

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

VILLAGE OF VERNON HILLS,)
an ILLINOIS MUNICIPAL CORPORATION;)
)
PETITIONER)
vs.)
)
ELGIN, JOLIET & EASTERN RAILWAY COMPANY,)
a DELAWARE CORPORATION;)
)
RESPONDENT.)

PETITION

Now comes the Village of Vernon Hills (PETITIONER), and respectfully requests the Illinois Commerce Commission (Commission) as follows:

1. PETITIONER is a municipal corporation in the State of Illinois.
2. The Elgin, Joliet and Eastern Railway Company, a Delaware Corporation (RESPONDENT), is a registered rail carrier operating the State of Illinois.
3. There is an existing vehicular crossing of the Elgin, Joliet and Eastern Railway (Crossing #26049F, Railroad Milepost 60.42) at Butterfield Road (Lake County Highway #57) in the Village of Vernon Hills.
4. The Village of Vernon Hills requests to install a pedestrian/bicycle path crossing linking two Village paths constructed on both sides and up to the RESPONDENT’S right of way.
5. There is no other pedestrian/bicycle crossing in this area and the public will continue to cross the Elgin, Joliet and Eastern Railway tracks without benefit of a pedestrian/bicycle path crossing.
6. If approved and constructed, the Village will reimburse the RESPONDENT for all costs incurred for the engineering and installation of the proposed pedestrian/bicycle path crossing.
7. The Village agrees to post and maintain the Commission’s standard “STOP – Look for Trains” signs at the edges of the RESPONDENT’S right of way.
8. PETITIONER requests that its proposed plan, attached hereto as EXHIBIT A, be approved by the Commission as complying with any requirements.

9. PETITIONER requests that the request for a pedestrian/bicycle path crossing sought in this PETITION be granted without a hearing.

Respectfully Submitted:

DATE

Village of Vernon Hills

Roger Byrne
Village President

SERVICE LIST

Raymond C. Baker
Administrative Manager
Elgin, Joliet and Eastern Railway Company
1141 Maple Road
Joliet, IL. 60432

Jeff Harpering
Bureau of Local Roads
Illinois Department of Transportation
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Director of Planning and Programming
Lake County Division of Transportation
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Libertyville, IL. 60048-1381

VERIFICATION

I, Roger Byrne, being sworn under oath, depose and say that I am duly elected as Village President of the Village of Vernon Hills, Illinois, and that I have read the foregoing petition, know the contents thereof, and that the same is true in substance and in fact, to the best of my knowledge and belief.

Roger Byrne, Village President

Subscribed and sworn before me
This ___ day of _____, 2006.

Village Clerk

PROOF OF SERVICE

I, Edward Laudenslager, CERTIFY THAT I HAVE SERVED THE COPIES OF THIS PETITION to the persons listed on the attached Service List, at the addresses indicated, by depositing in the U.S. Postal Service, postage prepaid, at _____, before _____ PM on _____ 2006.