

**CITY OF FORNEY, TEXAS
RESOLUTION NO. 22-_____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS APPROVING THE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF FORNEY AND H-E-B, LP; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTION NECESSARY TO COMPLY WITH THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Forney ("City") desires to establish a new at-grade public crossing for access to HEB Grocery store site at Milepost 192.435, including installation of concrete crossing surface and active warning devices, and

WHEREAS, Union Pacific Railroad Company ("Railroad") desires to perform preliminary engineering services work to review potential impacts on existing and future Railroad facilities and operations, and

WHEREAS, the City of Forney, Texas approved a Reimbursement Agreement outlining the terms and obligations of the parties between Railroad and the City, and

WHEREAS, the City of Forney, Texas desires to execute a Reimbursement Agreement outlining the terms and obligations of the parties between the City and H-E-B, LP, as shown in Exhibit A, attached.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS:

SECTION 1. The above and foregoing premises are true and correct and are incorporated herein and made part hereof for all purposes.

SECTION 2. That the attached Exhibit "A" Reimbursement Agreement by and between the City of Forney and H-E-B, LP is hereby approved, and the City Manager is authorized to enter into the Agreement.

SECTION 4. This Resolution shall take effect immediately from and after its passage.

PRESENTED AND PASSED by the City Council of the City of Forney, Texas, this the 2nd day of August, 2022.

Amanda Lewis, Mayor

ATTEST:

Dorothy Brooks, City Secretary

Exhibit A