

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, SUPPORTING THE CONSTRUCTION OF AN OVERPASS ON FRONTIER PARKWAY (COUNTY ROAD 5) OVER THE BURLINGTON NORTHERN/SANTA FE RAILWAY LINE, THE RECONSTRUCTION OF FM 1461 FROM PRESTON ROAD TO CUSTER ROAD, AND THE TWO SOUTHBOUND DALLAS NORTH TOLLWAY SERVICE LANES ALONG WITH THE DALLAS NORTH TOLLWAY OVERPASS AT US HIGHWAY 380, IN COOPERATION WITH THE CITY OF CELINA, COLLIN COUNTY AND THE REGIONAL TRANSPORTATION COUNCIL; MAKING FINDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there is a need to construct an urban thoroughfare on County Road 5 (Frontier Parkway) from the Dallas North Tollway service road to Preston Road/SH 289 to provide for mobility for the anticipated increase in travel demand in the area as well as improved access to adjoining land; and

WHEREAS, it is vital to the safety and traffic flow of this thoroughfare that this thoroughfare be separated from the Burlington Northern/Santa Fe Railroad (BNSF) railway crossing by passing the thoroughfare over the railroad via a bridge; and

WHEREAS, it is critical to the access to the adjoining land on the north side of the thoroughfare that a service road be provided at ground level; and

WHEREAS, due to the desire that trains not have to sound their horns when approaching the crossing, the features of a street/railroad crossing known as a "quiet crossing" should be included as part of the improvements; and

WHEREAS, it is understood that the project cost, including right-of-way, engineering design and construction, is estimated to be in the range of \$16 - \$21 million; and

WHEREAS, the Town of Prosper has expressed its willingness to contribute Town funds to this project; and

WHEREAS, the City of Celina has expressed its willingness for Collin County bond funds that have been allocated to Celina to be contributed to this project; and

WHEREAS, Regional Toll Revenue (RTR) funds have been allocated by the Regional Transportation Council to this project; and

WHEREAS, the Town of Prosper and the City of Celina jointly desire that Collin County manage the design and construction of this project; and

WHEREAS, the Town of Prosper and the City of Celina also support the reconstruction of FM 1461 from Preston Road to Custer Road and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380, as part of a regional cooperative effort involving the City, the Town, the North Central Texas Council of Governments, the North Texas Tollway Authority and Collin County.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2

The Town Council of the Town of Prosper hereby agrees and finds as follows:

1. The first stage of a six-lane urban thoroughfare should be planned, designed and constructed along CR 5 (Frontier Parkway) from the Dallas North Tollway service road to Preston Road/SH 289 with a grade separation at the BNSF railroad, with the first phase of said project consisting of minimum of (a) a four-lane divided concrete roadway with curbs and storm sewer; (b) one-half of the grade separation necessary for the full six lanes; and (c) a two-lane concrete service road with curbs on the north side of the grade separation.

2. The Town of Prosper agrees to contribute \$3,650,000 toward the total cost of the project with the understanding that the City of Celina agrees that \$3,970,000 in Collin County bond funds allocated to Celina shall be dedicated to this project.

3. The Town of Prosper and the City of Celina agree that \$4,350,000 in RTR funds shall be used for this project.

4. The Town of Prosper and the City of Celina acknowledge and understand that the remainder of the funds necessary for this first stage of the project will be provided by the Regional Transportation Council and Collin County.

5. The Town of Prosper and the City of Celina acknowledge and agree that Collin County will manage the design, right-of-way acquisition and construction of this thoroughfare; however, the Town of Prosper will do everything within its power to encourage adjacent land owners to provide the right-of-way to the County at no cost, or at the lowest cost possible.

6. The Town of Prosper and the City of Celina acknowledge and agree that the maintenance of the facilities built with regard to this project in Town limits will be the responsibility of the Town, except that Collin County will accept maintenance of the grade separation for the first five years, after which the Town/City will accept maintenance responsibilities.

7. The Town of Prosper and the City of Celina also support the reconstruction of FM 1461 from Preston Road to Custer Road and the two southbound Dallas North Tollway service lanes along with the Dallas North Tollway overpass at US Highway 380, as part of a regional cooperative effort involving the City, the Town, the North Central Texas Council of Governments, the North Texas Tollway Authority and Collin County.

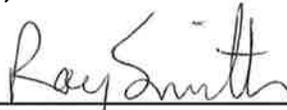
SECTION 3

Any and all resolutions, rules, regulations, policies, or provisions in conflict with the provisions of this Resolution are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 4

This Resolution shall be effective from and after its passage by the Town Council.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 12TH DAY OF JANUARY, 2016.



Ray Smith, Mayor

ATTEST:


Robyn Battle, Town Secretary

APPROVED AS TO FORM AND LEGALITY:


Terrence S. Welch, Town Attorney