

CERTIFICATE OF VILLAGE CLERK  
OF THE VILLAGE OF LAKE BARRINGTON,  
LAKE COUNTY, ILLINOIS

I HEREBY CERTIFY that I am the Village Clerk of the Village of Lake Barrington, in the County of Lake and the State of Illinois, am the keeper of the official records and corporate seal of said Village, and I do hereby certify that the copy of the Resolution attached hereto and made a part hereof is a true and correct copy of the original Resolution hereinafter described which copy was taken from and carefully compared with the original Resolution entitled:

RESOLUTION NO. 2015-R-11

A RESOLUTION EXPRESSING THE VILLAGE OF LAKE BARRINGTON'S SUPPORT FOR THE EFFORTS OF THE VILLAGE OF BARRINGTON RELATIVE TO THE VILLAGE OF BARRINGTON'S PETITION SEEKING RECONSIDERATION BEFORE THE SURFACE TRANSPORTATION BOARD AND FOR THE VILLAGE OF BARRINGTON'S CONTINUING EFFORT TO SECURE A GRADE SEPARATION AT THE CANADIAN NATIONAL RAILWAY/EJ&E RAILROAD CROSSING AT U.S. ROUTE 14 (NORTHWEST HIGHWAY) AND AUTHORIZING THE VILLAGE PRESIDENT OF THE VILLAGE OF LAKE BARRINGTON TO EXECUTE A REPLY REFLECTING SUCH SUPPORT

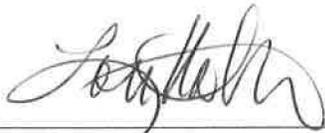
238640  
ENTERED  
Office of Proceedings  
June 17, 2015  
Part of  
Public Record

which was passed by the Board of Trustees of said Village at a duly called regular or special meeting held in the Village of Lake Barrington on the 15<sup>th</sup> day of June, 2015, and deposited and filed in the Office of the Clerk of said Village on said date and duly approved by the President and recorded by me in the Record of Resolutions of said Village as Resolution No. 2015-R-11.

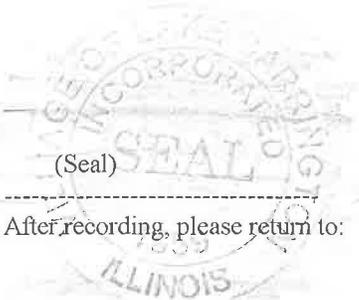
I further certify that a quorum was present at said meeting and said Resolution was passed on a roll call vote taken by yeas and nays and entered into the records as required by law.

I further certify that the original of said Resolution is in the records of said Village on file in my office for safekeeping and that said Resolution has not been amended or repealed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Village this 16<sup>th</sup> day of June, 2015.



Loretta Peterson  
Village Clerk, Village of Lake Barrington



RESOLUTION NO. 2015-R-11

A RESOLUTION EXPRESSING THE VILLAGE OF LAKE BARRINGTON'S SUPPORT FOR THE EFFORTS OF THE VILLAGE OF BARRINGTON RELATIVE TO THE VILLAGE OF BARRINGTON'S PETITION SEEKING RECONSIDERATION BEFORE THE SURFACE TRANSPORTATION BOARD AND FOR THE VILLAGE OF BARRINGTON'S CONTINUING EFFORT TO SECURE A GRADE SEPARATION AT THE CANADIAN NATIONAL RAILWAY/EJ&E RAILROAD CROSSING AT U.S. ROUTE 14 (NORTHWEST HIGHWAY) AND AUTHORIZING THE VILLAGE PRESIDENT OF THE VILLAGE OF LAKE BARRINGTON TO EXECUTE A REPLY REFLECTING SUCH SUPPORT

WHEREAS, the Corporate Authorities of the Village of Lake Barrington have determined that numerous residents of Lake Barrington, as well as the Barrington community in general, have been and continue to be greatly impacted by the ever-increasing railway freight operations of the Canadian National Railway ("CN") utilizing the CN/EJ&E at-grade railroad crossing of those CN/EJ&E railroad tracks over U.S. Route 14 within the Village of Barrington; and

WHEREAS, since 2008, the Village of Barrington has been petitioning the Surface Transportation Board ("STB") to require CN to provide a grade separation at the current CN/EJ&E at-grade railroad tracks crossing of U.S. Route 14 (Northwest Highway) within the Village of Barrington and to provide the funding for such a grade separation; and

WHEREAS, the opportunity to petition for such relief has resulted from the extension by the Surface Transportation Board of its oversight period for CN's purchase of the EJ&E Railway, which oversight period was recently extended through 2017; and

WHEREAS, the Village of Barrington has twice petitioned the Surface Transportation Board for such relief, most recently in November, 2014; and

WHEREAS, the STB recently denied the Village of Barrington's petition for such relief, which included a request for oral argument before the STB; and

WHEREAS, the Corporate Authorities of the Village of Lake Barrington have determined that it is in the best interests of the Village of Lake Barrington and its residents that the Village of Lake Barrington support the Village of Barrington's Petition Seeking Reconsideration now pending before the STB and authorize the Village President of the Village of Lake Barrington to execute a Reply to Petition Seeking Reconsideration expressing such support:

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Lake Barrington, Lake County, Illinois, in exercise of its authority as a Home Rule unit, as follows:

SECTION 1: That the Corporate Authorities of the Village hereby find that the recitals hereinabove set forth are true and correct and are incorporated into the text of this Resolution as its findings of fact to the same extent as if such recitals had been set forth herein in their entirety.

SECTION 2: That the Corporate Authorities of the Village hereby express the Village of Lake Barrington's continuing support of the Petition Seeking Reconsideration of the Village of Barrington pending before the STB, for the continuing efforts of the Village of Barrington to secure a grade separation at U.S. Route 14 (Northwest Highway) and the CN/EJ&E railroad tracks within the Village of Barrington, and in particular, to express the Village's support of these continuing efforts of the Village of Barrington before the STB seeking that the STB require that such a grade separation be provided for and paid for by the CN, and the Village President of the Village of Lake Barrington is authorized to express in writing the support of the Village of Lake Barrington for these efforts by the Village of Barrington by his execution and submittal to the STB of the attached Reply to Petition Seeking Reconsideration.

SECTION 3: This Resolution shall take effect from and after its passage and approval as provided by law.

Presented, read and passed by the President and Board of Trustees of the Village of Lake Barrington, Lake County, Illinois, on a roll call vote at a duly held regular or special meeting of the Board of Trustees on the 15th day of June, 2015, and deposited and filed in the Office of the Clerk of said Village on said date.

ROLL CALL VOTE:

YEAS: Trustees Burke, Daulton Lange, Mitchell, Schaller, Schofield, Thompson, and President Richardson

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED by the President of the Village of Lake Barrington,  
Illinois this 15<sup>th</sup> day of June, 2015

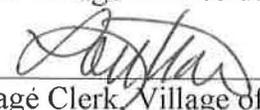


Kevin C. Richardson, Village President,  
Village of Lake Barrington

ATTEST:

  
Village Clerk, Village of Lake Barrington

Recorded in the Record of Resolutions  
of the Village as Resolution No. 2015-R-11

  
Village Clerk, Village of Lake Barrington

EXHIBIT

REPLY TO PETITION SEEKING RECONSIDERATION

Before the  
SURFACE TRANSPORTATION BOARD

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Finance Docket No. 35087 (Sub-No. 8)

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CANADIAN NATIONAL RAILWAY COMPANY AND GRAND TRUNK  
CORPORATION – CONTROL – E J & E WEST COMPANY

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REPLY TO PETITION FOR RECONSIDERATION

As the Village President of the Village of Lake Barrington, IL, which is situated approximately four miles directly Northwest of the Village of Barrington and accessed most directly via U.S. Highway 14, I wish to express, on behalf of the Village of Lake Barrington, support of the Village of Barrington's June 4, 2015 Petition for Reconsideration submitted to the Surface Transportation Board seeking a grade separation at U.S. Highway 14, a major arterial roadway, and the EJ&E rail line owned by Canadian National Railway.

As a result of the Village's critical location along the U.S. Highway 14 (Northwest Highway) corridor, a fundamental part of the Village of Lake Barrington's vision for its future and the realization of the Village's goals for economic development is maintaining U.S. Highway 14's capacity as a free-flowing Strategic Regional Arterial because attracting business and commercial development requires that people can readily access our community on U.S. Highway 14 from both sides of the CN rail line.

The traffic congestion stemming from CN's operations through Barrington has become not simply a challenge, but a traffic nightmare. While admittedly anecdotal, I travel frequently for business and depend upon access to O'Hare airport. I have been delayed countless times by slow-moving CN freight trains on the EJ&E, and it is bad enough that I regularly have to build an extra 30 minutes into my commute to the airport to accommodate such delays.

Having been a party to this original docket, I feel I am sufficiently knowledgeable about the factual statements made by the Village of Barrington in its petitions for oversight relief before the Surface Transportation Board. I can assure you that it does not require a traffic analysis to realize that the

congestion stemming from freight operations on the CN/EJ&E line are far in excess of the 4% to 5% increase the Surface Transportation Board projected in 2008. In fact, in my view, the Village of Barrington's 2011 analysis demonstrating approximately 100 hours of additional vehicular delay is conservative based on my own experience and the complaints voiced by Lake Barrington residents.

I strongly urge the Surface Transportation Board to grant the Village of Barrington's Petition for Reconsideration and then carefully review the current CN operations which continue to have an ever-increasing negative impact on the entire region. Clearly, the Surface Transportation Board's 2008 expectations that CN's operations along the CN/EJ&E line would have minimal impacts on adjacent communities are simply not proving to be accurate. The citizens of our region are relying on the Surface Transportation Board to approve the Village of Barrington's Petition for Reconsideration and to grant appropriate relief to the traffic nightmares now experienced along the U.S. Route 14 corridor, as a result of CN's increased operations in this region. While the Village of Barrington is expending its limited municipal resources to advocate for its interests as a matter of necessity, I can assure you that the Village of Barrington speaks for many of the Barrington area communities, including the Village of Lake Barrington, which have been so negatively impacted by this transaction.

Respectfully Submitted,



Kevin C. Richardson  
Lake Barrington Village President

June 17, 2015

### **Certificate of Service**

I, Suzanne M. Devane, do hereby certify that on June 17, 2015, I served a true copy of the foregoing Lake Barrington, IL Reply to Petition for Reconsideration and Resolution on all parties of record by email. I also served a copy by email on counsel for Canadian National Railway Company, Paul A. Cunningham and David A. Hirsh.

A handwritten signature in cursive script that reads "Suzanne M. Devane".

Suzanne Devane  
President  
HD Resources