

**ORIGINAL**

T08-0063

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT 1315**

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("Commission"), the Norfolk Southern Railway Company ("Company"), the Village of Deer Creek ("Village"), and the State of Illinois, Department of Transportation ("Department" or "IDOT").

**WITNESSETH:**

WHEREAS, it has come to the attention of the Commission through application for Grade Crossing Protection Fund assistance that inquiry should be made into the matter of improving public safety at the Main Street and Perry Street highway-rail grade crossings in Deer Creek of the Company's track in Tazewell County (Main Street) and Woodford County (Perry Street), Illinois, designated as crossings AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL, respectively, and

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossings 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-1 and Exhibit A-2, 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:

Main Street  
(AAR/DOT #475 106H)

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder, by the Company.
- (b) Installation of temporary STOP signs at the Main Street crossing within 30 days of a Commission Order for the installation of new automatic warning devices, by the Company.
- (c) Reconstruction and raising of the siding track crossing surface so that it is the same elevation as the main track crossing surface, in order to meet the minimum requirements of 92 Ill. Adm. Code 1535.203, by the Company.
- (d) Reconstruction of the existing north highway approach grade, to meet the minimum requirements of 92 Ill. Adm. Code 1535.204 (Exhibit C), by the Village. The south highway approach shall be reconstructed to nearly meet minimum requirements of 92 Ill. Adm. Code 1535.204, as stated in the Exhibit A-1 Comments.
- (e) Installation of Highway-Rail Grade Crossing Advance Warning Signs, as per the IL Adm. Code, section 1535.310, by the Village.

Perry Street  
(AAR/DOT #475 104U)

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder, by the Company.
- (b) Installation of a new railroad advance warning sign and pavement markings on the north highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the Village.

Section 3 The Company has provided preliminary detailed cost estimates and plans (see Exhibit B-1 and B-2) for the installation of automatic flashing light signals and gates at the subject locations.

Section 4 The Company and Village shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with their 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**

<b>IMPROVEMENT</b>	<b>EST. COST</b>	<b>GCPF</b>	<b>VILLAGE</b>	<b>COMPANY</b>
<b>Main Street</b>				
Install Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$191,649	(95%) \$182,067	0%	(5%) Remainder <sup>1,3</sup>
Install temporary STOP Signs, if ordered.	No Estimate Required	\$0	0%	100% <sup>3</sup>
Reconstruct Approaches	No Estimate Required	0%	100% <sup>2</sup>	0%
Install Advance Warning Signs	No Estimate Required	0%	100%	0%
<b>Perry Street</b>				
Install Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$167,963	(95%) \$159,565	0%	(5%) Remainder <sup>1,3</sup>
Install Advance Warning Sign and pavement markings on south approach, and see Exhibit A-2, Comments section	No Estimate Required	0%	100% <sup>2</sup>	0%
<b>TOTALS</b>	<b>\$359,612</b>	<b>\$341,632<sup>1</sup></b>	<b>100%<sup>2</sup></b>	<b>Remainder<sup>1,3</sup></b>

**Notes:**

<sup>1</sup> Total Grade Crossing Protection Fund (GCPF) assistance not to exceed \$341,642 for both crossings; any installation costs above the estimated amount of \$359,612 for both crossings 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.

<sup>2</sup> Village is responsible for all future maintenance costs associated with the highway approach grades.

<sup>3</sup> Company responsible for all future operation and maintenance costs associated with the new automatic warning devices and Temporary STOP signs.

<sup>4</sup> Village responsible for all future maintenance costs associated with the advance warning signs and pavement markings.

**Section 6 Special Provisions:** The Village of Deer Creek is financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the Order and indicates this intent by Resolution incorporated herein by reference as Exhibit D. The Village shall submit a certified copy of the Resolution at the same time as the Execution Page of this Agreement is submitted to the Commission.

The Village and the Company shall coordinate with each other regarding the work specified in Section 2 at all phases of the project. The Company should contact the Village Clerk (Lori Lewis) at (309) 447-6749 before proceeding with this project, especially when the Company raises the crossing surface at the siding track on Main Street as specified in the above Section 2(c).

Since the highway approach reconstruction at the subject crossings will be performed by the roadway authority or its contractor, flagging and contractor liability insurance may be required for said work.

The Company, and the Village, shall review the Project Manager Information portion of the Project Status Report sheets, attached as Exhibits E1 and E2, respectively. If any changes are required, the sheets are to be corrected and sent with the executed Agreement.

The Company and Village 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 Exhibits E1 (Company), and E2 (Village), regarding the progress each has made toward completion of the work required by this Agreement, if any. 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 and the Village 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 S. Dirksen Parkway, Springfield, IL 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 the Company 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 this Order or any Supplemental Order, 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 7** Billing: For all work specified in Section 2 of this Agreement and authorized by an Order of the Commission, the Company and the Village 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 project.
- b) Equipment Rental - Copies of rental agreements for the equipment used, including the rental rate; and the number of hours the equipment was used on 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 project.
- e) Supervision - Copies of employee work hours charged to 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 8 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.

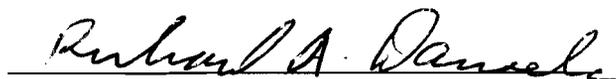
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 4<sup>th</sup> day of January 2008.



Michael E. Stead  
Rail Safety Program Administrator

Attest:



Richard A. Daniels  
Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement 1315, executed by Commission Staff on January 4, 2008, concerning improvements at the Main Street and Perry Street highway-rail grade crossings of Norfolk Southern Railway Company's track in Deer Creek, Illinois, designated as crossings AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL, respectively.

Executed by the Village of Deer Creek this 15<sup>th</sup> day of January 2008.

VILLAGE OF DEER CREEK

By: 

Attest:



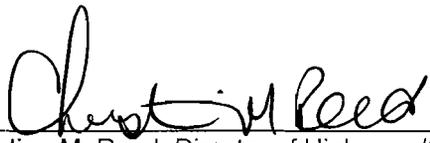
**RECEIVED**  
JAN 22 2008

Illinois Commerce Commission  
RAIL SAFETY SECTION

Illinois Commerce Commission Stipulated Agreement 1315, executed by Commission Staff on January 4, 2008, concerning improvements at the Main Street and Perry Street highway-rail grade crossings of Norfolk Southern Railway Company's track in Deer Creek, Illinois, designated as crossings AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL, respectively.

Executed by the Illinois Department of Transportation this 12<sup>th</sup> day of FEB. 2008.

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

By:   
\_\_\_\_\_  
Christine M. Reed, Director of Highways/Chief Engineer

Illinois Commerce Commission Stipulated Agreement 1315, executed by Commission Staff on January 4, 2008, concerning improvements at the Main Street and Perry Street highway-rail grade crossings of Norfolk Southern Railway Company's track in Deer Creek, Illinois, designated as crossings AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL, respectively.

Executed by the Norfolk Southern Railway Company this 3rd day of March 2008.

<sup>4/14</sup> NORFOLK SOUTHERN RAILWAY COMPANY  
By: M. J. Wheeler

Attest:

[Signature]  
Assistant Corporate Secretary

**ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT  
CROSSING DATA FORM**

**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	Norfolk Southern Railway Company
<b>USDOT#, MILEPOST</b>	475 106H, MP 397.50-NL
<b>STREET, CITY, COUNTY</b>	Main St, in Deer Creek, Tazewell County
<b>JURISDICTION (RDWY)</b>	City
<b>LOCATION</b>	Residential
<b>STREET SURFACE</b>	Oil and chip, 16 ft., good condition

**CROSSING DATA:** See Location Sketch (Page 3) for Roadway Profile and Track Centers.

<b>TRACK (W-E or N-S)</b>	<b>SURFACE TYPE</b>	<b>SURFACE WIDTH</b>	<b>SURFACE CONDITION</b>
W-E main	Timber & Asphalt	24'	fair
siding	T/A	24'	Fair but too low

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	Locust Ave is approx.65' so. of siding, a drive is 30' to north
<b>TRAFFIC CONTROL</b>	None
<b>ADT &amp; SPEED</b>	275 Per Day @ 30mph unposted
<b>TRAFFIC TYPE</b>	Passenger, School Buses and Hazardous Materials possible, other
<b>ADVANCE WARNING</b>	Yes but replace
<b>PAVEMENT MARKING</b>	None (oil and chip)

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	5 Per day @ 40 MPH, Day & Night
<b>PASSENGER TRAFFIC</b>	none
<b>WARNING DEVICES</b>	Crossbucks with YIELD signs

**NOTES:**

The railroad needs to raise the siding track to be the same elevation as the main track in order to comply with Illinois Administrative Code 1535.203.

**VISIBILITY STUDY:** See Location Sketch

<b>Train Speed</b>	40	<b>MPH</b>
<b>Roadway Speed</b>	30	<b>MPH</b>
<b>Required Stopping Sight Distance (SSD)</b>		
<b>Along Roadway</b>	222	<b>FEET</b>
<b>Along Tracks</b>	396	<b>FEET</b>
<b>Required Clearing Sight Distance (CSD) (Along Tracks)</b>	960	<b>FEET</b>

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

<b>QUADRANT</b>	<b>CSD (FT)</b>	<b>OBSTRUCTION</b>	<b>SSD (FT)</b>	<b>OBSTRUCTION</b>
<b>NE</b>	ok	N/A	0	Trees
<b>NW</b>	ok	N/A	40'	Trees, building
<b>SE</b>	ok	N/A	40'	Trees, building
<b>SW</b>	ok	N/A	ok	

\*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

**APPROACH GRADES:** See Location Sketch page 3

<b>DIRECTION/North</b>			<b>DIRECTION/South</b>		
<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>	<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>
See page 3					

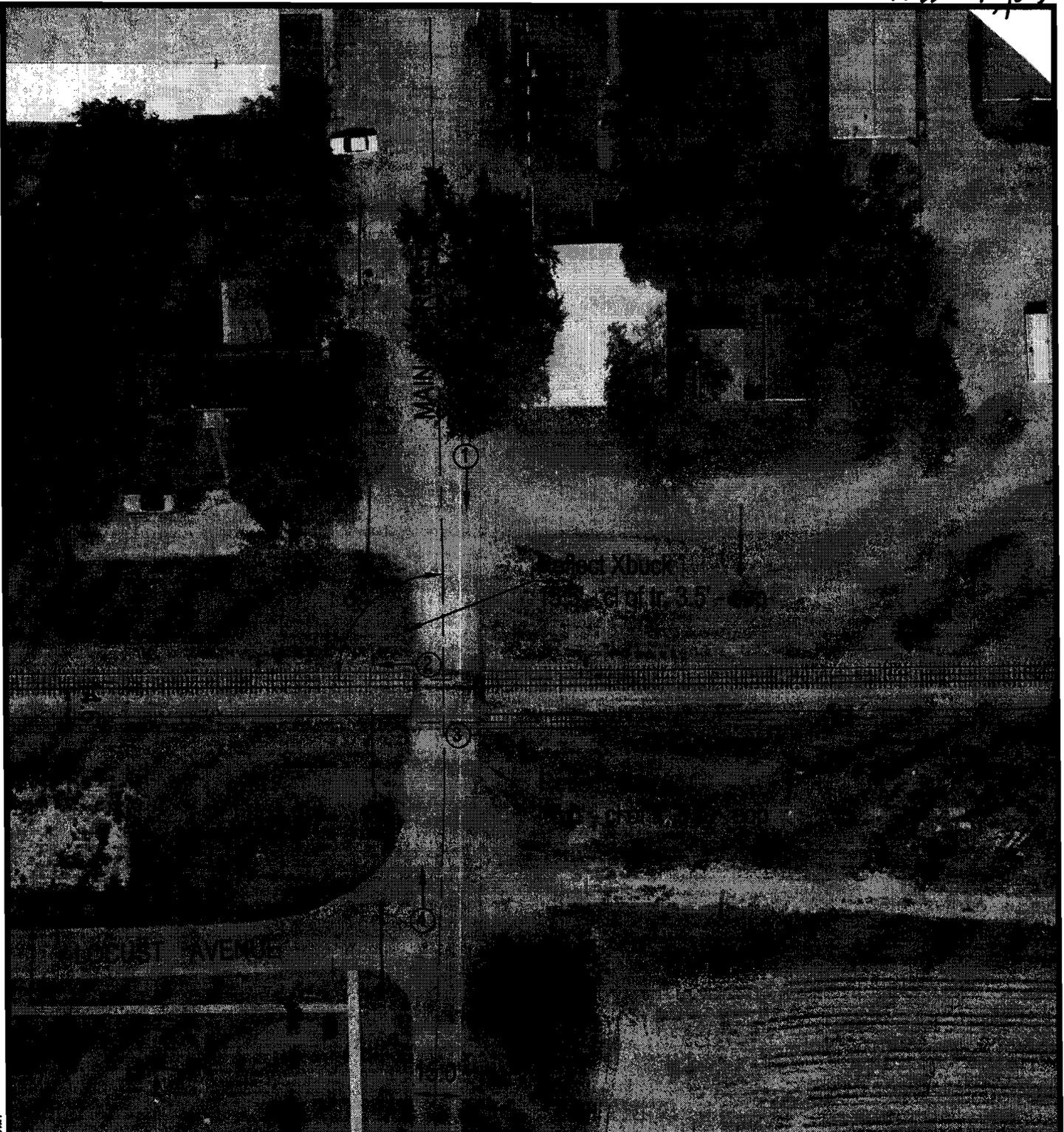
Distance measured from outermost rail.

**COMMENTS:**

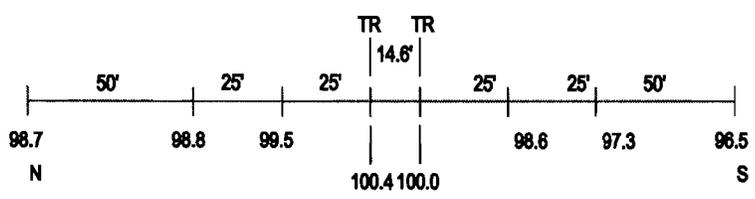
Norfolk Southern Railway's estimate for installing automatic warning devices is \$191,649. Staff of the ICC Rail Safety Section will recommend that the Grade Crossing Protection Fund (GCPF) be used to pay 95% of the warning device installation costs. Staff recommends that the NS pay all the remaining installation costs, as well as all future operating and maintenance costs.

Staff also recommends that the Village pay 100% of the costs to improve the highway approach grades in order to comply as close as possible with the requirements of IL Adm Code 1535. Staff recommends that a variance to the requirements of 92 Ill. Adm. Code 1535 be granted to the Village for the south highway approach grade, as there is only 65 feet between the track and a parallel roadway, Locust Avenue, making it cost prohibitive to meet the requirements of 92 Ill. Adm. Code 1535.204. The engineers for the Village believe that improvements can be made to the existing south highway approach grade that will make it substantially in compliance with the administrative rule. The north highway approach grade can be improved to fully meet the requirements of 92 Ill. Adm. Code 1535. The estimated costs for the highway approach grade reconstruction costs is \$25,000. Staff recommends that this cost be considered the Village's contribution to the project.

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



4 | TAZEWELL | 475106H | 475106H.DWG 03/07/01 15:17 HHW



**ROAD PROFILE**



③ Photo Location

Crossing #: 475106H  
 Location: Tazewell Co., City of Deer Creek (In)  
 Lat/Long: 40°37'37" / 89°19'56"  
 Railroad: NS  
 Street: Main Street  
 Railroad Milepost: 397.50  
 Crossing Protection: Sign

**ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT  
CROSSING DATA FORM**

**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	Norfolk Southern Railway Company
<b>USDOT#, MILEPOST</b>	475 104U, MP 397.17-NL
<b>STREET, CITY, COUNTY</b>	Perry St, Deer Creek, Woodford County
<b>JURISDICTION (RDWY)</b>	City
<b>LOCATION</b>	Residential
<b>STREET SURFACE</b>	HM Asphalt , 22 ft., good condition

**CROSSING DATA:**

<b>TRACK (W-E or N-S)</b>	<b>SURFACE TYPE</b>	<b>SURFACE WIDTH</b>	<b>SURFACE CONDITION</b>
W-E main	Timber & Asphalt	32'	fair

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	Locust Ave is approx.65' so. of siding, a drive is 30' to north
<b>TRAFFIC CONTROL</b>	None
<b>ADT &amp; SPEED</b>	1800 Per Day @ 30mph
<b>TRAFFIC TYPE</b>	Passenger, School Buses and Hazardous Materials possible, other
<b>ADVANCE WARNING</b>	replace
<b>PAVEMENT MARKING</b>	None on north approach but needs to be done.

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	5 Per day @ 40 MPH, Day & Night
<b>PASSENGER TRAFFIC</b>	none
<b>WARNING DEVICES</b>	Automatic Flashing Light Signals (No Gates)

**NOTES:**

**VISIBILITY STUDY:** See Location Sketch

<b>Train Speed</b>	40	<b>MPH</b>
<b>Roadway Speed</b>	30	<b>MPH</b>
<b>Required Stopping Sight Distance (SSD)</b>		
<b>Along Roadway</b>	222	<b>FEET</b>
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Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 2001, Fourth Edition.

<b>QUADRANT</b>	<b>CSD (FT)</b>	<b>OBSTRUCTION</b>	<b>SSD (FT)</b>	<b>OBSTRUCTION</b>
<b>NE</b>	ok		N/A	
<b>NW</b>	ok		N/A	
<b>SE</b>	ok		N/A	
<b>SW</b>	ok		N/A	

\*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

**APPROACH GRADES:** See Location Sketch page 3

<b>DIRECTION/North</b>			<b>DIRECTION/South</b>		
<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>	<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>
See page 3					

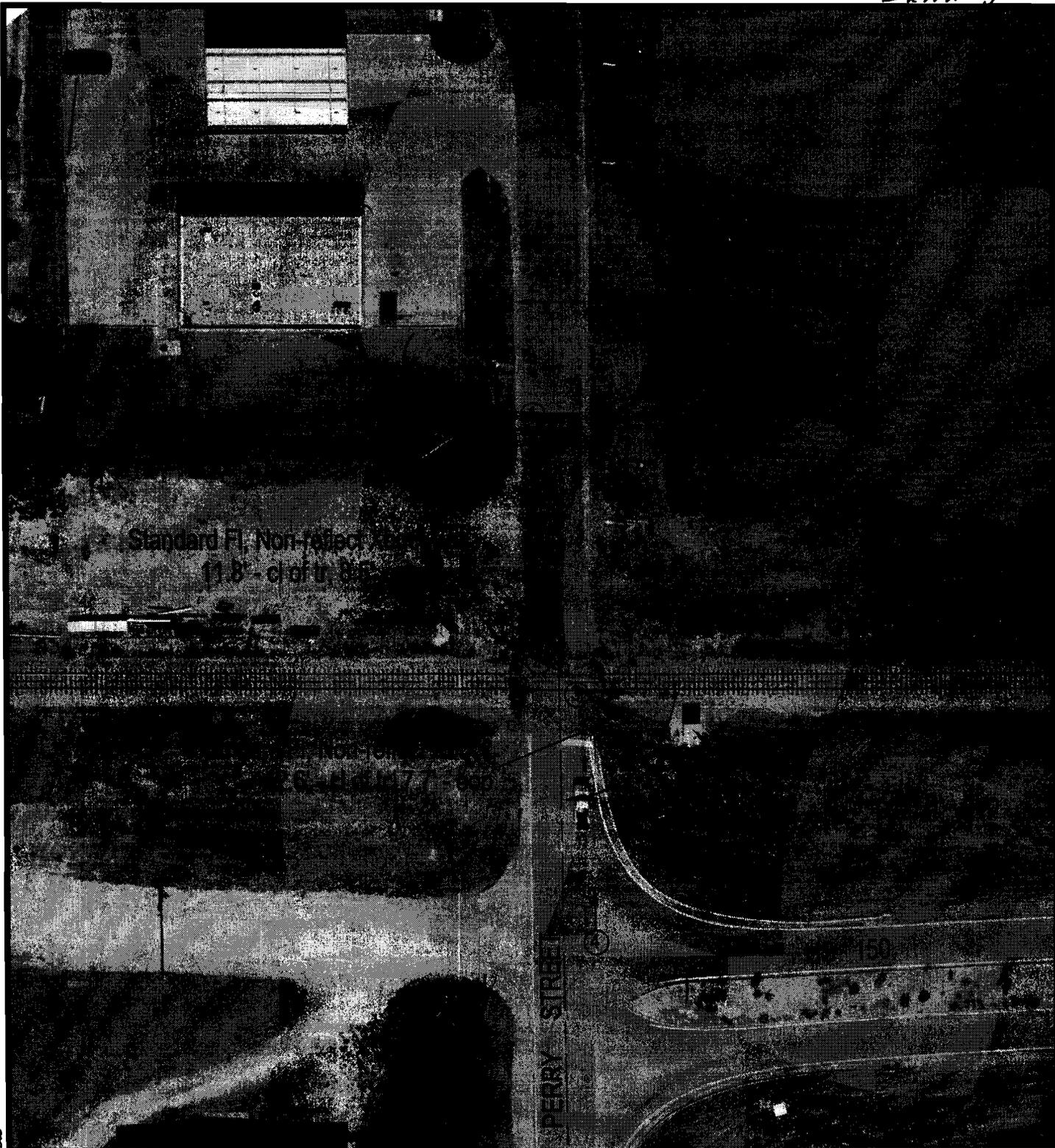
Distance measured from outermost rail.

**COMMENTS:**

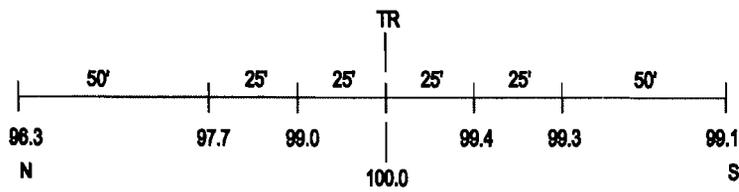
Norfolk Southern Railway's estimate for installing automatic warning devices is \$167,963. Staff of the ICC Rail Safety Section will recommend that the Grade Crossing Protection Fund (GCPF) be used to pay 95% of the warning device installation costs. Staff recommends that the NS pay all the remaining installation costs, as well as all future operating and maintenance costs.

The Village recently helped pay to repave the north highway approach to the crossing, so that it generally conforms to the requirements of 92 Ill. Adm. Code 1535.204. But the Village needs to fill in the area between the track and the end of pavement reconstruction, as there is a slight hump there that should have been addressed during that phase of construction. The costs for the highway approach grade reconstruction exceeded \$25,000. Staff recommends that this cost be considered the Village's contribution to the project. Staff also recommends that the Village be granted a waiver from the requirements of 92 Ill. Adm. Code 1535 for the south highway approach. US 150 is too close to the crossing, making it financially infeasible to reconstruct the south highway approach grade to fully meet the requirements of 92 Ill. Adm. Code 1535.204

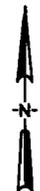
See Page 3 for a Location Sketch (Aerial Photo) of the crossing.



J:\WOODFORD\475104U\475104U.DWG 03/07/01 11:14 B.B



ROAD PROFILE



③ Photo Location

Crossing #: 475104U  
 Location: Woodford Co., City of Deer Creek (In)  
 Lat/Long: 40°37'35" / 89°19'41"  
 Railroad: NS  
 Street: Perry Street  
 Railroad Milepost: 397.20  
 Crossing Protection: Train Activated Devices







**Detailed Estimate for Grade Crossing Warning Devices**

City/State: DEER CREEK, IL  
MilePost: SP-397.5  
State Proj. No.:  
S&E Proj. No.: 04.0639  
Man Days: 124

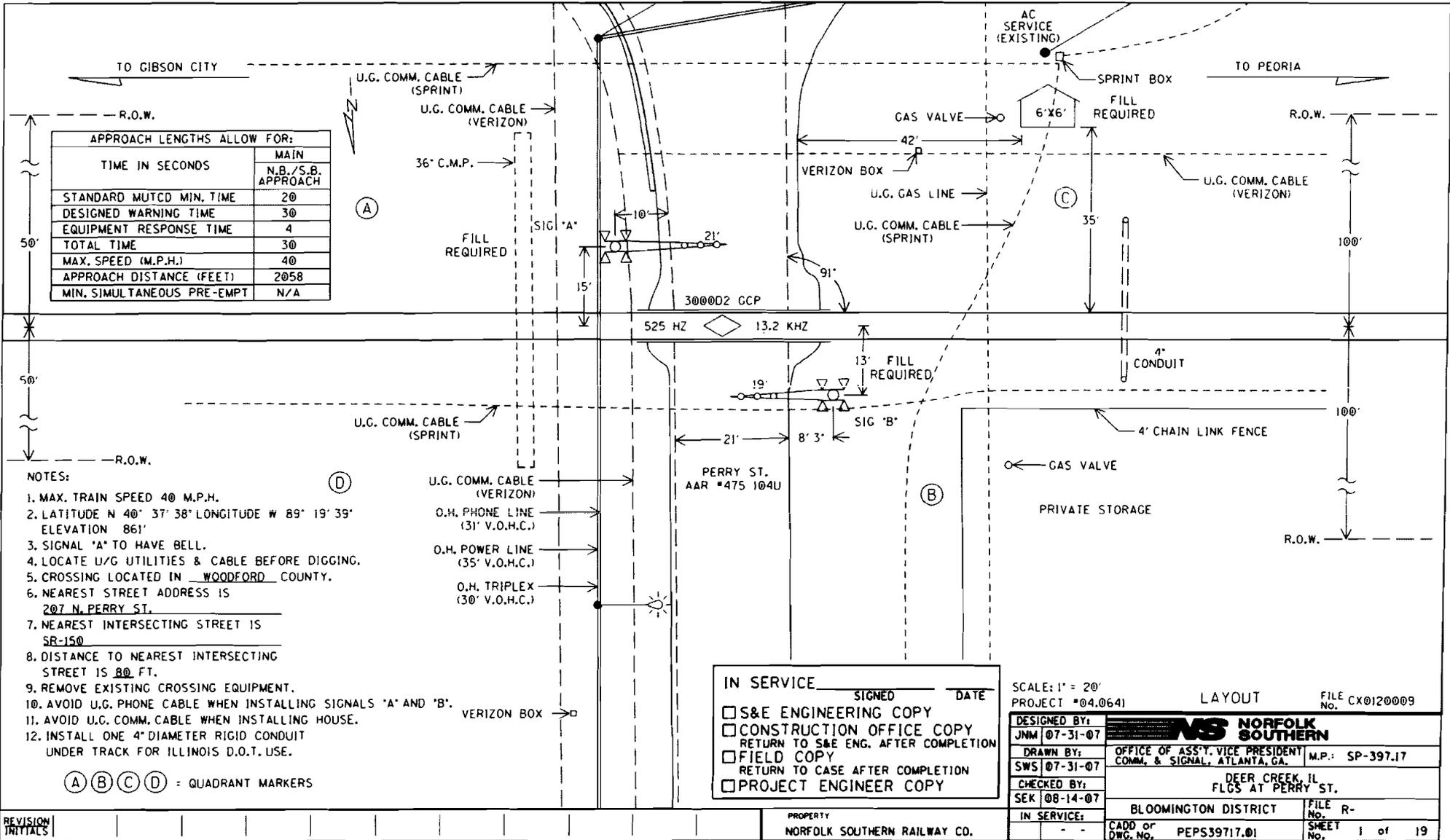
Road: MAIN ST.  
DOT/AAR: 475106H  
County: TAZEWELL  
AFE: F10453  
File Number:

<b>***Purchases - Others***</b>	
Meals and Lodging:	\$11,667.11
Rental of Equipment:	\$25,506.80
(2 Trucks, 1 Backhoe w/ Trailer and 1 Pipe-Pusher for 31 Days)	
Construction Supervision Vehicle:	\$2,040.54
<b>Purchases - Other Total:</b>	<b>\$39,214.45</b>
<b>***Material And Additives***</b>	
Material Cost:	\$68,781.00
Sales and Use Tax:	\$3,439.00
Material Handling Freight:	\$3,439.07
<b>Material Total:</b>	<b>\$75,659.07</b>
<b>***Labor And Additives***</b>	
Labor Cost:	\$30,008.00
(4 man crew at \$968.00 a day for: 31 days)	
Payroll Tax & Overheads:	\$29,602.89
Preliminary Engineering:	\$8,693.47
Construction Supervision:	\$8,471.26
<b>Labor Total:</b>	<b>\$76,775.62</b>
<b>Project Cost:</b>	<b>\$191,649.14</b>
Scrap / Salvage Credit:	\$0.00
<b>Project Total:</b>	<b>\$191,649.14</b>

Estimated on: 22-Aug-07

Estimated by: NBIJE

**Estimate valid for 1 year from date of estimate**



APPROACH LENGTHS ALLOW FOR:

TIME IN SECONDS	MAIN
	N.B./S.B. APPROACH
STANDARD MUTCD MIN. TIME	20
DESIGNED WARNING TIME	30
EQUIPMENT RESPONSE TIME	4
TOTAL TIME	30
MAX. SPEED (M.P.H.)	40
APPROACH DISTANCE (FEET)	2058
MIN. SIMULTANEOUS PRE-EMPT	N/A

- NOTES:
1. MAX. TRAIN SPEED 40 M.P.H.
  2. LATITUDE N 40° 37' 38" LONGITUDE W 89° 19' 39" ELEVATION 861'
  3. SIGNAL 'A' TO HAVE BELL.
  4. LOCATE U/G UTILITIES & CABLE BEFORE DIGGING.
  5. CROSSING LOCATED IN WOODFORD COUNTY.
  6. NEAREST STREET ADDRESS IS 207 N. PERRY ST.
  7. NEAREST INTERSECTING STREET IS SR-150
  8. DISTANCE TO NEAREST INTERSECTING STREET IS 80 FT.
  9. REMOVE EXISTING CROSSING EQUIPMENT.
  10. AVOID U.G. PHONE CABLE WHEN INSTALLING SIGNALS 'A' AND 'B'.
  11. AVOID U.G. COMM. CABLE WHEN INSTALLING HOUSE.
  12. INSTALL ONE 4" DIAMETER RIGID CONDUIT UNDER TRACK FOR ILLINOIS D.O.T. USE.

(A) (B) (C) (D) = QUADRANT MARKERS

IN SERVICE \_\_\_\_\_ SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

S&E ENGINEERING COPY

CONSTRUCTION OFFICE COPY

FIELD COPY

PROJECT ENGINEER COPY

SCALE: 1" = 20'

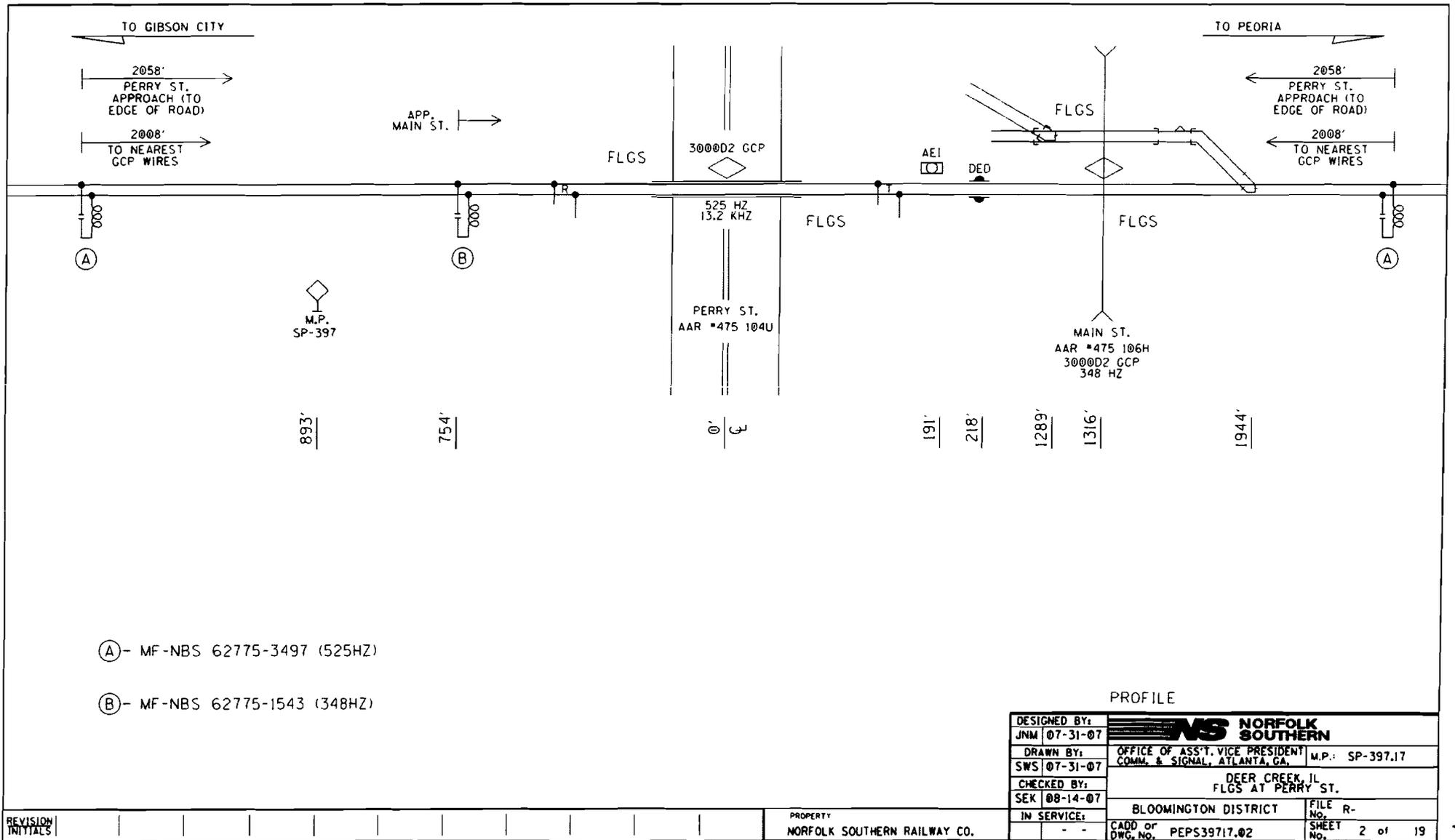
PROJECT #04.0641 LAYOUT FILE NO. CX0120009

DESIGNED BY:	<b>NORFOLK SOUTHERN</b>	
JNM 07-31-07	OFFICE OF ASS'T. VICE PRESIDENT COMM. & SIGNAL, ATLANTA, GA.	M.P.: SP-397.17
DRAWN BY:	DEER CREEK, IL FLGS AT PERRY ST.	
SWS 07-31-07	BLOOMINGTON DISTRICT	FILE No. R-
CHECKED BY:	CADD of	SHEET No.
SEK 08-14-07	PEPS39717.01	1 of 19
IN SERVICE:		

REVISION	INITIALS	DATE	DESCRIPTION

PROPERTY  
NORFOLK SOUTHERN RAILWAY CO.

EX 1 B-2  
P1



EXH B-2  
P2



**Detailed Estimate for Grade Crossing Warning Devices**

City/State: DEER CREEK, IL  
MilePost: SP-397.17  
State Proj. No.:  
S&E Proj. No.: 04.0641  
Man Days: 104

Road: PERRY ST.  
DOT/AAR: 475104U  
County: WOODFORD  
AFE: F10452  
File Number:

<b>***Purchases - Others***</b>	
Meals and Lodging:	\$9,785.32
Rental of Equipment:	\$21,392.80
(2 Trucks, 1 Backhoe w/ Trailer and 1 Pipe-Pusher for 26 Days)	
Construction Supervision Vehicle:	\$1,711.42
<b>Purchases - Other Total:</b>	<b>\$32,889.54</b>
<b>***Material And Additives***</b>	
Material Cost:	\$63,769.00
Sales and Use Tax:	\$3,188.00
Material Handling Freight:	\$3,188.44
<b>Material Total:</b>	<b>\$70,145.44</b>
<b>***Labor And Additives***</b>	
Labor Cost:	\$25,168.00
(4 man crew at \$968.00 a day for: 26 days)	
Payroll Tax & Overheads:	\$24,828.23
Preliminary Engineering:	\$7,826.43
Construction Supervision:	\$7,104.93
<b>Labor Total:</b>	<b>\$64,927.59</b>
Project Cost:	\$167,962.57
Scrap / Salvage Credit:	\$0.00
<b>Project Total:</b>	<b>\$167,962.57</b>

Estimated on: 17-Aug-07

Estimated by: NBIJE

**Estimate valid for 1 year from date of estimate**

Section 1535.204 Grade Line of Highway Approaches

- a) Unless the Commission otherwise specifically orders, the grade line of highway approaches to grade crossings hereafter established or substantially reconstructed shall be as follows: From the outer rail of the outermost track coincident with a tangent to the tops of the rails for about 24 inches, thence for a distance of 25 feet ascending or descending at a grade which shall not deviate more than 1% from said tangent, thence to the right-of-way line (and as far beyond as the Commission's control may extend in any case) at a grade not to exceed 5%. Where super-elevated track or tracks make strict compliance with this Section impractical the grade of approaches shall be constructed so as to provide the best vertical alignment under the circumstances with due regard to surface regularity.
  
- b) The width, transverse contour, type of surface or pavement, and other characteristics of each such approach to a grade crossing shall be suitable for the highway and shall in every case conform to the requirements of good practice.

**Exhibit D**

**ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT 1315**

Date January 16, 2008

The Village of Deer Creek Board of Trustees  
(Board or Council of the Village of Deer Creek)

meeting on January 15, 2008, Resolved to authorize  
(Date)

Village President James Hackney to act as its designated agent in the  
(Name, Office)

processing of this Stipulated Agreement and that the Village is financially willing and able to bear the cost for the proposed improvements as may be assigned to it according to Section 5 of this Agreement.

**ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

**PROJECT STATUS REPORT:**

**TYPE:** (CHECK ONE)

PROGRESS	<input type="checkbox"/>
COMPLETION	<input type="checkbox"/>

DATE	4-3-08
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**PROJECT INFORMATION:**

Reporting Party:	Village of Deer Creek
Docket/Order #; Date:	708-0063
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due <sup>1</sup> :	
AAR/DOT#, Milepost:	AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL
Street, (in/near) City, County:	Main St and Perry St in Deer Creek, Tazewell and Woodford Counties, respectively
Railroad Company:	Norfolk Southern

<sup>1</sup>Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

**PROJECT MANAGER INFORMATION<sup>2</sup>:**

Name:	Lori Lewis
Title:	Village Clerk
Representing:	Village of Deer Creek
Street Address:	P.O. Box 38
City, State, Zip:	Deer Creek, IL 61733
Office Phone:	309-447-6749
Office Fax:	309-447-6749
Cellular Phone:	
E-Mail Address:	See www.deercreekillinois.org

<sup>2</sup>Project Manager Information to be submitted by Roadway Authority and Railroad Company

**DESCRIPTION OF IMPROVEMENT(S) ORDERED:**

- On Main St, reconstruct north and south Highway Approaches, by the Village
- On Main St, install Highway-Rail Grade Crossing Advance Warning Signs, by the Village.
- On Perry Street, smooth out north approach as described in Exhibit A-2 Comments, by the Village
- On Perry Street, install a new railroad advance warning sign and pavement markings on the north highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the Village.

**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 you have questions contact:

Dick Daniels, Rail Safety Specialist  
Phone: (217)-785-8420  
Email: rdaniels@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/formswizard.aspx>

The billing address for **Grade Crossing Protection Fund** reimbursement is:

**SIGNAL WORK**

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

**APPROACH/BRIDGE WORK**

IDOT, District ##  
Address

**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	<b><u>And</u></b>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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**ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

**PROJECT STATUS REPORT:**

**TYPE:** (CHECK ONE)

PROGRESS	<input type="checkbox"/>
COMPLETION	<input type="checkbox"/>

DATE	4-3-08
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**PROJECT INFORMATION:**

Reporting Party:	Norfolk Southern Railway Company
Docket/Order #; Date:	708-0063
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due <sup>1</sup> :	
AAR/DOT#, Milepost:	AAR/DOT #475 106H, railroad milepost 397.50-NL and AAR/DOT #475 104U, railroad milepost 397.20-NL
Street, (in/near) City, County:	Main St and Perry St in Deer Creek, Tazewell and Woodford Counties, respectively
Railroad Company:	Norfolk Southern

<sup>1</sup>Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form.

**PROJECT MANAGER INFORMATION<sup>2</sup>:**

Name:	Dennis Keith
Title:	Production and Material Control
Representing:	Norfolk Southern
Street Address:	99 Spring Street, Box 123
City, State, Zip:	Atlanta, Georgia 30303
Office Phone:	404-529-1009
Office Fax:	404-527-1174
Cellular Phone:	
E-Mail Address:	dlkeith@nscorp.com

<sup>2</sup>Project Manager Information to be submitted by Roadway Authority and Railroad Company

**DESCRIPTION OF IMPROVEMENT(S) ORDERED:**

- On both Main Street and Perry Street, install automatic flashing light signals and gates, with a bell, controlled by constant warning time circuitry, and equipped with an event recorder, by NS.
- On Main St, installation of temporary STOP signs at the subject crossing within 30 days of receipt of a Commission Order for the installation of new automatic warning devices, by NS.
- On Main St, reconstruct/raise siding crossing surface to same elevation as the main crossing surface, by NS.

**STATUS OF WORK:**

**ILLINOIS COMMERCE COMMISSION  
TRANSPORTATION DIVISION / RAIL SAFETY SECTION**

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The Illinois Commerce Commission  
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Submit Inventory forms to:

Federal Railroad Administration Office of Safety 1120 Vermont Avenue, NW Washington, DC 20590	<b><u>And</u></b>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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