

Ross B. Dunfee, P.E.
Director / County Engineer

TR-050525

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Prosser 786-5611
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RECEIVED
DISTRIBUTION CENTER

Benton County

2005 APR -4 AM 8:01

Department of Public Works

STATE OF WASH.
WUTC

Post Office Box 1001 - Courthouse
Prosser, Washington 99350-0954

April 1, 2005

Ahmer Nizam
Utilities and Transportation Commission
1300 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250

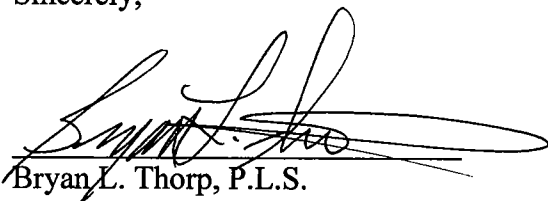
RE: Petition for the Abandonment
and Closure of a Highway-Rail Grade
Crossing - Piert Road

RECEIVED
RECORDS SECTION
05 APR -4 PM 1:26
STATE OF WASH.
UTIL. AND TRANSP.
COMM. DIVISION

Dear Ahmer:

I have enclosed the original and one copy of the fully executed Petition for the Abandonment and Closure of a Highway-Rail Grade Crossing for Piert Road, with attached Engineered Drawings, as well as a copy of the approving Resolution.

Sincerely,



Bryan L. Thorp, P.L.S.
Project Engineer

BLT:dlh

RESOLUTION

05 085

BEFORE THE BOARD OF COMMISSIONERS OF BENTON COUNTY, WASHINGTON

IN THE MATTER OF COUNTY ROADS RE: PIERT ROAD AT BURLINGTON
NORTHERN SANTA FE (BNSF) RAILROAD CROSSING

WHEREAS, Benton County plans to construct an elevated over-crossing at the BNSF crossing
between Riek Road and Piert Road as part of the I-82 to SR 397 Intertie Project; and

WHEREAS, the overcrossing will replace the existing at-grade railroad crossing at Piert Road;
and

WHEREAS, Benton County wishes to petition the Washington Utilities and Transportation
Commission (WUTC) to close the Piert Road BNSF crossing; and

WHEREAS, as compensation, Benton County wishes to have a crossing constructed at the
Sagebrush Road BNSF crossing which is adjacent to the I-82 Badger Road exit; NOW
THEREFORE,

BE IT RESOLVED that the Petition to the WUTC be and hereby is approved, and that the
Chairman is authorized to sign said Petition on behalf of Benton County; and

BE IT FURTHER RESOLVED that should the new BNSF crossing at Sagebrush Road not be
approved, this Petition will be considered as withdrawn.

Dated this 14th day of February, 2005

Claude L. Olson
Chairman of the Board

Max E. Bennett
Chairman Pro Tem

Leo M. Bauman
Member

Constituting the Board of County
Commissioners of Benton County,
Washington

Attest: Cami McKenzie
Clerk of the Board

RBD:NWC:dlh

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

)	DOCKET NO. TR-
)	
Petitioner,)	PETITION FOR THE ABANDONMENT
)	AND CLOSURE OF A HIGHWAY-RAIL
Benton County)	GRADE CROSSING
)	
vs.)	
)	
Respondent,)	
)	D.O.T. 090041A
Burlington Northern Santa Fe)	W.U.T.C. 3A223.68
)	

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

05 APR -4 PM 1:25

RECEIVED RECORDS SECTION

Application is hereby made for an order from the Washington Utilities and Transportation Commission consenting to the abandonment and closure to public use of a grade crossing located at the point described in the following interrogatories and answers which are hereby referred to and made a part of this petition.

Benton County

Ross Dunfee, P.E.

Petitioner

P. O. Box 1001

Street

<u>Prosser</u>	<u>WA</u>	<u>99350</u>
City	State	ZIPCode

(See Instructions on last page)

INTERROGATORIES

1.

State name of highway and railway at crossing intersection:

Existing highway Piert Road

Existing railway BNSF

State Crossing No: 090041A

Located in the ___ 1/4 of the ___ 1/4 of Sec. 26, Twp. 08, Range 30 W.M.

Railway mile post (nearest tenth) 223.7

City

County In the unincorporated area of Benton County, WA known as Finley

2.

(a) Type of highway at crossing (Indicated with X):

() State, () County, () City Street

Average Daily Traffic over the tracks: 2600

(b) Type of railroad at crossing (Indicate with X):

() Common Carrier, () Logging, () Industrial

() Main Line, () Branch Line, () Spur

Average Daily Train Traffic: 20

3.

State fully the reasons for seeking authority to close and abandon the public use of the grade crossing described:

Benton County is planning to construct a roadway elevated over-crossing at the location of the existing at-grade crossing. The over-crossing will replace the existing at grade crossing. It is intended that the closing of this crossing will compensate for creation of a new at-grade crossing on Sagebrush Road adjacent to the I-82 on/off ramps (on Badger Road). The closure of the Piert Rd. crossing and placement of the new crossing on Sagebrush Road will result in significant safety improvements at both locations. If the at grade crossing on Sagebrush Road is not approved this application is to be considered as withdrawn.

4.

Describe the area or site that is served by the crossing, including the approximate number of homes or businesses that might be affected by the closure.

The adjacent area is industrial and residential. Additionally, the existing crossing serves significant agricultural area in the Horse Heaven Hills area. Since the at grade crossing will be replaced with a grade separated crossing there should not be any adverse safety impacts.

5.

How far is the nearest alternate access across the tracks from the crossing proposed for closure?

An alternate crossing will not be needed.

6.

Attach a sketch showing the layout of the highway and railway in the vicinity of the crossing as well as the parcels of private property located on both sides of the highway for a distance of 500' from the crossing, including the name and mailing address of each property owner.

See attached engineered drawings.

WAIVER OF HEARING BY RESPONDENT

Having investigated the conditions existing at and in the vicinity of the grade crossing described herein and being satisfied that such conditions are substantially as described in the interrogatories and answers thereto, and consent that the grade crossing should be closed and abandoned to public use. Hearing in this proceeding is hereby waived.

Dated at Prosser, Washington, on the 14 day of Feb., 2005.

BENTON COUNTY
Respondent

By: BOARD OF COUNTY COMMISSIONERS

Claude L. Olson

Chairman

Max E. Bennett

Chairman Pro-Tem

Don M. Bauerman

Member

INSTRUCTIONS

The original and one copy of the petition with interrogatories completely answered must be filed with the Washington Utilities and Transportation Commission unless the waiver of hearing form is filled out by the respondent. If waiver of hearing is filled out by the respondent, only the original copy of the petition is required to be filed with the Commission.

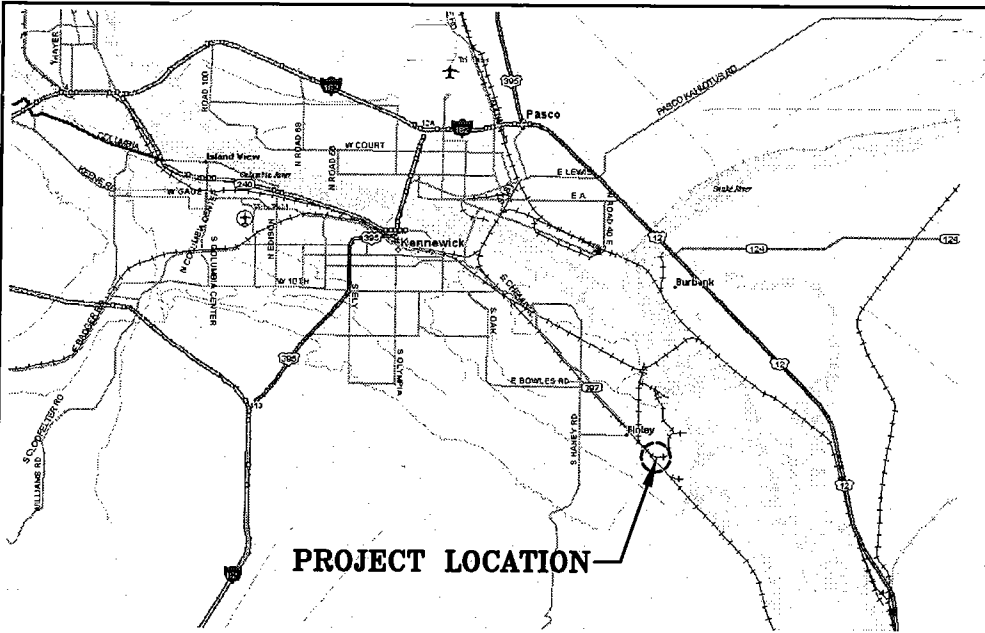
If waiver of hearing is not executed on the petition filed, the copy will be served upon the respondent for answer within 20 days. Upon receipt of respondent's answer, the application will be investigated.

Under the terms of RCW 81.53.060 as amended by the session laws of 1959, the Commission may order the closure of a grade crossing without hearing where:

- (1) notice of the filing of the petition is posted at, or as near practical to, the crossing.
- (2) notice of the filing of the petition is published once in some newspaper of general circulation in the community or area where such crossing is situated, which publication shall appear within the same week that the notice referred to in (1) above is posted; and
- (3) no objections are received by the Commission within twenty days from the date of the publication of the notice.

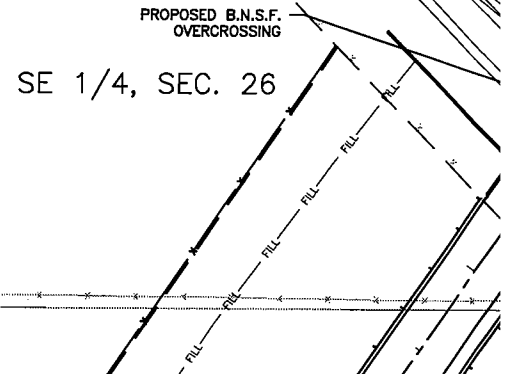
If an objection is received, the matter will be set for hearing.

Petitions submitted by counties must be signed by at least two members of the Board of County Commissioners.



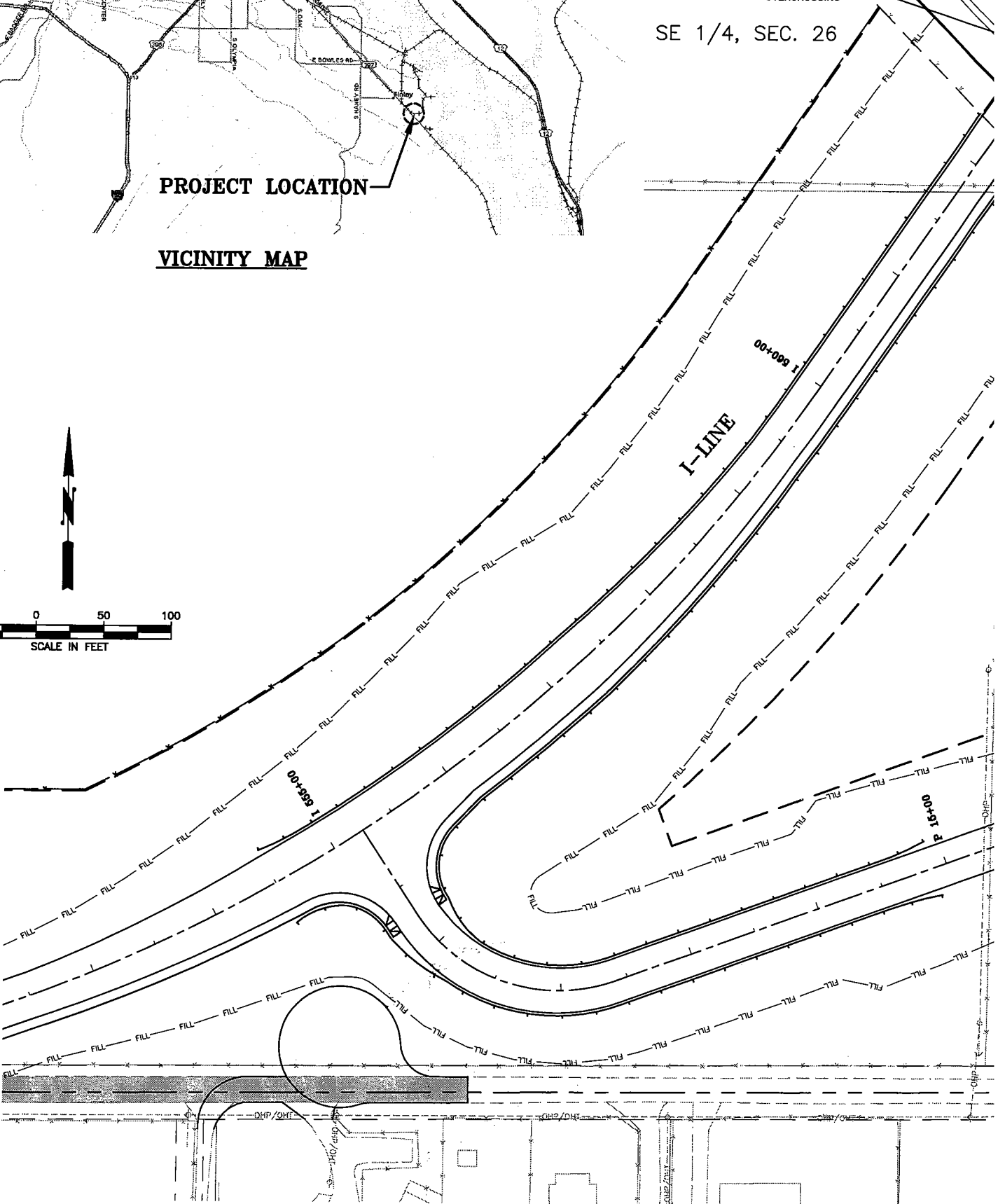
PROJECT LOCATION

VICINITY MAP



PROPOSED B.N.S.F. OVERCROSSING

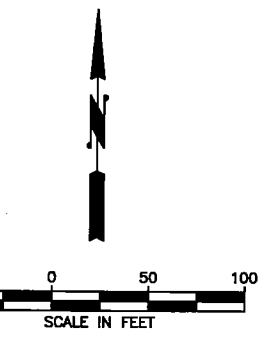
SE 1/4, SEC. 26



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SCALE IN FEET