



Sheppard, Morgan & Schwaab, Inc.

CONSULTING ENGINEERS AND LAND SURVEYORS

Alton FAX 618-462-5831  
Granite City FAX 618-877-3926

December 17, 2009  
Job No. 207574.0

Mr. Dave Lazarides  
Director of Processing and Information  
Transportation Division  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62794

RECEIVED

DEC 18 2009

T08-0011

Highway Construction  
ALTON, ILLINOIS

Re: ICC Order No. T97-0050 (Dec. 17, 1997)  
Supplemental Order (March 7, 2001)  
Supplemental Order (June 19, 2002)  
Supplemental Order (December 15, 2004)  
Supplemental Order (August 29, 2007)  
City of Alton  
Cpl. Chris Belchik Memorial Expressway  
(Formerly Known as Indiana Avenue  
Extension)

Dear Mr. Lazarides:

Enclosed are two original signed documents entitled "Fifth Supplemental Petition" for ICC Order T08-0011, originally filed as T97-0050. This petition is submitted on behalf of the City of Alton for consideration by the Illinois Commerce Commission.

If you have any questions, please contact me at (618) 462-9755 or e-mail at [cdaniels@smsengineers.com](mailto:cdaniels@smsengineers.com).

Sincerely,

SHEPPARD, MORGAN & SCHWAAB, INC.

Coey Daniels, E.I.

CD/bc  
Enclosures

- cc: Christine Reed, IDOT
- Gary Stahlhut, Madison County
- Mary T. Boulds, Alton City Clerk
- Tom Hoechst, Mayor, City of Alton
- Thomas W. Ambler, N.S. Railway Co.
- Neil F. Flynn, Attorney
- Ellen Shanzle-Hoskins, IDOT
- Greg Hancock, IDOT Dist. 8 BLR
- William Kerr, Alton Director of Public Works
- Phil Roggio, Alton Director of Development and Housing

AT  
JOB

Branch Office:	215 Market Street 10 Central Industrial Drive	P.O. Box E Northgate Center	Alton, Illinois 62002 Granite City, Illinois 62040	Phone: 618-462-9755 Phone: 618-877-8700
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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

**ORIGINAL**

RECEIVED

DEC 2 2009

Illinois Commerce Commission  
100 North LaSalle Street  
Springfield, Illinois 62762

ORIGINALLY FILED AS T97-0050  
THE CITY OF ALTON, ILLINOIS BY ITS  
MAYOR, TOM HOECHST, )  
Petitioner )

VS. )

NORFOLK SOUTHERN CORPORATION AND )  
DEPARTMENT OF TRANSPORTATION OF )  
OF THE STATE OF ILLINOIS )  
Respondents )

T08-0011

Petition for permission to construct an overhead )  
grade crossing of Cpl. Chris Belchik Memorial )  
Expressway (formerly known as Indiana Avenue), )  
MFT Section #97-00208-01-GS and )  
#06-00208-02-RP, Structure #060-6110, over the )  
tracks of the Norfolk Southern Corporation at a )  
location approximately 1/3 mile north of Illinois )  
Route 143, Madison County, Illinois. )

FIFTH SUPPLEMENTAL PETITION

TO: The Illinois Commerce Commission

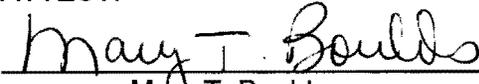
The City of Alton, respectfully requests that the original Order T97-0050 be amended to extend the time for submission of requests for payment from the Grand Crossing Protection Fund to December 31, 2010.

The Fourth Supplemental Order, dated August 29, 2007, granted an extension of time to December 31, 2008 for the completion of this project. Construction of the project is complete.

Since the completion of work, final contractual paperwork has not been finalized between the Illinois Department of Transportation, the City of Alton, and the Contractor. Final authorizations, change orders and payments are still pending. Complete contractual closing is expected to be completed on or before December 31, 2010.

Respectfully submitted by the City of Alton this 17<sup>th</sup> day of December, 2009.

BY   
Tom Hoechst  
Mayor

ATTEST:  
  
Mary T. Boulds  
City Clerk

**DOCKETED**  
DEC 18 2009

ORIGINALLY FILED AS T97-0050  
THE CITY OF ALTON, ILLINOIS BY ITS  
MAYOR, TOM HOECHST,

Petitioner

VS.

NORFOLK SOUTHERN CORPORATION AND  
DEPARTMENT OF TRANSPORTATION OF  
OF THE STATE OF ILLINOIS

Respondents

T08-0011

Petition for permission to construct an overhead  
grade crossing of Cpl. Chris Belchik Memorial  
Expressway (formerly known as Indiana Avenue),  
MFT Section #97-00208-01-GS and  
#06-00208-02-RP, Structure #060-6110, over the  
tracks of the Norfolk Southern Corporation at a  
location approximately 1/3 mile north of Illinois  
Route 143, Madison County, Illinois.

SHEPPARD, MORGAN AND SCHWAAB, INC., being first duly sworn on oath deposed and  
says that on the 17<sup>th</sup> day of December, 2009, I have served the within document  
by placing true and correct copies thereof in envelopes properly stamped and addressed to the  
following:

1. Mr. Dave Lazarides (two originals)  
Director of Processing and Information  
Transportation Division  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62794
2. Ms. Christine Reed, P.E. (one copy)  
Division of Highways, Chief Engineer  
ATTN: Jeff Harpring, Room 205  
Illinois Department of Transportation  
2300 South Dirksen Parkway  
Springfield, IL 62764
3. Mr. Gary Stahlhut, P.E. (one copy)  
Madison County Engineer  
7037 Marine Road  
Edwardsville, IL 62025
4. Ms. Mary T. Boulds, City Clerk (one copy)  
City of Alton, Illinois  
101 E. 3<sup>rd</sup> Street  
P. O. Box 188  
Alton, IL 62002
5. Mr. Tom Hoechst, Mayor (one copy)  
City of Alton, Illinois  
101 East 3<sup>rd</sup> Street  
P. O. Box 188  
Alton, IL 62002
6. Mr. Thomas W. Ambler (one copy)  
Norfolk Southern Railway Company  
Three Commercial Place  
Norfolk, VA 23510-2191
7. Mr. Neil F. Flynn (one copy)  
Attorney at Law  
1035 South Second Street  
P. O. Box 37  
Springfield, IL 62705
8. Ms. Ellen Shanzle-Haskins (one copy)  
Chief Counsel - IDOT  
2300 South Dirksen Parkway, Room 300  
Springfield, IL 62764

*Coe D. Daniels*

\_\_\_\_\_  
Coe D. Daniels, E.I.  
Serving Agent

Subscribed and sworn to  
before me this 17<sup>th</sup> day  
of December, 2009



*Brandy Champlin*  
\_\_\_\_\_  
Notary Public

My Commission Expires 11-2-2010