

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

FOREST PRESERVE DISTRICT OF COOK COUNTY)
Petitioner,)
)
VS)
) T11-
UNION PACIFIC RAILROAD,)
Respondent,)
)
)
)
Petition for an Order to construct a bicycle trail grade separation structure)
over the Union Pacific Railroad tracks at milepost 23.00 on the Villa Grove)
subdivision located approximately 2,200 feet northeast of the Glenwood-)
Thornton Road/Glenwood Avenue/Merrill Street intersection in the Village)
of Glenwood, Cook County, Illinois.)

PETITION

NOW COMES COOK COUNTY FOREST PRESERVE DISTRICT (“CCFPD” or “Petitioner”) and respectfully petitions the ILLINOIS COMMERCE COMMISSION (“ICC” or “Commission”) as follows:

1. Petitioner is an Illinois Forest Preserve District that has jurisdiction under the laws of the State of Illinois over the Thorn Creek Forest Preserve, located in the west half of the Southwest Quarter of Section 3, Township 35 North, Range 14 East of the Third Principal Meridian and proposes to construct a bicycle-pedestrian grade separation structure over the Union Pacific Railroad (milepost 23.00) at the location shown in Exhibit A attached hereto and made part thereof.
2. Union Pacific Railroad (“UPRR” or “Railroad”) is a registered rail carrier operating in the State of Illinois.
3. There is currently no crossing platform or bridge at this location.

4. The mainline track of the Railroad is oriented in a north-south direction intersecting the Thorn Creek Bike Trail just northeast of the Merrill Street and Campbell Avenue intersection in the Village of Glenwood, Illinois.

5. The CCFPD has an extensive Thorn Creek Trail System in South Cook County that is continuing to grow. However, there are gaps between the existing trail systems that need to be connected to have a continuous trail network. The north segment of the proposed Thorn Creek Bike Trail will connect the gap between the 2.4-mile long Brown Trail (from Joe Orr Road to Glenwood-Lansing Road) and the 4.8-mile long Red Trail (from the Sweet Woods Forest Preserve, located west of Cottage Grove, to the Lansing Woods Forest Preserve, located east of Torrence Avenue). Refer to Exhibit A-1 for Thorn Creek Trail System Map.

6. It is anticipated that there will be an average of 250 path users per day.

7. The Petitioner has prepared plans and specifications known as County Section 07-F3000-00-BT incorporated herein by reference that proposes a bicycle trail grade separation structure over the Railroad's tracks at milepost 23.00 located northeast of the Merrill Street and Campbell Avenue intersection (hereinafter referred to as the "Project").

8. The proposed bridge is a five-span prefabricated bridge with four piers and a minimum vertical clearance of 23 feet and 4 inches over the existing double tracks with a minimum vertical clearance of 23 feet and 4 inches over the full width of the Railroad right-of-way. The piers will be constructed outside of the Railroad right-of-way and the bridge will span the Railroad right-of-way. No additional right-of-way is required for the bridge. The geometric and general information for both the Railroad and the proposed Thorn Creek Bike Trail structure is detailed in Exhibit B which is attached hereto and made a part hereof.

9. The proposed profile of the trail on the both sides of the structure is a five percent (5%) grade as it approaches its peak located directly over the UPRR tracks.

10. The estimated construction cost for this Project is \$6,836,335.00. If approved and constructed, CCFPD will bear all costs incurred for the engineering and construction of the bike trail project, as well as the proposed structure over the UPRR tracks.

11. The proposed allocation of Project costs and schedule are shown in Exhibit C attached hereto and made part thereof.

12. CCFPD has secured funding and is preparing the project for a September 2011 Letting. It is anticipated that the project would then be completed by November 2012.

13. Based on the scheduled letting, and in an effort to streamline the process, the proposed plans and specifications for the Project have been reviewed by the UPRR. Comments raised by the UPRR have been responded to and incorporated into the plans and specifications for the Project as submitted herein. Correspondence between the Petitioner and the UPRR indicating agreement to the proposed Project is attached hereto as Exhibit D and made part hereof. Petitioner is therefore hopeful that the parties will concur on an Agreed Order which may be filed with the Commission.

14. Petitioner respectfully requests that its proposed plan attached as Exhibit B be approved by the Commission as complying with all requirements

WHEREFORE, Petitioner requests that the Illinois Commerce Commission hold a hearing to the extent and by the method as may be necessary and proper, and enter such Order, pursuant to subsection (3) of Section 18c-7401 of "The Illinois Commercial Transportation Law", effective January 1, 1986, as amended (625 ILCS 5/18c-7401), regarding construction of a bicycle-pedestrian-equestrian bridge over the Railroad in accordance with the Project final plans, all as may be necessary to preserve, promote and protect the safety and convenience of the public in the premises herein described.

The Petitioner further specially requests that based on the secured funding and tentative Letting schedule of September 2011, that all necessary steps be taken by the Illinois Commerce Commission to expedite, accelerate and advance upon its docket for immediate consideration, the matter of this Petition.

The Petitioner further specially requests that matters concerning any future major alterations to the bridge to be constructed shall be brought before the Illinois Commerce Commission for issuance of an Order.

Respectfully Submitted,

_____, 2011

FOREST PRESERVE DISTRICT OF COOK COUNTY

By: _____
One of its Attorneys