

State of Florida
Department of Transportation

26

RE: County of Nassau, Fla.
Petitioner

Change Piney Island Rd. CSX MP SMA42.24
FDOT/AAR Crossing No. 620809-J
Fernandina Beach, Florida

vs. Florida Department of Transportation
- Respondent-

CSX Transportation, Inc.
- Respondent-

Stipulation of Parties

For the changing of Piney Island Rd. from a private to a public crossing comes now the PETITIONER, County of Nassau, Florida, hereinafter referred to as the "County", Florida Department of Transportation, hereinafter referred to as "DEPARTMENT" and CSX Transportation Inc., hereinafter referred to as "COMPANY", and hereby file this Stipulation of Parties as follows:

- Change -

Piney Island Road CSX MP: SMA 42.24
FDOT/AAR Crossing No. 620809-J
Fernandina Beach, Florida

1. That the COUNTY has filed application with the DEPARTMENT to change a private Railroad/Highway Grade Crossing to a public Railroad/Highway Grade Crossing pursuant to Section 335.141, Florida Statute (1987), copies of said application being attached hereto and made a part hereof as Exhibit "A".
2. That the COUNTY has applied for a permit to change the crossing located 1.46 miles east of COMPANY mile post SMA 43.70 and 1.04 mile west of Company mile post SMA 41.20 in Fernandina Beach, Florida. Location map attached hereto and made a part hereof as Exhibit "B".
3. The railroad track at said location is presently classified as a main line, with 6 trains per day, at 35 mph.
4. That the COMPANY shall be responsible for the maintenance of all trackbed, limited only to the highway roadbed for the width of the rail ties within the crossing area at the COUNTY's expense. The COUNTY shall be responsible for the maintenance of the roadbed outside the railway ties.

5. The COUNTY will be responsible for the annual maintenance cost of the automatic grade crossing traffic control devices in accordance with the amounts as specified in DEPARTMENT'S form 725-090-41B as amended, attached hereto and made a part hereto as EXHIBIT "C". All pursuant to Chapter 14-46.003(2), Florida Administrative Code.
6. The COUNTY will execute the required maintenance agreement for the crossing surface and signals between the COUNTY and the COMPANY. COUNTY will execute the required agreement for signals between the COUNTY and COMPANY. The FDOT/AAR National Number will be referenced in these agreements.
7. The DEPARTMENT hereby authorizes the changing of this crossing as evidenced by the Stipulation provided that the parties comply with all conditions of this Stipulation.

All parties agree that this Stipulation will become null and void if said crossing is not changed within twelve (12) months.

Dated this 20th day of January, 1994.

* Signature page as attached.

STATE OF FLORIDA
FLORIDA DEPARTMENT OF TRANSPORTATION

BY: *M. Dixon*
State Public Transportation Administration

(SEAL)

ATTEST: *Charlotte Johnson*
Secretary

=====
CSX TRANSPORTATION, INC.

BY: *J. R. Clark*
~~President~~ J. R. Clark
Assistant Chief Engineer-Public
Projects & Construction

(SEAL)

ATTEST: *Patricia Johnston*
Secretary

=====
COUNTY OF NASSAU, FLORIDA

BY: *James E. Justice*

(SEAL)

ATTEST: *M. Breason by Joanna R. Cason, Deputy Clerk*

=====
Approved as to Form
Legality and Execution

BY: *[Signature]*

FILED D.O.T. CLERK
94 JAN 20 AM 8:43

RAILROAD GRADE CROSSING APPLICATION

COUNTY	SECTION	JOB NUMBER	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	DOCKET NUMBER
74	93	01	Piney Island Rd	Nassau		

AGENCY NAME:

A. IDENTIFICATION:

Submitted By:

Application For:

Agent William L. Lecher
 Title County Engineer
 Telephone 904-356-6670
 Address 220 S. 8th Street
Fernandina Bch., FL. 32034
Nassau County

- () Closing a public at-grade rail/highway crossing by.
 () rail line removal
 () roadway removal
 () Opening a public at-grade rail/highway crossing by.
 () new rail line construction
 (X) new roadway construction

B. CROSSING LOCATION:

Jurisdiction for Street or Roadway by Authority of: () City (X) County () State
 Local Popular Name of Street or Roadway: Piney Island Road
 Railroad Company: CSX Transportation
 Railroad Mile Post (Distance & Direction): SMA 42.24
 Nearest Existing Grade Crossings - Each Direction:

Direction	Distance	FDOT/AAR Crossing Number
(1) <u>West</u>	<u>1.04 mi SMA41.20</u>	<u>620807</u>
(2) <u>East</u>	<u>1.46 mi SMA43.70</u>	<u>620810D</u>

Map () Attached () Mailed Separate

C. CROSSING SURFACE INSTALLATION:

Roadway Traffic Volume (ADT): () Existing _____ () Proposed _____
 Type Roadway: () Existing _____ () Proposed _____
 Type Rail Line: () Existing Main _____ () Proposed _____
 Number of Trains Per Day - Passenger: 0 Freight: 6 Speed of Trains - Pas: 0 Fr: 35 mph
 Cost Estimate to Install Crossing: \$ _____
 Cost of Installation Charge to: () Applicant () Other _____
 Cost Estimate for Annual Maintenance: \$ 250.00
 Cost of Annual Maintenance Charge to: () Applicant () Other _____

D. CROSSING SIGNAL INSTALLATION:

Type: (X) Flashing Lights () Cantilever () Gates () Other _____
 Installation Performed by: () Applicant () Railroad () Other _____
 Cost Estimate to Install Signals: \$ _____
 Cost of Installation Charge To: () Applicant () Other _____
 Cost Estimate for Annual Maintenance: \$ 1404.00 _____
 Cost of Annual Maintenance Charge To: () Applicant () Other _____

E. PUBLIC HEARING:

Prior to the adoption of any rule or regulation for opening or closing at-grade public rail/highway crossings, if requested a public hearing will be held by a duly authorized hearing officer appointed by the Division of Administrative Hearings as pursuant to the provisions of Chapter 120, Florida Statutes, the Uniform Administrative Procedure Act.

Will Applicant Be Represented by Counsel at the Public Hearing?

() Yes (Complete Following) () No

Attorney Name S. H. Shook

Attorney Telephone 904-359-1808

Attorney Address CSX Transportation Inc., 500 Water Street, J150
Jacksonville, Florida 32202

Describe Material to be Placed in Evidence at Public Hearing:
(maps, resolutions, agreements, documents, etc.)

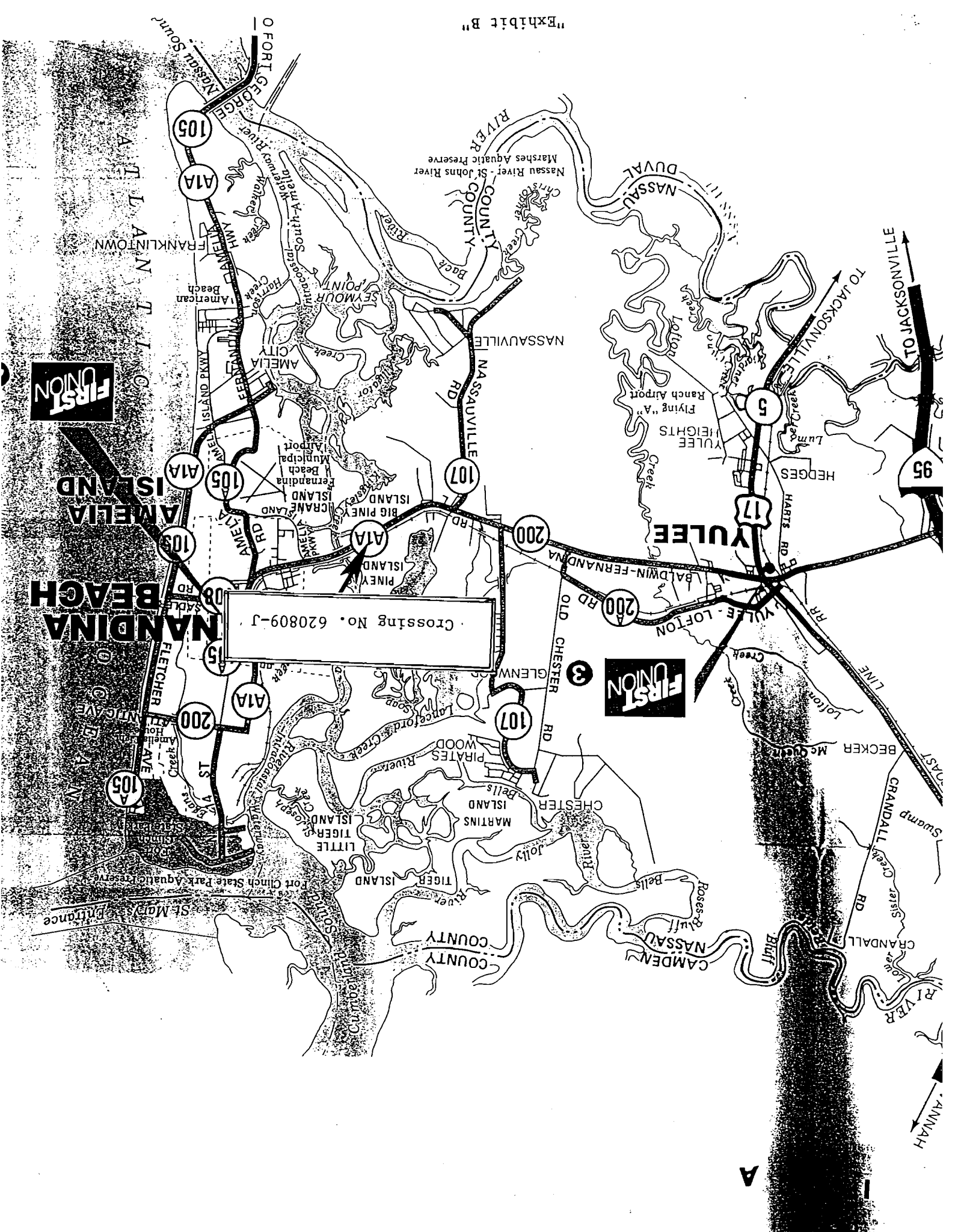
SUBMITTED FOR THE AGENCY BY: *James E. Stetone* DATE: 3-15-93
Title- Chairman, Bd. County Commissioners

DEPARTMENTAL APPROVAL BY: *Jimmy Kan* DATE: 3-15-93
Title - District Railroad Coordinator

ATTACHMENTS: (List) REFERENCES: (Specific Legal Authority) 334.044 F.S., 120.57 F.S.
(Law Implemented) 335.141 F.S.
(Administrative Rule) 14-46.003 D.O.T.
(Procedure) 725-080-050

Copy: S. H. Shook

"Exhibit B"



Crossing No. 620809-J



NANDINA BEACH

AMELIA ISLAND

ATLANTA

ANNAPOLIS

TO JACKSONVILLE

TO JACKSONVILLE

A

I

OFFICE OF PUBLIC TRANSPORTATION
RAILROAD GRADE CROSSING TRAFFIC CONTROL DEVICES

RAIL
03/91

COUNTY	SECTION	JOB NUMBER	ROAD NAME OR NUMBER	COUNTY NAME	PARCEL & R/W NUMBER	FAP NUMBER

COMPANY NAME: _____

A. JOB DESCRIPTION & LOCATION: _____

B. TYPE OF ROADWAY FACILITY: _____

C. FDOT/AAR XING NO.: _____ RR MILE POST TIE: _____

D. TYPE SIGNALS PROPOSED _____ CLASS _____ DOT INDEX: _____

**SCHEDULE OF ANNUAL COST OF AUTOMATIC
HIGHWAY GRADE CROSSING TRAFFIC CONTROL DEVICES**

Annual Maintenance Cost Exclusive of Installation

<u>CLASS</u>	<u>DESCRIPTION</u>	<u>COST*</u>
I	Flashing Signals - One Track	\$1,404.00
II	Flashing Signals - Multiple Tracks	\$1,858.00
III	Flashing Signals and Gates - One Track	\$2,117.00
IV	Flashing Signals and Gates - Multiple Tracks	\$2657.00

*Effective July 1, 1991

AUTHORITY: FLORIDA ADMINISTRATIVE RULE 014.46.002
Responsibility for the Cost of Automatic Highway
Grade Crossing Traffic Control Devices

EFFECTIVE DATE: July 1, 1991

GENERAL AUTHORITY: 334.044 F.S.

SPECIFIC LAW IMPLEMENTED: 335.141 F.S.