

**A RESOLUTION PROVIDING FOR THE ELIMINATION OF A GRADE CROSSING,
FOR THE REPEAL OF ALL PRIOR ACTIONS IN CONFLICT HEREWITH, AND FOR**

OTHER PURPOSES

WHEREAS, In a letter dated December 1, 2023, Norfolk Southern Corporation has requested the permanent closing of an at-grade crossing in Hall County at the northernmost crossing of White Sulphur Road, known as DOT # 717 784N, as it intersects the Norfolk Southern tracks; and

WHEREAS, it is within the authority of the Hall County Board of Commissioners to initiate voluntarily elimination of grade crossings within the County road system; and

WHEREAS, it has been determined reasonably necessary in the interest of public safety to initiate the elimination of the highway grade crossing known as White Sulphur Rd. – DOT # 717 784N – RR Milepost 578.74; and

WHEREAS, it has been determined that the enhancement of public safety resulting from such elimination of the grade crossing 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, it has been determined that all existing utilities within the railroad property, in the corridor of the aforementioned highway grade crossing, can and will remain in place, post elimination of the grade crossing;

NOW, THEREFORE, BE IT RESOLVED by the Hall County Board of Commissioners, and it is hereby established by authority of the same, as follows:

Section 1. In response to the letter of Norfolk Southern Corporation dated December 1, 2023, the Hall County Board of Commissioners hereby agrees to initiate the elimination and

closing of the subject grade crossing as described in the above-referenced letter, wherein Norfolk Southern requested that the grade crossing be closed due to the projected periodic and consistent blocking of the grade crossing by trains moving into and out of the new Inland Port facility in Hall County, which would occur 5-6 days per week for multiple hours each day, thus necessitating the closing of the grade crossing for the benefit of the public's safety. The Board of Commissioners hereby directs the elimination of the highway grade crossing, White Sulphur Rd. – DOT # 717 784N – RR Milepost 578.74. The Board of Commissioners further authorizes the Chairman to sign all documents necessary to effectuate the transaction(s) described herein, subject to the review and approval of the County Attorney.

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 grade crossing from the tracks and beyond the ends of the crossties on each side and erect an approved barricade, to be maintained by Hall County thereafter, and the County or State may further remove any portion of the remaining approaches to the crossing. Removal will occur in conjunction with the surrounding project and will not occur until Hall County and Norfolk Southern Corporation agree on a scheduled date.

Section 4. Upon receipt of a signed resolution, Norfolk Southern Corporation will provide an incentive payment to Hall County in the amount of \$50,000 and work with the Georgia Department of Transportation (GDOT) in a matching fund amount of \$50,000 to be used for safety enhancements.

Section 5. All ordinances or parts of ordinances in conflict herewith are repealed.

(Signatures on the following page.)

This _____ day of January, 2024.

**HALL COUNTY BOARD OF
COMMISSIONERS**

By: Richard Higgins, Chairman

ATTEST:

Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

William J. Linkous, III, County Attorney