

ORIGINAL

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

CITY OF CHAMPAIGN, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 NORFOLK SOUTHERN RAILWAY COMPANY, )  
 )  
 Respondent. )  
 )  
 For the construction of a proposed )  
 pedestrian sidewalk grade crossing )  
 of the Norfolk Southern Railway Company )  
 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 Railway Company tracks )  
 in the City of Champaign, )  
 Champaign County, Illinois. )

**RECEIVED**

OCT 19 2007

Illinois Commerce Commission  
RAIL SAFETY SECTION

T07-0048

**AMENDED 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 files this Amended Petition to the Illinois Commerce Commission for an order granting permission to construct a pedestrian sidewalk at grade crossing of the Norfolk Southern Railway Company 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 Railway Company tracks (2-lane street and East side sidewalk) in the City of Champaign, Champaign County, Illinois.

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

1. That the Norfolk Southern Railway Company, hereinafter referred to as "NSRC", 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**

OCT 19 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 NSRC 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 NSRC 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 NSRC.

6. That Petitioner is filing this Amended Petition in order to correctly identify the Respondent as the Norfolk Southern Railway Company rather than the Norfolk Southern Railway Corporation, and to propose, per agreement of the parties, that the ICC order the following:

a. That Respondent construct the aforesaid sidewalk grade crossing in accordance with the specifications attached hereto and incorporated by reference as Exhibit 1;

b. That Petitioner reimburse Respondent for some of the costs of said construction in accordance with the price schedule set forth in Exhibit 2.

c. That Respondent be ordered to maintain that portion of said newly constructed sidewalk grade crossing that lies between the northern and southern ends of the railroad ties

supporting the subject railroad tracks and that the Petitioner be ordered to maintain the remaining portion of said newly constructed sidewalk grade crossing, both in perpetuity;

7. That the Illinois Commerce Commission (ICC) 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 ICC enter an expedited decision ordering, per the agreement of the parties hereto, the following:

A. That Respondent, Norfolk Southern Railway Company, construct a grade level sidewalk crossing at Harris Street in accordance with the specifications in Exhibit 1;

B. That Petitioner reimburse respondent the sum of \$4,088 for a portion of the cost of the initial construction of said grade level crossing, in accordance with the price schedule provided in Exhibit 2.

C. That Respondent shall be solely responsibility for maintaining that portion of the newly constructed grade level sidewalk crossing that lies between the northern and southern ends of the railroad ties supporting the subject railroad tracks in perpetuity; and

D. That the Petitioner shall be solely responsible for maintaining that portion of the newly constructed grade level sidewalk crossing located outside of the area assigned to the Respondent in the preceding paragraph.

Respectfully submitted,

CITY OF CHAMPAIGN,  
a municipal corporation

By:   
Steven C. Carter  
City Manager

STATE OF ILLINOIS            )  
  ) ss.  
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

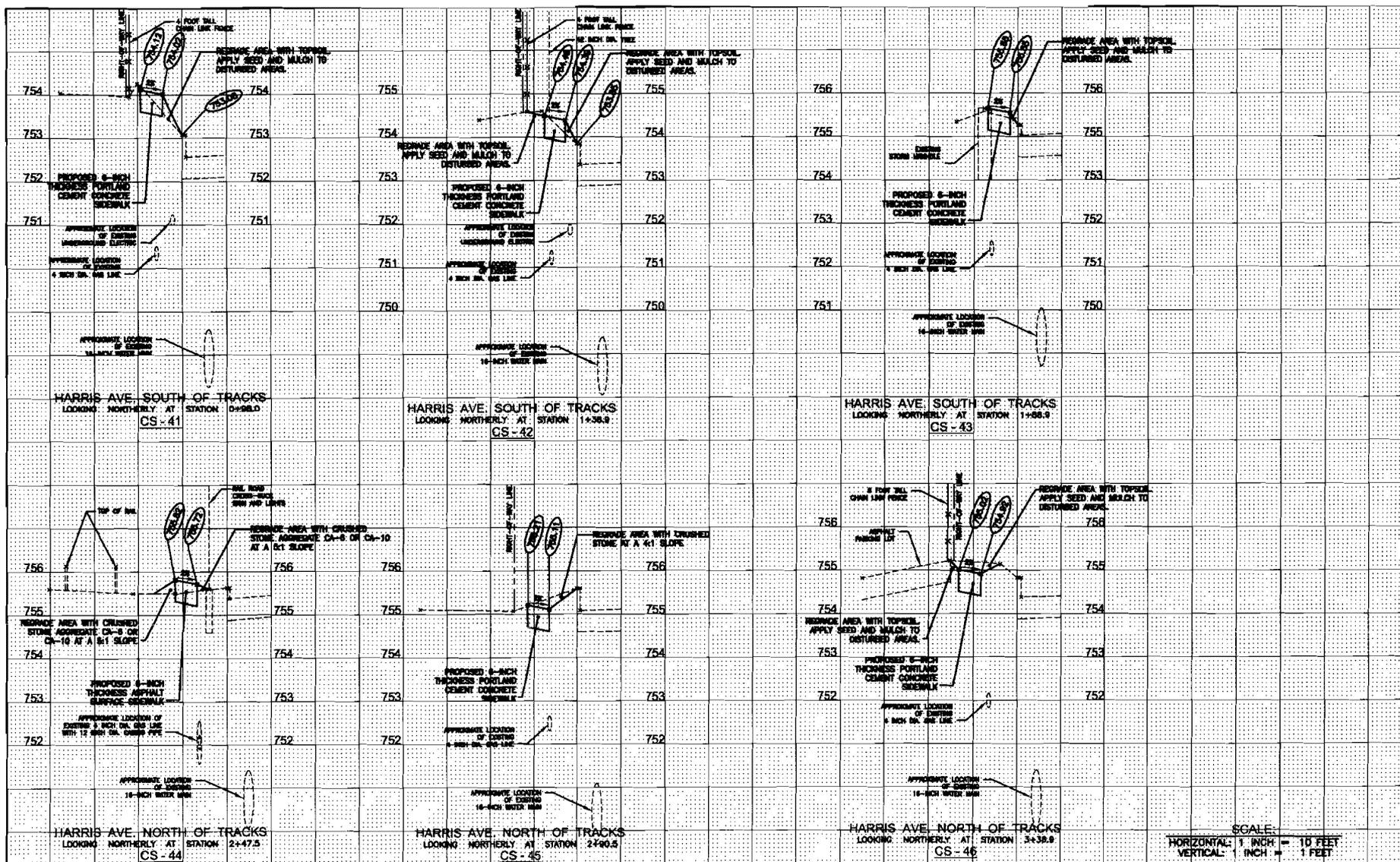
Subscribed and sworn to before me this 16<sup>th</sup> day of October, 2007

*Lisa Hempel*  
Notary Public





EXHIBIT 1 cont.



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

ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. ALL UTILITIES SHALL BE RELOCATED TO THE PROPOSED ALIGNMENT BY THE CONTRACTOR PRIOR TO CONSTRUCTION. REFER TO THE UTILITY LOCATIONS FOR UTILITY LOCATIONS AND DEPT. APPROVALS. SEE "AS SHOWN" FOR UTILITY LOCATIONS.	DESIGNED: AWL	REVISIONS:
	DRAWN: SCS	
	CHECKED: ELC/TBB	
	FILE: 5737-041.DWG	

**BERNS, CLANCY AND ASSOCIATES**  
 ENGINEERS • SURVEYORS • PLANNERS  
 405 EAST MAIN STREET • PO BOX 6078  
 URBANA, ILLINOIS 61802-0780  
 PHONE: (217) 264-1100 • FAX: (217) 264-2255

**CITY OF CHAMPAIGN**  
 PUBLIC WORKS DEPARTMENT  
 702 EDGEBROOK DRIVE  
 CHAMPAIGN, ILLINOIS 61820  
 PHONE: (217) 402-4710 FAX: (217) 402-4725

2007 INFRASTRUCTURE  
 MAINTENANCE PROJECTS

HARRIS AVENUE  
 SIDEWALK GAP

TYPICAL  
 CROSS-SECTIONS

DATE: 04/30/07  
 4.1  
 JOB: 5737

# EXHIBIT 1 cont.

LEGEND	PAY ITEMS - HARRIS AVENUE SIDEWALK GAP	GENERAL SIDEWALK CONSTRUCTION NOTES	KEYED CONSTRUCTION NOTES																																																				
<ul style="list-style-type: none"> <li>● 30 INCH LONG, 1/2 INCH DIAMETER IRON PIPE SURVEY MONUMENT SET WITH ALLUMINUM CAP STAMPED "LS 2008 2207"</li> <li>○ EXISTING IRON PIPE/PIN SURVEY MONUMENT FOUND</li> <li>● BENCHMARK/DESIGNATION</li> <li>----- EXISTING FENCE LINE</li> <li>----- EXISTING PROPERTY LINE</li> <li>----- PREVIOUS RIGHT-OF-WAY LINE</li> <li>----- EXISTING CENTERLINE</li> <li>--- EXISTING SIGN</li> <li>--- EXISTING BUSH/VEGETATION</li> <li>● EXISTING DECIDUOUS TREE/SIZE</li> <li>● EXISTING EVERGREEN TREE/SIZE</li> <li>● EXISTING FUNKIE MANUBOK</li> <li>● EXISTING "SOFT" SPOT ELEVATION</li> <li>● EXISTING "HARD" SPOT ELEVATION</li> <li>● EXISTING "HARD" SPOT ELEVATION AT TOP OF CURB</li> <li>● EXISTING GAS VALVE</li> <li>● EXISTING WATER VALVE</li> <li>■ EXISTING CABLE TELEVISION PEDESTAL</li> <li>■ EXISTING ELECTRIC LIGHTING MANHOLE (HAND HOLE)</li> <li>● EXISTING ELECTRIC TRAFFIC SIGNAL LIGHT</li> <li>--- EXISTING UTILITY POLE/GUY WIRE/TRANSFORMER</li> <li>○ EXISTING EXTENDED ARM POLE LIGHT</li> <li>○ KEYED NOTE</li> <li>----- PERMANENT RIGHT-OF-WAY LINE</li> <li>----- TEMPORARY CONSTRUCTION EASEMENT</li> <li>○ (784.82) PROPOSED SPOT ELEVATION</li> </ul>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>PAY ITEM NUMBER</th> <th>DESCRIPTION</th> <th>UNIT</th> <th>QUANTITY</th> </tr> </thead> <tbody> <tr> <td>20100210</td> <td>TREE REMOVAL (OVER 15 INCHS DIAMETER)</td> <td>UNIT</td> <td>42</td> </tr> <tr> <td>40800040</td> <td>ASPHALT SIDEWALK, 6 INCH THICKNESS</td> <td>SQ FT</td> <td>80</td> </tr> <tr> <td>42300200</td> <td>PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT REMOVAL AND REPLACEMENT, 6 INCH **</td> <td>SQ YD</td> <td>10</td> </tr> <tr> <td>43400300</td> <td>PORTLAND CEMENT CONCRETE SIDEWALK, 6 INCH **</td> <td>SQ FT</td> <td>1,504</td> </tr> <tr> <td>43400310</td> <td>PORTLAND CEMENT CONCRETE SIDEWALK, RAMP **</td> <td>SQ FT</td> <td>108</td> </tr> <tr> <td>44001700</td> <td>COMBINATION CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT **</td> <td>FOOT</td> <td>32</td> </tr> <tr> <td>44004630</td> <td>SIDEWALK REMOVAL AND REPLACEMENT, RAMP **</td> <td>SQ FT</td> <td>62</td> </tr> <tr> <td>60262510</td> <td>INLETS TO BE ADJUSTED WITH NEW FRAME AND GRATE</td> <td>EACH</td> <td>1</td> </tr> <tr> <td>30300624</td> <td>RAILROAD PROTECTIVE LIABILITY INSURANCE (SPECIAL)</td> <td>L SUM</td> <td>1</td> </tr> <tr> <td>32010505</td> <td>CLEARING SPECIAL</td> <td>L SUM</td> <td>0.5</td> </tr> <tr> <td>32500000</td> <td>SEEDING AND MULCHING **</td> <td>FOOT</td> <td>231</td> </tr> <tr> <td>20013798</td> <td>CONSTRUCTION LAYOUT</td> <td>L SUM</td> <td>0.2</td> </tr> </tbody> </table> <p>* 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 RECURRING SPECIAL PROVISIONS" AS ADOPTED BY THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION, DATED MARCH 1, 2006, UNLESS OTHERWISE NOTED ON THE PLANS OR IN THE PROJECT DOCUMENTS.</p> <p>** INDICATES PAY ITEM HAS A CONTINGENCY QUANTITY AS STATED IN SECTION 2.9 OF THE PROJECT SPECIFICATIONS.</p>	PAY ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	20100210	TREE REMOVAL (OVER 15 INCHS 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	43400300	PORTLAND CEMENT CONCRETE SIDEWALK, 6 INCH **	SQ FT	1,504	43400310	PORTLAND CEMENT CONCRETE SIDEWALK, RAMP **	SQ FT	108	44001700	COMBINATION CONCRETE CURB AND GUTTER REMOVAL AND REPLACEMENT **	FOOT	32	44004630	SIDEWALK REMOVAL AND REPLACEMENT, RAMP **	SQ FT	62	60262510	INLETS TO BE ADJUSTED WITH NEW FRAME AND GRATE	EACH	1	30300624	RAILROAD PROTECTIVE LIABILITY INSURANCE (SPECIAL)	L SUM	1	32010505	CLEARING SPECIAL	L SUM	0.5	32500000	SEEDING AND MULCHING **	FOOT	231	20013798	CONSTRUCTION LAYOUT	L SUM	0.2	<ol style="list-style-type: none"> <li>1. SEE SIDEWALK DETAILS AND NOTES ON SHEET 0.0 AND AT THE END OF PART 3 OF THE CONTRACT DOCUMENTS.</li> <li>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.</li> <li>3. SIDEWALK CONTRACTION JOINTS SHALL TYPICALLY BE AT 5 FOOT INTERVALS.</li> <li>4. PROVIDE TRANSVERSE EXPANSION JOINTS AT 50 FOOT INTERVALS.</li> <li>5. PROVIDE LONGITUDINAL EXPANSION JOINTS BETWEEN NEW SIDEWALK AND EXISTING PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENTS IN ACCORDANCE WITH THE DETAILS IN THE CONTRACT DOCUMENTS.</li> <li>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.</li> <li>7. BACKFILL FOR THE SIDEWALK WITHIN THE RAILROAD RIGHT-OF-WAY SHALL BE CA-6 OR CA-10 AGGREGATE AT MINIMUM 5:1 SLOPES. PROVISION OF AGGREGATE BACKFILL SHALL BE INCIDENTAL TO THE CONCRETE SIDEWALK PAY ITEM.</li> </ol>	<ol style="list-style-type: none"> <li>1 REMOVE 2 PANELS OF SIDEWALK AND CONSTRUCT NEW 7 FOOT WIDE SIDEWALK RAMP IN ACCORDANCE TO THE DETAILS ON SHEET 0.0.</li> <li>2 REMOVE 6 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 0.0. 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.</li> <li>3 REMOVE 6 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 0.0. 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.</li> <li>4 CONSTRUCT 6 FOOT WIDE SIDEWALK RAMP IN ACCORDANCE TO THE DETAILS ON SHEET 0.0. 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.</li> <li>5 REMOVE EXISTING INLET CASTING AND REPLACE WITH A NEW R-3517 CASTING AND TYPE "C" GRATE. CASTING NUMBER REFERS TO "MECHAN" CASTINGS. APPROVED EQUAL MAY BE USED.</li> <li>6 NEW 6 INCH THICKNESS, 5 FOOT WIDE CONCRETE SIDEWALK.</li> <li>7 EDGE BETWEEN CURB AND SIDEWALK SHOULD BE NO LESS THAN 2 FEET. EXTEND SIDEWALK WIDTH SO THAT THERE ARE NO GAPS BETWEEN CURB AND SIDEWALK LESS THAN 2 FEET. PROVIDE EXPANSION JOINT ALONG CURB AND GUTTER.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>11 PRESERVE AND PROTECT GASLINE WARNING POST.</li> <li>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 CONCRETE CROSSING AROUND RAILS. CONTRACTOR SHALL INSTALL 6 INCHES OF ASPHALT SURFACE BETWEEN CONCRETE CROSSING 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.</li> <li>13 PRESERVE AND PROTECT GUARDRAIL AND RAILROAD WARNING SIGN AND BASE.</li> <li>14 CONSTRUCT SIDEWALK AROUND MANHOLE CASTING. ALIGN TRANSVERSE SIDEWALK JOINT AT THE CENTER OF THE MANHOLE FRAME.</li> <li>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.</li> <li>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 0.0.</li> <li>17 REMOVE 7.5 FEET OF BARRIER CURB AND REPLACE WITH DEPRESSED BARRIER CURB AND GUTTER IN ACCORDANCE WITH THE DETAILS ON SHEET 0.0.</li> <li>18 MATCH EXISTING DRIVEWAY APPROACH ELEVATIONS. CONSTRUCT NEW SIDEWALK UP TO EXISTING APPROACH.</li> </ol>
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<p><b>BENCHMARKS (NAVD 1988)</b></p> <p>BCA BENCHMARK 3017 ELEVATION: 790.24 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.</p> <p>BCA BENCHMARK 3018 ELEVATION: 790.42 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.</p> <p>BCA BENCHMARK 3019 ELEVATION: 791.28 FT. CHISELED SQUARE ON THE EAST SIDE OF A CONCRETE BASE FOR A TRAFFIC SIGNAL, 25.5 FEET SOUTH OF THE CENTERLINE OF BRADLEY AVENUE AND 50.5 FEET WEST OF THE CENTERLINE OF HARRIS AVENUE, CITY OF CHAMPAIGN, CHAMPAIGN COUNTY, ILLINOIS.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">                 DATE: 11/11/07                  INTO THE EXIST LOCATION OF ALL UTILITIES SHALL BE VIEWED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES FOR UTILITY LOCATIONS PER ILL. 1-1988 (88-403) PER ALL UTILITIES.             </td> <td style="width: 15%;">                 DESIGNED: AML                  DRAWN: SDB                  CHECKED: ELC/TBE                  FILE: 5737-042.DWG             </td> <td style="width: 15%;">                 REVISIONS             </td> <td style="width: 15%;">  <b>BERNS, CLANCY AND ASSOCIATES</b>                  ENGINEERS • SURVEYORS • PLANNERS                  405 EAST MAIN STREET • POST OFFICE BOX 679                  URBANA, ILLINOIS 62901                  PHONE: (217) 264-1144 • FAX: (217) 264-3286             </td> <td style="width: 15%;">  <b>CITY OF CHAMPAIGN</b>                  PUBLIC WORKS DEPARTMENT                  703 EDGEBROOK DRIVE                  CHAMPAIGN, ILLINOIS 61820                  PHONE: (217) 403-4710 FAX: (217) 403-4735             </td> <td style="width: 15%;">                 2007 INFRASTRUCTURE                  MAINTENANCE PROJECTS             </td> <td style="width: 15%;">                 HARRIS AVENUE                  SIDEWALK GAP             </td> <td style="width: 15%;">                 KEYED CONSTRUCTION NOTES                  SUMMARY OF QUANTITIES             </td> <td style="width: 10%;">                 DATE: 04/30/07                  4.2                  JOB: 5737             </td> </tr> </table>			DATE: 11/11/07 INTO THE EXIST LOCATION OF ALL UTILITIES SHALL BE VIEWED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES FOR UTILITY LOCATIONS PER ILL. 1-1988 (88-403) PER ALL UTILITIES.	DESIGNED: AML DRAWN: SDB CHECKED: ELC/TBE FILE: 5737-042.DWG	REVISIONS	 <b>BERNS, CLANCY AND ASSOCIATES</b> ENGINEERS • SURVEYORS • PLANNERS 405 EAST MAIN STREET • POST OFFICE BOX 679 URBANA, ILLINOIS 62901 PHONE: (217) 264-1144 • FAX: (217) 264-3286	 <b>CITY OF CHAMPAIGN</b> PUBLIC WORKS DEPARTMENT 703 EDGEBROOK DRIVE CHAMPAIGN, ILLINOIS 61820 PHONE: (217) 403-4710 FAX: (217) 403-4735	2007 INFRASTRUCTURE MAINTENANCE PROJECTS	HARRIS AVENUE SIDEWALK GAP	KEYED CONSTRUCTION NOTES SUMMARY OF QUANTITIES	DATE: 04/30/07 4.2 JOB: 5737																																											
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## EXHIBIT 2

Norfolk Southern Railway Company  
WESTERN REGION -ILLINOIS DIVISION  
CHAMPAIGN, ILLINOIS - HARRIS STREET - MILEPOST UM-32.80, AAR/DOT 543259Y  
ESTIMATE FOR INSTALLATION OF CONCRETE CROSSING SURFACE  
CITY PROJECT:

1 TRACK;                      8 ' CROSSING LENGTH

MATERIAL	QUANTITY	UNIT	UNIT COST	AMOUNT
SURFACE MATERIAL (CONCRETE)	8	TRK. FT.	200.00	1,600
ASPHALT (BY OTHERS)	0	TONS	100.00	0
RAIL,	80	LIN FT.	11.61	929
COMPROMISE WELDS, 132/136 LB	0	EA.	200.00	0
THERMIT WELDS, 132 LB	4	EA.	200.00	800
ALLEGHENY JOINTS	0	EA.	467.64	0
RAIL ANCHORS	0	EA.	0.90	0
SPIKES	1.0	KEG	73.16	73
TIE PLATES	20	EA.	6.30	126
CROSSTIES (10')	10	EA.	40.68	407
CROSSTIES (GRADE 5)	0	EA.	33.78	0
BALLAST AND GRAVEL	15	TONS	7.00	105
GEOTEXTILE	16	LIN FT.	3.00	48
TOTAL (INCLUDES 5% INVENTORY OR TAX ADDITIVES)				<u>4,088</u>
<b>LABOR</b>				
REMOVE EXISTING CROSSING	0	MAN HOURS	17.50	0
REHABILITATE TRK. STRUCTURE	0	MAN HOURS	17.50	0
INSTALL NEW CROSSING	0	MAN HOURS	17.50	0
TOTAL (CONTRIBUTED BY RAILWAY)				<u>0</u>
<b>SALVAGE</b>				
RAIL	0.0	TON	70.00	0
SMALL SCRAP	0.0	TON	70.00	0
TOTAL (CREDIT)				<u>0</u>
COMPOSITE LABOR ADDITIVE (98.55%)(CONTRIBUTED BY RAILWAY)				0
USE OF EQUIPMENT (CONTRIBUTED BY RAILWAY)				0
TOTAL (TO BE BILLED TO THE CITY)				<u>\$4,088</u>

ESTIMATE BASED ON TRAFFIC CONTROL AND BARRICADES BEING PROVIDED BY OTHERS, AND FULL CLOSURE OF ROAD. PAVING BY OTHERS.

OFFICE OF CHIEF ENGINEER, DESIGN AND CONSTRUCTION - ATLANTA, GEORGIA

DATE: JULY 20, 2007

FILE: 120-1-ILLINOIS

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

CITY OF CHAMPAIGN, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 NORFOLK SOUTHERN RAILWAY COMPANY, )  
 )  
 Respondent. )  
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 For the construction of a proposed )  
 pedestrian sidewalk grade crossing )  
 of the Norfolk Southern Railway Company )  
 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 Railway Company tracks )  
 in the City of Champaign, )  
 Champaign County, Illinois. )

T07-0048

**CERTIFICATE OF SERVICE**

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

Neil F. Flynn  
Attorney at Law  
1035 South Second Street  
P.O. Box 37  
Springfield, IL 62705-0037

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

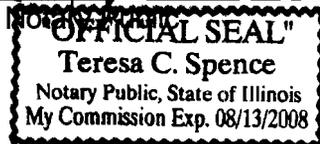
That she delivered said envelope to the City Mail depository in the City Building at 102 N. Neil Street, Champaign, Illinois for customary processing and mailing, including the placement of sufficient postage on said envelope and the depositing of the same in the United States Mail at Champaign, Illinois, at or about the hour of 5:00 p.m. on the 18<sup>th</sup> day of October, 2007.

*Michelle L. Luecke*  
\_\_\_\_\_

Subscribed and sworn to before me this 18<sup>th</sup> day of October, 2007.

*Teresa C. Spence*  
\_\_\_\_\_

City of Champaign  
Legal Department  
102 N. Neil Street  
Champaign, IL 61820  
(217) 403-8765





Legal Department • 102 N Neil St • Champaign IL 61820 • (217) 403-8765 • fax (217) 403-8755  
[legaldepartment@ci.champaign.il.us](mailto:legaldepartment@ci.champaign.il.us)

Frederick C. Stavins, City Attorney  
Trisha Crowley, Deputy City Attorney  
Joseph E. Hooker, Assistant City Attorney  
Laura Hall, Assistant City Attorney

October 18, 2007

**RECEIVED**

OCT 19 2007

Illinois Commerce Commission  
RAIL SAFETY SECTION

David Lazarides, Director of Processing  
Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701

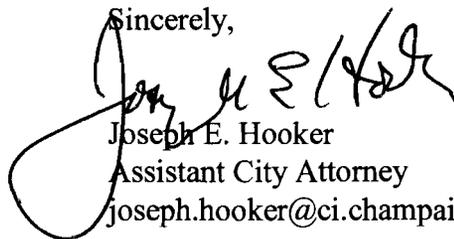
Re: Amended Petition in City of Champaign v. Norfolk Southern Railway Company

Dear Mr. Lazarides:

I have enclosed an original and two copies of an Amended Petition in the above-referenced case for filing, along with a proof of service of said Amended Petition on Neil Flynn, attorney for the Respondent. Please be advised that the parties have reached an agreement on a proposed ICC order in this matter, as is described in the Amended Petition. You should receive written confirmation of that fact from a representative of Norfolk Southern Railway Company shortly. If at all possible, the parties would like to avoid the necessity of appearing at a hearing on this matter, currently scheduled for November 14, 2007, and would ask that the hearing officer enter an order in accordance with the terms set forth in the Amended Petition.

Please call me if you have any questions about this request.

Sincerely,



Joseph E. Hooker  
Assistant City Attorney  
[joseph.hooker@ci.champaign.il.us](mailto:joseph.hooker@ci.champaign.il.us)

JEH/ml

Enclosures

cc: Neil Flynn  
Dave Clark

J:\Leg\WORD\Public Works\Amended ICC petition - Harris Street crossing- cover letter.doc