

ORIGINAL

FAYETTE COUNTY HIGHWAY DEPARTMENT

PO BOX 297

VANDALIA, ILLINOIS 62471

MICHAEL A. MAXEY, COUNTY ENGINEER

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June 12, 2007

Union Pacific Railroad Company, Lone Grove)
Road District, and the State of Illinois)
Department of Transportation)

T07-0027

RECEIVED

JUN 14 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

Stipulated Agreement regarding improving public)
safety at the Township Road 511 highway-rail)
grade crossing of the Union Pacific Railroad)
Company's tracks near the Village of Saint Peter,)
Fayette County, designated as crossing)
AAR/DOT # 167 906V, railroad milepost 234.67-CC)

SUPPLEMENTAL PETITION

Now comes supplemental petitioner, Lone Grove Road District ("Road District") by Fayette County ("County") and for its supplemental petition to the Illinois Commerce Commission requests the entry of a Supplemental Order authorizing an increase in the cost for the proposed highway approach reconstruction, allocating the increased project costs among the parties in the same percentages as set forth in the April 18, 2007 order of the Illinois Commerce Commission and requests the entry of a Supplemental Order to revise the plans for the highway approach reconstruction. In support thereof, the Road District states as follows:

1. The County on behalf of the Road district prepared a preliminary estimate of cost, to reconstruct the highway approaches, of \$66,805 dated 10/04/2005. The County on behalf of the Road District has prepared a revised estimate of cost (attached as Exhibit A) based on the final plans of \$74,221. The final estimate reflects current prices as well as revisions made to the plans. Due to the outdated estimate and overall increase in construction costs the Road District believes the revised estimate of \$74,221 is proper and justifiable.
2. In order for the roadway approaches to be constructed to the required profile grade the Union Pacific Railroad Company ("UP") will have to raise the east set of tracks. Therefore the Road District is requesting that the UP remove the east track crossing surface, raise the east track level to the west track and replace the crossing surface so that the tracks conform to current applicable Illinois Administration Code (see Exhibit B, sheets 2 & 3).

DOCKETED

JUN 14 2007

3. The preliminary plans dated 10/05/05 showed proposed manholes being installed at both ends of the UP owned "under the tracks" pipe culvert. Since submitting the preliminary plans on behalf of the Road District the County has learned that this was inappropriate. The Road district does not have ownership of the culvert and as such has no right or obligation to construction or maintenance. Therefore the Road District is requesting that the UP abandon the existing "under the tracks" pipe culvert and install a new culvert as shown in the revised preliminary plans dated 5/10/07 (see Exhibit B, sheet 3). The new culvert must be installed to provide for drainage under the tracks because the proposed roadway fill will cover the existing culvert.
4. The Road District shall continue to work toward the completion of the roadway approach improvement. The revised cost estimate and preliminary plans dated 5/10/07 are attached and incorporated herein by reference as Exhibit A and Exhibit B, 1 - 5.

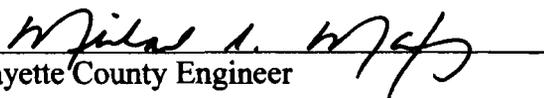
Wherefore, Lone Grove Road District prays that the Illinois Commerce Commission enter a Supplemental Order, without hearing, authorizing an increase in the project cost to modify the highway approaches from \$66,805 to \$74,221 (Exhibit A). Further, Lone Grove Road District prays the Illinois Commerce Commission allocate the increased cost among the parties in the same percentages as set forth in the original Order, specifically Grade Crossing Protection Fund 100% (\$74,221) and Lone Grove Road District 0% (\$0) and Lone Grove Road district prays the Illinois Commerce Commission require the UP to raise the east tracks and install a new "under the tracks" culvert as shown on the revised preliminary plans dated 5/10/07 (Exhibit B, sheets 2 & 3).

Lone Grove Road District



Road Commissioner

Fayette County Highway Department



Fayette County Engineer
P.O. Box 297
Vandalia, IL 62471

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Certificate of Service

I, Michael A. Maxey, Fayette County Engineer, certify that I served a true and correct copy of the foregoing Petition of Supplemental Order upon the parties of record in this proceeding via mail, postage paid, and depositing the same in the United States Mail, Vandalia, Illinois this 13th day of June, 2007.


Michael A. Maxey
Fayette County Engineer

