

**ORIGINAL**

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT 1427**

T10-0006

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("Commission"), the BNSF Railway Company ("Company"), City of Lewistown ("City"), and the State of Illinois, Department of Transportation ("Department" or "IDOT").

**WITNESSETH:**

WHEREAS, it has come to the attention of the Commission through application from the City that inquiry should be made into the matter of improving public safety at the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue highway-rail grade crossings of the Company's track in the City of Lewistown, Fulton County, designated as crossings AAR/DOT #078 327R; railroad milepost 77.01-LS 111, AAR/DOT #078 616S; railroad milepost 77.05-LS 111 and AAR/DOT #078 614D; railroad milepost 77.15-LS 111, 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 crossings have been obtained and shown on Exhibit A, A1 and A2, attached to this Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish proposed improvements to the crossings upon determination of the Commission by Order.

NOW, THEREFORE in consideration of the promises 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 the crossings be closed as hereinafter stated and that the cost for the proposed closures 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 crossings should be:

**DOCKETED**

E. Patton Avenue

- (a) Vacation of the roadway adjacent to the E. Patton Avenue highway-rail grade crossing of the Company's track, by the City.
- (b) Installation of temporary Type-III barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Patton Avenue highway-rail grade crossing, by the Company.
- (c) Removal of the existing grade crossing surfaces and passive warning signs at the existing E. Patton Avenue highway-rail grade crossing, by the Company.
- (d) Installation of permanent barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Patton Avenue highway-rail grade crossing, by the Company.
- (e) Payment as detailed *infra* from the Grade Crossing Protection Fund to the City for voluntary closure of the E. Patton Avenue highway-rail grade crossing, by IDOT.

E. Eisenhower Avenue

- (a) Vacation of the roadway adjacent to the E. Eisenhower Avenue highway-rail grade crossing of the Company's track, by the City.
- (b) Installation of temporary Type-III barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Eisenhower Avenue highway-rail grade crossing, by the Company.
- (c) Removal of the existing grade crossing surfaces and passive warning signs at the existing E. Eisenhower Avenue highway-rail grade crossing, by the Company.
- (d) Installation of permanent barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Eisenhower Avenue highway-rail grade crossing, by the Company.
- (e) Payment as detailed *infra* from the Grade Crossing Protection Fund to the City for voluntary closure of the E. Eisenhower Avenue highway-rail grade crossing, by IDOT.

E. Milton Avenue

- (a) Vacation of the roadway adjacent to the E. Milton Avenue highway-rail grade crossing of the Company's track, by the City.
- (b) Installation of temporary Type-III barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Milton Avenue highway-rail grade crossing, by the Company.
- (c) Removal of the existing grade crossing surfaces and passive warning signs at the existing E. Milton Avenue highway-rail grade crossing, by the Company.
- (d) Installation of permanent barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices at the existing E. Milton Avenue highway-rail grade crossing, by the Company.
- (e) Payment as detailed *infra* from the Grade Crossing Protection Fund to the City for voluntary closure of the E. Milton Avenue highway-rail grade crossing, by IDOT.

Section 3 The City shall pass a local ordinance vacating East Patton Avenue, East Eisenhower Avenue and East Milton Avenue, with a stipulation that final vacation of the roadways shall not take place until a Commission Order has been issued authorizing an incentive payment from the Grade Crossing Protection Fund for closures of the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue highway-rail grade crossings. Following passage of the local vacation ordinance, the Company shall erect temporary barricades to prevent vehicular access to the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue crossings. The temporary barricades shall be erected by the Company within three (3) business days from the date the vacation ordinance was passed by the City. The Company will be responsible for all costs to erect and maintain the temporary barricades.

Section 4 The Company shall upon Order, according to the requirements contained therein, remove the crossing surfaces passive warning signs, and highway approaches at the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue highway-rail grade crossings. The work shall be completed within sixty (60) days after the Company receives a copy of the Order. The Company shall provide all parties with notice that the work has been complete within five (5) days of completion.

The Company shall upon Order, according to the requirements contained therein, install permanent barricades on both sides of the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue grade crossings at the Company's right of way (ROW) limits. The work shall be completed within thirty (30) days after the Company receives a copy of the Order. The Company shall provide all parties with notice that the work has been complete within five (5) days of completion.

Section 5 The parties agree that an equitable division of cost for the proposed improvements is as follows:

- COST DIVISION TABLE -

IMPROVEMENT	EST. COST	GCPF	CITY	COMPANY	IDOT
Vacate E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. by Local Ordinance.	No Estimate Required	\$0	100%	\$0	\$0
Remove existing surface, warning signs and approaches at the E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. grade crossings.	No Estimate Required	\$0	\$0	100%	\$0
Install temporary and permanent barricades at the E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. grade crossings.	No Estimate Required	\$0	\$0 <sup>2</sup>	100% <sup>3</sup>	\$0
Provide Grade Crossing Protection Fund Incentive Payment for Voluntary Closure of the E. Milton Ave. grade crossing.	\$60,000	100% <sup>1</sup> (\$60,000)	\$0	\$0	\$0
Provide Matching Federal Closure Incentive Payment for Voluntary Closure of E. Milton Ave. grade crossing.	\$7,500	\$0	\$0	\$0	100% <sup>4</sup> (\$7,500)
Provide Grade Crossing Protection Fund Incentive Payment for Voluntary Closure of the E. Patton Ave. grade crossing.	\$50,000	100% <sup>1</sup> (\$50,000)	\$0	\$0	\$0
Provide Matching Federal Closure Incentive Payment for Voluntary Closure of E. Patton Ave. grade crossing.	\$7,500	\$0	\$0	\$0	100% <sup>4</sup> (\$7,500)
Provide Grade Crossing Protection Fund Incentive Payment for Voluntary Closure of the E. Eisenhower Ave. grade crossing.	\$50,000	100% <sup>1</sup> (\$50,000)	\$0	\$0	\$0
Provide Matching Federal Closure Incentive Payment for Voluntary Closure of E. Eisenhower Ave. grade crossing.	\$7,500	\$0	\$0	\$0	100% <sup>4</sup> (\$7,500)
Provide Incentive Payment for Voluntary Closure of E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. grade crossing.	\$113,000	\$0	\$0	100% (\$113,000)	\$0
<b>TOTALS</b>	<b>\$295,500</b>	<b>\$160,000</b>	<b>\$0</b>	<b>\$113,000</b>	<b>\$22,500</b>

[Totals do not reflect costs where no estimates were provided.]

Notes:

<sup>1</sup> Total GCPF payment not to exceed \$160,000 (\$60,000 for E. Milton Ave., \$50,000 each for E. Patton & E. Eisenhower Ave.) for voluntary closure of the E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. crossings.

<sup>2</sup> The City shall be responsible for all costs associated with maintaining the permanent barricades to prevent vehicular access to the E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. highway-rail grade crossings.

<sup>3</sup> The Company shall be responsible for all costs associated with installing the temporary and permanent barricades.

<sup>4</sup> Upon closure of the E. Patton Ave., E. Eisenhower Ave. and E. Milton Ave. crossings, the City shall submit a notification of closure and a request for the \$7,500 each federal voluntary crossing incentive payment to the Department. Subsequent to the execution of this agreement and issuance of an ICC Order (see Section 7 of this Agreement) and within 60 days of the notification and request, the Department shall issue a check in the amount of \$7,500 each to the City.

Section 6 The City 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 attached and incorporated herein by reference as Exhibit C.

Section 7 Special Provisions: The City shall submit a certified copy of the local vacation ordinance to all parties, as evidence that the roadways have been vacated. The City shall submit the vacation ordinance to all parties, via registered mail, at the same time as the Execution Page of this Agreement is submitted to the Commission.

Subject to the availability of assistance, within sixty (60) days from receipt of the Commission Order, the Department shall issue a check in the amount of \$160,000 to the City as payment from the GCPF. The Department shall notify all parties when the check has been issued. Notification may be by regular mail, electronic mail, facsimile, or phone. The City may use the GCPF payment for any purpose that meets IDOT's requirements for permissible uses of Motor Fuel Tax Funds.

Upon closure of the E. Patton, E. Eisenhower and E. Milton crossings, the Company shall make a voluntary incentive payment in the amount of \$113,000 to the City.

The Illinois Department of Transportation shall utilize \$22,500 in federal funds as incentive payment to the City. Eligibility for the Department's \$22,500 payment to the City is based on the requirement that the authorization of the \$22,500 by the Federal Highway Administration (FHWA) shall be approved prior to the actual closure of the E. Patton, E. Eisenhower and E. Milton Ave. crossings. If closure of the crossings takes place prior to federal authorization, the Department will not participate in, nor will it be responsible for the \$22,500 funding as proposed. The FHWA granted approval of the Federal Crossing Closure Incentive Funds on December 2<sup>nd</sup>, 2009. The \$22,500 payment by the Department shall be used by the City for a roadway safety related expense.

Upon closure of the E. Patton, E. Eisenhower and E. Milton Ave crossings, and subject to the conditions and requirements set forth in this Agreement, the City shall submit its request for the \$22,500 federal voluntary crossing closure incentive payment to the Department's Region 3, District 4 Office at the following address: Joseph E. Crowe, Region Engineer, Attn: Derek Parish, Local Roads Engineer, 401 Main, Peoria, IL. 61602. The request for payment shall include the location and ICC Order number, as well as the following information: **Section 09-00046-00-SP; Project # RRP-0057(030); Job # C- 94-025-10.**

Upon receipt of the request for payment for the \$22,500 incentive payment from the City, IDOT's Region 3, District 4 Bureau of Local Roads and Streets shall prepare an invoice to be submitted to the Fiscal Control Unit in the Central Bureau of Local Roads and Streets for payment to the City. Payment shall be issued within 60 days of a Commission Order issued subsequent to execution of this Agreement (see cost division notes).

Upon receipt of the Commission Order, the Company shall remove the crossing surfaces, passive warning devices and highway approaches within the railroad right of way at the East Patton Avenue, East Eisenhower Avenue and East Milton Avenue highway-rail grade crossings and install permanent barricades at the Company's ROW line. The permanent barricades shall conform to the requirements of 92 Illinois Administrative Code, Part 1535.701, and the Manual on Uniform Traffic Control Devices. The City shall install the appropriate regulatory and warning signs conforming to the requirements of the Manual on Uniform Traffic Control Devices. All warning signs are to be maintained by the City.

The Company and the City shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibits B and B-1, along with this executed Agreement.

Upon completion of the required work, the Company and the City shall submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibits B and B1, regarding the progress it has made toward completion of the work required by this Agreement. Each Project Status Report shall include the Commission Order's 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 City Project Manager.

The Company shall, within ten (10) days of the completion of the work required, submit a completely updated United States Department of Transportation Inventory Form (#6180.71) to the Federal Railroad Administration, the Chief of Data Services at the Illinois Department of Transportation, and the Director of Processing and Information, Transportation Bureau of the Commission.

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 9<sup>th</sup> day of December 2009.



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Michael E. Stead  
Rail Safety Program Administrator

Attest:



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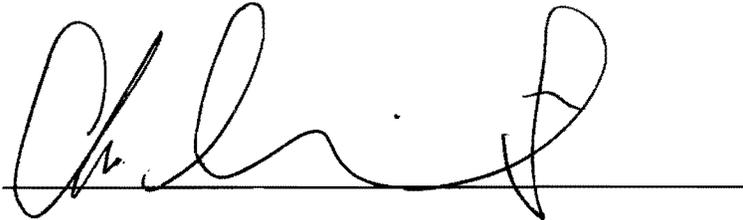
John Saladino  
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement 1427, executed by Commission Staff on December 9, 2009, concerning vacation of the East Patton Avenue (AAR/DOT #078 327R; railroad milepost 77.01-LS 111), East Eisenhower Avenue (AAR/DOT #078 616S; railroad milepost 77.05-LS 111) and East Milton Avenue (AAR/DOT #078 614D; railroad milepost 77.15-LS 111) highway-rail grade crossings of the BNSF Railway Company's track, located in the City of Lewistown, Fulton County, Illinois.

Executed by BNSF Railway Company this 14<sup>th</sup> day of December 2009.

BNSF RAILWAY COMPANY

By:



A handwritten signature in black ink, appearing to be "A. L. Smith", written over a horizontal line.

Attest:



A handwritten signature in black ink, appearing to be "M. Harris", written over a horizontal line.

Illinois Commerce Commission Stipulated Agreement 1427, executed by Commission Staff on December 9, 2009, concerning vacation of the East Patton Avenue (AAR/DOT #078 327R; railroad milepost 77.01-LS 111), East Eisenhower Avenue (AAR/DOT #078 616S; railroad milepost 77.05-LS 111) and East Milton Avenue (AAR/DOT #078 614D; railroad milepost 77.15-LS 111) highway-rail grade crossings of the BNSF Railway Company's track, located in the City of Lewistown, Fulton County, Illinois.

Executed by the Illinois Department of Transportation this 11<sup>th</sup> day of January 2010.

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

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

Illinois Commerce Commission Stipulated Agreement 1427, executed by Commission Staff on December 9, 2009, concerning vacation of the East Patton Avenue (AAR/DOT #078 327R; railroad milepost 77.01-LS 111), East Eisenhower Avenue (AAR/DOT #078 616S; railroad milepost 77.05-LS 111) and East Milton Avenue (AAR/DOT #078 614D; railroad milepost 77.15-LS 111) highway-rail grade crossings of the BNSF Railway Company's track, located in the City of Lewistown, Fulton County, Illinois.

Executed by the City of Lewistown this 21<sup>st</sup> day of January 2010.

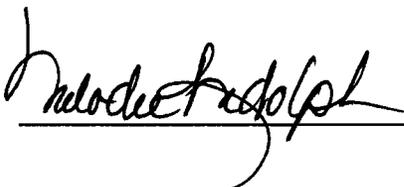
CITY OF LEWISTOWN

By:



A handwritten signature in cursive script, appearing to read "R. John King", is written over a horizontal line.

Attest:



A handwritten signature in cursive script, appearing to read "Michael Adolph", is written over a horizontal line.

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

**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	BNSF Railway Company
<b>USDOT#, MILEPOST</b>	#078 327R, 77.01-LS 111
<b>STREET, CITY, COUNTY</b>	E. Patton Ave., in Lewistown, Fulton County
<b>JURISDICTION (RDWY)</b>	City of Lewistown
<b>LOCATION</b>	Urban, Commercial/Residential
<b>STREET SURFACE</b>	20' Oil/Chip, Fair Condition

**CROSSING DATA:** See Location Sketch for roadway profile and track centers

<b>TRACK (N-S)</b>	<b>SURFACE TYPE</b>	<b>SURFACE WIDTH</b>	<b>SURFACE CONDITION</b>
Main	Concrete	24'	Good

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	N Cedar St. 40' east
<b>TRAFFIC CONTROL</b>	None
<b>ADT &amp; SPEED</b>	50 Vehicles Per Day @ 30 MPH (Unposted)
<b>TRAFFIC TYPE</b>	Passenger, School Buses, Hazardous Materials, All possible
<b>ADVANCE WARNING</b>	Yes
<b>PAVEMENT MARKING</b>	No

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	1 Per day @ 25 MPH, Day & Night? Yes
<b>PASSENGER TRAFFIC</b>	No
<b>WARNING DEVICES</b>	Crossbucks/YIELD Signs

**NOTES:**

**VISIBILITY STUDY:** See Location Sketch

<b>Train Speed</b>	25	<b>MPH</b>
<b>Roadway Speed</b>	30	<b>MPH</b>
<b>Required Stopping Sight Distance (SSD)</b>		
<b>Along Roadway</b>	220'	<b>FEET</b>
<b>Along Tracks</b>	248'	<b>FEET</b>
<b>Required Clearing Sight Distance (CSD) (Along Tracks)</b>	601'	<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.

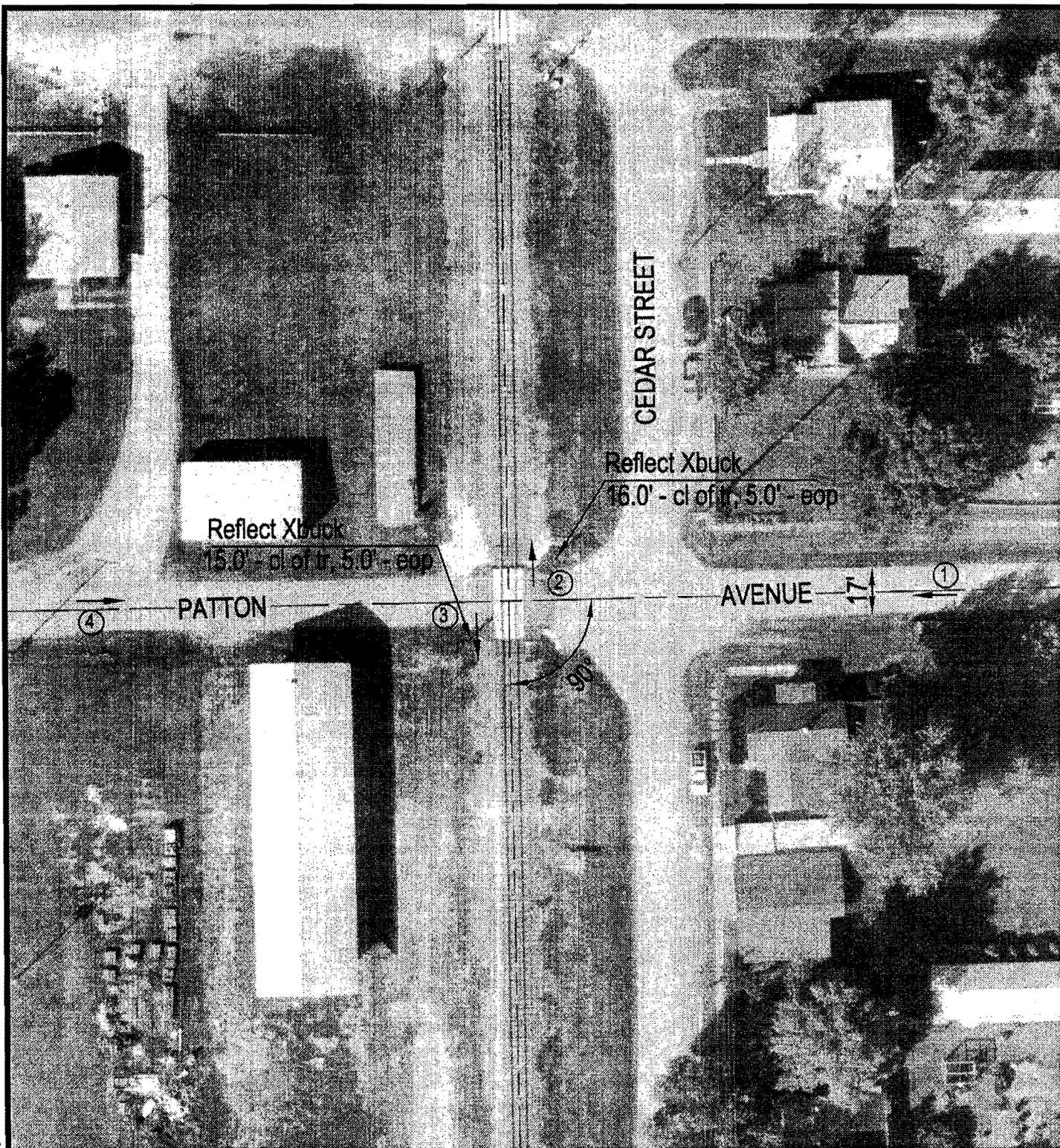
<b>QUADRANT</b>	<b>CSD (FT)</b>	<b>OBSTRUCTION</b>	<b>SSD (FT)</b>	<b>OBSTRUCTION</b>
<b>NE</b>	3500'	Curve in Track	100'	House
<b>NW</b>	OK		100'	Building
<b>SE</b>	3000'	Curve in Track	100'	Building
<b>SW</b>	OK		100'	House

**APPROACH GRADES:** See Location Sketch

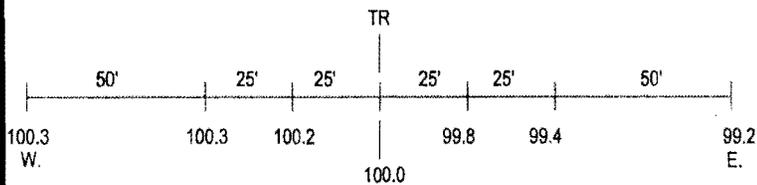
<b>DIRECTION: EAST</b>			<b>DIRECTION: WEST</b>		
<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>	<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>
See	Exhibit	A	Page	3	

Distance measured from outermost rail.

**COMMENTS:** See Page 3 (Aerial Photo) for Location Sketch



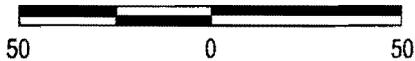
4 1/2" 70M 1078327R.DWG 03/20/00 08:28 PTC



**ROAD PROFILE**



SCALE IN FEET



③ Photo Location

Crossing #: 078327R  
 Location: Fulton Co., City of Lewistown (I)  
 Lat/Long: 40°24'00" / 90°08'59"  
 Railroad: BNSF  
 Street: Patton Avenue  
 Railroad Milepost: 77.01  
 Crossing Protection: Signs

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

**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	BNSF Railway Company
<b>USDOT#, MILEPOST</b>	#078 616S, 77.05-LS 111
<b>STREET, CITY, COUNTY</b>	E. Eisenhower Ave., in Lewistown, Fulton County
<b>JURISDICTION (RDWY)</b>	City of Lewistown
<b>LOCATION</b>	Urban, Commercial/Residential
<b>STREET SURFACE</b>	24' Oil/Chip, Fair Condition

**CROSSING DATA:** See Location Sketch for roadway profile and track centers

<b>TRACK (N-S)</b>	<b>SURFACE TYPE</b>	<b>SURFACE WIDTH</b>	<b>SURFACE CONDITION</b>
Main	Concrete	32'	Good

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	N Cedar St. 40' east
<b>TRAFFIC CONTROL</b>	None
<b>ADT &amp; SPEED</b>	150 Vehicles Per Day @ 30 MPH (Unposted)
<b>TRAFFIC TYPE</b>	Passenger, School Buses, Hazardous Materials, All possible
<b>ADVANCE WARNING</b>	Yes- east, No- west
<b>PAVEMENT MARKING</b>	No

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	1 Per day @ 25 MPH, Day & Night? Yes
<b>PASSENGER TRAFFIC</b>	No
<b>WARNING DEVICES</b>	Crossbucks/YIELD Signs

**NOTES:**

**VISIBILITY STUDY:** See Location Sketch

<b>Train Speed</b>	25	<b>MPH</b>
<b>Roadway Speed</b>	30	<b>MPH</b>
<b>Required Stopping Sight Distance (SSD)</b>		
<b>Along Roadway</b>	220'	<b>FEET</b>
<b>Along Tracks</b>	248'	<b>FEET</b>
<b>Required Clearing Sight Distance (CSD) (Along Tracks)</b>	601'	<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.

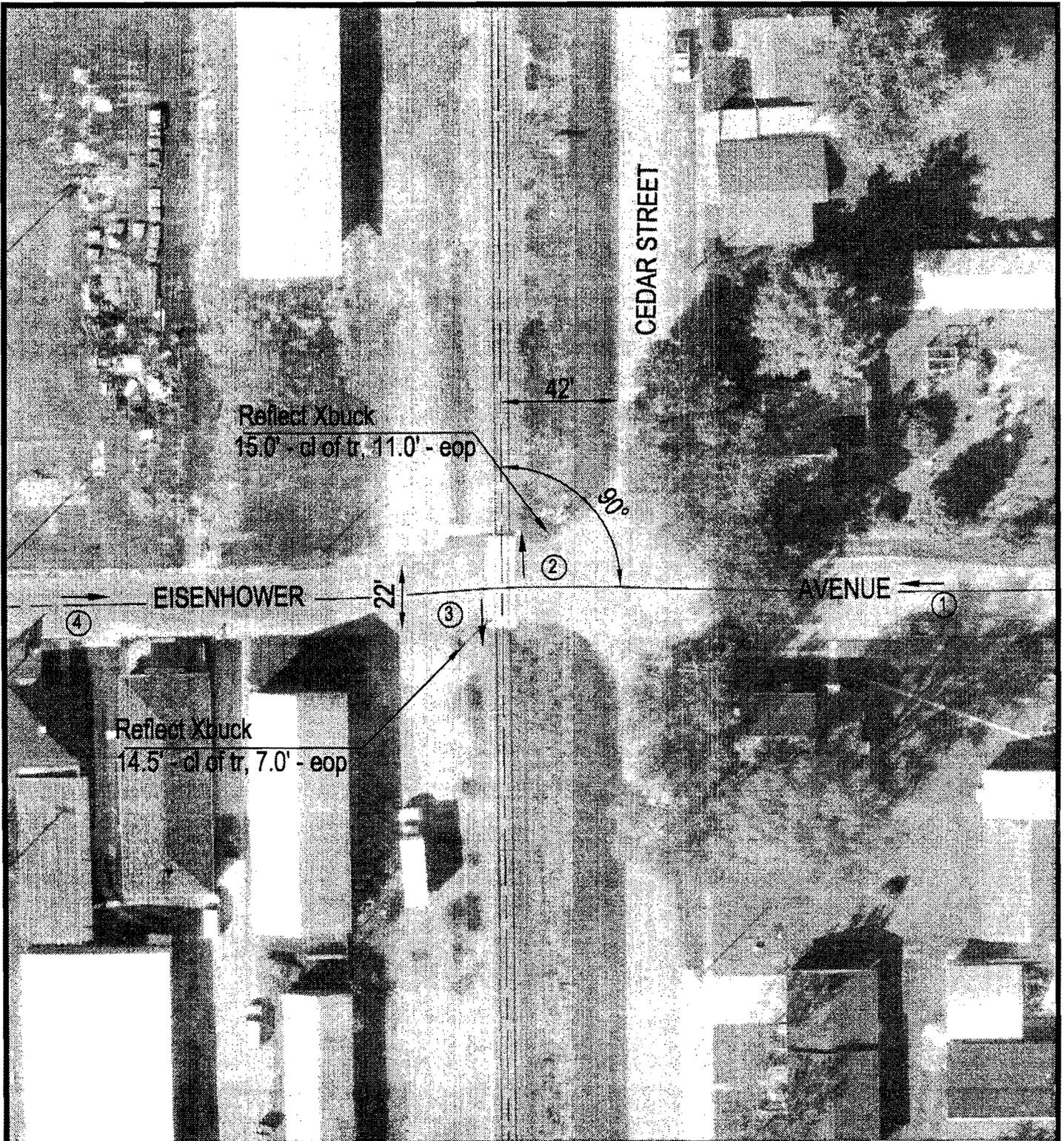
<b>QUADRANT</b>	<b>CSD (FT)</b>	<b>OBSTRUCTION</b>	<b>SSD (FT)</b>	<b>OBSTRUCTION</b>
<b>NE</b>	3000'	Curve in Track	100'	House
<b>NW</b>	OK		200'	Building
<b>SE</b>	2500'	Curve in Track	200'	Building
<b>SW</b>	OK		100'	House

**APPROACH GRADES:** See Location Sketch

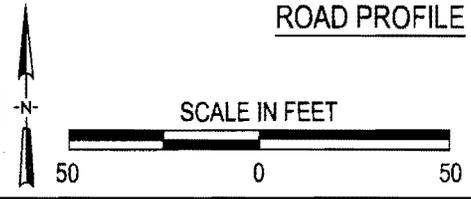
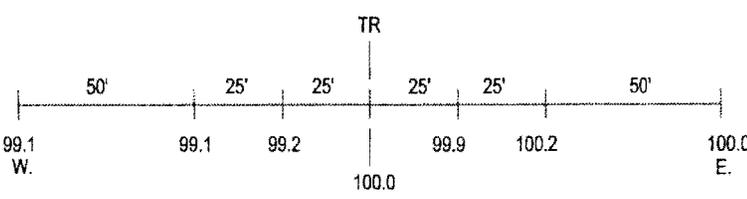
<b>DIRECTION: EAST</b>			<b>DIRECTION: WEST</b>		
<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>	<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>
See	Exhibit	A	Page	3	

Distance measured from outermost rail.

**COMMENTS:** See Page 3 (Aerial Photo) for Location Sketch



J:\PL TOWN\1078616S\1078616S.DWG 03/22/00 12:32 JFG



③ Photo Location

Crossing #:	078616S
Location:	Fulton Co., City of Lewistown (I)
Lat/Long:	40°24'00" / 90°09'00"
Railroad:	BNSF
Street:	Eisenhower Avenue
Railroad Milepost:	77.05
Crossing Protection:	Signs

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

**GENERAL INFORMATION:** See Location Sketch

<b>RAILROAD</b>	BNSF Railway Company
<b>USDOT#, MILEPOST</b>	#078 614D, 77.15-LS 111
<b>STREET, CITY, COUNTY</b>	E. Milton Ave., in Lewistown, Fulton County
<b>JURISDICTION (RDWY)</b>	City of Lewistown
<b>LOCATION</b>	Urban, Commercial/Residential
<b>STREET SURFACE</b>	16' Oil/Chip, Fair Condition

**CROSSING DATA:** See Location Sketch for roadway profile and track centers

<b>TRACK (N-S)</b>	<b>SURFACE TYPE</b>	<b>SURFACE WIDTH</b>	<b>SURFACE CONDITION</b>
Main	Concrete	24'	Good

**ROADWAY DATA:** See Location Sketch

<b>INTERSECTING ROADS:</b>	N Cedar St. 40' east
<b>TRAFFIC CONTROL</b>	None
<b>ADT &amp; SPEED</b>	275 Vehicles Per Day @ 30 MPH (Unposted)
<b>TRAFFIC TYPE</b>	Passenger, School Buses, Hazardous Materials, All possible
<b>ADVANCE WARNING</b>	Yes
<b>PAVEMENT MARKING</b>	No

**RAILROAD DATA:** See Location Sketch

<b>FREIGHT TRAFFIC</b>	1 Per day @ 25 MPH, Day & Night? Yes
<b>PASSENGER TRAFFIC</b>	No
<b>WARNING DEVICES</b>	Crossbucks/YIELD Signs

**NOTES:**

**VISIBILITY STUDY:** See Location Sketch

<b>Train Speed</b>	25	<b>MPH</b>
<b>Roadway Speed</b>	30	<b>MPH</b>
<b>Required Stopping Sight Distance (SSD)</b>		
<b>Along Roadway</b>	220'	<b>FEET</b>
<b>Along Tracks</b>	248'	<b>FEET</b>
<b>Required Clearing Sight Distance (CSD) (Along Tracks)</b>	601'	<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>	1500'	Curve in Track	100'	Embankment
<b>NW</b>	OK		100'	House
<b>SE</b>	1000'	Curve in Track	100'	House
<b>SW</b>	OK		400'	House/Trees

**APPROACH GRADES:** See Location Sketch

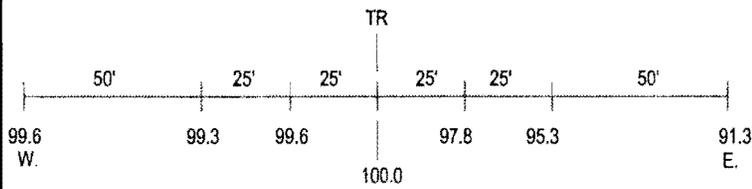
<b>DIRECTION: EAST</b>			<b>DIRECTION: WEST</b>		
<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>	<b>DISTANCE (FT)</b>	<b>ELEVATION (FT)</b>	<b>GRADE (%)</b>
See	Exhibit	A	Page	3	

Distance measured from outermost rail.

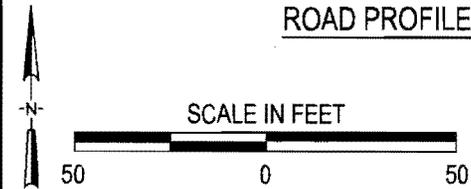
**COMMENTS:** See Page 3 (Aerial Photo) for Location Sketch



J:\PLZ\TOWN\0786140\0786140.DWG 03/22/00 11:55 JTG



ROAD PROFILE



③ Photo Location

Crossing #: 078614D  
 Location: Fulton Co., City of Lewistown (I)  
 Lat/Long: 40°23'52" / 90°09'00"  
 Railroad: BNSF  
 Street: Milton Avenue  
 Railroad Milepost: 77.15  
 Crossing Protection: Signs

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

**PROJECT STATUS REPORT:**

**TYPE:** (CHECK ONE)

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

DATE	1-25-10
------	---------

**PROJECT INFORMATION:**

Reporting Party:	BNSF Railway Company
Docket/Order #; Date:	T10-0006
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due <sup>1</sup> :	
AAR/DOT#, Milepost:	#078 327R, 77.01-LS111; #078 616S, 77.05-LS111; #078 614D, 77.15-LS111
Street, (in/near) City, County:	E. Patton Ave., E. Eisenhower Ave. & E. Milton Ave., in Lewistown, Fulton
Railroad Company:	BNSF

<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:	Chad Scherwinski
Title:	Public Project Engineer
Representing:	BNSF Railway Company
Street Address:	80-44 <sup>th</sup> Avenue N. E.
City, State, Zip:	Minneapolis, MN 55421
Office Phone:	763/782-3468
Office Fax:	763/782-3061
Cellular Phone:	
E-Mail Address:	chad.scherwinski@bnsf.com

<sup>2</sup>Project Manager Information to be submitted by BNSF Railway Company

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

- Remove existing grade crossing surfaces and passive warning signs; install temporary & permanent barricades at the E. Patton, E. Eisenhower & E. Milton highway-rail grade crossings in Lewistown.
- Remove highway approaches at the E. Patton, E. Eisenhower & E. Milton highway-rail grade crossings, within the railroad right of way.

**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:

Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701-1827

If you have questions contact:

John Saladino, Rail Safety Specialist  
Phone: (217) 785-8423  
Email: [jsaladino@icc.illinois.gov](mailto:jsaladino@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/forms/results.aspx?st=4>

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 S. Dirksen Parkway  
Springfield, IL 62764

**APPROACH/BRIDGE WORK**

**United States Department of Transportation Inventory Form #6180.71** can be obtained on the web at:

<http://www.fra.dot.gov/us/content/801>

Submit Inventory forms to:

Federal Railroad Administration Office of Safety, MS25 1200 New Jersey Avenue SE Washington, DC 20590-0001	<b>And</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 <sup>1</sup>	<input type="checkbox"/>

DATE	1-25-10
------	---------

**PROJECT INFORMATION:**

Reporting Party:	City of Lewistown
Docket/Order #: Date:	T 10-0006
Status Reports Due:	
Ordered Completion Date:	
Completion Report Due <sup>1</sup> :	
AAR/DOT#, RR Milepost:	#078 327R, 77.01-LS111; #078 616S, 77.05-LS111; #078 614D, 77.15-LS111
Street, (in/near) City, County:	E. Patton, E. Eisenhower & E. Milton Ave., in Lewistown, Fulton County
Railroad Company:	BNSF Railway Company

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

Name:	R. John King
Title:	Mayor
Representing:	City of Lewistown
Street Address:	119 S. Adams Street
City, State, Zip:	Lewistown, IL 61542
Office Phone:	309-547-4300
Office Fax:	
Cellular Phone:	
E-Mail Address:	

<sup>2</sup>Project Manager Information to be submitted by the City of Lewistown

**DESCRIPTION OF IMPROVEMENTS ORDERED:**

- Install appropriate regulatory and warning signs conforming to the requirements of the Manual on Uniform Traffic Control Devices.

**STATUS OF WORK:** (use additional blank sheet, if necessary)

Mail directed to the **Rail Safety Section** or the **Director of Processing and Information**, Transportation Bureau of the Commission should be addressed to:

Illinois Commerce Commission  
527 E. Capitol Avenue  
Springfield, IL 62701-1827

If you have questions contact:

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**SIGNAL WORK**

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Federal Railroad Administration Office of Safety, MS25 1200 New Jersey Avenue SE Washington, DC 20590-0001	<b>And</b>	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT 1427

The City of Lewistown meeting on January 12, 2010,

(Date)

Resolved to authorize R. John King, Mayor  
(Name, Office)

to act as its designated agent in the processing of this Stipulated Agreement and that the City of Lewistown 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.