

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT NO. 890

700-0014

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 Canadian National/Illinois Central Railroad Company, hereinafter referred to as "COMPANY", Perry County, hereinafter referred to as the "COUNTY", the City of DuQuoin, hereinafter referred to as the "CITY", and the State of Illinois, Department of Transportation, hereinafter referred to as "IDOT".

WITNESSETH:

WHEREAS, it has come to the attention of the COMMISSION through informal correspondence that inquiry should be made into the matter of improving public safety at the crossings of the COMPANY 's tracks with public highways known as South Line Street located in DuQuoin, Gas Plant Road located near DuQuoin, and Green Market Road located near DuQuoin, all in Perry County, Illinois, designated as crossings AAR/DOT 293 677X, milepost 71.80-GE, AAR/DOT 295 057R, milepost 289.61-M, and AAR/DOT 295 060Y, milepost 291.15-M, respectively; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossing by a diagnostic team including 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 sight distances and all other pertinent data relating to the crossing have been obtained and shown on Exhibit A, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of 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 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 statewide 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:

DOCKETED

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

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

(a) South Line Street

- (1) The installation of automatic flashing light signals and gates (AFLS&G) controlled by constant warning time circuitry in lieu of the existing antiquated automatic flashing light signals.

(b) Gas Plant Road

- (1) The installation of AFLS&G controlled by constant warning time circuitry in lieu of the existing antiquated AFLS&G.
- (2) The installation of advance warning signs.

(c) Green Market Road

- (1) The installation of AFLS&G controlled by constant warning time circuitry in lieu of the existing antiquated AFLS&G.

Section 3 The COMPANY has prepared a preliminary estimate of cost to accomplish the proposed improvements which it may be required to perform. Said estimate is attached as Exhibits B-1, B-2 and B-3. The COMPANY shall upon Order according to the requirements contained therein prepare detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed improvements for the approval of the COMMISSION and IDOT.

Section 4 The COMPANY shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be 30 days, for the submission of progress reports should be six (6) months and for the completion of the proposed improvements 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:

(a) South Line Street

- (1) The cost for the COMPANY to perform the work set forth in Section 2(a), estimated to be \$108,090 (see Exhibit B-1), should be allocated 90% of the actual cost, in an amount not to exceed \$97,281, to the Grade Crossing Protection Fund ("GCPF"), with all remaining costs, as

well as the cost of future maintenance and operation to be borne by the COMPANY.

(b) Gas Plant Road

- (1) The cost for the COMPANY to perform the work set forth in Section 2(b), estimated to be \$86,970 (see Exhibit B-2), should be allocated 90% of the actual cost, in an amount not to exceed \$78,273, to the Grade Crossing Protection Fund ("GCPF"), with all remaining costs, as well as the cost of future maintenance and operation to be borne by the COMPANY.
- (2) The installation and maintenance of advance warning signs shall be the responsibility of the COUNTY.

(c) Green Market Road

- (1) The cost for the COMPANY to perform the work set forth in Section 2(c), estimated to be \$91,170 (see Exhibit B-3), should be allocated 90% of the actual cost, in an amount not to exceed \$82,053, to the Grade Crossing Protection Fund ("GCPF"), with all remaining costs, as well as the cost of future maintenance and operation to be borne by the COMPANY.

Section 6 Special Provisions

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 and Information, 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. IDOT 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 and Information, Transportation Division of the COMMISSION, the name, title, mailing address (postal and electronic), phone number and facsimile number of a project manager.

The COMPANY shall file a written report with the Director of Processing and Information within fifteen (15) days of the conclusion of each calendar quarter, stating the status of expenditures of the project and the percentage of completion of the project; if the project is behind schedule the report must include a brief explanation of the reasons for the delay.

Section 7 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.

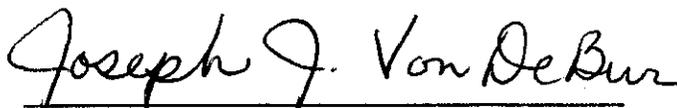
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the COMMISSION this 7th day of JANUARY, 2000.



Michael E. Stead
Railroad Safety Program Administrator

Attest:

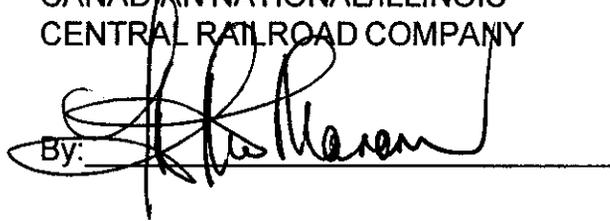


Joseph J. VonDeBur,
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 890 concerning improvements at the South Line Street, Gas Plant Road and Green Market Road grade crossings of the Canadian National/Illinois Central Railroad Company tracks in and near DuQuoin, Perry County, Illinois, designated as crossings AAR/DOT 293 677X, milepost 71.80-GE, AAR/DOT 295 057R, milepost 289.61-M, and AAR/DOT 295 060Y, milepost 291.15-M, respectively.

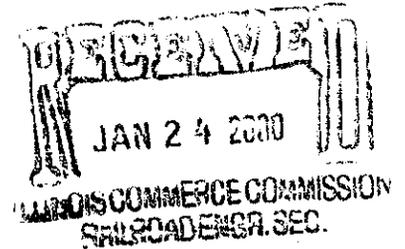
Executed by the COMPANY this 10 day of JANUARY 2000.

CANADIAN NATIONAL/ILLINOIS
CENTRAL RAILROAD COMPANY

By: 

Attest:





Illinois Commerce Commission Stipulated Agreement No. 890 concerning improvements at the South Line Street, Gas Plant Road and Green Market Road grade crossings of the Canadian National/Illinois Central Railroad Company tracks in and near DuQuoin, Perry County, Illinois, designated as crossings AAR/DOT 293 677X, milepost 71.80-GE, AAR/DOT 295 057R, milepost 289.61-M, and AAR/DOT 295 060Y, milepost 291.15-M, respectively.

Executed by the COUNTY this 24 day of JAN. 2000.

PERRY COUNTY

By: Danny Wildeumich

Attest:

Don Kerick

Illinois Commerce Commission Stipulated Agreement No. 890 concerning improvements at the South Line Street, Gas Plant Road and Green Market Road grade crossings of the Canadian National/Illinois Central Railroad Company tracks in and near DuQuoin, Perry County, Illinois, designated as crossings AAR/DOT 293 677X, milepost 71.80-GE, AAR/DOT 295 057R, milepost 289.61-M, and AAR/DOT 295 060Y, milepost 291.15-M, respectively.

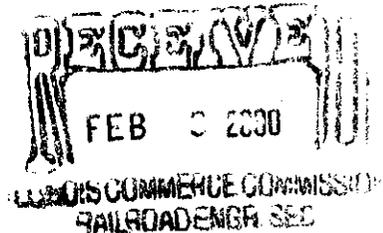
Executed by the CITY this 24th day of January 2000.

CITY OF DUQUOIN

By: *John Palmer*
Mayor

Attest:

Mae Smijalski
City Clerk



Illinois Commerce Commission Stipulated Agreement No. 890 concerning improvements at the South Line Street, Gas Plant Road and Green Market Road grade crossings of the Canadian National/Illinois Central Railroad Company tracks in and near DuQuoin, Perry County, Illinois, designated as crossings AAR/DOT 293 677X, milepost 71.80-GE, AAR/DOT 295 057R, milepost 289.61-M, and AAR/DOT 295 060Y, milepost 291.15-M, respectively.

Executed by the DEPARTMENT this 28TH day of JANUARY 2000.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: James C. Slifer
Director of Highways

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR/Line _____ IC / GE _____ Milepost 71.80 Inventory # 293 677X
 City DuQuoin Street South Line Street County Perry
 Jurisdiction City of DuQuoin Urban Rural Commercial Residential
 Street Surface Concrete Width 27 ft. (+2' C & G) Condition Good
 Angle 90° Tracks Tangent N/A Degree of Curve 0 Superelevation N/A
 Depth of Cut N/A Height of Fill 1 ft.

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>Rubber</u>	<u>39 ft.</u>	<u>Fair</u>

Intersecting Roads: None

Traffic Control Devices Present: N/A

ADT 2150 Speed 30 mph Statewide Yes

School Buses Yes Hazardous Materials _____ Other _____

Rail Traffic: Ft. 4 @ 40 mph Pass. 0 @ _____ mph Switch 0

Simultaneous Movements: N/A Daylight and Dark: Yes

Present Protection: Automatic flashing light signals, Crossbucks

Advance Warning Signs Yes Pavement Marking No

Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	①			
NW	①			
SE	①			
SW	①			

① A visibility study was not done because the train / vehicular product exceeds 3000.

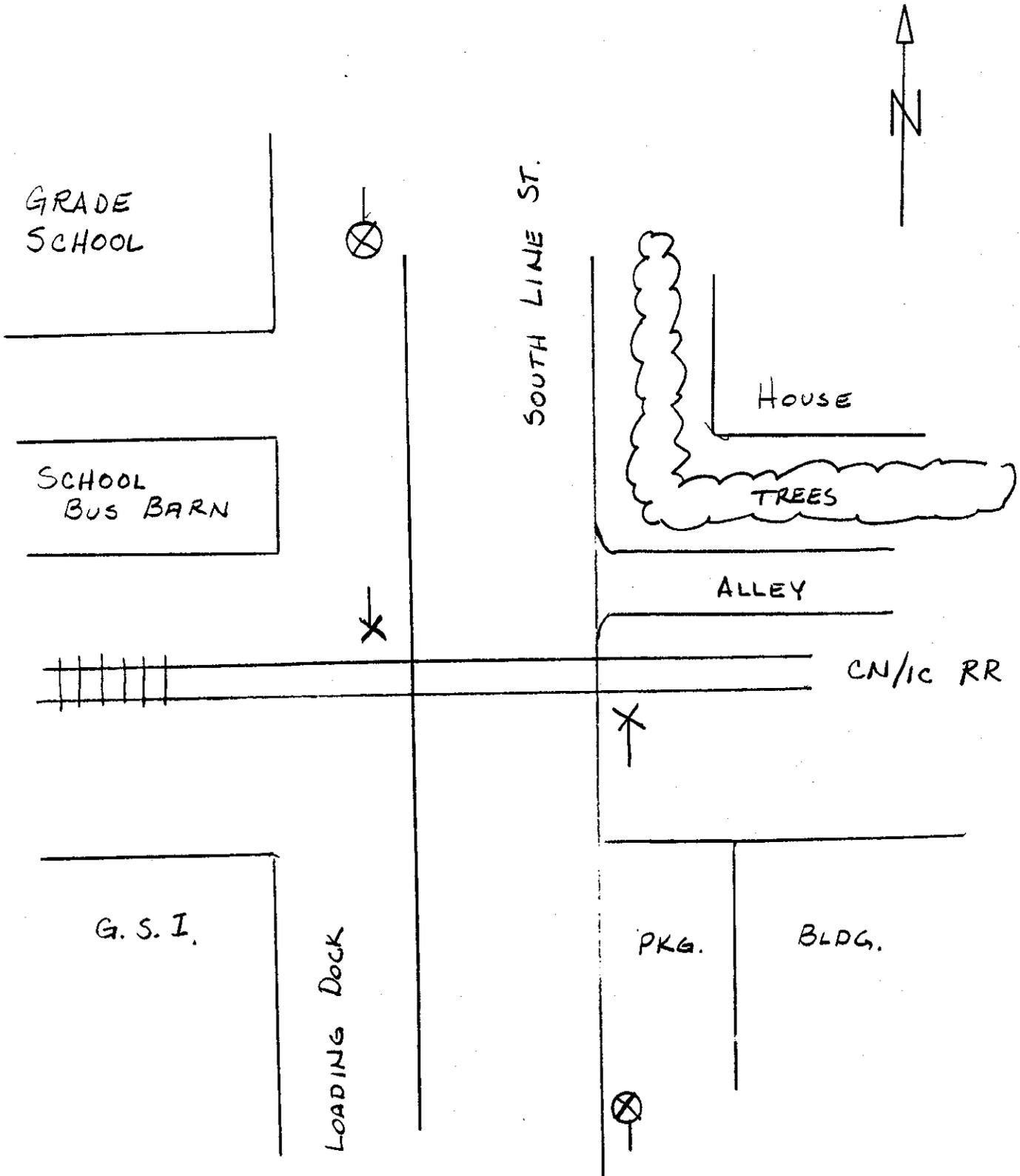
Approach Grades

North	OK	%	%	%
South	OK	%	%	%

Comments:

The cost division will be 90% Illinois Commerce Commission and 10% Canadian National/Illinois Central Railroad.

SKETCH OF CROSSING: DOT 293677X



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR/Line _____ IC / M _____ Milepost 289.61 Inventory # 295 057R
 City Near DuQuoin Street Gas Plant Road (CH 30) County Perry
 Jurisdiction Perry County Urban ___ Rural X Commercial ___ Residential ___
 Street Surface Asphalt Width 20 feet Condition Good
 Angle 90° Tracks Tangent Yes Degree of Curve 0° Superelevation No
 Depth of Cut 0' Height of Fill 0'

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
<u>15 ft.</u>	<u>Level</u>	<u>Siding (East)</u>	<u>Full Depth Timber</u>	<u>32 ft.</u>	<u>Good</u>
		<u>Main (West)</u>	<u>Full Depth Timber</u>	<u>32 ft.</u>	<u>Good</u>

Intersecting Roads <100' N/A <200' N/A

Traffic Control Devices Present: N/A

ADT 700 Speed 55 mph (unposted) Statewide Yes

School Buses Unknown Hazardous Materials _____ Other _____

Rail Traffic: Ft. 15 @ 60 mph Pass. 4 @ 79 mph Switch 0

Simultaneous Movements: Yes Daylight and Dark: Yes

Present Protection: AFLS and Gates; Crossbucks, Bell

Advance Warning Signs West only Pavement Marking No

Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	①			
NW	①			
SE	①			
SW	①			

① A visibility study was not done because the train / vehicular product exceeds 3000.

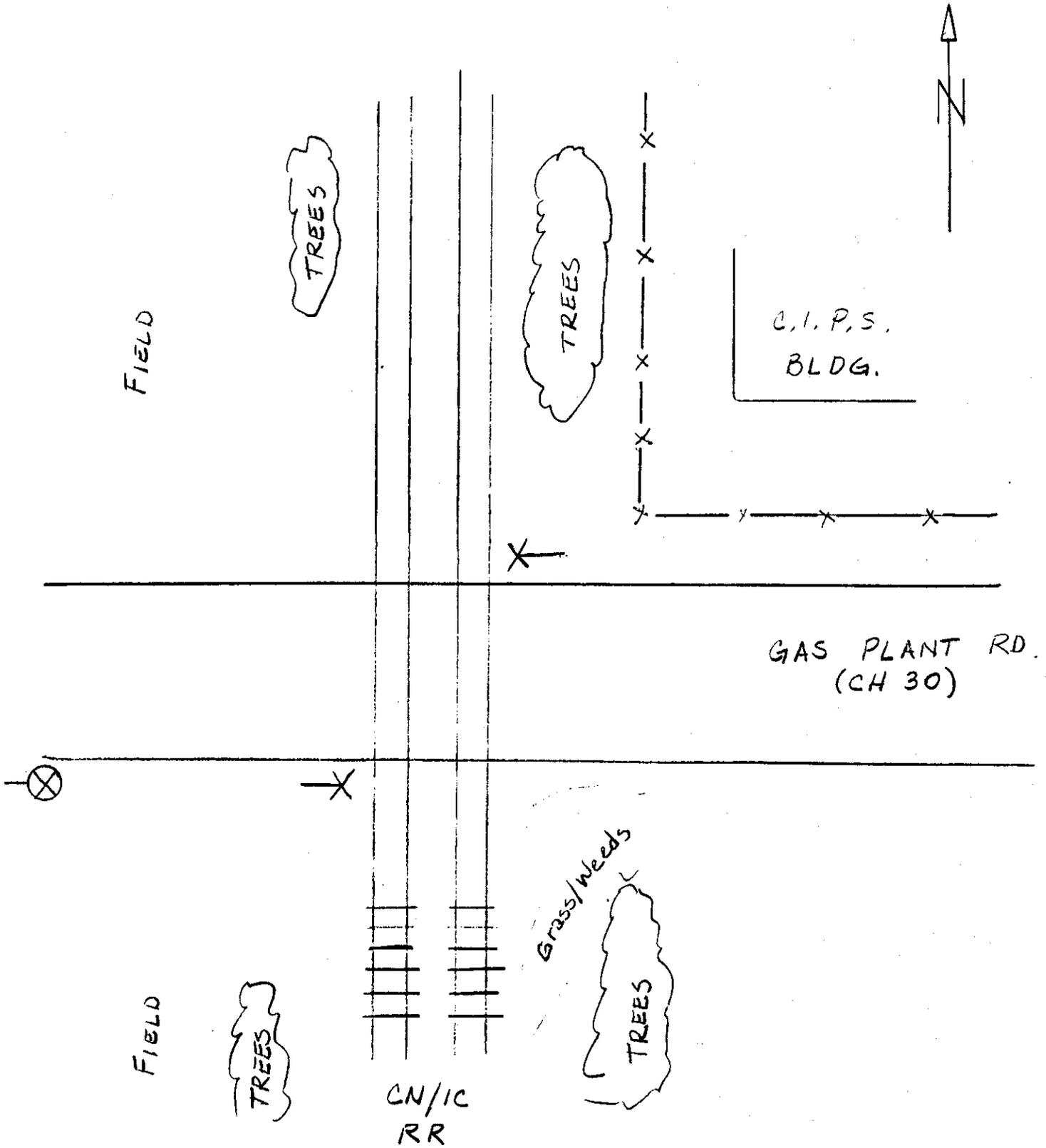
Approach Grades

North	25	2.4 %	50	2.6 %		
South	25	2.0 %	50	4.4 %		

Comments:

The cost division will be 90% Illinois Commerce Commission and 10% Canadian National/Illinois Central Railroad.

SKETCH OF CROSSING: DOT 295 057R



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT SURVEY FORM

RR/Line _____ IC / M _____ Milepost 291.15 Inventory # 295 060Y
City Near DuQuoin Street Green Market Road (CH 27) County Perry
Jurisdiction Perry County Urban ___ Rural X Commercial ___ Residential ___
Street Surface Asphalt Width 20 ft. Condition Good
Angle 90° Tracks Tangent N/A Degree of Curve N/A Superelevation N/A
Depth of Cut 0' Height of Fill 0'

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		<u>Main</u>	<u>Full Depth Timber</u>	<u>32 ft.</u>	<u>Good</u>

Intersecting Roads: 94 ft. East - White Pine (south bound only)

Traffic Control Devices Present: Stop sign on White Pine Road.

ADT 950 Speed 55 mph (unposted) Statewide Yes

School Buses Unknown Hazardous Materials _____ Other _____

Rail Traffic: Ft. 15 @ 60 mph Pass. 4 @ 79 mph Switch 0

Simultaneous Movements: N/A Daylight and Dark: Yes

Present Protection: AFLS and Gates; Crossbucks

Advance Warning Signs Yes Pavement Marking No

Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	①			
NW	①			
SE	①			
SW	①			

① A visibility study was not done because the train / vehicular product exceeds 3000.

Approach Grades

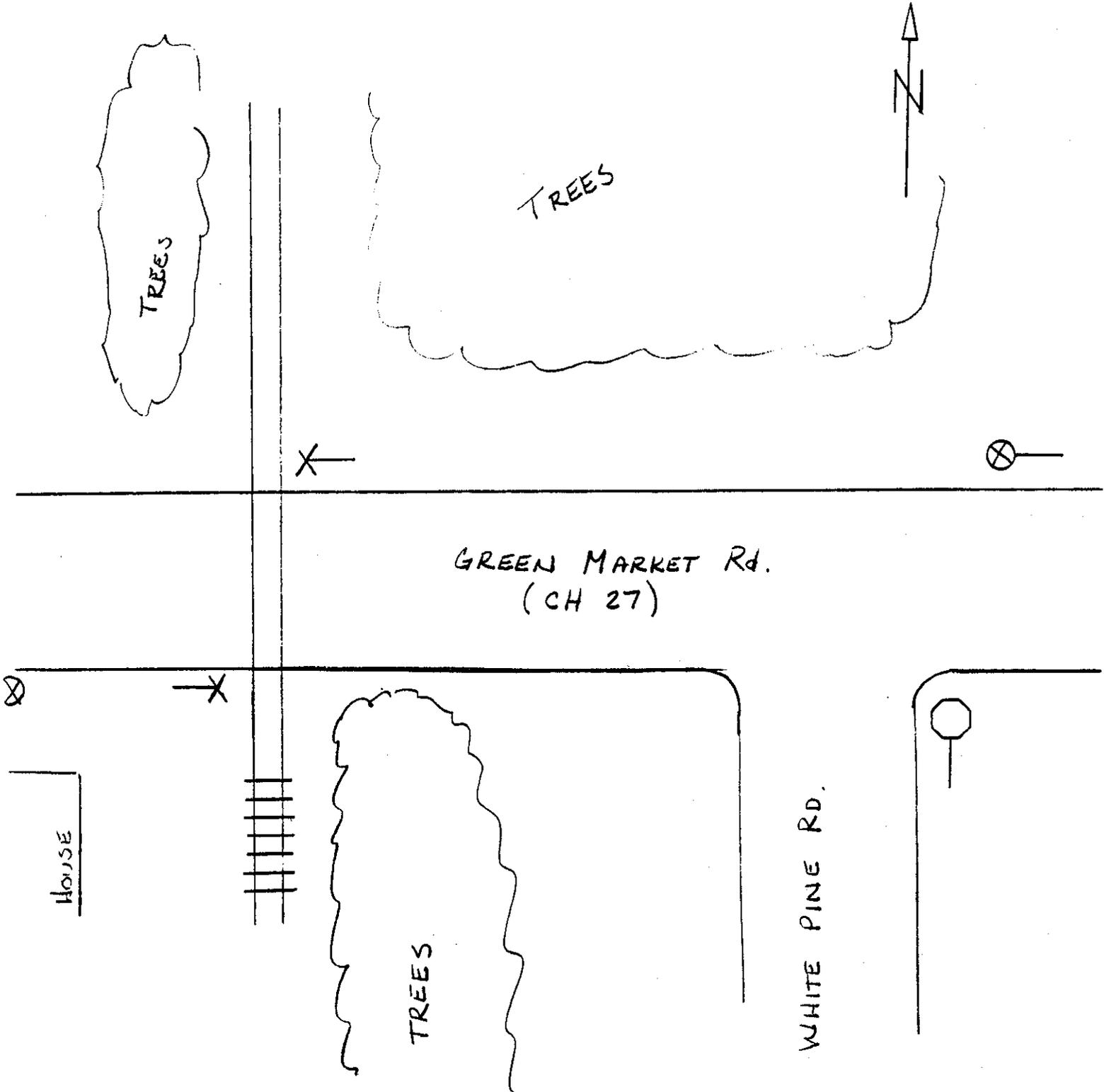
North	OK	%	%	%
South	OK	%	%	%

Comments:

A visibility study was not done because the train / vehicular product exceeds 3000.

The cost division will be 90% Illinois Commerce Commission and 10% Canadian National/Illinois Central Railroad.

SKETCH OF CROSSING: DOT 295 060Y



ILLINOIS CENTRAL RAILROAD
ENGINEERING DEPARTMENT
OFFICE OF GENERAL MANAGER-C&S

DuQuoin, IL

Est 1012-901

Estimated cost of Signal work to add CWT devices and Gates at South Line Street.

Gulf Division

Val Sec II-1

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
=====				
FAPG				

CABLE, 2c/6 TW., 120-D (O)	300.	FEET @	0.68	204.00
CABLE, 3c/6, 121-L (O)	100.	FEET @	1.43	143.00
CABLE, 7c/6, 121-N (O)	200.	FEET @	3.32	664.00
CABLE, 5c/14, 121-B (O)	200.	FEET @	1.00	200.00
LANDFILL	1.	L.S. @	700.00	700.00
MISC.SIGNAL MATERIAL	1.	L.S. @	300.00	300.00
<u>CROSSING MATERIALS PACKAGE</u>				
GCP3000, 80200-112-IPI	1.	EACH @	13216.00	13216.00
RECORDER INTERFACE, 80025	1.	EACH @	227.00	227.00
NARROW BAND SHUNT, 62775-1543	2.	EACH @	478.00	956.00
ADJUSTABLE INDUCTOR, 8A398-6	1.	EACH @	343.00	343.00
RECTIFIER, CRC 20EC-12V	1.	EACH @	535.00	535.00
RECTIFIER, CRC 40EC-12V	1.	EACH @	665.00	665.00
ADJUSTABLE RESISTOR	8.	EACH @	27.00	216.00
XING LAMP CONTROLLER, XLC	2.	EACH @	865.00	1730.00
VITAL LOGIC GATE, VLG	2.	EACH @	530.00	1060.00
VITAL RELAY DRIVER, VRD	1.	EACH @	705.00	705.00
WAGO TERMINATION EQUIPMENT	1.	LOT @	500.00	500.00
ERICO SURGE PROTECTION	1.	LOT @	2000.00	2000.00
EQUIPMENT RACK	2.	EACH @	311.00	622.00
FLX2000 & GATE ASSEMBLY	2.	EACH @	7225.00	14450.00
ARM, EZ GATE, 16-24'	2.	EACH @	442.00	884.00
GATEKEEPER, SK-1000	2.	EACH @	1928.00	3856.00
BELL, ELECTRONIC, 040201-X	1.	EACH @	223.00	223.00
BATTERY, GNB 265AH	13.	EACH @	217.00	2821.00
BOX, BATTERY, 6 CELL	2.	EACH @	434.00	868.00
FOUNDATION, S2 4FT-6IN HI	2.	EACH @	369.00	738.00
ALUMINUM HOUSE, 8x6'	1.	EACH @	11400.00	11400.00

DuQuoin, IL

Est 1012-901

5 MAN GANG	8. DAY @	1000.00	8000.00
PRELIMINARY ENGINEERING	1. L.S. @	3600.00	3600.00
CONSTRUCTION ENGINEERING	1. L.S. @	275.00	275.00

SUMMARY

MATERIAL	60226.00 *
HANDLING 0.0610	3673.79
CROSSING SYSTEM WIRING	6000.00
LABOR	8000.00 *
ENGINEERING	3875.00
ACCOUNTING	200.00
COMPOSITE ADD.-DIRECT LABOR 1.0706	8564.80
COMPOSITE ADD.-ENG 1.0088 -ACCT 1.0706	4123.22
SUBSISTENCE	2000.00
RENTAL OF EQUIPMENT	1600.00
CONTINGENCIES	9827.19

TOTAL COST	108090.00