

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT 1438

T10-0009

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"), Big Mound Township Road District ("Township"), Wayne County Highway Department ("County") and the State of Illinois, Department of Transportation ("Department" or "IDOT").

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through staff evaluation that inquiry should be made into the matter of improving public safety at the 1500E Rd/TR 372C highway-rail grade crossing of the Company's track near Sims, Wayne County, Illinois, designated as crossing AAR/DOT #724 727S, railroad milepost 113.69-A; and

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossing 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, 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 subject crossing should be:

DOCKETED

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and capable of remote monitoring system when available, by the Company.
- (b) Installation of temporary STOP signs at the 1500E Rd/TR 372C crossing within 30 days of a Commission Order for the installation of new automatic warning devices, by the Company.
- (c) Crossing surface widening, if necessary, to accommodate the approach roadway width plus a reasonable width of usable shoulder, in accordance with the minimum requirements of 92 Ill. Adm. Code 1535.203 (Exhibit C), by the Company.
- (d) Rehabilitation of the existing highway approaches, to meet the minimum requirements of 92 Ill. Adm. Code 1535.204 (Exhibit C1), by the Township.
- (e) Installation of Highway-Rail Grade Crossing Advance Warning Sign (W10-1) on the north highway approach, per the Manual on Uniform Traffic Control Devices (MUTCD), by the Township.

Section 3 The Company has prepared a preliminary "detailed" cost estimate, as well as detailed drawings, circuit plans, and required specifications to accomplish the proposed safety improvements, which may be required by Commission Order. The cost estimate, drawings, circuit plans, and specifications are attached and incorporated herein by reference as Exhibit B.

The Township has provided a preliminary plan and cost estimate (Exhibit B1) to accomplish the proposed highway approach improvements, which may be required by Commission Order. The Township shall, upon issuance of a Commission Order, according to the requirements contained therein, prepare and submit a copy of the detailed plans, estimates of cost and any required specifications for the proposed improvements to the Department's District 7 office for approval. The Township agrees that an appropriate time for the submission of plans should be ninety (90) days from the date of a Commission Order approving this Agreement.

The Department shall provide notice (via phone, electronic mail, standard mail, or fax) to the Commission within forty-five (45) calendar days after it has received the final construction drawings and estimates of cost and any required specifications for the proposed improvements from the Township. The notice shall indicate Department approval or disapproval of the final construction drawings, estimates of cost and any required specifications for the proposed improvements.

Section 4 The Company and the Township shall each 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 agree 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

IMPROVEMENT	EST. COST	GCPF	TOWNSHIP	COMPANY	IDOT
Install Automatic Flashing Light Signals and Gates, controlled by CWT Circuitry	\$210,504	(95%) \$199,979 ¹	\$---	(5%) \$10,525 ^{1,2}	\$---
Install Temporary STOP Signs, if ordered	No Estimate Required	0%	0%	100% ²	0%
Crossing Surface Widening, if necessary	No Estimate Required	0%	0%	100% ²	0%
Rehabilitate Existing Highway Approaches to Meet Min. Requirements of 92 IAC 1535.204	\$45,850	(100%) \$45,850 ³	\$--- ⁴	\$---	\$---
Install W10-1 Advance Warning Sign on North Highway Approach	No Estimate Required	0%	100% ⁴	0%	0%
TOTALS	\$256,354	\$245,829	\$0	\$10,525	\$0

Notes:

¹Total Grade Crossing Protection Fund (GCPF) assistance for installation of crossing warning devices not to exceed \$199,979; any installation costs above the total estimated amount of \$210,504 will be divided in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.

²Company responsible for all future operation and maintenance costs associated with the new automatic warning devices, temporary STOP signs, and crossing surface.

³Total GCPF assistance for highway approach grade improvements not to exceed \$45,850; any highway approach grade improvement costs above \$45,850 will be divided in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.

⁴Township responsible for all future maintenance costs associated with the highway approaches and W10-1 advance warning sign.

Section 6 The Township is not financially able to pay an equitable portion of the cost for the proposed improvements, has requested relief from said costs, and has submitted documentation to the Commission attesting to the Township's inability to pay, attached and incorporated herein by reference as Exhibit D.

Section 7 Special Provisions: Since the highway approach grade reconstruction at the crossing will be performed by the Township or its contractor, flagging and contractor liability insurance will be required for said work.

The Township shall submit detailed plans and estimates for the proposed approach improvements for review and approval to Roger Driskell, Illinois Department of Transportation, Region 4 Engineer, District 7 Attn: Maureen Kastl, Engineer of Local

Roads and Streets, 400 W. Wabash, Effingham, IL 62401 (see Exhibit A, Page 2 "Comments" for further explanation).

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

The Company and the Township shall each, 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 Exhibit E (Company) and Exhibit E1 (Township) regarding the progress each 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 Township Project Manager.

All bills for the approach work specified in Section 2 of this Agreement authorized for reimbursement from the Grade Crossing Protection Fund shall be submitted to Roger Driskell, Illinois Department of Transportation, Region 4 Engineer, District 7 Attn: Maureen Kastl, Engineer of Local Roads and Streets, 400 W. Wabash, Effingham, IL 62401. Upon review and approval of the bills, personnel from District 7 will submit an invoice to the Fiscal Control Unit, Bureau of Local Roads and Streets, Illinois Department of Transportation, 2300 S. Dirksen Parkway, Springfield, IL 62764.

All bills for the automatic warning devices 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 each party 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 the Commission Order approving this Agreement, or any Supplemental Order(s) issued for this project, 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 8 Billing: For all work specified in Section 2 of this Agreement, and authorized by an Order of the Commission, the Company shall assure that sufficient documentation for all bills is made available for review by the Department of the Department's representative. The minimum documentation that must be made available is outlined

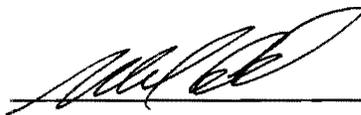
below:

- 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 9 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.

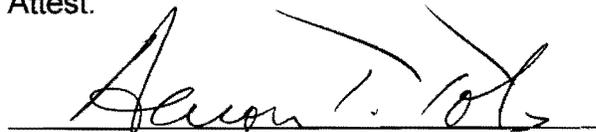
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 14th day of December 2009.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Aaron T. Toliver
Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement 1438, executed by Commission Staff on December 14, 2009, concerning improvements at the 1500E Rd/TR 372C highway-rail grade crossing of the Norfolk Southern Railway Company's track near Sims, Wayne County, Illinois, designated as crossing AAR/DOT #724 727S, railroad milepost 113.69-A.

Executed by Big Mound Township Road District this 18th day of December 2009.

BIG MOUND TOWNSHIP ROAD DISTRICT

By: Jack Mense

Attest:

Sandra Lee Simpson

Illinois Commerce Commission Stipulated Agreement 1438, executed by Commission Staff on December 14, 2009, concerning improvements at the 1500E Rd/TR 372C highway-rail grade crossing of the Norfolk Southern Railway Company's track near Sims, Wayne County, Illinois, designated as crossing AAR/DOT #724 727S, railroad milepost 113.69-A.

Executed by Wayne County Highway Department this 18TH day of December 2009

WAYNE COUNTY HIGHWAY DEPARTMENT

By: Arthur J. Roebach

Attest:

Sandra Lee Simpson

Illinois Commerce Commission Stipulated Agreement 1438, executed by Commission Staff on December 14, 2009, concerning improvements at the 1500E Rd/TR 372C highway-rail grade crossing of the Norfolk Southern Railway Company's track near Sims, Wayne County, Illinois, designated as crossing AAR/DOT #724 727S, railroad milepost 113.69-A.

Executed by the Illinois Department of Transportation this 11th 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 1438, executed by Commission Staff on December 14, 2009, concerning improvements at the 1500E Rd/TR 372C highway-rail grade crossing of the Norfolk Southern Railway Company's track near Sims, Wayne County, Illinois, designated as crossing AAR/DOT #724 727S, railroad milepost 113.69-A.

Executed by the Norfolk Southern Railway Company this 25th day of January 2010.

NORFOLK SOUTHERN RAILWAY COMPANY

By: Robert A. Battle

Attest:

Joseph M. Bore
Maurice M. [unclear]
Asst. Corp. Secy.

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

GENERAL INFORMATION: See Location Sketch

RAILROAD	Norfolk Southern Railway Company
USDOT#, MILEPOST	724 727S, RRMP 113.69-A
STREET, CITY, COUNTY	1500E/TR 372C Rd near Sims , Wayne County
JURISDICTION (RDWY)	Big Mound Township Road District
LOCATION	Rural, Residential
STREET SURFACE	Oil & Chip, 14', Good Condition

CROSSING DATA: Also see Location Sketch (Page 3) for roadway profile.

TRACK (W-E or N-S)	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
W-E	Timber & Asphalt	16'	Fair/Good

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	None
TRAFFIC CONTROL	N/A
ADT & SPEED	125 ADT @ ~30mph (unposted)
TRAFFIC TYPE	Passenger, School Buses, Hazardous Materials, all possible.
ADVANCE WARNING	Yes on South Approach, No on North Approach
PAVEMENT MARKING	N/A (Oil & Chip)

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	21/day @ 50 MPH, 0 Switch Movements, Day & Night
PASSENGER TRAFFIC	None
WARNING DEVICES	Crossbucks with YIELD Signs

NOTES:

Existing crossing surface is 16' wide. Surface may need to be widened to accommodate approach roadway improvements contemplated as part of this project.

W10-1 Advance Warning Sign missing on north highway approach; Needs replaced.

VISIBILITY STUDY: See Location Sketch

Train Speed	50	MPH
Roadway Speed	30	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	222	FEET
Along Tracks	494	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	1201	FEET

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

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	ok	None	ok*	Tall corn may obstruct
NW	ok	None	obstr	Building
SE	ok	None	obstr	Building/trees
SW	ok	None	ok*	Tall corn may obstruct

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

APPROACH GRADES: See Location Sketch

DIRECTION/North			DIRECTION/South		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
25	98.7	5.2	25	98.6	5.6
50	97.8	3.6	50	96.2	9.6

Distance measured from outermost rail.

COMMENTS:

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

At the request of the ICC Rail Safety Program Administrator, the Wayne County Highway Department, on behalf of Big Mound Township Road District, provided a preliminary estimate of costs and work necessary to meet the minimum approach grade requirements of 92 Ill. Adm. Code (IAC) 1535.204 (Exhibit C1). The total estimated cost to meet the minimum grade requirements of 92 IAC 1535 is \$45,850. Staff recommends that the Grade Crossing Protection Fund (GCPF) pay 100% of the estimated costs necessary to meet the minimum grade requirements of the IAC, in an amount not to exceed \$45,850. Staff would normally recommend that the Township pay 100% of the estimated approach improvement costs, but due to documented financial hardship (Exhibit D), the Township is unable to contribute monetarily to the project.

If, upon review of the project plans as currently conceived, the Township/County and/or IDOT require or desire an approach design exceeding the minimum requirements of the IAC, Staff recommends that the Township pay 100% of the additional costs to do so.

Wayne County Highway Department will be submitting all bills to IDOT for reimbursement from the GCPF on behalf of Big Mound Township Road District. Accordingly, per IDOT request, Wayne County Highway Department has been included as a signatory to the Stipulated Agreement.



Detailed Estimate for Grade Crossing Warning Devices

City/State: BIG MOUND, IL
 MilePost: 113.69-W
 State Proj. No.:
 S&E Proj. No.: 04.0181
 Man Days: 92

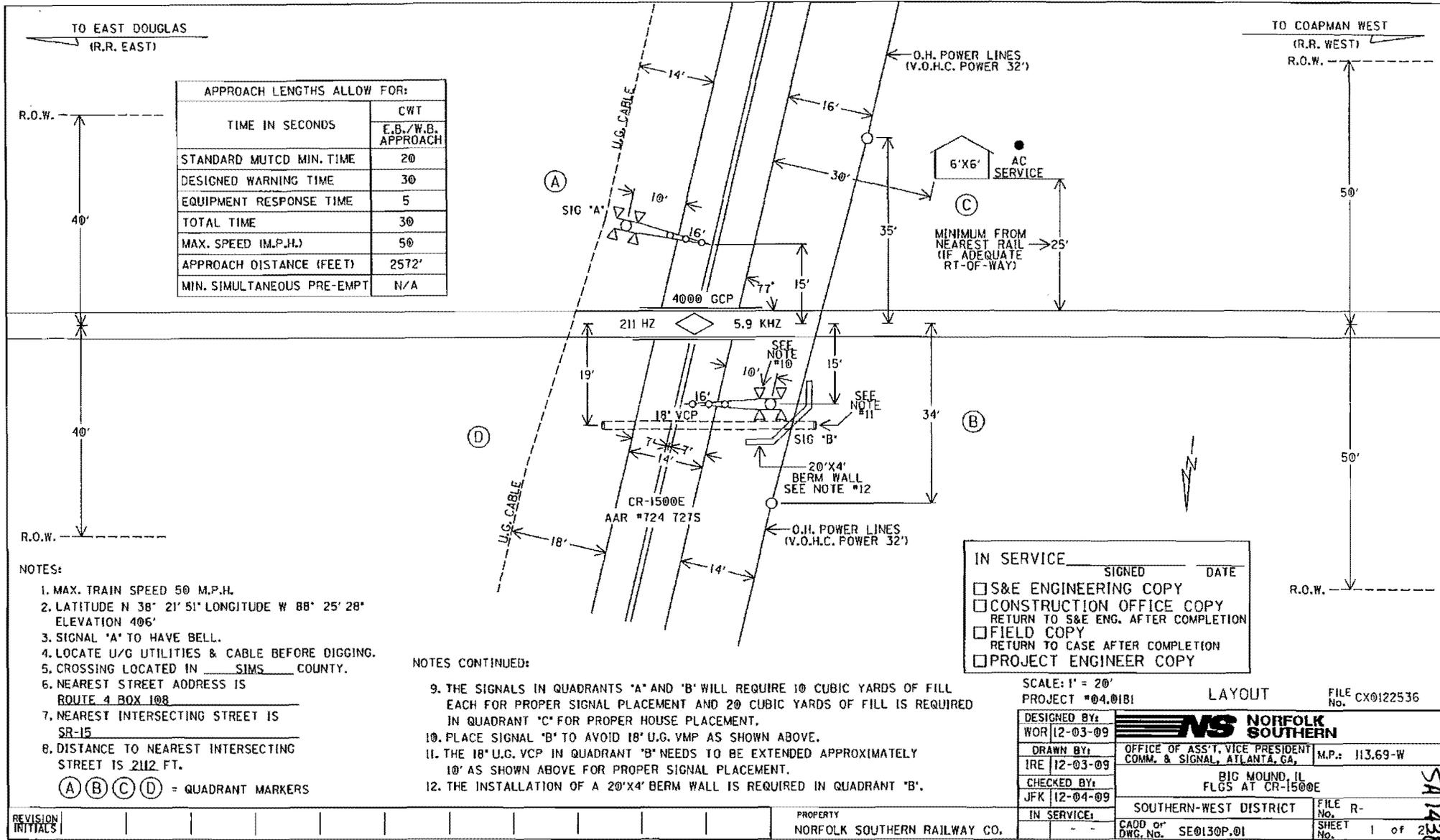
Road: CR-1500E
 DOT/AAR: 724727S
 County: SIMS
 AFE: F11527
 File Number:

Purchases - Others	
Meals and Lodging:	\$12,364.80
Rental of Equipment:	\$21,896.00
(2 Trucks, 1 Backhoe w/ Trailer and 1 Pipe-Pusher for 23 Days)	
Construction Supervision Vehicle:	\$7,642.99
Purchases - Other Total:	\$41,903.79
Material And Additives	
Material Cost:	\$77,376.00
Sales and Use Tax:	\$3,869.00
Material Handling Freight:	\$3,868.80
Material Total:	\$85,113.80
Labor And Additives	
Labor Cost:	\$25,760.00
(4 man crew at \$1,120.00 a day for: 23 days)	
Payroll Tax & Overheads:	\$34,219.58
Preliminary Engineering:	\$9,075.97
Construction Supervision:	\$14,430.75
Labor Total:	\$83,486.30
Project Cost:	\$210,503.89
Scrap / Salvage Credit:	\$0.00
Project Total:	\$210,503.89

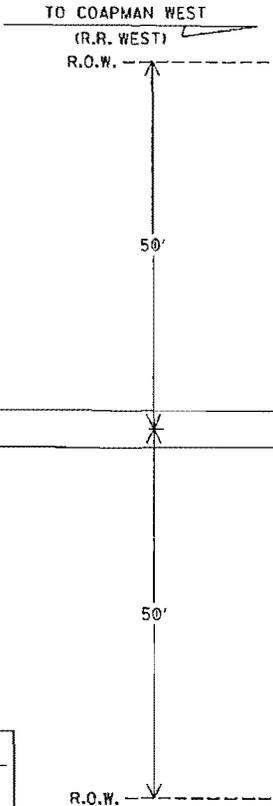
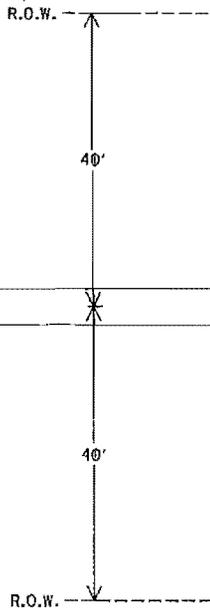
Estimated on: 04-Jan-10

Estimated by: n5s2v

Estimate valid for 1 year from date of estimate



APPROACH LENGTHS ALLOW FOR:	
TIME IN SECONDS	CWT E.B./W.B. APPROACH
STANDARD MUTCD MIN. TIME	20
DESIGNED WARNING TIME	30
EQUIPMENT RESPONSE TIME	5
TOTAL TIME	30
MAX. SPEED (M.P.H.)	50
APPROACH DISTANCE (FEET)	2572'
MIN. SIMULTANEOUS PRE-EMPT	N/A



- NOTES:
1. MAX. TRAIN SPEED 50 M.P.H.
 2. LATITUDE N 38° 21' 51" LONGITUDE W 88° 25' 28" ELEVATION 406'
 3. SIGNAL 'A' TO HAVE BELL.
 4. LOCATE U/G UTILITIES & CABLE BEFORE DIGGING.
 5. CROSSING LOCATED IN SIMS COUNTY.
 6. NEAREST STREET ADDRESS IS ROUTE 4 BOX 108
 7. NEAREST INTERSECTING STREET IS SR-15
 8. DISTANCE TO NEAREST INTERSECTING STREET IS 2112 FT.
- (A) (B) (C) (D) = QUADRANT MARKERS

- NOTES CONTINUED:
9. THE SIGNALS IN QUADRANTS 'A' AND 'B' WILL REQUIRE 10 CUBIC YARDS OF FILL EACH FOR PROPER SIGNAL PLACEMENT AND 20 CUBIC YARDS OF FILL IS REQUIRED IN QUADRANT 'C' FOR PROPER HOUSE PLACEMENT.
 10. PLACE SIGNAL 'B' TO AVOID 18' U.G. VMP AS SHOWN ABOVE.
 11. THE 18' U.G. VCP IN QUADRANT 'B' NEEDS TO BE EXTENDED APPROXIMATELY 10' AS SHOWN ABOVE FOR PROPER SIGNAL PLACEMENT.
 12. THE INSTALLATION OF A 20'X4' BERM WALL IS REQUIRED IN QUADRANT 'B'.

IN SERVICE _____	SIGNED _____	DATE _____
<input type="checkbox"/>	S&E ENGINEERING COPY	
<input type="checkbox"/>	CONSTRUCTION OFFICE COPY	
	RETURN TO S&E ENG. AFTER COMPLETION	
<input type="checkbox"/>	FIELD COPY	
	RETURN TO CASE AFTER COMPLETION	
<input type="checkbox"/>	PROJECT ENGINEER COPY	

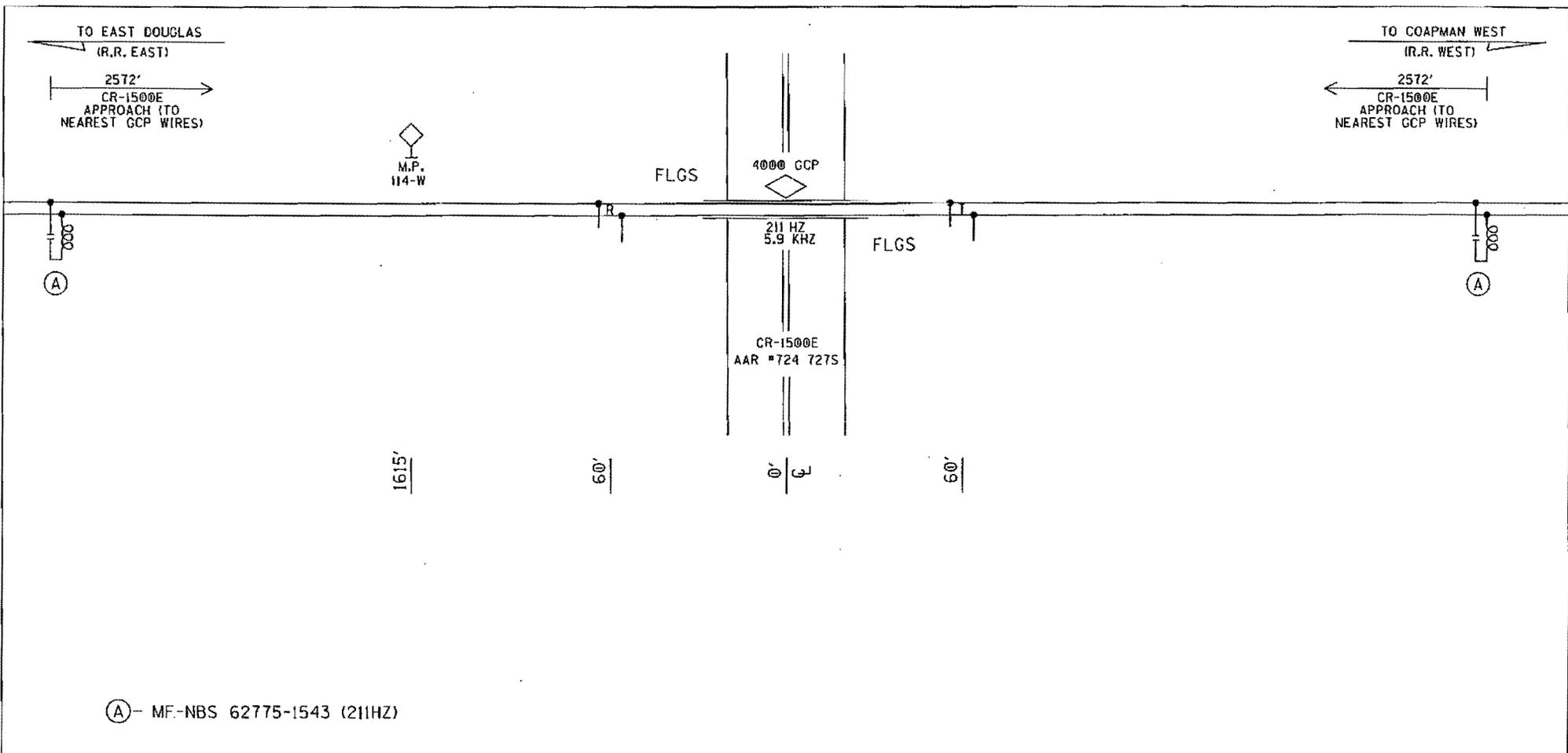
SCALE: 1" = 20'
 PROJECT #04.01B1 LAYOUT FILE CX0122536
 No. _____

DESIGNED BY: WOR 12-03-09		OFFICE OF ASS'T. VICE PRESIDENT COMM. & SIGNAL, ATLANTA, GA. M.P.: 113.69-W
DRAWN BY: IRE 12-03-09		
CHECKED BY: JFK 12-04-09	BIG MOUND, IL FLOS AT CR-1500E	
IN SERVICE:	SOUTHERN-WEST DISTRICT	FILE No. R-
CADD or DWG. No. SE0130P.01		SHEET No. 1 of 2

REVISION INITIALS										
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PROPERTY
 NORFOLK SOUTHERN RAILWAY CO.

SA1438-EXH. B, P. 2



PROFILE

DESIGNED BY:	WOR 12-03-09		NORFOLK SOUTHERN
DRAWN BY:	IRE 12-03-09	OFFICE OF ASS'T. VICE PRESIDENT COMM. & SIGNAL, ATLANTA, GA.	
CHECKED BY:	JFK 12-04-09	BIG MOUND, IL FLGS AT CR-1500E	
IN SERVICE:	-	SOUTHERN-WEST DISTRICT	FILE No. R-
		GADD or DWG. No. SE0130P.02	SHEET No. 2 of

REVISION INITIALS										
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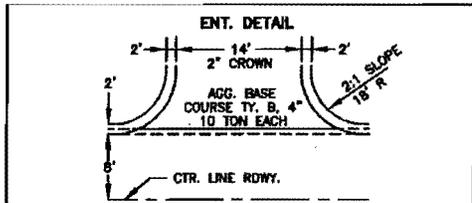
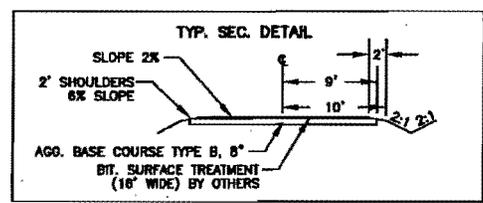
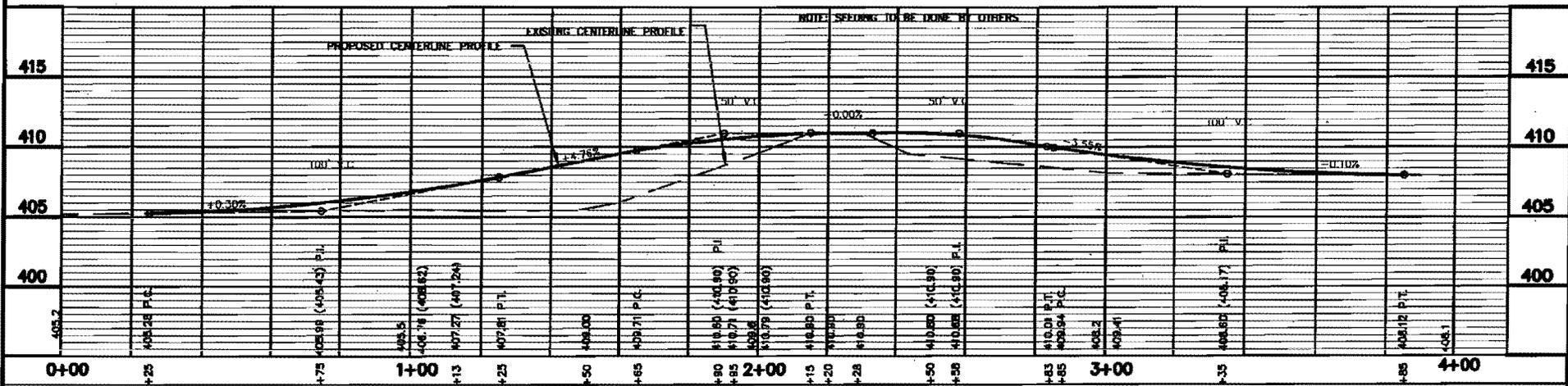
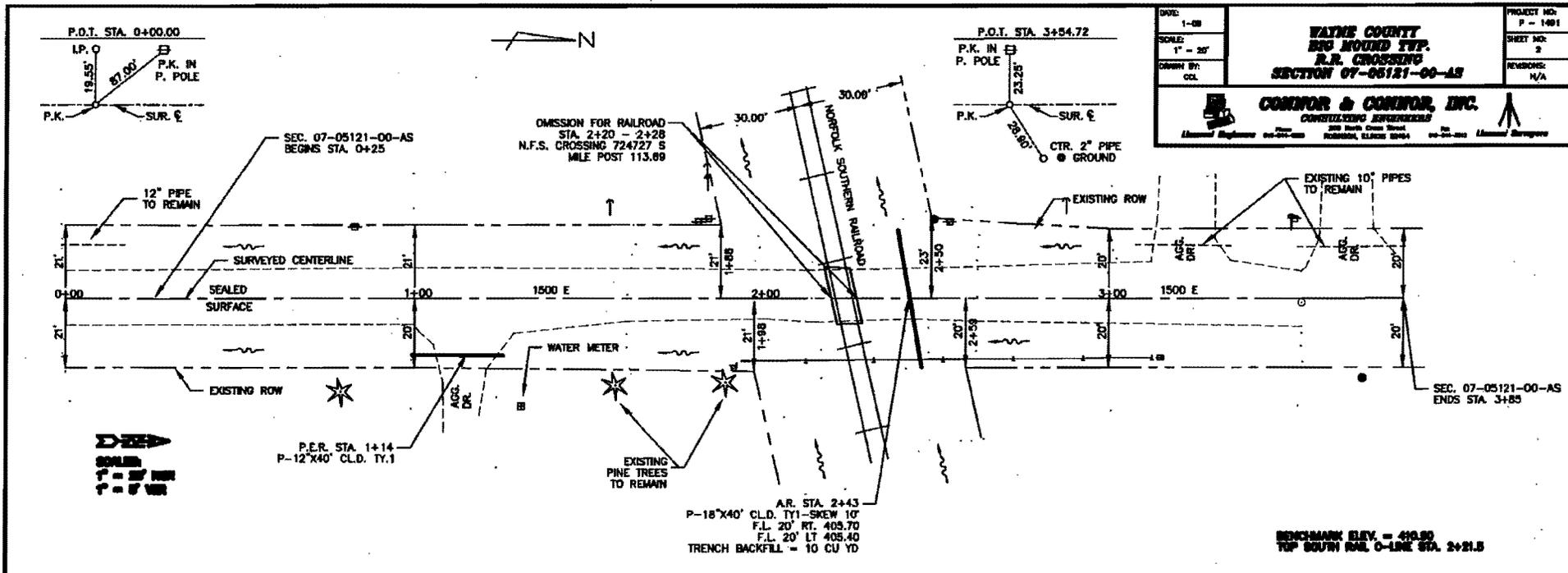
PROPERTY
NORFOLK SOUTHERN RAILWAY CO.

SA 1438-EXA-B,P.3

DATE: 1-88	PROJECT NO: P-1481
SCALE: 1" = 20'	SHEET NO: 2
DESIGN BY: COL	REVISIONS: N/A

**WAYNE COUNTY
BIG WOUND TWP.
R.R. CROSSING
SECTION 07-05121-00-AS**

CONNOR & CONNOR, INC.
CONSULTING ENGINEERS
200 North Chest Street
Kalamazoo, MI 49001



QUANTITIES

EARTH EXCAVATION	= 42 CU YD
ADJ. EARTH EXCAVATION	= 32 CU YD
EMBANKMENT	= 335 CU YD
FURNISHED EXCAVATION	= 303
AGG. BASE COURSE TYPE B	= 352 TONS
PIPE CULV., CL. D. TY 1 12"	= 40 FOOT
PIPE CULV., CL. D. TY 1 18"	= 40 FOOT
TRENCH BACKFILL	= 10 CU YD

SA1431-EXH. B.1.P.2

Section 1535.203 Construction and Maintenance of Grade Crossing

Every grade crossing shall be constructed and maintained in such manner that it will not interfere with the reasonably safe use of the roadway when traveled in the usual and ordinary manner. The surface of the roadway shall reasonably conform to the elevation of the rails for the entire area between rails and between tracks (where track centers are 15 feet or less) and for a distance of 24 inches beyond the outside of the outer rails of the outer tracks. In situations where super-elevation of rails through the crossing makes a reasonably smooth continuous surface impractical, the surface of the roadway in the crossing area shall be made as smooth as practicable, consistent with the safe operation of trains on the railroad tracks in accordance with Section 18c-7401(2) of the Law. Any crossing hereafter constructed or reconstructed shall conform to the width of the roadway and shall include a reasonable width of usable shoulder, but in no case shall the width be less than 16 feet measured at right angles to the center line of the highway unless the Commission specifically authorizes a lesser width. At crossings where there are sidewalks, either the crossing proper shall include the sidewalk areas or separate sidewalk crossings of a width consistent with that of the sidewalk approaches shall be provided conforming with provisions of this Section as to surface.

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.

WAYNE COUNTY HIGHWAY DEPARTMENT

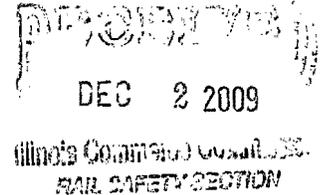
ARTHUR J. LOEBACH, PE
County Engineer

FAIRFIELD, ILLINOIS

SANDRA SIMPSON
Secretary

December 1, 2009

IL Commerce Commission
Transportation Division/Rail Safety Section
527 E. Capitol Avenue
Springfield, IL 62701



Attn: Michael Stead

Re: Sec. #09-09114-00-FL/Grover
Sec. #07-09113-00-AS/Grover
Sec. #07-05121-00-AS/Big Mound

Dear Sir:

Wayne County is forwarding the following for the above noted railroad crossing projects:

- A. Plans and Cross-sections
- B. Estimates
- C. Financial Statements

Since the townships have minimal assets, I urge the Commerce Commission to assist these townships to fund the railroad crossing projects proposed for 2010.

Please review the plans and make any comments before we submit them to IDOT District #7 for review and approval. If you have any questions, feel free to call at (618) 847-7343.

Sincerely yours,

Arthur J. Loebach
County Engineer

AJL:ss

cc: files

rail safety.wps

SUMMARY OF 2009 FUNDS

BIG MOUND TOWNSHIP

70.01 MILES

	<u>GENERAL FUND</u>	<u>SPECIAL REVENUE FUND</u>	<u>MOTOR FUEL TAX FUND</u>
REVENUES	\$51,132.00	\$100,410.00	\$96,972.88
DISBURSEMENTS	<u>\$39,200.00</u>	<u>\$138,667.00</u>	<u>\$104,520.01</u>
	\$11,932.00	(\$38,257.00)	(\$7,547.13)

SUM OF THREE FUNDS =

(\$33,872.13)

GROVER TOWNSHIP

36.32 MILES

	<u>GENERAL FUND</u>	<u>SPECIAL REVENUE FUND</u>	<u>MOTOR FUEL TAX FUND</u>
REVENUES	\$62,103.43	\$11,260.13	\$43,372.25
DISBURSEMENTS	<u>\$55,183.57</u>	<u>\$19,830.10</u>	<u>\$42,631.67</u>
	\$6,919.86	(\$8,569.97)	\$740.58

SUM OF THREE FUNDS =

(\$909.53)

**NOTE: Balances of the three road funds are negative for both townships.
Therefore, both townships should be eligible for 50% G.C.P.F.**

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

PROJECT STATUS REPORT:

TYPE: (CHECK ONE)

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

DATE	1-29-10
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PROJECT INFORMATION:

Reporting Party:	Norfolk Southern Railway Company
Docket/Order #; Date:	T10-0009
Status Reports Due:	6 Months from Order Date
Ordered Completion Date:	12 Months from Order Date
Completion Report Due ¹ :	Within 10 days of Completion Date
AAR/DOT#, Milepost:	724 727S, MP 113.69-A
Street, (in/near) City, County:	1500E Rd/TR 372C near Sims, Wayne Co.
Railroad Company:	Norfolk Southern

¹Completion reports involving changes to the railroad crossing must include an updated USDOT Inventory Form:

PROJECT MANAGER INFORMATION²:

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

²Project Manager Information to be submitted by NS and Big Mound Township.

DESCRIPTION OF IMPROVEMENT(S) ORDERED:

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and capable of remote monitoring system when available.
- (b) Installation of temporary STOP signs within 30 days of a Commission Order for the installation of new automatic warning devices.
- (c) Crossing surface widening, if necessary, to accommodate the approach roadway width plus a reasonable width of usable shoulder, in accordance with the minimum requirements of 92 Ill. Adm. Code 1535.203 (Exhibit C).

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

**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:

Aaron Toliver, Rail Safety Specialist
Phone: (217) 785-8420
Email: atoliver@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

IDOT, District ##
Address

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	<u>And</u>	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	1-29-10
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PROJECT INFORMATION:

Reporting Party:	Big Mound Township Road District
Docket/Order #; Date:	T10-0009
Status Reports Due:	6 Months from Order Date
Ordered Completion Date:	12 Months from Order Date
Completion Report Due ¹ :	Within 10 days of Completion Date
AAR/DOT#, Milepost:	724 727S, MP 113.69-A
Street, (in/near) City, County:	1500E Rd/TR 372C near Sims, Wayne Co.
Railroad Company:	Norfolk Southern

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

PROJECT MANAGER INFORMATION²:

Name:	Arthur J. Loebach, P.E.
Title:	Wayne County Engineer
Representing:	Big Mound Township Road District
Street Address:	RR 3, Box 7
City, State, Zip:	Fairfield, IL 62837
Office Phone:	(618) 847-7343
Office Fax:	
Cellular Phone:	
E-Mail Address:	wchiway@newwavecomm.net

²Project Manager Information to be submitted by NS and Big Mound Township.

DESCRIPTION OF IMPROVEMENT(S) ORDERED:

- (a) Rehabilitation of the existing highway approaches, to meet the minimum requirements of 92 Ill. Adm. Code 1535.204 (Exhibit C1).
- (b) Installation of Highway-Rail Grade Crossing Advance Warning Sign (W10-1) on the north highway approach, per the Manual on Uniform Traffic Control Devices (MUTCD).

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

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

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527 E. Capitol Avenue
Springfield, IL 62701-1827

If you have questions contact:

Aaron Toliver, Rail Safety Specialist
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Federal Railroad Administration Office of Safety, MS25 1200 New Jersey Avenue SE Washington, DC 20590-0001	And	Chief of Data Services Illinois Department of Transportation 2300 S. Dirksen Parkway Springfield, IL 62764
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