



ILLINOIS COMMERCE COMMISSION

December 27, 2005

The Department of Transportation of the State of Illinois, for and in behalf of
the People of the State of Illinois,
Petitioner,

Vs.

Union Pacific Railroad Company,
Respondent.

T05-0066

Petition for Approval to Take Property in the City of Springfield, Sangamon
County, Illinois, by exercising the right of eminent domain. Parcel 6023113PE.

Mr. Stanley L. Morris
Special Assistant Attorney General, IDOT
205 South Fifth Street, Suite 900
Springfield, IL 62701

Dear Mr. Morris:

Receipt is acknowledged of the original and three (3) copies of the Petition filed December 20, 2005 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-docket account.

Processing and Information Section

KI

Cc: Mr. Victor A. Modeer, IDOT
Ms. Ellen Schanzle-Haskins, IDOT
Mr. Mack Shumate, Jr., UP
CT Corporation System, UP
Mr. Dave McKernan, UP
Mr. Timothy J. Davlin, City of Springfield, Mayor
Ms. Cecilia Tumulty, City of Springfield, Clerk

Sangamon County, Illinois (hereafter the "Project").

2. Respondent, UNION PACIFIC RAILROAD COMPANY, is a rail carrier as defined in the Illinois Commercial Transportation Law (625 ILCS 5/18c-7101 et seq.), is engaged as a common carrier by railroad within Illinois and is subject to the jurisdiction of the Illinois Commerce Commission.

3. The land, rights, and other property hereinafter described are private property and the Respondent appears to own, have an interest in, or claim to have some interest therein.

4. The Project is a public work, is for public use and constitutes a public purpose, in Sangamon County, Illinois; it is in the public convenience and necessity that the Petitioner have and acquire a permanent easement in Parcel No. 6023113PE more particularly described in Exhibit "A" attached hereto.

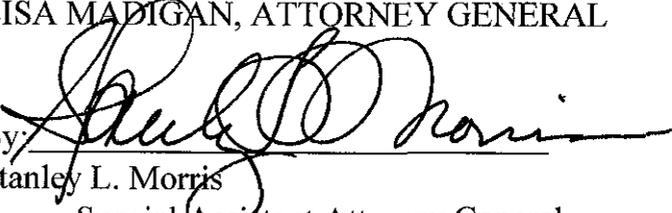
5. The compensation to be paid by the Petitioner to the Respondent for this parcel or the interest therein or the form of conveyance cannot be agreed upon between the Petitioner and the Respondent and the Petitioner, therefore, is authorized, subject to the initial approval of the Illinois Commerce Commission, to proceed to acquire said lands, rights or other property through the exercise of the right of eminent domain under the Eminent Domain Laws of Illinois.

WHEREFORE, Petitioner prays the Illinois Commerce Commission enter an Order authorizing Petitioner to proceed with an action in eminent domain to acquire from Respondent, UNION PACIFIC RAILROAD COMPANY, a permanent easement in Parcel

No. 6023113PE more particularly described in attached Exhibit "A", in accordance with Article VII (735 ILCS 5/7-101 through 5/7-129) of the Illinois Code of Civil Procedure.

THE DEPARTMENT OF TRANSPORTATION,
STATE OF ILLINOIS, Petitioner

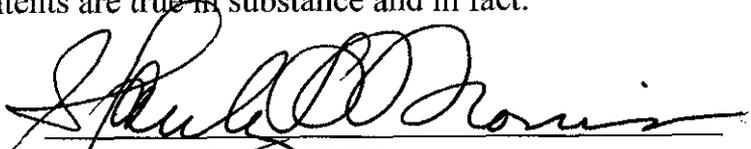
LISA MADIGAN, ATTORNEY GENERAL

By: 
Stanley L. Morris
Special Assistant Attorney General

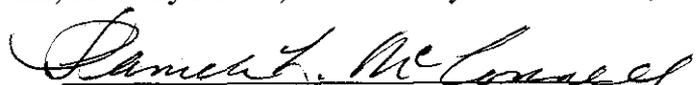
Stanley L. Morris
Special Assistant Attorney General
205 South Fifth Street, Suite 900
Springfield, IL 62701
Telephone: (217) 753-1133

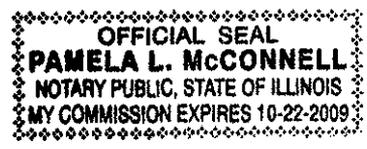
STATE OF ILLINOIS)
)
) SS
COUNTY OF SANGAMON)

I, STANLEY L. MORRIS, of lawful age and being first duly sworn, depose and say that I am a Special Assistant Attorney General for the State of Illinois, that I have read the above and foregoing Petition by me subscribed, have knowledge of the contents thereof and that on information and belief said contents are true in substance and in fact.


STANLEY L. MORRIS
Special Assistant Attorney General

Subscribed and sworn to before me, a Notary Public, this 20th day of December, 2005.


Notary Public



PROOF OF SERVICE

The undersigned certifies that on December 20, 2005, a copy of the foregoing document was deposited in the U.S. Mail, with postage prepaid, at Springfield, Illinois, plainly addressed to:

CT Corporation
208 South LaSalle Street
Chicago, Illinois 60604

Mr. Roy Farwell
210 North 13th Street, Room 2000
St. Louis, MO 63101-2388



EXHIBIT "A"

Part of the Northwest Quarter of Section 21 and the Northeast Quarter of Section 20, Township 15 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Commencing at a found iron pin at the northwest corner of the Northwest Quarter of Section 21; thence South 00 degrees 56 minutes 57 seconds East along the west line of the Northwest Quarter of Section 21, a distance of 321.12 feet to the existing westerly right-of-way line of the Union Pacific Railroad and the point of beginning; thence North 23 degrees 05 minutes 34 seconds East along the existing westerly railroad right-of-way line, 55.04 feet to a point on a 1,734.69 foot radius curve, the center of circle bears North 01 degree 07 minutes 26 seconds West; thence easterly along the curve, 73.08 feet through a central angle of 02 degrees 24 minutes 49 seconds and having a chord bearing of North 87 degrees 40 minutes 09 seconds East for a distance of 73.07 feet to the existing easterly right-of-way line of the Union Pacific Railroad; thence South 23 degrees 05 minutes 34 seconds West along the existing easterly railroad right-of-way line, 698.75 feet to a point on a 2,780.00 foot radius curve, the center of circle bears South 26 degrees 56 minutes 04 seconds East; thence southwesterly along the curve, 52.93 feet through a central angle of 01 degree 05 minutes 27 seconds and having a chord bearing of South 62 degrees 31 minutes 13 seconds West for a distance of 52.93 feet; thence South 61 degrees 58 minutes 29 seconds West, 51.59 feet to the existing westerly railroad right-of-way line of the Union Pacific Railroad; thence North 23 degrees 05 minutes 34 seconds East along the existing westerly right-of-way line, 693.38 feet to the point of beginning, contains 1.095 acres, more or less.

Bearings and distances are based on the Illinois State Plane Coordinate System, NAD83(97) West Zone, grid factor 0.99993923.