

RESOLUTION 08-08-3

**A RESOLUTION ADOPTING A STATEMENT OF REGIONAL OPPOSITION
TO THE CANADIAN NATIONAL RAILWAY
PURCHASE OF THE EJ&E AS CURRENTLY PROPOSED**

WHEREAS, the Oswegoland Park District (hereinafter "Park District") is a duly organized Illinois municipal corporation and is charged with the development and maintenance of parks and recreation properties, facilities and amenities in order to improve the quality of life for its constituents and their neighbors; and

WHEREAS, on October 30, 2007, the Canadian National Railway Corporation and its United States subsidiary, Grand Trunk Corporation (collectively, "CN") filed an application with the United States Surface Transportation Board ("STB") seeking STB approval of its intended acquisition of EJ&E West Company, a wholly owned non-carrier subsidiary of the Elgin, Joliet and Eastern Railway Company (collectively, "EJ&E"); and

WHEREAS, some of the rail lines that CN intends to purchase from EJ&E are present in the community for which the Oswegoland Park District is charged with improving the quality of life; and

WHEREAS, CN desires to acquire the EJ&E's rail lines in order to increase the amount of rail freight traffic thereon; and

WHEREAS, the projected increase in rail traffic on the EJ&E's rail lines, combined with the lack of grade separation and the relationship of the rail lines to the existing and proposed development and traffic patterns adjacent thereto, is projected to have deleterious effects on the quality of life for those persons and communities located along the EJ&E's rail lines, including traffic disruption and an increase in the risk of injury and damage to property; and

WHEREAS, the projected cost of mitigating the adverse effects from the increase in rail traffic in our communities is estimated to be in excess of \$1 billion; and

WHEREAS, the CN has committed to contribute only \$30-40 million toward mitigating those deleterious effects; and

WHEREAS, the Oswegoland Park District has always been committed to the prudent use of every tax dollar; and

WHEREAS, the Oswegoland Park District supports the position that the burdens attendant to any increase in rail traffic should follow the benefits from any such expansion; and

WHEREAS, the benefits of the proposed expansion inure to CN; and

WHEREAS, the Oswegoland Park District wishes to discourage the use of tax dollars to mitigate the effects of any increased rail traffic and, instead, to encourage the STB to require CN to bear the burdens attendant to the benefits that CN would obtain from the purchase of and increase in rail traffic on the EJ&E's lines.

NOW THEREFORE BE IT RESOLVED that the Board of Park Commissioners of the Oswegoland Park District as follows:

1. The recitals set forth above are incorporated herein and made a part hereof.
2. The Board of Commissioners wishes to encourage the Surface Transportation Board to consider the deleterious effects of the proposed transaction and, as a condition of any approval of such transaction or increase in traffic, require the CN and EJ&E to shoulder all of the burdens such a change would bring so that the quality of life of the communities thereby affected may be preserved.

Passed this 28th day of August, 2008.

4 AYES

0 NAYS

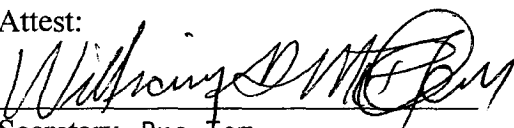
0 ABSTAINS

OSWEGOLAND PARK DISTRICT



President
Board of Park Commissioners

Attest:



Secretary Pro Tem
Board of Park Commissioners