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STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE COMMISSION  
RAILROAD ENGR. SEC.

DAN BEELOW )  
 )  
VS. )  
 )  
WISCONSIN CENTRAL, LTD. AND )  
STATE OF ILLINOIS DEPARTMENT )  
OF TRANSPORTATION, DIVISION )  
OF HIGHWAYS )

NO. T00-0006

State Of Illinois, Department Of Transportation's  
Answer To Petition

Petitioner, State of Illinois, Department of Transportation ("Department"), by its attorney Jim Ryan, Attorney General, files its Petition and in support thereof states as follows:

1. In response to Paragraph 1 of the Petition, the Department neither admits nor denies the allegations contained therein, but will stipulate to said ownership upon receipt of a copy of the deed supporting Petitioner's assertion.
2. In response to Paragraph 2 of the Petition, the Department admits that the plat of survey prepared by R. E. Allen and Associates on January 21, 1998 (Exhibit "B") depicts a main line track running in a general north and south direction immediately adjacent to the real estate described in paragraph 1.
3. In response to Paragraph 3 of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof. Furthermore, Department reserves the right to introduce evidence to the contrary on all issues in question.
4. In response to Paragraph 4 of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof. Furthermore, the Department reserves the right to introduce evidence to the contrary on all issues in question.
5. In response to Paragraph 5 of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof. Furthermore, the Department, reserves the right to introduce evidence to the contrary on all issues in question.
6. In response to Paragraph 6 of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof. Furthermore, the Department reserves the right to introduce evidence to the contrary on all issues in question.

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7. In response to Paragraph 7 of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof. Furthermore, the Department reserves the right to introduce evidence to the contrary on all issues in question.

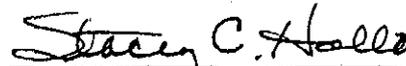
8. In response to the allegations preceding the semicolon in Paragraph 8, of the Petition, the Department neither admits nor denies the allegations contained therein and demands strict proof thereof.

In response to the allegations subsequent to the semicolon in Paragraph 8 of the Petition, the Department objects to Petitioner's request that the Department bear a portion of any costs associated with the proposed project.

9. In response to Paragraph 9 of the Petition, the Department denies the allegations contained therein.

Respectfully submitted,  
ILLINOIS DEPARTMENT OF TRANSPORTATION

By: Jim Ryan  
Attorney General



Stacey C. Hoff   
Special Assistant Attorney General

Dated March 10, 2000

Illinois Department of Transportation  
2300 South Dirksen Parkway, Room 311  
Springfield, Illinois 62764  
Telephone (217)782-3215

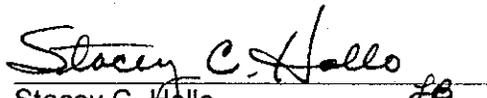
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NOTICE OF FILING

TO: Janet H. Gilbert, WC.  
Mr. Martin G. Buehler, County Eng.  
Marilyn Shineflug, Village President  
Michael L. Roach, Atty.  
Village Clerk, Antioch

PLEASE TAKE NOTICE that I have this 10th day of March, 2000, forwarded to Mr. Kevin Sharpe, Director of Processing, Transportation Division, of the Illinois Commerce Commission, Springfield, Illinois, for filing in the above matter, a Department's Answer to Petition, a copy of which is attached hereto and hereby served upon you.

  
Stacey C. Hollo  
Special Assistant Attorney General  
2300 South Dirksen Parkway  
Room 311  
Springfield, Illinois 62764  
(217) 782-3215

Counsel for the Illinois  
Department of Transportation

## PROOF OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served upon the addressees listed below by mailing a true and correct copy via first class mail, postage pre-paid and depositing the same in the United States Mail, Springfield, Illinois, this 10th day of March, 2000:

  
\_\_\_\_\_

Janet H. Gilbert  
Wisconsin Central Ltd.  
P.O. Box 5062  
Rosement, IL 60017-5062

Mr. Martin G. Buehler  
County Engineer  
Lake County 600 West Winchester Road  
Libertyville, IL 60048

Marilyn Shineflug  
Village President  
Village of Antioch  
874 Main Street  
Antioch, IL 60002-1509

Village Clerk  
Village of Antioch  
874 Main Street  
Antioch, IL 60002-1509

Michael L. Roach  
Roach, Johnston & Thut  
516 N. Milwaukee Avenue  
Libertyville, IL 60048