

ORIGINAL

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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Illinois Commerce Commission
RAIL SAFETY SECTION

SPRINGFIELD TOWNSHIP,)
SANGAMON COUNTY, ILLINOIS,)

Petitioner,)

v.)

Case No.: T 99 0085

MIDLAND AND ILLINOIS)
RAILROAD, a corporation and)
STATE OF ILLINOIS, ACTING)
THROUGH ILLINOIS DEPARTMENT)
OF TRANSPORTATION,)

Respondents.)

**PETITION TO EXTEND TIME TO COMPLETE
CONSTRUCTION WORK ON TAINTOR ROAD**

IN THE MATTER OF THE PETITION OF SPRINGFIELD TOWNSHIP, SANGAMON COUNTY, ILLINOIS FOR AN ORDER OF THE ILLINOIS COMMERCE COMMISSION DIRECTING THE INSTALLATION OF GRADE CROSSING PROTECTION DEVICES AT MIDLAND AND ILLINOIS RAILROAD GRADE CROSSING AT TAINTOR ROAD (EAST OF PEORIA ROAD) SITUATED IN SANGAMON COUNTY, ILLINOIS, AND FOR SUCH OTHER APPROPRIATE RELIEF AS THE COMMISSION MAY DEEM NECESSARY

TO: ILLINOIS COMMERCE COMMISSION

NOW COMES Petitioner, SPRINGFIELD TOWNSHIP, a township situated in Sangamon County, Illinois (hereinafter called "Petitioner") by and through its attorneys, Sorling, Northrup, Hanna, Cullen & Cochran, Ltd., Michael A. Myers, of Counsel, and respectfully represents:

1. At the request of the Petitioner, this Commission on March 29, 2000 entered an Order requiring installation of automatic flashing light signals and gates controlled by constant warning time circuitry at the grade crossing of the Illinois and Midland Railroad and a public road known as Taintor Road, Springfield Township, Sangamon County, Illinois.

JV/30B

DOCKETED
FEB 18 2004

2. The Commission has granted several extensions of this time frame because the Owners were unable to develop the property due to change in development concepts or financing issues.

3. In January, 2004, the 75 acre parcel was sold to LFH 100 Partnership, an established developer in Bloomington, Illinois. The developer will be subdividing the land and constructing single family homes in a subdivision called Manchester Woods. The project will contain 205 single family lots and 55 duplexes. Development approval from the City of Springfield for this subdivision is nearly complete and final construction plans are expected to be approved within the next forty-five days. A copy of the September 23, 2003 Springfield Sangamon County Regional Planning Commission approval letter is attached as **Exhibit A**. As with all large residential subdivisions, Manchester Woods will be developed in phases. The first two plats of the subdivision, consisting of 69 homes, will use a public entrance to the north of the property called Sycamore Road. It is anticipated that it will take at least one full building season and possibly two to develop and sell 69 lots. After the 69 lots have been developed, the City of Springfield requires a second entrance for emergency vehicles and to lessen traffic congestion. Upon opening the third phase, the developer will then improve the railroad crossing and Taintor Road from Peoria Road to the west boundary of Petitioner's property. The cost of the Taintor Road improvement and railroad crossing will exceed \$400,000. At this time, it makes neither practical or economic sense to construct a railroad crossing grade or improve Taintor Road as the road will not connect to any developed portion of the subdivision and carries practically no vehicular traffic at this time. No one will be prejudiced by this request to delay construction of the railroad crossing.

4. A copy of the Manchester Woods subdivision, showing the phases of development,

the Sycamore Road entrance, and Taintor Road is attached as **Exhibit B**.

WHEREFORE, Petitioner prays the Commission modify its Order and extend the required time to complete construction until March 29, 2005.

Dated in Springfield, Sangamon County, Illinois on this 17th day of February, 2004.

SPRINGFIELD TOWNSHIP,
Petitioner,

By: 
Joe Chernis,
Township Road Commissioner

Sorling, Northrup, Hanna, Cullen & Cochran, Ltd.
Attorney for Petitioner
Michael A. Myers, of Counsel
Suite 800, Illinois Building
Post Office Box 5131
Springfield, IL 62705
Telephone: (217)544-1144

PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing document was served by placing same in a sealed envelope addressed:

Illinois Midland Railroad
c/o Mr. Hugh J. Graham, III
Graham & Graham, Ltd.
1201 South 8th Street
Springfield, IL 62703

Ms. Norma Graves, City Clerk
City of Springfield
106 Municipal Center West
300 South 7th Street
Springfield, IL 62707

Office of Corporation Counsel
City of Springfield
Municipal Center West
300 South 7th Street, Room 100
Springfield, IL 62701-1680

Mr. Joe VonDeBur
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Mr. Vic Modeer, Director
Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

Mr. Philip Koeberlein, P.E.
Sangamon County Engineer
3303 Terminal Avenue
Springfield, IL 62707

Mr. Gary Budd
Springfield Township Supervisor
2372½ North Grand Avenue
Springfield, IL 62702

Ms. Rhonda Wood
Springfield Township Clerk
2372½ North Grand Avenue
Springfield, IL 62702

and by depositing same in the United States mail in Springfield, Illinois, on the 17th day of February, 2004, with postage fully prepaid.

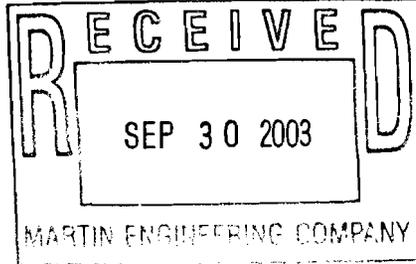


SSCRPC

Springfield
Sangamon County Regional
Planning Commission

Skw ✓
Rom ✓

September 29, 2003



T 99-0085

Mr. Larry Hundman
Coldwell Banker
405 North Hershey
Bloomington, Illinois 61704

RE: Manchester Woods

MEC Job # 03136

Dear Mr. Hundman:

The Springfield-Sangamon County Regional Planning Commission approved the preliminary plan of Manchester Woods Subdivision at its July 16, 2003 meeting. The original and one print endorsed by the Executive Director of the Springfield-Sangamon County Regional Planning Commission may be picked up from the Planning Commission office by October 20, 2003. You may now proceed with the subdivision process and submit a final plat.

This preliminary plan will expire August 1, 2006 if no final plat has been submitted or the plan has not been reaffirmed before that date.

Sincerely,

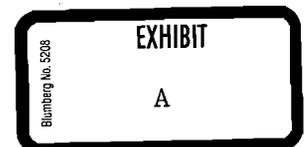
Harry H. Hopkins
Executive Director

BY: Dave Kiliman
Assistant Director

A handwritten signature in black ink, appearing to read "Dave Kiliman", written over a horizontal line.

DKJZmh

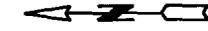
cc: Joe Gooden
Nate Bottom
Martin Engineering



MANCHESTER WOODS

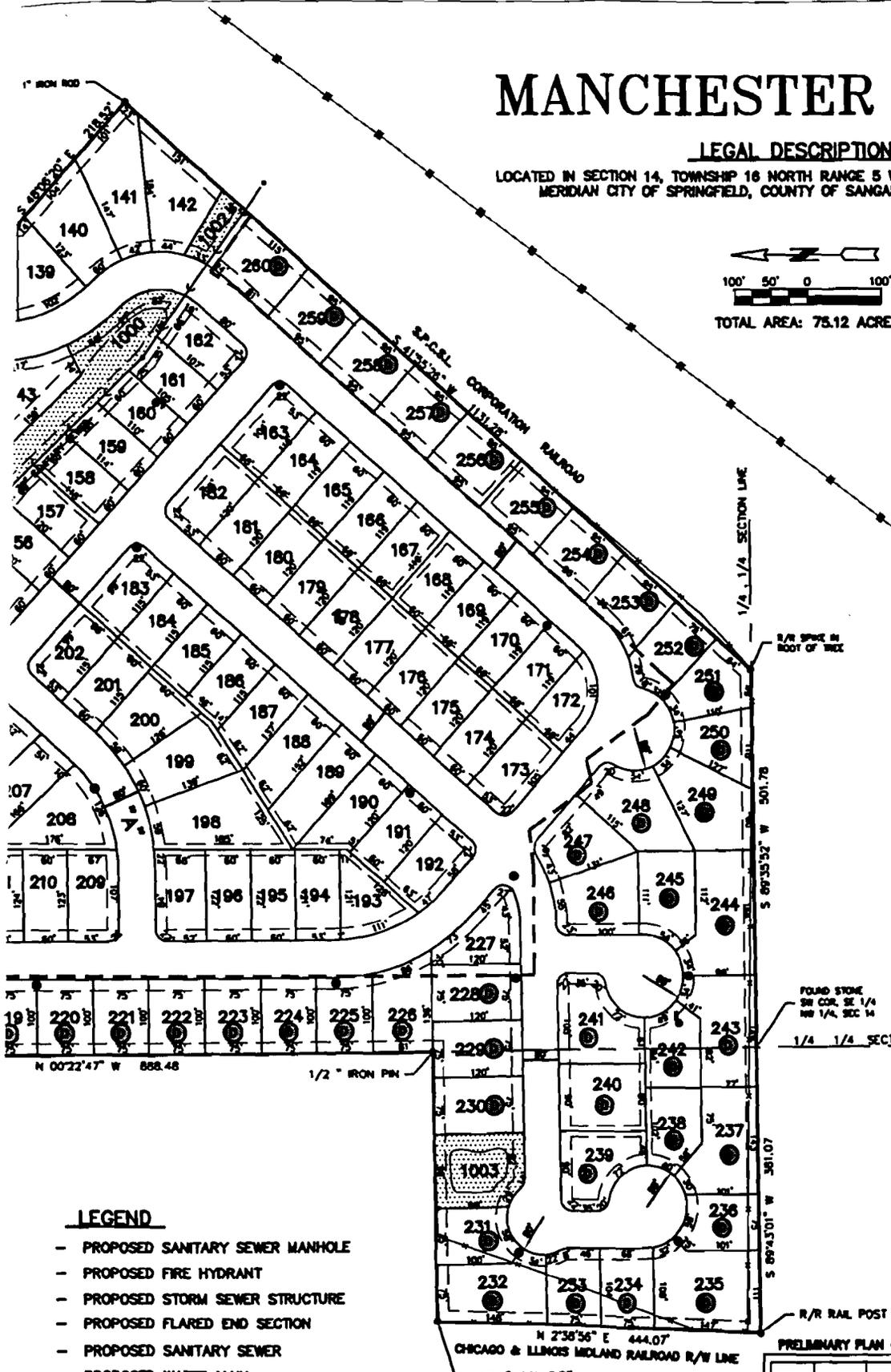
LEGAL DESCRIPTION

LOCATED IN SECTION 14, TOWNSHIP 16 NORTH RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN CITY OF SPRINGFIELD, COUNTY OF SANGAMON, STATE OF ILLINOIS.



TOTAL AREA: 75.12 ACRES

799-0085



LEGEND

- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED FIRE HYDRANT
- PROPOSED STORM SEWER STRUCTURE
- PROPOSED FLARED END SECTION
- PROPOSED SANITARY SEWER
- PROPOSED WATER MAIN
- PROPOSED STORM SEWER
- UTILITY, CATV, AND/OR DRAINAGE EASEMENT
- DUPLEX RESIDENCE DISTRICT LIMITS
- DUPLEX LOT DESIGNATION
- PROPOSED HIGH LIMITS
- NORMAL POOL LIMITS

205 SINGLE FAMILY
55 DUPLEX
261 LOTS

PRELIMINARY PLAN - Not to be recorded by the Recorder of Deeds

2	2/03/04	STAGING, ROAD LAYOUT AND LOT NUMBERS	MEC
1	7/14/03	PER LSC COMMENTS	MEC
NO.	DATE	BY	BY
REVISED PRELIMINARY PLAN			0119/03136
PROJECT			MANCHESTER WOODS SPRINGFIELD, ILLINOIS
ENGINEER			MARTIN ENGINEERING CO.
CONSULTING ENGINEERS - LEAD SURVEYORS			(ILLINOIS PROFESSIONAL DESIGN FIRM NO. 104-008043)
ADDRESS			2100 MONTVALE DR., SPRINGFIELD, ILLINOIS 62704
PHONE			(618) 682-0000, Fax: (618) 682-0000