

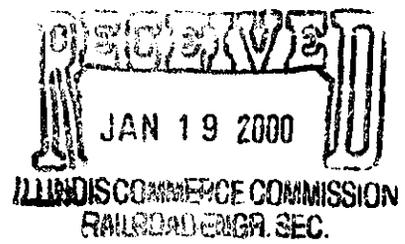
100-0004

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

VILLAGE OF ROSCOE, Illinois,)
)
Petitioner,)
)
v.)
)
I & M RAIL LINK, LLC (successors to Soo)
Line Railroad Company) and DEPARTMENT)
OF TRANSPORTATION OF THE STATE)
OF ILLINOIS,)
)
Respondents.)

NO.: 700-0004

IN THE MATTER of the Petition for an Order of)
the Illinois Commerce Commission)
authorizing the construction of a proposed)
grade crossing at Chicory Ridge Subdivision)
(extension of Purple Sage Drive to Liddle)
Road) Village of Roscoe with the tracks of the)
I & M Rail Link in the County of Winnebago,)
Illinois,)



TO THE ILLINOIS COMMERCE COMMISSION:

Now comes the Petitioner, the Village of Roscoe, Illinois, by its attorneys, Heyl, Royster, Voelker, and Allen, and for said Petition, respectfully represents as follows:

INTRODUCTION

1. That the Respondent, I & M Rail Link (hereinafter referred to as the "Company"), in the operation of its facilities has certain tracks running in a general North and South direction through the petitioning Village of Roscoe, Illinois.

DOCKETED

2. That Petitioner proposes to construct a crossing in order to eliminate a hazard condition, improve traffic flow, and provide additional public access to the Chicory Ridge Subdivision.
3. At the present time, there will be approximately 1000 living units being developed in said subdivision, and its only access is to Roscoe Road.
4. The Petitioner has great concern because the majority of the subdivision is serviced by the Rockton Fire Protection District, as shown on Exhibit B.
5. The Rockton Fire Protection District, which provides service to the majority of said subdivision, has petitioned the Petitioner for a crossing to allow its emergency vehicles to get to the said subdivision.
6. Without the crossing, the Rockton Fire District will have to travel up to two miles to service the northern part of the subdivision. Not only is the travel time a concern, but also the potential that Roscoe Road between Liddle Road and the entrance to Chicory Ridge could be closed to traffic, which would block the Fire District's access to Chicory Ridge from the west.

LOCATION OF THE CROSSING

7. The proposed crossing is shown on Exhibit B and is located at the Chicory Ridge Subdivision, located east of the I & M Railroad Link railroad, north of Roscoe Road, and bordered on the north and east by the Rock River.
8. That in doing so, Petitioner proposes to cross the tracks of the Company as shown on Exhibit A consisting of Location Map; Exhibit A, a larger scaled drawing of crossing area; and Exhibit B, the proposed Plan and typical roadway section, all of which is appended hereto and by this reference made a part of this Petition.
9. That the crossing will be an extension of Purple Sage Drive in said subdivision. See Exhibits B and C.
10. That Purple Sage Drive on both sides of the proposed crossing of said tracks of the Company will be in the Village of Roscoe, Illinois.

ALTERNATIVES TO THE CROSSING

11. There are no viable alternates to this safety problem because access to the subdivision is bordered on the north and east by the Rock River, and the cost of constructing a bridge across the Rock River would be prohibitive, and there is no direct route across the river to Rockton.

12. An additional access point on the south would leave the Petitioners with the same condition it presently has -- poor access for emergency vehicles.

13. The remaining vehicle access point is across the railroad on the west side of the subdivision, of which the Petitioner is requesting.

14. The developer of this subdivision, Petry Construction, Inc., owns the land on either side of the railway at the proposed crossing. Petry also owns a private road easement across the railway approximately 150 feet north of the site of the proposed crossing. Petry has agreed to deed that private easement back to the Company if the proposed public crossing is approved.

IMPROVEMENTS FOR THE CROSSING

15. That Purple Sage Drive on both sides of the crossing will upon completion of the construction as proposed by the Petitioner will be maintained by and at the expense of the Petitioner.

16. The tracks will be crossed in a near perpendicular direction (seventy-five degree angle).

17. That said Purple Sage Drive will be constructed during the calendar year 2000, or soon thereafter, as a twenty-two (22) foot wide 2" thick asphalt and 10" base gravel surface, with four foot wide shoulders on either side, as detailed on the typical section and designated on Exhibits C and D attached hereto. There will be one traffic lanes in each direction. The speed limit on the roadway will be thirty miles per hour (30 mph).

18. That the land at and near the crossing is flat and there are no obstructions in any of the quadrants at the point of the proposed crossing.

19. That no obstructions in any of the quadrants at the point of the proposed crossing will make the observation of approaching trains difficult for motorists approaching the crossing from either direction. Any and all brush will be removed from the roadway and railroad right-of-way in order to clear the view of an approaching train at the crossing.

20. The Petitioner proposes to construct and install safety devices at the crossing, including automatic flashing light signals with gates using motion sensor circuitry, with all necessary improvements related thereto. The estimated cost of these improvements and construction of the crossing is \$84,879.14. See Exhibit E (Sheets E1-E7) attached hereto and made a part hereof.

CONCLUSION

21. That the new proposed crossing is necessary to provide a safe, public, reasonable and direct access to an existing and expanding residential subdivision in the Village of Roscoe, and a

potentially additional expanding residential area located north of Chicory Ridge Subdivision, all in Winnebago County.

22. That upon completion of the construction of said proposed crossing, the volume of vehicular traffic will continue to grow until the area east of the railway is fully developed. The development of Chicory Ridge Subdivision is expected to take 7 to 12 years, or more.

23. Upon information and belief, there are only two freight trains using the track daily traveling at twenty-five miles per hour. Thus, any potential liability for an additional railway crossing is greatly outweighed by the benefit of providing a safe, fully improved public crossing.

WHEREFORE, Petitioner prays that the Commission will set the aforesaid matter for hearing with Notice to the parties hereto and after such hearing, enter an Order:

1. Authorizing the construction of the proposed grade crossing of Purple Sage Drive at the Company's tracks as shown on the attached Exhibit "A".
2. Directing that all of the above acts be contingent upon the construction of said Purple Sage Drive crossing.

DATED in the Village of Roscoe, Illinois this 17th day of January, 2000.



Mark J. McClenathan
Heyl, Royster, Voelker & Allen
Attorney for the Village of Roscoe

CERTIFICATION

The undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to me on information and belief, and as to such matters, the undersigned certifies as aforesaid that the Petitioner believes the same to be true.

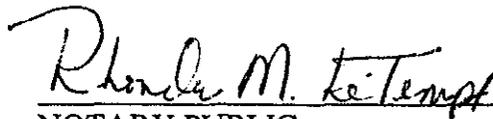
Dated this 17th day of January, 2000.



Mark J. McClenathan
Heyl, Royster, Voelker & Allen
Attorney for the Village of Roscoe

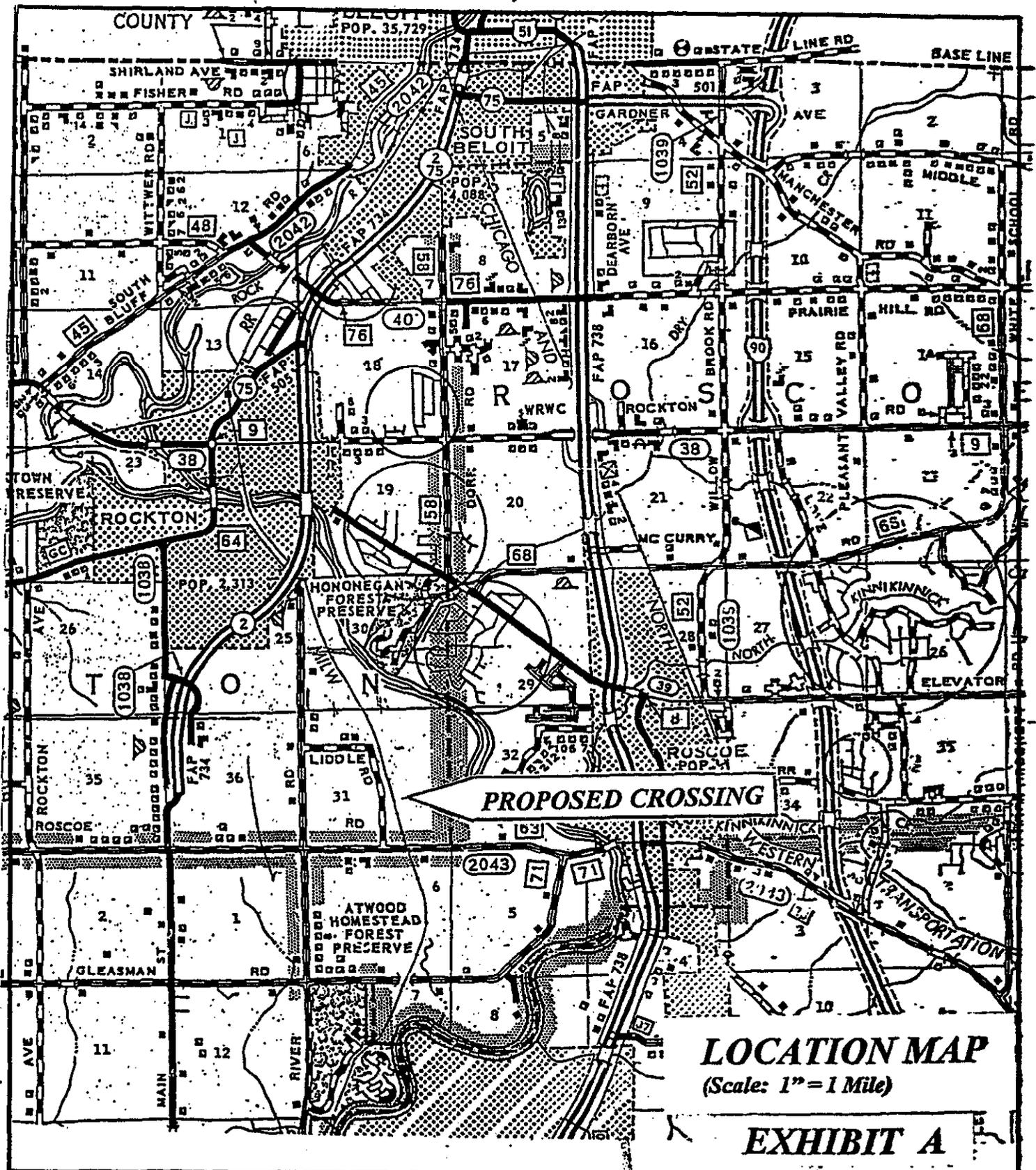
STATE OF ILLINOIS)
) ss
COUNTY OF WINNEBAGO)

SUBSCRIBED AND SWORN to before me this 17th day of January, 2000.



NOTARY PUBLIC





PROPOSED CROSSING

LOCATION MAP
(Scale: 1" = 1 Mile)

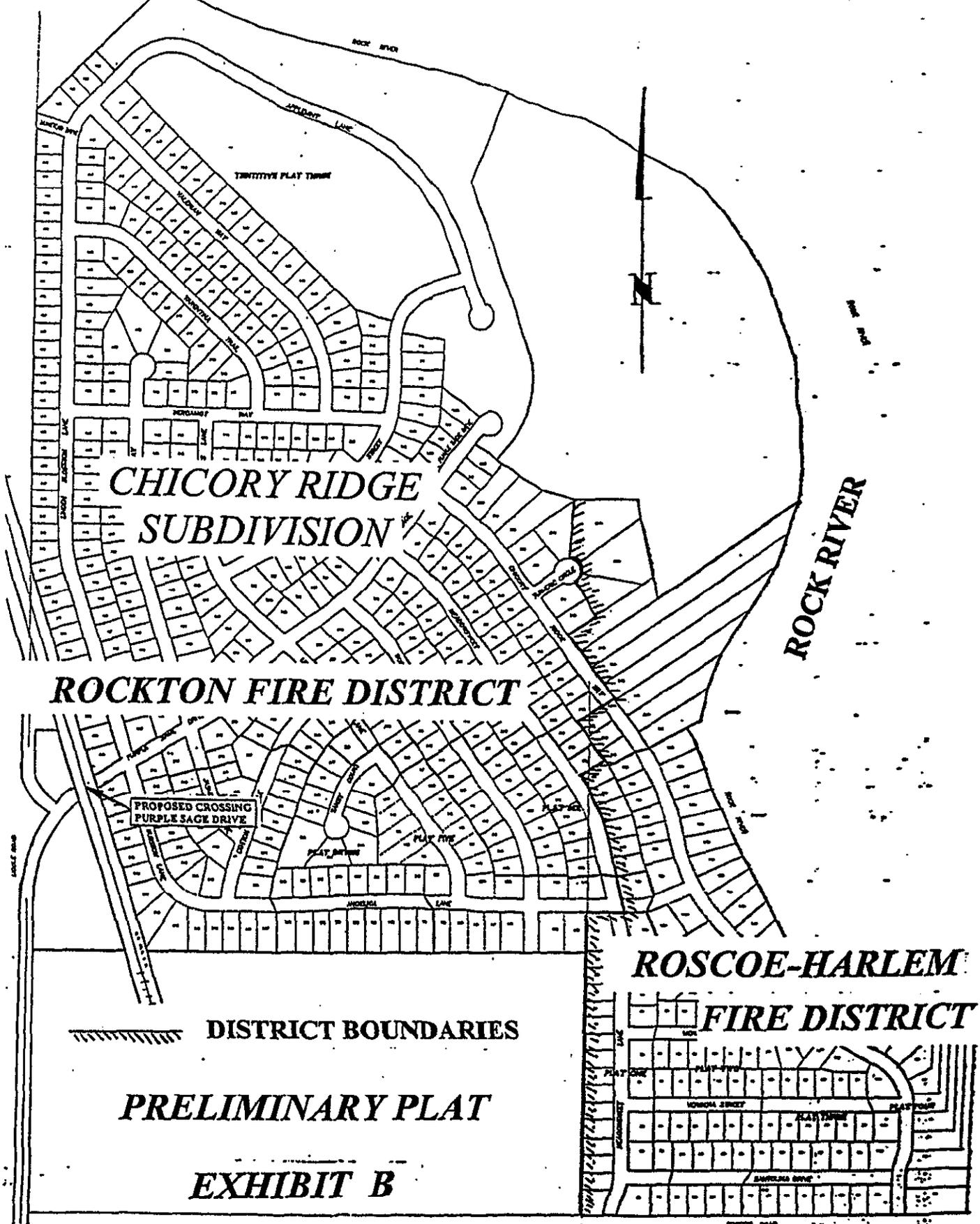
EXHIBIT A



Prepared by
MISSMAN, STANLEY & ASSOCIATES

Civil Engineering · Surveying Environmental Services
· Landscape Architecture
(815) 965-6400 FAX (815) 965-6416

DATE LAST EDITED:	07/19/99
SCALE:	NONE
DRAWN/CHECKED:	CCW/WS
FILENAME:	ARMAP.DWG
DISK NO.:	NETWORK
PROJECT NO.:	B-99-T005



**CHICORY RIDGE
SUBDIVISION**

ROCKTON FIRE DISTRICT

**ROSCOE-HARLEM
FIRE DISTRICT**

DISTRICT BOUNDARIES

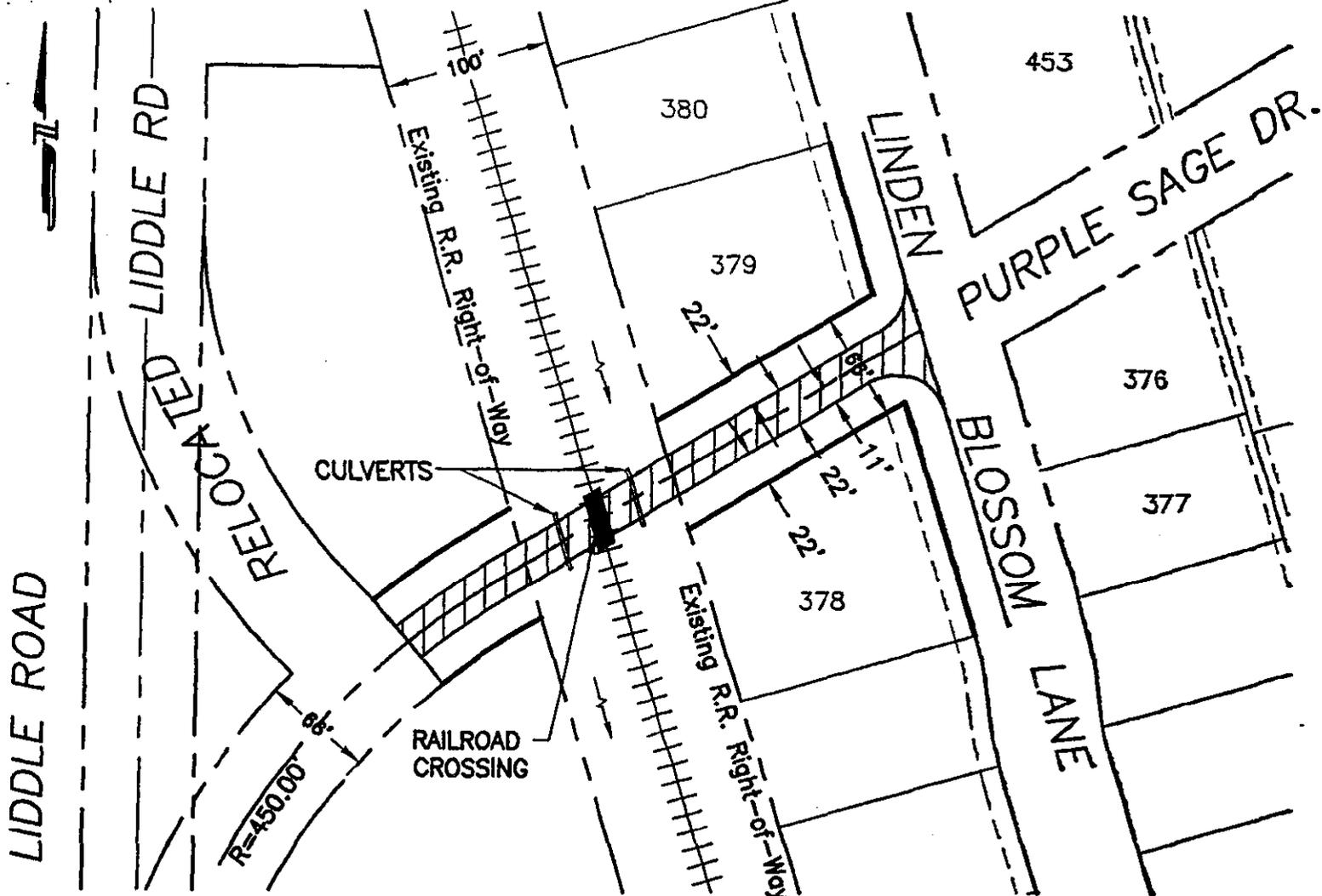
PRELIMINARY PLAT

EXHIBIT B

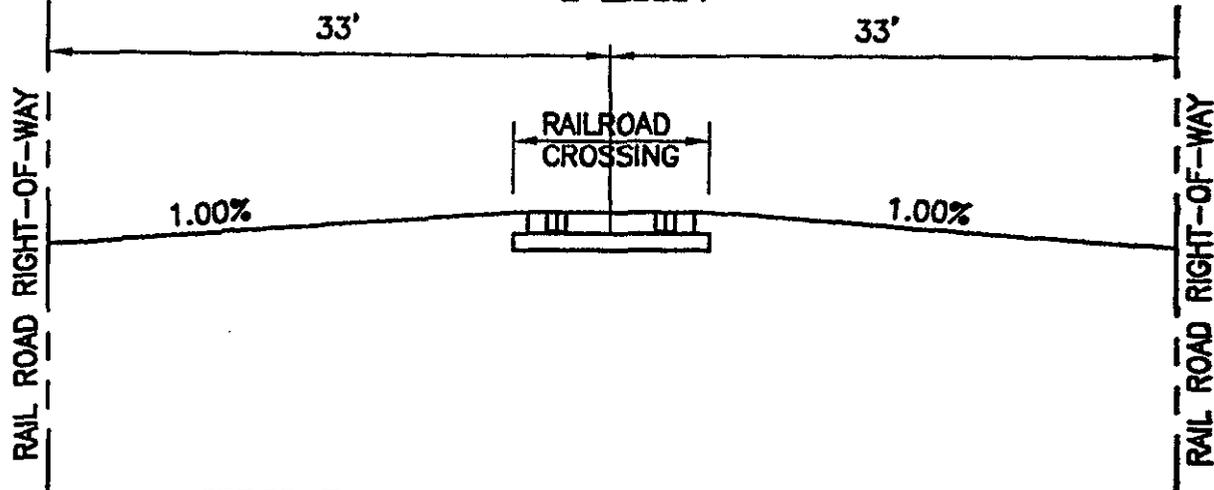


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 • Landscape Architecture
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DATE LAST EDITED:	06/16/99
SCALE:	1"=100'
DRAWN/CHECKED:	CCW/WS
FILENAME:	PURPLESA.DWG
DISK NO.:	NETWORK
PROJECT NO.:	B-99-L005



PLAN



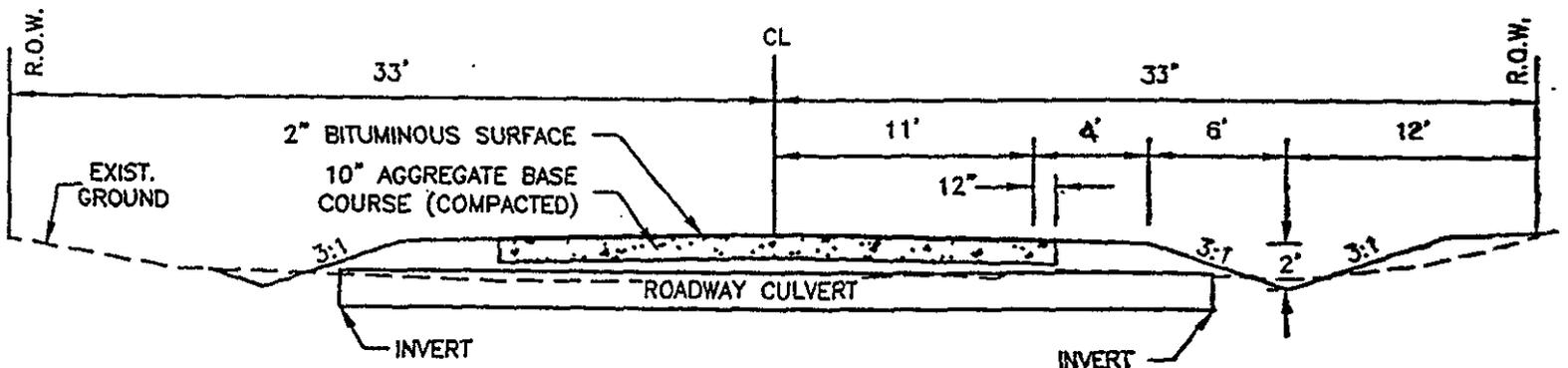
TYPICAL RAILROAD SECTION AT CROSSING

EXHIBIT C



Prepared by
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 • Civil Engineering • Surveying • Environmental Services
 • Landscape Architecture
 (815) 965-6400 FAX (815) 965-6416

DATE LAST EDITED:	10-4-99
SCALE:	1"=100'
DRAWN/CHECKED:	CLH/WDS
FILENAME:	PURPSAGEINT.DWG
DISK NO.:	NETWORK
PROJECT NO.:	B-99-1005



TYPICAL ROADWAY SECTION

EXHIBIT D



Prepared by
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 Landscape Architecture
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DATE LAST EDITED:	10-4-99
SCALE:	1"=100'
DRAWN/CHECKED:	CCW/WS
FILENAME:	PURPLESA.DWG
DISK NO.:	NETWORK
PROJECT NO.:	B-99-L005

EXHIBIT E

COST ESTIMATE

PURPLE SAGE DRIVE
ROSCOE, ILLINOIS
22' Wide asphalt road with 4'
shoulders, no sidewalks.

New Road, not a rebuild.

<u>Description</u> <u>Material</u>	<u>Qty/Unit</u>	<u>Unit Price</u>	<u>Labor</u>	<u>Mat'l</u>	<u>Total</u>
Cross Ties, New 10'	25 EA	\$ 48.11		\$ 1,202.75	
Cross Ties, New, 8'-6"	34 EA	\$ 33.00		\$ 1,122.00	
Rail #115, New Welded	156 LF	\$ 13.85		\$ 2,160.60	
Tie Plates	118 EA	\$ 6.64		\$ 783.52	
Tie Pads	118 EA	\$ 0.58		\$ 68.44	
Track Spikes	472 EA	\$ 0.40		\$ 188.80	
Rail Anchors	236 EA	\$ 1.03		\$ 243.08	
Field Welds	4 EA	\$ 94.00		\$ 376.00	
Ballast	142 TON	\$ 9.95		\$ 398.00	
Concrete Crossing	40 LF	\$ 182.50		\$ 6,935.00	
Rubber Crossing Panels	38 LF	\$ 0.00		\$ 0.00	
Timber Crossing Planks	38 LF	\$ 0.00		\$ 0.00	
F&G Timbers	152 LF	\$ 0.00		\$ 0.00	
Timber Screws	76 EA	\$ 0.00		\$ 0.00	
Bituminous Paving	120 NT	\$ 110.60		\$ 13,272.00	
Geotextile Fabric	48 LF	\$ 3.23		\$ 155.04	
6" PVC Schedule 40 Perf. Pipe	140 LF	\$ 13.27		\$ 1,857.80	
Elbow, 45°	4 EA	\$ 27.65		\$ 110.60	
Tee Section	4 EA	\$ 30.41		\$ 121.64	
Use Tax	LS	\$27,466.00/5%		\$ 1,374.00	
Transportation	142 NTM	\$ 3.12		\$ 443.04	
Ballast Cars	2 EA	\$ 38.71		\$ 77.42	
					\$30,889.73

<u>Description</u>	<u>Qty/Unit</u>	<u>Unit Price</u>	<u>Labor</u>	<u>Mat'l</u>	<u>Total</u>
<u>Salvage</u>					
Rail, Scrap	3.0 NT	(\$96.00)		(\$288.00)	
OTM, Scrap	1.2 NT	(\$96.00)		(\$115.20)	
					(\$403.20)
<u>Engineering & Accounting</u>					
Labor				\$403.20	
Labor Additives	380 \$	66.67%		\$268.00	
					\$ 671.20
<u>Labor</u>					
Mobilize	3 Crew	\$ 869.92	\$2,609.76		
Remove Existing Track & Prep Site	78 LF	\$ 24.02	\$1,873.56		
Build Track	78 LF	\$ 25.75	\$2,008.50		
Surface Track	1 XING	\$2462.12	\$2,462.12		
Weld Rail	4 WELD	\$ 151.02	\$ 604.08		
Install Xing Material	38 LF	\$ 27.45	\$1,043.10		
Signal Maintainer	4 Day	\$ 0.00	\$ 0.00		
Demobilize	3 Crew	\$ 869.92	\$2,609.76		
Labor Additives	\$12,298 LS	66.67%	\$8,200.00		
Insurance	\$12,298 LS	18.15%	\$2,233.00		
					\$27,456.00
<u>Other</u>					
Equipment	Lot			\$3,545.00	
					\$ 3,545.00
Subtotal					\$58,346.61
Contingencies					\$ 5,834.66
Total Cost – Track					\$64,181.27

SIGNAL & INTERLOCKER

<u>Description</u>	<u>Object Code</u>		<u>Qty/Unit</u>	<u>Unit Cost</u>	<u>Ext. Cost</u>
Material	4821	Bungalow, Complete, 6x6 Alum with:	1 EA	\$ 9,629.55	\$ 9,629.55
		Resistor, Adjustable, 1.5 ohm	12 EA		
		Resistor, Adjustable, 2.5 ohm	1 EA		
		Arrestor, Surge, w/LED	1 EA		
		Transformer, 117 Volt AC	1 EA		
		Charger, 40 A, 12 Volt, Cragg	1 EA		
		Charger, 5-EC-8V, Cragg	1 EA		
		Charger, 20 A, 12 Volt, Cragg	1 EA		
		Wrench, Raco	1 EA		
		Battery Tray, 57"	2 EA		
		Assy. Arrestor Base, 3 Post	20 EA		
		Assy. Cable Ent. Riser, 24"	3 EA		
		Misc. Wiring Items & Hardware	1 Lot		
		Assy., 19" Rack	1 EA	\$ 181.10	\$ 181.10
		Assy., AGA-1	20 EA	\$ 13.30	\$ 266.00
		Assy., BSA-4	1 EA	\$ 103.08	\$ 103.08
		Assy., CCU2, 40A	1 EA	\$ 2,620.18	\$ 2,620.18
		Assy., Vital Relay Driver	1 EA	\$ 605.35	\$ 605.35
		Assy., PMD-3R	1 EA	\$12,315.00	\$ 12,315.00
		Assy., MDSA-1	1 EA	\$ 230.00	\$ 230.00
		Narrow Band Shunt	0 EA	\$ 261.75	\$ 0.00
		Light Unit, 2 Way	2 EA	\$ 1,770.50	\$ 3,541.00
		Assy., Hex Head Lock	4 EA	\$ 21.22	\$ 84.88
		Cable, ug, 10 cond. 14 awg.	300 FT	\$ 3.78	\$ 1,134.00
		Cable, ug, 7 cond. 6 awg	300 FT	\$ 3.69	\$ 1,107.00
		Wire, ug track, 2 cond., 6 awg	300 FT	\$ 0.78	\$ 234.00
		Battery, GNB, 50A13, 320 AH	13 EA	\$ 246.60	\$ 3,205.80
		Connection, 1-shot	6 EA	\$ 7.00	\$ 42.00
		Clip, Track Wire Retainer	8 EA	\$ 1.75	\$ 14.00
		Sleeve, 3/16-#6	4 EA	\$ 1.33	\$ 5.32
		Staple, Copperweld, 3/8x1/34	50 EA	\$ 0.11	\$ 5.50
		Tape, Electrical, 3M #33	4 RL	\$ 2.90	\$ 11.60
		Paint, Rusto Silver Aluminum	6 EA	\$ 3.12	\$ 18.72
		Rod, 5/8x8, Ground	6 EA	\$ 8.60	\$ 51.60
		Wire, Ground #6	150 FT	\$ 0.20	\$ 30.00
		Wire, Case, 10 awg	200 FT	\$ 0.26	\$ 52.00
		Nut, Insulated, Terminal	12 EA	\$ 4.11	\$ 49.32
		Bootleg Bond w/Coupler Kit	8 EA	\$ 3.50	\$ 28.00
		Spike Drive Beaver	8 EA	\$ 1.63	\$ 13.04
		Washer, Lock	14 EA	\$ 0.22	\$ 3.08
		Nut, Hex	14 EA	\$ 0.23	\$ 3.22
		Clamp Assy., Ground/Mast	2 EA	\$ 66.78	\$ 133.56
		Term Assy., Multi-connect	5 EA	\$ 29.05	\$ 145.25
		Marker, Wide, Brady	200 EA	\$ 0.48	\$ 96.00
		Hose, General Purpose, 3/4"	50 FT	\$ 1.22	\$ 61.00
		Compound, Scotchcoat	1 EA	\$ 12.88	\$ 12.88
		Tie Cable, Self-Lock	50 EA	\$ 0.05	\$ 2.50
		Bracket, High-Wind Support	2 EA	\$ 50.56	\$ 101.12
		Bondstrand	100 FT	\$ 0.58	\$ 58.00
		Cable, #10 awg. 5EC	100 FT	\$ 0.64	\$ 64.00
		Plate, Shunt	0 EA	\$ 55.20	\$ 0.00

<u>Description</u>	<u>Object Code</u>	<u>Qty/Unit</u>	<u>Unit Cost</u>	<u>Ext. Cost</u>
4821	Foundation, Signal	2 EA	\$ 168.50	\$ 337.00
	Foundation, House	4 EA	\$ 55.00	\$ 220.00
	Foundation, Cantilever	0 EA	\$ 1,263.25	\$ 0.00
	Kit, Torque Wrench	1 EA	\$ 174.33	\$ 174.33
	Gate Arm, 16-32"	2 EA	\$ 569.50	\$ 1,139.00
	Bell, Electronic	1 EA	\$ 191.76	\$ 191.76
	Gate Assy., S-20, Complete	2 EA	\$ 6,200.30	\$ 12,400.60
	Cantilever Assy., Walk-out	0 EA	\$15,715.00	\$ 0.00
	Contingencies (5%)			\$ 2,536.07
	Total Material			\$ 53,257.41

CREW MAKEUP/UNIT COSTS

MAINTAINER	Crew Makeup	Qty	Rate/Hr.	Rate/Day	Additives	Per Diem	Total/Day
	Signal Maintainer	1	16.90	135.20	89.07	52.05	\$276.32
	Comm. Technician	1	16.90	235.20	89.07	52.05	\$276.32
Totals:				\$270.40	\$178.14	\$104.10	\$552.64

SIGNAL CREW (51230)							
	Foreman	1	16.90	125.20	89.07	41.43	\$265.70
	Assistant	1	13.16	105.28	70.19	41.43	\$216.90
	Laborer	1	10.54	84.32	56.22	41.43	\$181.97
Totals:				\$324.80	\$215.48	\$124.29	\$664.57

SIGNAL CREW (51270)							
	Foreman	0	16.90	0.00	0.00	0.00	0.00
	Assistant	0	13.16	0.00	0.00	0.00	0.00
	Laborer	0	10.54	0.00	0.00	0.00	0.00
Totals:		0		0.00	0.00	0.00	0.00

SIGNAL & INTERLOCKER

Labor		Signal	Qty.	Unit	Unit Cost	Ext. Cost
	Flag for Contractor	Signal	6.00	Day	88.00	\$528.00
	Cutover	Signal	1.00	Day	230.00	\$230.00
	Contingencies	Signal				\$ 37.90
Totals:						\$795.90

LABOR ADDITIVES **\$496.38**

PER DIEM							
	Flag For Contractor	Signal	6.00	Day	41.43		\$248.58
	Cutover	Signal	1.00	Day	41.43		\$ 41.43
	Contingencies						\$ 14.48
Totals:							\$304.49

<u>Description</u>	<u>Object Code</u>			<u>Qty/Unit</u>	<u>Unit Cost</u>	<u>Ext. Cost</u>	
Equipment Rental	1585	Sport Utility Vehicle	Tech	0 Day	\$ 31.00	\$ 0.00	
		Hi-rail Boom Truck	Crew	0 Day	\$ 89.00	\$ 0.00	
		Hi-rail Pickup	Mtr.	1 Day	\$ 50.00	\$ 50.00	
		Crew Cab Pickup	Crew	5 Day	\$ 35.00	\$ 175.00	
		Boring Tool	Crew	0 Day	\$ 11.12	\$ 0.00	
		Air Compressor	Crew	0 Day	\$ 11.12	\$ 0.00	
		Wacker	Crew	0 Day	\$ 3.03	\$ 0.00	
		Trailer	Crew	0 Day	\$ 90.95	\$ 0.00	
		Contingencies					\$ 11.25
		Total Equipment Rental:					
Purch. Service	4841	Install Power Service		1 Lot	\$ 4,042.40	\$ 4,042.40	
		Engineering Services		1 Lot	\$ 5,181.35	\$ 5,181.35	
		Contract Installation Labor		1 Lot	\$20,098.88	\$20,098.88	
		Contingencies			\$ 1,466.13	\$ 1,466.13	
		Total Purch. Services					
CAPITAL COST OF PROJECT:						\$85,879.14	
<u>Dismantling Retired Property</u>							
Labor	4803	Remove Existing Components		0 Day	\$ 324.60	\$ 0.00	
		Contingencies				\$ 0.00	
Total Labor:						\$ 0.00	
Labor Additives	4813	Total Additives:				\$ 0.00	
Per Diem	5221	Removal Operation	Signal	0 Day	\$ 124.30	\$ 0.00	
		Contingencies	Signal			\$ 0.00	
Total Per Diem:						\$ 0.00	
Material	4820	Salvage		0 Units	\$ 0.00	\$ 0.00	
		Contingencies				\$ 0.00	
Total Material:						\$ 0.00	
Equipment Rental	1585	Crew Cab Pickup	Crew	0 Day	\$ 22.23	\$ 0.00	
		Hi-rail Book Truck	Crew	0 Day	\$ 57.60	\$ 0.00	
		Hi-rail Pickup	Mtr.	0 Day	\$ 116.22	\$ 0.00	
Total Equipment Rental:						\$ 0.00	
Purch. Service	4841	Asst. to Remove Components		0 Lot	\$ 0.00	\$ 0.00	
		Contingencies				\$ 0.00	
Total Purch. Services:						\$ 0.00	
OPERATING COST OF PROJECT:						\$ 0.00	

		<u>CAPITAL</u>	<u>OPERATING</u>	<u>TOTAL</u>
Account	4803 Labor	\$ 795.90	\$0	\$ 795.90
Summary	4813 Labor	\$ 496.38	\$0	\$ 496.38
	5221 Per Diem	\$ 304.49	\$0	\$ 304.49
	4820 Material	\$ 53,257.41	\$0	\$ 53,257.41
	1585 Equipment Rental	\$ 236.25	\$0	\$ 236.25
	4841 Purch. Services	\$ 30,788.71	\$0	\$ 30,788.71
	Total:	\$ 85,879.14		\$ 85,879.14

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

VILLAGE OF ROSCOE, Illinois,)	
)	
Petitioner,)	
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I & M RAIL LINK, LLC (successors to Soo)	
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Road) Village of Roscoe with the tracks of the)	
I & M Rail Link in the County of Winnebago,)	
Illinois,)	

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing Petition to the Illinois Commerce Commission was served upon the attorneys of record of all parties to the above cause by enclosing the same in an envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein, with postage fully pre-paid, and by depositing said envelope in the United States Post Office at Rockford, Illinois, on the 17th day of January, 2000.

TO:

Kevin Sharpe
Director of Processing and Information
Illinois Commerce Commission
527 E. Capital Avenue
Springfield, IL 62520-9280

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VOELKER
& ALLEN

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321 West State Street
P.O. Box 1288
Rockford, Illinois 61105
Fax (815) 963-0899
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0 K 7051
MJM:dlz

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Illinois Department of Transportation
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Lowell Smith, President
Village of Roscoe
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Roscoe, Illinois 61073

Bonnie Miles, Village Clerk
Village of Roscoe
10639 Main Street
Roscoe, Illinois 61073

VILLAGE OF ROSCOE



Mark J. McClenathan
Heyl, Royster, Voelker & Allen
Attorney for the Village of Roscoe

G:\51\k7051\k7051MSC 004

HEYL ROYSTER
VOELKER
& ALLEN

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