

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

SPRINGFIELD TOWNSHIP,)
SANGAMON COUNTY, ILLINOIS,)
)
Petitioner,)
)
v.)
)
MIDLAND AND ILLINOIS)
RAILROAD, a corporation and)
STATE OF ILLINOIS, ACTING)
THROUGH ILLINOIS DEPARTMENT)
OF TRANSPORTATION,)
)
Respondents.)

Case No.: T 99 0085

ILLINOIS COMMERCE
COMMISSION
2005 FEB 14 P 3:53
TRANSPORTATION DIV.

**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.

S0462355.6 1/25/2005 MAM PKC

DOCKETED

FEB 15 2005

JV-JOB

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. In the 2004 the LFH 100 Partnership requested an extension of time to complete construction of the Taintor Road railroad crossing; the Commission granted that request on March 29, 2004. The Commission was informed that the new developer will be subdividing the land and constructing single family homes in a subdivision called Manchester Woods. The project is projected to have 205 single family lots and 55 duplexes. As with all large scale residential subdivisions Manchester Woods will be developed in separate phases. The first two plats of the subdivision, consisting of 69 homes, will have access to a public road through an entrance on the north side of the property called Sycamore Road. Sycamore intersects with Peoria Road. There will be no access at this time onto Taintor Road or use of the Taintor Road Railroad Crossing by these 69 lots. Since the filing of the 2004 petition, the developer has constructed the first phase of the subdivision containing 40 lots. Once 69 lots (comprising two plats) have been constructed, the City of Springfield will require a second entrance to the subdivision for emergency vehicles and this entrance will be Taintor Road. At that time the developer will be required by the City of Springfield to 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, including the railroad crossing will exceed \$400,000.00. Since none of the subdivision lots in the first plat have direct access to Taintor Road, it makes neither practical nor economic sense to construct these improvements at this time. No one will be prejudiced by this request to delay construction of the railroad crossing.

T99-0085

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

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

WHEREFORE, Petitioner prays the Commission modify its Order and extend the required time to complete construction until March 29, 2006.

Dated in Springfield, Sangamon County, Illinois on this 20TH day of January, 2005.
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

T99-0085

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 62701

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

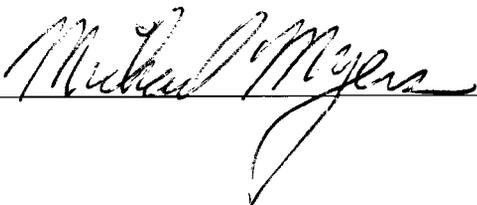
Mr. Vic Modeer, Director
Division of Highways
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield, IL 62764

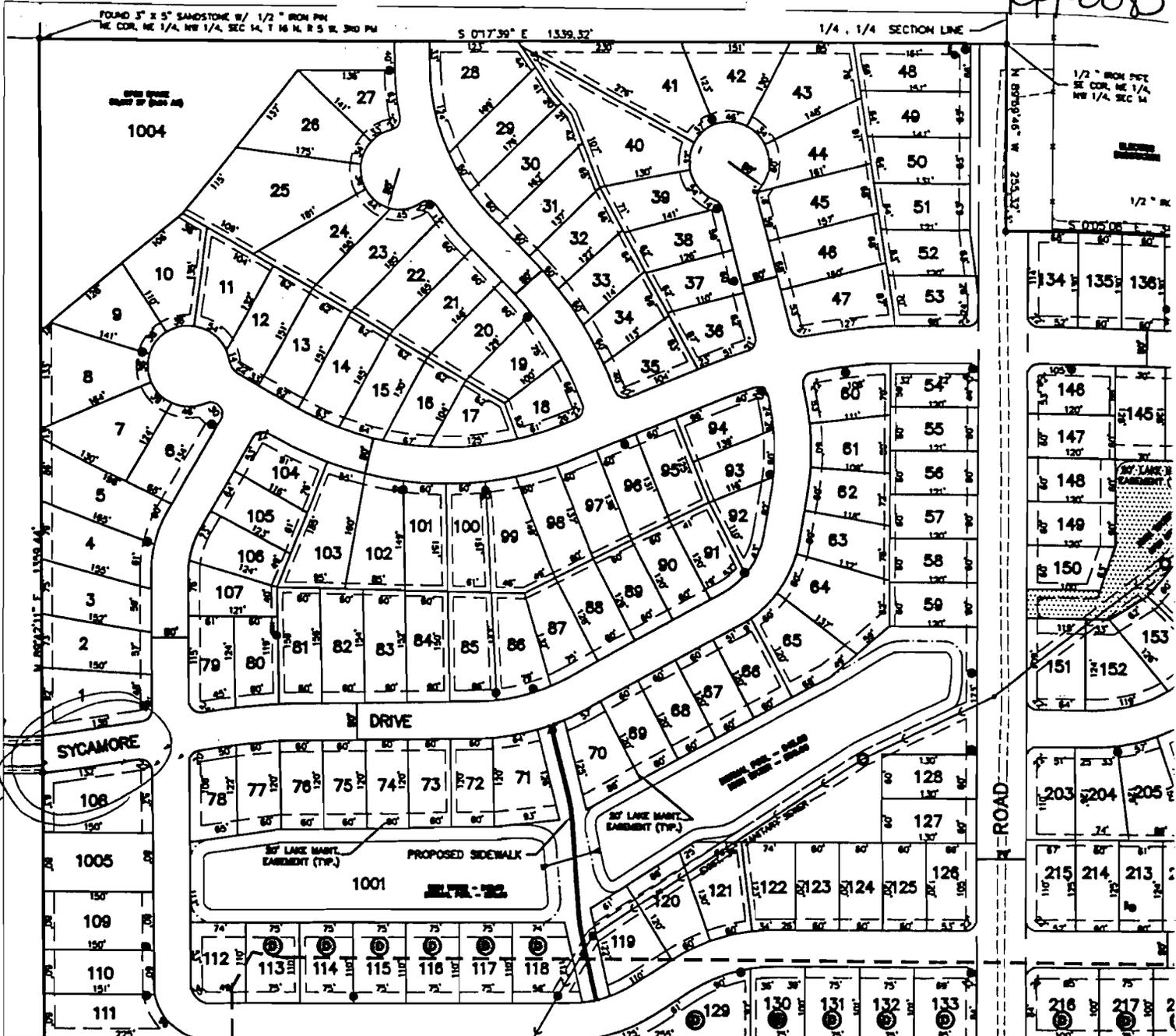
Mr. Timothy C. Zahn
Sangamon County Engineer
3303 Terminal Avenue
Springfield, IL 62707

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 14th day of February, 2005, with postage fully prepaid.





OPEN SPACE & DETENTION AREAS

LOT 1000	-	46,012 SF (1.06 AC)
LOT 1001	-	174,129 SF (4.00 AC)
LOT 1002	-	3,333 SF (0.08 AC)
LOT 1003	-	11,360 SF (0.26 AC)
LOT 1004	-	88,818 SF (2.04 AC)
LOT 1005	-	12,000 SF (0.27 AC)
TOTAL	-	335,652 SF (7.71 AC)

STAGING

- PHASE 1 - LOTS 1-15, 69-88, 103-107
- PHASE 2 - LOTS 16-35, 95-102, 1004
- PHASE 3 - LOTS 108-133, 151, 203, 204, 214-218, 1001, 1005
(INCLUDES IMPROVEMENTS TO TANTOR ROAD)
- PHASE 4 - LOTS 36-47, 60-68, 89-94
- PHASE 5 - LOTS 48-59, 134-150, 1000, 1002
- PHASE 6 - LOTS 152-155, 195-202, 205-213, 217-224
- PHASE 7 - LOTS 172, 173, 192-194, 225-253, 1003
- PHASE 8 - LOTS 156-171, 174-191, 254-280

ENGINEER/SURVEYOR

MARTIN ENGINEERING COMPANY
 CONTACT: STEVE WALKER
 3100 MONTVALE DRIVE
 SPRINGFIELD, ILLINOIS 62704
 PHONE: (217) 898-8000

OWNER & SUBDIVIDER

LARRY HUNDMAN
 COLDWELL BANKER
 405 NORTH HERSHEY
 BLOOMINGTON, ILLINOIS 61704

EXHIBIT

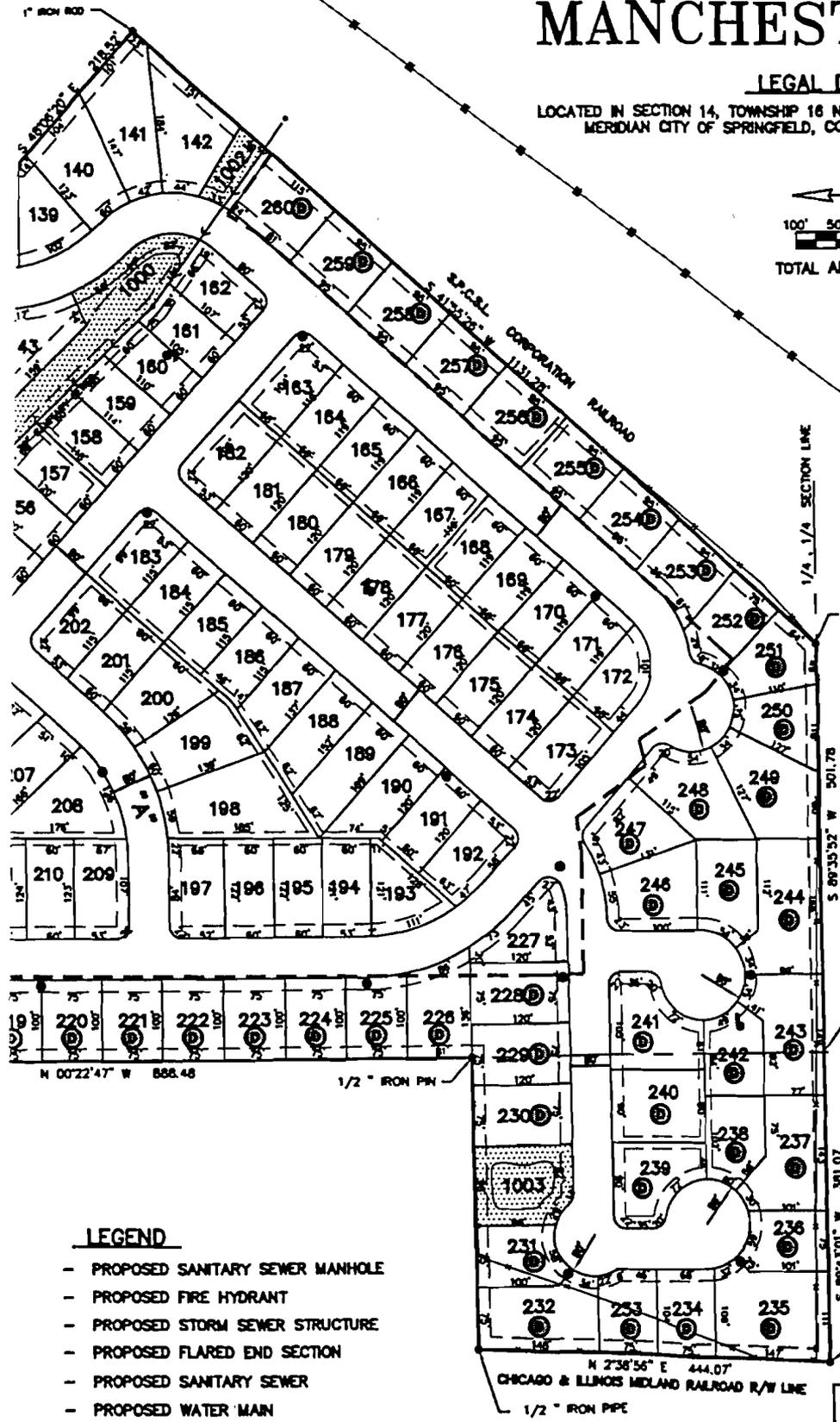
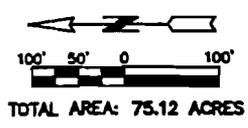
A

PEORIA ROAD

MANCHESTER WOODS

LEGAL DESCRIPTION

LOCATED IN SECTION 14, TOWNSHIP 18 NORTH RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN CITY OF SPRINGFIELD, COUNTY OF SANGAMON, STATE OF ILLINOIS.



R/R SPIKE IN ROOT OF TREE

FOUND STONE SW COR. SEC 1/4 NW 1/4, SEC 14

R/R RAIL POST

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

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
281 LOTS

2	2/03/04	STAGING ROAD LAYOUT AND LOT NUMBERS	MEC
1	7/14/03	PER LSC COMMENTS	MEC
NO.	DATE	REVISION	BY
<p>REVISED PRELIMINARY PLAN</p> <p>PROJECT: MANCHESTER WOODS SPRINGFIELD, ILLINOIS</p> <p>MARTIN ENGINEERING CO. Consulting Engineers - Land Surveyors</p>			

Now Built

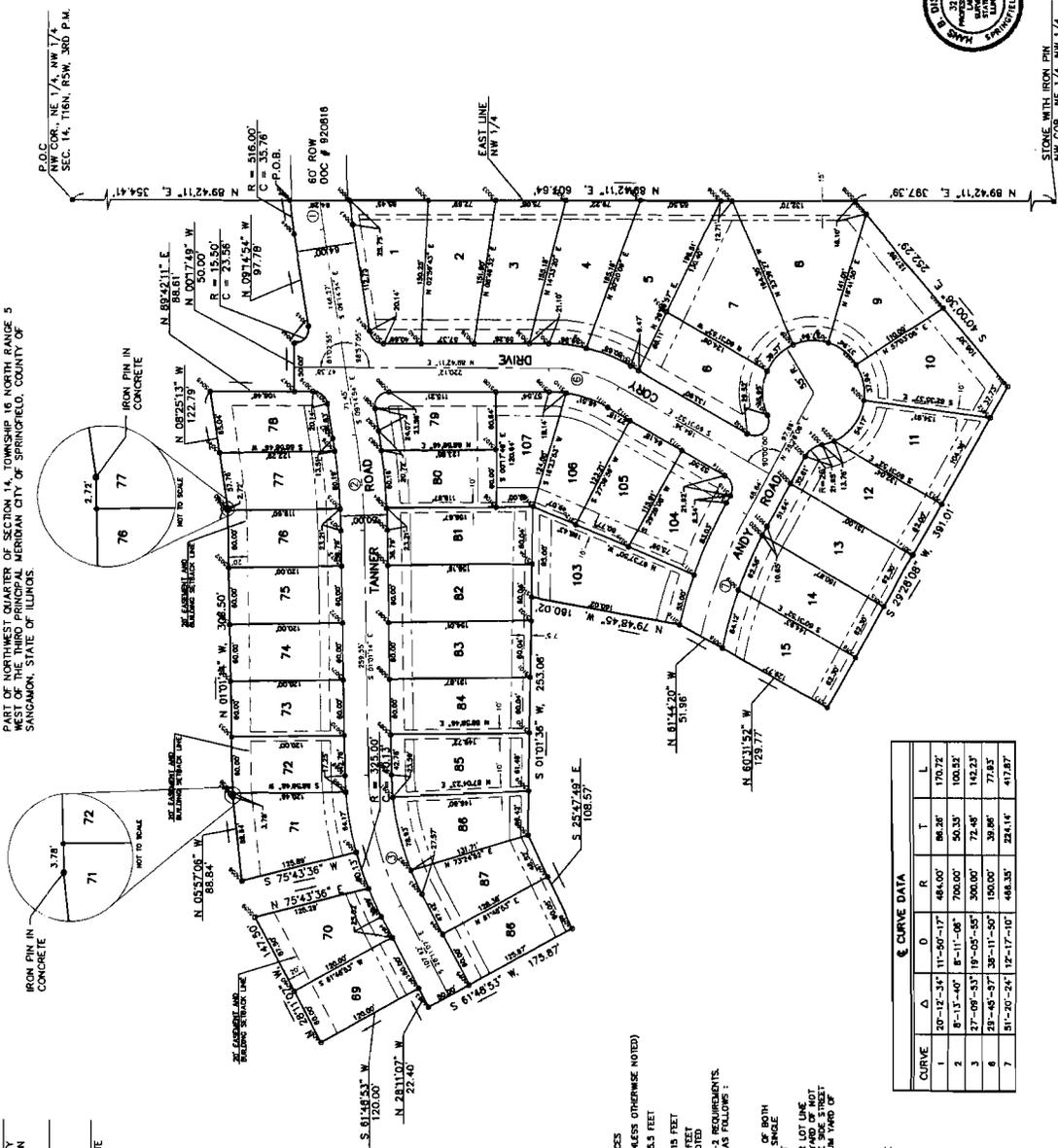
T09-0085

MARTIN ENGINEERING CO.
 Consulting Engineers - Land Surveyors
 (ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-028245)
 3100 MORTVILLE DR., SPRINGFIELD, ILLINOIS 62704
 Phone: (313) 486-4444, Fax: (313) 486-1888
 E-Mail: info@martinengr.com

MANCHESTER WOODS FIRST ADDITION

FINAL PLAN

PART OF NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 16 NORTH RANGE 5 WEST OF THE THIRD PRINCIPAL MERIDIAN CITY OF SPRINGFIELD, COUNTY OF SANGAMON, STATE OF ILLINOIS



CERTEFICATES ATTACHED
 THE FINAL PLAN OF THIS SUBDIVISION IS RECOMMENDED TO THE CITY OF SPRINGFIELD, ILLINOIS BY THE COUNTY PLANNING COMMISSION SUBJECT TO THE CERTIFICATIONS SET FORTH IN SECTION 153.148 OF THE 1988 SPRINGFIELD CODE, AS AMENDED.

DATED: _____
 BY: _____
 MAYOR, CITY OF SPRINGFIELD _____ DATE: _____

 EXECUTIVE DIRECTOR
 ATTEST, CITY CLERK _____

NOTES: ALL MEASUREMENTS ON CURVES ARE CHORD DISTANCES
 ALL STREET RIGHTS OF WAY WIDTHS ARE 50 FEET (UNLESS OTHERWISE NOTED)
 ALL CORNER MARKS AT STREET INTERSECTIONS ARE 16.5 FEET
 ALL CORNER MARKS AT INTERIOR LOT INTERSECTIONS ARE 10 FEET
 ALL EASEMENTS ALONG STREET RIGHT OF WAY ARE 10 FEET
 ALL EASEMENTS ALONG INTERIOR LOT LINES ARE 10 FEET
 ALL LOTS ARE ZONED R-4, WITH A VARIANCE TO R-2 REQUIREMENTS.
 MINIMUM BUILDING SETBACKS FOR R-2 ZONING ARE AS FOLLOWS:
 FRONT YARD: 25 FEET
 SIDE YARD: INTERIOR LOT - COMBINED TOTAL OF BOTH SIDE YARDS OF 10 FEET AND NO SINGLE SIDE YARD OF LESS THAN 5 FEET
 REAR YARD: 20 FEET
 NO PART OF THIS FINAL PLAN IS LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

CURVE	Δ	D	R	T	L
1	20°12'34"	11'-50"-17"	48.605'	86.26'	170.72'
2	8°-13'-07"	8°-11'-08"	700.00'	50.33'	100.32'
3	27°-09'-53"	19°-05'-55"	300.00'	72.48'	142.23'
6	28°-45'-37"	38°-11'-50"	100.00'	38.86'	77.83'
7	51°-30'-24"	12°-17'-10"	488.35'	224.14'	417.87'

OWNER & DEVELOPER
 LFM 100 PARTNERSHIP
 C/O LARRY HUNDMAN
 405 N. WASHINGTON
 BLOOMINGTON, ILLINOIS 61704



STONES WITH IRON PIN
 NW COR. NE 1/4, NW 1/4
 SEC. 14, T16N, R5W, 3RD P.M.

"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A SUBDIVISION SURVEY."
 I, HANS B. DISTELHORST, HEREBY CERTIFY THAT I AM AN ILLINOIS PROFESSIONAL LAND SURVEYOR IN COMPLIANCE WITH THE LAWS OF THE STATE OF ILLINOIS. I MADE A SURVEY OF THE DESCRIBED PROPERTY AND THE FOREGOING PLAN REPRESENTS THE RESULT OF SAID SURVEY.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 371
 DATE SIGNED: _____ NOV. 20, 2004
 LICENSE EXP. DATE: _____

0157/0216/01/PIN-4-80