ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT 1310

T08-0007

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("Commission"), the Illinois Central Railroad Company ("Company"), Paradise Township ("Township"), and the State of Illinois, Department of Transportation ("Department" or "IDOT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through Staff investigation that inquiry should be made into the matter of improving public safety at the 025N (TR 271A) highway-rail grade crossing of the Company's track near Mattoon, Paradise Township, Coles County, Illinois, designated as crossing AAR/DOT #289 151R, railroad milepost 180.20-M; and

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossing by a representative of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to this Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish proposed improvements to the crossing upon determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law, 625 ILCS 5/18(c)-7401, requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the traveling public the Grade Crossing Protection Fund ("GCPF") of the Motor Fuel Tax Law ("MFT") be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the following improvements in the interest of public safety at the aforesaid crossing should be:

(a) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system, by the Company.

DOCKETED

(b) Installation of temporary STOP signs at the 025N crossing within 30 days of a Commission Order for the installation of new automatic warning devices, by the Company.

Section 3 The Company has prepared detailed drawings, circuit plans, required specifications and a preliminary cost estimate to accomplish the proposed safety improvements, which may be required by Commission Order. The drawings, circuit plans, and cost estimate are attached and incorporated herein by reference as Exhibit B.

Section 4 The Company shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be twelve (12) months from the date of a Commission Order approving this Agreement.

Section 5 The parties agree that an equitable division of cost for the proposed improvements is as follows:

- COST DIVISION TABLE -

IMPROVEMENT	EST. COST	GCPF	TOWNSHIP	COMPANY	IDOT
Install Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	$132,300	**(90%)** $125,700[1]	**(0%)** $0	**(5%)** $6,600[2]	**(0%)** $0
Install Temporary STOP Signs, if ordered	No Estimate Required	**(0%)** $0	**(0%)** $0	100%[3]	**(0%)** $0
TOTALS	**$132,300**	**$125,700**	**$0**	**$6,600[2,3]**	**$0**

Notes:

[1] Total Grade Crossing Protection Fund (GCPF) assistance not to exceed $125,700; any installation costs above the estimated amount of $132,300 will be divided between the GCPF and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.;

[2] Company responsible for all future operating and maintenance costs associated with the new automatic warning devices.

[3] Company responsible for any maintenance costs associated with the temporary STOP Signs.

Section 6 The Township is not required to pay any portion of the cost for the proposed improvements.

Section 7 Special Provisions: Since the warning device improvement(s) at the subject crossing(s) will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

All signage shall conform to the requirements and specifications of 92 Illinois Administrative Code and the Manual on Uniform Traffic Control Devices (MUTCD).

The Company and the Township shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibits C & C1, along with this executed Agreement.

The Company shall, at six (6) month intervals from the date of the Commission Order

approving this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibit C, regarding the progress it has made toward completion of the work required by this Agreement. Each Project Status Report shall include the Commission Order docket number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of the Company Project Manager.

All bills for work specified in Section 2 of this Agreement authorized for reimbursement from the Grade Crossing Protection Fund shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all invoices to the Director of Processing and Information, Transportation Bureau of the Commission. All bills shall be submitted no later than twelve (12) months from the completion date specified in the Commission Order approving this Agreement. The final bill for expenditures from each party shall be clearly marked "Final Bill". The Department shall not obligate any assistance from the Grade Crossing Protection Fund for the cost of proposed improvements described in this Agreement without prior approval by the Commission. The Commission shall, at the end of the 12th month from the completion date specified in the Commission Order approving this Agreement, or any Supplemental Order(s) issued for this project, conduct a review to determine if any unused assistance from the Grade Crossing Protection Fund should be deobligated. Upon completion of the review, the Commission shall notify the Department to deobligate all residual funds accountable for installation costs for this project. Notification may be by regular mail, electronic mail, fax, or phone.

SECTION 8 Billing: For all work specified in Section 2 of this Agreement, and authorized by an Order of the Commission, the Company shall assure that sufficient documentation for all bills is made available for review by the Department or the Department's representative. The minimum documentation that must be made available is outlined below:

a) Labor Charges (including additives) - Copies of employee work hours charged to the railroad and/or highway account code for the project.
b) Equipment Rental - Copies of rental agreements for the equipment used, including the rental rate; number of hours the equipment was used and the railroad and/or highway account code for the project.
c) Material - An itemized list of all materials purchased and installed at the crossing location. If materials purchased are installed at multiple crossing locations, a notation must be made to identify the crossing location.
d) Engineering - Copies of employee work hours charged to the railroad and/or highway account code for the project.
e) Supervision - Copies of employee work hours charged to the railroad and/or highway account code for the project.
f) Incidental Charges - An itemized list of all incidental charges along with a written explanation of those charges.

g) Service Dates - Invoice shall include the beginning and ending date of the work accomplished for the invoice.
h) Final or Progressive - Each invoice shall be marked as a Progressive or a Final Invoice.
i) Reference Numbers - Each invoice shall include the AAR/DOT number, the ICC Order number and the state job number when federal funds are involved.
j) Locations - Each invoice shall show the location, with the street name and AAR/DOT crossing inventory number.

Section 9 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate Order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 3rd day of December 2007.

Michael E. Stead
Rail Safety Program Administrator

Attest:

Joseph J. VonDeBur
Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement 1310, executed by Commission Staff on December 3, 2007, concerning improvements at the 025N (TR 271A) highway-rail grade crossing of the Illinois Central Railroad Company track near Mattoon, Paradise Township, Coles County, Illinois, designated as crossing AAR/DOT #289 151R, railroad milepost 180.20-M.

Executed by the Illinois Central Railroad Company this 12 day of December 2007.

ILLINOIS CENTRAL RAILROAD COMPANY

By: Paul E. Ladue

Witness:

Linda Blogg

Illinois Commerce Commission Stipulated Agreement 1310, executed by Commission Staff on December 3, 2007, concerning improvements at the 025N (TR 271A) highway-rail grade crossing of the Illinois Central Railroad Company track near Mattoon, Paradise Township, Coles County, Illinois, designated as crossing AAR/DOT #289 151R, railroad milepost 180.20-M.

Executed by the Paradise Township Road District this 14th day of December 2007.

PARADISE TOWNSHIP ROAD DISTRICT

By: Stan Upchoff Road Commissioner

Attest:

Bill Upchoff

Illinois Commerce Commission Stipulated Agreement 1310, executed by Commission Staff on December 3, 2007, concerning improvements at the 025N (TR 271A) highway-rail grade crossing of the Illinois Central Railroad Company track near Mattoon, Paradise Township, Coles County, Illinois, designated as crossing AAR/DOT #289 151R, railroad milepost 180.20-M.

Executed by the Illinois Department of Transportation this 2 day of Jan 2008.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: Christine M Reed

Christine M. Reed, P.E., Director of Highways

ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM

GENERAL INFORMATION: See Location Sketch

RAILROAD	Illinois Central Railroad Company
USDOT#, MILEPOST	289 151R, 180.20-M
STREET, CITY, COUNTY	025N (TR271A), Near Mattoon, Coles County
JURISDICTION (RDWY)	Paradise Township
LOCATION	Rural, Agricultural
STREET SURFACE	2-Lane, 2-Way (E-W), 14 Ft. Width, Oil & Chip

CROSSING DATA: See Location Sketch for roadway profile and track centers

TRACK (North-South)	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main	Full Depth Timber	26 Ft.	Fair-Good

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	250E – 63' West
TRAFFIC CONTROL	None
ADT & SPEED	50 Vehicles (Estimated) Per Day @ 55 MPH (Not Posted)
TRAFFIC TYPE	Passenger, Farm/Agricultural Equipment Possible School Busses, Hazardous Materials, Emergency Serv.
ADVANCE WARNING	W10-1 – East and West of crossing
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	21 Per day @ 60 MPH, Day & Night
PASSENGER TRAFFIC	4 per day @ 79 MPH
WARNING DEVICES	Crossbucks (R15-1) – Northeast & Southwest

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	79	**MPH**
Roadway Speed	55	**MPH**
Required Stopping Sight Distance (SSD)		
Along Roadway	483	**FEET**
Along Tracks	797	**FEET**
Required Clearing Sight Distance (CSD) (Along Tracks)	1,888	**FEET**

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	
NW	*		*	
SE	*		*	
SW	*		*	

*Note: The installation of automatic flashing light signals and gates eliminates the need to satisfy minimum Stopping Sight Distance – Along the Tracks, and Clearing Sight Distance criteria

APPROACH GRADES: See Location Sketch

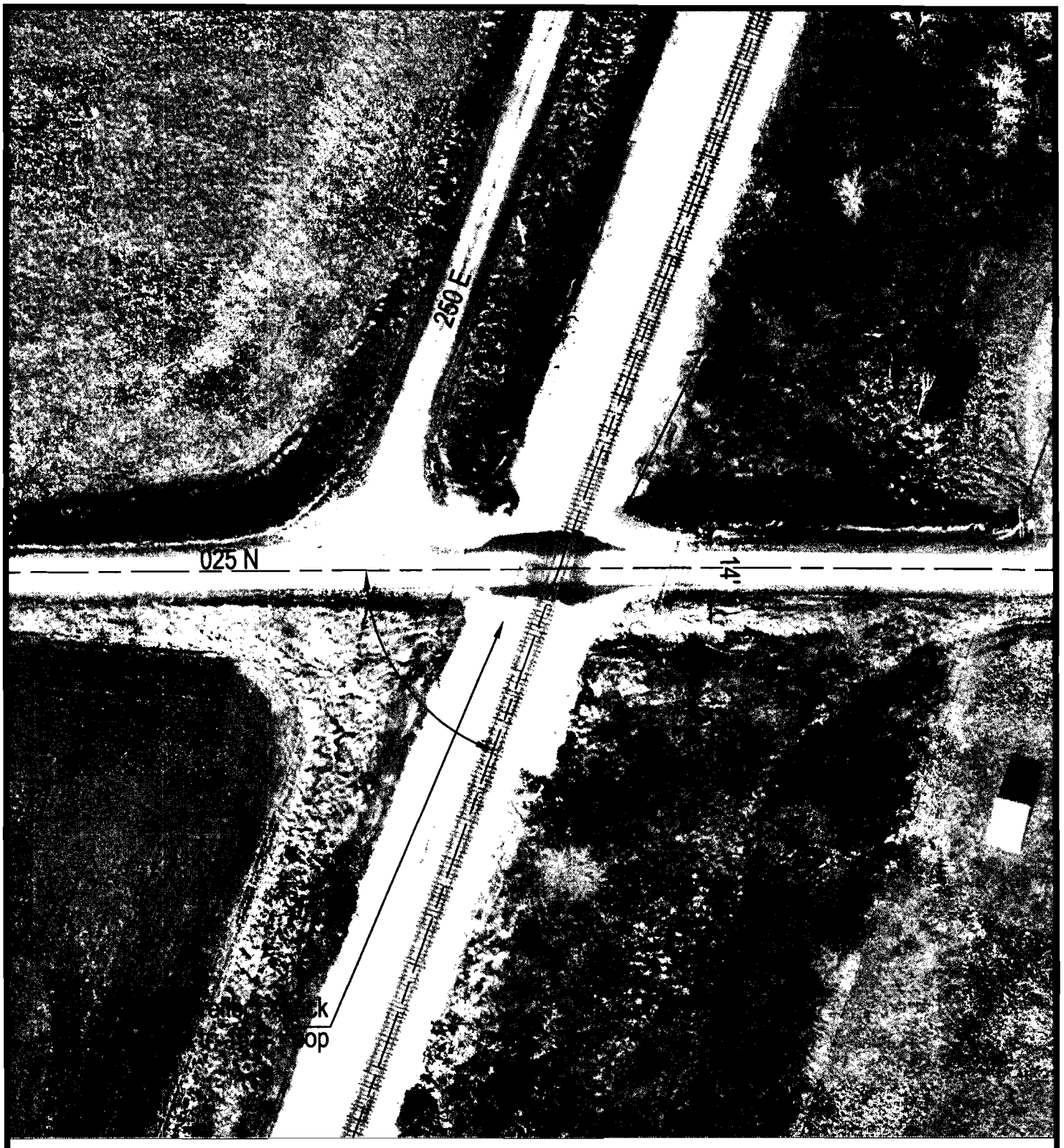
DIRECTION: WEST			DIRECTION: EAST		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	99.7	-1.2	25	99.6	-1.6
50	99.4	-1.2	50	98.9	-2.8
100	98.5	-1.8	100	95.9	-6.0

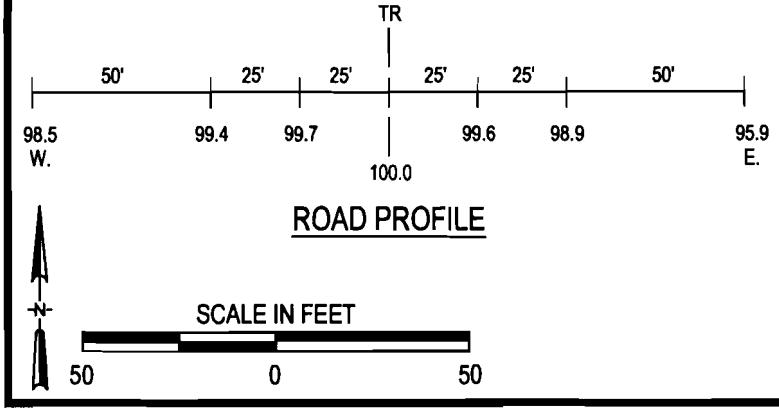
Distance measured from outermost rail.

COMMENTS:

Proposed Cost Division – Crossing Signal Improvement:
Grade Crossing Protection Fund – 95%
Illinois Central RR Company – 5% + all future maintenance & operating costs
Paradise Township Road District is financially unable to participate in the project.

See Page 3 for a Location Sketch (Aerial Photo) of the crossing.





Crossing #: 289151R

Location: Near Mattoon, Paradise Township, Coles Co.

Lat/Long: 39°22'35" / 88°25'36"

Railroad: Illinois Central Railroad Company

Street: 025 N

Railroad Milepost: 180.20-M

Crossing Protection: Crossbucks

ILLINOIS CENTRAL RAILROAD COMPANY

A WHOLLY OWNED SUBSIDIARY OF

CANADIAN NATIONAL RAILWAY COMPANY

HIGHWAY/RAIL GRADE CROSSING SIGNAL ESTIMATE

Roadway Name: 020N
Nearest Station: Etna, IL
Railroad Region: Southern
Railroad Subdivision: Champaign
Railroad Milepost: 180.20
DOT Crossing No.: 289 151R
Valuation Section: IL-1

Date: August 14, 2007

Est 1010-705

Prepared by: WCR

Description of Work: Signal work to install FLS and Gates.

MATERIAL:

Item	Quantity	Units	Unit Cost		Cost
Landfill and Shoring	1	LOT	$5,000.00	$	5,000.00
Misc. Signal Material	1	LOT	$500.00	$	500.00
CROSSING MATERIALS PACKAGE					
GCP4000 1 Trk	1	EACH	$12,500.00	$	12,500.00
Intelligent Current Sensor, 80271	2	EACH	$485.00	$	970.00
Narrow Band Shunt, 62775-1543	2	EACH	$549.00	$	1,098.00
Joint Bypass Coupler, 62785-211	2	EACH	$813.00	$	1,626.00
PSO Battery Choke, 7A360	2	EACH	$301.00	$	602.00
Rectifier, NRS 15110, 20A	1	EACH	$455.00	$	455.00
Rectifier, NRS 18120, 40A	1	EACH	$700.00	$	700.00
FLX-4000 & Gate Assembly, 2-Way	2	EACH	$7,600.00	$	15,200.00
Arm, E-Z Gate, 16-24'	2	EACH	$600.00	$	1,200.00
Gatekeeper	2	EACH	$1,400.00	$	2,800.00
Bell, Electronic	1	EACH	$257.00	$	257.00
Battery, Ni-Cad, 250 AH	20	EACH	$256.00	$	5,120.00
Foundation, S-2	2	EACH	$410.00	$	820.00
Shunt Enclosure	2	EACH	$635.00	$	1,270.00
Pre-Wired Aluminum Bungalow, 6X6'	1	EACH	$16,475.00	$	16,475.00
Wire, 2c/6, T10456	300	FEET	$1.59	$	477.00
Cable, 3c/6 TECK, T10458	100	FEET	$2.27	$	227.00
Cable, 7c/6,9c/14, T12481	300	FEET	$6.49	$	1,947.00
					=========
SUBTOTAL MATERIAL				$	69,244.00

LABOR:

SIGNAL LABOR

Item	Gang Days	Cost/Day		Cost
5-man Gang	12	1250.00	$	15,000.00
				=========
SUBTOTAL SIGNAL LABOR			$	15,000.00

MISCELLANEOUS LABOR

Item	Quantity	Units	Unit Cost		Cost
Preliminary Engineering	1	L.S.	$2,500.00	$	2,500.00
Construction Engineering	1	L.S.	$600.00	$	600.00
Accounting	1	L.S.	$300.00	$	300.00
					=========
SUBTOTAL MISCELLANEOUS LABOR				$	3,400.00
					=========
TOTAL LABOR				$	18,400.00

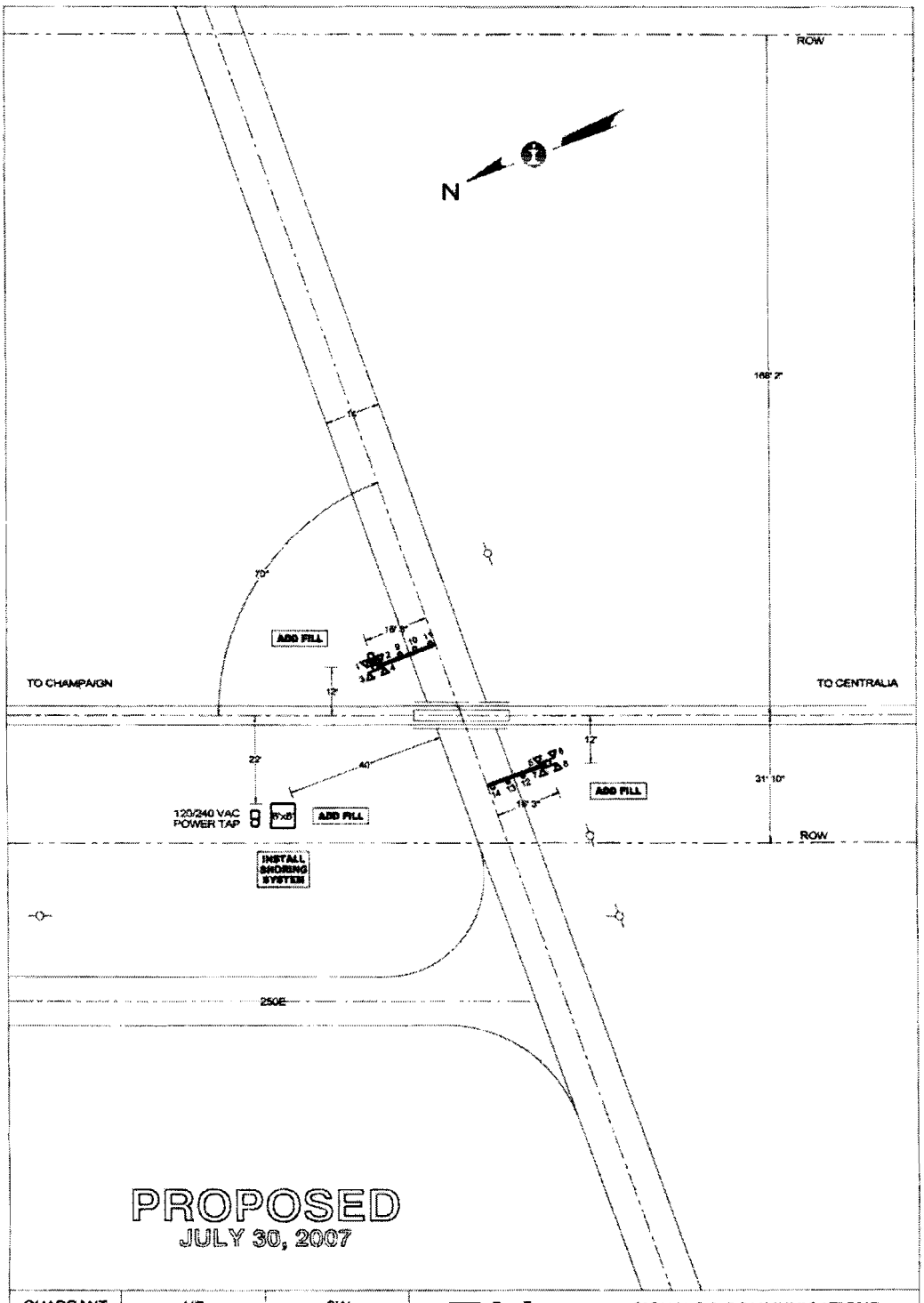
OTHER

Item	Quantity	Units	Unit Cost		Cost
Per Diem/Business Expense	1	L.S.	$3,864.00	$	3,864.00
Contractor/Rented Equipment	1	L.S.	$2,400.00	$	2,400.00
Power Tap	1	L.S.	$3,000.00	$	3,000.00
Contract-Crossing System Wiring	1	L.S.	$6,000.00	$	6,000.00
Freight on Crossing Package	1	L.S.	$3,300.00	$	3,300.00
Container Rental	1	L.S.	$975.00	$	975.00
Contract Engineering	1	L.S.	$6,000.00	$	6,000.00
					=========
TOTAL OTHER				$	25,539.00
					=========
TOTAL DIRECT COSTS				$	113,183.00

Etna, IL Est 1010-705

FAPG ADDITIVES

Material	$ 69,244.00		
Material Additive (4.20%)		$	2,908.25
Signal Labor	$ 15,000.00		
Signal Labor Additive (89.34%)		$	13,401.00
Engineering Labor	$ 3,100.00		
Engineering Labor Additive (83.29%)		$	2,581.99
Accounting Labor	$ 300.00		
Accounting Labor Additive (74.34%)		$	223.02
Other	$ 25,539.00		
	=========		=========
TOTAL DIRECT COSTS	$ 113,183.00		
TOTAL FAPG ADDITIVES		$	19,114.26
			=========
GRAND TOTAL FAPG BASIS		$	132,297.26

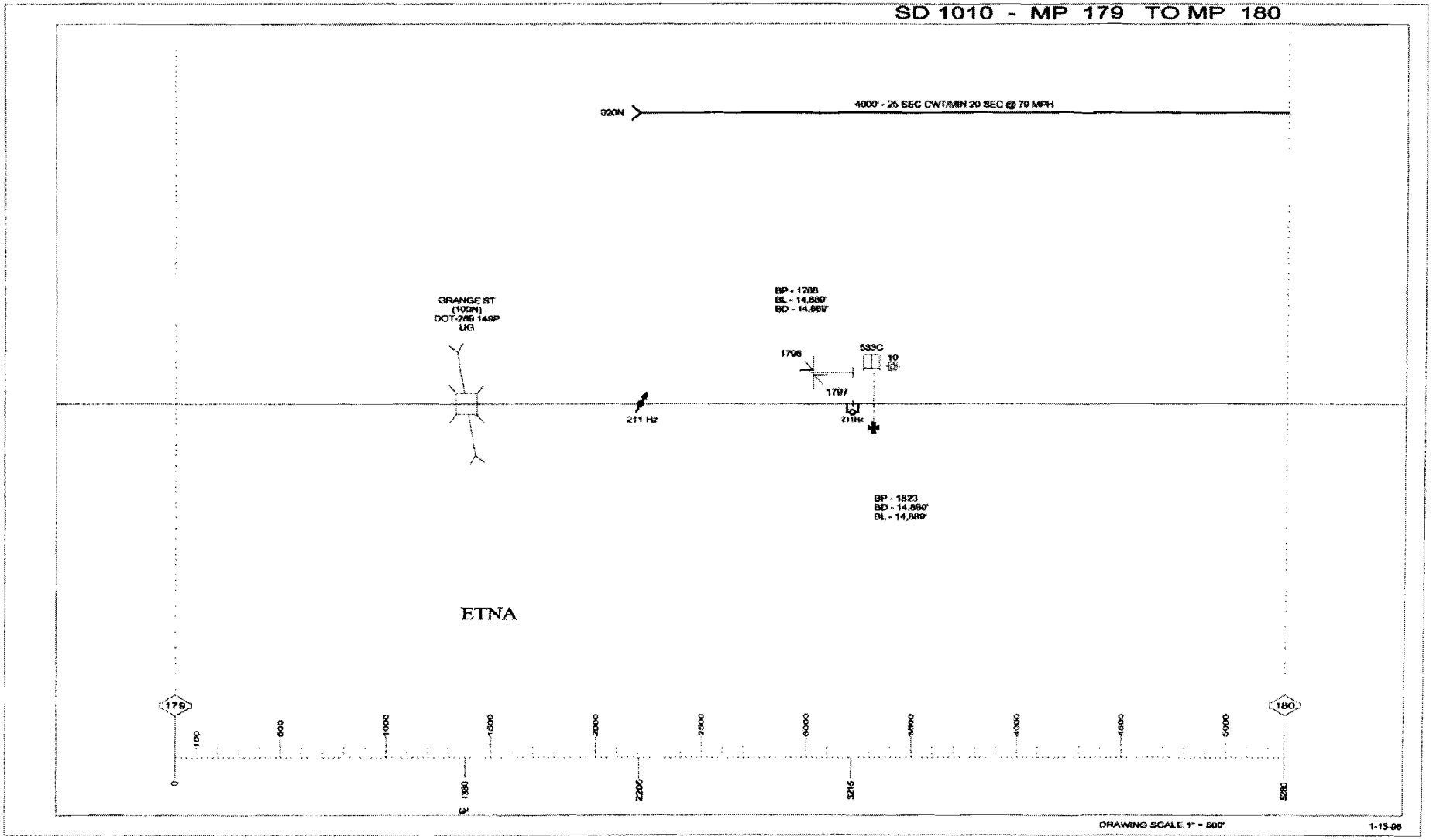


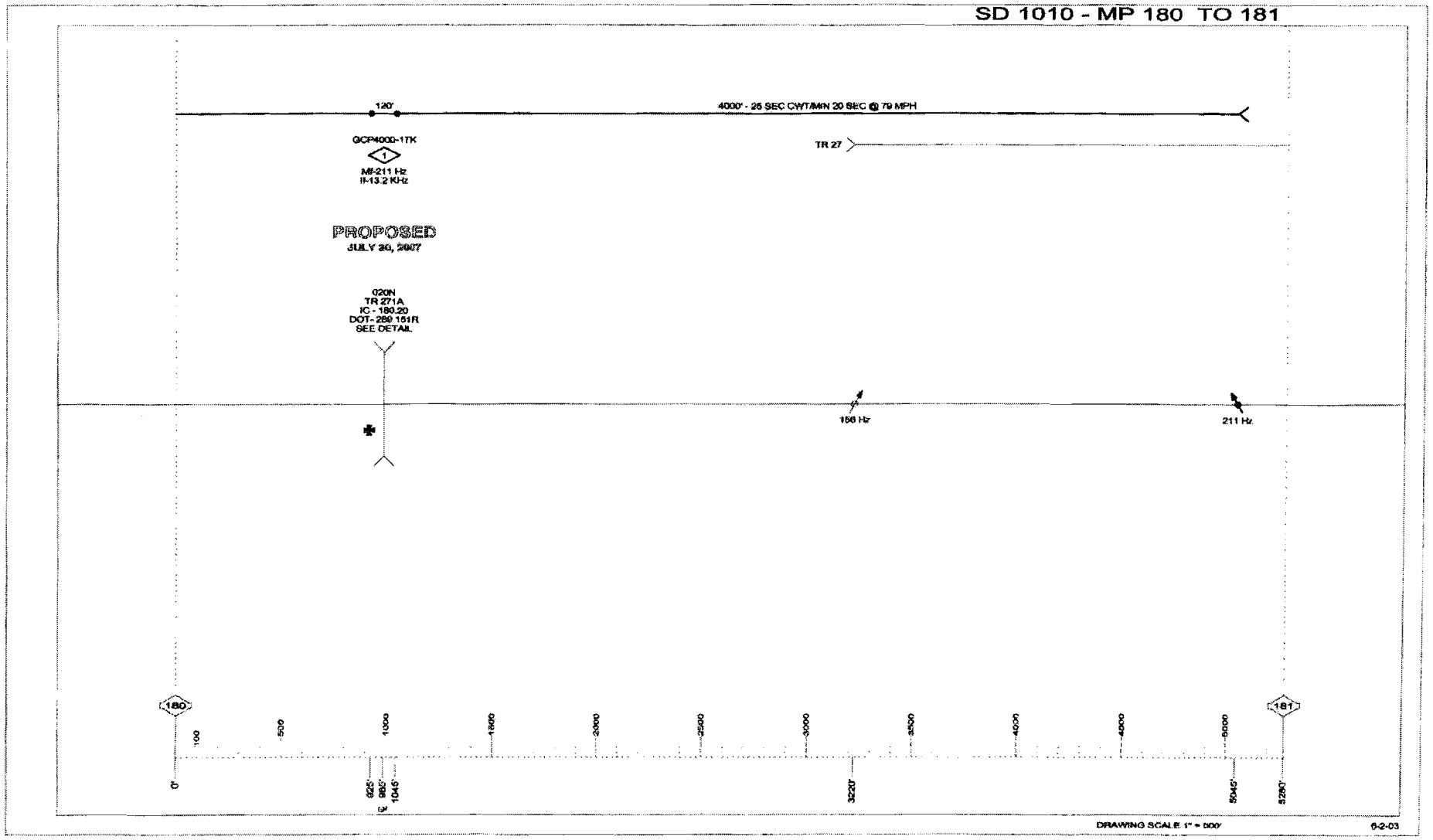
QUADRANT	NE	SW
STANDARD AFLS	LED	LED
CANTILEVER, FT.	-	-
GATE, FT.	16	16
ADDED LIGHTS	-	-
BARRICADE	-	-
MULTI-TK SIGN	-	-
BELL	X	-
REVISIONS		

E:\DWG\CHA\180020X.CAD

CN — SIGNALS & COMMUNICATIONS, ENGINEERING DEPARTMENT

CITY & STATE: ETNA, IL	SD 1010 X
CROSSING: 020N - TR 271A	DATE: JULY 30, 2007
IC - 180.20	DOT - 289 151R
MIDWEST DIVISION	CHAMPAIGN SUBDIVISION
IN SERVICE	SCALE: 1"=30' / DRAWN BY: AVS


SD 1010 - MP 179 TO MP 180
020N
4000' - 25 SEC CWT/MIN 20 SEC @ 79 MPH
ORANGE ST
(100N)
DOT-269 149P
UG
BP - 1768
BL - 14,889'
BD - 14,889'
1796
533C
10
1797
211 Hz
211Hz
BP - 1823
BD - 14,889'
BL - 14,889'
ETNA
179
180
0
100
500
1000
1500
2000
2500
3000
3500
4000
4500
5000
1980
2200'
3215
5280
DRAWING SCALE 1" = 500'
1-13-98


SD 1010 - MP 180 TO 181
120'
4000' - 25 SEC CWT/MIN 20 SEC @ 79 MPH
GCP4000-1TK
1
MF-211 Hz
IF-13.2 KHz
TR 27
PROPOSED
JULY 20, 2007
020N
TR 271A
IC - 180.20
DOT- 280 151R
SEE DETAIL
156 Hz
211 Hz
180
181
0'
100
500
1000
1500
2000
2500
3000
3500
4000
4500
5000
925'
985'
1045'
3220'
5045'
5280'
DRAWING SCALE 1" = 500'
6-2-03

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION
PROJECT STATUS REPORT:

TYPE: (CHECK ONE)

PROGRESS	
COMPLETION	

DATE	1-8-08

PROJECT INFORMATION:

Reporting Party:	Illinois Central Railroad Company
Docket/Order #; Date:	T08-0007
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due[1]:	
AAR/DOT#, Milepost:	289 151R, 180.20-M
Street, (in/near) City, County:	025N (TR271A), near Mattoon, Paradise Twp., Coles Co.
Railroad Company:	Illinois Central Railroad Company

[1]Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

PROJECT MANAGER INFORMATION[2]:

Name:	Arne Skrodal
Title:	Engineer – Signal Planning
Representing:	Canadian National
Street Address:	17641 South Ashland Avenue
City, State, Zip:	Homewood, Illinois 60430
Office Phone:	(708) 332-3271
Office Fax:	(708) 332-3514
Cellular Phone:	
E-Mail Address:	Arne.Skrodal@cn.ca

[2]Project Manager Information to be submitted by Roadway Authority and Railroad Company

DESCRIPTION OF IMPROVEMENT(S) ORDERED:

- Installation of TEMPORARY STOP SIGNS, within 30 days of Commission Order.
- Installation of automatic flashing light signals and gates, CWT

STATUS OF WORK:

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

Mail directed to the **Rail Safety Section** or the **Director of Processing and Information**, Transportation Bureau of the Commission should be addressed to:

The Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701-1827

If a party would like an electronic copy of this form, would like to submit an electronic copy, or has questions contact:

Joe Von De Bur, Rail Safety Specialist
Phone: (217) 557-1286
Email: jvondebu@icc.illinois.gov

A **Form 3** can be obtained from the Illinois Commerce Commission by calling 217/782-7660 or on the web at:

http://www.icc.illinois.gov/rr/library.aspx

The billing address for **G**rade **C**rossing **P**rotection **F**und reimbursement is:

SIGNAL WORK
Illinois Department of Transportation
Fiscal Control Unit
Bureau of Local Roads and Streets
2300 South Dirksen Parkway
Springfield, Illinois 62764

United States Department of Transportation Inventory Form #6180.71 can be obtained on the web at:

http://safetydata.fra.dot.gov/OfficeofSafety/Forms/Default.asp

Submit Inventory forms to:

Federal Railroad Administration Office of Safety 1120 Vermont Avenue, NW Washington, DC 20590	**AND**	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION
PROJECT STATUS REPORT:

TYPE: (CHECK ONE)

PROGRESS	
COMPLETION	

DATE	12/14/2007

PROJECT INFORMATION:

Reporting Party:	Paradise Township
Docket/Order #; Date:	T08-0007
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due[1]:	
AAR/DOT#, Milepost:	289 151R, 180.20-M
Street, (in/near) City, County:	025N (TR271A), near Mattoon, Paradise Twp., Coles Co.
Railroad Company:	Illinois Central Railroad Company

[1]Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

PROJECT MANAGER INFORMATION[2]:

Name:	Mr. Stan Uphoff
Title:	Highway Commissioner
Representing:	Paradise Township Highway Department
Street Address:	3712 North County 330E
City, State, Zip:	Mattoon, IL 61938
Office Phone:	(217) 258-8868
Office Fax:	
Cellular Phone:	(217) 962-1552
E-Mail Address:	Stantracey@consolidated.net

[2]Project Manager Information to be submitted by Roadway Authority and Railroad Company

DESCRIPTION OF IMPROVEMENT(S) ORDERED: (Work to be done by Company)

- Installation of TEMPORARY STOP SIGNS, within 30 days of Commission Order.
- Installation of automatic flashing light signals and gates, CWT

STATUS OF WORK:

ILLINOIS COMMERCE COMMISSION
TRANSPORTATION DIVISION / RAIL SAFETY SECTION

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2300 South Dirksen Parkway
Springfield, Illinois 62764

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