



ILLINOIS COMMERCE COMMISSION

June 22, 2007

City of Champaign,
Petitioner,

Vs.

Norfolk Southern Corporation,
Respondent.

T07-0048

For the construction of a proposed pedestrian sidewalk grade crossing of the Norfolk Southern Corporation on the West side of Harris Avenue in the City of Champaign adjacent to the existing 2-lane street and East side sidewalk at grade crossing (DOT #543 259Y) of the Norfolk Southern Corporation tracks in the City of Champaign, Champaign County, Illinois.

Mr. Joseph E. Hooker
Assistant City Attorney
City of Champaign
102 North Neil Street
Champaign, IL 61820-4018

Dear Mr. Hooker:

Receipt is acknowledged of the original and two (2) copies of the Petition filed June 22, 2007 in the above matter.

All future correspondence/pleadings should be filed with an original and two (2) copies and addressed to: Mr. Dave Lazarides, 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.illinois.gov and apply for an E-docket account.

Processing and Information Section

KI

- Cc: Staff: Mr. Richard Daniels
- Mr. Thomas W. Ambler, NS
- Mr. Richard E. Boyle, NS
- Mr. Rick Ray, NS
- Ms. Nanci K. Scott, NS
- Mr. Gerald Schweighart, Mayor
- Ms. Marilyn L. Banks, Clerk
- Mr. Steven C. Carter, City Manager

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

CITY OF CHAMPAIGN,)
)
 Petitioner,)
)
 vs.)
)
 NORFOLK SOUTHERN CORPORATION,)
)
 Respondent.)
)
 For the construction of a proposed)
 pedestrian sidewalk grade crossing)
 of the Norfolk Southern Corporation)
 on the West side of Harris Avenue)
 in the City of Champaign adjacent)
 to the existing 2-lane street and East)
 side sidewalk at grade crossing)
 (DOT #543 259 Y) of the)
 Norfolk Southern Corporation tracks)
 in the City of Champaign,)
 Champaign County, Illinois.)

RECEIVED

JUN 22 2007

Illinois Commerce Commission
RAIL SAFETY SECTION

T07-0048

PETITION

NOW COMES THE PETITIONER, CITY OF CHAMPAIGN, a municipal corporation in Illinois, (hereinafter "Petitioner") with its principal offices at 102 North Neil Street, Champaign, Champaign County, Illinois, and who respectfully petitions the Illinois Commerce Commission for an order granting permission to construct a pedestrian sidewalk at grade crossing of the Norfolk Southern Corporation railroad tracks on the west side of Harris Avenue in the City of Champaign adjacent to the existing at grade crossing (DOT #543 259 Y) of the Norfolk Southern Corporation tracks (2-lane street and East side sidewalk) in the City of Champaign, Champaign County, Illinois.

In support of its Petition, the City states as follows:

1. That the Norfolk Southern Corporation, hereinafter referred to as "NSC", whose address is Three Commercial Place, Norfolk, Virginia 23510-9227, is a rail carrier operating its lines of railroad in the State of Illinois in Champaign County, Illinois.

DOCKETED

JUN 22 2007

2. That within the City of Champaign, Champaign County, Illinois, Harris Avenue is a public street under the jurisdiction of the City of Champaign which crosses the track of the NSC at grade. Said crossing is identified as DOT #543 259 Y and includes a 2-lane street pavement and a 4-foot wide sidewalk on the East side of the street.

3. That the Harris Avenue at grade crossing of the street pavement with the aforesaid line of the NSC is protected by automatic flashing lights.

4. That the new sidewalk grade crossing requested is necessary to provide a safe, off street route for the substantial numbers of bicyclists and pedestrians, many of whom are children, who will be using a new sidewalk to be constructed by the City on the west side of Harris Avenue to travel to and from Franklin Middle School, located on the west side of Harris Avenue, and recreational facilities at Spalding Park on the east side of Harris Avenue, including but not limited to Spalding Pool, a public swimming pool. Said school and park are each located approximately one half block from the railroad crossing in question.

5. That the new sidewalk and the proposed grade crossing has been engineered to meet the standards of the City of Champaign and the NSC.

6. That the Illinois Commerce Commission has jurisdiction to approve and order the requested changes pursuant to Illinois Commercial Transportation Law (625 ILCS 5/18c-7401) and Illinois Administrative Code (92 Ill. Adm. Code 1535 et seq.)

NOW, THEREFORE, Petitioner, the City of Champaign, prays that the Illinois Commerce Commission order, in accordance with its authority, the following:

- A. That a hearing be held at the Commission's office within 70 days of this filing;
- B. That a notice be issued to the Norfolk Southern Corporation to submit detailed estimates of costs for the proposed rubber crossing material and installation at least 14 days prior to the scheduled hearing to the City of Champaign Public Works, City of Champaign, Illinois and the Commission staff; and

C. That the Norfolk Southern Corporation be ordered to construct and maintain a new sidewalk at grade crossing including the proposed rubber crossing material and installation as set forth in the plans attached hereto as Exhibit 1.

D. That the ICC enter an order apportioning the costs associated with the construction of the aforementioned sidewalk at grade crossing between the Petitioner and the Respondent, having regard to the benefits accruing to each of the parties from the proposed sidewalk crossing.

Respectfully submitted,

CITY OF CHAMPAIGN,
a municipal corporation

By: *Steven C. Carter*
Steven C. Carter
City Manager

STATE OF ILLINOIS)
)
COUNTY OF CHAMPAIGN)

I, Steven C. Carter, being first duly sworn on oath, do state that I am the City Manager for the City of Champaign, Illinois; that I have read and am familiar with the contents and facts as set forth in the forgoing petition, and that said contents and facts are true to the best of my knowledge and belief.

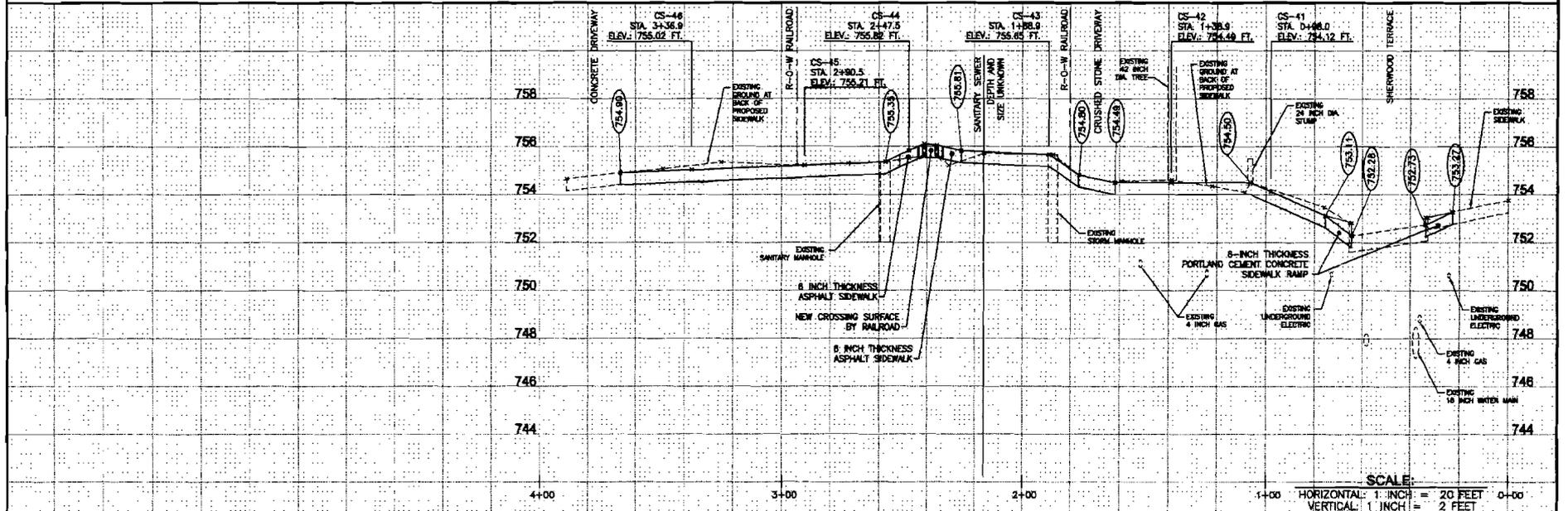
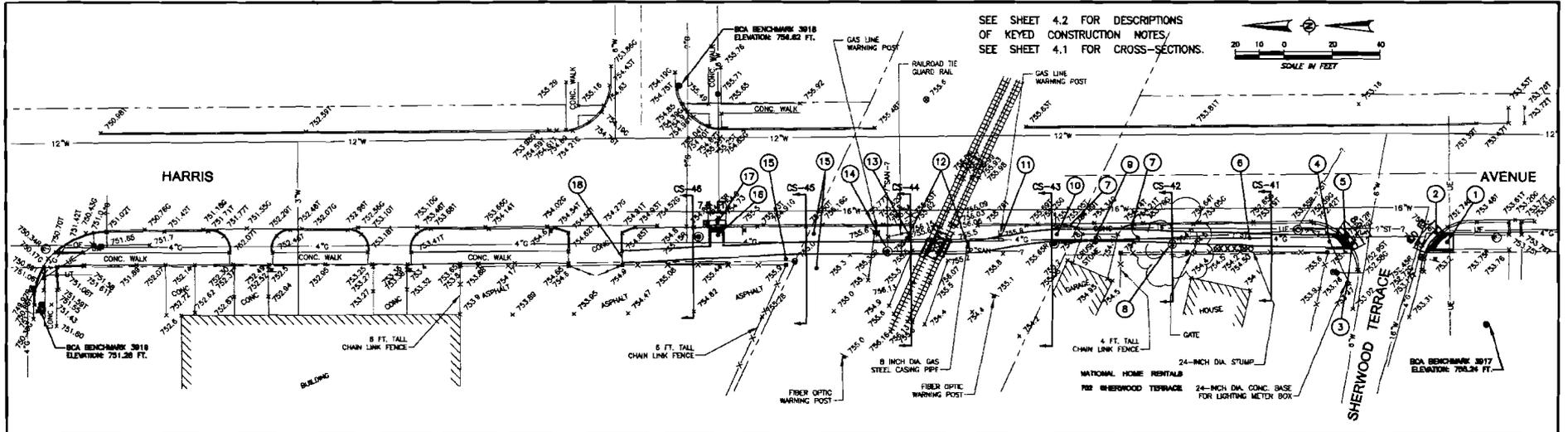
Steven C. Carter
Steven C. Carter

Subscribed and sworn to before me this 19th day of June, 2007

Lisa Hempel
Notary Public

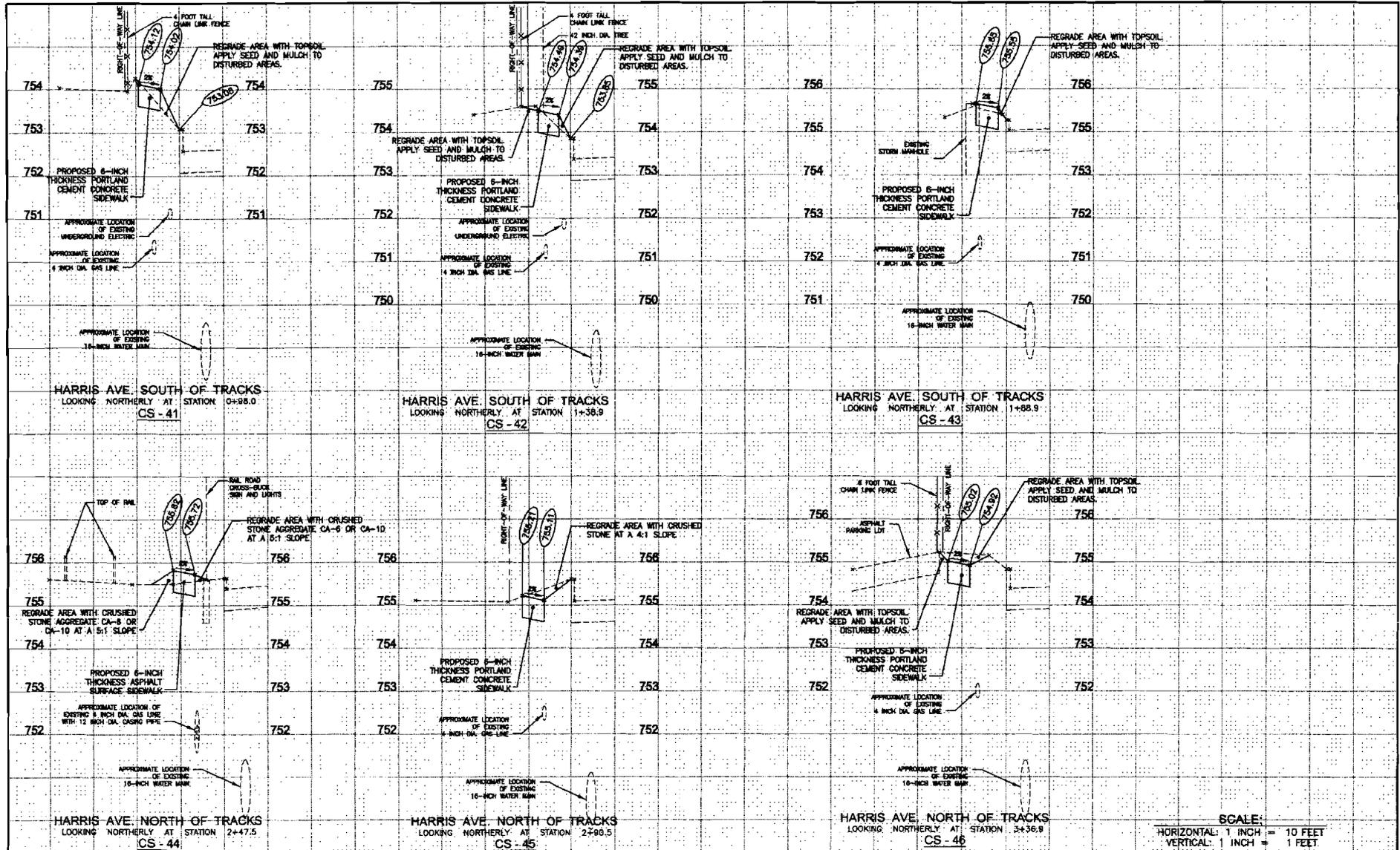


EXHIBIT 1



SHEET NO. 5737-240.DWG DATE: 04/13/07 JOB: 5737	DESIGNED: AWL DRAFTED: SDS CHECKED: ELC/TBB FILE: 5737-240.DWG	REVISIONS 1 2	 BERNS, CLANCY AND ASSOCIATES ENGINEERS & SURVEYORS & PLANNERS 400 BART MANN AVENUE - POST OFFICE BOX 678 URBANA, ILLINOIS 61808-0678 PHONE: (217) 398-1164 - FAX: (217) 398-2366	 CITY OF CHAMPAIGN PUBLIC WORKS DEPARTMENT 702 EDENBROOK DRIVE CHAMPAIGN, ILLINOIS 61820 PHONE: (217) 465-4750 FAX: (217) 465-4758	2007 INFRASTRUCTURE MAINTENANCE PROJECTS	HARRIS AVENUE SIDEWALK GAP	SIDEWALK PLAN & PROFILE	DATE: 04/13/07 4.0 JOB: 5737
---	---	---------------------	---	--	---	---------------------------------------	--	------------------------------------

EXHIBIT 1 cont.



SCALE:
 HORIZONTAL: 1 INCH = 10 FEET
 VERTICAL: 1 INCH = 1 FEET

DATE: 04/13/07
4.1
JOB: 5737

DESIGNED: AWL	REVISIONS:
DRAWN: SDS	
CHECKED: ELC/TBB	
FILE: 5737-041.DWG	

BERNS, CLANCY AND ASSOCIATES
 ENGINEERS • SURVEYORS • PLANNERS
 400 BART ROAD STREET, FORT OFFICE BOX 679
 URBANA, ILLINOIS 61803-0798
 PHONE: (317) 584-1544 FAX: (317) 584-4888

CITY OF CHAMPAIGN PUBLIC WORKS DEPARTMENT
 702 EDGEBROOK DRIVE
 CHAMPAIGN, ILLINOIS 61820
 PHONE: (317) 453-4710 FAX: (317) 453-4710

2007 INFRASTRUCTURE MAINTENANCE PROJECTS

HARRIS AVENUE SIDEWALK GAP

TYPICAL CROSS-SECTIONS

DATE: 04/13/07
4.1
JOB: 5737

LEGEND

- 30 INCH LONG, 1/2 INCH DIAMETER IRON PIPE SURVEY MONUMENT SET WITH ALUMINUM CAP STAMPED "LS 2006 2207"
- EXISTING IRON PIPE/PIN SURVEY MONUMENT FOUND
- BENCHMARK/DESIGNATION
- EXISTING FENCE LINE
- EXISTING PROPERTY LINE
- PREVIOUS RIGHT-OF-WAY LINE
- ⊕ EXISTING CENTERLINE
- ⊕ EXISTING SIGN
- ⊕ EXISTING BUSH/VEGETATION
- ⊕ EXISTING DECIDUOUS TREE/SIZE
- ⊕ EXISTING EVERGREEN TREE/SIZE
- EXISTING PRIVATE MAILBOX
- EXISTING "SOFT" SPOT ELEVATION
- EXISTING "HARD" SPOT ELEVATION
- EXISTING "HARD" SPOT ELEVATION AT TOP OF CURB
- EXISTING GAS VALVE
- EXISTING WATER VALVE
- EXISTING CABLE TELEVISION PEDESTAL
- ⊕ EXISTING ELECTRIC LIGHTING MANHOLE (HAND HOLE)
- ⊕ EXISTING ELECTRIC TRAFFIC SIGNAL LIGHT
- ⊕ EXISTING UTILITY POLE/ GUY WIRE/TRANSFORMER
- ⊕ EXISTING EXTENDED ARM POLE LIGHT
- Ⓢ KEYED NOTE
- PERMANENT RIGHT-OF-WAY LINE
- TEMPORARY CONSTRUCTION EASEMENT
- Ⓢ 784.82 PROPOSED SPOT ELEVATION

PAY ITEMS - HARRIS AVENUE SIDEWALK GAP

PAY ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY
20100210	TREE REMOVAL (OVER 15 UNITS DIAMETER)	UNIT	42
40800040 *	ASPHALT SIDEWALK, 6 INCH THICKNESS	SQ FT	80
42300200 *	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT, 6 INCH **	SQ YD	10
42400300 *	PORTLAND CEMENT CONCRETE SIDEWALK, 6 INCH **	SQ FT	1,504
42400310 *	PORTLAND CEMENT CONCRETE SIDEWALK, RAMPS **	SQ FT	106
44001700 *	COMBINATION CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT **	FOOT	32
44004630 *	SIDEWALK REMOVAL AND REPLACEMENT, RAMPS **	SQ FT	62
60282510 *	INLETS TO BE ADJUSTED WITH NEW FRAME AND GRATE	EACH	1
X0300624 *	RAILROAD PROTECTIVE LIABILITY INSURANCE (SPECIAL)	L SUM	1
X2010505 *	CLEARING SPECIAL	L SUM	0.5
X2500000 *	SEEDING AND MULCHING **	FOOT	231
Z0013798 *	CONSTRUCTION LAYOUT	L SUM	0.2

* INDICATES THAT A SUPPLEMENTAL SPECIFICATION IS INCLUDED FOR THE ITEM IN PART 3 OF THE CONTRACT DOCUMENTS. ALL OTHER ITEMS ARE TO BE IN ACCORDANCE WITH ILLINOIS DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", ADOPTED JANUARY 1, 2007, AND "SUPPLEMENTAL SPECIFICATIONS AND REQUIRING SPECIAL PROVISIONS" AS ADOPTED BY THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, DATED MARCH 1, 2005, UNLESS OTHERWISE NOTED ON THE PLANS OR IN THE PROJECT DOCUMENTS.

** INDICATES PAY ITEM HAS A CONTINGENCY QUANTITY AS STATED IN SECTION 2.9 OF THE PROJECT SPECIFICATIONS.

GENERAL SIDEWALK CONSTRUCTION NOTES

1. SEE SIDEWALK DETAILS AND NOTES ON SHEET 6.0 AND AT THE END OF PART 3 OF THE CONTRACT DOCUMENTS.
2. CONSTRUCTION PARAMETERS SHALL GENERALLY BE AS FOLLOWS:
GENERALLY MATCH WESTERLY EDGE OF SIDEWALK (BACK) ELEVATION TO EXISTING GROUND ELEVATION. PROVIDE A 2% CROSS-SLOPE ACROSS THE SIDEWALK GRADE AREA BETWEEN EASTERLY EDGE OF SIDEWALK (FRONT) AND BACK OF CURB TO DRAIN. PLACE SEED AND MULCH OVER AREAS THAT WERE DISTURBED WHERE GRASS PREVIOUSLY EXISTED. BACKFILL SIDEWALK WITH CRUSHED STONE WITHIN THE RAILROAD RIGHT OF WAY INCIDENTAL TO SIDEWALK CONSTRUCTION.
3. SIDEWALK CONTRACTION JOINTS SHALL TYPICALLY BE AT 5 FOOT INTERVALS.
4. PROVIDE TRANSVERSE EXPANSION JOINTS AT 50 FOOT INTERVALS.
5. PROVIDE LONGITUDINAL EXPANSION JOINTS BETWEEN NEW SIDEWALK AND EXISTING PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENTS IN ACCORDANCE WITH THE DETAILS IN THE CONTRACT DOCUMENTS.
6. CONTRACTOR MUST HAVE RAILROAD FLAGGER ON SITE WHILE WORKING ON RAILROAD RIGHT-OF-WAY. CONTRACTOR MUST GIVE NORFOLK SOUTHERN 48 HOURS NOTICE PRIOR TO BEGINNING WORK IN THE RAILROAD RIGHT-OF-WAY.
7. BACKFILL FOR THE SIDEWALK WITHIN THE RAILROAD RIGHT-OF-WAY SHALL BE CA-6 OR CA-10 AGGREGATE AT MAXIMUM 5:1 SLOPES. PROMOSION OF AGGREGATE BACKFILL SHALL BE INCIDENTAL TO THE CONCRETE SIDEWALK PAY ITEM.

KEYED CONSTRUCTION NOTES

- ① REMOVE 2 PANELS OF SIDEWALK AND CONSTRUCT NEW 7 FOOT WIDE SIDEWALK RAMP IN ACCORDANCE TO THE DETAILS ON SHEET 6.0.
- ② REMOVE 9 FEET OF CONCRETE BARRIER CURB AND GUTTER AND REPLACE WITH NEW DEPRESSED BARRIER CURB AND GUTTER IN ACCORDANCE WITH THE SIDEWALK RAMP DETAILS ON SHEET 6.0. ANY ASPHALT SURFACE DAMAGED OR REMOVED DURING THE REMOVAL PROCESS SHALL BE REPLACED INCIDENTAL TO THE CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT PAY ITEM.
- ③ REMOVE 8 FEET OF CONCRETE BARRIER CURB AND GUTTER AND REPLACE WITH NEW DEPRESSED BARRIER CURB AND GUTTER IN ACCORDANCE WITH THE SIDEWALK RAMP DETAILS ON SHEET 6.0. ANY ASPHALT SURFACE DAMAGED OR REMOVED DURING THE REMOVAL PROCESS SHALL BE REPLACED INCIDENTAL TO THE CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT PAY ITEM.
- ④ CONSTRUCT 6 FOOT WIDE SIDEWALK RAMP IN ACCORDANCE TO THE DETAILS ON SHEET 6.0. ALIGN THE EASTERN EDGE OF THE RAMP TO BE DIRECTLY ACROSS FROM THE EASTERN EDGE OF THE SIDEWALK RAMP ON THE SOUTHWESTERN CORNER OF HARRIS AVENUE AND SHERWOOD TERRACE.
- ⑤ REMOVE EXISTING INLET CASTING AND REPLACE WITH A NEW R-3517 CASTING AND TYPE "C" GRATE. CASTING NUMBER REFERS TO "NEEDHAM" CASTINGS. APPROVED EQUAL MAY BE USED.
- ⑥ NEW 6 INCH THICKNESS, 5 FOOT WIDE CONCRETE SIDEWALK.
- ⑦ EDGE BETWEEN CURB AND SIDEWALK SHOULD BE NO LESS THAN 2 FEET. EXTEND SIDEWALK WITHIN 50 THAT THE GAPS BETWEEN SIDEWALK AND SIDEWALK LESS THAN 2 FEET. PROVIDE EXPANSION JOINT ALONG CURB AND GUTTER.
- ⑧ REMOVE EXISTING 42 INCH DIAMETER TREE TO CONSTRUCT NEW 5 FOOT WIDE SIDEWALK. CONTRACTOR TO USE CAUTION AROUND OVERHEAD LINES DURING THE LIMB REMOVAL PROCESS.
- ⑨ SAWCUT THROUGH AND REMOVE PORTION OF EXISTING DRIVE TO CONSTRUCT NEW 5 FOOT WIDE SIDEWALK. PROVIDE EXPANSION JOINT BETWEEN REMAINING APPROACH PAVEMENT AND NEW SIDEWALK. REPLACE ANY EXCAVATED CRUSHED STONE ON THE WESTERN SIDE AND REGRADE AS NECESSARY TO DRAIN TO HARRIS AVENUE.
- ⑩ CONSTRUCT SIDEWALK BETWEEN STREET LIGHT POST AND STORM MANHOLE. PLACE A PIECE OF SONOTUBE MATERIAL AROUND STREET LIGHT POST FOR BARRIER WITH CONCRETE SIDEWALK. ALIGN TRANSVERSE SIDEWALK JOINT DIRECTLY BETWEEN MANHOLE AND STREET LIGHT.
- ⑪ PRESERVE AND PROTECT GASLINE WARNING POST.
- ⑫ CONSTRUCT CONCRETE SIDEWALK TO A DISTANCE OF EIGHT (8) FEET OF THE RAILROAD TIES ON EITHER SIDE OF THE TRACKS. NORFOLK AND SOUTHERN SHALL PROVIDE RUBBER FIXTURE FOR INSTALLATION AROUND RAILS. CONTRACTOR SHALL INSTALL 6 INCHES OF ASPHALT SURFACE BETWEEN RUBBER FIXTURE AND CONCRETE SIDEWALK. CONTRACTOR SHALL PLACE ASPHALT SURFACE DIRECTLY ON THE BALLAST MATERIAL. SHOULD FILL BE NECESSARY, CA-6 OR CA-10 WILL BE UTILIZED AS A BASE COURSE INCIDENTAL TO THE ASPHALT SIDEWALK, 6 INCH THICKNESS PAY ITEM.
- ⑬ PRESERVE AND PROTECT GUARDRAIL AND RAILROAD WARNING SIGN AND BASE.
- ⑭ CONSTRUCT SIDEWALK AROUND MANHOLE CASTING. ALIGN TRANSVERSE SIDEWALK JOINT AT THE CENTER OF THE MANHOLE FRAME.
- ⑮ REMOVE BRUSH AND GRASS EVEN WITH THE EXISTING FENCE LINE IN ORDER TO CONSTRUCT NEW SIDEWALK. REMOVALS SHALL BE IN ACCORDANCE WITH AND PAID FOR AS CLEARING SPECIAL.
- ⑯ CONSTRUCT NEW 6 FOOT WIDE SIDEWALK RAMP DIRECTLY ACROSS FROM EXISTING RAMP AT THE SOUTHEASTERN CORNER OF BEARDSLEY AVENUE AND HARRIS AVENUE IN ACCORDANCE WITH THE DETAILS ON SHEET 6.0.
- ⑰ REMOVE 7.5 FEET OF BARRIER CURB AND REPLACE WITH DEPRESSED BARRIER CURB AND GUTTER IN ACCORDANCE WITH THE DETAILS ON SHEET 6.0.
- ⑱ MATCH EXISTING DRIVEWAY APPROACH ELEVATIONS. CONSTRUCT NEW SIDEWALK UP TO EXISTING APPROACH.

BENCHMARKS (NAVD 1988)

- BCA BENCHMARK 3917
ELEVATION: 755.24 FT.
PK NAIL IN THE EAST FACE OF A POWER POLE, 43.5 FEET SOUTH OF THE CENTERLINE OF SHERWOOD TERRACE AND 63.0 FEET WEST OF THE CENTERLINE OF HARRIS AVENUE, CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS.
- BCA BENCHMARK 3918
ELEVATION: 756.82 FT
CHISELED SQUARE ON THE NORTHWEST CORNER OF A CONCRETE BASE FOR A LIGHT POLE, 14.5 FEET SOUTH OF THE CENTERLINE OF BEARDSLEY AVENUE AND 38.3 FEET EAST OF THE CENTERLINE OF HARRIS AVENUE, CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS.
- BCA BENCHMARK 3919
ELEVATION: 751.28 FT
CHISELED SQUARE ON THE EAST SIDE OF A CONCRETE BASE FOR A TRAFFIC SIGNAL, 25.3 FEET SOUTH OF THE CENTERLINE OF BEARDSLEY AVENUE AND 50.5 FEET WEST OF THE CENTERLINE OF HARRIS AVENUE, CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS.

DESIGNED: AWL	REVISIONS:
DRAFTED: SDS	
CHECKED: ELC/TBB	
FILE: 5737-042.DWG	

BERNS, CLANCY AND ASSOCIATES
ENGINEERS • SURVEYORS • PLANNERS
409 EAST MAIN STREET - POST OFFICE BOX 670
URBANA, ILLINOIS 62903-0700
PHONE: (317) 884-1166 FAX: (317) 884-0888

CITY OF CHAMPAIGN
PUBLIC WORKS DEPARTMENT
700 EDGEBROOK DRIVE
CHAMPAIGN, ILLINOIS 61820
PHONE: (317) 408-4719 FAX: (317) 403-4780

2007 INFRASTRUCTURE
MAINTENANCE PROJECTS

HARRIS AVENUE
SIDEWALK GAP

KEYED CONSTRUCTION NOTES
SUMMARY OF QUANTITIES

DATE: 04/13/07
4.2
JOB: 5737

CERTIFICATE OF SERVICE

The undersigned, being first duly sworn on oath, deposes and says that she served a copy of the forgoing Petition to the Illinois Commerce Commission upon the within named:

Norfolk Southern Corporation
Three Commercial Place
Norfolk, VA 23510-9227

by placing a true and correct copy of said Petition in an envelope, addressed as is shown above.

That she delivered said envelope to the City Mail depository in the City Building at 102 N. Neil Street, Champaign, Illinois for customary processing and mailing, including the placement of sufficient postage on said envelope and the depositing of the same in the United States Mail at Champaign, Illinois, at or about the hour of 5:00 p.m. on the 20th day of June 2007.

Michelle L. Lucke

Subscribed and sworn to before me this 20th day of June 2007.

Deanna R. Buss
Notary Public



Prepared By:
City of Champaign
Legal Department
102 North Neil Street
Champaign, Illinois 61820
(217) 403-8765