

BNSF



J. M. (MIKE) COWLES

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Burlington Northern Santa Fe

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September 13, 2004

Jeffrey Massie, P.E.
Asst. City Engineer
80 Columbia Avenue
Marysville, WA. 98270

RECEIVED
RECORDS MANAGEMENT
05 MAR -2 PM 2:16
STATE OF WASH.
UTIL. AND TRANSP.
COMMISSION

Dear Mr. Massie:

Concerning the Local Agency/Railroad Agreement in providing track circuitry upgrades to the 1st and 4th Street grade crossings, located at RR milepost 38.49 and 38.68 respectively. [STPXP - 2692(001)], and [STPXP-0528(004)], respectively.

Attached are duplicate originals of each agreement. Please have the proper official execute the duplicate originals and return both originals to me for my further handling and execution.

Also attached is the original and 3 copies of the petition for modifying the detection circuitry. Please have the proper official execute the waiver of hearing on the original and all copies. Forward the original and one copy to the Utilities and Transportation Commission (WUTC) for their review and issuance of the order. Please copy me on your transmittal to the WUTC.

Sincerely,

J.M. (Mike) Cowles
Mgr Public Projects

JMC

Cc: Dave Zevenbergen
Hwys & Local Programs
Dept. of Transportation
P.O. Box 47390
Olympia, WA. 98504-7390

WUTC
1300 Evergreen Park Dr. So.
P.O. Box 7250
Olympia, WA. 98504-7250
Attn: Ahmer Nizam

**Ed Conyers
Hwys and Local Program
WSDOT - N/W Region
P.O. Box 330310
Seattle, WA. 98133-9710**

**File: DOT 084-630B
DOT 084-640G**

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

The Burlington Northern and Santa Fe Railway Company
Petitioner,

vs.

Marysville, Washington
Respondent

.....)

)
)
) DOCKET NO. TR-
)
) PETITION FOR MODIFICATION OF
) DETECTION CIRCUITRY
)
)
)
) WUTC No. 2B 38.68
) DOT No. 084-640G
)
)
)

STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION
COMMISSION

05 MAR -2 PM 2:16

RECEIVED
RECORDS MANAGEMENT

Petitioner request the Washington Utilities and Transportation Commission to enter an order consenting to the modification of detection circuitry for a grade crossing signal system as follows:

1. Identifying information for the crossing:

Existing highway, street or road: 4th Street (SR 528)
Existing Railway The Burlington Northern and Santa Fe Railway
WUTC Crossing Number: 2B 38.68
DOT Number 084-640G

2. Description of current signals and/or gates at the crossing:

Railroad shoulder mounted flashing light traffic control device with gates

3. Type of current crossing circuitry:

HXP 3s

4. Project description and justification:

(a) Proposed changes: Relocate existing shunts.

(b) Justification for changes: Upgrade in circuitry will provide for future train speed increases.

(c) Affects of proposed changes on warning devices and warning times for drivers:
improve safety of the traveling public.

5. Drawings. Sketches drawn to scale are attached accurately showing the current and proposed layout of the highway (including shoulders, sidewalks, lanes of travel, bike lanes and crossing warning devices), of the crossing surface and of the railway in the vicinity of the crossing.

I certify under penalty of perjury that the foregoing is true and correct

Dated at Seattle, Washington this 14th day of Sept., 2004

The Burlington Northern & Santa Fe Ry.
Petitioner


By: Title: **Manager Public Projects**

2454 Occidental Avenue So., Suite 1-A
Address

Seattle, Washington 98134

WAIVER OF HEARING BY RESPONDENT

The respondent has investigated the conditions existing at and in the vicinity of the grade crossing described herein and is satisfied that such conditions are substantially as described in the petition. Respondent consents to the modification of the signal system circuitry as described in the petition. Hearing in this proceeding is hereby waived.

Dated at Naselle, Washington, on the 27th day of January, ~~2002~~ 2005

City of Naselle
Respondent

Jeffrey D. Noyes
By:

80 Columbia Avenue
(Address)

Naselle, WA 98270

INSTRUCTIONS

Petitioner can be the railroad, the road authority or the Washington Utilities and Transportation Commission. If the railroad is the petitioner, the road authority will be the respondent. If the road authority is the petitioner, the railroad will be the respondent.

The original and two copies of the petition must be filed with the Washington Utilities and Transportation Commission.

If the waiver of hearing is executed, the petition be investigated and a decision made within approximately two weeks from receipt of the documents.

If the waiver of hearing is not executed on the petition filed, a copy of the petition will be served upon the respondent by the Commission for answer within 20 days. Upon receipt of respondent's answer or after the 20 day period has elapsed, the application will be processed. Time for making a decision will depend on whether an answer is filed and the content of the answer.



Local Agency Railway Agreement
Federal Aid Safety Projects
Highway-Railway Grade Crossing
Warning Devices

Local Agency Marysville, Washington

Project Number STPXP-0528 (004)

Railway Burlington Northern and Santa Fe Railway Co.

Agreement Number _____

The above parties having complied, or hereby agreeing to comply, with the terms and conditions set forth in (1) Title 23, U.S. Code, Highways, (2) the regulations issued pursuant thereto, and (3) the Policies and Procedures promulgated by the Washington State Department of Transportation, relating to grade crossing warning devices, hereby agree to proceed with the accomplishment and completion of the project hereinafter described.

Project Description

Local Agency Road Name 4th Street

Location Marysville, Washington

Railway Line Name The Burlington Northern and Santa Fe Railway Company

Location RR milepost 38.68, DOT 084-640G, WUTC 2B 38.68

Description of Work

Upgrade circuitry only.

The site plan attached hereto as Exhibit C further describes the work.

Construction is estimated to be completed in 365 days, following execution of this agreement and authorization to proceed.

Estimate of Cost

Type of Work	Labor	Non-Labor	Total
1. Install Warning Devices (Type)	2,385.00	1,332.00	3,717.00
a. Freight Material Handling		82.00	82.00
b. Equipment Rental		597.00	597.00
c. Expenses		2,833.00	2,833.00
d. Salvage		0.00	0.00
e. Other		1,173.00	1,173.00
2. Engineering and Accounting	1,060.00	0.00	1,060.00
3. Liability Insurance		376.00	376.00
4. Labor Surcharge	2,147.00	0.00	2,147.00
5. Other Work by Railroad* <input type="checkbox"/> Yes <input type="checkbox"/> No Exhibit A attached hereto			
6. Total Project Costs	5,592.00	6,393.00	11,985.00

* If detail is required, attached Exhibit A. Insert Exhibit A totals in this line.

The above parties further stipulate that they agree to and will comply with the provisions set forth in the reverse hereof and made a part of this agreement. Where a franchise or permit exists, the parties shall determine to what extent the franchise or permit is superseded by this agreement. Such determination should be in writing and attached as part of the agreement.

Repair or replacement of damaged or obsolete signals. The cost of repair or replacement of the signals shall be borne on the ratio of 75 percent Local Agency and 25 percent railway.

This agreement shall inure to the benefit of and be binding on the parties hereto, their successors and assigns.

Adopted by Resolution/Ordinance No. N/A

Railroad Official _____

Local Agency Official Dennis L. Keshell

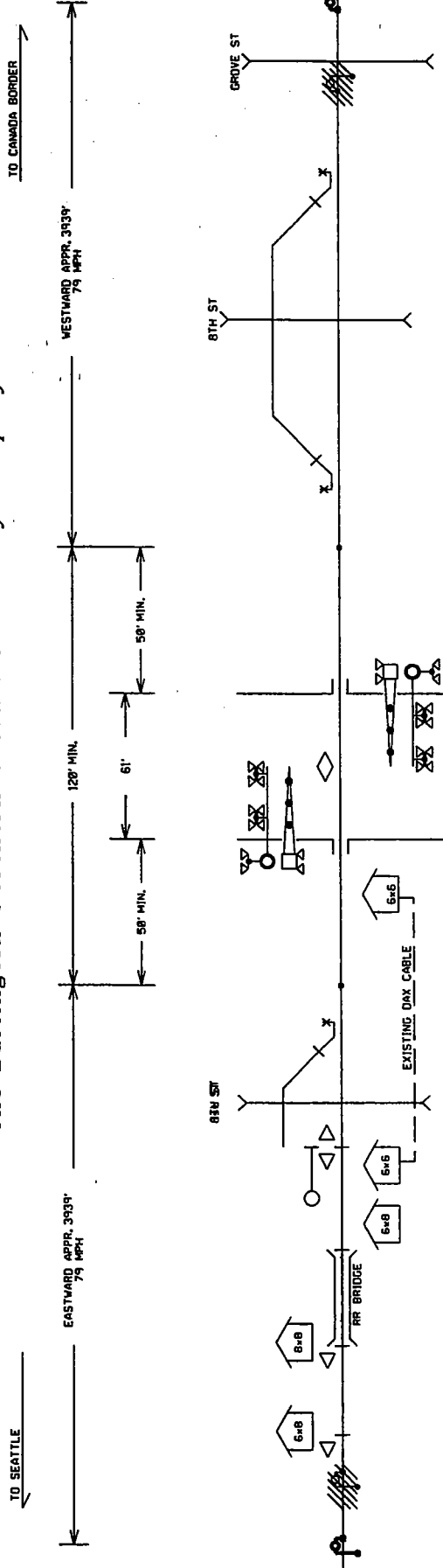
Title Mayor

Date 2-24-05

Date _____

A nrvd. of to form 9/7/04
WEDW

The Burlington Northern & Santa Fe Railway Company



4TH STREET
DOT = 084 646 G

BNSF RAILWAY CO.
 MARYSVILLE, WA
 4TH STREET
 LS: 0050
 M.P. 38.68
 DOT = 084 646 G
 DIVISION: NORTHWEST
 SUBDIVISION: BELLINGHAM
 KANSAS CITY
 NO SCALE
 DATE: 6-23-04
 FILE: 005038 68.dgn
 MJ/TLP

Warning device placement:
 Clearance to C.L. Track = Min. 12', Max. 20'
 Edge of Road to C.L. Foundation:
 Min. 4' with curb,
 Min. 8' without curb,
 Max. 12'

House Clearance:
 25' Min. to C.L. of Track
 30' Min. to Edge of Road
 30-15 Degree Lenses
 Back and Side Lights: 70 Degree Lenses
 Cantilever Jury Mast: 20-32 Degree Lenses

INSTALL:
 CONTROL DEVICES: CONSTANT WARNING
 BOLD - IN
 [Hatched Area] - OUT
 SALVAGE: NONE

[House Icon]	INSTRUMENT HOUSE
[Bell Icon]	BELL
[Meter Icon]	METER
[Crossing Connections Icon]	CROSSING CONTROL CONNECTIONS
[Bidirectional Crossing Control Icon]	BIDIRECTIONAL CROSSING CONTROL
[Unidirectional Crossing Control Icon]	UNIDIRECTIONAL CROSSING CONTROL
[Coupler or Termination Icon]	COUPLER OR TERMINATION
[Guard Rail Icon]	GUARD RAIL