

BOARD OF TRUSTEES



August 10, 2009

Mr. Phillip Crego
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Jonesboro, Arkansas

Dear Mr. Crego:

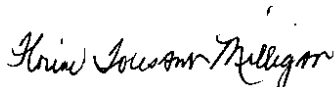
This letter responds to your July 24, 2009, letter sent to Mr. Jennus Burton concerning the ordinance for the Caraway Road railroad crossing.

The Union Pacific Railroad (UP) requires that the owner (the City of Jonesboro) of the easements, and in this case a portion of the property, provide assurances that the at-grade UP crossing surfaces on Caraway Road and the active warning devices be removed at the completion of the Marion Berry Parkway project and that barricades be erected as needed.

The university has funds appropriated from the federal government to pay for this work. Please consider this letter as the university's assurance that the funding is available to complete the work and that ASU will make this payment. The City will need to pass the ordinance to assure UP that the work necessary to remove the at-grade crossing surfaces formed by the intersection of Caraway Road and the tracks of the UP described in the ordinance will be accomplished and that the intersection shall be closed and the portion of Caraway Road which is on the railroad right-of-way shall be permanently vacated and abandoned, as it will no longer be required for public purposes, effective upon the opening of the Marion Berry Parkway above-grade crossing structure for Caraway Road for public vehicular traffic.

Please feel free to communicate with Mr. Burton at 870-933-7950 concerning this commitment from ASU.

Sincerely,


Florine Tousant Milligan
Vice Chair, ASU Board of Trustees

Xc: Dr. Les Wyatt
Mr. Jennus Burton