

RESOLUTION 1-22-08-01

**A RESOLUTION OBJECTING TO THE
PROPOSED ACQUISITION OF THE EJ&E WEST COMPANY BY
THE CANADIAN NATIONAL RAILWAY CORPORATION
(SURFACE TRANSPORTATION BOARD – FINANCE DOCKET NO. 35087)**

WHEREAS, on October 30, 2007, the Canadian National Railway Corporation, along with its U.S. subsidiary, Grand Trunk Corporation (collectively, "CN"), filed an application with the federal Surface Transportation Board ("STB") seeking approval to acquire the EJ&E West Company, a wholly owned subsidiary of the Elgin, Joliet and Eastern Railway Company (collectively, "EJ&E"); and

WHEREAS, the proposed acquisition by CN would involve shifting a significant amount of freight train traffic that currently moves over CN's rail lines in the City of Chicago to sections of the EJ&E rail lines west and south of the City of Chicago, including a segment that runs through Hanover Township; and

WHEREAS, the increase in freight train traffic resulting from the proposed acquisition by CN will create adverse impacts on the communities along the EJ&E rail line, including increased noise and vehicle travel delays; and

WHEREAS, CN estimates that if the proposed transaction takes place, that the approximate average number of daily freight trains that run along the segment of the EJ&E rail line that runs through Hanover Township will increase from 5.5 to 23.5 trains per day, and that the approximate gross tons of freight per day that run over that segment will increase from 23,285 tons to 173,965 tons (Attachment A.2 to CN Submittal to the STB); and

WHEREAS, the approximate number of freight train car loads carrying hazardous materials within Hanover Township will increase from 21 carloads per year to over 200 carloads per year if the proposed transaction takes place (Attachment A.2 to CN Submittal to the STB); and

WHEREAS, West Bartlett, Spaulding, and Shoe Factory Roads are highways that run east and west through Hanover Township and intersect with the EJ&E rail line that runs north and south through Hanover Township at at-grade rail crossings; and

WHEREAS, the increased amount of train traffic will interfere with the motoring public, which includes thousands of residents of Hanover Township who reside along West Bartlett, Spaulding, and Shoe Factory Roads and use these highways as their primary or only means of east-west travel; and

WHEREAS, the projected increased volume of train traffic and rail related operations will result in more frequent blockage of the at-grade crossings at West Bartlett, Spaulding, and Shoe Factory Roads, which will negatively impact emergency vehicle access and result in longer emergency response times; and

WHEREAS, the proposed acquisition will have significant secondary and cumulative effects on Hanover Township and the northwest suburban region in that the planned Metra Suburban Transit Access Route (the "Star Line") that proposes to utilize the EJ&E railroad corridor to provide north-south commuter rail service to connect the northwest suburbs to other existing Metra commuter lines will likely be jeopardized and the future opportunity to provide a new dynamic mobility for residents, workers and visitors in the suburban region will likely be lost if the proposed acquisition takes place; and

WHEREAS, all the effort toward creating the first commuter rail line in northeastern Illinois designed specifically to address suburb-to-suburb commutes will likely become a casualty of the proposed CN acquisition, if it takes place;

WHEREAS, the dramatic increase in freight train traffic, gross tons of freight and hazardous materials transported through Hanover Township, interference with the motoring public, and adverse effects on emergency vehicle response times will endanger the safety, health and welfare of the residents of Hanover Township.

NOW, THEREFORE, BE IT RESOLVED BY THE Supervisor and Board of Trustees of Hanover Township, Cook County, Illinois (the "Township Board"), as follows:

SECTION ONE: That the findings and comments set forth in the Recitals of this Resolution are adopted by the Township Board and are expressly incorporated into and made a part of the body of this Resolution.

SECTION TWO: That the Township Board hereby requests that the Section of Environmental Analysis (the "SEA") of the Surface Transportation Board (the "STB") includes and incorporates the issues, findings, concerns and comments of Hanover Township set forth in this Resolution in the scope of study for the draft Environmental Impact Study and final Environmental Impact Study (collectively, the "EIS"), and that said comments and concerns be considered and addressed in the EIS, and the STB.

SECTION THREE: The Township Board does hereby formally object to the proposed acquisition of the EJ&E by CN, and urges the STB to disapprove of the proposed transaction based on the negative impact it will have on Hanover Township, its residents, and the region.

SECTION FOUR: That the Township Clerk shall file a certified copy of this Resolution with the STB on or before February 1, 2008.

SECTION FIVE: SEVERABILITY. The various provisions of this Resolution are to be considered as severable, and if any part or portion of this Resolution shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution.

SECTION SIX: REPEAL OF PRIOR RESOLUTIONS. All prior Resolutions and Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

AYES: Supervisor Kelly and Trustees Dolan Baumer and Kramer

NAYS: None

ABSTAIN: Trustee Westlund-Deenihan

ABSENT: Trustee Goffinski

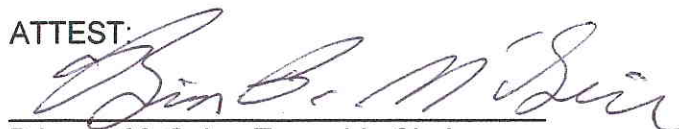
PASSED: January 22, 2008

APPROVED: January 22, 2008



Michael E. Kelly, Township Supervisor

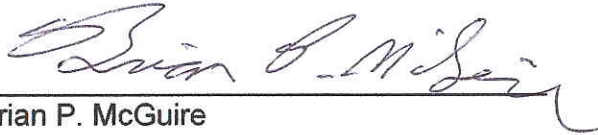
ATTEST:



Brian P. McGuire, Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Hanover Township Clerk, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Resolution 1-22-08-01 enacted on January 22, 2008, and approved on January 22, 2008, as the same appears from the official records of the Hanover Township.

A handwritten signature in dark ink, appearing to read "Brian P. McGuire", is written over a horizontal line.

Brian P. McGuire