

**RESOLUTION NO. 25-1012**

**A RESOLUTION AUTHORIZING THE BNSF EAST TRACK QUIET ZONE PROJECT,  
PN 3-C-038-25.**

**WHEREAS**, the City of Olathe, Kansas (“City”) has by appropriate proceedings hereto had, designated and established certain streets in the City as main trafficways or trafficway connections under the authority of K.S.A. 12-685 *et seq.* (the “Act”); and

**WHEREAS**, the City has the authority under the Act to improve main trafficways and trafficway connections located in the City and issue its general obligation bonds to pay the costs thereof; and

**WHEREAS**, Dennis Avenue and 159<sup>th</sup> Street in the City have been designated as main trafficways pursuant to Section 10.10.010 of the Olathe Municipal Code and the Act; and

**WHEREAS**, 151<sup>st</sup> Terrace from 153<sup>rd</sup> Street to Mahaffie Street has been designated as a main trafficway connection pursuant to Section 10.10.020 of the Olathe Municipal Code and the Act; and

**WHEREAS**, the Governing Body of the City deems it necessary to authorize the improvements to the railroad crossings in the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:**

**SECTION ONE:** Pursuant to the Act, the Governing Body hereby authorizes the BNSF East Track Quiet Zone Project (the “Project”). Said Project will include modifications to the railroad crossings at Dennis Ave, 151st Terr., and 159th Street to provide for a quiet zone and all other work necessary to complete the project.

**SECTION TWO:** The cost of the Project shall not exceed \$3,400,000, exclusive of issuance and interest costs for temporary financing. The funds to pay for the Project shall come from the following source:

General Obligation Bonds	<u>\$3,400,000</u>
<b>TOTAL</b>	<b>\$3,400,000</b>

Included in the Project costs are design, utility relocations, survey, staff time, land acquisition, permitting, construction and inspection and such other necessary work to complete the Project.

**SECTION THREE:** The City intends to reimburse itself for capital expenditures made on or after the date which is 60 days before the date of this Resolution in connection with the Project, pursuant to Treasury Regulation § 1.150-2, with the proceeds of bonds and/or notes in the maximum principal amount of \$3,400,000 exclusive of issuance costs and any interest costs for temporary financing.

**SECTION FOUR:** This Resolution shall take effect immediately.

**ADOPTED** by the Governing Body this 21<sup>st</sup> day of January 2025.

**SIGNED** by the Mayor this 21<sup>st</sup> day of January 2025.

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Mayor

**ATTEST:**

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City Clerk

(SEAL)

**APPROVED AS TO FORM:**

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City Attorney