

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Village of Evergreen Park, Illinois, a municipal corporation, :
Petitioner, :
 :
v. : T15-_____
 :
CSX Transportation, Inc, :
Respondent. :
 :
 :
Petition for an order of the Illinois Commerce Commission to permit the :
construction and maintenance of a pedestrian crossing on the side of 91st :
Street, AAR/DOT #163436B, railroad milepost 20.43 located in Cook :
County, Illinois. :

PETITION

The Village of Evergreen Park, Cook County, Illinois, a municipal corporation, (hereinafter referred to as "Evergreen Park") petitions the Illinois Commerce Commission (hereinafter referred to as the "Commission") to enter an order pursuant to the authority in Section 18c 7401(3) of the Illinois Commercial Transportation Law (625 ILCS 5/18c 7401(3) to permit the construction and maintenance of a pedestrian crossing on the south side of 91st Street at its intersection with the tracks of the CSX Transportation, Inc. (hereinafter referred to as "CSX") designated as AAR/DOT #163436B, railroad mile post 20.43. In support of its petition, Evergreen Park states as follows:

1. Evergreen Park is a municipal corporation organized and existing under the laws of the State of Illinois with its principal offices in Cook County, Illinois.
2. The CSX is a rail carrier engaged in the transportation of persons and property by rail in the State of Illinois.
3. An existing highway-rail crossing exists within the corporate limits of Evergreen Park

located at 91st Street at its intersection with the tracks of CSX, designated as AAR/DOT #163436B, railroad mile post 20.43, as depicted in Exhibit "A" attached hereto and made a part hereof.

4. Evergreen Park has determined that it is necessary to promote public safety and convenience to the public that the existing crossing located at 91st Street at its intersection with the tracks of CSX, designated as AAR/DOT #163436B, railroad mile post 20.43, be altered by the addition of a five-foot (5') wide pedestrian crossing on the south side of 91st Street, as shown on the plans attached hereto as Exhibit "B" and made a part hereof (hereinafter referred to as the "Project"). The Project will provide a connection for existing pedestrian facilities on the north side of 91st Street west of the crossing and existing pedestrian facilities on the south side of 91st Street east of the crossing by way of the addition of the five-foot (5') wide pedestrian crossing and sidewalk on the south side of 91st Street only. Pedestrian facilities do not currently exist at the crossing.

5. Evergreen Park has coordinated the Project with the CSX and Commission Staff and intends on beginning construction in May of 2016, with a March 2016 letting. For the project to be awarded, Evergreen Park requests that the Commission Order be entered no later than April 2016. Otherwise, delaying the start of the project could impact the target completion of October 2016 and the ability to complete work within one construction season.

6. If the Project is approved by the Commission and constructed, Evergreen Park proposes to pay the maintenance costs of the five-foot (5') wide sidewalk.

WHEREFORE, Evergreen Park requests that the Commission enter an order pursuant to the authority in Section 18c 7401(3) of the Illinois Commercial Transportation Law (625 ILCS 5/18c 7401(3) as follows:

A. Finding that the Commission has jurisdiction over Evergreen Park and the CSX and the subject matter of the proceeding; and

B. Finding that the construction and maintenance of a five-foot (5') wide pedestrian crossing and sidewalk on the south side of 91st Street at its intersection with the tracks of CSX, designated as AAR/DOT #163436B, railroad mile post 20.43, requested by Evergreen Park are necessary to promote safety and convenience to the public; and

C. Granting permission for the construction and maintenance of a five-foot (5') wide pedestrian crossing and sidewalk on the south side of 91st Street at its intersection with the tracks of the CSX, designated as AAR/DOT #163436B, railroad mile post 20.43, substantially as shown on the plans attached hereto as Exhibit "B" upon such terms and conditions as may be reasonably necessary; and

D. To apportion the cost of the engineering, construction, and maintenance of the Project, including such other or additional warning devices as the Commission determines necessary to preserve public safety; and

F. To enter an Order granting the requested relief without a hearing; and

G. Such other and further relief as the Commission deems appropriate.

VILLAGE OF EVERGREEN PARK, a municipal corporation,

BY: James J. Sexton
James J. Sexton, Mayor of the Village of
Evergreen Park, Illinois

