

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

700-0011

STIPULATED AGREEMENT

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as the "Commission", the CSX Transportation, Inc, hereinafter referred to as the "Company", Jackson Township of Effingham County, hereinafter referred to as the "Township", and the State of Illinois, Department of Transportation, hereinafter referred to as the "Department".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through staff investigation that inquiry should be made into the matter of improving public safety at the crossing of the Company's tracks with a public highway known as TR-62 (Dexter Road) near the City of Altamont, Effingham County, Illinois, designated as crossing DOT 546 458L, milepost 148.40-A;

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and all other pertinent data relating to the crossing has been obtained and is shown on Exhibit A, attached to the agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a 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 requiring that a 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 of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 The improvements encompassed by this agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and Orders and procedures in general.

DOCKETED

Section 2 The Parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

TR-62

- a) The Company should install new automatic flashing light signals and gates, controlled by constant warning time circuitry;
- b) The Township should improve the highway approaches so that they conform with 92 IL. Adm. Code 1535;

Section 3 The Company has prepared a preliminary estimate of cost to accomplish the proposed improvement which it may be required to perform, said estimate is attached as Exhibit B, and shall upon Order according to the requirements contained therein prepare detailed drawings, detailed circuit plans, estimate of cost and any required specifications for the proposed improvement for the approval of the Commission and Department.

Section 4 The Effingham County on behalf of the Township has prepared a preliminary estimate to perform the roadway work as herein contemplated, said estimate is attached as Exhibit C, Page 1 and shall upon Order according to the requirements contained therein prepare detailed drawings, estimates of cost and any other required specifications for the proposed improvements for the approval of the Commission and the Department.

Section 5 The Company and the Township shall 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 agrees that an appropriate time for the submission of plans should be one hundred twenty (120) days, for the submission of a progress report should be six (6) months and for the completion of the proposed improvement should be twelve (12) months, from the date of Commission Order subsequent to this agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

TR-62

- a) the cost to install the automatic flashing light signals and gates estimated at \$99,271.30, exclusive of preliminary engineering cost (The Department is funding the cost of preliminary engineering under separate agreement, dated July 9, 1999), should be allocated whereby the Department utilizing federal funding under ISTEA should pay 70% of the actual project cost (\$69,490.30); the Grade Crossing Protection Fund (Fund) should bear 30% of said project cost, not to exceed \$29,781, with the Company bearing any

remaining cost after payment from ISTEPA and the Fund, as well as all future operation and maintenance cost thereof;

- b) the cost to improve the highway approaches so that they are in accordance with Motor Fuel Tax design requirements and in conformance with 92 IAC 1535, estimated at \$35,300, should be allocated 100%, not to exceed \$35,300 to the Fund with all remaining cost being borne by the Township as well as all future maintenance cost thereof;

Section 6 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.

Section 7 Special Provisions: Since federal funding is being utilized for the warning device improvement at the subject crossing, all such work shall be covered by appropriate provisions of Title 23, Chapter I, Subchapter G, Part 646 of the Federal-Aid Policy Guide adopted Dec. 9, 1991.

Since the warning device improvement at the subject crossing will be performed by railroad crews, no flagging or contractor liability insurance will be required for said work.

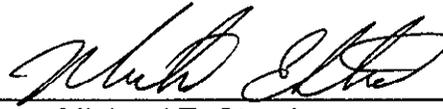
All bills for expenditures authorized to be reimbursed from the Grade Crossing protection Fund shall be submitted to the Director of Processing, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted to the Commission no later than twenty four (24) months from the date of Commission Order subsequent to this agreement. The Department shall, at the end of the 24th month from the Commission's Order date, de-obligate all residual funds accountable for installation cost for this project

The Company shall within ninety (90) days of the date of Commission's Order subsequent to this Agreement, submit to the Director of Processing, Transportation Division of the Commission, the name, title, mailing address, phone number and facsimile number of a project manager.

The Company shall file a written report with the Director of Processing, Transportation Division, within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of the total project and percentages of completion of the project; if the project is behind schedule the report must include a brief explanation of the reason(s) for the delay.

In Witness Whereof, the parties have caused this agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 15th day of November, 1999.



Michael E. Stead
Railroad Safety Program Administrator

Attest:



Henry Humphries,
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 903 concerning an improvement at the crossing of the CSX Transportation, Inc tracks with a public highway known as TR-62 (Dexter Road) located near the City of Altamont in Effingham County, Illinois, designated as crossing DOT 546 458L, milepost 148.40-A.

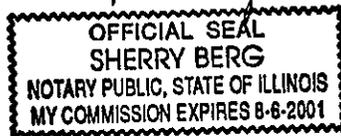
Executed by the Jackson Township this 23 day of Nov 1999.

JACKSON TOWNSHIP

By: Jerald Shepard

Attest:

Sherry Berg



Illinois Commerce Commission Stipulated Agreement No. 903 concerning an improvement at the crossing of the CSX Transportation, Inc tracks with a public highway known as TR-62 (Dexter Road) located near the City of Altamont in Effingham County, Illinois, designated as crossing DOT 546 458L, milepost 148.40-A.

Executed by the Company this 10th day of December 1999.

CSX TRANSPORTATION, INC.

By: R. K. Beckham

R. K. Beckham
Chief Engineer Sys Reliability

Attest:

Joyce A. Waters
Assistant Secretary

Illinois Commerce Commission Stipulated Agreement No. 903 concerning an improvement at the crossing of the CSX Transportation, Inc tracks with a public highway known as TR-62 (Dexter Road) located near the City of Altamont in Effingham County, Illinois, designated as crossing DOT 546 458L, milepost 148.40-A.

Executed by the Department this 15TH day of FEBRUARY 2000.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: James C. Sliferman
Director of Highways

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR/Line CSX Milepost 148.40-A Inventory # 546 458L
City (N) Altamont Street TR-62 (Dexter) County Effingham
Jurisdiction Twp. Urban Rural XX Commercial Residential
Street Surface Oil/Chip Width 14' Condition Good
Angle 75° Tracks Tangent Yes Degree of Curve -- Superelevation --
Depth of Cut ----- Height of Fill -----

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>T/A</u>	<u>24'</u>	<u>Fair</u>
<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>	<u>-----</u>
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Intersecting Roads 100' Pvt. Farm Ent. 200' Pvt. Farm Ent.
Traffic Control Devices Present None
ADT 150 Speed unposted (55mph) Statewide Yes
Schoolbuses Poss. Hazardous Materials Poss. Other
Rail Traffic: Frt. 8 @ 60 mph Frt. 32 @ 50 mph Switch
Simultaneous Movements No Daylight and Dark Yes
Present Protection Crossbucks

Advance Warning Signs Yes Pavement Marking No

Born d Equipt. sheds

G Sketch of Crossing

H

EMERGENTS

Trail

Exhibit A Page 1



Hot Bol - Dragging Eq. T. Det.

TR

TR

Trees /
Brush
wooded
Area

Trees
Brush
wooded
Area

Church

CSX TRANSPORTATION

PURCHASES AND MATERIALS

BILL OF MATERIAL-SHOP

EFF. DATE: 09-22-99

LOCATION #: 1

PROJECT#: IL1999056

MILE POST: QS-148.40

AFE/OP #: IL0006

CONTRACTOR: SAF/RWR

LOCATION NAME: ALTAMONT, IL

ESTIMATE #: 9902041-20114

LOCATION DESCRIPTION: T.R. 62 (DEXTER RD.)

QTY	CLASS	ITEM	COND	DESCRIPTION	UM	PRICE	COST
1	020	0003393	1	HOUSE, 6' X 6' ALUMINUM, UNIVERSAL, SERRM	EA	4206.00	\$4,206.00
11	020	0017120	1	BLOCK TERMINAL 12 WAY SINGLE	EA	13.34	\$146.74
1	020	0017209	1	TRANSFORMER P/N 010520-20X LGT	EA	176.00	\$176.00
4	020	0017311	1	RESISTOR 029602-52X 1.5 OHM ADJ.	EA	19.00	\$76.00
1	020	0021965	1	EXTRACTOR DWG 59688	EA	6.04	\$6.04
5	020	0022651	1	PLUGBOARD KIT B1 RELAY ASSY, C30	EA	43.16	\$215.80
2	020	0022705	1	PROTECTOR, LPC 10560-51, FOR TRACK	EA	35.23	\$70.46
1	020	0022754	1	RECTIFIER DWG 59899-5 GR3	EA	47.41	\$47.41
1	020	0022870	1	RELAY 56001-783, GR-2/500 OHM, B8.	EA	250.26	\$250.26
1	020	0022872	1	RELAY 56001-983, GR-1/500 OHM, B82	EA	523.20	\$523.20
1	020	0022895	1	RELAY 56001-830, GR1/460 OHM, B36	EA	265.36	\$265.36
1	020	0022920	1	RELAY 56001-745, GR1/10VAC PWR, B62	EA	280.38	\$280.38
1	020	0023008	1	RELAY 56001-974, GR1/18 OHM, B81	EA	276.83	\$276.83
1	020	0025595	1	WRENCH DWG 55393-3 GR1 "E" TERMINAL	EA	14.89	\$14.89
3	020	0053390	1	CHARGER BATTERY NRS 12/20 SCR SOLID	EA	400.36	\$1,201.08
1	020	0660075	1	ARRESTER, 120V AC, GE 9L10MAA121	EA	322.00	\$322.00
3	020	0750090	1	NUT INSULATED SAFETRAN 023-408-1X	EA	3.33	\$9.99
1	020	0750700	1	PROTECTOR, SAF MOD 022700-1X	EA	19.89	\$19.89
2	020	0750710	1	ARRESTER CLEAR VIEW, SAF 022585-1X	EA	31.55	\$63.10
31	020	0770060	1	ARRESTER US&S N451552-0201 RED	EA	14.25	\$441.79
1	020	1940055	1	CONTAINER CIRCUIT PRINT 24"	EA	6.00	\$6.00
2	020	4200100	1	CONNECTOR BUS 1" CENTERS 1/2" X 36"	PC	6.04	\$12.08
9	020	4200360	1	LINK INSUL TEST 2-3/8" CENTERS	EA	3.85	\$34.65
2	020	8000067	1	LOCK AMERICAN H10KA CSX SIGNAL	EA	12.69	\$25.38
1	020	8100035	1	RECORDER, EVENT ASSY., SMART, COMPLETE	EA	3417.00	\$3,417.00
100	450	0019212	1	SCREW 10 X 1" SH METAL PHILLIPS	EA	0.02	\$2.13
1	020	2501132	1	GCP3000ND2:80150-101:4.0 KHZ ISL.	EA	11049.77	\$11,049.77

SHOP MATERIAL TOTAL: \$23,160.23

CSX TRANSPORTATION
PURCHASES AND MATERIALS
BILL OF MATERIAL-FIELD

EFF. DATE: 09-22-99

LOCATION #: 1

PROJECT#: IL1999056

MILE POST: QS-148.40

AFE/OP #: IL0006

CONTRACTOR: SAF/RWR

LOCATION NAME: ALTAMONT, IL

ESTIMATE #: 9902041-20114

LOCATION DESCRIPTION: T.R. 62 (DEXTER RD.)

QTY	CLASS	ITEM	COND	DESCRIPTION	UM	PRICE	COST
350	020	0013906	1	CABLE, UG 16 COND/6 NO. 6 AWG	FT	4.76	\$1,664.88
4	020	0017120	1	BLOCK TERMINAL 12 WAY SINGLE	EA	13.34	\$53.36
2	020	0025143	1	SHUNT HOLDER CSX SK SS91-02 STEEL	EA	38.68	\$77.35
4	020	0052386	1	BRACKET, FLARED LEG	EA	2.48	\$9.91
10	020	0052920	1	BAND C-204 BAND IT 1/2" SS FOR DOT	FT	0.40	\$4.00
4	020	0052921	1	BUCKLE C-254 BAND IT 1/2" SS FOR DOT	EA	0.28	\$1.12
200	020	0053245	1	CABLE UG 3 COND NO 9 AWG	FT	1.21	\$242.00
2	020	0054075	1	GATE SK-1000-C KEEPER NORMAL; 32 FT MAX	EA	1667.27	\$3,334.55
350	020	0057275	1	WIRE UG TRK TWIST PAIR NO 6 AWG	FT	0.76	\$266.00
13	020	1040302	1	BATTERY, GNB 50A07, 160AH MF	EA	150.08	\$1,951.04
6	020	1040304	1	BATTERY, GNB 50A11, 265AH MF	EA	206.08	\$1,236.48
4	020	1040540	1	TRAY PVC BATT FIBER CO 82687-1-P	EA	31.14	\$124.56
1	020	1040550	1	TRAY PVC BATT FIBER CO 82687-3-P	EA	36.25	\$36.25
4	020	1153551	1	CLIP TRK WIRE RETAIN ERICO SBA248B	EA	1.65	\$6.60
1	020	1360014	1	PACKAGE FOREMANS CARE FOR ALUMINUM	EA	556.00	\$556.00
1	020	1360016	1	PACKAGE SAFETY WITH TAG AND LOCK	EA	15.39	\$15.39
2	020	2060060	1	FOUNDATION ASSY 5FT 6IN HT TYPE S-2	EA	344.48	\$688.96
4	020	3262360	1	SCREW 1/2IN X 4 1/2 IN FETTER DRIVE	EA	0.73	\$2.91
2	020	3901895	1	TIP FLEX HWY CROSSING GATE 24 IN	EA	82.34	\$164.68
1	020	3920200	1	BELL HWY XING GSI ELECTRONIC	EA	165.00	\$165.00
2	020	3930010	1	KIT GATE ARM WARNING STICKER	EA	10.00	\$20.00
27	020	4200340	1	LINK TEST OFFSET LINK 1IN CENTERS	EA	0.79	\$21.33
6	020	4200900	1	CONNECTOR SHEATHING FOR CABLE GND.	EA	0.12	\$0.70
1	020	9999991	1	BLOCKING AND BRACING FOR PROJECTS	EA	98.29	\$98.29
60	250	0010780	1	CONDUIT GALV RIGID 4" STL 10' LNGTH	FT	5.34	\$320.64
1	360	0006100	1	STOOL STEP WOOD 14" X 20" SIGNAL	EA	24.00	\$24.00
1	360	0800145	1	BROOM WAREHOUSE HVY DUTY 1D300	EA	5.75	\$5.75
6	360	0020357	1	WATER DRINKING 8 OZ SHRNK WRAP 6 PK	CA	3.36	\$20.16
2	020	0056474	1	14' GATE;LTS:2-WAY STD.	EA	4520.14	\$9,040.28
12	020	0014620	1	EROSION CRIBWALL 2'x4' SECT. W/ HARDWAR	EA	50.46	\$605.55
2	020	2500625	1	NARR. BAND SHUNT,SAF 62775B-285 HZ	EA	245.00	\$490.00

FIELD MATERIAL TOTAL: \$21,247.74

CSX TRANSPORTATION

PURCHASES AND MATERIALS BILL OF MATERIAL-CONSUMABLES

EFF. DATE: 09-22-99 (NON-ORDER ITEMS FOR ESTIMATE ONLY) LOCATION #: 1

PROJECT#: IL1999056

MILE POST: QS-148.40

AFE/OP #: IL0006

CONTRACTOR: SAF/RWR

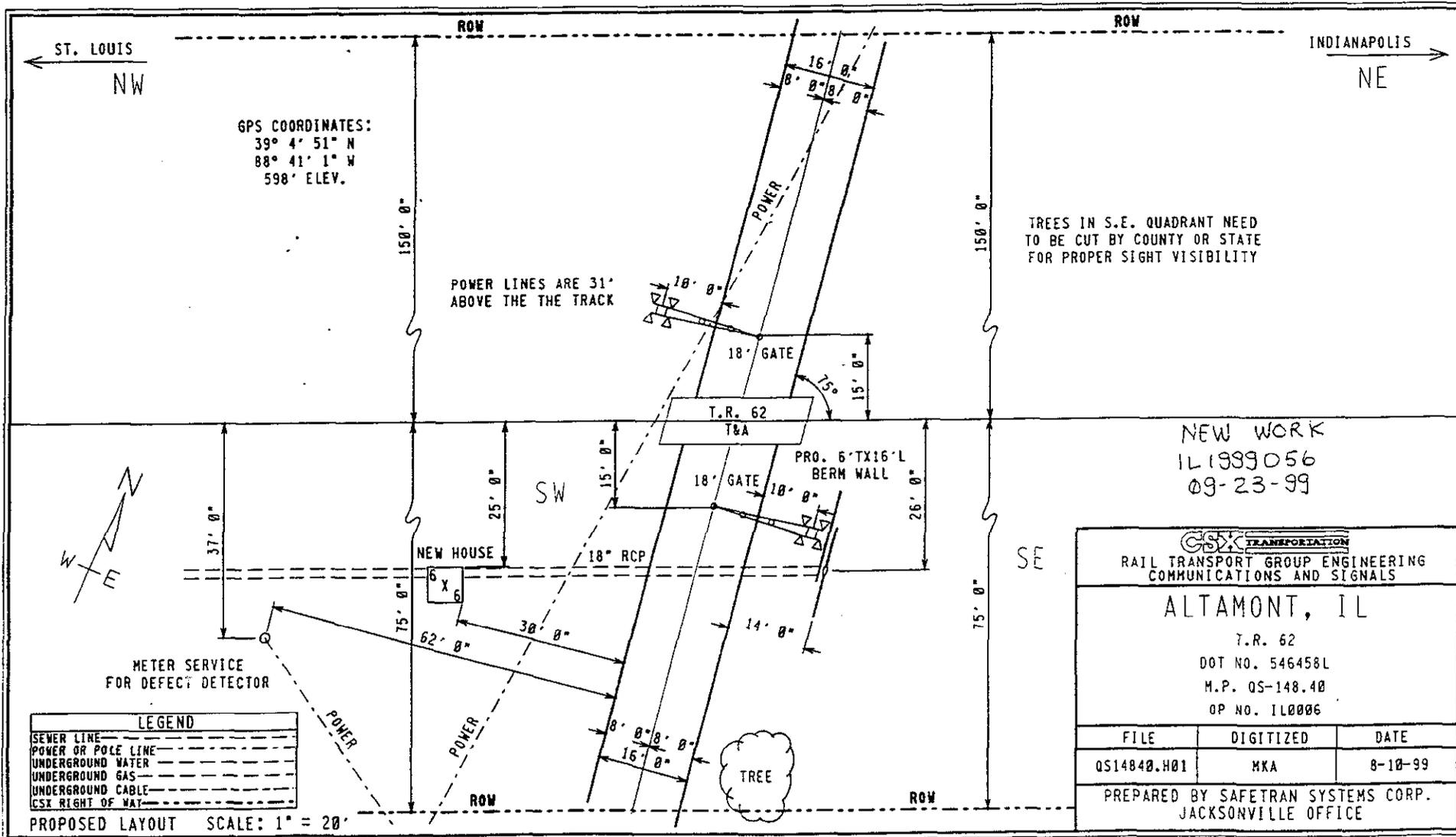
LOCATION NAME: ALTAMONT, IL

ESTIMATE #: 9902041-20114

LOCATION DESCRIPTION: T.R. 62 (DEXTER RD.)

QTY	CLASS	ITEM	COND	DESCRIPTION	UM	PRICE	COST
350	020	0017605	1	WIRE, CASE NO. 10 AWG FLEX	FT	0.19	\$66.50
500	020	0017607	1	WIRE, CASE, TW. PR. NO. 10, AWG	FT	0.38	\$192.15
150	020	0017625	1	WIRE, CASE, TW PR NO. 14 AWG, FLEX	FT	0.29	\$43.38
200	020	0017630	1	WIRE CASE NO 16 AWG FLEX	FT	0.11	\$22.00
130	020	0017635	1	WIRE, OKONITE, DEL 018 AWG #6	FT	0.77	\$100.45
100	020	0028610	1	TERMINAL, RING, AMP 35628, YELLOW #16-#14	EA	0.45	\$44.57
15	020	0028635	1	TERMINAL RING TEST #16 - #14 AWG	EA	1.55	\$23.25
12	020	0028645	1	TERMINAL RING TEST #12 - #10 AWG	EA	1.44	\$17.27
2	020	3261970	1	DECAL ASSY 2" BLACK PRESSURE	EA	9.22	\$18.44
2	020	4200880	1	CONNECTOR TERMINAL 2-3/8" CENTERS	EA	0.44	\$0.88
27	020	4200892	1	CONNECTOR TERMINAL 1" CENTERS	EA	0.37	\$9.99
120	020	4251190	1	TERMINAL RING AMP 35627 BLACK #12-#10	EA	0.65	\$78.13
30	020	4251290	1	TERMINAL WIRE AMP 322051 BLUE #6 1/4" STU	EA	0.55	\$16.50
6	020	4251295	1	TERMINAL WIRE AMP 322007 BLUE #6 3/16" ST	EA	0.55	\$3.30
1	020	9999992	1	HOUSE SIGNAL HANDLING CHARGE	EA	50.00	\$50.00
1				FILL MATERIAL	LT	200.00	\$200.00
1				GRAVEL	LT	800.00	\$800.00

CONSUMABLES SHEET TOTAL: \$1,686.81



EFFINGHAM COUNTY RAILROAD CROSSING PROJECT					
ROUTE TR62					
JACKSON TOWNSHIP ROAD DISTRICT					
ITEM NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	AMOUNT
1	EARTH EXCAVATION	CY	120.00	\$10.00	\$1,200.00
2	EMBANKMENT	CY	470.00	\$15.00	\$7,050.00
3	AGGREGATE BASE COURSE TYPE A	TON	270.00	\$20.00	\$5,400.00
4	AGGREGATE SURFACE COURSE TYPE A	TON	60.00	\$20.00	\$1,200.00
5	BITUMINOUS MATERIALS PRIME COAT	GAL	300.00	\$2.00	\$600.00
6	BITUMINOUS MATERIALS COVER & SEAL	GAL	600.00	\$1.50	\$900.00
7	COVER & SEAL COAT AGGREGATE	TON	12.00	\$30.00	\$360.00
8	PIPE CULVERT 15" CMP	FOOT	0.00	\$15.00	\$0.00
9	PIPE CULVERT REMOVAL	EACH	0.00	\$100.00	\$0.00
10	SEEDING CLASS I (SPECIAL)	ACRE	0.50	\$3,500.00	\$1,750.00
11	TRAFFIC CONTROL	LS	1.00	\$1,000.00	\$1,000.00
12	RAILROAD INSURANCE	LS	1.00	\$5,000.00	\$5,000.00
13	PROTECTION OF RAILROAD TRAFFIC AND PROPERTY	LS	1.00	\$3,000.00	\$3,000.00
Contingencies, 10%					\$2,840.00
Estimated Construction Cost					\$30,300.00
Right-of-Way Acquisition					\$0.00
Design Engineering					\$2,500.00
Construction Engineering					\$2,500.00
Estimated Project Cost					\$35,300.00
Prepared By:					
MILANO & GRUNLOH ENGINEERS, INC.					
May 9, 1997					
Job #97214D					

CR- 546-586