



ORIGINAL

Gerald S. Reed • Edward J. Heller • Thomas W. Mansfield
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Peggy L. Reiman • Richard L. Blake • Matt Foster

BY U.S. MAIL AND FAX(217)785-7405

January 23, 2007

RECEIVED
JAN 25 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

Michael E. Stead
Rail Safety Program Administrator
Illinois Commerce Commission
527 E. Capital Ave.
Springfield, IL 62701

RE: Grand Tower Township/Stipulated Agreement #1217

Dear Mr. Stead:

Enclosed please find the final Order permanently vacating the portion of East Cemetery Road in Grand Tower Township.

If you need anything further, please let me know and I will provide it to you.

Thank you for your cooperation in this regard

Sincerely,
REED, HELLER, MANSFELD & GROSS

BY 
RICHARD L. BLAKE

RLB/as

enc.

cc. David McKernan, Union Pacific Railroad Company
Charles J. Ingersoll, Illinois Department of Transportation
Grant Guthman, Jackson County Engineer

DOCKETED

JAN 25 2007

1100 Walnut
Murphysboro, IL 62966-0727
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Reply to: P. O. Box 727 • Murphysboro, IL 62966-0727 • Tel (618) 687-2376 • Fax (618) 684-5554

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BB
MS

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RECORDED ON

01-23-2007 2:41:14 PM

LARRY W. REINHARDT
JACKSON COUNTY
CLERK & RECORDER

REC. FEE: 21.50
REV. STMP:
RHSP FEE: 10.00
PAGES: 3

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ORDER

WHEREAS, after due notice as provided by law, a public hearing was held on January 22, 2007, for the purpose of examination of the public roadway hereinafter described, and for the purpose of hearing arguments in favor and in opposition to that certain Certificate to Vacate Roadway, filed in the office of the County Clerk of Jackson County, Illinois, on October 11, 2006, in Jackson County Recorder's Book 2006 at Page 37052, by the Grand Tower Township Highway Commissioner, Kenneth Mezo; and

WHEREAS, the hearing was first convened at the site of the roadway for purpose of examination of the roadway and was thereafter reconvened at the Grand Tower Township Civic Center to hear arguments in favor and in opposition; and

WHEREAS, no persons objected to the vacation of said roadway at said hearing; and

WHEREAS, Kenneth Mezo, Grand Tower Highway Commissioner, finds as follows:

1. Vacation of the roadway will be in the public and economic interest in that the Township will not be required to bear the expense of necessary upgrades in improvements and further maintenance.

2. Vacation of the roadway will not deprive any person residing or owning land within two miles of any portion of the roadway reasonable access by the way of a motor vehicle or other portable farm machinery commonly used in the area to farm land he owns or operates and to community and trade centers once the roadway is vacated.

3. The roadway proposed to be vacated is situated within the Township of Grand Tower and is not within any incorporated area.

WHEREAS, the roadway to be vacated is located in Township 11 South, Range 4 West of the 3rd P.M., Jackson County, Illinois, and is described as follows:

All of that portion of East Cemetery Road lying within its intersection with the rail-grade crossing of Union Pacific Railroad Company, designated as crossing AAR/DOT #445 806H, railroad milepost 93.60-A, which road generally runs West to East along the Section line which is the South line of Section 5 and the North line of Section 8, Township 11 South, Range 4 West of the 3rd P.M., Jackson County, Illinois, being all road right of way of East Cemetery Road located on Union Pacific Railroad Company's property.

IT IS HEREBY ORDERED that said roadway hereinabove described should be and is permanently vacated.

DATED: 1-22-, 2007.


KENNETH MEZO, Grand Tower Township
Highway Commissioner, Jackson County, Illinois

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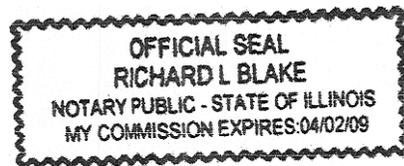
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STATE OF ILLINOIS)
) SS
COUNTY OF JACKSON)

CERTIFICATION

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Kenneth Mezo, Grand Tower Highway Commissioner, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Subscribed and sworn to before me this 22 day of January, 2006.



Richard L. Blake
Notary Public

REED, HELLER, MANSFIELD & GROSS
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