORDINANCE CLOSING CERTAIN RAILROAD CROSSINGS

WHEREAS, the City of New Castle has plans to extend Garner Street so that one can travel Indiana State Road 3 to Henry County Memorial Hospital which would be a more direct route to said hospital from said State Road and avoid congested downtown traffic areas, and

WHEREAS, in order to extend Garner Street, a new at-grade railroad crossing must be established, and

WHEREAS, in order to gain permission to establish a new at-grade crossing, the City must abandon two (2) of its existing right-of-ways, and

WHEREAS, the City Council's Traffic Committee has conducted a survey of the neighborhoods involved, and has determined that the railroad crossing on South 22nd Street and the railroad crossing on Thornburg Street are suitable for closing.

NOW THEREFORE BE ORDAINED BY THE COMMON COUNCIL of the City of New Castle that it authorizes the closing of the at-grade railroad crossings located on South 22nd Street (See Exhibit "1" attached) and Thornburg Street (See Exhibit "2" attached). The City directs the Board of Public Works and Safety to notify the proper railroad, State, and local officials of the City's intent to allow for the closing of these at-grade crossings and further directs it to take all actions consistent herewith.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as provided for by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS _____ DAY OF _____, 2005.

Thomas Nipp, Presiding
Officer, Common Council, City
of New Castle, Indiana

AYE

NAY

ATTEST:

Janice Lavarney,
Clerk-Treasurer

APPROVED BY ME THIS _____ DAY OF _____, 2005.

Nipp, Mayor of the City

Thomas
Of New Castle, Indiana