

Warren County Board of Supervisors

RESOLUTION NO. 126 OF 2016

Resolution introduced by Supervisors Simpson, Conover, Dickinson, Frasier, Merlino, Sokol, Vanselow, Wood and MacDonald

AUTHORIZING AN EXTENSION AGREEMENT BETWEEN WARREN COUNTY, SARATOGA AND NORTH CREEK RAILWAY, LLC AND THE TOWN OF CORINTH

WHEREAS, by Resolution No. 247 of 2011, and amended by Resolution Nos. 447 of 2011, 520 of 2011, 283 of 2012 and 493 of 2012, the Warren County Board of Supervisors authorized and approved a Railroad Licensing and Operating Agreement between Warren County, the Town of Corinth, and the Saratoga and North Creek Railway, LLC a subsidiary of Iowa Pacific Holdings, LLC (“Railway”), and on June 10, 2011, said agreement was executed by the parties and is hereinafter referred to as the “Operating Agreement”, and

WHEREAS, the Operating Agreement provides that upon request of the Railway it shall be extended for five years, on the same terms and conditions, and

WHEREAS, the Railway has requested an extension of the Operating Agreement for another five year term and has met all the requirements of the renewal provisions, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute an extension to the Operating Agreement for five years on the same terms and conditions, and the Chairman of the Board of Supervisors is hereby further authorized to execute such other and further documents as may be necessary to carry out the terms and provisions of the Operating Agreement and all subsequent amendments and any other documents that may be related thereto, all in a form approved by the County Attorney, and be it further

RESOLVED, that this Resolution is subject to a concurring resolution issued by the Corinth Town Board authorizing the same.