



ILLINOIS COMMERCE COMMISSION

May 14, 2008

Village of Frankfort and Village of Mokena, municipal corporations; Petitioners,	:	
	:	
Vs.	:	
	:	
The Elgin, Joliet, and Eastern Railway Company, a Delaware Corporation, and the Department of Transportation of the State of Illinois, Respondents.	:	T08-0077
	:	
Petition for an Order to upgrade 116 <sup>th</sup> Avenue (Osage Road/Bobzin Road) designated as crossing AAR/DOT #260 620E located in the Village of Frankfort and Mokena, Will County, Illinois.	:	
	:	

Mr. Harry L. Gilmore, Jr., P.E.  
 Robinson Engineering  
 10045 West Lincoln Highway  
 Frankfort, IL 60423-1272

Dear Mr. Gilmore:

Receipt is acknowledged of the original and one (1) copy of the Petition filed May 14, 2008 in the above matter.

**All future correspondence/pleadings should be filed and addressed to: Mr. Dave Lazarides, Director of Processing, Illinois Commerce Commission, 527 East Capitol Avenue, Springfield, IL 62701 or you may file the original electronically through E-docket if you have an account. To apply for an account, please log on to [www.icc.illinois.gov](http://www.icc.illinois.gov) and apply for an E-docket account.**

Processing and Information Section

KI

- Cc: Staff: Mr. Brian Verduynde  
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 Ms. Ellen Schanzle-Haskins, IDOT  
 Mr. Lance Jones, IDOT  
 Mr. Ken L. Hay, EJE  
 Mr. Mark A. Paull, EJE  
 Mr. Jim Holland, Village of Frankfort  
 Mr. Howard E. Sloan, Village of Frankfort  
 Mr. Joseph W. Werner, Village of Mokena  
 Mr. Paul Pearson, Village of Mokena

**ORIGINAL**

**RECEIVED**

MAY 14 2008

Illinois Commerce Commission  
RAIL SAFETY SECTION

T08-0077

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

VILLAGE OF FRANKFORT and VILLAGE OF MOKENA,  
municipal corporations;  
PETITIONERS,

Vs.

The Elgin, Joliet, and Eastern Railway Company, a Delaware  
Corporation, and The Department of Transportation of the State  
of Illinois,  
RESPONDENTS.

**PETITION**

Now comes the Villages of Frankfort and Mokena (PETITIONERS), and respectfully petitions the Illinois Commerce Commission (COMMISSION) as follows:

1. Petitioner is a municipal corporation located in Will and Cook Counties in the State of Illinois.
2. Elgin, Joliet and Eastern Railway Co. (EJE RAILWAY), a Delaware corporation, is a registered rail carrier operating in the State of Illinois.
3. There is an existing vehicular crossing of the EJE Railway main track at 116<sup>th</sup> Avenue (Osage Road/Bobzin Road) designated as AAR/DOT #260 620E, railroad milepost 11.49, in the Villages of Frankfort and Mokena .
4. The Petitioners request to modify the roadway through the Crossing as depicted in Exhibits 1 and 2. The roadway cross section will include barrier median, a new sidewalk, and a multi-use path through the Crossing to provide connections to pedestrian facilities along 116<sup>th</sup> Street. If approved, the Petitioners agree to

**DOCKETED**

MAY 14 2008

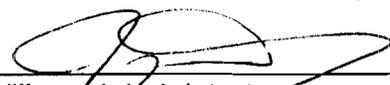
reimburse the EJ&E Railway for costs incurred for the engineering and installation of the widened crossing surface to accommodate the proposed pedestrian crossing.

5. The Petitioners request that the Crossing warning devices be upgraded to automatic flashing light signals and gates controlled by constant warning time circuitry, with the cost of said upgrades allocated 95% to the Grade Crossing Protection Fund, and the remainder of costs and maintenance to the EJ&E Railway.
6. The Petitioners also request that supplemental pedestrian warning gates be installed for the proposed sidewalk and multi-use path. The Petitioners agree to reimburse the EJ&E Railway for the costs associated with the additional gates.
7. Petitioner requests that the request for a pedestrian crossing sought in this petition be granted without a hearing.
8. The facts set forth in this Petition and any and all attachments are true and correct to the best of Petitioner's knowledge and belief.

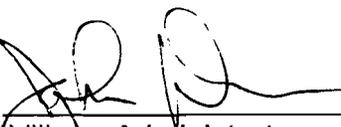
WHEREFORE, the Petitioners prays that the Commission approve its proposed plan (Exhibits 1 and 2) as complying with any and all requirements without a hearing and enter an order authorizing said plan, the installation of upgraded warning devices, and supplemental pedestrian gates, and all associated work as identified in and deemed necessary for completion of the plan.

RESPECTFULLY SUBMITTED,

BY:

  
\_\_\_\_\_  
Village Administrator  
Village of Frankfort

BY:

  
\_\_\_\_\_  
Village Administrator  
Village of Mokena

**VERIFICATION**

I, Jerald P. Ducay, first being duly sworn on oath, depose and say that I am duly appointed as the Village Administrator, and that I have read the foregoing Petition, know the contents thereof, and that the same is true in substance and in fact to the best of my knowledge and belief.



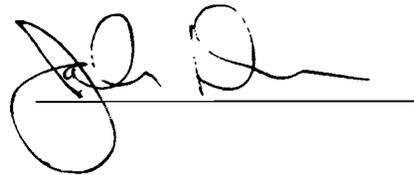
Subscribed and sworn before me  
This 30<sup>th</sup> day of April, 2008



Mary D. Cox  
NOTARY PUBLIC

**VERIFICATION**

I, John Downs, first being duly sworn on oath, depose and say that I am duly appointed as the Village Administrator, and that I have read the foregoing Petition, know the contents thereof, and that the same is true in substance and in fact to the best of my knowledge and belief.



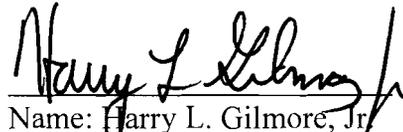
Subscribed and sworn before me  
This 5<sup>th</sup> day of MAY



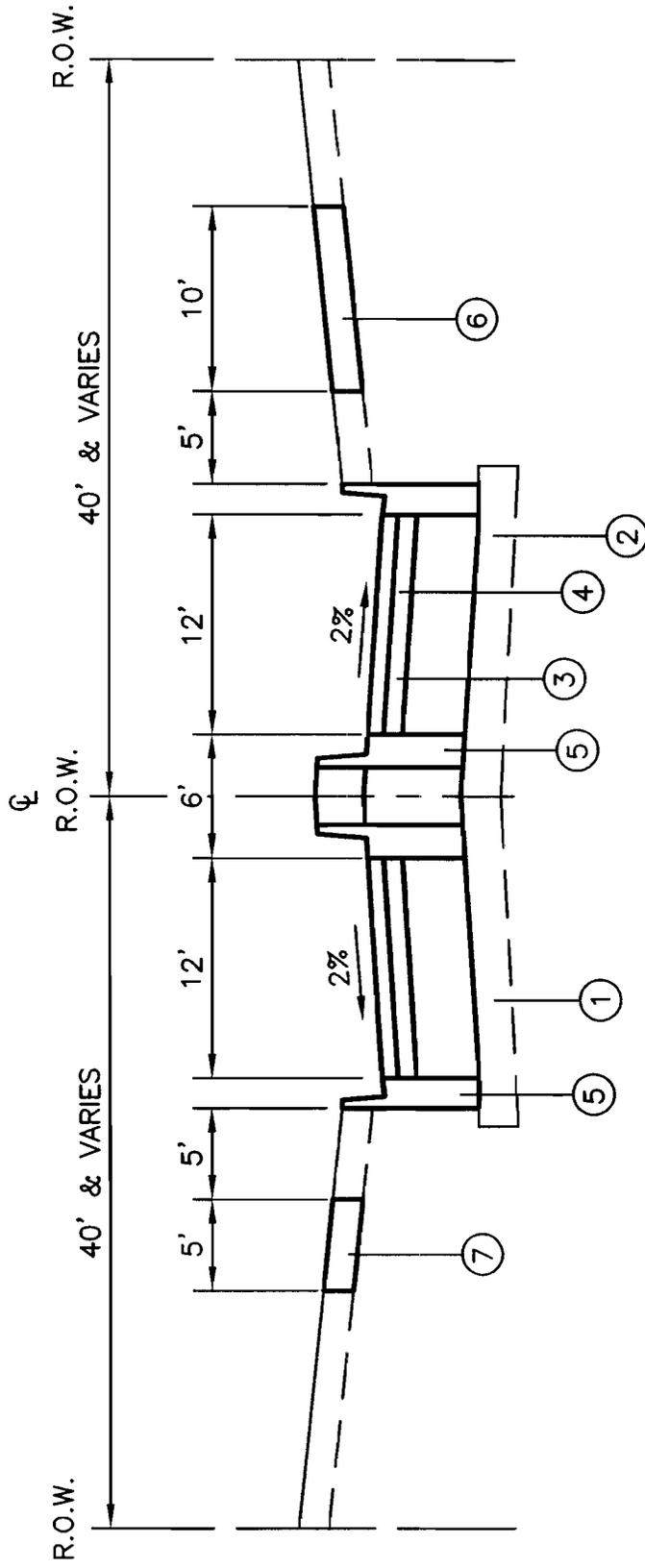
Judi Frieling  
NOTARY PUBLIC

**PROOF OF SERVICE**

I, Harry L. Gilmore, Jr., Robinson Engineering, Ltd., certify that I have served copies of this Petition to the persons listed on the attached Service List, at the addresses indicated, by depositing the same in the U.S. Mail, postage fully prepaid, at 21201 S. Elsner Road, Frankfort, Illinois 60423, before 5:00 p.m. on May 12, 2008.

  
Name: Harry L. Gilmore, Jr.  
Title: Senior Project Manager

# 116TH STREET (OWENS ROAD) PROPOSED TYPICAL CROSS SECTION



- 1. AGGREGATE SUBBASE COURSE
- 2. BITUMINOUS BASE COURSE
- 3. BITUMINOUS BINDER COURSE
- 4. BITUMINOUS CONCRETE SURFACE COURSE
- 5. CURB & GUTTER, TYPE B 6.12
- 6. BIKE PATH
- 7. SIDEWALK

**EXHIBIT #1**

PREPARED BY:

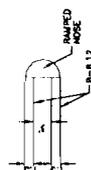


Consulting Registered Professional Engineers  
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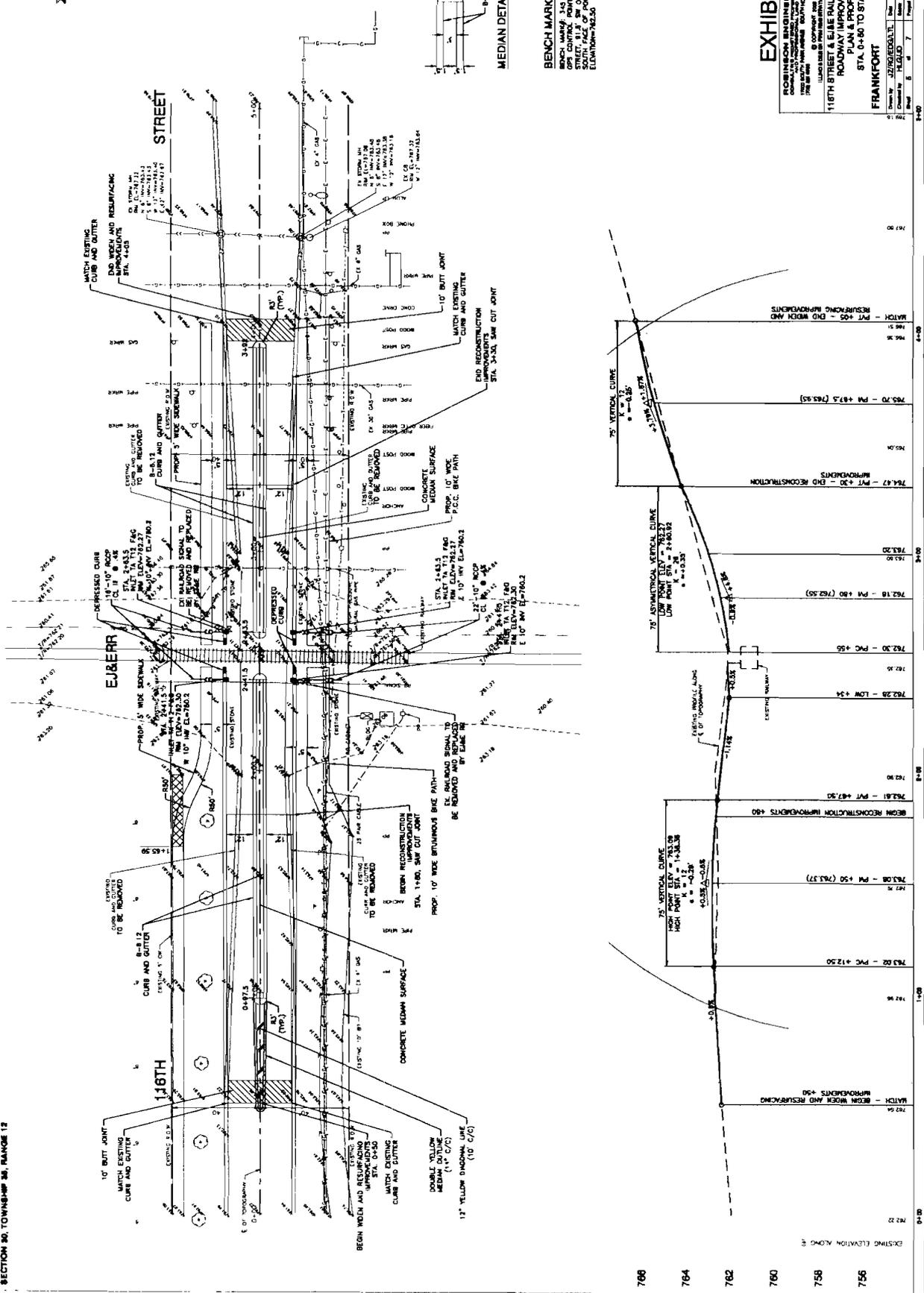


**NOTE:**  
 RE-GRADE DRAINAGE DUTIFALL  
 IMPROVEMENTS OF STORM  
 SEWER INSTALLATION.

**LEGEND**  
 SIDEWALK REMOVAL



**BENCH MARK:**  
 BENCH MARK 145  
 GPS CONTROL POINT WITH CAP ON SW CORNER OF EUBERR & 118TH  
 SOUTH 1/4 OF SEC 30 NW CROSSING RR SHED & 44.78' NW OF P.C. IN  
 EUBERR ST. ELEVATION=762.50

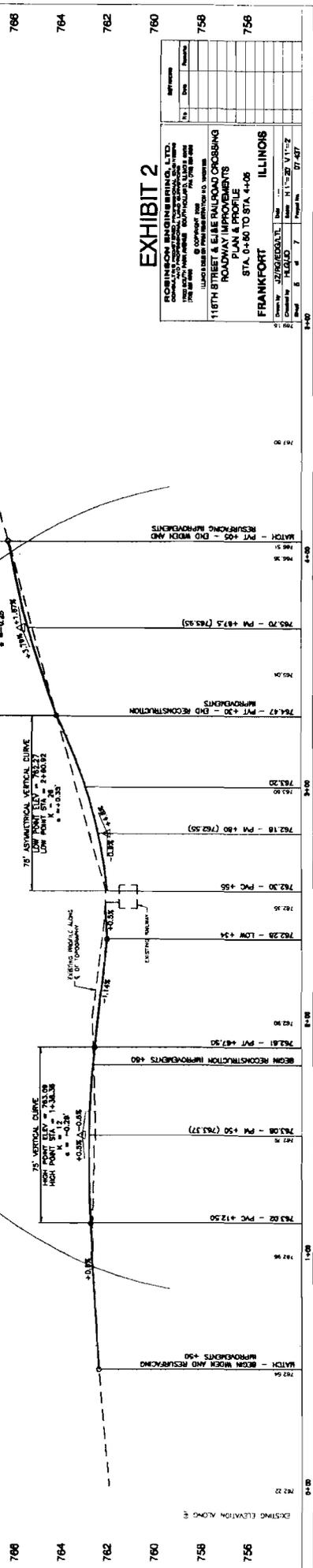


**EXHIBIT 2**

**ROBINSON ENGINEERING, LTD.**  
 CONSULTING ENGINEERS  
 1111 W. WASHINGTON ST. SUITE 100  
 CHICAGO, ILL. 60607  
 TEL: 312.467.1111 FAX: 312.467.1112  
 WWW: WWW.ROBINSONENGINEERING.COM

**118TH STREET & EUBERR CROSSING**  
 ROADWAY IMPROVEMENTS  
 PLAN & PROFILE  
 STA. 0+80 TO STA. 4+06  
 FRANKFORT ILLINOIS

Project No. 07-037  
 Date: 07-07-07  
 Drawn by: H.G. LOUD  
 Checked by: H.G. LOUD  
 Scale: 1" = 20' V, 1" = 2'



SERVICE LIST  
ILLINOIS COMMERCE COMMISSION  
DOCKET NO. T08- \_\_\_\_\_  
Village of Frankfort/Village of Mokena

Mr. Mark A. Paull  
Manager Projects/Environmental & Regulatory Compliance  
Elgin, Joliet and Eastern Railway Company  
1141 Maple Road  
Joliet, IL 60432

Mr. Charles Ingersoll  
Illinois Department of Transportation  
Division of Highways  
Bureau of Local Roads and Streets  
2300 South Dirksen Parkway  
Springfield, IL 62764