

## INSTRUCTIONS FOR COMPLETING “REQUEST TO USE MDOT CONTROLLED RAILROAD PROPERTY”

- Use this form to request the use of state owned or controlled railroad real estate for utility crossings (aerial or subsurface), vehicular crossings or other situations where it is necessary to use or occupy such property. Please complete items 1 through 7 in accordance with the attached instruction cover sheet and return the entire five pages of this application to the Michigan Department of Transportation, Real Estate Division, P.O. Box 30050, Lansing, Michigan 48909. Please enclose the appropriate processing fee and proof of insurance (if necessary).
- Please type or print clearly
- Please be specific as possible when describing the location of the proposed use (item #4). The request should include the County, and City/Township and a fixed point of reference to identify the exact location of the request. A fixed point may include a distance from a road intersection, bridge, milepost, culvert, or a survey. Any documents utilized to identify the location of the request should be on an 8 1/2 “ x 11” sheet of paper to accompany the application. Additional engineering plans or other larger documents may be included to assist in the approval process.
- Please indicate, in Item 7, the reason for using state-controlled right of way; e.g., “jack and bore gas service line under the railroad tracks”, “Install 75KV electrical line over tracks” or “construct at-grade crossing to access proposed new home” **NOTE: Before constructing and using a private vehicular crossing over state-controlled railroad tracks, an agreement must be entered into with the contract operator of that line. The operator will require that you pay an annual maintenance fee and obtain liability insurance.**
- The applicant or its contractors shall procure and maintain the following insurance policies:

Commercial General Liability coverage at their sole cost and expense with limits of not less than \$2,000,000 in combined single limits for bodily injury and/or property damage per occurrence, and such policies shall name, the Michigan Department of Transportation, Michigan State Transportation Commission, the State of Michigan and the \_\_\_\_\_ as an additional named insured, with endorsement CG 24 17 1001 (Contractual Liability-Railroads), and a waiver of subrogation against the above named entities and their affiliates.

Statutory Worker’s Compensation and Employers Liability Insurance with limits of not less than \$1,000,000, which insurance must contain a waiver of subrogation against the Michigan Department of Transportation, Michigan State Transportation Commission, the State of Michigan and the \_\_\_\_\_, and their affiliates.

Business automobile liability insurance with limits of not less than \$500,000 combined single limit for bodily injury and/or property damage per occurrence.

Railroad protective liability insurance with limits of not less than \$2,000,000 combined single limit for bodily injury and/or property damage per occurrence and an aggregate annual limit of \$6,000,000.
- Please enclose a check or money order (made payable to the “State of Michigan”) for the \$400.00 processing fee. The processing fee may be waived for requests made by municipalities. **NOTE: Additional costs may be assessed in conjunction with permanent property rights.**
- Mail **three copies** of the completed application and associated plans to:

MDOT/Real Estate Division  
P.O. Box 30050  
Lansing, MI 48909

- Put “Request to use MDOT Controlled Railroad Property” at the top of each page. Number each page 1 of 5, etc.
- Questions concerning property rights?

Call (517) 373-2132 – Real Estate Division
- Questions concerning engineering or construction matters?

Call (517) 335-2589 – Freight Services and Safety Division

# REQUEST TO USE MDOT CONTROLLED RAILROAD PROPERTY

FOR MDOT USE ONLY	
CONTROL SECTION NO.	
DATE RECEIVED	
FEE	INS
OWNERSHIP	

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## APPLICATION

1. NAME & ADDRESS OF APPLICANT	PHONE
	FAX
2. NAME OF AUTHORIZED AGENT (If applicant is not an individual)	PHONE
	FAX
3. NAME AND MAIL ADDRESS OF CONTRACTOR (If available)	PHONE
	FAX
4. LOCATION OF PROPOSED USE (Give city/township and county; also give railroad milepost, if available, or distance and direction from nearest landmark, center line of intersecting road, etc. – from recognizable point to recognizable point; attach sketch and, if available, certificate of survey)	
5. REASON FOR PROPOSED USE (Attach additional sheets if necessary)	ACTIVITY START DATE
	ACTIVITY END DATE
<p>I certify that I will comply with the provisions noted herein or made a part hereof as a condition of permission to use state-owned railroad property. Prior to the initiation or performance of any work authorized by this application and within 10 days of issuance, I will, in writing to the issuing office, give notice of any exception which I take to the conditions of issuance and recognize that upon such notice this application shall be voided and of no effect. I have read and understand the General conditions, Design Criteria and Supplemental Specifications attached to this form prior to signing this application.</p>	
SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	DATE

## APPROVAL

ENGINEERING APPROVAL	DATE	RAILROAD TO CONTACT	PHONE
FINAL APPROVAL	DATE	INSPECTOR	DATE

MDOT does not hold fee ownership and cannot convey any property rights. You must obtain authorization to enter the property from the fee title holder.

This document, when approved by MDOT and accompanied by a permit, authorizes the applicant to conduct the activity described herein, and/or as noted on the attachments, provided notice is given to MDOT and the operating railroad at least five (5) days prior to commencing any work. This request will expire, if the stated request is not started within a one year period from the date of approval. No permanent rights are conveyed to any property with this application. NOTE: When requesting a private vehicular crossing, an agreement must also be entered into with the operating railroad.

## REQUEST TO USE MDOT CONTROLLED RAILROAD PROPERTY GENERAL CONDITIONS

This permit is issued subject to the following conditions:

1. This permit grants to the permittee only those rights specifically stated and no other. Maintenance work within the railroad right-of-way will require at least of a five (5) day advance notification to the operating railroad.

2. Issuance of this permit does not relieve permittee from meeting any and all requirements of law, or of other public bodies or agencies. The permittee shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, or individuals for the activities hereby permitted.

3. The permittee agrees as a condition of this permit to:

- a. Have the approved permit or a copy thereof, with necessary plans or sketches, on the job site at all times.
- b. Give notice to the Manager of the Capital Development Section(517) 373-6496 and the Operating Railroad at least five (5) days prior to commencement of any operations covered by this permit.
- c. Perform no work except emergency work, unless authorized by the Department, on Saturdays, Sundays, or from 3:00 p.m. on the day preceding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- d. Provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit.

4. Nothing in this permit shall be construed to grant any rights whatsoever to any public utilities, except as to the consent herein specifically given, nor to impair any existing rights granted in accordance with the constitution or laws of this state.

5. Performance of the requirements of this permit is the responsibility of the permittee. The permittee shall complete all operations for which this permit is issued in accordance with the conditions of this permit within one year of issuance. The permittee shall meet all requirements of the current Department Standard Specifications set forth on or incorporated as a part of this permit.

6. The construction, operation and maintenance of the facility covered by this permit shall be performed without cost to the Department unless specified herein. The permittee shall be responsible for the cost of restoration of the railroad facilities and right-of-way determined by the Department to be damaged as a result of the activities of the permittee. In the event of damage to the track and/or track structure; all track work restoration shall be done by the Operating Railroad, unless otherwise authorized by the Operating Railroad or the Department.

7. Facilities allowed on railroad right-of-way shall be placed and maintained in a manner which will not impair the railroad. Failure of the permittee to maintain the facilities located within the railroad right-of-way so as not to interfere with the operation or maintenance may result in revocation of the permit and removal of the facilities at the expense of the permittee.

8. The permittee is solely and fully responsible for all activities undertaken pursuant to the permit. Any and all actions by the Department shall not be construed as a warranty or assumption of liability on the part of the Department. It is expressly understood and agreed that any such actions are for the sole and exclusive purposes of the Department and that such actions are a governmental function incidental to the permit activities under this permit. Any such actions by the Department will not relieve the permittee of its obligations hereunder, nor are such actions by the Department to be construed as

a warranty as to the propriety of the permittee's performance. The permittee shall save harmless the State of Michigan, Michigan State Transportation Commission, the Department and all officers, agents and employees thereof, and the Operating Railroad against any and all claims for damages arising from operations covered by the permit and shall furnish proof of one million dollars (\$1,000,000) insurance coverage for the term of this permit. A copy of this proof of insurance must be attached to this permit and kept on the job site at all times.

9. This permit is not assignable and not transferable unless specifically agreed to in writing by the Department.

10. The permittee, upon request of the Department, shall immediately remove, cease operations, and surrender this permit, or alter or relocate, at the permittee's own expense, the facility for which this permit is granted. Upon failure to do so, the Department may take any necessary action to protect the railroad interest and the permittee shall reimburse the Department for its costs in doing same. The permittee expressly waives any right to claim damages or compensation in the event this permit is revoked.

11. The Department and the Operating Railroad reserves the right during the time any or all of the work is being performed to assign an inspector to protect the railroad interest, and to charge the permittee all such costs incurred. In addition, the permittee may be billed any extraordinary engineering and review fees incurred by the Department in connection with the work covered by this permit.

12. In time of disaster or emergency when utility lines or facilities are so damaged as to constitute a danger to the life or property of the public and railroad, notice shall be given to the nearest police authority, MDOT (517-373-6496), and the Operating Railroad as soon as can reasonably be done under the circumstances.

### Operating Railroads

Huron and Eastern Railway Co., Inc.	800-968-1975
Indiana Northeastern Railroad Co.	517-439-4677
Lake State Railway Company	517-362-4677
Great Lakes Central Railway Co, Inc.	800-640-8729

# REQUEST TO USE MDOT CONTROLLED RAILROAD PROPERTY SUPPLEMENTAL SPECIFICATIONS

## General Conditions

Excavation is not allowed within: 20 feet from either rail; the front slopes; or the load influence zone as described by a 1-on-1 slope descending from the ends of the ties, except where specifically authorized in writing by the Department.

Construction equipment and excavated material shall not be stored within 20 feet of the track and in such locations that inhibit drainage, create a hazard or interfere with rail operations, or clear vision for motorists at road intersections. Under no circumstances shall any heavy equipment, especially machinery with caterpillar treads or cleated tracks, be allowed upon the railroad track or front slopes, without approved special provisions for protecting the track structure and front slopes.

## Construction Methods

### Bore/Jack Installation

1. Where the method of installation consists of pushing the casing pipe into the sub grade section with a boring auger rotating within the pipe to remove the spoil, the auger shall not be advanced more than one-half the diameter of the casing pipe, where the auger and casing advancement is coordinated. Where the auger is advanced separately, the auger shall not precede the casing pipe.

2. A bore/jack installation shall have a push hole essentially the same as the outside diameter of the pipe plus protective coating. If voids should develop creating a hole diameter greater than 1 in. plus the pipe diameter, grout shall be used to fill such voids. The auger shall be removable from within the pipe in the event an obstruction is encountered. When an obstruction is encountered that stops the forward advancement of the pipe, operations shall cease and the pipe shall be abandoned in place, cut flush with the front slope, and filled completely with grout before any further bore attempts are made.

3. Where field welding is required, the steel pipe ends shall be prepared and a minimum of three complete circumference passes or three overlapping beads of weld shall be applied at seams or joints. During field welding, water shall not be present inside the pipe and must be a sufficient distance below the pipe to allow a quality weld.

### Other Installation Methods

1. The use of jetted water is strictly prohibited for excavating under the track

2. Directional boring/drilling, which utilizes bits with jets, may be used in certain conditions only when specifically authorized in writing.

3. Sheet piling, shoring, and/or dewatering shall be used to prevent caving, slides, or undermining of the foundation material supporting the track structure, ballast section, or any other railroad structures (culverts, signals, switch stands, etc). When water is present or anticipated, pumps of sufficient capacity to handle the flow shall be maintained at the site. When dewatering, the railroad embankment, tracks, and facilities shall be closely monitored for settlement or displacement.

4. The installation of a sub-surface crossings by cutting or removing rail and trenching is prohibited unless specifically approved. Approval of open trench installation will require additional special provisions not contained herein.

### Backfilling

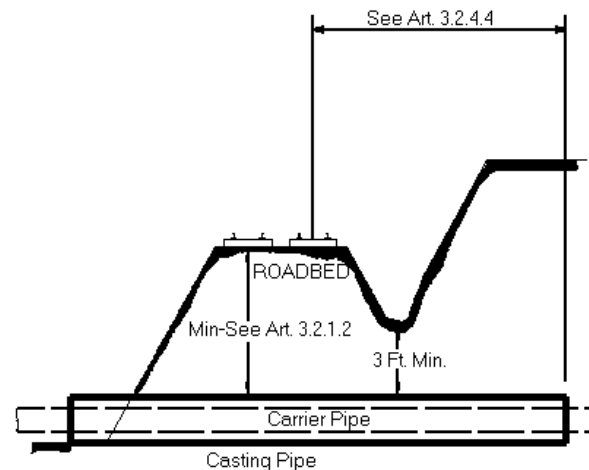
1. All trenches, holes, and pits shall be backfilled with an approved material, placed in successive layers not more than 9 in. in depth, and thoroughly compacted to within 95percent of maximum unit weight. Maximum unit weight and compaction shall be determined by: the M•DOT One-Point T-99 (Proctor) Test for materials having more than 15percent loss-by-washing; the One-Point Michigan Cone Test for materials having less than or equal to 15 percent loss-by-washing; M•DOT approved nuclear gage methods; or approved method.

2. Backfill material shall consist of approved bank-run sand and gravel or Class II granular material per MDOT Standard Specifications for Construction, pass through a screen having 2-3/8 in. square openings, and contain no cementitious properties unsuitable for water percolation nor deleterious or organic materials.

### Restoration

1. All surplus or unsuitable material shall be properly disposed outside of the limits of the railroad right-of-way, unless the approved application provides for designated disposal locations on railroad property. Any permitted disposed material shall be leveled and trimmed in an approved manner.

2. Sod and topsoil shall be stored separately from other excavated material and shall be used for turf establishment. Turf restoration shall begin within one week of completing the installation. Restore the grade by placing sod or seed, fertilizing and mulch. Mulch which has become displaced prior to complete seed germination shall be restored.



# REQUEST TO USE MDOT CONTROLLED RAILROAD PROPERTY DESIGN CRITERIA

## Subsurface Crossings

### MATERIALS

Steel Pipe - Either: ASTM A53-Type E or S, Grade B; or ASTM A139 - Grade B, and have a minimum yield strength of 35,000 psi.

Casing pipe and non-encased carrier pipe shall have the following wall thickness. Numerical values are in inches.

WALL THICKNESS	PIPE WALL DIAMETER
.188 = 3/16	12-3/4 and under
.250 = 1/4	14
.282 = 9/32	14, 16
.313 = 5/16	18
.344 = 11/32	20
.375 = 3/8	22
.407 = 13/32	24
.438 = 7/16	26
.469 = 15/32	28, 30
.500 = 1/2	32
.532 = 17/32	34, 36
.563 = 9/16	38, 40, 42

Grout - A mixture of Portland cement and sand in any proportion which does not have more than 50 percent sand by volume.

### LOW PRESSURE

Where a low pressure (60 psi or less) substance is conveyed through a six(6) inch or less diameter pipeline, a casing pipe is not required. Unencased carrier pipe, other than steel, shall be a heavy duty material and may be used where the depth of burial exceeds eleven (11) feet from the base of rail to top of pipe.

### HAZARDOUS, HIGH PRESSURE

Where a hazardous or high pressure (greater than 60 psi) substance is conveyed in a pipeline, a casing pipe is required. A steel casing pipe is required for all flammable substances. Casing pipes made of material other than steel or leak proof C-76 Class V reinforced concrete must provide a minimum cover of 6-1/2 ft. from base of rail to top of pipe.

### ELECTRICAL, TELEPHONE, FIBER OPTICS

Electrical, telephone, or fiber optic cable do not require a casing pipe.

### CULVERTS, GRAVITY SEWERS

Pipes shall have a minimum of two (2) feet of cover from the base of rail to the top of pipe. The pipe shall be of leak proof construction and can be 12gauge steel or C-76 Class V reinforced concrete.

### DEPTH OF PIPE

Casing or carrier pipes shall be placed at a depth that will provide not less than 5-1/2 ft. of cover from base of rail to top of pipe and provide a minimum of 3 ft. of cover below proposed ditch bottoms.

### LENGTH OF CASING

PIPE Length of pipe shall be the greatest distance as measured at right angles to the track: 3 ft. beyond toe of slope; 3 ft. beyond the ditch; or a minimum distance of 25 ft. from the near rail, when the end of casing is belowground.

### BORE PITS

A minimum of 20 feet (perpendicular measurement) shall be maintained from the near rail to any bore pit, unless specifically authorized in writing by the Department. Bore pit dimensions, depth, distance to each near rail, and to the toe of slope for each front slope must be shown on the plans.

## Aerial Crossing

### VERTICAL CLEARANCES

The minimum vertical clearance, including sag, from top of rail to utility line directly over the track(s) shall be:

26 ft	Communications
27 ft	0 – 750 Volts
28 ft	750V – 15 KV
30 ft	15 KV – 50 KV
32 ft	50 KV – 100 KV
33 ft	100 KV – 150 KV
35 ft	150 KV – 200 KV
37 ft	200KV – 250 KV

### HORIZONTAL CLEARANCES

The minimum horizontal clearance measured perpendicular from centerline of track to poles or similar supports on either side shall be 25 feet or 3 feet beyond the ditch bottom, whichever is greater.

### Required Information for All Crossings

A cross-sectional view of the proposed crossing shall be included with the application, and shall include the following topographical information, as applicable:

adjacent utilities, obstructions or adjacent structures; actual cross-section elevations at the proposed crossing location measured at 0.1 ft increments relative to the top of rail and elevations at 5 ft. intervals 50 ft. each side of centerline; ditch and rail profiles at 25 ft. intervals for 300 ft. each direction from crossing (or as necessary to describe drainage); dimensions of bore pits; the closest distance of bore pits to each near rail; and the location relative to a railroad milepost and/or nearby road crossings.

### Longitudinal Occupancy

Depth of cover and offset from the track will be considered on an individual basis. Casing requirements can be waived where there is sufficient depth of cover and lateral offset from the track structure.