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Willcox,  
City Manager

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AZ CORP COMMISSION  
DOCKET CONTROL

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| <b>To:</b> Chairman Mike Gleason | <b>From:</b> Mike Leighton |
| <b>Fax:</b> (602) 542-3708       | <b>Pages:</b> 2            |
| <b>Phone:</b> 520.384.4271       | <b>Date:</b> 7/18/2007     |
| <b>Re:</b> Resolution of support | <b>CC:</b> ACC             |

For Review

Dear Chairman Gleason,

Attached is a copy of Willcox City Resolution 2007-28. The resolution supports UPRR's track expansion through Willcox, for considerations, to enhance our downtown RR area.

If further information can be provided please do not hesitate to contact me.

*M. Leighton*  
ML

Arizona Corporation Commission

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**CITY OF WILLCOX, COCHISE COUNTY, ARIZONA  
RESOLUTION NO: 2007-28**

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**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WILLCOX, COCHISE COUNTY, ARIZONA, APPROVING AND ADOPTING THIS RESOLUTION FOR THE PURPOSE OF OFFICIALLY SUPPORTING THE UNION PACIFIC RAILROAD ["UPRR"] APPLICATION TO THE ARIZONA CORPORATION COMMISSION ["ACC"] FOR THE EXPANSION OF THE TRACK SYSTEM THROUGH THE CITY OF WILLCOX TOGETHER WITH PLANNED CITY PROJECTS RELATED THERETO AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Willcox, Cochise County, Arizona Mayor and Council desire to officially support the UPRR application to the ACC for the expansion of the proposed track system through the CITY limits; and

**WHEREAS**, City Administrators and UPRR officials have conferred on the expansion of the track system through the CITY and the impact and/or consequences of said expansion which will require the CITY and UPRR to address the establishment of a quiet zone, drainage concerns, construction of public restrooms in Railroad Park, a new park across the tracks from Railroad Park and renovation of the Mascot & Western RR car; and

**WHEREAS**, UPRR has indicated a desire and a willingness to assist the CITY in addressing the identified areas of concern and the financial commitment necessary for the CITY to undertake and complete these projects; and

**WHEREAS**, the Mayor and Council desire to establish a quiet zone through the City of Willcox to mitigate the anticipated added train traffic; and

**WHEREAS**, the Mayor and Council desire to work closely with UPRR to address drainage concerns through planning and funding of a drainage modernization project related to the proposed expansion of UPRR's track system; and

**WHEREAS**, the Mayor and Council desire to work closely with UPRR to address public bathroom facilities at Railroad Park to optimize the CITY's tourism, heritage and beautification efforts in the historic downtown area that will be impacted by the track expansion and assist in park development directly across the tracks from Railroad Park; and

**WHEREAS**, the Mayor and Council desire to work closely with UPRR to address the renovation of the Mascot & Western Railroad Car to optimize the CITY's tourism, heritage and beautification efforts in the historic downtown area that will be impacted by the track expansion; and

**WHEREAS**, the Mayor and Council of the City of Willcox have determined that it is in the best interest of the City and its citizens to officially support the UPRR application for the track expansion before the ACC and to develop a plan and obtain financial and in-kind assistance from UPRR for establishing a quiet zone, drainage system, public restrooms facilities, new park and renovate the Mascot & Western RR car; and

**WHEREAS**, the Mayor and Council desire to have this item presented at its July 16, 2007 Council Meeting; and

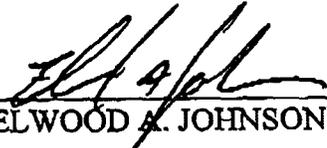
**WHEREAS**, it is necessary for the preservation of the peace, health, and safety of the City of Willcox, Cochise County, Arizona, that an emergency be declared to exist to forward the City's position of support for UPRR's application, and that this Resolution be effective immediately upon its passage and adoption.

**BE IT RESOLVED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona, that the City hereby gives formal approval and authorization for the City Manager and/or designated City Personnel to carry out the request process.

**BE IT FURTHER RESOLVED** by the Mayor and Council that, due to an existing emergency declared herein, the immediate effectiveness of this Resolution is necessary to preserve the peace, health, and safety of the City of Willcox, Cochise County, Arizona, and this Resolution shall therefore be effective upon its passage and adoption.

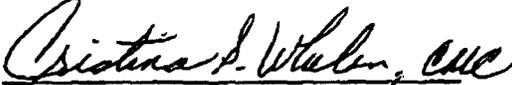
**PASSED AND ADOPTED** by the Mayor and Council of the City of Willcox, Cochise County, Arizona this 16th day of July, 2007.

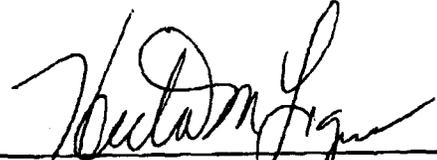
APPROVED/EXECUTED

  
ELWOOD A. JOHNSON, MAYOR

ATTEST:

APPROVED AS TO FORM:

  
Christina G. Whelan, City Clerk

  
Hector M. Figueroa, City Attorney

STATE OF ARIZONA }  
COUNTY OF COCHISE }  
CITY OF WILLCOX }

RESOLUTION NO: 2007-28

I certify that the foregoing instrument is a true, true and correct copy of the original on file in this office.

Attested July 17, 2007  
Signed Christina G. Whelan, City Clerk