

RESOLUTION NO. 1712

ABOLISHING GRADE CROSSING AT WALL STREET

WHEREAS, the City is of the opinion that the security and convenience of the public require that the Wall Street at-grade crossing of CSX Transportation, Inc.'s ("CSX") rail (the "Wall Street Crossing") should be abolished and discontinued without building a new way in substitution for it, as requested by CSX in connection with the opening of a new crossing; and

WHEREAS, Council is informed that CSX has requested the closing, which indicates the official opinion of CSX that the security and convenience of the public require that the Wall Street Crossing be abolished without building a new way in substitution for it; and

WHEREAS, Council, by at least two thirds vote of the members elected to it finds it necessary for the security and convenience of the public to join with CSX to abolish the Wall Street Crossing without building a new way in substitution for it; and

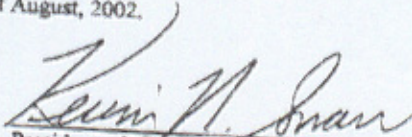
WHEREAS, Ohio Revised Code Section 4957.02 requires the City to pass a resolution by at least a two thirds vote of all the members elected to Council declaring the necessity of abolishing the Wall Street Crossing and the intent to do so.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilmington, Ohio:

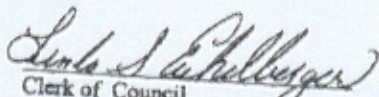
Section 1. That upon passage of an ordinance as required by Ohio Revised Code Section 4957.03 evincing a determination by the City to proceed with the abolition of the Wall Street Crossing, the Wall Street Crossing shall be closed and abolished.

Section 2. That this resolution shall be in full force and effect from and after the earliest period allowed by law.

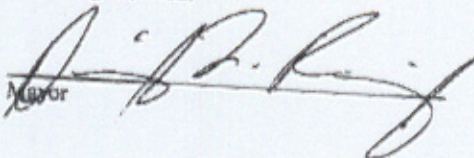
PASSED this 15th day of August, 2002.


President of Council

ATTEST:


Clerk of Council

Approved by me this 15th day of August, 2002.


Mayor

ORDINANCE #1712